VILLAGE OF ESTERO
VILLAGE COUNCIL MEETING
PACKET
JUNE 4, 2025, 04:30 PM

www.Estero-fl.gov

The Village Council Meeting will be conducted physically in Council Chambers at Village Hall, 9401 Corkscrew Palms Circle, with an opportunity for members to participate virtually. The meeting will be broadcasted live via the Village of Estero website https://estero-fl.gov/council/watch-meetings-online/. Please see the bottom of this agenda for further information and instructions for public participation.

AGENDA
VILLAGE COUNCIL MEETING
9401 Corkscrew Palms Circle, Estero, Florida
June 4, 2025, 04:30 pm

Village Council: *District 1 - Joanne Ribble, Mayor; District 2 - Jeff Hunt; District 3 - Jon McLain; District 4 - Lori Fayhee; District 5 - Rafael Lopez; District 6 - Jim Ward; District 7 - George Zalucki, Vice Mayor*

1. CALL TO ORDER

INVOCATION

Pastor Lucas McSurley Lamb of God Church

PLEDGE OF ALLEGIANCE

ROLL CALL

2. RECOGNITION

a. Mayor Joanne Ribble - Florida League of Cities 'Home Rule HERO Award

Attachment: Ribble HRH Certificate.pdf

3. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

5. CONSENT AGENDA

a. May 21, 2025 Village Council Meeting Minutes

Attachment: 05212025.pdf

b. Financial Report for Month ended April 2025

Attachment: SS Monthly Financial Report 043025.pdf
Attachment: April Budget Report All Funds.pdf
Attachment: April Budget Report Available Funds.pdf

6. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

7. FIRST READINGS

a. First Reading for Approval of Ordinance No. 2025 - 05 Capital Improvement Plan

An Ordinance of the Village Council of the Village of Estero, Florida, Adopting the Annual Capital Improvement Program for Fiscal Year 2025-2026; Making Related Findings; and Providing For Severability, Codification and an Effective Date.

Recommended Action
Motion to Pass first reading of Ordinance No. 2025-05 and set second reading for June 18, 2025.

Financial Impact

The Capital Improvement Program will set the funding for the Village Capital Improvement project for Fiscal Year 2025-2026 and provide a plan of priorities for the next 5 years. A summary of the proposed capital expenditures for the upcoming fiscal year is as follows:

Roadway	$ 11,890,000
Intersection	$ 2,500,000
Bicycle and Pedestrian	$ 1,500,000
Landscaping and Beautification	$ 160,000
Parks and Recreation	$ 27,295,000
Stormwater	$ 725,106
Utility	$ 13,400,000
Total Capital Program	$ 57,470,106

Attachment: SS Ord. No. 2025-10 CIP.pdf
Attachment: 1 01- 25-26 CIP.pdf
Attachment: 2 Ord No 2025-05 FY 25-26 Capital Improvement Plan.pdf

b. First Reading Ordinance No. 2025-04 Land Development Code Flood Amendments

An Ordinance of the Village Council of the Village of Estero, Florida, Amending Land Development Code Section 7-3 "Flood Hazard Reduction Standards" to Include a Requirement for Nonconversion Agreements for Elevated Structures with Enclosures Below the Required Elevation, Clarify the Process for Flood Variance Appeals, Clarify Specific Use of FEMA Elevation Certificates And Dry Floodproofing Certifications, Limit Partitioning of Enclosed Areas Below Flood, and Amend Related Definitions; Providing for Severability; Providing for Conflicts; and Providing for an Effective Date.

Recommended Action
Pass first reading and set second reading for June 18, 2025

Financial Impact
Minor cost for newspaper advertisement for second reading.

Attachment: SS 2025-04 LDC Flood Amendments.pdf
Attachment: Draft Ordinance 2025-04.pdf

c. First Reading Ordinance No. 2025-06 Mayfair Village RPD Rezoning

An Ordinance of the Village Council of the Village of Estero, Florida, Approving with Conditions Rezoning for Property Bounded by the Seminole Gulf Railway ROW on the West, Broadway Avenue East on the North, Sandy Lane on the East and 20920/922 Sandy Lane on the South, all in the Village of Estero, Florida; Providing for Severability; and Providing an Effective Date.

Recommended Action
Motion to Pass First Reading of Ordinance No. 2025-06 and Set Public Hearing and Second Reading for June 18, 2025.

Financial Impact
Minor cost for newspaper advertisement for second reading.

Attachment: SS 1st Reading_Ord No 2025-06 Mayfair Village RPD.pdf
Attachment: 1 Ord No 2025-06 Mayfair.pdf
Attachment: 1 Exhibit A for Ordinance.pdf
Attachment: 1 Exhibit B for Ordinance.pdf
Attachment: 1 Exhibit C for Ordinance.pdf
Attachment: 1 Exhibit D for Ordinance.pdf
Attachment: Staff Report with Attachments.pdf

d. First Reading Ordinance No. 2025-08 Unsafe Structures

An Ordinance of the Village Council of the Village of Estero, Florida, Creating a New Chapter 23 Regarding Property Maintenance; Creating a New Article II (Unsafe Structures) of Chapter 23 to Provide for the Prohibition of Unsafe Structures and for the Authority of the Village to Ensure Such Structures are Abated or Removed; Making Related Findings; Providing for Codification, Severability, and for an Effective Date.

Recommended Action
Motion to pass first reading of Ordinance No. 2025-08 and set public hearing and second reading for June 18, 2025

Financial Impact: Minor cost for newspaper advertisement for second reading.

Attachment: SS Ord No 2025-08 Unsafe Structures.pdf
Attachment: 1 Ord No. 2025-08 Unsafe Structures.pdf

8. SECOND READING AND PUBLIC HEARING

a. Second reading of Zoning Ordinance No. 2025-02 Home2 Suites at Coconut Point

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

Recommended Action
Approve Ordinance No. 2025-02

Financial Impact
Minor cost for newspaper advertisement for second reading.

Attachment: SS 6-4-25_Home2 Suites MPD Amendment Council Second Reading.pdf
Attachment: 1 Applicants Letter recieved May 19_ 2025.pdf
Attachment: 2 5-21-2025 DCI2024-E005 Draft Ordinance Home2 Suites.pdf
Attachment: A. Master Cncept Plan.pdf
Attachment: B. Home2 Suites Site Plan.pdf
Attachment: C. Legal Description.pdf
Attachment: D. Pattern Book.pdf
Attachment: E. Coconut Point DRI DO Tenth Amendment.pdf
Attachment: 3 DCI2024-E005 Draft Council Staff Report.pdf
Attachment: A. Zoning Map_ and Future Land Use Map.pdf
Attachment: B. Master Concept Plan.pdf
Attachment: D. Pattern Book.pdf
Attachment: E. Applicant Information.pdf
Attachment: 4 Home2 Suites Presentation_20250528.pdf

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

10. VILLAGE ATTORNEY'S REPORT

11. VILLAGE MANAGER'S REPORT

Adjourn Regular Session and Convene Workshop Items

12. WORKSHOP

a. Presentation of the Tuscan Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2024 by Jeff Tuscan, CPA, Tuscan &.Company, PA

Attachment: SS Tuscan Audit Presentation.pdf
Attachment: 1. Summary of Audit Findings and Management Letter.pdf
Attachment: 2. Draft Annual Comprehensive Financial Report FY 24.pdf
Attachment: 3. Village of Estero Representation Letter FY 24.pdf
Attachment: 4. Review and Approval of Financial Statement Draft FY 24.pdf
Attachment: 5. Financial Compliance Representation Letter FY 24.pdf

13.ADJOURNMENT

General Attachments

- Transcipt.pdf

VILLAGE OF ESTERO COUNCIL MEETING
WEDNESDAY, JUNE 4, 2025, 4:30 P.M.

DISCLAIMER:
THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

04:30:51 [SOUNDING GAVEL]
04:30:52 >>Mayor Ribble: ALL RIGHT.
04:30:53 I'D LIKE TO CALL THE JUNE 4, 2025, 4:30 MEETING OF THE
04:30:58 VILLAGE COUNCIL TO ORDER.
04:30:59 I'D LIKE TO REMIND ALL OF YOU TO PLEASE SET YOUR PHONES ON
04:31:04 SILENT.
04:31:04 AND IF YOU SPEAK IN FRONT OF THE COUNCIL, PLEASE MAKE SURE
04:31:07 YOU ARE CLOSE TO THE MIKE.
04:31:08 THIS EVENING, WE HAVE PASTOR McSURLEY FROM LAMB OF GOD
04:31:14 CHURCH WHO WILL DO THE INVOCATION FOR US.
04:31:18 >> GOOD AFTERNOON.
04:31:20 I'M PASTOR LUCAS McSURLEY.
04:31:22 I'M AT LAMB OF GOD LUTHERAN EPISCOPAL CHURCH, NEIGHBORS OF
04:31:26 THREE OAKS ELEMENTARY.
04:31:28 IT IS AN HONOR TO BE HERE TO SAY GRACE FOR OUR GATHERING
04:31:31 HERE TONIGHT.
04:31:31 LET US PRAY.
04:31:33 GRACIOUS AND LOVING GOD, WE THANK YOU FOR ALL THE MANY

04:31:37 BLESSINGS THAT YOU'VE GIVEN US.
04:31:39 WE HAVE SO MUCH TO BE GRATEFUL FOR.
04:31:41 WE ASK THAT YOU FILL THIS ROOM WITH YOUR SPIRIT, LORD, IN
04:31:44 OUR DECISION MAKING, GRANT US PATIENCE AND WISDOM AND
04:31:49 CLARITY OF MIND THAT AS WE MAKE DECISIONS THAT WORK FOR THE
04:31:54 GOOD OF ALL, LORD, WE ASK THAT YOU CONTINUE TO WATCH OVER
04:31:58 FIRST RESPONDERS, WATCH OVER THE RESIDENTS OF ESTERO,
04:32:02 ACCOMPANY US.
04:32:03 LORD, WE THANK YOU FOR THE GIFTS THAT YOU HAVE GIVEN US, AND
04:32:07 WE ASK THAT YOU CONTINUE TO LEAD US IN YOUR WAYS OF TRUTH,
04:32:10 LIFE, AND LOVE.
04:32:11 BE WITH US AS WE GATHER.
04:32:13 IN YOUR SON'S NAME WE PRAY.
04:32:16 AMEN.

04:32:18 >>Mayor Ribble: PLEASE STAND FOR THE PLEDGE.
04:32:27 [PLEDGE OF ALLEGIANCE]
04:32:41 >>Mayor Ribble: NOW I'D LIKE TO TURN THIS NEXT ITEM OVER TO
04:32:44 THE VICE-MAYOR.
04:32:45 >>Carol Sacco: EXCUSE ME.
04:32:46 I HAVE TO CALL ROLL.
04:32:48 MAYOR RIBBLE?
04:32:49 >>Mayor Ribble: HERE.
04:32:50 >> COUNCIL MEMBER HUNT IS ABSENT.
04:32:54 >>Jon McLain: HERE.
04:32:55 >>Lori Fayhee: HERE.

04:32:56 >>Rafael Lopez: HERE.
04:32:57 >>Jim Ward: HERE.
04:32:59 >>Vice-Mayor Zalucki: HERE.
04:33:01 >>Mayor Ribble: VICE-MAYOR, YOU'RE UP.
04:33:03 >>Vice-Mayor Zalucki: THANK YOU, MAYOR.
04:33:04 THIS EVENING, WE HAVE A SPECIAL RECOGNITION FOR MAYOR RIBBLE
04:33:08 REGARDING THE HOME RULE HERO AWARD.
04:33:12 MAYOR RIBBLE IS PART OF THE FLORIDA LEAGUE OF CITIES, AND
04:33:16 SHE ACHIEVED THIS AWARD THIS PARTICULAR YEAR.
04:33:19 FOR THOSE OF YOU WHO DON'T KNOW OR ARE FAMILIAR WITH WHAT
04:33:23 HOME RULE IS, IT'S BASICALLY SELF GOVERNANCE GRANTED TO
04:33:27 MUNICIPALITIES AND COUNTIES THAT WAS GRANTED IN THE
04:33:30 CONSTITUTION OF FLORIDA IN 1968 SO THAT WE CAN ENACT
04:33:33 ORDINANCES AND LAWS FOR ALL OF YOU WHO ARE DIRECTLY
04:33:36 CONNECTED TO US UP HERE REPRESENTING YOU.
04:33:40 MAYOR, IF YOU'D LIKE, GO DOWN, I'D LIKE TO PRESENT THIS
04:33:44 AWARD TO YOU.
04:33:45 ON BEHALF OF THE FLORIDA LEAGUE OF CITIES FOR BEING A
04:34:10 CHAMPION IN THE DEFENSE AND PROTECTION OF MUNICIPAL HOME
04:34:14 RULE, THE FLORIDA LEAGUE OF CITIES PRESENTS THE 2025 HOME
04:34:19 HERO AWARD TO MAYOR JOANNE RIBBLE.
04:34:23 SO WELL DESERVED.
04:34:25 CONGRATULATIONS.
04:34:25 [APPLAUSE]
04:34:36 >>Mayor Ribble: IF WE CAN GET A PICTURE WITH ALL OF YOU,

04:34:39 PLEASE.
04:35:18 >>Mayor Ribble: NEXT ON THE AGENDA IS THE APPROVAL OF THE
04:35:20 AGENDA.
04:35:20 DOES ANYONE HAVE ANY ADDITIONS, DELETIONS OR CHANGES TO THE
04:35:24 AGENDA?
04:35:25 NO.

04:35:29 SEEING NONE, COULD I HAVE A MOTION TO APPROVE THE AGENDA?
04:35:31 COUNCILMAN McLAIN, SECONDED BY COUNCILMAN LOPEZ.
04:35:37 CLERK, WOULD YOU PLEASE CALL THE ROLL?
04:35:40 >>Jim Ward: AYE.
04:35:42 >>Rafael Lopez: AYE.
04:35:43 >>Lori Fayhee: AYE.
04:35:45 >>Jon McLain: AYE.
04:35:46 >>Vice-Mayor Zalucki: AYE.
04:35:48 >>Mayor Ribble: AYE.
04:35:49 WE WILL NOW TAKE PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE
04:35:54 AGENDA.
04:35:57 >>Carol Sacco: MAYOR, WE HAVE NONE.
04:35:58 >>Mayor Ribble: NO PUBLIC COMMENT.
04:35:59 ALL RIGHT.
04:35:59 ITEM 5, A AND B, THE CONSENT AGENDA.
04:36:05 DO ANY OF THE COUNCIL MEMBERS HAVE ANY COMMENTS OR QUESTIONS
04:36:09 ON THE COUNCIL MEETING OR THE FINANCIAL REPORT?
04:36:13 IS THERE ANY PUBLIC COMMENT?
04:36:18 >>Carol Sacco: WE HAVE NO PUBLIC COMMENT AND NO E-COMMENT.

04:36:21 >>Mayor Ribble: I WILL ENTERTAIN A MOTION.
04:36:22 >>Rafael Lopez: SO MOVED.
04:36:24 >>Mayor Ribble: COUNCILMAN LOPEZ AND A SECOND BY THE
04:36:26 VICE-MAYOR.
04:36:26 MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?
04:36:29 >>Jim Ward: AYE.
04:36:31 >>Rafael Lopez: AYE.
04:36:32 >>Lori Fayhee: AYE.
04:36:34 >>Jon McLain: AYE.
04:36:36 >>Vice-Mayor Zalucki: AYE.
04:36:37 >>Mayor Ribble: AYE.
04:36:37 ITEM 7A, THE FIRST READING FOR APPROVAL OF ORDINANCE NUMBER
04:36:44 2025-05, CAPITAL IMPROVEMENT PLAN.
04:36:49 MADAM CLERK, WOULD YOU PLEASE READ THE TITLE OF THE
04:36:52 ORDINANCE?
04:36:53 >>Carol Sacco: ORDINANCE 2025-05, AN ORDINANCE OF THE
04:36:57 VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, ADOPTING
04:36:59 THE ANNUAL CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR
04:37:02 2025-2026; MAKING RELATED FINDINGS; AND PROVIDING FOR
04:37:09 SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.
04:37:12 >>Mayor Ribble: THANK YOU.
04:37:12 KEVIN, WOULD YOU INTRODUCE THIS FOR US TONIGHT?
04:37:18 >>Kevin Greenville: GOOD EVENING.
04:37:20 THANK YOU, MAYOR.

04:37:21 GOOD EVENING, COUNCIL.

04:37:22 BEFORE YOU OUR VILLAGE CHARTER REQUIRES TWO PUBLIC HEARINGS
04:37:29 AND ADOPTION OF A CAPITAL IMPROVEMENT PLAN BY AUGUST 15 OF
04:37:33 EACH YEAR.
04:37:35 AT A WORK SESSION AT THE LAST COUNCIL MEETING IN MAY, WE
04:37:38 BROUGHT FORWARD THE CAPITAL IMPROVEMENT PLAN AND WENT
04:37:40 THROUGH IT.
04:37:40 BEFORE YOU IS THAT IN ORDINANCE FORM FOR THE FIRST PUBLIC
04:37:45 HEARING.
04:37:45 NO CHANGES TO THAT CAPITAL IMPROVEMENT PLAN.
04:37:48 AND THIS IS, AGAIN, JUST THE FIRST STEP IN OUR BUDGET
04:37:53 PROCESS.
04:37:53 I WOULD BE HAPPY TO ANSWER ANY QUESTIONS COUNCIL MAY HAVE.
04:37:56 >>Mayor Ribble: ANY QUESTIONS, COUNCIL?
04:37:58 IS THERE ANY PUBLIC COMMENT, MADAM CLERK?
04:38:03 >>Carol Sacco: WE HAVE NO PUBLIC COMMENT AND NO E-COMMENTS.
04:38:06 >>Mayor Ribble: I WILL ACCEPT A MOTION TO ADOPT ORDINANCE
04:38:09 2025-05 AND SET THE SECOND READING FOR JUNE 18.
04:38:15 COUNCILWOMAN FAYHEE AND A SECOND BY COUNCILMAN WARD.
04:38:20 PLEASE CALL THE ROLL.
04:38:23 >>Jon McLain: AYE.
04:38:25 >>Lori Fayhee: AYE.
04:38:27 >>Rafael Lopez: AYE.
04:38:28 >>Jim Ward: AYE.
04:38:30 >>Vice-Mayor Zalucki: AYE.
04:38:30 >>Mayor Ribble: AYE.

04:38:31 ITEM 7B, FIRST READING OF THE ORDINANCE NUMBER 2025-04, LAND
04:38:45 DEVELOPMENT CODE FLOOD AMENDMENTS.
04:38:47 MADAM CLERK, WOULD YOU PLEASE READ THE ORDINANCE?
04:38:51 >>Carol Sacco: ORDINANCE 2025-04, AN ORDINANCE OF THE
04:38:53 VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, AMENDING
04:38:55 LAND DEVELOPMENT CODE SECTION 7-3, FLOOD HAZARD REDUCTION
04:39:00 STANDARDS TO INCLUDE A REQUIREMENT FOR NON-CONVERSION
04:39:06 AGREEMENTS FOR ELEVATED STRUCTURES WITH ENCLOSURES BELOW THE
04:39:09 REQUIRED ELEVATION, CLARIFY THE PROCESS FOR FLOOD VARIANCE
04:39:12 APPEALS, CLARIFY SPECIFIC USE OF FEMA ELEVATION CERTIFICATES
04:39:15 AND DRY FLOODPROOFING CERTIFICATIONS, LIMIT PARTITIONING OF
04:39:20 ENCLOSED AREAS BELOW FLOOD, AND AMEND RELATED DEFINITIONS;
04:39:24 PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND
04:39:27 PROVIDING FOR AN EFFECTIVE DATE.
04:39:29 >>Mayor Ribble: THANK YOU.
04:39:30 MARY, WOULD YOU INTRODUCE THIS FOR US?

04:39:35 >>Mary Gibbs: GOOD EVENING, EVERYBODY.
04:39:37 THIS IS, AGAIN, THE FIRST READING FOR THIS ORDINANCE FOR
04:39:42 LAND DEVELOPMENT CODE AMENDMENTS RELATED TO FLOOD HAZARDS
04:39:45 REDUCTION.
04:39:46 IF YOU RECALL FROM SOME OF OUR VARIOUS CONVERSATIONS ABOUT
04:39:48 FEMA, WHEN WE WERE DOING OUR CORRECTIVE ACTION PLAN THAT
04:39:52 FEMA REQUIRED OF THE VILLAGE AND FIVE OTHER CITIES IN THE
04:39:59 COUNTY AFTER THE HURRICANES, SOME OF THE THINGS THAT WE HAD
04:40:01 IN OUR CORRECTIVE ACTION PLAN FOR ACTION ITEMS WERE TO

04:40:04 REVIEW OUR FLOODPLAIN ORDINANCE AND SEE IF WE NEEDED TO MAKE
04:40:07 ANY REVISIONS BECAUSE WE ADOPTED OUR FLOODPLAIN ORDINANCE IN
04:40:10 2022, NOVEMBER 2022, BUT THAT HAD ACTUALLY BEEN IN PROCESS
04:40:15 BEFORE THE HURRICANES.
04:40:16 SO AFTER THE HURRICANES, WE REALIZED WE NEEDED TO DO A FEW
04:40:19 MORE THINGS WITH OUR ORDINANCE.
04:40:20 SO WE HAVE PROPOSED SOME CHANGES.
04:40:26 JUST TO GIVE YOU HIGHLIGHTS, WE HAD AN INCONSISTENCY IN OUR
04:40:31 ORDINANCE WHICH WE REALIZED WITH THE VARIANCE PROCESS FOR
04:40:34 FLOOD VARIANCES WHICH WE HOPE WE NEVER GET ANY OF, BY THE
04:40:37 WAY, BUT IF WE DO, WE HAD ONE SECTION OF THE CODE THAT SAID
04:40:41 THE VARIANCES WOULD BE REVIEWED BY THE COUNCIL AND DECIDED
04:40:44 BY THE COUNCIL.
04:40:45 THE OTHER SECTION SAID THEY WOULD BE REVIEWED AND DECIDED BY
04:40:47 THE PLANNING ZONING AND DESIGN BOARD.
04:40:49 SO WE HAD AN INCONSISTENCY.
04:40:51 WE'RE GOING TO FIX THAT AND JUST LEAVE IN THE LANGUAGE ABOUT
04:40:53 THE VILLAGE COUNCIL BEING THE DETERMINING BODY.
04:40:56 THAT'S SOMETHING THAT FEMA LIKES TO SEE THAT WE'RE VERY
04:41:00 STRICT WITH FLOOD VARIANCES.
04:41:04 WE ARE ALSO PROPOSING WHAT WE CALL A NON-CONVERSION
04:41:07 AGREEMENT.
04:41:08 THAT'S IF YOU BUILD AN ELEVATED HOME OR STILT HOME AND YOU
04:41:11 HAVE SPACE UNDER YOUR BUILDING, WHICH YOU TYPICALLY USE FOR
04:41:15 YOUR GARAGE OR PARKING, YOU ARE NOT SUPPOSED TO USE THAT FOR

04:41:19 HABITABLE SPACE SO YOU CAN'T TURN THE DOWNSTAIRS INTO A
04:41:22 BEDROOM, KITCHEN OR LIVING SPACE.
04:41:25 WE HAD SOME ISSUES WITH THIS AND FEMA SUGGESTED A LOT OF
04:41:29 PLACES ADOPT THIS AGREEMENT, SO IF SOMEBODY COMES IN AND
04:41:32 BUILD AN ELEVATED STRUCTURE, WE MAKE THEM SIGN AN AGREEMENT
04:41:35 THAT SAYS WE'RE NOT GOING TO CONVERT THE DOWNSTAIRS INTO
04:41:38 LIVING SPACE, WHICH THEY CAN'T DO ANYWAY.
04:41:40 SO WE'RE PROPOSING THAT.

04:41:41 WE'RE TRYING TO CLARIFY ELEVATION CERTIFICATES BECAUSE
04:41:45 THERE'S SOME CONFUSION ABOUT WHEN YOU NEED TO PROVIDE AN
04:41:47 ELEVATION CERTIFICATE.
04:41:48 AND THE BUILDING CODE SAYS ANYTHING IN A FLOOD ZONE NEEDS TO
04:41:52 PROVIDE AN ELEVATION CERTIFICATE.
04:41:54 PEOPLE SOMETIMES THINKS THAT IS A SPECIAL FLOOD HAZARD AREA,
04:41:57 BUT X ZONES ARE ACTUALLY LOW FLOOD ZONE AREAS.
04:42:01 SO WE'RE GOING TO START, IF WE DO THIS, WE WOULD REQUIRE
04:42:04 ELEVATION CERTIFICATES FOR NEW BUILDINGS BASICALLY ANYWHERE
04:42:09 IN ESTERO.
04:42:10 THAT KIND OF FITS WITH WHAT THE VILLAGE MANAGER HAD TALKED
04:42:12 TO FEMA ABOUT.
04:42:13 WE HAVE GAPS IN OUR ELEVATION CERTIFICATES, SO SOME OF OUR
04:42:17 GRANTS, WE'D LIKE TO SEE IF WE CAN GET THAT GAP KIND OF
04:42:22 FILLED IN.
04:42:23 SO THOSE ARE THE THINGS THAT WE HAVE PROPOSED IN HERE.
04:42:30 THE STATE EMERGENCY MANAGEMENT HAS TO REVIEW THIS.

04:42:32 WE HAVE SENT IT TO THE STATE, AND WE EXPECTED THAT WE WOULD
04:42:36 GET THE COMMENTS BEFORE TONIGHT, BUT THEN THEY TOLD US THEY
04:42:39 HADN'T FINISHED REVIEWING IT.
04:42:41 SO WE WOULD LIKE TO SCHEDULE THE READING ON JULY 2 INSTEAD
04:42:45 OF JUNE 18 TO SEE IF WE CAN GET THE COMMENTS BACK FROM THE
04:42:48 STATE BY THEN.
04:42:49 IF YOU HAVE ANY QUESTIONS, I'M HAPPY TO ANSWER THAT.
04:42:53 AGAIN, IT IS JUST THE FIRST READING.
04:42:56 >>Mayor Ribble: COUNCILMAN McLAIN.
04:42:58 >>Jon McLain: I WANT TO MAKE SURE I UNDERSTAND THE
04:43:01 ORDINANCE.
04:43:01 IT TALKS ABOUT A REQUIREMENT FOR NON-CONVERSION AGREEMENTS
04:43:06 FOR ELEVATED STRUCTURES WITH ENCLOSURES BELOW THE REQUIRED
04:43:09 ELEVATION.
04:43:10 SO THAT'S SAYING YOU RAISED YOUR PRIMARY RESIDENCE UP BUT
04:43:15 YOU HAVE A SCREENED IN POOL OR SOMETHING.
04:43:17 THAT DOESN'T HAVE --
04:43:18 >>Mary Gibbs: NORMALLY, SOMEBODY RAISES THE HOUSE UP, AND
04:43:21 UNDERNEATH IT, THEY PUT THEIR PARKING, AND HALF OF IT.
04:43:25 THEY MIGHT, YOU KNOW, HAVE THEIR GRILL OR THE COUCH OR
04:43:28 SOMETHING DOWNSTAIRS AND KIND OF SIT AND ENJOY THE WEATHER.
04:43:32 SOMETIMES PEOPLE ENCLOSE THEM.
04:43:34 THE NEXT THING YOU KNOW, THEY'VE GOT A KITCHEN OR THEY'VE
04:43:37 GOT A BEDROOM OR THEY'VE GOT SOME LIVING SPACE.
04:43:40 YOU'RE NOT ALLOWED TO HAVE YOUR LIVING SPACE BELOW THE FLOOD

04:43:43 ELEVATION.
04:43:43 >>Jon McLain: WHAT ABOUT THE NON-CONVERSION AGREEMENT, DO WE
04:43:48 INITIATE THAT OR DOES A HOMEOWNER HAVE TO DO THAT?
04:43:50 >>Mary Gibbs: WHEN THEY COME IN TO GET THEIR BUILDING
04:43:53 PERMIT, THEY WOULD HAVE TO SIGN THE AGREEMENT -- IT'S ONE
04:43:57 FORM THAT SAYS I'M NOT GOING TO CONVERT THIS INTO LIVING
04:44:01 SPACE.
04:44:01 >>Robert Eschenfelder: AND THEN WE RECORD IT, AND IT GIVES
04:44:04 US A RIGHT OVER AND ABOVE NORMAL REGULATORY AUTHORITY TO GO
04:44:07 TO A JUDGE AND SAY THEY SPECIFICALLY CONTRACTUALLY AGREED
04:44:11 WITH US TO DO THIS, SO ENFORCE THIS PROMISE AS A MATTER OF
04:44:15 CONTRACT.
04:44:15 THE DIRECTOR, NORMALLY WHAT HAPPENS, THE PERSON SAYS, OH,
04:44:20 YES, I'LL BUILD IT TO FEMA.
04:44:22 A YEAR AND A HALF LATER, SOMEHOW MYSTERIOUSLY THE FIRST
04:44:25 FLOOR IS LIVING SPACE, WHATEVER.
04:44:27 SO IF WE KEPT IT, WE WANT EVERY TOOL AT OUR DISPOSAL TO MAKE
04:44:32 THEM UNDO THAT.
04:44:36 >>Jon McLain: IS THERE A PENALTY IF YOU WERE TO DO THAT
04:44:38 AFTER THE FACT?
04:44:39 >>Robert Eschenfelder: WELL, THE PENALTY IS YOU'LL HAVE TO
04:44:42 RIP IT OUT AND MAKE IT BACK TO THE WAY OUR CODE SAYS IT
04:44:45 SHOULD BE.
04:44:45 SO IF PEOPLE SPEND A BUNCH OF MONEY TO CONVERT IT -- MY FIRM
04:44:49 HAS A LOT OF BEACH CLIENTS, BEACH MUNICIPALITIES, AND THIS

04:44:53 HAPPENS MORE THAN YOU'D THINK.
04:44:55 YOU'VE GOT TO GO IN AND TELL THEM TO TEAR IT ALL OUT.
04:44:59 THEY PUT PLUMBING IN, BATHROOMS IN, NONE OF THAT IS ALLOWED.
04:45:06 >>Jim Ward: THE CHANGE THAT YOU HAVE ON PAGE 11 REGARDING
04:45:09 VARIANCE AND APPEALS, WHERE THE VILLAGE COUNCIL WILL HEAR
04:45:13 IT, IS THAT A REQUIREMENT OF FEMA OR A SUGGESTION OF STAFF?
04:45:17 >>Mary Gibbs: WE ACTUALLY HAD IT IN THE ORDINANCE TWO
04:45:20 DIFFERENT WAYS.
04:45:21 I HAD PUT VILLAGE COUNCIL, AND THAT WAS IN THE ORIGINAL
04:45:24 ORDINANCE, BUT IN THE OTHER SECTION IT SAID PLANNING ZONING
04:45:27 AND DESIGN BOARD.
04:45:29 ACTUALLY THE STAFF SUGGESTION, BUT BASED ON THE FACT THAT
04:45:32 FEMA WANTS VERY STRICT REVIEW OF ANY VARIANCES, THEY REALLY
04:45:36 DISCOURAGE ANY KIND OF FLOOD VARIANCE.
04:45:39 WE HAVE NOT HAD ANY.
04:45:40 WE HOPE NOT TO HAVE ANY.
04:45:42 WE WANT TO MAKE SURE IT HAS THE HIGHEST LEVEL OF REVIEW SO
04:45:44 IT COMES TO COUNCIL BECAUSE IT'S KIND OF AN IMPORTANT POLICY

04:45:48 THING.
04:45:49 >>Jim Ward: WILL THE PZDB BOARD HEAR IT AT ALL?
04:45:54 >>Mary Gibbs: THEY WILL MAKE A RECOMMENDATION.
04:45:55 THEY MAKE A RECOMMENDATION AND THEN IT COMES TO COUNCIL FOR
04:45:58 A DECISION.
04:46:00 >>Jim Ward: THANK YOU.
04:46:00 >>Jon McLain: MARY, YESTERDAY, IN THE NEWS, I THINK I READ

04:46:03 OR SAW THAT FEMA WAS GOING TO ADOPT MANY NEW RULES AND
04:46:09 REGULATIONS FOR THE 2025 HURRICANE SEASON, BUT I DON'T THINK
04:46:14 THEY ROLLED THAT OUT.
04:46:15 SO THEY ARE GOING TO REVERT BACK TO THE ORIGINAL PLANS.
04:46:19 DOES THAT HAVE ANY IMPACT TO US?
04:46:22 MAYBE WE DON'T HAVE TO DO IT TODAY, BUT MAYBE WHEN WE DO THE
04:46:25 SECOND READING, YOU COULD GET THE MOST CURRENT INFORMATION
04:46:28 ON THAT.
04:46:29 >>Mary Gibbs: THE THINGS THAT FEMA HAS TALKED TO US ABOUT
04:46:32 ARE THE THINGS THAT WE'RE PROPOSING NOW, LIKE THINGS THAT
04:46:36 THEY HAVE SUGGESTED, LIKE NON-CONVERSION AGREEMENTS ARE
04:46:39 ACTUALLY WHAT THE FEMA REPS HAVE TOLD US.
04:46:42 OTHER PLACES USE THAT WE NEED TO BE DOING.
04:46:45 I DON'T KNOW OF ANY OTHER.
04:46:46 I DO KNOW THERE IS A LOT OF LEGISLATION THAT -- BILLS THAT
04:46:50 WERE JUST PASSED AND EMERGENCY MANAGEMENT AND LOTS OF
04:46:53 PROCESS-ORIENTED THINGS THAT LOCAL GOVERNMENTS ARE GOING TO
04:46:56 HAVE TO DO IN TERMS OF FLOOD, BUT MAYBE NOT THE LAND
04:47:00 DEVELOPMENT CODE AMENDMENTS.
04:47:02 >>Robert Eschenfelder: COUNCILMEMBER McLAIN, WHAT YOU'VE
04:47:04 HEARD IS AT THE FEDERAL LEVEL, FEMA IS AN AGENCY, AND IT
04:47:08 RUNS BY WHAT IS CALLED A NOTICE OF PROPOSED RULE MAKING.
04:47:11 SO ANY CHANGE THAT THEY MAKE TO THEIR REGULATIONS, THEY HAVE
04:47:14 TO PUBLISH THEM.
04:47:15 THERE IS A PERIOD WHERE ANYBODY IN THE NATION CAN COMMENT.

04:47:18 THE FEDERAL STAFF REVIEWS THOSE COMMENTS, RESPONDS TO THOSE
04:47:22 COMMENTS, AND THEN PUBLISHES A PROPOSED FINAL RULE.
04:47:25 IT IS A BIG PROCESS.
04:47:26 MY FIRM IS ALL OVER IT.
04:47:29 WE'VE HEARD THEY ARE GOING TO DO IT.
04:47:33 NOTHING BROKE COVER YET.
04:47:35 TRUST ME, IF IT DOES BREAK COVER, WE WILL BE EXAMINING IT.
04:47:38 I'LL GET WITH THE DIRECTOR AND WE'LL MAKE SURE COUNCIL GETS
04:47:41 A WORKSHOP IF ANYTHING IMPACTS US.
04:47:45 >>Jon McLain: THANK YOU.

04:47:46 >>Mayor Ribble: ANYTHING ELSE?
04:47:46 MADAM CLERK, IS THERE PUBLIC COMMENT?
04:47:48 >>Carol Sacco: THERE IS NO PUBLIC COMMENT AND NO E-COMMENT.
04:47:51 >>Mayor Ribble: IN THAT CASE, I WILL ACCEPT A MOTION TO PASS
04:47:54 THE FIRST READING OF ORDINANCE 2025-04 AND SET THE SECOND
04:47:58 READING FOR JULY 2nd.
04:48:01 COUNCILMAN WARD.
04:48:03 SECOND?
04:48:04 COUNCILMAN McLAIN.
04:48:06 PLEASE CALL THE ROLL, MADAM CLERK.
04:48:09 >>Jim Ward: AYE.
04:48:11 >>Rafael Lopez: AYE.
04:48:12 >>Lori Fayhee: AYE.
04:48:15 >>Jon McLain: AYE.
04:48:17 >>Vice-Mayor Zalucki: AYE.

04:48:17 >>Mayor Ribble: AYE.
04:48:20 >>Mary Gibbs: MAY I MENTION ONE MORE THING.
04:48:22 I HAVE SOME GOOD NEWS TO SHARE.
04:48:25 IF YOU ALL REMEMBER, SPEAKING OF FEMA AND BACK I THINK LAST
04:48:28 MONTH IN APRIL, WE CAME TO YOU AND SAID WE HAD TO DO SEVERAL
04:48:32 DOCUMENTS BECAUSE WE HAVE OUR RECERTIFICATION FOR CRS, WHICH
04:48:37 IS THE FLOOD DISCOUNT.
04:48:38 WE HAD A LOT OF DOCUMENTS WE HAD TO PUT TOGETHER TO TURN IN
04:48:41 BY MAY 1st, WHICH WE DID.
04:48:43 WE GOT A LETTER BACK FROM FEMA THAT SAID THEY ACCEPTED OUR
04:48:48 DOCUMENTS.
04:48:50 CONGRATULATIONS, OUR CRS RANKING OF 6 WILL REMAIN, WHICH IS
04:48:53 GOOD NEWS.
04:48:54 AND ALSO, WHEN OUR STAFF LOOKED -- THEY GIVE YOU A BREAKDOWN
04:48:58 OF HOW MANY POINTS YOU CAN GET TO GO INTO THE DIFFERENT
04:49:02 CATEGORIES, WE'RE VERY CLOSE TO THE POINTS WE MAYBE CAN GET
04:49:05 A CLASS 5.
04:49:07 SO WE'RE HOPING IN OCTOBER WE CAN HAVE THEM REVISIT THAT
04:49:10 ISSUE.
04:49:11 BUT THE STAFF WAS VERY EXCITED BECAUSE THEY ARE LIKE, WE'RE
04:49:14 180 POINTS SHORT OF A CLASS 5.
04:49:17 I THINK SOME OF THE THINGS YOU ALL HAVE LET US DO HAVE BEEN
04:49:21 REALLY HELPFUL.
04:49:22 IT'S GOOD NEWS.
04:49:23 MAYBE MARILYN CAN GET A LITTLE SOMETHING OUT ON THAT.

04:49:26 >>Jon McLain: THAT MEANS LOWER INSURANCE COST.
04:49:28 >>Mary Gibbs: 5% LOWER.

04:49:30 WE GET A 20% DISCOUNT.
04:49:32 SO WE'LL KEEP THAT.
04:49:33 AND THEN HOPEFULLY WE'LL BE ABLE TO GET UP TO 25.
04:49:39 >>Mayor Ribble: MARY, YOU MIGHT WANT TO STAY THERE.
04:49:42 I THINK YOU'RE UP NEXT AGAIN.
04:49:43 ITEM 7C.
04:49:47 THE FIRST READING OF ORDINANCE 2025-06, MAYFAIR VILLAGE RPD
04:49:54 REZONING.
04:49:55 MADAM CLERK, PLEASE READ THE ORDINANCE.
04:49:56 >>Carol Sacco: ORDINANCE 2025-06, AN ORDINANCE OF THE
04:50:00 VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING
04:50:03 WITH CONDITIONS REZONING FOR PROPERTY BOUNDED BY THE
04:50:06 SEMINOLE GULF RAILWAY RIGHT-OF-WAY ON THE WEST, BROADWAY
04:50:11 AVENUE EAST ON THE NORTH, SANDY LANE ON THE EAST AND
04:50:15 20920/922 SANDY LANE ON THE SOUTH, ALL IN THE VILLAGE OF
04:50:19 ESTERO, FLORIDA, PROVIDING FOR SEVERABILITY AND PROVIDING AN
04:50:22 EFFECTIVE DATE.
04:50:22 >>Mayor Ribble: THANK YOU.
04:50:25 >>Mary Gibbs: HELLO AGAIN.
04:50:26 THIS IS THE FIRST READING FOR THE REZONING FOR WHAT'S CALLED
04:50:31 THE MAYFAIR VILLAGE PROPERTY.
04:50:33 AND THIS IS SEVEN AND A HALF ACRES.
04:50:35 IT'S AT THE CORNER OF SANDY LANE AND BROADWAY.

04:50:37 YOU ALL MAY REMEMBER A WHILE BACK IT WAS PROPOSED FOR CHURCH
04:50:44 WITH A VERY LARGE DAY CARE.
04:50:46 AND THEY WENT TO PLANNING AND ZONING BOARD, SOME INFORMATION
04:50:50 MEETINGS, AND THEN THERE WAS SOME NEIGHBORHOOD OPPOSITION
04:50:52 AND EVENTUALLY THEY WITHDREW THAT PROJECT.
04:50:55 SO LENNAR IS NOW THE CONTRACT PURCHASER OF THE PROPERTY.
04:51:00 THEY ARE ASKING TO REZONE IT FOR A PLANNED DEVELOPMENT FOR A
04:51:03 SMALL SUBDIVISION WITH 17 LOTS.
04:51:05 WE HAD THE PLANNING ZONING DESIGN BOARD MEETING ON MAY 13,
04:51:14 AND THEY RECOMMENDED APPROVAL.
04:51:16 THEY ACTUALLY ADDED A COUPLE OF ADDITIONAL CONDITIONS THAT
04:51:19 THE STAFF HAD NOT THOUGHT ABOUT WHEN IT WAS ADDRESSING ONE
04:51:22 OF THE NEIGHBORS' CONCERNS.
04:51:26 THEY WANTED A FENCE ADJACENT TO THEIR PROPERTY, THE NEIGHBOR
04:51:30 THAT'S DIRECTLY SOUTH OF THIS PROPERTY AND ALSO ASKED ABOUT
04:51:33 SOME UNDERGROUND UTILITIES, SOME ELECTRIC UTILITIES.
04:51:36 SO PLANNING ZONING AND DESIGN BOARD RECOMMENDED THAT WE LOOK
04:51:39 AT THESE THINGS BEFORE THE SECOND READING.
04:51:41 AGAIN, THEY ADDED THOSE ADDITIONAL CONDITIONS.
04:51:43 WE HAVE TODAY TWO PEOPLE HERE FROM LENNAR.

04:51:48 BUT, OF COURSE, IT IS THE FIRST READING, SO THEY CAN'T
04:51:51 SPEAK, BUT THEY CAN WAVE.
04:51:53 THREE, FOUR.
04:51:54 DO WE HAVE FOUR NOW?
04:51:55 MY FAVORITE IS LEMAR FROM LENNAR.

04:52:03 [LAUGHTER]
04:52:04 THEY ARE TAKING NOTES IN CASE YOU HAVE QUESTIONS THAT WE'D
04:52:07 LIKE THE APPLICANT TO ADDRESS PRIOR TO THE SECOND READING OR
04:52:11 AT THE SECOND READING.
04:52:12 >>Mayor Ribble: ANY QUESTIONS TO SUBMIT TO THE APPLICANT?
04:52:18 >>Vice-Mayor Zalucki: JUST ONE.
04:52:19 I NOTICED THAT YOUR DWELLING CONCEPTS ON HERE BOTH ARE
04:52:24 THREE-CAR GARAGES.
04:52:25 ARE THESE THE ONLY TWO FLOOR PLANS YOU PLAN ON PUTTING IN ON
04:52:28 THE 17 HOMESITES?
04:52:30 >>Mary Gibbs: THEY'LL TELL YOU THAT AT THE SECOND READING.
04:52:37 >>Jon McLain: TWO QUESTIONS.
04:52:38 HOPEFULLY THERE'S BEEN AN OUTREACH TO THE LOCAL COMMUNITY
04:52:42 ABOUT THE POTENTIAL IMPACTS OF THIS NEW DEVELOPMENT.
04:52:46 IT LOOKS FINE FROM WHAT I CAN SEE.
04:52:50 I THINK THAT'S IMPORTANT.
04:52:51 THE OTHER THING, I KNOW WE'RE ONLY APPROVING THE ZONING, BUT
04:52:55 IF THE ZONING IS APPROVED, THEN WE'LL GET INTO THE
04:52:58 DEVELOPMENT OF THE ACTUAL BUILDINGS AND THE LIKE.
04:53:00 I'M A LITTLE CONFUSED.
04:53:03 FOR THE SECOND READING I'D LIKE TO UNDERSTAND WHAT'S IT
04:53:06 GOING TO BE CALLED.
04:53:07 I SEE MAYFAIR VILLAGE RPD REZONING, BUT THERE'S SIGNAGE IN
04:53:13 THERE THAT INDICATES THAT THE REAL NAME MIGHT BE BROADWAY
04:53:17 CROSSING.

04:53:17 I'D LIKE TO HAVE AN ANSWER, WHAT ARE YOU GOING TO CALL IT?
04:53:20 I PARTICULARLY LIKE BROADWAY CROSSING BETTER THAN MAYFAIR.
04:53:26 >>Mary Gibbs: I DON'T KNOW THAT WE HAVE TO WAIT FOR SECOND
04:53:28 READING FOR THAT INTERESTING TIDBIT, BUT I DID ASK LENNAR,
04:53:33 NOT LEMAR, THE LENNAR PEOPLE AND THEY SAID IT WOULD BE
04:53:39 BROADWAY CROSSING.
04:53:40 WE'LL HAVE THEM CONFIRM THAT.
04:53:43 IT'S A BETTER NAME WE KEEP CALLING IT MAYFIELD BY ACCIDENT.
04:53:47 THAT'S WHEN IT WAS AT THE COUNTY.
04:53:51 >>Vice-Mayor Zalucki: JUST SOMETHING TO REDISCUSS.
04:53:54 YOU DID MENTION THERE WAS A RESIDENT DIRECTLY ADJACENT TO
04:53:57 THIS PROJECT THAT DID VOICE CONCERNS AT THE ZONING.

04:54:01 I WATCHED THE MEETING.
04:54:02 HE HAD SOME, I WOULD SAY, VALID CONCERNS.
04:54:06 MY QUESTION TO LENNAR WOULD BE ARE THEY GOING TO SATISFY
04:54:09 THIS PARTICULAR RESIDENT WITH SOME OF THE THINGS THAT HE
04:54:12 REQUESTED AS FAR AS BUFFERING GOES.
04:54:14 >>Mary Gibbs: YEAH.
04:54:16 THEY ARE STILL WORKING.
04:54:17 THERE HAVE BEEN SOME AGREEMENTS AND I THINK THEY ARE STILL
04:54:19 WORKING ON THAT TO TIDY IT UP BEFORE THE SECOND READING.
04:54:24 THERE WERE TWO NEIGHBORS AT PLANNING AND ZONING, SO THEY MAY
04:54:27 COME -- TONIGHT IS THE FIRST READING, SO THEY CAN'T TALK.
04:54:30 BUT WE HAVE NOTIFIED THEM OF THE SECOND READING.
04:54:32 THEY GET NOTICES.

04:54:34 EVERYONE WITHIN 500 FEET -- OR 750 FEET HAS ALREADY RECEIVED
04:54:38 A NOTICE OF THE MEETING.
04:54:42 >>Mayor Ribble: ANYTHING ELSE?
04:54:43 MADAM CLERK, IS THERE ANY PUBLIC COMMENT?
04:54:46 >>Carol Sacco: NO PUBLIC COMMENT AND NO E-COMMENT.
04:54:49 >>Mayor Ribble: I'LL ACCEPT A MOTION TO PASS THE FIRST
04:54:51 READING FOR ORDINANCE 2025-06 AND SET THE PUBLIC HEARING AND
04:54:56 SECOND READING FOR JUNE 18.
04:55:00 >>Rafael Lopez: SO MOVED.
04:55:01 >>Mayor Ribble: COUNCILMAN LOPEZ AND A SECOND FROM THE
04:55:03 VICE-MAYOR.
04:55:04 MADAM CLERK, PLEASE CALL THE ROLL.
04:55:08 >>Jon McLain: AYE.
04:55:10 >>Lori Fayhee: AYE.
04:55:11 >>Rafael Lopez: AYE.
04:55:12 >>Jim Ward: AYE.
04:55:14 >>Vice-Mayor Zalucki: AYE.
04:55:15 >>Mayor Ribble: AYE.
04:55:16 ITEM 7D, THE FIRST READING, ORDINANCE 2025-08, UNSAFE
04:55:24 STRUCTURES.
04:55:24 MADAM CLERK, PLEASE READ THE ORDINANCE.
04:55:28 >>Carol Sacco: ORDINANCE 2025-08, AN ORDINANCE OF THE
04:55:31 VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, CREATING
04:55:35 A NEW CHAPTER 23 REGARDING PROPERTY MAINTENANCE; CREATING A
04:55:38 NEW ARTICLE II (UNSAFE STRUCTURES) OF CHAPTER 23 TO PROVIDE

04:55:43 FOR THE PROHIBITION OF UNSAFE STRUCTURES AND FOR THE
04:55:47 AUTHORITY OF THE VILLAGE TO ENSURE SUCH STRUCTURES ARE
04:55:49 ABATED OR REMOVED; MAKING RELATED FINDINGS; PROVIDING FOR
04:55:55 CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

04:55:59 >>Mayor Ribble: WHO WILL SPEAK TO THIS?
04:56:00 >>Robert Eschenfelder: I WILL.
04:56:01 IN WORKING WITH STAFF, OF COURSE, SINCE TAKING OVER AS
04:56:05 VILLAGE ATTORNEY, ANYTIME I SEE AN OPPORTUNITY TO IMPROVE
04:56:07 THE CODE AND WHATNOT, I'LL WORK WITH STAFF ON THAT.
04:56:10 RECENTLY THERE HAVE BEEN A COUPLE OF INSTANCES WHERE THE
04:56:15 BUILDING OFFICIAL AND/OR THE CODE ENFORCEMENT, THE CODE
04:56:17 COMPLIANCE MANAGER HAVE EXPRESSED THAT THERE ARE STRUCTURES
04:56:21 IN THE VILLAGE WHICH MAY BE APPROACHING THE POINT WHERE THEY
04:56:25 MAY BE HARBORING RODENTS OR READY TO FALL DOWN BECAUSE THEY
04:56:30 ARE HALF BUILT AND THEY HAVE BEEN EXPOSED TO THE ELEMENTS.
04:56:33 THE ULTIMATE QUESTION IS WHAT CAN BE DONE ABOUT IT ASIDE
04:56:38 FROM CITING THEM FOR CODE ENFORCEMENT AND JUST HAVING A
04:56:41 DAILY FINE.
04:56:44 SOMETIMES FOR THE PUBLIC HEALTH AND SAFETY, WE WANT THE
04:56:46 STRUCTURE TO ACTUALLY BE COMING DOWN OR AT LEAST BE SECURED.
04:56:51 IN LOOKING AT YOUR CODE, YOU REALLY DIDN'T HAVE ANY
04:56:53 AUTHORITY IN THERE SO THAT FOLKS COULD BE ORDERED TO DO
04:56:56 THAT, THAT THE OWNER COULD BE ORDERED TO DO THAT.
04:56:58 YOU NEED THAT AUTHORITY SO WE CAN POINT TO SOMETHING AND SAY
04:57:02 THIS PART OF THE VILLAGE CODE SAYS YOU HAVE TO DO THIS.

04:57:05 SO THAT'S WHAT THE ORDINANCE DOES, IS SET UP THAT REGULATORY
04:57:10 SCHEME SINCE IT DOES INVOLVE PROPERTY RIGHTS, ESPECIALLY IF
04:57:13 WE DEMOLISH, WE WILL NEED TO PROVIDE DUE PROCESS.
04:57:16 THAT'S WHY IT IS A BIT LONG IN TERMS OF YOU HAVE TO GET
04:57:20 NOTICE.
04:57:20 YOU GET THE OPPORTUNITY IF YOU DISPUTE IT TO GO BEFORE THE
04:57:24 MAGISTRATE AND ADDRESS WHY YOU THINK IT IS NOT UNFIT OR
04:57:28 UNSAFE.
04:57:28 BUT ULTIMATELY AT THE END OF THE DAY, IF IT IS DETERMINED BY
04:57:32 THE VILLAGE WRIT LARGE THAT IT'S UNFIT OR UNSAFE FOR HUMAN
04:57:37 HABITATION OR CREATING A PUBLIC SAFETY PROBLEM, THAT YOU
04:57:39 EVEN NEED TO ADDRESS IT OR THE VILLAGE HAS THE RIGHT
04:57:43 ULTIMATELY TO HAVE IT TORN DOWN.
04:57:46 >>Mayor Ribble: ANY QUESTIONS?
04:57:48 >>Jon McLain: CAN THE MAGISTRATE, THEY CAN MAKE A DECISION
04:57:52 -- CAN THAT BE TURNED OVER TO ANOTHER JUDICIAL SYSTEM --
04:57:58 >>Robert Eschenfelder: ANY HEARING LIKE THAT IS A
04:58:01 QUASI-JUDICIAL HEARING.
04:58:02 SO WITHIN 30 DAYS OF THE MAGISTRATE MAKING HIS OR HER RULING
04:58:07 THAT CAN BE APPEALED TO A CIRCUIT JUDGE, APPELLATE CAPACITY
04:58:11 AS HAS HAPPENED HERE FROM TIME TO TIME AND THEN THAT JUDGE
04:58:16 WOULD -- BUT THE APPEAL IN CERTIORARI IS VERY LIMITED IN

04:58:21 WHAT THE JUDGE IS ALLOWED TO LOOK AT.
04:58:23 HE OR SHE IS NOT ALLOWED TO SUBSTITUTE HIS OR HER JUDGMENT
04:58:27 FOR THAT OF THE MAGISTRATE.

04:58:28 IT'S JUST, DID YOU FOLLOW THE LAW?
04:58:30 DID YOU PROVIDE DUE PROCESS?
04:58:32 IS THERE A SUBSTANTIAL RECORD BELOW THAT SUPPORTS THE FACTS
04:58:36 OF THE CONCLUSION OF THE MAGISTRATE?
04:58:38 IF THOSE BOXES ARE CHECKED, THEN THE CIRCUIT JUDGE WILL
04:58:42 AFFIRM IT.
04:58:43 >>Jon McLain: THANK YOU.
04:58:44 >>Mayor Ribble: IN THE EVENT THAT WE DO TAKE A STRUCTURE
04:58:47 DOWN BECAUSE THEY REFUSE TO COMPLY, AND ALL THE PROCEDURES
04:58:51 HAVE BEEN FOLLOWED, DOES THE COST OF THE REMOVAL GO BACK TO
04:58:54 THE OWNER?
04:58:55 >>Robert Eschenfelder: YES.
04:58:55 AND THAT IS PART OF YOUR CODE RIGHT NEAR THE END, THERE IS A
04:58:58 PROVISION THAT SAYS IT WOULD BECOME A LIEN UPON THE
04:59:01 PROPERTY.
04:59:02 IF YOU DON'T PAY FOR IT, WE'LL FILE A LIEN, AND IT WILL HANG
04:59:05 OVER THE PROPERTY UNTIL SUCH TIME AS WE FORECLOSE THE LIEN
04:59:09 OR GO TO SELL IT AND TRY TO CLEAR THE LIEN.
04:59:12 >>Mayor Ribble: THANK YOU.
04:59:13 MADAM CLERK, IS THERE ANY PUBLIC COMMENT?
04:59:15 >>Carol Sacco: NO PUBLIC COMMENT AND NO E-COMMENTS.
04:59:18 >>Mayor Ribble: ACCEPT A MOTION TO PASS THE FIRST READING OF
04:59:20 ORDINANCE 2025-08 AND SET PUBLIC HEARING AND SECOND READING
04:59:24 FOR JUNE 18.
04:59:27 COUNCILWOMAN FAYHEE AND A SECOND BY THE VICE-MAYOR.

04:59:33 THANK YOU.
04:59:34 MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?
04:59:36 >>Jim Ward: AYE.
04:59:38 >>Rafael Lopez: AYE.
04:59:41 >>Lori Fayhee: AYE.
04:59:41 >>Jon McLain: AYE.
04:59:43 >>Vice-Mayor Zalucki: AYE.
04:59:44 >>Mayor Ribble: AYE.
04:59:45 ITEM 8A, THE SECOND READING OF ZONING ORDINANCE NUMBER
04:59:56 2025-02, HOME2 SUITES AT COCONUT POINT.
05:00:00 WE WILL NOW OPEN THE PUBLIC HEARING.
05:00:05 MADAM CLERK, HAS THE ORDINANCE BEEN PROPERLY ADVERTISED?
05:00:09 >>Carol Sacco: YES, MAYOR.
05:00:10 >>Mayor Ribble: WILL YOU PLEASE READ THE TITLE OF THE

05:00:12 ORDINANCE?
05:00:12 >>Carol Sacco: ORDINANCE 2025-02, AN ORDINANCE OF THE
05:00:16 VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING
05:00:18 WITH CONDITIONS AN AMENDMENT TO THE MIXED-USE PLANNED
05:00:21 DEVELOPMENT ZONING AND DEVIATIONS FOR A 2.37-ACRE PROPERTY
05:00:26 LOCATED IN THE COCONUT POINT DEVELOPMENT OF THE REGIONAL
05:00:28 IMPACT DRI AND APPROVING DRI DEVELOPMENT ORDER AMENDMENTS
05:00:32 FOR PROPERTY BOUNDED BY U.S. 41 ON THE WEST, WILLIAMS ROAD
05:00:36 ON THE NORTH, SEMINOLE GULF RAILROAD RIGHT-OF-WAY ON THE
05:00:39 EAST AND THE SOUTHERN BOUNDARY FOR THE VILLAGE OF ESTERO
05:00:43 LIMITS, ALL IN THE VILLAGE OF ESTERO, FLORIDA; PROVIDING FOR

05:00:47 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
05:00:49 >>Mayor Ribble: THANK YOU.
05:00:50 MS. STROUD, WOULD YOU EXPLAIN THE QUASI-JUDICIAL PROCEDURE,
05:00:54 PLEASE?
05:00:55 >>Nancy Stroud: GOOD AFTERNOON, MAYOR AND COUNCIL.
05:00:58 I WOULD BE HAPPY TO DO SO.
05:01:00 THIS EVENING'S AGENDA HAS A ZONING ITEM FOR THE COUNCIL'S
05:01:05 DECISION.
05:01:06 ON THIS ITEM, THE COUNCIL SITS IN A QUASI-JUDICIAL CAPACITY.
05:01:10 THE DECISION OF WHETHER OR NOT TO APPROVE THIS APPLICATION,
05:01:14 LIKE ALL QUASI-JUDICIAL ITEMS, MUST BE BASED ON THE CRITERIA
05:01:18 IN THE LAND DEVELOPMENT CODE AND ON SUBSTANTIAL, COMPETENT
05:01:22 EVIDENCE THAT IS PRESENTED AT THE HEARING.
05:01:24 ANYONE WHO INTENDS TO PROVIDE TESTIMONY ON THE APPLICATION
05:01:29 THAT IS THE SUBJECT OF TODAY'S QUASI-JUDICIAL HEARING MUST
05:01:32 BE SWORN IN BY MADAM CLERK IN A MOMENT AND SHOULD ALSO FILL
05:01:37 OUT A PUBLIC SPEAKER'S CARD IF YOU ARE A MEMBER OF THE
05:01:41 PUBLIC AND NOT THE APPLICANT, AND GIVE IT TO THE CLERK
05:01:44 BEFORE SPEAKING.
05:01:44 PLEASE BE ADVISED THAT ANY PERSON WHO PROVIDES TESTIMONY ON
05:01:49 AN APPLICATION MAY BE SUBJECT TO CROSS-EXAMINATION.
05:01:53 THE GENERAL PUBLIC IS NOT PERMITTED TO CROSS-EXAMINE
05:01:56 WITNESSES, BUT THE PUBLIC MAY REQUEST THE COUNCIL TO DIRECT
05:01:59 QUESTIONS ON THEIR BEHALF TO EITHER THE STAFF OR THE
05:02:02 APPLICANT.

05:02:03 AND THERE WILL BE TIME DURING THE HEARING FOR THE APPLICANT
05:02:08 AND VILLAGE STAFF TO CROSS-EXAMINE WITNESSES IF THEY DESIRE.
05:02:12 THE COUNCIL MEMBERS MAY ALSO ASK QUESTIONS OF ANY WITNESS.
05:02:17 SO THE PROCESS IN GENERAL IS THAT THE CLERK WILL SWEAR IN
05:02:22 ANY PERSONS WHO INTEND TO PROVIDE TESTIMONY ON THE
05:02:24 APPLICATION TODAY.

05:02:26 WE FIRST HEAR AN INTRODUCTION FROM THE VILLAGE COMMUNITY
05:02:29 DEVELOPMENT DIRECTOR, MARY GIBBS, AND THEN THE APPLICANT
05:02:33 WILL ADDRESS THE COUNCIL.
05:02:35 MARY WILL THEN HAVE AN OPPORTUNITY TO PROVIDE ANY FURTHER
05:02:40 TESTIMONY.
05:02:43 AND AFTER THIS, THE MAYOR WILL ALLOW ANYONE FROM THE PUBLIC
05:02:45 WHO HAS BEEN SWORN IN ALSO TO PROVIDE TESTIMONY.
05:02:50 AND FOR THE PUBLIC COMMENTS ARE LIMITED TO THREE MINUTES PER
05:02:55 PERSON.
05:02:55 IN ADDITION, IF ANY OF THE COUNCIL MEMBERS HAVE HAD ANY EX
05:02:59 PARTE COMMUNICATIONS REGARDING TODAY'S APPLICATION, THAT
05:03:04 MEMBER NEEDS TO DISCLOSE THE SUBJECT MATTER OF THAT
05:03:07 COMMUNICATION AND THE PERSON TO WHOM THE COUNCILMEMBER
05:03:11 SPOKE.
05:03:11 IF THE COUNCILMEMBER HAS A CONFLICT OF INTEREST, THE MEMBER
05:03:14 MUST ALSO DISCLOSE THAT CONFLICT AND RECUSE HIMSELF OR
05:03:18 HERSELF FROM PARTICIPATION IN THE DISCUSSION OR VOTING.
05:03:23 AT THIS TIME, IT WOULD BE APPROPRIATE TO -- FOR THE CLERK TO
05:03:27 SWEAR IN ANYBODY WHO IS GOING TO PROVIDE TESTIMONY.

05:03:33 >>Mayor Ribble: WILL YOU PLEASE STAND?
05:03:36 >>Carol Sacco: DO YOU SWEAR TO TELL THE TRUTH, THE WHOLE
05:03:38 TRUTH, AND NOTHING BUT THE TRUTH SO HELP YOU GOD?
05:03:41 THANK YOU.
05:03:45 >>Mayor Ribble: THANK YOU.
05:03:49 >>Nancy Stroud: ANY EX PARTE COMMUNICATIONS SHOULD BE
05:03:52 DISCLOSED AT THIS POINT.
05:03:53 >>Jon McLain: NONE.
05:03:54 >>Lori Fayhee: NONE, THANK YOU.
05:03:55 >>Mayor Ribble: NONE.
05:03:58 >>Rafael Lopez: NONE.
05:03:59 >>Jim Ward: NONE.
05:04:01 >>Vice-Mayor Zalucki: NO EX PARTE OR CONFLICT.
05:04:03 >>Mayor Ribble: HAS THERE BEEN ANY WRITTEN COMMUNICATIONS
05:04:08 THAT HAVE BEEN ACCEPTED AS PART OF THIS PROCEEDING?
05:04:11 >>Carol Sacco: THERE HAS BEEN NONE.
05:04:14 >>Mayor Ribble: IN THAT CASE, MARY, WOULD YOU LIKE TO
05:04:18 INTRODUCE THIS FOR US?
05:04:25 >>Mary Gibbs: TONIGHT IS A PUBLIC HEARING, A SECOND READING
05:04:27 FOR THE ZONING AMENDMENT FOR THE HOME2 SUITES AT COCONUT
05:04:31 POINT.
05:04:31 COCONUT POINT IS A MIXED USE PLAN DEVELOPMENT ZONING, AND
05:04:36 THEY WANT TO CONSTRUCT THIS HOTEL IN THE PARKING LOT AREA.
05:04:40 IT IS A TWO-ACRE PARCEL IN THE BACK PARKING LOT.

05:04:43 SO IF YOU KNOW WHERE THE RESIDENCES ARE AT THE SOUTH END OF

05:04:46 COCONUT POINT, IT WOULD BE NORTH OF THAT.
05:04:49 IT'S SOUTH OF WHERE THE MOVIE THEATER IS IN THAT PARKING LOT
05:04:55 AREA.
05:04:55 THEY ARE PROPOSING TO DO 111-ROOM, FOUR-STORY HOTEL.
05:05:00 IN ADDITION TO THE ZONING AMENDMENTS THAT THEY NEED AND A
05:05:04 COUPLE OF DEVIATIONS, THEY ALSO NEED TO AMEND THE
05:05:08 DEVELOPMENT OF REGIONAL IMPACT BECAUSE THIS PROPERTY IS PART
05:05:11 OF THE COCONUT POINT DEVELOPMENT OF REGIONAL IMPACT.
05:05:14 THAT COVERS A LARGER 400 PLUS ACRE AREA.
05:05:17 SO WE'VE GOT ZONING AMENDMENTS AND DRI AMENDMENTS TONIGHT
05:05:20 ALL KIND OF INTERTWINED TOGETHER.
05:05:24 THE CASE WAS HEARD AT PLANNING ZONING AND DESIGN BOARD.
05:05:26 IT WAS ON FEBRUARY 11.
05:05:28 THE BOARD VOTED TO RECOMMEND APPROVAL WITH THE STAFF
05:05:32 CONDITIONS.
05:05:32 THE COUNCIL HAD THE FIRST READING, WHICH WAS MAY 21st.
05:05:37 AT THAT TIME, YOU ASKED THAT THERE BE SOME INFORMATION
05:05:43 PROVIDED, AN EXPLANATION AT THE SECOND READING BY THE
05:05:45 APPLICANT TONIGHT, AND THINGS THAT YOU ASKED ABOUT WERE SOME
05:05:49 EXPLANATION OF THE PARKING, IS THERE ADEQUATE PARKING, IF
05:05:53 THE PARKING IS DELETED TO BUILD THE HOTEL, HOW DOES THE
05:05:56 PARKING WORK AND HAS THERE BEEN A PARKING STUDY CONDUCTED?
05:05:59 AND THEN YOU HAD QUESTIONS OF WHETHER THE DEVELOPMENT, HOW
05:06:02 IT FIT INTO THE OVERALL DEVELOPMENT PLAN FOR COCONUT POINT
05:06:05 BECAUSE WE HAVE HEARD THERE'S SOME POTENTIAL REDEVELOPMENT

05:06:08 OR MAYBE SOME PAINTING KIND OF PROPOSALS, SO THERE ARE A FEW
05:06:13 DIFFERENT PROPOSALS, AND THE COUNCIL ASKED HOW DOES THAT
05:06:17 IMPACT THE PARKING OR HOW WILL THAT BE HANDLED.
05:06:23 YOU WANT AN EXPLANATION OF THE HEIGHT DEVIATION, AN
05:06:26 EXPLANATION OF THE DENSITY INCREASE, AND BECAUSE THEY ARE
05:06:30 REDUCING TRIPS, THEY ARE TAKING AWAY SOME RETAIL USES TO
05:06:36 COMPENSATE FOR THE ADDITIONAL TRAFFIC FROM THE HOTEL.
05:06:38 ONE OF YOU ASKED LIKE WHERE WILL THE TRIPS BE REDUCED FROM?
05:06:42 ARE THEY TAKEN AWAY FROM THE SAME GENERAL AREA OR SOMEWHERE
05:06:45 FAR AWAY?
05:06:46 THOSE ARE THE THINGS THAT YOU SPECIFICALLY WANTED TO HAVE
05:06:49 ADDRESSED TONIGHT BY THE APPLICANT.
05:06:52 JUST TO GIVE YOU A LITTLE BIT OF BACKGROUND, AND WE THOUGHT
05:06:56 WE HAD WORKED OUT EVERYTHING WITH THE APPLICANT AT THE
05:07:00 PLANNING, ZONING DESIGN BOARD.
05:07:03 THE APPLICANT HAS TO SEND WHAT WE CALL AN EIGHT-DAY LETTER.

05:07:07 IN OUR RULES OF PROCEDURE, BEFORE THE PLANNING ZONING DESIGN
05:07:10 BOARD, YOU HAVE TO SEND A LETTER EIGHT DAYS BEFORE THE
05:07:12 HEARING TO SAY IF YOU AGREE WITH THE STAFF CONDITIONS OR IF
05:07:15 THERE'S ANY DISAGREEMENTS.
05:07:17 THE IDEA BEHIND THAT IS TO KIND OF NARROW DOWN THE
05:07:20 DISCUSSION SO WE'RE NOT TALKING ABOUT THINGS THAT WE'VE ALL
05:07:22 WORKED OUT AND EVERYBODY AGREES ON AND WE NARROW IN ON THE
05:07:25 ISSUES.
05:07:26 AT THAT TIME, THE EIGHT-DAY LETTER THEY DID NOT OBJECT TO

05:07:29 ANY OF THE CONDITIONS.
05:07:30 I WAS A LITTLE BIT SURPRISED WHEN WE RECEIVED A LETTER BY
05:07:35 E-MAIL I THINK IT WAS MAY 19 WHERE THE APPLICANT SAID NOW
05:07:40 THEY DO NOT AGREE WITH THE CONDITION ABOUT THE BUILDING
05:07:43 BEING CONSTRUCTED OUT OF CONCRETE INSTEAD OF WOOD FRAME OR
05:07:47 THEY WANTED TO DO WOOD FRAME INSTEAD OF CONCRETE.
05:07:50 I WAS A LITTLE BIT SURPRISED AND A LITTLE BIT SHOCKED
05:07:54 BECAUSE I ADVISE ALL APPLICANTS WHEN THEY COME IN THAT THIS
05:07:57 HAS BEEN AN IMPORTANT POLICY DIRECTION FROM THE COUNCIL EVER
05:08:01 SINCE INCORPORATION.
05:08:02 IT'S BEEN TEN YEARS, I'VE BEEN TELLING APPLICANTS, NOT THE
05:08:06 WOOD FRAME CONSTRUCTION.
05:08:07 WE WANT THE CONCRETE BLOCK CONSTRUCTION.
05:08:10 AGAIN, IT WAS SURPRISING TO ME THAT IT CAME UP AFTER THE
05:08:13 PLANNING AND ZONING BOARD MEETING AND BEFORE COUNCIL.
05:08:16 THAT BEING SAID, I THINK THE APPLICANT IS GOING TO EXPLAIN
05:08:20 THAT IN MORE DETAIL IN THEIR PowerPoint.
05:08:23 WE ARE RECOMMENDING APPROVAL WITH THE SAME CONDITIONS THAT
05:08:24 THE PLANNING ZONING AND DESIGN BOARD HAD RECOMMENDED.
05:08:28 WE ALSO ARE RECOMMENDING APPROVAL OF THE DRI DEVELOPMENT
05:08:32 ORDER.
05:08:35 [MICROPHONE CUT OUT]
05:08:49 I MUTED MYSELF, APPARENTLY.
05:08:50 SOME PEOPLE ARE PROBABLY VERY HAPPY NOW.
05:08:55 >>Mayor Ribble: WOULD YOU SAY THE LAST PART AGAIN, MARY,

05:08:57 ABOUT THE DRI?
05:08:59 >>Mary Gibbs: YES -- NO, LET ME START ALL OVER AGAIN.
05:09:05 [LAUGHTER]
05:09:05 THE DRI IS THE LARGE DOCUMENT THAT'S IN YOUR PACKET.
05:09:08 IT'S BEEN AMENDED TEN TIMES SINCE THE COUNTY ADOPTED IT
05:09:11 ORIGINALLY.
05:09:11 BUT WHAT WE ARE DOING IN THE DRI DOCUMENT IS REALLY UPDATING
05:09:15 IT AND MAKING IT A LITTLE MORE PERTINENT.

05:09:17 THERE'S NOT REALLY ANYTHING SUBSTANTIAL IN THERE BEING
05:09:19 CHANGED.
05:09:20 THERE IS A LOT OF CLEANUP AND ALSO TO ADD IN THE NUMBER OF
05:09:23 HOTEL UNITS BECAUSE THE APPLICANT IS ASKING FOR EXTRA UNITS
05:09:26 THAT HAVE NOT BEEN APPROVED.
05:09:27 SO THAT WAS A LITTLE COMPLICATED.
05:09:29 TRIED TO GET THAT PUT TOGETHER.
05:09:31 WE HAVE ONE MINOR CHANGE ON THE DRI DEVELOPMENT ORDER.
05:09:36 I CAN HAND OUT A LITTLE SHEET THAT EXPLAINS IT.
05:09:41 I CAN TELL YOU NOW OR TELL YOU LATER, BUT IT'S A CHANGE TO
05:09:47 PAGE 24, SECTION 4, WHICH WAS BROUGHT UP TO US THAT I THINK
05:09:51 WE MADE A LITTLE MISTAKE.
05:09:52 ACTUALLY RELATED TO IMPROVEMENTS OF INSTALLATION OF A SIGNAL
05:09:56 COORDINATION ON U.S. 41 FROM PELICAN COLONY BOULEVARD TO
05:10:00 WILLIAMS ROAD, WHICH I KNOW THE MAYOR IS VERY INTERESTED IN
05:10:03 WATCHING THAT TRAFFIC SIGNAL.
05:10:05 WE'RE JUST DOING SOME CLEANUP OF THE LANGUAGE THAT I THINK I

05:10:09 MADE A MISTAKE ON.
05:10:10 I CAN HAND THIS OUT.
05:10:12 I ALREADY SHOWED THE APPLICANT.
05:10:14 I THINK EVERYBODY AGREES WITH THAT.
05:10:15 MAYBE WE CAN PASS THAT AROUND.
05:10:18 ANYWAY, I THINK THAT'S BASICALLY MY INTRODUCTION.
05:10:39 I MAY SPEAK LATER DEPENDING ON WHAT THE APPLICANT GOES INTO.
05:10:43 I'M NOT SURE WHO THE FIRST SPEAKER IS.
05:10:51 WHO ARE YOU?
05:10:54 >> [INAUDIBLE]
05:11:03 >>Mary Gibbs: I'M TRYING TO FIGURE OUT WHO THE APPLICANT
05:11:06 SPEAKERS WILL BE.
05:11:06 YOU ARE FROM PEACHTREE?
05:11:09 OKAY.
05:11:11 PEACHTREE WILL SPEAK AND THEN I ALSO WANTED TO MENTION THAT
05:11:14 SCOTT RICHARDSON IS HERE SOMEWHERE FROM COCONUT POINT FROM
05:11:18 SIMON COMPANY, FROM INDIANAPOLIS, IN CASE THERE ARE
05:11:22 QUESTIONS ABOUT THE OVERALL DEVELOPMENT.
05:11:25 SORRY.
05:11:28 I USUALLY SEE LEE SHUMAN, AND I KNOW YOU AREN'T HIM.
05:11:34 >> HI.
05:11:35 GOOD EVENING, EVERYBODY.
05:11:36 MY NAME IS TRACY RAY.
05:11:39 I AM DEVELOPMENT COUNSEL FOR PEACHTREE HOTEL GROUP.
05:11:42 WE ARE EXCITED TO PRESENT THIS PROJECT TO YOU TONIGHT.

05:11:44 WE HAVE OUR ARCHITECTS, OUR ENGINEERS HERE TO ANSWER ANY
05:11:49 SPECIFIC QUESTIONS YOU MIGHT HAVE.
05:11:50 I DON'T KNOW HOW MUCH YOU KNOW ABOUT OUR COMPANY, IF
05:11:53 ANYTHING AT ALL.
05:11:54 WE ARE A HOTEL DEVELOPMENT COMPANY.
05:11:57 REALLY TRY TO GET INTO MARKETS WITH HIGH ENTRY LIKE YOUR
05:12:02 VILLAGE.
05:12:02 WE THINK THIS WILL BE A GREAT LOCATION.
05:12:04 WE THINK IT WILL BE A HOME RUN.
05:12:07 WE BUILD -- EVERYTHING WE DO IS QUALITY.
05:12:10 WE'RE JUST EXCITED TO PRESENT IT TO YOU AND HERE FOR ANY
05:12:14 QUESTIONS YOU MIGHT HAVE.
05:12:15 I'M GOING TO TURN IT OVER TO JEREMY PETTIT, HE IS OUR
05:12:20 ENGINEER FROM INGENIUM.
05:12:24 >>Jeremy Pettit: HI.
05:12:24 GOOD EVENING.
05:12:26 WE APPRECIATE YOU TAKING THE TIME TO HEAR OUR CASE, MAYOR
05:12:29 AND COUNCIL.
05:12:30 I WANTED TO KIND OF GO THROUGH THE PowerPoint HERE.
05:12:33 YOU HAVE A COPY OF THE PATTERN BOOK IN FRONT OF YOU AS WELL
05:12:36 WHICH HAS A LOT OF WHAT'S ON THE SLIDES WITH MORE
05:12:39 INFORMATION.
05:12:39 AS TRACY STATED, PEACHTREE GROUP HAS DONE A LOT OF
05:12:43 HIGH-QUALITY HOTEL PRODUCTS COUNTRYWIDE AND BEEN DOING IT
05:12:50 QUITE A WHILE.

05:12:51 LEE SHUMAN IS USUALLY HERE.
05:12:56 WALK THROUGH THE SITE PLAN AND LOCATION.
05:12:59 2.37-ACRE PIECE OF PROPERTY BEHIND THE AMERICAN EAGLE STORE
05:13:05 SOUTH OF WHERE THE FORMER MOVIE THEATER WAS, FOUR STORY
05:13:11 HOTEL, 111 ROOMS.
05:13:12 116 PARKING SPACES.
05:13:14 WE WORKED QUITE A WHILE WITH STAFF AND PLANNING BOARD TO
05:13:18 DEVELOP THE SITE PLAN, TO DEVELOP HIGH-QUALITY, GOOD-LOOKING
05:13:23 PROJECT FOR YOUR CONSIDERATION AS WELL AS PROVIDING SOME
05:13:25 LANDSCAPING IN THE MEDIAN OUT ON VIA COCONUT THAT THE
05:13:32 PLANNING BOARD ASKED US TO PUT OUT THERE FOR GOOD AESTHETICS
05:13:36 AND MAKE IT AN ATTRACTIVE DEVELOPMENT.
05:13:38 WE WORKED HARD ON THE ARCHITECTURE AS WELL.
05:13:40 I THINK THAT WAS ONE OF THE THINGS THAT PLANNING BOARD WENT
05:13:45 THROUGH QUITE A BIT WITH THE ARCHITECTURE STYLE AT COCONUT
05:13:48 POINT.
05:13:48 MAKE SURE WE HAD A COHESIVE LOOK.
05:13:51 I DID BRING OUR ARCHITECT CHRIS ALLRED TO TALK ABOUT THE

05:13:56 ARCHITECTURE AND ANSWER ANY QUESTIONS REGARDING THAT AS
05:13:59 WELL.
05:14:06 >> CHRISTOPHER ALLRED, THE ARCHITECT WITH RBA GROUP.
05:14:12 WE'RE EXCITED TO WORK ON THE PROJECT CONTINUING FURTHER.
05:14:18 ALWAYS EXCITED TO SEE A PROJECT THAT SHOWS UP IN THE OFFICE
05:14:25 CONVERTING SURFACE PARKING LOT TO A DIFFERENT USABLE USE AS
05:14:28 THIS IS.

05:14:29 IF THERE ARE ANY OTHER QUESTIONS, WE CAN ADDRESS THOSE,
05:14:34 ANSWER THOSE AT ANY TIME.
05:14:35 THANK YOU.
05:14:42 >>Mayor Ribble: AT THIS TIME, MARY, DO YOU HAVE ANYTHING
05:14:44 ELSE?
05:14:51 >>Mary Gibbs: I THINK I'M CONFUSED.
05:14:53 IS SOMEBODY GOING TO ANSWER --
05:14:56 >> I FIGURED THERE WERE QUESTIONS COMING.
05:14:59 WE ARE HERE TO ANSWER WITH OUR CONSULTANT.
05:15:10 >>Mary Gibbs: WHY DON'T YOU GO THROUGH.
05:15:12 >> THESE ARE THE ELEVATIONS OF THE BUILDING.
05:15:15 CHRIS, DO YOU WANT TO TALK ABOUT THE ELEVATIONS?
05:15:21 >> IF ANYONE IS KIND OF FAMILIAR WITH THE TYPICAL HOME2
05:15:26 SUITES, WHAT WE'VE KIND OF WORKED WITH THE CLIENT AS WELL AS
05:15:29 THE PLANNING ZONING DESIGN BOARD IS A VAST DIFFERENTIATION
05:15:35 FROM A STANDARD HOME2 SUITES, ONE WE FEEL AS WELL AS HAVING
05:15:40 GONE THROUGH AND SPENT THE TIME TO GO THROUGH THE DESIGN
05:15:43 REVIEW BOARD, BLENDS IN WITH THE SURROUNDING AREA, FAR
05:15:48 DEPARTURE FROM THE PROTOTYPICAL HOME2 SUITES.
05:15:56 THE BUILDING AS SITED, IT GIVES OUR OFFICE A GREAT
05:16:00 OPPORTUNITY TO DESIGN A BUILDING THAT DOESN'T HAVE A BACK
05:16:03 SIDE, WHICH OFTENTIMES HAS ITS OWN CHALLENGES.
05:16:11 DOESN'T NECESSARILY ALLOW THE BUILDING TO -- TYPICALLY A
05:16:14 PROJECT RETAIL OR ANOTHER TYPE OF PROJECT DOES TURN ITS BACK
05:16:20 ON ITS NEIGHBORS.

05:16:21 THERE WILL BE A SIDE THAT IS A SERVICE SIDE OR A SIDE LESS
05:16:25 DESIRABLE AND MORE FOCUS IS PUT ON THE FRONT.
05:16:29 ONE WE HAVE DONE THE WAY THAT THE PROJECT IS SITED IS REALLY
05:16:34 FOCUS THE DESIGN OF THE BUILDING TO REFLECT THE NATURE AND
05:16:38 THE CULTURE OF THE PROJECT ON ALL FOUR SIDES AS IT IS
05:16:43 SITUATED KIND OF IN THE MIDDLE OF THE DEVELOPMENT.
05:16:46 I KNOW THERE'S RETAIL THAT WILL BE PASSING BY THE SITE.
05:16:52 I KNOW THERE ARE NEIGHBORS THAT ARE LIVING ADJACENT TO THE
05:16:55 SITE.
05:16:56 SO ONE OF THE THINGS THAT WAS VERY IMPORTANT WAS MAKING SURE

05:16:58 WE DIDN'T HAVE OUR BACK TURNED TO ANYONE THAT WAS ADJACENT
05:17:03 EITHER AS A RESIDENT OR AS A VISITOR TO THE PROPERTY
05:17:06 OVERALL.
05:17:07 THROUGH THE DESIGN AND DEVELOPMENT, WE WORKED CLOSELY WITH
05:17:12 STAFF AND THE DESIGN REVIEW BOARD MEMBERS TO HONE IN ON THE
05:17:16 COLORS AND MATERIALITY OF THE PROJECT, ONE REFLECTING THE
05:17:22 COCONUT POINT BUT AS WELL AS THE ESTERO, THE DESIGN
05:17:27 GUIDELINE BOOKS.
05:17:28 SO WE REALLY KIND OF HONED IN ON THIS BASICALLY OVER THE
05:17:33 LAST YEAR TO FOCUS ON THE DESIGN AS WELL AS THE CONSTRUCTION
05:17:39 AND WHAT THE BUILDING IS TO BE MADE OF.
05:17:42 AGAIN, WE REALLY KIND OF FOCUSED ON THE BUILDING ITSELF,
05:17:49 ALLOWING TO HAVE NODES OF INTEREST ALL AROUND THE PROPERTY.
05:17:53 THIS BEING THE REAR ENTRANCE.
05:17:56 THE WAY THE PROJECT IS SITED, WE FELT IT DESERVED TO HAVE

05:18:00 THE SAME KIND OF CONSIDERATION AS THE FRONT, AS WELL AS THE
05:18:05 MATERIALITY.
05:18:06 ALWAYS START WITH 3D RENDERINGS BECAUSE ELEVATIONS ARE
05:18:13 AWFULLY FLAT.
05:18:14 I THINK JEREMY CAN SPEAK A LITTLE BIT BETTER TO THE HEIGHT
05:18:18 QUESTION THAT I THINK WAS BROUGHT UP.
05:18:21 BUT OVERALL, WE TRIED TO MANAGE THE DESIGN NOT ONLY WITH THE
05:18:27 OVERALL HEIGHT OF THE PROJECT, BUT ALSO THE KEY ELEMENTS IN
05:18:31 THE ESTERO GUIDE BOOK WITH SOME ELEMENTS OF SOME VERTICALITY
05:18:35 TO REALLY SIGNIFY ENTRY POINTS, WHETHER IT IS THE END ENTRY
05:18:41 POINTS OR THE MAIN ENTRY AT THE FRONT OF THE HOTEL AS WELL
05:18:44 AS LOWER ELEMENTS AT THE BACK.
05:18:45 THE COLOR PALETTE, MATERIAL PALETTE IS KIND OF ALL WITHIN
05:18:52 THE DEVELOPMENT ITSELF BUT AS WELL AS THE OVERALL AREA.
05:19:05 >> ONE OF THE WAIVERS WE'RE ASKING FOR IS THE HEIGHT OF THE
05:19:09 BUILDING.
05:19:10 WE'VE GONE THROUGH AND WORKED HARD AND WORKED WITH STAFF
05:19:13 LOOKING AT THE EXISTING RESIDENCES AND OTHER BUILDINGS IN
05:19:16 THE AREA NEXT TO US WHICH ALL EXCEED THE 45-FOOT HEIGHT.
05:19:20 THEY ARE ACTUALLY AT 55.
05:19:21 THE TOP OF OUR PARAPET IS 48 FEET.
05:19:24 WE'RE ACTUALLY LESS THAN WHAT THEY ARE.
05:19:26 WE HAVE SOME TOWER ELEMENTS, ABOUT 55 TO 58 FEET.
05:19:30 WE FEEL LIKE WE'VE GOTTEN THE BEST AS FAR AS THE HEIGHT OF
05:19:33 THE BUILDING AND THE FOUR STORIES.

05:19:36 DID SIGHT LINE STUDIES IN THE PATTERN BOOK THAT SHOWS THE
05:19:40 TOP OF THE BUILDING IS NOT VISIBLE TO THE SINGLE-FAMILY

05:19:43 REPS.
05:19:44 CANNOT SEE THE TREE COVER OR THE TOP OF THE BUILDING.
05:19:47 WE ARE GENERALLY LOWER THAN THE REPS NEXT DOOR TO OUR SITE.
05:19:50 THAT HOPEFULLY ADDRESSED THE CONCERNS WITH THE HEIGHT.
05:19:52 HAPPY TO ANSWER QUESTIONS ABOUT THAT PART OF IT.
05:19:56 AS FAR AS THE DEVIATION AND THE OBJECTION TO THE WOOD/BLOCK
05:20:03 CONSTRUCTION, WE ARE HERE TO ANSWER THAT.
05:20:06 QUALITY OF THE WOOD CONSTRUCTION.
05:20:07 WE HAVE SLIDES PREPARED TO GO OVER THAT.
05:20:11 I'LL GO TO CHRIS FOR THAT PART OF IT.
05:20:18 >> SO REGARDING THE REQUEST -- I GUESS IT WOULD BE A REQUEST
05:20:25 -- FOR THE CONDITION, ONE OF THE THINGS THAT WE HAVE NOT
05:20:35 NECESSARILY AN ISSUE WITH, BUT ONE OF THE PROBLEMS WITH THIS
05:20:38 TYPE OF PROJECT, AND WE UNDERSTAND WHAT THE CONDITIONS AND
05:20:42 WHAT THE REASONING BEHIND THE LANGUAGE IS, ONE OF THE THINGS
05:20:47 AS ARCHITECT IN CHARLOTTE AND WORKING THROUGH THE APARTMENT
05:20:52 BOOM, I UNDERSTAND THERE ARE CONCERNS ABOUT APARTMENTS AND
05:20:54 OTHER PROJECTS IN THE AREA THAT WERE BUILT WITH STICK FRAME.
05:20:58 THERE ARE A COUPLE OF DIFFERENT KEY DIFFERENCES IN THIS
05:21:02 PROJECT IN WHAT WE WOULD TYPICALLY SEE AS ONE OF THE LARGER
05:21:06 STICK-BUILT PROJECTS.
05:21:08 THIS WOULD BE A MUCH SMALLER SCALE THAN A LOT OF THE
05:21:14 APARTMENTS, BUILT AND DESIGNED IN THE RECENT YEARS BEING IN

05:21:18 THE NEIGHBORHOOD OF FIVE OR SIX HUNDRED THOUSAND SQUARE FEET
05:21:22 OF APARTMENTS OUT OF WOOD CONSTRUCTION.
05:21:23 UNDERSTANDING THE CONCERNS OF WOOD CONSTRUCTION IN
05:21:32 APARTMENTS AND THOSE TYPE OF DEVELOPMENTS IS UNDERSTANDABLE
05:21:35 EVEN ON MY END.
05:21:37 THE HEIGHT AND SCALE OF THOSE PROJECTS DOES HAVE THEIR
05:21:41 CONCERNS AND LIMITATIONS.
05:21:42 BUT WITH THIS BEING A MUCH SMALLER SCALE PROJECT, I THINK IT
05:21:48 IS LESS OF THE SAME CONCERN IN MY VIEWPOINT.
05:21:53 ADDITIONALLY, THE PROJECT THAT WE WORK ON THAT SCALE,
05:21:59 STICK-FRAME DESIGN AND CONSTRUCTION HAVE LESS WHAT I WOULD
05:22:03 CALL OUTSIDE AND THIRD-PARTY OVERSIGHT.
05:22:06 THE FACT THAT THIS IS A HILTON PRODUCT, THE DEVELOPER WILL
05:22:12 BE ENGAGING IN AGREEMENT FOR A 20-YEAR FRANCHISE AGREEMENT
05:22:16 WITH HILTON.
05:22:18 THAT COMES WITH A REGULAR HILTON REVIEW OF THE PROPERTY, THE
05:22:22 STATUS OF THE PROPERTY, THE HEALTH OF THE PROPERTY ITSELF AS
05:22:28 WELL AS HOW IT LOOKS AND HOW IT IS OPERATED NOT ONLY FOR THE
05:22:31 NEIGHBORHOOD, BUT ALSO THEIR INTENDED GUESTS.
05:22:34 THEY HAVE A REQUIREMENT FOR A MAJOR RENOVATION EVERY TEN

05:22:39 YEARS, AND ON THE OFF SIX-YEAR CYCLE WOULD BE WHAT IS CALLED
05:22:44 A PROPERTY IMPROVEMENT PLAN WHERE THE FRANCHISE REQUIRED THE
05:22:50 FRANCHISEE COME IN, REFINISH, RETOOL, RE-UP THE LOOK AND
05:22:54 FEEL OF THE PROPERTY.
05:22:55 ADDITIONALLY, PRODUCT OF THIS TYPE AND IN MY EXPERIENCE HAS

05:22:58 MUCH MORE OF A PROPERTY MANAGEMENT ASSOCIATION ASSOCIATED
05:23:02 WITH THE FRANCHISE HOTEL.
05:23:05 HILTON REQUIREMENTS, THEY DO A PROPERTY INSPECTION EVERY
05:23:09 YEAR AS WELL AS THE KIND OF ON-SITE, WHICH IS NOT TYPICAL IN
05:23:15 THE OTHER STICK FRAME, LARGE-SCALE PROJECTS THAT WE HAVE
05:23:18 EXPERIENCE WITH.
05:23:19 ADDITIONALLY, I THINK ONE OF THE CONCERNS WAS THE
05:23:25 SUSTAINABILITY OF THE PROJECT.
05:23:27 FROM A PURE SUSTAINABILITY STANDPOINT, IT'S BEEN WELL
05:23:32 DOCUMENTED OVER SEVERAL DECADES THAT WOOD IS A MORE
05:23:37 SUSTAINABLE BUILDING MATERIAL THAN CONCRETE.
05:23:41 CONCRETE IS VERY RESOURCE HEAVY ON ITS REQUIREMENTS.
05:23:48 A LOT OF MINING AND WHAT THEY CALL MILLING TO GET THE
05:23:54 LIMESTONE THAT'S REQUIRED AND THE CEMENT REQUIRED OUT OF THE
05:23:58 CLAY.
05:23:59 WHEREAS WOOD, WHILE IT DOES -- IT STARTED WITH A BLACK EYE
05:24:08 WITH DEFORESTATION, THE MOST RECENT USGBC, THE MOST RECENT
05:24:17 U.S. FOREST SERVICE HAS STATED THE WOOD IS ONE OF THE FEW
05:24:24 RENEWABLE RESOURCES OF CONSTRUCTION THAT WE HAVE.
05:24:28 WHEN WOOD IS TAKEN OUT, IT CAN BE REPLACED, WHEREAS THE
05:24:32 ELEMENTS THAT MAKE UP STEEL AND CONCRETE, ONCE THEY HAVE
05:24:36 BEEN MINED AND TAKEN OUT OF THE EARTH, THEY ARE NO LONGER
05:24:40 AVAILABLE FOR USE AGAIN.
05:24:41 ALSO, ONE OF THE THINGS THAT IS A BENEFIT OF WOOD, IT IS
05:24:44 RECYCLABLE.

05:24:45 IT IS BIODEGRADABLE, WHERE CONCRETE ITSELF HAS A LARGE
05:24:54 FOOTPRINT ONCE IT'S BEEN REMOVED AND DEMOLISHED.
05:24:57 REGARDING THE LIFE CYCLE OF THE PROJECT, A WOOD STRUCTURE
05:25:02 ALSO LENDS ITSELF MORE EASILY TO BE RENOVATED, RENEWED,
05:25:07 ADJUSTED OVER TIME, WHEREAS WHEN YOU START TO BUILD OUT OF
05:25:13 CONCRETE, CONCRETE BLOCK, IT IS MORE SET IN STONE.
05:25:17 IT IS HARDER AND MORE DIFFICULT TO GET A SECOND GENERATION
05:25:21 OCCUPANT IN THERE TO CHANGE THE USE OR CHANGE IN USE OR
05:25:25 CHANGING THE TYPES OF FRANCHISE FROM ONE HOTEL TO ANOTHER
05:25:28 HOTEL, THAT THEIR REQUIREMENTS MAY BE MORE COMPLICATED.
05:25:32 SO THAT WOULD BE THE REASON WHY WE WOULD LIKE TO HAVE THE
05:25:35 OPPORTUNITY TO BUILD THE PROJECT OUT OF WOOD AS OPPOSED TO

05:25:38 BEING DETERMINED TO BE CONCRETE BLOCK SPECIFICALLY.
05:25:44 IF THE PROJECT WOULD BE CONCRETE BLOCK, IT WOULD ALSO HAVE
05:25:49 WOOD IN IT.
05:25:50 IT WOULD HAVE WOOD EXTERIOR WALL, INFILL WALL BETWEEN THE
05:25:55 CONCRETE BLOCK SUPPORT WALLS.
05:25:57 THIS PROJECT AS A WOULD STICK BUILT PROJECT ALSO HAS
05:26:01 CONCRETE BLOCK IN IT, IN THE SHAFTS, IN THE STAIRWELLS, IN
05:26:05 SUPPORT STRUCTURES.
05:26:06 IT ALSO HAS STEEL IN IT.
05:26:09 THE NATURE OF THE OPEN AREAS WITHIN HOTELS REGARDLESS OF
05:26:15 WHETHER IT'S WOOD OR CONCRETE WOULD HAVE THE STEEL IN THERE
05:26:18 TO ALLOW THE HOTEL TO BE OPEN AND KIND OF FREE FLOWING IN
05:26:22 THE LOBBY AREAS.

05:26:23 THERE'S GENERALLY NOT A ONE SINGLE TYPE OF CONSTRUCTION THAT
05:26:29 WE WOULD BE UTILIZING TO MAKE A PROJECT OF THIS TYPE KIND OF
05:26:33 HAPPEN, WHETHER IT WOULD BE CONCRETE OR STEEL OR WOOD.
05:26:38 IT WOULD GENERALLY BE A BLEND OF MANY.
05:26:40 ANOTHER OPTION FOR THE PROJECT THAT WOULD BE LIMITED BY THIS
05:26:44 CONDITION WOULD BE THE USE OF METAL STUD CONSTRUCTION.
05:26:49 THE WAY WE READ AND UNDERSTAND THE CONDITION IS THAT IT IS
05:26:54 NOT WOOD STICK FRAME, BUT IT IS CONCRETE BLOCK, THAT WOULD
05:26:58 BE THEN LIMITING TO WHAT COULD BE PROVIDED FOR THE
05:27:03 STRUCTURAL SYSTEM OF THE PROJECT.
05:27:06 AGAIN, I CAN ANSWER ANY FURTHER QUESTIONS, ANY FURTHER
05:27:13 INSIGHT.
05:27:14 >>Mayor Ribble: VICE-MAYOR.
05:27:17 >>Vice-Mayor Zalucki: THANK YOU.
05:27:17 THANK YOU FOR YOUR PRESENTATION AND YOUR REMARKS.
05:27:19 JUST TO BE CLEAR ON THE CONCRETE CONSTRUCTION VERSUS YOUR
05:27:22 STICK CONSTRUCTION, ARE YOU SUGGESTING YOU CONSTRUCT THE
05:27:25 EXTERIOR WALLS OF THE BUILDING WOULD BE OF WOOD CONSTRUCTION
05:27:28 WITH A STUCCO EXTERIOR?
05:27:31 IS THAT WHAT YOU'RE ASKING FOR VERSUS A MASONRY BLOCK ALL
05:27:37 THE WAY UP WITH POTENTIALLY WOOD STUDDING FOR INTERIOR
05:27:44 WALLS.
05:27:45 YOU'RE SAYING STICK CONSTRUCTION EXTERIOR WALLS?
05:27:48 >> SO THE CONCRETE -- THE WAY THE HOTEL WOULD BE BUILT IS
05:27:52 WHAT IS CONSIDERED A SKIP BAY.

05:27:54 SO EVERY OTHER WALL WOULD BE A SUPPORTING WALL MADE OUT OF
05:27:58 CONCRETE BLOCK.
05:27:59 THOSE GENERALLY SPAN FROM A WALL BETWEEN GUEST ROOMS TO THE
05:28:06 NEXT WALL BETWEEN GUEST ROOMS.

05:28:08 THE EXTERIOR WALLS WOULD NOT BE LOAD BEARING IN THAT
05:28:14 SITUATION.
05:28:15 EXTERIOR WALLS WOULD BE INFILL WALLS BETWEEN THE FLOOR
05:28:20 PLANKS AND THE WALL, THE -- THOSE WOULD BE INFILL WALLS OF
05:28:28 STICK FRAME.
05:28:30 AND THEN THE WALL BETWEEN THE TWO SUPPORTING WALLS WOULD BE
05:28:33 STICK FRAME OF SOME TYPE.
05:28:36 IT WOULDN'T BE NECESSARILY EVERY SINGLE WALL, INTERIOR WALL
05:28:39 WOULD NOT BE CONCRETE BLOCK.
05:28:42 IT WOULD BE EVERY OTHER WALL.
05:28:47 >>Vice-Mayor Zalucki: THAT'S FOR PRIVACY PURPOSES OR LOAD
05:28:48 PURPOSES?
05:28:49 >> THE REASON USE CONCRETE BLOCK WOULD BE FOR LOAD PURPOSES.
05:28:53 >>Vice-Mayor Zalucki: JUST TO BE CLEAR, THE EXTERIOR PORTION
05:28:55 OF THE BUILDING YOU'RE SUGGESTING THAT OR RECOMMENDING THAT
05:28:58 YOU DO IT WITH WOOD CONSTRUCTION?
05:29:02 >> I THINK THAT -- WHAT THE OBJECTION IS, I CAN TURN IT
05:29:06 OVER, I THINK WHAT THE OBJECTION IS THAT THE WAY WE
05:29:09 UNDERSTAND THE CONDITION, IT WOULD DISALLOW STICK FRAME AND
05:29:16 ONLY REQUIRE CONCRETE BLOCK.
05:29:20 >>Vice-Mayor Zalucki: THAT'S WHAT I'M TRYING TO UNDERSTAND

05:29:21 HERE.
05:29:22 MAYBE MARY CAN HELP SHED SOME LIGHT ON WHAT IS THE VILLAGE
05:29:27 OR STAFF'S POSITION AS TO WHAT SECTIONS OF THE BUILDING THEY
05:29:30 COULD USE WOOD OR IF THAT WAS A CONSIDERATION AT ALL OR WAS
05:29:35 IT OUR UNDERSTANDING THAT THERE WAS NOT GOING TO BE ANY WOOD
05:29:38 WHETHER IT'S INTERIOR STUDDED WALLS OR EXTERIOR WALLS?
05:29:43 >>Mayor Ribble: BEFORE YOU ANSWER THAT, MARY, CHRIS, COULD
05:29:45 YOU ANSWER ONE OTHER QUESTION FOR ME?
05:29:47 THE FLOORING, CONCRETE OR STICK, IN BETWEEN THE DIFFERENT
05:29:52 FLOORS?
05:29:53 >> IT WOULD DEPEND ON CONSTRUCTION TYPE.
05:29:55 IF IT IS STICK FRAME, IT WOULD BE WHAT WOULD BE A WOOD TRUSS
05:30:00 OR A WOOD TRUSS SYSTEM AS OPPOSED TO IF IT IS METAL STUD
05:30:06 STICK FRAME, IT WOULD BE THE SAME, POTENTIALLY A METAL FLOOR
05:30:11 SYSTEM.
05:30:12 IT COULD ALSO BE A CONCRETE FLOOR SYSTEM.
05:30:15 ALSO A PRECAST FLOOR SYSTEM.
05:30:18 IF IT IS CONCRETE BLOCK IT WOULD BE PRECAST FLOORS.
05:30:24 >>Jon McLain: I'M A LITTLE CONCERNED ABOUT THE PROCESS HERE.
05:30:27 WE LIKE TIMELINES.
05:30:29 YOU HAVE GONE THROUGH THE PLANNING AND ZONING WITH THAT
05:30:32 REQUIREMENT PUT ON YOU.

05:30:34 WE WENT THROUGH OUR FIRST READING WITH THE UNDERSTANDING IT
05:30:36 WAS GOING TO BE CEMENT BLOCK, AND NOW EIGHT DAYS PRIOR TO
05:30:41 OUR MEETING YOU'RE OBJECTING TO THAT.

05:30:45 I'M CONCERNED ABOUT THAT.
05:30:47 ANOTHER QUESTION, YOU ARE A LARGE BUILDER, HOW MANY OF YOUR
05:30:50 BUILDINGS HAVE YOU PUT UP IN THE HURRICANE AREAS ARE WOOD
05:30:57 VERSUS BLOCK?
05:31:00 >> ABOUT 40 TO 60 IN FLORIDA SPECIFICALLY.
05:31:04 40% WOOD, 60% OF OTHER MATERIALS, WHETHER THEY BE STEEL OR
05:31:11 ICF, INSULATED CONCRETE FORM.
05:31:15 >>Jon McLain: SAME SIZE STRUCTURE -- ABOUT THE SAME SIZE OF
05:31:19 STRUCTURE?
05:31:21 >> CORRECT.
05:31:22 GENERALLY ABOUT 100, TO 125 TO 150 GUEST ROOMS.
05:31:26 GENERALLY ABOUT THE SAME SIZE.
05:31:27 >>Jon McLain: WHY SO LATE COMING TO THE TABLE WITH YOUR
05:31:31 REQUEST TO CHANGE IT FROM CEMENT TO -- WE'RE NOT TALKING
05:31:35 ABOUT CEMENT -- WE'RE TALKING ABOUT CINDER BLOCK IS THE
05:31:41 CONSTRUCTION THAT WE ORIGINALLY HAVE GONE FROM FIRST READING
05:31:44 TO SECOND READING WITH THAT UNDERSTANDING.
05:31:46 WHAT CAUSED THAT CHANGE?
05:31:49 >> I'LL HAVE SOMEONE ELSE ANSWER THAT QUESTION.
05:31:55 >> IT WASN'T EIGHT DAYS PRIOR TO NOW.
05:31:57 FIRST READING IT WAS NOTED WE HAD THAT OBJECTION TWO WEEKS
05:32:01 AGO.
05:32:01 IT WAS PRIOR TO THAT WE DID BRING UP THE CONCERN WITH THAT
05:32:04 CONDITION.
05:32:05 >>Jon McLain: I DON'T THINK THAT'S THE CASE.

05:32:07 I DON'T THINK THAT WE WENT FROM FIRST READING TO APPROVE TO
05:32:10 SECOND READING ON TODAY'S DATE WITH AN UNDERSTANDING THAT IT
05:32:13 WAS GOING TO CHANGE FROM BLOCK TO WOOD.
05:32:17 >> THE NOTES, WE WATCHED IT.
05:32:20 MARY DID STATE WE HAD OBJECTION TO THAT CONDITION AT THE
05:32:24 FIRST READING.
05:32:32 >>Mary Gibbs: THEY DID SEND THAT TO US BEFORE THE FIRST
05:32:34 READING, BUT IT WAS AFTER YOUR PACKETS HAD GONE OUT.
05:32:38 IT WAS JUST BEFORE THE FIRST READING WHEN THEY SAID WE
05:32:40 OBJECT.
05:32:41 I DON'T KNOW WHY IT'S SO LATE IN THE PROCESS.
05:32:45 AGAIN, I WAS A LITTLE BIT SURPRISED.
05:32:47 WE HAVE OUR DEPUTY BUILDING OFFICIAL HERE TONIGHT.
05:32:52 I WANT THEM TO FINISH THEIR PRESENTATION.

05:32:55 WE'RE GOING TO HAVE OUR DEPUTY BUILDING OFFICIAL TALK ABOUT
05:32:58 HIS OPINION OF WHY HE THINKS CONCRETE BLOCK IS SUPERIOR TO
05:33:02 WOOD FRAME, PARTICULARLY IN SOUTHWEST FLORIDA.
05:33:07 I'D LIKE TO GET THE PRESENTATIONS DONE.
05:33:09 IF THEY TALK ABOUT MIXING AND MATCHING CONCRETE BLOCK AND
05:33:13 WOOD FRAME, WE NEED MORE DETAILS ON WHAT THEY ARE PROPOSING
05:33:17 BECAUSE I DON'T REALLY KNOW WHAT THEY ARE PROPOSING AT THIS
05:33:20 POINT.
05:33:21 >>Jon McLain: GETTING BACK TO ONE OF THE OTHER QUESTIONS,
05:33:24 WHY MAKE THE CHANGE NOW?
05:33:25 WHAT IS THE MOTIVATING FACTOR FOR THAT?

05:33:29 >>Mary Gibbs: PRICE.
05:33:31 >> NEALE MONTGOMERY FOR THE RECORD.
05:33:33 ZONING IS WHEN YOU LOOK AT WHAT THE USES ARE AND THINGS ON
05:33:37 THE GROUND.
05:33:37 YOU TYPICALLY DON'T DESIGN OR DO THE COMPLETE INTERIOR AND
05:33:42 PRODUCT DESIGN OF YOUR BUILDING AT THIS STAGE.
05:33:46 AND ONE OF THE THINGS THAT HAS HAPPENED IS, AS YOU MIGHT
05:33:51 KNOW, THERE ARE TARIFF ISSUES AND SUPPLY ISSUES, AND THOSE
05:33:56 THINGS HAVE BEEN EVOLVING LOCALLY AND NATIONALLY.
05:34:01 I KNOW YOU ASKED ABOUT THE HURRICANE, THE STANDARD BUILDING
05:34:04 CODE REQUIRES THAT ALL STRUCTURES MEET THE WIND LOADING, YOU
05:34:09 KNOW, TO WITHSTAND, YOU KNOW, WINDS.
05:34:12 WE ALSO KNOW THAT FEMA, AS YOU DISCUSSED EARLIER, IS
05:34:17 INCREASING THEIR STANDARDS TO MAKE SURE YOU ADDRESS
05:34:19 FLOODING.
05:34:20 FROM A REGULATORY SAFETY STANDPOINT, THE BUILDING WILL MEET
05:34:26 THOSE REQUIREMENTS BECAUSE IT HAS TO.
05:34:28 JEREMY WILL ANSWER --
05:34:31 >>Jon McLain: I'M NOT TRYING TO BE ARGUMENTATIVE HERE.
05:34:36 I KNOW WE ARE HERE FOR ZONING.
05:34:37 YOU FOLKS BROUGHT UP BOTH IN A LETTER AND TODAY THAT THIS IS
05:34:41 AN UPSCALE AREA, NOT LIKE A NORMAL EXTENDED STAY AND THIS
05:34:47 WANTS TO BE CALLED AN UPSCALE ALL SUITES.
05:34:50 THAT'S NOT A ZONING ISSUE IN MY MIND, BUT SINCE YOU BROUGHT
05:34:54 IT UP, I HAVE A QUESTION ABOUT REALLY WHAT IS THE DIFFERENCE

05:34:57 BETWEEN AN EXTENDED STAY AND YOUR UPSCALE ALL SUITES.
05:35:02 YOU DIDN'T REALLY SAY THAT IN THE LETTER.
05:35:05 USUALLY EXTENDED STAY YOU SAID HAS A KITCHEN AND THIS.
05:35:09 SO WHEN YOU CHANGED THE NAME AND YOU CAN CHANGE IT ANY WAY
05:35:12 YOU WANT.
05:35:13 THAT'S NOT MY DECISION, BUT SINCE YOU BROUGHT IT UP, WHAT'S

05:35:16 REALLY THE DIFFERENCE IN THERE?
05:35:17 ARE WE TALKING SEMANTICS OR IS THERE REALLY A DIFFERENCE?
05:35:22 >> I WOULD ALLOW THE --
05:35:28 >> TRACY AGAIN.
05:35:29 THE HOME2 SUITES, THE HILTON BRAND TYPICALLY HILTON AND
05:35:36 MARRIOTTS ARE HELD TO A HIGHER STANDARD THAN OTHER BRANDS,
05:35:39 OTHER HOTEL COMPANIES.
05:35:41 WHEREAS YOU HAVE OFF THE INTERSTATE KIND OF EXTENDED STAY,
05:35:50 HILTON REQUIRES A LOT -- IT'S JUST NICER.
05:35:53 THEY REQUIRE US TO BUILD WITH BETTER PRODUCTS.
05:35:58 THEY REQUIRE US TO HAVE BETTER ARTWORK.
05:36:00 THEY REQUIRE US TO OFFER MORE AMENITIES THAN THE TYPICAL
05:36:03 EXTENDED STAY HOTEL WOULD DO.
05:36:06 AND THAT'S JUST -- HILTON AND MARRIOTTS, THEY ARE THE TWO
05:36:13 BRANDS THAT YOU WOULD CONSIDER MORE UPSCALE THAN, SAY, YOUR
05:36:18 -- I'M NOT GOING TO THROW ANYBODY UNDER THE BUS.
05:36:21 >>Jon McLain: I GET IT.
05:36:24 IT'S A MARKETING.
05:36:27 >> IT'S A HIGHER QUALITY PRODUCTS.

05:36:31 HIGHER EXPECTATIONS TOO FOR US FROM THE BRAND.
05:36:34 WE REALLY -- I THINK -- THERE IS ACTUALLY A QUARTERLY
05:36:39 INSPECTION WHERE HILTON DOES A FULL INSPECTION ON THE
05:36:44 INTERIOR AND EXTERIOR OF THE HOTEL TO MAKE SURE EVERYTHING
05:36:46 IS UP TO BRAND STANDARDS.
05:36:48 IF IT'S NOT, WE HAVE TO FIX IT.
05:36:50 NOT ONLY WE HOLD OURSELVES TO A HIGHER STANDARD AND YOU ALL
05:36:54 AS WELL, WE ALSO HAVE HILTON REQUIRING US TO DO A REALLY
05:36:57 NICE UPSCALE PRODUCT.
05:36:59 >>Jon McLain: WE LIKE THAT.
05:37:00 THAT'S WHERE I HAVE A QUESTION ABOUT WHY IF YOU'RE GOING TO
05:37:02 MAKE THIS INTERIOR SO LUXURIOUS AND DIFFERENT THAN JUST
05:37:07 EXTENDED, WHY ARE WE CUTTING BACK ON THE STRUCTURAL, I
05:37:10 THINK, INTEGRITY OF A BUILDING BY GOING TO WOOD?
05:37:15 IT GOT VERY CONFUSING TO ME WHEN GEORGE ASKED THE QUESTION
05:37:19 ABOUT IS IT OUTSIDE BLOCK AND WE GOT KIND OF AN ANSWER, YES,
05:37:23 IT IS, BUT INSIDE, I HAVE NO IDEA WHAT YOU WERE TALKING
05:37:26 ABOUT WITH WOOD AND CINDER BLOCK INSIDE.
05:37:32 >> I THINK THE TERMS WE'RE USING, STICK CONSTRUCTION VERSUS
05:37:35 CONCRETE, WITHIN OUR BUILDING IS GOING TO HAVE CONCRETE.
05:37:40 IT'S NOT GOING TO BE ALL MADE OUT OF WOOD.
05:37:43 >>Jon McLain: THERE WILL BE SOME CONCRETE.
05:37:46 >> YES, YEAH.
05:37:47 I THINK THAT'S WHERE THE CONFUSION LIES A LITTLE BIT.

05:37:49 THE CONDITION IS STRICTLY -- THE WAY WE READ IT, IT WOULD BE

05:37:53 100% CONCRETE.
05:37:56 I DON'T KNOW THAT WE'RE ALL THINKING ON THE SAME PAGE HERE.
05:38:02 >>Jon McLain: TONIGHT, THAT IS IMPORTANT FOR US TO
05:38:04 UNDERSTAND.
05:38:10 >> I THINK THE WAY WE READ IT IS NO WOOD WOULD BE ALLOWED IN
05:38:13 THE BUILDING AT ALL.
05:38:14 WE HAVE DESIGNED A BUILDING THAT HAS MULTIPLE -- YOU CAN
05:38:17 SPEAK TO THE ACTUAL DESIGN, BUT HAS CONCRETE AND WOOD
05:38:22 WITHIN --
05:38:24 >> TO KIND OF ADDRESS YOUR POINT AND YOUR CONCERN, MY
05:38:30 RESPONSIBILITY IS TO DESIGN A BUILDING THAT MEETS ALL CODES,
05:38:35 WHETHER IT'S THE NATIONAL BUILDING CODE, FLORIDA BUILDING
05:38:38 CODES, FEMA REGULATIONS, AS WELL AS ALL OF THE HILTON AND
05:38:46 THE REST OF THE BUILDING CODES.
05:38:50 IN THIS PARTICULAR INSTANCE, THERE IS POTENTIALLY IN MY VIEW
05:39:01 SOME BUILDING MATERIALS, STRUCTURAL SYSTEMS THAT ARE BETTER
05:39:04 THAN OTHERS.
05:39:05 EVERY ONE OF THEM, WHETHER ALL WOOD, ALL CONCRETE, ALL
05:39:10 STEEL, ALL METAL STUD FRAMED, THEY ALL HAVE THEIR PLUSES AND
05:39:17 MINUSES.
05:39:17 WE FEEL LIKE IN THIS PROJECT, WITH THIS PRODUCT, IN THIS
05:39:22 AREA, THAT WE BELIEVE THAT THE STICK FRAME WOOD OPTION IS
05:39:30 THE MOST BENEFICIAL FOR THIS PROJECT AT THIS LOCATION.
05:39:34 NOT BEING ABLE TO HAVE THE OPPORTUNITY TO CONSIDER THAT AND
05:39:40 ONLY CONSIDER CONCRETE BLOCK AS WE READ THE CONSTRAINT IS

05:39:46 POTENTIALLY LIMITING THE PROJECT'S ABILITY TO BEST ADDRESS
05:39:51 THE NEEDS OF THE PROJECT, WHETHER IT'S, YOU KNOW, STORM
05:39:56 ISSUES, FEMA ISSUES, FLOODING ISSUES, DETERIORATION ISSUES,
05:40:01 BUT ALSO SOUND ISSUES, MOISTURE AND ENVIRONMENTAL CONTROL
05:40:05 ISSUES, WHETHER IT'S ANY ONE OF THOSE NUMBER OF ISSUES THAT
05:40:08 WE ARE TRYING TO CONTROL, WE WOULD LIKE THE OPPORTUNITY TO
05:40:12 USE THE BEST FRAME, THE BEST STRUCTURAL SYSTEM POSSIBLE TO
05:40:17 ADDRESS THOSE AND NOT BE LIMITED TO NOT DOING THIS, BUT
05:40:21 DOING CONCRETE BLOCK.
05:40:23 AND THAT IS THE BASIS OF THE OBJECTION IS THE LIMITATIONS
05:40:27 THAT THE CONDITION PUTS ON THE PROJECT.
05:40:33 >>Jon McLain: MY UNDERSTANDING WAS YOU'RE CONCERNED AFTER
05:40:35 15, 20 YEARS YOU WANT TO REMODEL MAYBE THE FLOOR PLAN JUST A
05:40:39 LITTLE BIT ON THE LOBBY AND ALL THAT, IS THAT GOING TO
05:40:41 IMPACT THE OUTSIDE STRUCTURE OF THE BUILDING OR WOULD IT BE
05:40:45 INSIDE?

05:40:46 >> THAT WOULD DEPEND ON THE REQUIREMENTS FROM THE FRANCHISE,
05:40:49 THE TEN YEAR IS USUALLY GENERALLY A LIGHTER, BUT THE NEXT
05:40:54 ONE WOULD BE THE 16 YEAR REQUIREMENT.
05:40:56 AND DEPENDING ON WHAT THEY HAVE DONE TO THE REQUIREMENTS
05:40:58 FROM THE FRANCHISE, IN ORDER TO KEEP THE HOME2 FLAG, WHICH
05:41:03 THEY ARE SIGNING A 20-YEAR AGREEMENT TO DO SO WITH HILTON TO
05:41:08 KEEP THAT HOME2 FLAG, THEY WOULD HAVE TO MEET WHATEVER
05:41:11 REQUIREMENTS HILTON WOULD HAVE AT THAT 16-YEAR MARK, WHETHER
05:41:15 THAT BE IF YOU THINK OF A HAMPTON INN 15 YEARS AGO COMPARED

05:41:23 TO WHAT A HAMPTON INN LOOKS LIKE NOW, THERE ARE SIGNIFICANT
05:41:27 EXTERIOR CHANGES IN THAT BRAND, FROM COURTYARD MARRIOTT 15
05:41:33 YEARS AGO TO TODAY THERE'S NOT AS SIGNIFICANT AS MUCH ON THE
05:41:36 EXTERIOR.
05:41:36 SO IT WOULD REALLY DETERMINE WHAT THE BRAND WOULD HAVE AT
05:41:41 THAT 16-YEAR CYCLE.
05:41:44 >>Jon McLain: MY UNDERSTANDING WOULD BE, MARY, THAT IF WE
05:41:47 WERE 15 YEARS OUT, I WON'T BE AROUND, ON THE COUNCIL AT THAT
05:41:51 POINT, THANK GOD, FOR EVERYBODY, MAYBE, I DON'T SEE THAT YOU
05:41:57 CAN REALLY EXPAND THE FOOTPRINT OF THIS BUILDING WITHOUT
05:42:02 ANOTHER ZONING HEARING.
05:42:04 WHAT YOU DO ON THE INSIDE OBVIOUSLY HAS TO HAVE A
05:42:07 CONSTRUCTION PERMIT.
05:42:08 BUT I DON'T SEE HOTELS EXPANDING FOOTPRINTS IN 15, 20 YEARS.
05:42:13 I DO SEE THEM PUTTING NEW CARPETS IN, CHANGING THE BAR,
05:42:17 DOING THESE KIND OF THINGS.
05:42:18 THE WOOD CONSTRUCTION, MAYBE THAT IS A LOT EASIER TO MOVE --
05:42:22 I DON'T THINK I VISUALIZE YOU PUTTING CEMENT BLOCKS BETWEEN
05:42:27 GUEST ROOMS.
05:42:28 YOU CAN PUT ALUMINUM STUDS, WOOD STUDS IN THERE.
05:42:33 MY CONCERN IS THE EXTERIOR OF THE BUILDING.
05:42:38 MARY, WE HAVEN'T HAD -- I'VE BEEN AROUND SEVEN AND A HALF,
05:42:43 EIGHT YEARS, I GUESS EIGHT YEARS, I DON'T THINK WE HAVE
05:42:46 ANOTHER STICK-BUILT HOTEL OR COMMERCIAL BUILDING IN ALL OF
05:42:54 ESTERO.

05:42:55 YOU'VE GOT TO CONVINCE ME THAT THIS IS REALLY A VALUE FOR US
05:43:01 TO CONSIDER APPROVING.
05:43:03 SO FAR I CAN TELL YOU I'M NOT CONVINCED.
05:43:08 >> UNDERSTOOD.
05:43:08 >>Jon McLain: MORE THAN AN ECONOMIC THING.
05:43:11 I APPRECIATE THAT.
05:43:12 WE DON'T WANT TO PUT YOU IN BAD STRAITS.
05:43:15 AS YOU KNOW, TARIFFS ARE UP AND DOWN EVERY OTHER DAY.

05:43:19 I THINK WE HAVE AN OBLIGATION ON COUNCIL TO MAKE SURE THAT
05:43:22 WE ENSURE THAT WE HAVE THE HIGHEST QUALITY PRODUCT IN THERE,
05:43:27 ARCHITECTURALLY, I THINK YOU HAVE DONE A REALLY NICE JOB.
05:43:29 PROBABLY ONE OF THE FIRST PROJECTS I'VE SEEN THAT WE HAVEN'T
05:43:32 HAD TO MAKE A LOT OF COMMENTS TO NURSE AROUND.
05:43:36 THAT IS A NICE STEP TO GO THROUGH IT.
05:43:39 STRUCTURALLY, CHANGES FROM WHAT WE'VE BEEN DOING IN THE
05:43:43 PAST, YOU GOT TO REALLY CONVINCE US THAT THIS IS -- SO FAR
05:43:49 WHAT I'VE HEARD DOESN'T SWAY ME IN THAT REGARD.
05:43:52 >> UNDERSTOOD.
05:43:53 UNDERSTOOD.
05:43:53 THE STRUCTURAL SYSTEM OF A PROJECT OF THIS TYPE OR A PROJECT
05:43:58 OF THIS TYPE WOULD BE TO, FOR THE STRUCTURE TO BEAR FROM
05:44:03 BETWEEN ONE GUEST ROOM TO THE OTHER SIDE OF THE ADJACENT
05:44:08 GUEST ROOM, NOT EXTERIOR WALL TO THE INSIDE.
05:44:11 SO EVEN IN A CONCRETE BLOCK CONSTRUCTED HOTEL OF THIS
05:44:16 NATURE, THE EXTERIOR WALL WOULD NOT BE STRUCTURAL.

05:44:20 IT WOULD ONLY BE INFILL.
05:44:22 AND THEN THAT WOULD BE INFILL OF WHATEVER TYPE WOULD BE
05:44:28 ALLOWED BY BUILDING CODE FOR THE CONSTRUCTION TYPE.
05:44:31 IF IT WAS TYPE FIVE IT WOULD BE WOOD.
05:44:33 IF IT WAS TYPE THREE, NONCOMBUSTIBLE.
05:44:37 TYPE TWO, FULLY NONCOMBUSTIBLE CONCRETE OR STEEL.
05:44:43 THE STRUCTURE OF THIS TYPE OF PROJECT WOULD BE FROM INTERIOR
05:44:46 WALL TO INTERIOR WALL, NOT THE EXTERIOR WALL.
05:44:49 IT WOULD BE SOLELY INFILL.
05:44:52 SO JUST TO HOLD UP THE EXTERIOR FINISH, THE SHEATHING, THE
05:44:59 THERMAL INSULATION AS WELL AS THE WEATHER-PROOFING.
05:45:08 >>Vice-Mayor Zalucki: CHRIS, THANK YOU FOR THIS ENGAGEMENT.
05:45:10 I'M STILL STRUGGLING, I THINK IT WAS YOUR WORDS, YOUR
05:45:13 CONSTRUCTION OF CONCRETE VERSUS STICK IS 60/40 CONCRETE.
05:45:19 >> CORRECT.
05:45:19 >>Vice-Mayor Zalucki: OKAY.
05:45:21 SO THERE IS A REASON FOR THAT.
05:45:23 I DON'T KNOW WHAT YOUR MARKETS ARE.
05:45:24 I KNOW YOU'RE ALL OVER THE COUNTRY.
05:45:26 I DON'T KNOW IF THAT 60/40 IS SPECIFICALLY FOR FLORIDA.
05:45:29 >> FOR FLORIDA, CORRECT, YES.
05:45:30 >>Vice-Mayor Zalucki: I THINK YOU WOULD AGREE THIS IS AN
05:45:33 UPSCALE MARKET.
05:45:34 AND I THINK THAT WE AT THE VERY LEAST BELONG IN THAT 60
05:45:37 PERCENT.

05:45:38 WHAT I'M STRUGGLING WITH ALSO IS NOT ONLY DID THE FIRST
05:45:41 READING, IT WASN'T FLAGGED THIS ISSUE, BUT WE'RE GOING BACK
05:45:46 TO FEBRUARY 11 WHEN YOU GUYS PRESENTED TO PLANNING AND
05:45:49 ZONING.
05:45:50 THAT WAS A CONDITION AT THAT TIME.
05:45:53 AND IT WAS A 7-1 VOTE.
05:45:55 AND NOTHING WAS SAID ABOUT THE CONSTRUCTION BECAUSE IT WAS
05:45:58 STATED THAT IT WAS GOING TO BE CONCRETE.
05:46:00 SO NOW WE'RE HERE AND I THINK IT SHOULD HAVE BEEN ADDRESSED
05:46:04 THERE FIRST AND FOREMOST.
05:46:05 FOR THOSE REASONS, FOR THE QUALITY, I THINK FOR LIFE SAFETY
05:46:13 IS ANOTHER FACTOR.
05:46:14 I THINK IF YOU TALK TO ANYBODY IN LIFE SAFETY WOULD SAY TYPE
05:46:18 ONE, TYPE TWO CONSTRUCTION IS THE BEST FOR HOTELS AND SUCH.
05:46:23 I WOULD SAY I'M STILL STRUGGLING WITH THIS CHANGE, WITH THIS
05:46:27 REQUEST.
05:46:27 I'M STILL TRYING TO UNDERSTAND THE INTERIOR WALLS, IF THAT
05:46:30 WOULD BE STEEL STUDS, WOOD STUDS.
05:46:34 LET'S SAY WE WENT WITH THE CONCRETE EXTERIOR, HOW DOES THAT
05:46:40 THEN AFFECT THE INTERIOR WALLS?
05:46:42 WHICH I'M NOT AS CONCERNED ABOUT PERSONALLY.
05:46:49 >> SO IF IT WAS A CONCRETE BLOCK PROJECT, THEN WE WOULD BE
05:46:56 USING CONCRETE BLOCK AS NONSTRUCTURAL INFILL ON THE
05:47:01 EXTERIOR.
05:47:02 SO IT WOULD BE IN THIS TYPICAL TYPE OF CONSTRUCTION, IT

05:47:12 WOULD GROW THE BUILDING.
05:47:15 GROW THE BUILDING APPROXIMATELY EIGHT INCHES IN WIDTH AS
05:47:25 WELL AS SOME IN LENGTH.
05:47:27 EXTERIOR STUD OF THREE AND A HALF INCHES COMPARED TO A BLOCK
05:47:30 THAT IS SEVEN AND FIVE EIGHTHS IS ROUGHLY FOUR INCHES ON
05:47:35 EACH SIDE.
05:47:36 THEN THE BUILDING WOULD GET THAT MUCH MORE WIDER.
05:47:39 HILTON HAS REQUIREMENTS FOR HOW BIG THE ROOM HAS TO BE
05:47:41 INSIDE.
05:47:42 IF IT'S AN EIGHT AND A HALF BY 11 SHEET OF PAPER AND YOU
05:47:46 WANT TO BUILD IT, THE WALL IS 8 INCHES THICK AROUND IT, IT
05:47:49 IS STILL THAT 8 AND A HALF BY 11 SHEET OF PAPER.
05:47:52 >>Vice-Mayor Zalucki: YOUR FOOTPRINT WOULD NEED TO BE
05:47:55 REVISED IF WE WENT WITH CONCRETE?
05:47:57 >> CORRECT.
05:47:58 >>Vice-Mayor Zalucki: I'M STILL TRYING TO UNDERSTAND.
05:48:00 WHEN YOU CAME IN AND PRESENTED TO PLANNING AND ZONING, WAS
05:48:03 IT YOU JUST DIDN'T RECOGNIZE IT WAS CONCRETE?

05:48:06 WAS THAT AN OVERSIGHT?
05:48:08 BECAUSE YOU DESIGNED IT BASED ON IT WAS GOING TO BE CONCRETE
05:48:11 BECAUSE IT WAS ACCEPTED.
05:48:12 AND AT THE 11th HOUR WE'RE TALKING ABOUT STICK
05:48:15 CONSTRUCTION.
05:48:16 I THINK PRIMARILY BECAUSE OF COST, AND I UNDERSTAND COST.
05:48:18 BUT IF YOU'RE GOING TO BE HERE A LONG TIME, A GREAT PARTNER

05:48:22 IN THE VILLAGE OF ESTERO, YOU'RE GOING TO DRIVE A LOT OF
05:48:26 BUSINESS THERE, OVER A COURSE OF 30, 40 YEARS, CAN YOU MAKE
05:48:30 UP THE DELTA BETWEEN THE WOOD CONSTRUCTION FOR GREAT QUALITY
05:48:34 AND HAVE PEOPLE EXPERIENCE THAT QUALITY?
05:48:38 I THINK YOU CAN MAKE THAT DELTA UP, CHRIS, OVER A PERIOD OF
05:48:43 TIME AND THIS WOULD PROBABLY BE RESOLVED.
05:48:45 >> THAT'S NOT MY CALL.
05:48:46 THE THING THAT WE DID, WE DESIGNED THE LENGTH OF THE
05:48:51 BUILDING TO ACCOMMODATE WHATEVER STRUCTURAL SYSTEM WE HAD ON
05:48:55 THE INSIDE, BUT WE DID NOT ANTICIPATE HAVING THE WALLS GROW
05:49:02 ON THE EXTERIOR TO ACCOMMODATE THE CONCRETE BLOCK ON THE
05:49:05 EXTERIOR BECAUSE THAT'S NOT THE STRUCTURE.
05:49:08 THE EXTERIOR IS JUST INFILL.
05:49:09 I KNOW IT'S A LITTLE BIT OF A COMPLICATED DISCUSSION TO
05:49:14 HAVE.
05:49:15 BECAUSE THE EXTERIOR WALLS, THEY ARE ONLY HOLDING THEMSELVES
05:49:18 UP.
05:49:19 >>Vice-Mayor Zalucki: I UNDERSTAND.
05:49:20 BUT OUR CONDITIONS HAVE NEVER CHANGED.
05:49:22 WOULD YOU AGREE WITH THAT?
05:49:23 >> I COULD NOT SPEAK TO THAT.
05:49:25 >>Vice-Mayor Zalucki: OUR CONDITIONS HAVE NEVER CHANGED
05:49:27 SINCE DAY ONE.
05:49:28 >> I'M A CIVIL ENGINEER, BY THE WAY.
05:49:30 HELP RUN THE PROJECT.

05:49:32 YEAH, I THINK IT WAS AN OVERSIGHT.
05:49:34 I THINK THE IMPACT -- IT'S NOT ANYTHING -- I THINK THE
05:49:40 INTENT FOR US -- I THINK THAT WAS AN OVERSIGHT.
05:49:47 WE FLAGGED IT.
05:49:48 REACHED OUT.
05:49:49 SAID, NO, WE ACTUALLY DO HAVE AN ISSUE HERE AND WE BROUGHT
05:49:53 IT UP.
05:49:53 TIMING IS NOT THE BEST.
05:49:54 I 100% AGREE WITH THAT.
05:49:56 IT'S NOT OUR INTENT.

05:49:58 WE DO FEEL THAT QUALITY, I THINK MAYBE A MISNOMER THAT
05:50:01 QUALITY CAN ONLY BE OBTAINED BY CONCRETE BLOCK.
05:50:05 CONCRETE BLOCK IS NOT THE ONLY WAY YOU CAN DO QUALITY
05:50:10 CONSTRUCTION.
05:50:10 WE'RE TRYING TO SHOW WITH THE DIFFERENT THINGS, TRANSFER OF
05:50:13 NOISE, CONSTRUCTABILITY TYPE, DURING CONSTRUCTION, CRANES,
05:50:19 LESS IMPACT TO THE SURROUNDING AREA WITH WOOD CONSTRUCTION
05:50:23 VERSUS CONCRETE BLOCK.
05:50:24 WE'RE TRY TO GET YOU GUYS TO SEE QUALITY IS NOT JUST
05:50:31 ACHIEVED BY CONCRETE BLOCK.
05:50:33 CONCRETE BLOCK, NO WOOD PUTS US IN A DIFFICULT POSITION.
05:50:37 HOW DO WE BUILD THE PROJECT BECAUSE THERE ARE NO OTHER
05:50:41 OPTIONS?
05:50:41 TO ANSWER YOUR QUESTION ABOUT THE TIMING, YEAH, IT'S NOT
05:50:51 GREAT.

05:50:52 WE DO APOLOGIZE FOR THAT.
05:50:54 >>Vice-Mayor Zalucki: THE OVERSIGHT SURPRISES ME.
05:50:56 YOU GUYS ARE A BIG COMPANY.
05:50:58 YOU HAVE YOUR ATTORNEYS THAT LOOK AT THIS.
05:51:01 YOU'RE SAYING WE HAVE AN OVERSIGHT DEALING WITH AT THE
05:51:04 SECOND READING.
05:51:05 >> AGAIN, WHEN GOING THROUGH THESE, WE ARE NOT DOING THE
05:51:07 FULL DESIGN AT THE PLANNING AND ZONING STAGE OF THE BUILDING
05:51:11 AND STRUCTURE.
05:51:12 THOSE ARE HAPPENING AS WE'RE GOING THROUGH.
05:51:14 MAYBE AT THE TIME IT WAS NOT AS BIG AN ISSUE TO LOOK AT, THE
05:51:17 TIMING AND THE BEST VALUE FOR THE PROJECT.
05:51:20 AS SOON AS WE RECOGNIZED IT, WE BROUGHT IT UP.
05:51:22 >>Jon McLain: IN YOUR CONVERSATIONS WITH STAFF AND MARY'S
05:51:26 GROUP, I THINK THEY ARE PRETTY RELIGIOUS ABOUT TELLING
05:51:29 PEOPLE THAT COME TO THE VILLAGE OF ESTERO THAT WE HAVE AN
05:51:32 EXPECTATION THAT IT'S GOING TO BE CONCRETE BLOCK.
05:51:35 IT SHOULDN'T HAVE BEEN A REAL SURPRISE FOR YOU AT THAT
05:51:38 POINT.
05:51:39 WAS IT A REAL SURPRISE?
05:51:41 >> I CAN'T SPEAK FOR THAT PART.
05:51:44 >>Jon McLain: SOMEBODY HAS TO ANSWER THESE QUESTIONS.
05:51:46 >> I'M TRYING TO.
05:51:48 YEAH, IT WAS A SURPRISE TO US.
05:51:51 I DON'T KNOW HOW TO ANSWER THAT BESIDES SAYING, YES, IT WAS.

05:51:55 >>Mary Gibbs: I BROUGHT IT UP AT LEAST A YEAR AGO.
05:51:58 AT LEAST A YEAR AGO, JUST SAYING, MAYBE LONGER.

05:52:01 >> I WOULD STILL MAINTAIN THE VILLAGE OF ESTERO IS WORTH THE
05:52:03 60%, NOT THE 40.
05:52:05 NOT THE EXCEPTION.
05:52:05 WE SHOULD BE THE RULE.
05:52:07 >>Mayor Ribble: YEAH.
05:52:07 AND WHEN EACH OF YOU CAME UP TO SPEAK, YOU ALL SAID WE BUILD
05:52:11 QUALITY PRODUCTS.
05:52:12 THIS IS A SMALL-SCALE PROJECT.
05:52:16 WE BUILD BETTER PRODUCTS.
05:52:18 WE ARE NOT ARCHITECTS.
05:52:20 THIS IS THE KIND OF CONVERSATION THAT SHOULD HAVE TAKEN
05:52:23 PLACE IN FRONT OF THE PLANNING AND ZONING.
05:52:25 IT LEAVES US IN A QUANDARY.
05:52:27 I AGREE.
05:52:29 I THINK WE'RE THE EXCEPTION, NOT THE RULE.
05:52:32 THAT IS WHAT WE STAND FOR HERE IN ESTERO AND THAT'S WHAT WE
05:52:35 TRY TO HOLD OUR CONTRACTORS AND OUR BUILDERS AND OUR
05:52:38 APPLICANTS TO THAT STANDARD.
05:52:44 >>Jim Ward: I WOULD AGREE WITH BASICALLY EVERYTHING THAT'S
05:52:46 BEEN SAID BY THE OTHER COUNCIL PEOPLE HERE.
05:52:50 WHAT KIND OF DISTURBS ME IS THE STORY LINE KEEPS CHANGING.
05:52:53 WHEN I READ THROUGH YOUR DISCUSSION ABOUT WHY YOU WANTED TO
05:52:59 CHANGE, TO ME, IT READ COST.

05:53:01 THAT WAS THE PRIMARY CONCERN.
05:53:04 AS MS. MONTGOMERY SAID, THE CHANGES IN TARIFFS RECENTLY
05:53:09 AFFECTING STEEL AND ALUMINUM, I DON'T KNOW IF THAT'S DRIVING
05:53:12 YOUR DECISION TO BELATEDLY COME TO US WITH A DECISION.
05:53:17 AS I SAID, AS GEORGE SAID EARLIER, WE UNDERSTAND COSTS, BUT
05:53:21 IF YOU'RE GOING TO BE HONEST WITH US, TELL US IT'S ALL ABOUT
05:53:25 COST, NOT BECAUSE IT'S ABOUT OTHER THINGS.
05:53:29 NONE OF US HERE ARE CONSTRUCTION EXPERTS.
05:53:32 AS JOANNE SAID, IT SHOULD HAVE BEEN BROUGHT BEFORE THE PZDB
05:53:36 BECAUSE THERE'S MORE EXPERTISE THERE.
05:53:39 BUT I'VE BEEN IN THE AREA FOR 20 YEARS, AND I HAVE NOT SEEN
05:53:43 A STICK-BUILT FACILITY, BUILDING IN THIS AREA, IN MY
05:53:47 COMMUNITY, IN COCONUT POINT.
05:53:49 SO THERE'S GOT TO BE A REASON FOR THAT.
05:53:51 THAT'S MY CONCERN.
05:53:57 >>Rafael Lopez: ALL I WILL SAY IS YOU ARE IN THE VILLAGE OF
05:53:59 ESTERO FOR A REASON AND YOU WANT TO BUILD HERE.
05:54:02 IT IS THE BEST PLACE TO BUILD.
05:54:04 THAT'S ALL I CAN SAY.
05:54:07 I AGREE WITH EVERYTHING THEY SAID.

05:54:12 >>Vice-Mayor Zalucki: MAYOR, IF I CAN OFFER SOMETHING.
05:54:14 I THINK NOTWITHSTANDING IF THERE'S ANY OTHER DETAILS THAT
05:54:18 COUNCIL WANTS TO GO THROUGH AS FAR AS THE PLANNING AND
05:54:20 WHATNOT, THERE MIGHT BE FURTHER DISCUSSION, BUT I THINK
05:54:23 YOU'RE RIGHT HERE, YOU'RE AT THE POINT WHERE I THINK YOU

05:54:25 WOULD GET APPROVAL IF WE FOLLOW CONDITION 10 AS STATED.
05:54:30 I THINK YOU WOULD BE ON THE TRACK TO APPROVAL.
05:54:33 PERHAPS YOU WANT TO HUDDLE WITH YOUR TEAM AND TALK ABOUT IT,
05:54:37 BUT THIS IS HOW CLOSE WE ARE.
05:54:40 >>Jim Ward: I WOULD SPEAK TO THAT BECAUSE I'M EVEN CONCERNED
05:54:44 ABOUT THE DEVIATIONS THAT YOU HAVE LEADING UP TO THIS,
05:54:46 WITHOUT EVEN GETTING INTO THE CONSTRUCTION PART OF IT.
05:54:49 I HAD CONCERNS BEFORE I SAW THIS LETTER ABOUT THE
05:54:54 DEVIATIONS, PARTICULARLY AS IT RELATES TO THE NUMBER OF
05:54:57 HOTEL ROOMS THAT WERE ALLOWED IN THE ORIGINAL DEVELOPMENT
05:55:01 ORDER VERSUS WHAT YOU'RE PROPOSING TO PUT THERE.
05:55:04 I RESPECTFULLY DISAGREE WITH WHAT YOU SAID BECAUSE I
05:55:09 PERSONALLY HAVE OTHER ISSUES REGARDING THE DEVIATIONS.
05:55:13 >>Vice-Mayor Zalucki: I DID SAY NOTWITHSTANDING --
05:55:21 >> NEALE MONTGOMERY.
05:55:22 ONE DEVIATION, OPEN SPACE DEVIATION.
05:55:25 APPROVED AS A WHOLE AND THE PROJECT AS A WHOLE MEETS AND
05:55:33 EXCEEDS THE OPEN SPACE REQUIREMENTS, SO THIS PARCEL IS
05:55:37 ALLOWED TO RELY ON THE OVERALL OPEN SPACE, ERGO THE NEED FOR
05:55:42 THE DEVIATION.
05:55:43 THAT IS THE ONLY DEVIATION THERE.
05:55:45 AND THERE HAVE BEEN ADJUSTMENTS OVER TIME WHERE THE AMOUNT
05:55:47 OF OPEN SPACE HAS INCREASED BECAUSE ON ANOTHER PROJECT, I'M
05:55:55 PRETTY SURE THEY HAD TO DO ENHANCED DRAINAGE TO ADDRESS
05:55:59 CONCERNS OF RAPALLO.

05:56:02 IT MEETS THE STANDARDS.
05:56:09 >>Jim Ward: I SUNDAY TO THAT THE NUMBER OF HOTEL ROOMS WAS
05:56:12 LIMITED TO A CERTAIN AMOUNT OF HOTEL ROOMS ON THE PROPERTY.
05:56:15 AND THIS IS A DEVIATION OF 77.
05:56:19 >> OH, OKAY.
05:56:23 >>Jim Ward: PERSONALLY, I'M NOT OPPOSED WHEN A DEVIATION IS
05:56:26 DE MINIMIS, BUT WHEN YOU HAVE A DEVIATION THAT'S 77 UNITS
05:56:30 ABOVE WHAT IS IN THE ORIGINAL DEVELOPMENT ORDER, THAT TO ME
05:56:35 IS A CONCERN.
05:56:36 >> WELL, IF I COULD, LET'S KIND OF GO BACK TO THE DRI
05:56:40 PROCESS, WHICH WE REALLY AREN'T DOING ANYMORE.
05:56:43 TYPICALLY, THEY ARE LONG-TERM PROJECTS.

05:56:46 I KNOW AT LEAST ONE OF YOU LIVES IN A DRI.
05:56:48 THE MAYOR KNOWS THAT, FOR EXAMPLE, PELICAN LANDING HAD 16
05:56:54 AMENDMENTS AND BECAUSE WHAT HAPPENS, IT'S A LONG-TERM PLAN,
05:56:58 15, 20 YEAR PROJECT AND THE MARKET CHANGES DURING THAT TIME.
05:57:03 NOW, THE KEY THINGS YOU LOOK AT WITH A DRI ARE OPEN SPACE TO
05:57:08 MAKE SURE YOU MEET THAT.
05:57:09 MAKE SURE YOU'RE ADDRESSING THE ENVIRONMENT.
05:57:13 TRAFFIC IS GENERALLY THE BIG ISSUE AND THAT WAS LOOKED AT IN
05:57:16 THIS CASE.
05:57:16 SO WHEN YOU GO THROUGH THE DRI PROCESS, AS THIS PROJECT DID,
05:57:22 AND THE TRAFFIC CONSULTANT CAN ADDRESS IT IF YOU WANT TO
05:57:25 KNOW MORE ABOUT IT, YOU ANALYZE THE WORST-CASE SCENARIO.
05:57:30 YOU IDENTIFY THE TOTAL NUMBER OF NET NEW EXTERNAL TRIPS THAT

05:57:34 THE PROJECT IS GOING TO PRODUCE, AND THEN IN THIS CASE,
05:57:37 BECAUSE THERE WAS A BIG DIFFERENTIAL BETWEEN IMPACT FEES AND
05:57:41 WHAT THE PROPORTIONATE SHARE WAS, THIS PROJECT PAID THE
05:57:45 PROPORTIONATE SHARE UP FRONT TO ADDRESS THE TRAFFIC IMPACTS.
05:57:50 SO ONE OF THE ANALYSES WE HAD TO DO BEFORE COMING TO YOU IS
05:57:56 UNDERSTAND THAT THE NUMBER OF NET NEW EXTERNAL TRIPS DID NOT
05:57:59 INCREASE.
05:57:59 SO THE IMPACTS THAT ARE EVALUATED DURING A DRI HAVE ALREADY
05:58:03 BEEN ADDRESSED WHILE RESPONDING TO THE MARKET.
05:58:09 >>Nancy Stroud: MAYOR, I'M SORRY TO INTERRUPT HERE.
05:58:12 JUST FOR CLARIFICATION SO THE RECORD IS CLEAR, THE NUMBER OF
05:58:16 HOTEL ROOMS ISN'T THE DEVIATION THAT IS BEING CONSIDERED.
05:58:20 THERE ARE TWO DEVIATIONS.
05:58:23 ONE FOR OPEN SPACE AND ONE FOR HEIGHT.
05:58:27 BUT WHAT YOU ARE ASKING ABOUT, THE ADDITIONAL HOTEL ROOMS,
05:58:34 IS PART OF THE ZONING, AND THEY HAVE GOT TO DO A DRI
05:58:43 AMENDMENT TO ALLOW THEIR MIXED-USE ZONING HERE AS WELL.
05:58:51 IT'S A PART OF THE ZONING PROCESS TO ALLOW MORE HOTELS.
05:58:58 I THINK -- MORE HOTEL UNITS.
05:59:00 I THINK WHAT MS. MONTGOMERY WAS DESCRIBING WAS HOW THEY
05:59:05 JUSTIFIED THE MORE HOTEL UNITS BECAUSE THEY ARE ALSO
05:59:09 BRINGING DOWN THE NUMBER OF SQUARE FEET FOR RETAIL SO
05:59:14 TRAFFIC-WISE IT ALL EVENS OUT.
05:59:16 IF YOU WANT TO DISCUSS THAT SOME MORE, THAT'S THE CONTEXT IN
05:59:22 WHICH TO DISCUSS IT, NOT IN DEVIATION.

05:59:24 >>Jim Ward: [INAUDIBLE]
05:59:25 >>Nancy Stroud: ABSOLUTELY, ABSOLUTELY.
05:59:26 STAFF HAS RECOMMENDED THAT THAT IS APPROPRIATE.
05:59:33 AND PLANNING AND ZONING DID TOO.

05:59:37 >>Mayor Ribble: EXCUSE ME.
05:59:38 ONE MINUTE.
05:59:38 GO AHEAD.
05:59:39 >>Robert Eschenfelder: I APOLOGIZE, MAYOR.
05:59:40 IN TERMS OF YOUR DISCUSSION AND YOUR PROCLAIMING YOU ARE NOT
05:59:47 ENGINEERS, FIRST OF ALL, KEEP IN MIND THAT STAFF HAS ALERTED
05:59:50 YOU.
05:59:50 THEY HAVEN'T PUT ON THEIR CASE YET AND THEY ARE GOING TO BE
05:59:53 CALLING THE DEPUTY BUILDING OFFICIAL TO PROVIDE HIS INPUT.
05:59:59 BUT SINCE YOU ALL ARE IN A QUASI-JUDICIAL SETTING HERE, AS
06:00:04 I'M SEEING THINGS OCCURRING, WE HAVE NOT ONE BUT TWO LAWYERS
06:00:08 FOR THE APPLICANT.
06:00:09 BOTH LAWYERS APPEAR TO BE MAKING LEGAL ARGUMENT.
06:00:12 BOTH LAWYERS ALSO APPEAR TO BE TRYING TO OFFER TESTIMONY.
06:00:16 I'M NOT SURE HOW IT'S WORKING OUT IN TERMS OF IF THIS THING
06:00:20 GETS APPEALED, WHO IS GOING TO REPRESENT THEM, BUT IT'S BEEN
06:00:26 REPRESENTED IN A GENERAL WAY COST AND TARIFFS.
06:00:30 I THINK I WOULD RECOMMEND, BEFORE THEY STOP THEIR
06:00:34 PRESENTATION, THAT PERHAPS COUNCIL ASK WHETHER THE APPLICANT
06:00:39 HAS ANY ACTUAL DETAILED EVIDENCE OF COST VERSUS ONE, COST
06:00:45 VERSUS THE OTHER, WHAT TARIFFS, BECAUSE LUMBER COMES FROM

06:00:49 CANADA.
06:00:50 ANYBODY WHO READS THE NEWS SEES THAT LUMBER IS FACING
06:00:54 TARIFFS AS WELL.
06:00:55 IF YOU ARE GOING TO BE BASING YOUR DECISION IN PART ON THAT
06:01:01 ARGUMENT, I THINK IT WOULD BE GOOD FOR YOU TO ASK THEM AT
06:01:04 SOME POINT, DO YOU HAVE ANY ACTUAL EVIDENCE OTHER THAN
06:01:07 GENERALIZED COMMENTS ABOUT TARIFFS?
06:01:10 >>Mayor Ribble: AND SO THERE IT IS.
06:01:12 THERE IS THE QUESTION.
06:01:17 >> TO THAT I WOULD SAY IT IS A LOT OF UNKNOWNS RIGHT NOW.
06:01:20 WE DON'T HAVE ANY INSIGHT ON TARIFFS OR COSTS OR WHAT COSTS
06:01:26 ARE GOING TO BE WHEN WE ACTUALLY GET TO THE POINT WHERE WE
06:01:29 START CONSTRUCTION.
06:01:29 I THINK OUR ASK REALLY WAS HAVING OTHER OPTIONS THAN JUST
06:01:35 HUNDRED PERCENT CONCRETE.
06:01:36 I FEEL LIKE WE'VE ASKED AND CLEARLY YOU ALL HAVE GIVEN YOUR
06:01:42 OPINION OF WHAT YOU THINK ABOUT OUR ASK.
06:01:44 I THINK WE HAVE TO LIVE WITH THAT, WITH YOUR VOTE ON THE
06:01:48 CONDITION, WHATEVER, WE REALLY JUST WANTED FLEXIBILITY.
06:01:52 WE DON'T HAVE SPECIFIC NUMBERS YET.
06:01:54 WE HAVEN'T RUN NUMBERS WITH ALL OF THOSE SCENARIOS.
06:02:00 I GUESS WE COULD PROBABLY AT SOME POINT.

06:02:02 AGAIN SO MANY UNKNOWNS ABOUT WHERE THINGS ARE GOING WITH THE
06:02:05 ECONOMY AND TARIFFS, I DON'T THINK ANYBODY COULD PUT A
06:02:08 NUMBER ON ANY, WHETHER IT IS CONCRETE OR WOOD AT THIS POINT.

06:02:12 NOT A GREAT ANSWER, BUT WE DON'T HAVE ANYTHING SPECIFIC, NO,
06:02:15 TO ANSWER THE VILLAGE ATTORNEY'S QUESTION.
06:02:21 >> CURRENTLY, WITH THE CLIMATE THAT WE HAVE, ECONOMIC
06:02:26 CLIMATE THAT WE HAVE, FOR THIS PROJECT, THE MOST
06:02:30 COST-EFFECTIVE WOULD BE WOOD CONSTRUCTION.
06:02:33 THE SECOND DEPENDING UPON SOME UNKNOWN FACTORS RIGHT NOW
06:02:39 WOULD PROBABLY BE STICK FRAMED METAL FRAMED CONSTRUCTION.
06:02:44 THE THIRD MAY BE WHAT'S CONSIDERED INSULATED CONCRETE FORM
06:02:53 CONSTRUCTION.
06:02:55 THE THIRD, ROUGHLY AROUND THE SAME, FOURTH, THIRD, CALL IT
06:02:59 3B WOULD BE CONCRETE BLOCK AND PLANK CONSTRUCTION.
06:03:03 AND THEN FROM THERE AT SOME UNKNOWN INTERVAL GOING BACK AND
06:03:08 FORTH BETWEEN FULL POURED IN PLACE CONCRETE CONSTRUCTION AND
06:03:13 STEEL DEPENDING UPON THE TIME.
06:03:15 THE ISSUE I THINK THAT WE HAVE IS UPON APPROVAL TO PROCEED
06:03:22 FROM THE COUNCIL, WE'RE ABOUT EIGHT MONTHS FROM BEING READY
06:03:25 TO SUBMIT FOR PERMITS.
06:03:26 IN THAT TIME, YESTERDAY WAS ANNOUNCED STEEL AND ALUMINUM
06:03:32 TARIFFS THAT OBVIOUSLY NOBODY WOULD TAKE INTO ACCOUNT WHEN
06:03:37 WE WERE WORKING ON THIS PROJECT.
06:03:38 I THINK WHAT THE LARGE CONCERN IS, WITH ITEM 10, AND I'LL
06:03:45 READ IT HERE, CONSTRUCTION OF BUILDINGS WILL BE OF CONCRETE
06:03:48 BLOCK, NOT WOOD FRAME.
06:03:49 WHICH AS THAT CONDITION WOULD NOT ONLY TAKE OUT WOOD FRAME,
06:03:56 BUT IN MY UNDERSTANDING OF READING THAT WOULD TAKE OUT STEEL

06:04:00 FRAME, TAKE OUT STEEL STUDS, TAKE OUT POURED IN PLACE
06:04:04 CONCRETE, WOULD ALSO TAKE OUT INSULATED CONCRETE FORM
06:04:09 CONSTRUCTION AND LIMIT THE PROJECT TO SPECIFICALLY CONCRETE
06:04:13 BLOCK.
06:04:14 REGARDLESS OF WHAT --
06:04:22 >>Jon McLain: I THINK MARY CAN MAYBE ADDRESS THAT.
06:04:30 >> THAT'S THE WAY I READ IT.
06:04:35 >>Mary Gibbs: IF THEY ARE DONE WITH THEIR PRESENTATION, I
06:04:38 WANTED TO GO OVER A COUPLE OF POINTS --
06:04:44 >> IF THERE IS PUBLIC COMMENT, WANT TO RESERVE THE RIGHT TO
06:04:47 ADDRESS THE PUBLIC COMMENT.
06:04:57 >> RESERVE THE RIGHT TO REBUTTAL.
06:05:00 >>Mary Gibbs: SHE CAN REBUT THE REBUTTAL.
06:05:02 I WANTED TO BRING UP A COUPLE OF POINTS AND THEN WE WANT TO

06:05:06 TALK ABOUT WHY WE THINK CONCRETE BLOCK IS BETTER AND MORE
06:05:11 SUSTAINABLE THAN WOOD FRAME.
06:05:12 AND THEN YOU MAY HAVE SOME DISCUSSION.
06:05:16 THIS IDEA THAT THEY BROUGHT UP TONIGHT OF THE HYBRID THING
06:05:18 IS NEW TO US.
06:05:20 THEY HAVE NOT DISCUSSED IT WITH ME.
06:05:21 SO WE'RE KIND OF TRYING TO STRUGGLE WITH FIGURING OUT WHAT
06:05:25 THEY ARE OFFERING.
06:05:26 I THINK WE WANT TO PUT ON OUR CASE.
06:05:30 IF THEY WANT -- IF YOU ALL WANT TO CONSIDER IT FURTHER, WE
06:05:33 CAN TALK ABOUT THAT LATER.

06:05:35 A COUPLE OF THINGS I WANTED TO SAY, BECAUSE THEY BROUGHT UP,
06:05:37 THIS IS GOING TO BE A HILTON.
06:05:39 IT'S AN ALL SUITES.
06:05:41 IT'S HIGH QUALITY AND THE EXTRA THINGS THAT THEY DO WITH THE
06:05:43 HILTON AND THE 20 YEARS AND ALL THE THINGS ABOUT THAT SOUNDS
06:05:48 GREAT, BUT KEEP IN MIND WE CAN'T FORCE THEM TO DO A HILTON.
06:05:53 IT COULD BE -- I DON'T WANT TO SAY LIKE A DAYS INN, WHICH IS
06:05:58 NOT LIKELY, THIS DOESN'T MEAN IT'S GOING TO BE A HILTON.
06:06:01 ALL THE THINGS THEY ARE GIVING YOU THE ASSURANCE THAT WILL
06:06:03 BE THE QUALITY, YOU DON'T KNOW THAT THAT'S GOING TO HAPPEN.
06:06:07 IF WE LOOK AT, WE RECENTLY APPROVED A HOTEL OVER ON LYDEN
06:06:11 LANE IF YOU REMEMBER.
06:06:13 ACROSS THE STREET.
06:06:14 HAD A BIG DISCUSSION.
06:06:16 THEY DID THE NICE DESIGN.
06:06:18 IT GOT APPROVED, AND THEN THE FOLLOWING WEEK THEY CALLED ME
06:06:21 AND SAID WE'RE NOT DOING THAT HOTEL.
06:06:23 THE HILTON SOUNDS GREAT.
06:06:26 I THINK WE'RE EXCITED ABOUT THAT, BUT THAT DOESN'T
06:06:28 NECESSARILY MEAN, IT COULD BE SOMETHING ELSE.
06:06:32 JUST WANTED TO BRING THAT UP.
06:06:34 WE HAVE OUR DEPUTY BUILDING OFFICIAL HERE.
06:06:37 SO WE WOULD LIKE HIM TO JUST GET A FEW THINGS ON THE RECORD,
06:06:41 LIKE THEY DID, WITH THEIR POINTS ABOUT WHY WE THINK CONCRETE
06:06:45 BLOCK IS MORE SUSTAINABLE AND BETTER PRODUCT.

06:06:48 >>Jon McLain: CLARIFICATION FOR ME, IRRESPECTIVE OF THE WOOD
06:06:55 AND CONCRETE BLOCK, WHEN I THINK OF CONCRETE BLOCK, I'M
06:06:58 THINKING ABOUT THE EXTERIOR WALLS.
06:07:00 ARE WE THINKING BETWEEN GUEST ROOMS IT'S GOING TO BE CINDER
06:07:04 BLOCK THERE ALSO?
06:07:04 IS THAT WHAT OUR REQUIREMENT IS?

06:07:07 >>Mary Gibbs: I THINK WE PUT THE CONDITION, IT'S KIND OF OUR
06:07:11 STANDARD CONDITION.
06:07:12 WE NEVER HAD THIS DISCUSSION WITH THEM UNTIL TODAY, TONIGHT.
06:07:16 SO I DON'T KNOW -- I DON'T THINK WE ANTICIPATED IT TO BE
06:07:21 THAT DETAILED.
06:07:22 WHAT WE'RE TRYING TO AVOID IS IF YOU DRIVE UP I-75, GET OFF
06:07:26 AT ALICO ROAD AND DRIVE DOWN THERE AND YOU SEE ALL THE
06:07:30 STICK-BUILT HOTELS, ALL THE STICK-BUILT APARTMENTS GOING IN.
06:07:35 I THINK THAT'S WHAT THE VILLAGE IS TRYING TO AVOID.
06:07:37 THAT'S WHAT WE DON'T WANT TO SEE ARE THE WOOD FRAME
06:07:40 BUILDINGS GOING UP.
06:07:41 WE KNOW POSSIBLY SOME APARTMENTS COMING IN CLOSE BY HERE.
06:07:45 WE DON'T WANT -- THAT'S NOT WHAT WE WANT IS THOSE WOOD FRAME
06:07:49 AND FOR REASONS THAT MICHAEL WILL EXPLAIN WHY WOOD FRAME IS
06:07:53 NOT AS GOOD.
06:07:55 IN TERMS OF GETTING DOWN TO WHAT PERCENTAGE, WHAT'S METAL,
06:08:00 WHAT'S WOOD, THAT MAYBE NEEDS TO BE CONTINUED FOR A LATER
06:08:05 DISCUSSION.
06:08:06 >>Jon McLain: FRAMED -- THE EXTERIOR WALLS HAVE BEEN

06:08:11 CONCRETE BLOCK.
06:08:13 INSIDE COULD BE A VARIETY OF MATERIALS IN THERE.
06:08:16 >>Mary Gibbs: I THINK THEY USUALLY DO HAVE A LITTLE MIXTURE
06:08:19 OF SOME WOOD PRODUCTS IN THERE.
06:08:21 IT'S NOT LIKE A BUNKER.
06:08:23 IT CAN BE LIKE A BUNKER.
06:08:29 >>Nancy Stroud: IF THE COUNCIL WOULD ALLOW ME, I'D LIKE TO
06:08:35 PUT OUR DEPUTY BUILDING OFFICIAL UP HERE FOR TESTIMONY ABOUT
06:08:41 THE ADVANTAGES OF CONCRETE AND WOOD VERSUS -- OVER WOOD.
06:08:49 PROCEDURALLY, IT SEEMS TO ME THAT IF WE NEEDED TO GET INTO
06:08:53 DETAILS ABOUT SOMETHING MORE THAN WHAT WE HAVE IN THE
06:08:56 CONDITION, THEN WE NEED TO GET OUR BUILDING OFFICIAL AND
06:09:00 PEOPLE WHO ARE EXPERTS TO SIT DOWN AND WRITE A NEW CONDITION
06:09:05 THAT WOULD ADDRESS CONSTRUCTION.
06:09:07 I DON'T SEE HOW WE CAN DO IT HERE.
06:09:09 BUT FOR RECORD PURPOSES, LET ME HAVE MICHAEL GIBBONS COME
06:09:18 UP.
06:09:19 I'LL DO IT A LITTLE MORE FORMALLY THAN I USUALLY DO JUST TO
06:09:23 SORT OF GIVE SOME STRUCTURE TO THE DISCUSSION.
06:09:26 I'D LIKE FOR YOU TO STATE YOUR NAME, PLEASE.
06:09:31 >> GOOD AFTERNOON.
06:09:32 MICHAEL GIBBONS.
06:09:36 >>Nancy Stroud: WHAT IS YOUR POSITION?
06:09:37 >> DEPUTY BUILDING OFFICIAL FOR THE VILLAGE OF ESTERO.

06:09:40 >>Nancy Stroud: HOW LONG HAVE YOU BEEN THE DEPUTY BUILDING

06:09:42 OFFICIAL?
06:09:43 >> SINCE AUGUST OF 2023.
06:09:45 >>Mayor Ribble: EXCUSE ME, NANCY, YOU'LL HAVE TO MOVE CLOSER
06:09:48 TO THE MICROPHONE ALSO.
06:09:57 >>Nancy Stroud: I HAVE WHAT IS YOUR CURRENT RESUM , MR.
06:10:00 GIBBONS.
06:10:01 I'M GOING TO SHOW THIS TO YOU AND ASK YOU IF THAT IS YOUR
06:10:06 CURRENT RESUM ?
06:10:09 >> YES, IT IS.
06:10:12 >>Nancy Stroud: I'D LIKE TO ENTER THE RESUM INTO THE
06:10:14 RECORD.
06:10:14 MARY HAS COPIES FOR THE APPLICANT AND FOR THE COUNCIL.
06:10:21 JUST TO KIND OF SUMMARIZE YOUR QUALIFICATIONS, I'D LIKE YOU
06:10:33 TO TALK ABOUT WHAT YOUR POSITION WAS BEFORE YOU BECAME THE
06:10:38 DEPUTY BUILDING OFFICIAL IN ESTERO.
06:10:40 >> PRIOR TO ME COMING TO ESTERO I WAS A SENIOR STRUCTURAL
06:10:45 PLAN REVIEWER FOR COLLIER COUNTY FOR TEN YEARS, ELEVEN
06:10:51 YEARS.
06:10:52 PRIOR TO THAT I WAS ON THE -- IN THE PRIVATE SECTOR AS
06:10:57 CONSTRUCTION MANAGER, PROJECT MANAGER, VICE PRESIDENT OF
06:11:00 CONSTRUCTION FOR VARIOUS COMPANIES HERE IN NAPLES, IN TAMPA,
06:11:07 AND ORLANDO THROUGH MY 45 YEARS OF EXPERIENCE.
06:11:10 I AM A LICENSED GENERAL CONTRACTOR, CERTIFIED GENERAL
06:11:14 CONTRACTOR SINCE 1984.
06:11:18 >>Nancy Stroud: WHAT OTHER CERTIFICATIONS DO YOU HAVE THAT

06:11:22 RELATE SPECIFICALLY TO HOTEL CONSTRUCTION LIKE THE ONE
06:11:25 PROPOSED TONIGHT?
06:11:27 >> I'M A COMMERCIAL PLAN REVIEWER, PLANS EXAMINER.
06:11:31 COMMERCIAL BUILDING INSPECTOR, COMMERCIAL ACCESSIBILITY
06:11:37 INSPECTOR AND A CERTIFIED GENERAL CONTRACTOR IN ADDITION TO
06:11:42 BEING A BUILDING OFFICIAL.
06:11:45 >>Nancy Stroud: ARE YOU FAMILIAR WITH THE APPLICATION FOR
06:11:48 THE HOTEL THAT THE COUNCIL IS REVIEWING TONIGHT?
06:11:52 >> IN GENERAL, YES.
06:11:54 I RECEIVED THE SAME LAYOUT THAT THEY SHOWED HERE.
06:12:00 AND I RECEIVED A LETTER ATTACHED TO IT FROM MS. GIBBS.
06:12:07 >>Nancy Stroud: ARE YOU FAMILIAR WITH THE SITE?
06:12:10 >> YES, I VISITED THE SITE ACTUALLY SEVERAL TIMES, AT
06:12:17 COCONUT POINT DOING INSPECTIONS.
06:12:18 I DO INSPECTIONS IN THE MORNING FOR THE VILLAGE AND THEN I
06:12:22 COME BACK TO THE OFFICE AND DO ADMINISTRATIVE.

06:12:23 SO I'M VERY FAMILIAR WITH THE SITE.
06:12:25 I DID GO OUT THERE YESTERDAY AND ACTUALLY WALK AROUND IT
06:12:29 JUST TO SEE -- GET A FEEL OF WHAT THE BUILDING WOULD BE LIKE
06:12:35 AND IF THERE'S SPACE AROUND THERE TO OPERATE A CRANE, AND I
06:12:39 FEEL THERE IS.
06:12:41 >>Nancy Stroud: YOU'VE HEARD THE APPLICANT'S EXPLANATION AND
06:12:43 THE BACK AND FORTH DURING THE HEARING TONIGHT AS WELL.
06:12:48 >> YES.
06:12:48 >>Nancy Stroud: YOU'VE BEEN SITTING THROUGH THE WHOLE

06:12:50 HEARING, IS THAT RIGHT?
06:12:51 >> YES, I HAVE.
06:12:52 >>Nancy Stroud: DO YOU AGREE WITH THE APPLICANT THAT WOOD
06:12:55 CONSTRUCTION IS SUPERIOR TO CONCRETE CONSTRUCTION?
06:12:59 >> NO, I DON'T.
06:13:01 >>Nancy Stroud: AND DID YOU PREPARE A SUMMARY -- DID YOU
06:13:07 PREPARE A SUMMARY OF YOUR OPINION ON A HANDOUT FOR TONIGHT'S
06:13:12 MEETING?
06:13:12 >> YES, I DID.
06:13:15 >>Nancy Stroud: IS THIS SUMMARY THE HANDOUT I JUST
06:13:22 MENTIONED?
06:13:22 >> YES.
06:13:23 FIVE BULLET POINTS ON HERE THAT JUST CONCERN THE DIFFERENCES
06:13:28 BETWEEN CONCRETE STRUCTURES AND WOOD STRUCTURES AND HOW I
06:13:33 FEEL CONCRETE IS A SUPERIOR MATERIAL TO USE, ESPECIALLY IN
06:13:38 THIS AREA.
06:13:41 >>Nancy Stroud: MARY IS HANDING THE COUNCIL AND NEALE AND
06:13:51 THE CLERK A COPY OF THE SUMMARY.
06:13:54 DOES THE UNIQUE ENVIRONMENT OF SOUTH FLORIDA INFLUENCE YOUR
06:14:00 OPINION ABOUT WOOD CONSTRUCTION VERSUS CONCRETE
06:14:02 CONSTRUCTION?
06:14:03 >> YES, IT DOES.
06:14:06 >>Nancy Stroud: HOW DOES IT INFLUENCE YOUR OPINION?
06:14:11 >> WELL, CONCRETE -- WITH THE HEAT, THE HUMIDITY, THE WIND
06:14:17 LOADS, THE STORMS THAT CREATE ALL THIS THE WATER INTRUSION,

06:14:21 CONCRETE IS MUCH MORE DENSE MATERIAL AND YOU'RE GOING TO GET
06:14:28 LESS ROT, LESS MOLD.
06:14:33 THE CHANCES OF PEST INFESTATION ARE LESS WITH WOOD, AND
06:14:37 THAT'S WHY SO MANY PEOPLE BUILD CONCRETE STRUCTURES
06:14:41 ESPECIALLY IN THIS AREA.
06:14:43 WE'RE ONLY THREE MILES FROM THE BEACH.
06:14:46 >>Nancy Stroud: USING YOUR SUMMARY, WOULD YOU EXPAND ON YOUR
06:14:54 OPINION ABOUT THE ADVANTAGES OF CONCRETE CONSTRUCTION OVER

06:14:57 WOOD CONSTRUCTION.
06:14:59 >> YES.
06:15:00 FIRST AND FOREMOST, I'D LIKE TO GO TO THE LAST ONE BECAUSE I
06:15:04 FEEL THAT'S KIND OF -- OR THE FOURTH ONE.
06:15:09 THE FIRE RESISTANCE OF CONCRETE BLOCK.
06:15:12 THE FIRE RESISTANCE, BECAUSE IT IS DENSE AND IT'S -- IT WILL
06:15:21 WITHSTAND HIGHER TEMPERATURES FOR AN EXTENDED PERIOD OF
06:15:24 TIME, IT'S SAFER FOR FIREFIGHTERS, SAFER FOR PEOPLE TO GET
06:15:31 OUT.
06:15:31 WHEN YOU CONSIDER A BLOCK BUILDING VERSUS A WOOD STRUCTURE,
06:15:38 AND IN THE FIRE DESIGN, BASED ON THE FIRE CODES AND THE
06:15:44 FLORIDA BUILDING CODE, FLORIDA IS UNDER ONE CODE THROUGHOUT
06:15:48 THE ENTIRE STATE OF FLORIDA.
06:15:50 THE FIRE CODE FOLLOWS THAT.
06:15:51 THEY ARE VERY STRINGENT.
06:15:54 THE COST DIFFERENCE, WHEN YOU GET INTO WOOD FRAME AND
06:16:00 CONCRETE BLOCK GETS A LITTLE CLOSER BECAUSE SO MUCH HAS TO

06:16:06 GO INTO BUILDING A WOOD FRAME BUILDING TO BE FIRE PROOF PER
06:16:11 THE CODES, AND THE CODES ARE THE MINIMUM.
06:16:16 BUILDING CODES HERE ARE MINIMUM.
06:16:18 TO GET THAT MINIMUM, IT'S MORE INTRICATE TO DO A WOOD FRAME
06:16:26 BUILDING THAN A REGULAR CONCRETE BLOCK BUILDING.
06:16:29 CONCRETE BLOCK IS ALSO MORE EFFICIENT, AGAIN, BECAUSE IT'S
06:16:32 MORE DENSE.
06:16:33 IT HOLDS THE HEAT.
06:16:34 IT HAS A HIGHER WHAT THEY CALL A MASS, THERMAL MASS, WHICH
06:16:39 IS THE ABILITY TO HOLD, STORE, AND RELEASE THE HEAT AT
06:16:45 TIMES.
06:16:46 IT WILL KEEP THE HEAT IN THE BLOCK AND RELEASE IT GRADUALLY.
06:16:51 WHAT WE'VE BEEN TOLD AND WHAT WE'VE SEEN IS THERE IS A LOT
06:16:56 OF COST-EFFECTIVENESS TO THAT OVER THE LONG RUN.
06:17:02 YOUR UTILITY BILLS SHOULD BE SLIGHTLY LOWER.
06:17:09 >>Nancy Stroud: CAN YOU EXPLAIN YOUR OPINION REGARDING MOLD
06:17:13 AND PESTS AND THE ADVANTAGES OF CONCRETE AND RESISTING THAT?
06:17:20 >> CONCRETE IS GOING TO RESIST WATER MORE AND IT'S NOT GOING
06:17:23 TO ALLOW IT TO GET RIGHT THROUGH THE BUILDING, WHEREAS WOOD
06:17:28 THE WATER COULD STAY IN THE WOOD AND EVENTUALLY THE MOLD
06:17:33 WILL HAPPEN.
06:17:34 AND IT WILL START ROTTING.
06:17:38 TERMITES WILL GET IN THERE.
06:17:40 AND TERMITES CAN'T GET THROUGH CONCRETE BLOCK.
06:17:44 >>Nancy Stroud: WOULD YOU LIKE THE COUNCIL TO KNOW ANYTHING

06:17:47 MORE ABOUT THE ADVANTAGES OF CONCRETE?
06:17:49 >> ONE THING IS, IF YOU GO IN A LARGE PROJECT THAT'S BUILT
06:17:55 OUT OF CONCRETE, YOU MAY SEE SOME DUMPSTERS LAYING AROUND
06:17:58 THAT SAY CONCRETE ONLY.
06:18:00 THE REASON FOR THAT IS THEY TAKE IT TO THE LANDFILL AND
06:18:04 EVENTUALLY IT COULD BE PULVERIZED AND USED AS ROAD BASE AND
06:18:10 BRIDGE EMBANKMENT ENHANCEMENTS.
06:18:13 SO IT IS KIND OF RECYCLABLE.
06:18:16 IT'S NOT TOTALLY WASTED AFTER THE BUILDING IS DEMOLISHED.
06:18:21 THE BIG THING I SEE HERE BECAUSE OF THE HURRICANES AND THAT
06:18:24 IS THE STRUCTURE IS MORE DENSE AND MORE SUSTAINABLE REALLY
06:18:31 FOR FLYING OBJECTS, IMPACT IMPROVEMENTS TO THE BUILDING.
06:18:37 IT'S MORE BENEFICIAL IN MY OPINION.
06:18:41 AGAIN, I'VE BEEN BUILDING FOR 40 SOMETHING YEARS IN THIS
06:18:45 AREA AND VERY RARELY HAVE I BUILT A WOOD FRAME COMMERCIAL
06:18:50 BUILDING.
06:18:50 AS A MATTER OF FACT, I DON'T REMEMBER THE LAST TIME.
06:18:52 THE LAST TIME I DID ONE WAS IN TAMPA, WAS AN APARTMENT
06:18:56 BUILDING.
06:18:57 AND THAT WAS YEARS AGO.
06:19:00 >>Nancy Stroud: DOES THE COUNCIL HAVE ANY QUESTIONS OF MR.
06:19:02 GIBBONS?
06:19:05 >>Vice-Mayor Zalucki: I WOULD LIKE TO MAKE A COMMENT.
06:19:06 MICHAEL, THANK YOU VERY MUCH.
06:19:07 ONE OF THE THINGS YOU TOUCHED ON I ACTUALLY EMPHASIZED WAS

06:19:11 LIFE SAFETY, RELATIVE TO THE MATERIALS.
06:19:13 I THINK YOU'D AGREE THAT THERE ARE FIVE DIFFERENT CLASSES OF
06:19:17 CONSTRUCTION ACCORDING TO NFPA.
06:19:19 TYPE ONE IS MUCH STRONGER THAN TYPE FIVE, WHICH IS STICK.
06:19:23 THERE IS A HUGE GAP IN THERE BETWEEN ONE AND FIVE.
06:19:26 AND I THINK MOST HOTELS OR BUILDINGS THAT HAVE MULTIPLE
06:19:33 OCCUPANCIES USE CLASS ONE OR CLASS TWO, WOULD THAT BE
06:19:36 ACCURATE?
06:19:37 >> YES.
06:19:38 >>Vice-Mayor Zalucki: THANK YOU.
06:19:38 >>Mayor Ribble: NO MATTER WHAT THE STRUCTURE, IF THERE'S
06:19:41 WOOD INTERIOR, ONE LEAKY ROOF, ONE LEAKING TOILET, ONE
06:19:46 LEAKING SHOWER, ONE BROKEN PIPE WILL GET INTO THAT WOOD AND
06:19:51 CAUSE DAMAGE THAT IS NOT EVEN VISIBLE.
06:19:53 THAT'S ALWAYS SOMETHING THAT COULD HAPPEN WITH WOOD FRAME.
06:19:59 >> PUTTING UP A WALL AND SHORT ONE INCH, THAT ONE INCH COULD
06:20:07 LET WATER IN.
06:20:09 ANYTHING COULD HAPPEN.

06:20:14 >>Mayor Ribble: ANY OTHER QUESTIONS?
06:20:15 DOES THE APPLICANT WISH TO SAY ANYTHING ELSE?
06:20:24 >>Mary Gibbs: I JUST WAS GOING TO MENTION THAT THE APPLICANT
06:20:27 HAS TALKED TO ME -- MICHAEL WAS TALKING ABOUT A CONTINUANCE.
06:20:32 THEY WANT TO REQUEST A CONTINUANCE.
06:20:33 I'LL LET THEM EXPLAIN IT.
06:20:35 I THINK THEY WERE HOPING THEY COULD TRY TO WORK SOMETHING

06:20:37 OUT ON THE CONDITION IF YOU ALL ARE AMENABLE TO THAT.
06:20:41 JUST IN YOUR DISCUSSION.
06:20:44 >>Mayor Ribble: GO AHEAD.
06:20:45 THANK YOU, MICHAEL.
06:20:51 >> NEALE MONTGOMERY FOR THE RECORD, AGAIN.
06:20:53 I HEARD NANCY STROUD DISCUSS THE FACT THAT -- AND I THINK WE
06:20:58 ALL ACKNOWLEDGE THAT WE CORPORATELY HAVEN'T CONTEMPLATED
06:21:04 WHAT'S INSIDE THE BUILDING AND HOW MUCH IS, WHAT'S WOOD,
06:21:08 WHAT'S CONCRETE, WHAT'S STEEL.
06:21:11 GENERALLY BUILDINGS ARE A COMBINATION OF ALL OF THOSE
06:21:14 THINGS.
06:21:15 YOU'RE NOT ARCHITECTS.
06:21:16 I'M NOT AN ARCHITECT AND NEITHER IS MARY.
06:21:19 I DO THINK THE CONDITION NEEDS TO BE REWRITTEN SO WE END UP
06:21:24 WHERE WE ALL THINK WE WANT TO BE.
06:21:26 NANCY SAID WE'RE NOT GOING TO GET THERE TONIGHT.
06:21:29 THAT BEING THE CASE, IT SEEMS THAT WE SHOULD CONTINUE THIS
06:21:32 SO WE CAN WRITE A CONDITION WE ALL UNDERSTAND AND KNOW WHAT
06:21:37 WE'RE GOING TO GET.
06:21:38 >>Mayor Ribble: ALL RIGHT.
06:21:39 HOW DOES THE COUNCIL FEEL ABOUT THAT?
06:21:42 >>Vice-Mayor Zalucki: MAYOR, I HAVE ONE QUESTION.
06:21:43 SHOULD WE DISCUSS IF THERE ARE ANY OTHER QUESTIONS RELATIVE
06:21:45 TO THE PLANNING TONIGHT OR SHOULD WE JUST -- LIKE, THERE
06:21:50 MIGHT BE -- I'VE GOT SOME QUESTIONS ABOUT THE PROJECT THAT'S

06:21:52 NOT JUST RELATED TO THE EXTERIOR BLOCK WALLS THAT I DON'T
06:21:55 THINK WE COVERED.
06:21:56 SHOULD WE DO THAT TONIGHT OR DO IT DURING THE NEXT VISIT?
06:22:00 >> IF THERE ARE OTHER QUESTIONS OR ISSUES THAT WE CAN
06:22:02 ADDRESS TONIGHT, WOULD LOVE TO DO THAT.
06:22:05 IF WE CAN'T ADDRESS THEM TONIGHT, THEN WE'LL ADDRESS THEM
06:22:08 WHEN WE COME BACK.
06:22:09 CERTAINLY ANYTHING WE CAN DEAL WITH NOW WE WOULD LIKE TO.
06:22:12 I HEARD THAT PARKING WAS PERHAPS A QUESTION, FROM THE FIRST
06:22:20 READING, THE HOTEL HAS TO MEET THE LAND DEVELOPMENT CODE

06:22:24 REQUIREMENTS AND WILL MEET THOSE REQUIREMENTS BECAUSE THEY
06:22:26 DID NOT ASK FOR A DEVIATION.
06:22:28 THE OVERALL CENTER MEETS THE PARKING REQUIREMENTS AND, IN
06:22:36 FACT, EXCEEDS THOSE.
06:22:38 SO THERE WILL BE SUFFICIENT PARKING.
06:22:41 NOW, I ALSO UNDERSTAND THAT MARY IS CONCERNED THAT PERHAPS
06:22:44 SOME OF THE RESIDENTS PARK ON THE PROPERTY NOW EVEN THOUGH
06:22:48 IT IS NOT NECESSARILY THEIR PARKING.
06:22:52 THERE WILL BE NO WALLS OR GATES OR THINGS LIKE THAT THAT
06:22:58 WOULD INHIBIT THEM FROM PARKING THERE IN THE FUTURE.
06:23:02 REALLY WHAT HAPPENS A LOT OF TIMES WITH PARKING IS NOT
06:23:05 WHETHER THERE IS ENOUGH BUT WHETHER THEY ARE WHERE PEOPLE
06:23:10 WANT THEM.
06:23:10 BUT PARKING FOR THE HOTEL WILL BE ON THE HOTEL PREMISES AND
06:23:13 WILL MEET THE REGULATIONS.

06:23:18 >>Vice-Mayor Zalucki: I JUST HAVE A COUPLE OF QUESTIONS
06:23:22 ABOUT THE PROJECT.
06:23:23 PARKING TO ME ANYWAY DOESN'T SEEM TO BE A BIG CONCERN AS
06:23:27 JUST NORTH OF YOUR SITE THERE'S 648 PARKING SPOTS CURRENTLY
06:23:32 THAT ARE OPEN, JUST NORTH OF YOUR SITE.
06:23:35 SO I THINK PARKING IS NOT GOING TO BE IMPACTED BY THIS
06:23:39 PROJECT.
06:23:40 I WILL ASK ON THAT POINT, THOUGH, ON YOUR FAR NORTH SIDE OF
06:23:45 YOUR PARKING, THERE SEEMS TO BE WHAT LOOKS LIKE A VERY
06:23:49 NARROW BUFFER ALONG THAT DRIVEWAY THAT IS ADJACENT TO THOSE
06:23:54 648 PARKING SPOTS.
06:23:56 COULD YOU GIVE US -- GIVE ME, I'M ASKING THE QUESTION, ARE
06:24:00 THOSE GOING TO BE PLANTINGS?
06:24:02 IT LOOKS VERY NARROW TO ME.
06:24:06 WILL THAT BE A NICE LANDSCAPE BUFFER?
06:24:10 >> I'M TRYING TO GET BACK.
06:24:14 THERE YOU GO.
06:24:15 >> ARE YOU REFERRING TO THE AREA JUST NORTH OF THE BUILDING
06:24:18 ITSELF OR FURTHER UP INTO THE PARKING AREA?
06:24:22 >>Vice-Mayor Zalucki: IT DOES SHOW SOME LANDSCAPING, BUT THE
06:24:24 PLAN LOOKS LIKE IT'S VERY, VERY NARROW THERE.
06:24:27 DO YOU HAVE THE DIMENSION OF THAT STRIP?
06:24:29 >> I BELIEVE ABOUT FIVE --
06:24:32 >>Vice-Mayor Zalucki: IS IT FIVE FEET?
06:24:34 >> YES.

06:24:34 >>Vice-Mayor Zalucki: THAT WOULD BE FULLY LANDSCAPED.
06:24:36 >> THAT'S CORRECT.

06:24:37 >>Vice-Mayor Zalucki: THAT ANSWERS ONE OF MY QUESTIONS.
06:24:40 REGARDING THE PAINTING SCHEME, AND I KNOW WE HAVE A
06:24:43 REPRESENTATIVE FROM SIMON HERE THIS EVENING, AND IT WAS MY
06:24:47 UNDERSTANDING THAT SIMON MAY BE REPAINTING PERHAPS --
06:24:55 >> I HAVE A CONCERN.
06:24:58 THE APPLICATION IS FOR THE PARCEL.
06:25:02 SIMON IS NOT THE APPLICANT AND THIS PARCEL IS BEING SOLD.
06:25:06 SIMON HAS PLANS THEY WANT TO DO IN THE FUTURE, BUT THOSE
06:25:09 AREN'T PART OF THE ISSUES HERE.
06:25:11 IF AND WHEN THEY DO THAT, THERE IS A PROCESS AND YOU'LL GET
06:25:16 TO ASK ALL THE QUESTIONS AND THEY WILL HAVE THE WITNESSES
06:25:18 HERE TO ANSWER THOSE QUESTIONS, BUT WE AREN'T THERE YET.
06:25:22 >>Vice-Mayor Zalucki: WE'RE LOOKING AT OUR COLORS, RIGHT?
06:25:24 >> RIGHT.
06:25:25 >>Vice-Mayor Zalucki: THAT'S PART OF THE PACKAGE.
06:25:27 >> RIGHT.
06:25:27 >>Vice-Mayor Zalucki: MY QUESTION IS, IS THERE A PROPENSITY
06:25:30 OR POSSIBILITY FOR CHANGES?
06:25:32 >>Mary Gibbs: MAY I ANSWER THAT.
06:25:34 I THINK THAT THIS COLOR SCHEME WHICH FITS WITH THE COCONUT
06:25:43 POINT PATTERN BOOK, THE PLANS THAT SIMON HAS TO DO
06:25:47 REFRESHING OF OTHER COLORS THAT IS GOING TO GO BACK TO
06:25:50 PLANNING AND ZONING BOARD FOR AN INFORMATION MEETING IN JULY

06:25:54 AND WILL BE EVENTUALLY VETTED, BUT THEY MAY DO SELECT POINTS
06:25:58 OF COCONUT POINT.
06:26:00 SO I DON'T BELIEVE THAT'S GOING TO AFFECT THIS.
06:26:02 >>Vice-Mayor Zalucki: THAT'S MY QUESTION, BECAUSE I LIKE
06:26:04 YOUR COLORS.
06:26:04 I LOVE THE ARCHITECTURE OF THE BUILDING.
06:26:06 I JUST WANT TO MAKE SURE WHAT WE'RE SEEING IS WHAT WE'RE
06:26:08 GOING TO GET.
06:26:10 >> ABSOLUTELY.
06:26:11 I DON'T WANT THE PEOPLE TO COMMIT TO SOMETHING THAT'S NOT
06:26:14 UNDER THEIR CONTROL.
06:26:15 >>Vice-Mayor Zalucki: NO, ABSOLUTELY.
06:26:16 THE LAST PIECE, I DIDN'T SEE ANYTHING IN THE PACKET ABOUT
06:26:19 SIGNAGE.
06:26:22 ARE THERE ANY SIGNAGE REQUIREMENTS, MARY, THAT WE HAVEN'T
06:26:24 DISCUSSED OR AWARE OF?
06:26:26 >>Mary Gibbs: I THINK THEY WERE LOOKING AT WALL SIGNAGE ON
06:26:30 THE BUILDING ITSELF.
06:26:31 I THINK THEY DO HAVE IN THE PATTERN BOOK A SMALL MONUMENT
06:26:33 SIGN, I RECALL A MONUMENT SIGN THAT WILL HAVE TO GO BACK TO

06:26:38 PLANNING ZONING DESIGN BOARD FOR WHEN THEY DO THEIR
06:26:40 DEVELOPMENT ORDER.
06:26:44 >>Vice-Mayor Zalucki: THAT'S ALL THE QUESTIONS I HAD.
06:26:46 >> ANY OTHER QUESTIONS?
06:26:48 >>Jim Ward: I HAD A QUESTION FOR NANCY, ACTUALLY.

06:26:50 THE IN THE FIRST READING, THERE WERE QUESTIONS THAT WERE
06:26:53 ASKED AND THEY ARE LISTED IN THIS INITIAL DESCRIPTION.
06:26:57 THE SECOND QUESTION THAT WAS ASKED, HOW THIS DEVELOPMENT
06:27:01 FITS INTO THE OVERALL SCHEME OF WHAT COCONUT POINT WANTS TO
06:27:04 DO PARTICULARLY AS IT RELATES TO THE MOVIE THEATER.
06:27:07 MY QUESTION TO YOU IS MS. MONTGOMERY SAID THIS I BELIEVE
06:27:11 STANDS ON ITS OWN AND SHOULD BE DECIDED ON ITS OWN MERITS.
06:27:15 IS THAT ACCURATE OR DO WE HAVE THE OPPORTUNITY TO UNDERSTAND
06:27:18 WHAT COCONUT POINT WANTS TO DO IN OTHER AREAS JUST ABUTTING
06:27:24 THIS PROJECT?
06:27:26 >>Nancy Stroud: I DO THINK IT'S APPROPRIATE TO ASK THE
06:27:29 QUESTION TO THE EXTENT THAT THEY KNOW OR THE REPRESENTATIVE
06:27:32 FROM SIMON CAN ANSWER.
06:27:34 YES.
06:27:35 >>Jim Ward: SO THAT IS A QUESTION I WOULD LIKE ADDRESSED
06:27:38 EITHER TODAY OR AT SOME LATER POINT.
06:27:41 >>Nancy Stroud: I WOULD DO IT TODAY SINCE THE SIMON REP IS
06:27:46 HERE.
06:27:50 >> WE DON'T KNOW THE ANSWER TO THAT QUESTION.
06:28:00 >>Neale Montgomery: THEY HAVEN'T FILED AN APPLICATION YET.
06:28:03 SO YOU'RE ASKING WHAT THEY ARE THINKING, BUT UNTIL THEY
06:28:06 SUBMIT AN APPLICATION AND IT GOES THROUGH MARY'S GRUELING
06:28:11 REVIEW PROCESS AND WE GO THROUGH THE PLANNING AND ZONING
06:28:14 BOARD, WE DON'T KNOW WHAT'S REALLY GOING TO BE, BUT THEY
06:28:17 HAVE IDEAS.

06:28:18 SO THEY CAN SHARE IDEAS.
06:28:20 DON'T WANT YOU TO GO, YOU SAID ON THIS DATE BECAUSE THOSE
06:28:23 THINGS CAN CHANGE.
06:28:24 THAT CAVEAT, SCOTT IS HERE.
06:28:28 >> GOOD EVENING.
06:28:30 SCOTT RICHARDSON.
06:28:33 I AM THE VICE PRESIDENT OF DEVELOPMENT FROM INDIANAPOLIS.
06:28:39 AS NEALE MENTIONED, WE ARE ACTIVELY TRYING TO DETERMINE WHAT
06:28:46 WE WANT TO DO WITH THE MOVIE THEATER SITE.
06:28:50 IT IS HIGHLY LIKELY, CAN'T GUARANTEE THAT THE BUILDING WILL
06:28:54 BE DEMOLISHED AND THE LAND, WHICH THE BUILDING CURRENTLY
06:29:00 RESIDES AS WELL AS THE PARKING FIELD ALL THE WAY BACK TO THE

06:29:05 ROAD WILL BECOME SOMETHING DIFFERENT.
06:29:09 ONE THING THAT IS BEING DISCUSSED IS A MULTIFAMILY PROJECT.
06:29:17 I DON'T KNOW THE UNIT COUNT, BUT IT WILL BE SELF-CONTAINED
06:29:23 ON A PARCEL SIMILAR TO THE HOTEL THAT THE PARKING FOR THE
06:29:28 RESIDENTS WILL BE ON THAT SITE, EITHER TO BE PARKED IN A
06:29:41 DECK OR COULD BE SURFACE PARKED.
06:29:46 WE DON'T KNOW.
06:29:47 IT IS OUR INTENT, HOWEVER WE DO THIS, WHERE THE MOVIE
06:29:51 THEATER SITS TODAY, WE ARE GOING TO CREATE SOME NEW PARKING
06:29:59 FOR THE TOWN CENTER ITSELF BECAUSE THERE ARE SOME OTHER
06:30:03 THINGS WE WANT TO DO.
06:30:04 THE TWO BUILDINGS ON EITHER SIDE OF THE MOVIE THEATER AT THE
06:30:11 TURNAROUND AREA, THERE ARE SOME PLANS TO KIND OF MAYBE

06:30:18 RE-ENVISION WHAT THOSE ARE IN ORDER TO MAKE THEM MORE
06:30:25 MARKETABLE HAVING PROXIMATE PARKING TO THOSE WHICH CURRENTLY
06:30:28 DOES NOT EXIST TODAY, WE FEEL IS A BENEFIT TO OUR LEASING
06:30:33 TEAM AS WE THINK ABOUT THE OVERALL PROJECT.
06:30:38 BUT OUTSIDE OF THAT, AGAIN, WE'RE IN THE PLANNING PHASE NOW.
06:30:44 ONCE WE'RE LOCKED INTO SOMETHING, WE'LL CONTINUE TO BE
06:30:49 ENGAGED WITH MARY.
06:30:50 WE'LL MAKE A PRESENTATION TO THE PZDB, AND THEN WE'LL -- WE
06:30:56 WILL BEGIN THE OFFICIAL PROCESS.
06:31:02 >>Robert Eschenfelder: WHATEVER YOU'LL DO, YOU'LL USE
06:31:04 CONCRETE BLOCK.
06:31:04 [LAUGHTER]
06:31:07 >>Mayor Ribble: ONE MORE QUESTION, PLEASE, MR. RICHARDSON.
06:31:11 >>Jim Ward: UNRELATED TO THE QUESTION THAT I ASKED, PART OF
06:31:15 THE -- I DON'T WANT TO SAY DEVIATION -- BUT PART OF THE
06:31:18 REQUIREMENT OF BUILDING THIS HOTEL IS GIVING UP COMMERCIAL
06:31:23 RETAIL SPACE.
06:31:24 ARE YOU IN A POSITION TO TELL ME WHERE THAT RETAIL SPACE
06:31:28 THAT IS BEING GIVEN -- IS THAT PROXIMATE TO WHERE THE HOTEL
06:31:32 IS OR IS THAT IN ANOTHER PART OF THE COCONUT POINT MALL?
06:31:35 >> IT'S NOT IDENTIFIED.
06:31:40 >>Neale Montgomery: I THINK I CAN ANSWER THAT QUESTION
06:31:42 BETTER.
06:31:42 THERE IS AN OVERALL SQUARE FOOTAGE THAT WAS APPROVED FOR THE
06:31:45 REGIONAL MALL, AND THERE'S RETAIL THAT WAS APPROVED FOR THE

06:31:47 OAK BROOK PORTION.
06:31:48 THIS IS THE UNBUILT PORTION OF THE RETAIL WHERE WE'RE
06:31:52 REDUCING WHAT CAN BE BUILT WITH AN EQUIVALENT TRIP
06:31:56 GENERATION.

06:31:59 >>Jim Ward: IT'S NOT NECESSARILY RETAIL SPACE THAT'S BEING
06:32:01 GIVEN UP RIGHT NEXT TO OR PROXIMATE TO --
06:32:04 >> RIGHT, IT'S NOT TEARING SOMETHING DOWN.
06:32:07 IT'S JUST NOT BUILDING SOMETHING THAT'S BEEN APPROVED.
06:32:09 DOES THAT MAKE SENSE?
06:32:11 >>Mayor Ribble: ANYTHING ELSE?
06:32:12 NANCY, HELP ME OUT HERE, DO WE CONTINUE WITH PUBLIC COMMENT
06:32:16 NOW?
06:32:18 >>Nancy Stroud: BECAUSE IT WAS ADVERTISED FOR TONIGHT AND IF
06:32:21 THERE IS PUBLIC HERE, I THINK IT WOULD BE PRUDENT TO ALLOW,
06:32:24 TO OPEN THE PUBLIC HEARING FOR THEIR COMMENTS.
06:32:28 >>Robert Eschenfelder: I THINK, UNLESS MS. STROUD DISAGREES,
06:32:33 IF WE CONTINUE IT, I WOULD SAY CONTINUE IT JUST AS TO
06:32:39 CONDITION TEN.
06:32:40 IF YOU DON'T PUT THAT SPECIFICITY, IN THEORY, THIS WHOLE
06:32:43 THING COULD HAVE TO HAPPEN AGAIN.
06:32:45 I THINK WHATEVER ELSE YOU'VE GOT, WHATEVER THEY HAVE,
06:32:49 WHATEVER THEY HAVE, WHATEVER YOU HAVE, GET IT DONE TONIGHT
06:32:52 AND THEN CONTINUE IT AS TO CONDITION TEN, WOULD YOU AGREE?
06:32:56 >>Nancy Stroud: I ABSOLUTELY AGREE.
06:33:01 >>Mayor Ribble: IN THAT CASE, MADAM CLERK, DO WE HAVE ANY

06:33:04 PUBLIC COMMENT?
06:33:05 >>Carol Sacco: WE HAVE NO PUBLIC COMMENT AND NO E-COMMENT.
06:33:07 I DON'T HAVE THE CARD.
06:33:12 >>Mary Gibbs: SHE SPOKE AT PLANNING AND ZONING.
06:33:14 SHE NEEDS TO SPEAK TONIGHT.
06:33:15 SHE'S BEEN PATIENTLY WAITING THROUGH ALL THIS.
06:33:27 >> JOAN KRAMAR, 8001, VIA MONTE CARLO WAY IN ESTERO.
06:33:36 I LIVE IN THE BUILDING RIGHT ADJACENT TO THIS NEW PROJECT.
06:33:38 WE ARE A THREE-STORY BUILDING WITH SOME BEAUTIFUL LANAIS
06:33:42 WITH A VERY OPEN SPACE VIEW.
06:33:44 THIS IS GOING TO BE FOUR STORIES WHICH WILL PROBABLY BLOCK
06:33:48 OUR VIEW.
06:33:49 I HAVE SEVERAL CONCERNS, BUT I'M GOING TO JUMP BECAUSE
06:33:52 YOU'VE BEEN HERE A LONG TIME.
06:33:54 I'M GOING TO JUMP TO THE MOST IMPORTANT.
06:33:57 SPECIFICALLY, THE ENTRANCE AND EXITS ON MONTE CARLO WAY.
06:34:01 WE HAVE FOUR ENTRANCES AND EXITS FROM THE RESIDENTS THAT GO
06:34:09 OUT TO MONTE CARLO TO THE STOP SIGN.
06:34:12 NOW, THIS HOTEL, WHERE ARE THEY EXITING WITH ALL THE TRAFFIC
06:34:18 FROM THIS PARTICULAR HOTEL?
06:34:25 >>Neale Montgomery: [INAUDIBLE]
06:34:28 >> EITHER-OR.

06:34:28 HOW ARE YOU COMING OUT?
06:34:30 COMING OUT ON MONTE CARLO BECAUSE THE TRAFFIC THERE IS
06:34:34 HORRENDOUS AS WE SPEAK.

06:34:37 >> YES, ACCORDING TO THE PLAN THERE IS A DRIVE THAT GOES
06:34:39 INTO MONTE CARLO.
06:34:41 >> HOPEFULLY ALL OF YOU, I'M A FORMER COUNCILWOMAN FOR NINE
06:34:46 YEARS.
06:34:46 I RETIRED.
06:34:47 I WAS PRESIDENT OF COUNCIL, AS JOANNE IS, AND ALSO PRESIDENT
06:34:53 OF THE COUNTY LEAGUE OF MUNICIPALITIES.
06:34:55 I'M QUITE AWARE OF YOUR RESPONSIBILITIES TO YOUR
06:34:58 CONSTITUENTS, BUT WERE YOU THERE?
06:35:02 DID YOU GO TO THE SITE TO SEE WHAT WE'RE UP AGAINST HERE
06:35:07 NOW?
06:35:07 BECAUSE THERE IS A LOT OF SPACE DOWN BY TARGET THAT THIS
06:35:14 BUILDING COULD HAVE BEEN MOVED DOWN FURTHER FROM OUR
06:35:19 RESIDENCE.
06:35:21 WITH PARKING WHERE TARGET IS AND ENTRANCES FROM TARGET AND
06:35:24 FROM COCONUT POINT ROAD DOWN TO TARGET.
06:35:31 THAT'S ALL OPEN SPACE THERE.
06:35:32 HERE, THE CONGESTION IS GOING TO BE HORRENDOUS.
06:35:37 SO I'D LIKE YOU TO KIND OF TAKE THAT INTO CONSIDERATION.
06:35:40 MOST OF THE BUILDING, BUILDING ONE AND TWO, LIKE I SAID,
06:35:45 EXIT FROM THERE.
06:35:46 MOST OF THE OWNERS ARE FROM THE AGE OF 65 AND 80.
06:35:51 SO WE HAVE TO THINK ABOUT NOISE AND QUALITY OF LIFE FOR
06:35:55 THEM.
06:35:55 THAT NEEDS TO BE TAKEN INTO PERSPECTIVE WITH THE BUILDING.

06:35:59 SO WE'D LIKE YOU TO CONSIDER -- I WOULD LIKE -- I CAN'T SAY
06:36:02 WE BECAUSE I CAN ONLY SPEAK FOR MYSELF.
06:36:06 I ALSO WOULD LIKE TO KNOW WHERE THE POOL IS GOING TO BE.
06:36:09 HOW ABOUT DELIVERY SERVICES?
06:36:11 WHAT TIME DO THEY START?
06:36:13 HOW ABOUT CONSTRUCTION WHEN THEY START?
06:36:14 WHAT TIME ARE THEY STARTING?
06:36:16 WHAT TIME ARE THEY STOPPING?
06:36:18 ANOTHER QUALITY-OF-LIFE ISSUE FOR US.
06:36:21 THESE ARE ALL THINGS THAT MAYBE ARE MEANINGLESS TO EVERYBODY
06:36:25 ELSE, BUT VERY IMPORTANT TO OUR RESIDENTS.
06:36:29 AND WE HAVE MAINTAINED THERE A SUPERIOR BUILDING.
06:36:35 I DON'T KNOW IF ANY OF YOU HAVE BEEN INSIDE.
06:36:37 WE JUST GOT ALL NEW CARPETING.

06:36:39 WE HAVE A GREAT INVESTMENT THERE.
06:36:41 WE WANT TO PROTECT OUR INVESTMENT FOR THE RESIDENTS.
06:36:45 WE DON'T WANT ANYTHING TO DECLINE.
06:36:48 WE WANT TO MAKE IT MORE ACCEPTABLE.
06:36:50 THE LANDSCAPING THAT YOU SPOKE ABOUT IS ALREADY THERE.
06:36:55 THAT'S WHAT THEY ARE GOING TO, I ASSUME, RELANDSCAPE.
06:36:58 THERE'S NOTHING NEW BEING BUILT THERE.
06:37:01 THOSE STRIPS ARE THERE AS WE SPEAK.
06:37:05 >>Mayor Ribble: JOAN, COULD YOU WRAP IT UP, PLEASE?
06:37:09 >> OH, SURELY.
06:37:10 ANYWAY THAT'S ALL -- WOOD CONSTRUCTION, ABSOLUTELY NO.

06:37:17 WE HAD THE HORRIFIC HURRICANE.
06:37:19 I WOULD SUGGEST TAKING MORE INTO CONSIDERATION THE OTHER
06:37:22 ONE.
06:37:22 SO THANK YOU.
06:37:23 I APPRECIATE IT.
06:37:26 >>Mayor Ribble: IS THERE ANYONE ELSE WHO WISHES TO SPEAK OR
06:37:29 HAS SIGNED A CARD?
06:37:31 >>Carol Sacco: WE HAVE NO ONE SIGNED UP AND NO E-COMMENTS.
06:37:35 >>Neale Montgomery: I'LL TRY TO FIND THE RIGHT PAGE.
06:37:38 IF I DON'T, SOMEBODY WILL HELP ME.
06:37:41 MARY WAS CONCERNED ABOUT WHAT, IF ANY, IMPACT THERE WOULD BE
06:38:02 FROM THIS PROJECT.
06:38:03 DO YOU SEE THE RECTANGLE THAT IS ON THE NORTH SIDE OF THE
06:38:08 BUILDING? THAT IS THE POOL.
06:38:11 SHE WAS CONCERNED THAT THE POOL WOULD HAVE IMPACTS ON THE
06:38:13 RESIDENTS.
06:38:14 THAT POOL WAS SEPARATED BY THE BUILDING FROM THE RESIDENTS.
06:38:18 IT IS A MINIMUM OF 195 FEET FROM THE EXTERIOR WALL OF THE
06:38:24 HOTEL TO THE SIDE OF THE RESIDENTIAL BUILDING.
06:38:28 SO THERE IS A SIGNIFICANT SEPARATION.
06:38:32 WE HAVE THE ROADWAY AND THE LANDSCAPING IN BETWEEN.
06:38:35 SO YOU NOTICE, I KNOW YOU MENTIONED THE LANDSCAPING ON THE
06:38:39 NORTH SIDE.
06:38:40 BUT STAFF WAS CONCERNED ABOUT FOCUSING THE LANDSCAPING ON
06:38:42 THE SOUTH SIDE TO PROVIDE A BETTER BUFFER AND SEPARATION

06:38:46 BETWEEN THE HOTEL AND THE RESIDENTIAL.
06:38:47 IN TERMS OF TRAFFIC, WE HAVE YURI HERE.
06:38:55 HE'S DONE A TRAFFIC ANALYSIS, AND THERE WILL BE ANOTHER
06:38:57 TRAFFIC ANALYSIS WHEN WE GET A LOCAL DEVELOPMENT ORDER
06:39:00 BECAUSE ALL THOSE SITE-RELATED IMPACTS WILL HAVE TO BE
06:39:04 EVALUATED AT THAT TIME.

06:39:06 TYPICALLY WHEN YOU DO A ZONING, YOU LOOK AT THE IMPACTS ON
06:39:09 THE EXTERNAL ROAD NETWORK, BUT WHEN YOU GO TO YOUR D.O.,
06:39:13 YOU'LL LOOK AT THE TURN LANES AND WHERE THE ACCESS IS
06:39:16 LOCATED.
06:39:19 HERE IS THE TRAFFIC CONSULTANT IF YOU WANT TO KNOW MORE,
06:39:27 HE'S HERE AND CAN ADDRESS THAT.
06:39:29 THOSE CONCERNS WILL BE ADDRESSED BY YOUR STAFF.
06:39:34 >>Vice-Mayor Zalucki: THANK YOU, NEALE.
06:39:35 CAN WE TALK ABOUT TRAFFIC TODAY?
06:39:37 IS THAT SOMETHING WE WANT TO TALK ABOUT?
06:39:39 I'D LIKE TO ASK A QUESTION ABOUT THE MEDIAN.
06:39:42 IT LOOKS LIKE YOU'RE GOING TO ENHANCE SOME LANDSCAPING
06:39:44 THERE, WHICH IS A NICE ADDITION TO THAT MEDIAN ON VIA
06:39:47 COCONUT.
06:39:48 BUT MY QUESTION IS, THE EXIT OFF OF MONTE CARLO WAY TO GO
06:39:55 NORTH ON VIA COCONUT, THAT'S A VERY NARROW MEDIAN.
06:40:00 IT ONLY FITS ONE CAR.
06:40:02 I AM A LITTLE BIT CONCERNED ABOUT THE EXTRA TRAFFIC COMING
06:40:06 AND GOING, AS JOAN HAS ARTICULATED, RELATIVE TO THAT

06:40:11 CONFIGURATION.
06:40:13 AS A TRAFFIC EXPERT, WOULD YOU CONSIDER THAT THAT NEEDS TO
06:40:17 BE LOOKED AT BECAUSE OF THE SAFETY ISSUE?
06:40:20 >> CAN YOU POINT EXACTLY TO ME WHERE YOU'RE LOOKING AT?
06:40:23 >>Vice-Mayor Zalucki: SURE.
06:40:24 ON MONTE CARLO WAY, IF YOU'RE COMING OUT AND LET'S SAY YOU
06:40:29 WANT TO GO NORTHBOUND ON VIA COCONUT -- THAT'S IT.
06:40:35 THERE IS A LITTLE OPENING IN THE MEDIAN TO STACK ONE CAR.
06:40:40 THAT'S IT.
06:40:42 AND BARELY FITS, BY THE WAY, BECAUSE I HAVE BEEN THERE.
06:40:46 MY CONCERN IS TRAFFIC COMING IN AND OUT.
06:40:48 I THINK THAT IS GOING TO BE THE PRIMARY FLOW OF TRAFFIC IS
06:40:51 ON MONTE CARLO TO GET IN AND OUT OF THE HOTEL.
06:40:54 OTHERWISE DRIVING DOWN BY TARGET AND COMING IN THE BACK SIDE
06:40:56 OF THE PARKING LOT.
06:40:57 AS PEOPLE EXIT AND WANT TO GO NORTH, I'M THINKING THE SAFEST
06:41:01 BET WOULD BE TO FORCE THE RIGHT TURN TO GO DOWN AND THEN DO
06:41:04 A LOOP.
06:41:06 THAT PIECE RIGHT THERE IS CONCERNING TO ME AS FAR AS TRAFFIC
06:41:09 SAFETY.
06:41:09 DO YOU HAVE ANY FEEDBACK ON THAT?
06:41:12 HAVE YOU STUDIED IT YET?
06:41:15 >> WE HAVE NOT STUDIED ANY INTERSECTION ANALYSIS AT THIS
06:41:17 POINT IN TIME.

06:41:18 I CAN'T TELL YOU HOW MUCH TRAFFIC IS COMING OUT OF THERE

06:41:21 EXACTLY.
06:41:22 WE HAVEN'T DONE ANY TRAFFIC COUNTS YET, SO I CAN'T SPEAK ON
06:41:25 THAT EXACTLY.
06:41:26 THAT WILL BE SOMETHING DONE DURING DEVELOPMENT ORDER STAGE
06:41:29 WHEN WE DO A VERY SITE-SPECIFIC TRAFFIC STUDY.
06:41:33 IS THIS VIA COCONUT?
06:41:36 IT'S MY UNDERSTANDING THAT VIA COCONUT ROAD, THAT IS A
06:41:40 VILLAGE OF ESTERO ROADWAY.
06:41:42 >> YES.
06:41:43 >> SO IF THERE ARE ANY ISSUES THERE, THEY CAN CLOSE THE
06:41:46 MEDIAN AT ANY TIME THEY WANT TO.
06:41:49 THAT'S MY UNDERSTANDING.
06:41:51 >> MARY, WHAT IS YOUR POSITION?
06:41:53 >>Mary Gibbs: DAVID IS THE ONE THAT MONITORS THE ROADS, SO
06:41:56 VIA COCONUT.
06:41:57 I THINK WHEN THEY COME IN WITH THEIR DEVELOPMENT ORDER, WE
06:42:00 NEED TO LOOK AT THAT AND GET DAVID INVOLVED TO MAKE SURE
06:42:02 THAT WE HAVE A SAFE PROPOSAL.
06:42:06 >>Mayor Ribble: IF I'M LOOKING AT THIS MAP CORRECTLY, ON THE
06:42:09 NORTH SIDE, AT THE PERIMETER, IS THERE AN EXIT ON THE NORTH
06:42:16 SIDE?
06:42:16 I SEE A LABEL THAT SAYS POINT OF VEHICULAR INGRESS.
06:42:23 SO COULD THAT ALSO BE USED AS AN OUTGOING WAY TO EXIT THE
06:42:30 PROPERTY?
06:42:31 >> THERE ARE TWO EXIT POINTS GOING UP NORTH.

06:42:33 ONE THAT LINES UP WITH THE DRIVE AISLE TO THE RIGHT SIDE
06:42:36 PARALLEL TO VIA COCONUT.
06:42:37 PARKING LOT BEHIND THE MOVIE THEATER.
06:42:40 AND ONE RIGHT BEHIND THE POOL, TWO EXIT POINTS ONTO THAT
06:42:45 ROAD.
06:42:45 >>Mayor Ribble: THERE ARE OTHER WAYS FOR HOTEL GUESTS TO
06:42:49 LEAVE THE PROPERTY RATHER THAN MAKING THAT LEFT TURN THERE.
06:43:01 >> YES, MORE THAN ONE WAY TO EXIT THE PROPERTY.
06:43:04 YOU CAN ALSO GO WEST TO THE MALL.
06:43:09 DON'T NECESSARILY HAVE TO EXIT OUT THIS WAY TO GO THROUGH
06:43:12 THE MEDIAN OPENING THAT YOU MENTIONED THAT MAY POTENTIALLY
06:43:15 HAVE SAFETY ISSUES.
06:43:16 >>Mayor Ribble: THERE IS A WEST EXIT ALSO.
06:43:21 >>Mary Gibbs: IT'S NOT A SPECIFIC EXIT POINT.
06:43:23 BUT HE'S SAYING YOU CAN CONTINUE TO GO DOWN INTO THE MAIN
06:43:27 STREET AREA.

06:43:29 >>Vice-Mayor Zalucki: INTUITIVELY, I THINK PEOPLE WILL USE
06:43:31 MONTE CARLO WAY TO COME AND GO BECAUSE IT IS THE CLOSEST
06:43:35 ACCESS TO THE HOTEL.
06:43:36 I THINK THAT'S PROBABLY SOMETHING THAT WE SHOULD TAKE A LOOK
06:43:39 AT.
06:43:39 OTHER THAN THAT, MAYOR, I WOULD LIKE TO SPEAK.
06:43:41 I'M IN FAVOR OF THE PROJECT.
06:43:43 EVERYTHING I LOOKED AT RELATIVE TO THE DESIGN, ARCHITECTURE,
06:43:47 COLOR, QUALITY THAT WAS INITIALLY PRESENTED, I JUST WANT TO

06:43:51 BE PUT ON RECORD THAT I'M IN FAVOR OF THIS PROJECT.
06:43:57 BUT I THINK AS WE'RE MOVING FORWARD, WE NEED TO TALK ABOUT
06:43:59 OUR CONCERNS.
06:44:02 >>Mayor Ribble: ANY MORE DISCUSSION OR QUESTIONS?
06:44:04 IN THAT CASE, I WILL CLOSE THE PUBLIC HEARING.
06:44:09 DO WE NEED A MOTION TO POSTPONE?
06:44:12 >> YES.
06:44:13 >>Mayor Ribble: IS THERE A DEFINITE DATE ON WHICH WE WANT TO
06:44:17 POSTPONE?
06:44:18 >>Mary Gibbs: WHEN I SPOKE TO THE APPLICANT, THEY WERE
06:44:20 THINKING THE JULY 2 MEETING.
06:44:23 >>Mayor Ribble: I NEED A MOTION TO POSTPONE THE HOTEL --
06:44:28 >>Robert Eschenfelder: IT WOULD BE A MOTION TO CONTINUE
06:44:32 PUBLIC HEARING AS TO CONDITION NUMBER 10.
06:44:34 TO JULY 2.
06:44:39 >>Mayor Ribble: MOTION TO CONTINUE THIS DISCUSSION TO
06:44:45 CONDITION 10 FOR JULY 2.
06:44:48 COUNCILWOMAN FAYHEE AND SECONDED BY THE VICE-MAYOR.
06:44:53 MADAM CLERK, WILL YOU CALL THE ROLL?
06:44:58 >>Carol Sacco: COUNCILMEMBER McLAIN?
06:45:01 >>Jon McLain: AYE.
06:45:02 >>Lori Fayhee: AYE.
06:45:04 >>Rafael Lopez: AYE.
06:45:06 >>Jim Ward: AYE.
06:45:07 >>Vice-Mayor Zalucki: AYE.

06:45:08 >>Mayor Ribble: AYE.
06:45:09 THANK YOU.
06:45:13 AT THIS POINT, WE HAVE COUNCIL COMMUNICATIONS.
06:45:24 DOES ANYONE HAVE ANYTHING FOR THE GOOD OF THE VILLAGE?
06:45:26 MR. ESCHENFELDER.
06:45:35 >>Robert Eschenfelder: NOTHING CONCRETE.
06:45:36 [LAUGHTER]
06:45:40 >>Mayor Ribble: ALL RIGHT.

06:45:40 IN THAT CASE, WE WILL ADJOURN THIS MEETING AND GO ON TO THE
06:45:44 WORKSHOP.
06:45:45 DOES ANYBODY NEED A BREAK, A FIVE-MINUTE BREAK TO USE THE
06:45:51 RESTROOMS?
06:45:51 IF NOT, WE'LL CONTINUE.
06:45:53 IN THAT CASE, WE'LL CONTINUE TO THE WORKSHOP.
06:45:57 PRESENTATION OF THE TUSCAN COMPREHENSIVE ANNUAL FINANCIAL
06:45:59 REPORT.
06:46:05 KEVIN, I BELIEVE YOU'RE GOING TO INTRODUCE THIS FOR US.
06:46:08 THANK YOU.
06:46:31 >>Kevin Greenville: SHOULD I CONTINUE?
06:46:32 >>Mayor Ribble: PLEASE.
06:46:34 >>Kevin Greenville: KEVIN GREENVILLE, FINANCE DIRECTOR.
06:46:37 PRESENTING TONIGHT IN A WORKSHOP IS OUR AUDIT PARTNER, JEFF
06:46:45 TUSCAN, WITH HSC TUSCAN AND COMPANY.
06:46:49 THEY HAVE BEEN OUR AUDITORS FOR THE PAST SEVERAL YEARS.
06:46:52 THEY DID A GREAT JOB ON THE AUDIT.

06:46:55 AS A REMINDER, THIS IS FOR OCTOBER 1st, 2023 THROUGH
06:46:59 SEPTEMBER 30th, 2024.
06:47:02 WITH THAT, I'LL HAND IT OVER TO JEFF AND I WILL LET HIM TAKE
06:47:07 IT FROM HERE.
06:47:11 >> GOOD EVENING.
06:47:13 FOR THE RECORD, I'M JEFF TUSCAN.
06:47:18 I DID BRING PAPER IF ANYBODY WOULD LIKE TO LOOK AT THE AUDIT
06:47:24 ON PAPER AND THE GRAPHS.
06:47:26 AS KEVIN MENTIONED, THIS IS YOUR ANNUAL AUDIT FOR SEPTEMBER
06:47:37 30, '24.
06:47:39 JUST TO REMIND YOU, IN THE STATE OF FLORIDA, THE AUDITS ARE
06:47:43 DUE NINE MONTHS AFTER YEAR-END.
06:47:45 SO IT'S DUE TO THE AUDITOR GENERAL BY JUNE 30.
06:47:49 SO WE'RE AHEAD OF THE SCHEDULE, PENDING YOUR APPROVAL, WE'LL
06:47:55 WORK WITH KEVIN AND SUBMIT.
06:48:01 ALSO TO INFORM YOU.
06:48:02 IN ORDER TO SUBMIT THESE DAYS, YOU HAVE TO SEND A PAPER COPY
06:48:05 TO THE AUDITOR GENERAL AND A DIFFERENT DEPARTMENT OF THE
06:48:09 STATE AND YOU HAVE TO SEND AN ELECTRONIC VERSION TO BOTH.
06:48:13 THEN THERE'S ALSO SOMETHING CALLED THE STATE ANNUAL REPORT.
06:48:19 BASICALLY A FIVE OR SIX PAGE COMPUTER INPUT SPREADSHEET THAT
06:48:24 SUMMARIZES ALL YOUR DATA USING THE STATE COUNT NUMBERS.
06:48:28 AND THAT'S HOW THE STATE, IF YOU EVER HEAR THE STATE GIVE
06:48:32 OUT STATISTICS ON X, SAY FIRE SAFETY OR SOMETHING LIKE THAT,
06:48:37 THAT'S HOW THEY GATHER ALL THAT DATA.

06:48:41 I JUST WANT TO POINT OUT A COUPLE OF THINGS IN YOUR AUDIT
06:48:45 REPORT IN THE BOOK.
06:48:48 OUR OPINION IS ABOUT TEN PAGES OR SO BACK.
06:48:53 YOU PREPARE AND HAVE SUBMITTED EVER SINCE BASICALLY YOUR
06:48:59 INCEPTION AS A VILLAGE, AWARD CERTIFICATE OF EXCELLENCE FROM
06:49:06 GFOA.
06:49:07 YOUR REPORT IS A LITTLE DIFFERENT THAN A LOT OF GOVERNMENTS,
06:49:12 SO IT HAS A LETTER OF TRANSMITTAL IN THERE AND SOME
06:49:19 STATISTICAL INFORMATION IN THE BACK.
06:49:20 ONCE YOU ADD ALL THAT, YOU GET ABOUT A HUNDRED PAGES OF
06:49:23 AUDIT.
06:49:24 JUST TO REMIND YOU, AS I KNOW FINANCE PROVIDES YOU A REPORT
06:49:31 AT YOUR MEETINGS, IF YOU'RE TRYING TO TIE THAT SOMEWHERE IN
06:49:37 THE AUDIT REPORT, BASICALLY PAGE 20 AND PAGE 22 IS THE WAY
06:49:40 YOU'RE USED TO SEEING YOUR FINANCIAL DATA, BROKEN DOWN BY
06:49:45 FUND.
06:49:48 SO WITH ALL THE NEW REQUIREMENTS OVER THE LAST 15 OR 20
06:49:52 YEARS, THESE AUDIT REPORTS HAVE GOTTEN REALLY THICK.
06:49:57 I'M SURE THERE ARE TIMES YOU LOOK IN THERE AND YOU'RE TRYING
06:50:00 TO FIND HOW IT TIES INTO THE OTHER REPORTS YOU GET.
06:50:05 ALSO, WITHIN YOUR STATEMENT, IF YOU LOOK AT THE TABLE OF
06:50:08 CONTENTS, THERE IS A BUDGET TO ACTUAL STATEMENT IN THERE FOR
06:50:11 EACH OF YOUR FUNDS INDIVIDUALLY.
06:50:13 SO YOU APPROVE A BUDGET, FINANCE RECORDS THE TRANSACTIONS
06:50:21 THROUGHOUT THE YEAR, AND YOU'RE REQUIRED NOW TO SHOW THAT

06:50:26 BUDGET, THE ACTUAL IN A NEW WAY, WHICH IS YOUR ORIGINAL
06:50:29 BUDGET, YOUR AMENDED BUDGET, AND YOUR ACTUAL EXPENSE AND
06:50:34 THEN A VARIANCE COLUMN.
06:50:36 SO ALL THAT DATA IS IN THERE.
06:50:38 I'M SURE THAT YOU GO OUT OFTEN AND TALK ABOUT AND THE
06:50:42 VILLAGE TO DIFFERENT GROUPS.
06:50:44 IF YOU DO, INSTEAD OF HANDING OUT A HUNDRED PAGES OF AUDIT,
06:50:48 THERE IS A SECTION IN THERE CALLED MANAGEMENT'S DISCUSSION
06:50:51 AND ANALYSIS.
06:50:51 IT'S NOT A VERY LONG SECTION.
06:50:55 IT'S REQUIRED TO BE WRITTEN IN NONACCOUNTING TERMINOLOGY,
06:50:59 AND IT'S REQUIRED TO COMPARE CURRENT YEAR VERSUS PRIOR YEAR.
06:51:03 SO IT'S A NICE LITTLE SUMMARY IF YOU'RE TRYING TO COME UP
06:51:08 WITH SOME BULLET POINTS OR SO TO SPEAK, A SHORT PRESENTATION
06:51:16 THAT GENERALLY IS PRETTY EASILY UNDERSTOOD.
06:51:19 I JUST WANT TO GIVE YOU THAT LITTLE HEADS UP.
06:51:22 OUR AUDIT REPORT IS UNMODIFIED OPINION, CALLED A CLEAN
06:51:30 OPINION.

06:51:30 OUR AUDIT REPORT YOU'LL SEE IN THERE BREAKS DOWN EACH FUND.
06:51:34 WE HAVE TO GIVE AN OPINION ON EACH FUND AND THEY ARE ALL
06:51:38 UNMODIFIED.
06:51:39 ONE THING THAT I WANT YOU TO NOTICE, THOUGH, THE LAST COUPLE
06:51:44 OF YEARS, THE OPINION PART OF THE AUDIT HAS GOTTEN LONGER,
06:51:48 AND THAT'S BECAUSE YOU WERE AWARDED COVID MONEY BACK SEVERAL
06:51:56 YEARS AGO AND YOU'VE BEEN SPENDING THAT DOWN.

06:51:59 AS LONG AS YOU SPEND OVER 750,000 A YEAR, YOU HAVE TO HAVE
06:52:03 SOMETHING CALLED A SINGLE AUDIT, WHICH IS AN ADDITIONAL
06:52:08 PROCESS OVER YOUR REGULAR FINANCIAL AUDIT.
06:52:11 SO WE HAVE TO ULTIMATELY PROVIDE AN ISSUE, AN OPINION, A
06:52:16 REPORT ON YOUR COMPLIANCE WITH THAT GRANT, AND WE DID THAT
06:52:20 AND YOU COMPLIED.
06:52:21 SO THIS YEAR, I'M SURE YOU'VE HAD KEVIN AND OTHER STAFF TALK
06:52:28 TO YOU ABOUT CHANGING SOFTWARE AS ONE OF YOUR MAJOR
06:52:33 EXPENDITURES, AND LIKE ANY SOFTWARE CHANGE, IT PROVIDED THE
06:52:36 AUDIT PROCESS WITH PLENTY OF GREMLINS TO OVERCOME.
06:52:40 KEVIN AND HIS STAFF DID A GREAT JOB.
06:52:45 THIS AUDIT REPORT IS HOT OFF THE PRESS, IT IS.
06:52:49 THERE'S BEEN A LOT OF WEEKENDS, HE AND I -- I JOKED WITH
06:52:52 HIM, HE SHOULD HAVE GONE ON VACATION WITH ME OVER THE
06:52:55 WEEKEND.
06:52:56 WE TALKED A LOT.
06:52:58 ANYWAYS, HE DID A FINE JOB.
06:53:01 ANYTIME YOU SWITCH SOFTWARE, THERE ARE ALWAYS LITTLE BUGS.
06:53:05 HE'S CONQUERED THOSE.
06:53:08 YOU'VE GOT YOUR REPORT HERE.
06:53:09 ULTIMATELY, UNMODIFIED OPINION.
06:53:12 WE TESTED INTERNAL CONTROL AND COMPLIANCE AND NOTED NO
06:53:16 MATERIAL WEAKNESSES OR NONCOMPLIANCE.
06:53:19 WE HAVE TO TEST THE WAY YOU HOLD YOUR CASH AND INVESTMENTS.
06:53:23 IF IT'S IN ACCORDANCE WITH STATUTE AND YOUR OWN POLICY, WE

06:53:27 DID, AND YOU COMPLIED.
06:53:30 AS I MENTIONED, YOU COMPLIED ON THE SINGLE AUDIT.
06:53:33 WE HAD TWO COMMENTS IN THE BACK AND THEY BOTH BASICALLY
06:53:38 RELATE TO THE SOFTWARE CHANGE BECAUSE NORMALLY WHEN YOU DO
06:53:41 AN AUDIT, YOU GET A REPORT FROM FINANCE AND YOU AUDIT THAT.
06:53:47 AND WE WERE AND WE KEPT NOTING DIFFERENCES.
06:53:50 KEVIN HAD TO RESEARCH THOSE, AND IT WAS A LOT OF TRANSLATION
06:53:54 FROM THE OLD DATA THAT WENT OVER TO THE NEW SOFTWARE,
06:54:01 INADVERTENTLY CHANGED AMOUNTS IN THE TRANSFER.
06:54:03 THEY DIDN'T COME OVER CLEAN.

06:54:04 SO HE HAD TO MAKE A LOT OF ENTRIES OVER TIME.
06:54:08 SO THE AUDIT PROCESS TOOK LONGER THAN NORMAL.
06:54:11 THE OTHER THING WAS HIS TIME BEING SPENT ON THAT ULTIMATELY
06:54:18 ONE OF YOUR SINGLE AUDIT REPORTS WAS TWO DAYS LATE, WHICH
06:54:21 WASN'T MATERIAL IN OUR OPINION, SO WE COMMENTED ON THAT.
06:54:26 VERY POSITIVE THERE.
06:54:28 IF YOU WANT TO TAKE A QUICK LOOK AT THIS, I KNOW YOU'VE HAD
06:54:33 A LONG MEETING, SO WE'LL JUST TALK A COUPLE OF THINGS.
06:54:37 THE REASON WE DO THESE GRAPHS, IT JUST ALLOWS YOU AS A
06:54:41 BOARD, AND WHEN YOU'RE TRYING TO GRASP HUNDRED PAGES OF
06:54:46 AUDIT, FOCUS ON NUMBERS AND GIVES YOU A BIT OF A TREND
06:54:51 ANALYSIS.
06:54:51 BECAUSE IN GOVERNMENT REPORTING, YOU CAN'T DO COMPARATIVE
06:54:55 NUMBERS, AND THIS GIVES YOU A BIT OF A TREND ANALYSIS.
06:54:58 REALLY, THE ONLY TWO CHANGES ON THE FIRST PAGE OF YOUR

06:55:03 ASSETS THERE, YOU SEE CASH WAS UP ABOUT 72,000 FOR THE YEAR,
06:55:11 YEAR OVER YEAR.
06:55:14 THE INTERESTING THING IS USUALLY CASH FOLLOWS NET INCOME IN
06:55:19 A GOVERNMENT.
06:55:20 THIS YEAR WAS A LITTLE DIFFERENT BECAUSE OF THE BIG CHANGE.
06:55:23 IF YOU LOOK DOWN THREE LINES, YOU SEE THAT DUE FROM OTHER
06:55:28 GOVERNMENTS WENT DOWN SIGNIFICANTLY.
06:55:31 IT'S BECAUSE YOU COLLECTED THAT FEMA MONEY FROM THE PRIOR
06:55:35 YEAR.
06:55:35 YOU SEE THAT BIG RECEIVABLE IN THE '23 COLUMN.
06:55:40 YOU COLLECTED IT.
06:55:41 SO CASH WENT UP AND ABOUT $2 MILLION, AND THEN YOU ENDED UP
06:55:48 SPENDING ALMOST $2 MILLION MORE THIS YEAR THAN YOU HAD IN
06:55:53 REVENUE.
06:55:54 SO YOU USED RESERVES.
06:55:55 YOU USED THE CASH THAT CAME IN, BASICALLY TO FUND PART OF
06:55:58 THAT LAND PURCHASE.
06:56:00 IF YOU FLIP TO THE NEXT PAGE, LONG-TERM ASSETS AND THIS IS
06:56:07 WHERE THE LAND PURCHASE SHOWS UP.
06:56:19 SO AT THE TOP THERE, YOU SEE THE LAND PURCHASE THAT YOU
06:56:25 COMPLETED LAST YEAR, AND THEN THAT NEXT ROW, YOU PUT ROUGHLY
06:56:29 ABOUT $6 MILLION INTO DIFFERENT ROADWAY CONSTRUCTION
06:56:34 PROJECTS, THE SOFTWARE AND A FEW OTHER THINGS LIKE THAT.
06:56:38 SO LAST YEAR WAS A BIG YEAR FOR THE VILLAGE ON CAPITAL
06:56:44 ADDITIONS.

06:56:44 ONE THING I WANTED TO SHOW YOU DOWN AT THE BOTTOM, YOU SEE
06:56:47 THAT NEGATIVE NUMBER, DEPRECIATION.

06:56:55 TYPICALLY GOVERNMENT DIDN'T HAVE TO RECORD THAT.
06:56:57 THEY MADE A REQUIREMENT A WAYS BACK BECAUSE IT WAS ALWAYS
06:57:02 POPULAR FOR GOVERNMENTS TO SAY THEY DIDN'T HAVE THE MONEY TO
06:57:06 UPGRADE FIXED ASSETS, ROADS, POTHOLES, BRIDGES, ALL THOSE
06:57:10 KIND OF THINGS.
06:57:11 SO THEY MADE IT A REQUIREMENT TO TRY TO MAKE IT JUMP OUT SO
06:57:15 TO SPEAK AT THE READER THAT, LOOK, OUR ASSETS ARE
06:57:18 DEPRECIATING AND YOU CAN SEE THAT NUMBER ABOUT A MILLION AND
06:57:21 A HALF.
06:57:24 SO THE COUNCIL HAS TO EITHER BE LOOKING INTO THE FUTURE TO
06:57:28 CASH FUND THOSE REPLACEMENTS OR REPAIRS OR DEBT, GRANT, SOME
06:57:34 OTHER FORM OF FINANCING THOSE THINGS.
06:57:37 THAT'S WHY YOU HAVE DEPRECIATION.
06:57:40 NEXT PAGE, YOUR LIABILITIES.
06:57:47 JUST ONE NUMBER THERE I WAS GOING TO SHOW YOU, UP AT THE
06:57:53 TOP, YOU SEE PAYABLES JUMPED UP FOR THE YEAR.
06:57:56 IT REALLY HAD TO DO WITH THOSE CAPITAL PROJECTS YOU'RE
06:57:59 WORKING ON.
06:57:59 I SAID YOU PUT ABOUT SIX AND A HALF MILLION DOLLARS INTO
06:58:02 THOSE PROJECTS.
06:58:03 AT THE END OF THE YEAR, SOME SIGNIFICANT CONSTRUCTION BILLS
06:58:08 THAT CAME IN RIGHT AT YEAR END THAT HAD TO BE PAID.
06:58:12 IF YOU FLIP OVER TO LONG-TERM DEBT, THIS GRAPH IS POSITIVE

06:58:20 IN THE FACT THAT IT SHOWS TWO YEARS, THREE YEARS AGO YOU
06:58:24 PAID OFF YOUR LONG-TERM DEBT THAT YOU HAD.
06:58:27 AND YOU'LL SEE HOW THAT AFFECTED YOUR RESERVES ON THE NEXT
06:58:32 GRAPH.
06:58:33 NO OTHER REALLY SIGNIFICANT ITEM THERE EXCEPT FOR I'M NOT
06:58:39 SURE IF YOU REMEMBER ME DISCUSSING THIS WITH YOU LAST YEAR.
06:58:43 THERE'S SOMETHING UP THERE CALLED ROU LIABILITY.
06:58:48 SOMETHING ON THE GRAPH EARLIER CALLED ROU ASSET.
06:58:51 TWO YEARS AGO OR THREE YEARS AGO NOW, THEY CAME UP WITH A
06:58:56 NEW REPORTING STANDARD.
06:58:58 YOU ARE PROBABLY ALL FAMILIAR WITH CAPITAL LEASE AND AN
06:59:02 OPERATING LEASE.
06:59:03 PEOPLE USED TO GET INTO AN OPERATING LEASE LIKE LET'S SAY
06:59:07 RENTING A CAR.
06:59:08 YOU RENT THE CAR.
06:59:09 YOU PAY THE BILL.
06:59:10 YOU DIDN'T HAVE TO RECORD THE LIABILITY BECAUSE YOU'RE
06:59:13 BASICALLY JUST LEASING THE THING.
06:59:15 VERSUS YOU GOT WHAT IS CALLED A CAPITAL LEASE, WHICH MEANS
06:59:21 BASICALLY IT WAS A LOAN, JUST LIKE YOU WERE BUYING A CAR.

06:59:25 GOVERNMENT OFTEN DOES LONG-TERM CAPITAL LEASES, REQUIREMENTS
06:59:32 ON AD VALOREM.
06:59:33 BUT THEY MADE IT A REQUIREMENT.
06:59:35 YOU HAD TO START RECORDING THOSE OPERATING LEASES.
06:59:38 THAT'S WHERE THE THING CAME FROM.

06:59:40 ROU STANDS FOR RIGHT OF USE.
06:59:44 WHOLE NEW CONCEPT.
06:59:47 REALLY CONFUSING TO A LOT OF PEOPLE, INCLUDING US.
06:59:53 BUT NOT SURE WHAT THE LOGIC WAS, BUT THEY BELIEVED, GASB
07:00:01 BELIEVED IN THEIR DISCUSSION, GASB IS THE GROUP THAT PUTS
07:00:04 OUT THE RULES.
07:00:05 THEY BELIEVE THAT IT WAS -- GOVERNMENTS HAD A LOT OF
07:00:08 UNRECORDED LIABILITIES BECAUSE THEY WERE LEASING ASSETS SO
07:00:16 NOW THOSE ARE ON THE BOOKS.
07:00:17 IT DOESN'T REALLY AFFECT YOU AT THE MOMENT THIS YEAR, BUT
07:00:22 THERE IS A VERY SIMILAR ONE THEY PASSED LAST YEAR WHICH WAS,
07:00:26 AS YOU PROBABLY KNOW, YOU USED TO GO OUT AND BUY SOFTWARE.
07:00:30 MAYBE YOU WOULD PAY A SMALL MAINTENANCE FEE EVERY YEAR, BUT
07:00:34 YOU BASICALLY OWNED IT.
07:00:35 NOW ALMOST ALL SOFTWARE IS ONLINE AND YOU HAVE TO DO A
07:00:41 SUBSCRIPTION, EVEN QUICK BOOKS.
07:00:43 NOW GOVERNMENT HAS TO RECORD THOSE AS WELL, AND IT'S CALLED
07:00:48 A SUBSCRIPTION LIABILITY.
07:00:50 IF YOUR VILLAGE STARTS RECORDING A LOT OF THOSE KIND OF
07:00:55 LEASES ON SOFTWARE, THERE WILL BE A NEW LINE UP THERE.
07:01:02 >>Vice-Mayor Zalucki: CAN YOU GIVE US AN EXAMPLE OF WHAT AN
07:01:05 ROU LIABILITY WOULD BE HERE IN THE VILLAGE OF ESTERO, THAT
07:01:08 $700,000?
07:01:10 >> YOU'RE SITTING IN IT.
07:01:14 IT IS THE LEASE FOR THE BUILDING.

07:01:16 >>Vice-Mayor Zalucki: ANYTHING ELSE, MAYBE COMPANY VEHICLES
07:01:17 THAT ARE LEASED?
07:01:19 >> [INAUDIBLE]
07:01:20 IT COULD BE LIKE COPIERS AND THINGS LIKE THAT, BUT IN MOST
07:01:24 GOVERNMENTS, THAT'S IMMATERIAL.
07:01:27 YOU COULD HAVE A LOT OF LEASES FOR A FLEET OF VEHICLES.
07:01:31 A LOT OF OUR GOVERNMENTS THAT WE AUDIT DON'T BUY THEM.
07:01:35 THEY LEASE THEM.
07:01:36 SO THOSE GET RECORDED IN THAT.
07:01:40 ONE OF OUR GOVERNMENTS EVEN TRIED LEASING FIRE EQUIPMENT.
07:01:45 BUT THOSE ARE THE KIND OF THINGS, MOSTLY IT'S BUILD.
07:01:52 >>Jon McLain: WHAT HAPPENED IN 2023 THAT THERE IS A VOID

07:01:54 THERE?
07:01:56 >> IF YOU WENT BACK TO THE PRIOR GRAPH, IT WENT FROM
07:01:59 LONG-TERM UP TO CURRENT BECAUSE THE LEASE ON THIS BASICALLY
07:02:04 RAN THROUGH ITS END IN '23 AND THEN YOU GUYS RENEWED THIS
07:02:08 YEAR.
07:02:09 SO THAT'S WHY THE NUMBER JUMPED UP BIG.
07:02:12 IF I REMEMBER, IT IS FIVE-YEAR LEASE, THERE IS A FOOTNOTE IN
07:02:16 THERE.
07:02:17 IT WILL WORK ITS WAY DOWN AGAIN LIKE THAT ONE DID.
07:02:23 >>Vice-Mayor Zalucki: THAT'S FOR ALL FIVE YEARS.
07:02:25 >> YEAH.
07:02:25 YOU HAVE TO RECORD THE TOTAL LIABILITIES TO START WITH AND
07:02:28 THEN YOU WORK IT DOWN.

07:02:31 >> IT DOESN'T MAKE ANY SENSE.
07:02:32 [LAUGHTER]
07:02:33 IT'S ILLOGICAL.
07:02:38 >> I DEBATED SOMEONE FROM GASB AT ONE OF OUR CONFERENCES,
07:02:45 THEY FELT STRONGLY ABOUT IT.
07:02:47 HE DIDN'T APPRECIATE THE DEBATE.
07:02:48 THIS IS FUND BALANCE.
07:02:53 THESE ARE YOUR RESERVES.
07:02:54 YOU CAN SEE AT THE END OF THE YEAR THERE WAS ABOUT $43
07:02:57 MILLION THAT THE VILLAGE HAD IN RESERVES.
07:03:01 THAT NEGATIVE AT THE BOTTOM THERE, BOTTOM RIGHT, 1.9, THAT
07:03:06 WAS YOUR EXPENDITURES GREATER THAN REVENUE LAST YEAR.
07:03:11 BASICALLY YOU PULLED SOME RESERVES OUT AND PUT IT IN THAT
07:03:14 CAPITAL OUTLAY.
07:03:15 ONE THING THIS GRAPH DOES SHOW YOU IS A BIT OF A TREND.
07:03:21 IF YOU LOOK AT 19 VERSUS 24, YOU SEE THAT THE VILLAGE HAS
07:03:29 BUILT ITS RESERVES, WHICH IS POSITIVE.
07:03:37 IF YOU FLIP OVER TO THE NEXT GRAPH, THIS BASICALLY JUST
07:03:40 GIVES YOU -- I ALWAYS USE THE TERM NET INCOME.
07:03:45 I THINK IT KIND OF MORE UNDERSTOOD THAN THE TECHNICAL TERM
07:03:49 THAT YOU SEE HERE, INCREASE, DECREASE IN FUND BALANCE.
07:03:53 YOU SEE THAT NEGATIVE NUMBER THERE IN '22, THAT'S WHEN YOU
07:03:57 PAID OFF THAT LONG-TERM DEBT THAT I SHOWED YOU EARLIER.
07:04:00 SO YOU PULLED SOME RESERVES OUT, PAID THAT DOWN.
07:04:04 SO AFTER THIS, THESE GRAPHS GET INTO THE BREAKDOWN OF YOUR

07:04:12 REVENUE.
07:04:13 PROBABLY THE BIGGEST THING ON THIS GRAPH, YOU ARE PARTIALLY
07:04:17 FUNDED WITH AD VALOREM.
07:04:18 THAT'S THE TOP LINE.

07:04:21 JUST TO REMIND YOU, YOU APPROVED A REDUCTION IN THE ACTUAL
07:04:26 RATE AND IN '23 IT WAS .75, '24, .74.
07:04:32 SO YOUR RATE WENT DOWN, BUT OVERALL COLLECTION WENT UP A
07:04:37 BIT.
07:04:39 THIS NEXT GRAPH JUST SHOWS YOU OTHER NONTAX RELATED REVENUE
07:04:51 COMING IN.
07:04:52 THE BIG CHANGE THERE IN THE MIDDLE, YOU SEE THAT NEGATIVE
07:04:56 NUMBER OVER ON THE RIGHT-HAND SIDE, INTERGOVERNMENTAL IS
07:05:00 WHERE GRANTS AND OTHER FEDERAL AND STATE REIMBURSEMENT COME
07:05:05 THROUGH.
07:05:06 SO THOSE EARLIER YEARS YOU RECEIVED FEMA MONEY, COVID MONEY,
07:05:11 ALL THOSE DIFFERENT KINDS OF GRANTS IN REIMBURSEMENTS.
07:05:16 IT'S DOWN, BUT THANKFULLY FEMA, NO BIG CLAIMS LAST YEAR.
07:05:22 I HEARD ALL THAT DISCUSSION EARLIER ABOUT CONCRETE.
07:05:27 FORTUNATELY, WE DIDN'T HAVE TO DEAL WITH THAT LAST YEAR.
07:05:29 AND THEN YOUR LAST GRAPH HERE IS YOUR EXPENDITURES.
07:05:35 IN THE FINANCIAL STATEMENT, IT WILL GIVE YOU MORE DETAIL
07:05:41 WHAT'S INCLUDED IN THESE DIFFERENT LINE ITEMS.
07:05:44 BUT THESE DESCRIPTION LINE ITEMS ARE MANDATED IN STATE AND
07:05:51 FEDERAL GOVERNMENT ACCOUNTING RULE.
07:05:54 SO AS YOUR STAFF ACCOUNTS FOR YOUR TRANSACTIONS FOR THE

07:06:02 YEAR, IT GETS INCLUDED IN THESE DIFFERENT LINE ITEMS.
07:06:06 THE BIGGEST ONE THERE AT THE TOP, YOU SEE THAT WENT DOWN,
07:06:10 GENERAL GOVERNMENT.
07:06:12 AND THE REASON WAS YOU HAD ABOUT 6.9 MILLION IN '23 IN IAN
07:06:19 CLEANUP.
07:06:19 SO THOSE WERE EXPENDITURES.
07:06:23 I SHOWED YOU EARLIER WHERE YOU WERE REIMBURSED FOR PART OF
07:06:27 THOSE.
07:06:27 YOU CAN SEE IT WORK ITS WAY.
07:06:30 WHAT YOU KNOW ACTUALLY HAPPENED, HOW IT WORKS ITS WAY
07:06:34 THROUGH THE ACCOUNTING SYSTEM.
07:06:35 THIS DOWN TOWARDS THE BOTTOM, THE LAST LINE ITEM, I JUST
07:06:40 WANTED TO SHOW YOU THAT THE CAPITAL OUTLAY, REMEMBER, IN
07:06:46 GOVERNMENT AND IN THOSE TWO PAGES, 20 AND 22, ANYTHING YOU
07:06:53 EXPEND IN GOVERNMENT GOES AND GETS RECORDED AS AN
07:06:57 EXPENDITURE.
07:06:58 THAT'S HOW THE STATE LAW ACCOUNTS FOR YOU APPROVING A BUDGET
07:07:04 AND ACTUAL EXPENSES GETTING RECORDED.
07:07:06 SO WHETHER YOU ARE PAYING DEBT, BUYING ASSETS, WHATEVER,
07:07:10 THOSE ALL GET RECORDED AGAINST THAT BUDGET AND THEY ARE
07:07:13 RECORDED AS AN EXPENDITURE.
07:07:15 ANY REVENUE THAT COMES IN IS SHOWN AS GROSS REVENUE, NOT

07:07:20 NETTED AGAINST ANY KIND OF EXPENSE.
07:07:22 YOU APPROVE A BUDGET AND STAFF CANNOT -- AND YOU -- CANNOT
07:07:31 EXPEND MORE THAN YOU APPROVE UNLESS YOU DO A BUDGET

07:07:36 AMENDMENT AND INCREASE THAT BUDGET.
07:07:38 EVEN IF REVENUE CAME IN BIGGER THAN YOU EXPECTED.
07:07:40 THAT'S HOW THE STATE CONTROLS EXPENDITURES IN THE BUDGET.
07:07:44 ONE OF THE THINGS WE HAVE TO CHECK IS WE HAVE TO CHECK YOUR
07:07:47 ORIGINAL BUDGET AND MAKE SURE IT'S ACCURATELY RECORDED IN
07:07:51 THE AUDIT AND YOUR AMENDED AND THEN I HAVE TO COMPARE THE
07:07:54 ACTUAL VERSUS THE AMENDED.
07:07:56 AND IF IT WAS OVER-EXPENDED, WE'D HAVE TO PUT A COMMENT IN
07:08:00 THE MANAGEMENT LETTER THAT SAID EVEN THOUGH THE BOARD
07:08:04 APPROVED THE EXPENDITURE, IT WAS IN EXCESS OF THE APPROVED
07:08:08 BUDGET.
07:08:09 LASTLY, THAT FUND BALANCE THAT I SHOWED YOU EARLIER, NOW
07:08:16 SOMETIME BEFORE, YOU HAVE 60 DAYS AFTER YEAR-END.
07:08:21 BASICALLY THE END OF NOVEMBER YOU'RE ALLOWED TO AMEND BACK
07:08:24 INTO '25'S BUDGET.
07:08:27 YOU NEED TO AMEND '25'S BUDGET CARRYOVER TO THESE AUDITED
07:08:31 NUMBERS.
07:08:32 SO AT SOME POINT, KEVIN WILL PRESENT A BUDGET AMENDMENT TO
07:08:37 YOU BECAUSE IN FLORIDA, ABOUT LESS THAN TEN YEARS AGO OR SO,
07:08:43 THEY CHANGED THE STATUTE AND AS SOON AS THE AUDIT IS DONE,
07:08:50 YOU'RE REQUIRED THEN BEFORE THE END OF THE NEXT FISCAL YEAR
07:08:53 DO A BUDGET AMENDMENT TO BRING IN THAT AUDITED FUND BALANCE
07:08:57 SO THAT YOUR '25 BUDGET ACCURATELY REFLECTS ALL THE RESERVES
07:09:04 AND THE MONEY YOU HAVE.
07:09:05 IT WAS AN ISSUE THAT GOVERNMENT DEALT WITH FOR YEARS.

07:09:11 THEY WOULD ONLY BUDGET WHAT THEY THOUGHT THEY WERE GOING TO
07:09:14 SPEND, BUT IT DIDN'T SHOW EVERYTHING THEY HAD.
07:09:17 FLORIDA TOOK CARE OF THAT AND CHANGED THEIR STATUTE AND NOW
07:09:23 YOU HAVE TO DO THAT.
07:09:26 JUST PUT IT ON YOUR AGENDA AT SOME POINT BEFORE THE END OF
07:09:29 NOVEMBER, BECAUSE YOU ONLY HAVE 60 DAYS AFTER YEAR END TO
07:09:33 AMEND THE '25 BUDGET FOR YOUR AUDITED FUND BALANCE.
07:09:37 ANY QUESTIONS?
07:09:46 >>Jim Ward: AGAIN, VERY COMPREHENSIVE REPORT.
07:09:47 THANK YOU.
07:09:48 I PARTICULARLY LIKE THE POWER POINTS YOU DID HERE.
07:09:51 THE ONE THING I KIND OF WOULD LIKE TO SEE IS NOTATIONS ON
07:09:55 HERE WHERE YOU TALK ABOUT WHY SOMETHING IS DIFFERENT OR WHY
07:10:01 SOMETHING HAPPENED.

07:10:02 SO IF I'M LOOKING AT IT A YEAR FROM NOW OR SIX MONTHS FROM
07:10:05 NOW, I CAN TRIGGER WHAT YOU'RE SAYING AS BEING THE REASON
07:10:08 FOR IT.
07:10:09 THE MDNA --
07:10:14 >> I'LL TRY TO DO IT NEATER --
07:10:17 >>Jim Ward: THE MDNA I THINK IS -- WHAT YOU SAID IS
07:10:21 APPROPRIATE.
07:10:23 IT'S A REALLY CONCISE WAY OF LOOKING AT THINGS.
07:10:25 THE MANAGEMENT LETTER, I THINK YOU INDICATED WAS IMMATERIAL,
07:10:31 THE COMMENTS WITHIN THE MANAGEMENT LETTER.
07:10:35 >> YES, SIR.

07:10:35 >>Jim Ward: THEY ARE IMMATERIAL.
07:10:39 >> THEY ARE BECAUSE THERE WAS A GOOD REASON FOR THEM THIS
07:10:42 YEAR.
07:10:42 YOUR RESPONSE GETS BOUND INTO THIS AND BASICALLY IT WAS --
07:10:48 WE SEEN SAID IT WAS BASICALLY DUE TO THE SOFTWARE
07:10:53 CONVERSION.
07:10:54 SO, YES, IT IS.
07:10:55 >>Jim Ward: THANK YOU.
07:11:02 >> ANYTHING ELSE?
07:11:03 >>Mayor Ribble: JEFF, THANK YOU.
07:11:04 THANK YOU FOR A GREAT REPORT.
07:11:06 KEVIN, THANK YOU, TOO, FOR YOUR WORK ON THAT.
07:11:08 >>Jim Ward: WELL DONE, KEVIN.
07:11:10 >> TAKE A VACATION TOGETHER.
07:11:12 [LAUGHTER]
07:11:14 >>Carol Sacco: WE HAVE NO PUBLIC COMMENT AND NO E-COMMENTS.
07:11:16 >>Mayor Ribble: ALL RIGHT.
07:11:17 THANK YOU.
07:11:17 IN THAT CASE, MOTION TO ADJOURN.
07:11:20 >> SO MOVED.
07:11:21 >>Mayor Ribble: CAROL, DO YOU WANT OUR PowerPoints BACK?
07:11:23 NEXT ONE.
07:11:29 NOT THIS ONE.
07:11:30 THE PowerPoints FOR THE HOME2 SUITES.
07:11:36 >>Carol Sacco: THE PATTERN BOOK, YES, PLEASE.

07:11:40 >>Mayor Ribble: PATTERN BOOK, SORRY.
07:11:42 >>Carol Sacco: WHO MOTIONED TO ADJOURN?
07:11:45 >> JIM WARD DID, I BELIEVE.
07:11:47 >>Mayor Ribble: JIM DID.
07:11:47 WE ALL DID.
07:11:48 [LAUGHTER]

DISCLAIMER:
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ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

FLC
FLORIDA LEAGUE OF CITIES
For being a champion in the defense and protection of municipal Home Rule, the Florida League of Cities presents the
2025
HOME RULE HERO
to
MAYOR JOANNE RIBBLE
VILLAGE OF ESTERO
MICHAEL C. BLAKE
Mayor, City of Cocoa
President, Florida League of Cities, Inc.
JEANNIE GARNER
Executive Director and CEO
Florida League of Cities, Inc.
HOME RULE HERO

Final Action Agenda/Minutes are supplemented by audio and video recordings of the meetings, as well as transcripts. Video recordings of Village Council meetings from June 8, 2016, forward, as well as agendas, staff reports, resolutions, ordinances, and other documents related to the meetings can be viewed online at https://estero-fl.gov/agendas/ at the corresponding meeting date.

DRAFT MINUTES
VILLAGE COUNCIL REGULAR MEETING

Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928

May 21, 2025 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Father Dennis Jose Our Lady of Light

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Joanne Ribble - District 1, Councilmember Jeff Hunt- District 2, Councilmember Jon McLain - District 3, Councilmember Lori Fayhee – District 4, Councilmember Rafael Lopez - District 5, Councilmember Jim Ward - District 6, and Vice Mayor George Zalucki - District 7.

Also present
Village Attorney Robert Eschenfelder, Community Development Director Mary Gibbs, Finance Director Kevin Greenville, Public Works Director David Willems, Deputy Village Clerk Tammy Duran, and Village Clerk Carol Sacco.

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

Motion: Motion to approve agenda.

Motion by: Councilmember Hunt
Seconded by: Councilmember Lopez

Action: Approved agenda.

Vote: (Roll Call)
Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.
Nay:
Abstentions:

3. PUBLIC COMMENT ON NON-AGENDA ITEMS
None

4. CONSENT AGENDA

(a) May 7, 2025 Village Council Meeting Minutes

Motion: Motion to approve consent agenda.

Motion by: Councilmember Fayee
Seconded by: Councilmember McLain

Action: Approved consent agenda.

Vote: (Roll Call)
Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.
Nay:
Abstentions:

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

None

6. ACTION ITEM

(a) Resolution No. 2025-04 Establishing a Policy Regarding Council Approved Proclamations

A Resolution of the Village of Estero, Florida, Establishing a Policy Regarding Council Approved Proclamations; Making Related Findings; Providing for Severability and for an Effective Date.

Staff Presentation/Comments
Robert Eschenfelder, Village Attorney

Council Questions or Comments
Vice Mayor Zalucki

Public Comments
None

Motion: Motion to adopt Resolution No. 2025-04.

Motion by: Councilmember Lopez
Seconded by: Vice Mayor Zalucki

.

Action: Adopted Resolution No. 2025-04.

Vote: (Roll Call)
Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.
Nay:
Abstentions:

(b) Resolution No. 2025-07 Shadow Wood Lifestyle Center Final Plan Approval

A Resolution of the Village Council of the Village of Estero, Florida, Approving with Conditions the Final Plan Approval and One Deviation for The Shadow Wood Country Club Lifestyle Center Located at 22801 Oakwilde Boulevard in Shadow Wood at The Brooks; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Staff Presentation/Comments
Mary Gibbs, Community Development Director

Presentation/Information by
Adrian Karapici, AM Design Group
Blair A. Foley, PE, Blair A. Foley, PE LLC

Council Questions or Comments
Councilmember McLain, Vice Mayor Zalucki, and Mayor Ribble

Public Comments
None

Motion: Motion to approve Zoning Resolution No. 2025-07.

Motion by: Councilmember Fayhee
Seconded by: Councilmember Hunt

Action: Approved Zoning Resolution No. 2025-07.

Vote: (Roll Call)
Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.
Nay:
Abstentions:

(c) Resolution No. 2025-08, Corkscrew Road Landscape Maintenance Agreement

A Resolution of the Village of Estero, Florida, Approving Execution of Landscape Maintenance and Installation Agreement With FDOT; Making Related Findings; Providing for Severability and for an Effective Date.

Staff Presentation/Comments
David Willems, Public Works Manager

Council Questions or Comments
Mayor Ribble

Public Comments
None

Motion: Motion to approve Resolution No. 2025-08.

Motion by: Councilmember Lopez
Seconded by: Vice Mayor Zalucki

Action: Approved Resolution No. 2025-08.

Vote: (Roll Call)
Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.
Nay:
Abstentions:

(d) Second Amendment to Public Improvement Agreement between Village of Estero and High Five Up Top, LLC

Staff Presentation/Comments
Robert Eschenfelder, Village Attorney

Presentation/Information by
Michael Comparato, Vieste

Council Questions or Comments
Councilmembers Hunt, McLain, Ward, and Vice Mayor Zalucki

Public Comments
None

Motion: Motion to adopt the Second Amendment.

Motion by: Vice Mayor Zalucki
Seconded by: Councilmember McLain

Action: Adopted the Second Amendment.

Vote: (Roll Call)
Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.
Nay:
Abstentions:

(e) Resolution No. 2025-09 Approving FDOT Grant 454891-1-34-01 for Broadway Avenue West design improvements

A Resolution of the Village of Estero, Florida, Approving Execution of a Grant Agreement with FDOT for Design of Broadway Avenue West Improvements; Making Related Findings; Providing for Severability and for an Effective Date.

Staff Presentation/Comments
David Willems, Public Works Director

Council Questions or Comments
Councilmember McLain

Public Comments
None

Motion: Motion to adopt Resolution No. 2025-09.

Motion by: Councilmember Hunt
Seconded by: Councilmember Ward

Action: Adopted the Resolution No. 2025-09.

Vote: (Roll Call)
Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.
Nay:
Abstentions:

7. FIRST READING

(a) First reading of Zoning Ordinance No. 2025-02, Home2 Suites at Coconut Point

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

Staff Presentation/Comments
Mary Gibbs, Community Development Director

Council Questions or Comments
Councilmembers McLain, Hunt, Ward, and Mayor Ribble

Public Comments
None

Motion: Motion to pass first reading and schedule second reading for June 4, 2025.

Motion by: Vice Mayor Zalucki
Seconded by: Councilmember Hunt

Action: Passed first reading and schedule second reading for June 4, 2025.

Vote: (Roll Call)
Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.
Nay:
Abstentions:

8. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Vice Mayor Zalucki and Mayor Ribble

9. VILLAGE ATTORNEY'S REPORT

None

10. VILLAGE MANAGER'S REPORT

None

Adjourn Regular Session at 10:19 am and Convene Workshop Items at 10:19 am

11. WORKSHOP

(a) Fiscal Year 2025-2026 Five-Year Capital Improvement Plan Review

Staff Presentation/Comments
David Willems, Public Works Director

Council Questions or Comments
Councilmembers McLain, Hunt, Ward, Lopez, and Vice Mayor Zalucki

Public Comments
eComment
Scott Stryker, Bella Terra

12. ADJOURNMENT at 10:36 am

Motion by Councilmember Hunt

ATTEST: VILLAGE OF ESTERO, FLORIDA

By: _____ By: _____

Carol Sacco, CMC, Village Clerk Joanne Ribble, Mayor

(td/CS)

For an official copy of the signed minutes, please submit a Public Record Request.

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
June 4, 2025

Agenda Item:

Financial Report for the month ended April 30, 2025.

Description:

This financial report provides budget to actual comparisons for the month ending April 30, 2025, which is the **seventh** month of the 2024-2025 fiscal year. Activity year to date is trending as projected during the third quarter of the fiscal year.

- *Ad valorem (real estate) taxes*: April is the seventh month of ad valorem taxes being remitted to the Village from the Lee County Tax Collector. In April, the Village received 3%, or $184,510 of the annual budgeted ad valorem taxes. Year to date collections total 99% of the budgeted amount.

- *General Fund*: Revenue Sharing Sales Tax (46%), and State Revenue Sharing Fuel Tax (50%) began strong this fiscal year, Half-Cent Sales Tax (39%) totaled $1,630,160 received through March.

- *Available funds:* total funds categorized as available are $46,942,945 which includes the General Fund Capital Projects reserve of $24,242,120.

Action Requested:

Accept financial reports.

Financial Impact:

There is no financial impact of this report.

Prepared by: Kevin Greenville, CPA Finance Director

Attachments:

1. April 30, 2025, Budget Report All Funds
2. April 30, 2025, Available Funds Report

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
Revenue						
001-General Fund						
311000	Ad Valorem Taxes	-184,510.18	-6,548,091.03	-6,560,880.00	-12,788.97	99.81%
312410	Local Option Gas Tax-1-6 Cent	-51,376.04	-304,437.58	-625,000.00	-320,562.42	48.71%
315200	Local Communications Srvs Tax	-96,099.12	-869,872.26	-950,500.00	-80,627.74	91.52%
316000	Local Business Tax	-499.68	-5,090.45	-27,000.00	-21,909.55	18.85%
323100	Franchise Fees-Electric	-222,221.47	-1,336,567.07	-2,850,000.00	-1,513,432.93	46.90%
323400	Franchise Fees-Natural Gas	-15,560.76	-77,684.93	-102,500.00	-24,815.07	75.79%
323700	Franchise Fees-Solid Waste	0.00	-46,123.64	-137,500.00	-91,376.36	33.54%
329500	ROW Permits	0.00	-1,050.00	-1,000.00	50.00	105.00%
331500	Federal Grant - Econ Environ	-1,576,263.72	-2,663,772.69	-8,476,900.00	-5,813,127.31	31.42%
334400	State Grant - Transportation	0.00	0.00	-145,000.00	-145,000.00	0.00%
335140	Rev Sharing-Mobile Home Lic Tx	-106.50	-2,399.48	-3,750.00	-1,350.52	63.99%
335150	Rev Sharing-Alcohol Bevrage Tx	0.00	-1,272.54	-31,250.00	-29,977.46	4.07%
335160	Rev Sharing-Sales Tax	-64,140.73	-387,397.95	-850,000.00	-462,602.05	45.58%
335180	Rev Sharing-1/2 Cent Sales Tax	-368,341.83	-1,630,160.10	-4,200,000.00	-2,569,839.90	38.81%
335430	Rev Sharing-Fuel Tax	-16,145.57	-97,516.22	-195,000.00	-97,483.78	50.01%
341300	Administrative Fee	-11,571.02	-56,661.78	-150,000.00	-93,338.22	37.77%
341301	Cost Recovery-Admin Charge	-2,350.00	-8,250.00	-15,000.00	-6,750.00	55.00%
341900	Dev & Zoning-Fixed Fees	-6,050.00	-47,328.59	-60,000.00	-12,671.41	78.88%
341909	Dev & Zoning-Cost Recovery Fee	0.00	-2,562.59	-90,500.00	-87,937.41	2.83%
342500	Code Comp & Contractor License	0.00	0.00	-45,000.00	-45,000.00	0.00%
359000	Fines & Forfeitures	-114.55	-1,402.19	-250.00	1,152.19	560.88%
361100	Interest Income	-124,174.86	-937,598.72	-650,000.00	287,598.72	144.25%
362000	Rents & Royalties	-3,000.00	-21,000.00	-36,000.00	-15,000.00	58.33%
369900	Miscellaneous Revenue	-2,634.80	-29,551.48	-65,000.00	-35,448.52	45.46%

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
	Total for General Fund	**-2,745,160.83**	**-15,075,791.29**	**-26,268,030.00**	**-11,192,238.71**	**57.39%**
105-Driving Range						
000-Non Divisional						
361100	Interest Income	-568.18	-4,293.16	-5,015.00	-721.84	85.61%
	Total for Non Divisional	**-568.18**	**-4,293.16**	**-5,015.00**	**-721.84**	**85.61%**
	Total for Driving Range	**-568.18**	**-4,293.16**	**-5,015.00**	**-721.84**	**85.61%**
110-Building Fee Fund						
445-Building Dept						
322000	Building Permit Fees	-124,996.62	-864,682.45	-1,400,000.00	-535,317.55	61.76%
329501	Surcharge Fee Retained	-963.63	-9,321.60	-1,750.00	7,571.60	532.66%
341302	Convenience Fee	-3,436.36	-20,087.34	-35,000.00	-14,912.66	57.39%
361100	Interest Income	-1,928.54	-14,572.05	-23,500.00	-8,927.95	62.01%
	Total for Building Dept	**-131,325.15**	**-908,663.44**	**-1,460,250.00**	**-551,586.56**	**62.23%**
	Total for Building Fee Fund	**-131,325.15**	**-908,663.44**	**-1,460,250.00**	**-551,586.56**	**62.23%**
201-Debt Service						
000-Non Divisional						
384000	Debt Proceeds	0.00	0.00	-30,000,000.00	-30,000,000.00	0.00%
	Total for Non Divisional	**0.00**	**0.00**	**-30,000,000.00**	**-30,000,000.00**	**0.00%**
	Total for Debt Service	**0.00**	**0.00**	**-30,000,000.00**	**-30,000,000.00**	**0.00%**
300-Capital Projects						
350-Road Impact Fees						
324310	Road Imp Fee-Residential	-159,936.00	-669,732.00	-1,250,000.00	-580,268.00	53.58%
324320	Road Imp Fees-Commercial	-137,344.89	-433,516.55	-400,500.00	33,016.55	108.24%
361100	Interest Income	-41,736.92	-315,363.51	-368,400.00	-53,036.49	85.60%
	Total for Road Impact Fees	**-339,017.81**	**-1,418,612.06**	**-2,018,900.00**	**-600,287.94**	**70.27%**
351-Comm Park Impact Fees						

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
361100	Interest Income	-365.05	-2,758.32	-3,225.00	-466.68	85.53%
	Total for Comm Park Impact Fees	**-365.05**	**-2,758.32**	**-3,225.00**	**-466.68**	**85.53%**
352-Reg Park Imp Fee						
	Total for Reg Park Imp Fee	**0.00**	**0.00**	**0.00**	0.00	**0.00%**
353-Comm Park Contributions						
361100	Interest Income	-341.99	-2,584.12	-1,575.00	1,009.12	164.07%
	Total for Comm Park Contributions	**-341.99**	**-2,584.12**	**-1,575.00**	**1,009.12**	**164.07%**
354-Public Land						
361100	Interest Income	-484.50	-3,660.83	-4,275.00	-614.17	85.63%
	Total for Public Land	**-484.50**	**-3,660.83**	**-4,275.00**	**-614.17**	**85.63%**
355-Park Impact Fees						
324610	Park Imp Fees-Residential	-24,560.00	-102,845.00	-115,000.00	-12,155.00	89.43%
324620	Park Imp Fee-Commercial	0.00	-159,194.00	-67,500.00	91,694.00	235.84%
361100	Interest Income	-4,146.08	-31,327.72	-36,595.00	-5,267.28	85.61%
	Total for Park Impact Fees	**-28,706.08**	**-293,366.72**	**-219,095.00**	**74,271.72**	**133.90%**
360-Physical Environment						
381001	Transfer from General Fund	-25,795.00	-136,389.22	-10,304,615.00	-10,168,225.78	1.32%
	Total for Physical Environment	**-25,795.00**	**-136,389.22**	**-10,304,615.00**	**-10,168,225.78**	**1.32%**
365-Transportation						
366000	Contributions & Donations	0.00	-361,598.56	-16,600,600.00	-16,239,001.44	2.18%
381001	Transfer from General Fund	-1,583,258.67	-2,911,547.10	-30,000,000.00	-27,088,452.90	9.71%
	Total for Transportation	**-1,583,258.67**	**-3,273,145.66**	**-46,600,600.00**	**-43,327,454.34**	**7.02%**
366-Gas Tax						
312420	Local Option Gas Tax 1-5 Cent	-36,888.88	-220,343.64	-415,000.00	-194,656.36	53.09%
361100	Interest Income	-7,639.94	-57,727.23	-143,350.00	-85,622.77	40.27%
	Total for Gas Tax	**-44,528.82**	**-278,070.87**	**-558,350.00**	**-280,279.13**	**49.80%**

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
600-Parks & Recreation						
381001	Transfer from General Fund	-855,031.59	-4,197,648.82	-10,000,000.00	-5,802,351.18	41.98%
	Total for Parks & Recreation	**-855,031.59**	**-4,197,648.82**	**-10,000,000.00**	**-5,802,351.18**	**41.98%**
	Total for Capital Projects	**-2,877,529.51**	**-9,606,236.62**	**-69,710,635.00**	**-60,104,398.38**	**13.78%**
	Total for Revenue	**-5,754,015.49**	**-25,590,691.35**	**-127,443,930.00**	**-71,848,223.65**	**20.08%**
001-General Fund						
000-Non Divisional						
581360	Transfer to Physcal Envirnment	25,795.00	136,389.22	12,304,615.00	12,168,225.78	1.11%
581365	Transfer to Transportation	1,583,258.67	2,911,547.10	30,000,000.00	27,088,452.90	9.71%
581600	Transfer to Parks& Rec CapProj	855,031.59	4,197,648.82	8,000,000.00	3,802,351.18	52.47%
	Total for Non Divisional	**2,464,085.26**	**7,245,585.14**	**50,304,615.00**	**43,059,029.86**	**14.40%**
100-Village Council						
511000	Executive Salaries	10,356.43	72,495.01	124,300.00	51,804.99	58.32%
521000	FICA Taxes	792.29	5,546.03	9,600.00	4,053.97	57.77%
524000	Workers Compensation	0.00	131.49	1,910.00	1,778.51	6.88%
525000	Unemployment Compensation	140.90	1,014.12	2,000.00	985.88	50.71%
540000	Travel and Per Diem	0.00	1,176.32	23,000.00	21,823.68	5.11%
554000	Books Pub & Memberships	969.50	8,527.50	9,500.00	972.50	89.76%
555000	Training	0.00	1,350.00	1,500.00	150.00	90.00%
	Total for Village Council	**12,259.12**	**90,240.47**	**171,810.00**	**81,569.53**	**52.52%**
101-Village Manager						
511000	Executive Salaries	20,009.46	140,033.49	260,130.00	120,096.51	53.83%
512000	Regular Salaries & Wages	13,418.24	93,831.10	195,000.00	101,168.90	48.12%
513000	Other Salaries & Wages	665.38	4,632.66	8,300.00	3,667.34	55.82%
521000	FICA Taxes	2,657.94	14,799.03	35,410.00	20,610.97	41.79%
522000	Retirement Contributions	2,101.00	14,703.55	44,250.00	29,546.45	33.23%

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
523000	Group Health Insurance	7,159.85	60,708.06	95,035.00	34,326.94	63.88%
524000	Workers Compensation	0.00	565.41	7,100.00	6,534.59	7.96%
525000	Unemployment Compensation	55.49	426.59	850.00	423.41	50.19%
531000	Professional Services	0.00	0.00	85,000.00	85,000.00	0.00%
534000	Misc Contracted Services	0.00	0.00	35,000.00	35,000.00	0.00%
534101	Public Relations	3,319.49	40,112.37	20,000.00	-20,112.37	200.56%
540000	Travel and Per Diem	0.00	-1,438.47	12,500.00	13,938.47	-11.51%
541000	Communication Services	3,146.99	22,028.93	38,000.00	15,971.07	57.97%
554000	Books Pub & Memberships	5,300.00	6,741.00	4,000.00	-2,741.00	168.53%
555000	Training	0.00	-735.00	4,250.00	4,985.00	-17.29%
	Total for Village Manager	**57,833.84**	**396,408.72**	**844,825.00**	**448,416.28**	**46.92%**
110-Village Attorney						
531101	Legal Services	22,426.67	127,329.97	212,500.00	85,170.03	59.92%
531102	Land Use Legal Services	2,641.50	18,249.75	85,000.00	66,750.25	21.47%
531103	Code Enforcement Legal	0.00	0.00	12,000.00	12,000.00	0.00%
531106	Land Dev Code Legal	0.00	0.00	15,000.00	15,000.00	0.00%
531109	Miscellaneous legal	588.80	588.80	12,500.00	11,911.20	4.71%
531402	Comprehensive Plan	0.00	0.00	15,000.00	15,000.00	0.00%
	Total for Village Attorney	**25,656.97**	**146,168.52**	**352,000.00**	**205,831.48**	**41.53%**
115-Village Clerk						
512000	Regular Salaries & Wages	3,462.60	24,227.95	130,715.00	106,487.05	18.53%
521000	FICA Taxes	264.88	1,853.37	10,015.00	8,161.63	18.51%
522000	Retirement Contributions	1,130.76	7,905.83	8,845.00	939.17	89.38%
523000	Group Health Insurance	0.00	0.00	24,640.00	24,640.00	0.00%
524000	Workers Compensation	0.00	-1,224.41	2,550.00	3,774.41	-48.02%
525000	Unemployment Compensation	55.49	417.82	850.00	432.18	49.16%

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
531117	Election Services	28,719.37	28,210.96	85,000.00	56,789.04	33.19%
534102	Codification	0.00	0.00	3,000.00	3,000.00	0.00%
540000	Travel and Per Diem	0.00	895.28	1,250.00	354.72	71.62%
548000	Legal Notices	0.00	2,138.47	5,000.00	2,861.53	42.77%
554000	Books Pub & Memberships	0.00	225.00	500.00	275.00	45.00%
555000	Training	0.00	0.00	750.00	750.00	0.00%
	Total for Village Clerk	**33,633.10**	**64,650.27**	**273,115.00**	**208,464.73**	**23.67%**
130-Finance						
512000	Regular Salaries & Wages	29,362.26	205,804.73	388,490.00	182,685.27	52.98%
521000	FICA Taxes	2,183.55	14,930.67	29,750.00	14,819.33	50.19%
522000	Retirement Contributions	2,768.00	19,371.53	36,000.00	16,628.47	53.81%
523000	Group Health Insurance	7,063.96	59,611.90	85,465.00	25,853.10	69.75%
524000	Workers Compensation	0.00	394.47	7,120.00	6,491.86	5.54%
525000	Unemployment Compensation	81.60	628.14	1,250.00	-4,962.50	50.25%
531000	Professional Services	0.00	6,212.50	10,000.00	3,787.50	62.13%
532000	Auditing Services	0.00	4,000.00	51,000.00	47,000.00	7.84%
540000	Travel and Per Diem	0.00	922.39	4,500.00	3,577.61	20.50%
554000	Books Pub & Memberships	0.00	383.50	2,000.00	1,616.50	19.18%
555000	Training	0.00	210.00	2,000.00	1,790.00	10.50%
	Total for Finance	**41,459.37**	**312,469.83**	**617,575.00**	**299,287.14**	**50.60%**
170-Information Technology						
531110	IT Contracted Services	11,813.20	109,533.54	175,000.00	65,466.46	62.59%
531111	Webmaster Srvs & Maintenance	1,501.00	39,984.21	34,300.00	-5,684.21	116.57%
531112	Audio Visual Services	0.00	0.00	120,000.00	120,000.00	0.00%
552001	Software Licensing	6,355.32	151,604.99	145,000.00	-6,604.99	104.56%
552002	Small Tools & Equipment	383.52	842.74	10,000.00	9,157.26	8.43%

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
564000	Capital Outlay - Mach & Equip	36,408.00	36,408.00	10,000.00	-26,408.00	364.08%
	Total for Information Technology	**56,461.04**	**338,373.48**	**494,300.00**	**155,926.52**	**68.46%**
180-General Government						
531112	Audio Visual Services	6,115.00	22,247.28	27,550.00	5,302.72	80.75%
531113	Recruitment Services	0.00	19,046.45	12,500.00	-6,546.45	152.37%
531114	Lobbying Services	3,000.00	23,979.00	80,000.00	56,021.00	29.97%
534000	Misc Contracted Services	22,473.50	57,217.00	250,000.00	192,783.00	22.89%
540000	Travel and Per Diem	0.00	197.19	5,000.00	4,802.81	3.94%
541000	Communication Services	1,036.23	6,794.23	6,500.00	-294.23	104.53%
542000	Freight & Postage	675.95	2,149.91	4,500.00	2,350.09	47.78%
543000	Utilities	5,848.64	40,175.03	55,750.00	15,574.97	72.06%
544100	Building Lease	31,282.28	174,990.43	295,000.00	120,009.57	59.32%
544200	Equipment Rental & Leases	976.52	3,663.53	11,000.00	7,336.47	33.30%
545000	Insurance	26,988.00	183,948.75	175,000.00	-8,948.75	105.11%
546000	Repair & Maintenance Services	1,105.29	7,194.71	20,000.00	12,805.29	35.97%
547000	Printing	0.00	130.38	1,500.00	1,369.62	8.69%
549101	State Administrative Fees	0.00	7.11	9,500.00	9,492.89	0.07%
549102	Tax Collector Fees	0.00	0.00	4,000.00	4,000.00	0.00%
549103	Contingency	0.00	0.00	125,000.00	125,000.00	0.00%
551000	Office Supplies	1,118.31	15,876.21	7,500.00	-8,376.21	211.68%
552000	Operating Supplies	1,128.89	8,181.66	25,000.00	16,818.34	32.73%
552005	Bank Charges	0.00	61.51	500.00	438.49	12.30%
554000	Books Pub & Memberships	66.78	465.67	2,000.00	1,534.33	23.28%
	Total for General Government	**101,815.39**	**566,326.05**	**1,117,800.00**	**551,473.95**	**50.66%**
197-COVID						
	Total for COVID	**0.00**	**0.00**	**0.00**	**0.00**	**100.00%**

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
201-Law Enforcement/Security						
534201	Lee Cty Law Enforcement	756.00	3,139.00	10,000.00	6,861.00	31.39%
534501	Lee Cty Animal Control Srvs	0.00	0.00	45,000.00	45,000.00	0.00%
	Total for Law Enforcement/Security	**756.00**	**3,139.00**	**55,000.00**	**51,861.00**	**5.71%**
210-Code Compliance Services						
531115	Special Magistrate Srvs	0.00	2,000.00	20,250.00	18,250.00	9.88%
531201	Code Compliance Contract Srvs	18,647.63	121,272.50	162,500.00	41,227.50	74.63%
549105	Other Chrges-Filing Fees	75.50	170.50	1,500.00	1,329.50	11.37%
	Total for Code Compliance Services	**18,723.13**	**123,443.00**	**184,250.00**	**60,807.00**	**67.00%**
298-Lee County Marine Patrol						
534202	Lee Cty Marine Patrol	0.00	0.00	43,860.00	43,860.00	0.00%
	Total for Lee County Marine Patrol	**0.00**	**0.00**	**43,860.00**	**43,860.00**	**0.00%**
299-Disaster Response						
531000	Professional Services	11,126.00	58,566.75	25,000.00	-33,566.75	234.27%
531116	Disaster Preparedness Services	0.00	0.00	10,000.00	10,000.00	0.00%
	Total for Disaster Response	**11,126.00**	**58,566.75**	**35,000.00**	**-23,566.75**	**167.33%**
360-Physical Environment						
531000	Professional Services	0.00	0.00	25,000.00	25,000.00	0.00%
531301	Water Level & Quality Monitor	0.00	60,105.71	170,000.00	109,894.29	35.36%
531305	NPDES Compliance	0.00	7,988.00	5,000.00	-2,988.00	159.76%
531415	Reclaimed Water Study	0.00	0.00	20,000.00	20,000.00	0.00%
531502	Flood Plain-Com Rating System	0.00	0.00	150,000.00	150,000.00	0.00%
534000	Misc Contracted Services	0.00	1,318.00	50,000.00	48,682.00	2.64%
546301	Stormwater Maint	0.00	0.00	150,000.00	150,000.00	0.00%
549106	Water Quality Joint Advocacy	0.00	5,000.00	7,500.00	2,500.00	66.67%
	Total for Physical Environment	**0.00**	**74,411.71**	**577,500.00**	**503,088.29**	**12.89%**

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
365-Transportation						
512000	Regular Salaries & Wages	26,161.47	181,752.10	341,225.00	159,472.90	53.26%
521000	FICA Taxes	1,913.48	13,480.95	26,130.00	12,649.05	51.59%
522000	Retirement Contributions	2,334.42	13,447.76	19,000.00	5,552.24	70.78%
523000	Group Health Insurance	6,462.57	54,536.84	45,020.00	-9,516.84	121.14%
524000	Workers Compensation	0.00	7,547.52	10,050.00	2,502.48	75.10%
525000	Unemployment Compensation	65.28	502.20	1,000.00	497.80	50.22%
531306	Traffic Counts	3,600.00	3,600.00	20,000.00	16,400.00	18.00%
534000	Misc Contracted Services	0.00	102,932.92	100,000.00	-2,932.92	102.93%
534301	Street Sweeping Services	2,000.00	10,000.00	30,000.00	20,000.00	33.33%
534302	Right-of-Way Permit Review	1,072.17	5,784.41	25,000.00	19,215.59	23.14%
534306	Misc Construction Services	0.00	53,911.00	60,000.00	6,089.00	89.85%
540000	Travel and Per Diem	282.80	3,497.13	6,500.00	3,002.87	53.80%
541000	Communication Services	40.26	252.79	650.00	397.21	38.89%
543000	Utilities	8,041.51	34,531.67	85,000.00	50,468.33	40.63%
544200	Equipment Rental & Leases	330.00	2,310.00	2,500.00	190.00	92.40%
545000	Insurance	0.00	9,642.75	14,750.00	5,107.25	65.37%
546302	Bridge Maintenance	0.00	0.00	10,000.00	10,000.00	0.00%
546304	Irrigation Maintenance	14,697.37	50,494.10	77,500.00	27,005.90	65.15%
546305	Landscape Maintenance	67,774.55	530,637.82	1,180,000.00	649,362.18	44.97%
546306	Mowing Maintenance	0.00	0.00	32,500.00	32,500.00	0.00%
546307	Ditch Maintenance	44,860.63	101,673.50	157,000.00	55,326.50	64.76%
546309	Street Light Maintenance	0.00	5,448.50	85,500.00	80,051.50	6.37%
546310	Traffic Sign Maintenance	0.00	0.00	70,000.00	70,000.00	0.00%
546311	Traffic Signal Maintenance	0.00	0.00	66,000.00	66,000.00	0.00%
546312	Railroad Maintenance	0.00	32,888.00	150,000.00	117,112.00	21.93%

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
546313	Road Maintenance	94,425.81	131,073.68	412,000.00	280,926.32	31.81%
552000	Operating Supplies	0.00	253.42	5,000.00	4,746.58	5.07%
554000	Books Pub & Memberships	0.00	1,056.00	1,500.00	444.00	70.40%
555000	Training	0.00	49.00	3,000.00	2,951.00	1.63%
	Total for Transportation	**274,062.32**	**1,351,304.06**	**3,036,825.00**	**1,685,520.94**	**44.50%**
439-Development Services						
512000	Regular Salaries & Wages	27,693.78	163,599.89	585,875.00	422,275.11	27.92%
521000	FICA Taxes	2,118.60	12,918.24	44,845.00	31,926.76	28.81%
522000	Retirement Contributions	2,523.54	13,984.29	54,190.00	40,205.71	25.81%
523000	Group Health Insurance	3,587.33	20,512.55	105,810.00	85,297.45	19.39%
524000	Workers Compensation	0.00	4,457.52	12,710.00	8,252.48	35.07%
525000	Unemployment Compensation	130.55	952.45	1,500.00	547.55	63.50%
531000	Professional Services	0.00	3,649.00	60,000.00	56,351.00	6.08%
531315	Growth Model Srvs	0.00	0.00	10,000.00	10,000.00	0.00%
531316	Development Srvcs Manager	0.00	0.00	40,000.00	40,000.00	0.00%
531402	Comprehensive Plan	0.00	0.00	30,000.00	30,000.00	0.00%
531403	Land Development Code	0.00	0.00	40,000.00	40,000.00	0.00%
534000	Misc Contracted Services	87,189.00	331,622.28	365,000.00	33,377.72	90.86%
540000	Travel and Per Diem	0.00	589.47	2,500.00	1,910.53	23.58%
548000	Legal Notices	0.00	171.00	6,000.00	5,829.00	2.85%
554000	Books Pub & Memberships	0.00	4,379.01	10,000.00	5,620.99	43.79%
555000	Training	0.00	0.00	1,000.00	1,000.00	0.00%
	Total for Development Services	**123,242.80**	**556,835.70**	**1,369,430.00**	**812,594.30**	**40.66%**
440-Planning, Zoning, Dev Review						
512000	Regular Salaries & Wages	0.00	2,381.48	125,000.00	122,618.52	1.91%
521000	FICA Taxes	0.00	181.11	9,600.00	9,418.89	1.89%

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
524000	Workers Compensation	0.00	0.00	2,000.00	2,000.00	0.00%
525000	Unemployment Compensation	0.00	0.00	500.00	500.00	0.00%
531000	Professional Services	0.00	1,500.00	15,000.00	13,500.00	10.00%
549104	Planning & Zoning-Fixed Fee	34,900.96	239,999.87	350,000.00	110,000.13	68.57%
	Total for Planning, Zoning, Dev Review	**34,900.96**	**244,062.46**	**502,100.00**	**258,037.54**	**48.61%**
601-Parks Master Plan						
512000	Regular Salaries & Wages	0.00	0.00	140,000.00	140,000.00	0.00%
521000	FICA Taxes	0.00	0.00	10,710.00	10,710.00	0.00%
522000	Retirement Contributions	0.00	0.00	14,700.00	14,700.00	0.00%
523000	Group Health Insurance	0.00	0.00	31,950.00	31,950.00	0.00%
524000	Workers Compensation	0.00	0.00	2,150.00	2,150.00	0.00%
525000	Unemployment Compensation	0.00	0.00	500.00	500.00	0.00%
531000	Professional Services	14,351.37	172,297.17	0.00	-172,297.17	0.00%
534601	YMCA Operating Agreement	18,265.30	77,844.59	69,300.00	-8,544.59	112.33%
543000	Utilities	783.13	5,336.68	7,750.00	2,413.32	68.86%
544200	Equipment Rental & Leases	0.00	648.40	2,500.00	1,851.60	25.94%
546000	Repair & Maintenance Services	0.00	8,456.00	15,000.00	6,544.00	56.37%
	Total for Parks Master Plan	**33,399.80**	**264,582.84**	**294,560.00**	**29,977.16**	**89.82%**
	Total for General Fund	**3,289,415.10**	**11,836,568.00**	**60,274,565.00**	**48,432,178.97**	**19.64%**
105-Driving Range						
600-Parks & Recreation						
534000	Misc Contracted Services	0.00	825.83	2,500.00	1,674.17	33.03%
541000	Communication Services	0.00	-24.47	1,800.00	1,824.47	-1.36%
543000	Utilities	101.30	685.65	3,000.00	2,314.35	22.86%
546000	Repair & Maintenance Services	0.00	0.00	2,000.00	2,000.00	0.00%
552000	Operating Supplies	0.00	0.00	1,500.00	1,500.00	0.00%

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
	Total for Parks & Recreation	**101.30**	**1,487.01**	**10,800.00**	**9,312.99**	**13.77%**
	Total for Driving Range	**101.30**	**1,487.01**	**10,800.00**	**9,312.99**	**13.77%**
110-Building Fee Fund						
445-Building Dept						
531000	Professional Services	130.00	3,205.00	100,000.00	96,795.00	3.21%
531110	IT Contracted Services	700.21	3,710.84	5,750.00	2,039.16	64.54%
531401	Building Service Contract	181,423.09	1,362,816.40	1,300,000.00	-62,816.40	104.83%
541000	Communication Services	148.13	750.14	2,000.00	1,249.86	37.51%
542000	Freight & Postage	131.75	397.30	750.00	352.70	52.97%
543000	Utilities	1,107.36	5,570.37	8,500.00	2,929.63	65.53%
544100	Building Lease	6,407.21	35,841.41	62,500.00	26,658.59	57.35%
544200	Equipment Rental & Leases	872.08	10,924.69	8,600.00	-2,324.69	127.03%
546000	Repair & Maintenance Services	225.46	1,242.31	3,000.00	1,757.69	41.41%
551000	Office Supplies	81.31	1,694.88	3,500.00	1,805.12	48.43%
552000	Operating Supplies	0.00	60.00	5,000.00	4,940.00	1.20%
552001	Software Licensing	1,275.00	8,925.00	15,000.00	6,075.00	59.50%
552009	Credit Card Fees	3,780.10	22,589.90	40,000.00	17,410.10	56.47%
	Total for Building Dept	**196,281.70**	**1,457,728.24**	**1,554,600.00**	**96,871.76**	**93.77%**
	Total for Building Fee Fund	**196,281.70**	**1,457,728.24**	**1,554,600.00**	**96,871.76**	**93.77%**
201-Debt Service						
000-Non Divisional						
	Total for Non Divisional	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**
	Total for Debt Service	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**
300-Capital Projects						
350-Road Impact Fees						
581365	Transfer to Transportation	0.00	0.00	0.00	0.00	0.00%

Page Number 12 of 13

Village of Estero
Budget Report All Funds
For Month Ending April 2025

	Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
	Total for Road Impact Fees	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**
351-Comm Park Impact Fees						
	Total for Comm Park Impact Fees	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**
352-Reg Park Imp Fee						
	Total for Reg Park Imp Fee	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**
354-Public Land						
	Total for Public Land	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**
355-Park Impact Fees						
581365	Transfer to Transportation	0.00	0.00	0.00	0.00	0.00%
	Total for Park Impact Fees	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**
360-Physical Environment						
563000	Capital Outlay - Infrastrcture	25,795.00	136,389.22	22,926,714.00	22,790,324.78	0.59%
	Total for Physical Environment	**25,795.00**	**136,389.22**	**22,926,714.00**	**22,790,324.78**	**0.59%**
365-Transportation						
563000	Capital Outlay - Infrastrcture	1,583,258.67	2,911,547.10	25,772,200.00	22,860,652.90	11.30%
	Total for Transportation	**1,583,258.67**	**2,911,547.10**	**25,772,200.00**	**22,860,652.90**	**11.30%**
366-Gas Tax						
581365	Transfer to Transportation	0.00	0.00	0.00	0.00	0.00%
	Total for Gas Tax	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**
600-Parks & Recreation						
561000	Capital Outlay - Land	0.00	700,157.50	0.00	0.00	0.00%
563000	Capital Outlay - Infrastrcture	855,031.59	3,497,491.32	31,170,000.00	0.00	0.00%
	Total for Parks & Recreation	**855,031.59**	**4,197,648.82**	**31,170,000.00**	**0.00**	**0.00%**
	Total for Capital Projects	**2,464,085.26**	**7,245,585.14**	**79,868,914.00**	**45,650,977.68**	**0.00%**
	Total for Expense	**5,949,883.36**	**20,541,368.39**	**141,708,879.00**	**94,189,341.40**	**14.50%**
	Net Revenue / Expense	**195,867.87**	**-5,049,322.96**	**14,264,949.00**	**22,341,117.75**	**-35.40%**

Village of Estero

Available Funds Report
For the Month Ending April 25

Available Funds Report	
General Fund Capital Projects	$ 24,242,120
Building Fee Fund	(179,529)
Gas Tax Capital Projects	2,954,941
Developer Contribution	295,197
Road Impact Fees	17,012,881
Community Park Impact Fees	118,908
Estero Park Entry Contribution	111,404
Park Imp Fees	2,092,353
Public Land Purchase	157,863
Driving Range	136,807
Total Available Funds	$ 46,942,945

1

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
June 4, 2025

Agenda Item:

First Reading for Approval of Ordinance No. 2025 -05 the Annual Capital Improvement Program

Motion to Pass first reading of Ordinance No. 2025-05 and set second reading for June 18, 2025.

Background:

The Village Charter Section 8 (7)(b) requires two public hearings and approval by resolution of the Capital Improvement Program for each fiscal year.

Description:

At a work session during the Council meeting on May 21, 2025, staff introduced the Fiscal Year 2025-2026 Capital Improvement Plan. The two public hearings for the Village's Capital Improvement Program are scheduled for June 4, 2025, and June 19, 2025.

Action Requested:

Motion to Pass first reading of Ordinance No. 2025-05 and set second reading for June 18, 2025.

Process and Timeline:

If Ordinance is adopted on first reading, a public hearing date will be set for the second reading.

Financial Impact:

The Capital Improvement Program will set the funding for the Village Capital Improvement project for Fiscal Year 2025-2026 and provide a plan of priorities for the next 5-years. A summary of the proposed capital expenditures for the upcoming fiscal year is as follows:

Roadway	$ 11,890,000
Intersection	$ 2,500,000
Bicycle and Pedestrian	$ 1,500,000
Landscaping and Beautification	$ 160,000
Parks and Recreation	$ 27,295,000
Stormwater	$ 725,106
Utility	$ 13,400,000
Total Capital Program	$ 57,470,106

Prepared by: Kevin Greenville, CPA

Attachments:

1. Proposed 5-year Capital Improvement Program
2. Draft Ordinance No. 2025- 05 Adopting the Capital Improvement Program for Fiscal Year 2025-2026

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
Roadway Improvements									
1	Corkscrew Rd Paths, Landscaping & Street Lighting	$ 21,700,000	RIF	$ 10,500,000	$ -	$ -	$ -	$ -	$ 10,500,000
1			GF	$ -	$ -	$ -	$ -	$ -	$ -
1			LDOT-Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
2	River Ranch Road Improvements (Drainage, Road, Bike/Ped)	$ 9,100,000	RIF	$ -	$ -	$ -	$ -	$ -	$ -
2			GF	$ -	$ -	$ -	$ -	$ -	$ -
2			GT	$ -	$ -	$ -	$ -	$ -	$ -
3	Broadway W. Improvements (Road, Bike/Ped, Drainage)	$ 15,000,000	GT	$ -	$ -	$ -	$ -	$ -	$ -
3			RIF	$ 1,300,000	$ 1,500,000	$ 3,600,000	$ 4,500,000	$ -	$ 10,900,000
			Grant - Reimburse	$ (1,300,000)	$ (1,500,000)	$ (6,100,000)	$ (6,100,000)		$ (15,000,000)
3			GF	$ -	$ -	$ 2,500,000	$ 1,600,000	$ -	$ 4,100,000
5	Williams Road Widening (US41 - Via Coconut)	$ 6,800,000	RIF	$ -	$ -	$ -	$ -	$ -	$ -
5			GT	$ 90,000	$ -	$ -	$ -	$ -	$ 90,000
6	Via Coconut Point Extension (South)	$ 3,620,000	RIF	$ -	$ -	$ -	$ -	$ -	$ -
7	Roadway Assessment	$ 500,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
8	Village Traffic Study Update	$ 250,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
9	Via Coconut Point Railroad Crossing	$ 650,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
9			GT	$ -	$ 650,000	$ -	$ -	$ -	$ 650,000
	Village of Estero Sub-total (all funding sources)			$ 11,890,000	$ 2,150,000	$ 6,100,000	$ 6,100,000	$ -	$ 26,240,000

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
Intersection Improvements									
1	US-41 - Pelican Colony Traffic Signal	$ 1,280,000	Developer	$ 1,100,000	$ -	$ -	$ -	$ -	$ 1,100,000
2	Williams Road-Atlantic Gulf Drive Intersection	$ 3,270,000	RIF	$ 2,500,000	$ -	$ -	$ -	$ -	$ 2,500,000
2			GT	$ -	$ -	$ -	$ -	$ -	$ -
2			GF	$ -	$ -	$ -	$ -	$ -	$ -
3	Corkscrew Rd-Three Oaks Pkwy. Intersection Improvements	$ 556,400	LDOT	$ -	$ -	$ -	$ -	$ -	$ -
4	US41-Coconut Road Intersection Improvements	$ 1,650,000	Other	$ -	$ -	$ -	$ -	$ -	$ -
5	US41-Williams Rd Intersection Improvements	$ 325,000	RIF	$ -	$ -	$ -	$ -	$ -	$ -
5			GT	$ -	$ -	$ -	$ -	$ -	$ -
5			GF	$ -	$ -	$ -	$ -	$ -	$ -
6	Coconut Road - Coconut Shores Roundabout	$ 1,725,000	Other	$ -	$ -	$ -	$ -	$ -	$ -
6			RIF	$ -	$ -	$ -	$ -	$ -	$ -
6			GT	$ -	$ -	$ -	$ -	$ -	$ -
6			GF	$ -	$ -	$ -	$ -	$ -	$ -
7	US41-Pelican Sound Intersection Improvements	$ 2,325,000	Developer	$ -	$ -	$ -	$ -	$ -	$ -
8	US41-Corkscrew Rd Intersection Improvements	$ 1,510,000	Other	$ -	$ -	$ -	$ -	$ -	$ -
9	Coconut Road - Meadowbrook Roundabout	$ 1,625,000	Other	$ -	$ -	$ -	$ -	$ -	$ -
9			RIF	$ -	$ -	$ -	$ -	$ -	$ -
9			GT	$ -	$ -	$ -	$ -	$ -	$ -
9			GF	$ -	$ -	$ -	$ -	$ -	$ -
10	North Point Railroad Crossing	$ 450,000	RIF	$ -	$ -	$ -	$ -	$ -	$ -
11	Coconut Road - El Dorado Roundabout	$ 1,625,000	Other	$ -	$ -	$ -	$ -	$ -	$ -
11			RIF	$ -	$ -	$ -	$ -	$ -	$ -
11			GT	$ -	$ -	$ -	$ -	$ -	$ -
11			GF	$ -	$ -	$ -	$ -	$ -	$ -
	Village of Estero Sub-total (all funding sources)			$ 2,500,000	$ -	$ -	$ -	$ -	$ 2,500,000

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
Bike-Pedestrian Improvements									
1	Williams Road Bike-Ped Improvements (East of Via Coconut)	$ 6,250,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
1			RIF	$ -	$ -	$ -	$ -	$ -	$ -
2	Sandy Lane Bike-Ped Improvements	$ 7,450,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
2			RIF	$ 1,500,000	$ -	$ -	$ -	$ -	$ 1,500,000
2			Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
3	Broadway Ave. East Bike-Ped Improvements	$ 6,250,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
3			RIF	$ -	$ -	$ -	$ -	$ -	$ -
4	Corkscrew Road Shared Use Path (Three Oaks-Sandy)	$ 10,300,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
4			RIF	$ -	$ -	$ -	$ -	$ -	$ -
5	Coconut Rd Sidewalk (Oakwilde to Via Coconut)	$ 1,085,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
5			RIF	$ -	$ 401,367	$ -	$ -	$ -	$ 401,367
5			FDOT	$ 330,000	$ 353,633	$ -	$ -	$ -	$ 683,633
6	Coconut Sidewalk (Via Coconut to U S41)	$ 815,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
6			RIF	$ -	$ -	$ 244,400	$ -	$ -	$ 244,400
6			FDOT	$ -	$ 190,000	$ 380,600	$ -	$ -	$ 570,600
7	Corkscrew West Bike/Ped (Koreshan to U S 41)	$ 954,900	GF	$ -	$ -	$ 330,300	$ -	$ -	$ 330,300
7			RIF	$ -	$ -	$ -	$ -	$ -	$ -
7			FDOT	$ -	$ 190,000	$ 434,600	$ -	$ -	$ 624,600
8	Corkscrew Palms Blvd. Sidewalks	$ 300,000	County	$ -	$ -	$ -	$ -	$ -	$ -

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
9	Via Coconut Point Roundabouts Improvements	$ 1,675,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
9			RIF	$ -	$ 396,859	$ -	$ -	$ -	$ 396,859
9			FDOT	$ 524,000	$ 754,141	$ -	$ -		$ 1,278,141
10	Corkscrew Rd Bike-Ped Improvements (E of US41)	$ 19,250,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
10			RIF	$ -	$ -	$ -	$ -	$ -	$ -
10			Lee County	$ -	$ -	$ -	$ -	$ -	$ -
11	Coconut Rd Shared Use Path	$ 4,450,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
11			RIF	$ -	$ -	$ -	$ -	$ -	$ -
12	Williams Rd West Bike-Ped Improvements (West of US41)	$ 3,650,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
12			RIF	$ -	$ -	$ -	$ -	$ -	$ -
13	Broadway E. Shared Use Path (Sandy Ln to Three Oaks & Estero Pkwy)	$ 4,420,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
13			RIF	$ -	$ -	$ -	$ -	$ -	$ -
14	SUN Trail Estero Parkway South	$ 5,063,500	GF	$ -	$ -	$ -	$ -	$ -	$ -
14			RIF	$ -	$ -	$ -	$ -	$ -	$ -
15	SUN Trail Estero Parkway North	$ 5,323,500	GF	$ -	$ -	$ -	$ -	$ -	$ -
15			RIF	$ -	$ -	$ -	$ -	$ -	$ -
16	FPL Shared Use Path (East I-75)	$ 4,940,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
17	Utility Shared Use Path (West US 41)	$ 10,621,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
17			RIF	$ -	$ -	$ -	$ -	$ -	$ -
18	Village Bike/Ped Master Plan Update	$ 230,000	GF	$ -	$ 230,000	$ -	$ -	$ -	$ 230,000
	Village of Estero Sub-total (all funding sources)			$ 1,500,000	$ 1,028,226	$ 574,700	$ -	$ -	$ 3,102,926

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
	Landscaping Improvements								
1	I-75 Monument Signs	$ 816,000	GF	$ -	$ 816,000	$ -	$ -	$ -	$ 816,000
2	Ben Hill Griffin Monument Sign	$ 100,000	GF	$ -	$ -	$ 100,000	$ -	$ -	$ 100,000
3	Corkscrew Road Monument Sign	$ 160,000	GF	$ 160,000	$ -	$ -	$ -	$ -	$ 160,000
4	Via Coconut Point Landscape Improvements (Williams - Coconut)	$ 5,900,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
5	Ben Hill Griffin Pkwy Landscape Improvements	$ 3,150,000	GF	$ -	$ -	$ 2,800,000	$ -	$ -	$ 2,800,000
6	Corkscrew Rd Landscaping (Corkscrew Woodlands to Ben Hill Griffin	$ 2,800,000	GF	$ -	$ 2,500,000	$ -	$ -	$ -	$ 2,500,000
7	US41 Shoulder Landscape Improvements	$ 5,350,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
8	Three Oaks Parkway Landscape Improvements (Excluding Brooks)	$ 4,090,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
9	Corkscrew Road Landscape Improvements West (US-41 to I-75)	$ 4,360,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
10	Estero Parkway Reuse Main - Phase 1	$ 1,605,000	GF	$ -	$ 1,500,000		$ -	$ -	$ 1,500,000
10			Grant - Reimbruse		$ (802,500)				$ (802,500)
	Village of Estero Sub-total (all funding sources)			$ 160,000	$ 4,816,000	$ 2,900,000	$ -	$ -	$ 7,876,000

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
	Parks & Recreation								
1	County Maintenance Facility	$ 1,500,000	Partner	$ -	$ -	$ -	$ -	$ -	$ -
1			PIF	$ -	$ -	$ -	$ -	$ -	$ -
1			GF	$ 1,200,000	$ -	$ -	$ -	$ -	$ 1,200,000
1	Estero SportsPark Phase 1	$ 13,800,000	Partner	$ -	$ -	$ -	$ -	$ -	$ -
1	5-year total		PIF	$ 2,000,000	$ 500,000	$ -	$ -	$ -	$ 2,500,000
1	$ 13,800,000		RIF	$ 4,000,000	$ -	$ -	$ -	$ -	$ 4,000,000
1			GF	$ -	$ 5,600,000	$ 1,700,000	$ -	$ -	$ 7,300,000
1	Estero SportsPark Phase 2	$ 30,000,000	Partner	$ -	$ -	$ -	$ -	$ -	$ -
1	5-year total		PIF	$ -	$ -	$ 650,000	$ 280,000	$ 360,000	$ 1,290,000
1	$ 14,590,000		RIF	$ -	$ 2,500,000	$ -	$ -	$ -	$ 2,500,000
1			GF	$ -	$ -	$ -	$ 7,100,000	$ 3,700,000	$ 10,800,000
1	Estero SportsPark Phase 3	$ 13,000,000	Partner	$ -	$ -	$ -	$ -	$ -	$ -
1			PIF	$ -	$ -	$ -	$ -	$ -	$ -
1			RIF	$ -	$ -	$ -	$ -	$ -	$ -
1			GF	$ -	$ -	$ -	$ -	$ -	$ -
2	Estero SportsPark Entertainment Site Work	$ 11,360,000	Partner	$ -	$ -	$ -	$ -	$ -	$ -
2			PIF	$ -	$ -	$ -	$ -	$ -	$ -
2			RIF	$ -	$ -	$ -	$ -	$ -	$ -
2			GF	$ 11,360,000	$ -	$ -	$ -	$ -	$ 11,360,000
2	Estero SportsPark High 5	$ 6,125,000	Partner	`	$ -	$ -	$ -	$ -	$ -
2			PIF	$ -	$ -	$ -	$ -	$ -	$ -
2			RIF	$ -	$ -	$ -	$ -	$ -	$ -
2			GF	$ -	$ -	$ -	$ -	$ -	$ -
2	Estero SportsPark Driving Range	$ 2,275,000	Partner	$ -	$ -	$ -	$ -	$ -	$ -
2			PIF	$ -	$ -	$ -	$ -	$ -	$ -
2			RIF	$ -	$ -	$ -	$ -	$ -	$ -
2			GF	$ -	$ 2,275,000	$ -	$ -	$ -	$ 2,275,000
2	Village Sports Park Fture Partners	$ 4,725,000	Partner	$ -	$ -	$ -	$ -	$ -	$ -
2			PIF	$ -	$ -	$ -	$ -	$ -	$ -
2			RIF	$ -	$ -	$ -	$ -	$ -	$ -
2			GF	$ -	$ -	$ 1,575,000	$ 1,575,000	$ 1,575,000	$ 4,725,000
3	Estero RiverPark Phase 1 & 2 Improvements	$ 12,000,000	GF	$ 4,900,000	$ -	$ -	$ -	$ -	$ 4,900,000
3			RIF	$ -	$ -	$ -	$ -	$ -	$ -
3			PIF	$ 660,000	$ -	$ -	$ -	$ -	$ 660,000
4	River Oaks Preserve	$ 2,950,000	GF	$ 2,950,000	$ -	$ -	$ -	$ -	$ 2,950,000
4			PIF	$ -	$ -	$ -	$ -	$ -	$ -

5- Year Capital Improvement Plan - May 21, 2025

4			Grant - Reimburse	$ (2,500,000)	$ -	$ -	$ -	$ -	$ (2,500,000)
5	Eco-Historic Planning Study	$ 450,000	GF	$ 225,000	$ -	$ -	$ -	$ -	$ 225,000
5			Grant - Reimburse	$ (225,000)	$ -	$ -	$ -		$ (225,000)
6	Village Parks & Rec. Master Plan Update	$ 200,000	GF	$ -	$ -	$ 200,000	$ -	$ -	$ 200,000
	Village of Estero Sub-total (all funding sources)			$ 27,295,000	$ 10,875,000	$ 4,125,000	$ 8,955,000	$ 5,635,000	$ 56,885,000

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
Stormwater Improvements									
1	Estero River North Branch Drainage Improvements	$ 6,739,000	GF	$ 500,106	$ 3,119,447	$ 3,119,447	$ -	$ -	$ 6,739,000
1			Grant - Reimburse	$ -	$ (3,119,447)	$ (3,119,447)	$ -	$ -	$ (6,238,894)
2	Estero River Sediment Removal (West of US 41)	$ 2,750,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
3	Estero River Sediment Removal (Railroad to Sandy Ln)	$ 1,415,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
4	Vulnerability Assessment	$ 450,000	GF	$ 225,000	$ -	$ -	$ -	$ -	$ 225,000
4			Grant - Reimburse	$ (225,000)	$ -	$ -	$ -	$ -	$ (225,000)
	Village of Estero Sub-total (all funding sources)			$ 725,106	$ 3,119,447	$ 3,119,447	$ -	$ -	$ 6,964,000

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
	Utility Improvements								
1	Package WWTP UEP Design & Permitting	$ 420,000	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
1			PA	$ -	$ -	$ -	$ -	$ -	$ -
1			GF	$ -	$ -	$ -	$ -	$ -	$ -
2	Broadway W UEP Design & Permitting	$ 1,475,000	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
2			PA	$ -	$ -	$ -	$ -	$ -	$ -
2			GF	$ 100,000	$ -	$ -	$ -	$ -	$ 100,000
3	Broadway E UEP Design & Permitting	$ 1,550,000	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
3			PA	$ -	$ -	$ -	$ -	$ -	$ -
3			GF	$ 200,000	$ -	$ -	$ -	$ -	$ 200,000
4	See See Street UEP Design & Permitting	$ 240,500	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
4			PA	$ -	$ -	$ -	$ -	$ -	$ -
4			GF	$ 30,000	$ -	$ -	$ -	$ -	$ 30,000
5	Cypress Park UEP Design & Permitting	$ 311,650	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
5			PA	$ -	$ -	$ -	$ -	$ -	$ -
5			GF	$ -	$ -	$ -	$ -	$ -	$ -
6	Estero Bay Village UEP	$ 2,021,000	Grant - Reimburse	$ -	$ (208,400)		$ -	$ -	$ (208,400)
6	Debt		PA	$ -	$ -	$ (1,307,350)	$ -	$ -	$ (1,307,350)
6	$ (1,307,350)		GF	$ -	$ 2,021,000	$ -	$ -	$ -	$ 2,021,000
7	Sunny Groves UEP	$ 2,836,000	Grant - Reimburse	$ (187,500)	$ -	$ -	$ -	$ -	$ (187,500)
7	Debt		PA	$ -	$ (1,939,500)	$ -	$ -	$ -	$ (1,939,500)
7	$ (1,939,500)		GF	$ 2,836,000	$ -	$ -	$ -	$ -	$ 2,836,000
8	Cypress Bend UEP	$ 1,584,000	Grant - Reimburse	$ (134,100)	$ -	$ -	$ -	$ -	$ (134,100)
8	Debt		PA	$ -	$ (1,053,900)	$ -	$ -	$ -	$ (1,053,900)
8	$ (1,053,900)		GF	$ 1,584,000	$ -	$ -	$ -	$ -	$ 1,584,000

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
9	Estero River Heights UEP	$ 11,400,000	Grant - Reimburse	$ (2,450,000)	$ (2,450,000)	$ -	$ -	$ -	$ (4,900,000)
9			PA	$ -	$ (3,650,000)	$ -	$ -	$ -	$ (3,650,000)
			GT	$ 2,000,000	$ -	$ -	$ -	$ -	$ 2,000,000
	Debt		MRM	$ 2,650,000	$ -	$ -	$ -	$ -	$ 2,650,000
9	$ (3,650,000)		GF	$ 1,050,000	$ 5,700,000	$ -	$ -	$ -	$ 6,750,000
10	Charring Cross UEP	$ 5,700,000	Grant - Reimburse	$ (1,250,000)	$ (1,250,000)	$ -	$ -	$ -	$ (2,500,000)
10	Debt		PA	$ -	$ (1,775,000)		$ -	$ -	$ (1,775,000)
	$ (1,775,000)		GT	$ 1,425,000	$ -	$ -	$ -	$ -	$ 1,425,000
	Total Debt all UEP		MRM	$ -	$ -	$ -	$ -	$ -	$ -
10	$ (9,725,750)		GF	$ 1,425,000	$ 2,850,000	$ -	$ -	$ -	$ 4,275,000
11	Sherrill & Luetich UEP	$ 7,739,585	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
11			PA	$ -	$ -	$ -	$ -	$ -	$ -
			GT	$ -	$ -	$ -	$ -	$ -	$ -
			MRM	$ -	$ -	$ -	$ -	$ -	$ -
11			GF	$ -	$ -	$ -	$ -	$ -	$ -
12	Trailside UEP	$ 6,840,000	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
12			PA	$ -	$ -	$ -	$ -	$ -	$ -
			MRM	$ -	$ -	$ -	$ -	$ -	$ -
12			GF	$ -	$ -	$ -	$ -	$ -	$ -
13	Broadway E-Highlands UEP	$ 4,200,000	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
13			PA	$ -	$ -	$ -	$ -	$ -	$ -
			MRM	$ -	$ -	$ -	$ -	$ -	$ -
13			GF	$ -	$ -	$ -	$ -	$ -	$ -
14	Sandy Ln-Groves UEP	$ 5,160,000	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
14			PA	$ -	$ -	$ -	$ -	$ -	$ -
			MRM	$ -	$ -	$ -	$ -	$ -	$ -
14			GF	$ -	$ -	$ -	$ -	$ -	$ -
15	Tanglewood UEP	$ 1,440,000	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
15			PA	$ -	$ -	$ -	$ -	$ -	$ -
			MRM	$ -	$ -	$ -	$ -	$ -	$ -
15			GF	$ -	$ -	$ -	$ -	$ -	$ -

5- Year Capital Improvement Plan - May 21, 2025

16	See See Street UEP	$ 1,070,000	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
16			PA	$ -	$ -	$ -	$ -	$ -	$ -
			MRM	$ -	$ -	$ -	$ -	$ -	$ -
16			GF	$ 50,000	$ -	$ -	$ -	$ -	$ 50,000
17	Cypress Park UEP	$ 1,820,000	Grant - Reimburse	$ -	$ -	$ -	$ -	$ -	$ -
17			PA	$ -	$ -	$ -	$ -	$ -	$ -
			MRM	$ -	$ -	$ -	$ -	$ -	$ -
17			GF	$ 50,000	$ -	$ -	$ -	$ -	$ 50,000
				$ 13,400,000	$ 10,571,000	$ -	$ -	$ -	$ 23,971,000

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
Building Facilities									
1	Public Works Storage Facility	$ 354,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
2	Village Hall	$ 4,914,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
3	Performing Arts Center	$ 20,000,000	Private	$ -	$ -	$ -	$ -	$ -	$ -
3			GF	$ -	$ -	$ -	$ -	$ -	$ -
	Village of Estero Sub-total (all funding sources)			$ -	$ -	$ -	$ -	$ -	$ -

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
Land Acquisition									
1	BERT	$ 30,000,000	GF	$ -	$ -	$ -	$ -	$ -	$ -
1			RIF	$ -	$ -	$ -	$ -	$ -	$ -
1			Debt	$ -	$ -	$ -	$ -	$ -	$ -
	Village of Estero Sub-total (all funding sources)			$ -	$ -	$ -	$ -	$ -	$ -

5- Year Capital Improvement Plan - May 21, 2025

	Project Name	Estimated Project Cost	Funding Source	Budget FY 25-26	Budget FY 26-27	Budget FY 27-28	Budget FY 28-29	Budget FY 29-30	Total Cost
	Informtation Technology								
1	Community Development Software	$ -	Building	$ -	$ -	$ -	$ -	$ -	$ -
	Village of Estero Sub-total (all funding sources)			$ -	$ -	$ -	$ -	$ -	$ -
	Village total			$ 57,470,106	$ 32,559,673	$ 16,819,147	$ 15,055,000	$ 5,635,000	$ 127,538,926

Estero Road Impacts Fees
Estero Gas Tax
Estero General Fund
Park Impact Fee (include public land aqcu
Non-Estero Funding Source
Major Road Mainteance Reserve
Property Assessment (funds back into General Fund in following year)
Building Fund

ORDINANCE NO. 2025 - 05

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, ADOPTING THE ANNUAL CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2025-2026; MAKING RELATED FINDINGS; AND PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, section 8(7)(b) of the Village Charter provides that the Council shall publish in one or more newspapers of general circulation within the Village a summary of the capital program and a notice of at least two public hearings on the capital program, and shall, by resolution, adopt the capital program with or without amendments after the public hearings and on or before the 15th day of August of the then-current fiscal year; and

WHEREAS, notwithstanding the reference to resolution in the Charter, Florida Statutes § 163.3177(3)(b) provides that the "capital improvements element must be reviewed by the local government on an annual basis, and any modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan; and

WHEREAS, the Village's Finance Director has developed the Capital Improvements Program (CIP) set forth in this Ordinance, which CIP has been recommended by the Village Manager; and

WHEREAS, the Village Council has considered the CIP elements set forth in this Ordinance, as well as the recommendations of the Village's professional management, and finds that the CIP set forth in this Ordinance is in the best interests of the Village, and its residents and businesses.

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

Section 1. The following Capital Improvements Program is hereby adopted for the 2025-2026 fiscal year:

Roadway	**$ 11,890,000**
Intersection	**$ 2,500,000**
Bicycle and Pedestrian	**$ 1,500,000**
Landscaping and Beautification	**$ 160,000**
Parks and Recreation	**$ 27,295,000**
Stormwater	**$ 725,106**
Utility	**$ 13,400,000**
Total Capital Program	**$ 57,470,106**

Section 2. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Village Council would have adopted the Ordinance and its regulatory scheme

even absent the invalid part.

Section 3. This Ordinance shall not be sent to the Codifier for codification as it does not revise or create any provision of the Village Code.

Section 4. Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the Village prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Village, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially responsible, e) an estimate of the Village's regulatory costs and of revenues from any new charges or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

Section 5. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING by the Village Council of the Village of Estero, Florida on the 4th day of June, 2024.

ADOPTED ON SECOND AND FINAL READING by the Village Council of the Village of Estero, Florida on the 18th day of June, 2025.

VILLAGE OF ESTERO, FLORIDA

Attest:

By: _____
Joanne Ribble, Mayor

By: _____
Carol Sacco, Village Clerk

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
June 4, 2025

Agenda Item:

First reading of Ordinance No. 2025-04, Land Development Code Amendments for Flood Hazard Reduction Standards

Pass first reading and set second reading for June 18, 2025

Background:

As part of the Village's October 28, 2024 Corrective Action Plan required by FEMA, the Village agreed to review its Land Development Code floodplain regulations to make changes where appropriate. The Village's floodplain regulations have not been updated since November 16, 2022. Due to the recent hurricanes, it became evident that some revisions were needed.

The staff has prepared changes in the attached ordinance, including the following:

- Variance Process – clarify process due to inconsistent language in the Code
- Non-conversion agreement for elevated homes
- Clarify specific use of FEMA Elevation Certificates for all flood hazard areas
- Clarify specific use of FEMA Dry Floodproofing Certification form
- Limit of partitioning of enclosed areas below flood

Proposed changes to the floodplain ordinance must be reviewed by the State Department of Emergency Management prior to adoption by Council. The State is reviewing the amendments and is expected to comment soon. The revisions follow the "model" code.

Action Requested:

Pass first reading and set second reading for June 18, 2025

Process and Timeline:

- Review by State – May 2025
- Planning Zoning and Design Board – June 10, 2024
- Council first reading June 4, 2025
- Council second reading June 18, 2025

Financial Impact:

Minor cost for newspaper advertisement for second reading.

Prepared By: Mary Gibbs

Attachment:

1. Ordinance No. 2025-04

VILLAGE OF ESTERO, FLORIDA

ORDINANCE NO. 2025 - 04

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, AMENDING LAND DEVELOPMENT CODE SECTION 7-3 "FLOOD HAZARD REDUCTION STANDARDS" TO INCLUDE A REQUIREMENT FOR NONCONVERSION AGREEMENTS FOR ELEVATED STRUCTURES WITH ENCLOSURES BELOW THE REQUIRED ELEVATION, CLARIFY THE PROCESS FOR FLOOD VARIANCE APPEALS, CLARIFY SPECIFIC USE OF FEMA ELEVATION CERTIFICATES AND DRY FLOODPROOFING CERTIFICATIONS, LIMIT PARTITIONING OF ENCLOSED AREAS BELOW FLOOD, AND AMEND RELATED DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125 – County Government or Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Village of Estero participates in the National Flood Insurance Program and participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements and achieved a CRS rating of Class 6, making citizens who purchase NFIP flood insurance policies eligible for premium discounts; and

WHEREAS, the Village's Flood Hazard Reduction Standards were adopted into the Land Development Code on November 16, 2022 and have not been amended since then except to remove "cumulative impact" requirements; and

WHEREAS, the Village experienced three hurricanes (Ian, Helene and Milton) September 28, 2022; September 262024; and October 9, 2024, respectively; and

WHEREAS, after experiencing the hurricanes, it became evident that some revisions to the Ordinance would be appropriate; and

WHEREAS, FEMA visited the area after Hurricane Ian and required the Village and other municipalities and Lee County to prepare a Corrective Action Plan which listed specific action items to be implemented, including changes to the Land Development Code floodplain regulations; and

WHEREAS, the changes have been reviewed by the Florida Department of Emergency Management and _____; and

WHEREAS, the Village Council has determined it appropriate to modify requirements to be consistent with the FEMA Policy and the Model Code; and

WHEREAS, the Village Council determined that it is in the public interest to amend the floodplain management regulations to better protect residents and to continue participating in the Community Rating System at the current class rating.

NOW THEREFORE, BE IT ENACTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, THAT:

Section 1. Amendments to Section 7-3 Flood Hazard Reduction Standards.

Section 7-3 "Flood Hazard Reduction Standards" of the Village Land Development Code is hereby amended, as shown in strikethrough and underline text, by the following amendments.

SECTION 7-3. FLOOD HAZARD REDUCTION STANDARDS

7-301. Administration.

1. *Disclaimer of Liability*. This section will not create liability on the part of the Village of Estero or by any officer or employee of the Village for any flood damage that results from reliance on this section or any administrative decision lawfully made under it.

B. Applicability.

1. *General.*

   A. Where there is a conflict between a general requirement and a specific requirement, the specific requirement will be applicable.

   B. This section applies to all flood hazard areas within the Village of Estero, as established in subsection C below.

   C. The Flood Insurance Study for Lee County, Florida and Incorporated Areas, effective November 17, 2022 and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this section and will serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Village Department of Community Development.

2. *Submission of Additional Data to Establish Flood Hazard Area*. To establish flood hazard areas and base flood elevations, in accordance with Sec. 7-301.E, Site Plans and Construction Documents, the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed

professional surveyor or digital topography accepted by the community indicates that ground elevations:

A. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area will be considered as a flood hazard area and subject to the requirements of this section and, as applicable, the requirements of the Florida Building Code.

B. Are above the closest applicable base flood elevation, the area will be regulated as a special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

3. *Other Laws*. The provisions of this section will not be deemed to nullify any provisions of local, state, or federal law.

4. *Abrogation and Greater Restrictions*. This section supersedes any regulations in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing regulations including but not limited to land development regulations, zoning resolutions, stormwater management regulations, or the Florida Building Code. In the event of a conflict between this section and any other regulations, the more restrictive will govern. This section will not impair any deed restriction, covenant, or easement, but any land that is subject to such interests will also be governed by this section.

5. *Interpretation*. In the interpretation and application of this article, all provisions will be:

A. Considered as minimum requirements;

B. Liberally construed in favor of the governing body; and

C. Deemed neither to limit nor repeal any other powers granted under state statutes.

C. **Duties and Powers of the Floodplain Administrator.**

1. *Designation*. The Village Manager is designated as the Floodplain Administrator and may delegate another person to serve in this capacity. The Floodplain Administrator may delegate performance of certain duties to other employees.

2. *General*. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this section. The Floodplain Administrator will have the authority to render interpretations of this section consistent with the intent and purpose of this section and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures will not have the effect of waiving requirements specifically provided in this section without the granting of a variance pursuant to Sec. 7-301.G, Variances and Appeals.

3. *Applications and Permits*. The Floodplain Administrator, in coordination with other pertinent offices of the community, will:

   A. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;

   B. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this section;

   C. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination will have the opportunity to appeal the interpretation;

   D. Provide available flood elevation and flood hazard information;

   E. Determine whether additional flood hazard data will be obtained from other sources or will be developed by an applicant;

   F. Review applications to determine whether proposed development will be reasonably safe from flooding;

   G. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this section is demonstrated, or disapprove the same in the event of noncompliance; and

   H. Coordinate to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this section.

4. *Substantial Improvement and Substantial Damage Determinations*. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures the Floodplain Administrator shall:

   A. Estimate the market value or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser of the building or structure before the start of construction of the proposed work; in the case of repair. the market value of the building or structure will be the market value before the damage occurred and before any repairs are made;

B. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;

C. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements and repairs as specified in the definition of "substantial improvement" and previous permits issued for repair of flood-related damage; and

D. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this section is required.

5. *Modifications of the Strict Application of the Requirements of the Florida Building Code*. The Floodplain Administrator will review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance in accordance with Sec. 7-301.G, Variances and Appeals.

6. *Notices and Orders*. The Floodplain Administrator will coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this section.

7. *Inspections*. The Floodplain Administrator will make the required inspections as specified in Sec. 7-301.F, Inspections, for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator will inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

8. *Other Duties of the Floodplain Administrator*. The Floodplain Administrator will have other duties, including but not limited to:

A. Establishing procedures for administering and documenting determinations of substantial improvement and substantial damage in accordance with Sec. 7-301.C.4, Substantial Improvement and Substantial Damage Determinations;

B. Requiring that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);

C. Requiring applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary

to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions will be made within six months of such data becoming available;

D. Reviewing required design certifications and documentation of elevations specified by this section and the Florida Building Code to determine that such certifications and documentations are complete;

E. Notifying FEMA when the corporate boundaries of the Village are modified; and

F. Advising applicants for new buildings and structures, including substantial improvements, which are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."

9. *Floodplain Management Records*. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator will maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this section and the flood resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this section; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken in accordance with this section and the flood resistant construction requirements of the Florida Building Code. These records are available for public inspection at the Village Hall.

D. **Permits.**

1. *Permits Required*. Any owner or owner's authorized agent also referred to as "applicant" who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator and obtain the required permits and approvals. No such permit or approval will be issued until compliance with the requirements of this section and all other applicable codes and regulations has been satisfied.

2. *Floodplain Development Permits or Approvals*. Floodplain development permits or approvals will be issued in accordance with this section for any development activities not subject to the requirements of the Florida Building Code including buildings, structures, and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

3. *Buildings, Structures, and Facilities Exempt from the Florida Building Code*. In accordance with the requirements of federal regulation for participation in the National Flood Insurance Program (44 CFR Secs. 59 and 60), floodplain development permits or approvals will be required for buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this section.

4. *Application for a Permit or Approval*. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the Village. The information provided shall:

   A. Identify and describe the development to be covered by the permit or approval.

   B. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.

   C. Indicate the use and occupancy for which the proposed development is intended.

   D. Be accompanied by a site plan or construction documents as specified in Sec. 7-301.E, Site Plans and Construction Documents.

   E. State the valuation of the proposed work.

   F. Be signed by the applicant or the applicant's authorized agent.

   G. Give such other data and information as required by the Floodplain Administrator.

   H. For projects proposing to enclose areas under elevated buildings, include a signed Declaration of Land Restriction (Nonconversion Agreement). The agreement shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.

5. *Validity of Permit or Approval*. The issuance of a floodplain development permit or approval in accordance with this section shall not be construed to be a permit for, or approval of, any violation of this section, the Florida Building Codes, or any other Village regulations. The issuance of permits based on submitted applications, construction documents, and information will not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

6. *Suspension or Revocation*. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error; on the basis of incorrect, inaccurate, or incomplete information; or in violation of this section or any other section, regulation, or requirement of the Village.

7. *Other Permits Required*. Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

   A. SFWMD; F.S. § 373.036.

   B. Florida Department of Health for onsite sewage treatment and disposal systems; F.S. § 381.0065 and Ch. 64E-6, F.A.C.

   C. FDEP for activities subject to the Joint Coastal Permit; F.S. § 161.055.

   D. FDEP for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Sec. 404 of the Clean Water Act.

   E. Federal permits and approvals.

E. **Site Plans and Construction Documents.**

1. *Information for Development in Flood Hazard Areas.*

   A. The site plan or construction documents for any development subject to the requirements of this section shall be drawn to scale and include, as applicable to the proposed development:

      1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.

      2. Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Sec. 7-301.E.2.B or Sec. 7-301.E.2.C.

      3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than five acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Sec. 7-301.E.2.A.

      4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.

5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

6. If the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.

7. Extent of any proposed alteration of mangrove stands, provided such alteration is approved by FDEP.

8. Existing and proposed alignment of any proposed alteration of a watercourse.

9. Estimated labor and material costs.

B. The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this section but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this section.

2. *Information in Flood Hazard Areas without Base Flood Elevations (Approximate Zone A)*. Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

A. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.

B. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.

C. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or

2. Specify that the base flood elevation is two feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two feet.

D. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

3. *Additional Analyses and Certifications*. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

A. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Sec. 7-301.E.4, Submission of Additional Data, and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.

B. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

C. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Sec. 7-301.E.4, Submission of Additional Data.

D. For activities that propose to alter mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

4. *Submission of Additional Data*. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such

purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees will be the responsibility of the applicant.

F. **Inspections.**

1. *General*. Development for which a floodplain development permit or approval is required will be subject to inspection.

G. **Variances and Appeals.**

1. *General*. The Village Council ~~Planning, Zoning and Design Board ("PZDB")~~, acting as the Board of Adjustment and Appeals pursuant to Section 553.73(5), F.S., shall hear and decide on requests for appeals and requests for variances from the strict application of this section. This section does not apply to Sec. 3109 of the Florida Building Code, Building.

2. *Appeals*. The Village Council ~~PZDB~~ shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this section. Any person aggrieved by the decision may appeal such decision to the Circuit Court, as provided by state law.

3. *Limitations on Authority to Grant Variances*. The Village Council ~~PZDB~~ will base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Sec. 7-301.G.7, Considerations for Issuance of Variances, the conditions of issuance set forth in Sec. 7-301.G.8, Conditions for Issuance of Variances, and the comments and recommendations of the Building Official. The Village Council ~~PZDB~~ has the right to attach such conditions as it deems necessary to further the purposes and objectives of this section.

4. *Restrictions in Floodways*. A variance will not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Sec. 7-301.E.3, Additional Analyses and Certifications.

5. *Historic Buildings*. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter 12 ~~11~~ Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance will not be granted and the building and any repair, improvement, and rehabilitation will be subject to the requirements of the Florida Building Code.

6. *Functionally Dependent Uses*. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this section, provided the variance meets the requirements of Sec. 7-301.G.4, Restrictions in Floodways is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

7. *Considerations for Issuance of Variances*. In reviewing requests for variances, the Village Council ~~PZDB~~ will consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, this section, and the following:

   A. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;

   B. The danger to life and property due to flooding or erosion damage;

   C. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;

   D. The importance of the services provided by the proposed development to the community;

   E. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;

   F. The compatibility of the proposed development with existing and anticipated development;

   H. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;

   I. The safety of access to the property in times of flooding for ordinary and emergency vehicles;

   J. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable expected at the site; and

   J. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

8. *Conditions for Issuance of Variances*. Variances may be issued only upon:

   A. Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this section or the required elevation standards;

   B. Determination by the Village Council ~~PZDB~~ that:

      1. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;

      2. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and regulations; and
      3. The variance is the minimum necessary, considering the flood hazard, to afford relief;

   C. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as $25 for $100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

H. **Violations.** Any development that is not within the scope of the Florida Building Code but that is regulated by this section that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this section, will be deemed a violation of this LDC. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this section or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

   1. *Authority*. For development that is not within the scope of the Florida Building Code but that is regulated by this section and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

   2. *Unlawful Continuance*. Any person who continues any work after having been served with a notice of violation or a stop work order, except such work as that person is directed

to perform to remove or remedy a violation or unsafe condition, will be subject to penalties as prescribed by law.

7-302. Flood Resistant Development.

A. **Buildings and Structures**

1. *Building and Structures Exempt from Florida Building Code.* In accordance with Sec. 7-301.D.3, Buildings, Structures, and Facilities Exempt from the Florida Building Code, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Sec. 7-302.G, Other Development.

2. Amend the definitions of "substantial damage" and "substantial improvement" in the Florida Building Code, Building Section 202, and Florida Building Code. Existing Building Section 202, as follows:

> **SUBSTANTIAL DAMAGE.** For the purposes of determining compliance with the flood provisions of this Code, damage of any origin sustained by a structure whereby the cost of restoring the structure to is before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes buildings and structures that have experienced repetitive loss.

3. *Florida Building Code Administrative Amendments; Nonconversion Agreements.* Applications for buildings with enclosures below the required elevation shall include signed declarations of land restrictions (nonconversion agreements), as defined in Section 7-303 – Definitions. The agreement shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.

4. *Florida Building Code, Administrative Amendments; Certification Forms.* (1) Where elevations of buildings in flood hazard areas are specified in applications, and where certification of the elevation of buildings in flood hazard areas is required, the FEMA Elevation Certificate shall be submitted; (2) Where certifications of the design of dry floodproofed non-residential buildings in flood hazard areas are required and where certification of the elevation of dry floodproofing is required, the FEMA Dry Floodproofing Certificate for Non-residential Structures shall be submitted.

SUBSTANTIAL IMPROVEMENT. For the purposes of determining compliance with the flood provision of this Code, any combination of repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure taking place during a five-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. The period of

accumulation begins with the first improvement or repair of each building is permitted subsequent to November 18, 1992. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that is the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

B. **Subdivisions.**

1. *Minimum Requirements*. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

   A. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

   B. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and

   C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

2. *Standards for Subdivision and Other Development Proposals*. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

   A. Where the subdivision is greater than 50 lots or five acres and base flood elevations are not included on the FIRM, base flood elevations determined in accordance with Sec. 7-301.E.2.A; and

   B. Compliance with the site improvement and utilities requirements of Sec. 7-302.C, Site Improvements, Utilities and Limitations.

C. **Site Improvements, Utilities and Limitations.**

1. *Minimum Requirements*. All proposed new development will be reviewed to determine that:

   A. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

B. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and

C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

2. *Sanitary Sewage Facilities*. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Ch. 64E-6, F.A.C. and ASCE 24 Ch. 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into floodwaters, and impairment of the facilities and systems.

3. *Water Supply Facilities*. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Ch. 62-532.500, F.A.C. and ASCE 24 Ch. 7 to minimize or eliminate infiltration of floodwaters into the systems.

4. *Limitations on Sites in Regulatory Floodways*. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, may be authorized in the regulatory floodway unless the floodway encroachment analysis required in Sec. 7-301.E.3.A, demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

5. *Limitations on Placement of Fill*. Subject to the limitations of this section, fill shall be designed to be stable under conditions of flooding, including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code.

6. *Limitations on Sites in Coastal High Hazard Areas (Zone V)*. In coastal high hazard areas, alteration of -mangrove stands will be permitted only if such alteration is approved by the FDEP and only if the engineering analysis required by Sec. 7-301.E.3.D demonstrates that the proposed alteration will not increase the potential for flood damage.

D. **Manufactured Homes.**

1. *General.*

A. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed in accordance with F.S. § 320.8249, and shall comply with the requirements of Ch. 15C-1, F.A.C. and the requirements of this section.

B. The placement of manufactured homes or recreational vehicles is prohibited in coastal high hazard areas (Zone V), except in an existing manufactured home or recreational vehicle park or subdivision. A replacement manufactured home or recreational vehicle may be placed on a lot in an existing manufactured home or recreational vehicle park or subdivision, provided the anchoring standards of Sec. 7-302.D.3, Anchoring, and the elevation standards of Sec. 7-302.D.4, Elevation, are met. New or expanded manufactured home or recreational vehicle parks or subdivisions are prohibited until such time, if ever, that Village of Estero Plan Policy 80.1.2 is amended or repealed so as to allow such new or expanded manufactured home or recreational vehicle development.

2. *Foundations*. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

A. In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.2 and this section.

B. In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.3 and this section.

3. *Anchoring*. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse, or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

4. *Elevation*. All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R3222.2 (Zone A) or Section R322.3 (Zone V and Coastal A Zone)

5. ~~7.~~ *Enclosures*. Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Sections R322.2 or R322.3, for such enclosed areas, as applicable to the flood hazard area.

6. ~~8.~~ *Utility Equipment*. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322, as applicable to the flood hazard area.

E. **Recreational Vehicles and Park Trailers.**

1. *Temporary Placement*. Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

   A. Be on the site for fewer than 180 consecutive days; or

   B. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks, and porches.

2. *Permanent Placement*. Recreational vehicles and park trailers that do not meet the limitations in Sec. 7-302.E.1, Temporary Placement, shall meet the requirements of Sec. 7-302.D, Manufactured Homes.

F. **Tanks.**

1. *Underground Tanks*. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

2. *Above-Ground Tanks, Not Elevated*. Above-ground tanks that do not meet the elevation requirements of Sec. 7-302.F.3, Above Ground Tanks, Elevated, shall:

   A. Be permitted only in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

   B. Not be permitted in coastal high hazard areas (Zone V).

3. *Above Ground Tanks, Elevated*. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse, or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

4. *Tank Inlets and Vents*. Tank inlets, fill openings, outlets, and vents shall be:

   A. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and

B. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

G. **Other Development.**

1. *General Requirements for Other Developments*. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this section or the Florida Building Code, shall:
   A. Be located and constructed to minimize flood damage;

   B. Meet the limitations of Sec. 7-302.C.4, Limitations on Sites in Regulatory Floodways, if located in a regulated floodway;

   C. Be anchored to prevent flotation, collapse, or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;

   D. Be constructed of flood damage-resistant materials; and

   E. Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of the Building Code for wet locations.

2. *Non-elevated accessory structures.* Accessory structures are permitted below elevations required by the Florida Building Code provided the accessory structures are used only for parking or storage and:

   A. If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, are one-story and not larger than 600 sq. ft. and have flood openings in accordance with Section R322.2 of the Florida Building Code, Residential.

   B. If located in coastal high hazard areas (Zone V/VE), are not located below elevated buildings and are not larger than 100 sq. ft.

   C. Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.

   D. Have flood damage-resistant materials used below the base flood elevation plus one (1) foot.

   E. Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation plus one (1) foot.

3. *Fences in Regulated Floodways*. Fences in regulated floodways that have the potential to block the passage of floodwaters shall meet the limitations of Sec. 7-302.C.4, Limitations on Sites in Regulatory Floodways.

4. *Retaining Walls, Sidewalks and Driveways in Regulated Floodways*. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Sec. 7-302.C.4, Limitations on Sites in Regulatory Floodways.

5. *Roads and Watercourse Crossings in Regulated Floodways*. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings, and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways, shall meet the limitations of Sec. 7-302.C.4, Limitations on Sites in Regulatory Floodways. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Sec. 7-301.E.3, Additional Analyses and Certifications.

6. *Concrete Slabs Used as Parking Pads, Enclosure Floors, Landings, Decks, Walkways, Patios, and Similar Nonstructural Uses in Coastal High Hazard Areas (Zone V).* In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios, and similar nonstructural uses are permitted beneath or adjacent to buildings and structures, provided the concrete slabs are designed and constructed to be:

   A. Structurally independent of the foundation system of the building or structure;

   B. Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and

   C. Have a maximum slab thickness of not more than four inches.

7. *Decks and Patios in Coastal High Hazard Areas (Zone V)*. In addition to the requirements of the Florida Building Code, in coastal high hazard areas, decks and patios shall be located, designed, and constructed in compliance with the following:

   A. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.

   B. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure, or to adjacent buildings and structures.

C. A deck or patio that has a vertical thickness of more than 12 inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.

D. A deck or patio that has a vertical thickness of 12 inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.

8. *Other Development in Coastal High Hazard Areas (Zone V)*. In coastal high hazard areas, development activities other than buildings and structures may be permitted only if it is also authorized by the appropriate federal, state, or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

A. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;

B. Solid fences and privacy walls. and fences prone to trapping debris. unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and

C. On-site sewage treatment and disposal systems defined in Rule 64E-6.002, F.A.C., as filled systems or mound systems.

9. *Nonstructural Fill in Coastal High Hazard Areas (Zone V)*. In coastal high hazard areas:

A. Minor grading and the placement of minor quantities of nonstructural fill may be permitted for landscaping and for drainage purposes under and around buildings.

B. Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal may be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.

10. *Critical Facilities*. Critical facilities shall be located outside the limits of the special flood hazard area where feasible. Construction of new critical facilities shall be permissible within the special flood hazard area if no feasible alternative site is available.

If permitted, critical facilities shall be elevated or protected to or above the base flood elevation, plus two feet, or the 500-year (0.2 percent chance) flood elevation, whichever is higher. Flood proofing and sealing measures shall be implemented to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the base flood elevation shall be provided to all critical facilities, to the maximum extent practicable. Critical facilities shall be designed to remain operable during such an event.

11. *Standards for Areas in the B, C, and X Zones*. All new buildings not located in the areas of special flood hazard established in Sec. 7-301.B.1.C, shall have the lowest floor elevation (including basement) constructed at least 12 inches above the crown of the nearest local street, unless the Building Official determines there are extenuating circumstances that would preclude meeting that elevation.

7-303. Definitions.

A. **General.**

1. *Terms Defined in the Florida Building Code*. Where terms are not defined in this section and are defined in the Florida Building Code, such terms will have the meanings ascribed to them in that code.

2. *Terms Not Defined*. Where terms are not defined in this section or the Florida Building Code, such terms will have ordinarily accepted meanings such as the context implies.

B. **Definitions.** Unless otherwise expressly stated, the following words and terms, for the purposes of this section only, have the meanings shown in this subsection.

Accessory structure means a structure on the same parcel of property as a principal structure and the use of which is limited to parking and storage incidental to the use of the principal structure.

Alteration of a Watercourse means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal means a request for a review of the Floodplain Administrator's interpretation of any provision of this section.

ASCE 24 means a standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base Flood means a flood having a one percent chance of being equaled or exceeded in any given year. [Also defined in Florida Building Code, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "one-percent-annual chance flood."

Base Flood Elevation means the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM).

Basement means the portion of a building having its floor subgrade (below ground level) on all sides.

Coastal High Hazard Area means a special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

Conditional Letter of Map Revision (CLOMR) means a formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective FIRM or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Critical Facility means one or more of the following:

(1) Structures or facilities that commercially produce, use, or store highly volatile, flammable, explosive, toxic and/or water-reactive materials that are defined as extremely hazardous substances by the EPA under Sec. 302 of the Emergency Planning and Community Right-to-Know Act, Title III of the Superfund Amendments and Reauthorization Act of 1986, 42 USC;

(2) Nursing homes, hospitals, and social service homes;

(3) Structures used as law enforcement stations, fire stations, governmental vehicle and equipment storage facilities, and emergency operations centers that are needed for emergency response activities before, during, and after a flood incident; and

(4) Public or private utility facilities that are vital to maintaining and restoring normal services to flooded areas before, during, and after a flood incident.

Declaration of Land Restriction (Nonconversion Agreement). A form provided by the Floodplain Administrator to be signed by the property owner and recorded on the property deed in the Official Records of the Lee County Clerk of Courts. By signing, the owner agrees not to covert or modify enclosures below elevated buildings in any manner inconsistent with the terms of the building permit and these regulations.

Design Flood means the flood associated with the greater of the following two areas:

(1) Area with a floodplain subject to a one percent or greater chance of flooding in any year; or

(2) Area designated as a flood hazard area on the FIRM or otherwise legally designated.

Design Flood Elevation means the elevation of the "design flood," including wave height, relative to the datum specified on the FIRM. In areas designated as Zone AO, the design flood elevation will be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the FIRM. In areas designated as Zone AO where the depth number is not specified on the map, the depth number will be taken as being equal to two feet.

Development means any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations, or any other land disturbing activities.

Encroachment means the placement of fill, excavation, buildings, permanent structures, or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing Building and Existing Structure means any buildings and structures for which the "start of construction" commenced before September 19, 1984.

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before September 19, 1984.

Federal Emergency Management Agency (FEMA) means the federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry land from:

(1) The overflow of inland or tidal waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Damage-Resistant Materials means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Flood Hazard Area means the greater of the following two areas:

(1) The area within a floodplain subject to a one percent or greater chance of flooding in any year.

(2) The area designated as a flood hazard area on the FIRM or otherwise legally designated.

Flood Insurance Rate Map (FIRM) means the official map of the Village on which FEMA has delineated both special flood hazard areas and the risk premium zones applicable to the Village.

Flood Insurance Study (FIS) means the official report provided by FEMA that contains the FIRM, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data.

Floodplain Administrator means the office or position designated and charged with the administration and enforcement of this section (may be referred to as the Floodplain Manager). The Village Manager serves as the Floodplain Manager in accordance with this section.

Floodplain Development Permit or Approval means an official document or certificate issued by the Floodplain Administrator, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this section.

Floodway means the channel of a river or other riverine watercourse and the adjacent land areas that shall be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floodway Encroachment Analysis means an engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations. The evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Florida Building Code means the family of codes adopted by the Florida Building Commission, including the Florida Building Code, Building: the Florida Building Code, Residential: the Florida Building Code, Existing Building; the Florida Building Code, Mechanical; the Florida Building Code, Plumbing; the Florida Building Code, Fuel Gas.

Functionally Dependent Use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic Structure means any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12 ~~11~~: Historic Buildings.

Letter of Map Amendment (LOMA) means an amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective FIRM and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Change (LOMC) means an official determination issued by FEMA that amends or revises the FIRM or FIS. The LOMCs include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), Letter of Map Revision Based on Fill (LOMR-F), and Conditional Letter of Map Revision (CLOMR).

Letter of Map Revision (LOMR) means a revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F) means a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill shall have been permitted and placed in accordance with this section.

Light-Duty Truck means as defined in 40 CFR 86.082-2, any motor vehicle rated at 8,500 pounds gross vehicular weight rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

(1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle;

(2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or

(3) Available with special features enabling off-street or off-highway operation and use.

Lowest Floor means the lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24.

Manufactured Home means a structure, transportable in one or more sections, which is eight feet or more in width and greater than 400 square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer".

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market Value means the value of buildings and structures, excluding the land and other improvements on the parcel. Market value is the actual cash value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) determined by a qualified independent appraiser, or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

New Construction means for the purposes of this section and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after September 19, 1984 and includes any subsequent improvements to such structures.

Park Trailer means a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances.

Permanent Construction means does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Recreational Vehicle means a vehicle, including a park trailer, which is:

(1) Built on a single chassis;

(2) 400 square feet or less when measured at the largest horizontal projection;

(3) Designed to be self-propelled or permanently towable by a light-duty truck; and

(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Repetitive Loss means flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.
Special Flood Hazard Area means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, Al-A30, AE, A99, AH, Vl-V30, VE or V.

Start of Construction. The date of issuance of permits for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Substantial Damage means damage sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. The term also includes buildings and structures that have experienced repetitive loss.

Substantial Improvement means any combination of repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, taking place during a five-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. For each building or structure, the five-year period begins on the date of the first improvement or repair of the building or structure subsequent to November 18, 1992. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include either:

(1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the Building Official and that are the minimum necessary to assure safe living conditions.

(2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Variance means a grant of relief from the requirements of this section, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this section or the Florida Building Code.

Watercourse means a river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

~~**Section 2. Repeal of Ordinance 2015-16.**~~

~~The Village Council hereby confirms that the adoption of the Land Development Code by Ordinance 2020-10, specifically Section 1-902 adopting the Florida Building Code as codified in Chapter 553, Florida Statutes, was intended to repeal earlier building code regulations adopted by Ordinance 2015-16, and that to eliminate any doubt declares that Ordinance 2015-16 is no longer in effect.~~

Section 3. Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

Section 4. Conflicts.

All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the Village or any of its officials and in conflict with this ordinance are hereby repealed to the extent inconsistent herewith.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon adoption.

PASSED on first reading the _____ day of_____, 2025.

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

Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____ By: _____
Carol Sacco, Village Clerk Joanne Ribble, Mayor

Reviewed for legal sufficiency:

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

Vote:	AYE	NAY
Mayor Ribble	____	____
Vice Mayor Zaluki	____	____
Councilmember Fayee	____	____
Councilmember Hunt	____	____
Councilmember Lopez	____	____
Councilmember McLain	____	____
Councilmember Ward	____	____

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
June 4, 2025

Agenda Item:

First Reading of Ordinance No. 2025-06, Mayfair Village RPD Rezoning

Motion to Pass First Reading of Ordinance No. 2025-06 and Set Public Hearing and Second Reading for June 18, 2025.

Background:

This is a rezoning for 7.5 acres of property located at the southwest corner of Sandy Lane and Broadway Avenue East. The site is vacant and is proposed to be rezoned to Residential Planned Development for a 17 lot single family residential project.

Description:

See attached staff report for detail.

The Planning, Zoning, and Design Board held a public hearing at its May 13th meeting and unanimously recommended approval to Council with an additional condition addressing providing electric service to adjacent property.

Action Requested:

Motion to Pass First Reading of Ordinance No. 2025-06 and Set Public Hearing and Second Reading for June 18, 2025.

Process and Timeline:

- Public Information Meeting October 29,2024
- Planning, Zoning and Design Board Hearing May 13, 2025
- Council First Reading June 4, 2025
- Council Second Reading and Public Hearing June 18, 2025

Financial Impact:

Minor cost for newspaper advertisement for second reading.

Prepared by: Christopher Baker

Attachments:

1. Ordinance No. 2025-06 with Exhibits
2. Staff Report

VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2025-06

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING WITH CONDITIONS REZONING FOR PROPERTY BOUNDED BY THE SEMINOLE GULF RAILWAY ROW ON THE WEST, BROADWAY AVENUE EAST ON THE NORTH, SANDY LANE ON THE EAST AND 20920/922 SANDY LANE ON THE SOUTH, ALL IN THE VILLAGE OF ESTERO, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, LENNAR HOMES, LLC, represented by RESPEC Company, LLC. (the "Applicant"), filed an application to rezone property on 7.34+/- acres (the "Property") for a 17-lot single family residential development; and

WHEREAS, the property consists of two (2) separate parcels and are legally described in Exhibit D attached hereto, and

WHEREAS, the 5.54 +/- acre parcel is zoned Residential Planned Development as approved by Lee County Board of County Commissioners on February 19, 2007 by Zoning Resolution Z-06-073; and

WHEREAS, the 2.183 +/- acre parcel is zoned Agricultural; and

WHEREAS, both properties are now under the jurisdiction of the Village of Estero; and

WHEREAS, the zoning case number is DCI2024-E008; and

WHEREAS, the Applicant proposes a 17-lot single family development, with a Master Concept Plan, supplemental Pattern Book, and two deviations; and

WHEREAS, a noticed Public Information Meeting was held on October 29, 2024 at the Planning Zoning and Design Board; and

WHEREAS, a duly noticed public hearing was held at the Planning Zoning and Design Board on May 13, 2025; and

WHEREAS, a duly noticed first reading was held before the Village Council on June 4, 2025; and

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on June 18 , 2025, 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.

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

Section 1. Rezoning.

The Village Council approves the rezoning from Agricultural and Residential Planned Development to Residential Planned Development with the following conditions.

Section 2. Conditions.

1. Master Concept Plan

The development of this project must be consistent with the Master Concept Plan titled "Mayfair Village Master Concept Plan" date stamped received May 28, 2025, attached as Exhibit A. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. Typical Sections

The development of this project must be consistent with the cross-section document entitled "Mayfair Village Typical Sections" date stamped received May 28, 2025, attached as Exhibit B. This development shall provide an 8-foot-wide sidewalk easement to the Village of Estero along Broadway Avenue East as shown by cross-sections A, B, and C. If changes to the Typical Sections are subsequently pursued, appropriate approvals will be necessary

3. Pattern Book

The development of this project must be substantially consistent with the Pattern Book entitled "Mayfair Village RPD Pattern Book" date stamped received May 28, 2025, attached as Exhibit C. If changes to the Pattern Book are subsequently pursued, appropriate approvals will be necessary.

4. Prior Zoning Resolution

Lee County Zoning Resolution Z-06-073 shall be null and void.

5. Approved Uses

The following limits apply to the project and uses:

a. Residential Single Family Detached (limited to 17 dwelling units)
b. Fences and walls
c. Accessory Uses

6. Site Development Regulations

   a. Minimum Lot Area: 6,500 sq. ft.
   b. Minimum Lot Width: 60 feet
   c. Minimum Lot Depth: 120 feet
   d. Minimum Front Setback: 20 feet
   e. Minimum Rear Setback: 15 feet
   f. Minimum Side Setback: 5 feet
   g. Maximum Building Height: 35 feet (2 stories)
   h. Single-family homes on the 2 lots immediately adjacent to Broadway Ave East shall be restricted to single story with the garages located on the south side of the respective lots.

7. Environmental Conditions

   a. Prior to Development Order approval, Applicant shall furnish an approved Florida Fish and Wildlife tortoise relocation permit.

   b. The project shall meet all flood regulations of the Village of Estero in force at the time of Development Order approval.

   c. No pile driving or blasting shall be permitted during infrastructure or home construction.

   d. The Developer shall work with the Village of Estero and cooperate in potential cost-sharing agreements related to the Broadway Avenue West sewer project.

   e. Surface Water Management dedication and maintenance covenants shall be provided prior to Development Order approval.

8. Transportation Conditions

   a. Secondary Emergency Access to the south is required to be constructed in conformance with the Fire Code.

9. Concurrency

   Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements in the Village of Estero LDC. The developer is required to demonstrate compliance with all mandatory concurrency requirements prior to the approval of the Development Order.

10. 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.

11. Subdivision Plat

Prior to issuance of building permits on individual lot, except for model homes, a Subdivision Plat of the subject property that creates no more than 17 lots must be submitted, reviewed, and approved.

12. 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.

13. Electric Power

As agreed to by the applicant, the developer shall be responsible to provide underground residential electric service to the existing drop at 20590 Sandy Lane.

Section 3. Deviations.

1. Deviation 1 seeks relief from the Estero LDC Section 5-304.A.1.A. requirement regarding minimum center-to-center roadway connection separation distance of 330 on collector roads, to allow for a roadway connection of 293 feet on Broadway Avenue East.

   Deviation 1 is approved.

2. Deviation 2 seeks relief from Estero LDC Section 5-304.A.4.C. which specifies two means of ingress/egress to residential developments of more than five acres, to allow to one primary ingress/egress and a secondary emergency access.

   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.

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 "Mayfair Village Master Concept Plan" date stamped received May 28, 2025

Exhibit B "Mayfair Village Typical Sections" date stamped received May 28, 2025

Exhibit C "Mayfair Village RPD Pattern Book" date stamped received May 28, 2025

Exhibit D Legal Description

Section 6. Severability.

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

Section 7. Effective Date.

This Ordinance shall take effect immediately upon adoption.

PASSED on first reading the 4th day of June, 2025.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida on second reading this 18th day of June, 2025.

Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____ By: _____
Carol Sacco, Village Clerk 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	_____	_____

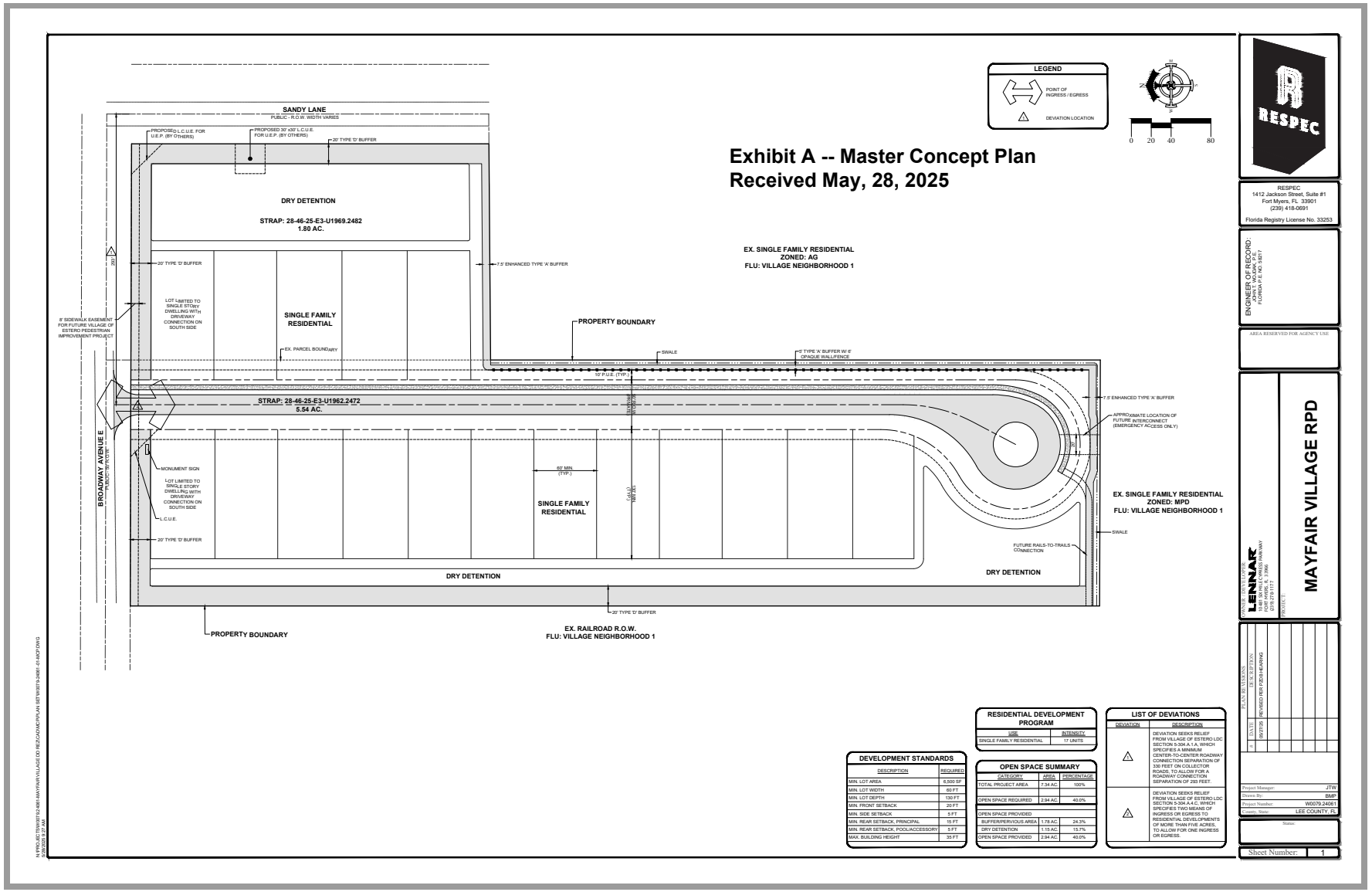
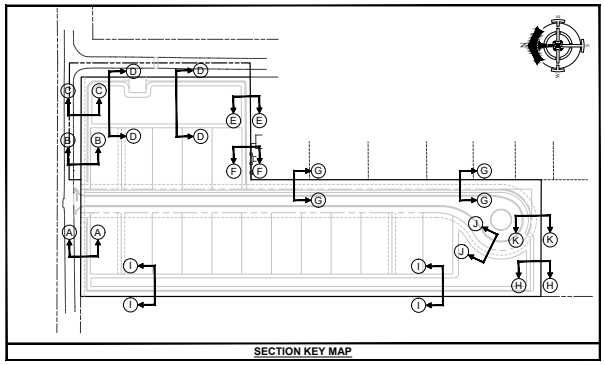
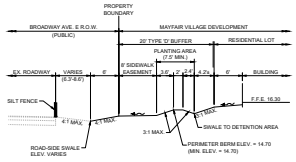
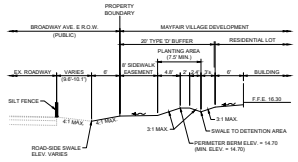


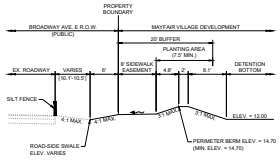
Exhibit A -- Master Concept Plan
Received May, 28, 2025
LEGEND
POINT OF INGRESS / EGRESS
DEVIATION LOCATION
0 20 40 80
SANDY LANE
PUBLIC - R.O.W. WIDTH VARIES
PROPOSED L.C.U.E. FOR U.E.P. (BY OTHERS)
PROPOSED 30' x30' L.C.U.E. FOR U.E.P. (BY OTHERS)
20' TYPE 'D' BUFFER
DRY DETENTION
STRAP: 28-46-25-E3-U1969.2482
1.80 AC.
EX. SINGLE FAMILY RESIDENTIAL
ZONED: AG
FLU: VILLAGE NEIGHBORHOOD 1
7.5' ENHANCED TYPE 'A' BUFFER
8' SIDEWALK EASEMENT FOR FUTURE VILLAGE OF ESTERO PEDESTRIAN IMPROVEMENT PROJECT
LOT LIMITED TO SINGLE STORY DWELLING WITH DRIVEWAY CONNECTION ON SOUTH SIDE
SINGLE FAMILY RESIDENTIAL
EX. PARCEL BOUNDARY
PROPERTY BOUNDARY
SWALE
3' TYPE 'A' BUFFER W/ 6' OPAQUE WALLFENCE
10' P.U.E. (TYP.)
STRAP: 28-46-25-E3-U1962.2472
5.54 AC.
BROADWAY AVENUE E
PUBLIC - 70' R.O.W.
APPROXIMATE LOCATION OF FUTURE INTERCONNECT (EMERGENCY ACCESS ONLY)
MONUMENT SIGN
LOT LIMITED TO SINGLE STORY DWELLING WITH DRIVEWAY CONNECTION ON SOUTH SIDE
L.C.U.E.
60' MIN. (TYP.)
EX. SINGLE FAMILY RESIDENTIAL
ZONED: MPD
FLU: VILLAGE NEIGHBORHOOD 1
FUTURE RAILS-TO-TRAILS CONNECTION
DRY DETENTION
DRY DETENTION
PROPERTY BOUNDARY
EX. RAILROAD R.O.W.
FLU: VILLAGE NEIGHBORHOOD 1
RESIDENTIAL DEVELOPMENT PROGRAM
USE | INTENSITY
SINGLE FAMILY RESIDENTIAL | 17 UNITS
LIST OF DEVIATIONS
DEVIATION | DESCRIPTION
1 | DEVIATION SEEKS RELIEF FROM VILLAGE OF ESTERO LDC SECTION 5-304.A.1.A, WHICH SPECIFIES A MINIMUM CENTER-TO-CENTER ROADWAY CONNECTION SEPARATION OF 330 FEET ON COLLECTOR ROADS, TO ALLOW FOR A ROADWAY CONNECTION SEPARATION OF 293 FEET.
2 | DEVIATION SEEKS RELIEF FROM VILLAGE OF ESTERO LDC SECTION 5-304.A.4.C, WHICH SPECIFIES TWO MEANS OF INGRESS OR EGRESS TO RESIDENTIAL DEVELOPMENTS OF MORE THAN FIVE ACRES, TO ALLOW FOR ONE INGRESS OR EGRESS.
DEVELOPMENT STANDARDS
DESCRIPTION | REQUIRED
MIN. LOT AREA | 6,500 SF
MIN. LOT WIDTH | 60 FT
MIN. LOT DEPTH | 130 FT
MIN. FRONT SETBACK | 20 FT
MIN. SIDE SETBACK | 5 FT
MIN. REAR SETBACK, PRINCIPAL | 15 FT
MIN. REAR SETBACK, POOL/ACCESSORY | 5 FT
MAX. BUILDING HEIGHT | 35 FT
OPEN SPACE SUMMARY
CATEGORY | AREA | PERCENTAGE
TOTAL PROJECT AREA | 7.34 AC. | 100%
OPEN SPACE REQUIRED | 2.94 AC. | 40.0%
OPEN SPACE PROVIDED
BUFFER/PERVIOUS AREA | 1.78 AC. | 24.3%
DRY DETENTION | 1.15 AC. | 15.7%
OPEN SPACE PROVIDED | 2.94 AC. | 40.0%
RESPEC
1412 Jackson Street, Suite #1
Fort Myles, FL 33901
(239) 418-0691
Florida Registry License No. 33253
ENGINEER OF RECORD:
JOSEPH T. WALKER III
FLORIDA P.E. NO. 93677
AREA RESERVED FOR AGENCY USE
LENNAR
10481 ben pratt blvd, suite 1
fort myers, fl 33966
(239) 278-3111
MAYFAIR VILLAGE RPD
PLAN REVISIONS
1 | 8/27/25 | RESPONSE TO 1ST SUFFICIENCY REVIEW
2 | 10/27/25 | REVISED PER FCDS HEARING
Project Manager: JTW
Drawn By: BMP
Project Number: W0079.24061
County, State: LEE COUNTY, FL
Status:
Sheet Number: 1

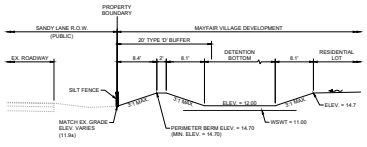
Exhibit B Received May 28, 2025

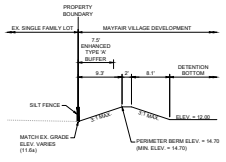


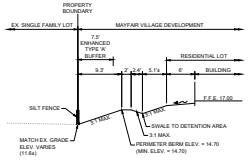


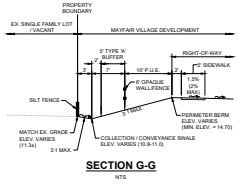


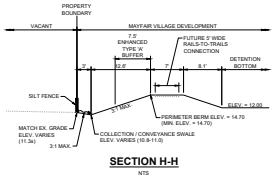


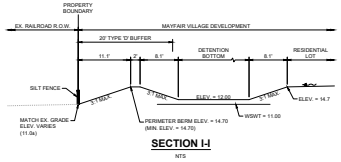


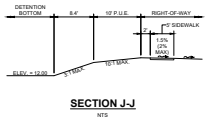


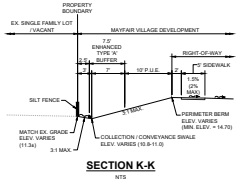


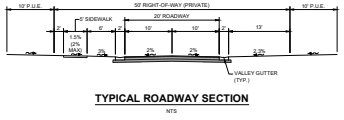












RESPEC
1412 Jackson Street, Suite #1
Fort Myers, FL 33901
(239) 418-0691
Florida Registry License No. 33253

ENGINEER OF RECORD:
JEFFREY T. WEIR, P.E.
FLORIDA P.E. NO. 35017

OWNER / DEVELOPER:
LENNAR
13981 SW MILL CYPRESS PARKWAY
PALM CITY, FL 34990
(239) 278-1177

PROJECT:
BROADWAY CROSSING

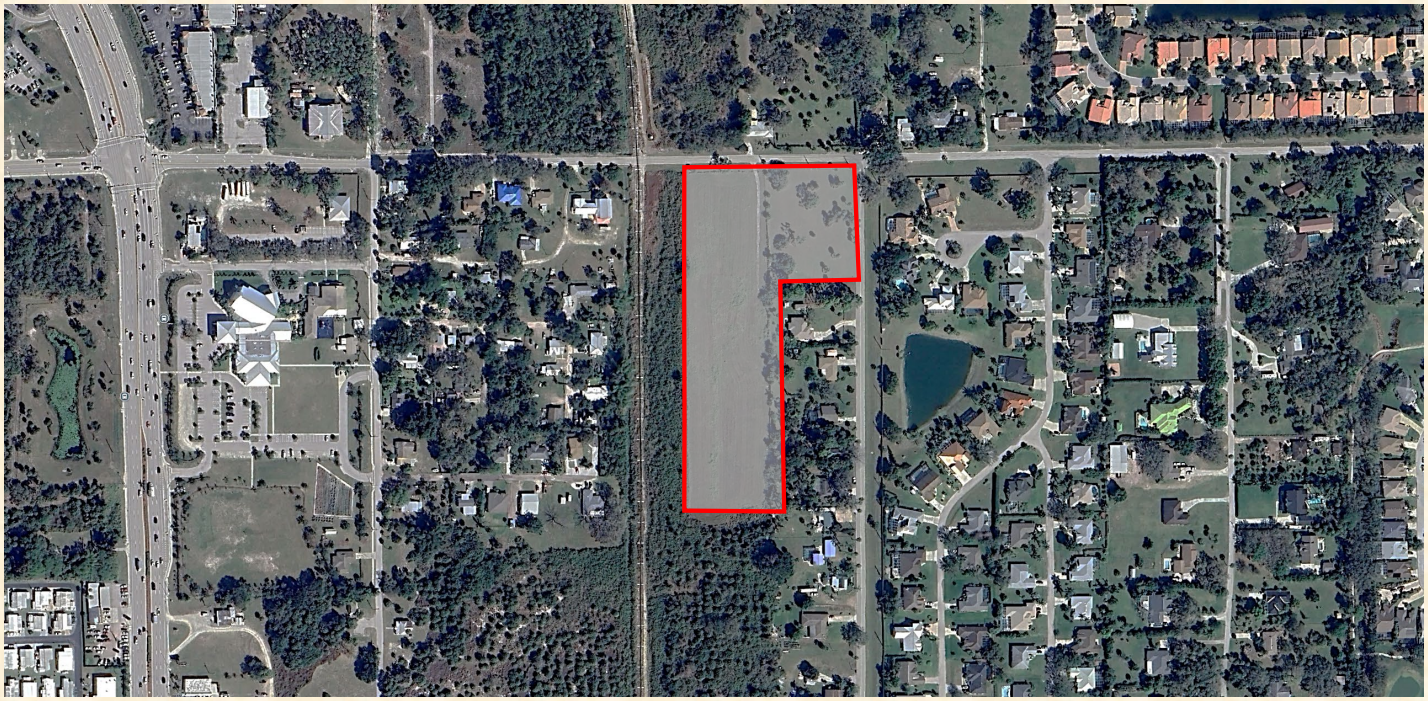
#	DATE	REVISION/S

TYPICAL SECTIONS

Project Manager:	JTW
Drawn By:	CAS
Project Number:	W0079.25072
County, State:	LEE COUNTY, FL
Status:	

Sheet Number: 8

Mayfair Village RPD



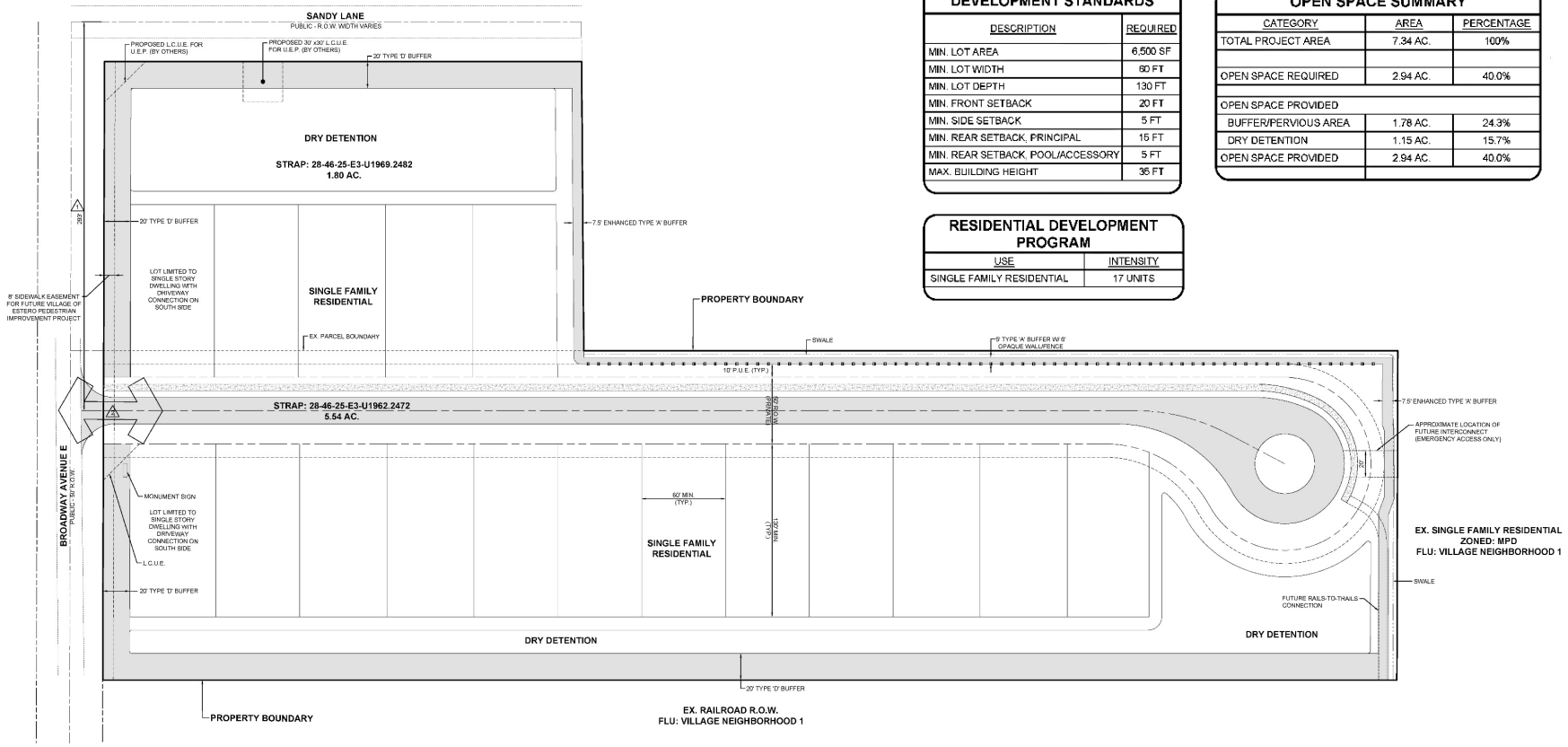
Pattern Book

Exhibit C
Received May 28, 2025

May 2025

(revised per May 13, 2025 PZDB)

Master Concept Plan



DEVELOPMENT STANDARDS

DESCRIPTION	REQUIRED
MIN. LOT AREA	6,500 SF
MIN. LOT WIDTH	60 FT
MIN. LOT DEPTH	130 FT
MIN. FRONT SETBACK	20 FT
MIN. SIDE SETBACK	5 FT
MIN. REAR SETBACK, PRINCIPAL	15 FT
MIN. REAR SETBACK, POOL/ACCESSORY	5 FT
MAX. BUILDING HEIGHT	35 FT

OPEN SPACE SUMMARY

CATEGORY	AREA	PERCENTAGE
TOTAL PROJECT AREA	7.34 AC.	100%
OPEN SPACE REQUIRED	2.94 AC.	40.0%
OPEN SPACE PROVIDED		
BUFFER/PERVIOUS AREA	1.78 AC.	24.3%
DRY DETENTION	1.15 AC.	15.7%
OPEN SPACE PROVIDED	2.94 AC.	40.0%

RESIDENTIAL DEVELOPMENT PROGRAM

USE	INTENSITY
SINGLE FAMILY RESIDENTIAL	17 UNITS

MAY 2025

MAYFAIR VILLAGE PATTERN BOOK | 2

Open Space and Buffers

OPEN SPACE: Approximately 2.9 acres of total open space within the development.

STORMWATER MANAGEMENT AREAS: Located along the west and east property lines.

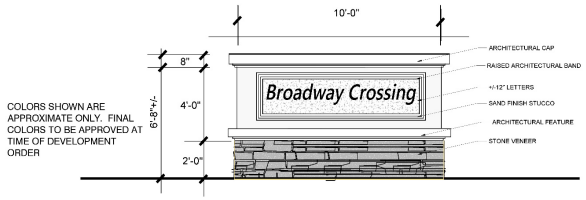
BUFFERS: Enhanced 7.5-foot Type 'A' against ex. residential (side); 5' Type 'A' w/ 6' wall/fence against ex. residential (rear);20-foot Type 'D' abutting right-of-way.

Dwelling Concepts

Key Features

- Tile Roof
- 3-Car Garage
- Paver Driveway
- CBS Construction

Monument Sign and Landscaping



ENTRY SIGN CONCEPT
SCALE: N.T.S

SITE DEVELOPMENT DATA

TOTAL SITE = 7.34 Ac. (319,730 S.F.)

OPEN SPACE REQUIREMENTS
40% OPEN SPACE REQUIRED
319,730 X 40% =127,892 SF (2.94AC) REQUIRED.
OPEN SPACE PROVIDED
DRY DETENTION: 1.15 AC
BUFFERS/PERVIOUS AREA: 1.78
OPEN SPACE PROVIDED: 2.94

HERITAGE TREES
ONE EXISTING HERITAGE PINE IS LOCATED ON THE SITE. A TREE SURVEY SHALL BE PROVIDED AT TIME OF DEVELOPMENT ORDER TO CONFIRM LOCATION. IF REMOVAL IS REQUIRED DUE TO FILL REQUIREMENTS, REPLACEMENT HERITAGE TREE SHALL BE PER LDC REQUIREMENTS.

GENERAL TREE REQUIREMENTS
1 TREE PER 3,000 SF OF SITE AREA
319,730 / 3,000 = 107 TREES REQUIRED AND 107 PROVIDED.
NOTE: 16' TREES MAY BE USED AT A 2:1 CREDIT FOR GENERAL TREES. GENERAL TREE REQUIREMENTS MAY NOT BE REDUCED MORE THE 50%.

A MAXIMUM OF 50 -16' TREES MAY BE USED AT 2:1 CREDIT TOWARDS GENERAL TREES

WATER MANAGEMENT PLANTING REQUIREMENTS
PER SECTION 33-111(d) OF SUBDIVISION 1 OF ESTERO PLANNING COMMUNITY REGULATIONS:
DETENTION BASINS MUST BE PLANTED WITH WETLAND SPECIES AT 36" OC THROUGHOUT THE BASIN.

DETENTION AREA PLANTED WITH 1 GALLON SPARTINA AT 3' OC. NO MULCH TO BE IN DETENTION BOTTOM

BUFFER REQUIREMENTS:

PROJECT EAST BUFFER
RPD - R.O.W.
20' TYPE 'D' BUFFER
WITH 5 TREES AND DOUBLE HEDGE ROW PER 100 L.F.
350 L.F. / 100 X 5 = 18 TREES
350 LF / 100 X 66 = 231 SHRUBS

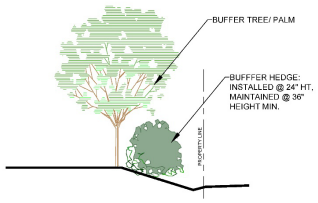
PROJECT NORTH BUFFER
RPD - R.O.W.
20' TYPE 'D' BUFFER
WITH 5 TREES AND DOUBLE HEDGE ROW PER 100 L.F.
425 LF / 100 X 5 = 21 TREES
425 LF / 100 X 66 = 280 SHRUBS

PROJECT WEST BUFFER
RPD - R.O.W.
20' TYPE 'D' BUFFER
WITH 5 TREES AND DOUBLE HEDGE ROW PER 100 L.F.
950 LF / 100 X 5 = 48 TREES
950 LF / 100 X 66 = 627 SHRUBS

PROJECT SOUTH BUFFER
S.F.- S.F.
7.5' ENHANCEDBUFFER REQUIRED, W/
4 TREES PER 100 LINEAL FOOT & HEDGE ROW PROVIDED.
220 L.F. / 100 x 4 = 9 TREES
74 SHRUBS

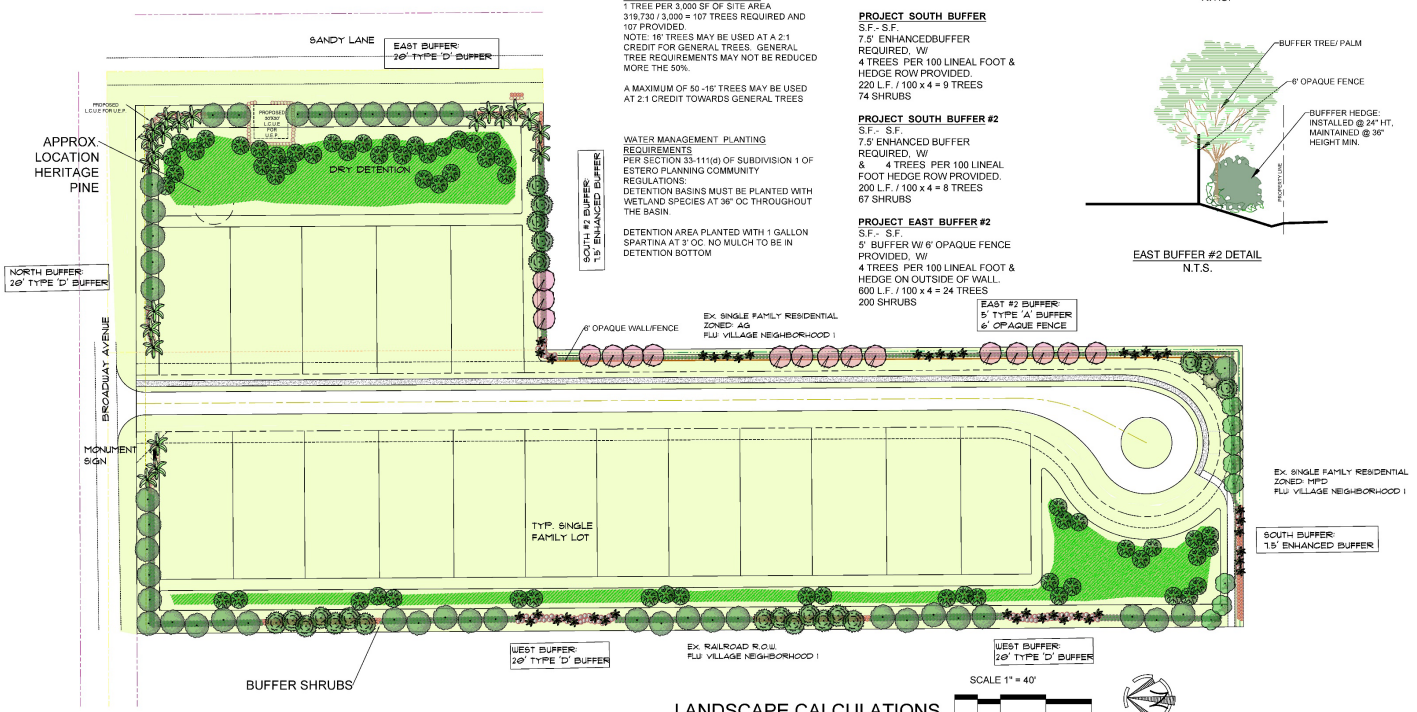
PROJECT SOUTH BUFFER #2
S.F.- S.F.
7.5' ENHANCED BUFFER REQUIRED, W/
& 4 TREES PER 100 LINEAL FOOT HEDGE ROW PROVIDED.
200 L.F. / 100 x 4 = 8 TREES
67 SHRUBS

PROJECT EAST BUFFER #2
S.F.- S.F.
5' BUFFER W/ 6' OPAQUE FENCE PROVIDED, W/
4 TREES PER 100 LINEAL FOOT & HEDGE ON OUTSIDE OF WALL.
600 L.F. / 100 x 4 = 24 TREES
200 SHRUBS



SOUTH & SOUTH BUFFER #2 DETAIL
N.T.S.

EAST BUFFER #2 DETAIL
N.T.S.



LANDSCAPE CALCULATIONS

MAY 2025

MAYFAIR VILLAGE PATTERN BOOK | 5

Landscaping Planting Palette

Quercus virginiana-Live Oak

Bucida buceras 'Shady Lady' Black Olive

Bursera simaruba- Gumbo Limbo

LARGE CANOPY TREES

Roystonea elata - Royal Palm

Sabal palmetto

PALMS

Pinus elliottii densa

Tabebuia impetiginos Pink Tabebuia

Lagerstroemia indica

CANOPY TREES

Taxodium distichum

Conocarpus erectus-Green Buttonwood

DETENTION PLANTINGS

Clusia

Hamelia patens
Fire Bush & Dwarf Firebush

Serenoa repens 'Cinerea'
Silver Palmetto

Chrysobalanus icaco
Cocoplum

BUFFER SHRUBS

Spartina bakeri
Cord Grass

Muhlenbergia capillaris
Muhly Grass

Tripsacum floridanum
Dwarf Fakahatchee Grass

DETENTION PLANTINGS

NOTES:
* ADDITIONAL SPECIES COMPLYING WITH LDC REQUIREMENTS MAY BE ACCEPTABLE.
* FIL COUNTS AND SPECIES TO BE DETERMINED AT TIME OF DEVELOPMENT

"EXHIBIT D"

SKETCH AND DESCRIPTION

OF A PARCEL LYING IN SECTION 28, TOWNSHIP 46 SOUTH
RANGE 25 EAST, LEE COUNTY, FLORIDA

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, A PORTION OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING A COMBINATION OF THE PARCELS DESCRIBED IN WARRANTY DEED RECORDED AS INSTRUMENT #2022000246783 AND WARRANTY DEED RECORDED AS INSTRUMENT #2025000027926, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST QUARTER CORNER OF SAID SECTION 28; THENCE S.89°51'30"W., ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION AND THE CENTERLINE OF BROADWAY EAST, A VARIABLE WIDTH RIGHT OF WAY, FOR A DISTANCE OF 30.00 FEET; THENCE S.00°17'55"E., FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE S.00°17'55"E., ALONG THE WEST RIGHT OF WAY LINE OF SANDY LANE, AN 80 FOOT RIGHT OF WAY (30' FROM FROM THE SECTION LINE) FOR A DISTANCE OF 358.26 FEET; THENCE S.89°15'56"W. FOR A DISTANCE OF 217.50 FEET; THENCE S.00°17'55"E. FOR A DISTANCE OF 615.29 FEET; THENCE S.89°51'30"W. FOR A DISTANCE OF 247.50 FEET; THENCE N.00°17'55"W. FOR A DISTANCE OF 975.80 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF SAID BROADWAY EAST; THENCE N.89°51'30"E., ALONG SAID RIGHT OF WAY, FOR A DISTANCE OF 465.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 7.34 ACRES, MORE OR LESS

THIS SKETCH & DESCRIPTION HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY DENIS J. O'CONNELL, Jr. USING A DIGITAL SIGNATURE AND DATE. PRINT COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

DENIS J. O'CONNELL JR. LICENSE NUMBER LS 5430 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

Denis J. O'Connell Jr.

Digitally signed by Denis J. O'Connell Jr.
Date: 2025.05.15 08:07:31 -04'00'

BY: _____
DENIS J. O'CONNELL Jr.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430

NOTES:

1. BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S.00°17'55"E.

2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.

3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

4. THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

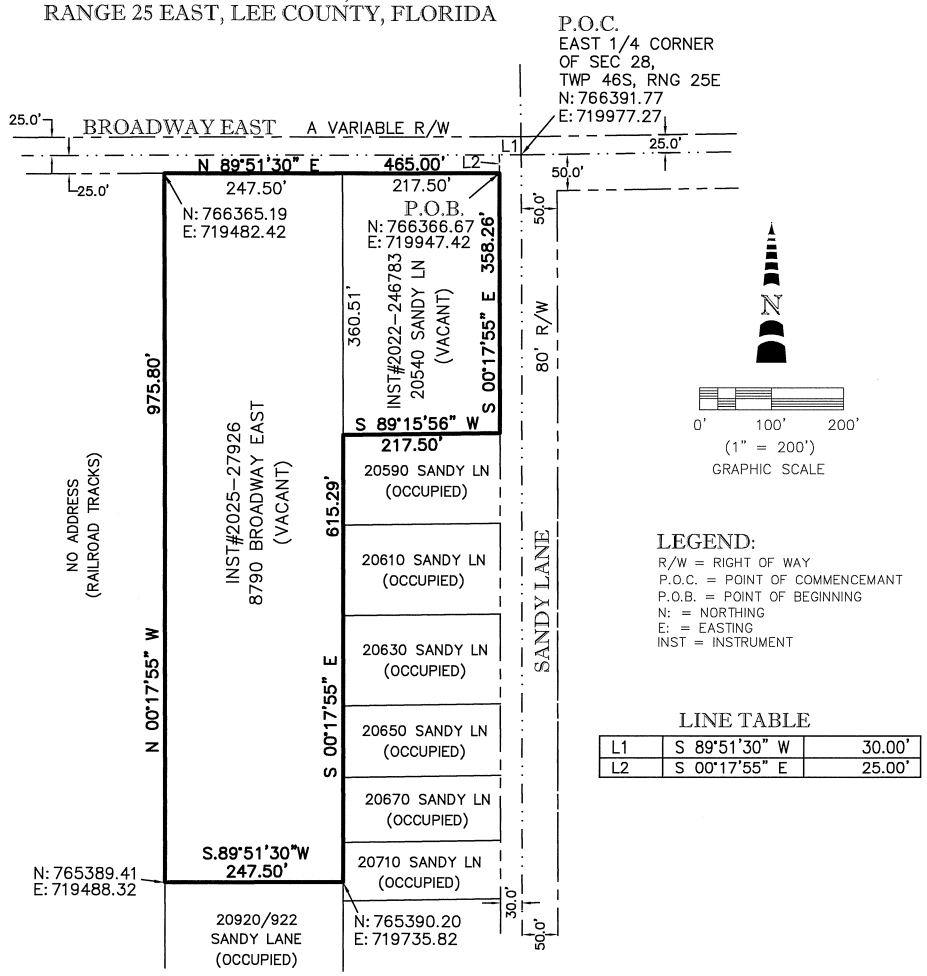
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

* THIS IS NOT A SURVEY *

TITLE:	LEGAL DESCRIPTION			
KEYSTONE A CLS COMPANY www.keystoneconsultants.net			10970 S. CLEVELAND AVE. SUITE #605 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 LB #8331	
FILE NAME: 15527OA SK.DWG	FIELD BOOK/PAGE: 744/43	PROJECT NO.: 15431/15527	SHEET: 1 OF 2	
EXHIBIT DATE: 5/08/2025	DRAWN BY: BUD	SCALE: 1"= 200'	CHECKED BY: DJO	FILE NO. (S-T-R) 28-46-25

SKETCH AND DESCRIPTION

OF A PARCEL LYING IN SECTION 28, TOWNSHIP 46 SOUTH
RANGE 25 EAST, LEE COUNTY, FLORIDA



LEGEND:
R/W = RIGHT OF WAY
P.O.C. = POINT OF COMMENCEMANT
P.O.B. = POINT OF BEGINNING
N: = NORTHING
E: = EASTING
INST = INSTRUMENT

LINE TABLE

L1	S 89°51'30" W	30.00'
L2	S 00°17'55" E	25.00'

NOTES:

1. BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S.00°17'55"E.
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
4. THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

* THIS IS NOT A SURVEY *

TITLE: SKETCH OF DESCRIPTION

KEYSTONE
A CLS COMPANY
www.keystoneconsultants.net
10970 S. CLEVELAND AVE.
SUITE #605
FORT MYERS, FLORIDA 33907
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LB #8331

FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
155270A SK.DWG	744/43	15431/15527	2 OF 2

EXHIBIT DATE:	DRAWN BY:	SCALE:	CHECKED BY:	FILE NO. (S-T-R)
5/08/25	BUD	1"= 200'	DJO	28-46-25

Mayfair Village Rezoning

Zoning Staff Report

For Village Council First and Second Readings

PROJECT NAME:	**Mayfair Village RPD**	
CASE TYPE:	**Rezoning**	
CASE NUMBER:	**DCI2024-E008**	
Village Council:	**June 4, 2025**	**First Reading**
	June 18, 2025	**Second Reading**

SUMMARY OF REQUEST

The applicant is requesting a rezoning from Agricultural (AG) and Residential Planned Development to Residential Planned Development (RPD) for a 7.5-acre site located at the southwest corner of Sandy Lane and Broadway Avenue East. The site is currently vacant and was previously used as a citrus farm.

The applicant is proposing:

- A total of 17 single family home lots
- A density of 2.26 units per acre
- A private non-gated cul-de-sac road

STAFF AND PLANNING ZONING AND DESIGN BOARD RECOMMENDATION

Staff and Planning Zoning and Design Board (PZDB) recommend approval of the rezoning request with conditions in the Ordinance. The PZDB considered this case on May 13, 2025 and unanimously recommended approval with the additional condition that the developer provide underground electric service to the adjacent property.

GENERAL INFORMATION

Applicant

Lennar Homes, LLC.

Owners

Ft. Myers Naples Church, Inc. and Jonathan Anderson

Authorized Agents

John Wojdak, PE
RESPEC Company, LLC

Location

8790 Broadway Avenue East and 20540 Sandy Lane

STRAP Numbers

28-46-25-E3-U1962.2472
28-46-25-E3-U1969-2482

Size of Property

7.5 Acres +/-

Surrounding Zoning and Land Use

North	Broadway Avenue East, then one single family home; Agriculture (AG)
East	Sandy Lane then The Groves single family neighborhood (RPD)
South	Single family home (AG) and vacant wooded Mixed Use Planned Development (MPD)
West	Railroad ROW then single family homes (AG)

Zoning Residential Planned Development (RPD) and Agriculture (AG)

Comprehensive Plan Land Use Category Village Neighborhood 1

Project History

The subject property was historically used as a citrus grove until approximately the late 1990s. By 2000, the property at the corner was entirely cleared as was the property along the railroad and are no longer in active farming. In February 2007, the 5.5 acres of the subject property along the rail line was rezoned by Lee County to Residential Planned Development (Z-06-073) to allow for 16 single family homes at a total density of 2.9 units per acre.

Public Information Meeting

A Public Information Meeting was held at the Planning and Zoning Design Board (PZDB) on October 29, 2024. The applicant presented its request. Board members emphasized the importance of the stormwater analysis in this area due to the project's proximity to the Estero River and the Village's ongoing drainage issues.

The Board asked if a lift station is proposed on-site, or if an off-site connection is proposed. Mary Gibbs added that water and sewer infrastructure are proposed to be constructed within proximity of the project. The Developer and Village of Estero Public Works have discussed using the Project to expedite utility construction.

Public comments included concerns about the density of the project, utility availability, traffic, and the proposed landscape screening.

STAFF ANALYSIS

Request

The applicant is proposing a rezoning from Agricultural (AG) and RPD to Residential Planned Development (RPD) to develop:

- Total of 17 single family homes at a density of 2.26 units per acre.
- Maximum building height of 35 feet (2 story).

A portion of the property was rezoned by Lee County in 2006 for a 16-lot single family subdivision that was never built. The applicant is adding more property and an additional unit for 17 total lots.

MASTER CONCEPT PLAN

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

- Single family home lots with an east/west orientation.
- Sidewalks along both sides of the private road and on the south side of Broadway Avenue East.
- Ingress/egress from Broadway Avenue East.
- Secondary emergency access to the south.

Parking

The applicant has indicated that the homes will have 2 and 3 car garages.

Perimeter Buffers and Landscaping

Sandy Lane – A 20-foot-wide Type "D" Buffer which requires 5 trees per 100 feet and double staggered hedge row.

Broadway Ave East – A 20-foot-wide Type "D" Buffer.

West Property Line – A 20-foot-wide Type "D" Buffer.

South Property Lines adjacent to single family homes – A 7'.5"-foot-wide Type "A" Buffer which requires 4 trees per 100 feet, with enhanced double hedgerow.

East Property Line adjacent to single family homes – A 5'-foot-wide Type "A" Buffer with 6' opaque fence, 4 trees per 100 feet, with hedge of the outside (adjacent property side) of the fence.

The development provides the required 40% open space.

Public Areas

The Master Concept Plan indicates a connection to the future rails-to-trails path that will be utilizing the railroad ROW immediately adjacent on the west side of the subject property. No other public areas are proposed as part of the project.

Pattern Book

A "Pattern Book" has been submitted by the developer. It specifies paver driveways, 1- and 2-story homes, and tile roofs. The homes will be constructed of concrete block on the 1st floor and wood framing on the 2nd floor.

Building Height

The project proposes 1 and 2 story homes with a maximum height of 35 feet.

Vehicular and Pedestrian Connections / Interconnections

There is one connection point proposed for the project. The non-gated private road is proposed to connect to Broadway Avenue East. Sidewalks are proposed on both sides of the private road, along the south side of Broadway Avenue East. Additionally, a pedestrian connection is proposed to the future rails-to-trails path.

Please note that the application requests a deviation from having 2 points of entry, as there is no proposed ingress/egress to Sandy Lane.

Schedule of Uses and Property Development Regulations

The proposed Schedule of Uses is limited and includes the following:

- 17 Single family home lots:
  6,500 minimum lot area
  60' lot width
  120' minimum lot depth
  Front setback of 20 feet
  Rear setback of 15 feet
  Side setback of 5 feet
  Maximum Building height of 35' (2 stories)

- Accessory Uses – normal and customary accessory uses as permitted by the LDC.

Transportation Analysis

The applicant provided a Traffic Impact Statement (TIS) which shows the proposed development will not have an adverse impact on the surrounding roadway network. The TIS indicated that AM peak trip totals 15 and PM peak trip totals 19. There are 198 daily 2-way trips. Therefore, there will not be a degradation of the Level of Service beyond the adopted Level of Service standards. The existing roadway network can accommodate the additional new vehicle trips that will be generated, and no turn lane is warranted.

Environmental Analysis

An ecological assessment was prepared for the applicant by BearPaws Environmental Consulting which indicated 33 gopher tortoise burrows, 26 active and 7 inactive. Construction activities are prohibited within 25 feet of a potentially occupied burrow without a Florida Fish & Wildlife Conservation Commission (FWC) permit. A FWC gopher tortoise relocation permit will be required to conduct development activities on the property.

Stormwater Management

The project will convey stormwater runoff via a closed drainage system within the proposed roadway. The drainage system will connect to dry detention areas on the east and west sides of the property for required water quality treatment and storm attenuation prior to discharging north to the roadside swale on Broadway Avenue East. Per SFWMD rules, the project shall not exceed the allowable discharge rate and must attenuate the 25-year, 3-day storm event. In addition, homes will be elevated above the 100-year, zero discharge peak stage. The development shall be designed in accordance with the Village of Estero LDC Section 7-206 – Surface Water Management.

The stormwater management system will adhere to the guidelines set forth by The Village of Estero and South Florida Water Management District. The stormwater system will be reviewed in more detail during the development order process.

Utilities

Lee County Utilities has provided a letter regarding the availability of potable water and wastewater service for this project. Per the letter, to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required. Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through the Pinewood Water Treatment Plant. Sanitary sewer service will be provided by the Three Oaks Water Reclamation Facility.

This property is located in an area where the Village plans to extend water and sewer infrastructure. The developer has indicated their willingness to cooperate with the Village to facilitate the project.

A condition added by the Planning Zoning Design Board was for the developer to provide underground electric service to the adjacent property. The existing home is supplied power by FPL through overhead lines that will be removed. The applicant and the homeowner both agreed to this condition and it is included in the Ordinance.

Fire

Estero Fire Rescue did not have any comments after reviewing the proposed cul-de-sac and the submitted geometry.

COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE ANALYSIS

Comprehensive Plan

The project is in Village Neighborhood 1 (VN1) Land Use category. The category is described in the Comprehensive Plan excerpt below:

> The VN1 areas are characterized by predominantly residential uses of lower densities with the potential for commercial uses of a minor commercial or neighborhood center scale. Some, but not all, of the requisite infrastructure needed for development is generally planned or in place. These areas were generally designated Rural, Sub-Outlying Suburban, Outlying Suburban, or Suburban in the Village's Transitional Comprehensive Plan. These areas have been developed or planned with existing or emerging residential neighborhoods. Golf courses constitute the predominant open space in many of these neighborhoods, and gross densities range from one dwelling unit per acre (1 du/acre) to four dwelling units per acre (4 du/acre). VN1 designated areas are either on the fringe of natural resources, or in proximity to urban commercial or transitional mixed-use areas. Examples include Wildcat Run, West Bay Club, The Estates at Estero River, The Brooks and Pelican Landing.

Relevant Comprehensive Plan policies are listed below:

FLU-1.11.1 RESIDENTIAL DEVELOPMENT FORM. *New residential development should accommodate the mix and variety of housing types and configurations suitable to meet the needs and desires of current and future residents, with emphasis on safe means for residents to connect by walking or bicycling within neighborhoods and to the larger community.*

Staff Comment: The project itself does not propose a mix of housing types but does provide for connectivity for residents to the future rails-to-trails path. Additionally, the proposed density of the project (2.26 units per acre) is consistent with the VN1 Future Land Use Category.

FLU-1.11.2 RESIDENTIAL DEVELOPMENT STANDARDS. *Support and enhance Estero's residential character by ensuring that development proposals address how they:*

A. Are compatible with adjacent uses, public facilities, and infrastructure systems;

B. Impact surrounding environmental and natural resources, with specific controls to ensure preserved areas that are designated preserve through the development permitting process are not encroached upon and are only able to be altered or changed upon approval of amendments or modifications to applicable development orders and permits;

C. Access, where applicable, nearby parks, public spaces, recreational facilities, greenways, blueways, and natural open spaces;

D. Connect to adjacent residential developments, mixed-use centers, economic areas, public facilities, natural resources, and other community facilities; and

E. Contribute to the overall design, landscaping, and aesthetics that make up the community's character as a harmonious place with beauty, spaciousness, and a diversity of high quality residential and commercial development that positively contributes to the quality of life of Estero's residents.

Staff Comment: The project is providing pedestrian connectivity along Broadway Avenue East, and internally along the private street. The project also provided an internal connection to the future rails-to-trails route.

HOU-1.1.3 *New development must be compatible with existing residential uses.*

Staff Comment: The development is within the density range of the Village's Comprehensive Plan and, with conditions recommended by staff, will be compatible with the existing area.

DEVIATIONS

The applicant requested two deviations from the Village of Estero Land Development Code:

Deviation 1: Seeks relief from Village of Estero LDC Section 5-304.A.1.A. which specifies a minimum center-to-center roadway connection separation of 330 feet on collector roads, to allow for a roadway connection separation of 293 feet on Broadway Avenue East.

The proposed development consists of 17 single family homes and is not expected to generate high volumes of traffic, as evidenced by the Traffic Impact Statement. The deviation request would reduce the connection separation by less than 12% (37 linear feet) on a road that dead-ends approximately 1,750 feet to the east of Sandy Lane. The requested roadway connection will not present adverse impacts to traffic circulation or levels of service to adjacent roadways. The proposed entrance location provides adequate stopping sight distance in both directions. The minimum stopping sight distance provided is consistent with the requirements of FDOT.

Staff Comment: The proposed location of the access point is supported by staff, and the applicant is meeting FDOT technical criteria for sight-distance requirements.

Staff does not object to this deviation.

Deviation 2*:* Seeks relief from Village of Estero LDC Section 5-304.A.4.C. which specifies two means of ingress or egress to residential developments of more than five acres, to allow for one primary ingress/egress and a secondary emergency access.

The project proposes a single ingress and egress point at the northern portion of the property on Broadway Avenue East.

A second point of full ingress and egress would conflict with stormwater management areas. The proposed connection to Broadway Avenue East will not be gated, and the provided emergency vehicle turning exhibit shows that the cul-de-sac provides sufficient access to the proposed development. A full cul-de-sac turnaround is provided at the end of the proposed internal roadway which accommodates the design apparatus provided by Estero Fire Rescue. A secondary emergency access-only point is being provided to the south as shown on the Master Concept Plan.

Staff Comment: The project provides the necessary fire protection through the installation of new mains and hydrants and provides the needed geometry for Estero Fire Rescue to appropriately serve the neighborhood in the event of an emergency. Additionally, there is only one other location to make a road connection and that is to Sandy Lane, which staff has discouraged.

Estero Fire Rescue reviewed the project and had no objection to the deviation. Staff also does not object.

CONCLUSION

Rezoning is subject to a quasi-judicial process and hearing by both Planning Zoning and Design Board and the Village Council. In determining whether to adopt a proposed amendment the following shall be considered:

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

   The subject property is located within Village Neighborhood 1 (VN1) land use category, which allows up to 4 dwelling units per acre. The project proposed 2.26 units per acre. The project is in compliance with the Comprehensive Plan.

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

   The application and submitted documents, with the deviations noted, are not in conflict with any portion of the Land Development Code.

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

   The project is implementing the goals and policies of the Comprehensive Plan and Land Development Code. Additionally, the project is consistent with surrounding land uses.

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

   The subject property is surrounded by residential development. The 17-lot single family project is appropriate with the staff recommended conditions and the proposed zoning is appropriate for the land.

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

   The single-family residential project is considered infill and is congruent with the development pattern in the area.

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

   The land use and density are compatible with property in the surrounding area and should not adversely affect property values.

7. **The amendment 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);**

The project will be served by water and sewer utilities and other public facilities.

8. **The amendment 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;**

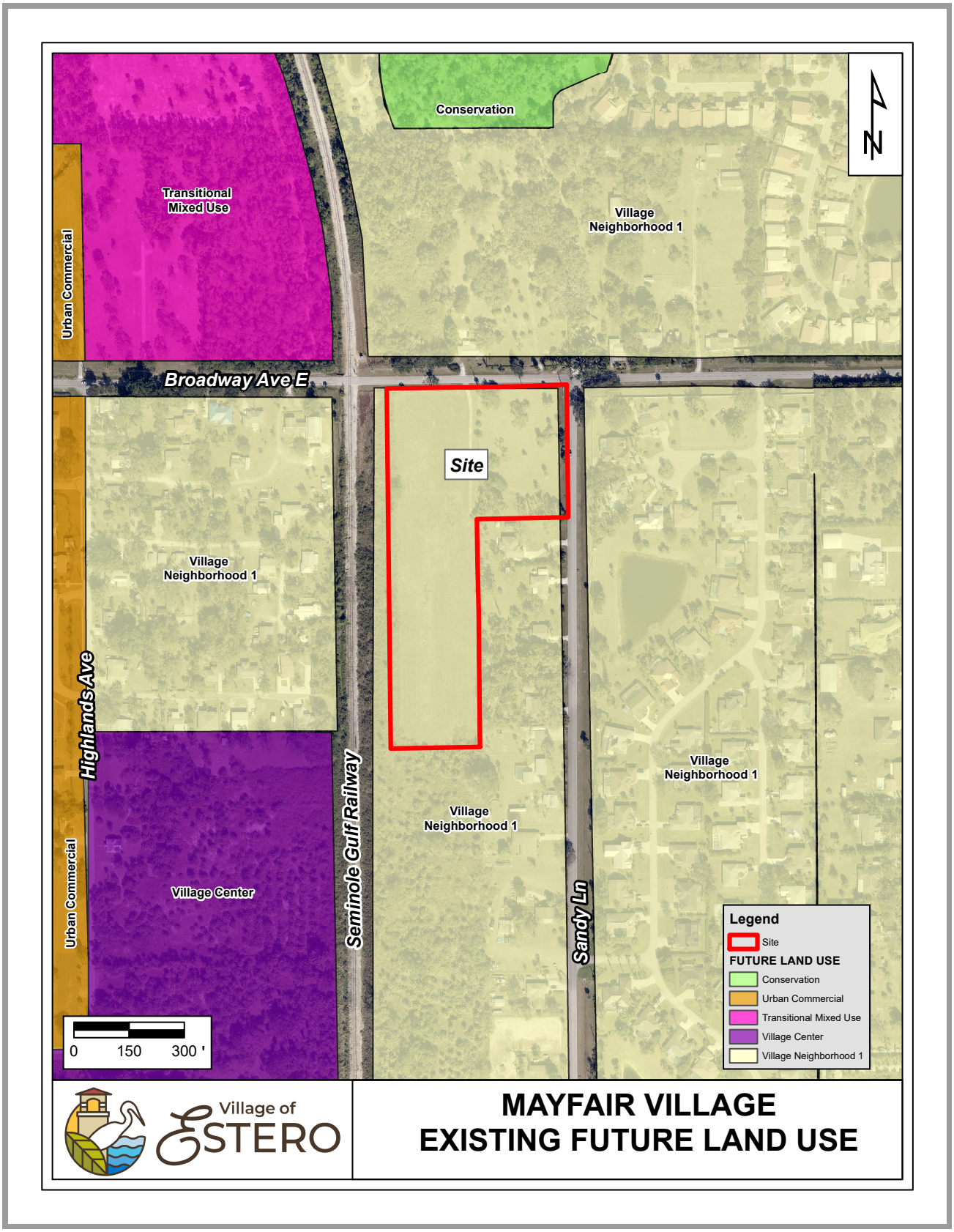
   The subject property was previously utilized as a citrus farm. While the ecological report did find gopher tortoises, there are no other findings of ecological significance. As stated in the conditions of approval, the gopher tortoises will be required to be relocated in accordance with State regulations and permitting.

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

   The proposed single family land use and density are compatible with surrounding uses.

ATTACHMENTS

A. Future Land Use Map
B. Zoning Map
C. Applicant's Information


Conservation
Transitional Mixed Use
Urban Commercial
Village Neighborhood 1
Broadway Ave E
Site
Village Neighborhood 1
Highlands Ave
Seminole Gulf Railway
Village Neighborhood 1
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Urban Commercial
Village Center
Sandy Ln
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Site
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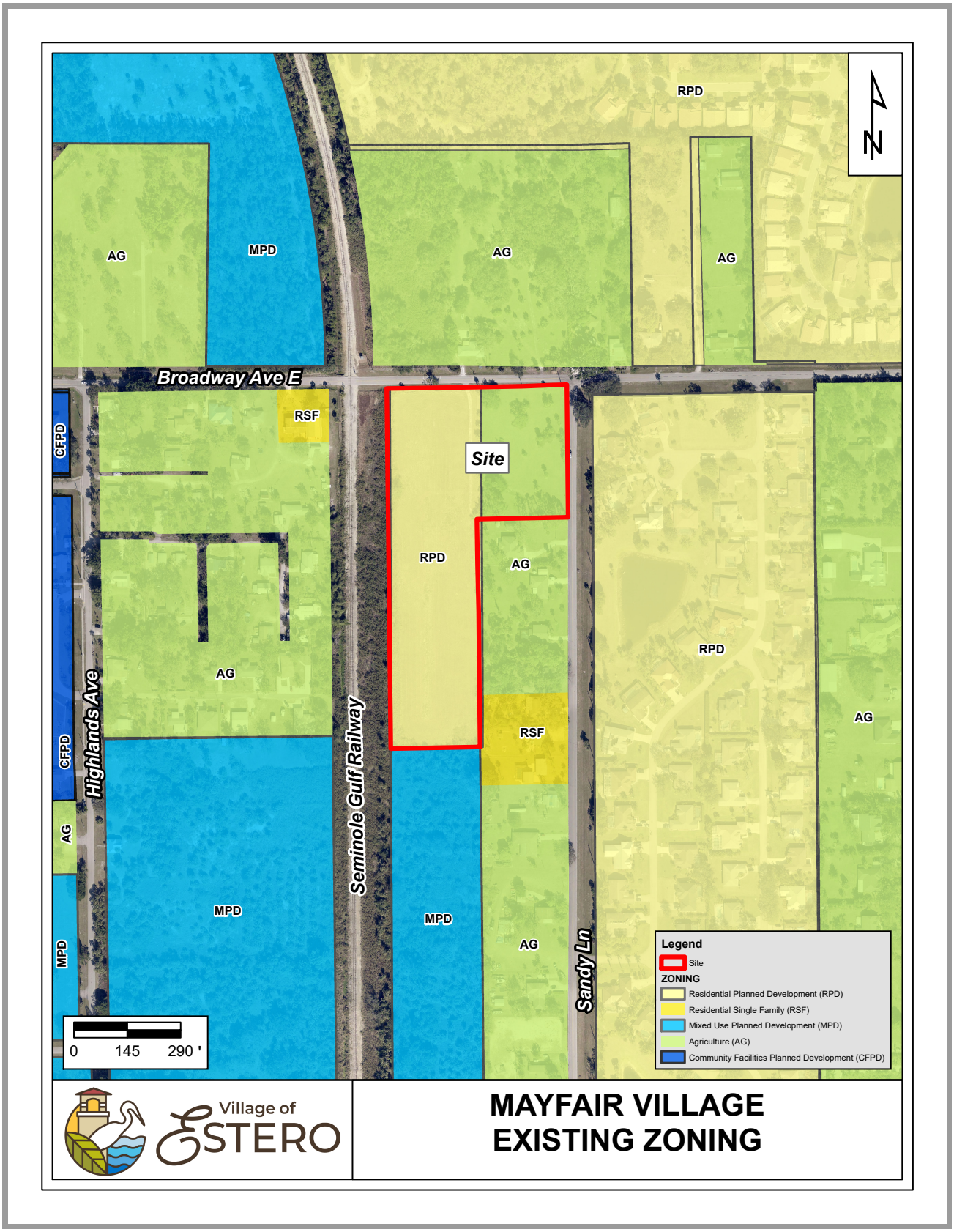
EXISTING FUTURE LAND USE


RPD
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Site
ZONING
Residential Planned Development (RPD)
Residential Single Family (RSF)
Mixed Use Planned Development (MPD)
Agriculture (AG)
Community Facilities Planned Development (CFPD)
Village of ESTERO
MAYFAIR VILLAGE
EXISTING ZONING

DELISI
Land Use Planning & Water Policy

MAYFAIR VILLAGE RPD
REQUEST STATEMENT

Introduction

The attached application is to rezone the subject property from AG-2 & RPD to RPD to allow for the development of a residential community consistent with both the comprehensive plan and the residential uses in the surrounding neighborhoods. The total number of units requested is 17 at a density of 2.26 units per acre. The property is approximately 7.5 acres and is located at the southwest corner of Sandy Lane and Broadway. The property is in the Village Neighborhood 1 future land use category.

Entitlement History

The subject property was historically used as a citrus grove until approximately the late 1990s. By 2000 the property at the corner was entirely cleared as was the property along the railroad, no longer in active farming. In February 2007, the 5.5 acres of the subject property along the rail line was rezoned to residential planned development (Z-06-073) to allow for 16 single family homes at a total density of 2.9 units per acre. The proposed zoning requests an amendment to the RPD to add approximately 2 acres and 1 residential unit bringing the total development to 17 units on 7.5 acres. It should be noted that under the current zoning for the RPD and the current zoning for the AG-2 parcel, the combined property is entitled for 18 residential units, effectively making this a downzoning of the property.

Adjacent Uses

The subject property is in an area of existing development and infrastructure that supports the proposed use. The subject property is located at the southwest corner of Sandy Lane and East Broadway Avenue. Access to the development will be to Broadway Avenue. The subject property is surrounded on all sides by residential development and vacant land. To the east are residential units that front along Sandy Lane and the Groves community which has units backing up to Sandy Lane. To the west is the rail line for approximately 150 feet, with single family homes located to the west of the rail line. To the south is vacant land that appears to historically have been part of the same citrus grove on the subject property but is now overgrown with vegetation. To the north there is a large lot single family unit.

Access:

The subject property is located along both Broadway Avenue and Sandy Lane. Access is provided via Broadway Avenue.

Zoning Justification:

The proposed development of the subject property complies with the Village of Estero Land Development Code. A brief description of how the proposed development satisfies these criteria is presented below:

1. Is consistent with and furthers the goals, objectives, and policies of the comprehensive plan and all other applicable Village-adopted plans;

Below is a description of how the proposed amendment is consistent with the Comprehensive Plan.

FLU-1.2.1 FUTURE LAND USE CATEGORIES. **The Village shall designate on the Future Land Use Map (see Map FLU-1) use categories of varying densities and intensities to provide for a full range of land use activities appropriate to the character of the Village's neighborhoods. These designations are based upon environmental conditions, historic and developing growth patterns, and existing or future availability of public facilities and services. Village future land use categories are summarized as follow:**

The subject property is entirely located within the Village Neighborhood 1 land use category. The table in Policy FLU 1.2.1 allows for residential development of up to 4 dwelling units per acre consistent with FLU 1.2.6. The proposed residential community is for 2.26 dwelling units per acre, consistent with the density range in Village Neighborhood 1.

FLU 1.2.6 VILLAGE NEIGHBORHOOD 1. The Village Neighborhood 1 areas are characterized by predominantly residential uses of lower densities with the potential for commercial uses of a minor commercial or neighborhood center scale. Some, but not all, of the requisite infrastructure needed for development is generally planned or in place. These areas were generally designated Rural, Sub-Outlying Suburban, Outlying Suburban, or Suburban in the Village's Transitional Comprehensive Plan. These areas have been developed or planned with existing or emerging residential neighborhoods. Golf courses constitute the predominant open space in many of these neighborhoods, and gross densities range from one dwelling unit per acre (1 du/acre) to four dwelling units per acre (4 du/acre). Village Neighborhood 1 designated areas are either on the fringe of natural resources, or in proximity to urban commercial or transitional mixed-use areas.

> **A. Uses: Predominant land uses in Village Neighborhood 1 will be lower density residential uses with the potential to allow minor commercial or**

limited neighborhood center scale commercial, assisted living facilities, public and quasi-public uses, in each case through a public hearing process. Higher densities greater than 4 du/ac, commercial development greater than neighborhood centers, and industrial land uses are not permitted.

The proposed residential community consists of low-density residential development and is well within the density range allowed. The proposed density of 2.26 units per acre is less than the density approved in Z-06-073 of 2.9 units per acre. Both are well below the permissible 4 dwelling units per acre.

B. Development type: Future development in this category is encouraged to be developed in a way that maintains and enhances a limited mix of residential unit types (multifamily, townhome, mid-rise, villas, and single family) while accommodating neighborhood oriented commercial uses such as eating places, personal and convenience services, and limited office when approved through a public hearing process. Such commercial uses may be developed as single use buildings or centers or as mixed-use, subject to compatibility standards described in the Community Design Sub-Element.

The proposed single family development blends in with the surrounding uses and compliments the adjacent neighborhoods. The development proposal is consistent with this policy by maintaining and enhancing the housing in the community.

C. Density/Intensity: The standard density range is from one dwelling unit per acre (1 du/acre) to four dwelling units per acre (4 du/acre). Bonus densities are not allowed. Commercial development must not exceed 1 FAR and must not exceed neighborhood center criteria of 30,000 – 100,000 square feet as described in Objective FLU-1.5.

As stated above, the proposed development density is 2.26 dwelling units per acre, well within the density range of 1 – 4 dwelling units per acre.

FLU-1.11.2 RESIDENTIAL DEVELOPMENT STANDARDS. Support and enhance Estero's residential character by ensuring that development proposals address how they:

A. Are compatible with adjacent uses, public facilities, and infrastructure systems;

The subject property is surrounded on all sides by residential development. To the east and west there are residential communities. To the south there is vacant land with residential communities south of that. To the north is a single large lot residential home with residential developments north of that. As evidenced by the development surrounding the property on all sides, public facilities and infrastructure are in place to

serve the proposed development. Furthermore, the existing zoning of both properties allow 18 residential units, one more than the proposed 17 units for the combined properties.

B. Impact surrounding environmental and natural resources, with specific controls to ensure preserved areas that are designated preserve through the development permitting process are not encroached upon and are only able to be altered or changed upon approval of amendments or modifications to applicable development orders and permits;

The subject property was previously cleared for an active citrus grove. Although the grove has not been in operation for several years, there are no significant environmental or natural resources on the subject property.

C. Access, where applicable, nearby parks, public spaces, recreational facilities, greenways, blueways, and natural open spaces;

The subject property is in close proximity to several parks and public green space areas. The property is within a mile from the Happehatchee Center and the Village owned property on the Estero River. Mayfair Village is just over a mile from the Estero Community Park. Both are accessible via sidewalks along Corkscrew Road, US 41. The Village has pedestrian improvement plan within the Capital Improvement Program, which includes funding for a shared use pathway along Broadway East from both US 41 to Sandy Lane and from Sandy Lane to Three Oaks. This shared use pathway will connect up to sidewalks on both US 41 and Three Oaks extending pedestrian and bicycle connectivity throughout the community. The internal sidewalk system for the development will connect to these facilities providing access for residents by walking or bicycling within the neighborhood to the larger community's recreational facilities, such as the Estero Community Park and other public spaces.

D. Connect to adjacent residential developments, mixed-use centers, economic areas, public facilities, natural resources, and other community facilities; and

The proposed amendment increases the total allowable units by 1 home and adds 2 additional acres to the development. The units will have easy access to adjacent residential developments along Broadway Avenue and Sandy Lane, commercial and mixed-use centers along Corkscrew Road and public facilities and natural resources in close proximity.

E. Contribute to the overall design, landscaping, and aesthetics that make up the community's character as a harmonious place with beauty, spaciousness, and a diversity of high quality residential and commercial development that positively contributes to the quality of life of Estero's residents.

The proposed development will comply with Estero's landscape code and applicable design guidelines, which will result in the development of a quality residential community. The lower density single family units will help to maintain the high quality of life for existing residents.

2. Is not in conflict with any portion of the LDC;

The proposed Planned Development is not in conflict with any portion of the Land Development Code. There is only one deviation requested, which was part of the original zoning application. This deviation is from the requirement to provide two means of ingress/egress for residential development greater than 5 acres. The subject property is only 7.5 acres, and the amendment is only increasing the total number of units by 1 home. The impact to the single access point is de minimus.

3. Addresses a demonstrated community need;

The proposed development is for a residential community consistent with the intent of FLU Policy 1.2.6 and the stated goal of providing for a quality in the community. The development of a residential community is consistent with the surrounding uses.

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

The subject property is surrounded on all sides by residential development. To the east and west are residential communities. To the south is vacant land and more residential development and to the north is a single large lot unit with more residential development farther north. The proposed development is compatible with surrounding uses. Most of the property is already zoned for the proposed use. The proposed amendment will simply add 2 acres and 1 residential unit to the existing zoning, effectively decreasing the total units currently allowed on the combined property. The proposed RPD is the most appropriate zoning for the subject property.

5. Would result in a logical and orderly development pattern;

The proposed rezoning would allow for residential development on the subject property, consistent with properties on all sides of the subject property. The zoning therefore represents a logical and orderly development pattern by filling in residential development consistent with uses surrounding the property on all sides.

6. Would not adversely affect the property values in the area;

The proposed amendment to add 1 unit to the existing zoning and 2 acres would have no impact on property values in the area.

7. Would 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);

Water and sewer service is currently available in the area via Lee County Utilities as evidenced by the surrounding development. The property is within the Estero Fire District and fire/EMS service are available with a fire station approximately ½ mile from the community along US 41 to the west. As noted above, the current RPD entitlement of 16 units plus the allowance of 2 units in the AG-2 zoning for the property being added to the RPD is greater than the proposed zoning. Therefore, the request is a decrease in units allowed under existing zoning. The impact to transportation facilities is de minimus impact. All other services are adequate to accommodate the proposed amendment.

8. Would not result in significantly adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, environmentally critical areas, and the natural functioning of the environment;

The subject property was previously cleared for an active citrus grove. Although the grove has not been in operation for several years, there are no significant environmental or natural resources on the subject property.

9. Is compatible with existing or planned uses in the surrounding area.

The subject property is surrounded on all sides by residential development. To the north and west are residential communities. To the south and east are public roads with residential development on the other side of the roads. The proposed development is compatible with surrounding uses.

Summary:

As detailed in the Village of Estero Land Development Code, the attached application demonstrates that the proposed development is compliant with the Land Development Code and other applicable codes or regulations. Based on compliance with the land development code and the Estero Plan, we respectfully submit that this zoning application will not place an undue burden upon existing transportation or planned infrastructure facilities. Similarly, the proposed use is appropriate at the subject location and is compatible with existing uses in the surrounding area. For these reasons, the requested amendment should be approved.

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
June 4, 2025

Agenda Item:

First Reading Ordinance No. 2025-08 Unsafe Structures

Background:

Motion to pass first reading of Ordinance No. 2025-08 and set public hearing and second reading for June 18, 2025

Description:

The Village does not have a property maintenance code or process for dealing with unsafe structures through Code Enforcement. Unsafe structures can pose life safety issues for inhabitants and neighbors. The staff has been investigating models of property maintenance codes with the intent of proposing a new code in the near future. Adopting the unsafe structures ordinance is a first step that will assist the Building Official and Code Enforcement with recent problems.

Action Requested:

Motion to pass first reading of Ordinance No. 2025-08 and set public hearing and second reading for June 18, 2025

Process and Timeline:

N/A

Financial Impact:

Minor cost for newspaper advertisement for second reading.

Prepared by: Mary Gibbs

Attachments:

1. Ordinance No. 2025-08

ORDINANCE NO. 2025-08

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, CREATING A NEW CHAPTER 23 REGARDING PROPERTY MAINTENANCE; CREATING A NEW ARTICLE II (UNSAFE STRUCTURES) OF CHAPTER 23 TO PROVIDE FOR THE PROHIBITION OF UNSAFE STRUCTURES AND FOR THE AUTHORITY OF THE VILLAGE TO ENSURE SUCH STRUCTURES ARE ABATED OR REMOVED; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, the Village Code does not currently contain a Property Maintenance Code; and

WHEREAS, the Village staff has begun examining models of Property Maintenance Codes with the intent of proposing such a new code in the near future; and

WHEREAS, the Village Code also does not currently address structures in the Village which have become unfit and unsafe for human habitation and which may pose a serious risk of danger to the health and safety of residents, and which may have become an attractive nuisance to children who may enter and become injured on such properties; and

WHEREAS, the Village's Building Official has recently become aware of several structures in the Village which may soon become unfit for human habitation or which are partially constructed but not advancing, and which, due to neglect and deterioration of structural elements, may in the future present a serious risk to residents and/or become a nuisance due to being an attraction to termites, rodents, and other undesirable living creatures; and

WHEREAS, a structure may be deemed unsafe (and thus a nuisance) if it poses a danger to the public health or safety, such as in the case of *Trushin v. City of Miami Beach*, 328 So. 2d 27 (Fla. 3d DCA 1976), wherein the court ruled that an apartment building was properly adjudged a nuisance and ordered demolished where it was concededly unfit for human habitation, did not comply with zoning ordinances, and would have cost at least 200% of the county tax-assessed value to repair; and

WHEREAS, court cases such as *Munzel as Trustee of Clyde W. Munzel Revocable Trust, under agreement dated May 3, 2005 v. Hillsborough County*, 574 F.Supp.3d 1145 (M.D. Fla. 2021) confirm that no compensation is due when the government's seizure of property was necessary to abate a nuisance or protect the public health; and

WHEREAS, the Florida Supreme Court has confirmed in *Keshbro, Inc. v. City of Miami*, 801 So. 2d 864, 875 (Fla. 2001) that government agencies need not compensate landowners if they can identify background principles of nuisance and property law that forbid the manner in which the landowner was using the property; and

WHEREAS, the court in *Dragomirecky v. Village of Ponce Inlet*, 882 So. 2d 495, 497 (Fla. 5th DCA 2004) found that, while it is true that a plaintiff may be financially harmed if a demolition

of an unsafe and uninhabitable building occurs, "the law permits such harm when it results from a valid exercise of police power"; and

WHEREAS, the court in *G.W. v. State*, 106 So. 2d 83, 85 (Fla. 3d DCA 2013) ruled that a lawmaking body, under its police power, "has broad authority...to enact laws which 'promote the public health, safety, morals, and general welfare' of its citizens"; and

WHEREAS, the Council desires to adopt a regulatory scheme which allows the Village to promptly address such structures in a way which will ensure that they are either fully secured or demolished, while also providing for procedures which will ensure the owners of such structures are afforded due process; and

WHEREAS, it is in the best interest of the Village, its residents, its visitors, and its businesses, to approve the provisions set forth in this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Village Council of the Village of Estero, Florida, that:

Section 1. A new Chapter 23 of the Village Code, entitled "Property Maintenance", is hereby created.

Section 2. A new Article I of Chapter 23 of the Estero Village Code, entitled "**PROPERTY MAINTENANCE STANDARDS**" is hereby created, with § 23-1 – 23-39 reserved for future property maintenance standards.

Section 3. A new Article II of Chapter 23 of the Estero Village Code, entitled "**UNFIT/UNSAFE STRUCTURES**" is hereby created to read as follows:

ARTICLE II. – UNFIT/UNSAFE STRUCTURES

Sec. 23-40. Unfit or unsafe dwellings or structures.

When a dwelling or other structure including an accessory structure or manmade body of water, is found to be unfit or unsafe upon inspection by the building official, the building official shall require the repair, securing, demolition or removal thereof. For this article, the term "structure" includes all buildings, dwellings, accessory structures, and manmade bodies of water and any part or portion thereof.

Sec. 23-41. - Notice of violation; notice of condemnation/order to demolish.

When the building official verifies the existence of a structure which is unfit or unsafe, the building official shall determine the owner of record of the real estate upon which the structure is located and shall provide an initial notice of violation stating the requirements to secure or repair,

and/or an initial notice of condemnation/order to demolish requiring demolition and removal to the owner of record and other interested parties as set forth in § 23-44.

Sec. 23-42. - Authority to order demolition, removal, securing, etc.

(a) If the conditions identified in the notice are not remedied within the time set forth in the notice, the building official shall order the vacation, demolition, removal or securing of any unfit or unsafe structure when any such part, by reason of inadequate maintenance, fire, age, decay, deterioration, structural defects, improper design, unstable foundation, termites, affording the opportunity of being a nuisance to the public or a haven for vagrants or criminals, acts of God or other causes, shall be dangerous to the occupants thereof or to surrounding buildings and the occupants thereof, a menace to public health, a fire hazard or so unsafe as to endanger life or property or render the use of the public streets dangerous. Notice of the order shall be provided as set forth in § 23-44.

(b) When a structure is required to be secured, open windows and doors shall be secured with exterior plywood and suitably coated with an appropriate neutral color blending with or harmonizing with the exterior colors of the building so as to be as inconspicuous as possible. When securing with exterior plywood is not possible because existing structural damage or design features will not support a sound, secure application of plywood or for any other reason, the building official shall order securing against access and shall specify the industrial standard method and materials to be installed. Manmade bodies of water must be secured in a manner so as to eliminate any drowning or infection hazard, or must be filled completely with clean fill dirt or sand and adequate drainage provided so that water is not retained, does not accumulate and does not pond.

(c) If the owner or other parties in interest do not repair, restore, demolish, secure or replace such part or parts of such structure within the specified time or such other reasonable time fixed in such order the building official may order vacation of the premises and proceed to remedy the conditions. When the county health officer verifies the existence of a rodent infestation in any structure that is to be demolished and removed, in order to preclude the migration of rodents, the building official shall require that the owner or person in charge carry out effective rodent extermination methods by a licensed structural pest control operator prior to demolition. Extermination techniques shall include ectoparasite control measures.

(d) All unfit or unsafe structures which have been secured as a result of a notice of violation shall be subject to inspection and the owner of the structure shall be assessed a fee for each and every such inspection. For the purpose of ensuring that the vacant and unfit or unsafe structure is locked and/or secured, inspections will be conducted at 30-day intervals and the following fee collected in the manner provided by this article for each and every inspection conducted.

(1) Residential, commercial, institutional and industrial structures, per structure: $70.00.

(2) Other structures (detached garages, accessory buildings, etc.), per structure: $50.00.

Sec. 23-43. - Condition of lot after demolition.

A lot from which a structure is demolished shall be properly filled, graded and seeded with grass seed or sodded within five days of the date of completion of the demolition.

Sec. 23-44. - Manner of serving notice.

(a) For the purpose of providing notice, interested parties shall be the owner of the property as shown on the county tax rolls, other persons whose names appear on the county tax rolls as having an interest in the property, and the tenant or occupant, if any, of the property, as well as other persons of record interest, which may include the mortgagee, contract purchaser (if known), agent with power of attorney (if known), and any person claiming an interest under a lis pendens (if known).

(b) Ten days or more prior to the demolition or securing of any unsafe structure, the notice of condemnation/order to demolish shall be posted on the front of the property and shall be delivered to the interested parties either:

(1) By personally delivering a copy thereof to the party to be notified;

(2) By leaving such copy at such person's usual place of residence with some person of the household above 18 years of age and informing such person of the contents thereof; or

(3) By either registered or certified United States mail with return receipt requested.

If the name of any interested party or their place of residence or their post office address cannot be ascertained after diligent search or in the event a notice sent by either registered or certified mail shall be returned undelivered, notice shall be given by publishing a copy thereof two times in a newspaper of general circulation in the village as set forth in subsection (d) of this section and, if the name of such interested party is known, mailing a copy thereof to such person's last known address, if known.

(c) A copy of such notice and order shall be posted in a conspicuous place at village hall and upon such structure.

(d) If publication of notice is required, ten days or more prior to the demolition or securing of any unsafe structure, a notice of intent to secure and inspect and/or demolish shall be published on two different days in a newspaper of general circulation in the village. Such notice shall be substantially in one of the following forms:

Notice of Intent to Secure and Inspect

The owner or other interested parties having failed to either repair and/or secure the structure at [*address*] as ordered by the Village of Estero are hereby notified that the

Village will proceed to have the structure secured on or after [*date*] and a lien will be placed against the property to recover all costs.

If, as result of this notice, the structure is secured, notice is hereby given that the structure may be inspected on a monthly basis by the Village, a fee charged for that inspection, and a lien placed against the property for such fees.

To appeal this notice, interested parties must follow the procedure in Village Code § 23-48. Interested parties may contact [*contact person, address, and phone number*] for information.

Notice of Intent to Demolish

The owner or other interested parties having failed to demolish and remove the structure [*address*] as ordered by the Village of Estero are hereby notified that the Village of Estero will proceed to have the structure demolished and removed on or after [*date*], and a lien will be placed against the property to cover all costs.

To appeal this notice, interested parties must follow the procedure set forth in Village Code § 23-48. Interested parties may contact the [*contact person, address, and phone number*] for information.

Sec. 23-45. - Extension of time to comply with order.

(a) If the interested parties have obtained a building or demolition permit within the specified period and in good faith and in due time have begun work to comply with the order, but it appears that they will not be able to complete the work by the date ordered, they may file a written request to the building official stating the reasons they have been unable to fully comply, and if reasonable grounds are shown therefor, the building official is authorized to issue extensions in writing not to exceed a total of 60 days in which to fully comply with the original order.

(b) In exceptional cases, the building official may approve an additional 30-day extension upon written request if the party shows special hardship, unusual difficulty or unique problems. Requests for this extension shall be made either in person or by certified mail, return receipt requested, to the building official.

Sec. 23-46. - Action on failure to comply.

In the event that the owner or other interested parties shall fail to comply with any order issued under this article within the time therein fixed, and does not timely request an appeal, the village, acting through the village manager or designee, is authorized to vacate, demolish, remove or secure, either with village forces or by requesting bids for the work under the village's procurement code.

Sec. 23-47. - Assessment of cost of demolition, etc.; lien on property.

(a) Upon expiration of the appeal period with no appeal having been taken, or upon expiration of a 30-day period following the denial of an appeal, or following an emergency demolition authorized and conducted in accordance with § 23-51, the building official, after proceeding under this article, shall report the abatement of the nuisance by the village; and the village council shall assess the entire cost of such vacation, demolition, removal or securing against the real property upon which such cost was incurred. The costs which may be assessed include the cost of rodent extermination where employed, all administrative costs (which shall include all costs related to any hearing before a special magistrate and any lien recording and releasing fees incurred by the village), postal expense, newspaper publication and other costs reasonably and necessarily incurred by the village, and attorney fees and costs. Such costs when assessed and recorded shall constitute a lien upon such property of the same stature and priority as code enforcement liens.

(b) In those instances where the owner has repaired, secured or demolished a structure or caused such work to be done as the result of having received notice from the village ordering such repair work, demolition or securing, all costs described in subsection (a) of this section reasonably and necessarily incurred by the village shall be assessed against the property and shall constitute a lien upon such property.

(c) The village shall record a notice of lien in the county public records. The notice of lien shall show the nature of the lien, the amount thereof, the name(s) of the person(s) or entity having ownership, and an accurate legal description of the property. The principal amount of all liens under this section which remain unpaid after 30 days from the date of filing the lien shall bear interest at the statutory rate until the principal and interest are paid in full. All interest shall also constitute a lien against the property, and shall be treated in all respects, including foreclosure and compromise of such liens, as provided for in Florida Statutes § 162.09(3).

Sec. 23-48. - Appeal procedure.

(a) Appeals may be taken from an order, a notice of condemnation/order to demolish, or notice of violation/order for securing a structure issued pursuant to this article by any interested party who has been aggrieved, except in emergency cases as set forth in § 23-51. Such party is afforded a right of hearing upon payment of a filing fee of $100.00 and a written request for such hearing filed with the village clerk within ten days of service of the second notice of violation/order for securing or the posting or publication of the second notice or notice of condemnation/order to demolish required by § 23-44 whichever is later. Failure to affect personal notice shall not prevent the village from performing the demolition or attaching a lien on the property.

(b) A notice of the appeal hearing by a special magistrate shall be published in the same manner as the village publishes notice of meetings, except that notice of the magistrate hearing shall be published at least ten days prior to the time and place of hearing. When the findings of the special magistrate sustain the building official, the special magistrate may set a new

deadline date for compliance or authorize the building official to proceed at the expiration of 30 days to demolish and remove the structure and report the cost to the village council.

(c) The authority of and procedures to be followed by the special magistrate shall be that which is provided for in article II (code compliance) of chapter 1 of this code. In any hearing before the special magistrate, formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. All other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible whether or not such evidence would be admissible in a trial in the courts of the state. Each party shall have the right to be represented by counsel, to call and examine witnesses under oath, to introduce documentary evidence or exhibits, to cross-examine opposing witnesses on any relevant matter even though the matter was not covered under direct examination, to impeach any witness regardless of which party first called him to testify, and to submit rebuttal evidence. Each hearing shall be electronically recorded, the cost of which shall be included in the costs referenced in § 23-47 if a final order of demolition is entered.

(d) The burden of proof by a preponderance of the evidence is upon the village to show that the structure is unfit or unsafe as defined in this chapter. At the hearing, the special magistrate shall affirm, modify, or reverse the findings of the building official that the structure is unfit or unsafe as provided for in this article. If the special magistrate agrees with the determination of the building official, he or she shall enter a final order making findings of fact, conclusions of law, and approving the demolition.

(e) The special magistrate may grant an extension of time for demolition if at the hearing evidence is presented that families with minor children are residing in the building and that immediate relocation is not possible. However, no such extension of time shall exceed four months. If the special magistrate disagrees with the determination of the building official, he or she shall enter an order reversing the order of demolition. All orders shall be issued in writing and shall contain findings of fact and conclusions of law supporting the decision.

(f) Any person aggrieved by the decision of the special magistrate may seek judicial review in accordance with the State appellate rules or other applicable law.

Sec. 23-49. - Appearance of interested parties before the special magistrate.

Any interested party appearing before the special magistrate may appear in person, by legal counsel or by an agent.

Sec. 23-50. - Reports of unsafe structures from village staff or private professionals.

Any person, including village employees, contractors or agents, may make reports to the building official concerning dwellings or structures which appear to be unfit or unsafe. The building official is authorized to utilize the services of private engineers, architects or other professionals in order to determine the condition of the structure in question and such costs shall be assessed in the same manner as provided for in § 23-47.

Sec. 23-51. - Emergency condemnations, authority to take action; lien on property.

(a) In cases where there is imminent peril to the public safety or general welfare or immediate danger to the life or safety of any person or where the public is endangered by weather conditions, fire, other natural disasters or the particular location of the subject property, unless an unfit or unsafe structure is immediately repaired, demolished, or removed, the building official shall promptly cause such structure to be made safe or removed. For this purpose the building official and the village's fire marshal may at once enter such a structure or land on which it stands, or abutting land or structures, to perform an inspection with such assistance and at such cost as may be deemed necessary.

(b) Upon inspection, the building official and the fire marshal shall jointly determine whether or not the structure requires immediate emergency demolition in order to maintain the safety and welfare of the owner, tenants, or public. A written report will document results of these inspections. Exterior and interior photographs of the building, structure, or portion thereof will be taken when feasible.

(c) The building official may order the vacation of adjacent structures and may require the protection of the public by appropriate fencing or such other means as may be necessary, and for this purpose may close any public or private way.

(d) If the building official determines there is sufficient time prior to demolition, a notice of intent to demolish will be provided via priority mail or courier delivery or telephone (if the parties are listed in the current phone directory) to the owner and interested parties informing it/him/her/them of the emergency demolition. This written notification must state the findings of the building official and the fire marshal, documenting cause for demolition or removal. Where the owner or other interested party fails to take immediate corrective action as ordered by the building official, the building official shall have the authority to promptly proceed with the abatement of the unsafe structure in accordance with this article. Failure to affect personal notice upon the individual owner or interested parties shall not prevent the village from performing the emergency demolition or removal and assessing a lien on the property. All costs incurred in the evaluation, vacation, securing and emergency demolition are the responsibility of the property owner, shall be reported to village council, and the council shall place a lien on the property as set forth in § 23-47.

Sec. 23-52. - Appeal and hearing of notice of emergency condemnation/order to demolish.

(a) Appeals may be taken by any interested party of a notice of emergency condemnation/order to demolish only in cases where the structure has not been secured or demolished. Such interested party is afforded a right of hearing upon payment of a filing fee of $100.00 and submission of a written request for such hearing to the village clerk within five days of receipt of actual or constructive notice of the emergency condemnation/order to demolish. The written request shall include the appellant's address, working telephone phone number, and working email address.

(b) The hearing will be scheduled as soon as possible after receipt of the appeal. Notice of the public hearing of the appeal of emergency cases shall be given by telephone notice to the appellant's phone and by posting a copy of the special magistrate's agenda or a good and sufficient notice of such hearing in village hall for at least two days prior thereto. Notice will be mailed and emailed to the owner and interested parties at least two days prior thereto. Failure to affect personal notice upon an interested party shall not prevent the village from performing the emergency demolition or removal and assessment of a lien on the property as set forth in § 23-47.

(c) Where the owner or other interested party failed to appear at the emergency condemnation/demolition hearing, such person may seek judicial review as prescribed by law.

Sec. 23-53. - Notice of special magistrate's action on/concerning appeal.

(a) The building official shall advise the owner or record title holder of the special magistrate's action by the most expeditious means available, including telephone where urgent, excluding, however, notice by publication.

(b) Unless otherwise required by law, appeals of a special magistrate's order may be made by filing a petition for writ of certiorari within thirty days of the order as provided for in the Florida Rules of Appellate Procedure.

Sec. 23-54. – Refusal to comply.

In the event the owner, agent or occupant fails to comply with the written notice or order of the building official or the special magistrate, the owner, agent and/or occupant shall be in violation of this article, subject to code enforcement proceedings as provided for in article II of chapter 1 of this code.

Section 4. For purposes of codification of any existing section of the Estero Code herein amended, words **underlined** represent additions to original text, words ~~**stricken**~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 5. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of

the Ordinance shall withstand any severed provision, as the Village Council would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 6. The Codifier shall codify the substantive amendments to the Estero Code contained in Sections 1 through 3 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 7. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the 4th day of June, 2025, by the Village Council of the Village of Estero, Florida.

ADOPTED ON SECOND AND FINAL READING on the 18th day of June, 2025, by the Village Council of the Village of Estero, Florida.

VILLAGE OF ESTERO, FLORIDA

Attest:

By: _____
Joanne Ribble, Mayor

By: _____
Carol Sacco, Village Clerk

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
June 4, 2025

Agenda Item:

Second reading of Zoning Ordinance No. 2025-02, Home2 Suites at Coconut Point

Approve Ordinance 2025-02

Background:

This is the public hearing to consider an amendment to the Coconut Point Mixed Use Planned Development zoning for a 2+acre area in the back parking lot of the Coconut Point Mall adjacent to Via Coconut Point. It also includes amendments to the Development of Regional Impact (DRI) for Coconut Point.

The applicant is proposing to develop a 111-room, 4-story hotel, north of the Residences and south of the movie theater. The approved zoning allows the hotel use, but the maximum number of hotel units in the approved zoning and Development of Regional Impact will be exceeded, necessitating amendments to both the zoning and Development of Regional Impact.

Description:

This case was heard at the Planning Zoning and Design Board on February 11, 2025. The Board voted to approve it with conditions (vote 7-1).

At the Council first reading on May 21, 2025, the Council asked that additional explanation be provided at the second reading. The items requested include:

- Explanation of the parking (is there adequate parking if parking is deleted to build hotel) and was a parking study conducted.
- How this development fits into the overall development plan for Coconut Point (in particular, redevelopment of the nearby movie theater and impacts on parking).
- Explanation of the deviation for height.
- Explanation of density (increase in number of units).
- Where is the area located where 2,000 retail trips will be reduced and if this is nearby the hotel.

Additionally, the applicant submitted a letter to staff received via email on May 19, 2025 objecting to Condition 10 requiring concrete block construction. The applicant's letter was received after the first reading packet was distributed and is now attached.

See attached staff report for details.

Action Requested:

Approve Ordinance 2025-02

Process and Timeline:

- Public Information Meeting December 12, 2023
- Planning Zoning and Design Board Workshop on December 10, 2024
- Planning Zoning and Design Board Public Hearing February 11, 2025
- Council first reading May 21, 2025
- Council second reading June 4, 2025

Financial Impact:

Minor cost for newspaper advertisement for second reading.

Prepared By: Mary Gibbs

Attachment:

1. Applicant's Letter Received May 19, 2025
2. Ordinance No. 2025-02 and DRI Amendment
3. Staff Report Case No. DCI2024-E005
4. Applicant's Pattern Book

INGENIUM

Received
5/19/25
via Email

May 6, 2025

Ms. Mary Gibbs
Director of Community Development
Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928

Re: Home2 Suites 8-Day Letter **(REVISED)**
Village Project Number and Name: DCI2024-E005 Home2 Suites at Coconut Point MPD/DRI

Dear Ms. Gibbs:

We have received and reviewed the Draft Staff Report and Draft Zoning Conditions for the upcoming May 21, 2025 Village Council Meeting provided by the Village of Estero on January 31, 2025. Upon review, we have the following comments:

- Draft Staff Report
  - The Home2 Suites hotel is not an "extended stay" hotel but rather an "upscale all-suites" hotel. A typical "extended stay" hotel has a full kitchen with cooktop and dining element (bar with stools, etc.). We prefer the language used in the Draft Staff report be amended to replace "extended stay" with "upscale all-suites".
  - Since the amendment to the DRI is still being negotiated between our land use attorney and the Village, we reserve the right to review the draft amendment prior to the Planning Board Meeting.
- Draft Zoning Conditions
  - We take exception to Zoning Condition #8 requiring construction to be of concrete block and restricting the use of wood frame (stick built). There are multiple reasons for this:
    - Wood frame construction is both allowable and appropriate for this building according to the applicable building codes. Furthermore, the requirements of the building code require several conditions for wood frame building that are not consistent with a layman's understanding of wood frame versus concrete.
    - Tarriff issues around steel are causing tremendous amount of uncertainty in the market (not just cost but also availability of material and lead times).
    - Peachtree Group signs a 20-year franchise agreement initially and standard practice will have 10-year extensions. The brands (in this case Hilton) have never had issue with developers building out of wood and they are the primary stake holder, longest range stake holders along with owners.
    - The decision to build a particular way changes with market conditions. Main factors are the restraints of the building type, the sound transfer rate (wood absorbs sound in a much more efficient way than metal stud framing), structural

Ingenium Enterprises, Inc. Civil Engineering & Planning
19445 Shumard Oak Drive, Suite 102 | Land O Lakes, FL 34638 | 813.387.0084
www.ingeniumenterprises.com

requirements, and availability of materials along with quality subcontracted labor in that given location, etc.

- The current market for materials is the main reason for those decisions, not the quality of the construction. As a matter of fact, there have been projects that were going to be constructed out of wood and the cost to insure plus the market rate for wood drives us to build with metal stud and concrete planks or possibly CMU block and concrete planks during that market cycle. Not a decision based on quality or longevity.
- There are many examples of projects constructed by the Peachtree Group that have been built out of wood and concrete plank/metal stud or concrete plank/CMU block. The longevity of those projects is not the driving force to their decision. There are many projects that are 20 and 30 years old that were wood frame construction and stand the test of time.
- Concrete planks (floor and roof of rooms) would be exposed in the rooms with this type of construction and are not as nice a look as a finished drywall ceiling (which you have with a stick-built project). To get this same look with concrete, furring strips on the bottom of the plank to install drywall would be needed (same look as you have with standard stick build projects and is a further cost not typically done for hotels).
- The concrete planks require a crane to swing into place, and there simply is not enough room on our site to do this safely.
- Given the room bay size, the wood spans are small and therefore very rigid construction. Even with stick framing, there will be steel structural members on the bottom floor long spans.
- It's very standard practice for a low-rise project of this type to be stick built, not because of a choice to have a lesser quality product, but simply because the cost to build a comparable quality product is much less, faster, logistically simple, and provides the best quality for the type of use.
- Our only other option (if not allowed to stick build) is to build with metal framing and metal joists. This product is not as rigid as wood, has a terrible sound absorption rate, and given the tariff implications, steel is excluded based on the current market conditions along with those other quality downsides.

We appreciate all your assistance throughout this process and look forward to bringing this exciting new project to Estero. Please call me at (813) 387-0084 if you have any additional questions or concerns.

Sincerely,

INGENIUM ENTERPRISES, INC.

Jeremy M. Pettit, P.E.
Vice President

Attachments: Draft Staff Report and Draft Zoning Conditions

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

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

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

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

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

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on June 4, 2025, 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.

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

Section 1. DRI and Zoning Amendments.

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

Section 2. Conditions.

1. Previous Resolutions and Ordinances

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

2. Master Concept Plan and Site Plan

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

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.

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.

14. Lighting

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

15. Radio Enhancement

The owner or owner's representative shall conduct an assessment model at the time of local 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.

16. Hurricane Preparedness

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

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

Exhibit D Pattern Book titled "Home2 Suites Supplemental Pattern Book" marked "Received May 8, 2025".

Exhibit E Tenth Development Order Amendment and Restatement for Coconut Point DRI and attached Map H Master Concept Plan (plan dated April 17, 2025)

Section 6. Severability.

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

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.

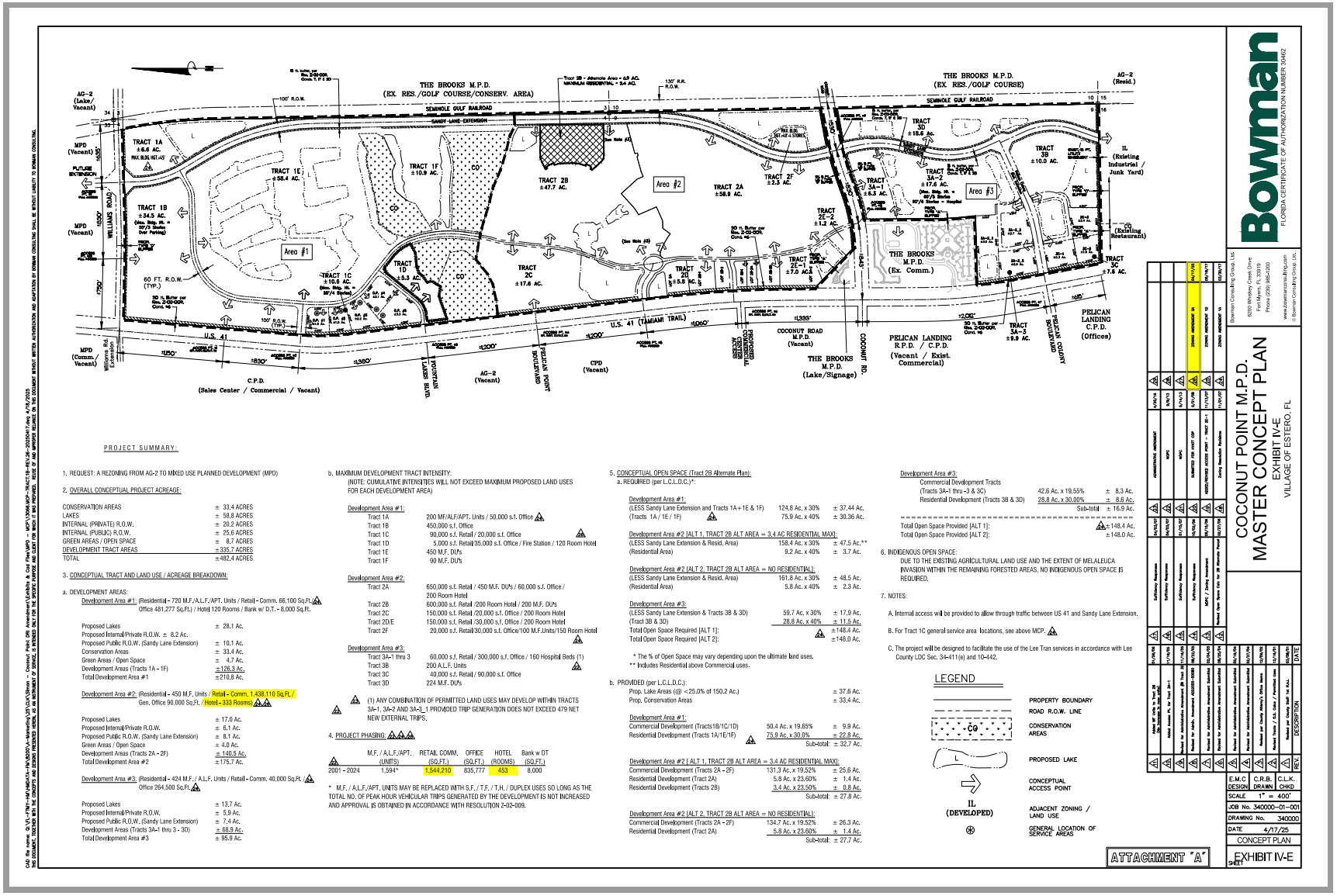
Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____ By: _____
Carol Sacco, Village Clerk 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	_____	_____



PROJECT SUMMARY:

1. REQUEST: A REZONING FROM AG-2 TO MIXED USE PLANNED DEVELOPMENT (MPD)

2. OVERALL CONCEPTUAL PROJECT ACREAGE:

CONSERVATION AREAS	± 33.4 ACRES
LAKES	± 58.8 ACRES
INTERNAL (PRIVATE) R.O.W.	± 26.2 ACRES
INTERNAL (PUBLIC) R.O.W.	± 25.6 ACRES
GREEN AREAS / OPEN SPACE	± 8.7 ACRES
DEVELOPMENT TRACT AREAS	±335.7 ACRES
TOTAL	±482.4 ACRES

3. CONCEPTUAL TRACT AND LAND USE / ACREAGE BREAKDOWN:

a. DEVELOPMENT AREAS:

Development Area #1: (Residential - 720 M.F./A.L.F./APT. Units / Retail - Comm. 66,100 Sq.Ft. / Office 481,277 Sq.Ft.) / Hotel 120 Rooms / Bank w/ D.T. - 8,000 Sq.Ft.

Proposed Lakes	± 28.1 Ac.
Proposed Internal/Private R.O.W.	± 8.2 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 10.1 Ac.
Conservation Areas	± 33.4 Ac.
Green Areas / Open Space	± 4.7 Ac.
Development Areas (Tracts 1A - 1F)	±126.3 Ac.
Total Development Area #1	±210.8 Ac.

Development Area #2: (Residential - 450 M.F. Units / Retail - Comm. 1,438,110 Sq.Ft. / Gen. Office 90,000 Sq.Ft. / Hotel - 333 Rooms)

Proposed Lakes	± 17.0 Ac.
Proposed Internal/Private R.O.W.	± 6.1 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 8.1 Ac.
Green Areas / Open Space	± 4.0 Ac.
Development Areas (Tracts 2A - 2F)	± 140.5 Ac.
Total Development Area #2	±175.7 Ac.

Development Area #3: (Residential - 424 M.F. / A.L.F. Units / Retail - Comm. 40,000 Sq.Ft. / Office 264,500 Sq.Ft.)

Proposed Lakes	± 13.7 Ac.
Proposed Internal/Private R.O.W.	± 5.9 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 7.4 Ac.
Development Areas (Tracts 3A-1 thru 3 - 3D)	± 68.9 Ac.
Total Development Area #3	± 95.9 Ac.

b. MAXIMUM DEVELOPMENT TRACT INTENSITY:
(NOTE: CUMULATIVE INTENSITIES WILL NOT EXCEED MAXIMUM PROPOSED LAND USES FOR EACH DEVELOPMENT AREA)

Development Area #1:

Tract 1A	200 MF/ALF/APT. Units / 50,000 s.f. Office
Tract 1B	450,000 s.f. Office
Tract 1C	90,000 s.f. Retail / 20,000 s.f. Office
Tract 1D	5,000 s.f. Retail/35,000 s.f. Office / Fire Station / 120 Room Hotel
Tract 1E	450 M.F. DU's
Tract 1F	90 M.F. DU's

Development Area #2:

Tract 2A	650,000 s.f. Retail / 450 M.F. DU's / 60,000 s.f. Office / 200 Room Hotel
Tract 2B	600,000 s.f. Retail /200 Room Hotel / 200 M.F. DU's
Tract 2C	150,000 s.f. Retail /20,000 s.f. Office / 200 Room Hotel
Tract 2D/E	150,000 s.f. Retail /30,000 s.f. Office / 200 Room Hotel
Tract 2F	20,000 s.f. Retail/30,000 s.f. Office/100 M.F.Units/150 Room Hotel

Development Area #3:

Tract 3A-1 thru 3	60,000 s.f. Retail / 300,000 s.f. Office / 160 Hospital Beds (1)
Tract 3B	200 A.L.F. Units
Tract 3C	40,000 s.f. Retail / 90,000 s.f. Office
Tract 3D	224 M.F. DU's

(1) ANY COMBINATION OF PERMITTED LAND USES MAY DEVELOP WITHIN TRACTS 3A-1, 3A-2 AND 3A-3_1 PROVIDED TRIP GENERATION DOES NOT EXCEED 479 NET NEW EXTERNAL TRIPS.

4. PROJECT PHASING:

	M.F. / A.L.F./APT. (UNITS)	RETAIL COMM. (SQ.FT.)	OFFICE (SQ.FT.)	HOTEL (ROOMS)	Bank w DT (SQ.FT.)
2001 - 2024	1,594*	1,544,210	835,777	453	8,000

* M.F. / A.L.F./APT. UNITS MAY BE REPLACED WITH S.F. / T.F. / T.H. / DUPLEX USES SO LONG AS THE TOTAL NO. OF PEAK HOUR VEHICULAR TRIPS GENERATED BY THE DEVELOPMENT IS NOT INCREASED AND APPROVAL IS OBTAINED IN ACCORDANCE WITH RESOLUTION Z-02-009.

5. CONCEPTUAL OPEN SPACE (Tract 2B Alternate Plan):

a. REQUIRED (per L.C.L.D.C.)*:

Development Area #1:

(LESS Sandy Lane Extension and Tracts 1A+1E & 1F)	124.8 Ac. x 30%	± 37.44 Ac.
(Tracts 1A / 1E / 1F)	75.9 Ac. x 40%	± 30.36 Ac.

Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4 AC RESIDENTIAL MAX]:

(LESS Sandy Lane Extension & Resid. Area)	158.4 Ac. x 30%	± 47.5 Ac.**
(Residential Area)	9.2 Ac. x 40%	± 3.7 Ac.

Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO RESIDENTIAL]:

(LESS Sandy Lane Extension & Resid. Area)	161.8 Ac. x 30%	± 48.5 Ac.
(Residential Area)	5.8 Ac. x 40%	± 2.3 Ac.

Development Area #3:

(LESS Sandy Lane Extension & Tracts 3B & 3D)	59.7 Ac. x 30%	± 17.9 Ac.
(Tract 3B & 3D)	28.8 Ac. x 40%	± 11.5 Ac.
Total Open Space Required [ALT 1]:		±148.4 Ac.
Total Open Space Required [ALT 2]:		±148.0 Ac.

* The % of Open Space may vary depending upon the ultimate land uses.
** Includes Residential above Commercial uses.

b. PROVIDED (per L.C.L.D.C.):

Prop. Lake Areas (@ <25.0% of 150.2 Ac.)		± 37.6 Ac.
Prop. Conservation Areas		± 33.4 Ac.

Development Area #1:

Commercial Development (Tracts1B/1C/1D)	50.4 Ac. x 19.65%	± 9.9 Ac.
Residential Development (Tracts 1A/1E/1F)	75.9 Ac. x 30.0%	± 22.8 Ac.
	Sub-total:	± 32.7 Ac.

Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4 AC RESIDENTIAL MAX]:

Commercial Development (Tracts 2A - 2F)	131.3 Ac. x 19.52%	± 25.6 Ac.
Residential Development (Tract 2A)	5.8 Ac. x 23.60%	± 1.4 Ac.
Residential Development (Tracts 2B)	3.4 Ac. x 23.50%	± 0.8 Ac.
	Sub-total:	± 27.8 Ac.

Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO RESIDENTIAL]:

Commercial Development (Tracts 2A - 2F)	134.7 Ac. x 19.52%	± 26.3 Ac.
Residential Development (Tract 2A)	5.8 Ac. x 23.60%	± 1.4 Ac.
	Sub-total:	± 27.7 Ac.

Development Area #3:

Commercial Development Tracts (Tracts 3A-1 thru -3 & 3C)	42.6 Ac. x 19.55%	± 8.3 Ac.
Residential Development (Tracts 3B & 3D)	28.8 Ac. x 30.00%	± 8.6 Ac.
	Sub-total	± 16.9 Ac.
Total Open Space Provided [ALT 1]:		±148.4 Ac.
Total Open Space Provided [ALT 2]:		±148.0 Ac.

6. INDIGENOUS OPEN SPACE:
DUE TO THE EXISTING AGRICULTURAL LAND USE AND THE EXTENT OF MELALEUCA INVASION WITHIN THE REMAINING FORESTED AREAS, NO INDIGENOUS OPEN SPACE IS REQUIRED.

7. NOTES:

A. Internal access will be provided to allow through traffic between US 41 and Sandy Lane Extension.

B. For Tract 1C general service area locations, see above MCP.

C. The project will be designed to facilitate the use of the Lee Tran services in accordance with Lee County LDC Sec. 34-411(e) and 10-442.

LEGEND

- PROPERTY BOUNDARY
- ROAD R.O.W. LINE
- CO — CONSERVATION AREAS
- L — PROPOSED LAKE
- CONCEPTUAL ACCESS POINT
- IL (DEVELOPED) — ADJACENT ZONING / LAND USE
- GENERAL LOCATION OF SERVICE AREAS

ATTACHMENT "A"

Bowman
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 30462

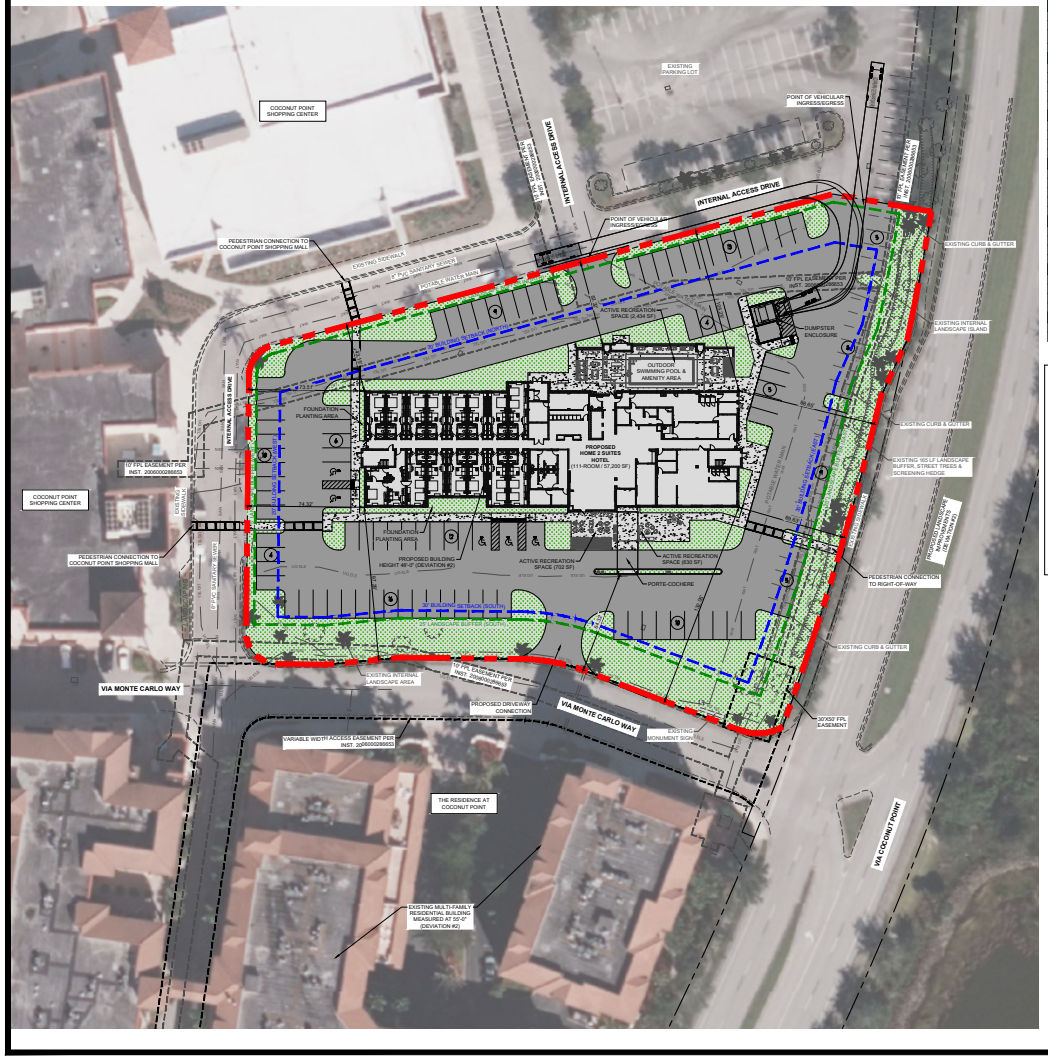
Bowman Consulting Group, Ltd.
9053 Whiskey Creek Drive
Fort Myers, FL 33919
Phone (239) 985-1200
www.bowmanconsulting.com
a Bowman Consulting Group Ltd. Company

COCONUT POINT M.P.D.
MASTER CONCEPT PLAN
EXHIBIT IV-E
VILLAGE OF ESTERO, FL

REV.	DESCRIPTION	DATE
1	Added Access Pt. on Tract 3A-1	1/1/1970
2	Revised for Administrative Amendment Submittal	1/1/1970
3	Revised for Administrative Amendment Submittal	1/1/1970
4	Revised for Public Hearing #2(2000-0000)	1/1/1970
5	Revised for Administrative Amendment Submittal	1/1/1970
6	Revised for Administrative Amendment Submittal	1/1/1970
7	Revised for Administrative Amendment Submittal	1/1/1970
8	Revised per County Staff 1st Rvw.	1/1/1970
9	Revised per County Staff 1st Rvw.	1/1/1970
10	ADMINISTRATIVE AMENDMENT	6/30/14
11	MPMC	5/9/15
12	SUBMITTED FOR ADMIN AM	6/11/15
13	ZONING RESUBMITTAL #1	8/11/15
14	ZONING RESUBMITTAL #2	11/10/15
15	ZONING RESUBMITTAL #3	1/29/16
16	ADMINISTRATIVE AMENDMENT	4/6/16
17	Zoning Resolution Revisions	6/6/16
18	Zoning Resolution Revisions	6/6/16
19	Zoning Resolution Revisions	6/6/16
20	Zoning Resolution Revisions	6/6/16
21	MPD / Zoning Amendment	6/6/16
22	Revised Tract 1C to 3B Alternate Plan	6/27/16

E.M.C. DESIGN | C.R.B. DRAWN | C.L.K. CHKD
SCALE 1" = 400'
JOB No. 340000-01-001
DRAWING No. 340000
DATE 4/17/25
CONCEPT PLAN
SHEET EXHIBIT IV-E

CAD file name: Q:\FL-FTM\-HAY\MBX\FA-FM\MBX\A-Marketing\05\GA\Shmn - Coconut Point DRI Amendment\Exhibits & Cost Plan\MPD - MCP\130966-MCP--TRACT-1B-REV.06-20250417.dwg 4/16/2025
THE DESIGNS, RECORDS AND THE CONCEPTS AND DESIGNS PROVIDED HEREIN, AS AN INSTRUMENT OF SERVICE, IS PROVIDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN CONSULTING SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING.



PROPERTY INFORMATION	
PARCEL ID #	09-47-25-E2-3600C.0010
JURISDICTION:	VILLAGE OF ESTERO
ZONING DISTRICT:	MIXED-USE PLANNED DEVELOPMENT (MPD) & US HWY-41 OVERLAY
TOTAL SITE AREA:	2.372 AC / 103,310 SF

LAND USE SCHEDULE	
SUBJECT PROPERTY:	PROPOSED HOME2SUITES HOTEL
NORTH:	COCONUT POINT (VACANT CINEMA)
SOUTH:	THE RESIDENCES AT COCONUT POINT
EAST:	SHADOW WOOD COMMUNITY & COUNTRY CLUB
WEST:	COCONUT POINT (AMERICAN EAGLE & BUCKLE)

PROPOSED BUILDING DATA	
TOTAL FLOORS:	4-STORY
GROSS BUILDING AREA:	57,200 SF
TOTAL ROOMS:	111-KEYS
NON-RESIDENTIAL INTENSITY:	0.69

SETBACKS & BUFFERS		
DIRECTION	BUILDING SETBACK	LANDSCAPE BUFFER
NORTH	30'-0"	5'-0"
SOUTH	30'-0"	25'-0"
EAST	30'-0"	20'-0"
WEST	20'-0"	5'-0"

MINIMUM PARKING REQUIREMENTS	
MINIMUM PARKING CRITERIA:	1 SPACES / 1.2 ROOM
CALCULATION (MINIMUM):	93
MAXIMUM PARKING CRITERIA:	125% OF MINIMUM
CALCULATION (MAXIMUM):	116

PROPOSED PARKING		
SPACE TYPE	SIZE	NO. PROPOSED
PROPOSED REGULAR	9' X 18'	111
PROPOSED ACCESSIBLE	12' X 18'	5
TOTAL		116

OPEN SPACE CRITERIA		
OPEN SPACE REQUIRED:	30%	30,993 SF
OPEN SPACE PROVIDED:	28%	28,885 SF

REQUESTED DEVIATIONS

1. **DEVIATION 1 - OPEN SPACE CRITERIA (SECTION 5-408.C)**
THE APPLICANT IS SEEKING RELIEF FOR THE MINIMUM 30% OPEN SPACE REQUIREMENT, DUE TO THE LOT SIZE AND CONFIGURATION THE MSP WAS DESIGNED TO MAXIMIZE THE OFF-STREET PARKING PROPOSED AND MAINTAIN THE EXISTING LANDSCAPE BUFFER ALONG THE RIGHT-OF-WAY. THE MCP HAS PROPOSED A TOTAL 28% OPEN SPACE AND PROPOSES TO INCREASE THE LANDSCAPE AREA ON-SITE FROM THE EXISTING PARKING LOT CONDITIONS. ADDITIONALLY, THE MCP HAS PROPOSED TO INSTALL LANDSCAPED AREAS AND STREET TREES WITHIN CENTER MEDIAN FOR THE VIA COCONUT POINT RIGHT-OF-WAY.

2. **DEVIATION 2 - MAX. BUILDING HEIGHT (SECTION 3-706.C)**
THE APPLICANT IS SEEKING RELIEF FOR THE MAXIMUM 45'-0" BUILDING HEIGHT REQUIREMENT. THE PROPOSED HOME2SUITES BUILDING MEASURES 48'-0" IN HEIGHT TO THE MAIN PARAPET AND 58'-6" TO THE TOP OF THE ARCHITECTURAL TOWER ELEMENT PROPOSED. ON THE ADJACENT LOT TO THE SOUTH THERE IS AN EXISTING/MULTI-FAMILY RESIDENTIAL COMMUNITY, THE RESIDENCE AT COCONUT POINT WITH 4-STORY BUILDINGS MEASURING 55'-0" IN HEIGHT.

MASTER CONCEPT PLAN NOTES

3-702.D.1.A
EXISTING EASEMENTS ARE SHOWN AND ARE LABELED ON THIS MASTER CONCEPT PLAN.

3-702.D.1.B
ALL VEHICULAR POINTS OF INGRESS/EGRESS ARE NOTED ON THE MASTER CONCEPT PLAN.

3-702.D.1.C
NONRESIDENTIAL FLOOR AREA: 71,316 SF (17,682 SF ON GROUND FLOOR)
NONRESIDENTIAL INTENSITY: 0.69 (103,310.68 SF / 71,316 SF)

3-702.D.1.D
THE PROPOSED PLANNED DEVELOPMENT IS NOT DIVIDED INTO LOTS OR PARCELS.

3-702.D.1.E
THE PROPOSED BUFFERS AND BUILDING SETBACKS ALONG EACH PROPERTY LINE ARE LABELED ON THE MASTER CONCEPT PLAN.

3-702.D.1.F
THE OPEN SPACE DESIGN PLAN TO DELINEATE INDIGENOUS PRESERVES AND/OR NATIVE TREE PRESERVATION AREAS IS NOT APPLICABLE AS THE SUBJECT PROPERTY IS AN EXISTING PARKING LOT.

3-702.D.1.G
OPEN SPACE REQUIRED: 30% (30,993 SF)
OPEN SPACE PROVIDED: 28% (28,471 SF)

3-702.D.1.H
THE PROPOSED ACTIVE RECREATION OPEN SPACES ARE LABELED ON THE MASTER CONCEPT PLAN.

3-702.D.1.I
THE LOCATION OF PROPOSED RECREATION AREAS AND PROPOSED PARKING SPACES ARE LABELED ON THE MASTER CONCEPT PLAN. NO INDIGENOUS AREAS OR FLOW WAYS ARE REQUIRED TO BE PRESERVED, RESTORED, OR CREATED; THEREFORE, THOSE ARE NOT SHOWN ON THE PLAN.

3-702.D.1.J
NO ENVIRONMENTALLY SENSITIVE LANDS EXIST ON THE SUBJECT PROPERTY.

3-702.D.1.K
THE ON-SITE PEDESTRIAN CIRCULATION SYSTEM IS SHOWN VIA THE PROPOSED SIDEWALKS ON THE MASTER CONCEPT PLAN. THE CONNECTION POINTS TO THE OFF-SITE PEDESTRIAN SYSTEM ARE LABELED ON THE MASTER CONCEPT PLAN.

3-702.D.1.L
THE CONNECTION POINTS TO THE OFF-SITE ROADS HAVE BEEN LABELED AND EACH OFF-SITE ROAD HAS BEEN LABELED ON THE MASTER CONCEPT PLAN.

3-702.D.1.N
THE LOCATIONS OF THE EXISTING POTABLE WATER AND WASTEWATER LINES HAVE BEEN LABELED ON THE MASTER CONCEPT PLAN. CONNECTIONS TO THE MAIN LINES WILL BE PER BONITA SPRINGS UTILITIES, INC. REQUIREMENTS.

3-702.D.1.O
THERE ARE SEVERAL EXISTING STORM DRAINAGE STRUCTURES ON-SITE. THE PROPOSED DEVELOPMENT WILL CONNECT TO THESE EXISTING STRUCTURES. THE EXISTING STRUCTURES CONVEY STORMWATER TO AN EXISTING POND.

3-702.D.1.P
THE EXISTING DEVELOPMENT WHICH THIS PROPOSED HOTEL WILL BE JOINING, IS ALREADY SERVED BY OFF-SITE PUBLIC FACILITIES FOR FIRE PROTECTION, POLICE PROTECTION, EMERGENCY MANAGEMENT, AND SOLID WASTE MANAGEMENT.

CONCEPTUAL LAND USE BREAKDOWN

HOTEL:	0.40 ACRES
HARDSCAPE/GREENSPACE/AMENITY AREAS:	1.97 ACRES
TOTAL:	2.37 ACRES

CONCEPTUAL OPEN SPACE BREAKDOWN

OPEN SPACE REQUIRED:	30% (30,993 SF)
OPEN SPACE PROVIDED:	28% (28,471 SF)

PROPOSED NONRESIDENTIAL INTENSITY

NONRESIDENTIAL FLOOR AREA:	71,316 SF
SITE AREA:	103,310 SF
NONRESIDENTIAL INTENSITY:	0.69

Received May 8, 2025

SCALE: 1" = 30'

INGENIUM ENTERPRISES, INC.
19445 SHUMARD OAK DR.
SUITE 102
LAND O LAKES, FL 34638
PHONE: (813) 387-0084

FBPE CERT. OF AUTHORITY #8370

INGENIUM PROJECT:	220037
PROJECT PM:	NK
PROJECT RE:	LW
ISSUE DATE:	10/18/2024

DWG NAME: 220037 MASTER CONCEPT PLAN.DWG

THE CIVIL ENGINEER REGULARLY UPDATES ELECTRONIC DRAWING FILES AS REQUIRED BY THE PROJECT. AS A RESULT, THE DATA INCLUDED IN ANY CAD FILE OR DRAWING PRIOR TO ITS FINAL RELEASE DOES NOT NECESSARILY REFLECT THE ENGINEER'S FINAL WORK PRODUCT AND CANNOT BE DEEMED TO BE THE CONTRACT. THE CONTENTS IN THESE FILES MAY THEREFORE BE PRELIMINARY, INCOMPLETE, AND/OR OUTDATED AND MAY CONTAIN CHANGES. FURTHERMORE, THE INFORMATION CONTAINED HEREIN IS THE EXCLUSIVE PROPERTY OF THE CIVIL ENGINEER OF RECORD. ANY REUSE OF THE CONTENTS OF THIS INFORMATION SHALL NOT BE USED, ALTERED, OR REPRODUCED IN ANY MANNER WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE CIVIL ENGINEER OF RECORD AND ARE SUBJECT TO FEDERAL COPYRIGHT LAWS. ANY USE OF SAME WITHOUT EXPRESSED WRITTEN PERMISSION OF THE CIVIL ENGINEER IS PROHIBITED.

CLIENT:
Peachtree Hotel Group
3500 Lenox Road - Suite 625
Atlanta, GA 30326
Phone: (470) 298-3648

HOME2 SUITES BY HILTON
COCONUT POINT
23106 FASHION DRIVE
ESTERO, FLORIDA 33928

REV.	DATE	DESCRIPTION

SEALED BY ENGINEER NAMED TO ON THE SEAL ADJACENT TO THE SEAL ON THE COVER SHEET (CVR.0).

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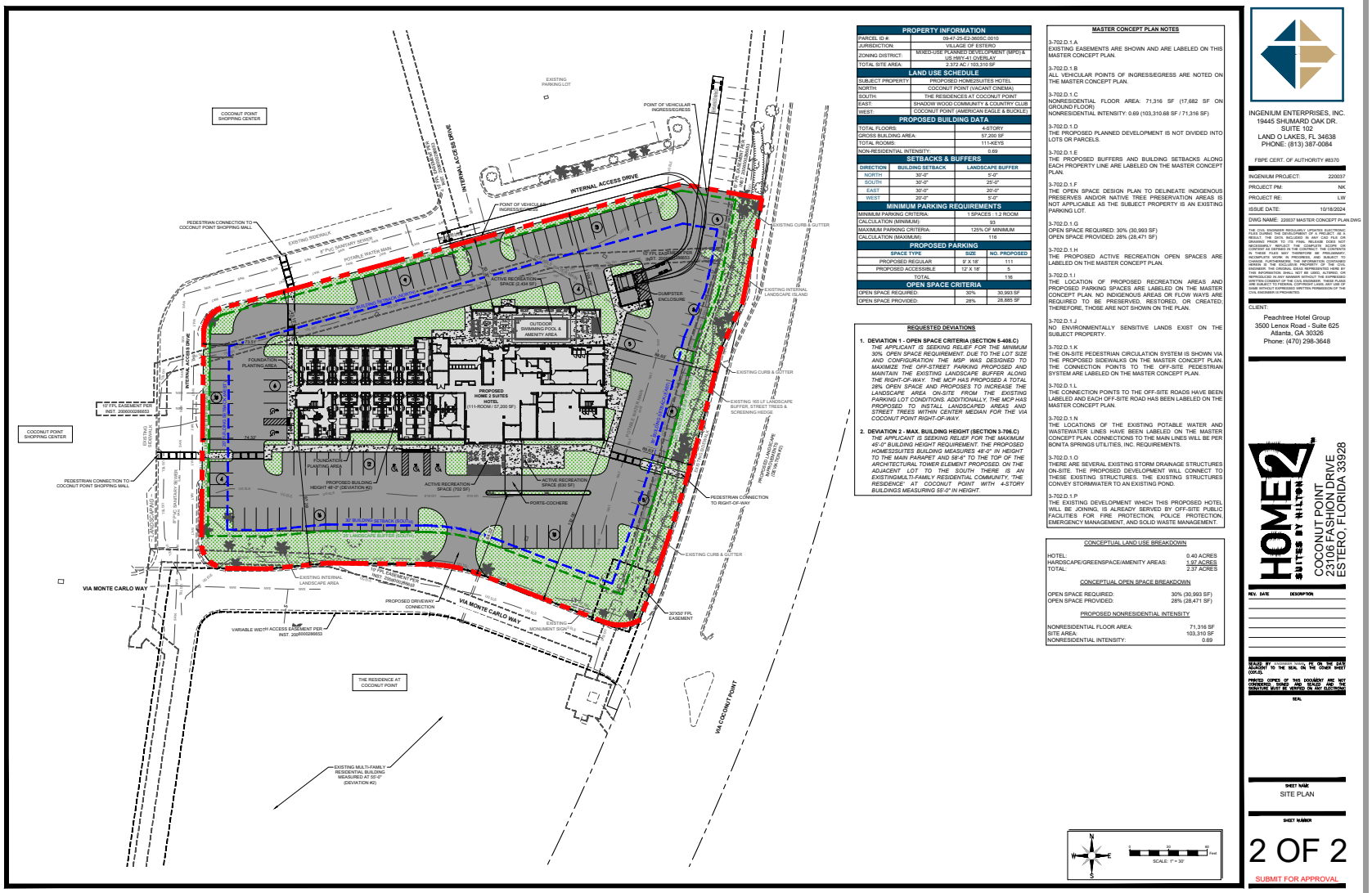
SEAL

SHEET NAME
SITE PLAN

SHEET NUMBER
1 OF 2

SUBMIT FOR APPROVAL



PROPERTY INFORMATION	
PARCEL ID #:	09-47-25-E2-3600C.0010
JURISDICTION:	VILLAGE OF ESTERO
ZONING DISTRICT:	MIXED-USE PLANNED DEVELOPMENT (MPD) & US HWY 41 OVERLAY
TOTAL SITE AREA:	2.372 AC / 103,310 SF

LAND USE SCHEDULE	
SUBJECT PROPERTY:	PROPOSED HOME2SUITES HOTEL
NORTH:	COCONUT POINT (VACANT CINEMA)
SOUTH:	THE RESIDENCES AT COCONUT POINT
EAST:	SHADOW WOOD COMMUNITY & COUNTRY CLUB
WEST:	COCONUT POINT (AMERICAN EAGLE & BUCKLE)

PROPOSED BUILDING DATA	
TOTAL FLOORS:	4-STORY
GROSS BUILDING AREA:	57,200 SF
TOTAL ROOMS:	111-KEYS
NON-RESIDENTIAL INTENSITY:	0.69

SETBACKS & BUFFERS		
DIRECTION	BUILDING SETBACK	LANDSCAPE BUFFER
NORTH	30'-0"	5'-0"
SOUTH	30'-0"	25'-0"
EAST	30'-0"	20'-0"
WEST	20'-0"	5'-0"

MINIMUM PARKING REQUIREMENTS	
MINIMUM PARKING CRITERIA:	1 SPACES / 1.2 ROOM
CALCULATION (MINIMUM):	93
MAXIMUM PARKING CRITERIA:	125% OF MINIMUM
CALCULATION (MAXIMUM):	116

PROPOSED PARKING		
SPACE TYPE	SIZE	NO. PROPOSED
PROPOSED REGULAR	9' X 18'	111
PROPOSED ACCESSIBLE	12' X 18'	5
TOTAL:		116

OPEN SPACE CRITERIA		
OPEN SPACE REQUIRED:	30%	30,993 SF
OPEN SPACE PROVIDED:	28%	28,885 SF

REQUESTED DEVIATIONS

1. **DEVIATION 1 - OPEN SPACE CRITERIA (SECTION 5-408.C)**
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CONCEPTUAL LAND USE BREAKDOWN

HOTEL:	0.40 ACRES
HARDSCAPE/GREENSPACE/AMENITY AREAS:	1.97 ACRES
TOTAL:	2.37 ACRES

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PROPOSED NONRESIDENTIAL INTENSITY

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SITE AREA:	103,310 SF
NONRESIDENTIAL INTENSITY:	0.69

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19445 SHUMARD OAK DR.
SUITE 102
LAND O LAKES, FL 34638
PHONE: (813) 387-0084

FBPE CERT. OF AUTHORITY #8370

INGENIUM PROJECT:	220037
PROJECT PM:	NK
PROJECT RE:	LW
ISSUE DATE:	10/18/2024
DWG NAME:	220037 MASTER CONCEPT PLAN.DWG

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HOME2 SUITES BY HILTON
COCONUT POINT
23106 FASHION DRIVE
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REV.	DATE	DESCRIPTION

SEALED BY ENGINEER NAME ON THE SEAL ADJACENT TO THE SEAL ON THE COVER SHEET (CVR.S).

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SEAL

SHEET NAME
SITE PLAN

SHEET NUMBER
2 OF 2

SUBMIT FOR APPROVAL

Legal Description

A portion of Tract SC-1, Coconut Point - Area 2, s subdivision according to the map or plat thereof, as recorded in Official Records Instrument Number 2006000409925, of the Public Records of Lee County, Florida, being more particularly described as follows:

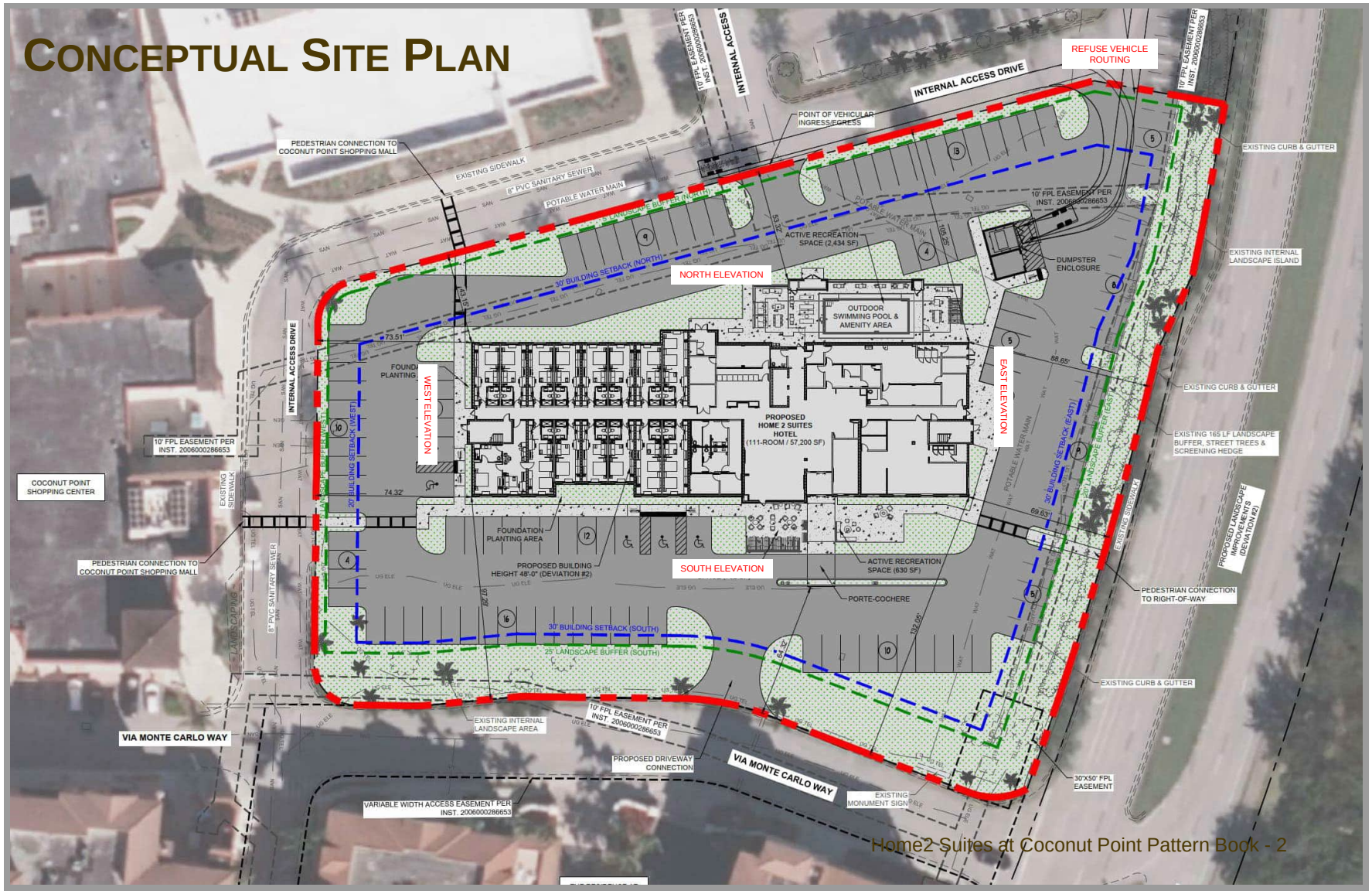
Commence at the Northeast corner of the Northeast quarter of Section 9, Township 47 South, Range 25 East for a point of reference; thence run along the Northerly line of said Northeast quarter of Section 9 South 88° 15’ 46” West 10.31 feet to a point in the Easterly right-of-way line of Via Coconut Point, a 100 foot public right-of-way, thence departing said Northerly line of the Northeast quarter of Section 9 and along said Easterly right-of-way line, South 00° 59’ 47" East 442.94 feet to a point marking the point of curvature of said Via Coconut Point; thence departing said Easterly right-of-way line South 89° 00’ 13” West 100.00 feet to a point in the Westerly right-of-way line of Via Coconut Point, and the point of curvature of such; thence curving to the right on a circular curve concave Westerly along said Westerly right-of-way line, having a radius of 1853.89 feet, a central angle of 10° 24' 00”, subtended by a chord bearing of South 04° 12’ 28” West a chord distance of 336.05 feet and an arc distance of 336.51 feet to the Point of Beginning; thence continuing along said Westerly right-of-way line, curving to the right on a circular curve concave Westerly, having a radius of 1853.89 feet, a central angle of 02° 33’ 26”, subtended by a chord bearing of South 10° 41' 11” West a chord distance of 82.74 feet and an arc distance of 82.74 feet to a point being the Northeasterly corner to Tract R-7 (an 8.50 foot roadway widening tract) as shown on aforementioned plat recorded in Official Records Instrument Number 2006000409925, Sheet 5; thence along the Westerly line of said Tract R-7, South 2449' 37" West 40.04 feet to a point of curvature; thence departing said Westerly line of Tract R-7, along the Northerly line of a variable width access easement, curving to the right on a circular curve concave Westerly along said Westerly line of Tract R-7, having a radius of 1845.39 feet, a central angle of 06° 48' 38", subtended by a chord bearing of South 16° 34’ 56" West a chord distance of 219.22 feet and an arc distance of 219.35; thence curving to the right on a circular curve concave to the North, having a radius of 33.00 feet, a central angle of 49° 17' 13", subtended by a chord bearing of South 86° 20' 48” West a chord distance of 27.52 feet and an arc distance of 28.39 feet; thence continuing along said Northerly line of a variable width access easement, North 69° 00’ 36” West a distance of 103.35 feet to a point of curvature; thence continuing along said Northerly line of an access casement, curving to the left on a circular curve concave Southerly, having a radius of 122.00 feet, a central angle of 20° 19’ 13”, subtended by a chord bearing of North 79° 10’ 13" West a chord distance of 43.04 feet and on arc distance of 43.27 feet; thence continuing along said Northerly line of a variable width access casement North 89° 19' 49” West a distance of 76.50 feet; thence, still along said Northerly line, South 84° 35’ 41" West a distance of 47.35 feet; thence continuing along the Northerly line of a variable width access easement, North 89° 18' 43” West a distance of 31.48 feet to a point of curvature; thence, departing said Northerly line of a variable width access easement, curving to the right on a circular curve concave Northeastwardly with a radius of 20.00 feet, a central angle of 89° 56' 24", subtended by a chord bearing of North 44° 20’ 31" West a chord distance of 28.27 and an arc distance of 31.40; thence North 00° 37' 41" East a distance of 163.18 feet to a point of curvature; thence curving to the right on a circular curve concave to the Southeast with a radius of 20.00 feet, a central angle of 74° 15' 39", subtended by a chord bearing of North

37° 45' 31" East a chord distance of 24.15 feet and an arc distance of 25.92 feet; thence North 74° 53' 20” East a distance of 369.50 feet; thence South 79° 49' 41" East a distance of 63.52 feet returning to the Point of Beginning.

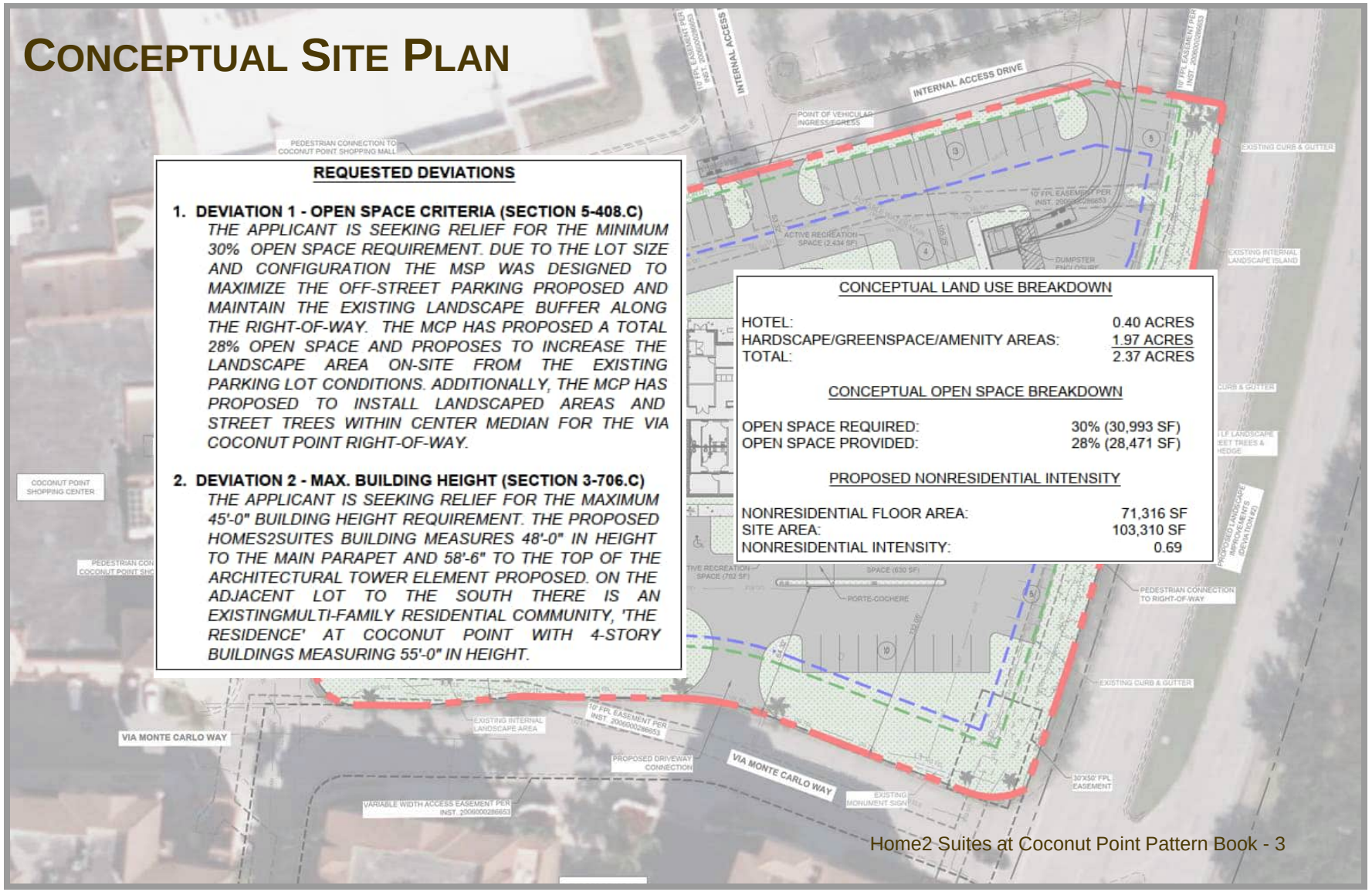
Containing 103,310.68 square feet, or 2.372 acres, more or less.

HOME2 SUITES AT COCONUT POINT
SUPPLEMENTAL PATTERN BOOK

Received May 8, 2025


CONCEPTUAL SITE PLAN
INTERNAL ACCESS DRIVE
REFUSE VEHICLE ROUTING
POINT OF VEHICULAR INGRESS/EGRESS
PEDESTRIAN CONNECTION TO COCONUT POINT SHOPPING MALL
EXISTING SIDEWALK
8" PVC SANITARY SEWER
POTABLE WATER MAIN
LANDSCAPE BUFFER (NORTH)
10' FPL EASEMENT PER INST. 2006000286653
ACTIVE RECREATION SPACE (2,434 SF)
DUMPSTER ENCLOSURE
EXISTING CURB & GUTTER
EXISTING INTERNAL LANDSCAPE ISLAND
30' BUILDING SETBACK (NORTH)
NORTH ELEVATION
OUTDOOR SWIMMING POOL & AMENITY AREA
WEST ELEVATION
EAST ELEVATION
PROPOSED HOME 2 SUITES HOTEL (111-ROOM / 57,200 SF)
20' BUILDING SETBACK (WEST)
30' BUILDING SETBACK (EAST)
LANDSCAPE BUFFER (EAST)
EXISTING 165 LF LANDSCAPE BUFFER, STREET TREES & SCREENING HEDGE
COCONUT POINT SHOPPING CENTER
FOUNDATION PLANTING AREA
PROPOSED BUILDING HEIGHT 48'-0" (DEVIATION #2)
SOUTH ELEVATION
ACTIVE RECREATION SPACE (630 SF)
PORTE-COCHERE
PROPOSED LANDSCAPE IMPROVEMENTS (DEVIATION #3)
PEDESTRIAN CONNECTION TO RIGHT-OF-WAY
30' BUILDING SETBACK (SOUTH)
25' LANDSCAPE BUFFER (SOUTH)
EXISTING CURB & GUTTER
EXISTING INTERNAL LANDSCAPE AREA
VIA MONTE CARLO WAY
PROPOSED DRIVEWAY CONNECTION
30'X50' FPL EASEMENT
EXISTING MONUMENT SIGN
VARIABLE WIDTH ACCESS EASEMENT PER INST. 2006000286653
Home2 Suites at Coconut Point Pattern Book - 2

CONCEPTUAL SITE PLAN



REQUESTED DEVIATIONS

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CONCEPTUAL LAND USE BREAKDOWN

HOTEL:	0.40 ACRES
HARDSCAPE/GREENSPACE/AMENITY AREAS:	1.97 ACRES
TOTAL:	2.37 ACRES

CONCEPTUAL OPEN SPACE BREAKDOWN

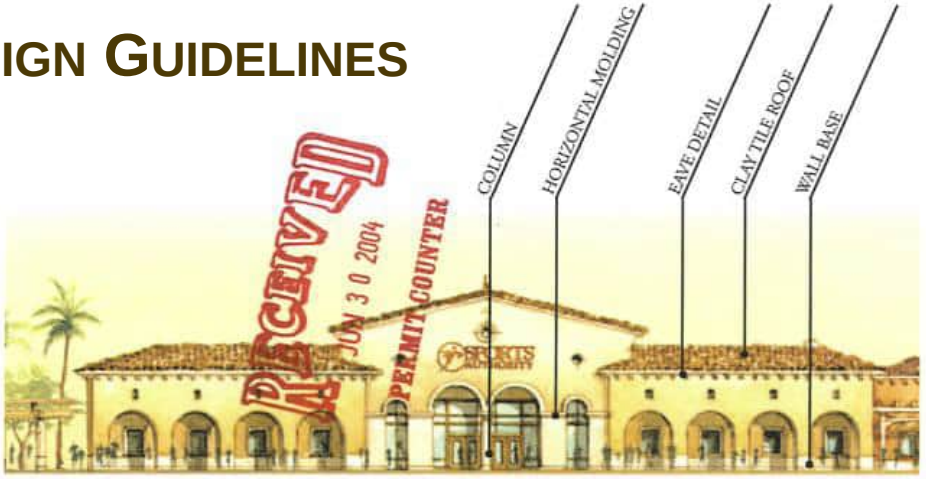
OPEN SPACE REQUIRED:	30% (30,993 SF)
OPEN SPACE PROVIDED:	28% (28,471 SF)

PROPOSED NONRESIDENTIAL INTENSITY

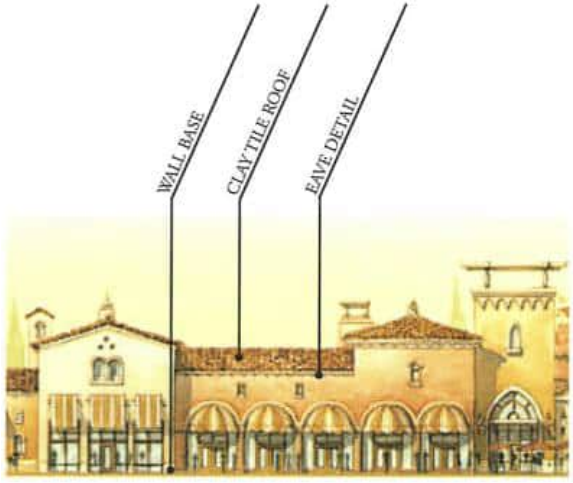
NONRESIDENTIAL FLOOR AREA:	71,316 SF
SITE AREA:	103,310 SF
NONRESIDENTIAL INTENSITY:	0.69

Home2 Suites at Coconut Point Pattern Book - 3

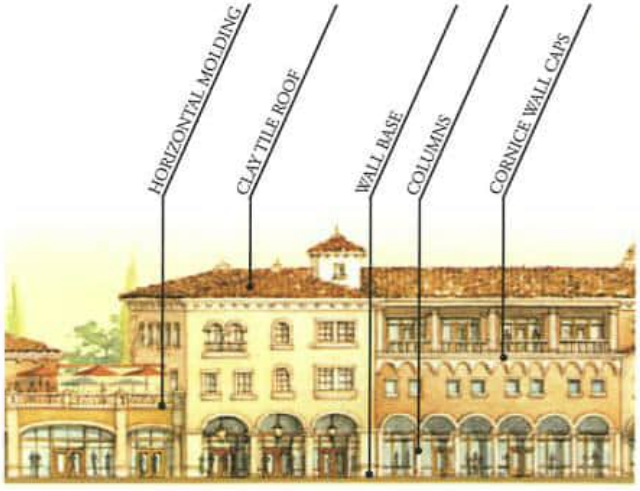
COCONUT POINT DESIGN GUIDELINES



Elevation - Type A2



Elevation - Type A3

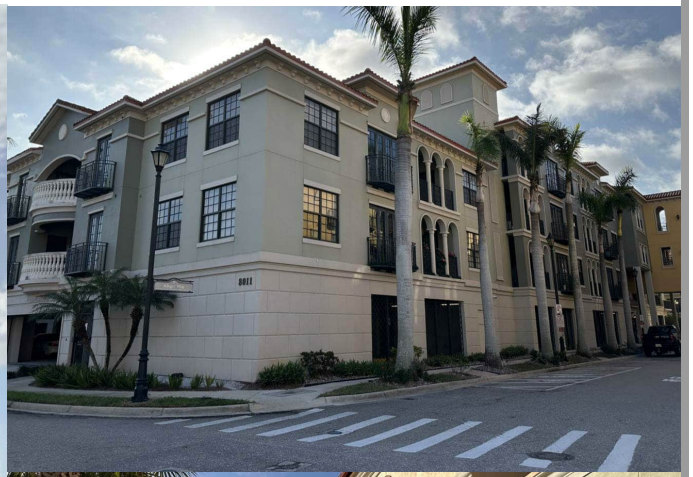


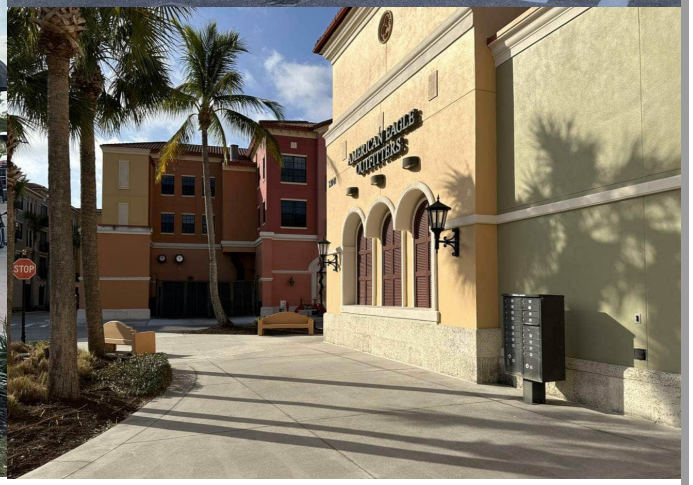
Elevation - Type A4

JUNE 14, 2004

Home2 Suites at Coconut Point Pattern Book - 4

EXISTING SITE PHOTOGRAPHS





Home2 Suites at Coconut Point Pattern Book - 5

FRONT
HOME2
Home2 Suites at Coconut Point Pattern Book - 6

FRONT
Home2 Suites at Coconut Point Pattern Book - 7

FRONT ENTRY
Home2 Suites at Coconut Point Pattern Book - 8

REAR
Home2 Suites at Coconut Point Pattern Book - 9

REAR
HOME2
Home2 Suites at Coconut Point Pattern Book - 10

REAR ENTRY
Home2 Suites at Coconut Point Pattern Book - 11

NORTH AND SOUTH ELEVATIONS

NORTH BUILDING ELEVATION (REAR)
SCALE: 1/8" = 1'-0"

SOUTH BUILDING ELEVATION (FRONT)
SCALE: 1/8" = 1'-0"

Home2 Suites at Coconut Point Pattern Book - 12

EAST AND WEST ELEVATIONS

EAST BUILDING ELEVATION (RIGHT)
SCALE: 1/8" = 1'-0"

WEST BUILDING ELEVATION (LEFT)
SCALE: 1/8" = 1'-0"

s1
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIGHT SAND FINISH
COLOR TO MATCH:
SW 6178 - CLARY SAGE

s2
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIMESTONE FINISH
COLOR TO MATCH:
SW 7035 - AESTHETIC WHITE

s3
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIGHT SAND FINISH
COLOR TO MATCH:
SW 9025 - CORIANDER POWDER

s4
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIGHT SAND FINISH
COLOR TO MATCH:
SW 7534 - OUTERBANKS

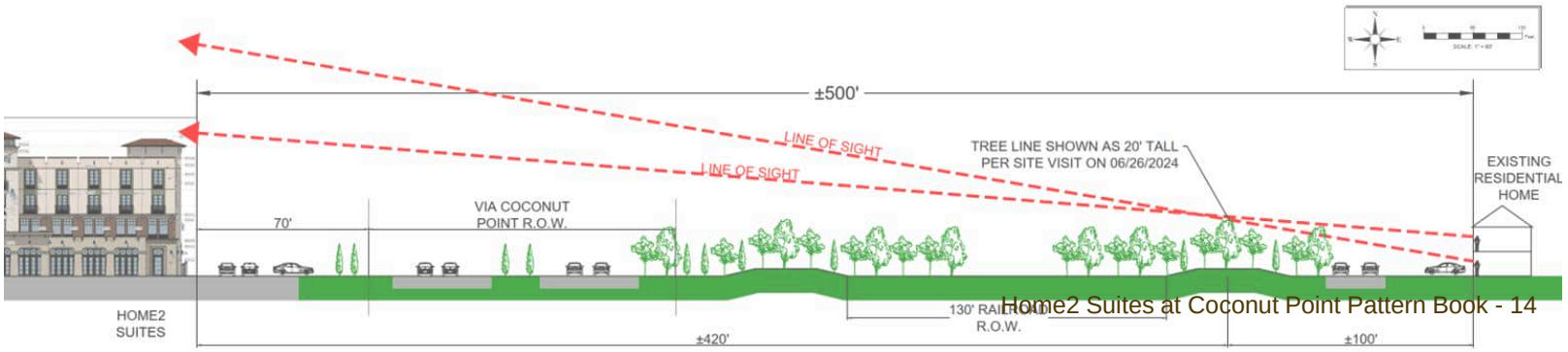
s5
EXTERIOR STUCCO SYSTEM
TEXTURE:
LARGE FORMAT STONE
COLOR TO MATCH:
VARIED COLOR TO MATCH
SW 7534 & SW7035

s6
EXTERIOR STUCCO SYSTEM
TEXTURE:
LARGE FORMAT CORAL STONE
COLOR TO MATCH:
COLOR TO MATCH
SW 7534

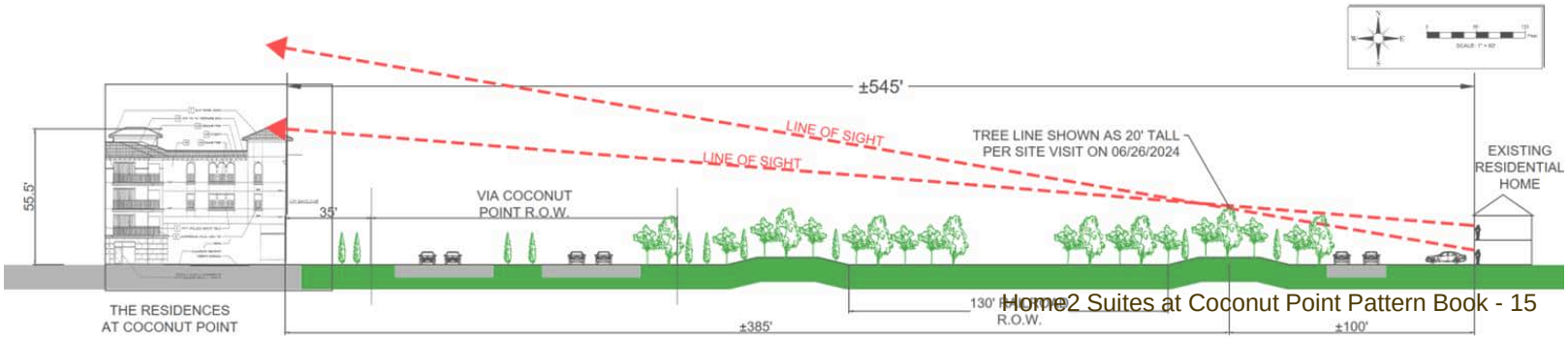
s7
CEMETITIOUS BARREL TILE ROOFING
COLOR TO MATCH:
ADOBE

Home2 Suites at Coconut Point Pattern Book - 13

LINE OF SIGHT EXHIBIT-HOME2 SUITES

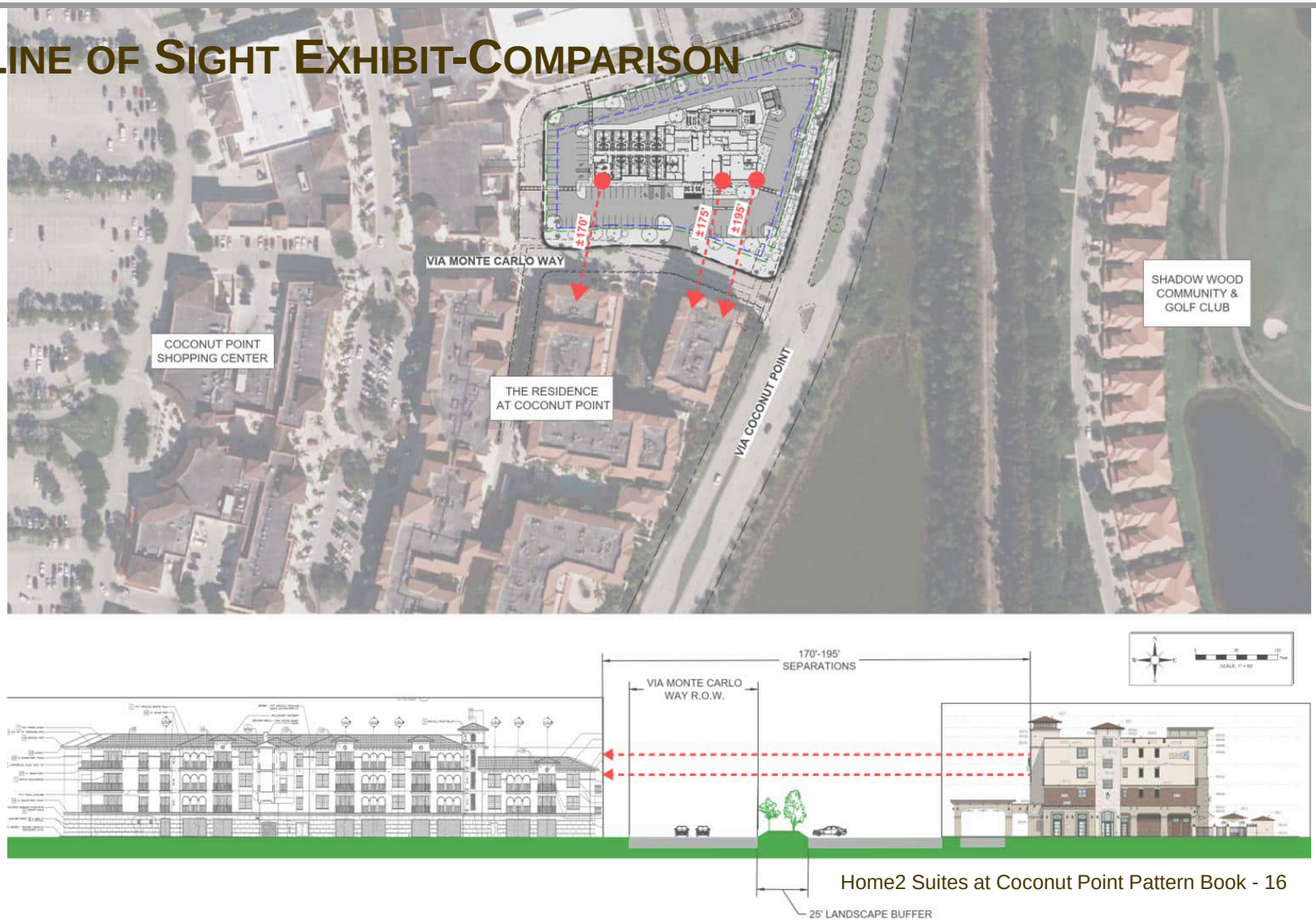


LINE OF SIGHT EXHIBIT-EXISTING



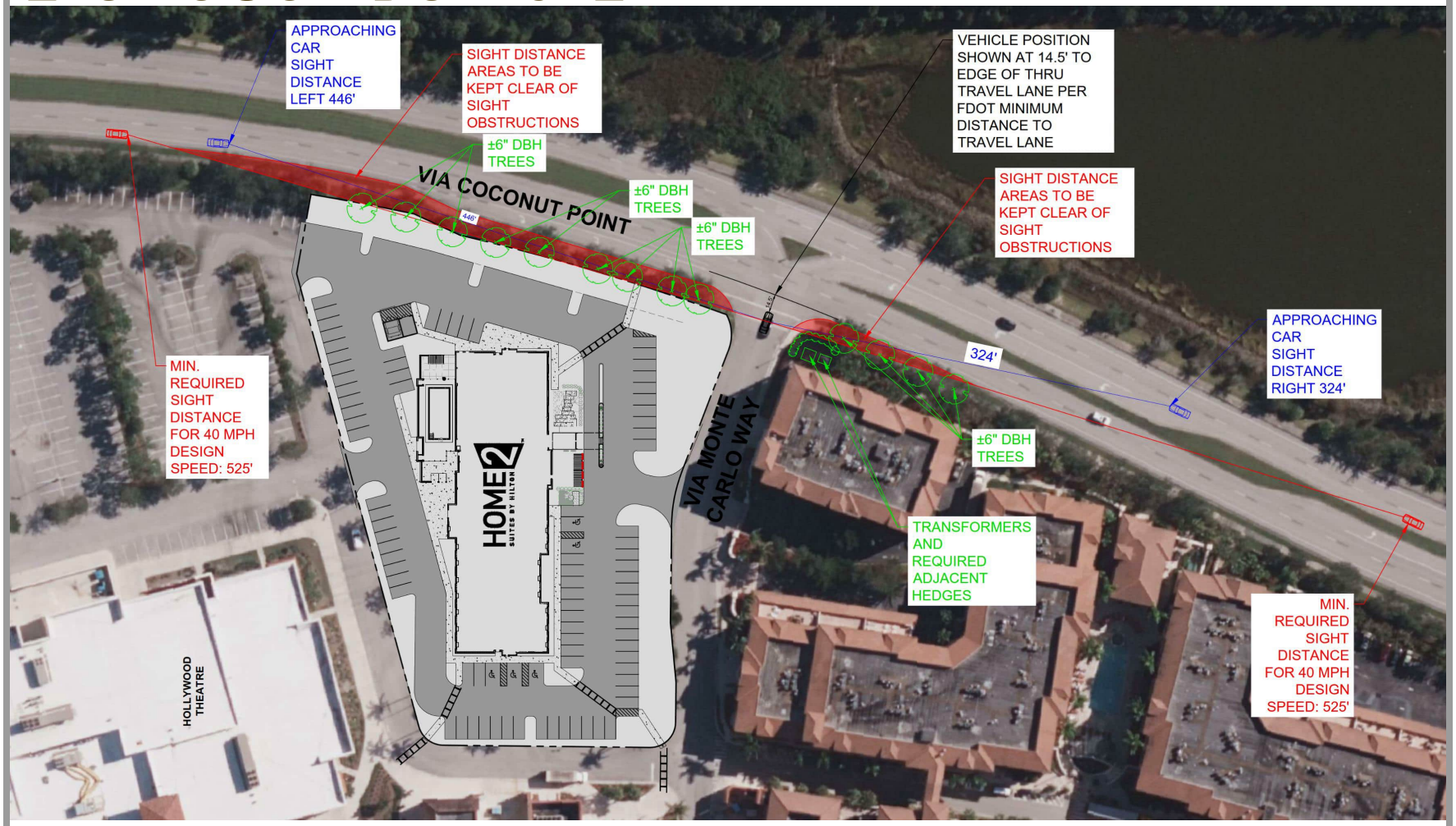
Home2 Suites at Coconut Point Pattern Book - 15

LINE OF SIGHT EXHIBIT-COMPARISON



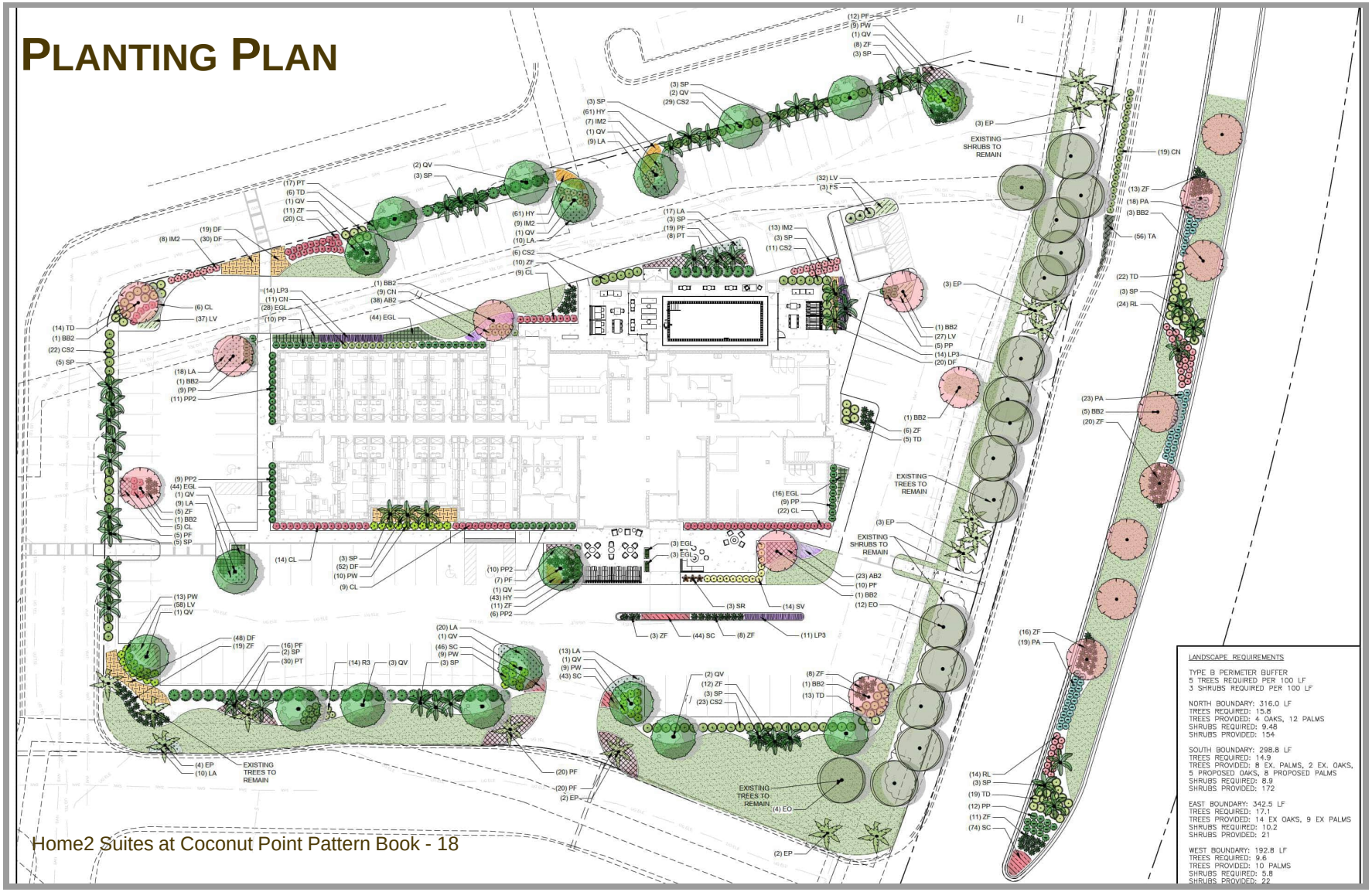
Home2 Suites at Coconut Point Pattern Book - 16

EXISTING SIGHT DISTANCE EXHIBIT



Home2 Suites at Coconut Point Pattern Book - 17

PLANTING PLAN



Home2 Suites at Coconut Point Pattern Book - 18

PLANTING SCHEDULES

PLANT SCHEDULE COCONUT POINT HOTEL

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	HT	REMARKS
TREES								
	BB2	8	DELONIX REGIA	ROYAL POINCIANA	B&B OR CONT	3"CAL	12-14` HT	FULL HEAD, SPECIMEN QUALITY, MIN. 12' CLEAR TRUNK
	EO	17	EXISTING OAK	EXISTING OAK	N/A			EXISTING OAK TO REMAIN
	EP	17	EXISTING PALM	EXISTING PALM	N/A			EXISTING PALM TO REMAIN
	QV	18	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	B&B OR CONT	3"CAL	12`-14`	FULL HEAD, SPECIMEN QUALITY, MIN. 6' CLEAR TRUNK
	SP	39	SABAL PALMETTO	SABAL PALM	FG		14-16` H	CLEAR-TRUNK HEIGHT NOTED

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HT	SPACING	REMARKS
SHRUBS								
	CL	85	CALLISTEMON CITRINUS `LITTLE JOHN`	LITTLE JOHN DWARF BOTTLEBRUSH	N/A	24" MIN.	36" o.c.	FULL FORM
	CN	20	CLUSIA GLUTTIFERA 'NANA'	DWARF CLUSIA	3 GAL		36" o.c.	FULL FORM
	CS2	91	CLUSIA GUTTIFERA	CLUSIA	N/A	36" MIN.	48" o.c.	FULL FORM
	FS	3	FEIJOA SELLOWIANA	PINEAPPLE GUAVA	N/A	24" MIN.	54" o.c.	FULL FORM
	IM2	37	IXORA COCCINEA 'NORA GRANT'	NORA GRANT IXORA	N/A	24" MIN.	36" o.c.	FULL FORM
	PT	55	PITTOSPORUM TOBIRA	PITTOSPORUM	N/A	36" MIN.	60" o.c.	FULL FORM
	PW	50	PITTOSPORUM TOBIRA `WHEELERS DWARF`	WHEELER`S DWARF PITTOSPORUM	N/A	18"	42" o.c.	FULL FORM
	PP	43	PODOCARPUS MACROPHYLLUS `PRINGLES`	PRINGLES DWARF PODOCARPUS	N/A	24" MIN.	36" o.c.	FULL FORM
	PP2	36	PODOCARPUS MACROPHYLLUS MAKI	SHRUBBY YEW PODOCARPUS	15 GAL	48"	36" o.c.	FULL FORM
	R3	14	ROSA HYBRID 'MEIZORLAND'	WHITE DRIFT ROSE	N/A	24" MIN.	36" o.c.	FULL FORM
	SV	14	SCHEFFLERA ARBORICOLA 'VARIEGATA'	DWARF VARIEGATED SCHEFFLERA	N/A	24" MIN.	36" o.c.	FULL FORM
	SR	3	STRELITZIA REGINAE	BIRD OF PARADISE	N/A	24" MIN.	36" o.c.	FULL FORM
	TD	38	TRIPSACUM DACTYLOIDES	FAKAHATCHEE GRASS	N/A	24" MIN.	48" o.c.	FULL FORM
	ZF	101	ZAMIA FLORIDANA	COONTIE PALM	N/A	12" MIN.	36" o.c.	FULL FORM
SHRUB AREAS								
	DF	169	PENNISETUM ALOPECUROIDES 'HAMELN'	DWARF FOUNTAIN GRASS	N/A	24" MIN.	24" o.c.	FULL FORM
	PF	109	PENNISETUM SETACEUM 'RUBRUM'	PURPLE FOUNTAIN GRASS	N/A	24" MIN.	36" o.c.	FULL FORM
GROUND COVERS								
	AB2	61	AGAPANTHUS AFRICANUS `BLUE`	BLUE LILY OF THE NILE	1 GAL		18" o.c.	FULL FORM
	HY	165	HEMEROCALLIS 'WF-479'	EVERGREEN STELLA DAYLILY	1 GAL		12" o.c.	FULL FORM
	LP3	39	LANTANA MONTEVIDENSIS	PURPLE TRAILING LANTANA	4"POT		30" o.c.	FULL FORM
	LA	106	LANTANA MONTEVIDENSIS 'ALBA'	WHITE TRAILING LANTANA	4"POT		30" o.c.	FULL FORM
	LV	154	LIRIOPE MUSCARI	LIRIOPE	1 GAL		15" o.c.	FULL FORM
	EGL	138	LIRIOPE MUSCARI `EVERGREEN GIANT`	EVERGREEN GIANT LIRIOPE	1 GAL		18" o.c.	FULL FORM
	SC	133	SEASONAL COLOR		4"POT		12" o.c.	
SOD/SEED								
	SOD	9,524 SF	STENOTAPHRUM SECUNDATUM	ST. AUGUSTINE GRASS	SOD			

PLANT SCHEDULE MEDIAN

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	HT	REMARKS
TREES								
	BB2	8	DELONIX REGIA	ROYAL POINCIANA	B&B OR CONT	3"CAL	12-14` HT	FULL HEAD, SPECIMEN QUALITY, MIN. 12' CLEAR TRUNK
	SP	6	SABAL PALMETTO	SABAL PALM	FG		14-16` H	CLEAR-TRUNK HEIGHT NOTED

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HT	SPACING	REMARKS
SHRUBS								
	CN	19	CLUSIA GLUTTIFERA 'NANA'	DWARF CLUSIA	3 GAL		36" o.c.	FULL FORM
	PA	60	PLUMBAGO AURICULATA	BLUE PLUMBAGO	N/A	24" MIN.	36" o.c.	FULL FORM
	PP	12	PODOCARPUS MACROPHYLLUS `PRINGLES`	PRINGLES DWARF PODOCARPUS	N/A	24" MIN.	36" o.c.	FULL FORM
	RL	38	RONDELETIA LEUCOPHYLLA	PANAMA ROSE	3 GAL		36" o.c.	FULL FORM
	TD	41	TRIPSACUM DACTYLOIDES	FAKAHATCHEE GRASS	N/A	24" MIN.	48" o.c.	FULL FORM
	ZF	60	ZAMIA FLORIDANA	COONTIE PALM	N/A	12" MIN.	36" o.c.	FULL FORM
GROUND COVERS								
	SC	74	SEASONAL COLOR		4"POT		12" o.c.	
	TA	56	TRACHELOSPERMUM ASIATICUM	ASIATIC JASMINE	4"POT@		12" o.c.	
SOD/SEED								
	SOD	3,727 SF	STENOTAPHRUM SECUNDATUM	ST. AUGUSTINE GRASS	SOD			

Home2 Suites at Coconut Point Pattern Book - 19

PLANTINGS IMAGES

TREES

Sabal Palm

Southern Live Oak

Royal Poinciana

GRASSES

Fakahatchee Grass

Hamein Dwarf Fountain Grass

Purple Fountain Grass

Evergreen Giant Liriope

GROUNDCOVER

Agapanthus

Evergreen Daylily

Purple Traling Lantana

White Traling Lantana

Variegated Liriope

Home2 Suites at Coconut Point Pattern Book - 20

PLANTINGS IMAGES

SHRUBS

Shrubby Yew Podocarpus

Pittosporum tobira

Clusia

Pineapple Guava

Bird of Paradise

Dwarf Variegated Schefflera

Dwarf Palmetto

Pringles Dwarf Podocarpus

Nora Grant Ixora

White Drift Rose

Little John Dwarf Bottlebrush

Wheeler's Dwarf Pittosporum

Coontie

Home2 Suites at Coconut Point Pattern Book - 21

MEDIAN PLANTING RENDERING
Home2 Suites at Coconut Point Pattern Book - 22

~~NINTH~~TENTH DEVELOPMENT ORDER AMENDMENT AND RESTATEMENT[1] FOR COCONUT POINT DRI STATE DRI # 09-2001-153

Let it Be Known That, pursuant to Florida Statutes §380.06, the Board of County Commissioners of Lee County, Florida, heard at a public hearing convened on October 21, 2002, the Application For Development Approval submitted by The Simon Property Group, L.P. and Oakbrook Properties, Inc., for Coconut Point DRI (originally known as Simon Suncoast DRI), a mixed use development in Lee County, consisting of approximately 482.4+/- acres.

WHEREAS, the Board of County Commissioners of Lee County, Florida considered the report and recommendations of the Southwest Florida Regional Planning Council, the Lee County Staff, the Lee County Hearing Examiner, the application and sufficiency submittals, and the documents and comments made on the record in public hearing, and after full consideration of those reports, recommendations, documents and comments, the Board of County Commissioners of Lee County, Florida, adopted the Coconut Point Development of Regional Impact (DRI) Development Order; and

WHEREAS, the original Development Order for the Coconut Point DRI was approved on October 21, 2002; and

WHEREAS, the DRI Development Order was subsequently amended on February 7, 2005, to reduce the number of hotel rooms from 600 to 350, decrease the number of apartments from 450 to 250, and increase the number of residential condominiums from 550 to 1,000; and

WHEREAS, on August 1, 2006, the DRI Development Order was amended a second time to extend the build-out date one year to December 31, 2007; and

WHEREAS, on August 30, 2006, the DRI Development Order was amended a third time to: (1) increase condominium units from 1,000 to 1,528; (2) decrease apartment units from 250 to 0; (3) increase hotel units from 350 to 440; (4) decrease retail commercial square footage from 1,800,000 to 1,638,900; (5) increase commercial square footage for banks by 8,000 square feet; (6) increase general office square footage from 200,000 to 315,000; (7) decrease medical office square footage from 100,000 to 68,333; (8) add a 506-seat performing arts center; and (9) add a land use conversion chart; and

WHEREAS, the Coconut Point DRI was amended a fourth time on March 18, 2008, to provide the benefit of the statutory extension to all phase build-out and expiration dates as provided under HB 7203; and

[1] This is an amendment of ~~a codification and restatement of~~ the Ninth Development Order Amendment and Restatement for Coconut Point DRI ~~Development Orders as amended through July 26, 2017~~ to amend and to update the Ninth Amendment to eliminate original requirements either fulfilled by the Applicant or no longer relevant.

WHEREAS, the Coconut Point DRI was amended a fifth time on December 19, 2009, to provide the benefit of the statutory extension to all phase build-out and expiration dates as provided under SB 360; and

WHEREAS, on June 2, 2011, House Bill 7207 (HB 7207) was signed into law by the Governor of the State of Florida. HB 7207, as codified in Chapter 2011-139, Laws of Florida, authorizes a four-year extension for all valid DRI Development Orders. At the option of the developer, all commencement, phase, build-out and expiration dates for valid Developments of Regional Impacts may be extended by four (4) years regardless of previous extensions issued in the past; and

WHEREAS, on June 29, 2011, Lee County received a request to extend the DRI compliance dates as contemplated under HB 7207, resulting in an extension to December 31, 2016; and

WHEREAS, Executive Order Number 11-128 provided for an extension of 60 days (extended an additional 60 days by Executive Order 11-172 and an additional 30 days by Executive Order 11-202), for build-out, commencement and completion dates for valid DRI Development Orders at the option of the developer; and

WHEREAS, under Florida Statutes §252.363 (effective July 1, 2011) build-out dates for valid DRI Development Orders were extended an additional 6 months; and

WHEREAS, on January 26, 2012, Lee County received a request to extend the DRI compliance dates as contemplated under Executive Order Number 11-128 (extended by 11-172 and 11-202) and Florida Statutes §252.363, resulting in an extension to November 6, 2017; and

WHEREAS, Executive Order Number 12-140 provided for an extension of 60 days (extended an additional 30 days by Executive Order 12-192 and an additional 5 days by Executive Order 12-217) for build-out, commencement and completion dates for valid DRI Development Orders at the option of the developer; and

WHEREAS, under Florida Statutes §252.363, build-out dates for valid DRI Development Orders were extended an additional 6 months; and

WHEREAS, on July 2, 2012, Lee County received a request to extend the DRI compliance dates as contemplated under Executive Order Number 12-140 (extended by 12-192 and 12-217) and Florida Statutes §252.363, resulting in an extension to August 8, 2018; and

WHEREAS, Executive Order Number 12-199 provided for an extension of 60 days for build-out, commencement and completion dates for valid DRI Development Orders at the option of the developer; and

WHEREAS, under Florida Statutes §252.363, Executive Order Number 12-199 extended the build-out dates for valid DRI Development Orders an additional 6 months; and

WHEREAS, on October 2, 2012, Lee County received a request to extend the DRI compliance dates as contemplated under Executive Order Number 12-199 and Florida Statutes §252.363, resulting in an extension to April 7, 2019; and

WHEREAS, on January 8, 2013, the Coconut Point DRI was amended a sixth time to extend the build-out and termination dates to April 7, 2019, and April 7, 2025, respectively; and

WHEREAS, on August 5, 2013, the DRI Development Order was amended a seventh time to: (a) decrease the number of residential units from 1,528 to 1,214; (b) decrease the retail square footage from 1,638,900 to 1,607,500; (c) increase the office square footage from 315,000 to 782,777; (d) eliminate the performing arts center; (e) increase the number of ALF units from 200 to 400; (f) reduce the number of hotel units from 440 to 320; and (g) extend the build-out and termination dates to December 31, 2019, and December 31, 2025, respectively; and

WHEREAS, on September 20, 2013, Lee County received a request for an Eighth Amendment to the Coconut Point DRI Development Order to: (1) add an acute care hospital and increase the amount of medical office from 104,333 sf. to 234,000 sf. and (2) extend the build-out date and termination date to December 31, 2024, and December 31, 2030, respectively; and

WHEREAS, the Eighth Amendment (1) provided an option to develop an acute care hospital within Tract 3A; (2) increased the square footage of office that can be constructed within Tract 3A so long as net new external trips from Tract 3A do not exceed 614; and (3) extended the buildout and termination dates to December 31, 2024, and December 31, 2030, respectively; and.

WHEREAS, the Eighth Amendment application was reviewed by the Southwest Florida Regional Planning Council and the Lee County Hearing Examiner, who found it consistent with the Lee County Comprehensive Plan; and

WHEREAS, the Board approved the Eighth Amendment on May 7, 2014, finding the proposed changes did not constitute a substantial deviation from the original development approvals; and

WHEREAS, the Village of Estero was created on or about December 31, 2014, and the Coconut Point DRI is now under the jurisdiction of the Village of Estero; and

WHEREAS, ~~an application was submitted by Lee Memorial Health System to make corrections to the DRI DO created by the Eighth Amendment. These corrections allowed Tract 3A-1, 3A-2, and 3A-3-1 in the South Village to be developed with (1) a 160-bed~~

~~acute care hospital constructed only within Tracts 3A-1, 3A-2 and 3A-3_1, and (2) with any of the following land uses or combinations so long as they do not exceed 479 total net new external trips: up to 60,000 gross leasable square feet of retail, 300,000 square feet office (of which a maximum of 198,000 square feet may be medical office), 160 acute care hospital beds. These corrections were approved by~~ the Village Council ~~as~~ by Ordinance 2016-10 adopted on August 31, 2016 amended the Eighth Amendment to allow within Tracts 3A-1, 3A-2 and 3A-3 a 160 bed acute care hospital and the following land uses or combinations which shall not exceed 479 total net new external trips: up to 60,000 gross leasable square feet of retail, and 300,000 square feet office (of which a maximum of 198,000 square feet may be medical office). ~~The corrections approved by Ordinance 2016-10 are included in this Ninth Development Order Amendment and Restatement ("Ninth Amendment")~~; and

WHEREAS, an application to further amend the Eighth DRI Development Order was submitted by Coconut Point Holdings, LP on or about August 16, 2016, to (1) reduce 200 assisted living facility (ALF) units in Tract 1A; (2) reduce 18,900 square feet of commercial retail in Tract 1C; and (3) to add 180 multi-family apartment (MF-APT) units within Tract 1A~~Development Area 1~~; and

~~WHEREAS, Department of Economic Opportunity (DEO) issued a letter on or about July 19, 2016, finding that the amendment is a change pursuant to Section 380.06(19)(e).2.k., Florida Statutes and not a substantial deviation; and~~

~~WHEREAS, the Village of Estero Council has determined that the amendment is not a substantial deviation and concurred with DEO that the amendment is a Section 380.06(19)(e).2.k. change; and~~

WHEREAS, ~~this~~ the Village approved the Ninth ~~Amendment~~ Development Order Amendment and Restatement ("Ninth Amendment") by Ordinance 2017-02 on July 26, 2017 permitting said changes; and ~~will correct~~ correcting certain inconsistencies of land use intensity changes that were approved by previous amendments but not corrected in the previous amendments; and

WHEREAS, the applicant PHG Acquisitions, LLC, applied on May 2, 2024 to amend the Ninth Amendment to incorporate build-out date extensions approved pursuant to §252.361, Florida Statutes, and to permit an increase of 83 hotel units and a decrease of 2,000 square feet of commercial retail floor area, all within Development Area 2; and

NOW, THEREFORE, be it resolved by the Village Council of the Village of Estero, Florida, that the Development Order for the Coconut Point DRI is hereby amended by this Tenth Development Order Amendment and Restatement as follows:

I. FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. The Coconut Point DRI is a master planned commercial development consisting of 482.4+/- acres located in ~~unincorporated south central Lee County~~ the

Village of Estero at the intersection of US 41 and Coconut Road. The Coconut Point DRI is a mixed use development that will consist of: ~~1,440,110~~ 1,438,110 gross leasable square feet of retail/regional mall (Regional Retail Center), 106,100 gross leasable square feet of retail on other parcels adjacent to the regional mall (Community Commercial Retail), 8,000 gross leasable square feet of Banks, 835,777 square feet of office, of which no more than 234,000 square feet may be medical office, ~~370~~ 453 hotel rooms, 1,214 condominium units, 180 multi-family apartment units, and a 200 unit assisted living facility. The project will include 33.4 acres of conservation areas, 57.1 acres of lakes, 43.2 acres of road rights-of-way and 9.0 acres of green area/open space.

B. Water and wastewater treatment will be provided by Bonita Springs Utilities.

C. The project phasing schedule consists of one phase with build-out in 2038~~2028~~.

~~C~~D. The terms of this Development Order apply to the property located and described in attached Exhibit A.

~~D~~E. The property is zoned Mixed-use Planned Development (MPD). ~~Undeveloped portions of the property are currently in active agricultural use.~~

~~E~~F. The Application for Development Approval (ADA) as originally approved and further amended is consistent with the requirements of §380.06, Florida Statutes~~, and was found sufficient by the Southwest Florida Regional Planning Council (SWFRPC) on January 17, 2001~~.

~~F~~G. The development is not located in an area designated as an Area of Critical State Concern under the provision of §380.05, Florida Statutes.

~~G~~H. The development will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan. The development is consistent with the State Comprehensive Plan if developed in accordance with the conditions set forth herein.

~~H. On July 19, 2016, the Department of Economic Opportunity determined that the Ninth Amendment was not a substantial deviation and did not require the filing of a Notice of Proposed Change.~~

I. The development is located in the ~~Urban Community~~ Transitional Mixed Use, Conservation and Wetlands future land use categories. The project, as proposed and conditioned herein, is consistent with the Village of Estero Comprehensive Plan and the Village of Estero Land Development Code.

~~J. The conditions set forth below meet the criteria found in §380.06(15)(d), Florida Statutes.~~

II. ACTION ON THE REQUEST AND CONDITIONS OF APPROVAL

NOW THEREFORE, be it resolved by the Village Council of the Village of Estero, Florida, in a public meeting duly advertised, constituted and assembled that the Development of Regional Impact Application for Development Approval submitted on behalf of Simon Property Group, L.P., and Oakbrook Properties, Inc., for the project known as the Coconut Point DRI, originally approved October 21, 2002, is hereby further amended subject to the following conditions, restrictions and limitations. For the purpose of this Development Order, the term "Developer" refers to Simon Property Group, L.P., Oakbrook Properties, Inc., and Coconut Point Developers, LLC, and includes all successors or assigns. All references to County Ordinances or other regulations, including amendments thereto up to and including the date at which the Village was incorporated. References to Village Ordinances and regulations include all amendments that may take effect in the future.

A. AFFORDABLE HOUSING

1. *150 Affordable Housing Units ($600,000)*.[2]

~~a. The Developer must provide, either directly or through third parties, 150 units (combined total) of affordable housing for very low, low, and moderate-income persons within the identified DRI housing assessment area on or before December 31, 2006.~~

~~b. In the event the Developer does not provide all of the 150 units required above prior to December 31, 2006, t~~ The Developer ~~may satisfy the remaining~~ satisfied the affordable housing obligation by paying ~~$4,000 ($600,000 divided by 150 units) for each unit of the shortfall to the Lee County Affordable Housing Trust Fund~~ $600,000 to Lee County on December 20, 2006, which was accepted by the County in March, 2007.

2. *University Student Housing ($400,000)*.[3] In addition to the above, the Developer ~~will~~ subsidized University student housing by giving $400,000 to the Florida Gulf Coast University in October, 2004.~~prior to the issuance of the first development order allowing vertical construction within the DRI (excepting any public uses mandated by this Development Order).~~ These funds must be specifically earmarked for University student housing.

~~3. The changes to the development parameters proposed in the Ninth Amendment do not create impacts to affordable housing warranting further mitigation.~~

~~[2] The Developer paid $600,000 to Lee County on December 20, 2006, to satisfy this condition. These funds were accepted by the Board via Blue Sheet 20070290 in March 2007.~~

~~[3] This requirement was satisfied in October 2004.~~

B. ENERGY

The Developer must incorporate, as a minimum, the following energy conservation features into all site plans and architectural programs or ~~insure~~ ensure that the following features are implemented through deed restrictions or covenants with successors in title. All applications for site plan approvals and building permits must be accompanied by documents detailing proposed compliance with these conditions. If deed restrictions or covenants are utilized to ~~insure~~ ensure compliance, those documents must be approved by the Village Attorney's Office prior to recording.

These features are:

1. A bicycle/pedestrian system connecting all land uses, to be placed along arterial and collector roads within the project and also along Sandy Lane. This system will be consistent with LDC regulations.

2. Bicycle racks or storage facilities in recreational, commercial and multi-family residential areas.

3. Bus stops, shelters and other passenger and system accommodations for a transit system to service the project area.

4. Energy efficient features in window design (e.g., tinting and exterior shading), operable windows, ceiling fans, appliances and equipment.

5. Minimize coverage by asphalt, concrete, rock and similar substances in street, parking lots and other areas to reduce local air temperatures and reflect light and heat.

6. Energy-efficient lighting for streets, parking area, recreation area and other interior and exterior public areas.

7. Water closets with a maximum flush of 1.6 gallons and shower heads and faucets with a maximum flow rate of 2.5 gallons per minute (at 80 pounds of water pressure per square inch).

8. Selecting, planting and maintaining native plants, trees and other vegetation and landscape design features that reduce requirements for water, fertilizer, maintenance and other needs.

9. Planting native shade trees to provide reasonable shade for all recreation areas, street and parking areas. Planting native shade trees for each residential unit.

10. Placing trees to provide needed shade in the warmer months while not overly reducing the benefits of sunlight in the cooler months. Orienting structures,

whenever possible, to reduce solar heat gain by walls and utilize the natural cooling effects of the wind.

11. Including porch and patio areas in residential units.

12. Establishing project architectural review committees that will consider energy conservation measures to assist builders and residents in the efforts to achieve greater energy efficiency in the development.

C. STORMWATER MANAGEMENT

1. The Developer must meet the criteria set forth in Chapter 40E, Florida Administrative Code, and the South Florida Water Management District (SFWMD) ~~Basis of Review~~ Applicant's Handbook Volume 1. ~~The Developer must obtain a modification of SFWMD Permit No. 36-00288-S for the construction and operation of the surface water management system. This~~ Any modification to permits issued by the SFWMD must address any impacts created by the development to wetlands and other surface waters. Halfway Creek is classified as an Outstanding Florida Water (OFW). Any discharge to an OFW requires additional water quality consideration. ~~Prior to the issuance of the permit modification, the SFWMD will evaluate this issue in greater detail.~~

2. The Developer must obtain all necessary approvals from the Florida Department of Transportation for any proposed discharge points and water control structures associated with US 41.

3. At the time of permit modification application, the Developer must provide finalized information regarding the size of proposed project lakes, the location of major water control structures, the correct identification of control structures within pre-treatment areas and verification of adequate dimensions for pre-treatment areas.

4 Best management practices are subject to the Village of Estero review and approval and must be included on all construction plans for development.

5. All internal storm water management lakes and ditches as well as any onsite preserved or enhanced wetland areas, must be set aside as private drainage or conservation easements on the recorded plat. Storm water lakes must include, where practical, adequate maintenance easements around the lakes with access to a paved roadway.

6. During construction activities, the Developer must employ best management practices for erosion and sedimentation control. These practices must be included with, or presented on, all construction plans, and are subject to approval by the appropriate agencies prior to implementation.

7. The final storm water management plan must consider, as applicable, measures to reduce runoff rates and volumes, including, but not limited to, fixed control

structures, perforated pipes, and grass swale conveyances. Swales, rather than closed systems, must be used whenever possible.

~~8~~. Any shoreline banks created along the onsite storm water management system must include littoral zones constructed on slopes consistent with SFWMD and the Village of Estero requirements and be planted in native emergent or submergent aquatic vegetation. The Developer must ensure, by supplemental replanting if necessary, that at least 80% cover by native aquatic vegetation is established/maintained within the littoral zone for the duration of the project.

9. The ~~Developer~~ Operating entity must conduct annual inspections of the Master Stormwater Management System and any preserved/enhanced wetland areas on the project site to ensure that these areas are maintained in keeping with the final approved designs, and that the water management system is capable of accomplishing the level of storm water storage and treatment for which it was intended. The ~~Developer or o~~Operating entity must undertake any cleaning and repair determined to be necessary based upon the annual inspection.

10. The Developer must confirm, to the satisfaction of all applicable federal, state, and local review agencies, and the SFWMD, that the proposed storm water management system will not impact habitats of any state or federally listed plant and/or animal species potentially occurring onsite, or that such impacts will be mitigated to the benefit of onsite populations of those species.

11. The Developer must undertake a regularly scheduled vacuum sweeping of all common streets and parking areas within the development.

12. If the Village of Estero establishes a Village-wide storm water management system, the Developer must participate to the extent the system benefits the development.

13. Ditch and swale slopes must be designed to minimize discharges so that these facilities may provide some additional water quality treatment prior to discharge. Treatment swales must be grassed.

14. The grassed storm water treatment areas must be mowed on a regular basis as part of the normal lawn maintenance of the development. Any debris that may accumulate in project lakes, ditches or swales, or which may interfere with the normal flow of water through discharge structures and under drain systems, must be cleaned from the detention/retention areas on a regular basis. Any erosion to banks must be replaced immediately.

15. Under drain systems and grease baffles~~, if utilized within the Coconut Point DRI,~~ must be inspected and cleaned and/or repaired on a regular basis. In no instance may the period between such inspections exceed eighteen months.

16. Storm water management system maintenance requirements include removal of any mosquito-productive nuisance plant species (e.g., water lettuce, water hyacinth, cattails and primrose willows) from all system nodes, reaches, and percolation basins, as well as from the lake littoral zones employed in the system.

17. When required by the SFWMD permit, any isolated wading bird "pools" constructed in lake littoral zones must be excavated to a depth that provides aquatic habitat for mosquito larvae predators, such as *Gambusia affinis*.

18. The Developer will ~~establish~~ maintain a legal operating entity in accordance with the SFWMD ~~Basis of Review~~ Applicant's Handbook Volume 1 and the applicable Lee County or the Village of Estero Land Development Code to maintain the internal storm water management lakes, ditches and wetlands. Easements, common areas or other legal mechanisms may be utilized to ensure there is sufficient access to the storm water management areas for maintenance purposes.

D. TRANSPORTATION

1. Significant Impacts

a. *Assessment Parameters*

The traffic impact assessment for the Project assumed the following development parameters as a worst-case traffic scenario achievable under the maximum potential development parameters identified ~~in Exhibit C,~~ below.

	Build-out ~~(2028)~~
Multifamily Condominiums (ITE LUC 230) (450 d.u. Town Center, 540 d.u. North Village) 224 d.u. South Village	1,214 d.u.
Multifamily Apartments (ITE LUC 220) (180 d.u. North Village)	180 d.u.
Assisted Living Facility (ITE LUC 252) (200 d.u. South Village)	200 d.u.
Hotel (ITE LUC 310) (250 rooms Town Center, 120 rooms South Village)	370 rooms
Community Retail (ITE LUC 820) (66,100 square feet North Village, 40,000 square feet South Village*)	106,100 sq. ft. (gla)
Regional Retail Center (ITE LUC 820)	1,440,110 sq.ft (gla)

1,440,110 square feet Town Center)

General Office (ITE LUC 710) (481,277 square feet North Village, 90,000 square feet Town Center, 30,500 square feet South Village*)	601,777 sq. ft.
Medical Office (ITE LUC 720) (234,000 square feet South Village*)	234,000 sq. ft.
Bank with drive-thru (8,000 square feet North Village)	8,000 sq. ft.

*Tracts 3A-1, 3A-2, and 3A-3 1 in the South Village (shown on page 3 of Map H attached hereto as Exhibit "B") may be developed with up to 60,000 gross leasable sq. ft. retail, 300,000 sq. ft. office (of which a maximum of 198,000 sq. ft. may be medical office), 160 acute care hospital beds, or any combination of these uses that do not exceed 479 net new external trips.

The above parameters form the basis for the original Project impacts and the mitigation requirements contained ~~herein~~ in the original Development Order approval. The assumed land uses associated with the general parameters ~~are~~ were identified by the Land Use Code (LUC) from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6th Edition. While approved zoning categories may allow a wider range of uses, from a DRI standpoint the Project impacts are based on the above parameters and assumed uses. ~~If the Developer exercises Mitigation Option 2 and is granted concurrency vesting for all or a portion of the DRI, any significant change in the assumed uses, mix of uses or location of uses on the Master Concept Plan will require a re-evaluation of the DRI transportation impacts. A significant change is one that would increase the external project traffic by 5% or more or that would change the projected distribution and assignment of project traffic so as to result in a net increase in road miles of significantly and adversely impacted roadway links. This condition does not apply if Mitigation Option 1 is selected.~~

The overall traffic at the Project driveway entrances, based on the 2002 development parameters, was estimated to be 5,909 trips, including 4,120 PM net new external peak hour trips. The approval of the Seventh Development Order Amendment increased the overall traffic at the driveway entrances to 6,467 trips, including 4,565 PM net new external peak hour trips. The approval of the Eighth Amendment increased the overall traffic at the driveway entrances to 6,588 trips, including 4,734 PM net new external peak hour. The approval of the Tenth amendment does not alter the number of net new external peak hour trips because of the simultaneous increase and decrease in the development parameters.

b. *Build-out Impacts*

The original assessment on an existing-plus-committed network assuming the advancement of certain projects indicated that the significantly impacted roadways and intersections described below ~~will~~ would be operating below acceptable levels of service at the end of the original ~~2006~~ Build-out:

Roadway Improvements Needed

Roadways	Needed Improvement
I-75	
– Corkscrew Road to Daniels Parkway	Widen to 6 lanes
Three Oaks Parkway	
- Williams Road to Corkscrew Road	Widen to 6 lanes
US 41	
– Koreshan Boulevard to San Carlos Boulevard	Widen to 6 lanes
- Bonita Beach Road to Coconut Road	Widen to 6 lanes
Old US 41	
- Rosemary Drive to US 41	Widen to 4 lanes
Intersection Improvements Needed	
Bonita Beach Road @ Old 41(1)	Add 2nd SB left turn lane
Coconut Road @ Driveway 9/ Regional Retail Center(2)	Add WB right turn lane Add SB right turn lane Add SB left turn lane Add dual EB left turn lane Signalization(3)
Coconut Road @ Sandy Lane(2)	Add WB left turn lane Add WB right turn lane Add NB right turn lane Add NB left turn lane Add SB left turn lane Add SB right turn lane Add EB left turn lane Add EB right turn lane Signalization(3)

Corkscrew Road @ Ben Hill Griffin Parkway[1]	Add 2nd EB left turn lane Add 2nd NB left turn lane Add 2nd SB left turn lane
Corkscrew Road @ River Ranch Road[1]	Signal retiming
Corkscrew Road @ Three Oaks Parkway	Add 2nd WB left turn lane Add 2nd NB left turn lane Add 2nd SB left turn lane
I-75 @ Corkscrew Road[1]	Add 2nd EB left turn lane[4] Add 2nd WB left turn lane[4] Add 2nd NB left turn lane Add 2nd SB left turn lane
Old 41 @ Dean Street[1]	Signalization[3]
Old 41 @ Pennsylvania Avenue[1]	Signal retiming
Old 41 @ West Terry Street[1]	Add 2nd NB thru lane Add 2nd SB thru lane
Three Oaks Parkway @ Koreshan Boulevard[1]	Signalization[3]
Three Oaks Parkway @ Williams Road[1]	Signalization[3]
Three Oaks Parkway @ Coconut Road[1]	Signalization[3]
US 41 @ Immokalee Road[1]	Signal retiming
US 41 @ Old 41[1] (Collier County)	Signal retiming
US 41 @ Bonita Beach Road	Signal retiming
US 41 @ West Terry Street	Signal retiming
US 41 @ Old 41/Pelican Landing Parkway	Add 2nd WB right turn lane Add 2nd NB left turn lane Add 2nd SB left turn lane Add 2nd EB left turn lane
US 41 @ Pelican Colony Boulevard	Add dual WB left turn lane[2] Add WB right turn lane[2] Add NB right turn lane[2]

	Add 2nd NB left turn lane Add dual SB left turn lane(2) Add 2nd EB left turn lane Add EB right turn lane
US 41 @ Coconut Road	Add 2nd WB left turn lane Add 2nd NB right turn lane Add 2nd NB left turn lane Add 2nd SB left turn lane Add 2nd EB left turn lane Add EB right turn lane
US 41 @ Driveway 6/Regional Retail Center(1)	Add NB right turn lane(2) Add SB left turn lane(2)(3) Add WB right turn lane(2) Signalization(2)(3)
US 41 @ Driveway 5/Internal East-west Road(1)	Add NB right turn lane(2) Add dual SB left turn lane(2) Add dual WB left turn lane(2) Add WB right turn lane(2) Signalization(2)(3)
US 41 @ Driveway 4/Pelican Point Boulevard(1)	Add NB right turn lane(2) Add SB Left turn lane(2) Add WB right turn lane(2) Signalization(2)(3)
US 41 @ Driveway 3/Fountain Lakes Boulevard(1)	Add NB right turn lane(2) Add SB left turn lane(2) Add dual WB left turn lane(2) Add WB thru lane(2) Add WB right turn lane(2) Signalization(2)(3)
US 41 @ Driveway 2/Estero Greens(1)	Add NB right turn lane(2) Add dual SB left turn lane(2) Add dual WB left turn lane(2) Add WB thru lane(2) Add WB right turn lane(2) Add EB right turn lane(2) Signalization(2)(3)

US 41 @ Driveway 1/Community Commercial[1]	Add NB right turn lane[2] Add SB left turn lane[2] Add WB right turn lane[2]
US 41 @ Williams Road[1]	Add 2nd SB left turn lane Add 2nd WB left turn lane
US 41 @ Corkscrew Road[1]	Add 2nd WB left turn lane
US 41 @ Broadway[1]	Signal retiming
US 41 @ Koreshan Boulevard	Signalization[3]
US 41 @ Sanibel Boulevard[1]	Signal retiming
US 41 @ Metro Parkway[1]	Add 2nd NB right turn lane
US 41 @ Alico Road[1]	Signal retiming
US 41 @ Island Park Road[1]	Signal retiming
US 41 @ Ben Pratt/Six Mile Cypress Parkway[1]	Add EB thru lane Add WB thru lane
Williams Road @ Driveway 1/Comm Commercial[1]	Signalization[3]
Williams Road @ River Ranch Road[1]	Signalization[3]
Williams Road @ Sandy Lane[2]	Signalization[3] Add WB left turn lane Add NB right turn lane Add NB left turn lane Add EB right turn lane
Williams Road @ Three Oaks Parkway	Signalization[3]

(1) This intersection is not included in a significantly and adversely impacted roadway segment.

(2) This intersection is considered a site-related improvement.

(3) *Signalization only if warranted and subject to approval by the maintaining agency.*

(4) *Dual EB and WB left turn lanes should be provided if they can be constructed without requiring reconstruction of the I-75 overpass bridge structure.*

The intersection improvements include at grade geometric improvements, such as turn lanes and signalization when warranted. Intersection improvements are accounted for in the overall proportionate share calculation. Site-related needs at the Project entrances are not addressed in the proportionate share calculation and must be addressed by the Developer at the time of local development order approval.

2. **Mitigation**

a. *Build-out Proportionate Share*

The build-out proportionate share ~~is~~ originally was $14,600,000 in year 2002 dollars. This figure represents the Developer's share of necessary roadway and intersection improvements based on the development parameters set forth in Section II.D.1.a. The estimated roads impact fees based on the schedule effective July 1, 2000, ~~is~~ was $10,196,250, which is lower than the proportionate share estimate.

As noted in Condition D.3, the Developer ~~must~~ was required to pay $170,000 as mitigation for the project's Comprehensive Plan impacts to the 2020 level of service on US 41 from Koreshan Boulevard to Alico Road. Therefore, the total proportionate share obligation deemed sufficient to mitigate both the build-out DRI-related transportation impacts on the non-site related roads and intersections set forth in Paragraph D.1.b and the project's Comprehensive Plan impacts ~~is~~ was $14,770,000. ~~However, if the reanalysis described in section D.2.d.1 demonstrates that additional funds are necessary to mitigate the project's transportation impacts, then the Developer will be required to pay the higher mitigation amount.~~

No independent fee calculation ~~will be~~ was permitted for the project, or a subpart thereof, absent a Notice of Proposed Change.

b. Traffic Mitigation. The Developer ~~must choose~~ was provided a choice of one of the two mitigation options ~~identified below~~ to satisfy the proportionate share obligation. The Developer chose Traffic Mitigation Option 2 as described in (1) below and provided the entire traffic mitigation up front to Lee County which provided for concurrency vesting.

~~(1) Traffic Mitigation Option 1~~

~~(a) Payment~~

~~All development within the project must pay roads impact fees in effect at the time of building permit issuance. In addition to roads impact fees, and prior to the issuance of the first~~

~~building permit for vertical construction of any portion of the Regional Retail Center, the Developer must make a lump sum cash payment of $4,573,750 in year 2002 dollars. This lump sum cash payment is intended to mitigate the transportation impacts associated with the Regional Retail Center and satisfy the proportionate share obligation that is due over and above road impact fees.~~

~~In accordance with local policies and regulations, the Developer may be entitled to roads impact fee credits for road improvements constructed within the area surrounding the project.~~

~~(b) Concurrency~~

~~All development within the project will be subject to the Village of Estero Concurrency Management System at the time it obtains a local development order~~

~~(2) Traffic Mitigation Option 2~~[4]

(~~a~~1) Payment

The Developer may vest, for concurrency purposes, up to 400,000 square feet of retail uses and all of the non-retail uses by making an up-front payment of $6,270,000 in 2002 dollars on or before December 31, 2003, or the issuance of the first building permit for the site, whichever comes first (excepting any public uses mandated by this Development Order). The remaining portion of the project will be entitled to concurrency vesting upon the payment of $8,500,000 in 2002 dollars on or before December 31, 2004, or the issuance of the first building permit for the retail uses of the project over 400,000 square feet, whichever comes first. The value of creditable pipelined improvements identified in the Development Agreement may be subtracted from the second payment only.

Concurrency certificates issued pursuant to this option ~~will be~~ were effective until December 31, 2019 [7], or for three (3) years

[4] ~~The Developer chose Option 2 and made the two installment payments in a timely manner.~~

[7] ~~In Lee County concurrency is reviewed at the time of local development order approval, which is independent of the DRI review process. However, the Developer submitted a traffic analysis for a new build out scenario resulting from HB 7207 demonstrating that the DRI project will not significantly or adversely impact any of the relevant road segments. Based upon this analysis, concurrency vesting rights were extended to December 31, 2017. Analysis during the May 10, 2013 NOPC resulted in an extension of~~

from the date a local development order is issued, whichever is later. Concurrency vesting rights were extended by Lee County to December 31, 2017. Analysis during the May 10, 2013 NOPC resulted in an extension of concurrency vesting until December 31, 2019. Concurrency vesting was subsequently extended to December 31, 2024 as a result of analyses performed for the seventh and eighth amendments to the DRI.

(~~b~~2) Development Agreement

~~Exercise of traffic mitigation option 2 requires~~ Lee County required execution of a Local Government Development Agreement ~~executed~~ for Mitigation Option 2 pursuant to §163.3220, Florida Statutes, and Chapter 2, Article III of the Lee County Land Development Code. ~~The Developer must submit a draft Development Agreement to Lee County within 6 months of the adoption of the original DRI Development Order or prior to submittal of any local development order application for the Regional Retail Center or the Community Commercial Retail. The Development Agreement must be executed prior to issuance of a local development order allowing vertical construction anywhere on the site, excepting public uses mandated by this Development Order. The agreement must specify the payment schedule for the total proportionate share obligation in accordance with subparagraph (2)(a) above.~~ An agreement was entered into with Lee County pursuant to this provision prior to incorporation of the Village of Estero. As of November 2004, all requirements of the Interlocal Agreement were fulfilled and the Agreement is considered terminated by its own terms.

~~c.~~ (3) Application of Payments

(~~1~~a) Cash.

The County ~~will~~ committed originally to apply all impact fees and cash payments made by the DRI toward the non-site related improvements identified in Section D.1.b. In the alternative, the County ~~will~~ agreed to apply the fees toward improvements that relieve those roadways, provided those improvements were deemed necessary to maintain the County's adopted level of service standards. If the

~~concurrency vesting until December 31, 2019. Concurrency vesting was subsequently extended to December 31, 2024, as a result of analyses performed for the seventh and eighth amendments to the DRI.~~

improvements identified in Section D.1.b ~~are~~ were ultimately funded through other sources, in whole or in part, or deemed unnecessary to maintain the adopted level of service standards, Lee County agreed that it may apply the impact fees and cash payments paid by the DRI to other improvements consistent with the requirements of Lee County LDC Chapter 2. Potential applications of the cash payment ~~will~~ could also be specified in the Development Agreement. The funds were paid, and improvements made prior to incorporation of the Village of Estero.~~[8]~~

(~~2~~b) Pipelined Improvements.~~[9]~~

The Developer was permitted to ~~may~~ propose in the Development Agreement to provide a specific roadway improvement or improvements in lieu of the second cash payment to the County of $8,500,000 in 2002 dollars, which is referenced in Section D.2.b.(2)(a). The proposed pipeline improvements were ~~are~~ subject to County approval. ~~In addition to the improvements listed in Section D.1.b, potential improvements for pipelining consideration include (but are not limited to):~~

~~(a) Sandy Lane 2-lane Extension, from the south property line to the north property line (Williams Road) and from Williams Road to Corkscrew Road. Consistent with the County's long-range plan for Sandy Lane as a 2-lane collector and the County's standards for collector roads, no more than 100 feet of right-of-way and 2 lanes of construction will be eligible for credits against the proportionate share obligation. The reasonable cost of providing the railroad crossing between Williams Road and Corkscrew Road will be eligible for~~

~~[8] An Interlocal Agreement addressing the traffic impacts to the City of Bonita Springs precipitated by approval of the Coconut Point DRI was approved by the Board of County Commissioners on March 23, 2003. The Agreement required the County to: (1) conduct the Sandy Lane Alignment Study; (2) transfer $2.184 million to the City for the DRI impacts to Old U.S. 41 between Rosemary Drive and the intersection of Old U.S. 41 with U.S. 41 and Pelican Colony Boulevard; (3) transfer $138,000 for specified intersection improvements; and, (4) set the alignment of Sandy Lane between Pelican Landing Boulevard and the southern DRI boundary. As of November 2004, all requirements of the Interlocal Agreement have been fulfilled and the Interlocal is considered terminated by its own terms.~~

~~[9] The developer chose to pipeline improvements by constructing Sandy Lane Extension (now known as via Coconut Point) from Pelican Colony Boulevard to Corkscrew Road. Lee County accepted that portion of Sandy Lane Extension from Pelican Colony Boulevard to Williams Road for maintenance on January 16, 2007; and, the portion of Sandy Lane Extension from Williams Road to Corkscrew Road was accepted for maintenance on August 5, 2008.~~

~~credits against the project's proportionate share obligation. If the Developer chooses to build more than 2 lanes, it will be at the Developer's sole expense.~~

~~(b) Interim improvements not requiring right-of-way at the Corkscrew Road/I-75 interchange (subject to FDOT approval).~~

~~The estimated costs of any improvements made by the Developer (including design, right-of-way acquisition, drainage, permitting, water retention, construction, and the like) must be documented and submitted to the County for review and approval. The County reserves the right to obtain its own estimates for comparison purposes. Credit against the proportionate share obligation will be based on the final actual costs of the agreed upon improvements. Any right-of-way granted to the County will be valued as of the day prior to the DRI and zoning approval and subject to the compliance with applicable LDC provisions. Credit for the construction costs will be subject to the provisions of the County Land Development Code and standard practice related to project timing. The improvements must be built to applicable County or State standards and accepted for maintenance in accordance with the requirements of the responsible jurisdiction.~~

The Developer chose to pipeline improvements by constructing Sandy Lane Extension (now known as Via Coconut Point) from Pelican Colony Boulevard to Corkscrew Road. Lee County accepted that portion of Sandy Lane Extension from Pelican Colony Boulevard to Williams Road for maintenance on January 16, 2007; and the portion of Sandy Lane Extension from Williams Road to Corkscrew Road was accepted for maintenance on August 5, 2008. The Village after its incorporation then accepted this portion for maintenance.

(4)~~d~~. *Build-out Extension*

~~(1) Requirement for Reanalysis~~

The original DRI Development Order approval indicated that extension of the build-out date beyond 2007 may alter the project's impact to the area road network. Under the Second DRI Development Order amendment, the Developer was obligated to file a complete traffic re-analysis in order to achieve an extension of the build-out date beyond December

2007. The DRI rules were amended and other legislation was adopted, and the Developer applied for legislative and State of Emergency time extensions which were granted. The current build-out date is ~~September 4~~, December 7, 2038. ~~However, a three-year statutory extension of the build-out date was granted by 2007 legislation; and a two-year statutory extension of the build-out date was granted by 2009 legislation.~~

~~As a result of Florida HB 7207, Executive Order Numbers 11-128 (extended by 11-172 and 11-202), 12-140 (extended by 12-192 and 12-217) and 12-199, and §252.363, the DRI build-out date was automatically extended to April 7, 2019. However, concurrency vesting was not automatically extended. The traffic analysis submitted by the Developer demonstrated that the DRI project will not significantly or adversely impact any of the relevant road segments up to December 31, 2017. A subsequent analysis included in the May 10, 2013, NOPC resulted in an extension of concurrency vesting until December 31, 2019. Analyses performed for subsequent seventh and eighth amendments to the DRI resulted in an extension of concurrency vesting to December 31, 2024.~~

~~The assessment must include, but is not limited to, identification of the adjusted phasing, the level of development anticipated for the revised phasing, estimated traffic impacts, needed improvements, and the project's proportionate share of those improvements.~~

~~The assessment must include a cumulative analysis of the project's traffic impacts. The assessment must also identify mitigation for significantly and adversely impacted road segments by cumulative project traffic at the extended build-out year in accordance with the Transportation Uniform Standard Rule in the Florida Administrative Code. Prior to conducting a reassessment analysis, the Developer must attend a transportation methodology meeting with the Village of Estero, and other review agencies as necessary, to establish the appropriate methodology.~~

~~The traffic assessment will be prepared by the Developer following generally acceptable transportation planning procedures consistent with the standards in effect at the time of reanalysis. Payment of additional mitigation, if any, resulting from the traffic assessment must be specified in an~~

~~amended development order. The development order must be amended via a Notice of Proposed Change to reflect the revised phasing and additional mitigation.~~

~~The Village of Estero will provide credit against the recalculated proportionate share for all mitigation paid through the date of the new traffic assessment. Proportionate share payments previously made by the Developer will be adjusted to then current year dollars. This will be accomplished by increasing the principal amount paid by an amount equal to the increase as determined in the State Highway Bid Index for the State of Florida, published in the Engineering News Record, using an average of the last four quarterly factors. This increase will be expressed as a percentage and will be measured from the index published for the fourth quarter of 2001 to the index published in the then latest available edition.~~

~~Under no circumstances will reimbursement be granted for any portion of a payment made in exchange for concurrency vesting, regardless of the outcome of a reanalysis.~~

~~(2) Alternative for Reanalysis~~

~~(a) *Extension of Build-out.*[12]~~

~~If all or a part of the Regional Retail Center has received building permits prior to December 31, 2006, the Developer may choose to pay the traffic mitigation for some or all of the balance of the development through build-out in a lump sum at the time the extension application is approved. Full payment of the~~

~~[12] The developer paid the lump sums required to exercise Mitigation Option 2 in December 2004 and December 2005. The second DRI Development Order Amendment adopted August 1, 2006 served to extend the build out date to December 31, 2007. In accord with the terms of the original DRI Development Order approval, the one year extension to 2007 was the maximum extension that could be approved without a complete traffic reanalysis. Adoption of HB7203 resulted in a three year statutory extension of the DRI build out date to December 31, 2010. The Developer submitted an abridged traffic analysis demonstrating that the concurrent status of the project could also be extended to December 31, 2010 because no additional roadways would be significantly or adversely impacted by the statutory extension of the build out date.~~

~~A second statutory extension of the build out date was granted to 2012 under SB 360 as adopted June 1, 2009. This second extension was not based upon additional traffic analysis due to the Board adoption of Resolution 09-06-22. Therefore, impacts from 2010 forward must be addressed in a subsequent extension of the build out beyond 2012.~~

~~A third statutory extension of the build out date was granted under HB 7207 and Executive Orders 11-128 and 12-140. With this third extension the Developer submitted a traffic analysis for a new build out scenario demonstrating that the DRI project will not significantly or adversely impact any of the relevant road segments. Based upon this analysis, concurrency vesting was extended to December 31, 2017.~~

~~Concurrency vesting was subsequently extended to December 31, 2024 pursuant to subsequent seventh and eighth amendments.~~

~~required mitigation pursuant to Mitigation Option 2 constitutes an election under this section. This section is not intended to supersede the standard submittal requirements for a typical Notice of Proposed Change under state law.~~

~~(b) *NOPC filed to extend build-out beyond 2012.*~~

~~If the entirety of the Coconut Point DRI is not built out by September 4, 2028, the NOPC requesting a build-out date extension must be accompanied by a complete cumulative traffic reanalysis, as contemplated by the June 15, 2005, RPC recommendation. The traffic impact analysis must date back to 2010 and address all relevant impacts moving forward from December 31, 2010.~~

3. **Comprehensive Plan Mitigation**

An amendment to the Future Land Use Map, to change 435 acres from "Rural" to "Urban Community" was necessary to accommodate the original approval of this DRI. To support the Map amendment, an analysis different from the DRI Transportation Analysis was necessary. This Comprehensive Plan analysis required review of the effects of the proposed DRI project in the year 2020 on the planned, financially feasible roadway network. The result of this analysis indicated that four road segments, beyond those planned for improvement as part of the 2020 financially feasible roadways network plan, ~~will~~ were projected to fail with the addition of the Coconut Point (aka Simon Suncoast) project. ~~The failure for three of the identified segments will likely be addressed through other means, but t~~The segment of US 41 from Koreshan Boulevard to Alico Road ~~is~~ was projected to fail even after the six-lane improvement identified in paragraph D.1.b.

~~The comprehensive plan amendment transmittal package approved by the Board of County Commissioners on December 13, 2001, indicated that appropriate traffic impact mitigation must be provided at the time of rezoning or DRI development approval.~~

~~The costs for needed improvements beyond those planned in the 2020 Financially Feasible Plan are solely the responsibility of the Developer, and are treated much as a proportionate share obligation. In this case, t~~The Developer ~~has~~ estimated that the provision of dual left turn lanes at a number of key intersections along the impacted segment of US 41 will improve the capacity enough to allow satisfactory operation. The Developer estimated that the cost of providing these turn lanes would be roughly $692,000, not including the costs of maintenance of traffic, mobilization and permitting. The Developer's proportionate share of the cost of the turn lanes ~~is~~ was $170,000. This figure ~~has been~~ was added to the project's DRI proportionate share, ~~as noted above~~ and was paid by the Developer.

4. **Access and Site Related Improvements**

In addition to the proportionate share obligation set forth above, the Developer ~~is~~ was responsible for its share of the following site-related roadway and intersection improvements: all internal roadways, all intersection improvements, including signalization, turn lanes, deceleration lanes, and other improvements deemed necessary by the County Engineer and consistent with the Village of Estero Land Development Code for the Project's access points onto U.S. 41, Coconut Road, and Williams Road. The improvements include the installation of a signal coordination system on U.S. 41 ~~from~~ and Pelican Colony Boulevard Intersection ~~to Williams Road~~, when the warrants are met. During the local development order review process, site-related improvements must be evaluated based on weekday, PM peak hour conditions. Saturday mid-day conditions must be considered in the design of turn lanes due to the retail component of the DRI. Site-related improvements are not eligible for credit against impact fees and may not be used to offset the proportionate share obligation. Project accesses onto US 41 are subject to obtaining a connection permit from FDOT.

5. **Committed Improvements**[~~13~~] [~~14~~]

The following improvements were required of the Developer and have been fulfilled.

Roadway Improvements

Roadways	Start Year	Improvement
Alico Road		
– US 41 to Seminole Gulf Railway	02	4 Lanes
– Seminole Gulf Railway to I-75 West Ramps	02	6 Lanes
Ben Hill Griffin Parkway/Treeline Avenue		
– Alico Road to Daniels Parkway	02	4 Lane Ext.
Bonita Beach Road		

[~~13~~] ~~As of the date the Third DRI DO was adopted, many of the improvements identified as committed are complete. The completed improvements include Alico Road, Ben Hill Griffin/Treeline, Bonita Beach Road, Livingston/Imperial, Three Oaks from Coconut Road to Corkscrew Road, US 41 and Williams Road. Three Oaks from Corkscrew Road to Alico Road is currently under construction. Construction of Three Oaks Parkway from Alico to Daniels Parkway is delayed; and the Metro Parkway project is currently not funded.~~

[~~14~~] ~~As of the date the Fifth DRI DO was adopted the following improvements were under construction: Metro Parkway Extension and the widening of a portion of I-75 to six lanes; and the segment of Three Oaks from Alico to Corkscrew is complete.~~

- Imperial Street to I-75	03	6 Lanes
Livingston/Imperial Connection – Immokalee Road to Bonita Beach Road	U/C	2 Lane Ext.
Metro Parkway – U.S. 41/Alico Road to Ben Pratt/Six Mile Cypress Pkwy (including interchange)	04	6 Lane Ext.
Three Oaks Parkway – S. of Coconut Road to Williams Road	U/C	4 Lane Ext.
– Williams Road to Corkscrew Road	U/C	4 Lane Ext.
– Corkscrew Road to Alico Road	03	4 Lanes
– Alico Road to Daniels Parkway	03	4 Lane Ext.
US 41 – Old 41 (Collier County) to N. of Bonita Beach Road	03	6 Lanes
- San Carlos Boulevard to Alico Road	U/C	6 Lanes
Williams Road – River Ranch Road to Three Oaks Parkway	02	2 Lane Ext.

~~The Regional Retail Center has the potential to create a temporary burden on the transportation network. The following Staging Schedule is an effort to minimize the temporary transportation burden while providing the Developer with the ability to obtain building permits for vertical construction of retail uses. Issuance of any building permit for vertical construction will require prior compliance with the mitigation options set forth in condition D.2. The "Maximum Square Footage" column identifies the maximum gross retail square footage for which building permits allowing vertical construction may be issued prior to the corresponding date, unless the improvements identified "to Avoid Interim Level of Service Problem" are under construction on or before the identified date. If all required interim improvements are completed or under construction on or before the identified date, then building permits for the maximum amount of retail square footage as identified in conjunction with the corresponding date may be issued.~~

~~Date~~	~~Maximum Square Footage~~	~~Needed Improvements to Avoid Interim Level of Service Problem~~	
		~~Route~~	~~Limit~~
~~Adoption of~~	~~400,000~~	~~Not Applicable~~	~~Not Applicable~~

DRI DO AND Compliance with Cond. D.2			
July 1, 2004	800,000	U. S. 41 - 6 Lane	Collier County line to Bonita Beach Road
July 1, 2005	1,200,000	Three Oaks Ext. 4L	Terry St. to Coconut Rd.
		OR	
		Livingston Rd./ Imperial St. 4 Lane	Immokalee Rd. to E. Terry St.
July 1, 2006	1,800,000	US 41 6Lane	Corkscrew Rd. to San Carlos
		AND	
		Three Oaks Ext. 4 Lane	Terry St. to Coconut Rd.
		AND	
		Old 41 - 4 lane	Rosemary dr. to US 41
		AND	
		Metro Pkwy. Ext. - 6 Lane	Alico Rd. to ben C Pratt/ Six Mile Cypress Pkwy
		AND	
		Three Oaks Ext 4 Lane	Alico Rd. to Daniels Pkwy
		or	
		Treeline Ext. 4L	Alico Rd. to Daniels Pkwy.

6. **Annual Transportation Monitoring Program**

a. *Design of Monitoring Program*

The transportation monitoring program will be designed in cooperation with the Village of Estero, Lee County Department of Transportation, the Florida Department of Transportation (FDOT), the Southwest Florida Regional Planning Council (SWFRPC), and the Florida Department of Community Affairs (FDCA) prior to submittal of the first report. The methodology of the annual transportation monitoring report may be revised if agreed upon by all parties.

b. *Submittal of Monitoring Report*

The Developer must submit an annual transportation monitoring report to the following entities for review and approval: Village of Estero, Lee County Department of Transportation, FDOT, FDCA, and SWFRPC. The first monitoring report will be submitted one year after the effective date of the DRI Development Order.[15] The Developer must provide written notice to the above review agencies if the Developer concludes that a traffic monitoring report is not required because no traffic impacts have been created. Once the transportation monitoring report has been submitted, a report must be submitted annually thereafter until Project build-out, whether actual or declared.

c. *Minimum Requirements for Report Contents*

The monitoring report will measure the Project's actual external roadway impacts and the level of service conditions on the impacted roads and intersections, and determine the timing for needed improvements. The traffic monitoring report must also contain the following information:

(1) P.M. peak Signalization(2)(3) hour traffic counts with turning movements at the Project's access points onto U.S. 41, Coconut Road, Williams Road, Pelican Colony Boulevard and Sandy Lane, and on the external road segments and intersections identified in Paragraph D.1.b. (Traffic counts/volumes may be obtained from original traffic counts, public agency reports, other monitoring reports, and other available data.)

(2) A comparison of field measured external Project traffic volumes to the 5,909 total P.M. Peak hour external (including 757 pass-by and 1,032 inter-zonal trip ends) project trip generation from all driveways onto U.S. 41, Coconut Road, Williams Road, Pelican Colony Boulevard and Sandy Lane assumed in the DRI analysis. If an interconnection is provided to The Brooks parcel at the southeast corner of U.S. 41 and Coconut Road, a methodology must be developed to identify pass-through trips generated by The Brooks parcel.

(3) Estimated existing levels of service and needed improvements for the roads and intersections specified in Paragraph D.1.b. above.

(4) Estimated future levels of service and needed improvements for the roads and intersections specified in Paragraph D.1.b. above, based on a one year projection of future volumes. A

[15] The first monitoring report was submitted in January 2004.[16] The statutory two-year extension granted under SB 360 did not serve to suspend the Developer's obligation to address impacts identified under this subsection in the event the monitoring report indicates a substantial deviation has occurred.

~~summary of the status of road improvements assumed to be committed by Village of Estero, City of Bonita Springs, Collier County, Lee County and FDOT.~~

~~d. *Implications*[16]~~

~~(1) If the transportation monitoring report reveals that the Project trip generation exceeds the original assumptions contained herein, then the statutory provisions regarding substantial deviations will govern.~~

~~(2) Changes to development parameters or build-out may require the Developer to rebut the statutory presumption of substantial deviation. In some instances, the evidence necessary to rebut the presumption may involve a comparison of Project trip distribution and assignment.~~

~~7~~6. **Pedestrian/Bicycle and Transit Facilities**

The Developer will provide for pedestrian and bicycle facilities and bus stop locations in accordance with the map attached as Exhibit ~~F~~D.

E. VEGETATION AND WILDLIFE/WETLANDS

1. Impacts to the habitat value of the site (i.e. habitat utilized by dispersing juveniles and possible habitat available to adults occupying the Corkscrew area) ~~must be~~ have been considered during the permitting review process with the SFWMD and the Department of Army Corps of Engineers (ACOE). ~~This impact must be assessed in terms of the type and function of the forested habitat on site, and the site's contribution as a connection between preserve lands to support wide ranging and wetland dependent species.~~ The Developer ~~will~~ has coordinated with the U.S. Fish and Wildlife Service (USFWS) and Florida Fish and Wildlife Conservation Commission (FFWCC) to address the impacts the proposed project may have on habitat utilized by wide-ranging listed species including the Florida Panther and Florida Black Bear.

2. The lake designs ~~must~~ have included draw down pool features in littoral shelf slopes to favor use by woodstork and other wading birds.

3. The Developer ~~must~~ has followed the Standard U.S. Fish and Wildlife Service Protection Measures for the Eastern Indigo Snake; and an Eastern Indigo Snake

~~[16] The statutory two-year extension granted under SB 360 did not serve to suspend the Developer's obligation to address impacts identified under this subsection in the event the monitoring report indicates a substantial deviation has occurred.~~

~~[17] The requirement to provide property to the Estero Fire Rescue District was satisfied by the recording of a deed at OR Book 4097 Page 0672, dated July 31, 2003.~~

Protection Plan ~~to be~~ has been submitted for review and approval by the FFWCC as a condition of local development order approval.

4. The Developer ~~must~~ has provided an on-site preserve management plan for review and approval by the FFWCC as a condition of local development order approval.

5. The 482± acre site originally consisted of 36.23± acres of SFWMD jurisdictional wetlands. The Developer ~~is committed to~~ has conserved~~ing~~ 22.15 acres of jurisdictional wetlands and 4.81 acres of jurisdictional surface waters. An estimated 9.27 acres of jurisdictional wetlands are proposed to be impacted with an additional 14.56 acres of non-jurisdictional surface waters to be filled (borrow lakes). 3.76 acres of the proposed wetland impacts have been previously permitted by the SFWMD and the Army Corp of Engineers (ACOE) under the Sweetwater MPD/Brooks project (e.g., eradication of exotic vegetation and wetland hydro-period enhancement).

6. Prior to impacting the additional 5.51 acres of jurisdictional wetlands, the Developer ~~must~~ has modified~~y~~ existing SFWMD and ACOE permits and provided additional mitigation.

7. Wetlands and surface water remaining on the project site must be protected during construction through the implementation of temporary erosion and sedimentation control procedures.

8. Littoral plantings will be incorporated into the final design of the proposed stormwater management ponds. Plantings of desirable wetland herbaceous plants, to include species such as pickerelweed, maiden cane, and blue flag iris, cypress and black gum.

9. The existing flow-way is part of the Halfway Creek Watershed and headwaters. The 32.7 acre flow-way ~~must be~~ has been preserved and enhanced. An enhancement plan ~~must be~~ has been submitted as part of the local development order approval process. This plan ~~must~~ included a restoration planting plan for the 8.49± acres melaleuca dominated slash pine-cypress mixed wetland forest and the 6.84± acre area located in the southeast branch of the flow-way that was previously cleared/disturbed. The restoration planting plan, which is outside of the mitigation requirements under the existing permits, can be utilized as compensatory mitigation for additional wetland impacts during subsequent permitting review processes with the state and federal regulatory agencies.

F. HURRICANE PREPAREDNESS

1. ~~The Developer has stated an intention to utilize various community buildings, which are to be built in several locations throughout the development, as onsite emergency shelters for the project's residents. Based on the estimate of needed shelter space prepared by the staff of the Southwest Florida Regional Planning Council, the total shelter space provided by the Developer within Coconut Point DRI will be 10,480 square feet.~~

~~2. Construction of the buildings to serve, as onsite shelters must be started no later than the issuance of the 100th residential unit certificate of occupancy within each separate community in the overall development. All buildings to be utilized, as shelters must meet the following criteria:~~

~~a. elevated above the Category 3 storm surge level;~~

~~b. constructed in accordance with the requirements in Rule 9J-2.0257(6)(e), FAC, to withstand winds of at least one hundred twenty (120) miles per hour;~~

~~c. all windows in the building are shuttered;~~

~~d. equipped with an emergency power generator with adequate capacity to handle the following:~~

~~(1) ventilation fans;~~

~~(2) emergency lighting;~~

~~(3) life safety equipment (i.e., intercom, fire and smoke alarms); and~~

~~(4) refrigeration and cooking equipment.~~

~~e. have an auxiliary potable water supply.~~

~~3. As an alternative to providing all or part of the shelter space in on-site buildings, the Developer may limit the onsite shelter demand of the project by elevating all or portion of the residential units above 15.9 to 16.8 feet NGVD, if the units are located in these elevation ranges, which is the maximum predicted Category 3 storm surge flooding level. The amount of shelter space to be constructed or shelter impact fees to be paid will be determined by the Lee County Office of Emergency Management.~~

~~4.~~ All deeds to property located within the Coconut Point DRI must include or be accompanied by a disclosure statement in the form of a covenant stating the property is located in a hurricane vulnerability zone and that the hurricane evacuation clearance

time for Lee County or the Southwest Florida Region is high and hurricane shelter spaces are limited.

~~5. The Developer is also proposing to develop 370 hotel or motel rooms, within the Coconut Point DRI. Prior to issuance of a local development order for the hotel/motel, the hotel/motel Developer must contact Lee County Emergency Management with respect to establishing written hurricane preparation and evacuation/sheltering procedures. These procedures must be reduced to a written plan, prepared by the hotel/motel Developer, and approved by Lee County Emergency Management prior to occupancy of the hotel/motel.~~

~~6~~2. Mitigation for hurricane evacuation route impacts ~~will be accomplished through implementation of one of the following provisions. The mitigation option to be used must be identified~~ were provided by the Developer as part of the original local development order process.

~~a. Establish and maintain a public information program within the proposed homeowners associations for the purpose of educating the development's residents regarding the potential hurricane threat; the need for timely evacuation in the event of an impending hurricane; the availability and location of hurricane shelters (specifically including the onsite shelters); and the identification of steps to minimize property damage and protect human life.~~

~~In order to use the above mitigation option, the Developer must provide a continuing hurricane awareness program and a hurricane evacuation plan. The hurricane evacuation plan must address and include, at a minimum, the following items: operational procedures for the warning and notification of all residents and visitors prior to and during a hurricane watch and warning period; a public awareness program that addresses vulnerability, hurricane evacuation, hurricane shelter alternatives including hotels, the locations of both the onsite hurricane shelters and onsite or offsite public shelters, and other protective actions that may be specific to the development; identification of who is responsible for implementing the plan; and other items as deemed appropriate. The plan must be developed in coordination with local emergency management officials. In order to use this mitigation option, the final plan must be found sufficient by the reviewing agencies and must address the recommendations provided by the reviewing agencies; or~~

~~b. Alternatively, the Developer must commit to providing roadway capacity improvements above and beyond those improvements required by Rule 9J-2.0255, FAC; or~~

~~c~~3. The Developer must commit to providing funds to be used for the purpose of procuring communications equipment, which would upgrade the existing

warning and notification capability of local emergency management officials. In order to use this mitigation option, the Developer must provide reasonable assurance to local emergency management officials regarding the provision's ability to reduce the development's hurricane evacuation impacts. The amount of the funding will be determined and approved by the local emergency management officials. Hurricane impacts and the required mitigation will be evaluated during the review of the local development order. The evaluation will be in accordance with Section 7-501 through 7-505, Land Development Code.

G. WASTEWATER MANAGEMENT/WATER SUPPLY

1. The Developer ~~will~~ obtained a SFWMD permit for groundwater withdrawals for landscape irrigation, for irrigation well construction, as well as for any dewatering needed to construct the project lakes, roads or building foundations.

2. The Developer will utilize water conserving devices and methods necessary to meet the criteria established in the water conservation plan of the public water supply permit issued to Bonita Springs Utilities (BSU).

3. The Developer ~~will~~ coordinated with BSU or other water supplier to ensure that adequate potable water is available to meet the demands of the project.

4. The Developer will provide any necessary verification to the SFWMD that the Developer's plumbing and irrigation designs are consistent with SFWMD rules.

5. The Developer must demonstrate at the time of local development order approval that sufficient potable water and wastewater treatment capacity is available. ~~If BSU cannot provide the necessary service, then the Developer must obtain service from an alternate provider with capacity or construct on-site interim facilities that satisfy BSU Standards. Interim facilities must be dismantled at the Developer's expense when service by BSU is available.~~

6. The on-site lakes, wetlands, and storm water management system must be buffered from treated effluent contamination in accordance with SFWMD regulations.

7. Septic systems utilized in conjunction with construction trailers, sales offices and model homes must be temporary. When it is feasible to connect the temporary uses to the regional wastewater treatment facilities, all temporary septic systems must be abandoned or removed by a licensed septic system firm, in accordance with all applicable regulations.

8. The Developer must submit copies of all local development order application plans that include potable water or wastewater collection and distribution systems to BSU. BSU will review the plans for compliance with the BSU specifications manual.

9. Bonita Springs Utilities will evaluate all potable water facilities to ensure that the facilities are properly sized to meet average, peak day, and fire flow demands in accordance with the LDC. The Village of Estero will consult with the appropriate fire protection district to confirm that the fire flow demands will be satisfied by the proposed potable water facility.

10. The Developer must use the lowest, yet acceptable for the intended purpose, quality of water available for all non-potable water purposes.

H. COMPREHENSIVE PLAN

On October 21, 2002, the Board adopted a resolution amending the Lee Plan to reclassify the DRI site to the Urban Community land use category. The Village of Estero adopted a comprehensive plan for the Village of Estero on June 13, 2018 and designated the DRI site as Transitional Mixed Use, Wetlands and Conservation.

I. POLICE AND FIRE PROTECTION

1. The Developer will ensure that first responders to the area are adequately trained by TECO/People Gas to address accidental natural gas releases from the natural gas pipelines that are to be located on or adjacent to the site to ensure the safety of the residents and visitors to the area.

2. The project must be constructed and maintained in accordance with the adopted Life Safety and Fire Code requirements.

3. The owner or operator of a facility qualifying under the Superfund Amendments Reauthorization Act (SARA) Title III of 1986, and the Florida Hazardous Materials Emergency Response and Community Right to Know Act of 1988, must file hazardous materials reporting applications in accordance with §§302, 303, 304, 311, 312, or 313. The applications must be updated annually by each reporting facility.

4. The Developer will provide the Lee County Sheriff's Department with finished shell space in the main regional mall complex (Regional Retail Center) for use as a Sheriff's substation to facilitate law enforcement activities. This space will be provided at nominal cost to the Sheriff's Department.

5. The Fire and EMS impacts of this project will be mitigated by the payment of impact fees in accordance with the schedules set forth in the LDC. ~~However, the~~ Developer ~~must~~ provided the Estero Fire Rescue District with an appropriate parcel (not less than 1 acre in size) for the location of a fire-rescue station and emergency medical

services facility on the project site, ~~Upon transfer of this site to the Fire District, the Developer will be entitled to fire impact fee credits in accordance with the LDC.~~[17]

6. The Developer will conduct a comprehensive security study and evaluation during the design and construction of each retail development phase. The purpose of this study is to design and implement site specific security measures. The plan must provide for review on a quarterly basis by regional security audits. A copy of this plan must be submitted to the County as a condition of local development order approval.

7. The water mains, fire hydrants, and site access must be designed and constructed in accordance with Village of Estero regulations and BSU guidelines by providing large water mains meeting minimum diameters based upon proposed land use, and installation of fire hydrants in suitable locations to provide adequate fire protection coverage. Internal fire sprinkler systems may be required for structures to meet supplemental fire protection.

8. Any on-site facilities with commercial pool operations must comply with appropriate codes and statutes including required safety measures such as chemical sensors, internal alarm systems, or emergency shutdown systems.

J. EDUCATION

1. The education impact of this project will be mitigated by the payment of school impact fees in accordance with the schedules set forth in the LDC. ~~However, the~~ Developer ~~must~~ on February 14, 2008 provided ~~a site at least~~ two five acres ~~in size and appropriately located to accommodate the growing school needs in this area of the county. Upon transfer of this~~ sites located adjacent to Estero High School to the School District~~, the Developer may be entitled to seek~~ and obtained school impact fee credits from the County. ~~in accordance with the LDC.~~[18]

2. ~~This project will have an impact on the Estero High School and surrounding neighborhood traffic.~~ The Developer will use reasonable efforts to prevent the project's construction traffic from using Williams Road east of the railroad tracks.

III. LEGAL EFFECT AND LIMITATIONS OF THIS DEVELOPMENT ORDER, AND ADMINISTRATIVE REQUIREMENTS

A. Resolution. This Development Order constitutes a resolution of the Village of Estero adopted by the Village in response to the proposed Tenth amendment to the DRI filed for Coconut Point DRI.

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[17] ~~The requirement to provide property to the Estero Fire Rescue District was satisfied by the recording of a deed at OR Book 4097 Page 0672, dated July 31, 2003.~~

[18] ~~Developer transferred two 5-acre parcels to the School Board (instr # 2008000042208) on February 14, 2008. School impact fee credits in the amount of $280,000 were issued to DMM Development, LLC (acct # 200805851).~~

B. Additional Developer Commitments. All commitments and impact mitigating actions volunteered by the Developer in the ADA and supplementary documents that are not in conflict with conditions or stipulations specifically enumerated above are incorporated by reference into this Development Order. These documents include, but are not limited to the following:

1. The Coconut Point (f/k/a Simon Suncoast) Application for Development Approval, stamped received on September 12, 2000;

2. The Coconut Point DRI sufficiency responses stamped received on February 7, 2001, and April 10, 2001 (transportation) and April 13, 2001; and

3. The governing zoning resolution for the Coconut Point (f/k/a Simon Suncoast) MPD.

C. Master Plan of Development. Map H, dated April 17, 2025, attached hereto as Exhibit "B", is for the current DRI revision and is incorporated by reference. It is understood that because it is a concept plan it is very general. The Developer may modify the boundaries of development areas and the locations of internal roadways to accommodate topography, vegetation, market conditions, traffic circulation, or other site related conditions as long as the modifications meet local development regulations. This provision may not be used to reduce the size of wetland preserve areas. Precise wetland boundaries will be determined by the SFWMD, as delegated by the Department of Environmental Protection (FDEP) and the Army Corp of Engineers (ACOE).

D. Binding Effect. The Development Order is binding upon the Developer, its successors and assigns. Where the Development Order refers to lot owners, business owners or other specific reference, those provisions are binding on the entities or individuals referenced. Those portions of this Development Order that clearly apply only to the project Developer are binding upon any builder/developer who acquires a tract of land within the DRI. The Developer may impose or pass on the requirements of this DRI development order to ultimate purchasers through covenants that run with the land ~~and phasing schedule~~.

E. Reliance. The terms and conditions set out in this Development Order constitute a basis upon which the Developer and the Village of Estero may rely with respect to future actions necessary to fully implement the final development contemplated by this Development Order. The development parameters and phasing schedule upon which this development order approval is based ~~is~~ are set forth in Exhibit C. These development parameters may be adjusted to the extent contemplated by, and in accordance with, the Land Use Conversion Table set forth in Exhibit C-1. ~~Change to the development mix or phasing schedule may require a reanalysis of project impacts in order to rebut a presumption of substantial deviation~~.

F. Enforcement. All conditions, restrictions, stipulations and safeguards contained in this Development Order may be enforced by either party by action at law or equity. ~~All costs of those proceedings, including reasonable attorney's fees, will be paid by the defaulting party.~~

G. Successor Agencies. References to governmental agencies will be construed to mean future instrumentalities that may be created and designated as successors in interest to, or which otherwise possess, the powers and duties of the referenced governmental agencies in existence on the effective date of this Development Order.

H. Severability. If any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, then that decision will not affect the remaining portions or sections of the Development Order, which will remain in full force and effect.

I. Applicability of Regulations. This Development Order does not negate the Developer's responsibility to comply with federal, state, regional and local regulations.

J. Further Review. Subsequent requests for local development permits ~~do not require further DRI review~~ shall be reviewed pursuant to the Village of Estero Land Development Code §380.06, Florida Statutes. ~~However, upon a finding at a public hearing by the Village that any of the following conditions exist, the Village must order a termination of all development activity in that portion of the development affected by substantial deviation until a DRI Application for Development Approval, Notice of Substantial Deviation or Notice of Proposed Change has been submitted, reviewed and approved in accordance with §380.06, Florida Statutes~~

~~1. There is a substantial deviation from the terms or conditions of this Development Order or other changes to the approved development plans that create a reasonable likelihood of an additional regional impact or any other regional impact created by the change that has not been evaluated and reviewed by the Regional Planning Council; or~~

~~2. Expiration of the period of effectiveness of the Development Order. Any request to extend the effectiveness of this Development Order will be evaluated based on the criteria for the extension of the build-out date set forth in §380.06(19), Florida Statutes.~~

~~3. Conditions in this development order that specify circumstances in which the development will be required to undergo additional DRI review. See 9J-2.025(10).~~

K. Build-out and Termination Dates. The project has a build-out date of ~~September 4, 2028,~~ December 7, 2038, and a termination date of ~~September 5, 2034~~December 7, 2044. The termination date is based on the recognition that a local

Development Order is valid for six years after the build-out date. ~~No permits for development will be issued by the Village subsequent to the termination date or expiration date unless the conditions set forth in §380.06(15)(g) are applicable.~~

L. Commencement of Physical Development. As of November 2004, commencement of substantial physical development of the project has occurred. Further development must occur in accordance with the development parameters and phasing schedule set forth in Exhibit C.

M. Assurance of Compliance. The director of the Village of Estero Department of Community Development, or their designee, will be the local official responsible for assuring compliance with this Development Order. The Village of Estero is primarily responsible for monitoring the development and enforcing the provisions of the development order. No permits or approvals will be issued if the Developer fails to act in substantial compliance with the development order.

N. Credits Against Local Impact Fees. Pursuant to §380.06(16), Florida Statutes, the Developer may be eligible for credits for contributions, construction, expansion, or acquisition of public facilities, if the Developer is also subject by local ordinances to impact fees or exactions to meet the same needs. However, no credit will be provided for internal or external site-related facilities required by Village regulations, or to any off-site facilities to the extent those facilities are necessary to provide safe and adequate services to the development.

O. Protection of Development Rights. The project will not be subject to down-zoning, unit density reduction, or intensity reduction prior to ~~September 4, 2028~~ December 7, 2038. If the Village demonstrates at a public hearing that substantial changes have occurred in the conditions underlying the approval of this Development Order, or finds that the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the Village of Estero to be essential to public health, safety and welfare, then down-zoning, unit density reduction, or intensity reduction may occur.

P. ~~Biennial~~Monitoring Reports. At the request of the Director of Community Development during permitting review, the Developer shall provide a report regarding the status of the development or part of the development within the DRI, and any conditions applied to the development by the Development Order. The Director of Community Development may request supplemental traffic analysis if the applicant seeks to amend the development parameters set forth in the DRI Development Order in a manner which creates a substantial increase (5%). This condition shall cease to be in effect upon the build-out of the project. ~~The Developer must submit a report biennial to the Village of Estero Department of Community Development, the SWFRPC and Florida DCA on Form RPM-BSP-Annual-Report-1. The content of the report must include the information set forth in Exhibit D, and must also be consistent with the rules of the FDCA. The first monitoring report was submitted to the DRI coordinator for SWFRPC, DCA, and Lee~~

~~County no later than one year after the effective date of this Development Order[20]. Further reporting must be submitted every two years for subsequent calendar years thereafter, until build-out, whether actual or declared. Failure to comply with this reporting procedure is governed by §380.06(18), Florida Statutes, which provides for the temporary suspension of the DRI Development Order.~~

~~The Developer must file the monitoring reports until actual or declared build-out of the project. The Simon Property Group is the party responsible for filing the monitoring reports until one or more successor entities are named in the development order. The Developer must inform successors in title to the undeveloped portion of the real property covered by this development order of the reporting requirement. Tenants or owners of individual lots or units have no obligation to comply with this reporting condition.~~

~~The Developer must also submit a transportation annual report in accordance with the provisions set forth in Section II.D. of this development order.~~

Q. Community Development District. ~~The Developer might elect to petition for the formation of a Uniform Community Development District to serve all or a portion of the project pursuant to Florida Statutes, Chapter 190, as it may be in effect from time to time. Lee County hereby gives its approval that any such district may undertake the construction and/or funding of all or any of the mitigation and public infrastructure projects for which the Developer is responsible under the terms of this development order, whether within or without the boundaries of the district, and including the payment of mitigation amounts provided for in this development order, as a co-obligor hereunder. This provision may not be construed to require the approval of any petition to form such a district, and in no event will the Developer be released from its obligations under this development order.~~ The Developer was given an option by the original Development Order but did not elect to petition for a CDD for all or a portion of the DRI.

R. Transmittal and Effective Date. ~~The Village will forward certified copies of this Development Order to the SWFRPC, the Developer, and appropriate state agencies.~~ This Development Order is effective at the time of its adoption by the Village of Estero Village Council. ~~rendered as of the date of that transmittal, but will not be effective until the expiration of the statutory appeal period (45 days from rendition) or until the Florida Department of Economic Opportunity (DEO) has completed its review and has determined not to take an appeal, should that occur prior to the expiration of the 45-day period, or until the completion of any appellate proceedings, whichever time is greater. In accordance with the requirements of §380.06(15)f, Florida Statutes, once this development order is effective, t~~The Developer must record notice of its adoption in the office of the Clerk of the Circuit Court of Lee County.

S. Continued Agricultural Use of Property. Bona fide agricultural uses in existence on the date of this DRI initially approved October 21, 2005 have ceased. ~~may~~

~~[20] The first monitoring report was submitted in January 2004.~~

~~continue until the first development order approval for a site within the particular tract, as designed on Map H, (excluding public uses mandated by this Development Order). No development activity of any kind may occur on the property, including the clearing of vegetation or cutting of trees, unless such activity is reviewed and approved in accordance with Lee County regulations as if no agricultural use existed on the property. The purpose of the limitation is to eliminate any exemption or other special considerations or procedures that might otherwise be available under the Village of Estero regulations by virtue of the existing agriculture on the property.~~

Councilmember _____ made a motion to adopt the ~~Ninth~~ Tenth Development Order Amendment and Restatement, seconded by Councilmember _____. The vote was as follows:

	AYE	NAY
Mayor Joanne Ribble	____	____
Vice Mayor George Zalucki	____	____
Councilmember Lori Fayhee	____	____
Councilmember Jeff Hunt	____	____
Councilmember Rafael Lopez	____	____
Councilmember Jon McLain	____	____
Councilmember Jim Ward	____	____

DULY PASSED AND ADOPTED this ____ day of _____, ~~2017~~2025

ATTEST: VILLAGE OF ESTERO, FLORIDA

BY:_____ By:_____
Carol Sacco, Village Clerk Joanne Ribble, Mayor

Reviewed for legal sufficiency:

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

Exhibits:

A. Legal Description
B. Master Plan of Development (Map H) dated 4/17/25
C. Development Parameters and Phasing Schedule
C-1 Land Use Conversion Table
~~D. Biennial Monitoring Report Requirements~~
~~E Calculation of Road Impact Fee Obligation~~
~~F~~D. Pedestrian, Bicycle and Bus Stop Plan

Exhibit A

HOLE MONTES
ENGINEERS • PLANNERS • SURVEYORS
950 Encore Way • Naples, Florida 34110 • Phone: 239.254.2000 • Fax: 239.254.2099

Applicant's Legal Checked
by CSJ 5/15/13
Pgs 1 thru 3

RECEIVED
MAY 10 2013
COMMUNITY DEVELOPMENT

HM PROJECT #1997079
05/03/13
REF. DWG. #A-994-3
PAGE 1 OF 3

LEGAL DESCRIPTION:

A PORTION OF SECTION 9, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.88°56'17"W., ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, FOR A DISTANCE OF 5.89 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD, A 130.00 FOOT RIGHT-OF-WAY, AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE S.88°56'17"W., ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, FOR A DISTANCE OF 1,733.04 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HWY. NO. 41 (FLORIDA STATE ROAD NO. 45), A 200.00 FOOT RIGHT-OF-WAY; THENCE RUN N.10°32'05"W., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 971.33 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN NORTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 5,606.39 FEET, THROUGH A CENTRAL ANGLE OF 04°03'11", SUBTENDED BY A CHORD OF 396.43 FEET AT A BEARING OF N.08°30'30"W., FOR A DISTANCE OF 396.52 FEET TO THE END OF SAID CURVE; THENCE RUN N.88°07'51"E. FOR A DISTANCE OF 747.22 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE EASTERLY, WHOSE RADIUS POINT BEARS N.82°31'42"E., A DISTANCE OF 3,909.60 FEET THEREFROM; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 3,909.60 FEET, THROUGH A CENTRAL ANGLE OF 08°29'31", SUBTENDED BY A CHORD OF 578.92 FEET AT A BEARING OF N.03°13'32"W., FOR A DISTANCE OF 579.45 FEET TO THE END OF SAID CURVE; THENCE RUN N.00°16'56"W., FOR A DISTANCE OF 583.09 FEET; THENCE RUN N.00°16'56"W., FOR A DISTANCE OF 47.04 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF COCONUT ROAD, A 150.00 FOOT RIGHT-OF-WAY, THE SAME BEING A POINT ON A CIRCULAR CURVE, CONCAVE NORTHERLY, WHOSE RADIUS POINT BEARS N.10°26'58"W., A DISTANCE OF 2,025.00 FEET THEREFROM; THENCE RUN EASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2,025.00 FEET, THROUGH A CENTRAL ANGLE OF 09°12'27", SUBTENDED BY A CHORD OF 325.07 FEET AT A BEARING OF N.74°56'48"E., FOR A DISTANCE OF 325.42 FEET TO THE END OF SAID CURVE; THENCE RUN N.70°20'35"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 200.00 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN EASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 3,025.00 FEET, THROUGH A CENTRAL ANGLE OF 09°15'04", SUBTENDED BY A CHORD OF 487.89 FEET AT A BEARING OF N.74°58'07"E., FOR A DISTANCE OF 488.42 FEET TO THE END OF SAID CURVE; THENCE RUN N.79°35'39"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 238.23 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD, A 130.00 FOOT RIGHT-OF-WAY; THENCE RUN S.00°59'47"E., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 2,869.10 FEET TO THE POINT OF BEGINNING; CONTAINING 95.885 ACRES, MORE OR LESS.

AND

A PORTION OF SECTIONS 3, 4, 9, AND 10, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.88°56'17"W., ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, FOR A DISTANCE OF 5.89 FEET TO A POINT ON THE

DCI 2013-00010 DRI 2013-00003
Naples • Fort Myers

EXHIBIT A

WESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD, A 130.00 FOOT RIGHT-OF-WAY; THENCE RUN N.00°59'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 3,021.15 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N.00°59'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 2,320.56 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE RUN N.00°59'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 2,692.32 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST; THENCE RUN N.00°56'59"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1,590.78 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE WESTERLY; THENCE RUN NORTHERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 5,641.38 FEET, THROUGH A CENTRAL ANGLE OF 09°31'27", SUBTENDED BY A CHORD OF 936.68 FEET AT A BEARING OF N.05°42'42"W., FOR A DISTANCE OF 937.76 FEET TO THE END OF SAID CURVE; THENCE RUN N.10°28'26"W., ALONG SAID WESTERLY RIGHT-OF -WAY LINE, FOR A DISTANCE OF 98.54 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WILLIAMS ROAD, A 100.00 FOOT RIGHT-OF-WAY; THENCE RUN S.88°20'53"W., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1,029.70 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN WESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 7,050.00 FEET, THROUGH A CENTRAL ANGLE OF 03°00'00", SUBTENDED BY A CHORD OF 369.09 FEET AT A BEARING OF S.89°50'53"W., FOR A DISTANCE OF 369.14 FEET TO THE END OF SAID CURVE; THENCE RUN N.88°39'07"W., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 674.92 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HWY. NO. 41 (FLORIDA STATE ROAD NO. 45), A 200.00 FOOT RIGHT-OF-WAY; THENCE RUN S.04°52'41"W., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1,901.67 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN SOUTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2,725.19 FEET, THROUGH A CENTRAL ANGLE OF 11°32'50", SUBTENDED BY A CHORD OF 548.30 FEET AT A BEARING OF S.00°53'44"E., FOR A DISTANCE OF 549.23 FEET TO THE END OF SAID CURVE; THENCE RUN S.06°40'09"E., ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 225.81 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE CONTINUE S.06°40'09"E., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 2,710.61 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE CONTINUE S.06°40'09"E., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 626.03 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE WESTERLY; THENCE RUN SOUTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 11,584.73 FEET, THROUGH A CENTRAL ANGLE OF 06°24'13", SUBTENDED BY A CHORD OF 1,294.08 FEET AT A BEARING OF S.03°28'03"E., FOR A DISTANCE OF 1,294.76 FEET TO THE END OF SAID CURVE; THENCE RUN S.00°15'56"E., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 274.74 FEET; THENCE RUN S.46°02'16"E., FOR A DISTANCE OF 577.44 FEET; THENCE RUN S.01°57'26"E. FOR A DISTANCE OF 25.19 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COCONUT ROAD, A 150.00 FOOT RIGHT-OF-WAY; THENCE RUN N.88°02'34"E., ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 32.80 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN EASTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,875.00 FEET, THROUGH A CENTRAL ANGLE OF 17°41'59", SUBTENDED BY A CHORD OF 576.92 FEET AT A BEARING OF N.79°11'34"E., FOR A DISTANCE OF 579.22 FEET TO THE END OF SAID CURVE; THENCE RUN N.70°20'35"E., ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 200.00 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE

SOUTHERLY; THENCE RUN EASTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 3,175.00 FEET, THROUGH A CENTRAL ANGLE OF 09°15'04", SUBTENDED BY A CHORD OF 512.09 FEET AT A BEARING OF N.74°58'07"E., FOR A DISTANCE OF 512.65 FEET TO THE END OF SAID CURVE; THENCE RUN N.79°35'39"E., ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 263.08 FEET TO THE POINT OF BEGINNING; CONTAINING 386.536 ACRES, MORE OR LESS.

NOTES:

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

TOTAL PROPERTY AREA: 482.421 ACRES, MORE OR LESS.

BEARINGS REFER TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEING S.88°56'17"W.

HOLE MONTES, INC.
CERTIFICATE OF AUTHORIZATION LB #1772

BY _____ P.S.M. #5628
THOMAS M. MURPHY STATE OF FLORIDA

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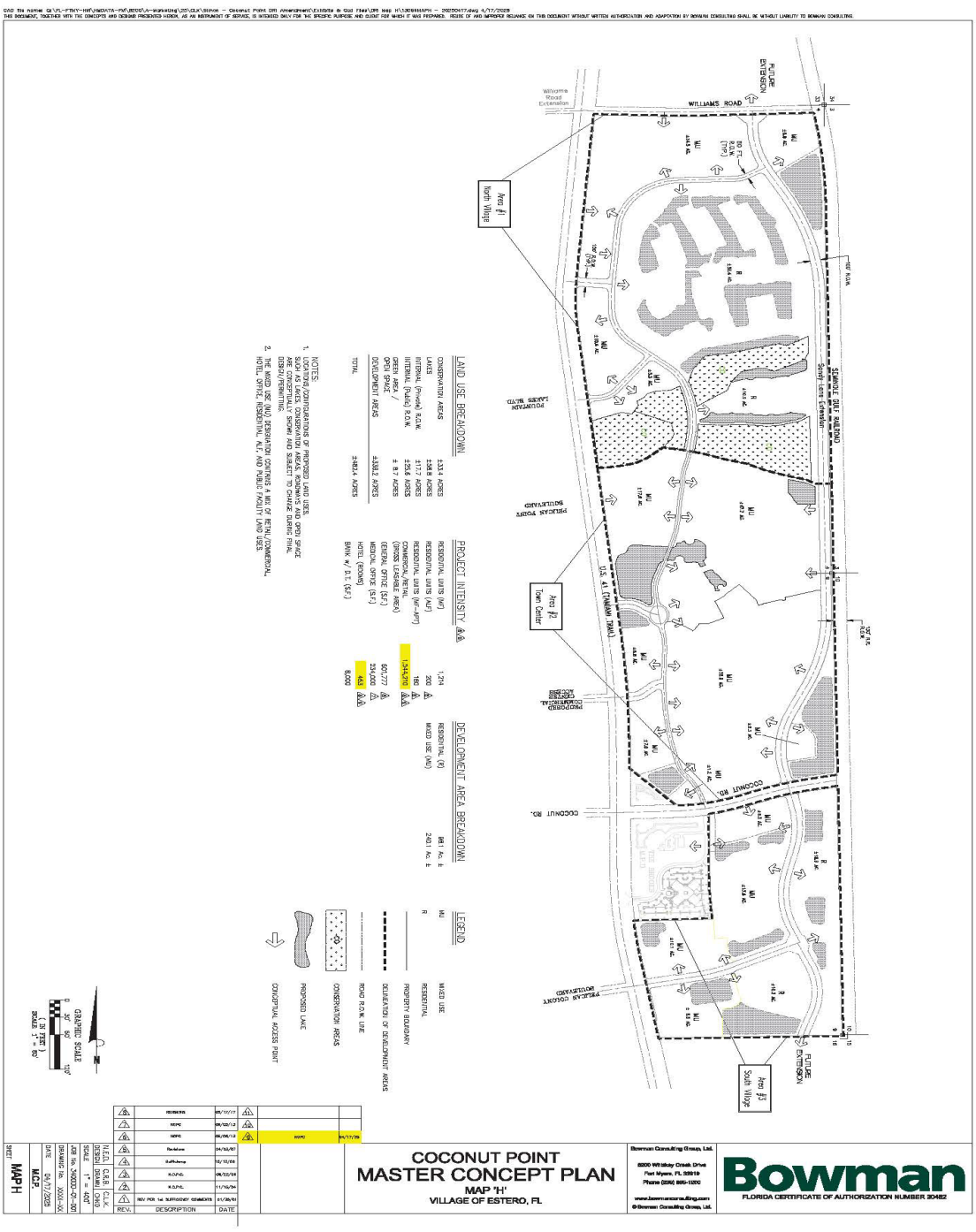
EXHIBIT B


COCONUT POINT
MASTER CONCEPT PLAN
MAP 'H'
VILLAGE OF ESTERO, FL
Bowman
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 30462
WILLIAMS ROAD
FUTURE EXTENSION
SEMINOLE GULF RAILROAD
SHORT LINE EXPANSION
POLLUTAN LAKES BLVD.
PELICAN POINT BOULEVARD
US 41 (TAMIAMI TRAIL)
COCONUT RD.
PELICAN COLONY BOULEVARD
Area #1 North Village
Area #2 Town Center
Area #3 South Village
LAND USE BREAKDOWN
PROJECT INTENSITY
DEVELOPMENT AREA BREAKDOWN
LEGEND
NOTES:
1. LOCATIONS/CONFIGURATIONS OF PROPOSED LAND USES, ROADWAYS, LAKES AND OPEN SPACE ARE CONCEPTUALLY SHOWN AND SUBJECT TO CHANGE DURING FINAL DESIGN/PERMITTING.
2. THE MIXED USE (MU) DESIGNATION CONTAINS A MIX OF RETAIL/COMMERCIAL, HOTEL, OFFICE, RESIDENTIAL ALF, AND PUBLIC FACILITY LAND USES.

DRI
EXHIBIT C

Development Parameters and Phasing Schedule

		Buildout
Regional Retail Commercial	~~1440,110~~ 1,438,110* sq. ft.	2038~~2028~~
Community Retail	106,100* sq. ft.	2038~~2028~~
Office	835,777** sq. ft.	2038~~2028~~
Hotel	~~370~~ 453 Rooms	2038~~2028~~
Residential, Multi-family	1,214 du	2038~~2028~~
Residential, MF Apartments	180 units	2038~~2028~~
Assisted Living Facility	200 units	2038~~2028~~
Banks	8,000 sq. ft.	2038~~2028~~

* Gross Leasable Area

**Up to 234,000 sq. ft., may be medical office

Note (1): a 160 acute care bed hospital may only be constructed within Tracts 3A-1, 3A-2 and 3A-3_1 and; (2) Tracts 3A-1, 3A-2, and 3A-3_1 may be developed with any of the following land uses or combinations so long as the uses do not exceed 479 total net new external trips: up to 60,000 gross leasable sq. ft. retail, 300,000 sq. ft. office (of which a maximum of 198,000 sq. ft. may be medical office), 160 acute care hospital beds.

DRI EXHIBIT C-1

Land Use Conversion Table

Land Use	Max Increase*
Retail	54,999 sf
Office (Gen / Med)	65,999 sf
Residential	54 MF
Hotel	82 rms

*The purpose of this table is to permit one land use to be converted to a different use. The conversion may be approved only if the project's overall trips do not exceed the parameters set forth in Condition II.D.1.a.

~~DRI~~
~~EXHIBIT D~~

~~BIENNIAL MONITORING REPORT REQUIREMENTS~~

~~The Biennial Monitoring Report that must be submitted by the Developer in accordance with Subsections 380.06(15) and 380.06(18), Florida Statutes, and 9J-2.025(7), Florida Administrative Code, must include the following:~~

~~A. Any changes in the plan of development or in the representations contained in the application for development approval, or in the phasing for the reporting year and for the next year;~~

~~B. A summary comparison of development activity proposed and actually conducted for the year;~~

~~C. Identification of undeveloped tracts of land, other than individual single family lots, that have been sold to separate entities or developers.~~

~~D. Identification and intended use of lands purchased, leased, or optioned by the Developer adjacent to the original DRI site since the development order was issued;~~

~~E. A specific assessment of the Developer's and the local government's compliance with each individual condition of approval contained in the DRI Development Order and the commitments contained in the application for development approval that have been identified by the local government, the RPC, or the DCA as being significant;~~

~~F. Any requests for substantial deviation determination that were filed in the reporting year and to be filed during the following year;~~

~~G. An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;~~

~~H. A list of significant local, state, and federal permits that have been obtained or are pending by agency, type of permit, permit number and purpose of each;~~

~~I. A statement that all persons have been sent copies of the report in conformance with Subsections 380.06(15) and (18), Florida Statutes;~~

~~J. A copy of any recorded notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the Developer pursuant to Paragraph 380.06(15)(f), Florida Statutes.~~

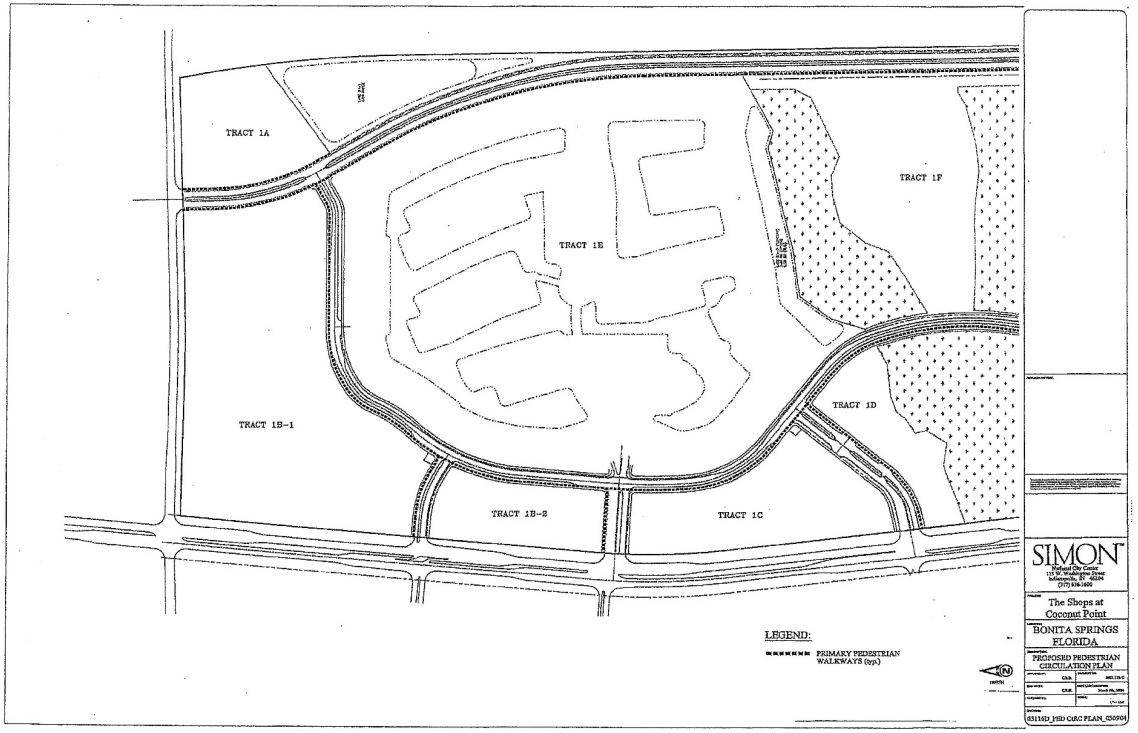
~~NOTE: The Florida Administrative Code specifically requires that the development order specify the requirements for the report. The Administrative Code requires that the report will be submitted to DCA, the RPC, and the local government on Form RPM-BSP-Annual Report-1.~~

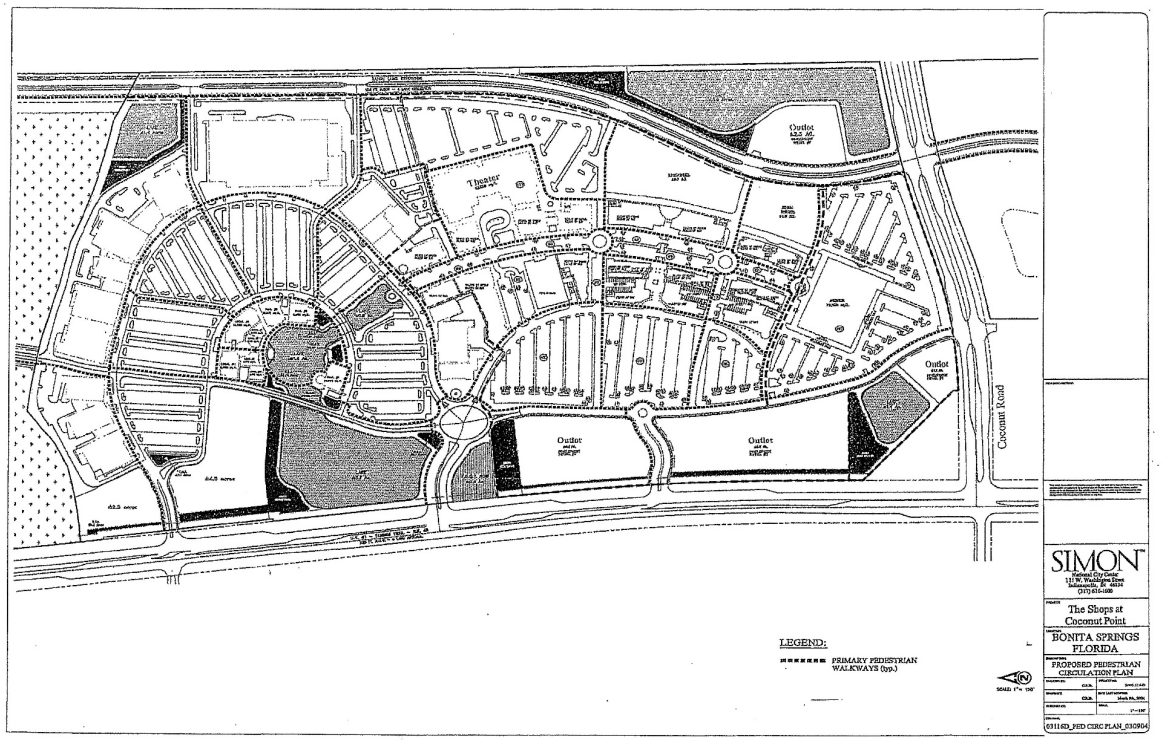
~~DRI~~
~~EXHIBIT E~~
~~Calculation of Road Impact Fee Obligation[21]~~

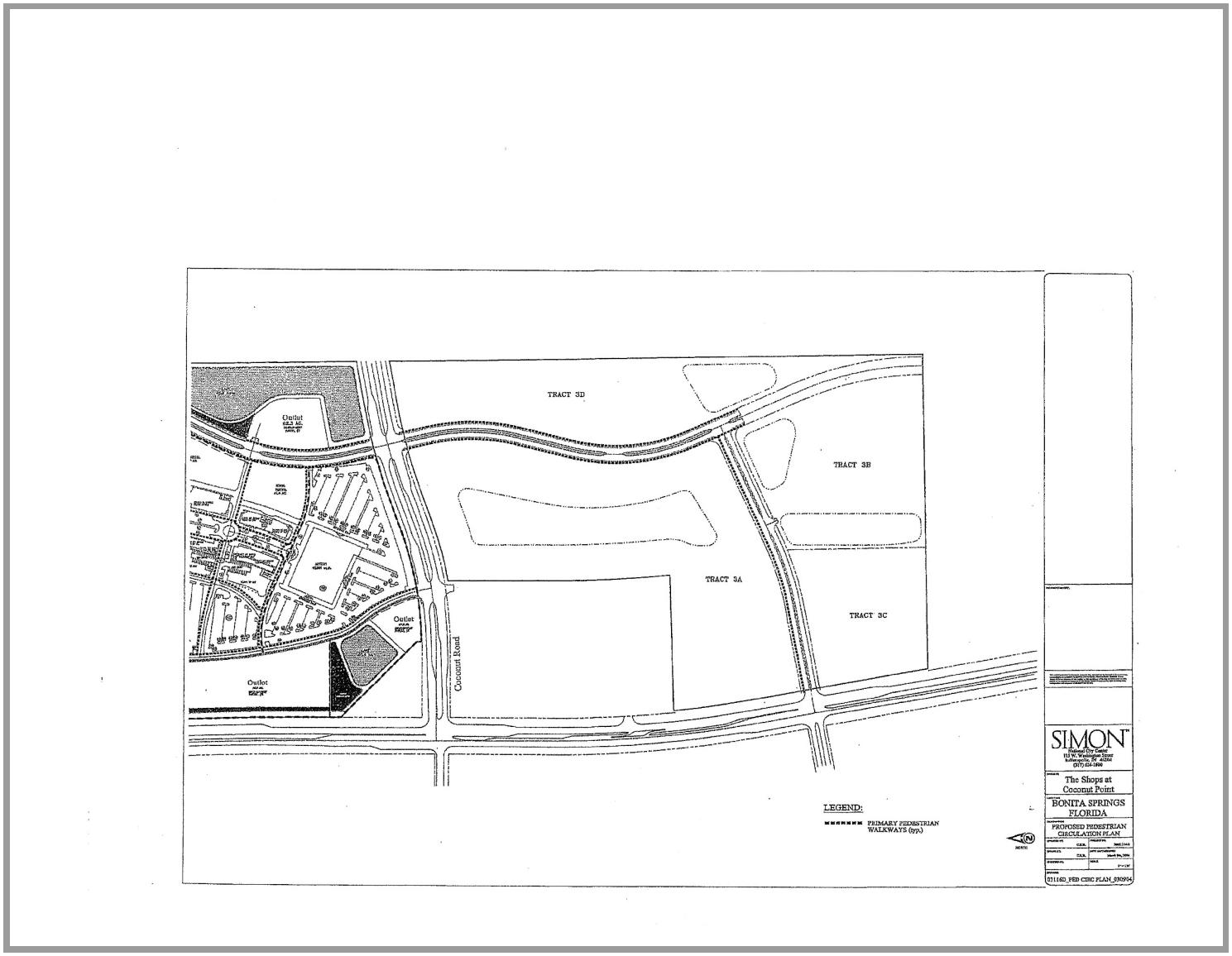
~~LAND USE~~	~~ITE LUC~~	~~UNIT~~	~~RATE~~	~~SIZE~~	~~AMOUNT~~
~~GENERAL INDUSTRIAL~~	~~130~~	~~1000 SF~~	~~$1,681.00~~	~~0~~	~~$ -~~
~~WAREHOUSE~~	~~150~~	~~1000 SF~~	~~$1,198.00~~	~~0~~	~~$ -~~
~~MINI WAREHOUSE~~	~~151~~	~~1000 SF~~	~~$ 419.00~~	~~0~~	~~$ -~~
~~SINGLE-FAMILY DETACHED~~	~~210~~	~~DU~~	~~$2,436.00~~	~~0~~	~~$ -~~
~~MULTI-FAMILY~~	~~220~~	~~DU~~	~~$1,687.00~~	~~1000~~	~~$ 1,687,000.00~~
~~MOBILE HOME (PARK UNIT)/RV SITE~~	~~240~~	~~DU~~	~~$1,221.00~~	~~0~~	~~$ -~~
~~ACLF~~	~~252~~	~~DU~~	~~$ 550.00~~	~~200~~	~~$ 110,000.00~~
~~HOTEL~~	~~310~~	~~ROOM~~	~~$1,834.00~~	~~600~~	~~$ 1,100,400.00~~
~~TIMESHARE~~	~~310~~	~~DU~~	~~$1,834.00~~	~~0~~	~~$ -~~
~~GOLF COURSE~~	~~430~~	~~ACRE~~	~~$ 711.00~~	~~0~~	~~$ -~~
~~MOVIE THEATRE~~	~~443~~	~~1000 SF~~	~~$5,600.00~~	~~0~~	~~$ -~~
~~ELEMENTARY/SECONDARY SCHOOL (PRIVATE)~~	~~520~~	~~1000 SF~~	~~$ 611.00~~	~~0~~	~~$ -~~
~~CHURCH~~	~~560~~	~~1000 SF~~	~~$1,402.00~~	~~0~~	~~$ -~~
~~DAYCARE~~	~~565~~	~~1000 SF~~	~~$3,900.00~~	~~0~~	~~$ -~~
~~HOSPITAL~~	~~610~~	~~1000 SF~~	~~$2,941.00~~	~~0~~	~~$ -~~
~~NURSING HOME~~	~~620~~	~~1000 SF~~	~~$ 824.00~~	~~0~~	~~$ -~~
~~OFFICE UNDER 100,000 SF~~	~~710~~	~~1000 SF~~	~~$2,254.00~~	~~100~~	~~$ 225,400.00~~
~~OFFICE 100,000 SF AND OVER~~	~~710~~	~~1000 SF~~	~~$1,918.00~~	~~100~~	~~$ 191,800.00~~
~~MEDICAL OFFICE~~	~~720~~	~~1000 SF~~	~~$6,334.00~~	~~100~~	~~$ 633,400.00~~
~~RETAIL UNDER 100,000 SF~~	~~820~~	~~1000 SF~~	~~$3,992.00~~	~~100~~	~~$ 399,200.00~~
~~RETAIL 100,000 SF TO 250,000 SF~~	~~820~~	~~1000 SF~~	~~$3,869.00~~	~~150~~	~~$ 580,350.00~~
~~RETAIL 250,000 SF TO 500,000~~	~~820~~	~~1000 SF~~	~~$3,634.00~~	~~250~~	~~$ 908,500.00~~
~~RETAIL 500,000 SF AND OVER~~	~~820~~	~~1000 SF~~	~~$3,354.00~~	~~1300~~	~~$ 4,360,200.00~~
~~STANDARD RESTAURANT~~	~~831~~	~~1000 SF~~	~~$8,715.00~~	~~0~~	~~$ -~~
~~FAST FOOD RESTAURANT~~	~~834~~	~~1000 SF~~	~~$9,886.00~~	~~0~~	~~$ -~~
~~CAR WASH, SELF SERVICE~~	~~847~~	~~STALL~~	~~$7,749.00~~	~~0~~	~~$ -~~
~~CONVENIENCE FOOD AND BEVERAGE STORE~~	~~851~~	~~1000 SF~~	~~$8,715.00~~	~~0~~	~~$ -~~
~~BANK~~	~~911~~	~~1000 SF~~	~~$6,063.00~~	~~0~~	~~$ -~~
~~TOTAL~~					~~$10,196,250.00~~

~~[21] The calculations included here are based upon the impact fee schedule effective July 1, 2000. The fee schedule was used as a basis for establishing traffic mitigation option 1. The Developer did not ultimately choose option 1.~~

Exhibit D


TRACT 1A
TRACT 1E
TRACT 1F
TRACT 1D
TRACT 1B-1
TRACT 1B-2
TRACT 1C
LEGEND:
PRIMARY PEDESTRIAN WALKWAYS (typ.)
SIMON
The Shops at Coconut Point
BONITA SPRINGS FLORIDA
PROPOSED PEDESTRIAN CIRCULATION PLAN


Outlot
Theater
Outlot
Outlot
Outlot
Coconut Road
LEGEND:
PRIMARY PEDESTRIAN WALKWAYS (typ.)
SIMON
The Shops at Coconut Point
BONITA SPRINGS FLORIDA
PROPOSED PEDESTRIAN CIRCULATION PLAN


TRACT 3D
TRACT 3B
TRACT 3A
TRACT 3C
Outlot
Outlot
Outlot
Coconut Road
LEGEND:
PRIMARY PEDESTRIAN WALKWAYS (typ.)
SIMON
The Shops at Coconut Point
BONITA SPRINGS FLORIDA
PROPOSED PEDESTRIAN CIRCULATION PLAN

Home2 Suites at Coconut Point MPD/DRI

Zoning Staff Report

For Village Council

PROJECT NAME:	**Home2 Suites at Coconut Point MPD/DRI**
CASE TYPE:	**Amendment to Mixed-Use Planned Development Zoning and Development of Regional Impact**
CASE NUMBER:	**DCI2024-E005**
PLANNING ZONING & DESIGN BOARD MEETING:	**February 11, 2025**
VILLAGE COUNCIL:	**May 21, 2025 First Reading June 4, 2025 Second Reading**

SUMMARY OF REQUEST

The applicant is requesting an amendment to the Coconut Point Mixed-Use Planned Development (MPD) to allow a 4-story, 111-room hotel on an approximately 2.37 acre site in the Coconut Point mall parking lot. The applicant is also requesting related amendments to the DRI Development Order.

The site is located west of Via Coconut Point and Shadow Wood at the Brooks in the parking lot north of The Residences at Coconut Point (northwest corner of Via Coconut Point and Via Monte Carlo Way).

STAFF AND PLANNING ZONING AND DESIGN BOARD RECOMMENDATION

Staff and PZDB recommend approval of the zoning amendment with conditions, as well as the DRI development order amendment. The conditions are listed in the attached ordinance. The PZDB vote was 7-1.

GENERAL INFORMATION

Applicant
PHG Acquisitions, LLC

Authorized Agent
Jeremy Pettit, P.E., Ingenium Enterprises, Inc.

Location
Within the parking lot of Coconut Point Mall

STRAP Number
09-47-25-E2-360SC.0010

Surrounding Zoning and Land Use
North Vacant Regal movie theater, parking lot, then Target

East Via Coconut Point, Seminole Gulf Railway, then, Shadow Wood community

South Via Monte Carlo Way, then, The Residences at Coconut Point

West Various retail stores within Coconut Point Mall

Zoning
Mixed-Use Planned Development (MPD). The property is also subject to the US 41 Overlay which outlines additional requirements for parking lot design and landscaping.

Comprehensive Plan Land Use Category
Transitional Mixed Use

Project History
The property is part of Coconut Point MPD and Coconut Point DRI. The property was rezoned from Agriculture (AG-2) to a Mixed Use Planned Development (MPD) by Lee County in 2002 under zoning resolution Z-02-009. The DRI and MPD zoning have been amended numerous times by Lee County as well as the Village of Estero after incorporation.

Public Information Meeting
A Public Information Meeting was held on December 12, 2023. The applicant's summary of the meeting is attached.

STAFF REVIEW

The zoning amendment is to develop a 4-story, 111-room "all suites" hotel in the back parking lot of the Coconut Point shopping center.

The applicant is requesting an amendment to Coconut Point Mixed Use Planned Development and DRI. The DRI Development Order Amendment will increase the number of hotel units permitted but will decrease the square footage of commercial retail floor area by 2,000 square feet to ensure that there is no net increase in vehicle trips.

Hotel use is allowed within the property, however, there is a limit on the number of rooms. Due to the approval of three other hotels within the property, there are not enough remaining hotel rooms, necessitating the DRI and zoning amendment. The proposed increase in hotel rooms on the property would need to be offset by a proposed reduction in other uses to ensure no net increase in vehicular trips.

Coconut Point MPD is governed by Zoning Resolution No. Z-02-009, which approved a mix of different uses including commercial retail uses and up to 370 hotel rooms. Coconut Point Development Area #2 has 250 rooms allocated for hotel use. To date, 222 hotel rooms (Hyatt Place and TownPlace Suites) have been permitted within Development Area #2, leaving 28 hotel rooms available. The applicant is requesting the development of up to 111 rooms on the subject property, or an additional 83 hotel rooms (111 rooms minus 28 rooms), above the existing development allocations for Development Area #2. The proposed amendment will not exceed the original traffic entitlements for this MPD. This will be ensured by reducing the equivalent number of trips associated with the proposed hotel use from the permissible commercial retail floor area.

Master Concept Plan

The Master Concept Plan shows the following:

- The proposed location of the 4-story, 111-room hotel
- Parking areas
- Outdoor amenity area, including pool and active recreation areas
- Dumpster enclosure and landscape buffers
- Pedestrian connections to the shopping center
- Access to the proposed hotel from Via Monte Carlo Way off Via Coconut

Pattern Book

A Pattern Book is required for a zoning amendment. The Pattern Book is “supplemental” because there are already design guidelines for the larger Coconut Point development which includes Simon and Oakbrook property.

The proposed Pattern Book includes a conceptual site plan, color renderings, architectural elevations, color and material samples, line of sight exhibits, and a planting plan that includes plantings in the median along Via Coconut Point.

Architecture

Based on comments at the Public Information Meeting and staff comments, the applicant has revised the architecture to blend better with the “Mediterranean Style” of Coconut Point.

The adjacent buildings within Coconut Point Mall showcase mediterranean style architectural details with a warm earth tone color palette. The colors have been revised to a more muted green, beige, and other accent colors and materials consistent with the Coconut Point Design Review Guidelines and the color palettes of adjacent buildings within Coconut Point Mall.

Height

The proposed hotel will be 48 feet in height to the main parapet and 58 feet 6 inches to the top of the architectural element. The applicant is requesting a deviation from maximum height requirement of 45 feet and explains that the adjacent multi-family development, The Residences at Coconut Point on Tract 2A, is approximately 55 feet in height. The proposed 4-story hotel development will be comparable in height to the Residences.

Pedestrian Connections

Sidewalks and walkways will be provided from the parking lot areas and primary building entrances. Pedestrian connections will be provided to Via Coconut Point and adjacent parcels within Coconut Point Mall via concrete sidewalks and ADA accessible ramps/crosswalks. Bicycle racks will be provided adjacent to the building entrance.

Signs

There is an existing monument sign on the corner of Via Coconut Point and Via Monte Carlo Way. The Pattern Book also provides a conceptual design for wall signs that include the brand name and logo for the proposed hotel, "Home2 Suites by Hilton." A new monument sign is not being proposed as part of this amendment.

Flood Issues

The site does not fall within a Special Flood Hazard Area and is in the X Flood Zone per the most recent flood map.

Stormwater Management

The applicant is not proposing any changes to existing infrastructure, including stormwater management.

Transportation

The Traffic Analysis provided by the applicant, illustrates the following:

- Via Coconut Point is projected to operate at a Level of Service "C" with the addition of the project traffic. No roadway capacity improvements are required.
- No turn lanes will be warranted at the proposed site access connections along Via Monte Carlo Way and internal roadways within Coconut Point Mall.
- Primary access to this development will be provided via Monte Carlo Way.
- The proposed 111-room hotel would generate an average of 30 weekday P.M. peak hour trips.

Parking

Per Sec. 5-204 (Table 5-204.B.1) of the Land Development Code, hotel use requires 1 space per 1.2 guest rooms, resulting in a total of 93 required parking spaces for the proposed development.

A total of 116 on-site parking spaces will be provided as a part of this project. The proposed hotel site is within an existing parking lot in Coconut Point Mall. As a result of this development, 239 parking spaces that currently serve the mall will be removed, creating a net reduction of 123 spaces.

According to a Parking Demand Study provided by the applicant, the following findings were found:

- Development Area #2 of the Coconut Point MPD, which includes the subject area, currently has 5,888 spaces.
- The peak weekday parking demand of Development Area #2 is 5,490 spaces
- The total number of parking spaces in Development Area #2 of the Coconut Point MPD after the proposed hotel development is 5,765 spaces.
- There will be an excess of 275 available parking spaces during peak weekday demand.
- Weekend peak demand calculations were not included as part of this study.

While the overall parking provides "excess" spaces, it should be noted that the "Residences" appear to use this lot for additional parking which may create an operational issue.

Perimeter Buffers and Landscaping

There is an existing buffer along Via Monte Carlo Way, however, the applicant will revise the buffer to make it 25 feet wide and include additional plantings to screen the development from the right-of way. A 5-foot wide landscape buffer will be provided along the north and west sides of the development site. There is also an existing a 20-foot landscape buffer along via Coconut Point and all existing street trees and shrubs along the roadway frontage will be protected. Internal landscape islands with canopy trees and other plantings will be provided throughout the parking lot area and around the outdoor pool area. They are also proposing plantings along the median on Via Coconut Point, external to the site.

Utilities

Utilities will be provided by Bonita Springs Utilities. BSU will provide comments at time of development order/BSU application to construct.

Fire

Estero Fire Department indicated it would provide comments at time of development order.

Development of Regional Impact (DRI) Review

The applicant is also requesting amendments to the Coconut Point DRI in addition to the zoning amendment. Amendments are necessary to authorize the additional hotel units and the accompanying reduction in retail square footage. The Development of Regional Impact is applicable to all of Coconut Point, including the Simon property (shopping center) as well as North Village (Rapallo, Marketplace and Hertz) and South Village (Lee Health and other developments).

The proposed DRI amendments would update the Development Order to clarify some of the provisions that have already been completed over the years of the development of Coconut Point, and to increase the number of hotel rooms and decrease the retail square footage.

The DRI was originally approved by Lee County on October 21, 2002, and has been amended nine times since its original approval. DRIs no longer require State of Florida review and approval for amendments.

COMPREHENSIVE PLAN ANALYSIS

The project is in the Transitional Mixed Use Future Land Use category. The category is described below:

FLU-1.2.8 TRANSITIONAL MIXED USE
Transitional Mixed Use areas are characterized by primarily existing or emerging developments where the Village's largest and most intense commercial and multifamily residential developments are or will be concentrated, including some areas that currently have some degree of mixed use. Urban services are in place or readily expandable to support moderately intense levels of mixed commercial and residential development.

Staff Comment: A broad mix of uses is allowed within the Transitional Mixed Use Future Land Use area, subject to compatibility standards, including regional, community, and neighborhood scale commercial to foster the live/work/play mixed use lifestyle sought in this category.

Coconut Point MPD is an existing mixed use development with various retail stores, residential multi-family units, commercial office, health care, and three approved hotels. This 4-story hotel will be located in the back parking lot of the shopping area.

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.

Staff Comment: This policy includes a review of:

- Traffic and access impacts. The Traffic Impact Statement provided by the applicant indicates that Via Coconut Point will operate at a LOS C in the year 2026 both with and without the addition of the proposed project traffic. Based on this analysis, the proposed 4-story hotel development will not create a level of service issue. Hotels are typically "off-peak hour" traffic generators.

- Architectural and landscape design is reviewed through the provision of a Pattern Book. The most recent renderings appear to be consistent with the Coconut Point Design Review Guidelines.

- Site planning and interconnectivity are met by the provision of internal walkways and pedestrian connections to Via Coconut Point and to the Coconut Point shopping center.

- Adjacent land uses should not be negatively impacted by this proposal. The proposed

development is within an existing MPD which features a variety of uses including residential, retail, and other commercial uses. The line of sight diagram does not indicate any detrimental impact to the to the Brooks Community to the east across Via Coconut and the railroad ROW.

DEVIATIONS

The applicant requested two deviations from the Village of Estero Land Development Code:

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.*

Staff Comment: Due to the lot size, configuration, and the required parking, the applicant requests a slight deviation from the 30% open space requirement to allow 28% open space. The applicant will install required plantings within the proposed parking area and landscape buffers. In addition, the applicant will also plant the median in front of the proposed development site along Via Coconut Point with a variety of trees and plantings.

Staff recommends approval of this deviation because the applicant is offering median landscaping.

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.*

Staff Comment: The proposed 4-story hotel measures 48 feet high to the main parapet and 58 feet 6 inches to the top of the architectural tower element. The adjacent residential multi-family building, The Residences at Coconut Point is 4-story building measuring 55 feet in height. The Brooks Shadow Wood community is approximately 500 feet away from the development site and the existing trees along the Railroad ROW east of the site are approximately 20 feet tall to block the view.

Staff recommends approval of this deviation.

CONCLUSION

Staff has proposed the following findings for the MPD Amendment if the Council wishes to approve the request:

1. The Planned Development Amendment as conditioned will be consistent with the goals, objectives, and policies of the Comprehensive Plan.

   Staff Comment: The proposed amendment is generally consistent with the Comprehensive Plan. The proposed hotel development will be located within an existing Mixed Use Planned Development, surrounded by a variety of residential, retail, and commercial uses.

2. The Planned Development Amendment as conditioned will not conflict with any portion of the Land Development Code.

Staff Comment: The proposed amendment is not in conflict with the LDC in general but does request two deviations from required standards.

3. The Planned Development Amendment will address a community need.

   Staff Comment: The proposed amendment is for a 111-room, 4-story hotel in an existing and developed Mixed Use Planned Development. Hotel use is permitted within the MPD, and this development will help diversify the uses in the center and promote pedestrian movement within the Coconut Point shopping center, emphasizing the "live/work/play" goal of the Transitional Mixed Use future land use designation of this site. The applicant has stated that there is a need for what they state are "all-suites" hotels in Estero.

4. The Planned Development Amendment as conditioned will be compatible with existing and planned uses surrounding the subject land.

   Staff Comment: The amendment, with the proposed conditions, will be compatible with the existing and planned uses in the surrounding area. The surrounding uses are mixed and include residential, retail, and other commercial uses.

5. The Planned Development Amendment will result in a logical and orderly development pattern.

   Staff Comment: The proposed amendment is to allow a commercial use in a partially unused parking lot within a commercial shopping center in an established MPD.

6. The Planned Development Amendment will not adversely affect the property values in the area.

   Staff Comment: The proposed amendment should 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.)

   Staff Comment: The proposed project will be served by public 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.

   Staff Comment: The proposed amendment will not adversely affect the natural environment as the parcel has already been cleared and is a parking lot.

9. The Planned Development Amendment is compatible with existing or planned uses in the surrounding area.

   Staff Comment: The proposed amendment with the staff recommended conditions will be compatible with the surrounding area.

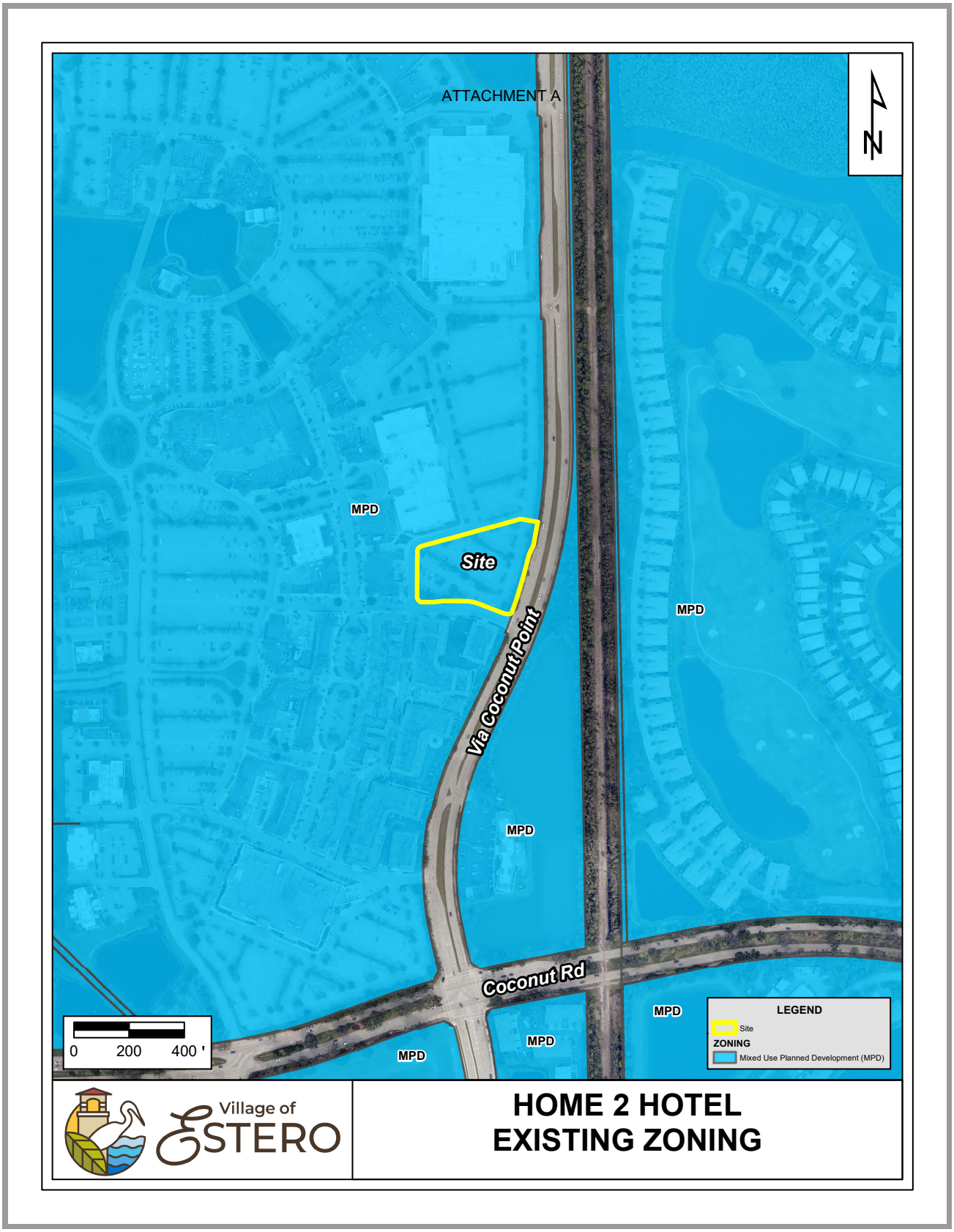
Staff has proposed the following findings for the Deviations:

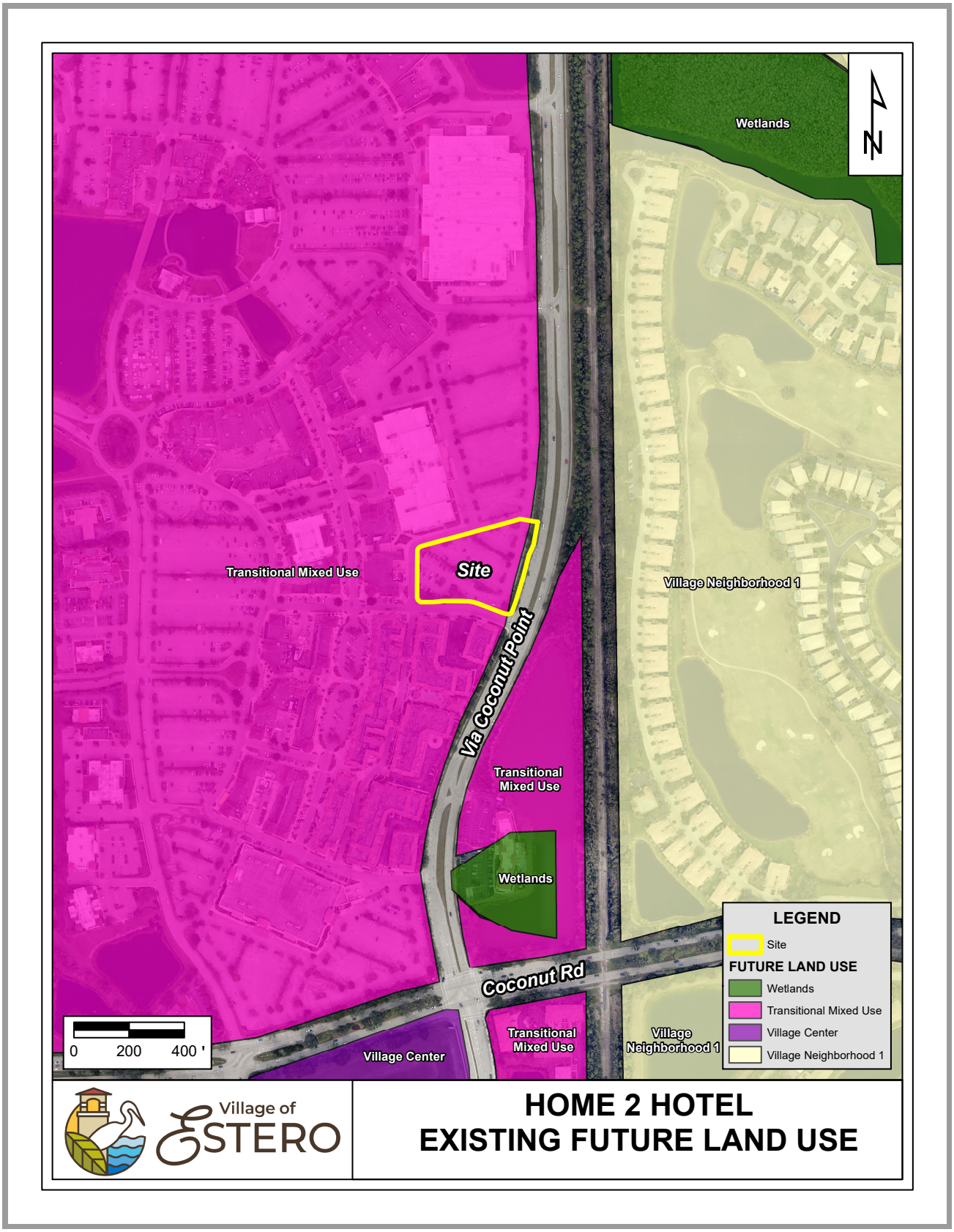
The proposed deviations for open space and building height will:

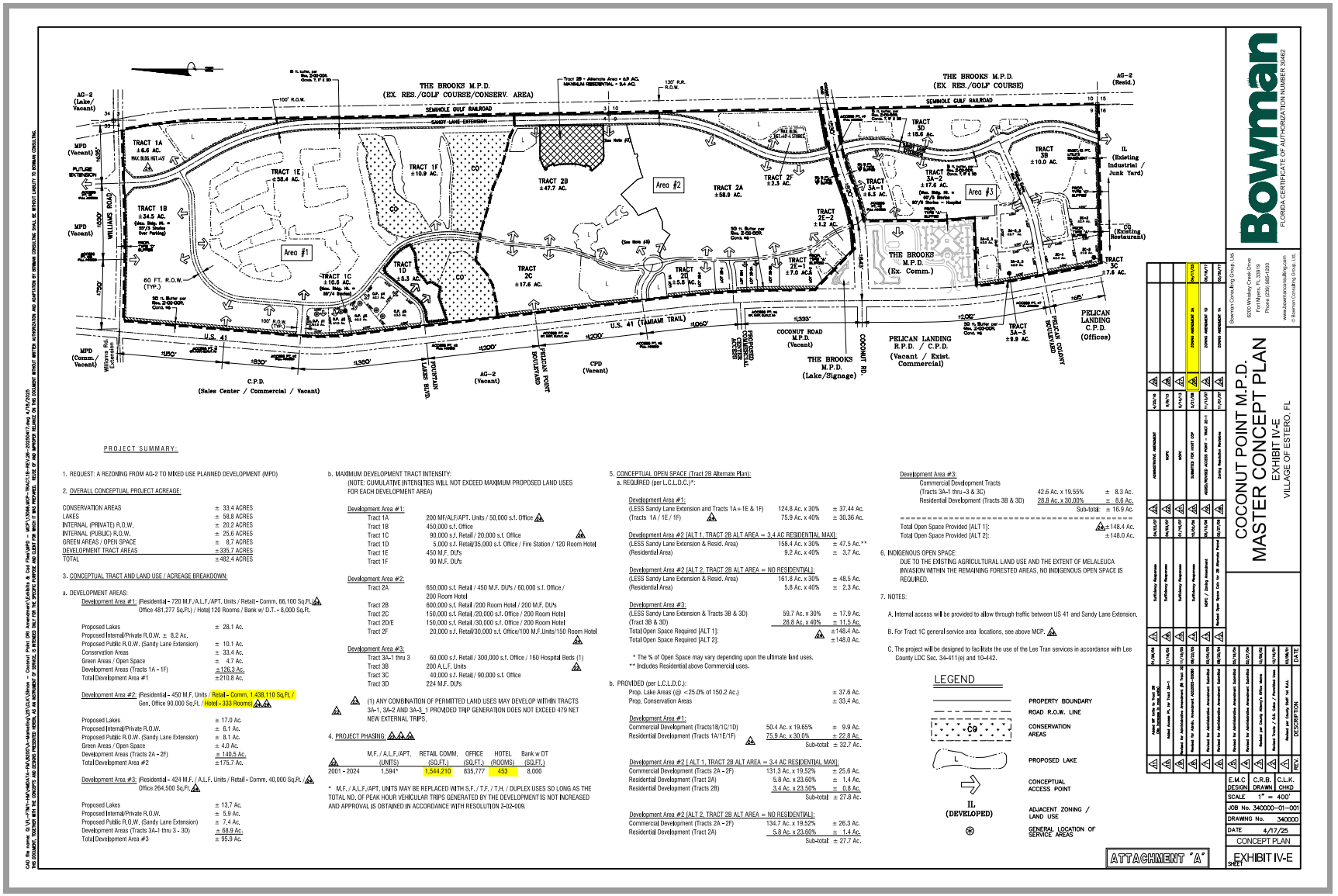
1. Off-set the minor open space reduction with landscaping in the median on Via Coconut.
2. Be similar to the height of the existing adjacent 4-story residential multi-family building.

ATTACHMENTS:

A. Maps – Zoning Map, and Future Land Use Map
B. Master Concept Plan
C. Zoning Conditions
D. Pattern Book
E. Applicant Information
   1) Public Information Meeting Summary
   2) Revised Traffic Memo Dated March 22, 2025
   3) Parking Demand Study
   4) Hotel Room Calculations


ATTACHMENT A
N
MPD
Site
Via Coconut Point
MPD
MPD
Coconut Rd
MPD
MPD
MPD
0 200 400 '
LEGEND
Site
ZONING
Mixed Use Planned Development (MPD)
Village of ESTERO
HOME 2 HOTEL
EXISTING ZONING


Wetlands
N
Transitional Mixed Use
Site
Village Neighborhood 1
Via Coconut Point
Transitional Mixed Use
Wetlands
Coconut Rd
Village Center
Transitional Mixed Use
Village Neighborhood 1
0 200 400 '
LEGEND
Site
FUTURE LAND USE
Wetlands
Transitional Mixed Use
Village Center
Village Neighborhood 1
Village of ESTERO
HOME 2 HOTEL
EXISTING FUTURE LAND USE



PROJECT SUMMARY:

1. REQUEST: A REZONING FROM AG-2 TO MIXED USE PLANNED DEVELOPMENT (MPD)

2. OVERALL CONCEPTUAL PROJECT ACREAGE:

CONSERVATION AREAS	± 33.4 ACRES
LAKES	± 58.8 ACRES
INTERNAL (PRIVATE) R.O.W.	± 26.2 ACRES
INTERNAL (PUBLIC) R.O.W.	± 25.6 ACRES
GREEN AREAS / OPEN SPACE	± 8.7 ACRES
DEVELOPMENT TRACT AREAS	±335.7 ACRES
TOTAL	±482.4 ACRES

3. CONCEPTUAL TRACT AND LAND USE / ACREAGE BREAKDOWN:

a. DEVELOPMENT AREAS:

Development Area #1: (Residential - 720 M.F./A.L.F./APT. Units / Retail - Comm. 66,100 Sq.Ft. / Office 481,277 Sq.Ft.) / Hotel 120 Rooms / Bank w/ D.T. - 8,000 Sq.Ft.

Proposed Lakes	± 28.1 Ac.
Proposed Internal/Private R.O.W.	± 8.2 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 10.1 Ac.
Conservation Areas	± 33.4 Ac.
Green Areas / Open Space	± 4.7 Ac.
Development Areas (Tracts 1A - 1F)	±126.3 Ac.
Total Development Area #1	±210.8 Ac.

Development Area #2: (Residential - 450 M.F. Units / Retail - Comm. 1,438,110 Sq.Ft. / Gen. Office 90,000 Sq.Ft. / Hotel - 333 Rooms)

Proposed Lakes	± 17.0 Ac.
Proposed Internal/Private R.O.W.	± 6.1 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 8.1 Ac.
Green Areas / Open Space	± 4.0 Ac.
Development Areas (Tracts 2A - 2F)	± 140.5 Ac.
Total Development Area #2	±175.7 Ac.

Development Area #3: (Residential - 424 M.F. / A.L.F. Units / Retail - Comm. 40,000 Sq.Ft. / Office 264,500 Sq.Ft.)

Proposed Lakes	± 13.7 Ac.
Proposed Internal/Private R.O.W.	± 5.9 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 7.4 Ac.
Development Areas (Tracts 3A-1 thru 3 - 3D)	± 68.9 Ac.
Total Development Area #3	± 95.9 Ac.

b. MAXIMUM DEVELOPMENT TRACT INTENSITY:
(NOTE: CUMULATIVE INTENSITIES WILL NOT EXCEED MAXIMUM PROPOSED LAND USES FOR EACH DEVELOPMENT AREA)

Development Area #1:

Tract 1A	200 MF/ALF/APT. Units / 50,000 s.f. Office
Tract 1B	450,000 s.f. Office
Tract 1C	90,000 s.f. Retail / 20,000 s.f. Office
Tract 1D	5,000 s.f. Retail/35,000 s.f. Office / Fire Station / 120 Room Hotel
Tract 1E	450 M.F. DU's
Tract 1F	90 M.F. DU's

Development Area #2:

Tract 2A	650,000 s.f. Retail / 450 M.F. DU's / 60,000 s.f. Office / 200 Room Hotel
Tract 2B	600,000 s.f. Retail /200 Room Hotel / 200 M.F. DU's
Tract 2C	150,000 s.f. Retail /20,000 s.f. Office / 200 Room Hotel
Tract 2D/E	150,000 s.f. Retail /30,000 s.f. Office / 200 Room Hotel
Tract 2F	20,000 s.f. Retail/30,000 s.f. Office/100 M.F.Units/150 Room Hotel

Development Area #3:

Tract 3A-1 thru 3	60,000 s.f. Retail / 300,000 s.f. Office / 160 Hospital Beds (1)
Tract 3B	200 A.L.F. Units
Tract 3C	40,000 s.f. Retail / 90,000 s.f. Office
Tract 3D	224 M.F. DU's

(1) ANY COMBINATION OF PERMITTED LAND USES MAY DEVELOP WITHIN TRACTS 3A-1, 3A-2 AND 3A-3_1 PROVIDED TRIP GENERATION DOES NOT EXCEED 479 NET NEW EXTERNAL TRIPS.

4. PROJECT PHASING:

	M.F. / A.L.F./APT. (UNITS)	RETAIL COMM. (SQ.FT.)	OFFICE (SQ.FT.)	HOTEL (ROOMS)	Bank w DT (SQ.FT.)
2001 - 2024	1,594*	1,544,210	835,777	453	8,000

* M.F. / A.L.F./APT. UNITS MAY BE REPLACED WITH S.F. / T.F. / T.H. / DUPLEX USES SO LONG AS THE TOTAL NO. OF PEAK HOUR VEHICULAR TRIPS GENERATED BY THE DEVELOPMENT IS NOT INCREASED AND APPROVAL IS OBTAINED IN ACCORDANCE WITH RESOLUTION Z-02-009.

5. CONCEPTUAL OPEN SPACE (Tract 2B Alternate Plan):

a. REQUIRED (per L.C.L.D.C.)*:

Development Area #1:

(LESS Sandy Lane Extension and Tracts 1A+1E & 1F)	124.8 Ac. x 30%	± 37.44 Ac.
(Tracts 1A / 1E / 1F)	75.9 Ac. x 40%	± 30.36 Ac.

Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4 AC RESIDENTIAL MAX]:

(LESS Sandy Lane Extension & Resid. Area)	158.4 Ac. x 30%	± 47.5 Ac.**
(Residential Area)	9.2 Ac. x 40%	± 3.7 Ac.

Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO RESIDENTIAL]:

(LESS Sandy Lane Extension & Resid. Area)	161.8 Ac. x 30%	± 48.5 Ac.
(Residential Area)	5.8 Ac. x 40%	± 2.3 Ac.

Development Area #3:

(LESS Sandy Lane Extension & Tracts 3B & 3D)	59.7 Ac. x 30%	± 17.9 Ac.
(Tract 3B & 3D)	28.8 Ac. x 40%	± 11.5 Ac.
Total Open Space Required [ALT 1]:		±148.4 Ac.
Total Open Space Required [ALT 2]:		±148.0 Ac.

* The % of Open Space may vary depending upon the ultimate land uses.
** Includes Residential above Commercial uses.

b. PROVIDED (per L.C.L.D.C.):

Prop. Lake Areas (@ <25.0% of 150.2 Ac.)		± 37.6 Ac.
Prop. Conservation Areas		± 33.4 Ac.

Development Area #1:

Commercial Development (Tracts1B/1C/1D)	50.4 Ac. x 19.65%	± 9.9 Ac.
Residential Development (Tracts 1A/1E/1F)	75.9 Ac. x 30.0%	± 22.8 Ac.
	Sub-total:	± 32.7 Ac.

Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4 AC RESIDENTIAL MAX]:

Commercial Development (Tracts 2A - 2F)	131.3 Ac. x 19.52%	± 25.6 Ac.
Residential Development (Tract 2A)	5.8 Ac. x 23.60%	± 1.4 Ac.
Residential Development (Tracts 2B)	3.4 Ac. x 23.50%	± 0.8 Ac.
	Sub-total:	± 27.8 Ac.

Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO RESIDENTIAL]:

Commercial Development (Tracts 2A - 2F)	134.7 Ac. x 19.52%	± 26.3 Ac.
Residential Development (Tract 2A)	5.8 Ac. x 23.60%	± 1.4 Ac.
	Sub-total:	± 27.7 Ac.

Development Area #3:

Commercial Development Tracts (Tracts 3A-1 thru -3 & 3C)	42.6 Ac. x 19.55%	± 8.3 Ac.
Residential Development (Tracts 3B & 3D)	28.8 Ac. x 30.00%	± 8.6 Ac.
	Sub-total	± 16.9 Ac.
Total Open Space Provided [ALT 1]:		±148.4 Ac.
Total Open Space Provided [ALT 2]:		±148.0 Ac.

6. INDIGENOUS OPEN SPACE:
DUE TO THE EXISTING AGRICULTURAL LAND USE AND THE EXTENT OF MELALEUCA INVASION WITHIN THE REMAINING FORESTED AREAS, NO INDIGENOUS OPEN SPACE IS REQUIRED.

7. NOTES:

A. Internal access will be provided to allow through traffic between US 41 and Sandy Lane Extension.

B. For Tract 1C general service area locations, see above MCP.

C. The project will be designed to facilitate the use of the Lee Tran services in accordance with Lee County LDC Sec. 34-411(e) and 10-442.

LEGEND

- PROPERTY BOUNDARY
- ROAD R.O.W. LINE
- CO — CONSERVATION AREAS
- L — PROPOSED LAKE
- CONCEPTUAL ACCESS POINT
- IL (DEVELOPED) — ADJACENT ZONING / LAND USE
- GENERAL LOCATION OF SERVICE AREAS

ATTACHMENT "A"

Bowman
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 30462

Bowman Consulting Group, Ltd.
9053 Whiskey Creek Drive
Fort Myers, FL 33919
Phone (239) 985-1200
www.bowmanconsulting.com
a Bowman Consulting Group Ltd. Company

COCONUT POINT M.P.D.
MASTER CONCEPT PLAN
EXHIBIT IV-E
VILLAGE OF ESTERO, FL

REV.	DESCRIPTION	DATE
1	Revised per County Staff 1st RAI.	10/08/25
2	Revised per County Staff Comments	10/14/25
3	Revised per County Staff Comments	10/31/25
4	Revised per County Staff Comments	11/14/25
5	Revised per County Staff Comments	12/04/25
6	Revised per County Staff Comments	12/15/25
7	Revised per County Staff Comments	12/19/25
8	Revised per County Staff Comments	12/22/25
9	Revised per County Staff Comments	01/14/26
10	Revised per County Staff Comments	01/16/26
11	Revised per County Staff Comments	01/20/26
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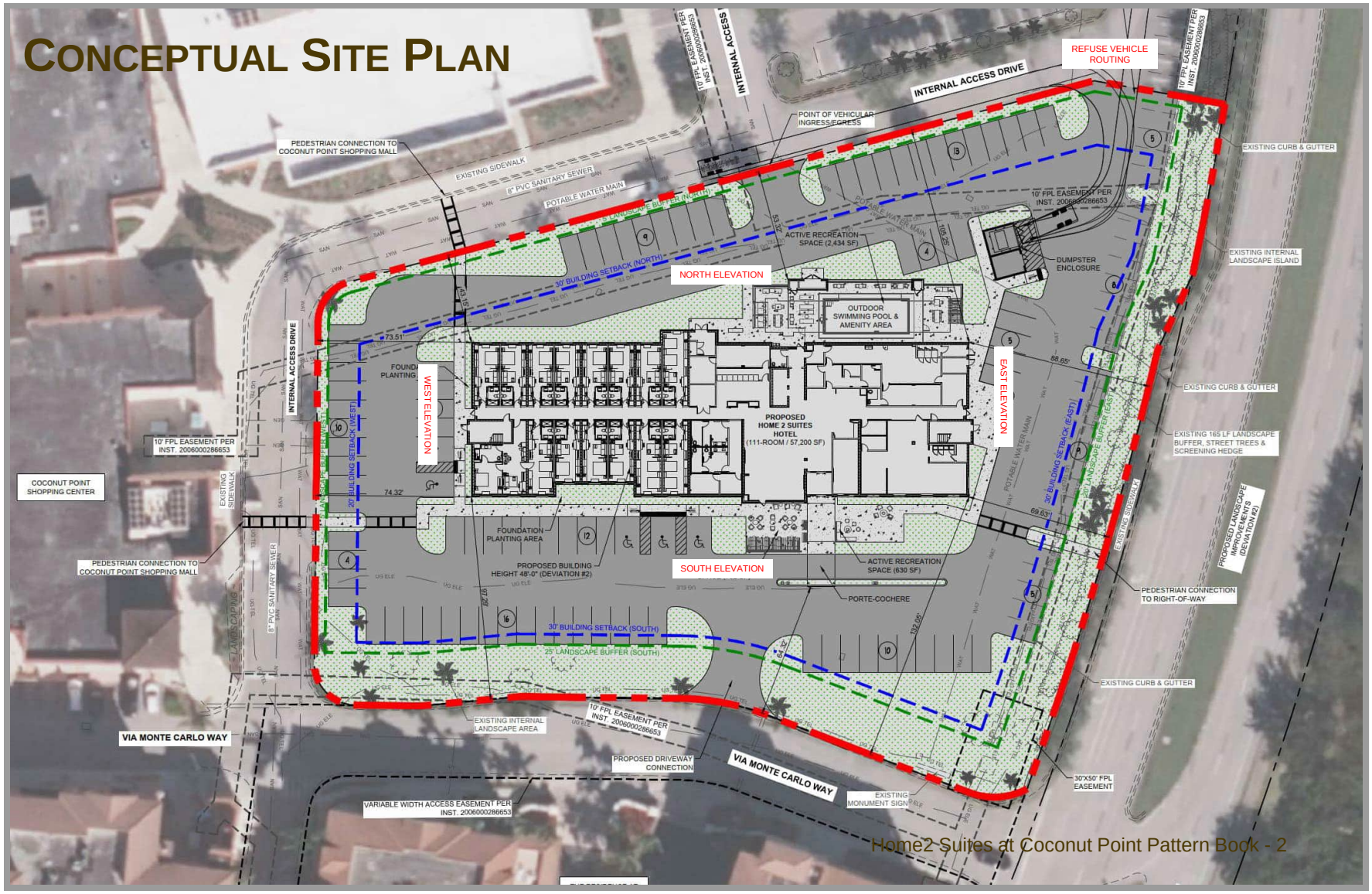
68	Revised per County Staff Comments	04/09/26
69	Revised per County Staff Comments	04/10/26
70	Revised per County Staff Comments	04/13/26
71	Revised per County Staff Comments	04/14/26
72	Revised per County Staff Comments	04/15/26
73	Revised per County Staff Comments	04/16/26
74	Revised per County Staff Comments	04/17/26

E.M.C DESIGN	C.R.B. DRAWN
C.L.K. CHKD	
SCALE	1" = 400'
JOB No.	340000-01-001
DRAWING No.	340000
DATE	4/17/25
SHEET	CONCEPT PLAN
	EXHIBIT IV-E

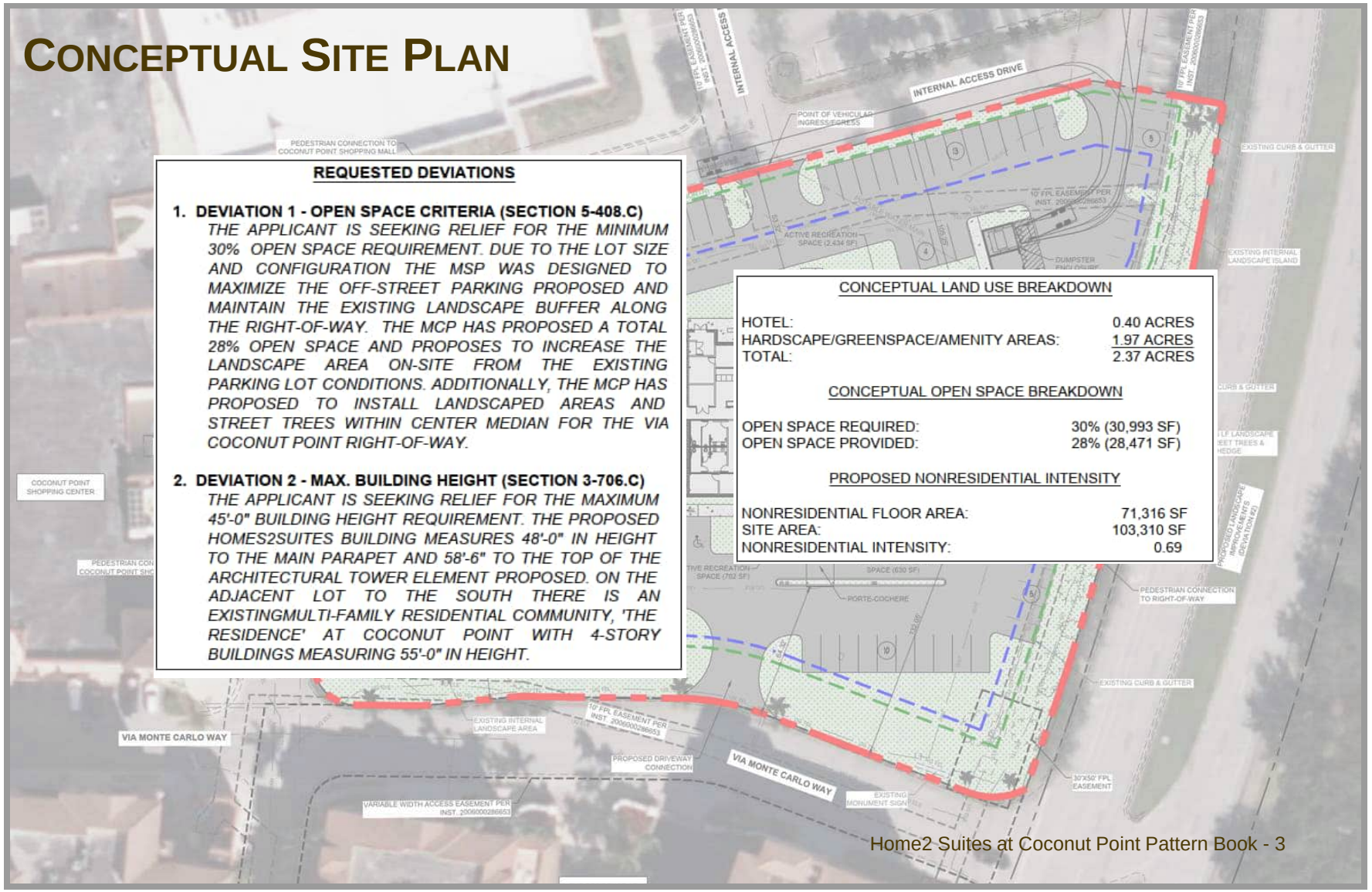
CAD file name: Q:\FL-FTM\-HAY\MBX\FA-FM\MBX\A-Marketing\MS\CA\Bmon - Coconut Point DRI Amendment\Exhibits & Cost Plan\MPD - MCP\130966-MCP-TRACT-1B-REV.26-20250417.dwg 4/16/2025
THE DESIGNS, RECORDS AND THE CONCEPTS AND DESIGNS PROVIDED HEREIN, AS AN INSTRUMENT OF SERVICE, IS PROVIDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN CONSULTING SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING.

HOME2 SUITES AT COCONUT POINT
SUPPLEMENTAL PATTERN BOOK

Received May 8, 2025


CONCEPTUAL SITE PLAN
REFUSE VEHICLE ROUTING
INTERNAL ACCESS DRIVE
INTERNAL ACCESS
10' FPL EASEMENT PER INST. 2006000286653
POINT OF VEHICULAR INGRESS/EGRESS
PEDESTRIAN CONNECTION TO COCONUT POINT SHOPPING MALL
EXISTING SIDEWALK
8" PVC SANITARY SEWER
POTABLE WATER MAIN
EXISTING CURB & GUTTER
ACTIVE RECREATION SPACE (2,434 SF)
DUMPSTER ENCLOSURE
EXISTING INTERNAL LANDSCAPE ISLAND
30' BUILDING SETBACK (NORTH)
NORTH ELEVATION
OUTDOOR SWIMMING POOL & AMENITY AREA
WEST ELEVATION
EAST ELEVATION
PROPOSED HOME 2 SUITES HOTEL (111-ROOM / 57,200 SF)
20' BUILDING SETBACK (WEST)
30' BUILDING SETBACK (EAST)
EXISTING 165 LF LANDSCAPE BUFFER, STREET TREES & SCREENING HEDGE
COCONUT POINT SHOPPING CENTER
FOUNDATION PLANTING AREA
PROPOSED BUILDING HEIGHT 48'-0" (DEVIATION #2)
SOUTH ELEVATION
ACTIVE RECREATION SPACE (630 SF)
PORTE-COCHERE
PROPOSED LANDSCAPE IMPROVEMENTS (DEVIATION #3)
PEDESTRIAN CONNECTION TO RIGHT-OF-WAY
30' BUILDING SETBACK (SOUTH)
25' LANDSCAPE BUFFER (SOUTH)
EXISTING CURB & GUTTER
EXISTING INTERNAL LANDSCAPE AREA
VIA MONTE CARLO WAY
PROPOSED DRIVEWAY CONNECTION
VARIABLE WIDTH ACCESS EASEMENT PER INST. 2006000286653
EXISTING MONUMENT SIGN
30'X50' FPL EASEMENT
Home2 Suites at Coconut Point Pattern Book - 2

CONCEPTUAL SITE PLAN



REQUESTED DEVIATIONS

1. **DEVIATION 1 - OPEN SPACE CRITERIA (SECTION 5-408.C)**
   THE APPLICANT IS SEEKING RELIEF FOR THE MINIMUM 30% OPEN SPACE REQUIREMENT. DUE TO THE LOT SIZE AND CONFIGURATION THE MSP WAS DESIGNED TO MAXIMIZE THE OFF-STREET PARKING PROPOSED AND MAINTAIN THE EXISTING LANDSCAPE BUFFER ALONG THE RIGHT-OF-WAY. THE MCP HAS PROPOSED A TOTAL 28% OPEN SPACE AND PROPOSES TO INCREASE THE LANDSCAPE AREA ON-SITE FROM THE EXISTING PARKING LOT CONDITIONS. ADDITIONALLY, THE MCP HAS PROPOSED TO INSTALL LANDSCAPED AREAS AND STREET TREES WITHIN CENTER MEDIAN FOR THE VIA COCONUT POINT RIGHT-OF-WAY.

2. **DEVIATION 2 - MAX. BUILDING HEIGHT (SECTION 3-706.C)**
   THE APPLICANT IS SEEKING RELIEF FOR THE MAXIMUM 45'-0" BUILDING HEIGHT REQUIREMENT. THE PROPOSED HOMES2SUITES BUILDING MEASURES 48'-0" IN HEIGHT TO THE MAIN PARAPET AND 58'-6" TO THE TOP OF THE ARCHITECTURAL TOWER ELEMENT PROPOSED. ON THE ADJACENT LOT TO THE SOUTH THERE IS AN EXISTINGMULTI-FAMILY RESIDENTIAL COMMUNITY, 'THE RESIDENCE' AT COCONUT POINT WITH 4-STORY BUILDINGS MEASURING 55'-0" IN HEIGHT.

CONCEPTUAL LAND USE BREAKDOWN

HOTEL:	0.40 ACRES
HARDSCAPE/GREENSPACE/AMENITY AREAS:	1.97 ACRES
TOTAL:	2.37 ACRES

CONCEPTUAL OPEN SPACE BREAKDOWN

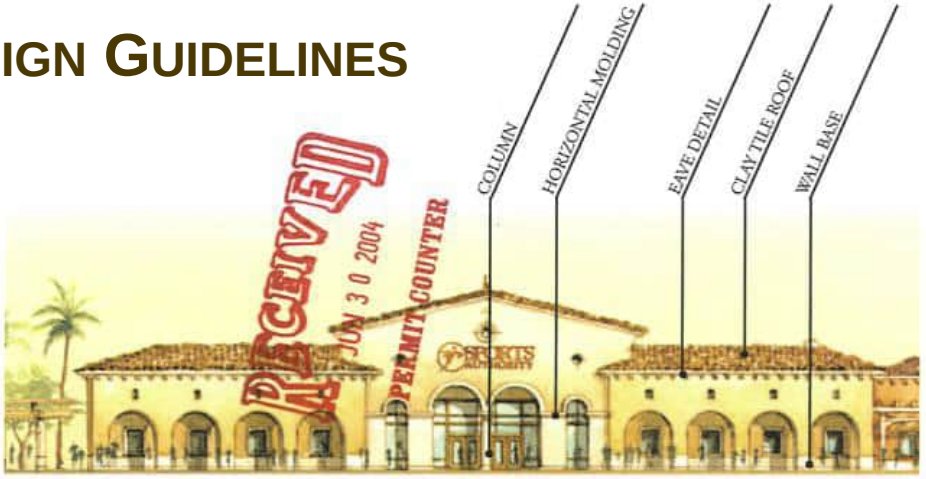
OPEN SPACE REQUIRED:	30% (30,993 SF)
OPEN SPACE PROVIDED:	28% (28,471 SF)

PROPOSED NONRESIDENTIAL INTENSITY

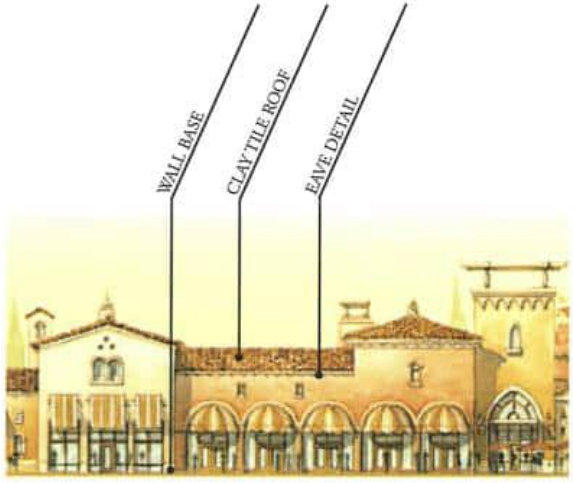
NONRESIDENTIAL FLOOR AREA:	71,316 SF
SITE AREA:	103,310 SF
NONRESIDENTIAL INTENSITY:	0.69

Home2 Suites at Coconut Point Pattern Book - 3

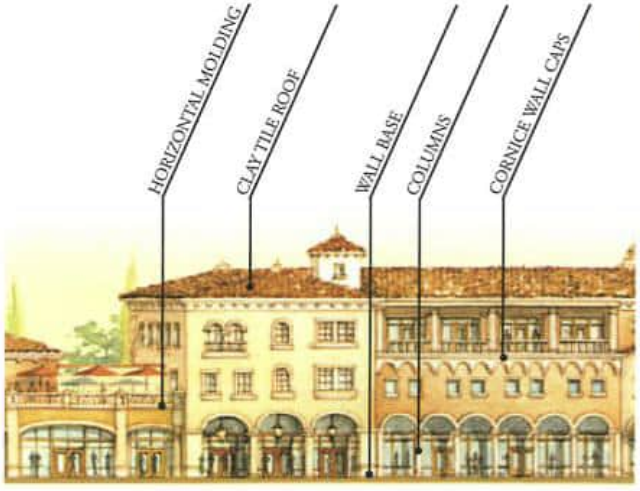
COCONUT POINT DESIGN GUIDELINES



Elevation - Type A2



Elevation - Type A3

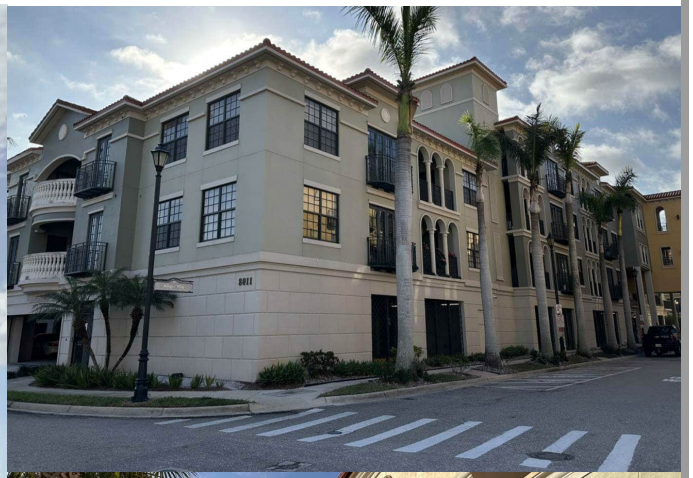


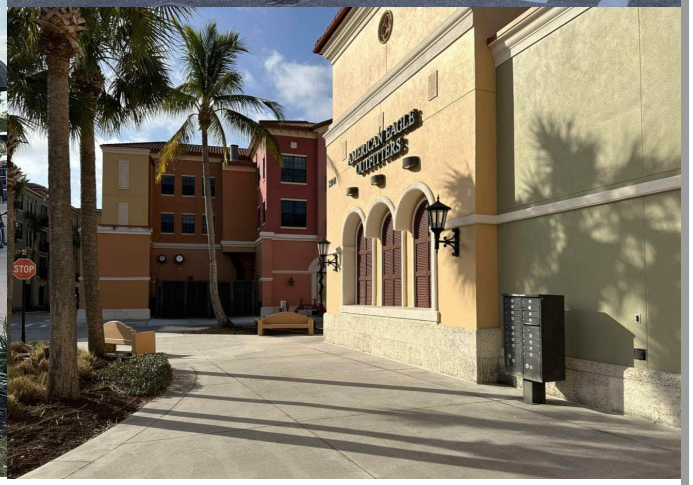
Elevation - Type A4

JUNE 14, 2004

Home2 Suites at Coconut Point Pattern Book - 4

EXISTING SITE PHOTOGRAPHS





Home2 Suites at Coconut Point Pattern Book - 5

FRONT
HOME2
Home2 Suites at Coconut Point Pattern Book - 6

FRONT
Home2 Suites at Coconut Point Pattern Book - 7

FRONT ENTRY
Home2 Suites at Coconut Point Pattern Book - 8

REAR
Home2 Suites at Coconut Point Pattern Book - 9

REAR
HOME2
Home2 Suites at Coconut Point Pattern Book - 10

REAR ENTRY
Home2 Suites at Coconut Point Pattern Book - 11

NORTH AND SOUTH ELEVATIONS

NORTH BUILDING ELEVATION (REAR)
SCALE: 1/8" = 1'-0"

SOUTH BUILDING ELEVATION (FRONT)
SCALE: 1/8" = 1'-0"

Home2 Suites at Coconut Point Pattern Book - 12

EAST AND WEST ELEVATIONS

EAST BUILDING ELEVATION (RIGHT)
SCALE: 1/8" = 1'-0"

WEST BUILDING ELEVATION (LEFT)
SCALE: 1/8" = 1'-0"

s1
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIGHT SAND FINISH
COLOR TO MATCH:
SW 6178 - CLARY SAGE

s2
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIMESTONE FINISH
COLOR TO MATCH:
SW 7035 - AESTHETIC WHITE

s3
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIGHT SAND FINISH
COLOR TO MATCH:
SW 9025 - CORIANDER POWDER

s4
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIGHT SAND FINISH
COLOR TO MATCH:
SW 7534 - OUTERBANKS

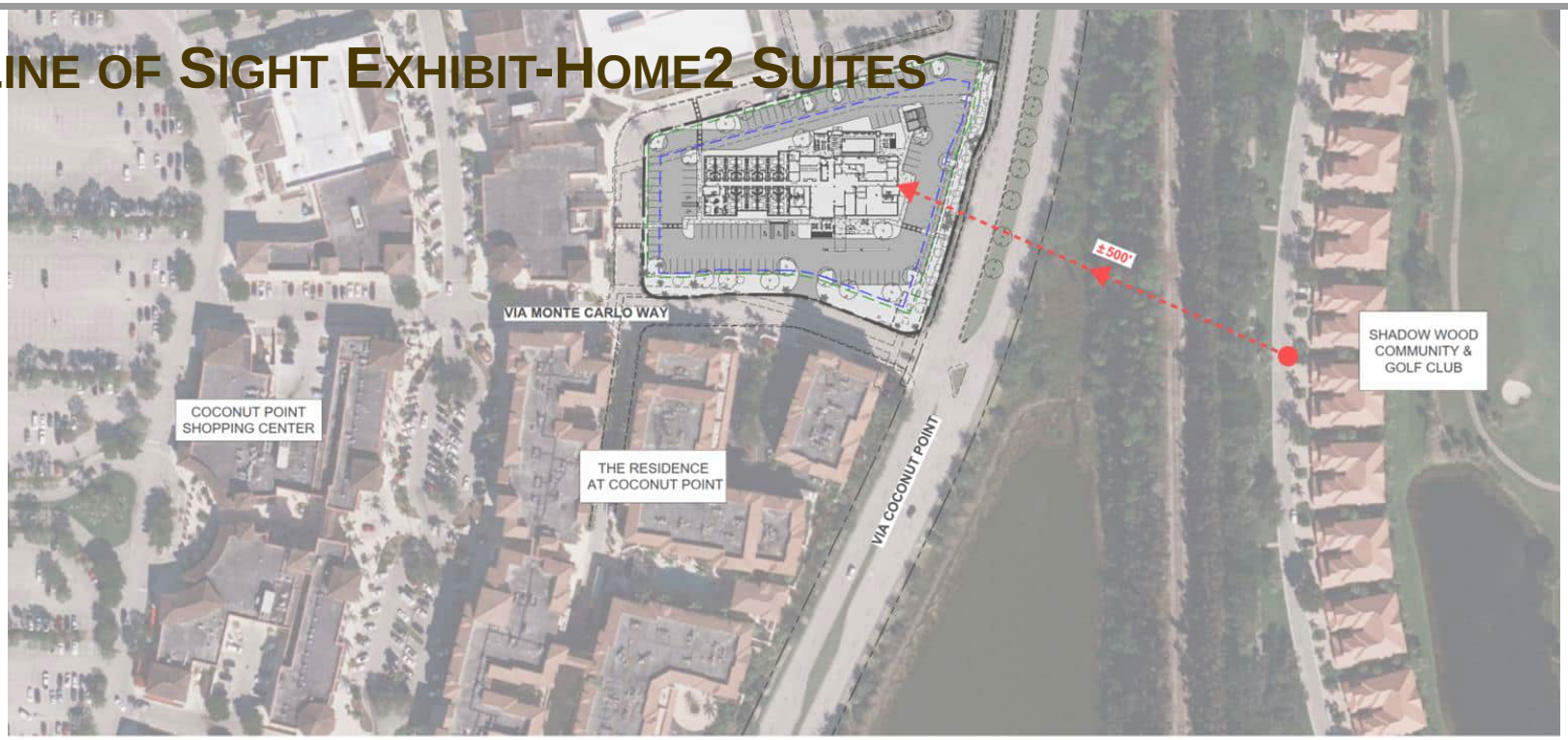
s5
EXTERIOR STUCCO SYSTEM
TEXTURE:
LARGE FORMAT STONE
COLOR TO MATCH:
VARIED COLOR TO MATCH
SW 7534 & SW7035

s6
EXTERIOR STUCCO SYSTEM
TEXTURE:
LARGE FORMAT CORAL STONE
COLOR TO MATCH:
COLOR TO MATCH
SW 7534

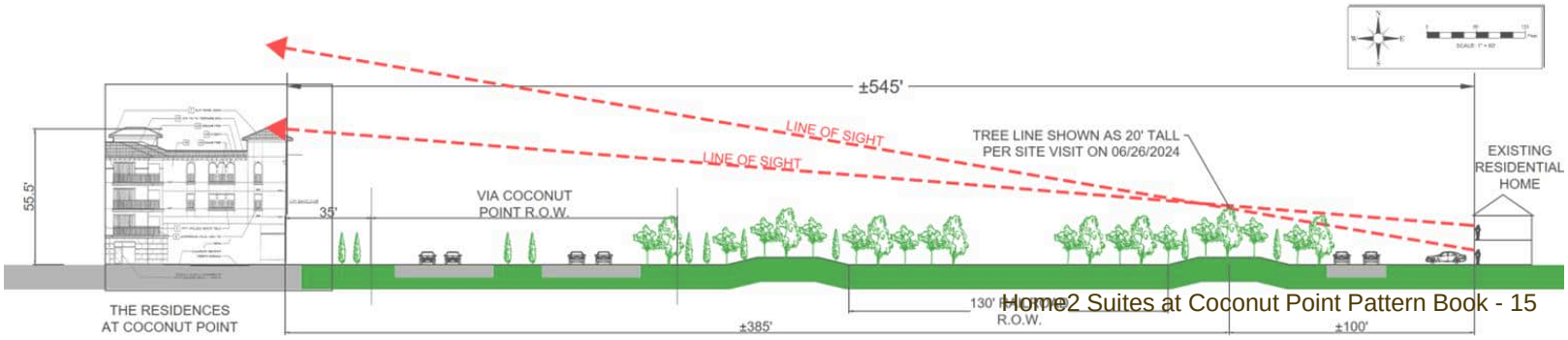
s7
CEMETITIOUS BARREL TILE ROOFING
COLOR TO MATCH:
ADOBE

Home2 Suites at Coconut Point Pattern Book - 13

LINE OF SIGHT EXHIBIT-HOME2 SUITES

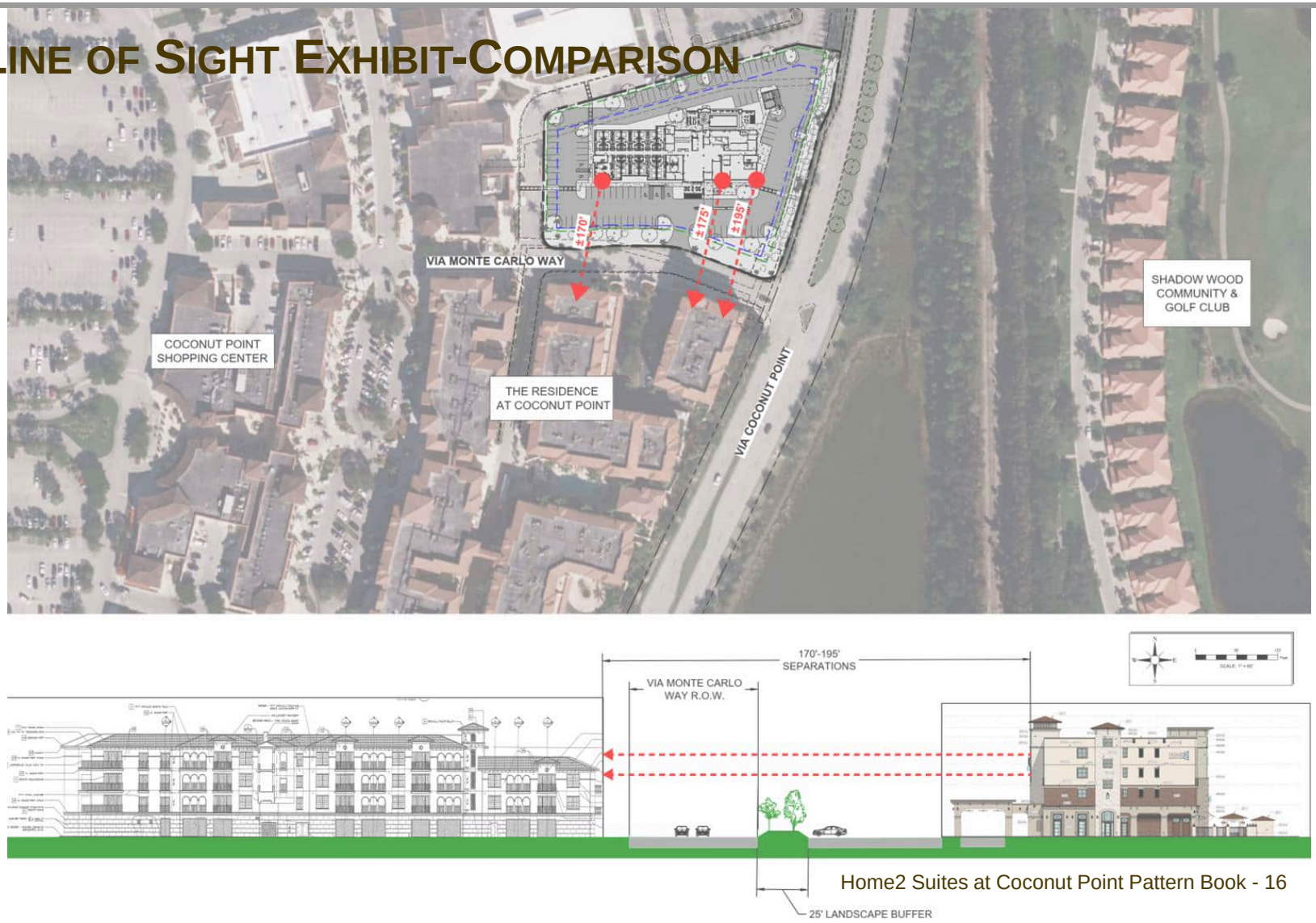


LINE OF SIGHT EXHIBIT-EXISTING



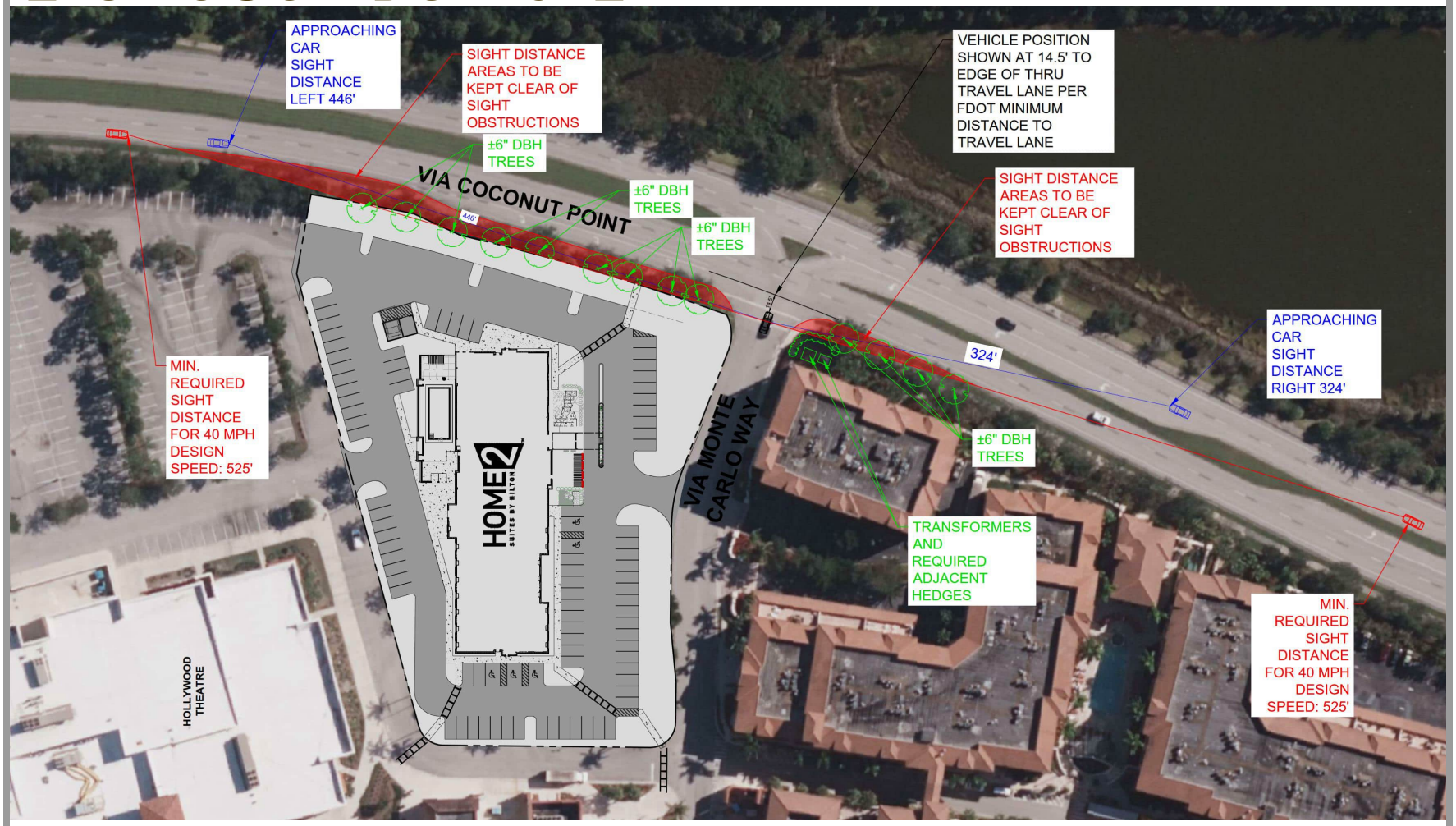
Home2 Suites at Coconut Point Pattern Book - 15

LINE OF SIGHT EXHIBIT-COMPARISON



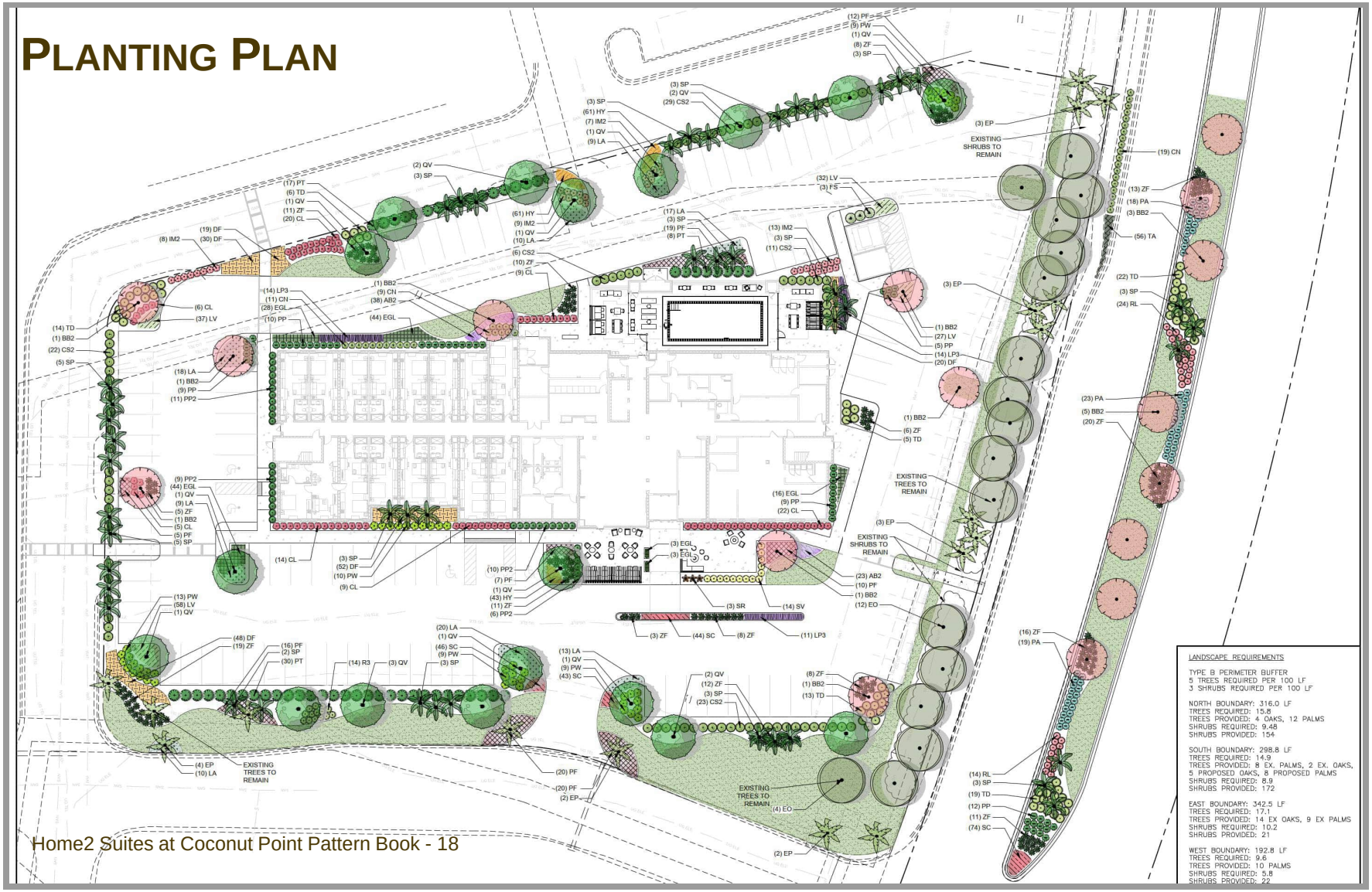
Home2 Suites at Coconut Point Pattern Book - 16

EXISTING SIGHT DISTANCE EXHIBIT



Home2 Suites at Coconut Point Pattern Book - 17

PLANTING PLAN



Home2 Suites at Coconut Point Pattern Book - 18

PLANTING SCHEDULES

PLANT SCHEDULE COCONUT POINT HOTEL

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	HT	REMARKS
TREES								
	BB2	8	DELONIX REGIA	ROYAL POINCIANA	B&B OR CONT	3"CAL	12-14` HT	FULL HEAD, SPECIMEN QUALITY, MIN. 12' CLEAR TRUNK
	EO	17	EXISTING OAK	EXISTING OAK	N/A			EXISTING OAK TO REMAIN
	EP	17	EXISTING PALM	EXISTING PALM	N/A			EXISTING PALM TO REMAIN
	QV	18	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	B&B OR CONT	3"CAL	12`-14`	FULL HEAD, SPECIMEN QUALITY, MIN. 6' CLEAR TRUNK
	SP	39	SABAL PALMETTO	SABAL PALM	FG		14-16` H	CLEAR-TRUNK HEIGHT NOTED

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HT	SPACING	REMARKS
SHRUBS								
	CL	85	CALLISTEMON CITRINUS `LITTLE JOHN`	LITTLE JOHN DWARF BOTTLEBRUSH	N/A	24" MIN.	36" o.c.	FULL FORM
	CN	20	CLUSIA GLUTTIFERA 'NANA'	DWARF CLUSIA	3 GAL		36" o.c.	FULL FORM
	CS2	91	CLUSIA GUTTIFERA	CLUSIA	N/A	36" MIN.	48" o.c.	FULL FORM
	FS	3	FEIJOA SELLOWIANA	PINEAPPLE GUAVA	N/A	24" MIN.	54" o.c.	FULL FORM
	IM2	37	IXORA COCCINEA 'NORA GRANT'	NORA GRANT IXORA	N/A	24" MIN.	36" o.c.	FULL FORM
	PT	55	PITTOSPORUM TOBIRA	PITTOSPORUM	N/A	36" MIN.	60" o.c.	FULL FORM
	PW	50	PITTOSPORUM TOBIRA `WHEELERS DWARF`	WHEELER`S DWARF PITTOSPORUM	N/A	18"	42" o.c.	FULL FORM
	PP	43	PODOCARPUS MACROPHYLLUS `PRINGLES`	PRINGLES DWARF PODOCARPUS	N/A	24" MIN.	36" o.c.	FULL FORM
	PP2	36	PODOCARPUS MACROPHYLLUS MAKI	SHRUBBY YEW PODOCARPUS	15 GAL	48"	36" o.c.	FULL FORM
	R3	14	ROSA HYBRID 'MEIZORLAND'	WHITE DRIFT ROSE	N/A	24" MIN.	36" o.c.	FULL FORM
	SV	14	SCHEFFLERA ARBORICOLA 'VARIEGATA'	DWARF VARIEGATED SCHEFFLERA	N/A	24" MIN.	36" o.c.	FULL FORM
	SR	3	STRELITZIA REGINAE	BIRD OF PARADISE	N/A	24" MIN.	36" o.c.	FULL FORM
	TD	38	TRIPSACUM DACTYLOIDES	FAKAHATCHEE GRASS	N/A	24" MIN.	48" o.c.	FULL FORM
	ZF	101	ZAMIA FLORIDANA	COONTIE PALM	N/A	12" MIN.	36" o.c.	FULL FORM
SHRUB AREAS								
	DF	169	PENNISETUM ALOPECUROIDES 'HAMELN'	DWARF FOUNTAIN GRASS	N/A	24" MIN.	24" o.c.	FULL FORM
	PF	109	PENNISETUM SETACEUM 'RUBRUM'	PURPLE FOUNTAIN GRASS	N/A	24" MIN.	36" o.c.	FULL FORM
GROUND COVERS								
	AB2	61	AGAPANTHUS AFRICANUS `BLUE`	BLUE LILY OF THE NILE	1 GAL		18" o.c.	FULL FORM
	HY	165	HEMEROCALLIS 'WF-479'	EVERGREEN STELLA DAYLILY	1 GAL		12" o.c.	FULL FORM
	LP3	39	LANTANA MONTEVIDENSIS	PURPLE TRAILING LANTANA	4"POT		30" o.c.	FULL FORM
	LA	106	LANTANA MONTEVIDENSIS 'ALBA'	WHITE TRAILING LANTANA	4"POT		30" o.c.	FULL FORM
	LV	154	LIRIOPE MUSCARI	LIRIOPE	1 GAL		15" o.c.	FULL FORM
	EGL	138	LIRIOPE MUSCARI `EVERGREEN GIANT`	EVERGREEN GIANT LIRIOPE	1 GAL		18" o.c.	FULL FORM
	SC	133	SEASONAL COLOR		4"POT		12" o.c.	
SOD/SEED								
	SOD	9,524 SF	STENOTAPHRUM SECUNDATUM	ST. AUGUSTINE GRASS	SOD			

PLANT SCHEDULE MEDIAN

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	HT	REMARKS
TREES								
	BB2	8	DELONIX REGIA	ROYAL POINCIANA	B&B OR CONT	3"CAL	12-14` HT	FULL HEAD, SPECIMEN QUALITY, MIN. 12' CLEAR TRUNK
	SP	6	SABAL PALMETTO	SABAL PALM	FG		14-16` H	CLEAR-TRUNK HEIGHT NOTED

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HT	SPACING	REMARKS
SHRUBS								
	CN	19	CLUSIA GLUTTIFERA 'NANA'	DWARF CLUSIA	3 GAL		36" o.c.	FULL FORM
	PA	60	PLUMBAGO AURICULATA	BLUE PLUMBAGO	N/A	24" MIN.	36" o.c.	FULL FORM
	PP	12	PODOCARPUS MACROPHYLLUS `PRINGLES`	PRINGLES DWARF PODOCARPUS	N/A	24" MIN.	36" o.c.	FULL FORM
	RL	38	RONDELETIA LEUCOPHYLLA	PANAMA ROSE	3 GAL		36" o.c.	FULL FORM
	TD	41	TRIPSACUM DACTYLOIDES	FAKAHATCHEE GRASS	N/A	24" MIN.	48" o.c.	FULL FORM
	ZF	60	ZAMIA FLORIDANA	COONTIE PALM	N/A	12" MIN.	36" o.c.	FULL FORM
GROUND COVERS								
	SC	74	SEASONAL COLOR		4"POT		12" o.c.	
	TA	56	TRACHELOSPERMUM ASIATICUM	ASIATIC JASMINE	4"POT@		12" o.c.	
SOD/SEED								
	SOD	3,727 SF	STENOTAPHRUM SECUNDATUM	ST. AUGUSTINE GRASS	SOD			

Home2 Suites at Coconut Point Pattern Book - 19

PLANTINGS IMAGES

TREES

Sabal Palm

Southern Live Oak

Royal Poinciana

GRASSES

Fakahatchee Grass

Hamein Dwarf Fountain Grass

Purple Fountain Grass

Evergreen Giant Liriope

GROUNDCOVER

Agapanthus

Evergreen Daylily

Purple Traling Lantana

White Traling Lantana

Variegated Liriope

Home2 Suites at Coconut Point Pattern Book - 20

PLANTINGS IMAGES

SHRUBS

Shrubby Yew Podocarpus

Pittosporum tobira

Clusia

Pineapple Guava

Bird of Paradise

Dwarf Variegated Schefflera

Dwarf Palmetto

Pringles Dwarf Podocarpus

Nora Grant Ixora

White Drift Rose

Little John Dwarf Bottlebrush

Wheeler's Dwarf Pittosporum

Coontie

Home2 Suites at Coconut Point Pattern Book - 21

MEDIAN PLANTING RENDERING
Home2 Suites at Coconut Point Pattern Book - 22

Public Meeting Requirements

The required Public Information Meeting for the proposed Home2 Suites to be located in Coconut Point was held on December 12, 2023. In addition to representatives from the Village of Estero and the general public, the following persons were in attendance for the developer: The Peachtree Group (Mitul Patel, Lee Shuman, and Tracy Ray), Ingenium Enterprises (Jeremy Pettit), The RBA Group (Chris Allred and Chris Byers), and Paves Law Firm (Neale Montgomery).

Generally, the project was view favorably by the board and the feedback on the architectural style of the building was especially good. The only concern with the look of the proposed building elevations was the white colors being used for the exterior. The direction from the board was that the colors should match more of what was done for the surrounding Coconut Point buildings, no white and more color. Other concerns noted had to do with the loss of parking behind the shops, specifically American Eagle, and how the loss of this parking would affect the patrons of the area as well as any overflow parking from the adjacent apartment complex. The developer team agreed to take the building color comments and parking concerns into account for the next submittal.

TR TRANSPORTATION CONSULTANTS, INC

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

MEMORANDUM

TO: Mr. Jeremy M. Pettit, P.E.
Ingenium Enterprises, Inc.

FROM: Yury Bykau, P.E.
Senior Project Manager

DATE: Revised: March 22, 2025

RE: Coconut Point Hotel – Coconut Point MPD Amendment
Village of Estero, Florida

TR Transportation Consultants, Inc. has prepared a trip generation analysis for the proposed amendment to the existing Coconut Point Mixed Use Planned Development (MPD) located within the Coconut Point Development of Regional Impact. As a result of the proposed amendment, a 111-room hotel will be permitted within the property referred to as Tract 2A (Area #2) of the Coconut Point MPD. The proposed hotel development will be specifically located at the northwest corner of Via Coconut Point and Via Monte Carlo Way, which is currently occupied by a parking lot serving the adjacent commercial uses.

Coconut Point MPD is governed by Zoning Resolution No. Z-02-009, which approved a mix of different uses including commercial retail uses and up to 370 hotel rooms. Coconut Point Development Area #2 has 250 rooms allocated for hotel use. To date, 222 hotel rooms (Hyatt Place & TownePlace Suites) have been permitted within the Development Area #2, leaving 28 hotel rooms available. The applicant is requesting the development of up to 111 rooms on the subject property, or an additional 83 hotel rooms (111 rooms minus 28 rooms) above the existing development allocations for Development Area #2. The proposed amendment will not exceed the original traffic entitlements for this MPD. This will be ensured by reducing the equivalent number of trips associated with the proposed hotel use from the permissible commercial retail floor area.

Table 1 illustrates the weekday PM peak hour trip generation of the additional 83 hotel rooms that will allow for a 111-room hotel development on site. **Table 2** illustrates the equivalent weekday PM peak hour trip generation and resultant floor area of commercial retail uses consistent with the trip generation shown in Table 1. These tables were developed based on the trip generation equations obtained from the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation Manual***, 11th Edition. ITE Land Use Code 310 (Hotel) was utilized for the trip generation purposes of the hotel uses

and Land Use Code 820 (Shopping Center) was utilized for the analysis purposes of the permissible commercial retail uses. These ITE land uses are consistent with the uses used in the original DRI Development Order.

Table 1
Trip Generation – Hotel
Coconut Point MPD

Land Use	Weekday P.M. Peak Hour		
	In	Out	Total
Hotel (+83 Hotel Rooms) *	17	17	34

*The applicant is proposing a 111-room hotel. Development Area #2 has 28 hotel rooms available.

Table 2
Trip Generation – Commercial Retail
Coconut Point MPD

Land Use	Weekday P.M. Peak Hour		
	In	Out	Total
Shopping Center (2,000 Sq. Ft.)	16	18	34

As illustrated on Table 1 and Table 2, an addition of 83 hotel rooms would require a reduction of approximately 2,000 square feet of commercial retail floor area from the existing commercial development entitlements within the Coconut Point MPD. Therefore, no further transportation analysis should be necessary for the proposed MPD Amendment application. The proposed amendment will not increase the trip generation from what is currently permitted within the overall MPD and there is sufficient commercial floor area available for reduction to allow for a development of the proposed 111-room hotel, or an additional 83 hotel rooms above the existing development entitlements.

If you have any additional questions, please do not hesitate to contact us.

Attachments

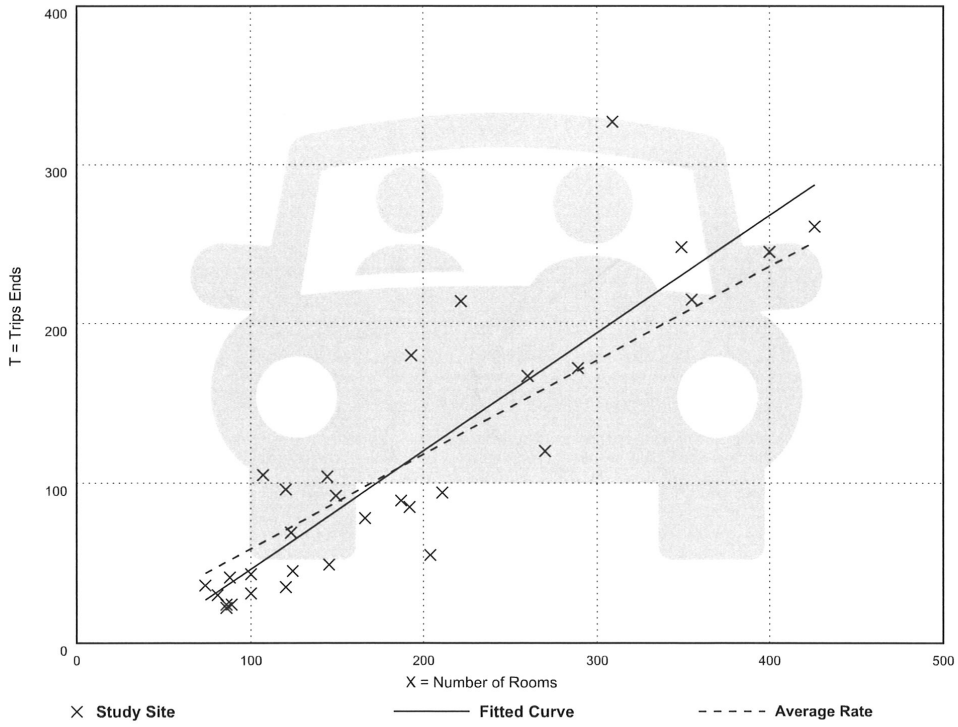
Hotel
(310)

Vehicle Trip Ends vs: Rooms
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 31
Avg. Num. of Rooms: 186
Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.59	0.26 - 1.06	0.22

Data Plot and Equation



Fitted Curve Equation: T = 0.74(X) - 27.89

R^2= 0.78

Shopping Center (>150k)
(820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 126
Avg. 1000 Sq. Ft. GLA: 581
Directional Distribution: 48% entering, 52% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
3.40	1.57 - 7.58	1.26

Data Plot and Equation

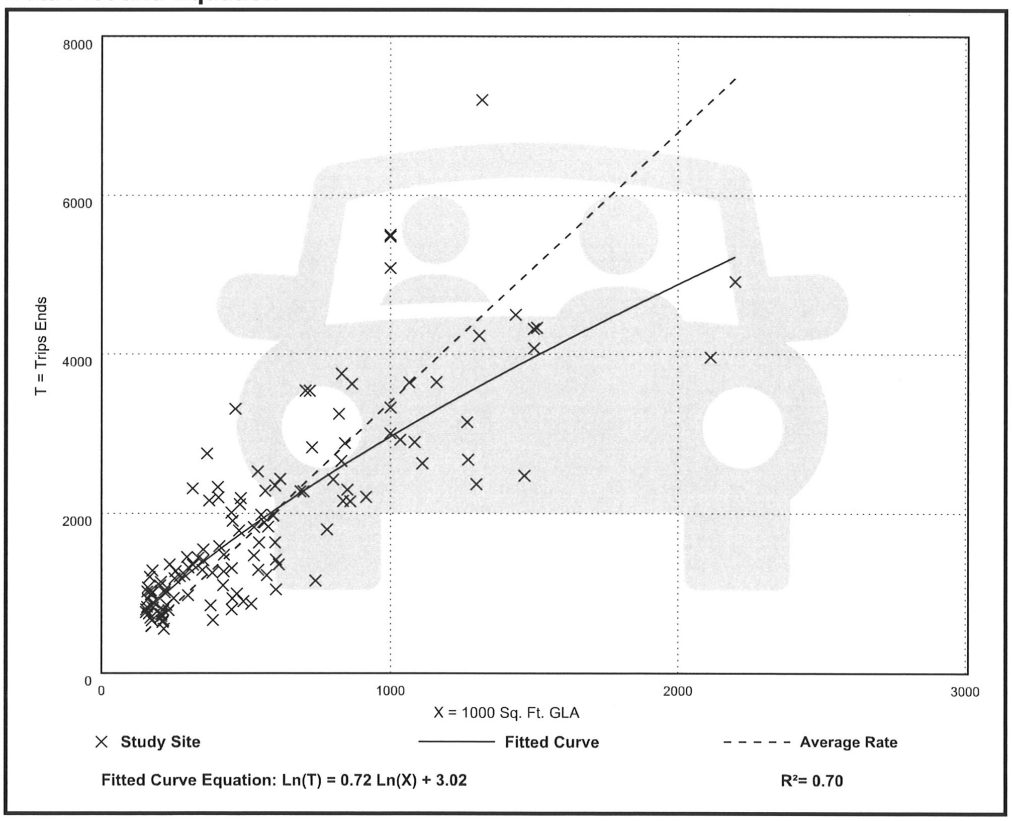
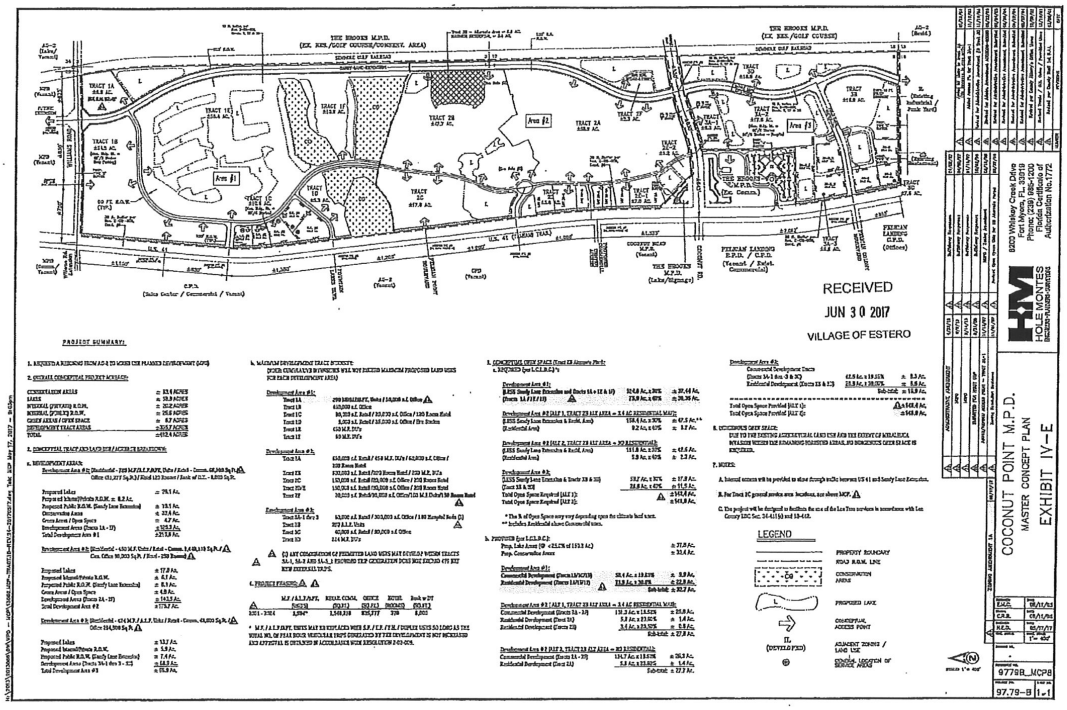


EXHIBIT A


THE BROOKS M.P.D.
(EX. RES./GOLF COURSE/CONSERV. AREA)
THE BROOKS M.P.D.
(EX. RES./GOLF COURSE)
RECEIVED
JUN 30 2017
VILLAGE OF ESTERO
PROJECT SUMMARY:
COCONUT POINT M.P.D.
MASTER CONCEPT PLAN
EXHIBIT IV-E
9779B_MCP8
97.79-B 1 of 1

TR TRANSPORTATION CONSULTANTS, INC

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
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TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

MEMORANDUM

TO: Mr. Jeremy M. Pettit, P.E.
Ingenium Enterprises, Inc.

FROM: Yury Bykau, P.E.
Senior Transportation Planner

DATE: February 20, 2024

RE: Home2 Suites at Coconut Point – Parking Demand Study
Village of Estero

TR Transportation Consultants, Inc. has completed the following evaluation of the parking demand for the Coconut Point Shopping Center located in the Village of Estero in Lee County, Florida. As part of the accompanying Development Order application, the applicant is proposing to construct a 111-room Home2 Suites hotel within the existing parking lot at the northwest corner of Via Coconut Point and Via Monte Carlo Way that serves the Coconut Point Shopping Center. As a result, up to 239 parking spaces that currently serve the shopping center will be removed and replaced by a hotel development containing 116 on-site parking spaces. The following parking demand study will evaluate if there are sufficient number of parking spaces to support the overall Coconut Point Shopping Center as well as the proposed hotel development on the subject property.

In support of the parking demand study, TR Transportation referenced the Institute of Transportation Engineer's (ITE) ***Parking Generation Manual***, 6th Edition, which was just published by ITE in October of 2023 as well as the Urban Land Institute (ULI) ***Shared Parking***, 3rd Edition manual and spreadsheet. These manuals identify the parking demands of various land uses based on data surveys of similar uses around the Country and are considered a national standard in gauging parking requirements for various land uses. The Shared Parking manual and spreadsheet identifies the shared parking characteristics between mixed use projects where parking resources are shared among the various users on the property.

Based on the discussion with the General Manager of the Coconut Point Shopping Center, the Development Area #2 as shown the Master Concept Plan (DCI2013-00018) for Coconut Point Development of Regional Impact (DRI2013-00006) is currently developed with up to 1,069,864 square feet of commercial retail uses (includes 35,000 square foot vacant building previously occupied by the Hollywood Theater), 83,281

square feet of restaurant uses as well as a 108-room hotel. This area also contains residential uses within the condominium complex referred to as The Residences at Coconut Point. However, this residential use was not included in this analysis since all of the residential parking is within a gated parking structure isolated from the commercial uses. **Table 1** summarizes the existing and proposed commercial/hotel uses and intensities within Coconut Point Shopping Center, respectively. Also shown in Table 1 is the difference in the intensity between the two scenarios.

Table 1
Land Use
Development Area #2 – Coconut Point MPD

Land Use	Existing	Proposed	Difference
Commercial Retail	1,069,864 Sq. Ft.	1,069,864 Sq. Ft.	0
Restaurant	83,281 Sq. Ft.	83,281 Sq. Ft.	0
Hotel	108 Rooms	219 Rooms	+111 Rooms

The Urban Land Institute (ULI) has prepared the ***Shared Parking,*** 3rd Edition manual and spreadsheet that takes into account the interaction between land uses that share parking resources. In 2020, in association with the National Parking Association and the International Council of Shopping Centers (ICSC), ULI published the 3rd Edition of the ***Shared Parking, 3rd Edition*** manual and Excel spreadsheet that allows the user to input data into the spreadsheet (such as number of hotel keys, floor area of retail, restaurants, movies screens, etc.) and develop a true parking demand ratio based on studies of mixed-use developments around the Country.

This spreadsheet was utilized to compute the parking demand that would be rational for the overall Coconut Point Shopping Center, which included the proposed hotel development on the subject property. Proposed uses and intensities shown in Table 1 were entered into the Shared Parking database to determine, based on the deductions for shared parking between the uses, the number of parking spaces that would be necessary to support the overall shopping Center. **Table 2** reflects the total parking spaces that would be necessary to accommodate the total parking demand based on the shared parking analysis, which included the proposed 111-room Home2 Suites hotel development. Table 2 also indicates the excess parking spaces that would still be available after the existing 239 parking spaces are replaced by a hotel development with 116 parking spaces (net reduction of total 123 parking spaces).

Table 2
Shared Parking Demand Summary
Development Area #2 – Coconut Point MPD

Time Period	Total Number of Current Parking Spaces	Peak Parking Demand	Total Number of Parking Spaces After Home2 Suites Hotel Project	Excess Parking Spaces
Weekday	5,888 spaces	5,490 spaces	5,765 spaces (5,888 spaces – 123 spaces) *	+275 spaces

*Existing 239 parking spaces will be replaced by a hotel development with 116 parking spaces (net reduction of 123 parking spaces).

As can be seen from Table 2, there will still be an excess of 275 parking spaces that will be available after the proposed 111-room hotel is constructed on the subject property. A summary spreadsheet of the Shared Parking Demand Summary is attached to this memo for reference that outlines the various reductions applied based on the uses proposed on the site. The share parking analysis accounts for employee parking demands on-site as well.

ITE parking data was also reviewed for the proposed Home2 Suites hotel development. Land Use Code 310 (Hotel) was utilized to determine the potential parking demands of the proposed hotel development on the subject property, which is proposing a total of 116 on-site parking spaces. **Table 3** identifies the parking demand based on the ITE data for the hotel for both the weekday and a Saturday time period. Copies of the data sheets from the ***Parking Generation Manual, 6th Edition*** for LUC 310 is attached to this memo for reference.

Table 3
Parking Generation – Home2 Suites Hotel
Based on ITE Parking Generation Manual

Proposed Use	Time Period	Peak Parking Demand
Hotel	Weekday	82 spaces
Hotel	Sat	98 spaces

Based on Table 3, the ITE parking requirement of 98 parking spaces identified by ITE is far less than the 134 parking spaces (1.2 spaces per hotel room) required as outlined by the Village of Estero for a hotel use. In addition to the parking demand being able to be accommodated on-site, the peak parking demand of the proposed hotel use will not coincide with the other existing commercial uses within the Coconut Point Shopping Center. Data included in the ITE ***Parking Generation Manual, 6th Edition*** includes the time-of-day distribution of the parking demand of the hotel and commercial uses. The data is illustrated in the attached graph that shows the peak parking demand of the hotel use occurs during the overnight hours (between midnight and 5:00 A.M.) and the peak time of the commercial uses peaks during the middle of the day and early evening

periods, when the hotel parking demand is lower. So the shared parking characteristics between the uses within Coconut Point Shopping Center also allow uses to exist on-site together without exceeding the parking supply.

Therefore, based on the ITE ***Parking Generation, 6th Edition*** data as well as the ***Shared Parking, 3rd Edition*** data published by ULI, there will be sufficient parking spaces within the Coconut Point Shopping Center to accommodate the projected peak parking demand of the existing uses as well as the proposed 111-room Home2 Suites hotel.

Attachments

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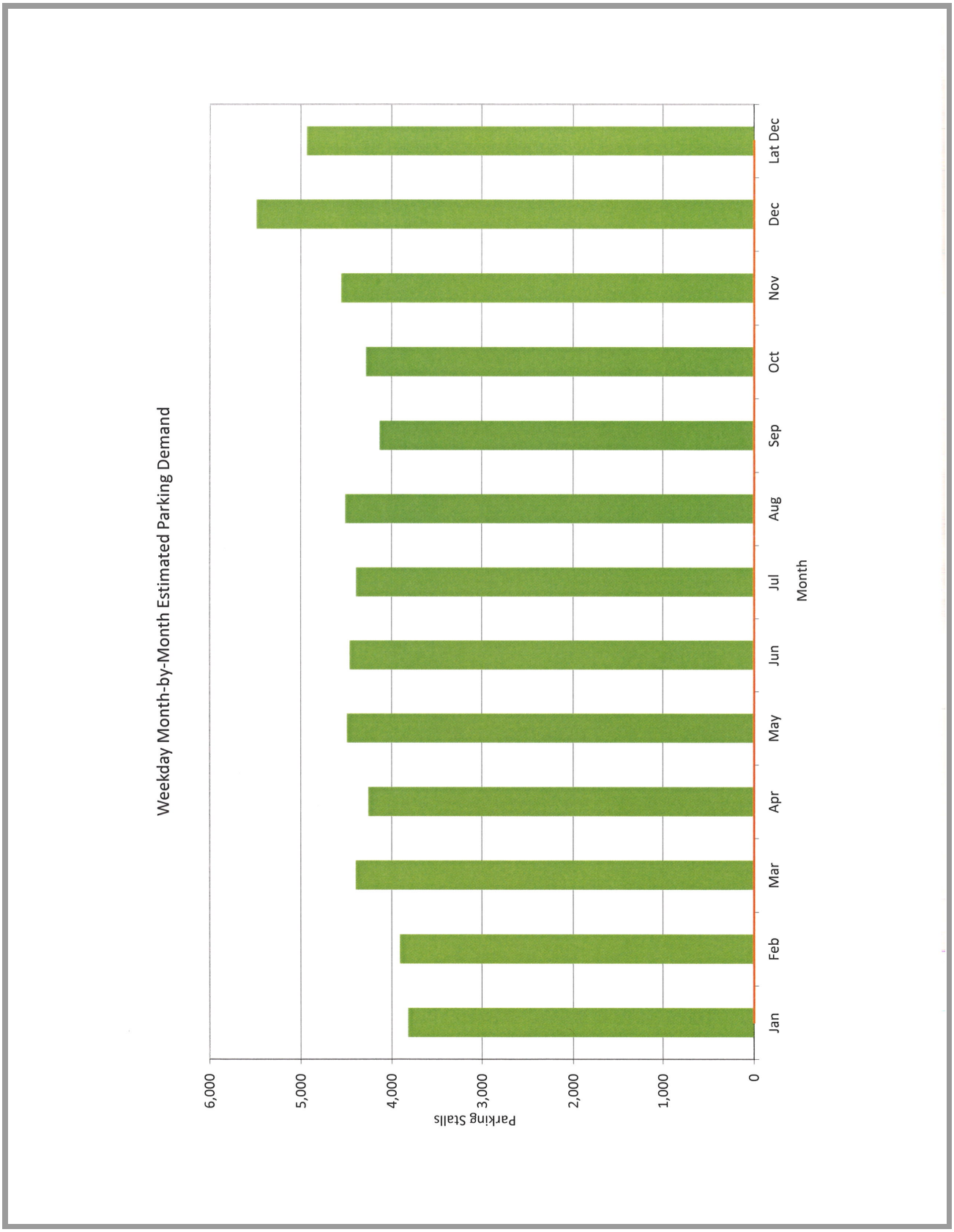
Project: Coconut Point
Description: Home2Suites

Shared Parking Demand Summary
Peak Month: DECEMBER -- Peak Period: 12 PM, WEEKEND

Land Use	Project Data		Weekday					Weekend					Weekday		
	Quantity	Unit	Base Ratio	Driving Adj	Non-Captive Ratio	Project Ratio	Unit For Ratio	Base Ratio	Driving Adj	Non-Captive Ratio	Project Ratio	Unit For Ratio	Peak Hr Adj 1 PM	Peak Mo Adj December	Estimated Parking Demand
Retail															
Retail (1,000 ksf to 2,000 ksf)	1,069,864	sf GLA	3.18	100%	100%	3.17	ksf GLA	3.57	100%	100%	3.56	ksf GLA	100%	100%	3,389
Employee			0.79	100%	100%	0.79		0.89	100%	100%	0.89		100%	100%	849
Food and Beverage															
Fine/Casual Dining	20,820	sf GLA	13.25	100%	96%	12.73	ksf GLA	15.25	100%	96%	14.70	ksf GLA	75%	100%	199
Employee			2.25	100%	100%	2.25		2.50	100%	100%	2.50		90%	100%	42
Family Restaurant	62,461	sf GLA	15.25	100%	96%	14.65	ksf GLA	15.00	100%	96%	14.46	ksf GLA	90%	100%	824
Employee			2.15	100%	100%	2.15		2.10	100%	100%	2.10		100%	100%	135
Entertainment and Institutions															
Hotel and Residential															
Hotel-Business		keys	1.00	59%	100%	0.59	key	1.00	69%	100%	0.69	key	55%	60%	-
Hotel-Leisure	219	keys	1.00	50%	100%	0.50	key	1.00	50%	100%	0.50	key	65%	50%	36
Hotel Employees	219	keys	0.15	100%	100%	0.15	key	0.15	100%	100%	0.15	key	100%	50%	16
Restaurant/Lounge		sf GLA	6.67	63%	90%	3.78	ksf GLA	7.67	54%	30%	1.24	ksf GLA	100%	100%	-
Meeting/Banquet (0 to 20 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	0.00	68%	70%	0.00	ksf GLA	65%	100%	-
Meeting/Banquet (20 to 50 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	0.00	68%	70%	0.00	ksf GLA	65%	100%	-
Meeting/Banquet (50 to 100 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	0.00	68%	70%	0.00	ksf GLA	65%	100%	-
Convention (100 to 200 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	5.50	68%	70%	2.62	ksf GLA	100%	100%	-
Convention (> 200 sq ft/key)		sf GLA	5.50	68%	60%	2.24	ksf GLA	5.50	68%	70%	2.62	ksf GLA	100%	100%	-
Restaurant/Meeting Employees		sf GLA	0.00	100%	100%	0.00	ksf GLA	0.00	100%	100%	0.00	ksf GLA	100%	100%	-
Office															
Additional Land Uses															

Customer/Visitor	4,447
Employee/Resident	1,043
Reserved	-
Total	5,490

General Attachment: E. Applicant Information.pdf


Weekday Month-by-Month Estimated Parking Demand
Parking Stalls
6,000
5,000
4,000
3,000
2,000
1,000
0
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
Lat Dec
Month

Land Use: 310 Hotel

Description

A hotel is a place of lodging that provides sleeping accommodations and supporting facilities such as a full-service restaurant, concierge service, valet parking, cocktail lounge, meeting rooms, banquet room, and convention facilities. A hotel typically provides a swimming pool or another recreational facility such as a fitness room.

Time-of-Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday (four study sites) and a Saturday (three study sites) in a general urban/suburban setting.

Hour Beginning	Percent of Peak Parking Demand	
	Weekday	Saturday
12:00–4:00 a.m.	100	100
5:00 a.m.	—	—
6:00 a.m.	90	80
7:00 a.m.	90	81
8:00 a.m.	90	80
9:00 a.m.	80	79
10:00 a.m.	74	70
11:00 a.m.	67	65
12:00 p.m.	65	61
1:00 p.m.	61	57
2:00 p.m.	59	48
3:00 p.m.	58	50
4:00 p.m.	61	55
5:00 p.m.	60	59
6:00 p.m.	62	66
7:00 p.m.	65	76
8:00 p.m.	70	76
9:00 p.m.	75	78
10:00 p.m.	88	87
11:00 p.m.	97	95

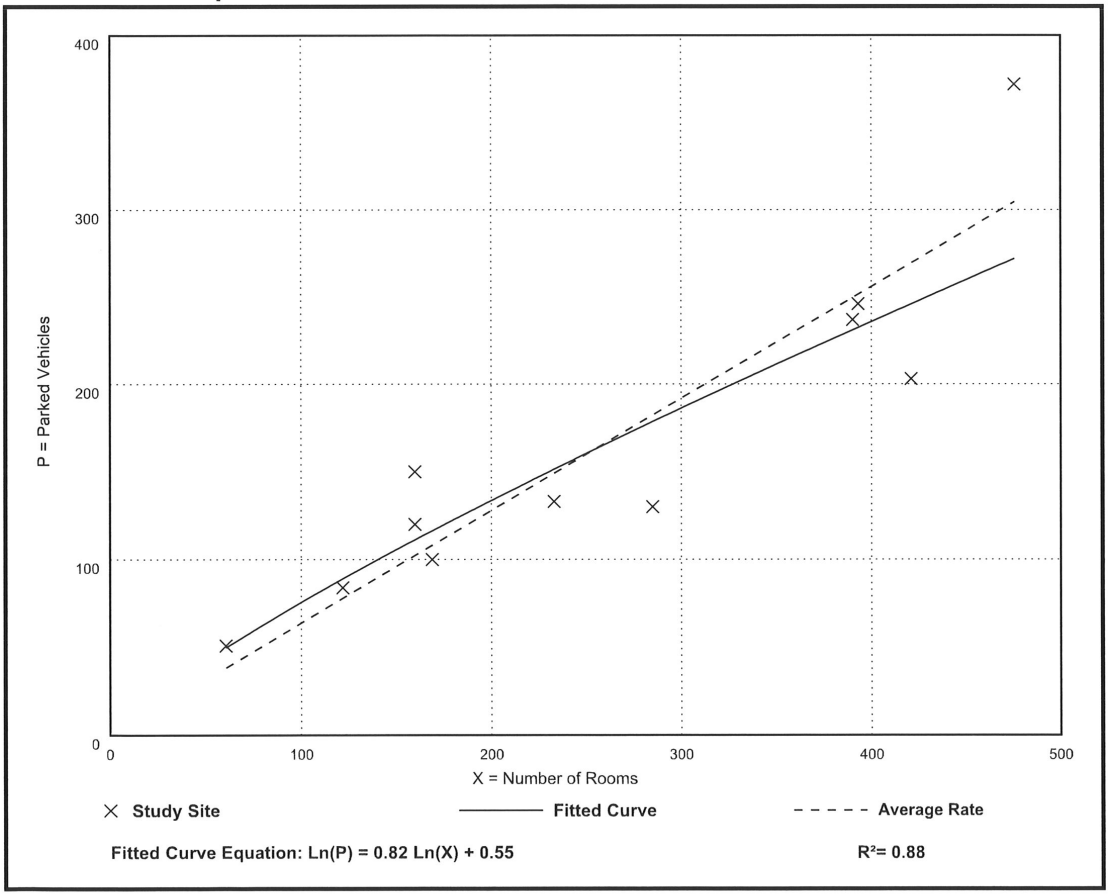
Hotel
(310)

Peak Period Parking Demand vs: Rooms
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Number of Studies: 11
Avg. Num. of Rooms: 261

Peak Period Parking Demand per Room

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.64	0.46 - 0.94	0.59 / 0.87	***	0.14 (22%)

Data Plot and Equation



Fitted Curve Equation: Ln(P) = 0.82 Ln(X) + 0.55 **R^2= 0.88**

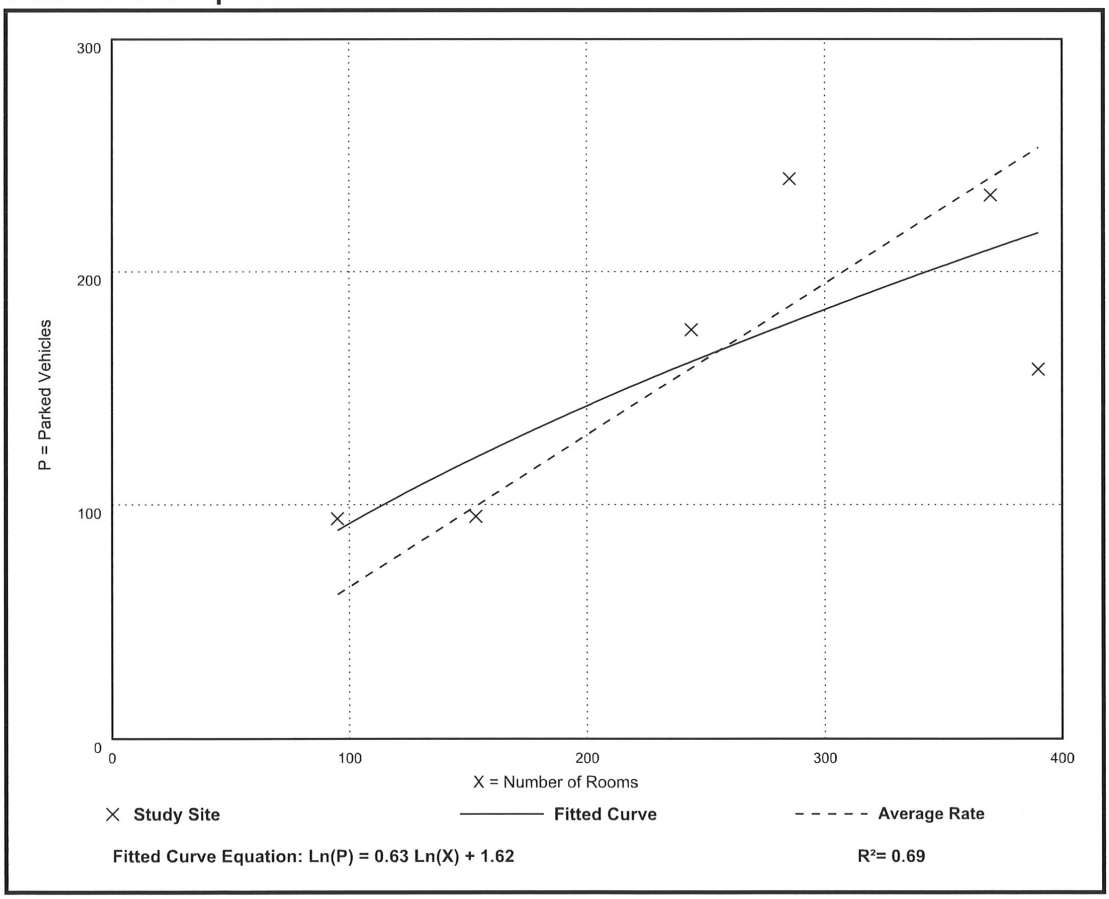
Hotel
(310)

Peak Period Parking Demand vs: Rooms
On a: Saturday
Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Rooms: 256

Peak Period Parking Demand per Room

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.65	0.41 - 0.99	0.62 / 0.98	***	0.19 (29%)

Data Plot and Equation



Land Use: 820 Shopping Center (>150k)

Description

A shopping center is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. Each study site in this land use has at least 150,000 square feet of gross leasable area (GLA). It often has more than one anchor store. Various names can be assigned to a shopping center within this size range, depending on its specific size and tenants, such as community center, regional center, superregional center, fashion center, and power center.

A shopping center of this size typically contains more than retail merchandising facilities. Office space, a movie theater, restaurants, a post office, banks, a health club, and recreational facilities are common tenants.

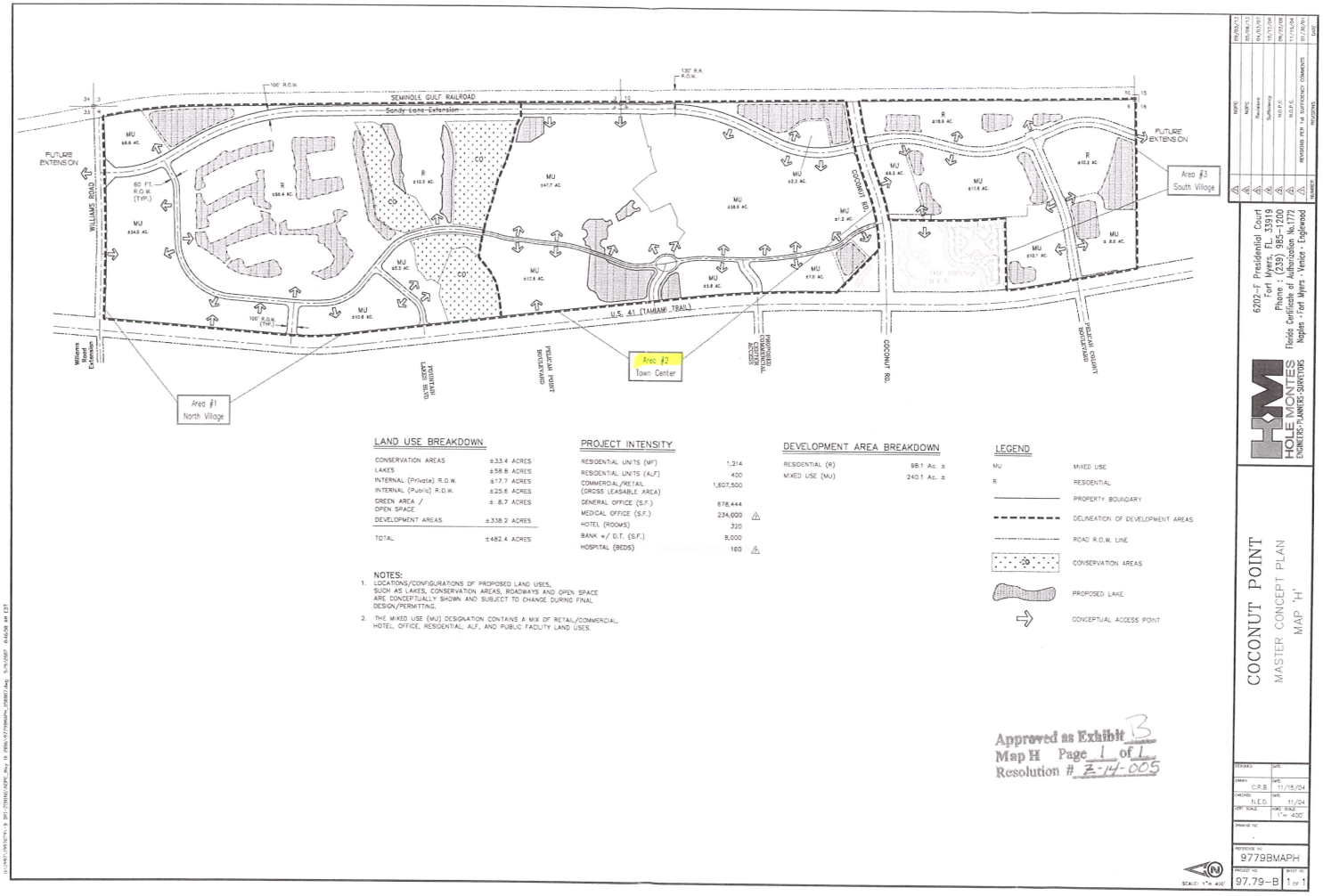
A shopping center of this size can be enclosed or open-air. Parking demand generated at a shopping center is based upon the total GLA of the center. In the case of a smaller center without an enclosed mall or peripheral buildings, the GLA is the same as the gross floor area (GFA) of the building.

The 150,000 square feet GLA threshold value between this shopping center land use and shopping plaza (Land Use 821) is based on an examination of parking demand data. For a shopping plaza that is smaller than the threshold value, the presence or absence of a supermarket within the plaza has a noticeable effect on site parking demand. For a shopping center that is larger than the threshold value, the parking demand generated by its other major tenants appears to mask the effects of the presence or absence of an on-site supermarket.

Time-of-Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a Monday-Thursday (five study sites), a Friday (five study sites), and a Saturday (six study sites).

Hour Beginning	Percent of Peak Parking Demand		
	Weekday (Monday-Thursday)	Friday	Saturday
12:00-4:00 a.m.	–	–	–
5:00 a.m.	–	–	–
6:00 a.m.	–	–	–
7:00 a.m.	–	–	–
8:00 a.m.	–	–	–
9:00 a.m.	–	–	–
10:00 a.m.	47	–	67
11:00 a.m.	69	88	84
12:00 p.m.	97	93	94
1:00 p.m.	100	97	98
2:00 p.m.	94	95	100
3:00 p.m.	87	100	91
4:00 p.m.	82	95	72
5:00 p.m.	84	92	59
6:00 p.m.	82	87	–
7:00 p.m.	–	–	–
8:00 p.m.	–	–	–
9:00 p.m.	–	–	–
10:00 p.m.	–	–	–
11:00 p.m.	–	–	–


SEMINOLE GULF RAILROAD
Sandy Lane Extension
FUTURE EXTENSION
WILLIAMS ROAD
60 FT. R.O.W. (TYP.)
COCONUT RD.
U.S. 41 (TAMIAMI TRAIL)
Area #1 North Village
Area #2 Town Center
Area #3 South Village
Williams Road Extension
PELICAN POINT BOULEVARD
COCONUT RD.
LAND USE BREAKDOWN
CONSERVATION AREAS ±33.4 ACRES
LAKES ±58.8 ACRES
INTERNAL (Private) R.O.W. ±17.7 ACRES
INTERNAL (Public) R.O.W. ±25.6 ACRES
GREEN AREA / OPEN SPACE ± 8.7 ACRES
DEVELOPMENT AREAS ±338.2 ACRES
TOTAL ±482.4 ACRES
PROJECT INTENSITY
RESIDENTIAL UNITS (MF) 1,214
RESIDENTIAL UNITS (ALF) 400
COMMERCIAL/RETAIL (GROSS LEASABLE AREA) 1,607,500
GENERAL OFFICE (S.F.) 678,444
MEDICAL OFFICE (S.F.) 234,600
HOTEL (ROOMS) 320
BANK w/ D.T. (S.F.) 8,000
HOSPITAL (BEDS) 160
DEVELOPMENT AREA BREAKDOWN
RESIDENTIAL (R) 98.1 Ac. ±
MIXED USE (MU) 240.1 Ac. ±
LEGEND
MU MIXED USE
R RESIDENTIAL
PROPERTY BOUNDARY
DELINEATION OF DEVELOPMENT AREAS
ROAD R.O.W. LINE
CONSERVATION AREAS
PROPOSED LAKE
CONCEPTUAL ACCESS POINT
NOTES:
1. LOCATIONS/CONFIGURATIONS OF PROPOSED LAND USES, SUCH AS LAKES, CONSERVATION AREAS, ROADWAYS AND OPEN SPACE ARE CONCEPTUALLY SHOWN AND SUBJECT TO CHANGE DURING FINAL DESIGN/PERMITTING.
2. THE MIXED USE (MU) DESIGNATION CONTAINS A MIX OF RETAIL/COMMERCIAL, HOTEL, OFFICE, RESIDENTIAL, ALF, AND PUBLIC FACILITY LAND USES.
Approved as Exhibit B
Map H Page 1 of 1
Resolution # Z-14-005
6202-F Presidential Court Fort Myers, FL 33919
Phone: (239) 985-1200
Florida Certificate of Authorization No.1772
HOLE MONTES ENGINEERS · PLANNERS · SURVEYORS
Naples · Fort Myers · Venice · Englewood
COCONUT POINT
MASTER CONCEPT PLAN
MAP 'H'
DRAWN: C.R.B. 11/15/04
CHECKED: N.E.D. 11/04
DRAWING NO. 9779BMAPH
PROJECT NO. 97.79-B
SHT. NO. 1 of 1

Home2 Suites at Coconut Point Room Calculations

Existing/In Construction Hotels	Rooms
Hyatt Place Coconut Point	108
TownePlace Suites Fort Myers Estero	114
Hilton Garden Inn Estero	115
Subtotal:	337

Proposed Hotel	Rooms
Home2 Suites	111

Total Proposed Hotel Rooms:	**448**
Hotel Rooms Allowed per DRI:	370
Available Hotels Rooms:	33
Additional Hotel Rooms Requested:	**78**

HOME2 SUITES AT COCONUT POINT
DRI/MPUD AMENDMENT
INGENIUM ENTERPRISES
Civil Engineering & Planning
Peachtree Group
HOME2
SUITES BY HILTON

Peachtree Group

Home2 Suites at Coconut Point - 2

INSTITUTIONAL USE ONLY – NOT FOR USE WITH THE GENERAL PUBLIC

Hotel Development and Renovation Expertise

Award winning development and renovation

>$1.7 billion in construction and redevelopment with a $1.0 billion pipeline

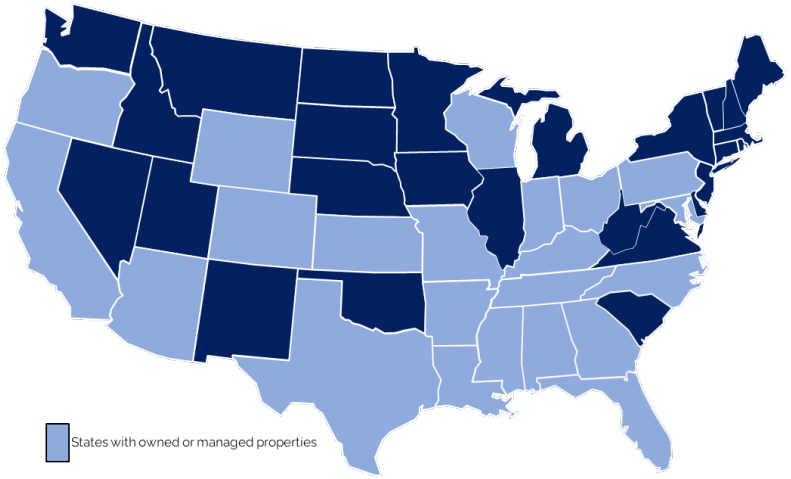
Completed development/renovation of >7,200 keys

Lee Shuman, Senior Vice President of Design and Construction

INSTITUTIONAL USE ONLY – NOT FOR USE WITH THE GENERAL PUBLIC

Best-In-Class Hospitality Management

Maximizes the financial performance and value of every asset



INSTITUTIONAL USE ONLY – NOT FOR USE WITH THE GENERAL PUBLIC

ARCHITECT AND CIVIL ENGINEER

Christopher Allred AIA, Partner

As the Director of Design, Christopher is involved in the design and quality control of all major projects. He works closely with each client to craft an inspirational design while keeping a constant eye on budget. Christopher is responsible for monitoring the design throughout the process to guarantee a successful product is delivered to each of our clients. Christopher joined RBA in 2013 and has been integral to continued success of RBA.

Jeremy M. Pettit, P.E., Vice President

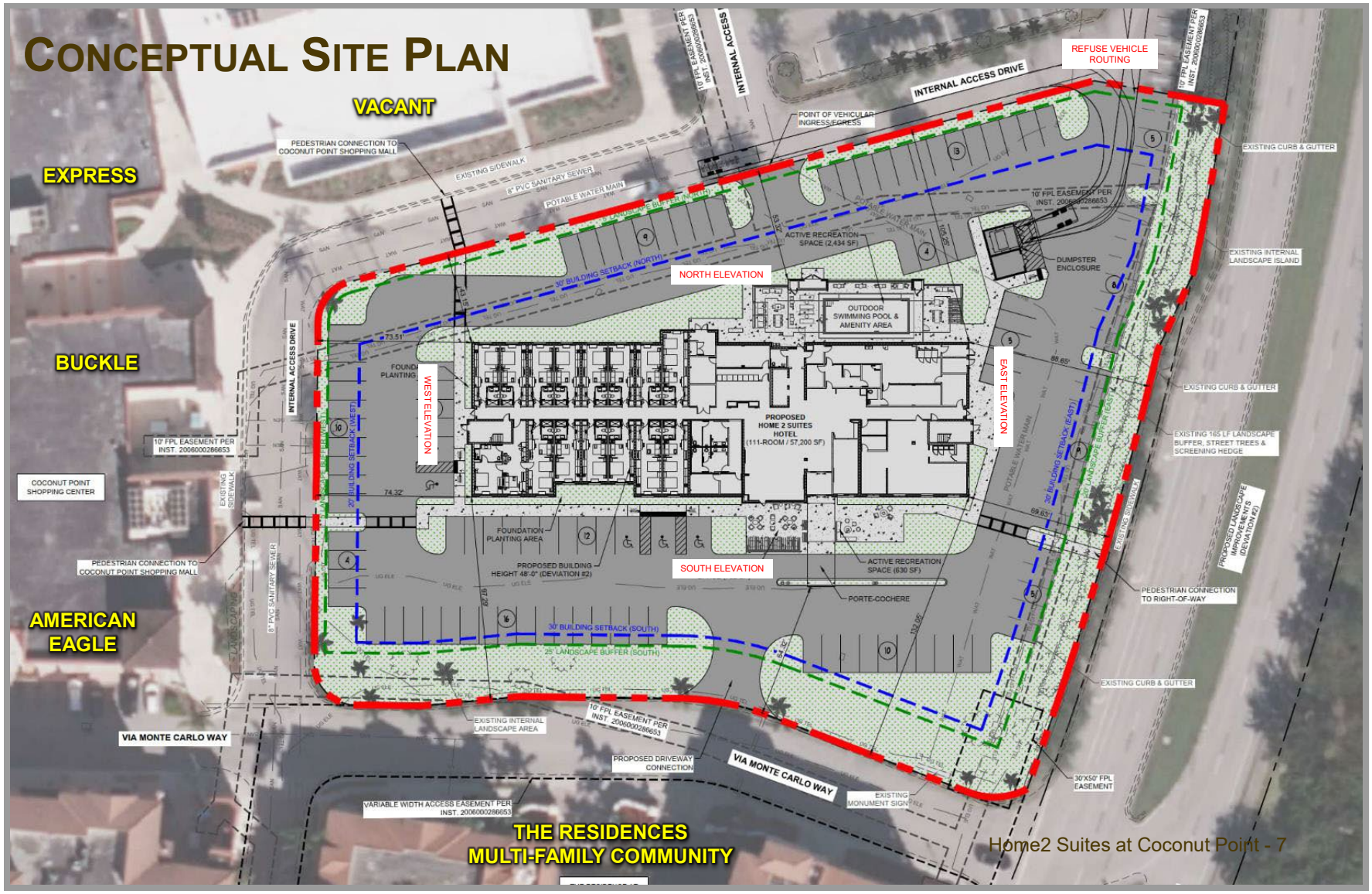
As a founding partner of Ingenium, Jeremy is active in all aspects of the business and takes a hands-on approach with clients and projects. He has a wide variety of experience with civil design for hospitality projects and has been the engineer of record for many of Peachtree Group's projects in multiple states since working with them on their first ground up project in 2007. Jeremy is based out of Ingenium's Tampa Office.

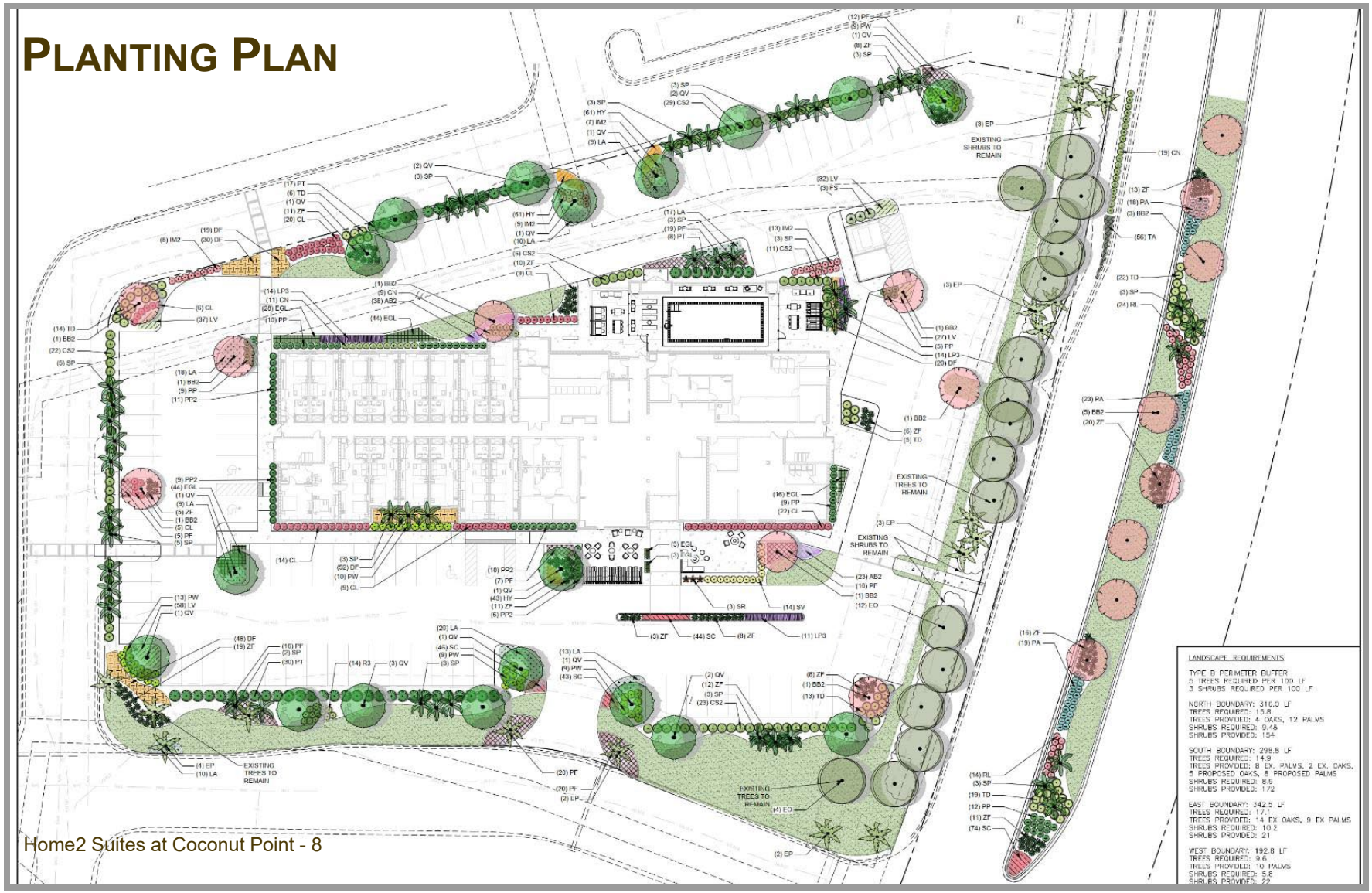
INTRODUCTION

The Peachtree Group has proposed a Home2 Suites within the Coconut Point Shopping Mall along S. Tamiami Trail in the Village of Estero. The proposed hotel will be located along the eastern portion of the overall development, adjacent to Via Coconut Point. The Home2 Suites will be situated on a 2.37-Acres lot that will be subdivided from the overall Coconut Point parent parcel. The lot is currently being utilized as a parking lot area for the Coconut Point Shopping Mall.

The proposed hotel is 4-stories in height and will feature 111 guest rooms, fitness center (including a Peloton Cycle Bar), outdoor swimming pool, and amenity area. A covered porte-cochere will be provided at the primary entrance for guest loading/unloading from the proposed parking lot which will feature 116 off street parking spaces. Access to the hotel will be provided from a curb cut off of Via Monte Carlo Way.

Home2 Suites at Coconut Point - 6


CONCEPTUAL SITE PLAN
VACANT
EXPRESS
BUCKLE
AMERICAN EAGLE
THE RESIDENCES MULTI-FAMILY COMMUNITY
VIA MONTE CARLO WAY
INTERNAL ACCESS DRIVE
REFUSE VEHICLE ROUTING
NORTH ELEVATION
WEST ELEVATION
EAST ELEVATION
SOUTH ELEVATION
PROPOSED HOME 2 SUITES HOTEL (111-ROOM / 57,200 SF)
OUTDOOR SWIMMING POOL & AMENITY AREA
ACTIVE RECREATION SPACE (2,434 SF)
ACTIVE RECREATION SPACE (630 SF)
DUMPSTER ENCLOSURE
PORTE-COCHERE
POINT OF VEHICULAR INGRESS/EGRESS
PEDESTRIAN CONNECTION TO COCONUT POINT SHOPPING MALL
PEDESTRIAN CONNECTION TO RIGHT-OF-WAY
EXISTING SIDEWALK
EXISTING CURB & GUTTER
EXISTING INTERNAL LANDSCAPE ISLAND
EXISTING 165 LF LANDSCAPE BUFFER, STREET TREES & SCREENING HEDGE
EXISTING INTERNAL LANDSCAPE AREA
PROPOSED LANDSCAPE IMPROVEMENTS (DEVIATION #3)
PROPOSED BUILDING HEIGHT 48'-0" (DEVIATION #2)
FOUNDATION PLANTING AREA
30' BUILDING SETBACK (NORTH)
30' BUILDING SETBACK (SOUTH)
20' BUILDING SETBACK (WEST)
30' BUILDING SETBACK (EAST)
25' LANDSCAPE BUFFER (SOUTH)
10' FPL EASEMENT PER INST. 2006000286653
30'X50' FPL EASEMENT
PROPOSED DRIVEWAY CONNECTION
EXISTING MONUMENT SIGN
VARIABLE WIDTH ACCESS EASEMENT PER INST. 2006000286653
COCONUT POINT SHOPPING CENTER
8" PVC SANITARY SEWER
POTABLE WATER MAIN
Home2 Suites at Coconut Point - 7


PLANTING PLAN
LANDSCAPE REQUIREMENTS
TYPE B PERIMETER BUFFER
5 TREES REQUIRED PER 100 LF
3 SHRUBS REQUIRED PER 100 LF
NORTH BOUNDARY: 316.0 LF
TREES REQUIRED: 15.8
TREES PROVIDED: 4 OAKS, 12 PALMS
SHRUBS REQUIRED: 9.48
SHRUBS PROVIDED: 154
SOUTH BOUNDARY: 298.8 LF
TREES REQUIRED: 14.9
TREES PROVIDED: 8 EX. PALMS, 2 EX. OAKS, 5 PROPOSED OAKS, 8 PROPOSED PALMS
SHRUBS REQUIRED: 8.9
SHRUBS PROVIDED: 172
EAST BOUNDARY: 342.5 LF
TREES REQUIRED: 17.1
TREES PROVIDED: 14 EX OAKS, 9 EX PALMS
SHRUBS REQUIRED: 10.2
SHRUBS PROVIDED: 21
WEST BOUNDARY: 192.8 LF
TREES REQUIRED: 9.6
TREES PROVIDED: 10 PALMS
SHRUBS REQUIRED: 5.8
SHRUBS PROVIDED: 22
EXISTING TREES TO REMAIN
EXISTING SHRUBS TO REMAIN
Home2 Suites at Coconut Point - 8

MEDIAN PLANTING RENDERING
Home2 Suites at Coconut Point - 9

PLANTINGS IMAGES

Home2 Suites at Coconut Point - 10

PLANTINGS IMAGES

SHRUBS

Shrubby Yew Podocarpus

Pittosporum tobira

Clusia

Pineapple Guava

Bird of Paradise

Dwarf Variegated Schefflera

Dwarf Palmetto

Pringles Dwarf Podocarpus

Nora Grant Ixora

White Drift Rose

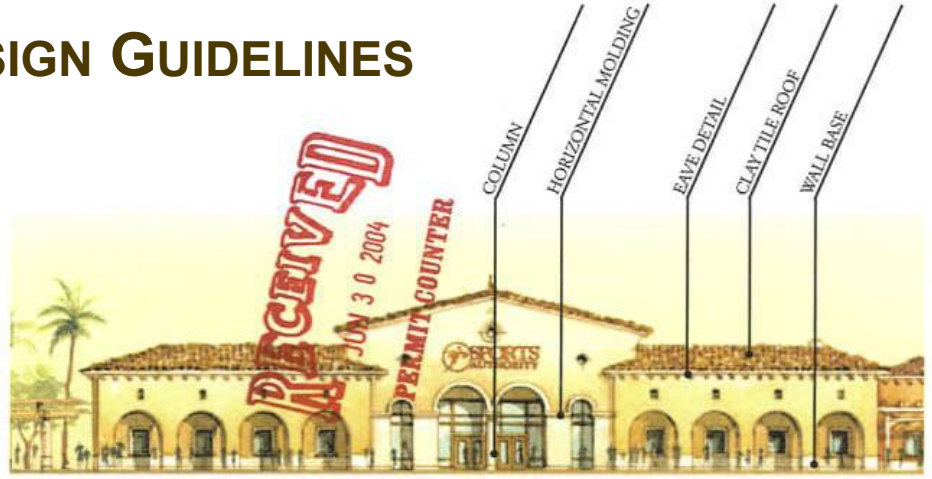
Little John Dwarf Bottlebrush

Wheeler's Dwarf Pittosporum

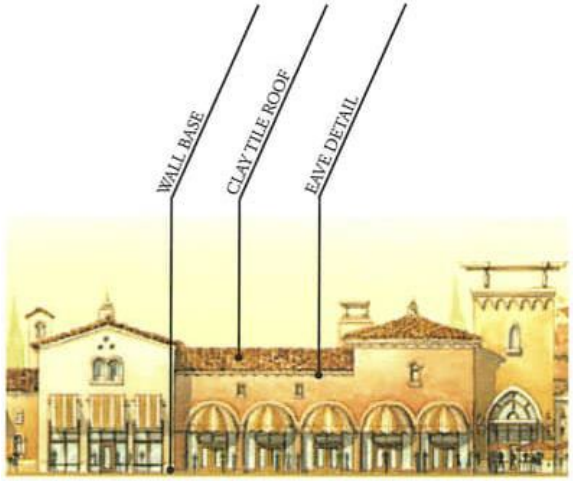
Coontie

Home2 Suites at Coconut Point - 11

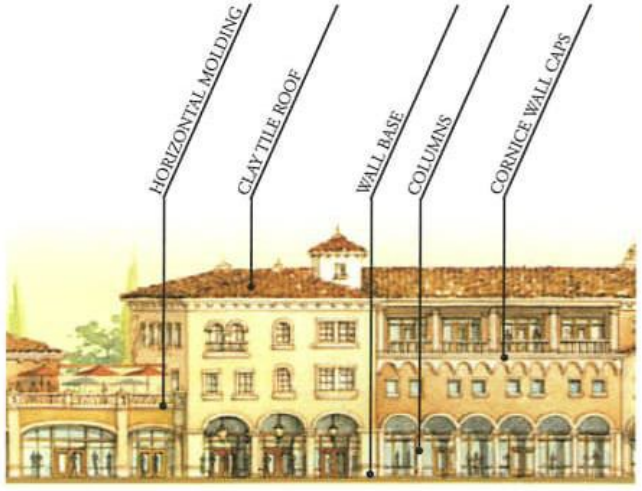
COCONUT POINT DESIGN GUIDELINES



Elevation - Type A2



Elevation - Type A3



Elevation - Type A4

JUNE 14, 2004

RECEIVED
JUN 30 2004
PERMIT COUNTER

ADD 2004-00060

35

PART 2 ARCHITECTURE

ARCHITECTURAL STYLE/COLOR PRECEDENTS

Home2 Suites at Coconut Point - 13

FRONT
Home2 Suites at Coconut Point - 14

FRONT
Home2 Suites at Coconut Point - 15

FRONT ENTRY
Home2 Suites at Coconut Point - 16

REAR
Home2 Suites at Coconut Point - 17

REAR
HOME2
Home2 Suites at Coconut Point - 18

REAR ENTRY
Home2 Suites at Coconut Point - 19

NORTH AND SOUTH ELEVATIONS

NORTH BUILDING ELEVATION (REAR)
SCALE: 1/8" = 1'-0"

SOUTH BUILDING ELEVATION (FRONT)
SCALE: 1/8" = 1'-0"

Home2 Suites at Coconut Point - 20

EAST AND WEST ELEVATIONS

EAST BUILDING ELEVATION (RIGHT)
SCALE: 1/8" = 1'-0"

WEST BUILDING ELEVATION (LEFT)
SCALE: 1/8" = 1'-0"

s1
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIGHT SAND FINISH
COLOR TO MATCH:
SW 6178 - CLARY SAGE

s2
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIMESTONE FINISH
COLOR TO MATCH:
SW 7035 - AESTHETIC WHITE

s3
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIGHT SAND FINISH
COLOR TO MATCH:
SW 9025 - CORIANDER POWDER

s4
EXTERIOR STUCCO SYSTEM
TEXTURE:
LIGHT SAND FINISH
COLOR TO MATCH:
SW 7534 - OUTERBANKS

s5
EXTERIOR STUCCO SYSTEM
TEXTURE:
LARGE FORMAT STONE
COLOR TO MATCH:
VARIED COLOR TO MATCH
SW 7534 & SW7035

s6
EXTERIOR STUCCO SYSTEM
TEXTURE:
LARGE FORMAT CORAL STONE
COLOR TO MATCH:
COLOR TO MATCH
SW 7534

s7
CEMETITIOUS BARREL TILE ROOFING
COLOR TO MATCH:
ADOBE

Home2 Suites at Coconut Point - 21

QUALITY CONSTRUCTION - HOSPITALITY

Why Wood Construction?

Providing a “High Quality of Life and Sustainable Development”.

Wood is a Sustainable, Renewable and Recyclable Resource:

Unlike many building materials (steel, for instance), wood does not deplete the earth of its natural resources. Because it’s a resource that more or less stands on its own, it can be grown and harvested over and over again. **USGBC**

A study by Linköping University shows that an apartment block made from wood produces 40 per cent lower emissions than one made from concrete.
Wood is biodegradable and can be readily recycled, further reducing its environmental impact.
Trees can absorb carbon dioxide from the atmosphere, making wood a carbon-neutral or even a carbon-negative material.

The New Zealand government references, “*Through its ability to store carbon, wood is essential in transitioning New Zealand to a carbon-neutral economy. The long-term locking away of carbon dioxide in the form of buildings is recognized in international climate agreements for carbon accounting*.”

QUALITY CONSTRUCTION - HOSPITALITY

Why Wood Construction?

Providing a “High Quality of Life and Sustainable Development”.

Wood Provides Insulation and Energy Efficiency:

Wood has excellent thermal insulation properties, helping to regulate indoor temperatures and reduce energy consumption.

The energy efficiency of wood is another notable benefit that underlines its superiority over steel and plastic. The inherent cellular structure of wood grants it high insulation properties.
Studies have suggested that a hardwood floor installed over a wood subfloor provides the same insulation value as a 22-inch concrete floor.

Benefits for the indoor environment:

It can improve indoor air quality by absorbing volatile organic compounds (VOCs) of other building materials.

As a natural building material, wood emits lower volatile organic compounds (VOCs) and carbon dioxide off-gasses than aluminum, steel, concrete, and plastics.

QUALITY CONSTRUCTION - HOSPITALITY

Why not Concrete?

Providing a “High Quality of Life and Sustainable Development”.

High Carbon Emissions:

The creation of cement, a major component of concrete, is a carbon-intensive process. It involves heating raw materials like limestone and clay at extremely high temperatures, releasing significant amounts of CO2.

Cement production alone accounts for approximately 8% of global CO2 emissions, making it a major contributor to climate change.

Resource Depletion:

Manufacturing concrete requires vast amounts of raw materials, including limestone, clay, and sand, which are often extracted through quarrying and mining.

The extraction of these resources can lead to habitat loss, reduced biodiversity, and land degradation.

Sand, a crucial ingredient in concrete, is a finite resource, and its extraction can have significant environmental impacts, according to researchers at the University of Atlántico, Colombia.

Runoff from concrete construction sites can carry sediments, pollutants, and chemicals into water bodies, contaminating them and harming aquatic ecosystems.

Waste Generation and Disposal:

Concrete demolition generates a significant amount of waste, which often ends up in landfills.

Landfilling concrete waste can lead to soil and water contamination, particularly if the waste is not properly managed.

QUALITY CONSTRUCTION - HOSPITALITY

Why Wood Construction?

Allowing “Continuing Renovation and Adaptive Reuse”.

Wood’s Ease of Modification

Wood is easily cut, shaped, and reconfigured, making it adaptable to changes during construction. (Canadian Wood Council)

Wood’s Integration with Existing Structures

Wood can be readily adapted to fit within existing buildings, either through additions or retrofits. (UBC Earth Sciences)

QUALITY CONSTRUCTION - HOSPITALITY

Why not Concrete?

Allowing “Continuing Renovation and Adaptive Reuse”.

Rigidity
Concrete’s rigidity can limit flexibility in design changes or modifications, as it can be difficult to modify once it’s set. This limitation may not suit those seeking highly customizable structures. (Arch Daily)

Cost
Concrete renovation can be expensive, particularly due to material costs, specialized labor, and the need for heavy equipment reducing the likelihood that structures may be renovated opting for full demolition. (Science Direct)

Long Term Limitations
While concrete offers numerous advantages in construction, its inherent properties and the challenges associated with renovation can make it a less desirable choice for some projects, especially when compared to other materials like steel or wood. (Mitchel Wall)

Difficult Integration with Existing Structures
Integrating new concrete elements with older concrete can be challenging. Achieving a seamless bond between old and new concrete requires careful surface preparation, potentially adding to the renovation's complexity and cost. (National Institutes of Health)

QUALITY CONSTRUCTION - HOSPITALITY

Why Wood Construction?

Remaining “Cognizant of Southwest Florida’s Unique Climate”.

Wood’s Resilience

A 2017 report by The Canadian Wood Council state, “*A resilient building is able to deal with changes such as a heavier snow load, wider temperature fluctuations, and more extreme wind and rain.*

Existing wood buildings can be easily adapted or retrofitted if there is a need for increased wind or snow loading.

Wood buildings that are properly designed and constructed perform well in all types of climates, even the wettest.

Wood tolerates high humidity and can absorb and release water vapor without compromising the structural integrity.”

Properly designed wood-frame buildings that comply with code requirements have been shown to suffer limited damage from seismic events and high winds.”

QUALITY CONSTRUCTION - HOSPITALITY

Why not Concrete?

Remaining “Cognizant of Southwest Florida’s Unique Climate”.

Increased risk of moisture-related problems:

High humidity can slow down the drying and curing process of concrete, potentially affecting its strength and durability.

Excess moisture can weaken the concrete's surface, making it more susceptible to wear and degradation.

Increased moisture levels within the concrete can lead to a higher water-to-cement ratio, which can reduce its compressive strength.

High humidity can lead to condensation on concrete surfaces, increasing the risk of "sweating slab syndrome", which poses a safety hazard due to slippery surfaces.

Potential for microbial growth:

Humid environments create favorable conditions for mold, mildew, and bacteria growth on and within concrete.

Microbial growth can further weaken the concrete's structure and may pose health risks to occupants.

QUALITY CONSTRUCTION - HOSPITALITY

Why not Concrete?

Remaining “Cognizant of Southwest Florida’s Unique Climate”.

Challenges with flooring adhesives and coatings:

Increased humidity levels can affect the pH of concrete, potentially compromising the bond between the concrete and flooring adhesives or coatings.

High moisture levels within the concrete can also lead to the failure of adhesives and coatings to adhere properly.

Corrosion of steel reinforcement:

Moisture penetration into concrete can accelerate the corrosion of embedded steel reinforcement, potentially leading to structural damage.

Corrosion can cause the steel to expand, putting pressure on the concrete and causing it to crack and spall.

WORKSHOP ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
June 4, 2025

Agenda Item:

Presentation of the Annual Comprehensive Financial Report for the Fiscal Year Ended September 30, 2024, by Jeff Tuscan, CPA, Tuscan &. Company, PA.

Description:

In compliance with Florida Statutes 218.39, the Village's financial statements have been independently audited by Tuscan & Company, PA, a firm of licensed certified public accountants. The report provides details of operations for the twelve (12) months ending September 30, 2024. The independent auditor has issued an unmodified ("clean") opinion on the Village's financial statements for the fiscal year ended September 30, 2024.

The audit report also includes the Government Financial Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Village of Estero for fiscal year ended September 30, 2023. The Village has achieved this prestigious award each fiscal year since inception.

Background & Financial Dashboard:

The Village is committed to maintaining the highest standard of controls and oversight of our financial affairs. The Auditor is provided complete access to any and all records – at their complete discretion. Our objective is to provide the highest level of accountability and integrity in our handling of taxpayers dollars. We also commit to complete transparency and fully disclose any issues. Below is our audit history.

Summary of Audit Findings and Management Letter Comments		
FY	Audit Findings	Mgmt Letter Comments
2014/2015	2	1
2015/2016	0	0
2016/2017	1	0
2017/2018	0	0
2018/2019	0	1
2019/2020	0	0
2020/2021	0	1
2021/2022	0	1

2022/2023	0	2
2023/2024	0	2

"Findings" represent serious deficiencies in our operation and a "management comment" represents a serious concern that warrants immediate attention. Either represents an opportunity to improve our operation to best preserve the public trust. The expectation is that we never have a "finding" and only rarely have a "management comment". You can see from our history that we take the audit very seriously and manage in accordance with the highest standards of professional conduct.

A history of our Audit Findings and Management Letter Comments is attached. Of course, all of the prior issues have been corrected.

A Certificate of Achievement is valid for a period of one year only. We believe that our current annual comprehensive financial report will meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for this certificate.

If there are no recommendations from the Village Council during the workshop, the presented financial statements will be finalized and bound for distribution prior to the June 18 Council meeting. Additionally, attachments 3 through 5 will be signed by the appropriate parties. If acceptable, the Village Council will approve the Annual Comprehensive Financial Report at the June 18 Council meeting.

Financial Impact:

There is no financial impact of this report.

Attachments:

1. Summary of Audit Findings and Management Letter Comments (2 pages)
2. Draft Annual Comprehensive Financial Report FY 24
3. Village of Estero Representation Letter FY 24
4. Review and Approval of Financial Statement Draft FY 24
5. Financial Compliance Representation Letter FY 24

Type	#	Finding	Criteria	Condition	Cause	Effect	Recommendation	View of Responsible Official and Planned Corrective Action
FINDING	2015-001	Segregate Payroll Duties	The basic premise of segregation of duties is that no one person should have access to both physical assets and the related accounting records or to all phases of a transaction. During the audit, we noted a lack of segregation of duties within the payroll process.	One employee maintains the payroll master file, including making changes to it for pay rate changes; prepares the payroll; transmits the payroll; and records the transactions in the general ledger.	The Village's finance staff consists of just one person, the Finance Director.	This lack of segregation of duties in the payroll function increases the risk that an error or irregularity could occur and go undetected.	While the Village Manager reviews and approves a preprocessing payroll report, we recommend that the Village Manager also review a payroll post-processing report and compare it to the approved preprocessing report. In addition, the Village Manager should review a payroll change report each pay period, detailing any changes made to the payroll master file.	Effective November 15, 2015, the Village Manager reviews and approves a post-processing report and agrees it to the approved processing report. The Village Manager also reviews a payroll change report to verify that any changes completed are as authorized. On January 27, 2016, a Finance Clerk began work in the Finance Department. This additional staff will allow for segregation of duties in the payroll process.
FINDING	2015-002	Approve Journal Entries	The proper initiation, authorization, recording, and processing of standard and nonstandard journal entries helps guard against the use of journal entries to obscure fraudulent financial reporting.	One employee prepares and records journal entries, without a review or approval of the entry or supporting documentation.	The Village's finance staff consists of just one person, the Finance Director.	This lack of journal entry review and approval increases the risk that an error or irregularity could occur and go undetected.	We recommend the adopting of a policy whereby a report detailing all journal entries will be reviewed by the Village Manager or other designated member of management each month. The report should be initialed and dated by the preparer and initialed and dated by the management reviewer.	On January 27, 2016, a Finance Clerk began work in the Finance Department. With two financial staff members, Finance Clerk and Finance Director, one staff member will prepare the journal entry and the other staff member will review the journal entry with supporting documentation. From November 2, 2015 through January 27, 2016, the Village Manager reviewed and approved all journal entries.
Mgmt Letter	ML#2015-001	Formal Written Policies	Written policies and procedures should be maintained and updated regularly to establish standard practices, establish procedures to address identifies risks in order to prevent or detect and correct errors or fraud, and establish responsibilities for preparation, review and approval of information.	Our review of internal controls revealed financial policies and procedures for recording transactions were not in formal approved written form.	The Village was created on December 31, 2014 and written policies and procedures have not yet been developed.	Without formal written policies and procedures in place, the Village is vulnerable to errors or fraud that might go undetected.	We recommend formal written policies and procedures be adopted which establish standard practices, establish procedures to address identifies risks in order to prevent pr detect and correct errors or fraud, and establish responsibilities for preparation, review and approval of information. Such policies should include string segregation of duties when possible. The policies and procedures should require physical documentation, such as signature/initials and dates, related to preparation, review and approval of information in order to hold those responsible individuals accountable. The policies and procedures should required at least annual updating of the written document in order to address new risks or new procedures required.	Village staff is currently developing formal written policies and procedures for recording transactions an expect those to be completed within the next few months.
FINDING	2017-001	Surcharge Fees	Village management is responsible for establishing and maintaining internal controls over the proper recording of all of the Village's transaction and reconciliation and review of the Village's account balances.	In accordance with State law, the Village is required to calculate and collect certain building surcharge fees on building permits to be remitted to the Florida Department of Business and Professional Regulation and Florida Department of Community Affairs. The Village retains 10% of the surcharge fees and records that amount as revenue in the financial statements. During testing of the permit revenues and associated fees, we noted one instance in which the Florida Department of Business and Professional Regulation and Florida Department of Community Affairs building surcharge fees were assessed on an incorrect total, including certain permit fees not subject to the surcharge fee.	The community development software requires manual calculation of the building surcharge fee base which provides an increased opportunity for error in assessing surcharge fees. The Village does not have internal controls in place to review that the correct surcharge fee base is entered into the system and that the resulting surcharge fee paid by the applicant is calculated correctly.	The Village's revenue is overstated by $2,428.	We recommend that the Village implement policies and procedures to improve the calculation and monthly reconciliation of the surcharge fees to ensure that the proper amounts are being charged and remitted to the State of Florida.	The Village has requested that the community development software be updated to automate the calculation of the building surcharge fee. The software update is in process and it will be implemented when testing is completed. In addition, the Village has implemented a monthly review of building surcharge fees.
Mgmt Letter	2019-01	Contracted Service Provider Reporting Must be Improved		We noted several programming and administrative issues with the proprietary software developed and maintained by the community development department's contract service provider.		1) Community development staff members were permitted to remove frees an issue permits prior to payment of fees in the software without documentations of approval. 2) Certain administrative fees were set up to calculate incorrectly in the software. 3) A software update allowed multiple credit card payments for the same permit on the public portal; however, fee payments were not recorded in the proprietary community development software. 4) No printable log o historical system errors and/or overrides was stored or available.		
Mgmt Letter	2020-01	Submit Public Depositor Annual Report by November 30		During the year ended September 30, 2021, we noted the Public Depositor Annual Report for fiscal year 2021 was not submitted timely to the Chief Financial Officer. Florida Statute 280.16(1)(d) requires a report of all public deposits must be submitted to the Chief Financial Officer annually by November 30. Therefore, the report for fiscal year 2021 was due by November 30, 2021. The actual report was not submitted until May 31,2022.				The Village's Interim Finance Director has prepared a list of Financial Reports and Submissions Requirements which includes the Report name, method of submission and due dates. The Village Manager and Village Clerk were provided this schedule. Therefore, if the Finance Director position is vacant or is not aware of certain reporting requirements, the Manager and Clerk will be aware of the deadlines for reporting.

Type	#	Finding	Criteria	Condition	Cause	Effect	Recommendation	View of Responsible Official and Planned Corrective Action
Mgmt Letter	2021-02	Expenditures in excess of the final approved budget		During the audit, we noted that the Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund. Florida Statute Chapter 166.241 (2) prohibits such excess expenditures.	The Village hired a new Finance Director on October 17, 2022. The new director prepared the year-end budget amendment due within sixty days of the fiscal year-end close on September 30, 2022. The building fund had excess expenditures totaling $946. This was due to a correcting entry of expenditures performed after the budget amendment was prepared. The driving range fund had excess expenditures totaling $21,039. The driving range fund was established during the fiscal year. With no historical data, budget amounts were estimated for the driving range.	The Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund. Florida Statute Chapter 166.241 (2) prohibits such excess expenditures.	We recommend the Village budget its audited carryforward in each fund which will provide a contingency and help to eliminate the potential of an over expenditure. Alternately, expenditures in excess of budget should be monitored and avoided.	At the completion of each annual fiscal year financial audit, the Village will adopt a mid-year budget amendment which will include the audited carryforward in each fund.
Mgmt Letter	2022-01	Expenditures in excess of the final approved budget		During the audit, we noted that the Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund. Florida Statute Chapter 166.241 (2) prohibits such excess expenditures.	Per last year's management response, the Village adopted a mid-year budget amendment which included the audited carryforward in each fund. The fiscal year ended September 30, 2023, was the first full year of activity within the driving range fund. Expenditures within this fund are primarily pass-through and funded from driving range operational revenue. Due to this, the audited carryforward in this fund was not enough to eliminate an over expenditure.	The Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund. Florida Statute Chapter 166.241 (2) prohibits such excess expenditures.	We recommend the Village continue to budget its audited carryforward in each fund which will provide a contingency and help to eliminate the potential of an over expenditure. Alternately, expenditures in excess of budget should be monitored and the budget amended if circumstances require additional expenditures.	At the completion of each annual fiscal year financial audit, the Village will continue to adopt a mid-year budget amendment which will include the audited carryforward in each fund. Additionally, the Village will complete a year-end budget expenditure reconciliation and amend the budget if required.
Mgmt Letter	2022-02	Three outstanding items in the operating cash account over 12 months old		During the audit, we noted 3 items outstanding in the operating cash account over 12 months old. Per F.S. 717.113 unclaimed items over 12 months old should be properly disposed.	The Village had three checks totaling $5,274.21 outstanding as of September 30, 2023 that were over 12 months old.	The Village had 3 items outstanding in the operating cash account over 12 months old. Per F.S. 717.113 unclaimed items over 12 months old should be properly disposed.	We recommend that the Village investigate these items and properly dispose of them.	The Village has investigated the three outstanding checks and are now properly disposed. Each month, during the bank reconciliation process, outstanding checks over 12 months will be properly disposed.
Mgmt Letter	2023-01	Late Reporting Submission for Federal Grant CFDA 21.027.		The Federal Grant CFDA 21.027 requires quarterly reporting within last day of the month following quarter end.	The report for the quarter ended December 31, 2023, was filed two (2) days late.	The Federal Grant CFDA 21.027 requires quarterly reporting within last day of the month following quarter end. The report for the quarter ended December 31, 2023, was filed two (2) days late.	We recommend the Village submit all grant reporting on-time.	The Village is aware the report was submitted two days late as the Finance staff was going through an accounting software conversion and had multiple vacant positions. There was no non-compliance as a result and as of today, all subsequent reports have been submitted on time.
Mgmt Letter	2023-02	Late Reporting Submission for Federal Grant CFDA 21.027.		As the result of the software conversion, many journal entries were required during the audit process.	The Village made several entries after the audit began.	This resulted in unbalanced funds and confusion with many large differences being noted and an extended closeout process.	Routinely, we would recommend that the Village cease to post entries once the audit has begun and wait until the end of the audit so to prevent future confusion. However, once these software issues were resolved, this likely won't be an issue in the future.	The Village believes these software issues are resolved and future audits will not include significant adjustment entries.

Village of Estero, Florida

Annual Comprehensive Financial Report

For the Fiscal Year Ended September 30, 2024

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Prepared by the Finance Staff

Village of Estero, Florida

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Village of Estero, Florida
Annual Comprehensive Financial Report
For the Fiscal Year Ended September 30, 2024

Table of Contents

Introductory Section

Letter of Transmittal iii
Governmental Financial Officer's Associate Certificate of Achievement vii
Village Officials viii
Organization Chart ix

Financial Section

Independent Auditor's Report 2
Management's Discussion and Analysis 6

Basic Financial Statements
Government-Wide Financial Statements
Statement of Net Position 18
Statement of Activities 19
Fund Financial Statements
Balance Sheet – Governmental Funds 20
Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position 21
Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds 22
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities 23
Notes to the Financial Statements 24

Required Supplementary Information
Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget to Actual
General Fund 46
Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget to Actual
Building Fee Fund 47
Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget to Actual
Capital Projects Fund 48
Notes to Required Supplementary Information 49
Schedule of Changes in the Net OPEB Liability and Related Ratios and Notes to the Schedule 50

Individual Fund Financial Schedules
Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget and Actual
Nonmajor Governmental Fund – Driving Range Fund 53

DRAFT

Table of Contents (Continued)

Statistical Section

Schedule 1 – Net Position by Component 56
Schedule 2 – Changes in Net Position 57
Schedule 3 – Fund Balances of Governmental Funds 58
Schedule 4 – Changes in Fund Balances of Governmental Funds 59
Schedule 5 – Assessed Value and Estimated Actual Value of Taxable Property 60
Schedule 6 – Property Tax Rates – Direct and Overlapping Governments 61
Schedule 7 – Principal Property Taxpayers 62
Schedule 8 – Property Tax Levies and Collections 63
Schedule 9 – Ratios of Outstanding Debt by Type 64
Schedule 10 – Ratios of General Bonded Debt Outstanding 65
Schedule 11 – Direct and Overlapping Governmental Activities Debt 66
Schedule 12 – Legal Debt Margin Information 67
Schedule 13 – Demographic and Economic Statistics 68
Schedule 14 – Principal Employers 69
Schedule 15 – Full-Time Equivalent Village Government Employees by Function 70
Schedule 16 – Operating Indicators by Function 71
Schedule 17 – Capital Asset Statistics by Function 72

Single Audit Report

Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Basic Financial Statements Performed in Accordance with *Government Auditing Standards* 75
Independent Accountant's Report on Compliance with Section 218.415, Florida Statutes 77
Schedule of Expenditures of Federal Awards 78
Notes to Schedule of Expenditures of Federal Awards 79
Independent Auditor's Report on Compliance for Each Major Federal Awards Program and on Internal Control over Compliance Required by Uniform Guidance 80
Schedule of Findings & Questioned Costs 83

Other Reports

Independent Auditor's Report to Management 86
Response to Report to Management 89

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Introductory Section

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Joanne Ribble
Vice Mayor
District One

Larry Fiesel
District Two

Jon McLain
Mayor
District Three

Lori Fayhee
District Four

Rafael Lopez
District Five

Jim Ward
District Six

George Zalucki
District Seven

Steve Sarkozy
Village Manager

Robert M. Eschenfelder, Esq.
Village Attorney

May 22, 2025

Honorable Mayor, Members of Village Council and Citizens of the Village of Estero
Village of Estero
Estero, Florida

Dear Mayor, Members of Village Council, and Citizens of the Village of Estero:

We are pleased to present to you the Annual Comprehensive Financial Report (ACFR) of the Village of Estero, Florida (Village) for the fiscal year ended September 30, 2024. Chapter 218.39 Florida Statutes requires that a complete set of financial statements be published within nine months of the fiscal year end. This report is published to fulfill that requirement.

Management assumes full responsibility for the completeness and reliability of the information contained in this report, based upon a comprehensive framework of internal control that it has established for this purpose. Because the cost of internal controls should not exceed anticipated benefits, the objective is to provide reasonable, rather than absolute, assurance that the financial statements will be free from material misstatement.

In addition, the Village maintains budgetary controls. The objective of these controls is to ensure compliance with legal provisions embodied in the annual budget approved by Village Council.

In compliance with the laws of the State of Florida, the Village's financial statements have been independently audited by Tuscan & Company, PA, a firm of licensed certified public accountants. The independent auditor has issued an unmodified ("clean") opinion on the Village's financial statements for the fiscal year ended September 30, 2024. The independent auditor's report is presented as the first component of the financial section of this report.

Management's Discussion and Analysis (MD&A) immediately follows the independent auditor's report and provides a narrative introduction, overview, and analysis of the basic financial statements. The MD&A complements this letter of transmittal and should be read in conjunction with it.

Profile of the Government

The Village, incorporated on December 31, 2014, is located in the southwest part of the State in Lee County. The Village currently occupies a land area of 30 square miles and serves a population of 40,485. The Village is empowered to levy a property tax on both real and personal properties located within its boundaries. It also is empowered by State Statute to extend its corporate limits by annexation, which may occur periodically when deemed appropriate by the governing council.

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The Village operates under the Village Council-Manager form of government. Policy-making and legislative authority are vested in a governing Council consisting of the mayor, vice-mayor and five Council members, all elected on a non-partisan basis. For the initial elections, the four Council members that received the highest number of votes served four-year terms and the other three Council members served a two-year term. Thereafter, Council members serve four-year staggered terms, with three or four Council members elected every two years. The mayor, vice-mayor and five Council members are elected-at-large from seven districts. The mayor and vice-mayor are elected by a majority vote of the Council members and serve for a two-year term. The governing Council is responsible, among other things, for passing ordinances, adopting the budget, appointing committees, and hiring both the Village Manager and Attorney. The Village Manager is responsible for carrying out the policies and ordinances of the governing Council, for overseeing the day-to-day operations of the Village, and for appointing the heads of the various departments.

The Village provides the following services: streets and roads, parks and recreation, community development, code enforcement, and general and administrative services. The Village uses the "government lite" concept of outsourcing Village services to minimize expenditures and provide exemplary services to the community.

Relevant Financial Policies

Budgetary control is established by Section 8 of the Village Charter which requires the adoption of an annual budget and supplemental amendments to increase, decrease or transfer funds within the annual budget framework. Budgetary control throughout the fiscal year is maintained through monitoring estimated purchase amounts. Budgeted amount for goods or services not received by fiscal year- end lapse and must be re-budgeted in the following year.

The Council is required to adopt a final budget by no later than the close of the fiscal year. The annual budget serves as the foundation for the Village's financial planning and control. The budget is prepared by fund, function (e.g., public safety) and department (e.g., community development).

The Village has an investment policy in place which places a priority on the safety of principal and liquidity.

The Village does not issue debt (long or short term) to finance operational costs. The Village does not have a maximum debt limit. Debt terms are matched with the life of the asset being financed. All debt service requirements are fully funded and paid each year.

Economic condition and outlook

The continued construction of residential, multi-family and commercial property resulted in a 9.0% increase in taxable property values over the prior year. The median home value is projected to increase 10% over the next five years (Lee County Economic Development-Community Profile). The Village has benefitted by the construction of a new 150,000 square foot medical clinic developed by the Lee Health Medical System. In addition, Estero is the epicenter of new residential development with over 15,000 single family homes recently permitted and in various stages of construction on our outskirts. The entirety of this new construction views Estero as their home community. These new facilities are anticipated to provide significant employment opportunities as well as economic support for existing residential, commercial and retail properties. As a result, the Village's taxable property values are predicted to increase for the next few fiscal years; however, growth may slow as the Village nears build-out of vacant land.

The Village received approximately $16.9 million from the Coronavirus State and Local Fiscal Recovery Funds, a part of the American Rescue Plan Act (ARPA) during fiscal year 2022. These funds are to be

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utilized for infrastructure, water quality and capital improvement initiatives within the Village. Funds must be obligated by December 31, 2024, and spent by December 31, 2026.

The national and state economics are key factors in assessing the Village's financial future. Changes in the national, state and local economies can affect both revenues and expenditures due to the impact of tax receipts and the costs of providing Village services. While economic changes at the state and national level can often translate into comparable changes locally, it is important to note that the Village of Estero and the Southwest Florida region often behave differently, showing economic trends and reflecting experience that may lag or precede noticed changes elsewhere.

Long-term financial planning

As a new community, we have had the luxury of establishing a standard protocol for how major spending initiatives are to proceed. In doing so, our protocols or procedures to identify needed community projects are standardized to avoid wide fluctuations in spending and chaotic decision-making.

Specifically, the Village has established a structured approach to identify capital projects. In each of the areas where the Village has functional responsibility for local services a community-wide master planning effort has been conducted to evaluate the current condition of the service being provided, the need for additional public investment and the relative priority of the need. Master Plans have been completed in the following areas:

- Storm Water Master Plan,
- Transportation Master Plan,
- Bike and Pedestrian Master Plan, and
- Parks and Open Space Master Plan.

While each Plan has its own framework and methodology, each was developed with the same general parameters. Each was conducted by an outside consulting firm specializing in the functional area of review. Each included a significant public outreach and specific stakeholder involvement. Each process was entirely transparent with routine postings to our webpage, emails of project updates with current information distributed to various interested parties with postings of all public meetings regarding the project.

Each of the above Master Plans has been completed. As a package, they provide the basis for public policy decision-making. The process is standardized and is embedded as part of the annual budget process.

Based on these studies, the Village has adopted a 5-year Capital Improvement Plan (CIP). The entire plan was first adopted in 2019 and has been reviewed and updated each year as part of the budget process. This five-year capital budget will provide data as to when major cash infusions will be necessary. These infusions may come from the issuance of debt, grants, new revenue sources, impact fees and/or a build-up of fund balance.

In addition, each capital expenditure is accompanied by an appropriate allocation for the annual maintenance of the project being built. The policy direction is to maintain all of our capital investments at the highest level to reflect the quality of our community.

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Awards and Acknowledgements

The Government Financial Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Village of Estero for fiscal year ended September 30, 2023. The Village has achieved this prestigious award each fiscal year since inception. In order to be awarded a Certificate of Achievement, the Village must publish an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current Annual Comprehensive Financial Report will meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for this certificate.

The preparation of this Annual Comprehensive Financial Report would not have been possible without the efficient and dedicated service of the Finance staff. Their continuing effort toward improving the accounting and financial reporting systems advances the quality of information reported to the Village Council, State and Federal Agencies and the citizens of the Village of Estero. Also, special thanks should be expressed to the Village Clerk/Executive Assistant for her support. We sincerely appreciate and commend them for their contributions.

Appreciation is also extended to our external auditors, HSC/Tuscan & Company, PA, for their assistance and to the Mayor and Village Council members for their unfailing support for maintaining the highest standards of professionalism in the management of the Village of Estero finances.

Respectfully submitted,

Steven R. Sarkozy
Village Manager

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Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

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Presented to

Village of Estero
Florida

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

September 30, 2023

Village of Estero, Florida

VILLAGE OFFICIALS

As of September 30, 2024

Mayor Jon McLain, District 3

Vice-Mayor Joanne Ribble, District 1

Village Council

Larry Fiesel, District 2

Lori Fayhee, District 4

Rafael Lopez, District 5

Jim Ward, District 6

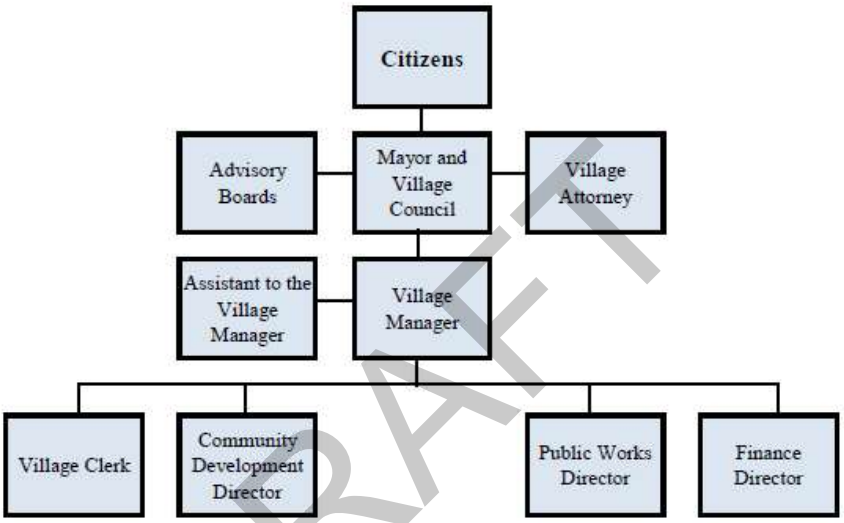
George Zalucki, District 7

Village Administration

Steven R. Sarkozy, Village Manager
Robert Eschenfelder, Village Attorney
Carol Sacco, Village Clerk

Village of Estero, Florida

Organizational Chart



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Financial Section

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HSC/Tuscan
& Company, PA
CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS

INDEPENDENT AUDITOR'S REPORT

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero , Florida 33928

Opinions
We have audited the accompanying financial statements of the governmental activities, each major fund and the non-major fund of Village of Estero (the "Village") as of and for the year ended September 30, 2024, and the related notes to the financial statements, which collectively comprise the Village's basic financial statements as listed in the table of contents.

Summary of Opinions

Opinion Unit	Type of Opinion
Governmental Activities	Unmodified
General Fund	Unmodified
Building Fee Fund	Unmodified
Capital Projects Fund	Unmodified
Driving Range Fund*	Unmodified

*non-major special revenue fund

In our opinion, based on our audit, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund and the non-major fund of Village of Estero as of September 30, 2024, and the respective changes in financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

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Basis for Opinions
We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Village, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Management's Responsibility for the Financial Statements
Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

INTEGRITY .....SERVICE .....EXPERIENCE

1470 Royal Palm Square Blvd.• Fort Myers, FL 33919-1049
Phone: (239) 939-2233 • Fax: (239) 939-0554 • www.hsctuscan.com

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Village's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Village's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Village's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis (MD&A), budgetary comparison for the general fund and building fee fund, notes to required supplementary information, and schedule of changes in the net OPEB liability and related ratios GASB 75 and notes to the schedule, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information - management's discussion and analysis (MD&A), budgetary comparison for the general fund and building fee fund, notes to required

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supplementary information, and schedule of changes in the net OPEB liability and related ratios GASB 75 and related notes to the schedule, as listed in the table of contents, in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the required supplementary information - management's discussion and analysis (MD&A), budgetary comparison for the general fund and building fee fund, notes to required supplementary information, and schedule of changes in the net OPEB liability and related ratios GASB 75 and related notes to the schedule, as listed in the table of contents, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Required Supplementary Information
Our audit was conducted for the purpose of forming an opinion on the financial statements of Village of Estero that collectively comprise the Village's basic financial statements. The accompanying Schedule of Expenditures of Federal Awards - year ended September 30, 2024 and related notes thereto as required by Title 2 U.S. Code of Federal Regulations (CFR) Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the accompanying Schedule of Expenditures of Federal Awards and related notes thereto for the year ended September 30, 2024 is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information
Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Village's basic financial statements. The introductory section, individual fund financial schedules and statistical section as listed in the table of contents, are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The individual fund financial schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the individual fund financial schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

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Village Council
Village of Estero

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Village's basic financial statements. The Management's Response to Independent Auditor's Report to Management is not a required part of the basic financial statements but is required by Government Auditing Standards. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by Section 218.415, Florida Statutes

In accordance with Section 218.415, Florida Statutes, we have also issued a report dated May 22, 2025, on our consideration of the Village of Estero's compliance with provisions of Section 218.415, Florida Statutes. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing, and to provide an opinion on compliance with the aforementioned Statute. That report is an integral part of an audit performed in accordance with Sections 218.39 and 218.415, Florida Statutes in considering the Village of Estero's compliance with Section 218.415, Florida Statutes.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated May 22, 2025, on our consideration of the Village of Estero's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contract and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Village of Estero's internal control over financial reporting and compliance.

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HSC/TUSCAN & COMPANY, P.A.
Fort Myers, Florida
May 22, 2025

Management's Discussion and Analysis

As management of the Village of Estero, Florida (the Village), we offer readers of the financial statements this narrative overview and analysis of the Village's financial activities for the fiscal year ended September 30, 2024. We encourage readers to consider the information presented here in conjunction with additional information that we have furnished in our letter of transmittal, which precedes the Management's Discussion and Analysis.

Financial Highlights

- At the close of fiscal year ended September 30, 2024, the Village's assets exceeded its liabilities, resulting in net position of $139,681,043, all of which is related to governmental activities. Of this amount, $31,322,330 represents unrestricted net position, which may be used to meet the government's ongoing obligations to citizens and creditors.
- Total net position of the Village's governmental activities increased $15,151,617, or 12%.
- Total general and program revenues were $26,468,433 and decreased by $4,661,749.
- Total expenses were $11,316,816 and decreased by $5,836,727.
- The fund balance of the governmental funds decreased by $1,929,082.
- The governmental funds reported total ending fund balance of $42,976,318 as of September 30, 2024 of which $21,778,327 was restricted, $30,325 was non-spendable, $9,669,400 was committed, $134,000 was assigned and $11,364,266 was unassigned.
- At the end of the current fiscal year, unrestricted fund balance (the total of the committed, assigned, and unassigned components of fund balance) for the general fund was 101% of total General Fund expenditures and 313% of total General Fund revenue.
- The Village's total long-term debt had a net increase of $801,975.

Overview of the Financial Statements

The discussion and analysis provided here are intended to serve as an introduction to the Village's basic financial statements. The basic financial statements consist of three components: (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the financial statements. The report also includes supplementary information intended to provide further additional detail to support the basic financial statements themselves.

Government-wide Financial Statements. The government-wide financial statements are designed to provide readers with a broad overview of the Village's finances, in a manner similar to a private sector business.

The *Statement of Net Position* presents information that includes all of the Village's assets, liabilities, and deferred inflows/outflows of resources with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Village is improving or deteriorating. Evaluation of the overall economic health of the Village would extend to other nonfinancial factors such as diversification of the taxpayer base or the condition of the Village's infrastructure in addition to the financial information provided in this report.

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The *Statement of Activities* presents information showing how the Village's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus revenues and expenses are reported for some items that will only result in cash flows in future periods (e.g., uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the Village that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities include general government, public safety, physical environment, transportation and human services. The Village does not currently have any business-type activities.

The government-wide financial statements can be found on pages 18-19 of this report.

Fund Financial Statements. A fund is a group of related accounts that are used to maintain control over resources segregated for specific activities or objectives. The Village, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related laws and regulations. All of the funds of the Village are governmental funds.

Governmental Funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in assessing a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide reconciliations to facilitate this comparison between governmental funds and governmental activities.

The Village has four (4) governmental funds, the General Fund, Building Fee Fund (Special Revenue), Driving Range Fund (Special Revenue), and the Capital Projects Fund. All of which are classified as major funds, except for the Driving Range Fund.

The basic governmental fund financial statements can be found on pages 20-23 of this report.

Notes to the Financial Statements. The notes provide additional information that is necessary to acquire a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements begin immediately following the basic financial statements.

Other Information. In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information.

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Government-wide Overall Financial Analysis

As noted earlier, overtime net position may serve as a useful indicator of a government's financial position. In the case of the Village, assets exceeded liabilities by $139,681,043 at the close as of September 30, 2024.

Village of Estero, Florida
Summary of Net Position

	Governmental Activities	
	2024	2023
Assets:		
Current and other assets	$ 56,325,669	$ 58,992,744
Noncurrent assets	87,459,680	67,290,705
Total assets	143,785,349	126,283,449
Liabilities:		
Other liabilities	3,395,460	1,743,872
Long-term liabilities	708,846	7,151
Total liabilities	4,104,306	1,751,023
Deferred inflows	-	3,000
Net position:		
Investment in capital assets	86,580,387	67,213,387
Restricted	21,778,326	17,062,050
Unrestricted	31,322,330	40,253,989
Total net position	$ 139,681,043	$ 124,529,426

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The largest portion of net position $86,580,387 (62%) reflects investment in capital assets (e.g., land, buildings, improvements, machinery and equipment, furniture, and infrastructure), less any related debt to acquire those assets that are still outstanding. The Village uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending.

The restricted net position amount of $21,778,326 (16% of total net position) represents assets that are subject to external restrictions on how they are used. The remaining balance of unrestricted net position ($31,322,330; 22% of total net position), may be used to meet the government's ongoing obligations to citizens and creditors.

At fiscal year ended September 2024, the Village is able to report positive balances in all three categories of net position. The same situation held true for the prior fiscal year.

Governmental Activities. The governmental activities increased the Village's total assets by $17,501,900 increased the Village's total liabilities by $2,353,283 and increased the total net position by $15,151,617. The increase in net position resulting from governmental activities is 12% in comparison to the prior fiscal year. The increase in the governmental activities' net investment in capital assets is $19,367,000, or 29%, in comparison to the prior fiscal year. The increase in net position is primarily the result of land and capital purchases which were funded using current year revenues exceeding operating expenses.

The following schedule compares the key elements of the changes in net position for the primary government for the fiscal years ended September 30, 2024 and 2023:

Village of Estero, Florida
Changes in Net Position

	Governmental Activities	
	2024	2023
Revenues:		
Program Revenues:		
Charges for services	$ 2,413,273	$ 2,177,413
Operating grants and contributions	221,747	7,129,720
Capital grants and contributions	4,407,966	4,114,318
General Revenues:		
Property taxes, levied for general purposes	6,150,009	5,723,923
Gas taxes	1,064,479	1,105,622
Franchise taxes	3,176,170	3,159,064
Communications services taxes	1,077,930	1,012,911
Other taxes	21,977	32,508
Intergovernmental revenue	5,113,215	5,232,920
Investment earnings	2,710,200	1,291,986
Miscellaneous	111,467	149,797
Total revenues	26,468,433	31,130,182
Expenses:		
General government	3,818,736	10,528,425
Public safety	1,834,711	1,469,973
Physical environment	201,820	227,947
Transportation	2,444,840	4,300,921
Human services	77,074	11,348
Culture and recreation	2,907,141	606,970
Interest and fiscal charges	32,494	7,959
Total expenses	11,316,816	17,153,543
Increase in net position	15,151,617	13,976,639
Net position - beginning, as restated	124,529,426	110,552,787
Net position - ending	$ 139,681,043	$ 124,529,426

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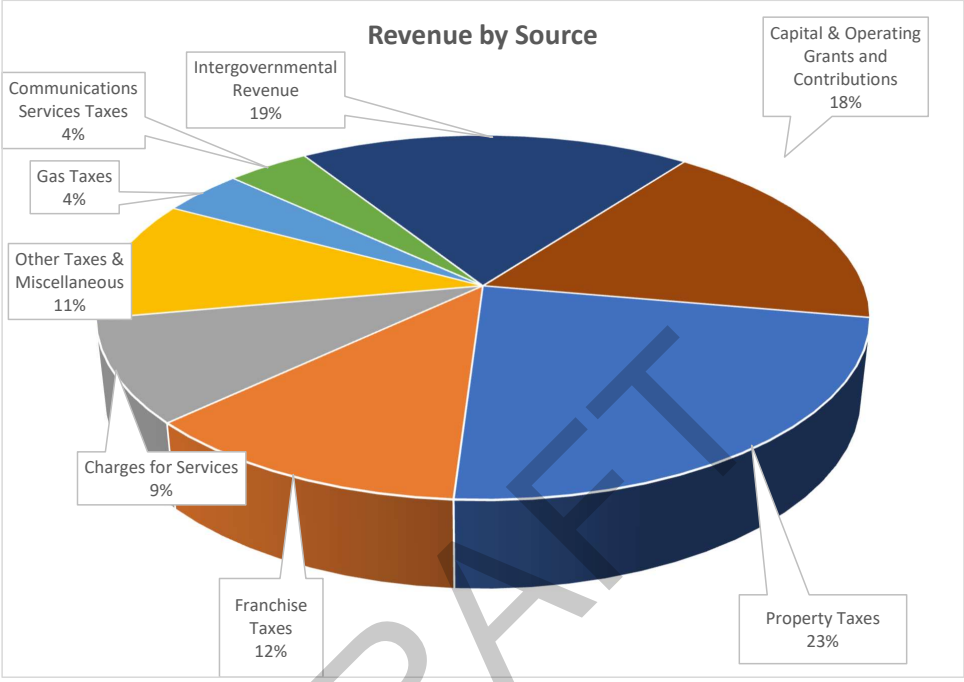
The following is a chart of revenues by source for governmental activities with percent of total revenues for fiscal year ended September 30, 2024:



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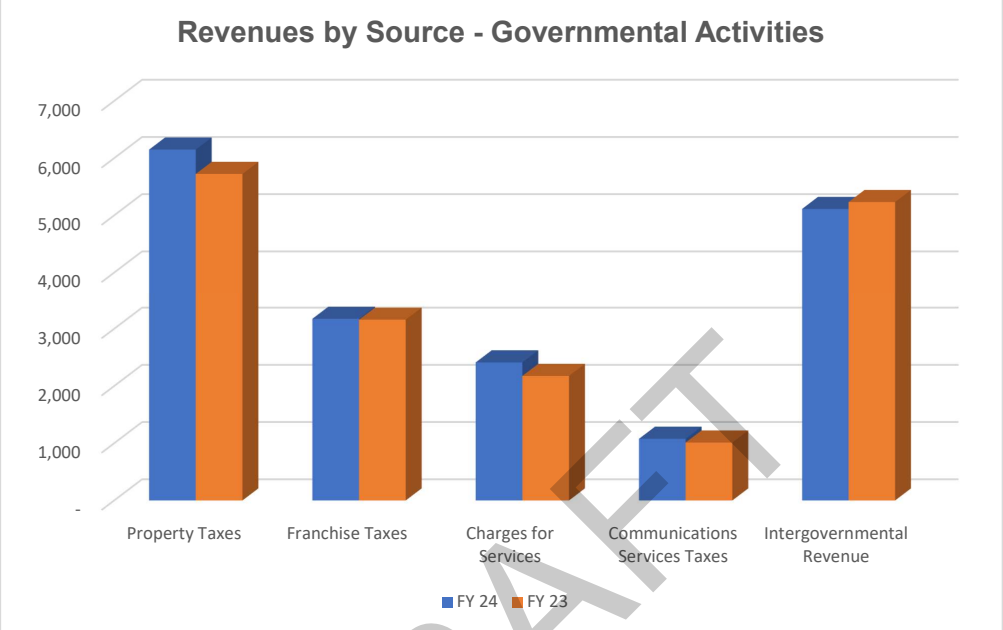
The following chart shows the significant revenues by source for governmental activities for fiscal year ended September 30, 2024 and 2023.



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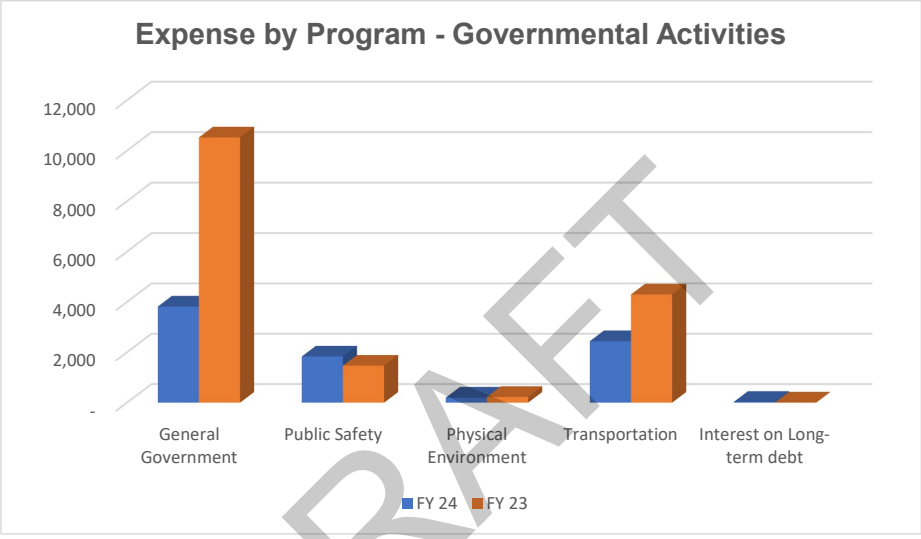
Revenues:

- *Property Taxes* increased in the current fiscal year due to a rise in the assessed valuation of real property within the Village.
- *Intergovernmental revenues* were down significantly in the current year as the Village received Hurricane Ian Public Assistance through the Department of Homeland Security Federal Emergency Management Agency in the prior year.

The following is a chart of significant expenses by program for governmental activities for fiscal year ended September 30, 2024 and 2023.



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Expenses:

- *General government* expenses decreased $6,709,689, 64%, primarily related to Hurricane Ian disaster recovery expenditures in the prior year..
- *Physical environment* expenses decreased $26,127, 12%, as a result of decreased storm water maintenance.
- *Transportation* decreased $1,856,081, 43%, as a result of landscaping expenses related to roadway projects that were completed in the prior fiscal years.

Financial Analysis of the Village's Governmental Funds

Governmental Funds. The focus of the Village's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Village's financial requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for discretionary use as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the Village itself, or a group or individual that has been delegated authority to assign resources for use for particular purchase by the Village.

Financial Analysis of the Village's Governmental Funds (continued)

Governmental funds reported an ending fund balance of $42,976,318. $11,364,266 is unassigned fund balance which is available for spending at the Village's discretion, $21,778,327 is legally restricted as to use, $30,325 in non-spendable deposits, $9,669,400 was committed and $134,000 was assigned.

The total ending fund balance of governmental funds reflects a decrease of $1,929,082. This decrease is due to one-time capital expenditures during the current fiscal year.

Major Governmental Funds

General Fund-The fund balance of the general fund had a net decrease of $6,633,842. Revenues of $20,961,106 exceeded expenditures of $6,761,060 which resulted in an excess of revenues over expenditures of $14,200,046. Additionally, $20,833,888 was transferred to the Capital Projects Fund.

Building Fee Fund-The fund balance of the building fee activity had a net decrease of $88,693 as expenditures of $1,897,098 exceeded the revenues of $1,808,405. In the current fiscal year, permit activity and related revenue for new construction was higher when compared to the prior year. The fund balance will be carried forward to provide funding for future inspections and investment in new software. The building fee funds are restricted for use on building code compliance.

Capital Projects Fund-The fund balance of the capital projects had a net increase of $4,804,970 as revenues of $5,667,101 and the transfers in from the general fund of $20,833,888 were greater than the sum of the expenditures of $21,696,019.

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General Fund Budgetary Highlights

Final budget compared to Actual Results. The most significant differences between final budget and actual revenues are as follows:

Revenue source	Final budget	Actual revenues	Difference
Intergovernmental revenues	$ 7,451,960	$ 7,589,398	$ 137,438
Franchise taxes	2,625,000	3,176,170	551,170
Investment earnings	600,000	1,860,561	1,260,561

- *Intergovernmental Revenues* in the current fiscal year were more than budget primarily as a result of using funds from the Coronavirus State and Local Fiscal Recovery Funds, a part of the American Rescue Plan Act (ARPA) during fiscal year 2024.
- *Franchise taxes* were more than budgeted due to the current fiscal year being the second year of collection for gas franchise taxes. Without historical data, these revenues were budgeted using the best available data.
- *Investment earnings* increased significantly due to a change in investment strategy and an elevated interest rate environment.

The most significant differences between final budget and actual expenditures are as follows:

Expenditures	Final budget	Actual expenditures	Difference
General government	$ 5,022,600	$ 3,578,756	$ 1,443,844

- *General government* services in the current fiscal year were less than budget primarily as a result of less than anticipated operating costs.

Original Budget Compared to Final Budget

The most significant difference from the original budget as compared to the final budget was a budget amendment to appropriate the available fund balance in all funds.

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Capital Assets and Debt Administration

Capital Assets. Non-depreciable capital assets can include land, artwork, and construction in progress. Depreciable assets can include buildings, improvements other than buildings, machinery and equipment, and infrastructure. The following is a schedule of the Village's capital assets as of September 30, 2024 and 2023:

Village of Estero, Florida
Capital Assets

	Governmental Activities	
	2024	2023
Land	$ 48,063,072	$ 33,063,072
Buildings and building improvements	1,926,908	1,521,436
Machinery and equipment	158,285	158,285
Infrastructure	37,137,938	37,137,938
Intangible right to use	982,478	951,818
Construction in progress	14,358,656	8,181,233
Total capital assets	102,627,337	81,013,782
Accumulated depreciation	(15,167,657)	(13,723,077)
Total capital assets, net	$ 87,459,680	$ 67,290,705

Additional information on the Village's capital assets can be found in Note 5 on page 36.

Debt Administration

As of September 30, 2024, and 2023, $879,293 and $77,318 were outstanding, respectively. Additional information on the Village's long-term debt can be found in Note 6 on page 37.

Village of Estero, Florida
Outstanding Debt

	Governmental Activities	
	2024	2023
Lease payable	$ 879,293	$ 77,318
	$ 879,293	$ 77,318

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Economic Factors and Next Year's Budget Rates

The following were factors considered when next year's budget was prepared:

- The Village had the Parks and Recreation Master Plan completed. The Estero Community Park Expansion will begin next fiscal year.
- The Village has funded a project on Corkscrew Road that will have path, landscaping, and street lighting improvements which will begin next year.
- The Village will improve River Ranch Road. This project includes drainage, roadway and Bike and Pedestrian improvements.
- Bicycle and Pedestrian improvements are scheduled to continue on Williams Road for the Sandy Lane and Broadway in FY2024-25.
- The Village continues the improvements in stormwater and drainage issues which exist around the Village. Current projects include the Villages of Country Creek Bypass Swale, Dry Creek Bed Sediment Removal, Estero River Sediment Removal and Trailside Drainage Improvements.
- The Village is committed to the "government-light" concept and has budgeted to continue using consultants or interlocal agreements for legal representation, permit issuance, planning and development review, law enforcement, physical environment, and transportation expenditures.
- Several utility extension projects are underway to connect residents to central water and sewer to better protect water resources.
- In FY2022-23 The Village received funding from the American Rescue Plan Act of 2021 of $16.9 million to assist with the recovery and fund future infrastructure projects. Through September 30, 2024, the Village has used approximately $6.9 million dollars towards land acquisition. The remaining funds are anticipated to be used for land acquisition and capital projects.

Request for Information

This financial report is designed to provide the reader an overview of the Village. Questions regarding any information provided in this report should be directed to: Village of Estero, Finance Department, 9401 Corkscrew Palms Circle, Estero, Florida, 33928, phone (239) 221-5035.

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Basic Financial Statements

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Village of Estero, Florida
Statement of Net Position
September 30, 2024

	Governmental Activities
ASSETS	
Current assets:	
Cash and cash equivalents	$ 44,876,112
Restricted - cash and cash equivalents	10,256,912
Receivables (net)	455,144
Due from other governments	576,635
Prepaids	130,541
Deposits	30,325
Noncurrent assets:	
Capital assets:	
Non-depreciable	62,421,728
Depreciable (net)	25,037,952
Total noncurrent assets	87,459,680
Total assets	143,785,349
LIABILITIES	
Current Liabilities:	
Accounts payable	1,972,111
Accrued liabilities	404,590
Due to other governments	585,197
Customer deposits	256,912
Current portion of long-term obligations	176,650
Total current liabilities	3,395,460
Noncurrent liabilities:	
OPEB Liability	6,203
Due in more than one year	702,643
Total liabilities	4,104,306
NET POSITION	
Net investment in capital assets	86,580,387
Restricted for:	
Culture and recreation capital improvements	2,273,580
Highways and streets capital improvements	18,995,793
Parks and public land acquisition	154,202
Building code compliance	354,751
Unrestricted	31,322,330
Total net position	$ 139,681,043

The notes to the financial statements are an integral part of this statement.

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Village of Estero, Florida
Statement of Activities
September 30, 2024

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Position: Total Governmental Activities
Primary government:					
Governmental activities:					
General government	$ 3,818,736	$ 360,483	$ (3,804)	$ -	$ (3,462,057)
Public safety	1,834,711	1,780,755	-	-	(53,956)
Physical environment	201,820	-	-	-	(201,820)
Transportation	2,444,840	-	225,551	3,928,416	1,709,127
Human services	77,074	-	-	-	(77,074)
Culture and recreation	2,907,141	272,035	-	479,550	(2,155,556)
Interest and fiscal charges	32,494	-	-	-	(32,494)
Total governmental activities	$ 11,316,816	$ 2,413,273	$ 221,747	$ 4,407,966	$ (4,273,830)
General revenues:					
Taxes:					
Property, levied for general purposes					$ 6,150,009
Gas					1,064,479
Franchise					3,176,170
Communications services					1,077,930
Local business					21,977
Intergovernmental revenues					5,113,215
Investment earnings					2,710,200
Miscellaneous					111,467
Total general revenues					19,425,447
Change in net position					15,151,617
Net position - beginning					124,529,426
Net position - ending					$ 139,681,043

The notes to the financial statements are an integral part of this statement.

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Village of Estero, Florida
Balance Sheet
Governmental Funds
September 30, 2024

	General	Special Revenue Building Fee	Capital Projects	Nonmajor Governmental Fund	Total Governmental Funds
ASSETS					
Cash and cash equivalents	$ 21,407,547	$ 373,579	$ 22,954,706	$ 140,280	$ 44,876,112
Restricted cash and cash equivalents	10,256,912	-	-	-	10,256,912
Receivables (net)	292,459	22,987	139,698	-	455,144
Due from other governments	576,635	-	-	-	576,635
Deposits	14,525	-	15,800	-	30,325
Total assets	$ 32,548,078	$ 396,566	$ 23,110,204	$ 140,280	$ 56,195,128
LIABILITIES AND DEFERRED INFLOWS OF RESOURCES					
Liabilities:					
Accounts payable	$ 291,904	$ 3,098	$ 1,670,829	$ 6,280	$ 1,972,111
Accrued liabilities	404,590	-	-	-	404,590
Due to other governments	546,481	38,716	-	-	585,197
Customer deposits	256,912	-	-	-	256,912
Total liabilities	1,499,887	41,814	1,670,829	6,280	3,218,810
Deferred Inflows of Resources:					
Unearned revenues	10,000,000	-	-	-	10,000,000
Total deferred inflows of resources	10,000,000	-	-	-	10,000,000
Fund balances:					
Nonspendable	14,525	-	15,800	-	30,325
Restricted for:					
Culture and recreation capital improvements	-	-	2,273,580	-	2,273,580
Highways and streets capital improvements	-	-	18,995,793	-	18,995,793
Parks and public land acquisition	-	-	154,202	-	154,202
Building code compliance	-	354,752	-	-	354,752
Committed to reserves	9,669,400	-	-	-	9,669,400
Assigned for driving range	-	-	-	134,000	134,000
Unassigned	11,364,266	-	-	-	11,364,266
Total fund balances	21,048,191	354,752	21,439,375	134,000	42,976,318
Total liabilities, deferred inflows of resources, and fund balances	$ 32,548,078	$ 396,566	$ 23,110,204	$ 140,280	$ 56,195,128

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The notes to the financial statements are an integral part of this statement.

Village of Estero, Florida

Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position

September 30, 2024

Amounts reported for governmental activities in the statement of net position are different because:

Fund balances - total governmental funds		$ 42,976,318
Prepaid expenditures for insurance and similar services extending over more than one accounting period are not allocated between or among accounting periods, but are accounted for as expenditures of the period of acquisition in the governmental funds		130,541
Amounts received from other governments are not earned in the current period as they have not been appropriated to a specific project and are reported as unearned revenues in the funds		10,000,000
Capital assets used in governmental activities are not financial		
Non-depreciable capital assets	62,421,728	
Depreciable capital assets	40,205,609	
Less accumulated depreciation	(15,167,657)	
		87,459,680
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the governmental funds		
Operating lease liability, due within one year	(176,650)	
Operating lease liability, due in more than one year	(702,643)	
Total other postemployment benefit (OPEB) liability	(6,203)	(885,496)
Net position of governmental activities		$ 139,681,043

The notes to the financial statements are an integral part of this statement.

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Village of Estero, Florida

Statement of Revenues, Expenditures and Changes in Fund Balances

Governmental Funds

For the Year Ended September 30, 2024

	General	Special Revenue Building Fee	Capital Projects	Nonmajor Governmental Fund	Total Governmental Funds
REVENUES					
Taxes					
Property	$ 6,150,009	$ -	$ -	$ -	$ 6,150,009
Gas	617,904	-	446,575	-	1,064,479
Franchise	3,176,170	-	-	-	3,176,170
Communications services	1,077,930	-	-	-	1,077,930
Local business	21,977	-	-	-	21,977
Licenses and permits	800	1,779,762	-	-	1,780,562
Impact fees	-	-	4,031,441	-	4,031,441
Intergovernmental revenues	7,589,398	-	-	-	7,589,398
Charges for services	360,483	-	-	272,035	632,518
Fines and forfeitures	193	-	-	-	193
Investment earnings	1,860,561	28,643	812,560	8,438	2,710,202
Other income	105,681	-	376,525	5,785	487,991
Total revenues	20,961,106	1,808,405	5,667,101	286,258	28,722,870
EXPENDITURES					
Current:					
General government	3,578,756	-	-	-	3,578,756
Public safety	8,788	1,825,923	-	-	1,834,711
Physical environment	186,320	-	15,501	-	201,821
Transportation	2,424,939	-	257,047	-	2,681,986
Human services	77,074	-	-	-	77,074
Culture and recreation	109,938	-	74,000	297,775	481,713
Capital outlay	198,458	34,965	21,349,471	-	21,582,894
Debt service	-	-	-	-	
Principal retirement	149,817	30,686	-	-	180,503
Interest	26,970	5,524	-	-	32,494
Total expenditures	6,761,060	1,897,098	21,696,019	297,775	30,651,952
Excess (deficiency) of revenues over (under) expenditures	14,200,046	(88,693)	(16,028,918)	(11,517)	(1,929,082)
OTHER FINANCING SOURCES (USES)					
Transfers in	-	-	20,833,888	-	-
Transfers out	(20,833,888)	-	-	-	-
Total other financing sources (uses)	(20,833,888)	-	20,833,888	-	-
Net change in fund balances	(6,633,842)	(88,693)	4,804,970	(11,517)	(1,929,082)
Fund balances - beginning	27,682,033	443,445	16,634,405	145,517	44,905,400
Fund balances - ending	$ 21,048,191	$ 354,752	$ 21,439,375	$ 134,000	$ 42,976,318

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The notes to the financial statements are an integral part of this statement.

Village of Estero, Florida

Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances Governmental Funds to the Statement of Activities

For the Year Ended September 30, 2024

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balances - total governmental funds		$ (1,929,082)
Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which expenditures for capital assets exceeded depreciation in the current period.		
Expenditures for capital assets	21,582,894	
Depreciation	(2,396,398)	19,186,497
The repayment of the principal of long-term debt consumes the current financial resources of the governmental funds but issuing debt increases long-term liabilities in the statement of net position. Repayments on bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position.		
Principal retirement		180,503
Other postemployment benefit (OPEB) expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds. Change in OPEB Liability.		948
Expenditures for insurance and similar services extending over more than one accounting period are not allocated between or among accounting periods in the governmental funds, but are accounted for as expenditures of the period of acquisition. This amount represents the increase in prepaids at September 30, 2024 from September 30, 2023.		(32,813)
Revenues in the statement of revenues, expenditures and changes in fund balances reported in the statement of activities. This item represents the change caused by the "available" revenue recognition criteria.		(2,254,436)
Change in net position of governmental activities		$ 15,151,617

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The notes to the financial statements are an integral part of this statement.

Note 1	Summary of Significant Accounting Policies	25
Note 2	Cash	33
Note 3	Cash equivalents	33
Note 4	Receivables, Prepaids, and Accrued Liabilities	35
Note 5	Capital Assets	36
Note 6	Long-term Debt	37
Note 7	Other Postemployment Benefits (OPEB)	37
Note 8	Retirement Plans	40
Note 9	Interfund Transfers	41
Note 10	Risk Management	41
Note 11	Operating Leases	42
Note 12	Stewardship, Compliance and Accountability	42
Note 13	Commitments and Contingencies	43
Note 14	Subscription Liability	43
Note 15	Significant Events	43

DRAFT

Note 1 - Summary of Significant Accounting Policies

Introduction

The accounting and reporting framework and the more significant accounting principles and practices of the Village of Estero, Florida ("Village") are discussed in subsequent sections of this note. The remainder of the notes are organized to provide explanations, including required disclosures, of the Village's financial activities for the fiscal year ended September 30, 2024.

Reporting Entity

The Village was incorporated on December 31, 2014, pursuant to House Bill 1373 and amended on June 30, 2015 by House Bill 983. The Village operates under a Village Council-Manager form of government and consists of seven districts, each represented by an elected council member with each member elected-at-large. The Village Manager is hired by a majority vote of the Council. As of September 30, 2024, the Village of Estero has provided the following services to the Village residents: public works, streets and roads, building permit services, planning and zoning, parks and recreation, code enforcement and general and administrative services.

The Village of Estero uses the "government lite" concept of outsourcing Village services to minimize expenditures and provide exemplary services to the community.

Governmental Accounting Standards Board (GASB) Statement No. 14, *Financial Reporting Entity* as amended requires the financial statements of the Village (the primary government) to include its component units, if any. A component unit is a legally separate organization for which the elected officials of the primary government are financially accountable. Blended component units, although legally separate entities are, in substance, part of the government's operations and so the data from these units are combined with data of the primary government. Based on the criteria established in GASB Statement No. 14 as amended, there are no component units required to be included or included in the Village's financial statements.

(a) Government-wide and Fund Financial Statements

The government-wide financial statements include the statement of net position and the statement of activities. These statements report financial information for the Village as a whole. The primary government and component units are presented separately within the financial statements with the focus on the primary government. Individual funds are not displayed, but the statements distinguish governmental activities, generally supported by taxes and Village general revenues, from business-type activities, generally financed in whole or in part with fees charged to external customers. The Village does not currently have any business-type activities or component units.

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Note 1 - Summary of Significant Accounting Policies (Continued)

(a) Government-wide and Fund Financial Statements (continued)

The statement of activities reports the expenses of a given function offset by program revenues directly connected with the functional program. A function is an assembly of similar activities and may include portions of a fund or summarize more than one fund to capture the expenses and program revenues associated with a distinct functional activity.

Fund financial statements are provided for governmental funds. Major individual governmental funds are reported in separate columns with composite columns for non-major funds, if applicable.

(b) Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide statements are reported using the economic resources measurement focus and the accrual basis of accounting. This generally includes the reclassification or elimination of internal activity (between or within funds). Reimbursements are reported as reductions to expenses. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Property tax revenues are recognized in the year for which they are levied, while grants are recognized when grantor eligibility requirements are met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Village considers revenues to be available if they are collected within sixty days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, sales and franchise taxes, intergovernmental revenues, charges for services, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period, if available. All other revenue items are considered to be measurable and available only when cash is received by the Village.

The Village reports the following major funds in the governmental fund financial statements:

The *General Fund* is the operating fund of the Village. It accounts for all financial resources, except those required to be accounted for in another fund. Revenue is derived primarily from property taxes and other governmental revenue. The general operating expenditures, fixed charges and capital outlay costs that are not paid through other funds are paid from the General Fund.

The *Building Fee Fund* is considered as a special revenue fund and accounts for the resources collected for building permits fees levied within the Village's limits. This revenue is restricted for use enforcing the Florida Building Code.

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Note 1 - Summary of Significant Accounting Policies (Continued)

(b) Measurement Focus, Basis of Accounting, and Financial Statement Presentation (continued)

The *Capital Projects Fund* accounts for resources accumulated to provide for capital projects. The capital projects fund accounts for gas tax and road and park impact fees levied within the Village which are restricted for use on road and park capital improvements.

The Village reports the following non-major funds in the governmental fund financial statements:

The *Driving Range Fund* is considered a special revenue fund and accounts for resources collected for operating the Golf Coast Driving Range located on the Village owned property on 9000 Williams Road, Estero, FL 33928. The Driving Range ceased operations in April 2024.

(c) Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position or Fund Balance

Cash and Investments

Cash and cash equivalents consist of amounts in cash on hand and cash on deposit with financial institutions including certificates of deposit.

In March of 2024, Village Council updated its investment policy to allows management to invest any surplus funds in its control in the following:

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Village and Investment Manager Authorized Investment- Sector Type	Minimum Rating Requirement	Maturity Limits	Maximum Allocation	Individual Issuer Limit
Cash and Cash Equivalents	N/A	NA	100%	N/A
United States Government Securities	N/A	5 Years	100%	N/A
United States Government Agencies	N/A	5 Years	50%	N/A
Federal Instrumentalities (United States Government Sponsored Enterprises "GSE")*	N/A	5 Years	75%	40%
Interest Bearing Time Deposit or Savings Accounts	N/A	1 Year	20%	10%
Repurchase Agreements**	N/A	90 Days	25%	10%
Registered Investment Companies (Money Market Mutual Funds)	AAAm (or equivalent)	N/A	20%	10%
Intergovernmental Investment Pools (Stable Net Asset Value)	AAAm (or equivalent)	N/A	80%	N/A
Intergovernmental Investment Pools (Floating Net Asset Value)	AAAf (or equivalent)	N/A	40%	N/A
Florida PRIME Fund	AAAm	NA	25%	N/A
Investment Manager Authorized Investment- Sector Type	**Minimum Rating Requirement**	**Maturity Limits**	**Maximum Allocation**	**Individual Issuer Limit**
Mortgage Backed Securities "MBS"*	AA	5 Years	20%	15%
State and/or Local Government Taxable and/or Tax-Exempt Debt	Single "A" category by two NRSROs****	5 Years	30%	5%
Commercial Paper***	A-1 by S&P and P-1 by Moody's	270 Days	20%	5%
Corporate Notes***	Single "A" category by any NRSROs****	5 Years	25%	5%
Asset-Backed Securities (ABS)***	Double "A" category by any two NRSROs****	5 Years	20%	5%

*The combined maximum amount of available funds invested in Federal Instrumentalities and mortgage-backed securities will not exceed seventy five percent (75%).
**Securities authorized for collateral are negotiable direct obligations of the United States Government, Government Agencies, and Federal Instrumentalities with maturities under five (5) years and must have a market value for the principal and accrued interest of 102 percent of the value and for the term of the repurchase agreement.
***The maximum amount of corporate investments will not exceed forty percent (40%). Therefore, the total allocation to Commercial Paper, Corporate Notes, and Asset Backed Securities shall not exceed forty percent (40%).
****National Recognized Statistical Rating Organization (NRSRO).

Investments for the Village are reported at amortized cost which approximates fair value.

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Note 1 - Summary of Significant Accounting Policies (Continued)

Receivables

Receivables as of year-end for the government's general fund are reported net of allowance for uncollectibles. As of September 30, 2024, the allowance for uncollectible receivables was $0 as management believes all receivables to be fully collectible.

(c) Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position or Fund Balance (continued)

Prepaids

Certain payments to vendors reflect costs applicable to future accounting periods and are reported as prepaid items in the government-wide financial statements. In the fund financial statements, the purchases method is used as such expenditures are reported when payments are completed.

Capital Assets

Capital assets include property, buildings, furniture, equipment, vehicles, software, and infrastructure assets. Capital assets used in governmental fund types of the Village are recorded at cost if purchased or constructed. Donated capital assets are recorded at their acquisition value at the date of donation. Capital assets are reported in the government-wide financial statements in the applicable governmental column. Interest incurred during construction is not capitalized on general capital assets.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

The threshold for capitalizing furnishings and equipment is $5,000 or more and useful lives in excess of one year. The threshold for capitalizing intangible assets is $25,000 or more and useful lives in excess of one year. The threshold for capitalizing infrastructure and capital improvement projects is $50,000 or more and useful lives in excess of one year.

Infrastructure assets are defined as public domain capital assets such as roads, bridges, sidewalks, traffic signals, easements and similar items that are immovable and of value only to the governmental unit.

Depreciation and amortization is calculated using the straight-line method over the estimated useful lives of the related assets. The ranges of the useful lives are as follows:

Asset	Years
Buildings and building improvements	5-20
Improvements other than buildings	7-50
Machinery and equipment	3-10
Infrastructure	10-50
Intangible software	3-5

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Note 1 - Summary of Significant Accounting Policies (Continued)

(c) Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position or Fund Balance (continued)

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net assets that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense/ expenditure) until then. The Village does not have any items that qualify for reporting in this category.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources,* represents an acquisition of net assets that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time.

Compensated Absences

Employees can accrue paid time off (PTO). Any unused PTO at September 30 is paid out up to certain stated limits, unused PTO is not paid out at termination, therefore, no such amounts are accrued at September 30.

Net Position Flow Assumption

Sometimes the government will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted – net position and unrestricted – net position in the government-wide financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the government's policy to consider restricted – net position to have been depleted before unrestricted – net position is applied.

Fund Balance Flow Assumption

When both restricted and unrestricted resources are available for use, it is the Village's policy to use restricted resources first, then unrestricted resources as needed. When components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

Net Position/Fund Balances

Net position in government-wide fund financial statements are classified as net investment in capital assets; restricted; and unrestricted. Restricted net positions represent constraints on resources that are either a) externally imposed by creditors, grantors, contributors or laws or regulations of other governments or b) imposed by law through State Statute.

The Village has adopted a fund balance policy which includes a minimum level of fund balance of three months of general fund operating expenditures. If the unassigned fund balance falls below the minimum level, the Village Manager will prepare and submit a plan for committed and/or assigned fund balance reduction, expenditure reductions and/or revenue increases to the Council. The Council shall take action necessary to

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Note 1 - Summary of Significant Accounting Policies (Continued)

Net Position/Fund Balances (Continued)

restore the unassigned fund balance to acceptable levels within no more than two years. The Village was in compliance with the fund balance policy at September 30, 2024.

(c) Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position or Fund Balance (continued)

The governmental fund financial statements fund balance is reported in five classifications.

Nonspendable	Nonspendable fund balances include amounts that are (a) not in spendable form or (b) legally or contractually required to be maintained intact. Including items that are not expected to be converted to cash, such as inventories and prepaid amounts.
Restricted	Restricted fund balances include amounts that can be spent only for specific purposes stipulated by (a) external resource providers such as creditors, grantors, contributors or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation. The Village's restricted fund balances have constraints placed on the uses of resources by State Statute.
Committed	Committed fund balances are classified as such as a result of Village Council taking formal action and adopting an ordinance which can only be modified or rescinded by subsequent formal action. An ordinance is the Village's highest level of decision-making authority. The Village adopted an ordinance establishing reserve accounts which are presented as committed fund balance.
Assigned	Assigned fund balances are constrained by the Village's intent to be used for specific purposes but are neither restricted nor committed. As part of the budget process, the Village has allocated amounts to debt reduction which are presented as assigned fund balance.
Unassigned	Unassigned fund balance is the residual classification for the general fund. This classification represents spendable fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the general fund. Unassigned fund balance may also include negative balances for any governmental fund if expenditures exceed amounts restricted, committed, or assigned for those specific purposes.

(d) Revenues and expenditures/expenses

Program Revenues

Amounts reported as program revenues include: (1) charges for services which report fees, fines and forfeitures and other charges to users of the Village's services; (2) operating grants and contributions which finance annual operating activities including restricted investment income; and (3) capital grants and contributions, which

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Note 1 - Summary of Significant Accounting Policies (Continued)

(d) Revenues and expenditures/expenses (continued)

fund the acquisition, construction, or rehabilitation of capital assets. These revenues are subject to externally imposed restrictions to these program uses. Taxes and other revenue sources not properly included with program revenues are reported under general revenue.

Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management of the Village to make estimates and assumptions relating to the reporting of assets and liabilities and the disclosure of contingent assets and liabilities as of the date of the financial statements, and the reported amounts of revenue and expenditures or expenses during the reporting period. Actual results could differ from those estimates.

GASB Statement No. *96 Subscription Based Information Technology Arrangements (SBITAs)*

In May 2020, the GASB issued Statement No. *96 (Subscription Based Information Technology Arrangements (SBITAs)),* which defined the SBITAs and provides accounting and financial reporting for SBITAs by governments. This statement requires the recognition of a right-to-use subscription asset (an intangible asset) and a corresponding subscription liability. A government should recognize the subscription liability at the commencement of the subscription term, when the subscription asset is placed into service. The subscription liability should be measured at the present value of subscription payments expected to be made during the subscription term. Future subscription payments should be discounted using the interest rate the SBITA vendor charges the government, which may be implicit, or the government's incremental borrowing rate if the interest rate is not readily determinable. A government should recognize amortization of the discount on the subscription liability as an outflow of resources (for example interest expense) in the subsequent financial reporting periods. The subscription asset should be initially measured as the sum of (1) the initial subscription liability amount, (2) payments made to the SBITA vendor before commencement of the subscription term, and (3) capitalizable implementation costs, less any incentives received from the SBITA vendor at or before the commencement of the subscription term. A government should recognize amortization of the subscription asset as an outflow of resources over the subscription term. This pronouncement did not require the restatement of the September 30, 2022 net position. The Village, however, determined that its current technology arrangements did not meet the pronouncements recording criteria at September 30, 2024.

GASB Statement No. 94 Public-Private and Public-Public Partnerships

In March 2020, the GASB issued Statement No. 94 *(Public-Private and Public-Public Partnerships and Arrangements)* to bring a uniform guidance on how to report public-private and public-public partnerships and arrangements, recognize receivables for installment payments, deferred inflows of resources, and, when applicable, capital assets. Operators will recognize liabilities for installment payments and intangible right-to-use assets, and when applicable, deferred outflows of resources and liabilities for asserts being transferred.

This Statement also provides guidance for accounting and financial reporting for availability payment arrangement in which a government compensates an operator for services such as designing, constructing financing, maintaining, or operating an underlying asset for a period of time in an exchange or exchange-like transaction. The provisions of this Statement are effective for the Village's financial statements for the year ended September 30, 2023. The Village, however, had no arrangements that met this Statement's reporting criteria and/or the related arrangement costs were considered immaterial at September 30, 2024.

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Note 2 - Cash

As of September 30, 2024, the carrying amount of the Village's deposits was $12,047,290, and the bank balance was $12,492,754. The Village's deposits consist of demand deposit accounts. These demand deposits are held by a bank that qualifies as a public depository under the Public Depository Security Act of the State of Florida as required by Chapter 280. When public deposits are made in accordance with Chapter 280, no public depositor shall be liable for any loss thereof and, therefore, the Village is not exposed to custodial credit risk.

Note 3 - Cash Equivalents

The Village has funds invested in the Florida Cooperative Liquid Assets Securities System (FLCLASS) which the Village considers a cash equivalent. The pool's investments are recorded at amortized cost and total $43,085,734 and are available for immediate withdrawal.

The Village had restricted cash and cash equivalents of $10,256,912 that consists of unearned revenue of $10,000,000 and customer deposits of $256,912.

(a) General Description

The FLCLASS is an independent local government investment pool administered by an appointed Board of Trustees comprised of eligible Participants of the FLCLASS program.

In accordance with GASB Statement No. 79, *Certain External Investment Pools and Pool Participants,* FLCLASS currently does not meet all of the necessary criteria to elect to measure all of the investments in FLCLASS at amortized cost, therefore FLCLASS reports at fair value and is exempt from the GASB Statement No. 72, Fair Value Measurement and Application.

(b) Investment Policies

All FLCLASS investment policies can be found at https://flclass.com/flclass/.

Village investment in FLCLASS was made in accordance with the provisions of Section 218.415(17), Florida Statutes "Investment of Local Government Surplus Funds".

(c) Credit Quality Disclosure

FLCLASS is rated by Standards and Poor's. The current rating is AAAm.

(d) Interest Rate Risk Disclosure

The dollar weighted average days to maturity (WAM) of FLCLASS at September 30, 2024, is 30 days. Next interest rate reset dates for floating rate securities are used in the calculation of the WAM. The weighted average life (WAL) of FLCLASS at September 30, 2024, is 83 days.

(e) Foreign Currency Risk Disclosure

FLCLASS was not exposed to any foreign currency risk during the period from October 1, 2023, through September 30, 2024.

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Note 3 - Cash Equivalents (Continued)

(f) Securities Lending Disclosure

FLCLASS did not participate in a securities lending program in the period from October 1, 2023, through September 30, 2024.

(g) Limitations or Restrictions on Withdrawals Disclosure

With regard to the redemption gates relating to FLCLASS, Chapter 218.409(8)(a), Florida Statutes, states that "The principal, and any part thereof, of each account constituting the trust fund is subject to payment at any time from the moneys in the trust fund. However, the Executive Director may, in good faith, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, for 48 hours limit contributions to or withdrawals from the trust fund to ensure that the Board can invest moneys entrusted to it in exercising its fiduciary responsibility. Such action must be immediately disclosed to all participants, the Trustees, the Joint Legislative Auditing Committee, and the Investment Advisory Council. The Trustees shall convene an emergency meeting as soon as practicable from the time the Executive Director has instituted such measures and review the necessity of those measures. If the Trustees are unable to convene an emergency meeting before the expiration of the 48-hour moratorium on contributions and withdrawals, the moratorium may be extended by the Executive Director until the Trustees are able to meet to review the necessity for the moratorium. If the Trustees agree with such measures, the Trustees shall vote to continue the measures for up to an additional 15 days. The Trustees must convene and vote to continue any such measures before the expiration of the time limit set, but in no case may the time limit set by the Trustees exceed 15 days."

(h) Liquidity

With regard to liquidity fees, Florida Statute 218.409(4) provides authority for FLCLASS to impose penalties for early withdrawal, subject to disclosure in the enrollment materials of the amount and purpose of such fees. At present, no such disclosure has been made.

(i) Redemption Fees

As of September 30, 2024, there were no redemption fees or maximum transaction amounts, or any other requirements that serve to limit a participant's daily access to 100 percent of their account value.

(j) Financial Statements

FLCLASS provides financial statements for FLCLASS for the fiscal year ended December 31, 2024, and are available at https://flclass.com/flclass/.

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Note 4 - Receivables, Prepaids, and Accrued Liabilities

(a) Receivables

Receivables as of September 30, 2024 for the governmental funds in the aggregate, including the applicable allowances for uncollectible accounts are as follows:

	General	Building Fee	Capital Projects	Nonmajor Governmental Funds	Total Governmental Funds
Receivables:					
Accounts (gross)	$ 292,459	$ 22,987	$ 139,698	$ -	$ 455,144
Allowance for uncollectible receivable	-	-	-	-	-
Net total receivables	$ 292,459	$ 22,987	$ 139,698	$ -	$ 455,144

(b) Prepaids

Prepaid assets for the Village total $130,541 at September 30, 2024.

(c) Accrued Liabilities

Accrued liabilities as of September 30, 2024 are as follows:

	General
Accrued liabilities:	
Wages, benefits and taxes	$ 65,282
Construction bond deposit	339,308
Total accrued liabilities	$ 404,590

(d) Customer Deposits

Customer deposits are received in advance for planning and zoning professional services as required by the Village cost recovery program. Deposits are required prior to commencement of the professional services and any amounts received in excess of professional service costs are refunded at completion of planning and zoning process.

Customer deposits as of September 30, 2024 total $256,912 and are offset by restricted cash.

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Note 5 - Capital Assets

Capital asset activity for the year ended September 30, 2024 is as follows:

	Beginning Balance	Increases	Decreases	Adjustments/ Transfers/ Reclassifications	Ending Balance
Governmental Activities:					
Capital assets not being depreciated:					
Land	$33,063,072	$15,000,000	$ -	$ -	$48,063,072
Construction in progress	8,181,233	6,582,894	-	(405,472)	14,358,655
Total capital assets not being depreciated	41,244,305	21,582,894	-	(405,472)	62,421,727
Capital assets being depreciated:					
Buildings and building improvements	1,521,436	-	-	405,472	1,926,908
Machinery and equipment	158,285	-	-	-	158,285
Infrastructure	37,137,938	-	-	-	37,137,938
Intangible right to use	951,818	982,478	(951,818)	-	982,478
Total capital assets being depreciated	39,769,477	982,478	(951,818)	405,472	40,205,609
Less accumulated depreciation for:					
Buildings and building improvements	839,330	92,870	-	-	932,200
Machinery and equipment	158,285	-	-	-	158,285
Infrastructure	11,824,172	2,138,375	-	-	13,962,547
Intangible right to use	901,290	165,153	(951,818)	-	114,625
Total accumulated depreciation	13,723,077	2,396,398	(951,818)	-	15,167,657
Total capital assets being depreciated, net	26,046,400	(1,413,920)	-	405,472	25,037,952
Total governmental activities capital assets, net	$67,290,705	$20,168,974	$ -	$ -	$87,459,679

Depreciation expense was charged to functions/programs of the primary government for the year ended September 30, 2024, as follows:

	General
General government	$ 236,072
Public safety	-
Physical environment	3,881
Transportation	2,156,445
Total depreciation expense-governmental activities	$ 2,396,398

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Note 6 - Long-term Debt

The annual debt service requirements as of September 30, 2024 are as follows:

Years ending September 30	Principal	Interest	Total
2025	$ 176,650	$ 54,434	$ 231,084
2026	189,064	42,020	$ 231,084
2027	202,346	28,738	$ 231,084
2028	216,567	14,517	$ 231,084
2029	94,666	1,619	96,285
Total	$ 879,293	$ 141,328	$ 1,020,621

The changes in long-term debt during fiscal year ended September 30, 2024 are as follows:

	Beginning Balance	Additions	Deletions	Ending Balance	Due Within One Year
Governmental Activities					
Lease payable	$ 77,318	$ 982,478	$ (180,503)	$ 879,293	$ 176,650
Total Governmental Activities	$ 77,318	$ 982,478	$ (180,503)	$ 879,293	$ 176,650

The Lease Payable was recalculated upon amendment to the lease on March 1, 2024. The Village used the incremental borrowing rate of 6.81% which was the 30-Year Mortgage rate on March 1, 2024.

Interest expenditures for the year ended September 30, 2024 were $32,494.

Note 7 - Other Postemployment Benefits (OPEB)

General Information about the OPEB Plan

Plan Description. The Village administers a single-employer defined benefit plan (the "Plan") that provides the opportunity to obtain health insurance to its retired full-time employees and their dependents upon reaching the normal retirement age of 65 and 8 years if service or 33 years of service. Pursuant to the provisions of section 112.0801, Florida Statutes, former employees and eligible dependents who retire from the Village may continue to participate in the Village's fully insured health and hospitalization plan for medical and prescription drug coverage. No assets are accumulated in a trust or otherwise that meets the criteria in paragraph 4 of GASB Statement No. 75.

Benefits provided. The Village does not contribute toward the benefits (insurance premiums) of retired employees and there have been no substantive Plan provision changes since the last full valuation, which was dated October 1, 2020. Therefore, there is no explicit subsidy. An interim valuation was completed for fiscal year ending September 30, 2024 on October 1, 2024.

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Note 7 - Other Postemployment Benefits (OPEB) (Continued)

Employees covered by benefits terms. The Village has 7 full-time active employees with 6 currently covered by the benefit terms, no inactive employees currently receive benefits, and no inactive employees are entitled to receive benefits.

The Village has elected to use the alternative measurement method and engaged an actuary to determine the liability using the alternative measurement method for postemployment healthcare benefits other than pensions as of September 30, 2024, which was the seventh year healthcare benefits were provided to employees.

Funding Policy. The Village OPEB benefits are unfunded and recorded on the "pay as you go" basis. As of September 30, 2024, there are no retirees receiving this benefit, and with the availability of more cost effective health insurance plans, it is not anticipated that there will be future participation that would be a material cost to the Village. This liability, which is no longer considered a likely cost, is not being funded by the Village. Therefore, the Plan does not issue a publicly available financial report and all required disclosures are presented herein.

As required by 112.0801, Florida Statutes, the Village offers the insurance coverage to the retirees at a premium cost of no more than the premium cost applicable to active employees. This results in a Village subsidy of the premium rates paid by retirees as it allows them to participate in the Plan at reduced or blended group (implicitly subsidized) premium rates for both active and retired employees.

The Village's total OPEB liability of $6,203 was measured as of September 30, 2024 and was determined by an actuarial valuation as of that date. The change in the OPEB liability was a decrease of $948 (OPEB expense), which was recognized during the fiscal year ended September 30, 2024. The General Fund and Building Fee Fund will be used to liquidate the OPEB liability.

Total OPEB Liability

Actuarial Methods and Assumptions. The total OPEB liability as of September 30, 2024, was determined using the following actuarial assumptions and other inputs were applied to all periods included in the measurement:

Valuation Date	October 1, 2023
Measurement Date	September 30, 2024
Inflation	2.4%
Salary increases (payroll growth)	3.25%
Discount rate	4.06% (2024) 4.87% (2023)
Health care trend rates	8.0% for 2024; decreasing 0.5% per year to an ultimate rate of 4.5% for 2032 and later years
Retirees' share of benefit-related cost	100%
Funding Policy	Pay-as-you-go cash basis
Mortality	Pub 2010 Scale MP-2021

The discount rate was based upon a yield for 20-year tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher. The prior valuation used a discount rate of 4.87% as of September 30, 2023. The current full valuation uses a discount rate of 4.06% as of September 30, 2024. The impact of this change is a slight decrease in liabilities. The discount rate will be updated annually to reflect market conditions as of the Measurement Date.

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Note 7 - Other Postemployment Benefits (OPEB) (Continued)

The actuarial assumptions used in the valuation represent a reasonable long-term expectation of future OPEB outcomes. As national economic and Village experience change over time, the assumptions will be tested for ongoing reasonableness and, if necessary, updated.

The Village subsidizes the premium rates paid by retirees by allowing them to participate at blended premium rates for both active and retired employees. These rates provide an implicit subsidy for retirees because, on an actuarial basis, retiree claims are expected to result in higher costs to the plan on average than those of active employees.

The projection of future benefit payments for an ongoing plan involves estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the Plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future.

Per GASB Statement No. 75 paragraph 43(a) since the Village used the alternative measurement method the effects of assumptions are recognized immediately. As such, since the Plan holds no assets their deferred inflows/outflows are zero.

Changes in the total OPEB liability.

	Amounts
Total OPEB liability at beginning of year	$ 7,151
Changes for the year:	
Service cost	417
Interest	369
Changes in assumptions and other inputs	(4,764)
Difference between expected and actual experience	3,030
Net change in total OPEB liability (OPEB Credit)	(948)
Total OPEB liability at end of year	$ 6,203

Changes of assumptions and other inputs reflect a change in the discount rate from 4.87% as of October 1, 2023, and 4.06% as of September 30, 2024. The discount rate was updated from the prior valuation rate and will be updated annually to reflect market conditions as of the Measurement Date. Healthcare trends were reset to an initial rate of 8% from 7%. The healthcare coverage rate was reduced from 40% to 20% (taken from the bottom of the page, below the OPEB table).

Sensitivity of the total OPEB liability to change in the discount rate. The following presents the total OPEB liability of the Village, as well as what the Village's total OPEB liability would be in it were calculated using a discount rate that is 1-percentage-point lower (3.06%) or 1-percentage-point higher (5.06%) than the current discount rate:

	1% Decrease (3.06%)	Discount Rate (4.06%)	1% Increase (5.06%)
Total OPEB Liability	$ 6,642	$ 6,203	$ 5,798

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Note 7 - Other Postemployment Benefits (OPEB) (Continued)

Sensitivity of the total OPEB liability to change in the healthcare cost trend rates. The following presents the total OPEB liability of the Village, as well as what the Village's total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower (7.0% decreasing to 3.50%) or 1-percentage-point higher (9.00% decreasing to 5.50%) than the current healthcare cost trend rates:

	1% Decrease (7.00% decreasing to 3.50%)	Healthcare Cost Trend Rates (8.00% decreasing to 4.50%)	1% Increase (9.00% decreasing to 5.50%)
Total OPEB Liability	$ 5,648	$ 6,203	$ 6,831

Note 8 - Retirement Plans

The Village offers a Defined Contribution Retirement 401(a) Plan (the "Plan") to its full-time employees through the Florida Municipal Pension Trust Fund (FMPTF). The Plan is a 40l(a) money purchase plan and the Village is a participating employer in the FMPTF trust agreement. The Plan was established on August 31, 2016 with a Village contribution effective date of October 1, 2016.

The Plan's assets are administered by FMPTF and the Plan is operated under a trust agreement which may be amended by the Master Trustees of the FMPTF. The Village does not exercise any control over the Plan assets or the trust agreement.

The Village's Plan provisions and contributions requirements are established and may be amended by the Village Council.

In a defined contribution plan, benefits depend solely on amounts contributed to the Plan plus investment earnings.

The Plan does not have age or service requirements and vesting is immediate for Plan participants. The Plan eligibility provisions require funding percentages applied to the salaries of those participating. The required funding percentages and the Village contribution is determined annually during the budget process by Village Council. Normal retirement age is 70.5.

For fiscal year ended September 30, 2024, the Village's retirement contribution reported as expenditures were $114,802 or 7.25% of covered payroll. The employee contribution requirement was 2.5% of applicable compensation.

The Village, also, offers a 457(b) Deferred Compensation Plan to all employees through the Florida Municipal Pension Trust Fund (FMPTF). The Village is a participating employer in the FMPTF trust agreement which allows for salary deferrals with no employer contributions.

Further information regarding the Florida Municipal Pension Trust Fund, including financial statements, is available via request to publicrecordstal@flcities.com or in writing to Florida Municipal Pension Trust Fund, Attn: Office of General Counsel, 301 S. Bronough St., Suite 300, Tallahassee, FL 32301.

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Note 9 - Interfund Transfers

Interfund transfers for the year ended September 30, 2024, consisted of the following:

	Transfers In Funds:				
	General	Capital Projects Fund	Debt Service	Nonmajor Governmental Funds	Total Governmental Funds
Transfers Out Funds:					
General	$ -	$ 20,833,888	$ -	$ -	$ 20,833,888
	$ -	$ 20,833,888	$ -	$ -	$ 20,833,888

Transfers are used to move unrestricted general fund and debt service proceeds to finance various programs that the government must account for in other funds in accordance with budgetary authorization. These could include amounts provided as subsidies or matching funds for various grant programs, capital projects and debt service payments.

Note 10 - Risk Management

The Village is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters.

The Village participates in the public entity risk pool administered by the Florida League of Cities, Inc. for general/professional liability, property, health insurance and workers compensation. The Village pays an annual premium for these insurance programs. Participation in this risk pool is non-assessable. There were no significant reductions in insurance coverage since the inception of the Village nor were there any settlements that exceed insurance coverage amounts for the fiscal year ended September 30, 2024 or the prior three years.

The Florida League of Cities, Inc. published financial report for the year ended September 30, 2024 can be obtained from the Florida League of Cities, Inc., Public Risk Service, 135 East Colonial Drive, Orlando, Florida 32801.

The Village retains the risk of loss up to a deductible amount (ranging from $0 to $35,000) with the risk of loss in excess of this amount transferred to the pool with limits of liability of up to $5,000,000 per occurrence.

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Note 11 - Operating Leases – Right of Use (ROU) Asset

The Village is currently committed to various operating leases for office space and equipment with terms in excess of one year. The lease for office space meets the recording requirements of GASB Statement No. 87. The future minimum rental payments as of September 30, 2024 were as follows:

Years ending September 30	Principal	Interest	Total
2025	$ 176,650	$ 54,434	$ 231,084
2026	189,064	42,020	231,084
2027	202,346	28,738	231,084
2028	216,567	14,517	231,084
2029	94,666	1,619	96,285
Total	$ 879,293	$ 141,328	$ 1,020,621

Rent expense for the fiscal year ended September 30, 2024 totaled $345,010.

At September 30, 2024, the net Lease Intangible Right of Use asset of $171,740 was amortized by $121,212 during the year ended September 30, 2024 using an interest rate of 6.81%. The net Lease Payable of $257,039 was amortized by $179,721 during the year ended September 30, 2024.

On March 1, 2024, the Village amended the lease agreement for office space which provides a location for the Village administration and community development offices. The lease amendment expanded the square footage and extended the term of the lease to 5 years which expires February 2024. The Village has the option to renew for two additional terms of five years.

As of September 30, 2024, the monthly rent for office space is $19,257 plus common area maintenance estimated with annual increases of the greater of 2.5% or consumer price index.

Note 12 - Stewardship, Compliance and Accountability

Property Taxes

The billing and collection of all property taxes is performed for the Village by the Lee County Tax Collector. Property taxes are levied after formal adoption of the Village's budget and become due and payable on November 1 of each year. Discounts are allowed for payment of property taxes before March 1 of the following year. Taxes are recognized as revenue when levied to the extent that they result in current receivables. On April 1, any unpaid taxes become delinquent. If the taxes are still unpaid in May, tax certificates are then offered for sale to the general public. The proceeds collected are remitted to the Village.

Key dates in the property tax cycle (latest date, where appropriate) are as follows:

July 1	◆ Assessment roll validated
September 30	◆ Millage resolution approved and taxes levied following certificate of assessment roll
October 1	◆ Beginning of fiscal year for which tax is to be levied
November 1	◆ Property taxes due and payable (levy date) with various discount provisions through March 31
April 1	◆ Taxes become delinquent

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Note 12 - Stewardship, Compliance and Accountability (Continued)

June 1 ◆ Tax certificates sold by Lee County, Florida Tax Collector

For the year September 30, 2024, the total tax rate was 0.74 mils per $1,000 of assessed taxable property value. For the fiscal year ending September 30, 2024, the levy is based on taxable property values totaling $8,680,149,665 Property tax revenue is recognized in the fiscal year for which the taxes are levied.

No accruals for the property tax levy becoming due in November 2024 are included in the accompanying financial statements since taxes are levied for the subsequent fiscal year and are not considered available at September 30, 2024.

At September 30, 2024, delinquent property taxes are not material to the basic financial statements of the Village and, therefore, have not been accrued as taxes receivable.

Note 13 - Commitments and Contingencies

Contracts. The Village has outstanding commitments for professional service contracts for planning, engineering and legal services and are reported in the General Fund and Capital Projects Fund at September 30, 2024. The outstanding commitment at September 30, 2024 is as follows:

	Contract Amount	Incurred to Date	Retainage	Balance to Complete, Including Retainage
General Fund				
General government	$ 644,951	$ 524,619	$ -	$ 120,332
Physical environment	143,880	91,385	-	52,495
Transportation	511,780	401,832	-	109,948
Recreation and culture	77,220	25,012	-	52,208
Building Fund	-	-	-	-
Capital Projects Fund	7,858,466	4,902,185	102,233	3,058,514
	$ 9,236,297	$ 5,945,034	$ 102,233	$ 3,393,497

Note 14 - Subscription Liability

The Village entered into multiple subscription-based information technology arrangements for various software. The Village has not recorded any subscription liability as they are not considered material at September 30, 2024.

Note 15 - Significant Events

The Village purchased 69 acres of land which closed on January 30, 2024 for $15 million.

The Village ceased the driving range operations in April 2024.

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Required Supplementary Information

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Village of Estero, Florida

Schedule of Revenues, Expenditures and Changes in Fund Balances
Budget and Actual
General Fund
For the Year Ended September 30, 2024

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Taxes				
Property	$ 6,077,400	$ 6,077,400	$ 6,150,009	$ 72,609
Gas	635,000	635,000	617,904	(17,096)
Franchise	2,625,000	2,625,000	3,176,170	551,170
Communications services	975,000	975,000	1,077,930	102,930
Local business	25,000	25,000	21,977	(3,023)
Licenses and permits	1,250	1,250	800	(450)
Intergovernmental revenues	7,451,960	7,451,960	7,589,398	137,438
Charges for services	266,000	266,000	360,483	94,483
Fines and forfeitures	250	250	193	(57)
Investment earnings	600,000	600,000	1,860,561	1,260,561
Other income	96,000	96,000	105,681	9,681
Total current year revenues	18,752,860	18,752,860	20,961,106	2,208,246
Prior year carry forward	38,362,664	27,682,033	-	(27,682,033)
Total revenues	57,115,524	46,434,893	20,961,106	(25,473,787)
EXPENDITURES				
Current:				
General government	5,022,600	5,022,600	3,578,756	1,443,844
Public safety	238,110	238,110	8,788	229,322
Physical environment	575,000	575,000	186,320	388,680
Transportation	2,688,410	2,688,410	2,424,939	263,471
Human services	40,000	40,000	77,074	(37,074)
Culture and recreation	297,850	297,850	109,938	187,912
Capital outlay	110,000	110,000	198,458	(88,458)
Debt service				
Principal retirement	-	-	149,817	(149,817)
Interest	-	-	26,970	(26,970)
Carry forward (out)	16,897,639	16,897,639	-	16,897,639
Total expenditures	25,869,609	25,869,609	6,761,060	19,108,549
Excess of revenues over expenditures	31,245,915	20,565,284	14,200,046	(6,365,238)
OTHER FINANCING USES				
Transfers out	(31,245,915)	(20,565,284)	(20,833,888)	(268,604)
Total other financing uses	(31,245,915)	(20,565,284)	(20,833,888)	(268,604)
Net change in fund balances	$ -	$ -	(6,633,842)	$ (6,633,842)
Fund balances - beginning			27,682,033	
Fund balances - ending			$ 21,048,191	

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The notes to the required supplementary information are an integral part of this schedule.

Village of Estero, Florida

Schedule of Revenues, Expenditures and Changes in Fund Balances
Budget and Actual
Building Fee Fund
For the Year Ended September 30, 2024

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Licenses and permits	$ 1,212,000	$ 1,707,000	$ 1,779,762	$ 72,762
Investment earnings	17,250	45,250	28,643	(16,607)
Total current year revenues	1,229,250	1,752,250	1,808,405	56,155
Prior year carry forward	657,623	443,445	-	(443,445)
Total revenues	1,886,873	2,195,695	1,808,405	(387,290)
EXPENDITURES				
Current:				
Public safety	1,393,750	1,968,750	1,825,923	142,827
Capital outlay	150,000	150,000	34,965	115,035
Debt service				
Principal retirement	-	-	30,686	(30,686)
Interest	-	-	5,524	(5,524)
Carry forward (out)	343,123	76,945	-	76,945
Total expenditures	1,886,873	2,195,695	1,897,098	298,597
Excess of revenues (under) expenditures	-	-	(88,693)	(685,887)
Net change in fund balances	$ -	$ -	(88,693)	$ (88,693)
Fund balances - beginning			443,445	
Fund balances - ending			$ 354,752	

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The notes to the required supplementary information are an integral part of this schedule.

Village of Estero, Florida

Schedule of Revenues, Expenditures and Changes in Fund Balances
Budget and Actual
Capital Projects Fund
For the Year Ended September 30, 2024

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Taxes				
Gas	$ 435,250	$ 435,250	$ 446,575	$ 11,325
Impact fees	1,073,500	1,073,500	4,031,441	2,957,941
Investment earnings	127,750	127,750	812,560	684,810
Other income	65,000	65,000	376,525	311,525
Total current year revenues	1,701,500	1,701,500	5,667,101	3,965,601
Prior year carry forward	14,970,870	16,634,405	-	(16,634,405)
Total revenues	16,672,370	18,335,905	5,667,101	(12,668,804)
EXPENDITURES				
Current:				
Physical environment	-	-	-	-
Transportation	-	-	-	-
Culture and recreation	-	-	-	-
Capital outlay	35,455,903	35,455,903	21,696,019	13,759,884
Carry forward (out)	12,462,382	14,125,917	-	14,125,917
Total expenditures	47,918,285	49,581,820	21,696,019	27,885,801
Excess of revenues over (under) expenditures	(31,245,915)	(31,245,915)	(16,028,918)	15,216,997
OTHER FINANCING SOURCES				
Transfers in	31,245,915	31,245,915	20,833,888	(10,412,027)
Total other financing sources	31,245,915	31,245,915	20,833,888	(10,412,027)
Net change in fund balances	$ -	$ -	4,804,970	$ 4,804,970
Fund balances - beginning			16,634,405	
Fund balances - ending			$ 21,439,375	

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The notes to the required supplementary information are an integral part of this schedule.

Budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America and are legally enacted through passage of a resolution required by Village Charter and as required by the State of Florida.

The level of control whereby expenditures cannot legally exceed the total amount budgeted is at the fund level and the annual budgets serve as the legal authorization for expenditures. The Village Council may establish or terminate departments by ordinance. As of September 30, 2024, the Council has established one department for community development.

For the year ended September 30, 2024, the Village of Estero adopted a budget for the General Fund, Building Fee Fund, Capital Projects Fund, and the Driving Range Fund.

Budget amounts, as shown in the fund financial statements, are as originally adopted and as finally amended by the Council. The Council may, by resolution, provide for the transfer of all or part of any unencumbered appropriations balance from one department, fund, service, strategy or organizational unit to the appropriation for other departments or organizational units or a new appropriation within 60 days after year end. The Village Manager may transfer funds among programs within a department, fund, service, strategy, or organizational unit and shall report such transfers to the Council, in writing, in a timely manner.

The Village has no funds in which expenditures exceeded appropriations.

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Village of Estero, Florida

Schedule of Changes in the Net OPEB Liability and Related Ratios and Notes to the Schedule

Last Ten Fiscal Years

	2018	2019	2020	2021	2022	2023	2024
Total OPEB Liability							
Service cost	$ 2,650	$ 1,484	$ 1,653	$ 2,868	$ 2,988	$ 464	$ 417
Interest	580	483	511	762	873	370	369
Changes of benefit terms	-	-	-	-	-	-	-
Differences between expected and actual experience	(3,719)	-	7,382	600	(28,861)	(30)	(4,764)
Changes in assumptions and other inputs	(2,677)	501	6,566	(42)	(636)	(945)	3,030
Benefit payments	-	-	-	-	-	-	-
Net change in total OPEB liability	(3,166)	2,468	16,112	4,188	(25,636)	(141)	(948)
Total OPEB liability - beginning	13,326	10,160	12,628	28,740	32,928	7,292	7,151
Total OPEB liability - ending	$ 10,160	$ 12,628	$ 28,740	$ 32,928	$ 7,292	$ 7,151	$ 6,203
Covered-employee payroll	$ 706,888	$ 830,408	$ 682,386	$ 715,291	$ 745,500	$ 1,079,409	$ 1,582,835
Total OPEB liability as a percentage of covered-employee payroll	1.44%	1.52%	4.21%	4.60%	0.98%	0.66%	0.39%

Notes to the schedule:

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75 .

Changes of assumptions. The actuarial assumptions used in the September 30, 2023 valuation represent a reasonable long-term expectation of future OPEB outcomes. Discount rate changed from 4.15% in 2018 to 3.58% at September 30, 2019 then to 2.41% at September 30, 2020 to 2.43% at September 30, 2021 to 4.77% at September 30, 2022 then to 4.87% at September 30, 2023 then to 4.06% at September 30, 2024. Health care trend was reset to 8% from 7%. The healh care coverage election rate was reduced from 40% to 20%. As national economic and Village experience change over time, the assumptions will be tested for ongoing reasonableness and, if necessary, updated.

Note: Information is required to be presented for 10 years. However, until a full 10-year trend is compiled, the Village will present information for only those years for which information is available.

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Individual Fund Financial Schedules

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Village of Estero, Florida

Schedule of Revenues, Expenditures and Changes in Fund Balances
Budget and Actual
Nonmajor Governmental Fund – Driving Range Fund
For the Year Ended September 30, 2024

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Charges for services	$ 357,815	$ 357,815	$ 272,035	$ (85,780)
Investment earnings	5,750	5,750	8,438	2,688
Other income	5,940	5,940	5,785	(155)
Total current year revenues	369,505	369,505	286,258	(83,247)
Prior year carry forward	123,951	145,517	-	(145,517)
Total revenues	493,456	515,022	286,258	(228,764)
EXPENDITURES				
Current:				
Culture and recreation	357,505	357,505	297,775	59,730
Capital outlay	135,951	157,517	-	157,517
Total expenditures	493,456	515,022	297,775	217,247
Excess of revenues over expenditures	-	-	(11,517)	(11,517)
Net change in fund balances	$ -	$ -	(11,517)	$ (11,517)
Fund balances - beginning			145,517	
Fund balances - ending			$ 134,000	

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Statistical Section

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Village of Estero, Florida
Statistical Section
(unaudited)

This part of the Village of Estero's annual comprehensive financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the Village's overall financial health.

Contents Page

Financial Trends 56
These schedules contain trend information to help the reader understand how the Village's financial performance and well-being have changed over time.

Revenue Capacity 58
These schedules contain information to help the reader assess the Village's most significant local revenue source, the property tax.

Debt Capacity 60
These schedules present information to help the reader assess the affordability of the Village's current levels of outstanding debt and the Village's ability to issue additional debt in the future.

Demographic and Economic Information 68
These schedules offer demographic and economic indicators to help the reader understand the environment within which the Village's financial activities take place.

Operating Information 70
These schedules contain service and infrastructure data to help the reader understand how the information in the Village's financial report relates to the services the Village provides and the activities it performs.

Sources: Unless otherwise noted, the information in these schedules is derived from the annual comprehensive financial reports for the relevant year.

The Village of Estero was incorporated on December 31, 2014. Therefore, fiscal year 2015 is the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.

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Village of Estero, Florida

Net Position by Component

Last Ten Fiscal Years
(accrual basis of accounting)
(unaudited)

Schedule 1

	Fiscal Year									
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Governmental/Primary Government Activities										
Investment in capital assets	$ 30,322	$ 471,087	$25,896,783	$24,798,963	$29,089,008	$38,568,728	$41,861,098	$ 64,858,901	$ 67,213,387	$ 86,580,387
Restricted	559,136	2,312,410	5,514,939	9,714,291	12,243,096	11,742,357	11,753,713	13,236,213	17,062,050	21,778,326
Unrestricted	582,076	5,503,844	13,155,253	21,312,574	23,550,463	24,724,400	29,681,636	32,457,673	40,253,989	31,322,330
Total governmental activities/ primary government net position	$ 1,171,534	$ 8,287,341	$ 44,566,975	$55,825,828	$64,882,567	$75,035,485	$83,296,447	$ 110,552,787	$124,529,426	$ 139,681,043

Note: The Village of Estero does not have business-type activities; therefore, net positions of governmental activities equal total primary government net positions.

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Village of Estero, Florida
Changes in Net Position
Last Ten Fiscal Years
(accrual basis of accounting)
(unaudited)

Schedule 2

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Expenses										
Governmental activities:										
General government	$ 536,623	$ 2,289,683	$ 2,617,224	$ 2,788,737	$ 3,401,752	$ 3,203,219	$ 3,782,713	$ 3,198,109	$ 10,528,425	$ 3,818,736
Public safety	1,080	887,642	1,317,701	1,196,671	1,085,537	1,322,971	1,298,406	1,324,224	1,469,973	1,834,711
Physical environment	6,596	306,643	436,856	345,096	115,558	191,691	1,625,322	363,253	227,947	201,820
Transportation	-	2,548,077	2,237,548	2,196,698	2,412,108	2,904,122	2,494,198	3,513,673	4,300,921	2,444,840
Human services	-	48,428	48,428	22,756	33,879	37,932	49,523	41,972	11,348	77,074
Culture and recreation	-	-	-	-	129,032	88,794	72,756	147,500	606,970	2,907,141
Interest and issuance cost	5,150	-	-	-	608,273	762,353	692,018	479,239	7,959	32,494
Total governmental activities/primary government expenses	549,449	6,080,473	6,657,757	6,549,958	7,786,139	8,511,082	10,014,936	9,067,970	17,153,543	11,316,816
Program Revenues										
Governmental activities:										
Charges for services:										
General government	138	168,073	313,409	279,144	195,212	200,901	250,390	389,657	398,437	360,483
Public safety	-	685,873	1,306,426	1,334,561	1,021,456	1,188,320	1,011,972	1,152,376	1,457,972	1,780,755
Culture and recreation	-	-	-	-	-	-	-	13,146	321,004	272,035
Operating grants and contributions	62,027	-	176,414	177,777	176,336	212,849	723,146	155,768	7,129,720	221,747
Capital grants and contributions	497,081	1,431,918	29,267,345	3,322,274	1,830,982	3,360,893	732,890	2,175,135	4,114,318	4,407,966
Total governmental activities/primary government program revenues	559,246	2,285,864	31,063,594	5,113,756	3,223,986	4,962,963	2,718,398	3,886,082	13,421,451	7,042,986
General Revenues										
Governmental activities:										
Taxes										
Property, levied for general purposes	-	4,589,279	4,699,042	4,819,043	4,955,863	5,054,886	5,109,211	5,280,762	5,723,923	6,150,009
Gas	-	892,944	734,682	749,468	759,317	686,769	932,098	982,493	1,105,622	1,064,479
Franchise	-	1,713,134	2,224,309	2,288,523	2,333,614	2,280,032	2,319,395	2,670,762	3,159,064	3,176,170
Communication services	-	340,416	719,940	794,969	866,260	909,318	869,653	972,497	1,012,911	1,077,930
Local business taxes	6,242	22,640	22,028	22,561	23,047	19,624	20,919	20,997	32,508	21,977
Intergovernmental revenues	1,155,305	3,329,066	3,326,662	3,522,911	3,894,401	4,241,552	6,190,304	21,696,901	5,232,920	5,113,215
Investment earnings	190	18,481	119,081	407,796	680,027	319,602	8,284	69,708	1,291,986	2,710,200
Gain on sale of capital assets	-	-	-	-	-	86,685	-	-	-	-
Miscellaneous	-	4,456	28,053	89,784	106,363	102,569	107,636	879,952	149,797	111,467
Total governmental activities/primary government	1,161,737	10,910,416	11,873,797	12,695,055	13,618,892	13,701,037	15,557,500	32,574,072	17,708,731	19,425,447
Change in Net Position										
Total governmental activities/primary government	$ 1,171,534	$ 7,115,807	$ 36,279,634	$ 11,258,853	$ 9,056,739	$ 10,152,918	$ 8,260,962	$ 27,392,184	$ 13,976,639	$ 15,151,617

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Village of Estero, Florida
Fund Balances of Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)
(unaudited)

Schedule 3

	Fiscal Year									
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
General Fund										
Non-spendable	$ -	$ 14,533	$ 14,633	$ 14,633	$ 14,633	$ 15,201	$ 14,945	$ 14,625	$ 14,525	$ 14,525
Restricted	62,027	-	-	-	-	-	-	-	-	-
Committed	-	-	-	-	5,124,700	6,044,700	6,266,700	3,840,100	4,505,700	9,669,400
Unassigned	580,773	5,568,981	13,118,237	21,257,077	14,625,120	14,228,047	18,042,232	16,133,361	23,161,808	11,364,266
Total General Fund	$ 642,800	$ 5,583,514	$ 13,132,870	$ 21,271,710	$ 19,764,453	$ 20,287,948	$ 24,323,877	$ 19,988,086	$ 27,682,033	$ 21,048,191
All Other Governmental Funds										
Non-spendable, reported in:										
Capital projects fund									$ 15,800	$ 15,800
Restricted	$ 497,109	$ 2,312,410	$ 5,514,939	$ 9,714,291	$ 12,243,096	$ 11,742,357	$ 11,753,713	$ 13,236,213	$ 17,062,050	21,778,327
Assigned, reported in:										
Debt service fund	-	- 0	-	-	4,040,555	4,179,199	5,304,466	-	-	-
Driving range fund	-	-	-	-	-	-	-	123,261	145,517	134,000
Unassigned	-	(101,439)		-	-	-	-	-	-	-
Total all other governmental funds	$ 497,109	$ 2,210,971	$ 5,514,939	$ 9,714,291	$ 16,283,651	$ 15,921,556	$ 17,058,179	$ 13,359,474	$ 17,223,367	$ 21,928,127

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Village of Estero, Florida

Changes In Fund Balances of Governmental Funds

Last Ten Fiscal Years

(modified accrual basis of accounting)

(unaudited)

Schedule 4

	Fiscal Year									
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Revenues										
Taxes	$ 6,242	$ 7,558,413	$ 8,576,415	$ 8,852,341	$ 9,114,437	$ 9,121,444	$ 9,251,276	$ 9,927,511	$ 11,034,028	$ 11,490,565
Licenses and permits	-	685,873	1,306,158	1,854,018	1,020,666	1,187,400	1,011,429	1,152,046	1,457,755	1,780,562
Impact fees	497,081	1,431,918	2,596,943	2,802,274	1,830,982	1,432,917	441,935	1,977,097	4,094,405	4,031,441
Intergovernmental	1,217,332	3,329,066	3,326,662	3,522,911	3,894,401	4,241,552	6,955,483	9,742,576	12,362,640	7,589,398
Charges for services	-	167,589	313,409	279,144	195,212	200,901	250,390	402,803	719,441	632,518
Fines and forfeitures	138	484	268	543	790	920	543	330	217	193
Investment earnings	190	18,481	119,081	407,796	680,027	319,602	8,284	69,708	1,291,986	2,710,202
Contributions from private sources	-	-	-	-	-	89,307	290,954	53,695	-	-
Miscellaneous						$ -				
Other	-	4,456	28,053	89,784	106,363	102,570	107,636	879,952	169,710	487,991
Total revenues	1,720,983	13,196,280	16,266,989	17,808,811	16,842,878	16,696,613	18,317,930	24,205,718	31,130,182	28,722,870
Expenditures										
General government	537,675	2,264,950	2,534,379	2,737,183	3,225,843	2,964,950	3,664,593	3,009,102	10,366,015	3,578,756
Public safety	1,080	875,992	1,300,626	1,177,337	1,064,991	1,305,996	1,285,350	1,315,941	1,470,180	1,834,711
Physical environment	6,596	306,643	436,856	433,352	112,001	191,691	241,108	359,372	225,316	186,320
Transportation	-	2,548,077	1,021,378	457,090	784,925	1,243,529	2,216,002	1,567,819	2,174,350	2,424,939
Human services	-	48,428	48,428	22,756	33,879	37,932	49,523	41,972	11,348	77,074
Culture/recreation	-	-	-	-	129,032	128,094	71,846	147,655	610,866	407,713
Capital outlay	30,573	497,614	71,998	642,901	25,371,816	9,247,823	4,225,884	7,945,956	4,526,587	21,929,442
Debt service						$ -	-	-		
Principal	-	-	-	-	768,416	1,641,295	670,459	17,091,587	179,721	180,503
Interest and issuance cost	5,150	-	-	-	289,872	770,588	720,613	760,810	7,959	32,494
Total expenditures	581,074	6,541,704	5,413,665	5,470,619	31,780,775	17,531,898	13,145,378	32,240,214	19,572,342	30,651,952
Excess (deficiency) of revenues over expenditures	1,139,909	6,654,576	10,853,324	12,338,192	(14,937,897)	(835,285)	5,172,552	(8,034,496)	11,557,840	(1,929,082)
Other Financing Sources (Uses)										
Transfers in	-	-	90,849	494,611	30,546,595	11,178,860	4,925,024	19,778,472	3,620,030	-
Transfers out	-	-	(90,849)	(494,611)	(30,546,595)	(11,178,860)	(4,925,024)	(19,778,472)	(3,620,030)	-
Proceeds from debt	-	-	-	-	20,000,000	996,685	-	-	-	-
Total other financing sources	-	-	-	-	20,000,000	996,685	-	-	-	-
Net change in fund balances	$ 1,139,909	$ 6,654,576	$ 10,853,324	$ 12,338,192	$ 5,062,103	$ 161,400	$ 5,172,552	$ (8,034,496)	$ 11,557,840	$ (1,929,082)

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Village of Estero, Florida
Assessed Value and Estimated Actual Value of Taxable Property
Last Ten Fiscal Years
(unaudited)

Schedule 5

Fiscal Year Ended September 30	Real Property			Personal Property	Less: Allowable Exemptions [2]	Total Taxable Assessed Value	Total Direct Tax Rate	Estimated Actual Market (Just) Value	Taxable Assessed Value as a Percentage of Actual Value
	Residential Property	Commercial Property	Other Property						
2015 [1]	-	-	-	-	-	-	-	-	-
2016	5,962,856,036	690,966,701	158,665,392	150,308,030	1,284,789,616	5,675,825,842	0.8398	6,960,615,458	81.54%
2017	6,443,023,813	782,939,531	192,602,734	166,973,374	1,459,920,847	6,097,421,427	0.7998	7,557,342,274	80.68%
2018	6,889,049,163	741,778,217	213,442,459	180,814,659	1,539,523,465	6,484,202,557	0.7798	8,023,726,022	80.81%
2019	6,869,267,079	741,713,355	206,437,254	189,025,467	1,386,361,871	6,649,259,073	0.7750	8,035,620,944	82.75%
2020	6,916,404,302	762,528,773	352,626,099	203,210,714	1,474,537,084	6,808,708,418	0.7726	8,283,245,502	82.20%
2021	6,948,839,857	780,170,014	369,099,608	219,883,673	1,460,850,590	6,906,637,833	0.7726	8,367,488,423	82.54%
2022	7,317,007,658	840,319,265	406,615,395	235,269,948	1,667,873,721	7,189,827,701	0.7700	8,857,701,422	81.17%
2023	9,478,859,306	907,458,934	440,550,316	244,564,824	3,202,792,112	7,929,707,459	0.7500	11,132,499,571	71.23%
2024	11,898,000,521	1,100,427,418	445,210,424	275,930,231	5,100,424,298	8,680,149,665	0.7400	13,780,573,963	62.99%

Source: *Lee County Property Appraiser.*

Note: *Real property is reassessed every year.*

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 is the first year of operations; however, property taxes were not assessed by the Village of Estero until fiscal year 2016. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *Allowable exemptions include the assessment differential value of capped parcels which is more commonly known as the "Save our Homes" and exemptions.*

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Village of Estero, Florida
Property Tax Rates – Direct and Overlapping Governments
(Per $1,000 of Assessed Value)
Last Ten Fiscal Years
(unaudited)

Schedule 6

	Village of Estero, Florida			Overlapping Rates[2]								
				Lee County			School					Total
Fiscal Year	Operating Millage	Debt Service Millage	Total Village Millage	General Revenue	Library Fund	Total Lee Cty	Local Board	State Law	Total School	Estero Fire District [3]	Other [4]	Direct & Overlapping Rates
2015 [1]	-	-	-	-	-	-	-	-	-		-	-
2016	0.8398	-	0.8398	4.1506	0.5956	4.7462	2.2480	5.0370	7.2850	2.1881	0.6605	14.8798
2017	0.7998	-	0.7998	4.0506	0.5956	4.6462	2.2480	4.7410	6.9890	2.1500	0.6361	15.2211
2018	0.7798	-	0.7798	4.0506	0.5956	4.6462	2.2480	4.4310	6.6790	2.1300	0.6542	14.8892
2019	0.7750	-	0.7750	4.0506	0.4956	4.5462	2.2480	4.1530	6.4010	2.1300	0.6205	14.4727
2020	0.7726	-	0.7726	4.0506	0.4956	4.5462	2.2480	3.8990	6.1470	2.1300	0.5958	14.1916
2021	0.7726	-	0.7726	4.0506	0.4956	4.5462	2.2480	3.8100	6.0580	2.1300	0.5729	14.0797
2022	0.7700	-	0.7700	3.8623	0.4714	4.3337	2.2480	3.6430	5.8910	2.1300	0.5640	13.6887
2023	0.7500	-	0.7500	3.7623	0.4714	4.2337	2.2480	3.3090	5.5570	2.1300	0.5220	13.1927
2024	0.7400	-	0.7400	3.7623	0.4714	4.2337	2.2480	3.1820	5.4300	2.1600	0.5212	13.0849

Source: *Lee County Property Appraiser.*

Note: *The Village's operating millage tax rate may be increased only by a majority vote of the Village Council.*

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 is the first year of operations; however, property taxes were not assessed by the Village of Estero until fiscal year 2016. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *Overlapping rates are those of the local and county governments that apply to property owners within the Village of Estero. Not all overlapping rates apply to all Village of Estero property owners.*

[3] *The Village of Estero has three Fire Districts within its boundaries. Estero Fire Rescue District, 2.1300 millage rate, San Carlos Park Fire District, 2.7500 millage rate, and Bonita Springs Fire District 1.9466 millage rate.*

[4] *Other consists of Lee County Mosquito Control, Lee County Hyacinth Control, South Florida Water Management District and West Coast Inland Navigation District.*

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Village of Estero, Florida
Principal Property Taxpayers
Current Fiscal Year and Nine Fiscal Years Ago
(unaudited)

Schedule 7

	2024			2015 [1]		
Taxpayer	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value
Coconut Point Developers LLC	$ 116,190,925	1	1.47%	-	-	-
Miromar Outlet West LLC	88,356,162	2	1.11%	-	-	-
Fort Myers Reef Acquisitions	65,381,850	3	0.82%	-	-	-
Reserve at Coconut Point LLC	54,516,529	4	0.69%	-	-	-
Hertz Corporation	54,022,061	5	0.68%	-	-	-
Lee Everblades LLC	51,059,775	6	0.64%	-	-	-
CV Fort Myers Borrower LLC	50,820,000	7	0.64%	-	-	-
Lee Terracap LLC	34,150,432	8	0.43%	-	-	-
Coconut Road Estero Apartments	33,212,363	9	0.42%	-	-	-
Lee County Home Associates IV	32,468,531	10	0.41%	-	-	-
Total	$ 580,178,628		7.31%	$ -		0.00%

Source: Lee County Property Appraiser.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the firstyear of operations; however, property taxes were not assessed by the Village of Estero until fiscal year 2016. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

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Village of Estero, Florida
Property Tax Levies and Collections
Last Ten Fiscal Years
(unaudited)

Schedule 8

Fiscal Year Ended Sep 30	Total Tax Levy For Fiscal Year	Collected within the Fiscal Year of the Levy		Collections in Subsequent Years	Total Collections to Date	
		Amount [2]	Percentage of Levy		Amount	Percentage of Levy
2015 [1]	-	-	0.00%	-	-	0.00%
2016	4,766,559	4,588,424	96.26%	(14,372)	4,574,052	95.96%
2017	4,876,718	4,699,042	96.36%	(29,960)	4,669,082	95.74%
2018	5,056,381	4,819,043	95.31%	44,332	4,863,375	96.18%
2019	5,153,176	4,954,539	96.17%	1,324	4,955,863	96.17%
2020	5,260,408	4,956,095	94.21%	(232)	4,955,863	94.21%
2021	5,310,460	5,109,211	96.21%	(155)	5,109,211	96.21%
2022	5,536,495	5,280,762	95.36%	(1,114)	5,279,648	95.36%
2023	5,947,281	5,696,704	96.24%	27,219	5,723,923	96.24%
2024	6,423,311	6,150,009	95.75%	-	6,150,009	95.75%

Source: Lee County Tax Collector.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations; however, property taxes were not assessed by the Village of Estero until fiscal year 2016. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *Property taxes are levied on November 1 of each year, and are due and payable upon receipt of the notice of the levy. A 4% discount is allowed if the taxes are paid in November, with the discount declining by 1% each month thereafter. Accordingly, taxes collected will not be 100% of tax levy. Taxes become delinquent on April 1 of each year, and tax certificates for the full amount of any unpaid taxes and assessments are sold at public auction prior to June 1 of each year. The proceeds collected are remitted to the Village.*

DRAFT

Village of Estero, Florida
Ratios Of Outstanding Debt by Type
Last Ten Fiscal Years
(unaudited)

Schedule 9

	Governmental Activities						
Fiscal Year	General Obligation Bonds	Revenue Bonds	Notes, Loans and Agreements Payable	Lease Payable	Total Primary Government	Percentage of Personal Income [2]	Per Capita [2]
2015 [1]	-	-	-	-	-	-	-
2016	-	-	-	-	-	-	-
2017	-	-	-	-	-	-	-
2018	-	-	-	-	-	-	-
2019	-	-	19,231,584	-	19,231,584	0	-
2020	-	-	17,590,289	-	17,590,289	0.0%	531
2021	-	-	16,919,830	-	16,919,830	0.0%	455
2022	-	-	-	257,039	257,039	0.0%	7
2023	-	-	-	77,318	77,318	0.0%	2
2024	-	-	-	879,293	879,293	0.0%	20

Note: When applicable, details regarding the Village's outstanding debt can be found in the notes to the financial statements.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *See schedule 13 for personal income and population data. These ratios are calculated using personal income and population for prior calendar year.*

DRAFT

Village of Estero, Florida
Ratios of General Bonded Debt Outstanding
Last Ten Fiscal Years
(unaudited)

Schedule 10

Fiscal Year	General Bonded Debt Outstanding: General Obligation Bonds	Less: Amounts Available in Debt Service Fund	Total	Percentage of Estimated Actual Taxable Value of Property	Per Capita
2015 [1]	-	-	-	0.00%	-
2016	-	-	-	0.00%	-
2017	-	-	-	0.00%	-
2018	-	-	-	0.00%	-
2019	-	-	-	0.00%	-
2020	-	-	-	0.00%	-
2021	-	-	-	0.00%	-
2022	-	-	-	0.00%	-
2023	-	-	-	0.00%	-
2024	-	-	-	0.00%	-

Note: When applicable, details regarding the Village's outstanding debt can be found in the notes to the financial statements.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations, Ten-year historic data will be accumulated and reflected in future year's financial statements.*

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Village of Estero, Florida
Direct And Overlapping Governmental Activities Debt
As of September 30, 2024
(unaudited)

Schedule 11

Governmental Unit	Debt Outstanding	Estimated Percentage Applicable	Estimated Share of Overlapping Debt
Debt repaid with property taxes			
Lee County	$ 235,990,000 [1]	22.8% [2]	$ 53,805,720
Village direct debt			879,293
Total direct and overlapping debt			$ 54,685,013

[1] *Lee County Clerk of Court, Finance Division*

[2] *Determined by dividing:*

"Total Taxable Assessed Valuation" from Schedule 5	$ 8,680,149,665
by the "Total Taxable Assessed Value" of Lee County	$ 38,039,559,000

[3] *See Schedule 9 herein.*

[4] *Lee County Property Appraiser*

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Village of Estero, Florida
Legal Debt Margin Information
Last Ten Fiscal Years
(unaudited)

Schedule 12

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Legal debt limit [1]	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total net debt applicable to limit	153,500	-		-	19,231,584	17,590,289	16,919,830	-	257,039	77,318
Legal debt margin	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total net debt applicable to the limit as a percentage of debt limit	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

[1] *No legal debt limit has been established for the Village.*

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Village of Estero, Florida
Demographic And Economic Statistics
Last Ten Fiscal Years
(unaudited)

Schedule 13

Fiscal Year	Population: Village of Estero [1]	Population: Lee County [1]	Lee County [1]: Total Personal Income (in thousands) [2]	Village of Estero: Per Capita Personal Income [1]	Village of Estero: Median Age [1]	Lee County [1]: School Enrollment [3]	Village of Estero: Unemployment Rate [3]
2015	30,118	665,562	29,096,374	43,717	60.2	79,446	5.1%
2016	30,565	680,255	29,738,708	43,717	60.2	79,446	4.5%
2017	30,945	698,185	35,534,824	50,896	60.2	79,446	4.6%
2018	31,806	713,618	37,787,500	52,952	61.0	79,446	4.0%
2019	32,412	734,890	39,146,855	53,269	61.7	79,446	3.4%
2020	33,120	750,493	40,284,963	53,678	64.2	95,578	6.4%
2021	37,213	782,579	46,647,969	59,608	65.8	95,023	4.0%
2022	37,842	802,178	50,725,726	63,235	59.9	97,264	3.0%
2023	42,943	822,453	52,007,815	63,235	60.0	100,169	3.9%
2024	42,943	840,698	58,375,547	69,437	48.0	101,369	3.1%

Data Sources:

[1] *Lee County Economic Development*

[2] *Determined by multiplying population by per capita income.*

[3] *Lee County School Board Impact Report*

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Village of Estero, Florida
Principal Employers [2]
Current Fiscal Year and Nine Fiscal Years Ago
(unaudited)

Schedule 14

	2024 [3]			2015 [1]		
Employer	Employees	Rank	Percentage of Total County Employment	Employees	Rank	Percentage of Total County Employment
Total	-		-	-		-

Source: Florida Gulf Coast University

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements as data becomes available.*

[2] *Information listed is for Lee County as statistics for Village of Estero are unavailable.*

[3] *The Fiscal Year 2024 information for schedule 14 was not available at the time of statement issuance.*

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Village of Estero, Florida
Full-Time Equivalent Village Government Employees by Function
Last Ten Fiscal Years
(unaudited)

Schedule 15

	Full-time Equivalent Employees as of September 30									
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Function										
General Government	5	7.0	8.5	10.5	11.0	12.0	12.0	12.0	12.0	12.0
Total	5.0	7.0	8.5	10.5	11.0	12.0	12.0	12.0	12.0	12.0

Source: Village of Estero Annual Budget as amended.

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Village of Estero, Florida
Operating Indicators by Function [2]
Last Ten Fiscal Years
(unaudited)

Schedule 16

	Fiscal Year									
	2015 [1]	2016 [1]	2017 [1]	2018 [1]	2019 [1]	2020 [1]	2021 [1]	2022 [1]	2023 [1]	2024 [1]
Function										
General Government	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-

Note: Operating Indicators are not available for General Government function.

Source: Various Village of Estero Departments

[1] *The Village does not maintain Operating Indicators by Function; therefore, data is not available.*

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Village of Estero, Florida
Capital Asset Statistics by Function [2]
Last Ten Fiscal Years
(unaudited)

Schedule 17

	Fiscal Year									
	2015 [1]	2016 [1]	2017 [1]	2018 [1]	2019 [1]	2020 [1]	2021 [1]	2022 [1]	2023 [1]	2024 [1]
Function										
General Government	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-

[1] *The Village does not maintain Capital Asset Statistics by Function; therefore, data is not available.*

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Single Audit Report

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CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF BASIC FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

DRAFT

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero, Florida 33928

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America, the basic financial statements of the governmental activities, each major fund and the non-major fund of the Village of Estero (the "Village") as of and for the year ended September 30, 2024, and the related notes to the financial statements which collectively comprise the Village's basic financial statements as listed in the table of contents and have issued our report thereon dated May 22, 2025.

Internal Control Over Financial Reporting
In planning and performing our audit of the financial statements, we considered the Village's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Village's internal control. Accordingly, we do not express an opinion on the effectiveness of the Village's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a

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material misstatement of the basic financial statements will not be prevented or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined previously. However, material weaknesses may exist have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Village of Estero's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under Government Auditing Standards. The instance of noncompliance noted is disclosed in our Independent Auditor's Report to Management.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Village's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Village's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

DRAFT

HSC/TUSCAN & COMPANY, P.A.
Fort Myers, Florida
May 22, 2025

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CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS

INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE WITH SECTION 218.415, FLORIDA STATUTES

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero, Florida 33928

We have examined the Village of Estero's compliance with Section 218.415, Florida Statutes, regarding the investment of public funds during the year ended September 30, 2024. Management is responsible for the Village of Estero's compliance with those requirements. Our responsibility is to express an opinion on the Village of Estero's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the Village of Estero's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the Village of Estero's compliance with specified requirements.

In our opinion, the Village of Estero complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2024.

This report is intended solely for the information and use of the Village of Estero, management and the Auditor General, State of Florida, and is not intended to be and should not be used by anyone other than these specified parties.

HSC/TUSCAN & COMPANY, P.A.
Fort Myers, Florida
May 22, 2025

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VILLAGE OF ESTERO, FLORIDA
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
Year Ended September 30, 2024

Grantor Agency/Program Title	Federal CFDA/ Number	Grantor's Number	Federal Expenditures
FEDERAL AGENCY			
U.S. Department of Treasury			
TYPE A - MAJOR			
Passed through State of Florida			
Division of Emergency Management			
Coronavirus State and Local Fiscal Recovery Funds	21.027	Y5078	$ 2,254,436
TOTAL EXPENDITURES OF FEDERAL FINANCIAL AWARDS			$ 2,254,436

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VILLAGE OF ESTERO, FLORIDA
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
Year Ended September 30, 2024

NOTE A - BASIS OF PRESENTATION

The Schedule of Expenditures of Federal Awards has been prepared on the accrual basis of accounting in conformity with accounting principles generally accepted in the United States of America and is in accordance with the provisions of the OMB Uniform Guidance.

Expenditures reported on the Schedule of Expenditures of Federal Awards include cash disbursements, whether capitalized or expensed, during the fiscal year as well as grant related amounts recorded as payable at year end. Revenues reported on the Schedule of Expenditures of Federal Awards include cash receipts, whether recognized or deferred, as well as grant receivables recorded at year end.

NOTE B - INDIRECT COSTS

The Village did not allocate indirect costs to Federal Awards. Costs charged to such programs were direct costs.

The Village has elected not to use the 10% de minimus indirect cost rate allowed under the Uniform Guidance.

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CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS

Independent Auditor's Report on Compliance for Each Major Program and on Internal Control Over Compliance Required by the Uniform Guidance

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero , Florida 33928

Report on Compliance for Each Major Federal Program
We have audited Village of Estero's (the "Village") compliance with the types of compliance requirements described in the OMB Compliance Supplement, as applicable, that could have a direct and material effect on each of Village of Estero's major federal program for the year ended September 30, 2024. Village of Estero's major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility
Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its major federal program.

Auditor's Responsibility
Our responsibility is to express an opinion on compliance for the Village of Estero's major federal program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America; and audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" ("Uniform Guidance"). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Village of Estero's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

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We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of Village of Estero's compliance with those requirements.

Opinion on Each Major Federal Program
In our opinion, Village of Estero's complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2024.

Report on Internal Control Over Compliance
Management of Village of Estero is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered Village of Estero's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Village of Estero's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be deficiencies, material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

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Purpose of the Report
The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

HSC/TUSCAN & COMPANY, P.A.
Fort Myers, Florida
May 22, 2025

DRAFT

VILLAGE OF ESTERO, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS - FEDERAL AWARDS
Year ended September 30, 2024

Section I – Summary of Auditor's Results

Financial Statements

Type of auditor's report issued			Unmodified	
Internal control over financial reporting:				
Control deficiency(ies) identified?	_____	Yes	X	No
Significant deficiency(ies) identified?	_____	Yes	X	No
Material weakness(es) identified?	_____	Yes	X	None reported
Noncompliance material to financial statements noted?	_____	Yes	X	No

Federal Awards

Internal control over major programs:				
Control deficiency(ies) identified?	_____	Yes	X	No
Significant deficiency(ies) identified?	_____	Yes	X	No
Material weakness(es) identified?	_____	Yes	X	None reported
Type of auditors report issued on compliance for major programs			Unmodified	
Any audit findings disclosed that are required to be reported in accordance with 2 CFR, Section 200.516(a)?	_____	Yes	X	No

Identification of major programs (Type A):

CFDA Number(s)	Name of Federal Program or Cluster
	U.S. Department of Treasury
21.027	Coronavirus State and Local Fiscal Recovery Funds

Dollar threshold used to distinguish between Type A and Type B programs: Threshold used was $750,000.

Auditee qualified as low-risk auditee?	X	Yes	_____	No

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VILLAGE OF ESTERO, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS - FEDERAL AWARDS, CONTINUED
Year ended September 30, 2024

Listing of Subrecipients and matching amounts passed-through:

None - not applicable

Section II- Financial Statement Findings
There were no deficiencies, material weaknesses, or instances of noncompliance related to the financial statements.

Section III- Federal Award Findings and Questioned Costs
There were no audit findings related to Federal Awards required to be reported by 2 CFR, Section 200.516(a).

Section IV- Status of Federal Prior Year Findings
There were no prior year findings.

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Other Reports

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INDEPENDENT AUDITOR'S REPORT TO MANAGEMENT

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero, Florida 33928

We have audited the accompanying basic financial statements of the Village of Estero (the "Village") as of and for the year ended September 30, 2024 and have issued our report thereon dated May 22, 2025.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America and Chapter 10.550, Rules of the Florida Auditor General. We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and Compliance and Other Matters based on an audit of the financial statements performed in accordance with Government Auditing Standards and Chapter 10.550, Rules of the Florida Auditor General. Disclosures in those reports, which were dated May 25, 2024, should be considered in conjunction with this report to management.

DRAFT

Additionally, our audit was conducted in accordance with Chapter 10.550, Rules of the Auditor General, which governs the conduct of local governmental entity audits performed in the State of Florida. This letter included the following information, which is not included in the aforementioned auditor's report:

- Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were two prior year financially significant comments. The prior year comments were repeated in the current year and appear to be resolved.

- Section 10.554(1)(i)2., Rules of the Auditor General, requires that we address in the management letter any recommendations to improve financial management. No such recommendations were noted to improve financial management.

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- Section 10.554(1)(i)3., Rules of the Auditor General, requires that we address violations or noncompliance with provisions of contracts or grant agreements, or abuse, that have an effect on the financial statements that is less than material but more than inconsequential. In connection with our audit, we did not have any such findings.

- Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in the management letter, unless disclosed in the notes to the financial statements. The Village discloses this information in the notes to the financial statements.

- Section 10.554(1)(i)5.a., Rules of the Auditor General, requires a statement be included as to whether or not the local government entity has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that the Village did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

- Pursuant to Sections 10.554(1)(i)5.b and 10.556(7), Rules of the Auditor General, we have applied financial condition assessment procedures pursuant to Rule 10.556(8). It is management's responsibility to monitor the Village's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same. In connection with our audit, we determined that the Village did not meet any of the criteria of a deteriorating financial condition described in Auditor General Rule Section 10.554(1)(i)(5).a.

- Pursuant to Section 10.554(1)(i)5.b.2, Rules of the Auditor General, if a deteriorating financial condition(s) is noted then a statement is so required along with the conditions causing the auditor to make such a conclusion. No such conditions were noted.

- Pursuant to Section 10.554(1)(i)5.c., Rules of the Auditor General, requires a statement indicating a failure, if any, of a component unit to provide financial information necessary to a proper reporting of the component unit within the audited financial statements of this entity (F.S. Section 218.39(3)(b)). There are no known component units required to report or included within these financial statements.

- Section 10.556(10)(a), Rules of the Auditor General, requires that the scope of our audit to determine the entity's compliance with the provisions of Section 218.415, Florida Statutes, regarding the investment of public funds. In connection with our audit, we determined that the Village complied with Section 218.415, Florida Statutes as reported in our Independent Accountant's Report on Compliance with Section 218.415, Florida Statutes May 22, 2025, included herein.

DRAFT

PRIOR YEAR COMMENTS:

2022-01 Expenditures in Excess of Budget

During the audit, we noted that the Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund. Florida Statute Chapter 166.241(2) prohibits such excess expenditures.

We recommend the Village budget its audited carryforward in each fund which will provide a contingency and help to eliminate the potential of an over expenditure. Alternately, expenditures in excess of budget should be monitored and avoided.

2023 Addendum:

During the current year audit, we noted that the Village had expenditures in excess of its final approved budget in one fund; the driving range fund. Florida Statute Chapter 166.241(2) prohibits expenditures in excess of the approved budget.

We recommend the Village continue to budget its audited carryforward in each fund which will provide a contingency and help to eliminate the potential of an over expenditure. Alternately, expenditures in excess of budget should be monitored and the budget amended if circumstances require additional expenditures.

Current Year Addendum:

During the current year audit, we also noted that the Village had expenditures in excess of its final approved budget in one fund; the driving range fund. Florida Statute Chapter 166.241(2) prohibits expenditures in excess of the approved budget.

We would usually continue to recommend the Village continue to budget its audited carryforward in each fund which will provide a contingency and help to eliminate the potential of an over-expenditure. However, given that the driving range operations ceased in April 2024, this comment is considered resolved.

2023-01 Uncleared Bank Account Items Should be Investigated and Properly Disposed

During the audit, we noted 3 items outstanding in the operating cash account over 12 months old. Per F.S. 717.113 unclaimed items over 12 months old should be properly disposed.

We recommend that the Village investigate these items and properly dispose of them.

Current Year Addendum:

During the audit, we noted 1 item in the operating cash account over 12 months old. However, the Village has disposed of the item during the transfer to the new Tyler Munis accounting system. Per F.S. 717.113 unclaimed items over 12 months old should be properly disposed. The Village is therefore in compliance with the above Statute.

This comment is considered resolved.

DRAFT

CURRENT YEAR COMMENTS:

2024-01 One Quarterly Report Was Two (2) Days Late

The Federal Grant CFDA 21.027 requires quarterly reporting within last day of the month following quarter end. The report for the quarter ended December 31, 2023, was filed two (2) days late. Management of the Village states the Village was understaffed at the time in the midst of an accounting software conversion. The Village is aware of the reporting requirement and is committed to timely reporting in the future.

2024-02 Journal Entries Were Posted to the General Ledger After the Audit Process Began

As the result of the software conversion, many journal entries were required during the audit process. This resulted in unbalanced funds and confusion with many large differences being noted and an extended closeout process.

Routinely, we would recommend that the Village cease to post entries once the audit has begun and wait until the end of the audit so to prevent future confusion. However, once these software issues were resolved, this likely won't be an issue in the future.

Pursuant to Chapter 119, Florida Statutes, this management letter is a public record and its distribution is not limited. Auditing standards generally accepted in the United States of America require us to indicate that this letter is intended solely for the information and use of the Village of Estero, management, the Auditor General of the State of Florida and other federal and state agencies. This report is not intended to be and should not be used by anyone other than these specified parties.

DRAFT

HSC/TUSCAN & COMPANY, P.A.
Fort Myers, Florida
May 22, 2025

Village of ESTERO

May 30, 2025

Joanne Ribble
District One

Larry Fiesel
District Two

Jon McLain
Vice Mayor
District Three

Katy Errington
Mayor
District Four

Jim Boesch
District Five

Jim Ward
District Six

Jim Wilson
District Seven

Steve Sarkozy
Village Manager

Robert D. Pritt
Interim
Village Attorney

HSC/Tuscan & Company, PA
12621 World Plaza Lane, Building 55
Fort Myers, FL 33907

Re: **Management Letter for Fiscal Year Ended September 30, 2024**

This letter will confirm receipt of your management letter reviewed by us.

Current Year Comment: The Federal Grant CFDA 21.027 requires quarterly reporting within last day of the month following quarter end. The report for the quarter ended December 31, 2023, was filed two (2) days late. Management of the Village states the Village was understaffed at the time in the midst of an accounting software conversion. The Village is aware of the reporting requirement and is committed to timely reporting in the future.

Current Year Management's Response: The Village is aware the report was submitted two days late as the Finance staff was going through an accounting software conversion and had multiple vacant positions. There was no non-compliance as a result and as of today, all subsequent reports have been submitted on time.

Current Year Comment: As the result of the software conversion, many journal entries were required during the audit process. This resulted in unbalanced funds and confusion with many large differences being noted and an extended closeout process.

Routinely, we would recommend that the Village cease to post entries once the audit has begun and wait until the end of the audit so to prevent future confusion. However, once these software issues were resolved, this likely won't be an issue in the future.

Current Year Management's Response: The Village believes these software issues are resolved and future audits will not include significant adjustment entires.

DRAFT

Village of Estero | 9401 Corkscrew Palms Circle | Estero, FL 33928 | Phone: 239.221.5035 | Fax: 239.494.5343 | www.Estero-fl.gov

Steven R. Sarkozy
Village Manager

Kevin Greenville, CPA
Village Finance Director

DRAFT

May 22, 2025

HSC/Tuscan & Company, P.A.
1470 Royal Palm Square Blvd
Fort Myers, FL 33919

This representation letter is provided in connection with your audit of the financial statements of the Village of Estero, Florida, (the "Village") which comprise the respective statements of governmental activities, each major fund and the non-major fund as of September 30, 2024, and the respective changes in financial position for the year then ended, and the related notes to the financial statements including all supplementary information, for the purpose of expressing an opinion as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP) and Government Auditing Standards.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm, to the best of our knowledge and belief, as of May 22, 2025, the following representations made to you during your audit.

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated October 11, 2018, as further updated on October 20, 2020, March 13, 2023, and June 6, 2024, including our responsibility for the preparation and fair presentation of the financial statements in accordance with the applicable criteria.
2. We acknowledge our responsibility for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.
3. We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud.
4. Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
5. The financial statements referred to above are fairly presented in conformity with accounting principles generally accepted in the United States of America and are in

accordance with Government Auditing Standards, include all properly classified funds of the Village required by accounting principles generally accepted in the United States of America to be included in the financial reporting entity and in accordance with F.S.218.39(2) and State of Florida Auditor General Rule, Chapter 10.550.

6. We have made available to you all financial records and related data.
7. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
8. We have a process to track the status of audit findings and recommendations, if any.
9. There are no material transactions that have not been properly recorded in the accounting records underlying the financial statements.
10. There has been no:
    (a) Fraud involving the Council members, management or employees who have significant roles in internal control.
    (b) Fraud involving others that could have a material effect on the financial statements.
11. The Village has no plans or intentions that may materially affect the carrying value or classification of assets, liabilities or fund equity.
12. The following, if any, have been properly recorded or disclosed in the financial statements:
    (a) Related party transactions including revenues, expenditures/expenses, loans, transfers, leasing arrangements, guarantees and amounts receivables from or payable to related parties.
    (b) Guarantees, whether written or oral, under which the Village is contingently liable.
    (c) All accounting estimates that could be material to the financial statements, including the key factors and significant assumptions underlying those estimates, and we believe the estimates are reasonable in the circumstances.
13. We are responsible for the Village's compliance with laws and regulations applicable to it; and we have identified, and disclosed to you, all laws and regulations that have a direct and material effect on the determination of financial statements amounts.
14. There are no:
    (a) Violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting and amending budgets), terms of contractual agreements, and any debt covenants whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency.
    (b) Unasserted claims or assessments that our lawyer has advised us are probable of assertion and must be disclosed in accordance with Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 450 "Contingencies" (formerly Statement of Financial Accounting Standards No. 5, *Accounting for Contingencies).*

(c) Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by FASB Accounting Standards Codification (ASC) 450 "Contingencies" (formerly Statement of Financial Accounting Standards No. 5).

(d) Assignments or designations of fund equity that were not properly authorized and approved.

15. The Village has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.

16. The Village has complied with all aspects of debt agreements, laws and regulations, including federal, state, and local laws and contractual agreements that would have a material effect on the financial statements in the event of noncompliance.

17. With respect to federal and state award programs, we have received no such monies.

18. Management has identified all significant matters requiring disclosure.

19. Neither the Village Council members nor any of the Village's employees or management have any material direct or indirect financial interest in any transaction consummated with the Village other than approved compensation and expenses budgeted for such persons.

20. All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed. No events have occurred subsequent to the balance sheet date that would require adjustments to, or disclosure in, the financial statements. Also, no changes have occurred in the Village's internal control system or in other factors that might significantly affect the internal control system.

21. We believe the Village's capital outlay expense is properly accounted for and the respective assets are safeguarded and have been properly accounted for.

22. We do not believe the Village to be in a state of financial emergency or a state of deteriorating financial condition as defined by Florida Statute 218.503. We are not aware that the Village has been declared in a state of financial emergency by any regulatory agency.

23. We believe the effects of the unposted financial statement adjustments summarized in the attached schedules are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. No such adjustments were noted.

24. We confirm we are in compliance with Florida Statute Chapter 218.415 regarding investments and policies related to such.

25. We confirm that the budgets reflected in financial statements accurately reflects the original approved budget and the final approved budget. We also confirm to you, that we have complied with all applicable laws and regulations in adopting, approving and amending our budget and that the final budget equals the actual expenditure amounts on a GAAP budgetary basis.

26. We confirm that the travel expenditures were in accordance with FS 112.061 and were properly reimbursed.

27. The Village abided by all required bid procedures for the procurement of goods and services during the year.

28. The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.
29. We believe that adequate supervisory controls are in place over cash disbursements and electronic transfers.
30. We represent to you that adequate supervisory controls are in place over program and data changes made by IT personnel.
31. We have disclosed to you the identity of the Village's related parties and all the related party relationships and transactions of which we are aware.
32. The Village has been and currently is in compliance with all its contracts.
33. We have reviewed the use of credit cards and represent that all expenditures made by credit card have been determined to be valid expenditures.
34. We believe management has adequately communicated to our staff how the Village's internal controls serve to prevent, deter and detect fraud.
35. We believe that no fraud has occurred within the Village within the fiscal year audited and from the fiscal year end to the date of this letter. Further, we believe the Village has adequate internal controls to prevent, deter, detect and correct fraud.
36. We represent that the accrual and usage of accrued compensated absences during the year as well as the balance at September 30, 2024 is accurate.
37. The financial statements properly classify all funds and activities.
38. All funds that meet the quantitative criteria in GASB Statement Nos. 34 and 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
39. Deposits and investments securities are properly classified in category of custodial credit risk.
40. Required supplementary information (RSI), budget and actual statement is measured and presented within prescribed guidelines.
41. We represent the financial statements including the related notes, MD&A and the supplementary information are complete, true and accurate.
42. The appropriate members of management have reviewed and approved the proposed journal entries, if any. We confirm those entries have been posted.
43. We have no knowledge of any fraud, any allegations of fraud or suspected fraud affecting the entity received in communication from employees, former employees, regulators, or others.
44. We responded completely and truthfully to all your requests, both written and oral, related to the audit of fiscal year ended September 30, 2024.
45. We are aware of no information that, had you been informed of such information, you may have changed or amended the financial statements, your auditor's report and/or disclosures as of and for the year ended September 30, 2024.

46. We have evaluated and classified any subsequent events as recognized or non-recognized through the date of this letter. No events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements.
47. As part of your audit process, we prepared the draft financial statements and related notes. We have designated a competent management-level individual with suitable skill, knowledge or experience to oversee your services and have made all management decisions and performed management functions. We have prepared, approved and accepted responsibility for those financial statements and related notes.
48. We confirm to you we have the ability to produce financial statements in accordance with accounting principles generally accepted in the United States of America.
49. We confirm we believe we have adequate controls over posting journal entries.
50. We have provided you with:
    (a) Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation and other matters.
    (b) Additional information that you have requested from us for the purposes of the audit.
    (c) Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
51. All material transactions have been recorded in the accounting records and are reflected in the financial statements.
52. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
53. We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or abuse, whose effects should be considered when preparing financial statements.
54. We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.
55. There are no component units or joint ventures with an equity interest, or other related organizations, that would require disclosure.
56. The financial statements properly classify all funds and activities.
57. Deposits and investment securities are properly classified as to risk and are properly disclosed.
58. Revenues and expenditures are appropriately classified.
59. Interfund, internal, intra-entity activity and balances have been appropriately classified and reported.

60. With respect to federal awards and state financial assistance programs:

(a) We are responsible for complying with the requirements of the Uniform Guidance, the Florida Single Audit Act (F.S. 215.97), Auditor General Rule 10.550, and any other applicable law and regulation and provisions of contracts and grant agreements. Further, we confirm the District is in compliance with all federal and state grant awards effective for the year ended September 30, 2024.

(b) We have identified all awards provided by federal and state agencies in the form of grants, contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, direct appropriations, insurance and other assistance received for the purpose of administering federal and state programs. We have also made records available to you relating to such financial awards directly, as well as indirectly, as pass-through awards.

(c) We have identified, and complied within all material respects, the compliance requirements set forth in the OMB Uniform Guidance Compliance Supplement.

(d) We are responsible for establishing and maintaining, and have established and maintained, effective internal control over compliance requirements applicable to federal programs that provides reasonable assurance that we are managing our federal and state awards in compliance with laws, regulations, and the provisions of contracts and grant agreements that could have a material effect on our federal programs. We believe the internal control system is adequate and is functioning as intended. Also, no changes have been made in internal control over compliance and other factors to the date of this letter that might negatively affect internal control.

(e) We have no subrecipients to which Federal or State grant monies are passed.

(f) We know of no amounts questioned and no known violations of requirements that, if not complied with, could have a material effect of a Federal or State award program

(g) We have properly identified and recorded such monies that we have been awarded from such programs during the fiscal year ended September 30, 2024.

(h) We have identified and complied with all material respects, the Compliance Requirements set forth in OMB Uniform Guidance and the compliance supplement as they relate to the federal programs and the Florida Single Audit Act (F.S.215.97) as they relate to the State programs.

(i) We have disclosed to you our interpretation of compliance requirements that may have varying interpretations.

(j) We have charged costs to Federal and State awards in accordance with applicable cost principles.

(k) We have made available to you all documentation related to the compliance requirements, including information related to Federal and State programs financial reports and claims for advances and reimbursements.

(l) We are responsible for and have reviewed the auditee section of the Data Collection Form as required by OMB Uniform Guidance, and we are responsible for preparing and implementing a corrective action plan for each audit finding.

(m) We confirm the schedule of expenditures of federal awards is complete and accurate.

61. We agree to hold HSC/Tuscan & Company, P.A. harmless and to release, indemnify and defend you from any and all liability and costs, including attorney fees, resulting from contracted professionals', consultants', management's and/or employees' knowing misrepresentation to you.

62. Capital assets are properly capitalized, reported, and, if applicable, depreciated.

63. With respect to the supplementary information:

(a) We acknowledge our responsibility for presenting the supplementary information in accordance with accounting principles generally accepted in the United States of America, and we believe the combining statements including their form and content, are fairly presented in accordance with accounting principles generally accepted in the United States of America. The methods of measurement and presentation of the combining statements have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.

Sincerely,

Steven R. Sarkozy
Village Manager

Joanne Ribble
Mayor

George Zalucki
Vice-Mayor

Carol M. Sacco
Village Clerk

Kevin Greenville, CPA
Finance Director

HSC/Tuscan & Company, PA
CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS

M E M O R A N D U M

DATE: **May 22, 2025**

TO: **Village of Estero**

SUBJECT: **Review and approval of financial statement draft – September 30, 2024**

This is a memo of acknowledgement. Auditors are required to maintain their independence in fact and appearance as well as to maintain a high degree of integrity. As such, auditors cannot perform management functions or make management decisions and cannot audit their own work or provide non-audit services in situations where the amounts or services involved are significant to the subject matter of the audit. Therefore, management of the Village must recognize that they are responsible for the financial statements and related notes thereto and its representations.

We have included a draft of the financial statements and related notes thereto for your review and approval.

With regards to subsequent events, please complete the following:

> Based on our review of the draft financial statements and related notes thereto, all financially significant subsequent events, if any, are properly recognized in the financial statements and/or disclosed in the related notes thereto except for the following (if none, please indicate "NONE"):
> None

Signature below confirms to us that management has read the financial statements and related notes thereto, understands and agrees with the content, and approves them to be bound. Your signature also indicates you confirm that you are responsible for the financial statements and approve them.

Upon receipt of this memorandum and the representation letters signed by management, we will proceed with binding the financial statements.

Steven R. Sarkozy
Village Manager

Joanne Ribble
Mayor

George Zalucki
Vice-Mayor

Carol M. Sacco
Village Clerk

Kevin Greenville, CPA
Finance Director

May 22, 2025

HSC/Tuscan & Company, P.A.
1470 Royal Palm Square Blvd
Fort Myers, Florida 33919

In connection with your engagement to apply agreed-upon procedures to perform an examination of our compliance with investment provisions in accordance with the requirements of Section 218.415, Florida Statutes for the year ended September 30, 2024, we confirm, to the best knowledge and belief, the following representations made to you during your engagement:

1. We are in compliance with Section 218.415, Florida Statutes as of September 30, 2024 and for the year then ended.

2. We have supplied you a full and complete listing of all bank and investment accounts used during the year ended September 30, 2024.

3. We confirm all cash and investment funds held during the year ended September 30, 2024 are either fully insured by the FDIC or subject to coverage of Florida Statute Section 280 as per F.S. 218.415(17).

4. We confirm all financial institutions used during the year ended September 30, 2024 are designated as Florida "public depositories" and all accounts therein are designated as "public funds".

5. There have been no irregularities or illegal acts that have occurred within the last fiscal year related to the investment of surplus funds.

6. We have made available to you all information that we believe is relevant.

7. We have responded fully and truthfully to all inquiries made to us by you during your examination.

Sincerely,

Steven R. Sarkozy
Village Manager

Joanne Ribble
Mayor

George Zalucki
Vice-Mayor

Carol M. Sacco
Village Clerk

Kevin Greenville, CPA
Finance Director