VILLAGE OF ESTERO
PLANNING ZONING AND DESIGN BOARD MEETING
PACKET
OCTOBER 20, 2026, 04:30 PM

www.Estero-fl.gov

The Village Planning Zoning and Design Board 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

PLANNING ZONING AND DESIGN BOARD MEETING

9401 Corkscrew Palms Circle, Estero, Florida

October 20, 2026, 04:30 pm

1. **Call To Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Agenda**
5. **Business**

   Items on the agenda are generally treated in sequential order, and due to the length of the agenda any or all of the items listed for discussion may be rescheduled to a later date for consideration. **The public will have an opportunity to speak during each agenda item; each individual has one opportunity to speak for five minutes per agenda item.**

   a. **Consent Agenda**

      i. **Approval of September 15, 2026 meeting minutes**

      Attachment: 09152026 PZDB Minutes.pdf

6. **PUBLIC HEARING (Quasi-Judicial)**

The public will have an opportunity to speak for five minutes per agenda item.

a. **Coconut Point Zoning and DRI Amendments-- Waypoint Residences (DCI2026-E002 and DRI2026-E001) (District 6) 8021 Cinema Way. This is a redevelopment of the Regal Coconut Point Mall theater which closed in 2022. The completed project area will extend from Cinema Way to Via Coconut.**

The applicant seeks to demolish the cinema and redevelop the area into a 355-unit 4-story apartment building with an adjacent parking garage and shared surface parking.

A Public Information Meeting was held January 13, and a Workshop was held March 10, 2026.

See Staff Report, Draft Zoning Ordinance and DRI Amendment.

Planning Zoning and Design Board will make a recommendation to Village Council.

Attachment: 1. Coconut Point MPD PDA - DCI2026-E002 Draft Staff Report.pdf
Attachment: 2. Attachment A - Maps.pdf
Attachment: 3. Attachment B - Master Concept Plan.pdf
Attachment: 4. Attachment C - Line of Sight Exhibit.pdf
Attachment: 5. Attachment D - Pattern Book.pdf
Attachment: 6. Attachment E - DRAFT Ordinance 2026-XX.pdf
Attachment: 7. Attachment F - Coconut Point MPD TIS Review Memorandum.pdf
Attachment: 8. Attachment G - Coconut Point MPD PDS Review Memorandum.pdf
Attachment: 9. 8- Day Letter- Waypoint Residential_ Coconut Point.pdf
Attachment: 10. Coconut Point MPD PDA - Presentation Revised.pdf
Attachment: Coconut Point DRI DO Eleventh Amendment rev.10-2-2026 gibbs changes.pdf

7. Board Communications

a. Next meeting -November 17, 2026

8. Adjourn

General Attachments

- eComments

Remote Attachment:

eComments (https://estero-fl.gov/ecomment-cards/.) (https://estero-fl.gov/ecomment-cards/.)

Final Action Agenda/Minutes are supplemented by audio and video recordings of the meetings, as well as transcripts. Video recordings of Design Review Board meetings from June 8, 2016, forward, as well 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

Planning Zoning and Design Board Meeting

Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
September 15, 2026 4:30 p.m.

1. CALL TO ORDER: 4:33 p.m.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

Present: Board Members James Tatooles, Al Paivandy, Kristin Jeannin, Dan Williams, and Vice Chairman Sheeley. Absent: Board Members Barry Jones, Jim Wallace, and Chairman Anthony Gargano.

Also present: Village Land Use Attorney Erica Augello, Planner Aymee Chavez, Assistant Community Development Director/Assistant Village Manager Michael Manning, and Deputy Village Clerk Tammy Duran.

4. APPROVAL OF AGENDA:

Vice Chairman Sheeley announced that the order of the agenda will be 7 (a) HomeBase Estero (Pending Application) (District 5), 6(a) Leo Brown Group/Mission Grove of Estero, Plaza Del Sol, Parcel G – East (DCI2026-E004) (District 4), and 7(b) Woodfield/Coconut Road CPD (Pending Application) (District 1).

A motion to approve the agenda was made and duly passed.

5. BUSINESS:

(a) Consent Agenda

(1) Approval of July 21, 2026 meeting minutes

A motion to approve the consent agenda was made and duly passed.

7. PUBLIC INFORMATION

(a) HomeBase Estero (Pending Application) (District 5)
North of Everblades Parkway N., east of Tiburon Way and west of Ben Hill Griffin Parkway

Applicant seeks to develop a 26,000 square foot standalone veteran clinic for office/outpatient clinical use on 2 acres in front of Tidewater Development.

Staff Presentation/Comments
Aymee Chavez, Planner

Presentation/Information by
Isabella Ramos, Suffolk Design
Armando Hernandiz, Home Base
Dean Martin, TDM Consulting
Josh Kelley, Landscape Architect

Public Comment
In-Person
Alan White, Tidewater

Board Questions or Comments
Board Members Tatooles, Jeannin, Paivandy, Williams, and Vice Chairman Sheeley

6. WORKSHOP

(a) Leo Brown Group/Mission Grove of Estero, Plaza Del Sol, Parcel G – East (Pending Application) (District 4)
10251 Arcos Avenue, north of Culver's and Auto Zone.

Review of revised architectural design element only for proposed 163 Assisted Living Facility/Continuing Care Facility/ on 7 acres.

Staff Presentation/Comments
Aymee Chavez, Planner

Presentation/Information by
Neale Montgomery, Esq., Pavese Law Firm
Glen Baurhyte, Forum Architecture & Interior Design

Public Comment
None

Board Questions or Comments
Board Members Tatooles, Jeannin, Paivandy, and Vice Chairman Sheeley

7. PUBLIC INFORMATION

(b) Woodfield/Coconut Road CPD (Pending Application) (District 1)
Located at the northwest corner of US 41 and Coconut Road.

Applicant seeks to amend the Master Concept Plan to allow for commercial use and parking deviation on the two northerly tracts adjacent to US 41 in place of residential multifamily use.

Staff Presentation/Comments
Michael Manning, Assistant Community Development Director/Assistant Village Manager.

Presentation/Information by
Ross Abramson, Woodfield Development

Public Comment
None

Board Questions or Comments
Board Members Tatooles, Jeannin, Paivandy, and Vice Chairman Sheeley

8. BOARD COMMUNICATIONS

(a) Next meeting – October 20, 2026

9. ADJOURNMENT: 5:54 pm.

_____
Tammy Duran
Deputy Village Clerk

Coconut Point Apartments
Zoning Staff Report

For Planning Zoning and Design Board

October 20, 2026

PROJECT NAME:	**Coconut Point MPD/DRI Amendments**
CASE TYPE:	**Amendment to Planned Development and Amendment to Development of Regional Impact**
CASE NUMBER:	**DCI2026-E002 and DRI 2026-E001**
PLANNING ZONING & DESIGN BOARD DATE:	**October 20, 2026**

SUMMARY OF REQUEST

The applicant is requesting an amendment to the Coconut Point Mixed-Use Planned Development (MPD) and Development of Regional Impact (DRI) to allow a 355-unit, 4-story multifamily building within the Coconut Point Mall parking lot on the former site of the vacant Regal movie theater, located south of Target and north of The Residences of Coconut Point. The applicant is also requesting a parking deviation.

The applicant is proposing:

- A four-story building with 355 multifamily units
- A four-story structured parking garage and shared surface parking

RECOMMENDATION

Staff recommends approval with conditions in the draft ordinance.

GENERAL INFORMATION

Applicant
Chris Moore – Waypoint Residential, Managing Director, Florida Development

Authorized Agent
Bowman Consulting Group

Location
The subject property is located within the parking lot of Coconut Point Mall, where the vacant Regal movie theater is currently located.

Surrounding Zoning and Land Use
North Coconut Point Mall 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, then US 41

Zoning
Mixed Use Planned Development (MPD). The property is also governed by a DRI Development Order for the 482-acre Coconut Point property.

Comprehensive Plan Land Use Category
Transitional Mixed Use

Zoning 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 January 13, 2026. A workshop was held on March 10, 2026. The applicant's summary of the meeting is attached.

STAFF ANALYSIS

The zoning amendment would allow development of a four-story, 355-unit multifamily residential building at the site of the vacant Regal movie theater within Coconut Point Mall. The existing movie theater would be demolished as part of the proposed development.

Master Concept Plan
The Master Concept Plan shows the following:

- The proposed four-story, 355-unit multifamily building
- The four-story structured parking garage and shared surface parking area
- Outdoor amenity areas, including several courtyards
- Recycling/refuse area and existing Via Coconut Point landscape buffer
- Pedestrian connections to the shopping center and Via Coconut Point
- Vehicle Access to the multifamily building from Via Umbria Way off Via Coconut Point, with additional access to the surface parking area from the internal mall roadway via Via Monte Carlo Way

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 properties.

The proposed Pattern Book includes a connectivity plan, master concept plan, conceptual landscape plan, architectural elevations, color and material samples, and architectural renderings.

Architecture
The proposed development incorporates Mediterranean elements, including towers, balconies, arched windows and openings, covered walkways, and a warm earth-tone color palette that is consistent with the new paint colors recently approved for Coconut Point. The building façade along Via Coconut Point includes recessed U-shaped building sections that create inner courtyards which will provide some visual relief along the façade. In response to comments received, the applicant has reduced the overall building height from five to four stories.

The four-story structured parking garage is integrated into the overall building design and incorporates complimentary architectural features, materials, and colors to create a more cohesive appearance.

Height & Line of Sight Exhibit
The proposed multifamily residential building will have a maximum height of 44 feet, 6 inches to the parapet, with a maximum of four stories permitted. The line-of-sight exhibit provided by the applicant indicates that the single-family residences within the Shadow Wood community, located across Via Coconut Point and the railroad, are approximately 400 feet away from the east side of the proposed building. Based on the exhibit, limited visibility of the rooftops of the Shadow Wood residences from the proposed fourth story is shown only at the northeast corner of the development. From the remaining areas, the residences are obscured by the existing vegetative buffer along the railroad.

Schedule of Uses
The permitted uses will include multiple family units and accessory uses in Tract 2A.

Pedestrian Connections
Sidewalks and pedestrian walkways will be provided between the parking lot and the proposed building. Pedestrian connections will be provided to Via Coconut Point and to the commercial retail shops and restaurants within Coconut Point Mall through sidewalks and crosswalks. Bicycle racks are proposed along the north side of the building, adjacent to the recycling/refuse area.

Signage
No signage has been requested as part of this amendment.

Flood
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 has provided a Surface Water Narrative describing the existing and proposed surface water management system. The narrative indicates the following:

- The existing water management system collects runoff from developed areas and internal roadways and directs it to existing water management treatment basins located throughout the mall.

- The mall contains multiple outfall structures that discharge stormwater into adjacent wetlands and existing swales.

- The subject property currently drains into an existing lake located east of Via Coconut Point. The water management basins discharge to adjacent wetlands and swales, that flow north to existing wetland slough.

Project Density and Compatibility Review

The property is located within the Coconut Point Development of Regional Impact. The Comprehensive Plan category is Transitional Mixed Use which has a density of 1-6 units per acre for horizontal mixed use and single use. Density is based on the overall density for the DRI (1,624 units on 482 acres) which is 3.4 units per acre.

While the net density of this specific project is much higher based on the footprint of the site, density for a DRI is evaluated based on the overall DRI, rather than the individual development area. DRI's maintain their rights to their approvals under Chapter 38.06 Florida Statutes. This DRI is based on a certain maximum number of vehicle trips, so any additional units would require a reduction in other uses to ensure no net increase in traffic.

Staff was concerned about the intensity of the project. The number of units has been reduced from what was originally proposed to staff.

In evaluating compatibility, the original proposal has been modified from the requested 5 stories to 4 stories. This height is similar to the hotel that was recently approved south of and adjacent to this site, and similar in height to the nearby Residences which are 3-story over parking with some 2-story over commercial retail.

The original design of the building was somewhat massive, and the applicant has modified the design based on PZDB and staff comments to better integrate within the mall, modify the parking structure to be more compatible, and modify the building design along Via Coconut to add recesses and courtyards. The line of sight exhibits indicate that only the tops of the building will be visible from the nearest homes in The Brooks.

The original proposal was for a 5-story building which staff did not support. The revised proposal is compatible with nearby uses and provides an opportunity for redevelopment of the vacant movie theater. Multifamily use, if properly designed, can help activate the shopping center area.

Transportation

The applicant has provided a detailed Traffic Impact Statement analyzing the traffic impacts of the 355-unit multifamily project. The Traffic Analysis illustrates the following:

- Primary access to this development will be provided via Via Umbria Way to the north, with access to Via Monte Carlo Way to the south, and access by internal roadways and the Coconut Point parking lot to the west.

- Via Coconut Point is projected to operate at a Level of Service "D" in 2031 with or without the addition of the project traffic. Therefore, no roadway capacity improvements will be required.
- The existing turn lanes along Via Coconut Point are of sufficient length to accommodate the additional trips anticipated from this proposed change in use.
- The change from theater to multifamily use will result in a reduction of traffic from 4,680 daily trips (Friday) to 1,598 daily trips.
- The multifamily building will generate 1,598 daily two-way trips, with 141 a.m. peak hour and 131 p.m. peak hour trips.
- Transportation impacts were paid by the developer through proportionate share payments and pipelined improvements surrounding the property years ago, based on total traffic impacts.

While this project will add additional traffic primarily to Via Coconut Point, since the movie theater has been vacant, it will not increase total trips over what was originally analyzed and approved and will not create any level of service issues.

Parking and Deviation Request

The applicant proposes a four-story structured parking garage with 648 spaces within the building footprint and shared surface parking west of the building with an additional 156 parking spaces. The applicant has also requested a deviation for a parking reduction.

The applicant prepared a Parking Demand Study to support a parking reduction. The study evaluated parking demand at several apartment complexes in Lee County, Cape Coral, Fort Myers and Estero, as well as parking calculations by the Institute of Traffic Engineers (ITE) manual.

Estero's Land Development Code requires 2 spaces per multifamily unit, plus 10% of the total for visitor parking. Based on 355 proposed units, the required parking would be 781 spaces.

The applicant proposes 648 spaces in the parking garage, with 145 additional surface parking adjacent to the apartments. These surface spaces are owned by Simon and would be shared spaces.

Village staff used an independent traffic consultant (Trebilcock Consulting) to evaluate the applicant's request. After review, the Village's consultant recommended a parking calculation of 1.8 spaces per unit, which is an 18% reduction supported by higher local demand data but less than the applicant's requested 30% reduction. The applicant agrees with this reduction. At 1.8 spaces, there is sufficient space in the parking garage, while there will be additional spaces in the shared lot.

Perimeter Buffers and Landscaping

There is an existing 15-foot landscape buffer along Via Coconut Point. It appears that some shrubs are missing from the buffer area. The applicant proposes to supplement the existing buffer by installing a solid hedgerow, maintained at a height of 48 inches, in areas where gaps currently exist. According to the applicant, no additional internal buffers are proposed because they would create a separation between the uses within the established Coconut Point MPD.

Staff had requested that the applicant install additional trees adjacent to the building to help soften the building mass along Via Coconut and in other areas as reviewed and approved by the Planning Zoning and Design Board.

Staff is recommending a condition that the applicant install and maintain median landscaping on Via Coconut Point similar to several other developments along the roadway, including Genova, Via Coconut and Edera.

Utilities
Utilities will be provided by Bonita Springs Utilities. BSU will provide comments through the development order and the BSU Application to Construct process.

Fire
Estero Fire Department indicated they had no comments at this time.

Development of Regional Impact (DRI) Review
Multifamily residential use is permitted within Coconut Point; however, the development is subject to an overall limit on the number of residential units. Existing residential development within the Coconut Point MPD/DRI, including Rapallo, The Reserve at Coconut Point, and The Residences at Coconut Point, has reduced the number of units remaining under the current entitlements. As a result, an amendment to the MPD and DRI is necessary to allow the proposed 355 units.

There are 450 units allocated to Area 2 (Simon property) where this project is proposed. There have been 349 units constructed, leaving 101 units available.

In order to approve the requested 355 units, other uses must be reduced to ensure that there is no net increase in vehicle trips. The applicant proposes reducing commercial square footage by 11,800 square feet, which would be the equivalent number of trips for the 254 multifamily units.

The DRI was originally approved by Lee County on October 21, 2002, and this will be the eleventh amendment 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:
The Transitional Mixed Use Future Land Use category allows a broad range of commercial and residential uses, subject to applicable compatibility standards, and is intended to support a mix of uses that contribute to a live/work/play environment. Coconut Point MPD is an established mixed-use development that includes a variety of commercial retail, health care, hotel, and multifamily residential uses. The proposed multifamily residential use, if properly designed and integrated, will be consistent

with the residential uses currently established within the Coconut Point MPD and would add additional housing opportunities within an area where residential, commercial, and other complimentary uses are located within close proximity.

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 Via Coconut Point and the Coconut Point shopping center.

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 proposed multifamily residential development is consistent with the existing mixed-use character of the Coconut Point MPD, which includes a variety of commercial, residential, and health care uses. The development will utilize the existing roadway and pedestrian network within the Coconut Point shopping center and provide additional pedestrian connections to Via Coconut Point. The project will maintain the existing landscape buffer along Via Coconut Point and provide additional landscaping within the outdoor courtyard areas and parking lot landscape islands. The proposed building, structured parking garage, landscaping, and outdoor amenity areas are designed to integrate with the existing development through the use of similar and complementary architectural features and the recently approved color palette consistent with the established character of the Coconut Point MPD.

DEVIATION

The applicant requested one deviation from the Village of Estero Land Development Code:

Deviation 1 *requests relief from LDC Table 5-204.B.1, Minimum Number of Off-street Parking Spaces, which establishes a minimum number of vehicular parking spaces for multiple-family dwellings of 2 spaces per dwelling unit plus 10% additional for visitor uses, to allow for a minimum number of vehicular parking spaces for multiple-family dwellings of 1.5 spaces per dwelling unit with no additional parking for visitor uses. This deviation is limited to the multiple-family development proposed as part of the requested amendment.*
Staff Comment: See Parking and Deviation Request section. Staff recommends approval of a deviation to 1.8 spaces per unit.

CONCLUSION

Staff has proposed the following findings for the MPD Amendment if the Planning Zoning and Design Board wishes to recommend approval of 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 multifamily residential development will be located within an existing Mixed-Use Planned Development that includes a variety of residential, commercial, and other uses. The proposed use is consistent with the mixed-use character and intent of the Transitional Mixed-Use Future Land Use designation.

2. The Planned Development Amendment as conditioned will not conflict with any portion of the Land Development Code.

   Staff Comment: The proposed amendment is consistent with the applicable requirements of the LDC, except for the requested parking deviation.

3. The Planned Development Amendment will address a community need.

   Staff Comment: The site currently includes a vacant Regal movie theater and associated parking. The proposed amendment would provide additional housing opportunities within an established mixed-use development and support the live/work/play intent of the Transitional Mixed Use Future Land Use designation.

4. The Planned Development Amendment as conditioned will be compatible with existing and planned uses surrounding the subject land.

   Staff Comment: The proposed amendment, as conditioned, will be compatible with the existing and planned uses in the surrounding area, which includes a mix of 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 would allow multifamily residential development within an established mixed-use development at a site currently occupied by a vacant movie theater and associated parking. The development pattern within the Coconut Point MPD is already established.

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.

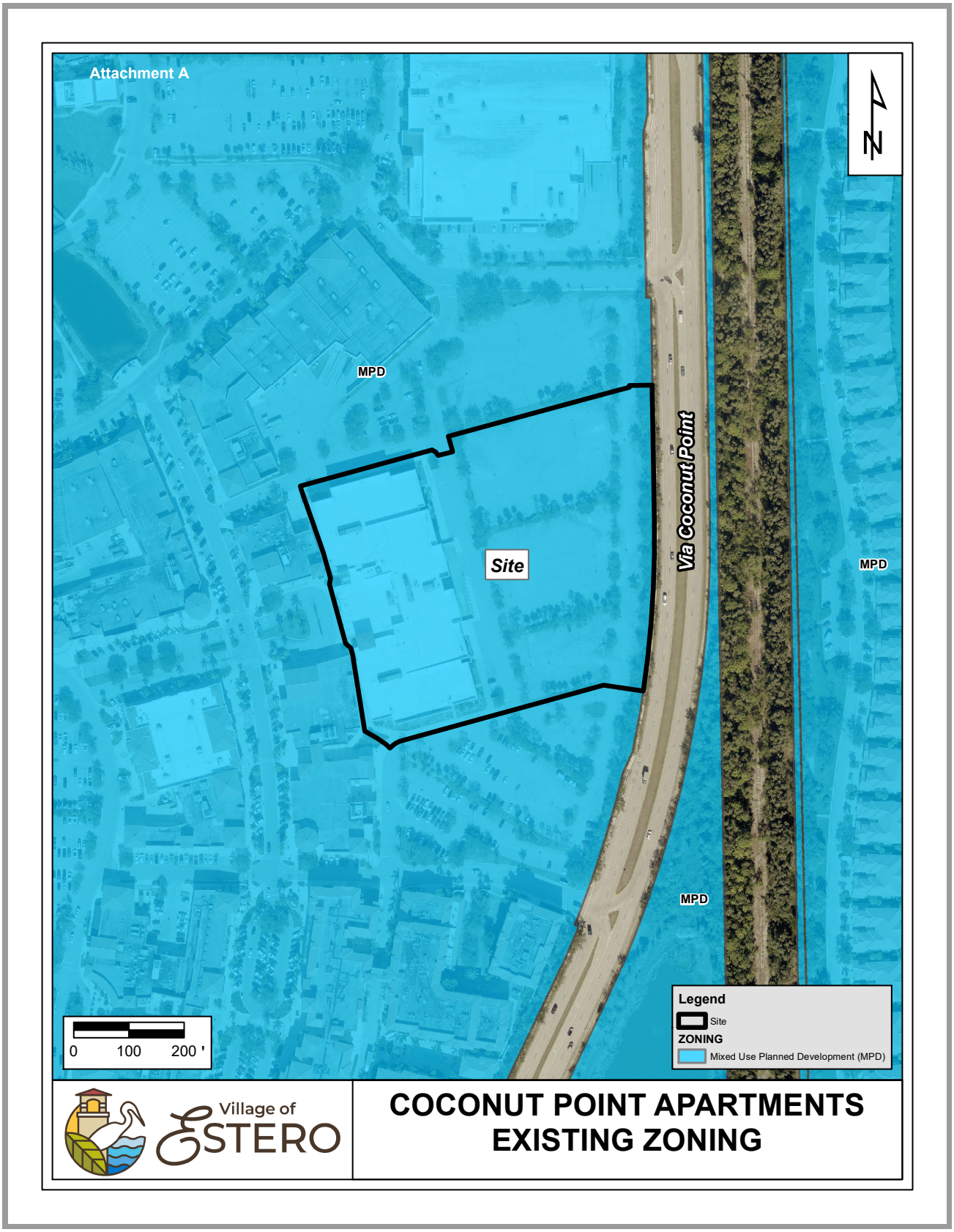
   Staff Comment: The proposed amendment will not adversely affect the natural environment as the site is already developed and paved.

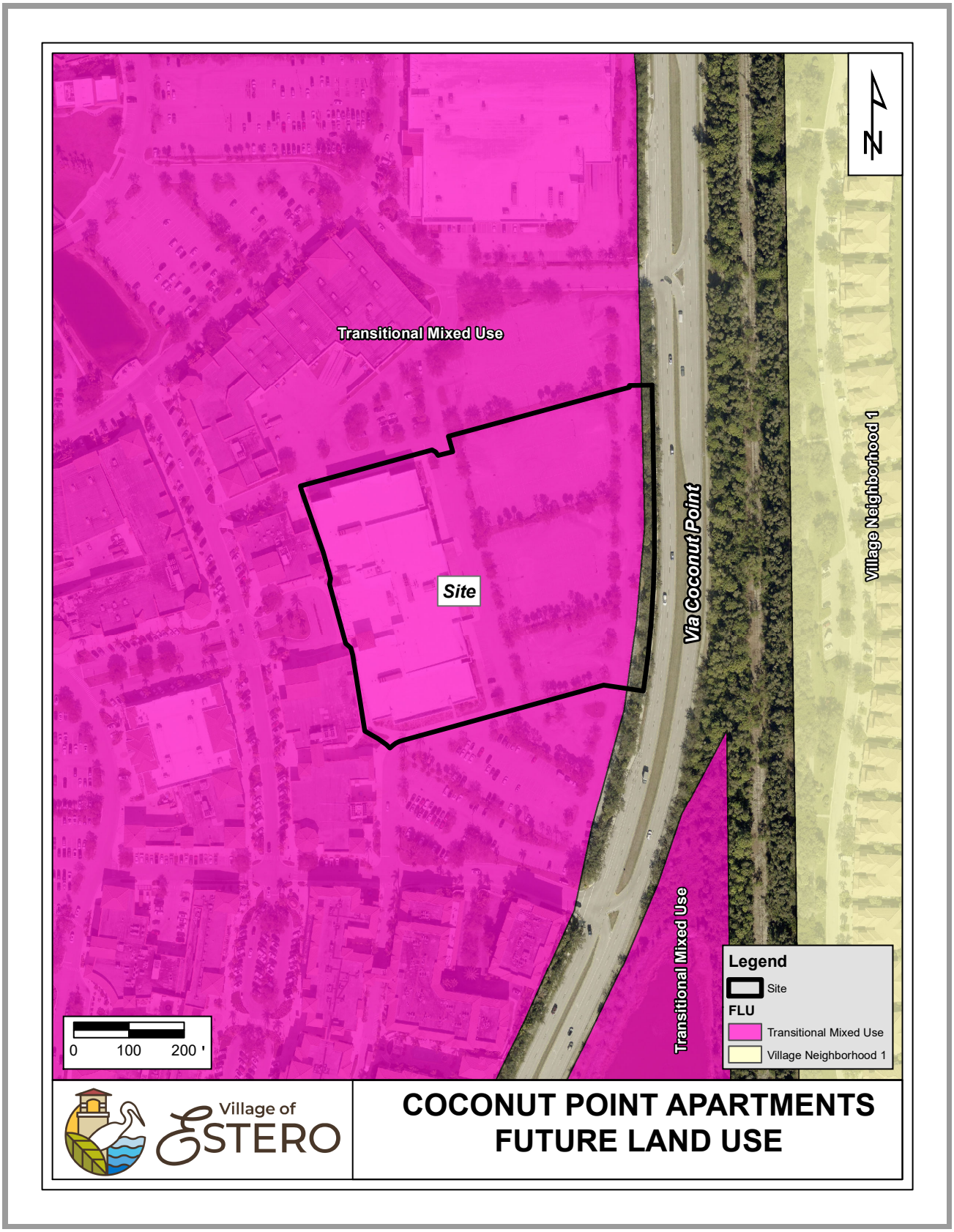
9. The Planned Development Amendment is compatible with existing or planned uses in the surrounding area.

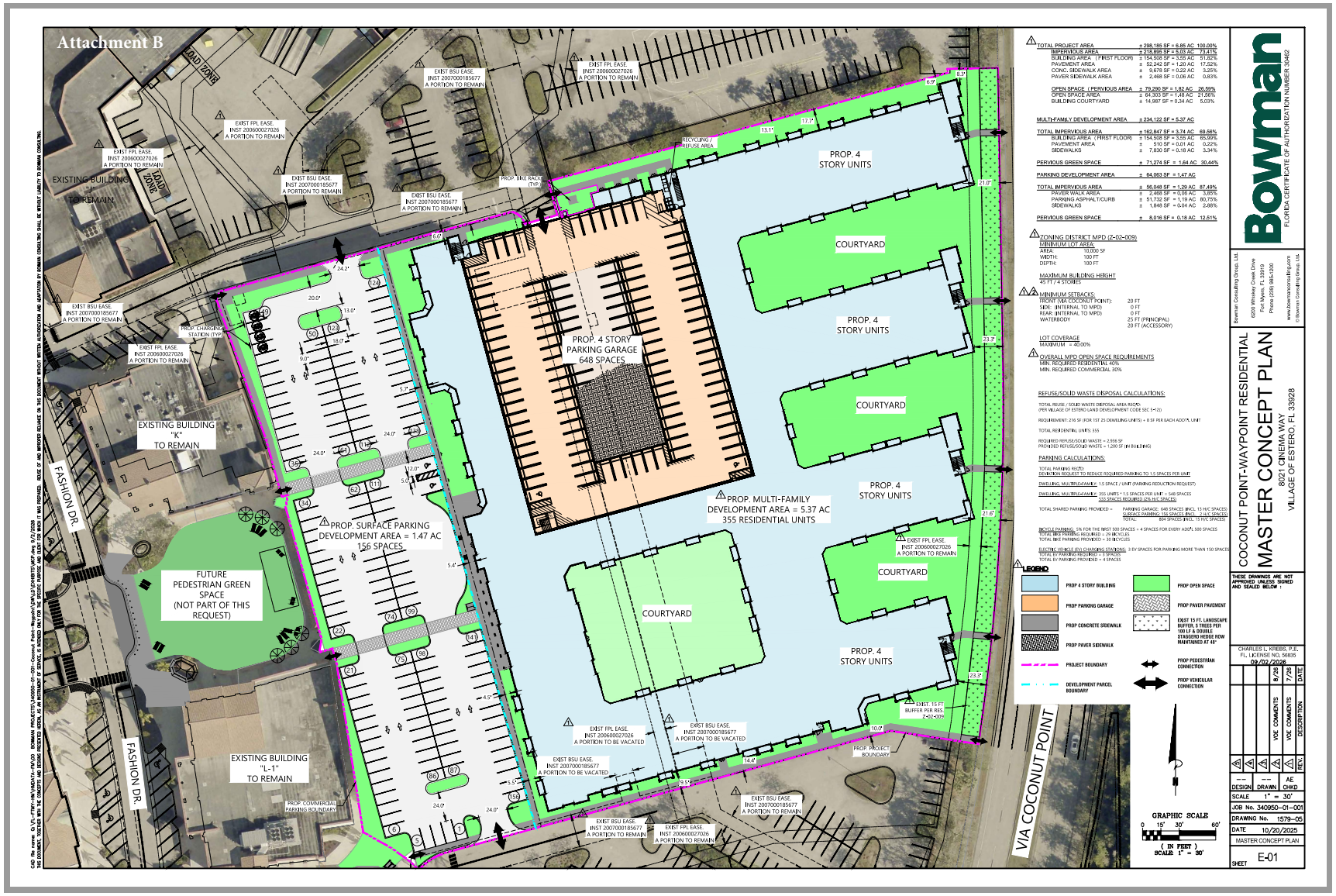
   Staff Comment: The proposed amendment, with the staff recommended conditions, will be compatible with the surrounding area and the established mix of residential, commercial, and other uses within the Coconut Point MPD.

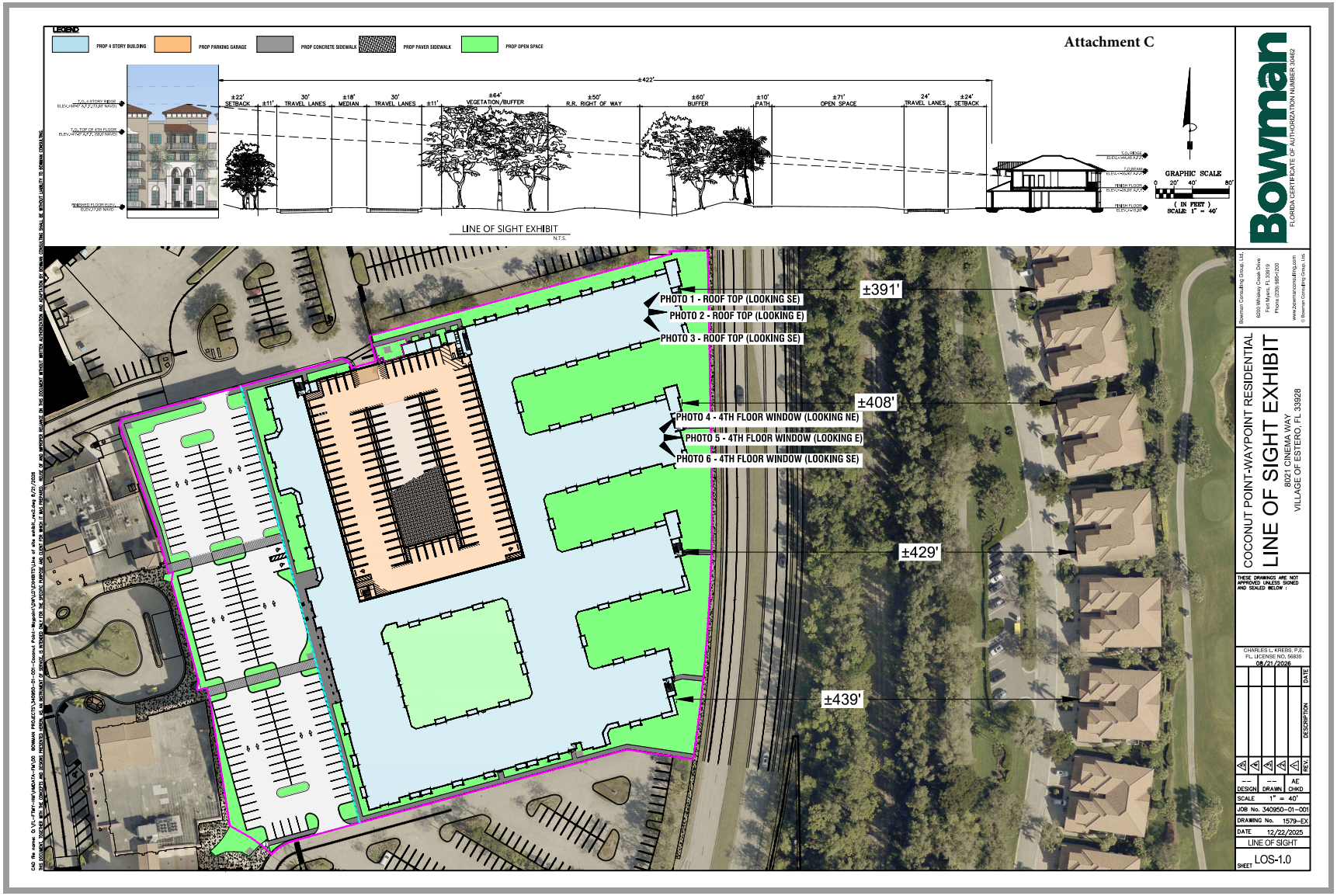
ATTACHMENTS:

A. Maps – Zoning and Future Land Use
B. Master Concept Plan
C. Line of Sight Exhibit
D. Pattern Book
E. Zoning Ordinance
F. Coconut Point MPD Traffic Impact Statement Review Memorandum dated August 17, 2026
G. Coconut Point MPD Parking Demand Study Review Memorandum dated August 17, 2026


Attachment A
N
MPD
Site
Via Coconut Point
MPD
MPD
0
100
200 '
Legend
Site
ZONING
Mixed Use Planned Development (MPD)
Village of
ESTERO
COCONUT POINT APARTMENTS
EXISTING ZONING


Transitional Mixed Use
Site
Via Coconut Point
Village Neighborhood 1
Transitional Mixed Use
N
0
100
200 '
Legend
Site
FLU
Transitional Mixed Use
Village Neighborhood 1
Village of
ESTERO
COCONUT POINT APARTMENTS
FUTURE LAND USE


Attachment B
PROP. 4 STORY UNITS
COURTYARD
PROP. 4 STORY PARKING GARAGE 648 SPACES
PROP. MULTI-FAMILY DEVELOPMENT AREA = 5.37 AC 355 RESIDENTIAL UNITS
PROP. SURFACE PARKING DEVELOPMENT AREA = 1.47 AC 156 SPACES
EXISTING BUILDING "K" TO REMAIN
EXISTING BUILDING "L-1" TO REMAIN
EXISTING BUILDING TO REMAIN
FUTURE PEDESTRIAN GREEN SPACE (NOT PART OF THIS REQUEST)
FASHION DR.
VIA COCONUT POINT
PROP. PROJECT BOUNDARY
PROP. COMMERCIAL PARKING BOUNDARY
PROP. CHARGING STATION (TYP.)
PROP. BIKE RACKS (TYP.)
RECYCLING / REFUSE AREA
LOAD ZONE
EXIST FPL EASE. INST 200600027026 A PORTION TO REMAIN
EXIST BSU EASE. INST 200700185677 A PORTION TO REMAIN
EXIST FPL EASE. INST 200600027026 A PORTION TO BE VACATED
EXIST BSU EASE. INST 200700185677 A PORTION TO BE VACATED
EXIST. 15 FT BUFFER PER RES. 7-02-009
GRAPHIC SCALE
0 15' 30' 60'
(IN FEET)
SCALE: 1" = 30'
LEGEND
PROP 4 STORY BUILDING
PROP PARKING GARAGE
PROP CONCRETE SIDEWALK
PROP PAVER SIDEWALK
PROJECT BOUNDARY
DEVELOPMENT PARCEL BOUNDARY
PROP OPEN SPACE
PROP PAVER PAVEMENT
EXIST 15 FT. LANDSCAPE BUFFER, 5 TREES PER 100 LF & DOUBLE STAGGERED HEDGE ROW MAINTAINED AT 48"
PROP PEDESTRIAN CONNECTION
PROP VEHICULAR CONNECTION
TOTAL PROJECT AREA ± 298,185 SF = 6.85 AC 100.00%
IMPERVIOUS AREA ± 218,895 SF = 5.03 AC 73.41%
BUILDING AREA (FIRST FLOOR) ± 154,508 SF = 3.55 AC 51.82%
PAVEMENT AREA ± 52,242 SF = 1.20 AC 17.52%
CONC. SIDEWALK AREA ± 9,678 SF = 0.22 AC 3.25%
PAVER SIDEWALK AREA ± 2,468 SF = 0.06 AC 0.83%
OPEN SPACE (PERVIOUS AREA ± 79,290 SF = 1.82 AC 26.59%
OPEN SPACE AREA ± 64,303 SF = 1.48 AC 21.56%
BUILDING COURTYARD ± 14,987 SF = 0.34 AC 5.03%
MULTI-FAMILY DEVELOPMENT AREA ± 234,122 SF = 5.37 AC
TOTAL IMPERVIOUS AREA ± 162,847 SF = 3.74 AC 69.56%
BUILDING AREA (FIRST FLOOR) ± 154,508 SF = 3.55 AC 65.99%
PAVEMENT AREA ± 510 SF = 0.01 AC 0.22%
SIDEWALKS ± 7,830 SF = 0.18 AC 3.34%
PERVIOUS GREEN SPACE ± 71,274 SF = 1.64 AC 30.44%
PARKING DEVELOPMENT AREA ± 64,063 SF = 1.47 AC
TOTAL IMPERVIOUS AREA ± 56,048 SF = 1.29 AC 87.49%
PAVER WALK AREA ± 2,468 SF = 0.06 AC 3.85%
PARKING ASPHALT/CURB ± 51,732 SF = 1.19 AC 80.75%
SIDEWALKS ± 1,848 SF = 0.04 AC 2.88%
PERVIOUS GREEN SPACE ± 8,016 SF = 0.18 AC 12.51%
ZONING DISTRICT MPD (Z-02-009)
MINIMUM LOT AREA:
AREA: 10,000 SF
WIDTH: 100 FT
DEPTH: 100 FT
MAXIMUM BUILDING HEIGHT
45 FT / 4 STORIES
MINIMUM SETBACKS:
FRONT (VIA COCONUT POINT): 20 FT
SIDE: (INTERNAL TO MPD) 0 FT
REAR: (INTERNAL TO MPD) 0 FT
WATERBODY 25 FT (PRINCIPAL)
20 FT (ACCESSORY)
LOT COVERAGE
MAXIMUM = 40.00%
OVERALL MPD OPEN SPACE REQUIREMENTS
MIN. REQUIRED RESIDENTIAL 40%
MIN. REQUIRED COMMERCIAL 30%
REFUSE/SOLID WASTE DISPOSAL CALCULATIONS:
PARKING CALCULATIONS:
Bowman
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 30462
Bowman Consulting Group, Ltd.
6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone (239) 985-1200
www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
COCONUT POINT-WAYPOINT RESIDENTIAL
MASTER CONCEPT PLAN
8021 CINEMA WAY
VILLAGE OF ESTERO, FL 33928
THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED AND SEALED BELOW :
CHARLES L. KREBS, P.E.
FL. LICENSE NO. 56835
09/02/2026
DESIGN -- DRAWN -- CHKD AE
SCALE 1" = 30'
JOB No. 340950-01-001
DRAWING No. 1579-05
DATE 10/20/2025
MASTER CONCEPT PLAN
SHEET E-01


LEGEND
PROP 4 STORY BUILDING
PROP PARKING GARAGE
PROP CONCRETE SIDEWALK
PROP PAVER SIDEWALK
PROP OPEN SPACE
Attachment C
±422'
±22' SETBACK
±11'
30' TRAVEL LANES
±18' MEDIAN
30' TRAVEL LANES
±11'
±64' VEGETATION/BUFFER
±50' R.R. RIGHT OF WAY
±60' BUFFER
±10' PATH
±71' OPEN SPACE
24' TRAVEL LANES
±24' SETBACK
GRAPHIC SCALE
0 20' 40' 80'
(IN FEET)
SCALE: 1" = 40'
LINE OF SIGHT EXHIBIT
N.T.S.
PHOTO 1 - ROOF TOP (LOOKING SE)
PHOTO 2 - ROOF TOP (LOOKING E)
PHOTO 3 - ROOF TOP (LOOKING SE)
±391'
PHOTO 4 - 4TH FLOOR WINDOW (LOOKING NE)
PHOTO 5 - 4TH FLOOR WINDOW (LOOKING E)
PHOTO 6 - 4TH FLOOR WINDOW (LOOKING SE)
±408'
±429'
±439'
Bowman
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 30462
Bowman Consulting Group, Ltd.
6300 Whiskey Creek Drive
Fort Myers, FL 33919
Phone (239) 985-1200
www.BowmanConsulting.com
© Bowman Consulting Group, Ltd.
COCONUT POINT-WAYPOINT RESIDENTIAL
LINE OF SIGHT EXHIBIT
8021 CINEMA WAY
VILLAGE OF ESTERO, FL 33928
THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED AND SEALED BELOW :
CHARLES L. KREBS, P.E.
FL. LICENSE NO. 56835
08/21/2026
DESIGN
DRAWN
CHKD
SCALE 1" = 40'
JOB No. 340950-01-001
DRAWING No. 1579-EX
DATE 12/22/2025
LINE OF SIGHT
SHEET LOS-1.0


EXISTING RESIDENTIAL ROOFTOPS
EXISTING RESIDENTIAL ROOFTOPS
PHOTO #1
PHOTO #2
PHOTO #3
NORTHEAST CORNER
4TH FLOOR WINDOW VIEW
PHOTO #4
PHOTO #5
PHOTO #6
LOCATION #2
4TH FLOOR WINDOW VIEW
Bowman
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 30462
Bowman Consulting Group, Ltd.
6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone (239) 985-1200
www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
COCONUT POINT-WAYPOINT RESIDENTIAL
LINE OF SIGHT EXHIBIT
8021 CINEMA WAY
VILLAGE OF ESTERO, FL 33928
THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED AND SEALED BELOW :
CHARLES L. KREBS, P.E.
FL. LICENSE NO. 56835
04/17/2026
REV. DESCRIPTION DATE
DESIGN -- DRAWN -- CHKD AE
SCALE 1" = 40'
JOB No. 340950-01-001
DRAWING No. 1579-EX
DATE 12/22/2025
LINE OF SIGHT
SHEET LOS-1.1

COCONUT POINT APARTMENTS

Attachment D

SUPPLEMENTAL PATTERN BOOK



INDEX

1. Cover
2. Context Plan & Existing Conditions
3. Site Connectivity
4. Site Connectivity - Cycling Distance
5. Master Concept Plan & Data
6. Conceptual Landscape Plan
7. Elevations
8. Elevations
9. Colored Elevations
10. Colored Elevations
11. Material Board
12. Enlarged Views
13. Rendering - View From Surface Parking
14. Rendering - View From Via Coconut Pt
15. Rendering - Semi-Aerial View From Via Coconut Pt

SUBMITTAL DATE: 09/16/2026

MSA ARCHITECTS
ARCHITECTURE & PLANNING
ARCHITECT
MSA ARCHITECTS, INC
8950 SW 74TH CT
MIAMI, FL 33156

WAYPOINT
REAL ESTATE INVESTMENTS
OWNER
WAYPOINT REAL STATE INVESTMENTS
150 E. PALMETTO PARK ROAD
BOCA RATON, FL 33432

SIMON
OWNER
SIMON PROPERTY GROUP
225 WEST WASHINGTON STREET
INDIANAPOLIS, IN 46204

Bowman
CIVIL ENGINEER / LANDSCAPE
BOWMAN
950 ENCORE WAY
NAPLES, FL 34110

CONTEXT PLAN & EXISTING CONDITIONS















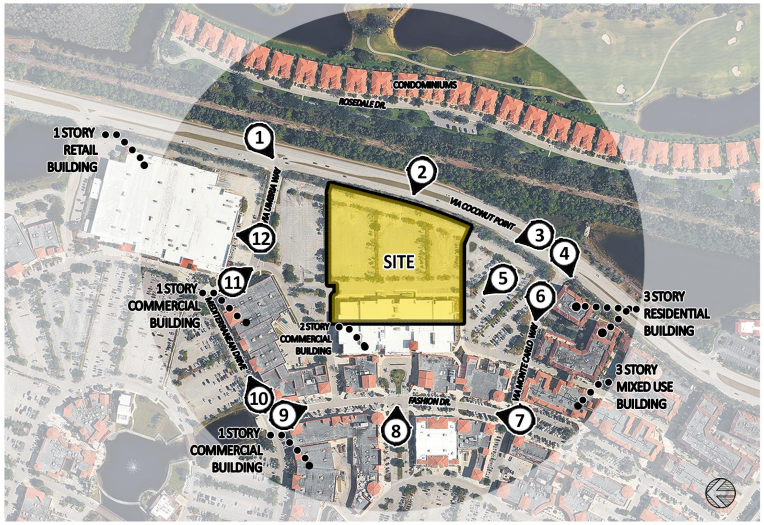








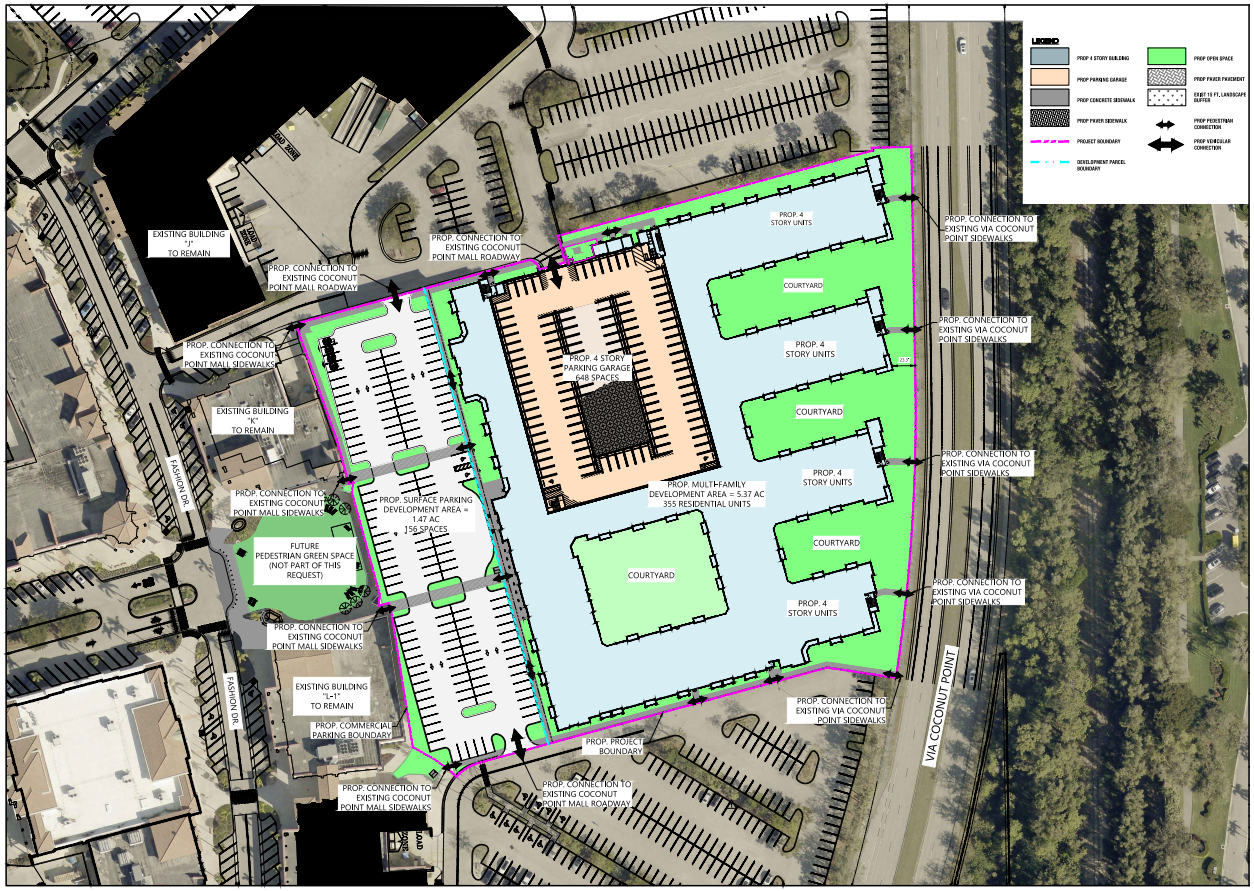




MSA ARCHITECTS
ARCHITECTURE & PLANNING

P2

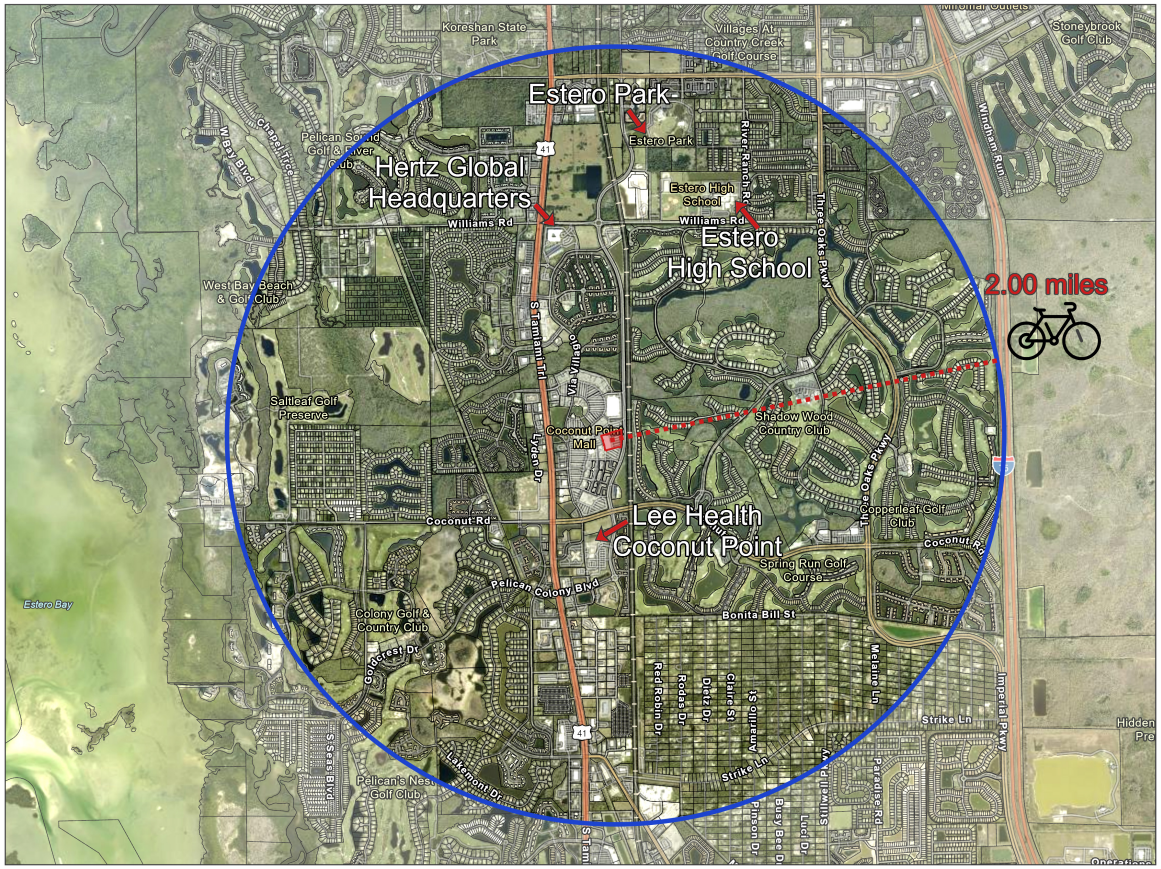
SITE CONNECTIVITY



MSA ARCHITECTS
ARCHITECTURE & PLANNING

P3

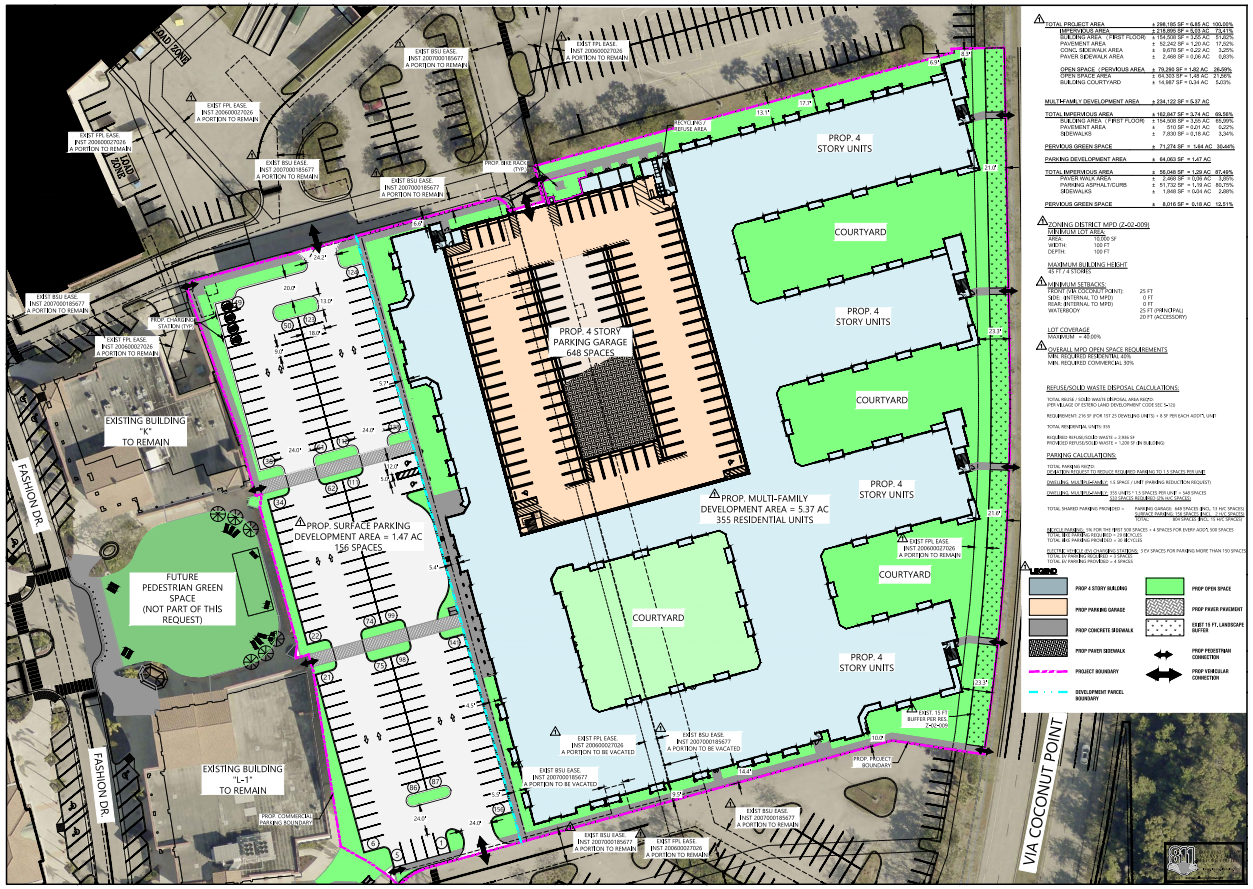
SITE CONNECTIVITY - CYCLING DISTANCE



MSA ARCHITECTS
ARCHITECTURE & PLANNING

P4

MASTER CONCEPT PLAN & DATA



Unit Mix				
Unit Designation	**# Units**	**% of Total**	**Area**	**Leasable Area (NRSF)**
1 BD				
A1	61	17.2%	732 sf	44,652 sf
A2	108	30.4%	783 sf	84,564 sf
Sub-Total	**169 units**	**47.6%**		**129,216 sf**
2BD				
B1	162	45.6%	1,105 sf	179,010 sf
B2	8	2.3%	1,094 sf	8,752 sf
Sub-Total	**170 units**	**47.9%**		**187,762 sf**
3 BD				
C1	12	3.4%	1,225 sf	14,700 sf
C2	4	1.1%	1,270 sf	5,080 sf
Sub-Total	**16 units**	**4.5%**		**19,780 sf**
# of Unit/Bldg	**355 units**	**100.00%**		
# Units Total s.f.				**336,758 sf**
Average unit size				**949 sf**

MSA ARCHITECTS
ARCHITECTURE & PLANNING

P5

CONCEPTUAL LANDSCAPE PLAN



MSA ARCHITECTS
ARCHITECTURE & PLANNING

P6

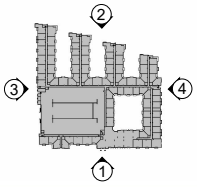
ELEVATIONS



1 ELEVATION - WEST
1/32" = 1'-0"



2 ELEVATION - EAST
1/32" = 1'-0"



MSA ARCHITECTS
ARCHITECTURE & PLANNING

P7

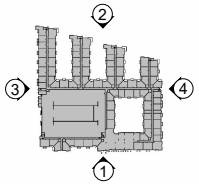
ELEVATIONS



3 **ELEVATION - NORTH**
1/32" = 1'-0"



4 **ELEVATION - SOUTH**
1/32" = 1'-0"



MSA ARCHITECTS
ARCHITECTURE & PLANNING

P8

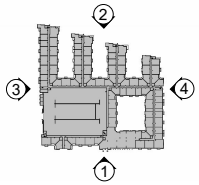
COLORED ELEVATIONS



1 ELEVATION - WEST
1/32" = 1'-0"



2 ELEVATION - EAST
1/32" = 1'-0"



MSA ARCHITECTS
ARCHITECTURE & PLANNING

P9

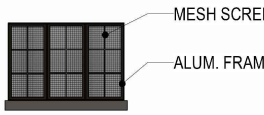
COLORED ELEVATIONS



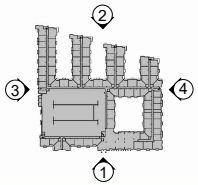
3 ELEVATION - NORTH
1/32" = 1'-0"



4 ELEVATION - SOUTH
1/32" = 1'-0"







A GARAGE SCREEN - ENLARGED VIEW
3/16" = 1'-0"

MSA ARCHITECTS
ARCHITECTURE & PLANNING

P10

MATERIAL BOARD

MATERIALITY



COLOR SELECTION

1 CREAMY SW 7012 (BASE)	2 ACCESSIBLE BEIGE SW 7036 (ACCENT COLOR)	3 URBANE BRONZE SW 7048 (DETAILS & BANDS)
4 PAVESTONE SW 7642 (OTHER DETAILS)	5 TANSY GREEN SW 6424 (OTHER DETAILS)	6 TONY TAUPE SW 7038 (TOWERS)
7 SMOOTH LIMESTONE WHITE SANDS	8 BARREL CLAY ROOF RED	9 OIL RUBBED BRONZE (RAILINGS & FRAMES)

MSA ARCHITECTS
ARCHITECTURE & PLANNING

P11

ENLARGED VIEWS

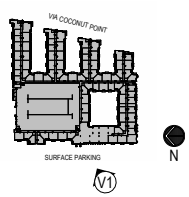


MSA ARCHITECTS
ARCHITECTURE & PLANNING

P12

RENDERING - VIEW FROM SURFACE PARKING



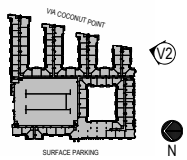


MSA ARCHITECTS
ARCHITECTURE & PLANNING

P13

RENDERING - VIEW FROM VIA COCONUT PT



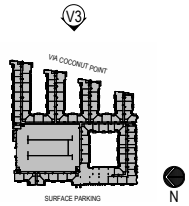


MSA ARCHITECTS
ARCHITECTURE & PLANNING

P14

RENDERING - SEMI-AERIAL VIEW FROM VIA COCONUT PT





MSA ARCHITECTS
ARCHITECTURE & PLANNING

P15

Attachment E

VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING WITH CONDITIONS AN AMENDMENT TO THE MIXED USE PLANNED DEVELOPMENT ZONING WITH A DEVIATION FOR A 5.37-ACRE PROPERTY LOCATED IN COCONUT POINT; 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, Waypoint Residential, (the "Applicant"), as authorized by the property owner, Coconut Point Developers, LLC filed an application to amend the Mixed Use Planned Development zoning and DRI Development Order for property located within **Coconut Point**, consisting of approximately 5.37 acres (the "Property") for a 355-unit multiple family development to replace an existing movie theater on the property within Tract 2A of the 482.4-acre DRI, along with a decrease of 10,300 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 2025-02 which approved zoning amendments and the Tenth Development Order Amendment and Restatement for Coconut Point DRI on July 2, 2025; 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 DCI2026-E002 and the DRI Case number is DRI2026-E001; and

WHEREAS, the Applicant proposes a 4-story, 355-unit multiple family building with a Master Concept Plan, Pattern Book, and one deviation; and

WHEREAS, a noticed Public Information Meeting was held on January 13, 2026 at the Planning Zoning and Design Board; and

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

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

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on _____, 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 _____ the amendment to the zoning subject to the following conditions and deviation. The Eleventh Development Order Amendment for Coconut Point DRI is also _____ 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 multiple family building on 5.37 acres must be consistent with the Coconut Point Waypoint Residential Master Concept Plan dated "Revised 8/26" (Exhibit A), and the Coconut Point M.P.D. Master Concept Plan for the entire site stamped "Received September 4, 2026" (revision 27 highlighted in yellow) (Exhibit B).

3. Approved Uses for 5.37-Acre Parcel

Development is permitted at a maximum as follows:

Dwelling units, multiple family – 355
Accessory Uses
Signs in accordance with the Land Development Code
Utilities, Minor

4. Development Intensity

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

1,624 Multiple Family Dwelling Units
200 Assisted Living Units
1,426,310 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 the entire Coconut Point. (Exhibit B)

5. DRI

Development must be consistent with the Eleventh Development Order Amendment 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 (5.37-Acre Tract)

Height: 45 feet to the main parapet (4-story maximum) and 53 feet to the top of the architectural tower elements.

Minimum Building Setbacks:

Front (Via Coconut Point):	20 feet
Side (Internal to MPD):	0 feet
Rear (Internal to MPD):	0 feet
Accessory:	20 feet

Open Space Requirements: 30%

Property Development Regulations for other tracts in the DRI are not amended and remain as per prior Ordinances.

7. No Blasting

   No land 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 (5.37-Acre Tract)

   The development must be substantially consistent with the 14-page Pattern Book "Coconut Point Apartments Supplemental Pattern Book" submitted date September 16, 2026.

10. Construction

    Construction of the exterior walls of the building will be concrete masonry (concrete block), and all load-bearing elements will be of concrete with reinforcing steel as required by relevant codes and engineering standards.

11. Buffers and Landscape

    As part of local development order approval, applicant will provide detailed landscape plans. The buffer on Via Coconut will retain the existing trees and will be supplemented with a solid hedgerow to be maintained at 48 inches. Additional trees at least 12'-14' clear trunk will be installed adjacent to the building to soften the building mass along Via Coconut and other areas as reviewed and approved by the Planning Zoning and Design Board.

12. Via Coconut Point Median Landscaping

    The applicant will install and maintain median landscaping, including irrigation, in the median east of the property. 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. 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 Sections 7-501 through 7-505, Land Development Code.

16. Replat

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

17. Other Permits

    Issuance of a development permit by the Village of Estero does not in any way create any rights on the part of the Applicant to obtain a permit from a State or Federal agency and does not create any liability on the part of the Village for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertake actions that result in a violation of State or Federal law.

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 5-204.B.1., Minimum Off Street Parking, which requires a minimum of 2 spaces per dwelling unit plus 10% visitor spaces, to allow parking at 1.8 spaces per unit including visitor parking.

Deviation 1 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 except for the one deviation for parking.

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 Waypoint Residential Master Concept Plan dated "Revised 8/26"

Exhibit B Coconut Point M.P.D. Master Concept Plan (for entire site) stamped "September 4 2026"

Exhibit C Legal Description

Exhibit D Pattern Book titled "Coconut Point Apartments Supplemental Pattern Book" submittal date September 16, 2026

Exhibit E Eleventh Development Order Amendment for Coconut Point DRI and attached Map H Master Concept Plan (plan dated June 26, 2026)

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 ____ day of _____.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida on second reading this _____ day of _____, 202_.

Attest:

By: _____
Carol Sacco, Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: _____
Joanne Ribble, Mayor

Attachment F

TREBILCOCK CONSULTING SOLUTIONS

2800 Davis Boulevard, Suite 200
Naples, Florida 34104
Phone: 239-566-9551
Fax: 239-566-9553
www.trebilcock.biz

Memorandum

TO: David Willems, P.E. – Public Works Director – Village of Estero

FROM: Norman J. Trebilcock, AICP, PTOE, PE, Trebilcock Consulting Solutions

DATE: August 17, 2026

SUBJECT: Traffic Impact Study Review: **Coconut Point MPD** – Via Coconut Point, Village of Estero, FL 33928

A review was performed on the Traffic Impact Study (TIS) dated July 17, 2026, for the proposed Coconut Point MPD Amendment located within the Coconut Point shopping center, in the Village of Estero (VOE), Florida. Overall, the applicant's traffic engineer followed the TIS methodology, addressed the TIS review comments and did a thorough analysis.

The following comment/stipulation is provided to you regarding the above-mentioned project.

TIS Review Comments (Stipulation):

1) As a standard practice in the Village of Estero, the Peak Season Correction Factor (PSCF) should be utilized in lieu of the Seasonal Factor (SF) to determine the traffic count volumes adjusted to peak season conditions, to be used in the applicable traffic calculations. The applicant explained that the FDOT has a different approach in their analysis. In agreement with the methodologies utilized in the 2017 VOE Area-Wide Traffic Study and 2025 VOE Area-Wide Traffic Study Update, the applicable Peak Season Conversion Factor were utilized for traffic projections. We would recommend that the FDOT approach be accepted at this time for this zoning approval and then at the Development Order approval stage the PSCF approach be used in the analysis consistent with Village of Estero study practices.

Attachment G

TREBILCOCK
CONSULTING SOLUTIONS

2800 Davis Boulevard, Suite 200
Naples, Florida 34104
Phone: 239-566-9551
Fax: 239-566-9553
www.trebilcock.biz

Memorandum

TO: David Willems, P.E. – Public Works Director – Village of Estero

FROM: Norman J. Trebilcock, AICP, PTOE, PE, Trebilcock Consulting Solutions

DATE: August 17, 2026

SUBJECT: Parking Demand Study Review: **Coconut Point MPD** – Via Coconut Point, Village of Estero, FL 33928

A follow up review was performed of the Parking Demand Study (PDS) dated June 4, 2026, and response to comments letter dated July 27, 2026, for the proposed Coconut Point MPD Amendment located within the Coconut Point shopping center, in the Village of Estero (VOE), Florida.

PDS Review Comments

1) PDS Conclusions – Of the proposed parking spaces for the new residential development, we would recommend that the 648 spaces located in the parking garage be dedicated spaces for the proposed residential development, which represents a parking rate of 1.83 spaces/dwelling unit. The data provided by the applicant identifies peak case of 1.86 spaces per unit (Table 1, page 8 of the submitted PDS study) and their averages illustrate a demand of 1.63 spaces per unit. Using the averages as presented does not present the highest level of confidence that is more desirable for the Village. The request to go from 2.2 spaces unit per code to 1.5 spaces per unit is more than a 30% reduction in required parking supply for the residences. **Allowing flexibility in the building development, a 1.8 space/dwelling unit is a suggested minimum (639 spaces in the parking garage) for the project.** This would be an 18% reduction in the required parking supply for the residences but is supported by the higher local demand data. The remaining 156 surface parking spaces would constitute a shared parking area for the residential development as well as for patrons of the Coconut Point shopping center. This parking garage space supply shows a reduced rate from the VOE LDC calculations (2.2 spaces/dwelling unit) but still provides additional parking for high demand periods. The combination of proposed garage spaces and surface lot spaces exceeds VOE LDC requirements for the development (2.26 spaces/dwelling unit provided vs. 2.20 spaces/dwelling unit per LDC).

PAVESE LAW FIRM est. 1949

NEALE MONTGOMERY
Partner
Direct dial: (239) 336-6235
Email: NealeMontgomery@PaveseLaw.com

1833 Hendry Street, Fort Myers, Florida 33901 | (239) 334-2195 | Fax (239) 332-2243

October 12, 2026

Mary Gibbs, FAICP
Director of Community Development
Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928

Via Email: gibbs@estero-fl.gov

RE: DCI2026-E002 Coconut Point MPD/DCI Amendment
DCI2026-E001 Coconut Point MPD-DRI Amendment
8-Day Letter (Our Client File #96450.001)

Dear Ms. Gibbs:

Please accept this letter as the 8-day letter. The applicant will present the following witnesses:

a. Jeremie Chastain;
b. Charles Krebs;
c. Lillian (Lilli) Marin-Saenz;
d. Neale Montgomery.

The applicant will present a power point.

The applicant agrees with the recommendation of approval. The applicant disagrees with conditions 12 and 13. The owner/developer of Coconut Point was required to address all transportation improvements and contributions upfront. The owner/developer was provided with an exemption from transportation concurrency. Since the number of approved trips, for which full payment has been made, will not be exceeded the developer should not be subject to the standard transportation concurrency condition.

The owner/developer provided Via Coconut as part of its transportation mitigation. The developer should not be required to landscape the median and maintain the landscaping as that is not an obligation under the land development code and it does not meet the dual rational nexus test as required by Section 70.45, F.S. The attached CIP identifies numerous roadway landscape improvements, and the improvements are not funded and maintained by private developers.

Sincerely,

Neale Montgomery

NM/llp
Enclosures *as stated*
cc: Chris Moore; Jeremie Chastain; Lillian (Lilli) Marin-Saenz; Charles Krebs *via email*

P.O. BOX 1507
FORT MYERS, FLORIDA 33902
(239) 334-2195

4524 GUN CLUB ROAD, SUITE 201
WEST PALM BEACH, FLORIDA 33415
(561) 471-1366

Multi-Year Capital Improvement Plan

The Village of Estero's Multi-Year Capital Improvement Plan provides a long-term framework for identifying, scheduling, and funding capital investments beyond the current fiscal year. The plan allows the Village to anticipate future infrastructure and community needs, coordinate the timing of major projects, and evaluate the financial resources necessary to support those investments over time.

Projects included in future years reflect current estimates of anticipated needs, costs, implementation schedules, and available funding. The timing and scope of these projects may change as priorities evolve, project designs are refined, funding opportunities become available, and financial conditions change. Inclusion of a project in the multi-year plan therefore represents the Village's current planning strategy and does not constitute a commitment to expend funds in a future fiscal year.

The plan is reviewed and updated annually as part of the budget process. This ongoing evaluation allows the Village to balance long-term capital needs with projected revenues and available cash while maintaining financial sustainability. Projects may be advanced, deferred, phased, reduced in scope, or otherwise modified as conditions warrant, ensuring that the capital program remains responsive to Village Council priorities and the needs of the Estero community.

MULTI-YEAR CAPITAL IMPROVEMENT PLAN BY PROJECT TYPE

Project Type	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	Total
Roadway Improvements	$1,750,000	$0	$0	$0	$1,750,000
Intersection Improvements	$2,500,000	$0	$0	$0	$2,500,000
Bike-Pedestrian Improvements	$0	$1,389,900	$0	$0	$1,389,900
Landscaping Improvements	$0	$2,800,000	$0	$0	$2,800,000
Parks & Recreation	$30,200,000	$4,125,000	$8,955,000	$5,635,000	$48,915,000
Stormwater Improvements	$350,000	$14,650,000	$0	$0	$15,000,000
Utility Improvements	$480,000	$0	$0	$0	$480,000
Building Facilities	$0	$0	$0	$0	$0
Land Acquisition	$19,000,000	$0	$0	$0	$19,000,000
Information Technology	$0	$0	$0	$0	$0
TOTAL	$54,280,000	$22,964,900	$8,955,000	$5,635,000	$91,834,900

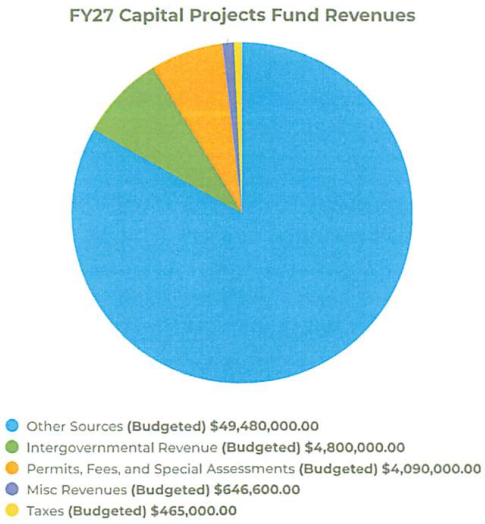
Table of Contents

CIP Revenues

The Fiscal Year 2026-2027 budget includes approximately $59.48 million in revenues and other financing sources within the Capital Projects Fund to support the Village's Capital Improvement Program. Funding for capital investments is provided through a combination of interfund transfers, impact fees, grants, dedicated transportation revenues, and investment earnings.

The largest funding source is approximately $49.48 million in transfers from the General Fund. The Capital Projects Fund also includes approximately $4.80 million in federal and state grant revenues, $4.09 million in road and park impact fees, $465,000 in Local Option Gas Tax revenues, and approximately $646,600 in investment earnings.

The use of multiple funding sources allows the Village to match available resources with eligible capital projects while leveraging restricted and external revenues where appropriate. Impact fees and grant revenues are applied in accordance with applicable restrictions and project eligibility requirements.



CIP Expenditures

The Fiscal Year 2026-2027 Capital Improvement Program includes $54.28 million in planned capital expenditures. Capital investments are concentrated in projects that support the Village's recreational amenities, land acquisition, transportation network, utility infrastructure, and stormwater systems.

The largest component of the FY2026-2027 capital program is Parks & Recreation, with approximately $30.20 million in planned expenditures, followed by Land Acquisition at $19.00 million. Together, these two categories represent approximately 91% of the total capital program. The remaining $5.08 million supports roadway and intersection improvements, utility improvements, and stormwater infrastructure.

Project Type	FY2026-27 Expenditures	% of CIP
Parks & Recreation	$30,200,000	55.64%
Land Acquisition	$19,000,000	35.00%
Intersection Improvements	$2,500,000	4.61%
Roadway Improvements	$1,750,000	3.22%
Utility Improvements	$480,000	0.88%
Stormwater Improvements	$350,000	0.64%
Bike-Pedestrian Improvements	$0	0.00%
Total	**$54,280,000**	**100.00%**

Budget Reference

The Appendix provides a consolidated reference of key financial and organizational information presented throughout the Fiscal Year 2026-2027 Tentative Budget. This summary provides readers with a convenient snapshot of the Village's overall financial plan, major budget decisions, and capital investment program.

Financial Summary

Budget Measure	FY2026-2027
Total Budgeted Revenues	$145,430,200
Total Budgeted Expenditures	$125,415,080
Operating Revenues	$30,988,200
Operating Expenditures	$15,731,080
Net Operating Impact	$15,257,120
Anticipated Debt Proceeds	$62,000,000
Budgeted Debt Service	$2,962,000
Capital Improvement Program	$54,280,000

Fund Structure

The Village's Fiscal Year 2026-2027 budget is organized among four governmental funds:

Major Governmental Funds

- General Fund
- Capital Projects Fund

Non-Major Governmental Funds

- Building Permit Fees Fund
- Debt Service Fund

The General Fund supports the Village's primary governmental operations, while the Capital Projects Fund accounts for resources dedicated to major capital investments. The Building Permit Fees Fund accounts for restricted building-related activities, and the Debt Service Fund accounts for resources used to meet the Village's debt obligations.

Capital Improvement Program

The revised Fiscal Year 2026-2027 Capital Improvement Program totals $54.28 million, a reduction of approximately $21.64 million, or 28.5%, from the originally approved $75.92 million program. Project timing and scope were adjusted to align planned capital expenditures with available financial resources and anticipated cash flow.

Project Type	FY2026-2027
Parks & Recreation	$30,200,000
Land Acquisition	$19,000,000
Intersection Improvements	$2,500,000
Roadway Improvements	$1,750,000
Utility Improvements	$480,000
Stormwater Improvements	$350,000
Bike-Pedestrian Improvements	$0
Total	**$54,280,000**

The Village's multi-year capital plan identifies approximately $91.83 million in planned capital investments through Fiscal Year 2029-2030. Future-year projects remain subject to annual review, available funding, project readiness, and Village Council priorities.

Key FY 2026-2027 Budget Changes

The Fiscal Year 2026-2027 budget reflects several significant financial and organizational changes, including:

- 3.53% cost-of-living adjustment (COLA) for Village employees.
- 10.2% increase in employee health insurance premiums.
- Addition of a Deputy Village Manager.
- Addition of an Assistant Village Manager/Assistant Community Development Director.
- Budgeted for a Public Information Officer position.
- Revised allocation of Village Clerk-related expenses, with 75% allocated to the Village Manager and 25% to the Village Clerk.
- An additional $1,500,000 for landscape maintenance for the Sports Park Phase 1 and Corkscrew Road.
- $62.0 million in anticipated debt proceeds to support planned capital investments.
- $2.962 million in budgeted debt service expenditures.
- Revision of the FY2026-2027 CIP from $75.92 million to $54.28 million to align capital spending with available financial resources and anticipated cash flow.



Calendar Documents News Subscribe Contact

Search...

Your Government Our Community For Business How Do I?

Village of ESTERO

Your Government Our Community For Business How Do I?

Capital Improvement Program

VILLAGE CONNECTION

The Village of ESTERO

WHAT IS THE CAPITAL IMPROVEMENT PLAN AND WHY SHOULD YOU PARTICIPATE?

READ A SUMMARY OF CIP PROJECTS

- ROADWAY IMPROVEMENTS
- INTERSECTION IMPROVEMENTS
- BICYCLE AND PEDESTRIAN IMPROVEMENTS
- LANDSCAPE IMPROVEMENTS
- STORMWATER
- PARKS AND RECREATION
- BUILDING
- LAND
- UPCOMING MEETINGS

Roadway Improvements

- Broadway Avenue West Street Lights
- Broadway Avenue East Street Lights
- Broadway West Phase 1 Improvements
- Broadway West Phase 2 Improvements
- Coconut Road Street Lights
- Corkscrew Road Street Lights
- Corkscrew Road Widening
- Estero Parkway Improvements
- River Ranch Road Improvements
- River Ranch Road Street Lights
- Sandy Lane Street Lights
- Three Oaks Parkway Street Lights
- Via Coconut Point Extension (South)
- Via Coconut Point Street Lights
- Williams Road Street Lights
- Williams Road Widening

Intersection Improvements

- Coconut Road & US41 Intersection Improvements
- Coconut Shores Roundabout
- Corkscrew Road & Three Oaks Parkway Intersection Improvements
- Corkscrew Road & Town Commons Drive Traffic Signal
- Corkscrew Road & US41 Intersection Improvements
- Corkscrew Woodlands Intersection Improvements
- El Dorado Roundabout
- Meadowbrook Roundabout
- North Point Railroad Crossing
- Pelican Colony & US41 Traffic Signal
- Pelican Sound & US41 Intersection Improvements
- Williams Road & US41 Intersection Improvements

Bicycle & Pedestrian Improvements

- Broadway East Shared Use Pathway (Sandy Lane to Three Oaks)
- Broadway East Shared Use Pathway (US41 to Sandy Lane)
- Coconut Road Pedestrian Improvements
- Coconut Road Shared Use Pathway
- Coconut Road Sidewalk
- Corkscrew Palms Boulevard Sidewalk
- Corkscrew Road (West of US41) Bicycle & Pedestrian Improvements
- Corkscrew Road Bicycle & Pedestrian Improvements
- Corkscrew Road Shared Use Pathway

- Williams Road West of US41 Intersection Improvements
- Coconut Road Intersection Study

- FPL Shared Use Pathway (East of I75)
- Sandy Lane Bicycle & Pedestrian Improvements
- Sun Trail North
- Sun Trail South
- Utility Corridor Shared Use Pathway (West of US41)
- Via Coconut Point Roundabout Bicycle Improvements
- Williams Road Bicycle & Pedestrian Improvements
- Intersection Safety Study
- Williams Road West Bicycle & Pedestrian Improvements

Landscape Improvements

- Ben Hill Griffin Parkway Landscape Improvements
- Corkscrew Road West (US 41 to I 75) Landscape Improvements
- I75 Landscape Improvements
- Three Oaks Parkway Landscape Improvements
- US 41 Shoulder Landscape Improvements
- Via Coconut Point Landscape Improvements
- Williams Road (Via Coconut Point to Three Oaks Parkway) Landscape Improvements
- US 41 Median Landscaping
- US 41 FDOT Landscape Grant
- Corkscrew Road Monument Signs
- US 41 Monument Signs
- I 75 Monument Signs
- Three Oaks Parkway Monument Signs
- Ben Hill Griffin Parkway Monument Signs

Parks & Recreation Improvements

- Estero on the River Master Plan
- Estero on the River Parks & Recreation Improvements
- Estero Community Park Expansion Master Plan
- Estero Community Park Expansion

Stormwater Improvements

- Dry Creek Bed Sediment Removal
- Estero Parkway Villagio Drainage Improvements
- Estero River (Sandy Lane to Railroad) Sediment Removal
- Trailside Drainage Improvements
- US41 (Williams to Corkscrew) Drainage Improvements
- Villages at Country Creek Bypass
- Estero River Sediment Removal (West of US 41)

Building Improvements

- Public Works Storage Facility
- Village Hall
- Performing Arts Center

Land Improvements

- River Oaks Preserve
- School District of Lee County Property
- Driving Range Property
- Sun Trail

Upcoming Meetings


Coconut Point MPD PDA
Planning, Zoning & Design Board
October 20, 2026

Project Team

WAYPOINT RESIDENTIAL

SIMON®

Bowman

PAVESE LAW FIRM est. 1949

TR TRANSPORTATION CONSULTANTS, INC

MSA ARCHITECTS ARCHITECTURE & PLANNING

Expert Witnesses

- Jeremie Chastain, AICP, Land Use Planner
- Charles (Charlie) Krebs, PE, Professional Engineer
- Lillian (Lilli) Marin-Saenz, RA, AIA, Architect
- Neale Montgomery, Land Use Attorney
- Ted Treesh, Transportation Consultant
- Mario Rojo, PLA, Landscape Architect

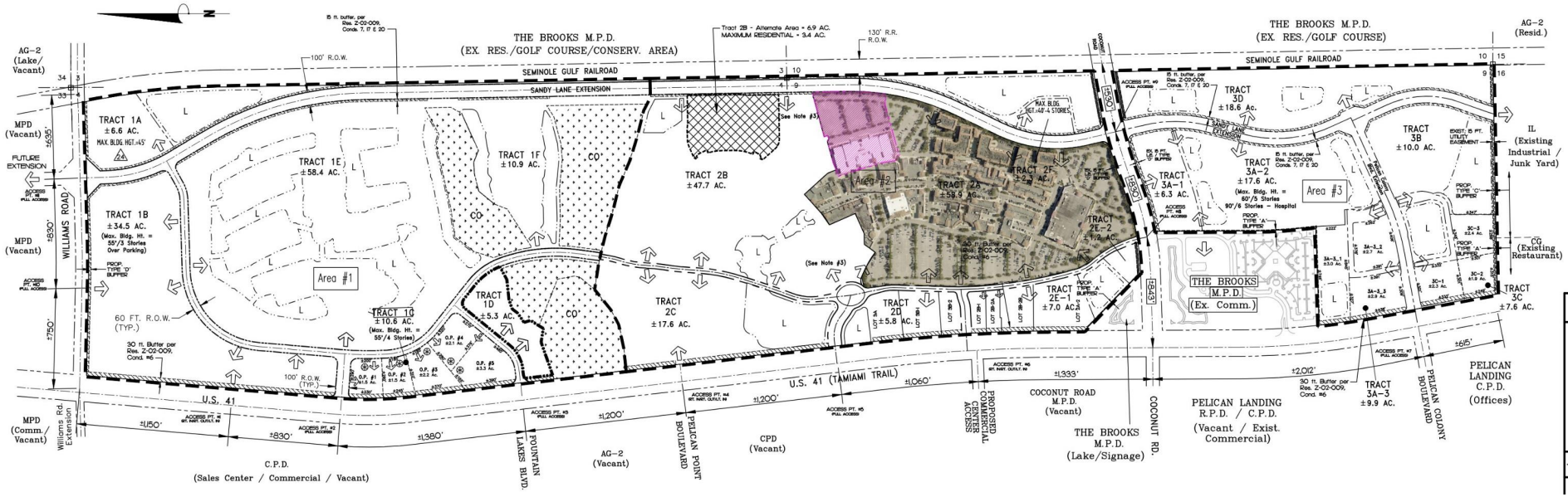
Bowman

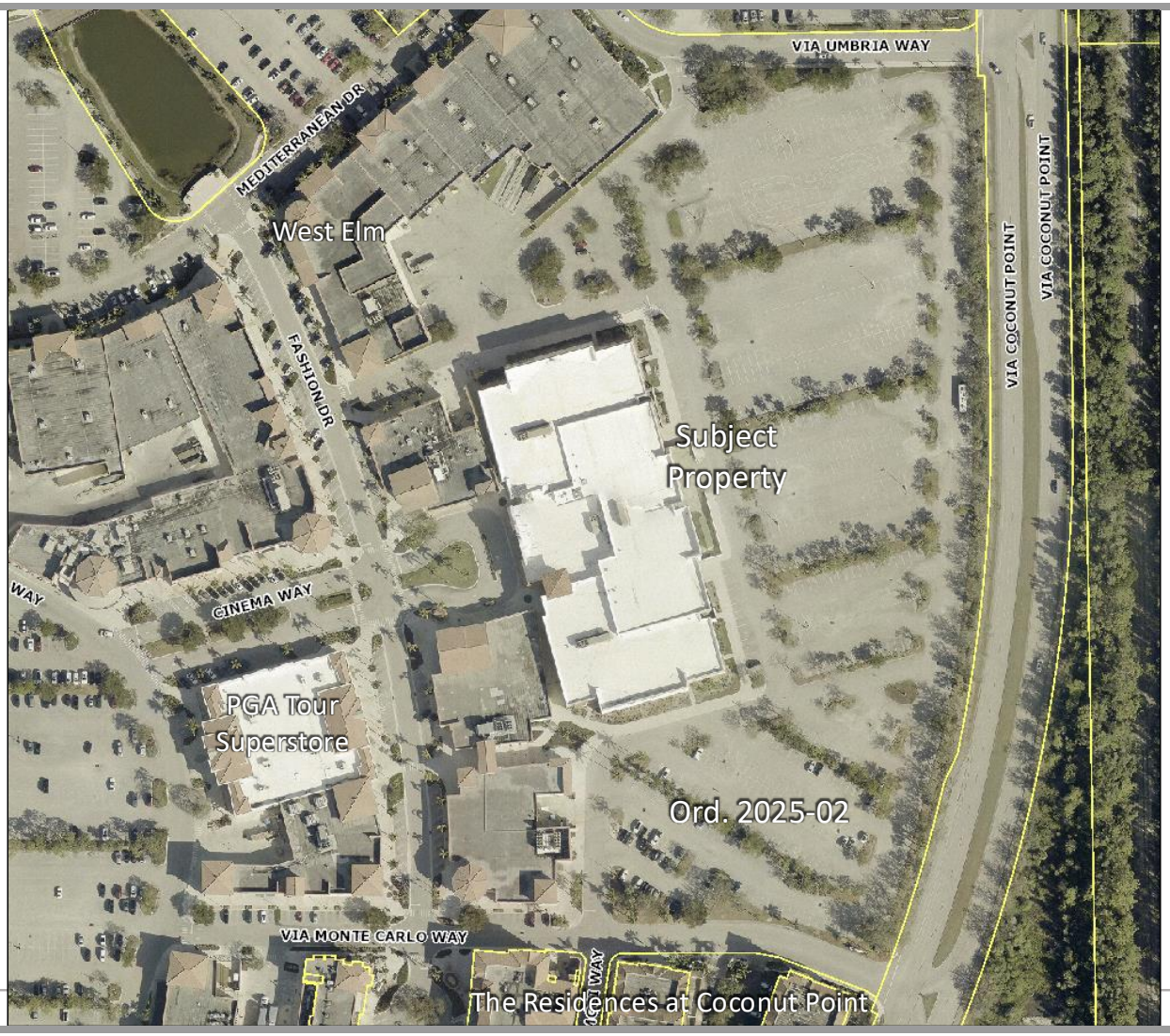
Request

- Amend the Coconut Point MPD/DRI to allow for the development of a maximum of 355 multifamily dwelling units within Tract 2A.
- Multifamily dwelling units are an existing permitted use within Tract 2A.
- The request does not increase the number of net new external peak hour trips established in the DRI Development Order.

Bowman

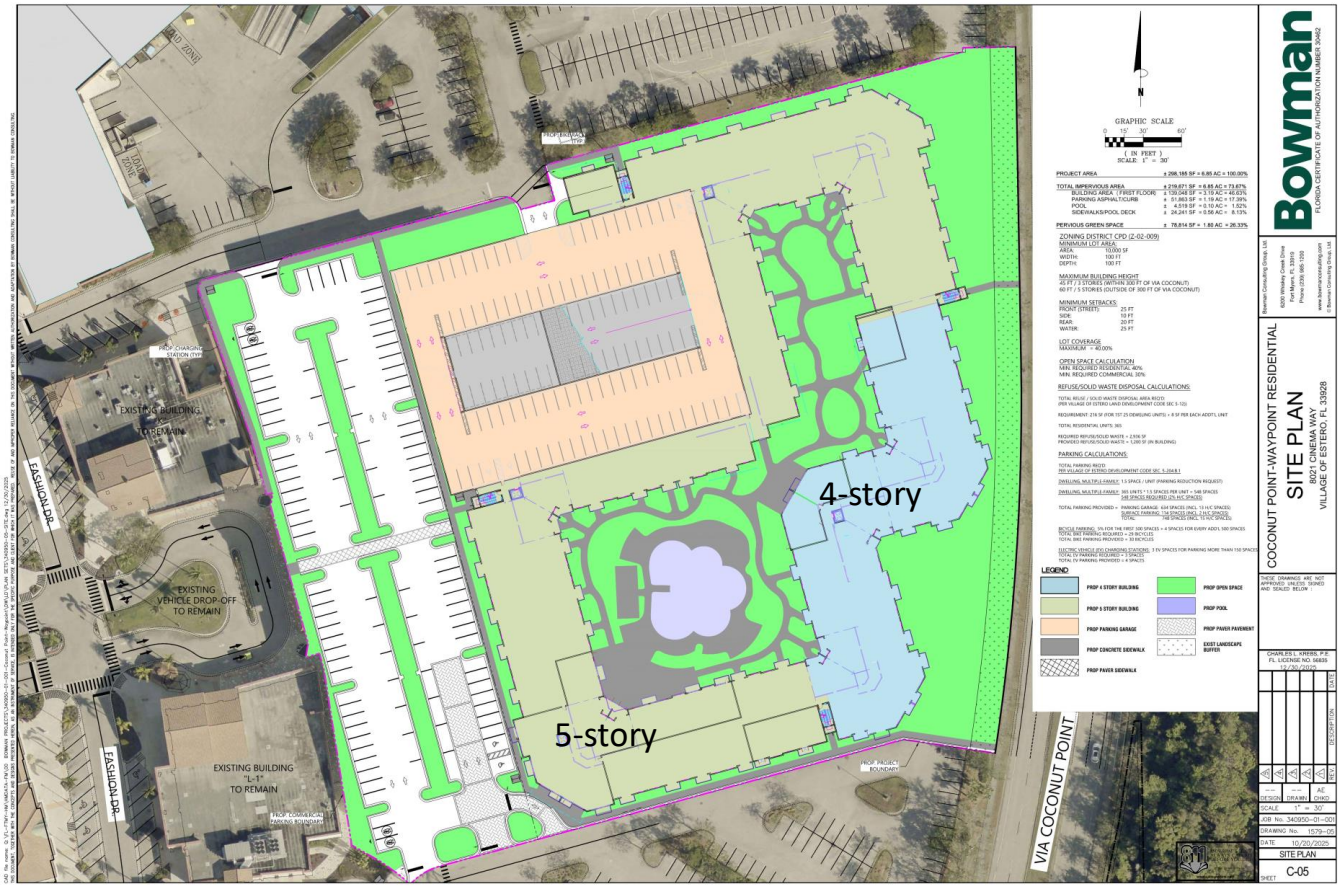
5

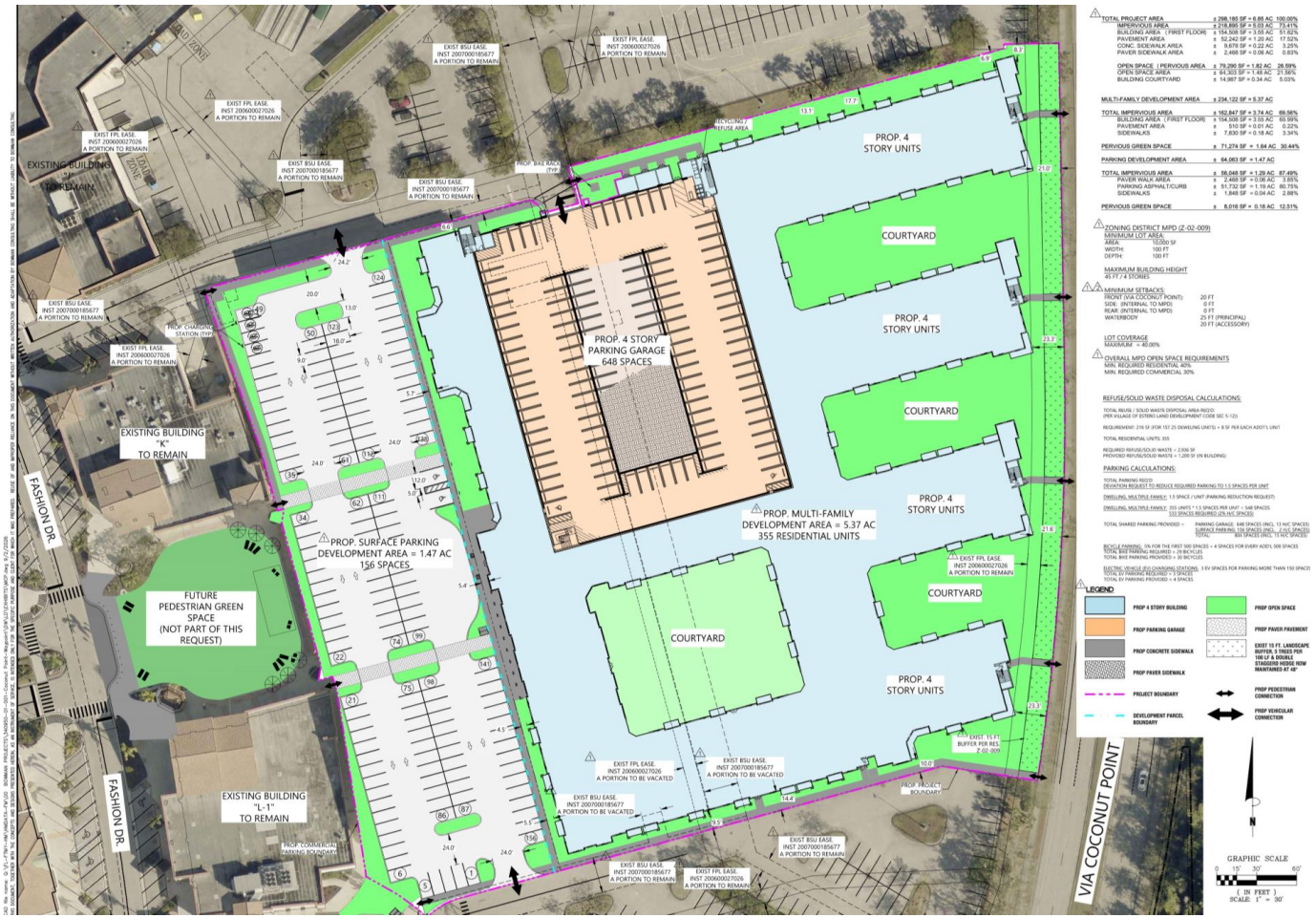

THE BROOKS M.P.D.
(EX. RES./GOLF COURSE/CONSERV. AREA)
THE BROOKS M.P.D.
(EX. RES./GOLF COURSE)
SEMINOLE GULF RAILROAD
SANDY LANE EXTENSION
TRACT 1A ±6.6 AC.
TRACT 1B ±34.5 AC.
TRACT 1C ±10.6 AC.
TRACT 1D ±5.3 AC.
TRACT 1E ±58.4 AC.
TRACT 1F ±10.9 AC.
TRACT 2A ±58.9 AC.
TRACT 2B ±47.7 AC.
TRACT 2C ±17.6 AC.
TRACT 2D ±5.8 AC.
TRACT 2E-1 ±7.0 AC.
TRACT 2E-2 ±1.2 AC.
TRACT 2F ±2.2 AC.
TRACT 3A-1 ±6.3 AC.
TRACT 3A-2 ±17.6 AC.
TRACT 3A-3 ±9.9 AC.
TRACT 3B ±10.0 AC.
TRACT 3C ±7.6 AC.
TRACT 3D ±18.6 Ac.
Area #1
Area #2
Area #3
WILLIAMS ROAD
U.S. 41
U.S. 41 (TAMIAMI TRAIL)
COCONUT ROAD
COCONUT RD.
PELICAN POINT BOULEVARD
PELICAN COLONY BOULEVARD
FOUNTAIN LAKES BLVD.
PELICAN LANDING C.P.D. (Offices)
PELICAN LANDING R.P.D. / C.P.D. (Vacant / Exist. Commercial)
COCONUT ROAD M.P.D. (Vacant)
THE BROOKS M.P.D. (Lake/Signage)
THE BROOKS M.P.D. (Ex. Comm.)
C.P.D. (Sales Center / Commercial / Vacant)
CPD (Vacant)
AG-2 (Vacant)
AG-2 (Lake/ Vacant)
AG-2 (Resid.)
MPD (Vacant)
MPD (Comm./ Vacant)
IL (Existing Industrial / Junk Yard)
CG (Existing Restaurant)
PROPOSED COMMERCIAL ACCESS
60 FT. R.O.W. (TYP.)
100' R.O.W.
130' R.R. R.O.W.
Tract 2B - Alternate Area = 6.9 AC. MAXIMUM RESIDENTIAL = 3.4 AC.
MAX. BLDG HGT.=45'
MAX. BLDG HGT.=40'-4 STORIES
(See Note #3)
Bowman


VIA UMBRIA WAY
MEDITERRANEAN DR
West Elm
FASHION DR
VIA COCONUT POINT
VIA COCONUT POINT
Subject Property
CINEMA WAY
PGA Tour Superstore
Ord. 2025-02
VIA MONTE CARLO WAY
The Residences at Coconut Point

Bowman

Previous MCP





MASTER CONCEPT PLAN

Bowman

Decision Making Compliance

- In accordance with LDC Sec. 2-501.C.2.A, the data and analysis provided in the enclosed application demonstrate the following:
    1. The application is consistent with and furthers the goals, objectives, and policies of the comprehensive plan;
    2. The request will meet or exceed all performance and locational standards set forth in the Comprehensive Plan and LDC. One new deviation is being requested that enhances the achievement of the objectives of the planned development; promotes the general intent of the LDC to protect the public health, safety and welfare; is compatible with surrounding uses; and does not create an undue burden on essential public facilities.
    3. Addresses a demonstrated community need for a variety of housing types throughout Estero;
    4. The proposed amendment is compatible with surrounding existing and proposed uses;

Bowman

Decision Making Compliance (continued)

5. The proposed amendment will allow for redevelopment of property already impacted by development and results in infill development in an area with access to adequate public facilities;
6. The requested amendment will not adversely affect the property values in the area;
7. The project will have access to adequate public facilities and will not unduly burden the transportation network. The DRI already funded the required transportation improvements;
8. The project will not adversely affect environmentally critical or sensitive areas and natural resources. The environmental issues were analyzed as part of the DRI and MPD process and the areas for natural resources were set aside pursuant to the conditions set forth in the DRI DO and MPD zoning resolution. This specific property within the DRI is developed; and
9. Is compatible with existing or planned uses in the surrounding area. The proposed use or mix of uses is appropriate at the proposed location, as the Transitional Mixed Use Future Land Use Category allows for moderate density residential uses.

Bowman

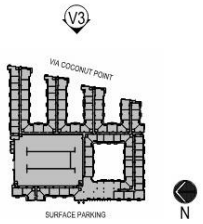
11

Lilli Marin-Saenz, RA, AIA

Bowman

MSA ARCHITECTS
ARCHITECTURE & PLANNING





RENDERING – SEMIAERIAL EAST VIEW

Bowman

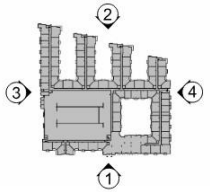
MSA ARCHITECTS
ARCHITECTURE & PLANNING



1 **ELEVATION - WEST**
1/32" = 1'-0"



2 **ELEVATION - EAST**
1/32" = 1'-0"



BUILDING ELEVATIONS

Bowman

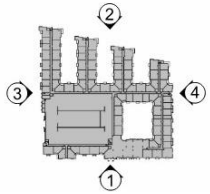
MSA ARCHITECTS
ARCHITECTURE & PLANNING



3 **ELEVATION - NORTH**
1/32" = 1'-0"



4 **ELEVATION - SOUTH**
1/32" = 1'-0"



BUILDING ELEVATIONS

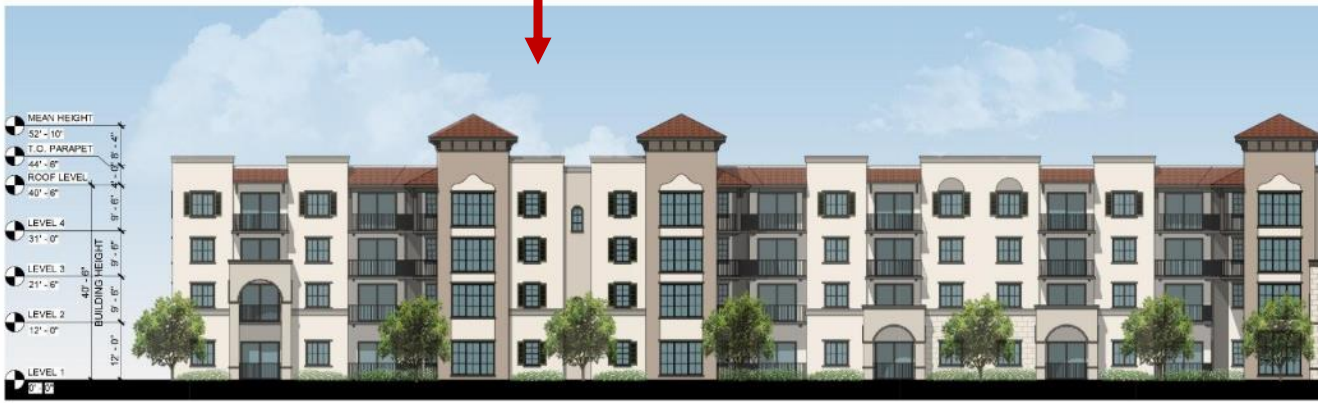
Bowman

15

MSA ARCHITECTS
ARCHITECTURE & PLANNING



1 **ELEVATION - WEST**
1/32" = 1'-0"



COLORED ELEVATIONS

Bowman

MSA ARCHITECTS
ARCHITECTURE & PLANNING



1 **ELEVATION - WEST**
1/32" = 1'-0"



COLORED ELEVATIONS

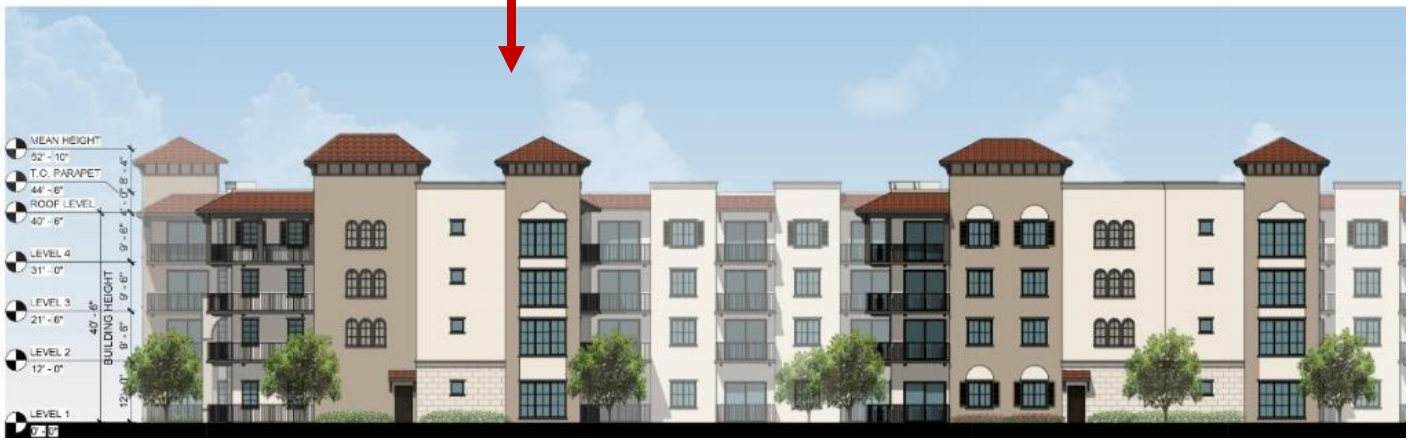
Bowman

17

MSA ARCHITECTS
ARCHITECTURE & PLANNING



2 **ELEVATION - EAST**
1/32" = 1'-0"



COLORED ELEVATIONS

Bowman

MSA ARCHITECTS
ARCHITECTURE & PLANNING



2 **ELEVATION - EAST**
1/32" = 1'-0"



COLORED ELEVATIONS

Bowman

19

MSA ARCHITECTS
ARCHITECTURE & PLANNING



3 ELEVATION - NORTH
1/32" = 1'-0"



COLORED ELEVATIONS

Bowman

MSA ARCHITECTS
ARCHITECTURE & PLANNING



3 **ELEVATION - NORTH**
1/32" = 1'-0"



COLORED ELEVATIONS

Bowman

21

MSA ARCHITECTS
ARCHITECTURE & PLANNING



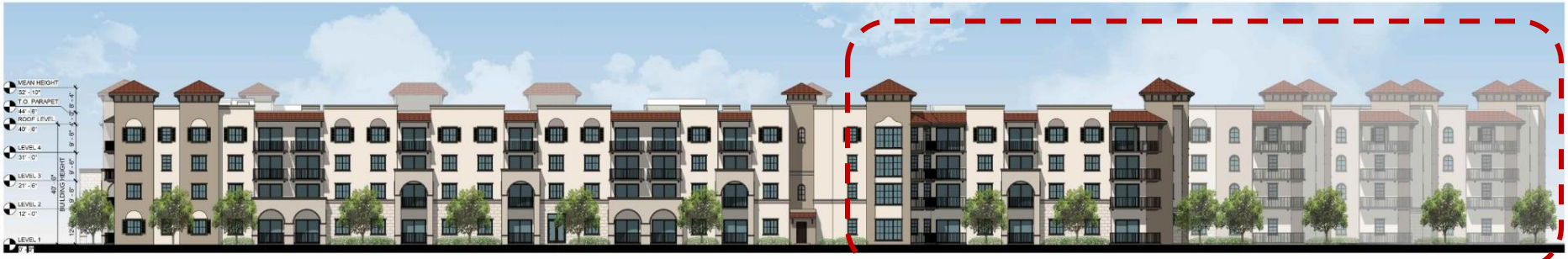
4 **ELEVATION - SOUTH**
1/32" = 1'-0"



COLORED ELEVATIONS

Bowman

MSA ARCHITECTS
ARCHITECTURE & PLANNING



4 **ELEVATION - SOUTH**
1/32" = 1'-0"



COLORED ELEVATIONS

Bowman

MSA ARCHITECTS
ARCHITECTURE & PLANNING

MATERIALITY



COLOR SELECTION

1
CREAMY
SW 7012
(BASE)

2
ACCESSIBLE BEIGE
SW 7036
(ACCENT COLOR)

3
URBANE BRONZE
SW 7048
(DETAILS & BANDS)

4
PAVESTONE
SW 7642
(OTHER DETAILS)

5
TANSY GREEN
SW 6424
(OTHER DETAILS)

6
TONY TAUPE
SW 7038
(TOWERS)

7
SMOOTH LIMESTONE
WHITE SANDS

8
BARREL CLAY ROOF
RED

9
OIL RUBBED BRONZE
(RAILINGS & FRAMES)

MATERIAL BOARD

Bowman

MSA ARCHITECTS
ARCHITECTURE & PLANNING

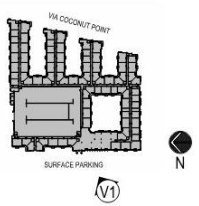


ENLARGED VIEWS

Bowman

MSA ARCHITECTS
ARCHITECTURE & PLANNING

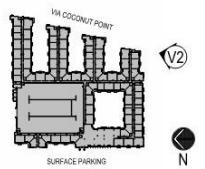




RENDERING – VIEW FROM SURFACE PARKING

Bowman





RENDERING – VIEW FROM VIA COCONUT POINT

Bowman

Mario Rojo, PLA

Bowman



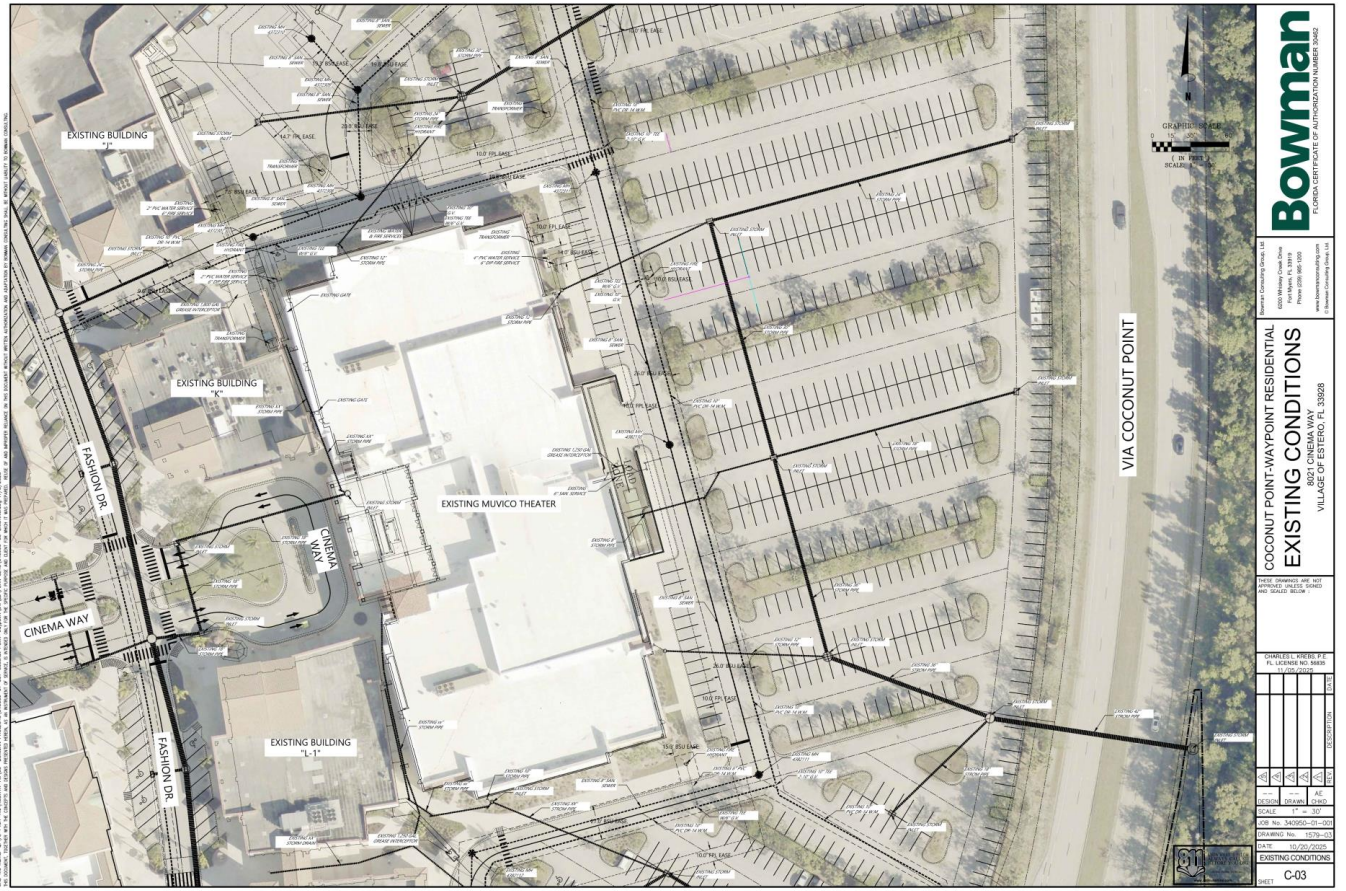
CONCEPTUAL LANDSCAPE PLAN

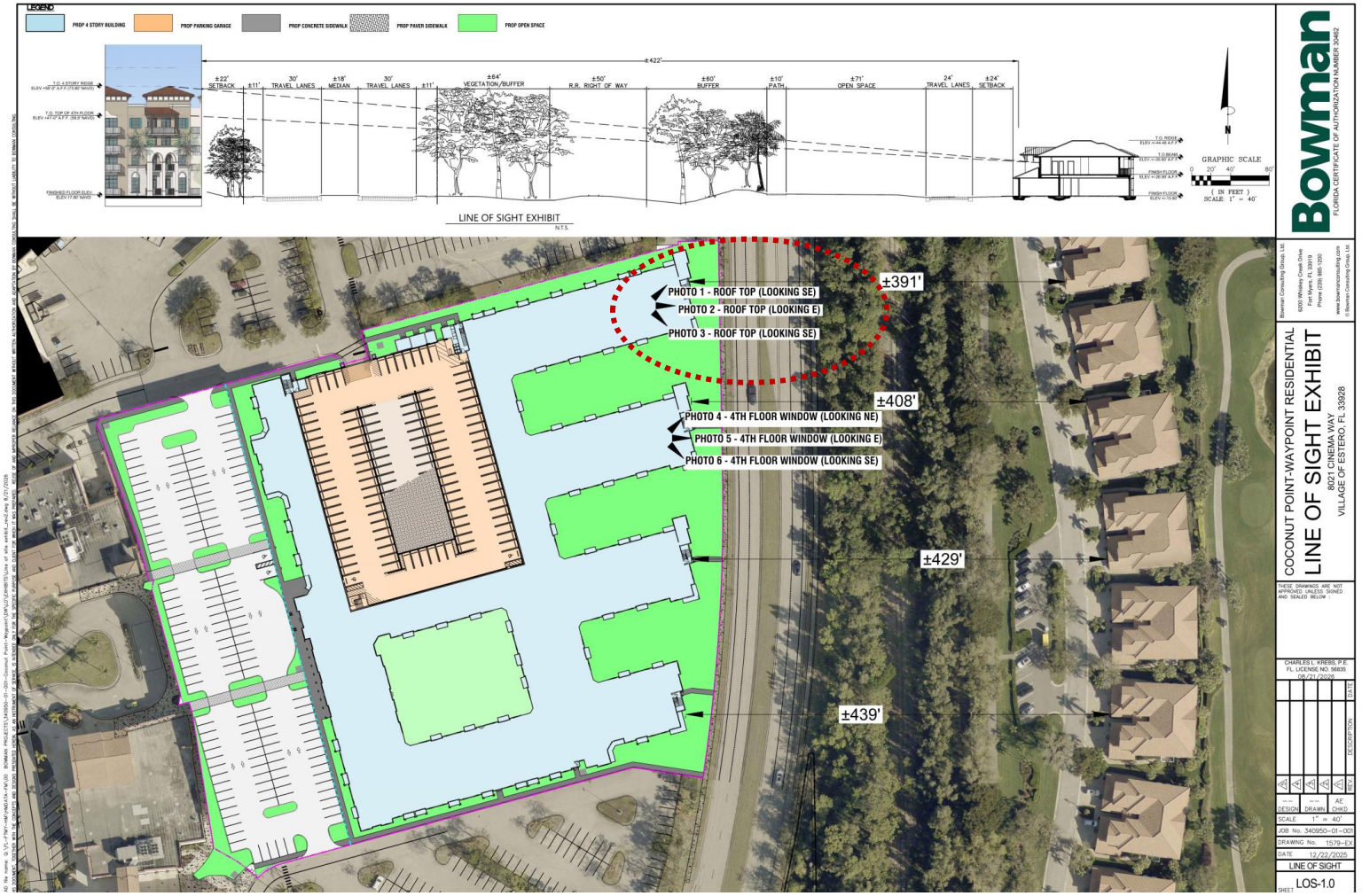
Bowman

Charlie Krebs, P.E.

Bowman

Utility Info




LEGEND
PROP 4 STORY BUILDING
PROP PARKING GARAGE
PROP CONCRETE SIDEWALK
PROP PAVER SIDEWALK
PROP OPEN SPACE
±422'
±22' SETBACK
±11'
30' TRAVEL LANES
±18' MEDIAN
30' TRAVEL LANES
±11'
±64' VEGETATION/BUFFER
R.R. RIGHT OF WAY
±50'
±60' BUFFER
±10' PATH
±71' OPEN SPACE
24' TRAVEL LANES
±24' SETBACK
GRAPHIC SCALE
(IN FEET)
SCALE: 1" = 40'
LINE OF SIGHT EXHIBIT
N.T.S.
PHOTO 1 - ROOF TOP (LOOKING SE)
PHOTO 2 - ROOF TOP (LOOKING E)
PHOTO 3 - ROOF TOP (LOOKING SE)
±391'
±408'
PHOTO 4 - 4TH FLOOR WINDOW (LOOKING NE)
PHOTO 5 - 4TH FLOOR WINDOW (LOOKING E)
PHOTO 6 - 4TH FLOOR WINDOW (LOOKING SE)
±429'
±439'
Bowman
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 30462
COCONUT POINT-WAYPOINT RESIDENTIAL
LINE OF SIGHT EXHIBIT
8021 CINEMA WAY
VILLAGE OF ESTERO, FL 33928
CHARLES L. KREBS, P.E.
FL LICENSE NO. 56638
09/21/2026
DESIGN
DRAWN
CHKD
SCALE 1" = 40'
JOB No. 340950-01-001
DRAWING No. 1579-EX
DATE 12/22/2025
LINE OF SIGHT
SHEET LOS-1.0
Bowman

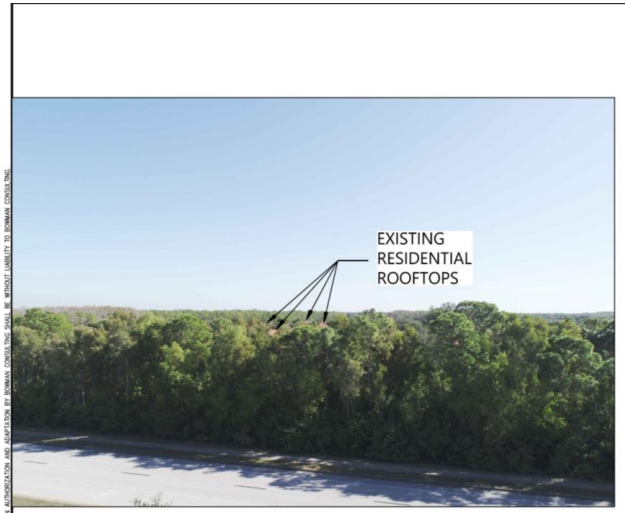


PHOTO #1



PHOTO #2



PHOTO #3

NORTHEAST CORNER
4TH FLOOR WINDOW VIEW

NO UNAUTHORIZED RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN. ANY REUSE OR ADAPTATION OF THESE CONCEPTUAL PLANS SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING

Bowman

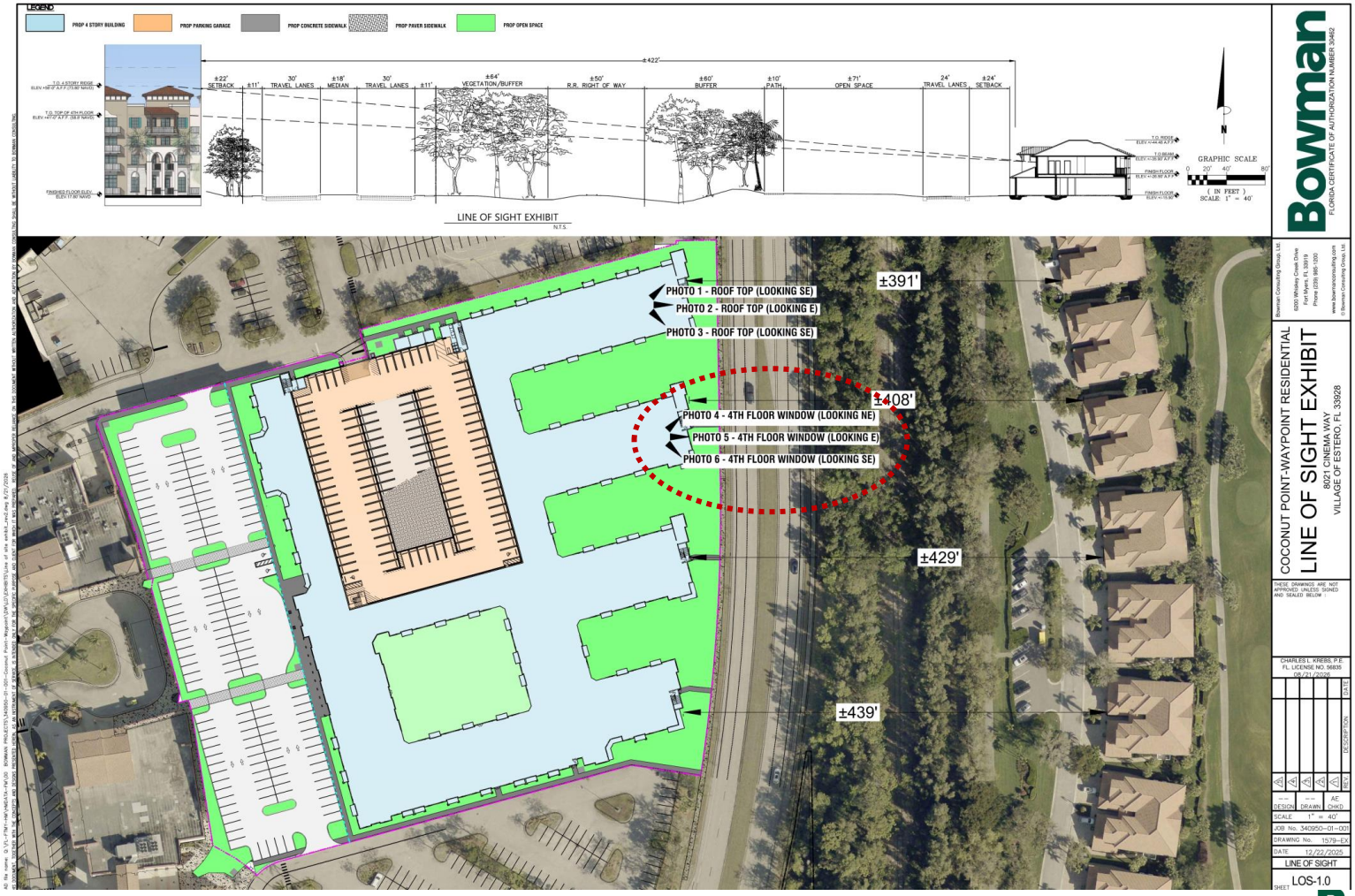

LEGEND
PROP 4 STORY BUILDING
PROP PARKING GARAGE
PROP CONCRETE SIDEWALK
PROP PAVER SIDEWALK
PROP OPEN SPACE
±422'
±22' SETBACK
±11'
30' TRAVEL LANES
±18' MEDIAN
30' TRAVEL LANES
±11'
±64' VEGETATION/BUFFER
±50' R.R. RIGHT OF WAY
±60' BUFFER
±10' PATH
±71' OPEN SPACE
24' TRAVEL LANES
±24' SETBACK
GRAPHIC SCALE
(IN FEET)
SCALE: 1" = 40'
LINE OF SIGHT EXHIBIT
N.T.S.
PHOTO 1 - ROOF TOP (LOOKING SE)
PHOTO 2 - ROOF TOP (LOOKING E)
PHOTO 3 - ROOF TOP (LOOKING SE)
PHOTO 4 - 4TH FLOOR WINDOW (LOOKING NE)
PHOTO 5 - 4TH FLOOR WINDOW (LOOKING E)
PHOTO 6 - 4TH FLOOR WINDOW (LOOKING SE)
±391'
±408'
±429'
±439'
Bowman
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 30462
COCONUT POINT-WAYPOINT RESIDENTIAL
LINE OF SIGHT EXHIBIT
8021 CINEMA WAY
VILLAGE OF ESTERO, FL 33928
THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED AND SEALED BELOW
CHARLES L. KREBS, P.E.
FL. LICENSE NO. 56835
05/21/2026
DESCRIPTION
DESIGN
DRAWN
CHKD
SCALE 1" = 40'
JOB No. 340950-01-00
DRAWING No. 1579-EX
DATE 12/22/2025
LINE OF SIGHT
SHEET LOS-1.0
Bowman



PHOTO #4



PHOTO #5



PHOTO #6

LOCATION #2

4TH FLOOR WINDOW VIEW

CAD file name: Q:\FL-FTMY-HM\WO\1A-FMY\00 BOWMAN PROJECTS\34950-01-001-Coconut Point-Wagoon\DWG\LD\EXHIBITS\Use of site exhibit_rev2.dwg 4/
THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPAR

Bowman

Ted Treesh

Bowman

Transportation Analysis

- The Coconut Point MPD TIS and Parking Study examined the traffic impacts of the following:

Table 1
Existing and Proposed Land Uses
Coconut Point MPD

Land Use	Existing Uses	Proposed Uses
Development Area 2A 6.85 acres	79,500 sq. ft. Movie Theater With: 16-Screens 4,000 Seats	355 Dwelling Units



PROJECT LOCATION MAP
COCONUT POINT MPD

Figure 1

Bowman

Transportation Analysis

Table 2
Trip Generation
Coconut Point MPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multi-Family (355 Units)	33	108	141	84	47	131	1,598

Table 3
Trip Generation
Regal Cinema Estero

Land Use	Friday P.M. Peak Hour			Daily (Friday)
	In	Out	Total	
Movie Theater (79,500 Sq. Ft.)	242	148	390	n/a
Movie Theater (16 Screens)	237	171	408	4,680
Movie Theater (4,000 Seats)	240	160	400	n/a

- As can be seen when comparing the PM peak hour trips in Table 2 to the PM peak hour trips in Table 3, there will be a significant trip reduction of almost 67% for this parcel with the proposed use.

Bowman

Transportation Analysis

- The traffic study was reviewed by the Village's outside consultants.
- The analysis included intersection analysis at the two primary impacted intersections along Via Coconut Point: Via Umbria Way and Via Monte Carlo Way.
- All movements are shown to operate at an acceptable Level of Service with the project trips added to the intersection in the proposed build-out year of 2031.
- No intersection improvements are warranted as a result of this land use change.

Bowman

Transportation Analysis

- A preliminary turn lane analysis and queue analysis at the two intersections connecting to Via Coconut Point adjacent to the site were included in the Traffic Study.
- No turn lane improvements are necessary to accommodate the trips from the multi-family dwelling units.
- Queues projected at these two intersections are less than three (3) vehicles approaching Via Coconut Point during the peak hours.
- The queue for Via Umbria Way would need to exceed thirteen (13) vehicles on the site to impact vehicle access to the apartment site.

Bowman

Transportation Analysis

- All roadways in the study area will operate at Level of Service "D" in 2031 with the projected trips added to the roadways.
- Coconut Point has mitigated all off-site roadway impacts as part of the DRI mitigation.

Bowman

Transportation Analysis

- A Parking Demand Study was also submitted as part of the application.
- TR Transportation conducted parking surveys at six (6) existing multi-family apartment communities in Lee County. One multi-family apartment community was located in the Village of Estero.
- The survey results were compared with data from the ITE Parking Generation Manual (6th Edition).
- Results indicate that the parking demand for multi-family units is 1.63 spaces per unit (including visitor and clubhouse parking spaces).
- Per discussions with Staff, the proposed development will provide 1.8 spaces per dwelling unit, which will provide more than enough parking spaces to accommodate anticipated demand.

Bowman

Jeremie Chastain, AICP

Bowman

Conclusion

- It is my professional opinion that:

The proposed Planned Development Amendment to the Coconut Point MPD has met all the applicable standards and is consistent with the Village of Estero Land Development Code and Comprehensive Plan, public hearing considerations, and generally accepted planning principles; is compatible with adjacent land uses; and has provided the necessary record that entitles it to approval.

Bowman

Questions?



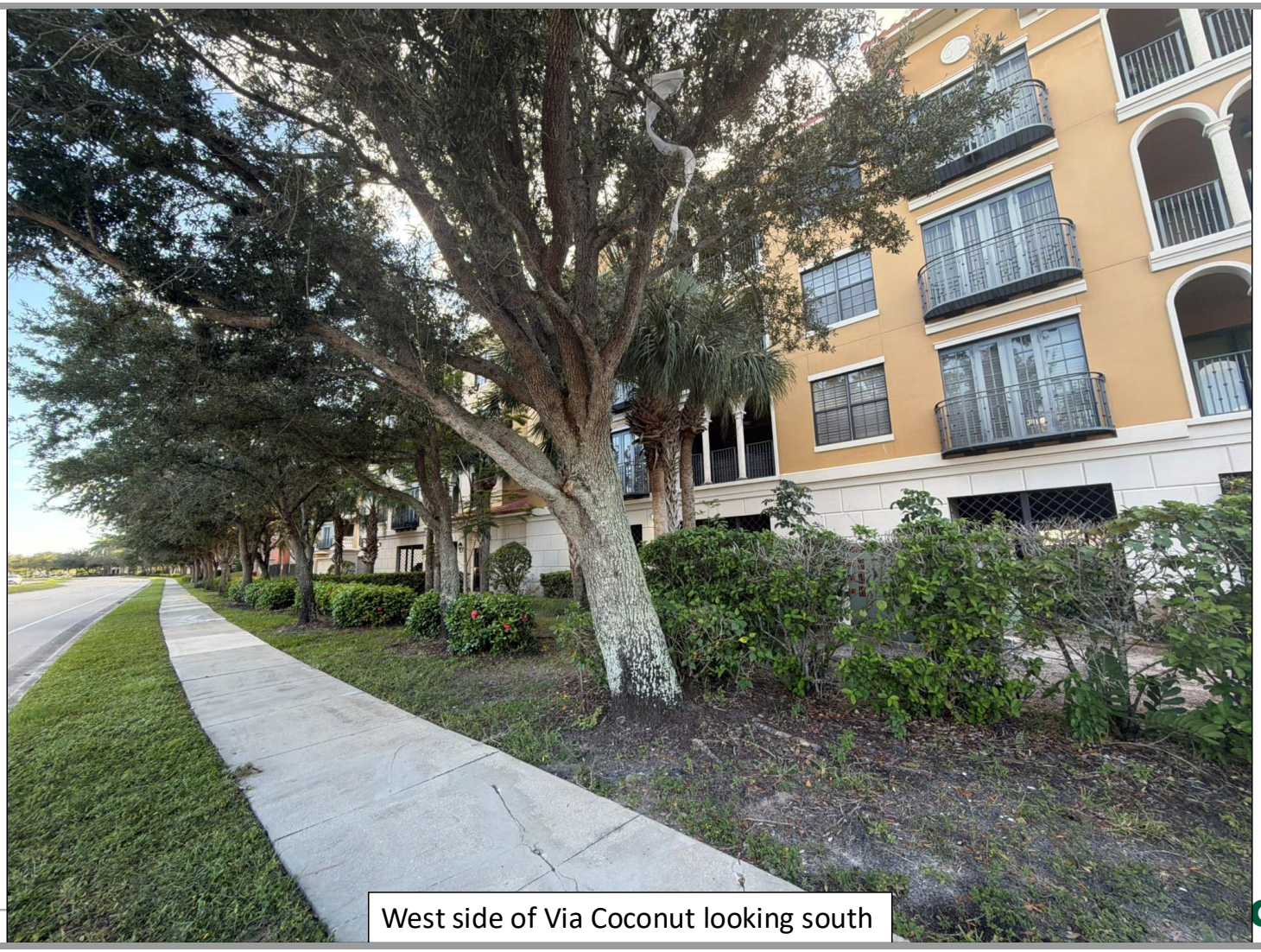
Looking south from Via Monte

Bowman



Looking south from Via Monte

Bowman



West side of Via Coconut looking south



West side of Via Coconut looking south


49
VERSONA
VERSONA
VICTORIA'S SECRET
Tommy Bahama
AMERICAN EAGLE



Bowman



Bowman

Village of Estero Comprehensive Plan Consistency

Transitional Mixed Use Category
Development Types, Density and Intensity

Development Types	Max. Standard Density **	Max. Bonus Density	Max. Intensity
Single use* & Horizontal mixed use* subject to compatibility standards *not allowed for substantial changes to existing approvals (10% or more increase to approved density or intensity)	1 du/ acre – 6 du/acre based on gross residential acreage for horizontal mixed use projects	n/a	1 FAR; and Neighborhood, community or regional scale commercial per FLU-1.5
Integrated horizontal mixed use subject to compatibility standards	1 du/acre – 10 du/acre based on gross residential acreage	Up to 14 du/acre based on gross residential acreage	1 FAR; and Neighborhood, community or regional scale commercial per FLU-1.5
Vertical mixed use subject to compatibility standards	1 du/acre – 16 du/acre based on gross acreage including non-residential land	Up to 20 du/acre based on gross acreage including non-residential land	1 FAR; and Neighborhood, community or regional scale commercial per FLU-1.5

** Bonus densities in the Transitional Mixed Use Land Use Category shall be determined through the planned development process for developer contributions of land or funds for the Village to purchase lands for public open space, recreational use or environmentally sensitive lands. The Village land development regulations shall establish the number of units available for such contributions and any additional compatibility criteria for planned development making use of the bonus densities

- 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 in some areas that currently do not 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…

Bowman

Village of Estero Comprehensive Plan Consistency

- Future Land Use
  - FLU-1.3.1
  - FLU-1.6.1
  - FLU-1.9.1
  - FLU-1.9.2
  - FLU-1.11.2
- Transportation
  - TRA-1.2.2
  - TRA-1.2.4
- Housing
  - HOU-1.5.2
- Infrastructure
  - INF-1.3.1
  - INF-1.4.5
  - INF-1.5.4
- Conservation & Coastal Management
  - CCM-1.4.2

Bowman

~~TENTH~~ ELEVENTH 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 the Tenth Eleventh Development Order Amendment and Restatement for Coconut Point DRI to amend and to update the Tenth Eleventh 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, the Village Council 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); 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; and

WHEREAS, the Village approved the Ninth Development Order Amendment and Restatement ("Ninth Amendment") by Ordinance 2017-02 on July 26, 2017, permitting said changes; and 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

WHEREAS, the tenth amendment reduced the retail square footage from 1,440,110 square feet to 1,438,110 square feet, and an increase from 370 hotel rooms to 453 hotel rooms; and

WHEREAS, the Eleventh Amendment proposes removal of the vacant movie theater and the development of a 355-unit apartment building in its place.

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~~Eleventh 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 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: ~~1,438,110~~ 1,426,310 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, 453 hotel rooms, ~~1,214 condominium units, 180~~1,624 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 of the DRI in ~~2038~~2042.

D. The terms of this Development Order apply to the property located and described in attached Exhibit A.

E. The property is zoned Mixed-use Planned Development (MPD).

F. The Application for Development Approval (ADA) as originally approved and further amended is consistent with the requirements of §380.06, Florida Statutes.

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.

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.

I. The development is located in the 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.

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)*. The Developer satisfied the affordable housing obligation by paying $600,000 to Lee County on December 20, 2006, which was accepted by the County in March, 2007.

2. *University Student Housing ($400,000)*. In addition to the above, the Developer subsidized University student housing by giving $400,000 to the Florida Gulf Coast University in October, 2004. These funds must be specifically earmarked for University student housing.

B. ENERGY

The Developer must incorporate, as a minimum, the following energy conservation features into all site plans and architectural programs or 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 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) Applicant's Handbook Volume 1. 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.

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 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 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 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 maintain a legal operating entity in accordance with the SFWMD 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 below.

	Build-out
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 square feet Town Center)	1,440,110 sq.ft (gla)
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 in the original Development Order approval. The assumed land uses associated with the general parameters 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.

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~~ Eleventh 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 would be operating below acceptable levels of service at the end of the original 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 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, was $10,196,250, which is lower than the proportionate share estimate.

As noted in Condition D.3, the Developer 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 was $14,770,000.

No independent fee calculation was permitted for the project, or a subpart thereof, absent a Notice of Proposed Change.

b. Traffic Mitigation. The Developer was provided a choice of one of the two mitigation options 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) 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. The Developer fulfilled this Option.

Concurrency certificates issued pursuant to this option were effective until December 31, 2019, or for three (3) years 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.

(2) Development Agreement

Lee County required execution of a Local Government Development Agreement for Mitigation Option 2 pursuant to §163.3220, Florida Statutes, and Chapter 2, Article III of the Lee County Land Development Code. 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.

(3) Application of Payments

(a) Cash

The County 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 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 improvements identified in Section D.1.b 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 could also be specified in the Development Agreement. The funds were paid, and improvements made prior to incorporation of the Village of Estero.

(b) Pipelined Improvements

The Developer was permitted to 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 subject to County approval. 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) Build-out Extension

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 December 7, ~~2038~~2042.

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, were projected to fail with the addition of the Coconut Point (aka Simon Suncoast) project. The segment of US 41 from Koreshan Boulevard to Alico Road was projected to fail even after the six-lane improvement identified in paragraph D.1.b.

The Developer 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 was $170,000. This figure was added to the project's DRI proportionate share~~,~~ and was paid by the Developer.

4. **Access and Site Related Improvements**

In addition to the proportionate share obligation set forth above, the Developer 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 and Pelican Colony Boulevard Intersection 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**

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 - 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.

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) have been considered during the permitting review process with the SFWMD and the Department of Army Corps of Engineers (ACOE). The Developer 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 have included draw down pool features in littoral shelf slopes to favor use by woodstork and other wading birds.

3. The Developer has followed the Standard U.S. Fish and Wildlife Service Protection Measures for the Eastern Indigo Snake; and an Eastern Indigo Snake

Protection Plan has been submitted for review and approval by the FFWCC as a condition of local development order approval.

4. The Developer 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 has conserved 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 has modified existing SFWMD and ACOE permits and provided additional mitigation.

7. Wetlands and surface waters 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 has been preserved and enhanced. An enhancement plan has been submitted as part of the local development order approval process. This plan 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. 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.

2. Mitigation for hurricane evacuation route impacts were provided by the Developer as part of the original local development order process.

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. The evaluation of the impacts and the mitigation will be determined in accordance with Section 7-501 through 7-505, Land Development Code.

G. WASTEWATER MANAGEMENT/WATER SUPPLY

1. The Developer 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 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.

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. Developer 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.

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. Developer on February 14, 2008, provided two five-acre sites located adjacent to Estero High School to the School District and obtained school impact fee credits from the County.

2. 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~~ Eleventh amendment to the DRI filed for Coconut Point DRI.

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~~ June 26, 2026, 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.

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 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.

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.

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 shall be reviewed pursuant to the Village of Estero Land Development Code.

K. Build-out and Termination Dates. The project has a build-out date of December 7, ~~2038~~2042, and a termination date of December 7, ~~2044~~2048 . The termination date is based on the recognition that a local Development Order is valid for six years after the build-out date.

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 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. 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.

Q. Community Development District. 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. This Development Order is effective at the time of its adoption by the Village of Estero Village Council. 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.

Councilmember _____ made a motion to adopt the ~~Tenth~~Eleventh 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 _____, 20_____

ATTEST: VILLAGE OF ESTERO, FLORIDA

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

Reviewed for legal sufficiency:

By:_____
~~Nancy Stroud, Esq.,~~ Robert Eschenfelder, Esq., Village Land Use Attorney

Exhibits:
A. Legal Description
B. Master Plan of Development (Map H) dated ~~4/17/25~~ June 26, 2026
C. Development Parameters and Phasing Schedule
C-1. Land Use Conversion Table
D. Pedestrian, Bicycle and Bus Stop Plan

DRI
EXHIBIT A

LEGAL DESCRIPTION

DRI
EXHIBIT B

MASTER PLAN OF DEVELOPMENT (Map H, dated ~~4/17/2025~~ June 26, 2026)

DRI
EXHIBIT C

Development Parameters and Phasing Schedule

		Buildout
Regional Retail Commercial	~~1,438,110* sq. ft.~~1,426,310 sq.ft.	~~2038~~2042
Community Retail	106,100* sq. ft.	~~2038~~2042
Office	835,777** sq. ft.	~~2038~~2042
Hotel	453 Rooms	~~2038~~2042
Residential, Multi-family	~~1,214 du~~1,624	~~2038~~2042
~~Residential, MF Apartments~~	~~180 units~~	~~2038~~
Assisted Living Facility	200 units	~~2038~~2042
Banks	8,000 sq. ft.	~~2038~~2042

* 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

PEDESTRIAN, BICYCLE AND BUS STOP PLAN