

# Transition Book for Estero Incorporation



*The Village of*

**ESTERO**



March 2015

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# TRANSITION BOOK FOR INCORPORATION OF THE VILLAGE OF ESTERO

prepared by

**ESTERO COUNCIL OF COMMUNITY LEADERS (ECCL)**

**March 2015**

Having led the successful campaign to get a referendum allowing the people of Estero to vote on incorporation, and the derivative campaign to achieve incorporation through an overwhelmingly favorable vote (86%), the Estero Council of Community Leaders (ECCL) felt it was its responsibility to do what it could to help the first elected Village of Estero Council prepare for the many issues it must address in the initial months of Village operations. With assistance from many outside experts, supplementing its own efforts, the ECCL has prepared this Transition Book. This book is certainly not all-inclusive, but we believe the many hours of work, and the years of pertinent experience, reflected in this book should be helpful to the new Village of Estero Council and to its interim (and later, permanent) executives and employees such as the Interim Village Manager. ECCL wishes the best to the new Village Council and to the management team that it assembles in the months ahead. A major part of our rationale for keeping ECCL in existence for the foreseeable future is to continue supporting the Council and our wonderful Village.

<u>Name</u>	<u>ECCL Position</u>	<u>Transition Book Contact for:</u>
Nick Batos	Chairman	
Howard Levitan	Vice Chairman	Land Code & Regulation
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## 1. Transition Resolutions and Ordinances

Every time a new municipality comes into existence, there are a number of issues on which the new municipal Council needs to take prompt legal action so that the Village can function and carry out its responsibilities. Usually referred to as “transition ordinances,” they consist of both resolutions (basically, streamlined designations of administrative responsibilities) and ordinances (formal laws<sup>1</sup>) establishing organizations and/or regulating the behavior of persons and organizations subject to the municipality’s jurisdiction.

ECCL’s incorporation counsel, the law firm of Gray Robinson, have assembled a notebook containing copies of the principal resolutions and ordinances adopted in the first three months that the City Councils of both Bonita Springs and Marco Island<sup>2</sup> were in existence (some 530 pages worth).. There is considerable overlap in the subjects they addressed and the actions they undertook, suggesting that they are useful models for actions that the Estero Village Council should consider taking in its first several months of existence.

*A copy of the notebook is available to Estero government officials in the Village Council offices.*

The principal subjects covered include:

### Resolutions

1. Establishing the municipality’s business address, setting public meeting schedules, and specifying a public place where official notices will be posted.
2. Authorizing procurement of liability and errors and omissions insurance coverage for the municipality and the Village Council
3. Designating a repository for receipt and investment of funds and payment of obligations
4. Requesting Village membership in the Lee County Metropolitan Planning Organization (MPO) and appointing a representative of the municipality to the MPO Board
5. Making or confirming the appointment of an Interim Village Manager, Village Clerk, Counsel, Finance Director, etc.
6. Authorizing the purchase or lease of computers and software, provision for related training of personnel, etc.
7. Appointing members of the state-required Local Planning Agency/Planning and Zoning Board
8. Establishing rules/procedures for ex parte communications with Village Council members
9. Requesting that the Village Manager obtain a line of credit for the Village

### Ordinances

1. Adopting and incorporating the existing Lee County ordinances as ordinances of the municipality (until such time as more tailored and Village-specific ordinances may be adopted to replace them), unless the applicable language in the Village Charter is determined by Counsel to make this unnecessary

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<sup>1</sup> E.g., proposed ordinances must be formally presented to two different advance-noticed Council sessions before the Council may enact them, thus providing time and opportunity for public consideration and comment before Council action. An ordinance is the municipal/county equivalent of a state or federal statute.

<sup>2</sup> ECCL also reviewed a notebook containing such materials from the Town of Fort Myers Beach.

2. Establishing land use and planning organizations, e.g., a planning & zoning board (which meets state “Local Planning Agency” requirements. For Estero, this will likely include a companion Design Review Board (based on existing Estero Community Planning Panel (ECPP) and Estero Design Review Committee (EDRC) models, respectively)
3. Establishing impact fees, usually initially adopting the County’s fees
4. Adopting rules that will govern the Village’s procedures for carrying out its necessary financial responsibilities, e.g., for purchasing (up to specified maxima, specifying when competitive bidding is required [usually for architectural/engineering type services], etc.
5. Establishment of Impact Fees

The Village’s appointed Interim Village Attorney and Interim Village Manager can review the notebook of Bonita and Marco model ordinances and resolutions in the course of advising the Village Council on how they might be adapted or how alternative models might be used, and then prepare documents meeting the Council’s preferences.

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## **2. Finances**

At its inception, the Village Council faces a number of critical issues related to banking, short-term financing, accessing revenue, making expenditures, obtaining insurance coverage, financial record keeping, staffing and auditing. Most of these issues, with the exception of selecting the Finance Director and the Independent Auditor, are time-critical. *This Transition Book includes, in Appendix 2, documents on alternative solutions intended to enable the Village Council to make sound decisions on the time-critical issues on or immediately after March 17. There are also supporting documents so large that multiple copies are being placed in a "Library" in the space allocated to the Village Council by Estero FireRescue (or in any alternate location the Council may choose).*

Cash Flow Projections: *At the end of this Tab 2/Finances, there is a copy of a Cash Flow Projection by month for calendar year 2015. The figures are based on the state-required Feasibility Study for the Village, as updated for more current information, and subject to change. The cash flow is expected to be positive each month on a cumulative basis and to total more than \$ 2.3 million by December 31, 2015. (This arises from projected revenues of \$4,419,397 and projected expenses of \$2,066,227.)*

If the projections are reasonably accurate, the Village would arguably not need to borrow. But, the Village should be protected in case of unanticipated expenses until the receipt of ad valorem tax revenue in December. This suggests it would be prudent to obtain a tax anticipation note, the form of short term credit instrument typically used by government entities when the majority of tax revenue is received late in the year.

Banking Relationship: The most time-critical finance issue on March 17 will be to initiate a banking relationship with a national bank in Estero. The ECCL has identified seven national banks which are state-required "Qualified Public Depositories" with at least one fully staffed branch in Estero. Each bank was sent a Request for Proposal (RFP) to provide 1) bank services and 2) a tax anticipation note ("TAN"). *Appendix 2A of this Transition Book contains the original RFP. Complete copies of the large notebook-size responses from the three banks that responded – FineMark, Sun Trust and Fifth Third – are in the Village offices "Library" referred to in the first paragraph in this tab.* The Village should select the bank on March 17 or as soon thereafter as possible and authorize the Interim Village Manager to open immediately an account (that requires two signors for each disbursement). This will enable the Village to begin receiving State Shared Revenue on or before April 1, 2015 and then begin to pay its operating expenses.

The tax anticipation note should be obtained from the same bank. The RFP requested proposals for three alternative principal amounts: \$ 500,000, \$1,000,000 or \$1,500,000. The Council should select the level of funding on March 17. Also at that time, the Council is urged to authorize the Interim Village Manager, Interim Finance Manager and others to finalize the agreement.

Interim Finance Manager: The Council should ask its Interim Village Manager, once selected, to name an Interim Finance Director, on March 17 or as soon thereafter as feasible. This person or organization needs to be experienced in all aspects of Florida municipal finance. This entity will also need to make the critical selection of an initial accounting and reporting system for the Village, subject to such approval as the Interim Village Manager may require. This person or organization will be critical in advising the Council on financial matters, finalizing the terms of the tax anticipation note, providing information to the State to ensure timely receipt of State Shared Revenue, identifying other potential revenue sources, approving authorized expenditures, preparing for the required independent audit of Village financial records at the end of the current fiscal year in September 2015, and beginning the budget process for 2016. To expedite the Village's selection of an Interim Finance Director, *Appendix 2B of this Transition Book includes resumes and proposals from highly qualified firms which have expressed a willingness to step into this role immediately. The Appendix includes proposals submitted by Adgate, Pace and Associates (of which Lisa Pace, former Bonita Springs Finance Director, is a partner), Severn Trent and Government Services Group (GSG), all of which have experience in municipal finance in Florida.*

Accounting/Bookkeeping Service: The Council is urged to ask the Village Manager to ensure the engagement of an Accounting and Bookkeeping Service which is experienced in Florida municipal finance. This is to ensure competent and complete government-mandated financial record keeping from the outset, and assist in the financial budgeting process to enable timely issuance of TRIM notices. (This firm will be precluded from performing the independent audit.) *To expedite the Village's appointment, see Appendix 2B of this Transition Book which includes proposals from Adgate, Pace and Associates, Severn Trent and GSG to serve in this capacity on a longer term basis.*

Insurance Matters: Obtaining liability and casualty insurance coverage for the Village and Council members is an important responsibility on March 17. The ECCL, after considering the only two other insurance providers, requested a quote from The Florida Municipal Insurance Trust ("FMIT"). This self insurance trust, administered by the Florida League of Cities ("FLC"), was established in 1987 and has over \$465 million of assets. FMIT provides insurance coverage to over 500 public entities in Florida, including over 63% of Florida cities. *For a summary of the proposal, see Appendix 2C. Complete copies of the notebook containing the FLC/FMIT proposal will be placed in the "Library" referred to in the first paragraph in this tab.* (The base personal liability coverage included in this proposal is for \$1 million; amounts up to \$ 5 million could be considered by the Council at a later date.) Mr. Andy Hanson, an Account Executive from FMIT, will be in attendance on March 17 to answer questions and bind coverage.

Finance Director: Selecting a highly-qualified Finance Director will be critical to the long-term success of the Village, but the selection need not be made immediately. The Interim Finance Director can provide this function until after the selection of the Village Manager, who has responsibility for selecting the Finance Manager. To expedite the

process, the ECCL drafted a position description for Finance Director and posted it with the Florida League of Cities and on EsteroToday.com. *A copy is included in this Book as Appendix 2D.*

Independent Auditor Selection: The Independent Auditor should be retained by the Council to audit the financial statements for the fiscal year ended September 30, 2015. The appointment can be deferred until the Village Manager and/or the Finance Director has/have received proposals, interviewed firms, and is/are in a position to make a recommendation.

CASH FLOW PROJECTIONS -- PAGE 1  
 Village of Estero  
 Calendar Year Ended 12-31-15

Updated 3-11-15

	FEASIBILITY STUDY (A)		UPDATED ESTIMATE (B)		2015 BY MONTH											YEAR ENDED
	Annual	2015	Annual	2015	JAN-MAR	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	OCT	NOV	DEC	12/31/2015	
<b>REVENUES</b>																
<b>STATE SHARED REVENUE (19-20)</b>																
Municipal Revenue Sharing (28)	490,530	367,898	490,679	368,009	-	40,890	40,890	40,890	40,890	40,890	40,890	40,890	40,890	40,890	368,009	
State Sales Tax (29)	1,856,049	1,392,037	2,270,941	1,324,715	-	-	-	189,245	189,245	189,245	189,245	189,245	189,245	189,245	1,324,715	
Total State Shared Revenue	2,346,579	1,759,935	2,761,620	1,692,724	-	40,890	40,890	230,135	230,135	230,135	230,135	230,135	230,135	230,135	1,692,724	
<b>FRANCHISE FEES &amp; COMMUNICATION SERVICE TAX (23)</b>																
	1,896,768	948,552	1,896,768	474,192	-	-	-	-	-	-	-	158,064	158,064	158,064	474,192	
<b>LICENSE FEES (30)</b>																
	75,000	37,500	75,000	18,750	-	-	-	-	-	-	-	6,250	6,250	6,250	18,750	
<b>GAS TAX REVENUES (34) &amp; (C)</b>																
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>AD VALOREM REVENUE (See Page 2 &amp; NOTE below)</b>																
	3,938,494	1,969,247	4,324,895	2,162,447	-	-	-	-	-	-	-	-	-	2,162,447	2,162,447	
<b>GRAND TOTAL REVENUE</b>	<b>8,256,841</b>	<b>4,715,234</b>	<b>9,058,283</b>	<b>4,348,114</b>	<b>-</b>	<b>40,890</b>	<b>40,890</b>	<b>230,135</b>	<b>230,135</b>	<b>230,135</b>	<b>230,135</b>	<b>394,449</b>	<b>394,449</b>	<b>2,556,896</b>	<b>4,348,114</b>	
<b>EXPENDITURES</b>																
<b>LOCAL GOVERNMENT</b>																
Personnel, City Council, Contract Services, Operations Rent, Insurance and Contingency (See Page 2)	1,112,350	674,675	1,668,359	1,212,082	-	98,029	134,182	134,182	134,182	134,182	134,182	139,778	134,182	169,182	1,212,082	
<b>COUNTY INTER LOCAL AGREEMENT CONTRACTS</b>																
Total charges (D)	4,074,871	2,037,436	4,074,871	679,145	-	-	-	-	-	-	-	-	339,573	339,573	679,145	
<b>LOCAL ELECTIONS</b>																
Charge from Supervisor of Elections	134,000	134,000	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>CAPITAL EQUIPMENT</b>																
Office and computer equipment	175,000	175,000	175,000	175,000	-	-	75,000	50,000	50,000	-	-	-	-	-	175,000	
<b>GRAND TOTAL EXPENDITURES</b>	<b>5,496,221</b>	<b>3,021,111</b>	<b>5,918,230</b>	<b>2,066,227</b>	<b>-</b>	<b>98,029</b>	<b>209,182</b>	<b>184,182</b>	<b>184,182</b>	<b>134,182</b>	<b>134,182</b>	<b>139,778</b>	<b>473,755</b>	<b>508,755</b>	<b>2,066,227</b>	
<b>SURPLUS/(DEFICIT)</b>	<b>2,760,620</b>	<b>1,694,123</b>	<b>3,140,052</b>	<b>2,281,887</b>	<b>-</b>	<b>(57,139)</b>	<b>(168,292)</b>	<b>45,953</b>	<b>45,953</b>	<b>95,953</b>	<b>95,953</b>	<b>254,671</b>	<b>(79,306)</b>	<b>2,048,141</b>	<b>2,281,887</b>	
<b>CUMULATIVE SURPLUS/RESERVE</b>					<b>-</b>	<b>(57,139)</b>	<b>(225,431)</b>	<b>(179,478)</b>	<b>(133,525)</b>	<b>(37,572)</b>	<b>58,380</b>	<b>313,051</b>	<b>233,745</b>	<b>2,281,887</b>		

**NOTE:** Assumes no tax rate change; ad valorem amounts have been updated for Jan. 1, 2014 property values. Actual revenues are expected to be higher when based on Jan. 1, 2015 property values.  
**(A)** Reflects the original feasibility study amounts, as later adjusted by BJM Consulting for a net cash flow decrease of \$20,825 for the exclusion of Eldorado Acres.  
**(B)** Amounts updated only to reflect more current information; all amounts are preliminary estimates and subject to change.  
**(C)** Although the Village is entitled to Gas Tax Revenues beginning in October, such amounts have been excluded because the related costs are not determinable prior to negotiation with Lee County.  
**(D)** The monthly cost is based on preliminary discussions by BJM Consulting with Lee County officials; the Village Manager et. al. will need to negotiate these charges with Lee County officials well before October 1, 2015.  
**(Numbers in Red)** refer to the appropriate page number in the BJM Consulting Feasibility Study.

CASH FLOW PROJECTIONS -- PAGE 2 (SUPPLEMENTAL INFORMATION)  
 Village of Estero  
 Calendar Year Ended 12-31-15

Updated 2-20-15

	FEASIBILITY STUDY (A)		* UPDATED ESTIMATE (B) *		-----2015 BY MONTH-----										YEAR ENDED
	Annual	2015	Annual	2015	JAN-MAR	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	OCT	NOV	DEC	12/31/2015
<b>AD VALOREM REVENUE (22)</b>															
<b>ESTERO TAXABLE VALUE (\$000 Omitted)</b>	\$4,936,632		\$5,420,958												
x 95% (for early payment discounts) (\$000 Omitted)	4,689,800		5,149,910												
x .8398 (Millage Rate)	3,938,494	1,969,247	4,324,895	2,162,447	-	-	-	-	-	-	-	-	-	2,162,447	2,162,447
<b>LOCAL GOVERNMENT COST</b>															
<b>PERSONNEL COSTS (38)</b>															
Village Manager	125,000		125,000			5,208	10,417	10,417	10,417	10,417	10,417	10,417	10,417	10,417	88,542
Assistant Village Manager/Contract Specialist	115,000		115,000				9,583	9,583	9,583	9,583	9,583	9,583	9,583	9,583	76,667
Finance Director	95,000		95,000			3,958	7,917	7,917	7,917	7,917	7,917	7,917	7,917	7,917	67,292
City Clerk/Treasurer	65,000		65,000				5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	43,333
Administrative Asst.	35,000		35,000				2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	23,333
Total Salaries	435,000		435,000		-	9,167	36,250	36,250	36,250	36,250	36,250	36,250	36,250	36,250	299,167
Fringes at 35%	152,250		152,250			3,208	12,688	12,688	12,688	12,688	12,688	12,688	12,688	12,688	104,708
Total Payroll Cost	587,250	293,625	587,250	403,875	-	12,375	48,938	48,938	48,938	48,938	48,938	48,938	48,938	48,938	403,875
<b>MAYOR AND CITY COUNCIL</b>															
Compensation	27,000	22,500	45,000	31,875		1,875	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750	31,875
<b>CONTRACT SERVICES (39)</b>															
Legal Services	75,000	75,000	480,000	360,000	-	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	360,000
Growth Management	50,000	50,000	120,000	90,000	-	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	90,000
Professional Services	50,000	50,000	120,000	90,000	-	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	90,000
Total	175,000	175,000	720,000	540,000	-	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	540,000
<b>OPERATIONS/RENT (39)</b>															
Various Costs	129,600	64,800	129,600	86,400	-	-	10,800	10,800	10,800	10,800	10,800	10,800	10,800	10,800	86,400
<b>INSURANCE (39)</b>															
Property, Casualty, Liability, Auto	75,000	37,500	23,174	18,680	-	13,084	-	-	-	-	5,596	-	-	18,680	
<b>AUDIT (39)</b>															
Cost for period ending 9-30-15	35,000	35,000	35,000	35,000	-	-	-	-	-	-	-	-	-	35,000	35,000
<b>CONTINGENCY (39)</b>															
Unidentified Costs (1 Mo. Budgeted expenses)	83,500	46,250	128,335	96,252	-	10,695	10,695	10,695	10,695	10,695	10,695	10,695	10,695	10,695	96,252
<b>TOTAL LOCAL GOVERNMENT COST</b>	<b>1,112,350</b>	<b>674,675</b>	<b>1,668,359</b>	<b>1,212,082</b>	<b>-</b>	<b>98,029</b>	<b>134,182</b>	<b>134,182</b>	<b>134,182</b>	<b>134,182</b>	<b>134,182</b>	<b>139,778</b>	<b>134,182</b>	<b>169,182</b>	<b>1,212,082</b>

NOTE: Assumes no tax rate change; ad valorem amounts have been updated for Jan. 1, 2014 property values. Actual revenues are expected to be higher when based on Jan. 1, 2015 property values. (Numbers in Red) refer to the appropriate page number in the BJM Consulting Feasibility Study.

### 3. Administration and Staffing

#### Introduction

##### **Office Space**

One of the first major decisions that must be made concerning the new village is determining the initial location for the seat of government. If a desirable location can be found, it would make sense to give serious consideration to the use of this location especially at the inception of the village government. If this is not a viable option then the village government needs to research and decide on another location which was the space, characteristics and other facilities to house the seat of government for the Village of Estero.

There has been a great deal of interest in giving consideration to housing the seat of government for the village initially in the Administration Building of the Estero Fire District. Given that fact an analysis of this facility is included in this part of the transition book (see below).

Another consideration which has been undertaken is to look at commercial/office space property available within the Village of Estero using the space criteria of 3000-3500 sq.ft.as the amount of space needing to be considered. To that end, a contact was made in August, 2014 with Premier Commercial, a well-known and qualified commercial real estate firm, to provide an initial assessment of commercial and office space available in the Village of Estero. The principals of this firm, Andrew DeSalvo and Matthew Stepan, provided a handout, an initial inventory and a tour of some potential commercial and office property space available in Estero at the time. *This information has since been updated from the original material provided in August and is also included as a part of this report, in an attached CD. See the CD ROM in Appendix 3.*

##### **Staffing**

This part of the report identifies a given minimum number of Village government positions that will likely be necessary as the new village government begins. As identified in the assessment of the Estero Fire District Administration Building, the recommendation here is that a minimum of five full-time positions will be needed as the concept of “government lite” is initially implemented in the Village of Estero. These positions are identified as follows:

- **Village Manager**
- **Village Clerk**
- **Village Chief Financial Officer**
- **Assistant to the Village Manager**
- **Receptionist**

The Village attorney is an important additional position but would likely be done on a contractual basis with a law firm and a principally-responsible partner thereof.. With the exception of receptionist, job descriptions are available for each of these positions and are included in this part of the report. There may be, however, additional part time employees or contracted vendors needed, but this can be addressed as the new Village Council begins to function.

### **AN ASSESSMENT OF ESTERO FIRE/RESCUE DISTRICT ADMINISTRATION BUILDING AS THE SEAT OF GOVERNMENT FOR THE VILLAGE OF ESTERO**

Three visits have been made to the Estero Fire District Administration Building to evaluate its potential as the initial seat of government for the Village of Estero. This part of the report focuses on the Estero FireRescue District Administration Building as the initial location for the government of the Village of Estero. In looking at this location it is assumed that the initial staff of the new village government will **not exceed five persons**. The staffing assumes the following positions for the new village government:

- **Village Manager**
- **Village Clerk**
- **Village Chief Financial Officer**
- **Assistant to the Village Manager**
- **Receptionist**

This is the *maximum number* of additional village staff that could be accommodated in the existing fire administration facility. With the exception of the receptionist each of the Village employees will need an office. There will also need to be adequate space for a conference room for the village manager and/or the mayor or council members to meet with individuals or the public. Additionally there will have to be dedicated and locked area for the storage of important village documents. A secure closet would probably accomplish this function at least in the beginning.

The village will have to provide computers for both staff and council members. The village manager will need both a desktop and laptop computer. The village clerk will need both a desktop and a laptop computer. The chief financial officer will need a desktop computer as will the administrative assistant and the receptionist. Each council member will need a laptop and the village will probably want to provide a laptop for the village attorney. In total you are looking at the need for five desktop computers and 10 laptop computers. Additionally the village will probably need two servers, one for official village business and one for the village website and email. The assumption is that space for the additional servers is available in the fire district administration building. This assumption is based upon a tour of the facility.

If the decision is made to use this facility, a short-term lease of from one to three years is recommended. An inter-local agreement will need to be drafted by the village attorney that will require the approval of both the Estero Board of Fire Commissioners and the Village Council.

The Village should be prepared to pay for any and all renovation costs required to use the facility as the initial village government seat. Another important matter is signage which will need both the approval of the Fire Chief and the Board of Fire Commissioners. The signage must, of course, apply with applicable provisions in the County Land Development Code, including the special provisions in that Code for Estero. A first step would be meeting with the Estero Design Review Committee (which will continue until replaced by successor agencies in an Estero Land Development Code (see part 5 of this Transition Book).

The Board Room at the Estero FireRescue Administration Building is an ideal location for conducting regular Village Council meetings. It is modern and has the technology needed for important presentations to both the Council and the public. Meetings anticipating an audience in excess of about 120 could be held in a facility that has **significantly more parking**, perhaps at the Estero Community Park or Estero High School. If this facility is chosen it is **most important** that meetings (dates and times) be established and **calendared** as far in advance as possible, preferably at times prearranged with the FireRescue management. Getting meetings calendared is crucial and could be a major disadvantage of using this facility depending upon the number of times the Board Room is used by the FireRescue District itself for other meetings and/or events. It should be considered that initially the Village Board will be meeting at least twice a month. Meetings of the planning and/or zoning boards might be held at the FireRescue facility as well but could be held at other locations, e.g., the Community Recreation Center at Estero Park.

The **major disadvantage** in considering the Estero FireRescue Building as the initial seat for the village government is the parking limitations. With additional village government employees needing to utilize parking five days per week at the Fire Administration Building, there may well be additional pressure on the available parking. *If this site is selected, every effort should be made to work with the FireRescue District as soon as possible to explore possible expansion of available parking.*

In summary, it appears that this facility could provide an easy and viable location initially for the seat of government for the Village of Estero. If it is chosen, there will be both internal and external changes required to accommodate both the FireRescue District and the Village of Estero. Calendaring of more governmental functions will require close coordination by both government entities and a willingness to share space and time. It is believed that all of these matters can be accomplished but it would be helpful if negotiations for the use of this facility could begin as soon as possible after the Village Council election. If an interim or transitional Village Manager is available, this would be a major responsibility for this individual.

## **Village Staffing**

The campaign to incorporate the Village of Estero urged that the new municipality follow the principle commonly known as “government lite.” With this in mind, the recommendation for the initial number of full-time employees is that five is a good starting number for the Estero Village government. These employees are the Village Manager, the Village Clerk, the Village Budget or Chief Financial Officer, the Assistant

to the Village Manager and a Receptionist. In addition to the full-time employees a Village Attorney needs to be identified and retained as soon as practical since the expertise of this office will be crucial and very necessary in drafting initial ordinances and government documents. Other part-time employees or contracted vendors may be identified after the village government begins to function. Some possible part-time employees could include code enforcement, public works, and a qualified hearing officer for zoning matters. Job descriptions for part-time positions have not been included since a decision by the Village Council would have to be made first. Should any of these positions be deemed necessary, position descriptions and the process of advertising of these positions would be handled by the Village Manager.

An attempt has been made to provide a variety of job descriptions for the initial full-time positions needed for the Village of Estero. These job descriptions are a part of this section of the transition book. If it is determined that additional village governmental positions, either part or full time, are necessary, then additional job descriptions can be developed through the Village Manager. None of the job descriptions contained in this report are unique as they have been provided by responsible outside sources such as the Florida League of Cities. It is important to understand that once it is time to advertise for a particular position, a job description specific to the Village of Estero will need to be developed and appropriately advertised.

*The sample position descriptions are contained in the Appendix 3 CD-ROM.*

### **Process Used For Selecting a Candidate for Interim Village Manager**

In mid-January a formal communication was sent to prospective village manager candidates from the list of Managers in Transition provided by the Florida League of Cities and the Florida City and County Managers Association. The search was confined to potential candidates living in and familiar within the state of Florida. Additionally some other resumes from interested candidates were received through the general networking systems of these individuals who knew that Estero was a newly created Village and would be looking for a Village Manager.

Ultimately 11 resumes were received during the course of a six week period of time. The three unopposed village council candidates along with Roger Strelow and Phil Douglas of the ECCL's Transition Team interviewed four candidates. Each candidate was living in Florida and either was or had been a city or county manager. One candidate ultimately withdrew from consideration so the final consideration came down to three individuals.

After due deliberation and discussion the ECCL's Transition Team has decided to recommend to the Village Council for the position of interim village manager Peter Lombardi, a retired manager, who is currently a senior advisor and consultant to Florida City and County Managers Association. Mr. Lombardi was recommended highly by both the Florida League of Cities and the Florida City and County Managers Association.

Between the March 3<sup>rd</sup> election and the first meeting of the Village Council Mr. Lombardi will have an opportunity to meet separately with each of the other four newly elected Council members so that they are familiar with his qualifications as well being able to answer each individual Council member elect's questions.

At the first meeting of the Council, the ECCL's Transition Team will be making a recommendation to the Village Council to hire Mr. Lombardi as the interim village manager.

### **Council Orientation**

An important area for consideration is an orientation program for the new village council. The Florida League of Cities has an excellent orientation program for new council members. The program lasts for three days, provides a wealth of information to new council members, and can be offered throughout the state of Florida. If possible, it would be desirable to schedule such an orientation program for the newly elected Estero village council members during the period between the village election and the first village council meeting. The Florida League of Cities would probably be willing to conduct the orientation program in Estero or a surrounding geographic area. As a thought, perhaps Florida Gulf Coast University might be willing to host this kind of program. *The contact person for this program at the Florida League of Cities is Lynn Tipton, the Membership Manager of the Florida League of Cities. Her phone number is 850-7013637 and her email is [ltipton@flcities.com](mailto:ltipton@flcities.com).*

### **COMMERCIAL OFFICE SPACE AVAILABLE IN THE VILLAGE OF ESTERO**

On August 8, 2014 a meeting was held with Andy DeSalvo and Matt Stepan of Premier Commercial. The purpose of this meeting was to obtain some initial information on space available for the new Village of Estero seat of government office if this direction is chosen by the new Estero Village Council. Premier prepared a list of both retail and office properties within Estero for viewing. The available space areas ranged from 3000 sq.ft.to 6000 sq. ft.

As of August 8<sup>th</sup> the current retail vacancy rate in Estero was 5% or less. The office vacancy rate at that time in Estero was between 20% and 25%. At the time Premier stated that office space in Estero will continue to be absorbed and that the office vacancy rate when the Village begins its search (Spring 2015) will likely resemble current market conditions with some space lost to occupancy over the next eight months. Premier Commercial has now provided an update as of November 25<sup>th</sup> which shows the changes in the available office space. The office vacancy rate is now 17.3% which reflects a major improvement in the overall Estero office market. Premier's consensus is that the new village council and/or manager will need to develop some parameters for the office space if that is the direction they choose to pursue. Some of the parameters are whether you will need office or retail space, parking, location,

square footage, security, first or second floor etc. Once the parameters have been established a more fruitful search can be undertaken.

Premier Commercial is an excellent firm with superb reputation. Andy DeSalvo lives in Stonybrook and is an Estero resident. Premier Commercial knows Estero well in addition to being able to identify the key players and landowners and the gross leasing costs. Premier is willing to meet with our entire group, a sub-group or the new village manager or council to provide their insights into a site selection process. There are, of course, other commercial brokers available to consider by it certainly makes sense to include Premier in any selection process.

The original meeting and tour was very productive. *Premier provided a handout and preliminary analysis of ten properties (both retail and office) at different locations within the proposed boundaries of Estero. This information is in the Appendix 3 CD-ROM. Since this original assessment, the broker for the owner of some commercial property in Old Estero has indicated an interest in consideration. His information is also included in Appendix 3.*

Premier has provided a very recent update on the original materials which shows the changes in space availability as well as the properties that are no longer available. At my request Premier also included the Wells Fargo Bank owned property located in Old Estero even though they are not the commercial brokers for this property.

If this is the direction chosen by the Village Council, the Council probably needs to engage the services of a professional commercial broker like Premier Commercial. This will greatly facilitate the entire process.



## MEMORANDUM

**TO:** Mr. Roger Strelow

**FROM:** Ken Cassel, District Manager

**CC:** Bob Koncar, STS Regional General Manager  
Stephen Bloom, STS Finance Manager

**DATE:** February 23, 2015

**SUBJECT:** City Clerk/Records Management options

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Outlined below are several options for providing Estero with the necessary clerking and records management processes on startup and long term.

**Option 1:** Part time City Clerk – employed by Estero. In addition back office work to be provided by Severn Trent Services personnel.

City Clerk will perform the following task.

- Clerk would coordinate communication with the elected officials and Village Attorney for agenda items. Information would be sent to the Severn Trent Recording Department to prepare agenda packages.
- Attend meetings and secure signatures on necessary documents.
- Send executed documents to Recording Department for document retention.
- Record meetings and send copy of recording to the Severn Trent Recording Department.
- Contact person for records request.
- Maintain onsite records of proceedings, and documents required to be kept within the County.
- Village Elections

Severn Trent Staff would perform the following tasks:

- Prepare and advertise all meeting notices in the appropriate paper
- Prepare agenda packages and distribute to Village Council
- Maintain recordings of the meetings in accordance with State Statutes.
- Transcribe minutes (summary format) of council meetings and workshops (Two meetings and one workshop per month) Additional meetings would be at a negotiated fee.
- Coordinate with Village Attorney in the preparation of ordinances, resolutions, agreements and other legal documents for action by Council.



- Maintain required documents, ordinances, agreements, and resolutions digitally in the Severn Trent System.
- Send agency mailings to the appropriate agencies and the clerk for onsite retention requirements.
- Coordinate with Villages website administrator on the posting of all applicable records for public access.
- Process all records request and send the requested information to the Clerk for distribution.
- Annual filings with State Commission on ethics
- Annual filings with the Department of State
- Coordinate the codification of codes and ordinances with Municipal Code Corporation (MUNICODE)

**Option 2:** Full time City Clerk employed by the Village of Estero.

Under this option all the task listed in Option 1 would be done by the onsite Village clerk.

**Option 3:** Contracted full time City Clerk Functions

Under this option all task listed in Option 1 would be contracted through Severn Trent Services. Severn Trent would provide an onsite City Clerk and utilize it back office infrastructure to provide the clerking services.

**Other Considerations:**

Specific fees for services and pass through cost (i.e. FedEx, postage, copies) would be negotiated between Severn Trent and the Village of Estero.

Below is an estimated cost for budgeting purposes for Severn Trent Services to provide services listed in the various options is as follows. Detailed scope and pricing would be part of the contract negotiations. Also included is an annualized transitional cost for the first year.

Transition: \$ 46,971.00

Option 1. \$ 60,124.00

Option 2. No involvement by Severn Trent

Option 3. \$ 148,897.00

#### 4. Contractual Intergovernmental Service Agreements

##### Description/Analysis:

Under current law and practice, and in view of the County already receiving tax payments that will be used to provide its services throughout the current Fiscal Year, ending on September 30, 2015, Lee County will automatically and without any added cost to Estero, provide all its current services to Estero through that date even after the new Village Council is installed and begins governing. (These include services such as permitting, code enforcement, solid waste removal and disposal/recycling, maintenance of local roads<sup>1</sup>, land use planning, etc.)

For services that the Village of Estero would like to purchase from the County after September 30, 2015 (other than for Sheriff services, see below) the Village will need to negotiate with the County Manager, prior to September 30, 2015 an "Interlocal Agreement" ("ILA") which will specify the cost or cost-determination methodologies (e.g., fee-for-service in cases such as permitting or animal control, or on a per-capita basis, etc.<sup>2</sup>) for such services as the Village wishes to continue receiving from the County during the next fiscal year.

Over time, Estero might choose to: (1) continue purchasing some or most County services, (2) contract for such services with private providers such as CH2MHill (a major engineering firm), or (3) hire its own full-or part-time staff to perform them.

The Feasibility Study (FS) which ECCL commissioned, and which was required by, and consulted in detail by, the State Legislature in the process of adopting its referendum statute for Estero, contains the assumption that Estero would contract with the Lee County BOCC and County Manager for most of its "staff" work, at least for the initial period of incorporation. The favorable revenue-to-expenditures comparison and analysis in the FS explicitly assumed such an ILA covering all or most current County staff services for Estero would be negotiated. The Feasibility Study also assumed that the Village would initially simply continue to rely on the County Sheriff's policing activities in Estero, which will require no agreement.

##### BOCC/County Manager Staff Services

ECCL is currently examining the question of whether there are any significant types of County staff work (e.g., permitting, land use planning, waste management, environmental, animal control, etc.) that the new Village Council might not need and might wish to exclude from an ILA with the BOCC and County Manager. On the other hand, the most feasible option at the outset may be to include all or nearly all ongoing services for Estero until the Village Council has reasonable time and opportunity to explore alternatives (which could include contracts with private firms and/or hiring Village employees). One

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<sup>1</sup> Maintenance of County roads, such as Corkscrew, will continue to be provided indefinitely by the County unless and until the County and Village may agree to have federal and state funds available for such activity sent directly to the Village, as the Village is entitled under law to do.)

<sup>2</sup> For services the value of which appears closely related to population, the County involved will sometimes charge an incorporated community a fee derived from multiplying the countywide cost by municipality population/county population.

particular “exclusion” to be evaluated is for local transportation facilities in Estero. One option is that Estero could initially forego its entitlement to a share of gas tax revenues – which are dedicated to road and other transportation projects – leaving these and the related responsibilities at least temporarily in the hands of the County.

An issue to be discussed with the County at some point is the status and County plans for the Estero Community Park, which is a County park. Since this park abuts the planned Village Center area of Estero, and should be integrated with that Center in any event (perhaps by a pedestrian/bike overpass over Via Coconut Road), the Village government needs to understand what options exist for future buildout/modifications of the property, conceivably involving some arrangement for Village acquisition.

The already-elected members of the Estero Village Council have held a constructive and productive initial meeting with County officials regarding an ILA. Meantime, County services will continue well into the year while negotiations for future services proceed.

*In Appendix 2B, related to the Finance section of this report, there is a copy of a February 27, 2015 proposal by Government Services Group (GSG) to provide financial services and/or municipal services agreement (“MSA”) negotiation services to the Village Council. Such MSA assistance in negotiating an Interlocal Agreement with Lee County might be worth considering. (See p. 12 of Appendix 2B)*

### Sheriff Services

Since the Sheriff is an independently elected County official, his services are subject to independent discussion and negotiation with his office. The security services now provided to Estero residents will continue indefinitely at their current level (basically, two full time assigned officers, and deployment of more individuals as particular issues or incidents may arise) without any negotiation or agreement. If the Village Council should determine at some point that the community needs and wants more extensive security services in Estero -- either on a regular basis or for some particular event, the Village can readily negotiate this on pre-established terms. At the current time, the Sheriff’s charge for additional help on an as-needed or emergency basis is \$40/hour. For each full-time additional officer that might be requested, the annual addition charge is roughly \$90,000 (which includes patrol car).

Of course, the Village could decide at some point that it needs its own police force to supplement or replace the Sheriff services. But the good performance of the Sheriff countywide, as well as in Estero, and the low crime rate in Estero, may mitigate against major changes any time soon. The Sheriff has a well-organized, well-trained, high-tech outfitted force whose quality would be hard to duplicate in a much smaller organization.

### Contacts:

- Roger Strelow, ECCL Community Planning Director and ILA Subcommittee chair, 239 498 9394, [werstrelow@gmail.com](mailto:werstrelow@gmail.com), 239 498 9394
- Bob Lienesch, ECCL’s Finance Director
- Burt Saunders, legal counsel to ECCL for incorporation



## 5. Planning/Zoning and Appearance/Design Regulation

Planning and zoning for land development in Estero, including the key feature of design/appearance, are particularly important in Estero, which has understandable pride in the quality of the development to date in the Village.

The Estero Community Planning Panel (ECP) and Estero Design Review Committee (EDRC) are the mechanisms through which the community, pre-incorporation, has advised Lee County on its implementation of the Estero portions of the Lee County Plan and Land Development Code. Now that such implementation will pass to the Estero Village Council and the agencies that it creates, it is especially important to translate the advisory ECP and EDRC models -- themselves derived years ago from ordinances establishing progressive land development agencies in Boca Raton, Florida -- into Estero agencies that can faithfully and effectively help to carry out the will of Estero residents and of the Council they elect to office.

Following this brief introduction are legislative "specifications" drafted with the advice of ECCL, ECP and EDRC representatives, and outside experts, for transitioning from ECP and EDRC to new agencies that will assist the Estero Village Council with land use matters in the ECP/EDRC tradition and mold.

The Interim Legal Counsel for the Village Council and the Council itself will need to translate these "specs" into actual legislative (ordinance) form which addresses various issues such as the important matter of ample public participation.

Another key aspect of the Council's translation of specs into legislation will be finding appropriate procedures for enabling the appointed members of the proposed Planning and Zoning Board to discuss and comment on proposed development projects in preliminary "workshop" type sessions without undermining the due process requirements that apply in their subsequent quasi-judicial hearings on the same matters.

The Village council will also need to find a satisfactory means to at least initially leave code enforcement with the County as part of whatever Interlocal Agreement with the County for various services is agreed upon between Estero and the County.

# # #

**VILLAGE OF ESTERO  
PLANNING AND ZONING BOARD**

**Sec. 2-1. Created; composition; term of office.**

(1) A planning and zoning board is hereby created, consisting of 7 members, each of whom shall be appointed by the village council for a term of 3 years. The terms shall be staggered such that not less than 2 nor more than 3 terms shall expire each year.

(2) The terms of board members shall commence on April 1 and shall expire on March 31. Each member of the board shall serve until the expiration of his term.

(3) Notwithstanding any provision of this Article, and in addition to the 7 voting board members, the Lee County school board may appoint, as nonvoting, uncompensated members of the planning and zoning board and representatives of the school board pursuant to F.S. § 163.3174, 1 or more officers or employees of the school board, provided, however, only one representative so appointed shall attend any meeting of the planning and zoning board. The term of such members shall be for the term specified by the school board or, if no term is specified, for the duration of the tenure or employment of the member with the school board, or until removed by the school board. The school board shall notify the village clerk in writing within 10 days of the appointment or removal of any member.

**Sec. 2-2. Qualifications for membership.**

Members of the planning and zoning board shall be appointed by the village council. At least 4 members of the planning and zoning board shall be residents of the village. All other members shall either (i) own a business in the village; (ii) own property in Estero; or (iii) work in Estero. Each member of the planning and zoning board shall be well versed in environmental, planning and zoning matters, and sympathetic to municipal development consonant with the Estero Community Plan (as set forth in Goal 19 of the Lee County Comprehensive Plan), and with the health, safety and welfare of its residents. No board member shall hold any other public office, appointive or elective.

**Sec. 2-3. Vacancies; removals.**

(1) Vacancies on the planning and zoning board shall be filled pursuant to the administrative ordinances of the Village of Estero.

(2) The village council may remove any member of the board from office for cause after notice and hearing, upon the affirmative vote of a majority of the village council membership.

**Sec. 2-4. Compensation.**

The members of the planning and zoning board shall serve without compensation.

**Sec. 2-5. Organization; meetings; procedures; records; quorum.**

(1) An organizational meeting of the planning and zoning board shall be held on April 1 of each year, or as soon thereafter as practicable, for the purpose of electing officers for the ensuing year. The Village Council shall appoint a chairman from among the members of the board for terms of 1 year to preside at meetings of the board. A vice-chairman shall be elected for terms of 1 year by the board from its membership to serve in the absence of the chairman. A secretary shall be appointed by the village manager, and the village shall pay for all costs and expenses related to the operation of the board. At least 1 regular meeting of the board shall be held each month, and special meetings may be called by the chairman or by any 3 regular members of the board.

(2) The board may adopt reasonable rules of procedure to govern the conduct of its business and the holding of public hearings. The board shall keep a permanent record of its proceedings, and shall file approved minutes of each meeting with the village clerk within 30 days of the date of the meeting. All meetings, records and files of the board shall be maintained by the village clerk and shall be open and available to the public.

(3) Four members in attendance shall constitute a quorum of the board.

**Sec. 2-6. Staff, other assistance.**

The village development services director shall advise and assist the planning and zoning board in all of its deliberations. In the event that the village chooses to engage the services of the Lee County Department of Community Development for purposes of planning and zoning advise and assistance, then the development services director shall be deemed to mean the Director of the Lee County Department of Community Development and his or her designated staff. The village manager shall provide such staff and clerical assistance as the board may require in the performance of its duties, subject to the availability of such staff and clerical assistance as approved by the village council. The board may call upon any department or other agency of the village for information or advice in the performance of its work. The board, upon the approval of the village council, may accept grants or other monetary or physical assistance to aid in its work.

**Sec. 2-7. Designation as local planning agency.**

The planning and zoning board is hereby designated as the local planning agency for the purposes of the Local Government Comprehensive Planning and Land Development Regulation Act, F.S. § 163.3161 et seq., and successor provisions thereto.

**Sec. 2-8. Powers and duties.**

The planning and zoning board shall:

(a) Utilize current data, maps, graphic material and other available information to adequately depict and record past developments and existing conditions for the purpose of analyzing, interpreting and projecting trends with respect to population, economic base, property values, building construction, tourist and industrial development, transportation, housing, public facilities, utilities, recreation, natural environment, traffic and land uses of the village, including the village's reserve area, if any.

(b) Conduct studies and surveys and otherwise determine the needs and goals of the community for current and future development.

(c) Conduct the comprehensive planning program of the village, including, without limitation, the development of the village's first comprehensive plan (following transition) and preparation of the future land use map, review of all proposed amendments to the comprehensive plan or elements or portions thereof, and report its recommendations with respect to said first comprehensive plan and future land use map, and on proposed amendments to the comprehensive plan and future land use map, or elements or portions thereof within such time as the village council shall specify or as may otherwise be required by law or ordinance.

(d) Act as the Land Development Regulation Commission under FS 163.3164 et seq., and prepare and review the initial land development code for the village and all subsequent amendments thereto or to elements or portions thereof. With respect to the development of the Land Development Code, and any amendments thereto, the board shall consult with the Estero Design Review Board with respect to matters relating to design of developments, structures and projects and development orders relating thereto.

(e) Conduct public hearings after due public notice and make recommendations to the village council regarding proposed amendments to the comprehensive plan or elements or portions thereof, proposed amendments to the land development code, proposed amendments to the zoning district regulations, applications for the rezoning of property, and other matters as may be required by law or ordinance.

(f) Conduct public hearings after due public notice and make determinations with respect to all applications for administrative actions, variances, and special exceptions from and pursuant to the land development code.

(g) Conduct public hearings after due public notice and make determinations with respect to all code enforcement actions taken by the village.

(h) Monitor and oversee the effectiveness and status of the comprehensive plan and land development code and recommend to the village council such changes as may from time to time be required. Prepare periodic reports on the plan for submission to the village council upon the request of the village council or when the board deems appropriate.

(i) Recommend to the village manager and to the village council projects, plans, codes and ordinances designed to implement the comprehensive plan or promote the development of the village.

(j) Perform the functions, duties, powers and responsibilities of a local planning agency as set forth and established in the Local Government Comprehensive Planning and Land Development Regulation Act, F.S. § 163.3161 et seq.

(k) Review and make recommendations on all plats for the subdivision of land within the village.

(l) Respond to requests from other boards of the village on matters pertaining to planning and zoning.

(m) Perform such other duties as may be assigned by the village council or required by ordinance.

**Sec. 2-9. Advisory capacity; exceptions.**

(1) Except as stated in sub-section 2 below, the actions, decisions and recommendations of the planning and zoning board shall not be final or binding on the village council, but shall be advisory only.

(2) The village council hereby delegates to the board the power to make decisions on the specific matters set forth in Section 2-8 (f) and (g). In such instances, the decision of the board shall be reduced to writing in the form of a resolution, signed by the chairman of the board, and filed with the village clerk. Any party aggrieved by a decision of the board shall, prior to seeking judicial review, file with the village clerk within 30 days from the filing of the decision resolution a notice of appeal to the village council. Upon the filing of a notice of appeal, the village council shall as soon as is practicable hold a public hearing upon the matter and shall affirm, reverse or affirm with modifications the decision of the board.

**Secs. 2-10 through 2-20. Reserved.**

**VILLAGE OF ESTERO  
DESIGN REVIEW BOARD**

**Sec. 2-21. Creation; composition; terms; appointment.**

A Design Review Board is hereby created. The board shall be composed of 8 members, appointed by the Village Council for terms of 2 years.

**Sec. 2-22. Organization; qualification of members.**

(1) The Village Council shall appoint a chairman from among the appointed members of the Design Review Board to serve for one year terms and to preside at its meetings. The Design Review Board shall elect a vice-chairman for 1 year terms to preside at its meetings in the absence of the chairman, and shall formulate its rules and regulations for the conduct of its business.

(2) The members of the board shall have the following qualifications:

(a) At least 4 members must be residents of the village. All other members shall either (i) own a business in the village; (ii) own property in the village; or (iii) work in the village;

(b) At least 3 members of the board shall be state-registered architects, and at least 1 other member shall be a state-registered landscape architect. The remaining members of the board shall be state-registered architects, state-registered landscape architects, state-registered professional engineers, professional land planners, building contractors, or possess a similarly related professional background which is well versed in the land development process; and

(c) No board member shall hold any other public office, appointive or elective.

**Sec. 2-23. Review of plans and specifications.**

(1) The affirmative vote of at least a majority of the board members present at a meeting shall be required for any action of the board. The signature of the chairman or presiding member on each set of plans and specifications required to be submitted with each application for either a development order or a building permit to erect a building or a ground mounted monument style sign shall be prerequisite to the issuance of any such development order or building permit required to be reviewed by the board. The board may require such changes in the plans and specifications as in its judgment may be requisite and appropriate to the maintenance of a high standard of architecture, beauty and harmony as established by the standards adopted by the village council for the guidance of the board.

(2) Every application (i) for a development order, or (ii) for a permit to erect a building or structure, or (iii) for a ground mounted monument style sign, or (iv) to materially alter a front or side elevation of any existing building or structure in the village, excluding applications related to single-family dwellings other than applications related to front porches, shall be accompanied by 2 sets of detailed plans; and, if the plans submitted do not furnish sufficient information adequately to show the scope of the planned construction for which a permit has been requested, then there shall be furnished, in addition to the 2 sets of detailed plans, 1 set of detailed specifications for such proposed work; both the plans and specifications shall be prepared by a registered architect or registered engineer, qualified under the laws of the state to prepare such plans and specifications, and no development order or building permit therefor shall be issued until such plans (and specifications when required) have been previously approved by the board as hereinabove provided. No plans or specifications in violation of this or any other ordinance of the village shall be approved. No permit for the construction or addition to any building (excluding permits related to single-family dwellings other than permits related to front porches) shall be issued until and unless the plans therefor have been approved by the board as being in accordance with the standards as provided for in (1) above.

**Sec. 2-24. Board criteria.**

The board may approve, approve with conditions or disapprove the issuance of a building permit in any matter subject to its jurisdiction after consideration of whether the following general criteria are complied with:

- (a) The plan for the proposed development, structure or project is in conformity with good taste, good design, and in general contributes to the image of the village as a place of beauty, spaciousness, harmony, taste, fitness, and high quality.
- (b) The proposed development, structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
- (c) The proposed development, structure or project is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved. If the above criteria are met, the application shall be approved. Conditions may be applied when the proposed building or structure does not comply with the above criteria, and shall be such as to bring the structure or project into conformity. If any application is disapproved, the board shall detail in its findings the criterion or criteria that are not met. The action taken by the board shall be reduced to writing, signed by the chairman, and a copy thereof made available to the applicant upon request.
- (d) The proposed structure or project is in harmony with the proposed developments in the general area, with the comprehensive plan for the village and

with the criteria set forth in Supplemental Criteria and Procedural Rules of the board, as the same may be from time to time amended or revised. Any decision of the board must comply with such supplemental criteria and procedural rules of the board, which supplemental criteria and rules must be consistent with the criteria set forth in this section. The supplemental criteria and rules of the board may be amended from time to time by ordinance regularly adopted upon action initiated by the village council. If the board makes a recommendation to the village council for any such changes, the council shall consider same and may adopt such recommendations with or without modifications by ordinance or may reject the same.

(e) The proposed landscape and irrigation design shall promote water conservation. Water requirements may be reduced by providing for:

1. Preservation and reestablishment of native plant communities;
2. The use of drought-tolerant, site specific, and shade producing plants; and
3. Design and maintenance of irrigation systems, which eliminate waste of water due to over-application or loss from damage.

**Sec. 2-25. Supplemental criteria and procedural rules.**

The village hereby adopts by reference the Supplemental Criteria and Procedural Rules of the Design Review Board, as adopted by Ordinance \_\_\_\_, and as subsequently amended by ordinance from time to time, copies of which are on file in the office of the village clerk and available by public reference and inspection, as and for an ordinance of the village and incorporated by reference into this Code as if set forth herein in full.

**Sec. 2-26. Meetings; quorum; records; staff.**

The board shall meet at least twice per month, at the call of the chairman, or more often as may be required in order to consider applications pending without unnecessary delay. All meetings shall be open to the public and the order of business and procedure to be followed shall be prescribed within the rules and regulations to be adopted by the board. The board shall keep a permanent record of its proceedings, and shall file approved minutes of its meeting with the village council within 30 days of the date of any such meeting. Four members shall constitute a quorum, provided that any quorum must include at least one member who is a state-registered architect. The village manager is authorized and empowered to appoint a secretary for the board, and the village shall pay for all costs and expenses related to the operations of the board.

**Sec. 2-27. Appeals.**

Any person aggrieved by a decision of the board shall file a notice of appeal with the village clerk and pay the appeal fee as specified by the village within 14 days after the board approves the minutes of the meeting at which the decision was made. The notice of appeal shall specify the action taken by the board and in what respect the appellant is aggrieved by such action, and the action which appellant desires the village council to take with respect to the decision of the board. The village council shall sit in open session as an appeal board within 30 days of the notice of appeal being filed and shall either affirm the action of the board, affirm it with modifications, reverse it or remand it for further consideration.

**Sec. 2-28. Compliance with other Code provisions.**

The requirements of this division are in addition to any other requirement of this Code, such as the zoning code, the land development code, and the building code. Approval by the board of a given set of plans and specifications does not necessarily constitute evidence of applicant's compliance with other requirements of this Code.

**Sec. 2-29. Violations.**

(1) It shall constitute a violation of this division for any owner, agent or person having charge of or occupying any lot or premises covered by the provisions of this division to refuse or neglect or fail, for a period of 15 days after receiving notice from the village of any violation hereof, to cure such violation without further notice.

(2) In the case of such violation, as above stated, the village may then cause the work of removal, replacement and/or cutting to be done and the cost of such work shall forthwith be paid by such owner, agent or other person.

(3) Upon failure of the owner, agent or other person to promptly pay the cost of such work, the village clerk shall cause an affidavit to be placed upon the public records of the county describing the work done and the amount of cost incurred by the village. Such affidavit shall constitute a claim of lien against the property, foreclosable in the manner of mechanic's liens, together with the costs of the action and all reasonable attorney's fees incurred by the village.

(4) Any notices required by this division may be mailed to the owner of record as shown on the tax roll of the county or may be posted upon the premises by affixing in any conspicuous place on any structure located on such premises or may be given by leaving a copy of such notice with any person of legal age occupying or having charge of the premises.

(5) Violations of this division may also be referred to the Planning and Zoning Board for disposition. In such event, the person alleged to be in violation of this

DRAFT 12/8/2014

division and the village shall be governed by the provisions governing the Planning and Zoning Board regarding notice and procedures for enforcement.

**Secs. 2-30—2-50. Reserved.**

## 6. Commercial Corridor Development Planning

Commercial development in Estero has been guided by the Estero Community Plan, since it was started in 2000 and adopted by the Lee County Board in early 2002. Since then Estero has tripled in population and has become the retail center of southwest Florida by adding 4 million square feet of commercial, mostly retail, space. As a result only about 6% of the 16,265 acres in the proposed Village of Estero boundaries is in vacant development sites.

In late 2010, Estero planning leaders thought it was time to begin updating the Community Plan. As they worked through the process, they concluded that their greatest planning challenge is the quality development of the remaining 1,000 acres of vacant land along our commercial corridors, primarily along US41 and Corkscrew Road.

As a result the ECCL engaged Seth Harry & Associates to lead this effort. Mr. Harry is a native of Florida, a licensed architect with over 25 years of experience with the design, master planning and implementation of mixed use developments and community revitalization plans and strategies throughout the US and around the world.

Over the course of the last two years Harry has been joined by Richard Hunt of Peloton Research Partners, a real estate economist, and Bill Spikowski, former chief planner for Lee County and well known to longtime Estero residents for his work on a report, which ECCL financed, that stimulated Lee County to update the DR/GR comprehensive plan, a \$1.5 million undertaking.

The planning process started with a two day workshop in March 2013 to discuss how the market for commercial property in Estero had changed during the great recession.

This workshop identified three important development nodes within the Estero community:

- A Village Center area surrounding the intersection of US 41 and Corkscrew Road,
- A Healthcare District centered around the Lee Memorial Hospital property in the US 41 and Coconut Road area, and
- A University area consisting of several vacant commercial sites in eastern Estero near the FGCU campus.

### The Market Research Phase

As a result of this workshop Seth Harry was authorized to contract with Richard Hunt of Peloton Research Partners to study the southwest Florida and Estero real estate markets, both commercial and residential.

The Peloton Study confirmed the over-zoning of our vacant lands for retail use, discovered several types of housing opportunities and made many valuable findings and recommendations.

*A copy of Peloton's final report is found in Appendix 1A of this Transition Book.*

### Landowner Outreach Phase

Estero's planning groups sponsored a second workshop on November 6, 2013 to discuss the Peloton market study and to begin to explore its implication with all the landowners in the three

development areas identified by the March workshop. This was the first effort by the planning group to develop a planning partnership with Estero's landowner/development community. Most of Estero's commercial corridor landowners participated in a discussion with the community planners led by Seth Harry and Richard Hunt about the future market for development of the node in which their land is located.

The one-day workshop was divided into four distinct sessions -- each one directed toward a specific stakeholder group, organized around areas of common interest. The first workshop group was comprised of local community leaders and neighborhood representatives, and included members from ECCL, County planning staff, and members of the local press.

The second, third and fourth groups were organized around the three principal planning areas previously identified. The intent of each session was to review and discuss the market assessment findings and assumptions in relation to each of these sub-areas, and to identify areas of mutual interest and agreement among the assembled stakeholders to help guide and inform future action.

The primary purpose of the workshop was to initiate a dialogue among policy makers, community leaders, and key stakeholders that could facilitate a timely repositioning of Estero in the regional market that will allow individual property owners to optimize the value of their holdings in relation to the emerging market trends, consistent with larger community goals and objectives relating to economic vitality and quality of life. In this sense, the workshop was really intended to be a starting point for ongoing discussion, and not as an end unto itself.

### Events Changing our Planning Focus

Since the commercial corridor development planning process was initiated two major events have impacted Estero and our planning focus.

- In June 2013 the Hertz Corporation announced that they would make Estero the home of their new international headquarters, and
- In July 2013 the City of Bonita Springs initiated an effort to annex the sections of Pelican Landing and The Colony in Estero into the City of Bonita Springs, thus forcing the ECCL to begin an incorporation drive to establish Estero as a Village.

As a consequence the focus of our planning process has expanded to include the development of a corporate marketing plan that is built upon the Hertz relocation story and the need to plan for the transition of planning, zoning and permitting responsibilities from Lee County to the Village of Estero in March 2015.

### Village Center Strategic Planning Workshop Phase

As the third phase of the effort intended to help redefine Estero's market position, post-downturn, the Estero Council of Community Leaders (ECCL) and its consultant team, Colliers International, the Hertz Corporation and with the financial assistance of the Barron Collier Companies and the Lutgert Company, undertook a three-day strategic planning workshop during the week of February 23<sup>rd</sup>, 2014, to test many of the findings and conclusions that came out of the previous two phases of this strategic planning exercise, which took place during 2013.

The focus of this Workshop was the Village Center area because all of its properties are “development ready” and well served by all forms of infrastructure.

In addition, the Village Center area was chosen because it contains the largest undeveloped parcel within the US 41 corridor, and is well positioned for near-term development as part of a longer-term strategy. The largest and most visible property in this area is the 100 acre North Point development, located on the northeast corner of US 41 and Williams Road, just north of the Hertz property and Coconut Point.

The purpose of this effort was to demonstrate that the general market trend toward compact, walkable, and higher density mixed-use development, employing a broad range of residential product types specifically tailored to this market, done right, could help to expedite the recovery of the local real estate market, while optimizing property valuations/return on investment by shifting the programmatic bias away from retail, without undermining or diluting the perceptual value of Estero’s well-earned brand in the region.

This type of development program would serve as the basis for an effective regulatory framework supportive of a flexible, incremental approach to long-term development designed to add value to the existing community, and the property owner’s bottom line.

Large landowners, by acting as a master developer within a well-articulated master plan and implementation model, could make available “bite size” parcels to the market right away, while reserving the bulk of the property to sell or develop later, as the market continues to recover.

In addition, the Village Center area differs from the other commercial corridor development areas because it purposely contains community-serving civic uses as an overt component in the planning and development of this district, and to allow those uses to help set the tone for the area.

All of Estero’s commercial corridor planning areas aspire to be areas where its residents are able to “live, work and play” without having to travel by car to satisfy those aspirations, but the Village Center area will also place additional emphasis on “civic,” which shall remain the defining feature of this area from the community’s point of view, regardless of other uses.

Nonetheless with the Village Center containing a total land area of 500 acres, of which 350 acres are developable, there is no reason why the area cannot also contain a major office district, and/or a wide variety of housing and live/work combinations, and still meet that definition.

Master planning of the entire Village Center area can provide significant value by leveraging existing assets like the Estero Community Park whose main entrance from Via Coconut Road has never been completed, thus causing it to be somewhat isolated and underutilized. Completing the Park and linking it to a larger green network and by anticipating the potential of a future transit station along the underutilized railroad right of way will add value to all the surrounding properties. The more these disparate elements can be incorporated into a single, comprehensive vision, the greater the impact that each resource can add to the whole area.

### The Community Participation Phase

In the fall of 2014 Seth Harry & Associates, Inc. and Spikowski Planning Associates were asked to undertake a series of community presentations to present and discuss a possible framework

for the future development in Estero, based on the strategic goals and principles outlined through this process.

The purpose of the community meetings was to develop and support a shared community vision for the development of the proposed Village Center area, based on the underlying principles of compact, walkable, transit supportive, mixed-use development, with an emphasis on employment, housing, recreational and civic uses, and the possibility of using those principles to inform a broader policy framework which could help to guide Estero in shaping a more sustainable model for future development, one that not only serves the current residents of Estero, but which anticipates the needs and desires of new residents and future generations to come.

A Power Point slide show was presented to the residents of Estero at each of the three meetings, and was updated and refined based on community input and feedback. About 300 Estero residents attended the three workshops and were quite supportive of the plans presented by the consultants.

The presentation began with a review of the findings, policy goals and strategic objectives identified through the initial market evaluation, intended to help restart and strengthen the stalled economy, by focusing on new development which will attract and retain higher-paying jobs and the work force to sustain them. These goals and objectives included:

- Maximizing short-term market potential and appeal, while still working toward a larger strategic vision that will achieve a more balanced and sustainable economic foundation for the community, moving forward.
- The nature and type of the residential development that will lead the market recovery in the near term could have a significant impact on how Estero positions itself in the marketplace relative to other uses.
- The physical plan of the community and related building types are critically relevant to achieving the strategic goals of mixed use (greater convenience and reduction in the cost of services), expanded housing choice (responding to demographically-driven lifestyle preferences), and reduced automobile reliance (enhanced mobility choice).
- Managing urban form is just as important as managing use, and both can be managed most effectively through the use of flexible building types that can accommodate a wide range of uses within a well-defined physical plan, based on a coherent and recognizable neighborhood structure (i.e., with an identifiable center and edge, spatially defined by a 5-minute walking radius).
- Development in this form, when done properly, can help to encourage and support the use of transit, reduce congestion, lower the cost of services, and reduce the burden on both natural and man-made systems.

It is possible to achieve these outcomes working within the existing planning and zoning legal framework, using existing entitlements and the recognized benefits of this approach as a basis

for negotiation, by adapting the bulk regulations to better serve these strategic purposes. This can be accomplished in a consistent and predictable manner, which can be accurately represented in an easily understood graphic format, such as to encourage legitimate community buy-in and support.

*The final report on this development planning phase is included as Appendix 6B in this Transition Book.*

### County and State Approval of Updated Estero Community Plan

On June 18, 2014 the Board of County Commissioners voted to transmit to the State of Florida for their approval a major update of the Estero Community Plan. This document contains many provisions that encourage the kind of development planning that is the subject of this report. It is an essential first step in implementing the development rezoning and review process that will be required to implement the planning included herein.

On August 20, 2014 the State of Florida approved the updated plan and sent it back to the County for final action, which followed shortly thereafter. A copy of the updated community plan is included as Appendix 6C in this Transition Book.

### The Corporate/Office Marketing Plan Phase

The Hertz relocation is widely believed to increase the opportunity for Estero to attract other employers, large and small, domestic and international.

Shortly after Hertz announced their plans to move their World Headquarters to Estero the ECCL was contacted by representatives of Colliers International, one of the world's largest commercial real estate companies. As a result the ECCL and Collier's have agreed to develop corporate/office marketing materials building upon the Hertz relocation decision for use by all of Colliers offices around the world.

In November 2014 ECCL and Colliers agreed to contract with the Sabal Tree consulting firm to perform a comprehensive study of each of the remaining parcels of vacant land in Estero's commercial corridors.

With Sabal Tree's help ECCL and Colliers plan to develop a marketing program that will inform a large number of prospective businesses around the world about the advantages of the Estero community and its strategically located vacant properties.

In addition to performing detailed research on each of these properties and the markets in which they are located, Andrew Falde of Sabal Tree will be meeting with all of the major landowners

The information produced by Sabal Tree will provide prospective investors with detailed information on each of these properties, thus saving them time and money in the decision-making process.

*The Sabal Tree Report is Appendix 6D in the Transition Book.*

## 7. New Land Development Code

Appendix 7 of this Transition Book contains a detailed proposed rewrite of the Land Development Code (LDC) for the Village of Estero (currently Chapter 33 of the Lee County Land Development Code). It was prepared by a Steering Committee broadly representative of the Estero Community Planning Panel (ECPP), the Estero Design Review Committee (EDRC) and the Estero Council of Community Leaders (ECCL) and chaired by Bill Prysi, chairman of the EDRC.

It is urgent that such an LDC be adopted as soon as possible by the Estero Village Council so that land development in Estero can proceed as expeditiously as possible after March 17, 2015 in accordance with the design and other hallmarks of Estero's recent successful history of land development. Until such action is taken, the existing LDC for Estero applies.

The proposed revisions include three new proposed overlay districts within Estero:

- Old Estero (Historic) Overlay District
- Village Center Overlay District
- Village Healthcare Overlay District

The document in the Appendix starts with a helpful summary and overview of the principals features of the proposed LDC revision, including a reorganization of the existing provisions under the principal headings of:

- Architecture
- Site Planning
- Landscape, Haradscape, Irrigation and Open Space
- Signage

## 8. Transportation & Public Works

Transportation will likely be a major issue in Estero in the next five years. One early issue for the Council to address is likely to be a sidewalk on Estero Parkway, near 41/Tamiami, where the Wal-Mart store is being constructed. Because of Wal-Mart, many more people are likely to be traveling at and near that intersection. At least 40% of Estero Parkway in this vicinity is missing sidewalks. Obvious potential issues include inconvenience to nearby residents shopping at the store and a safety threat to the extent that such people walk, bike or travel in golf carts in the road where cars are going by at high speeds. This is part of a larger problem that several Lee County communities are experiencing due to many existing sidewalk and bike path gaps that need to be filled. Many Lee County communities have prepared or are preparing bike/ped master plans to address this problem.

A second urgent issue is the congestion on Corkscrew Road, both at and near the north and south interchanges for I-75. ECCL has been seeking for years to have the interchange widened and the approaches lengthened for safer egress on and off I-75. This interchange ultimately needs to be rebuilt because the I-75 overpass is too narrow for Corkscrew to be expanded to six lanes along with the necessary turn lanes under the bridge. Until that very expensive rebuilding is affordable, Florida Department of Transportation (FDOT) plans some interim improvements similar to those recently completed at the Bonita Beach/I-75 interchange.

In conjunction with the improvements that have been made nearby on Corkscrew, there is now a need to address the traffic problems that are now occurring on Corkscrew Road especially traffic travelling west to east and seeking to enter on to I-75 north. The sign location for travelers going west to enter on to I-75 south is so confusing that many accidents have already occurred.

In addition, the rapid residential growth east of I-75 along Corkscrew Road is exceeding that 2-lane road's limited capacity.

Third, with the construction under way of the new Hertz headquarters, there is a potential problem on Williams Road, where Hertz's main entrance/exit is located. Hertz installed 3 lanes, as required after Lee County reviewed the traffic study for the development, but it appears this might cause congestion/delay problems when approximately 350 commuter-driven cars enter to go to work and leave the premises. The traffic signal at Williams Road may be inadequate. It presently does not have directional arrows for either north or south turns onto US41 on either side of US 41 on Williams Road. The Village Council may want to explore with the County the possible widening of Williams Road if significant traffic backups occur.

Fourth, Lee Memorial is planning on completing their 172,000 square foot healthcare "Destination of Distinction" on Via Coconut Road in the south end of Coconut Point in early 2017. It will be important that the Village Council work with Lee Memorial and the City of Bonita Springs to ensure early extension of Via Coconut Point to its intended connection with Old 41 in Bonita Springs.

Fifth, for many years there has been considerable debate about extending County Road (CR) 951, a major north-south highway east of I-75 – which starts at Marco Island and currently extends to north of Immokalee Road in Collier County -- up to the Lehigh community in

northeast Lee County. Extension of CR 951 from the Collier County line to Corkscrew Road is especially controversial because its proposed route would traverse many wetlands and panther habitats in Lee County's Density Reduction/Groundwater Resource (DR/GR) area just east of I-75 in the Estero Fire District. In addition traffic studies have raised questions about the need for this road, its cost and its potential for attracting more development to this rural, environmentally sensitive area. Estero residents, local environmental groups and others have vigorously opposed such an extension.

Finally, the Village Charter (see Ch. 2014-249 of Florida Statutes, section 12 (10)) provides that Estero is entitled to receive local option gas tax revenues, which may be used only for legally-specified "transportation" expenditures [broadly defined in section 336.025(7), Florida Statutes], beginning on October 1, 2015, in accordance with (1) an interlocal agreement [with Lee County] if executed before June 1, 2015, or, if no such agreement is reached, then (2) in accordance with the "lane mile formula" [the County's per-lane-mile expenditure in the previous year times the number of lane miles within Estero's jurisdiction or scope of responsibility] contained in section 336.025(4)(b)(1), Florida Statutes [see Florida League of Cities, Florida Municipal Officials' Manual (2013 ed.), p. 7-28]. The Feasibility Study done for the Estero incorporation states at p. 34 that the Village has the option, under this "entitlement," to allow Lee County to retain the gas tax revenues that would otherwise go to the Village and, along with that, to retain the responsibility for such transportation expenditures in Estero, for some period of time beyond the October 1, 2015 date specified in the Village Charter, presumably only if the County were to agree.

Other Items still to be finalized and, if not previously addressed, will have to be dealt with after March 17. These include:

- Routing of sand trucks along Corkscrew to renourish Collier County beaches
- Dangerous entrance and exit to The Preserves on Corkscrew Road,
- Median divider landscape on Via Coconut Road and on eastern Corkscrew Road in the CRSA area,
- Full light at Fire station on US 41 near Williams Road,
- Median divider at Corkscrew Woodland and Island Club problems,
- Coconut Rd sign on US41,
- Lights on newly expanded US 41, and
- Gateway signs for Estero at its major highway entrances.

Contact: Jim Boesch, [jimboesch@embarqmail.com](mailto:jimboesch@embarqmail.com)

## 9. VILLAGE COMMUNICATIONS

### Web Site

A web site, <http://www.villageofesterofl.com>, has been acquired and set up with some very basic information for the Village government by ECCL in the event the new Council wishes to use it. Contact ECCL's Communications Director, Marilyn Edwards for further information at [ofangos@aol.com](mailto:ofangos@aol.com), 239 949 3379. The ECCL webmaster for ECCL's site, [www.esterotoday.com](http://www.esterotoday.com), who is working on this new site, is Kim Dailey, [kim@payrusdocument.com](mailto:kim@payrusdocument.com), 239 498 1797.

### TV and/or Internet (Streaming) Broadcast of Estero Village Council Meetings

Description and Analysis: Bonita Springs, Lee County and many other County and municipal governments broadcast on local TV the proceedings of their legislative body. (See channels 97 and 98 on Comcast in our area.) While Estero is a geographically compact area, many residents may appreciate having access to Estero Village Council meetings via broadcast. This is especially true so long as the principal forum option for holding such meetings is the Estero FireRescue (EFR) board room. Parking at the building is very limited (as we saw when holding recent public meetings on the Commercial Repositioning Study). Since we are not yet aware of a viable option within Estero for holding Village Council meetings other than possibly at the Community Recreation Center (where ECCL holds its monthly public meetings), and since the Rec Center does not have video and acoustical equipment comparable to that at EFR, this is written on the assumption that the Village Council may wish to, and be able to, negotiate favorable financial arrangements for use of the EFR facility.

Roger Strelow of ECCL has talked with the Manager for the local PBS TV/NPR Radio facility, WGPU, located on the campus of, and affiliated with, Florida Gulf Coast University (FGCU) and with Alan Vernick, president of Vernick Technology, Inc. (VTI), located at 2110 Road in Lutz, FL 33549 (north of Tampa), a company that WGPU recommends for any TV equipment the Village Council may wish to acquire. He determined that buying and installing at the EFR (obviously only with EFR approval) the equipment to do the broadcasting from the non-profit WGPU would likely cost \$20,000 - \$80,000. WGPU could supply the personnel to remotely (from its studio) operate the equipment for a monthly rate likely to be about \$3,000. The cost to get a videotaped meeting broadcast each month would likely be around \$2,000.

Through its connections with the Florida Channel (FC), which broadcasts various state governmental proceedings around the state, FGCU has determined that FC might well be able and willing to broadcast Estero Village Council meetings, especially if we can arrange a mutually convenient time – either by the day and time of the meetings themselves or by doing delayed broadcasts at a time that fits in with FC's other programs.

Other Options for Action: Contact with Lee County revealed that its channel is not willing to broadcast municipal proceedings such as ours

An option that would be less costly at the outset but would soon become more costly would be to pay WGCU to bring a truck and portable equipment to the EFR (or other Estero Council meeting site) for each meeting. This would likely cost around \$7-8K per meeting.

Another, even cheaper (and non-exclusive) option the Village may wish to explore would be Internet streaming of such meetings, either live or taped. This would almost certainly be less expensive but, if done alone, might reach a considerably smaller audience than TV broadcasting. Such streaming is being pursued for the initial March 17, 2015 Council meeting, and information about this can be obtained from ECCL's Communications Director, Marilyn Edwards, [ofangos@aol.com](mailto:ofangos@aol.com), 239 949 3379.

To discuss the TV delayed/taped broadcast option further, we suggest the following contacts:

- Sheri Coleman, Director of Production Services, WGCU (PBS TV and NPR Radio), on FGCU Campus, at 239 590 2840 and [scoleman@wgcu.org](mailto:scoleman@wgcu.org)
- Alan Vernick, VTI, 2110 Curry Road, Lutz, FL 33549 (near Tampa), 813 889 4866

Recommendation: Getting a website up and running is a vital immediate priority so that the Council is "connected" with its electorate and citizens. The issue of possible internet streaming and/or TV broadcasting (much less expensive when recorded for later broadcast than if done live) seems less critical, either in general or in terms of urgency. On the other hand, for residents to be able to see their new Village Council in action, recognizing that many of them cannot practically attend Council meetings in person, even if parking were not a limitation (especially at Estero FireRescue, if that venue is chosen, could help greatly to bring residents and their Council together

ECCL Contacts: Roger Strelow, [rstrelow@comcast.net](mailto:rstrelow@comcast.net) and 239 498 9394, and Marilyn Edwards (see above.)

## 10. Flood Insurance –Estero Residents’ Qualification for FEMA Rate Discounts

Description and Analysis: Flood insurance rates to individual property owners in a given local jurisdiction (municipality or County for unincorporated areas), under the federal FEMA (Federal Emergency Management Agency)-administered program, NFIP (National Flood Insurance Program) are or will be discounted to an extent determined by the information supplied to FEMA and actions taken by the local jurisdiction. In a situation such as Estero’s, where the current NFIP discount for Lee County’s unincorporated areas is some 25% (anticipated by knowledgeable persons to decline soon to 20%), the new municipality has roughly 6-12 months (this is *de facto* since there is no stated federal deadline) to independently qualify for the maximum possible discount (which may or may not work out the same as Lee County’s overall discount (which is an amalgamation of coastal, riverine and other types of land with varying flood risks)).

For many Estero residents, who do not live in prime flood zones, the cost of such insurance may be on the order of \$200-300/year, but for the minority who do live in such flood zones, the cost is \$1,000/year or more. Even if all residents were in the \$250/year category, the difference between getting a 20% discount and no discount would be \$50 each, and this, multiplied across all Estero residents (which seems to be the relevant universe, not just Florida-registered voters) would be roughly \$500,000/year assuming there are roughly 10,000 homes in Estero. Given that there are more than a few homes for which a \$1,000 annual premium applies, the actual total is likely closer to \$1 million/year (if, say, some 2,500 homes are in the highly flood-prone areas, where the difference in getting a discount or not would be some \$200/home).

From discussions with the two potential service providers below, it appears to the writer that the cost for the work both they and the writer recommend would most likely be in the couple/several tens of thousands of dollars range. (A small part of this probably could be done by interim, temporary or part-time workers directly for the Village Manager.)

Options for Action: Lee County cannot/will not perform a separate assessment for any individual municipality, and since Estero does not need (at least not immediately) a full-time capability for this only-periodic type of issue, it appears best to engage a competent, proven private consultant or consulting firm to develop the sort of presentation to FEMA that will maximize the discount Estero residents will qualify for going forward.

Two apparently quite competent firms have approached ECCL, offering to provide Estero with the needed expertise and service:

- At the recommendation of Joan LaGuardia, a senior Lee County official who is responsible for flood insurance work and who knows the group involved, we were contacted by Jim von Rinteln, a Naples-based former Collier County flood insurance staff person and the Estero-based Evans Engineering firm (offices in Coconut Point Mall). Roger Strelow of ECCL met with them in September. Their initial written expression of interest is attached. [*For purposes of ECCL review here in October, this document is attached to the e-mail containing this draft.*]
  - Contact: Josh Evans, CEO, at 239 405 9148 and [josh@jrevansengineering.com](mailto:josh@jrevansengineering.com)

- ECCL also heard from another Florida (east coast-based) consulting firm, CRS Max Consultants, Inc., expressing its interest in and expertise for the work involved in qualifying for the NFIP and its Community Rating System. It claims to be “the only firm in the nation dedicated exclusively to helping communities maximize their CRS ratings [discounts].”
  - Contact: Earl King, Vice President, at 954 421 7794 (Ft. Lauderdale) and [crsmaxinc@bellsouth.net](mailto:crsmaxinc@bellsouth.net)

Recommendation: ECCL strongly urges that the Village Council retain a competent firm very soon and reassure residents that their current discounted Flood Insurance rates should not be in jeopardy. The Estero-based firm should certainly be given careful consideration for obvious reasons, but the paramount consideration should be getting competent advice that will very likely lead to residents retaining the maximum premium discounts that are feasible

Recommended Timing: ASAP. It appears urgent to get a competent consultant at work ASAP so that the normal 6-12 month period within which FEMA may drop a new municipality failing to qualify, or be near qualifying, for NFIP/CRS, does not pass with insufficient progress to satisfy FEMA. The urgency is heightened by the fact that Estero residents will notice an increase in their premiums within a year or so should the Village Council give the matter insufficient urgency.

ECCL Contact: Roger Strelow, [rstrelow@comcast.net](mailto:rstrelow@comcast.net), 239 498 9394

## REQUEST FOR PROPOSALS

February 17, 2015

**NOTICE IS HEREBY GIVEN** that the Estero Council of Community Leaders (ECCL), for the benefit of the Village of Estero, Florida, is accepting proposals for:

### **BANKING SERVICES AND QUALIFIED INTERIM LINE OF CREDIT**

**This Request for Proposal is being conducted as a courtesy to the Village of Estero City Council by the ECCL. Nothing herein shall be binding upon the Village of Estero City Council until approved by the Council.**

An original and five (5) copies of all proposals, including all executed documents and needed attachments, shall be placed in a sealed envelope marked "PROPOSAL FOR BANKING SERVICES AND QUALIFIED INTERIM LINE OF CREDIT", and received by **Friday, February 27, 2015 – 5:00 p.m.**

#### 1. RESPONDING TO THE REQUEST FOR PROPOSALS

Proposals must be mailed or delivered to the following address:

Estero Council of Community Leaders  
c/o Bob Lienesch, Finance Director  
9042 Falling Leaf Drive  
Bonita Springs, FL 34135

#### **General Information and Requirements**

1. In accordance with Chapter 119, Florida Statutes, all proposals received, and all materials contained therein, once opened and reviewed by the newly elected Council of the Village of Estero are **public record**, and subject to disclosure to any person, organization, or firm, including other firms responding to this request for proposals.
2. In accordance with section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid or proposal on a contract to provide any goods or services to a public entity and may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in section 287.017-for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.
3. The Village reserves the right to accept or reject any or all proposals, or part thereof, to waive any informalities or technicalities, or to award contracts in the best interest of the Village. In all instances, the Village's decision shall be final.
4. The Village of Estero will be exempt from taxes imposed by the State and Federal Government. Proposals shall not include any taxes or fees.

5. Prospective firms must submit proposals strictly in accordance with the specifications outlined in the RFP. Each variance, if any, to the specifications shall be specifically stated in the proposal.
6. Prospective firms warrant by virtue of submission of proposals that all prices, terms, and conditions stated shall be honored for a period of one hundred eighty (180) days after the opening of proposals. **Any** changes at the time an order is placed shall result in automatic disqualification of the vendor.
7. The original proposal shall be signed, in ink, by a corporate officer, partner, or proprietor.
8. The Village reserves the right to reject any or all items if in its judgment the item does not meet the needs of the Village, or for any reason it deems suitable.
9. Prospective firms are hereby warned not to contact any Village employee, official, board member, or Commissioner on matters relating to this Request for Proposals, except as indicated herein. Any attempt to do so, or engaging in lobbying or any other activity interfering with the evaluation process may result in immediate disqualification of the vendor from **any** Village business.
10. Prospective firms hereby warrant by virtue of submission of proposals that any and all terms, conditions, and requirements as stated in this document are valid, enforceable, and binding upon the selected vendor.
11. In the event that it becomes necessary to revise any part of this RFP, or if additional information is necessary to enable the proposing firm to make an adequate interpretation of the provisions of this RFP, a supplement to the RFP will be posted online at the Estero Council of Community Leaders Website: [www.esterotoday.com](http://www.esterotoday.com)

### **Specific Information and Requirements**

1. Answers to questions submitted about this Request for Proposals will be provided to all known prospective proposers.
2. Proposals **will contain** a list of references from similar clients which the firm has been involved with for the past five (5) years.
3. Proposals must contain the firm's proposed Agreement for Services. The Village reserves the right to obtain legal review of the Agreement, and make changes to meet legal requirements, or as otherwise desired.
4. Resumes for individuals whose qualifications or experience are cited as evidence of a firm's qualification must be included. Prospective firms hereby consent, by virtue of submission of a proposal, to the Village verifying the validity of any qualification, as it may deem necessary.
5. The selected firm may not discriminate against any employee employed in the performance of services, or against any applicant for employment because of race, religion, color, handicap, national origin, age, gender, or marital status.

### **Evaluation of Proposals**

The Village reserves the right to accept all or a portion of any proposal submitted, and may use products from multiple sources if it is to the Village's advantage; prospective firms are encouraged to keep this in mind when submitting proposals. Proposals will be evaluated based

on the following criteria, by an evaluation committee. Proposals should contain all information relevant to the evaluation of these criteria:

#### *Special Requirements of all Proposing Banks*

- The bank submitting a proposal must be legally able under all applicable state and federal laws and regulations to provide services to a municipality of the State of Florida.
- The bank must maintain a staffed branch inside the corporate limits of the Village of Estero.

#### *Costs/Gains*

- Cost structure (up front costs, recurring costs)
- Interest Income from funds placed on deposit with bank

#### *Qualifications and Experience*

- Adequate organization, facilities, equipment and personnel to ensure prompt and efficient services to the Village. The Village reserves the right before recommending any award to inspect the facilities, organization and financial condition or to take any other action necessary to determine ability to perform in accordance with specifications, terms and conditions.
- Qualification of personnel to provide services to the Village, and level of experience in dealing with the special requirements of providing banking services to public entities.
- Feedback from current and past customers of bank.

#### *Approach*

- Suitability of the methodologies and approaches used in providing banking services;
- Ability to dedicate specific resources and employees to handling provision of services to the Village;
- Ability to meet desired timelines and deadlines.

#### *Insurance*

- Bank must be FDIC insured. Village deposits in excess of FDIC coverage must be fully collateralized as described in the Florida Security for Public Deposit Act, Florida Statute 280.01.
- Professional or other liability insurances for other non-deposit services as appropriate.

#### *Presentation Quality*

- Quality, professionalism, and conciseness of Proposal, and of any required supplemental submissions or oral presentations.

### *Reuse of Existing Investments*

- Ability to integrate technology-based products into Village software platforms

### *Stability*

- Financial and organizational stability of the bank, including likelihood of merger, acquisition, or restructuring in the next five (5) years.

### *Other Criteria*

- Adherence to the general and specific requirements of the Request for Proposals.
- The Village may provide selection preference to firms certified as a minority business enterprise, as a drug-free workplace, or that have their principal place of business located inside the Village, but only when, in the Village's judgment, all other applicable factors between proposals are equal.

The Village reserves the right to apply the above criteria in any manner it deems necessary, and to evaluate each firm separately or comparatively, using these criteria in any weight or importance as it sees fit. The Village also reserves the right to seek clarification from prospective firms on any issue in a proposal, invite specific firms for site visits or oral presentations, or take any other action it feels necessary to properly evaluate the proposals and construct a solution in the Village's best interest.

## **I. BANKING SERVICES**

- Checking Accounts

A regular checking account is needed to accept deposits of cash from Village operations, and zero-balance accounts are needed to disburse funds for variety of activities. Zero-balance accounts will draw funds as needed from a specified regular checking account.

Independent regular checking accounts are also needed to accept deposits and make disbursements for other restricted funds, such as impact fees, debt service sinking funds, fines and forfeitures, or grants.

- ACH Debits and Credits

The Village may initiate direct credits to its employees for payroll disbursements. The Village may initiate direct debits to customers for receiving payments for bills. The Village may consider initiating direct credits to vendors for payment of invoices for services.

The Village is also interested in a solution to "filter" unauthorized direct credits to its accounts. While the Village accepts direct credits from other governmental agencies and certain select customers, it is not desirable to accept a large number of direct credits not initiated by the Village.

- Payroll Access Accounts/Cards

While some of the Village's employees may utilize the Village's Direct Deposit program for receiving their paychecks, there are a limited number of holdouts. The Village is interested in innovative solutions that can be provided that would allow mandatory Direct Deposit of payroll, but permit employees without bank accounts to receive their pay.

- Credit Card Merchant Accounts

The Village requires merchant accounts for accepting Visa and MasterCard transactions, for in-person use, and for on-line transactions.

- On-Line Banking

The Village requires near-real-time availability of account information, and the ability to transfer funds between accounts with immediate availability in the destination account. Other tasks that can be performed in a self-service style utilizing on-line banking are highly desirable.

- Electronic Check Reconciliation, Payment Verification, etc.

Other services that can be provided which simplify the Village's workload in reconciling transactions are highly desirable. The Village expects to reconcile its accounts monthly.

- Interest/Overnight Investment

All Village funds on deposit shall bear interest. **The interest that can be paid on funds will be considered as a criterion in selection of the winning bank.** Funds may be paid direct interest or invested in overnight instruments that are permissible under the Village's investment policy (such as overnight repurchase agreements, etc.). The bank shall guarantee that funds automatically swept from accounts at the end of the business day shall be fully available at the beginning of the next business day.

From time to time, the Village may make longer-term investments of surplus cash, using low-risk investments such as certificates of deposit, or other instruments that are permissible under the Village's investment policy.

All proposed products and interest shall be quoted in the bank's proposal as either a flat rate, or as a number of basis points above or below an industry-standard rate index.

### *Expectations and Other Requirements*

- Public Depository and Branch Location

The bank selected shall be an authorized public depository as determined by the Department of Banking of Finance of the State of Florida, and shall be validly licensed and certified under all relevant federal, state, and local laws and regulations to do business with the Village. The bank shall also maintain an open, fully staffed branch within the corporate limits of the Village of Estero. If, at any time, the bank fails to meet these requirements, the bank shall immediately turn over to the Village all funds on deposit, in any type of account or instrument, **without any penalty of any kind, or any delay of any kind.**

- Availability of Funds

Deposits, ACH credits, and wire transfers shall be made available as soon as possible. The bank shall include their schedule of availability in their proposal. Banks guaranteeing faster availability of funds will be considered more favorably in the evaluation process than those that do not.

- Payment of Banking Service fees

The Village **WILL NOT** use the compensating balance method for paying any banking fees. Fees for **all** services shall be invoiced no less than once per quarter, preferably monthly. Fees shall **NOT** be deducted from any of the accounts of the Village held by the bank.

All services provided by the bank shall be invoiced on the same, itemized invoice, if possible. Fees for any type of service shall not be included in, credited against, or deducted from a transaction amount.

- Prompt Service of Wire Transfers

The bank shall process immediately all wire transfer requests, and assume responsibility for their expedient arrival at their destination. The bank shall assume liability for the failure of a wire transfer to arrive at its destination in a timely manner when the Village has complied with the bank's applicable deadlines for initiating the wire transfer.

- Transmission of ACH files

The Village currently transmits ACH files over a direct modem connection. This is inconvenient. If a secure Internet-based transmission method is made available by the bank, it will be considered favorably in the evaluation process.

- Designated Account Executive

The bank shall provide a designated account executive, an alternate, and the bank official with supervisory authority over the designated account executive. The designated account executive **must** have the authority to make timely decisions in the normal course of business on their own without having to refer to others within the bank. A brief resume of the designated account executives must be submitted as part of the proposal. If any of the employees of the bank in these roles change, the Village shall be notified immediately. Failure to comply with any part of this provision shall permit the Village, at its sole discretion, to terminate the banking relationship, upon which the bank shall immediately turn over to the Village all funds on deposit, in any type of account or instrument, **without any penalty of any kind, or any delay of any kind.**

- Account Reconciliation

In addition to electronic services that may be proposed for reconciliation of accounts, the bank shall provide a paper statement of all accounts no less frequently than monthly. All items shall be delivered to the Village no more than five (5) days after the end of a month.

- Full Fee Disclosure

All fees for services to be provided, including fees for supplies, transactions, handling items, and exceptional matters, shall be disclosed in this proposal. If a fee is not disclosed for a service, the bank shall be deemed as providing the service for free. **No Banking Fees of any type shall increase for a period of one (1) year from the date of initiating any Agreement for Service with the bank.** If any fee increases without the express written consent of the Village, the Village shall have the option of terminating the banking relationship, upon which the bank shall immediately turn over to the Village all funds on deposit, in any type of account or instrument, **without any penalty of any kind, or any delay of any kind.**

## II. LINE OF CREDIT

### A. SECURITY FOR LOC

Amounts due under the LOC will be secured by a Resolution, which will pledge excess unpledged revenue from Village of Estero's Ad Valorem tax revenues.

### B. STRUCTURE OF THE FINANCING

1. Amount: \$500,000; \$1 million; or \$1.5 million (Amount will be determined by Village Council).
2. Rate: Bank-qualified fixed rate or variable rate based on a spread to a nationally recognized index.
3. Draws: Draw period of three (3) years. The Village may make draws on the LOC in accordance with a procedure agreed upon by bidder and the Village. Draw requests must be funded via wire transfer (at no cost to the Village) by 5 p.m. EST the day immediately following the request.

4. Repayment Terms:

Interest on the outstanding balance of the LOC will be paid quarterly, based on a 30/360 day basis and will be paid on January 1, April 1, July 1, and September 1.

5. Principal Prepayment:

The LOC can be paid in full or in part at any time without penalty.

### C. MINIMUM REQUIREMENTS

1. Interest rate

LOC – Identify the index and state a spread to said index for the bank-qualified variable rate to be used on the LOC. Provide this interest rate on a current basis and on a ten (10) year historical basis (i.e. 10-yr average of index with applied spread). Proposers must provide the historical database on which the interest rate is based in an Excel spreadsheet file emailed to [rpl10000@gmail.com](mailto:rpl10000@gmail.com) three (3) days prior to the proposal's due date/time.

2. Fees and Expenses

Describe in detail all fees and expenses for which the Village will be responsible. The amounts stated in the proposal shall represent the maximum amounts payable to the proposer by the Village. All fees and expenses in excess of those stated in the proposal shall be the sole responsibility of the proposer and will not be paid or reimbursed by the Village. The Village's bond counsel will prepare all documents and will render an opinion regarding the tax exemption of the LOC.

3.     **Prepayment Provisions**

If the proposer's prepayment provisions are different from those outlined in this Request for Proposal, please specify.

4.     **Conditions**

Provide a listing of all condition, terms or restrictions, other than those specified in this Request for Proposals, which would be included in your commitment to provide the Term Loan.

**III.    Inquiries and Addenda**

Each Respondent shall examine the RFP document and shall judge all matters relating to the adequacy and accuracy of this document. Any inquiries, suggestions, or requests concerning interpretation, clarification, or additional information pertaining to the RFP shall be made through the ECCL's Finance Director prior to the election of the new Village Council or the Village Council's Interim Village Manager after the election of the new Council and appointment of Interim Village Manager. The Village shall not be responsible for oral interpretations given by any ECCL representative, Village employee, representative, or others. The issuance of a written addendum is the only official method whereby interpretation, clarification, or additional information can be given. It shall be the responsibility of each Respondent, prior to submitting the proposal, to determine if addenda were issued and to make such addenda a part of the proposal.

**IV.    Responder Preparation Expenses**

Each responder preparing a proposal in response to this request shall bear all expenses associated with their preparation. Responders shall prepare a response with the understanding that no claims for reimbursement shall be submitted to the Village for the expense of preparation or presentation.

**V.     Right to Protest**

Any actual or prospective bidder who is aggrieved in connection with the solicitation or award of a contract may seek resolution of his/her complaints by contacting the Village Manager.

**VI.    No Corrections**

Once a competitive proposal is submitted, the Village shall not accept any request by any proposer to correct errors or omissions in any calculations or competitive price submitted.

**VII.   Openness of Procurement Process**

Written competitive proposals, other submissions, correspondence, and all records made thereof, as well as negotiations conducted pursuant to this RFP, shall be handled in compliance with

Chapters 119 and 286 Florida Statutes. The Village gives no assurance as to the confidentiality of any portion of any proposal once submitted.

**VIII. No Collusion**

By offering a submission to the RFP, the proposer certifies the proposer has not divulged to, discussed or compared his/her competitive proposal with other proposers and has not colluded with any other proposers or parties to this competitive proposal whatsoever.

**IX. Informality Waiver/Rejection of Proposals**

The Village reserves the right to reject any or all responses and to waive any irregularity, variance or informality whether technical or substantial in nature, in keeping with the best interest of the Village.

**X. Appropriations Clause**

The Village, as an entity of government, is subject to the appropriation of funds by its legislative body in an amount sufficient to allow continuation of its performance in accordance with the terms and conditions of this contract for each and every fiscal year following the fiscal year in which this contract shall remain in effect. Upon notice that sufficient funds are not available in the subsequent fiscal years, the Village shall thereafter be released of all terms and other conditions.



February 27, 2015

9101 Bonita Beach Road  
Bonita Springs, FL 34135  
Tel: (239) 949-6262  
Fax: (239) 949-6239  
www.cityofbonitasprings.org

**Ben L. Nelson, Jr.**  
Mayor

**Stephen S. McIntosh**  
Council Member  
District One

**Janet Martin**  
Council Member  
District Two

**Steven Slachta**  
Council Member  
District Three

**Peter Simmons**  
Council Member  
District Four

**Michael Gibson**  
Council Member  
District Five

**William C. Lonkart**  
Council Member  
District Six

**Carl L. Schwing**  
City Manager  
(239) 949-6267

**Audrey E. Vance**  
City Attorney  
(239) 949-6254

**City Clerk**  
(239) 949-6247

**Public Works**  
(239) 949-6246

**Code Enforcement**  
(239) 949-6257

**Parks & Recreation**  
(239) 992-2556

**Community Development**  
(239) 444-6150

To Whom It May Concern:

It is my pleasure to recommend Mrs. Lisa Pace to provide financial services. As City Manager of the City of Bonita Springs, I had the pleasure of working with Mrs. Pace in her capacity as Finance Director of the City. She was dedicated, knowledgeable and was trusted not only by members of the city staff, but also the elected officials. Under her leadership, the City was not only able to operate under the "Government Lite" philosophy, but did so with substantial reserves in order to handle unforeseen circumstances or Council directed projects with a prudent eye towards fiscal responsibility and care. So successful has the city been at this form of operating, that Bonita Springs' ad valorem tax rate represents only 5% of the total tax bills paid by residents and businesses.

Because of Lisa's experience and credentialing (licensed CPA in the State of Florida), each year when the independent auditor arrived, everything was in such good order that the field work was only four (4) days and the audit opinion and management letter were always clean. Further, the City saved money on the independent audits because all the financial statements were prepared by Lisa and her team, allowing the audit firm to concentrate on really auditing – not statement preparation.

Just this past year, Lisa and her team implemented a new financial software package. The transition was so seamless that staff hardly noticed. This is rare indeed. Now that the software is operating, the new reports and processes only add to the City's control and data management.

In short, Lisa is all about accuracy, responsibility, accountability and quality. I would highly recommend her for any financial service you might require.

Should you have questions regarding this, please do not hesitate to contact me.

Sincerely,

Carl L. Schwing,  
City Manager

# The Village of Estero



Tax Planning & Preparation

Financial Audits

Local Governmental Consulting

Bookkeeping



ADGATE, PACE  
& ASSOCIATES  
CERTIFIED PUBLIC ACCOUNTANTS

## Scope of Services Proposal

Presented to:  
The Village of Estero  
February 24, 2015

[www.AdgatePaceCPA.com](http://www.AdgatePaceCPA.com)

# About Us...

We believe in the value of relationships. Our firm views every client relationship like a partnership, and believes that our success is a result of your success.

We provide a variety of services including:

- Local Governmental Accounting and Consulting
- Income Tax Preparation for all types of businesses, and individuals
- Non-Profit Accounting
- Accounting Software; setup, support and training
- Business startup services
- Monthly bookkeeping
- Financial statements – making sure your financial records are timely and accurate

Our continual investment of time and resources in professional continuing education, state-of-the-art computer technology and extensive business relationships is indicative of our commitment to excellence.



10000 Arcos Avenue, Suite 102, Estero, FL 33928

Tel: 239.390.5005

Email: [Lisa@AdgatePaceCPA.com](mailto:Lisa@AdgatePaceCPA.com)

[www.AdgatePaceCPA.com](http://www.AdgatePaceCPA.com)



ADGATE, PACE & ASSOCIATES, CPAs, PA

[www.AdgatePaceCPA.com](http://www.AdgatePaceCPA.com)

ESTERO OFFICE: 10000 Arcos Avenue | Suite 102 | Estero | FL 33928 | Tel: 239.390-5005 | Fax: 239.390-5003

FORT MYERS OFFICE: 13571 McGregor Blvd. | Suite 24 | Ft. Myers | FL 33919 | Tel: 239.267.1856 | Fax: 239.236.0809

February 25, 2015

Village Council Members  
Village of Estero  
Estero, Florida 33928

Dear Village Council Members:

The ECCL on behalf of the Village of Estero has requested proposals for the following services:

- Interim Finance Director Services
- Accounting and Bookkeeping Services

Experience that differentiates and qualifies us for this engagement:

- 1st and most recent Finance Director of City of Bonita Springs
- Recipient of Key to City of Bonita Springs for 11 years of service
- Certified Public Accountant in Florida for past 17 years
- Over 15 years in Local Government Financial Reporting and Management
- Presentation of Budget to City Council and Residents for 11 years
- Preparation and Presentation of Five Year Financial Projections for Local Government
- Recipient of Certificate of Achievement for Excellence in Financial Reporting Award
- Experienced with the Village of Estero Revenue Sources collected by Florida and Lee County
- Experienced with negotiations with Lee County and Private Sector for Services
- Estero Based Certified Public Accountant (CPA) firm
- Resident of Stoneybrook in Estero since 2010

The scope of services are outlined on the following pages, including pricing.

We are excited for the opportunity to provide financial services to the Village of Estero and are ready to commence immediately. We look forward to playing a role in establishing our new Village.

Sincerely,

Lisa Griggs Pace, CPA

Partner

Adgate, Pace & Associates, CPAs, PA

*Members of: AICPA, FICPA*

## Village of Estero - Scope of Services

### Interim Finance Director Services

Oversees the financial operation by directing functions of accounting, budgeting, investing, and debt management. Responsible for preparing the annual budget, financial planning documents, audited financial statements, and internal and external financial reports.

#### Specific Duties and Tasks:

- Managing daily cash collections and disbursements.
- Maintaining financial compliance with contractual obligations and the Village Charter.
- Designing and implementing an effective system of internal control.
- Preparing all financial statements, plans and other financial analyses requested by the Village Manager.
- Preparing requests for proposals for audit, banking, investment, financial advisory and accounting consulting services.
- Assisting in negotiation of agreements with banks, Lee County and other service providers.
- Maintaining a working knowledge of Generally Accepted Accounting Principles (GAAP), Generally Accepted Auditing Standards (GAAS), and Governmental Accounting Standards Board (GASB) pronouncements.
- Maintaining professional relationships with Village staff and members of the Village Council.
- Communicating clearly and effectively, whether orally or in writing.
- Coordinating the audit function with the independent auditor.
- Identifying and securing all revenue available to the Village.
- Identifying cost saving opportunities.
- Completing all continuing education requirements.
- Maintaining the highest standard of personal integrity.

## Village of Estero - Scope of Services

### Accounting and Bookkeeping Services

Oversees the financial operation by directing functions of accounting, budgeting, investing, and debt management. Responsible for maintaining the financial books and records, preparing the annual budget, financial planning documents, audited financial statements, and internal and external financial reports.

#### Specific Duties:

- Prepare and transport deposit to bank
- Recording all daily cash collections
- Maintain financial accounting system
- Maintain petty cash fund
- Processes and prepares for invoices for payment
- Assist with coding of invoices in compliance with Village Budget
- Pay any debt payments as it comes due
- Reconciles bank accounts and other financial accounts
- Conduct periodic reconciliations of various accounts
- Prepares sales tax returns and reconcile to cash collection records, if applicable
- Maintain an orderly accounting filing system
- Process payroll in a timely manner
- Identifying cost saving opportunities.
- Maintaining the highest standard of personal integrity.

**Lisa Griggs Pace, CPA**  
Adgate, Pace & Associates, CPAs, PA  
E-mail: Lisa@AdgatePaceCPA.com Phone: 239.390.5005

- Certified Public Accountant in Florida for past 17 years
- Over 15 years in Local Government Financial Reporting and Management
- 1st Finance Director of City of Bonita Springs
- Recipient of Key to City of Bonita Springs for 11 years of service as 1st Finance Director
- Presentation of Budget to City Council and Residents for 11 years
- Preparation and Presentation of Five Year Financial Projections for Local Government
- Recipient of Certificate of Achievement for Excellence in Financial Reporting Award
- Experience as Independent Auditor for Local Governments, Fire Control Districts, Non-Profit Entities, Local Businesses, and Homeowners Associations.
- Consultant for Local Governments, Fire Control Districts, Non-Profit Entities, Local Businesses, and Homeowners Associations
- Relocated to Fort Myers in 1989 from South Carolina

#### **Past Relevant Professional Experience:**

**City of Bonita Springs, Florida** **November 2005-January 2015**  
*Finance Director*

Oversees the financial operation of the City by directing functions of accounting, budgeting, investments and debt management. Responsible for preparing the annual budget, financial planning documents, audited financial statements, and internal and external financial reports.

**City of Bonita Springs, Florida** **December 2003-November 2005**  
*Deputy Treasurer*

Oversees the financial operation of the City by directing functions of accounting, budgeting, investments and debt management. Responsible for preparing the annual budget, financial planning documents, audited financial statements, and internal and external financial reports.

**Schultz, Chaipel & Co., LLC, Fort Myers, Florida** **January 2000 – December 2003**  
Senior Staff Accountant- Responsible for management of staff assigned to various engagements. Planning and performing of audits and reviews including drafting of financial statements for local governments, non-profits and for profit entities, tax returns and projections for corporations, partnerships, individuals and non-profit entities including assistance with general ledger maintenance, maintaining depreciation schedules, assistance with preparation of clients represent various industries including marinas, construction companies, law firms, and various other entities.

**Briant & Girardin, PA, Naples, Florida** **June 1998-January 2000**  
Staff Accountant – Responsible for planning and performing of audits including drafting of financial statements for non-profit, for profit and common interest realty associations (CIRA) entities including turnover audits tax returns and projections for corporations, individuals and non-profit entities including state and local filings, consulting for non-profit, for profit and CIRA entities, various audit and tax research projects and agreed upon procedures.

**Lisa Griggs Pace, CPA**  
Adgate, Pace & Associates, CPAs, PA  
E-mail: Lisa@AdgatePaceCPA.com Phone: 239.390.5005

...continued

#### **Credentials and Education:**

Certified Public Accountant	Issued November 1997
Series 7 Securities License	Issued December 1996 (dormant since 1997)
Bachelor of Science, Accounting	University of South Florida, Tampa, Florida, May 1994

#### **Computer Software Knowledge and Skills:**

Acquired, Planned and Implemented two new Financial Reporting and Budgeting Software products for Local Governments. Skills including but not limited to: Tyler (Encode), MainStreet accounting software, ProFx Audit vision, Creative Solutions depreciation software, Creative Solutions write-up software, Accountant's Trial balance (ATB), QuickBooks, Skyline accounting software, Profx tax preparation software, Creative solutions depreciation software, CCH tax research program, BNA research programs, Microsoft Excel and Word and other windows programs.

#### **Professional and Civic Affiliations:**

- Past Board Member of Secretary of Southwest Florida Chapter of the Florida Institute of Certified Public Accountants
- Alumni Class of 2002 Leadership Lee County
- Relay for Life of Estero & Bonita - Accounting Chair 2014 & 2015
- Member of the American Institute of Certified Public Accountants
- Member of the Florida Institute of Certified Public Accountants
- Member of the Government Finance Officers Association
- Member of the Southwest Florida Government Officers Association
- Member of Oak River Church





**ADGATE, PACE  
& ASSOCIATES**  
CERTIFIED PUBLIC ACCOUNTANTS

## Village of Estero Scope of Services - Budget Proposal

### Interim Finance Director Services

Local Government Hourly Rate .....	\$ 100
Less Preferred Client Discount .....	(25)
Net Hourly Cost .....	\$ 75

*Not to exceed \$6,000. per month - Estimated 20 hours per week  
Contract Length: Initial term of 3 - 8 months*

.....

### Accounting and Bookkeeping Services

Local Government Hourly Rate .....	\$ 50
Less Preferred Client Discount .....	(10)
Net Hourly Cost .....	\$ 40

*Not to exceed \$3,800. per month - Estimated 24 hours per week  
Contract Length: Initial term of 3 - 8 months*

Tel: 239.390-5005

[www.AdgatePaceCPA.com](http://www.AdgatePaceCPA.com)

G | S | G



# Government Services Group, Inc.

## Municipal Services Division



### **Proposal to Provide Services to Village of Estero, Florida**

**Financial Services**

**Municipal Service Agreement Negotiation Services**

**Friday, February 27, 2015**

*[WeServeGovernments.com](http://WeServeGovernments.com)*

G | S | G

1500 Mahan Drive, Suite 250  
Tallahassee, Florida 32308

**T** 850-681-3717  
**F** 850-224-7206

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# GSG Corporate Profile

**Government Services Group, Inc. (GSG)** is a Florida based consulting service provider to government entities. Incorporated in 1996, we pride ourselves on *smart, effective and efficient* service. **GSG** is comprised of three divisions: *Community Services Division, Government Services Division and Municipal Services Division*. All divisions provide specialized services to municipalities, cities, counties and special districts. Across divisions, our general areas of service include *stormwater, water & wastewater, grants management, community development, fire services, revenue enhancement and program administration*. In each service area, we have perfected particular tools and capabilities, offering deliverables that may be tailored according to specific client needs.

## Our Structure



**GSG's** team of highly experienced professionals, including former City and County Managers and Finance Directors, offer the particular skills the Village requires. We have worked in government and in the private sector for both large and small entities. Not only have we been in our client's shoes, we have been in their communities and neighborhoods. During **GSG's** 18 years of service, 60 counties, 89 cities and 15 special districts have experienced benefits from our support.

The **Community Services Division (CSD)** specializes in providing state and local governments with professional community development services related to construction management & inspection, eligibility & intake, environmental review and Davis Bacon Labor Standards. The **CSD** also provides grant management services in the areas of disaster recovery, infrastructure, economic development, neighborhood revitalization, housing rehabilitation and funding strategies. The **CSD** has assisted over 60 governments with carrying out various programs related to CDBG, Disaster Recovery, HOME, SHIP, NSP and other supplemental programs that are leveraged with the various community development programs.

The **Government Services Division (GSD)** specializes in water/wastewater assessments, stormwater assessments, fire assessments, road assessments, EMS tax assessments, solid waste assessments, service delivery analysis and governance solutions. These assessments have assisted governments in determining priorities and funding strategies that provide a consistent revenue stream to support the functionality of the local government. The information contained in the assessment also enables

Commissions and Boards to make critical decisions about local infrastructure and creates a basis for planning initiatives in the short and long-term. Over the past two years, the **GSD** has provided the data analyses and assessment roll development for approximately 1 million parcels, generating over \$275 million dollars of revenue for our clients.

The **Municipal Services Division (MSD)** specializes in public management support services in the areas of capital program management, utility operations, capital financing and debt management, contractual performance oversight, financial administration, full service governmental accounting, utility customer service, billing services and certain municipal real estate services. The **MSD** has delivered high value, low cost full service municipal accounting services to local governments and served as the manager for multiple community development districts. On behalf of local government partners, the **MSD** has tackled the successful transition of numerous troubled water and sewer utility systems to high quality, modern, municipal standard and customer friendly operations. In addition, the **MSD** is able to design and implement innovative public service delivery alternatives and effective governance solutions in close collaboration with policy makers, public executives, and citizen stakeholders. **MSD's** work in capital project management and civic engagements has received state and national recognitions.

## Services List



# GSG Team

## **Robert E. Sheets**

### CHIEF EXECUTIVE OFFICER

Robert has served more than 100 cities and counties in Florida in administrative, financial and operational capacities for nearly 30 years, including 20 years of hands-on experience regarding water and sewer utility systems. He is a respected authority on topics related to service and capital projects within local government communities, including service delivery solutions, revenue enhancement, long-range strategic planning, cost allocation planning, indirect cost rate proposals, and more. **He served as Chief Financial Officer for Charlottesville, Virginia and Assistant City Manager/Finance Director for Alvin, Texas.**

Robert oversees all aspects of managing contracted government services and developing solution-based strategies to address financial, operation and governance challenges. From planning, rate analysis, special assessment, management service, acquisitions, and more. He has overseen the development and implementation of numerous capital improvement programs totaling more than \$400 million, and acquisition transactions exceeding \$500 million. He also oversees the procurement and contract operation services of more than \$40 million per year.

As CEO, he helped to create the Florida Government Utility Authority (FGUA). FGUA was designed to and continues to partner with local governments to acquire, operate and improve utility services across Florida. Currently, FGUA serves approximately 115,000 customer connections across the state. He was team leader over the acquisition of more than 80 Aqua Utilities Inc., Florida water and wastewater systems on behalf of the FGUA.

Robert holds a Bachelor of Arts in Political Science from the University of Texas at Arlington.

## **Stephen M. Spratt**

### VICE PRESIDENT FOR MUNICIPAL SERVICES

Steve's Division is responsible for providing contract management and administrative services for local governments. These services include utility management, community development district management, capital improvement program planning and management, financial administration services and construction inspection services. Prior to joining GSG, Steve served as Pinellas County Administrator and Chief Assistant County Manager and Budget Director in Miami Dade County. **In those capacities, Steve was involved in the incorporation process and transitioning of municipal services from the county to the newly incorporated cities of Key Biscayne, Aventura, Pinecrest, Sunny Isles Beach, and Miami Lakes. This work included complete financial feasibility analysis, pro forma budgeting and negotiating service agreements for public works, building and zoning, code enforcement, police and fire services, park facilities and other municipal services.**

Currently, Steve is currently managing over 70 full-service water and sewer utility operations throughout Florida on a contractual basis, including those at MacDill Air Force Base in Tampa, for approximately 118,000 customer connections. The Division's utility contract management responsibility has included approximately \$490 million in asset management and capital programs. With over 35 years of

professional government management experience, he brings an extensive understanding of best management practices and the ability to design practical solutions to GSG and its clients.

He holds Associate of Applied Science and Bachelor of Science Degrees in Transportation Management from the Florida Institute of Technology and has been a public management instructor at Florida International University.

## **J. Kevin Grace**

### ASSISTANT DIRECTOR OF MUNICIPAL SERVICES

Kevin brings more than 20 years of experience in local government management and 13 years in the private sector. At Government Services Group, he oversees the management and financial aspects of the Division, including finance, accounting and budget, community development districts, as well as utility acquisition, contract negotiation and special project responsibilities. In recent years, Kevin has also led GSG's consulting and management efforts in the area of Federal Government Utility Privatization (UP) of military base facilities.

Prior to joining Government Services Group, Kevin was the County Manager of Seminole County, Florida, where he served as chief executive officer and managed a total budget of more than \$780 million, and supervised approximately 1,400 employees. During his tenure as County Manager, Kevin successfully negotiated several intergovernmental agreements including an agreement between the County, seven cities, and the School Board to share infrastructure sales tax revenues, and an agreement between the County and the City of Altamonte Springs to merge the City's Fire department with the County.

-  
He received his Bachelors of Science in Geography and Sociology from Western Kentucky University and his Masters in Urban and Regional Planning from the University of Illinois.

## **David DiLena, CPA**

### MANAGER OF FINANCIAL SERVICES

David DiLena offers diverse expertise to his role as the Director of Finance for Government Services Group, Inc. His current Finance Department has received the Government Finance Officers Association's (GFOA) Distinguished Budget Presentation award for 12 consecutive years. During a career that has spanned more than 17 years; he has gained broad experience in audit, tax and utility experience with a concentration in the water & wastewater industry within a multi-state environment in both the private sector and governmental sector.

As an Accounting professional with a blend of experience in public accounting as well as in the manufacturing, health care and utility industries, Mr. DiLena has been responsible for financial statement preparation and presentation, budget preparation, due diligence in utility acquisition, contract negotiation and multiple bond issuances. Mr. DiLena has been a Chief Financial Officer and Partner within the water and wastewater industry for more than 10 years.

Mr. DiLena graduated from Florida State University with Bachelor of Science (BS) degree in Finance and a Bachelor of Science (BS) degree in Accounting. He is currently licensed within the State of Florida as a Certified Public Accountant.

Mr. DiLena is a member of the American Institute of Certified Public Accountants, Florida Institute of Certified Public Accountants and Florida Board of Accountancy.

## **Krystal Strickland, CPA MBA MAFM**

### **SENIOR FINANCIAL ANALYST**

Krystal Strickland offers diverse expertise in her role of Sr. Financial Analyst for Government Services Group, Inc. Prior to GSG, Krystal served as a staff accountant working on reviews, compilations, and benefit plan audits for a local CPA firm. Krystal has over 15 years of experience implementing policies for strong fiscal management of grants from the United States Government, United Nations and various corporate and non-profit donors. During her career, Krystal has gained vast experience setting up accounting systems and internal controls, and managing daily financial operations of a broad array of non-profit and governmental programs from construction to financial services within a severely restricted business environment.

As an accounting professional with a blend of federal compliance experience and management of daily financial operations, Ms. Strickland has been responsible for setting up the grant management, accounting and daily financial operations of a federally-funded local governmental broadband utility. She currently serves as Senior Financial Analyst and performs the accounting and financial reporting for four water and wastewater utility systems in Florida, and the general fund of the Florida Governmental Utility Authority (FGUA). Krystal has full accounting responsibility for the FGUA's MacDill AFB utility system, and is responsible for maintaining full compliance with Federal Costs Accounting Standards and preparation for any Defense Contract Audit Agency (DCAA) audit requirements. Her intimate familiarity with the OMB circulars and FAR regulations is extremely valuable in her work on Federal grants and contracts.

Ms. Strickland graduated from Portland State University with Bachelor of Arts (BA) degree in Russian Studies and a Masters in Business Administration (MBA). Ms. Strickland also received a Masters in Accounting and Financial Management (MAFM) from Keller Graduate School of Management.

Ms. Strickland is a licensed Certified Public Accountant in Florida and California and is a member of the American Institute of Certified Public Accountants (AICPA), the Florida Institute of Certified Public Accountants (FICPA), and the California Society of Certified Public Accounts (CalCPA), the Governmental Finance Officers Association (GFOA), and the Florida Governmental Finance Officers Association (FGFOA).

**In addition to the individuals profiled above, GSG currently has six (6) Financial Services professionals located in its Longwood, Florida office to provide service support to the village of Estero.**

# Scope of Work and Fees - Financial Services

## Overview and Staffing

Government Services Group (GSG) is prepared to provide the Village of Estero with comprehensive Financial Services. The proposal assumes that these services will be delivered predominantly from GSG's Longwood, Florida office location, with on-site support as needed. The Finance Manager on this engagement will be David Dilena, CPA, who is GSG's Manager of Financial Services. The Assistant Finance Manager will be Krystal Strickland, CPA, who serves as Senior Financial Analyst for GSG.

GSG has a skilled and experienced finance, budget and accounting team in its Longwood office. This team of professionals (CPA's, Accountants, Account Clerks, etc.) will provide the necessary support to the Finance Manager in delivering service to the Village of Estero. **A particular advantage to the Village of engaging a team of professionals, skilled in local government budgeting and accounting, is that it gets a full service finance firm providing access to a depth and breadth of skills and expertise without the related expense of hiring employees to provide the same broad range of skill sets.**

We recognize that the Village will be "ramping up" its municipal services and accordingly, its finance support requirements. The staffing and pricing which follows assume an annual requirement for a fully functioning municipality, and price discounting would be considered for the "ramp up" period.

GSG has assumed that a fully functioning Village would need the equivalent of two (2) FTE's to provide the services required by the Village. The breakdown of the FTE's includes .50 for the Finance Manager/Asst. Finance Manager, with the remaining 1.5 FTE's allocated among the staff accountants and account clerks.

While much of the service delivery will be provided remotely in the interest of cost effectiveness, GSG feels it is important to maintain frequent personal communication with the Village, and to demonstrate a regular presence on-site in order to establish the necessary working relationships and to better understand Village business. GSG would anticipate the following communication and site visit protocols, but would be open to adjustments based upon the preferences of the Village Manager.

- Weekly scheduled call between the Finance Manager/Asst. Finance Manager and the Village Manager to discuss issues and action items.
- 24/7 availability to Village Manager by phone or video conference as necessary
- Attendance at Village Council meetings.
- Five days/month on-site support by Finance Manager or Asst. Finance Manager.
- Interactive financial accounting system connectivity with Village.

## Scope of Services

The GSG Financial Services team will be responsible for providing budget development and analysis, full service accounting, and purchasing services, including advice and guidance to the Village staff. These services are anticipated to include the following functional areas:

## General Requirements

- Provide services outlined herein under the direction of the Village Manager or designee.
- Provide the Village with a primary contact who shall be available to the Village in person or by telephone on a twenty-four (24) hour basis, seven (7) days per week.
- Provide indicated staffing resources on an as needed basis to support the Village, such as during financial audits, website updates and special projects.
- Adhere to all established internal controls and procedures.
- GSG to provide computer and software for its employees serving the Village.
- GSG to provide and maintain financial software package with annual costs built into the compensation.
- Village to provide suitable working space for GSG, with data connectivity, to accommodate on-site work.

## Accounting

- Provide a qualified and capable staff necessary to perform the services, duties, and responsibilities set forth herein.
- Assist in developing and implementing the accounting policies and procedures.
- Maintain all financial records for the Village and component units and joint ventures of the Village in accordance with applicable laws, guidelines, standards and best practices for municipal accounting, including, but not limited to, General Accepted Accounting Principles (GAAP), pronouncements of the Governmental Accounting Standards Board (GASB), best practices and advisories of the Governmental Finance Officers Association (GFOA).
- Produce and deliver to the Village Manager in timely manner any and all financial information and reports as requested.
- Process all invoices presented with proper approval for payment, process only invoices presented with proper approval.
- Promptly identify and pay all Village bills and obligations, including payroll, in accordance with Florida law and sound business practices.
- Properly code and record all financial transactions of the Village.
- Prepare and review journal entries, direct pays and wire transfers.
- Maintain capital asset records.
- Maintain accounting subsidiary ledgers and supporting schedules to support account balances in the general ledger.
- Maintain cash and investments in accordance with approved investment policies and applicable laws.
- Identify and maintain records and accounting for all grants and capital projects.
- Debt management and compliance.
- Prepare monthly financial reports for the Village Manager's review and subsequent presentation to the Village Council.
- Identify and analyze financial trends and variances.
- Compile operating and financial data to assist with the preparation of the annual budget.
- Prepare generally required annual reports including the Village's Comprehensive Annual Finance Report (CAFR).
- Coordinate and cooperate with external auditors and provide requested information and reports for year-end and interim reporting.

## Budgeting Services

- Assist Village Manager with initial budget preparation, including preparation of reports and schedules, as well as subsequent annual budget preparation.

- Comply with all requirements of State law and the Village Charter specifying the requirements of budgeting for the Village.
- Assist the Village Manager with the development and adoption of budget administration policies and procedures, as required by the Village Charter.
- Comply with all requirements of the adopted budget policies and procedures.
- Monitor Village expenditures and prepare analytical reviews as directed.
- Coordinate with Village Manager regarding preliminary budgets prior to developing the final Village budget.
- Prepare, maintain, and update the 5-year Capital Improvement Program budget.
- Prepare ongoing cash flow analysis, financial reports, planning models and trend analysis to assist in short, and long term financial planning.

#### Revenue Control

- Maintain all revenue control records for the Village in accordance with applicable laws, guidelines, standards, and best practices for municipal accounting, including, but not limited to, General Accepted Accounting Principles (GAAP), pronouncements of the Governmental Accounting Standards Board (GASB) and best practices and advisories of the Governmental Finance Officers Association (GFOA).
- Produce and deliver to the Village Manager in a timely manner any and all revenue control information and reports.
- Cooperate with contractors auditing Village revenue sources to provide reports and supporting documents necessary for efficient revenue audit programs.
- Coordinate with local, state, and federal agencies charged with collection and disbursement of taxes, assessments, fees, and charges.
- Collect and record revenue payments for various Village revenue sources while ensuring the account is properly credited.
- Reconcile cash receipts collected daily and prepare daily deposits for the bank.

#### Purchasing Services

- Assist the Village with the development and adoption of Purchasing Policies and Procedures.
- Comply with all requirements of the adopted Purchasing Policies and Procedures.
- Manage and maintain the requisition and purchasing process in compliance with applicable laws and the adopted purchasing policy.
- Monitor departmental expenditures against available budget for purchases.
- Maintain all purchasing records for the Village in accordance with applicable laws, guidelines, standards and best practices for municipal accounting, including, but not limited to, General Accepted Accounting Principles (GAAP), pronouncements of the Governmental Accounting Standards Board (GASB) and best practices and advisories of the Governmental Finance Officers Association (GFOA) and/or the National Institute of Governmental Purchasing (NGIP.)
- Identify and take advantage of all available discounts through purchases or competitive contracts with other governments for Village purchases.
- Prepare solicitations and oversee the competitive procurement process for projects funded through the Village.
- Coordinate, as needed, with the Village Attorney on issues that may arise during the procurement process.
- Prepare, manage, and oversee competitive procurement processes.
- Reconcile encumbrances to the general ledger as requested by accounting.
- Maintain inventory of all furniture, fixtures, supplies, and equipment that do not qualify as capital assets.

## **Compensation**

GSG has projected that the necessary compensation to provide the staff team and tools necessary to provide the services outlined above for the fully operational Village will be \$207,000 per year (\$17,250/month) , plus required expenses. This compensation includes \$200,000 for labor and fringe benefits, \$2,000 for payroll services, and \$5,000 for the Village's share of annual licensing and maintenance costs related to the Finance software package utilized by GSG.

As indicated earlier, we recognize that the Village will be "ramping up" its municipal services and accordingly, its finance services requirements. The outlined compensation assumes an annual requirement after the Village has completed its start-up activities. In recognition of this initial ramp-up effort, GSG is willing to discuss a discount to the proposed compensation during this initial period.

It is anticipated that the Village would budget separately for Village expenses such as legal advertisements, document production costs, record storage, etc.

## **Additional Services**

The GSG team is available to provide additional services to the Villages as may be desired. These services may include:

- Risk Management and development of risk management policies and procedures.
- Debt/Bond/Loan Issuance Administration (to be paid from transaction proceeds).

# Scope of Work and Fees - MSA Negotiation

At the discretion of the Village Manager, GSG would serve as either the lead negotiator, on behalf of the Village, or as the subject matter expert/advisor to the Village Manager. The following are service areas that may require Municipal Service Agreements (MSA's):

- Law Enforcement - Lee County Sheriff
- Fire & Rescue Service - Estero Fire & Rescue District, San Carlos Fire & Rescue District
- Planning, Zoning & Building – Lee County
- Code Enforcement – Lee County
- Libraries & Parks – Lee County
- Roads & Stormwater – Lee County
- Solid Waste – Lee County

## Scope of Services

GSG is prepared to perform the following services in support of the Village Manager.

- Determination of which services require MSA's - Perform necessary research and appropriate consultation with the Village Manager and Village Attorney to determine which existing services require the expeditious negotiation of an MSA.
- Research existing service levels and current costs – Perform appropriate research and analysis to ascertain the existing service level for each subject service, and provide estimates of the costs of those services being provided to Village of Estero residents.
- Assist in the determination of desired service level by Village leadership – In conjunction with the Village Manager, develop and implement an appropriate process to assist the Village Council in identifying the desired levels of service for each service being provided.
- Guide and assist Village leadership in the developing a plan and a strategy for pursuing contracts with the current service providers – Based upon information gathered, assist the Village Manager and Village Council in developing a plan which identifies the services for which MSA's are desired, a prioritization of the MSA's/services, a timeframe for completing the MSA negotiation process, and an acceptable level of expenditure to obtain the referenced services.
- Conduct, coordinate or assist (as directed) with the contract negotiation process with the service providers – As desired and directed by the Village Manager, assist in the negotiation process with the service providers.
- Conduct, coordinate or assist (as directed) with the MSA approval process – Assist the Village Manager as directed in the explanation and presentation of the resulting MSA's to the Village Council and the public.
- Research available options for alternative service delivery in the future – In anticipation that some of the MSA's may be considered by the Village to be only a temporary arrangement until alternate providers may be researched and procured, GSG may be directed by the Village to initiate such research for alternate providers of certain services.

## **Compensation**

Due to the uncertainty of the ultimate work effort involved in negotiating several interlocal agreements, and the Village's desired role for GSG in these efforts, GSG believes that it is in the Village's best interest to engage its consultant on these matters on a "time and materials" basis. GSG intends to utilize a team of professionals uniquely qualified, with experience in this work, to deliver the services outlined above. Therefore we have developed a blended hourly rate of \$132.00/hour for the GSG team. In addition to the hourly rate, GSG would seek reimbursement for direct costs (travel, lodging, document production, etc.) related to the engagement.

As an alternative, if the Village has a clear, defined scope of services that is desired from GSG in these matters, we would be willing to provide a fixed fee proposal to complete those services.



Mr. Nick Batos  
Estero Council of Community Leaders

Dear Mr. Batos:

It was nice meeting with you and fellow Council members on February 19th. As discussed, we are pleased to provide you the accompanying proposal for GSG's provision of financial and municipal service agreement support services to the Village.

As the proposal describes more fully, GSG brings a uniquely qualified team to assist the Village. Our personnel have helped launch new cities – financially and operationally. We have negotiated successful municipal service agreements between cities and counties. We have prepared and managed complex budgets that have been certified by the Florida Department of Revenue as well as being recognized for high quality by the Governmental Finance Officers Association. We have managed the full service financial accounting activities and prepared Comprehensive Annual Financial Reports which have consistently resulted in “clean” external audit reviews. Finally, we have helped guide elected and appointed governing bodies through these critical responsibilities.

We would be happy to provide local government references to attest to our work as you may require. We are also open to negotiating terms of scope and pricing contained in our proposal as needed to adjust to your particular needs.

Thank you again for your consideration of GSG and we look forward to being of high value support to your new, exciting Village government.

Sincerely,

Stephen M. Spratt  
Vice President for Municipal Services

Copy: Robert Sheets, President and CEO, GSG  
Bob Lienesch, Finance Director, ECCL



February 26, 2015

Mr. Bob Lienesch  
Finance Director ECCL  
Village of Estero

RE: Property & Casualty Quote

Dear Mr. Lienesch:

We appreciate the opportunity to present you with our proposal for your Insurance Program for the Village of Estero. As always, we welcome the opportunity to meet with you at any time to discuss this matter.

The Florida League of Cities Insurance Program was established in 1977 to provide an affordable insurance alternative for the governmental entities of Florida. Over the years the Florida Municipal Insurance Trust has evolved into one of the largest public entities programs in the United States and is recognized for its outstanding service and broad coverage forms.

The Trust, governed by a board of elected officials, is a non-assessable, non-profit, tax-exempt risk sharing pool. Each year these elected officials approve an actuarially recommended premium structure based on loss experience. The FMIT has superior financial strength presently highlighted by \$466 million in assets, \$211 million in surplus and over 600 members. With over 100 insurance professionals serving the FMIT, we have the resources and the product offering necessary to design a risk management solution to fit the unique coverage issues facing your Village.

When examining other insurance markets, it will become obvious that our self-insured group concept is a most attractive insurance alternative. To be certain, the FMIT is highly qualified to meet all your risk management needs. Our expertise in the areas of public entity coverages, coupled with our outstanding claims, loss control, and a nationally recognized fraud (SIU) department translates to considerable service and savings.

Thank you for your time and consideration. I plan to attend the Village Council meeting on March 17, 2015 and will be available to answer any questions and, if you choose, bind coverage.

Sincerely,

Andy Hanson  
West Florida Account Executive  
941-744-7889  
ahanson@flcities.com



FLORIDA MUNICIPAL INSURANCE TRUST

COVERAGE PROPOSAL

FOR

## VILLAGE OF ESTERO

PROPOSED EFFECTIVE DATE: March 1, 2015

ADMINISTERED AND PREPARED BY:

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

OF THE

FLORIDA LEAGUE OF CITIES, INC.

P.O. BOX 530065

ORLANDO, FL 32853-0065

### **"The Florida Municipal Insurance Trust Guarantee"**

*The FMIT will match any competitor's pricing for similar exposures, coverages, terms and conditions contingent on the ability of the competitor to verify that their rates are established by an independent actuary and that their reinsurance structure is currently in place. The competitor's reinsurer must have an AM Best rating of an A X or better.*

A specimen agreement is attached. This proposal contains a brief, general description of coverages. It is not intended to describe or cover all the terms, limits, conditions and exclusions of the agreement.

**The FMIT agreement language will supersede any differences between the agreement and this proposal summary.**



Department of Insurance  
and Financial Services

FLORIDA MUNICIPAL INSURANCE TRUST  
Proposal for 2014-2015

Village of Estero

PROPERTY COVERAGE

	Limit
<b>Real &amp; Personal Property</b>	\$125,000
Electronic Data Processing:	
- Equipment:	Included in Contents
- Software:	Included in Contents
- Equipment Breakdown:	Included in Contents
Coinsurance:	100%
Values:	100%
Valuation Basis:	Replacement Cost
Coverage Form:	Special
<b>Deductibles:</b>	\$1,000 Per Occurrence - Real & Personal Property, Other Property

Named Storm Deductible is 5% of the scheduled Building, Personal Property, Other Property (including property in the open) and Business Income. The percentages are calculated using the Schedule of Values on file with FMIT. The Named Storm deductible is calculated separately and applied individually to each Building, Personal Property, Other Property and Business Income. The minimum deductible is 5% of the scheduled value or the stated Property deductible, whichever is greater.

Business Income waiting period is 72 hours.

**PROPERTY COVERAGE EXTENSIONS:**

➤ Excess Flood Coverage	\$4,500,000
○ Flood Zones A & V deductible is excess of NFIP	
○ Other Flood Zones - \$100,000 deductible	
➤ Terrorism	\$5,000,000
➤ Unintentional Errors & Omissions	\$250,000
➤ Newly Acquired or Constructed Property	\$2,000,000
➤ Newly Acquired Business Personal Property	\$500,000
➤ Business Income	\$500,000
➤ Extra Expense	\$1,000,000
➤ Valuable Papers & Records	\$500,000
➤ Signs - Not attached to Buildings	\$25,000
○ Vehicular damage to signs	\$10,000 Maximum
➤ Accounts Receivable	\$500,000
➤ Police Dogs & Horses	
○ Death in line of duty	\$15,000
○ Annual Maximum	\$30,000
➤ Electronic Data Processing Equipment (Software)	\$250,000
➤ Antiques & Objects of Art	
○ Per Item	\$15,000
○ Annual Maximum	\$250,000
➤ Off Premises Power Failure	\$100,000
➤ Pollutant Clean Up & Removal	\$100,000
➤ Fungus Clean Up & Removal	\$25,000
➤ Personal Property Off Premises	\$250,000
➤ Personal Property of Others	\$50,000
➤ Preservation of Property	\$100,000
➤ Service Interruption Coverage	\$100,000
➤ Property In Transit	\$250,000
➤ Recertification of Equipment/Fire Extinguisher Recharge	\$250/Day
➤ Debris Removal	25% of Loss
➤ Building Ordinance Coverage, Including Demolition	25% of Loss
➤ Miscellaneous Unscheduled Fixtures	\$25,000/\$100,000
➤ Leasehold interest	\$100,000
➤ Arson Reward	\$5,000

## EQUIPMENT BREAKDOWN COVERAGE

Subject to any applicable limits on the Property, Allied Lines and Crime Declarations, the Equipment Breakdown Limit is the most we will pay for loss or damage arising from any "one accident."

These coverages apply to all locations covered on the policy, unless otherwise specified.

<b>I. Coverages</b>	<b>Limits</b>
Equipment Breakdown	Subject to the Real and Personal Property Limit described in proposal or \$50,000,000, whichever is less.
Business Income	Subject to the Business Income Limit described in proposal.
Extra Expense	Subject to the Extra Expense Limit described in proposal.
Expediting Expense	\$1,000,000
Hazardous Substances	\$500,000
Spoilage	\$500,000
Data Restoration	\$500,000
"Fungus," Wet Rot, Dry Rot And Bacteria	\$25,000
Service Interruption*	Subject to Business Income, Extra Expense, and Spoilage Limits
Water Damage	Included in Property Coverage.
<b>II. Deductibles</b>	
Direct Coverages	Subject to the Real and Personal Property deductible described in proposal.
Indirect Coverages	Subject to the Time Element deductible described in proposal.

### III. Other Conditions

\*Unless the interruption exceeds 24 hours, we will not pay for any loss under Service Interruption.

"Covered equipment" does not include "electrical generating equipment"; however, this exclusion does not apply to emergency generators.

**GENERAL LIABILITY COVERAGE**

**Comprehensive General Liability**

**Limits**

Limit Per Occurrence:	\$1,000,000
Annual Aggregate:	Unlimited
Deductible:	\$0

**Public Officials E & O / Employment  
Practices Liability**

**Limits**

Limit Per Occurrence:	\$1,000,000
Annual Aggregate:	Unlimited
Deductible:	\$0

Note: For Members that choose a deductible - Members are **only** responsible for the deductible if a judgment or settlement occurs. Legal expenses are outside the deductible and paid solely by the Trust for General Liability and / or Automobile Liability.

Important Note: The deletion of any of the above coverages does not automatically reduce the premium. These premiums are based on all of the above coverages. Any deletions of coverage will alter the experience modification factor originally used and may result in a higher premium.

**ADDITIONAL BENEFITS:**

- Defense Costs paid in addition to policy limits
- Premises Operations
- Products/Completed Operations
- Contractual Liability (Designated Contracts Only)
- Owners & Contractors' Protective Liability
- Personal Injury Liability
- Host Liquor Liability
- Incidental Medical Malpractice Liability
- Watercraft Liability
- Fire Legal Liability - Maximum \$500,000 in any one Trust Year
- Broad Form Property Damage - Maximum \$500,000 in any one Trust Year
- Advertising Injury Liability
- Skate Facility Liability
- Employment Practices Liability
- Employee Benefits Program Administration Liability
- Extra Contractual Legal Expense - \$100,000 Limit
  - (EEOC, Florida Commission on Human Relations, Ethics)
- No-fault Sewer Backup Expense - \$100,000 Limit
- Crisis Intervention
- HR Helpline - Full Legal Support and Online Services
- Bert Harris Act/Inverse Condemnation - \$300,000 Limit. (Higher limits are available.)
  - Deductible is \$5,000 or the policy deductible, whichever is greater.
- Cyber Coverages including Privacy, Network Security and Data Breach - \$250,000 Annual Aggregate. Claims Made.
- Cyber Risk Management Tools Web Site.

**CRIME & BOND COVERAGE****Limits****Bond Coverage:**

Employee Theft - Per Loss \$500,000  
Deductible: \$1,000

Faithful Performance - Per Loss \$500,000  
Deductible: \$1,000

Finance Director \$500,000  
Deductible: \$0

**Crime Coverage:**

Money - Loss Inside \$50,000  
Deductible: \$1,000

Robbery or Safe Burglary of Other Property \$50,000  
Deductible: \$1,000

Outside the Premises \$50,000  
Deductible: \$1,000

Computer and Funds Transfer Fraud \$500,000  
Deductible: \$1,000

Forgery or Alteration \$500,000  
Deductible: \$1,000

Money Orders and Counterfeit Money \$500,000  
Deductible: \$1,000

**WORKERS' COMPENSATION PAYROLLS**

	Limit
Workers' Compensation	Statutory
Employers Liability	\$1,000,000 / \$1,000,000 / \$1,000,000

<u>CODE</u>	<u>DESCRIPTION</u>	<u>PAYROLL</u>
8810	CLERICAL	435,000
TOTAL PAYROLL		\$435,000

Deductible StopLoss:		\$0
Experience Modification Factor:	10/1/2014	1.00
Safety Credit:		Yes
Drug Free Credit:		Yes

The Workers' Compensation premium is subject to adjustment when the October 1, 2014 experience modification is received.  
 Premium calculation includes 5% Drugfree Credit and 2% Safety Credit - Requires receipt of approved applications.

# Village of Estero

## PROPOSAL FOR GENERAL LIABILITY - \$1,000,000 LIMIT OF LIABILITY

### PREMIUM SUMMARY

Coverage Line	Annual Premium	Pro-Rata 3/1/2015 - 10/1/2015
Real & Personal Property	\$2,806	\$1,644
Equipment Breakdown Coverage	INCLUDED	INCLUDED
Crime & Bond Coverage	INCLUDED	INCLUDED
General Liability Coverage	\$8,708	\$5,103
Public Officials E&O / Employment Practices Liability	\$9,519	\$5,578
Bert Harris Limit of \$1,000,000	\$196	\$115
Automobile Coverage - Hired and Non-Owned only	\$192	\$113
Workers' Compensation Coverage	\$1,157	\$678
Total Premium	\$22,578	\$13,231

**INTEREST FREE INSTALLMENT PLAN**

First Installment

25% minimum due

October 1, 2014

Second Installment

25% minimum due

January 1, 2015

Third Installment

25% minimum due

April 1, 2015

Fourth Installment

25% minimum due

July 1, 2015

Payment will be forwarded to the Florida League of Cities in Tallahassee

**Proposed Position Description  
For  
Finance Director, Village of Estero**

**Position:** Finance Director

**Reports to:** Village Manager

**Salary:** Commensurate with Experience

**Background:** The Village of Estero is a rapidly growing, recently incorporated municipality with a taxable value exceeding \$5 billion. The Village is seeking its first Finance Director to oversee the financial operation of the municipality, including but not limited to, directing the accounting, budgeting and financial planning functions, maintaining solid banking and independent auditor relations, maintaining an effective system of internal control, and performing or supervising cash, investment and debt management functions. Also, the Finance Director will be responsible for drafting the annual budget and preparing all requisite financial statements in a timely manner.

**Some Essential Responsibilities:**

- 1) Managing daily cash collections and disbursements.
- 2) Maintaining financial compliance with contractual obligations and the Village Charter.
- 3) Designing and implementing an effective system of internal control.
- 4) Preparing all budgets, financial statements, plans and other financial analyses requested by the Village Manager.
- 5) Preparing requests for proposals for audit, banking, investment, financial advisory and accounting consulting services.
- 6) Assisting in negotiation of agreements with banks, Lee County and other service providers.
- 7) Maintaining a working knowledge of GAAP, GAAS, and GASB pronouncements.
- 8) Maintaining professional relationships with Village staff and members of the Village Council.
- 9) Communicating clearly and effectively, whether orally or in writing.
- 10) Coordinating the audit function with the independent auditor.
- 11) Identifying and securing all revenue available to the Village.
- 12) Identifying cost saving opportunities.
- 13) Completing all continuing education requirements.
- 14) Maintaining the highest standard of personal integrity.

**Minimum Qualifications:** Bachelor's degree in finance, accounting, public management or a related field; an MBA and/or CPA is a plus; eight years' progressively responsible experience in local government accounting.

**Please Note:** This position description has been prepared and submitted by a representative of the Estero Council of Community Directors (see [www.EsteroToday.com](http://www.EsteroToday.com)) for the benefit of identifying potential candidates for interview by the Estero Village Manager, once that individual is chosen by the Village Council of Estero on or after March 17, 2015, and who will be responsible for the final selection.

**For Further Information:** Follow the link to "Transition Book Summary" under the heading "Incorporation Information" at [www.EsteroToday.com](http://www.EsteroToday.com).

**Replies should be sent to:** Finance Director, Estero Council of Community Leaders, P.O. Box 424, Estero, FL 33929

## MEMORANDUM

**TO:** Mr. Bob Lienesch

**FROM:** Stephen Bloom, STS Finance Manager

**CC:** Bob Koncar, STS Regional General Manager  
Cal Teague, STS District Manager

**DATE:** February 27, 2015

**SUBJECT:** Village of Estero - Management Services

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Outlined below are several options for providing financial services to the Village of Estero both for a startup period (transition) and long term. In addition, two options were provided for a temporary Village Manager (90 days). If there are additional options you would like to see or if you have any questions, please let me know.

### **Financial Services**

For each of the financial services options, the scope of services would encompass all of the functions listed below including any compliance and regulatory requirements. In addition, Severn Trent would utilize their own accounting software for no additional charge. Should the Village decide to purchase their own software, Severn Trent would export the data to assist with the transition into the new software.

- Accounting
- Payroll
- Accounts Payable
- Accounts Receivable
- Budgeting
- Auditing

**Initial Transition Period (90 days)** – With this option, Severn Trent would provide a Finance Director which would manage all of the Village's financial functions as outlined above. This Severn Trent employee would be onsite an average of 5 days per month. Severn Trent would utilize the back office located in Coral Springs, Florida for all the day to day financial activities.

**Financial Services (continued)**

**Long Term Services**

**Option 1** – After the initial transition period, Severn Trent would continue to provide financial services with the following staffing structure. Severn Trent would provide a Finance Director who would be onsite an average of 8 days per month. Severn Trent would utilize the back office for all the day to day financial activities.

**Option 2** - Severn Trent would provide a full time on site Finance Director. The balance of the day to day activities would be performed by the back office.

**Pricing for Financial Services**

<b>Proposal</b>	<b>Total Cost</b>	<b>Monthly Cost</b>
Transition Period (90 days)	\$15,188	\$5,063
Option 1	\$117,651	\$9,804
Option 2	\$197,239	\$16,437

**Village Manager Services:**

We have provided two options for consideration for the interim Village Manager services:

**Option 1** – Severn Trent would provide the Village with a highly qualified and experience manager for the initial 90 day period. We have identified an individual that has had over 30 years of experience in providing City Management services including very large cities. He lives in the region and could be available immediately. He only wants to work part time and therefore we have shown the cost for the first 90 days at 20 hours a week. In addition, we are showing a full time administrative assistant to provide support to the manager and for other services. The cost proposal for this option is shown on page 3.

Page 3

**Re: Village of Estero - Management Services**

**Village Manager Services (continued)**

**Option 2** - Severn Trent would provide a very qualified Village Manager for 90 days on a full time basis, along with a full time administrative assistant.

**Pricing for Manager Services**

<b>Proposal</b>	<b>Total Cost</b>	<b>Monthly Cost</b>
Option 1	\$31,560	\$10,520
Option 2	\$38,852	\$12,951



SEGMENTATION ANALYSIS  
FINANCIAL MODELING  
FEASIBILITY STUDIES  
MARKET RESEARCH  
DESIGN TESTING

## **ESTERO COMMUNITY MARKET ASSESSMENT Prospects for Future Commercial Development and Economic Development Opportunities**

Prepared for:

**Mr. Nick Batos**  
**Chairman**  
**Estero Council of Community Leaders (ECCL)**  
**Box 424**  
**Estero, Florida 33929**

Prepared by:

**Richard F. Hunt**  
**PELTON RESEARCH PARTNERS**

September 16, 2013

WEST COAST OFFICE

1040 MACY AVENUE  
CHICO, CA 95926  
PHONE: (530) 228-0922  
FAX: (530) 566-9093  
[rfh@pelotonresearch.com](mailto:rfh@pelotonresearch.com)

*COMMUNITY OF ESTERO*  
*MARKET OPPORTUNITY ASSESSMENT*  
LEE COUNTY, FLORIDA  
SEPTEMBER 2013

September 16, 2013

Mr. Nick Batos  
Chairman  
Estero Council of Community Leaders (ECCL)  
Box 424  
Estero, Florida 33929

Dear Mr. Batos,

Per your request and on behalf of your client, the Estero Council of Community Leaders (ECCL), PELOTON RESEARCH PARTNERS (*PELOTON RESEARCH*) and Seth Harry & Associates (SHA) have conducted a market study to assess the potential market demand for new retail, office, and residential uses to help determine the land needed to support these uses within Estero in the future. This study has been undertaken to provide ECCL relevant data and findings to further support their current and future long-range planning efforts for the community of Estero in conjunction with comprehensive planning efforts in Lee County.

The information provided in this study is built on previous research and planning work conducted by SHA and PELOTON RESEARCH to assess larger-scale economic and market opportunities within Lee County. Findings from the earlier Lee County assessment have helped guide a more detailed examination of the unincorporated community of Estero. Key market and community characteristics were analyzed including: local resident demographics, household income levels, retail sales, consumer buying power, local employment, residential neighborhoods, retail centers, office spaces, and real estate market conditions, among others. Many of these characteristics are compared with those of other Lee County communities, including Bonita Springs and Fort Myers, as well as with Lee County overall. Additional comparisons are made with the City of Naples and Collier County to the south.

The following report summarizes the findings of the market investigation conducted by PELOTON RESEARCH and SHA during the months of May, June, and July of 2013. The market investigation included a review of historical development trends in Estero and greater Lee County prior to 2000. Special consideration has been given to the impacts of local economic conditions stemming from the national recession during 2008 through 2009.

MARKET RESEARCH  
SEGMENTATION ANALYSIS  
FINANCIAL MODELING  
FEASIBILITY STUDIES  
DESIGN TESTING

WEST COAST OFFICE  
1040 MACY AVENUE  
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This report is separated into five (5) primary sections summarized as follows:

### **Main Report**

- *Section A - Introduction* – this section provides an overview of the study process used by PELOTON RESEARCH;
- *Section B - Executive Summary* – this section provides a summary of key findings from the Estero market study with an assessment of the Strengths, Constraints, and Opportunities discovered for the community. The section additionally includes a summary of national, state, and regional trends that will influence the future growth and development in Estero;
- *Section C – Demographics, Employment, & Future Growth* – this section provides historical, current, and projected statistics on demographics, employment, and job growth for Lee County, Estero, and select geographic areas;
- *Section D – Commercial Real Estate Markets, Retail Demand, and Land Use* – this section provides an assessment of current commercial and retail real market conditions, current and projected retail demand, and implications of future demand for space by type on future land use needs in the community of Estero; and
- *Section E – Prospects for Multi-District Downtown Estero* – based on the findings from the previous sections and a review of vacant mixed-use properties along US-41, the prospects for a multi-district town center for Estero is reviewed. The potential opportunity is reviewed as a comprehensive development program to capitalize on the changing demographic and economic characteristics within the local market that would strategically position the community for greater economic stability and resilience in the future.

### **Appendices**

- *Estero Community Overview* – this section highlights the history of Estero and an overview of some of Estero’s 38 neighborhoods and community features;
- *Estero’s Schools* and their performance indicators are highlighted and summarized;
- *Demographic & Economic Characteristics* – this section of the report provides a summary overview of current and historical demographic and economic

activity in Southwest Florida with special emphasis on trends in the community of Estero. Current and projected demographic characteristics for Lee County and Estero are provided with comparative data provided for the City of Bonita Springs, City of Fort Myers, Collier County, and the City of Naples. Local employment activity and Lee County's largest employers are summarized;

- *Building Industry Activity* - this section provides an overview of building and permit activity in the Greater Estero market area and includes historical and current building trend information for communities in Lee and Collier Counties as well as the counties overall;
- *Real Estate Markets* – this section provides an overview of activity in the residential, office, and retail markets of Estero and selected surrounding market areas. Local sales and listing statistics, prices, and trends are provided across the residential market sector. A survey of available spaces and vacancy rates are provided for the commercial sector in the community of Estero; and
- *Commercial Property Listing Survey* – this section provides a comprehensive list of commercial properties listed for-sale and for-lease in the Estero market area.

This report summarizes the findings from our market assessment of the Greater Estero economy and local real estate market sectors. Based on our findings, the prospects for new development in the Estero market are positive for most residential market sectors in mid-year 2013 with continuing improvement expected through 2014. The retail and office market sectors are not expected to see substantial improvements until after 2014, though select opportunities still exist in underserved market segments.

Seth Harry & Associates will use the information provided in this study to conduct an additional evaluation of the potential building capacity and design implications for a centralized Estero community development, in addition to their assessment of the changes in development patterns that will occur with transitioning land uses in Estero.

Thank you for the opportunity to assist you with an Estero market assessment.

Sincerely,

Richard F. Hunt | Principal  
PELTON RESEARCH PARTNERS

Seth Harry, AIA | President  
SETH HARRY & ASSOCIATES

## **A. INTRODUCTION**

### **STUDY OVERVIEW**

---

The following study provides market research findings to support the comprehensive planning efforts of the community of Estero being led by the Estero Community Planning Panel (ECP) and the Estero Council of Community Leaders (ECCL). The primary focus of this market study is the prospects for future real estate development in Estero based on local economic performance, demographic characteristics, and projections for growth within Estero and surrounding communities within both Lee and Collier Counties. Future population and job growth in Estero will have the greatest impacts on the demand for land use. This study provides findings on the expected shift in the amount of zoned land needed by future use.

The following main sources were used as part of this market investigation:

- National migration data into Lee County was gathered from the U.S. Census, the Internal Revenue Service, and the University of Florida Bureau of Economic and Business Research (BEER).
- Geo-demographic data and population estimates were gathered from the U.S. Census, Environmental Systems Research Institute (ESRI), Claritas, BEER, and the State of Florida Office of Economic & Demographic Research.
- Retail Sales and consumer spending data for Lee and Collier Counties for the time period 2003 to 2013 was gathered from ESRI, the State of Florida Department of Revenue, and the Bureau of Economic Analysis.
- Local business data was provided by the national firm Dun & Bradstreet along with data provided by local business owners.
- Local and regional economic data was gathered from the Regional Economic Research Institute at Florida Gulf Coast University and the Fort Myers Regional Partnership.
- Residential, retail, and office space listings were provided by numerous local and regional associations, individual real estate brokerage firms, and homebuilders including but not limited to: the Realtors Association of Fort

Myers and The Beach, Downing-Frye Realty, John R Wood Realtors, Pulte, Lennar, Toll Brothers, Premier Commercial, Cushman & Wakefield, CRE Consultants, Colliers International, Lee & Associates, and Avison Young.

- Previous planning studies were obtained and reviewed from the Lee County Planning Department and the Estero Community Planning Panel (ECP) website.
- Background data and research support was provided by Ruth Landsman, Partner, Seth Harry & Associates.
- PELOTON RESEARCH additionally relied on 26-years of professional experience working in real estate market analysis and economic development to conduct the market assessment for the community of Estero.

By utilizing the data gathered from these various sources, PELOTON RESEARCH and SHA were able to analyze the current economic conditions in the Estero market along with the market context for various real estate uses in the community. This information has been applied to long-range planning efforts to determine whether currently proposed land uses are in-sync with current and projected market demand.

The following section provides an executive summary of findings including an analysis of strengths, constraints, and opportunities relevant to future development in the Estero Planning Area.

## **B. EXECUTIVE FINDINGS**

### ***Strengths, Constraints, and Opportunities***

The Estero community has benefitted greatly from careful planning over the past decade. Because of this the community has weathered a major national recession with a minimal amount of negative economic impact when compared to other markets in the State of Florida. Estero has significant strengths and opportunities moving forward that need to be considered. Equally important are some of the constraints the community needs to overcome to reach more sustainable growth and development.

The following is a summary of the strengths, constraints, and opportunities identified in Estero during this market study.

### **STRENGTHS**

**Strong population growth** – *Estero has experienced rapid population growth since 1990, and is expected to continue to grow at a higher than average rate versus Lee County overall.* The Estero Fire District grew 144% from 2000 to 2010, from a population of 9,261 to 22,612, or a net increase of 13,351 new residents. This population growth exceeded that of Bonita Springs which added 11,117 residents during the same time period.

Based on an analysis of residential permit activity from 2000 through 2012, PELOTON RESEARCH has determined that substantially higher growth occurred in Estero than that reported by the U.S. Census during 2010. The analysis reveals real population growth in Estero from 2000 to 2010 was 5,597 more than that reported by the Census. A total of 26,723 part-time and year-round residents were added to Estero from 2000 to 2010. This puts the “in-season” population of Estero in 2010 at 40,301. These figures are very important when assessing the economic potential of the community in the future.

**Excellent roadway network and highway access** – *Estero benefits greatly from a location along an interstate and highway corridor. Interstate 75 and Highway 41 provide strong economic benefits for local businesses, drawing customers from North Lee County and Collier County.* Residents benefit from easy, convenient access to employment and shopping. Future development between Highway 41 and I-75 will benefit from visibility along the corridors. Improvements over the past decade include the addition of twelve (12) north/south lanes due to the addition of roadways and the widening of existing roadways. Some key roadway improvements are noted as follows:

- I-75 widened from 4 lanes to 6 lanes, and Hwy. 41 widening to 6 lanes to be completed by September 2013.
- The 4-lane Via Coconut Point roadway completed prior to Coconut Point opening in 2005 from Corkscrew Road to Pelican Colony Boulevard.
- Estero Parkway was extended with 4 lanes from Three Oaks Parkway to Ben Hill Griffin Parkway.
- Three Oaks Parkway was constructed as a 4 lane road south of Corkscrew Road to the Bointa Springs boundary in 2003 and widened to 4 lanes north of Corkscrew a couple of years later.

**Close proximity to growing international airport** – *The proximity to Southwest Florida International Airport is important for both business and tourism success.* The airport continues to show increasing traffic and usage levels. During July of 2013, a total of 467,946 passengers traveled through the airport. Traffic through July of 2013 is 5.9% higher than that of the same period in 2012. The airport served a total of 7.3 million passengers in 2012. The airport is served by major airlines including Delta, U.S. Airways, JetBlue, and Southwest Airlines. Alico Road and Daniels Parkway provide access to the airport from either Hwy. 41 or I-75. Three Oaks Parkway and Ben Hill Griffin Parkway also provides access north to the airport from Estero.

**Centralized location** – *The Estero community is well-located in a centralized location in Southwest Florida between the cities of Fort Myers and Naples.* The community is also centrally located in South Florida near equidistance from the major cities of Tampa to the north and Miami to the southeast. Both cities are an approximate 2-hour drive from Estero by automobile.

**Highly desirable recreational opportunities and natural resources** - *Coastal access, beaches, Koreshan State Park, and the attractive Estero River make for a highly-desirable recreational environment in Estero.* The state park and Estero River are located in the center of the community and provide opportunities to further enhance the surrounding public spaces. The Estero community is well-known as a highly-attractive lifestyle community.

**Ability to attract a Fortune 300 corporation** – *Estero will soon be home to the Fortune 300 Hertz Company (ranked 292 in 2013).* The new headquarters will be located on a 34-acre parcel on the southeast corner of Williams Road and Hwy. 41. The implications of this relocation will be highly-positive for economic development efforts in both the

short-term and long-run. The company is expected have 700 employees with average annual incomes above \$100,000 with some existing workers relocating into Estero. Hertz is additionally expected to hire new employees from within the surrounding market area. The company is planning to build a total of 450,000 square feet in two buildings. The first phase of the facility, the 300,000 square foot headquarters building, is expected to be completed in 2015. The total economic impact of the Hertz relocation into Estero is estimated at \$68 million.

**Well-planned communities and neighborhoods** – *Estero has a reported 38 identifiable communities, most with organized associations.* An estimated 35 of these communities are part of the ECCL which, along with the ECPP, guides planning, community development and growth management in the Estero area. So much of Estero's new development occurred over the last fifteen years, and the majority of housing stock is newer than that of surrounding market areas.

**Development review process and standards** – *Estero has a reputation as a highly-organized and active community with engaged leadership to guide the development review process within the community.* The result of this active involvement and guidance has been higher-quality development standards that have resulted in higher-quality developments and higher property values.

As noted on the Esterofl.org website, Estero is the only community in Southwest Florida where residents have so many opportunities to influence the use and appearance of each of its development projects. The first opportunity is at property zoning before the filing of a zoning application. The Estero Community Planning Panel (ECCP), created in 2002, holds public meetings to allow residents to support or oppose features of a developer's plans. The other opportunity for public participation is arranged prior to an application for a Development Order (DO) by the developer. The Estero Design Review Committee (EDRC) holds public meetings to review design, site planning, architecture, parking, access, and other issues, with all of the findings submitted in a report to the county to help guide the approval process. All of this oversight has led to the approval of more attractive and better planned projects that reflect the influence and support of local residents.

**Proximity to major university** – *Estero benefits from very close proximity to the Florida Gulf Coast University (FGCU), a fast growing institution of higher-education that brings positive direct and indirect economic impacts to the surrounding market area along with life-long learning opportunities to enrich the lives of local residents.* With a growing

student body of over 12,000 students and projected enrollment of 24,000 in the future, FGCU is a major economic asset for the community. Estero's immediate proximity will permit it to benefit from FGCU's growth.

**Estero resident demographics** – *The individuals that comprise the Estero population have higher than average levels of education when compared with those in the State of Florida and Lee County overall.* The community also has significantly higher median household incomes, even with household sizes that are significantly smaller than average. Lee County's average household income was \$65,205 in 2012 versus \$86,923 for Estero. A total of 24.7% of Lee County residents have a Bachelor's degree or higher-level degree, while 39.8% of Estero's residents have a Bachelor's degree or higher. Estero's part-time residents and those recently moving to the area have even higher overall percentages of Bachelor's degrees or higher.

**Local pool of talent** – *Along with higher education levels, the local resident population is comprised of many members who have successful business, professional and organizational experience.* This pool of talent has been tapped for the oversight of local community development and could be further tapped for local business development.

**Large regional retail centers** – *One of the strongest components of Estero's local economy is the presence of larger retail centers that qualify as regional centers serving a broad market area.* Miromar Outlets and Coconut Point Mall aided substantially in the creation of a retail-based economic engine in Estero. Total retail sales in Estero approached \$810 million in 2012, with these two centers contributing 76% of total Estero retail sales during the year. These retail centers are considered major community assets that greatly enhance the community for residents and visitors. A new 185,000 square foot Wal-Mart is set to be built at the northeast corner of Hwy. 41 and Estero Parkway. The project is due to begin after the completion of the Hwy. 41 road widening to 6 lanes late this year or early in 2014.

**Proximity to the Research and Enterprise Diamond** – *Nearby land is available for companies seeking industrial lands, especially those companies operating in research and development industries.* The Research and Enterprise Diamond is an economic development zone established in Lee County over an approximately 40 square mile area. The zone includes Southwest Florida International Airport, JetBlue Park and Florida Gulf Coast University and stretches south to the Miromar Outlets. The focus of the zone is the attraction of high-quality, clean-industry businesses, along with the attraction of complementary residential and retail uses to support residents, employees, and

students. The following map shows the boundary lines of the 1,100-acre Research and Enterprise Diamond.



## CONSTRAINTS

**Over 30% of Estero's population is comprised of part-timer households** – *With 30% of the population not present for more than six months per year, Estero does not operate at full economic capacity.* That said, the annual retail sales at major retail centers in Estero don't show significant negative impacts from this less than year-round population. This is in large part due to the ability of these centers to draw retail sales from surrounding market areas. Nonetheless, future major retailers will want to see a higher-percentage of year-round residents to help offset the increasingly competitive retail environments of Lee and Collier Counties.

**Limited employed local labor force** – *The demographics of Estero, with a high percentage of residents aged 65 and over, limits the number of residents considered in the labor force.* According to the Census Department, over 50% of households in Estero reported no workers present. These factors are combined with the limited number of industries currently operating in Estero. The presence of Hertz in the community will help create a higher number of desirable local jobs with good annual wages.

**Over-reliance on construction industry employment** – *Like many Florida communities, Estero relies heavily on the success of the construction industry to support a substantial percentage of local industry employment.* The pace of construction may reach pre-recession levels again over the next few years, but the cyclical nature of the construction industry makes the increased diversity of industries in Estero more important. As the community reaches build-out over the next two decades, there will be less demand for construction employment.

**Lack of a central downtown** – *Estero has 38 communities, but lacks a centralized downtown.* Currently, the areas surrounding Miromar Outlets and Coconut Point Mall represent primary local business districts. And though Coconut Point Mall was originally referred to as the *Town Center at Coconut Point*, neither of these community centers is considered the core of Estero. The establishment of a central downtown in Estero would help the community create a distinct identity and would provide another draw for both local residents and visitors to the area.

**Limited rental housing** – *Aside from a few older rental housing complexes in the market, Estero relies primarily on individual owners to provide rental housing in the market.* This is partly due to the conversion of for-rent projects into for-sale properties during the

boom years prior to 2008. Some homes offered for-sale were temporarily converted to rentals over the past five (5) years. As the market improves these units could convert back to for-sale. A significant amount of rental housing should be offered in the community to provide housing for working couples, singles, and retirees. The availability of quality rental housing is important for a community looking to provide workforce housing. This is an important factor for businesses looking to relocate or establish a presence in local markets.

**Limited housing available to ageing seniors** – *Estero has no shortage of high-quality, amenity-rich neighborhoods offering housing for active seniors, though the community appears to have limited housing available for those who are less active or in need of assisted-living.* Given the substantial population aged 65 and over, future planning for housing in Estero should include more emphasis on continuing care, assisted-living, and Alzheimer’s facilities. Additional emphasis should be placed on housing for older single residents, especially housing for older single females. All of these factors are important for a community looking to promote ageing in place.

**School choice and teacher pay** – *Market perceptions indicate Lee County has limited school choice when compared with Collier County.* This has resulted in younger families with children choosing to purchase in Collier County for the option of school choice, even if there is no guarantee their children will get to attend their school of first choice. Recent media reports have also indicated that Lee County is having a hard time holding on to teachers due to higher pay being offered in Collier County. These issues need to be investigated more fully and mitigated where possible. The attraction of family households is of importance to help balance future growth in Estero.

**Lack of an acute care hospital** – *The Estero population relies heavily on hospital facilities that are not located within the community.* These facilities, located in Fort Myers and Naples, are in excess of 10 miles away. Given the expected population growth of Estero and the percentage of the population aged 55 and over, the community is at a disadvantage without a local hospital facility. The presence of quality medical facilities is important to attract the Baby Boomer and young family market segments, and is equally important to attract new business development. Aside from school quality, the existence and quality of medical facilities is a key consideration by business owners with employees.

**Limited control over community boundaries** – *Aside from the local planning and development guidance provided by the ECCL and the ECPP, Estero has limited control over community boundaries.* Recent threats by neighboring Bonita Springs to annex unincorporated areas within the Estero planning area demonstrate the need for more control. Estero’s review of incorporation options is a major step to gain control of community boundaries and future fiscal management.

**Large inventory of available office space** – *Estero has a substantial amount of vacant office space available for-lease with vacancies in excess of 20% in some market segments.* Though this would appear good from the standpoint of attracting new businesses, much of this space is oversized relative to smaller business demand. Ample sites do exist for new office development on a build-to-suit basis.

**Land over-zoned for retail uses** – *Based on an assessment of current and future demand for new retail uses in the Estero market, the community has been determined to have an over-abundance of land zoned for retail uses. Future population growth and increased tourism is expected to provide future demand for less than 1 million square feet of new retail/commercial space over the next 20 years.* Using an average ratio of 4-to-1 for the amount of land needed to support future retail buildings, all future retail development would result in the need for approximately 92 acres of future retail-zoned land demand. The amount of land needed would be lower if future retail was built more densely or as part of mixed-use development.

**Potential shortage of residential land to support future growth** – *The return of a strong growth rate in Estero over the next decade could lead to a shortage of available residential land for new development.* If Estero was to grow by another 8,000 to 10,000 year-round and part-time residents over the next 10 years, there would be a need for at least 800 to 1,000 residential acres. At an average household size of two persons per residence, a minimum of 4,000 new units would be needed to support population growth of 8,000 residents. At a residential density of 4 units per acre, a minimum of 1,000 acres would be needed. A housing demand analysis conducted by PELOTON RESEARCH PARTNERS as part of this report reveals that 832 acres of residential land may be needed by 2020, if new residential development is provided at 4 units per acre.

## OPPORTUNITIES

**Ample commercial land available for rezone** – *Estero has land zoned for approximately 6.5 million square feet of retail and commercial space. Approximately 3.5 million square feet of retail space currently exists in Estero and over 3 million additional square feet are zoned. Projected demand is for less than 1 million square feet of retail and commercial space, including 185,000 square feet to be attributed to a new Wal-Mart in 2014.* A portion of this excess retail land can be converted to residential uses to support projected future household growth in Estero. (See Estero Future Retail Demand for further information).

**Properties are available to accommodate a Downtown** – *A current review of land available for-sale in Estero revealed significant property listings along the Highway 41 and Interstate 75 corridors. Several properties, located between Estero Parkway and Coconut Road, are currently approved for larger-scale mixed-use developments. One property located along South Tamiami Trail and Broadway is being marketed as “Downtown Estero”. The 35-acre site is planned for a combination of retail, restaurant, office, residential uses (310 units in a 4-story format), and a senior-housing component (90 to 160 beds). Other notable listed properties in various stages of planning include the following:*

- Estero Greens – 10.2 acres
- Coconut Trace – 24 acres
- Estero on the River – 88 acres
- North Point – 102 acres
- Estero Town Center (Via Coconut Point) – 34.5 acres
- Galleria at Corkscrew East & West – 9.9 and 11.4 acres
- Coconut Crossing – 46 acres (not currently listed)
- Halfway Creek – 10 acres (approximate)
- Camargo (North Parcel) – 11 acres

These properties, collectively comprising nearly 350 acres, provide a potential opportunity for a comprehensive planning effort to develop a centralized Downtown area.

**Land available for a new hospital** – *In 2004 Lee Memorial Hospital System (LMHS) purchased 30 acres of land in the south Village of Coconut Point just south of the Dillard’s department store. This site is in close proximity to the Coconut Point Mall and the new*

*Hertz headquarters.* The medical facility has the opportunity to be incorporated into a Downtown Estero plan as the catalyst of a new medical district in the community.

**Land available for a continuing care facility** – *Based on reviews of land availability in Estero, there is significant land available for the creation of continuing care facilities.* These facilities can span the range of care from limited assisted-living to year-round care. An existing facility includes the Life Care Center of Estero located on Williams Road. The facility includes 155 certified beds and 144 year-round residents receiving various stages of care.

The demographics of Estero clearly support the inclusion of these facilities in the community. By 2017, 14.5% of the population is expected to be 75 years of age or older, and a substantial 46.3% will be 65 years or older. Over 26% of the population lives alone in Estero and the figure is much higher for the elderly, especially within the female population.

**Land is available for multi-family rental housing** – *The Estero market has a limited amount of land available for multi-family rental housing, an important housing choice for accommodating the workforce and new residents.* There is land available in Estero for new multi-family housing in appropriate locations. The proposed corridor of an Estero Downtown has several major properties with the ability to support new multi-family housing both for-rent and for-sale.

**Hertz relocation to Estero** – *The establishment of the Fortune 300 Hertz headquarters in Estero could be a major catalyst for future business development in the community.* The economic development community should continue efforts to capitalize on the future presence of this facility, highlighting the reasons this major corporation chose the high-quality community of Estero for their homebase. Estero should seek to fill in the open lands around the Hertz facility with activity centers that attract new high-quality development to increase the desirability of the area and benefit future employees and residents.

**Potential opportunity for executive offices and corporate apartments** – *Estero continues to establish itself as a friendly place to conduct business in a lifestyle community.* There is an opportunity to provide executive office suites for business owners seeking temporary office spaces for employees, visitors, and subcontractors. Regus International is a potential choice as an operator. They have over 1,500 locations worldwide in 100 countries with a growing membership. The closest Regus executive office location is in Sarasota, over 70 miles away. An independent operator in Estero

may be able to provide very similar services in an existing office building. An additional opportunity exists for corporate apartment facilities that provide extended stay options for visiting employees. Extended stay facilities continue to be the fastest growing segment in the hotel industry, but corporate apartments are often overlooked as a complementary option.

**Baby boomer retirement growing** – *The leading edge of Baby Boomers turned 65 in the depths of a national recession, forcing many to delay retirement.* An increase in retirees is expected over the next decade as the largest demographic group continues to reach retirement age. The tail end of the Baby Boomer population will reach 65 years of age in 2030. Estero should continue to see strong growth in new part-time and year-round residents from this market segment.

**Economic growth to drive family growth** – *Southwest Florida is experiencing stronger economic growth and the potential for continued job growth.* Both Lee and Collier Counties were recently ranked two of the three fastest growing counties in the State of Florida. For younger couples, singles, and families, new job growth drives the demand for new housing. Estero can capitalize on the economic growth by capturing housing demand deriving from these important market segments. Bella Terra, a 1,900 home community located in East Estero and developed by Lennar Corporation, has demonstrated strong market support for housing catering to families. This housing development has also demonstrated the feasibility of providing more limited amenities such as a 7,000 square foot pool, playground, fitness center, and 7,000 square foot clubhouse.

## **KEY CONCLUSIONS – THE FUTURE OF ESTERO**

Though this study included a comprehensive review of economic activity in Southwest Florida and Lee County, the key findings of this study are being used to support the future planning and development of the Estero community.

The Estero community is fortunate to have so many community members who care about the community's future and who play an active role in planning the community's future. The results are a very attractive and desirable community to live. Growth trends over the past decade reveal the success of the community stemming from careful and thoughtful planning.

The following is the summary of the most important findings and recommendations for Estero moving forward.

- 1) Future Land Use Changes** – Moving forward, Estero has some key land use issues that need careful attention in the near future. Estero appears over-zoned for retail and commercial uses given the projected future population growth, business growth, and potential demand.
- 2) Business and Job Growth** – By 2015, Estero will be home to the Hertz Corporation and an associated 700 new jobs in the community. The economic impacts of Hertz’s relocation to the community will have an estimated \$68 million economic impact. As importantly, the presence of Hertz will allow the community to capitalize on the presence of a Fortune 300 corporation. This will be an important catalyst for future economic development efforts. Estero has a substantial amount of existing vacant office space that needs to be filled by the presence of new or expanding local businesses.
- 3) Adequate Medical Services** – Estero is currently lacking an adequate level of medical services to support the year-round and part-time population of the community. This inadequate level of service will become an even more significant issue with the growing population, especially those aged 55 and over, projected to arrive to the community over the next decade. Additionally, the lack of adequate acute medical care will place Estero at a competitive disadvantage when new residents and businesses evaluate Estero for relocation relative to surrounding communities.
- 4) Downtown Estero** - A long-term planning strategy for Estero should include the identification and development of a centralized community core. This community core should be easily identifiable as “Downtown” Estero. As part of the recommendations at the end of this study, PELOTON RESEARCH has identified geographic areas within the Estero community that provide potential locations to support a centralized community development. These prospective areas provide positive attributes and locational characteristics to support a range of uses needed to comprise a multiple block Downtown development.

## **C. DEMOGRAPHICS, EMPLOYMENT, AND FUTURE GROWTH**

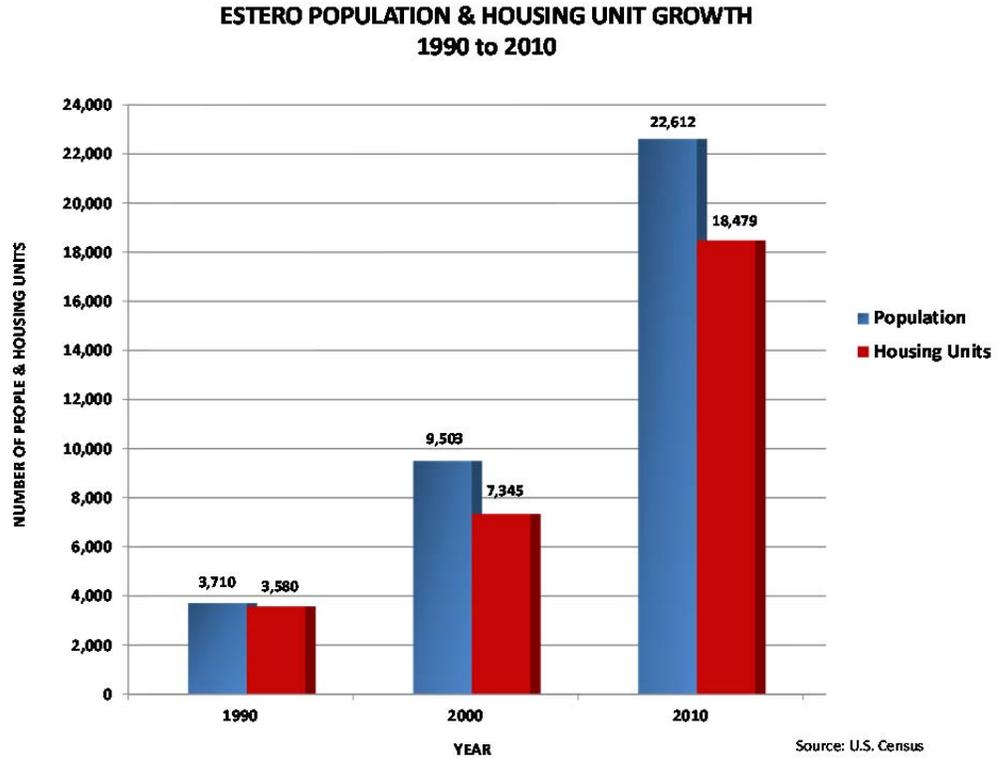
This section covers a broad range of topics including local demographics, future household growth, employment and job growth in Lee County, Estero, and other selected geographic areas.

### **ESTERO POPULATION & AGE GROUPS**

Over the past two decades the Estero community has become known for its rapid growth and a high concentration of residents aged 55 and above. Estero experienced astounding growth from 1990 to 2010, increasing population in its Census designated boundaries from 3,710 to 22,612 for a net permanent population gain of 18,902 based on Census estimates. Along with the rapid population growth came the strong growth in new housing units.

Estero had 3,580 housing units in 1990 with nearly 53% considered vacant or seasonal, and 63.2% of all housing units comprised of mobile homes. By 2010, Estero had 18,479 housing units with 7,213 units less than full-time occupied. The total increase in housing units over the 20-year period was a minimum of 14,899 units, or a total unit increase of 316% in just two decades.

The year-round population of Estero grew 156% from 1990 to 2000 and another 138% from 2000 to 2010. By comparison, Lee County grew 31.6% from 1990 to 2000 and 40.3% from 2000 to 2010. Both Lee County and Estero grew at a more rapid pace than the State of Florida overall. The following chart show the population and housing unit growth of Estero from 1990 to 2010. These are Census-based figures only. These figures most likely underestimate the real population growth in Estero (see Estero Population and Housing Growth).



Estero's population growth has been primarily driven by new residents aged 65 and older since 1990. Most often, new households include retirees from other market areas, such as the Midwestern portion of the U.S. Every year a number of part-time residents who already keep a residence in Estero convert to year-round residents, thereby adding themselves to the population count for the community. Estimates from previous Census years showed that between 30% and 37% of Estero housing units are occupied on a part-time basis. There is a tendency to underestimate the impacts of part-time residents on the need for services in the area. At the same time, there is a tendency to underestimate the positive economic impacts the part-timers have on the local economy. (See Estero Estero Retail Demand for more on this topic.)

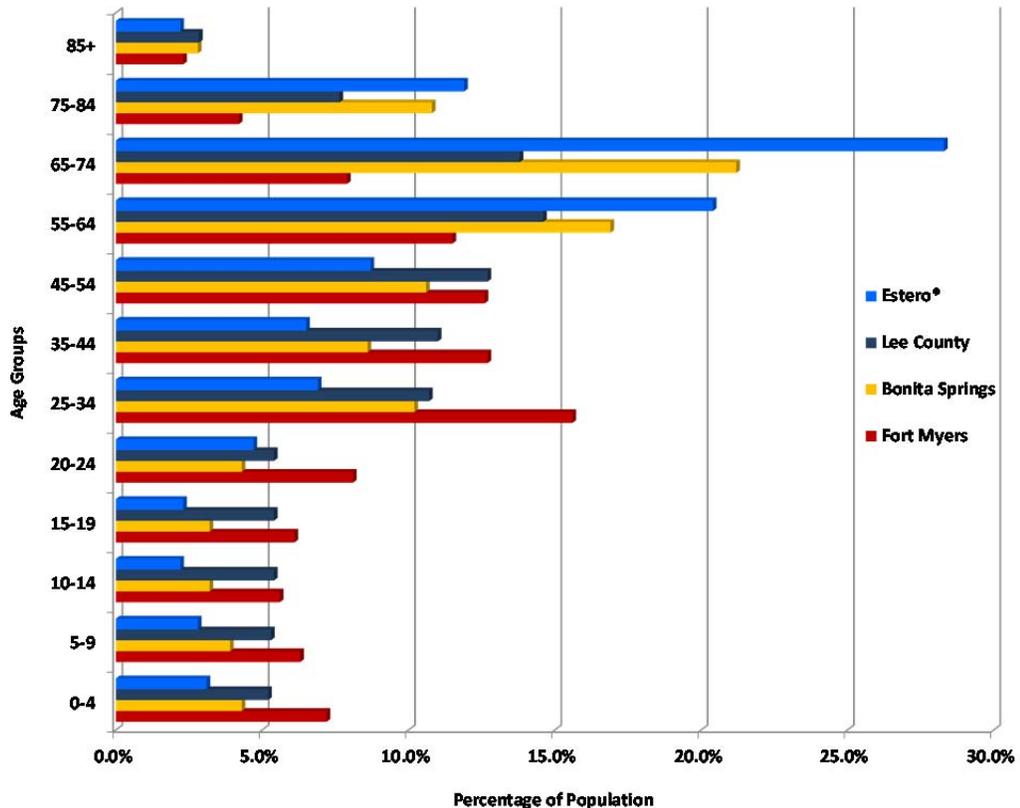
The year-round 65 and older household segments in Estero are projected to continue to be the most dominant age groups in Estero for the foreseeable future. The following charts show the 2012 breakdown of age groups in Estero compared with the age group breakdown in the Cities of Fort Myers and Bonita Springs and Lee County overall.

**POPULATION BY AGE GROUP 2012**  
**For Selected Geographic Areas**

Age Groups	GEOGRAPHIC AREA			
	Estero CDP*	City of Fort Myers	City of Bonita Springs	Lee County
0-4	3.1%	7.2%	4.3%	5.2%
5-9	2.8%	6.3%	3.9%	5.3%
10-14	2.2%	5.6%	3.2%	5.4%
15-19	2.3%	6.1%	3.2%	5.4%
20-24	4.7%	8.1%	4.3%	5.4%
25-34	6.9%	15.6%	10.2%	10.7%
35-44	6.5%	12.7%	8.6%	11.0%
45-54	8.7%	12.6%	10.6%	12.7%
55-64	20.4%	11.5%	16.9%	14.6%
65-74	28.3%	7.9%	21.2%	13.8%
75-84	11.9%	4.2%	10.8%	7.6%
85+	2.2%	2.3%	2.8%	2.8%
<b>Total =</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

\* Estero Census Designated Place Only. Does not include part-time population or greater Estero Planning Area.  
 Source: U.S. Census; InfoGroup; Claritas; and Peloton Research Partners

**AGE GROUP DISTRIBUTION BY GEOGRAPHIC AREA**  
**Estero, Lee County, & the Cities of Fort Myers & Bonita Springs**  
**Year 2012**



The light blue bar in the previous chart shows how dominant the 55 to 74 year old age group is in Estero, and how much more dominant this group is in Estero versus the other geographic areas. The impacts of this population distribution leads to a higher overall median age for the Estero community compared with the other areas.

Year	Estero	Fort Myers	Bonita Springs	Lee County
2012	62.1	35.9	56.2	46.3
2017	63.7	36.9	58.8	48.1

The following table shows the distribution of population by age group in 2012 and the forecast for 2017. Based on these figures, the Estero population will see the largest increase in the 55 and above age groups, with a total increase of 42.8% by 2017. The groups aged 55 and above all see positive growth to 2017, while various age groups aged 54 and under see negative growth. The largest decline will occur with the population aged 20 to 24. This trend may be reversed if Estero develops new housing that can accommodate some of the students attending FGCU, along with some of the young professionals associated with the Hertz Corporation headquarters.

**ESTERO\* POPULATION BY AGE GROUP**  
**Year 2012 Estimates and 2017 Forecast**

Age Groups	YEAR		Percentage Change 2012 to 2017
	2012	2017	
	% Total	% Total	
0-4	3.1%	2.8%	-4.4%
5-9	2.8%	2.6%	-1.7%
10-14	2.2%	2.1%	1.0%
15-19	2.3%	2.1%	-3.4%
20-24	4.7%	4.1%	-7.7%
25-34	6.9%	6.3%	-3.4%
35-44	6.5%	5.9%	-4.0%
45-54	8.7%	7.5%	-8.8%
55-64	20.4%	20.0%	3.7%
65-74	28.3%	32.1%	20.0%
75-84	11.9%	12.2%	8.5%
85+	2.2%	2.3%	10.6%
<b>Total =</b>	<b>100.0%</b>	<b>100.0%</b>	

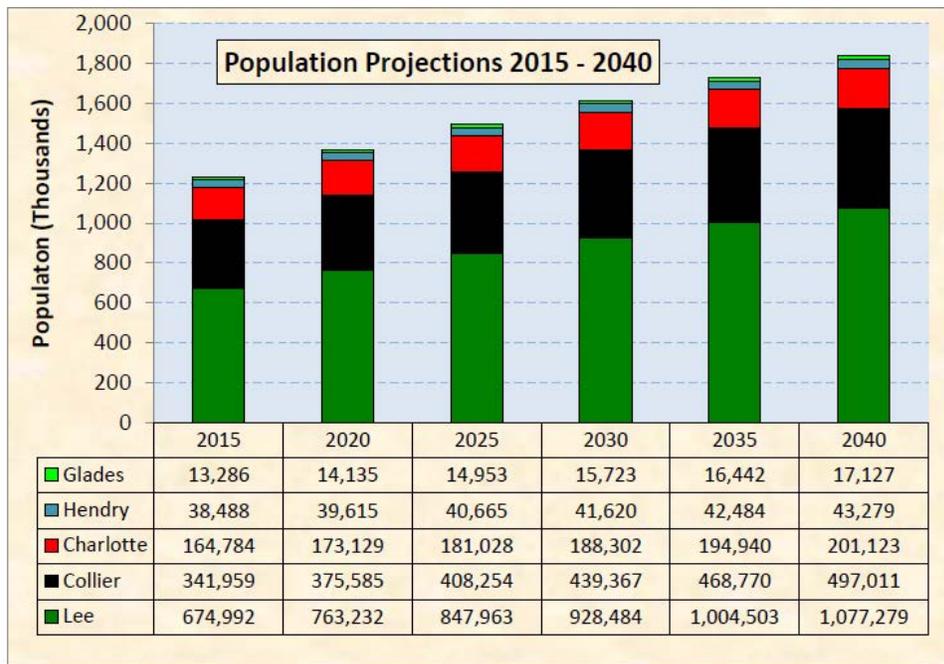
\* Estero Census Designated Place Only. Does not include part-time population or greater Estero Planning Area.

Source: U.S. Census; InfoGroup; Claritas; and Peloton Research Partners

**ESTERO HOUSING GROWTH & POPULATION FORECASTS**

Lee County was the 3<sup>rd</sup> fastest growing county in Florida from October 2012 to September 2013, growing 10% over the 12-month period. This growth rate only slightly lagged the 11% growth in Collier County during the same time period. Broward County was the fastest growing county over the previous year, due in large part to continued international migration.

The Bureau of Economic and Business Research at the University of Florida in Gainesville projects that the estimated 2012 population of 330,000 in Collier County will grow about 51 percent, to 497,700, by 2040. Lee County’s 2012 population of about 630,000 is expected to expand nearly 68 percent to 1,070,200 during the same period.



Source: Florida EDR: Florida Demographic Estimating Conference, February 2013 and BEBR Florida Population Studies, March 2013.

Lee County is forecast to add 402,287 to its population during the 25-years from 2015 to 2040, for an annual increase of 16,091 people. The added population to Lee County would be in excess of the total population of Collier County in 2020.

Estero comprised 3.6% of Lee County’s population in 2010. Based on continued growth trends in Estero, the community should see an increasing share of the county’s

population total as it continues to outpace the growth of the county and the other communities in the county.

Based on a historical and recent review of development activity and population growth in the Estero community, PELOTON RESEARCH PARTNERS has come to the conclusion that recent Census figures did not accurately account for real population growth in the area. There are a number of reasons for the discrepancy, the most important being the limited household sampling that occurred with the 2010 Census. The Census Department has often struggled with small area population estimates and projections, but the 2010 Census brought changes that made it even harder for the agency to accurately count housing units and population growth.

The following is a review of the Census statistics for the Estero CDP from 1990 to 2010.

CENSUS YEAR	TOTAL POPULATION	HOUSING UNITS	POPULATION		HOUSING UNITS	
			Change 90-00	Change 00-10	Change 90-00	Change 00-10
1990	3,710	3,580				
2000	9,503	7,345	5,793		3,765	
2010	22,612	18,479		13,109		11,134

Source: U.S. Census; Peloton Research Partners

The figures to the right of the table show the net growth from 1990 to 2000 and 2000 to 2010 for population and housing units. As mentioned previously, Estero saw the largest growth rate in Lee County during these time periods.

As fast as these growth rates were, there appears to have been more growth than that indicated in the Census figures above. Population growth in the market has been highly correlated with housing unit growth in the area. Even though an estimated 30% of Estero’s housing units are purchased by part-time residents, the remaining 70% are purchased and occupied by year-round residents who would count in a physical door-to-door Census count.

The following table shows the residential construction permits issued since 2000 along with projected permits for 2013 and 2014 and forecasted estimates for permits for 2015 through 2020.

### Estero Planning Area Permit and Population Estimates and Forecasts

Year	Housing Units Permitted	Occupancy Factor	Occupied Units	Average Household Size	Total Population	Population Percent Full-Time	Pop Number Full-Time	Population Percent Part-Time	Pop Number Part-Time
2000	2,008	95%	1,908	2.10	4,006	70%	2,804	30%	1,202
2001	2,104	95%	1,999	2.10	4,197	70%	2,938	30%	1,259
2002	1,500	95%	1,425	2.10	2,993	70%	2,095	30%	898
2003	1,425	95%	1,354	2.05	2,775	70%	1,943	30%	833
2004	1,646	95%	1,564	2.05	3,206	70%	2,244	30%	962
2005	2,833	95%	2,691	2.05	5,517	70%	3,862	30%	1,655
2006	1,310	95%	1,245	2.05	2,551	70%	1,786	30%	765
2007	432	95%	410	2.05	841	70%	589	30%	252
2008	167	95%	159	2.05	325	70%	228	30%	98
2009	164	95%	156	2.00	312	70%	218	30%	93
2010	194	95%	184	2.00	369	70%	258	30%	111
2011	181	95%	172	2.00	344	70%	241	30%	103
2012	341	95%	324	2.00	648	70%	454	30%	194
2013	421	95%	400	2.00	800	70%	560	30%	240
2014	392	95%	372	2.00	745	70%	521	30%	223
2015	431	95%	410	2.00	819	70%	573	30%	246
2016	474	95%	451	2.00	901	70%	631	30%	270
2017	522	95%	496	2.00	991	70%	694	30%	297
2018	574	95%	545	2.00	1,090	70%	763	30%	327
2019	631	95%	600	2.00	1,200	70%	840	30%	360
2020	694	95%	660	2.00	1,319	70%	924	30%	396

Source: Lee County Building Department.; Esterofl.org; Peloton Research Partners, 2013

The occupancy factor show the percentage of homes that would be considered occupied either year-round or part-time after purchase, either by the homeowner or a renter. The average household size is based on Census statistics. This is the average number of people in each residence. The total population column shows the number of people that occupy these units, both part-time and full-time. The full-time population column breaks-out only the portion of the total population that will reside in Estero more than 6 months per year. The part-time population is the other 30% that are considered to have the primary residence somewhere else. These figures give a better indication of actual population growth based on residential development.

Some of the key statistics derived from the previous population/permit table for the time period 2000 to 2010 are shown as follows:

<b>Estero Population and Housing Growth 2000 to 2010</b>		
Full-Time Pop Growth	Part-Time Pop Growth	TOTAL Pop Growth
18,706	8,017	26,723
Full-Time Housing Units	Part-Time Housing Units	TOTAL New Occupied Units*
9,037	3,873	12,910

\* Note: this is the number of new units occupied by either part-time or full-time residents during the year.

Based on a correlation of permit activity with population in Estero, the community added 18,706 new full-time residents from 2000 to 2010. During this same time period the U.S. Census reported full-time population growth of 13,109. The permit figures indicate a difference of 5,597 residents versus the Census. The Census would have additionally under-counted the part-time population by a substantial amount. When looking at the total population change (part-time and full-time) in Estero from 2000 to 2010, the permit activity indicates a population change of 26,723 or 2,672 per year. When adding the 26,723 total population growth from 2000 to 2010 to the estimated Year 2000 full-time population figure of 13,578, the “in-season” population of Estero would be an estimated 40,301 in 2010. (See page 27 for a note on Estero population calculations.)

There are many implications of these higher population figures, including the appropriate level of planning for public services and resources. The influx of 30% of the total population during high season can place significant demand on public resources, such as public safety and medical services. The Estero community needs to be aware of the real impacts the larger population will place on the need for localized medical services in close proximity to the community. Based on the historical growth rate and larger the reported population figures of the community, Estero may have already outgrown the capacity of locally available medical services.

## POPULATION & HOUSING FORECASTS TO 2020

The rows for the years 2013 and 2014 shown in the previous *Estero Planning Area Permit and Population Estimates and Forecasts* table are the estimates for new residential permit activity based on a survey of planned building activity of local builders for those years. Current estimates show 823 new units planned for 2013 and 2014. This equates to an additional 1,081 new year-round residents in the 2-year period. The figures for 2014 could be higher if local market conditions continue at their current pace.

The rows for the years 2015 through 2020 are forecasted permit activity by PELOTON RESEARCH PARTNERS based on a 10% annual increase of permit activity expected during the time period. This would result in an increase of 3,327 new residential units over the 6-year period and a full-time population increase of 4,425 or 737 new residents annually.

Based on the figures from the permit activity table, total part-time and year-round population in Estero is expected to grow by 8,858 for the time period 2011 through 2020. This would include the new growth that has occurred since the last Census. Given the previous 2010 estimate of Estero's in-season population of 40,301, the 2020 in-season population would be expected to reach 49,159 (40,301 + 8,858).

New housing demand in Estero would include demand from both year-round and seasonal residents. PELOTON RESEARCH PARTNERS has forecasted future demand of 3,327 new housing units in Estero from 2015 through 2020. Estero has been averaging approximately 3 units per acre for recent residential developments. This figure should be closer to 4 units per acre or higher, on average, for future developments. If 3,327 units were built at 4 units per acre, approximately 832 residential acres would be needed. The amount of land needed could be reduced through higher densities and the use of mixed-use lands to incorporate residential units.

The historical average annual permit activity in Estero for the time period 2000 through 2010 was 1,253 permits per year. Though it is unlikely Estero will see the large spikes in activity experienced in 2000, 2001, and 2005, the community has many attributes that will make it a draw for more development and more residents. Estero is maturing as a community, and the years of thoughtful planning and infrastructure improvements have enhanced the community's character and appeal. As long as affordable to moderately

priced residential land is available for future development, the community should see continued growth in annual permit activity. The new Hertz headquarters should bring an influx of new employees and residents to Estero, aiding the initial spike in permit activity starting in 2015.

The following are important clarifications regarding the population and permit figures. The Census estimated Estero as a Census Designated Place based on boundaries that did not include the larger Estero Planning Area. Communities that have developed in the Planning Area that were not included in the Census include: The Vines, Osprey Cove, Belle Lago, and The Reserve at Estero. These communities will contain approximately 1,700 units when they are completed. During the 2000 to 2014 time period shown in the previous *Estero Planning Area Permit and Population Estimates and Forecasts* table, these projects contributed approximately 1,250 units to the permit totals shown in the table. Based on a 95% vacancy factor and an average household size of 2.0, these four communities made up approximately 1,662 new year-round residents in the totals shown up to 2012. If an apples-to-apples comparison of the 2000 to 2010 Census figures was made with that of the population growth figures based on permits for the same time period, the 1,662 new year-round residents would need to be removed from the calculation due to differences in the Census boundaries of Estero versus that of the Planning Area. Even with the removal of the population attributed to these communities, the Estero CDP population far outgrew the population figures indicated by the Census during the periods examined.

## **LEE COUNTY & ESTERO EMPLOYMENT & JOB GROWTH**

Lee County has continued to see job growth during 2013 and is outgrowing the overall recovery being seen for the State of Florida and the U.S. overall. Over the last two years, Florida's private-sector has created over 294,000 new jobs, for an average of 12,250 new jobs every month. Lee County unemployment declined from a rate of 9.7% in July 2012 to 7.6% in July 2013. Collier County declined from 9.8% to 7.5% over the same time period.

Collier, Lee, and Palm Counties led the way in job growth for the State over the past two years. Collier County's 2012 growth rate was 3.4% while both Lee and Palm County's annual job growth rate was 2.5%. The strongest sectors of positive job growth for Lee

County were in the following industries: leisure and hospitality (+3.9%); trade transportation and utilities (+3.7%); information (+3.4%); and construction (+3.1%). Meanwhile, Collier County's positive growth rate was primarily driven by the following industries: professional and business services (+12.4%); construction (+4.4%); leisure and hospitality (+4.4%); and manufacturing (+4.0%).

Given the continued recovery being experienced in the Southwest Florida residential real estate markets, construction employment is expected to see significant increases in both Lee and Collier Counties over the next year. Collier County's growth in the professional and business services and manufacturing sectors demonstrates strength in sectors with higher average wages than those typically seen in the leisure and hospitality sectors. Lee County's recent job growth is a positive indicator, though the County should focus on growth in sectors with higher wage and salary prospects. Growth in the County's information industry provides insight into a sector with increasing prospects for future growth. This sector, along with science, biotechnology, healthcare, education, and research and development, are sectors the County is targeting in an effort to attract higher-wage, clean-industry jobs.

### **Growing a Lee County Workforce That Will Fit the Needs of Local Companies**

*The following are excerpts from an assessment and findings provided by PELOTON RESEARCH PARTNERS in March 2013 in regards to Lee County employment prospects and the ULI Report on the Research & Enterprise Diamond.*

Lee County can continue to grow in strong industries that are not as competitive for land consumption as the mining industry, and that can also provide jobs to the local population. The County and the community of Estero have ample commercial and industrial lands to support future clean-industry growth. If only half of the 1,100-acre Research & Enterprise Diamond were developed at a minimum of 20 employees per acre, the area could support a minimum of 11,000 new jobs.

#### *A lack of local qualification for local jobs*

The Lee County Business Climate Survey Report from the first quarter of 2013 reveals current weaknesses in the local job market as well as an opportunity for businesses to partner with educational institutions to create programs that will produce the kind of workforce needed.

Most business executives surveyed are optimistic about their companies' growth, which suggests that an investment in training workers to fill the needs of those companies would be worthwhile for the future employment of Lee County residents. Furthermore, programs should be molded for both younger and older members of the population, as both of these age groups will continue to grow and play a substantial role in the economic future of Lee County.

#### *Needed skills*

The following points are from the business climate survey that suggests the kind of workforce development needed.

Executives need employees with the following skills: analytical, critical thinking, computer and programming, customer service, interpersonal/communication, leadership, listening, machine operator skills, multi-tasking, networking, problem solving, reading comprehension, time management, sales, web design, and writing.

Critical positions and occupations the executives indicated to have trouble filling included account representatives, CNC robotic technicians and programmers, customer service, electricians, IT professionals (including computer support, programming, application software, networks, and web design), sales, marketing, and skilled trades.

#### **Investment in a university business cluster, the Research and Enterprise Diamond**

The Technical Assistance Panel (TAP) from the Urban Land Institute together with local expertise assessed a 40-square mile area in Southern Lee County, called the "Research and Enterprise Diamond" to advise the county on market potential; planning and design; and implementation strategies. The overall vision is a cluster or hub of high tech/clean/green/sustainable economic development, where universities and businesses can develop new ventures from the co-location of mutual resources and shared knowledge. A take-away from the TAP report where Lee County can take immediate action is the "keys to sustainable development," which include the availability of improved land, predictability of cost and time for development, and a qualified workforce. The Lee County government with its Fort Myers Regional Partnership and Horizon Council can provide guidance and model legislation and programming to help with the need for improved land and the predictability of cost and time for development.

Appropriately gathering data on available space and marketing that space for new businesses or business expansion is a habit practiced elsewhere in the country to encourage businesses to fill vacant spaces. Incentives can also be provided to help businesses transition into existing, vacant spaces similar to existing programs that help expedite that process.

#### **D. REAL ESTATE MARKETS, LOCAL DEVELOPMENT, & LAND USE**

This section provides an overview of real estate markets in Estero with an emphasis on residential, office, commercial, and retail market sectors. The current market conditions and recent activity levels are assessed for various property types. Vacant parcels and the prospects for a central Estero town center are reviewed and analyzed.

##### **ESTERO OFFICE & RETAIL DEVELOPMENT ACTIVITY**

The Estero market for commercial space has been improving over the previous three consecutive quarters according to the regional office of Cushman & Wakefield real estate brokerage. This is good news for a market that has experienced an accumulation of vacant commercial buildings and commercially-zoned land over the past five years. The office market has been the hardest hit with vacant space exceeding 20% in 2013.

From 2000 through 2008, Estero experienced over \$750 million in commercial development activity. The community added many new retail and office assets including: the Miromar Outlets, the Hyatt Coconut Point Resort, and the Coconut Point Mall, along with many smaller neighborhood retail centers and office developments. There is approximately 4.7 million square feet of retail and office space in Estero at this time, with approximately 3.5 million square feet represented by retail space alone. New commercial development activity has been very limited over the past five years due to the considerable inventory of vacant space currently on the market.

In a recent media report, Gary Tasman, founder and executive director of Cushman & Wakefield Commercial Property Southwest Florida, said commercial real estate will continue to improve. He doesn't think there will be new office construction, but there will be a decrease in vacancies with rents stabilizing and possibly increasing. However, there may be some new construction in retail spaces and Southwest Florida may see a few new grocery stores. Yet, Tasman said there will definitely be speculative construction of industrial spaces along the I-75 corridor. There is hardly any inventory in

that category, and he said a hint of demand is percolating. “I think the real booming commercial real estate is going to happen in 2014, 2015,” he said.

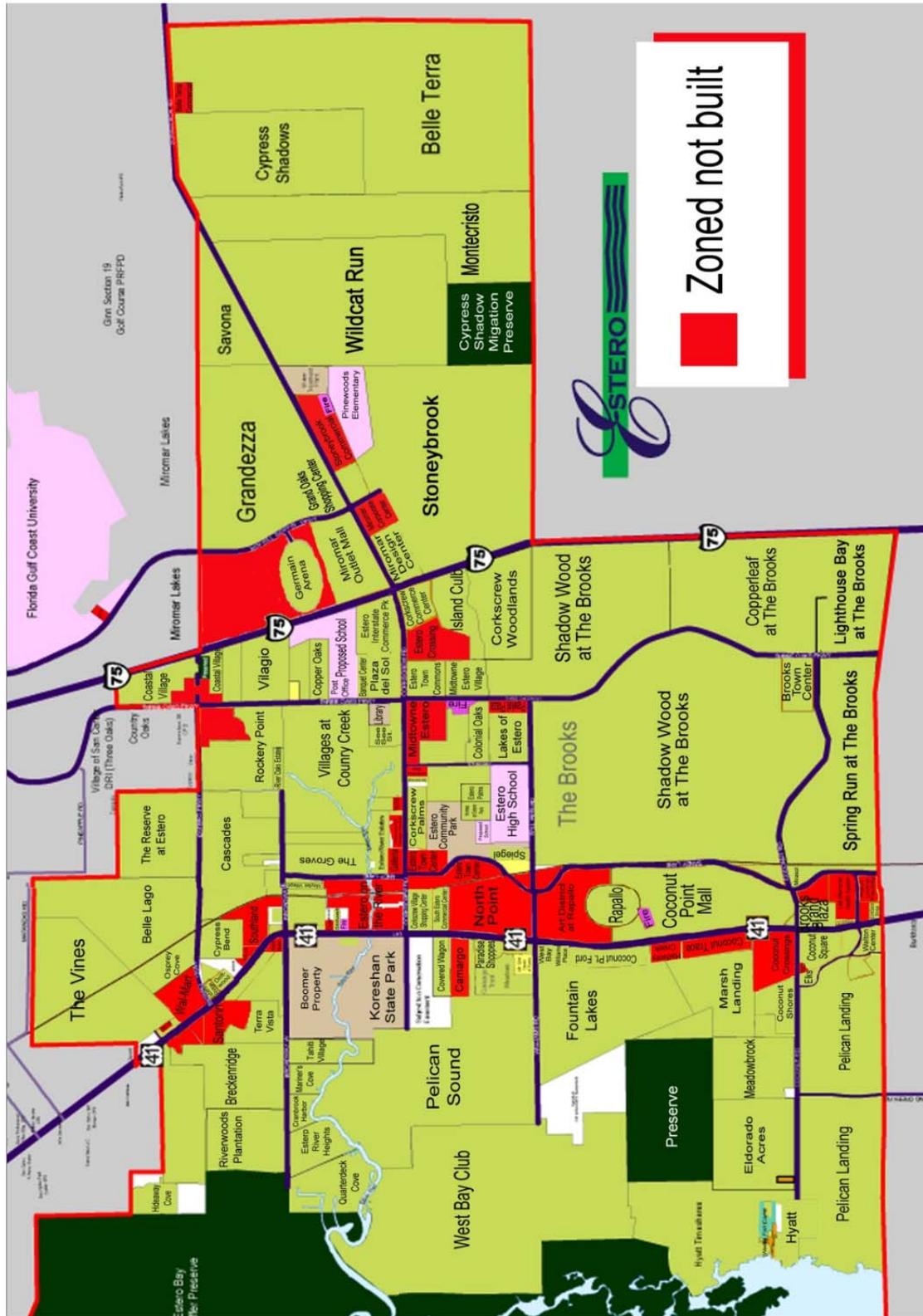
As noted, Estero currently has no shortage of available office space. PELOTON RESEARCH PARTNERS conducted a survey of listed properties being offered for-sale or for-lease in the market (a list and summary of these properties is available in the Appendix of this report). Based on a small sampling of office properties located along Corkscrew Road and US-41 there was approximately 50,000 square feet found to be vacant, not including office space proposed to be built on vacant land.

Estero does not typically experience a high-rate of absorption of office space on an annual basis. Based on the sampling of properties along US-41 and Corkscrew Road, and the extended list provided in the Appendix of this report, there appears to be anywhere from 2 to 3 years of existing office inventory in place (depending on annual absorption rates). What was also noticed was the type of space being offered for-sale and for-lease versus what potential owners or tenants may need in the market. Potential tenants may require different space configurations than that currently being offered by existing buildings. The general demand trend is for smaller office spaces or larger spaces that can be easily configured into smaller, more flexible spaces. Building owners and office space developers need to evaluate potential smaller space needs and the divisibility of existing spaces.

Estero has a number of office spaces and condominiums for sale that are listed as retail/service spaces. These spaces are often targeting medical services, insurance, financial services, retail showrooms, and personal service operators. A survey of these spaces showed a wide-range of asking prices ranging from \$75 to \$175 per square foot for units built primarily since 2005. Many of the properties listed for-sale listed at prices that would not appear to cover the costs of their development (especially when factoring in land value). This is a serious concern when looking at the potential for new retail and office development opportunities in the Estero market. A high vacancy factor combined with properties listed at less than their replacement value would indicate the some sectors of the commercial market are not in equilibrium.

Company relocations, expansions, and new business start-ups will be the drivers of office space demand in Estero over the next decade. The community should seek to accelerate business attraction and economic gardening prior to creating any additional speculative office inventory.

The following map shows the currently zoned, but vacant properties within the Estero community. The areas highlighted in red represent the vacant parcels.



## **DOWNTOWN ESTERO DEVELOPMENT OPPORTUNITIES**

The map on the previous page identifies the properties that are currently zoned but not built (highlighted in red). The following is an overview of a number of currently listed properties in Estero that have the potential for inclusion in a comprehensive Downtown Estero development plan. These properties are located along the Hwy. 41 corridor west of I-75 and could potentially be interconnected in a multi-district master development plan. Some of the listing details, including the project and/or property name and the developer and/or broker name, are noted as follows:

### **1) Coconut Trace (Dennis J. Lynch PA)**

Coconut Trace is a 24-acre development located on the west side of US-41 between Williams and Coconut Roads and fronting the 500+-acre Coconut Point mixed-use development. There are two lots currently listed for sale, a 1.92 acre lot listed for \$1.82 million, or \$22 per square foot, and a 1.62 acre lot listed for \$1.55 million, or \$22 per square foot (or \$956,790 per acre).

The project is proposed for a combination of uses, including retail, office, and medical. Current uses on formerly sold lots include SunTrust Bank. Development entitlements allow for 90,000 square feet of retail and office space and another 135,000 square feet of office and medical space. The site is within a Commercial Planned District and fronts conservation lots. A current proposal with four buildings totaling 15,601 square feet, including a 3,401 square foot Pollo Tropical Restaurant, is being brought before the Estero Design Review Committee on September 25th.

A 3.37 acre parcel across the street fronting the Coconut Point Mall is currently listed at \$3,669,930 or \$25 per square foot (or \$1,089,000 per acre).

### **2) Downtown Estero Development (Rockford Development Group, Lee & Associates)**

Downtown Estero Development is a 35-acre mixed-use development located on the east side of South Tamiami Trail and north of Broadway, at the north end of the historic area of Estero. The project is proposed for a combination of uses, including retail, restaurants, and office, along with a residential component (4 stories, 310 units) and a senior housing component (90 – 160 beds).

Amenities of the project include the following:

- parkway ramp
- clubhouse
- pool
- lake features amenities with walkway paths
- natural preservation area
- pedestrian civic areas

### 3) Estero Greens (Fischler Property Co)

Estero Greens is a 10.16-acre property located along South Tamiami Trail, on the west side of US-41 and south of Williams Road. It is approximately a ½ mile north of Coconut Point Mall and opposite Hertz 300,000 SF World HQ (located on the former Art District of Rapallo site). The price for the entire property is listed at \$5.5 million, or \$12.42 per square foot. The price for outparcel lots is listed at \$21.50 - \$23.50 per square foot.

The project is proposed for a combination of uses, including hotel, retail, restaurants, financial, and auto. Utilities currently available at the property boundary include County water, gravity sewer, telephone, and electricity. The site is zoned as a Commercial Planned Development. The following is a former conceptual mixed-use site plan.



#### 4) Estero on the River (Kevin Fitzgerald, CSE of NAI Southwest Florida, Inc.)

Estero on the River is an 88-acre property located at the intersection of US-41 and Corkscrew Rd. Development entitlements allow for 530 residential units (single and multi-family) and +/- 300,000 square feet of commercial uses, with density bonuses available. The following is a conceptual site plan used in the marketing of the development site.



Note: According to the development plan, the commercial space is allocated as follows: 177,000 square feet of retail space, restaurants, and a boutique hotel; 87,000 square feet of general and medical office space; and 36,000 square feet for civic use. It also notes that landings and decks will provide public access to the riverbanks, and a 75-foot greenway spine connects all residential areas to the river buffer. Note: the property is listed with an asking price of \$30 million or \$340,909 per acre.

#### 5) Northpoint (Lutgert Companies)

Northpoint is a 102-acre property located on the east side of US-41 just north of Williams Road and is zoned for 550,000 square feet of commercial retail space, 120,000 square feet of office space, a 150-unit hotel and 150 residential units. Lutgert purchased this property in February of 2006 for \$34.4 million. The plans were to build-out a mixed-use development in a joint venture. The developer has sought a reduction in commercial

square footage to make room for more residential units. Just to the north is Corkscrew Village which has a Publix anchor and other stores. The property would be well-suited for residential in a mixed-use environment. Given the size of this site, it is one of the more important properties to consider when reviewing the prospects for a multi-district Estero Downtown development.

## 6) Estero Town Center (Via Coconut Point)

Property is located  $\frac{1}{4}$  mile east of US-41 on the south side of Corkscrew Road, 1.25 miles from I-75 Exit 123. The property includes two (2) parcels. The parcel on the westside of Via Coconut Point comprises 17.6 acres with approximately 100 linear feet of frontage on Corkscrew Road and approximately 3,000 linear feet of frontage on Via Coconut Point. The parcel on the eastside of Via Coconut Point comprises 16.92 acres with approximately 600 linear feet of frontage on Corkscrew Rd. and approximately 1,250 linear feet of frontage on Via Coconut Point.

The combined 34.52 acre site includes a mixed-use overlay. An illustrative site plan is shown below.



The site is located adjacent the 75-acre Estero community park and is north of the Coconut Point Mall. The current asking price is \$14,660,989 for all 34.52 acres, or \$424,710 per acre (\$9.75 per square foot).

## 7) Galleria at Corkscrew East & West

The Galleria at Corkscrew comprises two parcels of 9.9 acres and 11.4 acres located on the north side of Corkscrew Road just east of Sandy Lane. The following is a conceptual plan and description provided from the property listing:



*Design Parc & Galleria at Corkscrew Conceptual Site Plan*

The project features a prime location in an established market with excellent demographics. The entitlements and improvements are in place positioning the property to competitively meet the needs of developers looking to immediately enter the market. The Galleria at Corkscrew is located in the center of Estero in close proximity to I-75, the Southwest Florida Regional Airport, Germain Arena, public schools, libraries, medical centers and close to great shopping at the Coconut Point Mall, Gulfcoast Town Center and Miromar Outlets. There are roughly 15 golf courses within a 3-mile radius.

- On-site improvements include a buffer wall acting as a barrier to the residential community to the North.
- 50% of the capacity infrastructure reservations have been paid.
- Impact fees run with the land and are considered to be a site improvement.
- Off-site improvements pertaining to Corkscrew Rd include paving, concrete curb, gutters, storm sewers, sidewalks, lighting and utility lines (water, sewer, elec, tele).
- 9.94± acres on Corkscrew Rd., one mile from Coconut Point Mall
- Convenient access to US-41 and I-75
- Zoned for 30,000 SF retail/restaurant space and 70,000 SF medical/office space

- DO with architectural plans for 4 one-story buildings and 2 two-story buildings includes adjacent parcel

The combined parcels were recently listed for \$6.2 million or \$291,079 per acre. The 9.94-acre parcel is listed by itself for \$3.2 million or \$321,931 per acre.

### **8) Coconut Crossing**

This property is located at the northwest corner of US-41 and Coconut Road across from Coconut Point Mall. The following is a former conceptual site plan.



The original project was to be located on approximately 46 acres and was to be developed by The D’Jamoos Group as mixed-use commercial. Another company was due to develop the residential component on an adjacent 14.4-acre parcel. Also planned on the site was a 150-room Marriott SpringHill Suites Hotel (LEED Certified). The major retail planned for the project included an 87,000 square foot Kohl’s department store and approximately 14,000 square feet of inline retail. In a press release back in 2008 the developer explained that Kohl’s was chosen due to its popularity in the Midwest and Northeast, and its demographic fit with this area. In addition to these developments, the site included eight out-parcels. In 2008, only four of the parcels were reportedly available for sale or lease. The purchased lots were reportedly bought by Orion Bank, Florida Community Bank and CVS Pharmacy (which had two lots). The site was cleared and infrastructure put in place (including Lyden Road).

The original developer of Coconut Crossing purchased the 46-acre site for \$18.5 million in August of 2005, or \$402,173 per acre. That same month, the 14.4-acre residential parcel appears to have immediately sold for \$9.23 million, or \$640,972 per acre. In 2012, a 1.2 acre parcel of the commercial site was sold by the FDIC for \$250,000 or \$4.78 per square foot. This parcel originally sold in 2007 for \$1.65 million. Another 1.05 acre parcel was

sold to Iberia Bank in September 2010 for \$700,000 after originally being sold for \$1,097,000 in 2007. During April 2013, 27.85 acres of Coconut Crossing were sold at auction for \$3 million, or \$107,720 per acre. No new development plans have been submitted for this project as of September 2013.

Additional smaller properties would include the approximately 10-acre Halfway Creek site located long US-41 north of Marsh Landing and the 11-acre Camargo North parcel located on US-41 north of Pelican Sound Boulevard and south of Covered Wagon. A portion of the Halfway Creek site was planned at one time for a commercial office building, but no updates are available. Neither property was identified as being for-sale at this time.

### **Potential University District Properties**

There are two additional properties of interest near I-75 that may contribute to the establishment of a University District near the Florida Gulf Coast University. Both the University Center and University Highlands development sites have previous development plans attached to them, and portions of both projects are currently listed for-sale. Though these properties would not be attached directly to a potential Downtown Estero development, a community plan that connects the Downtown to a University District would be advantageous to the community overall and would help support the economic vitality of the community. The following is a summary of both the University Center and University Highlands development sites.

#### **University Center**

University Center (formerly known as Tuscan Park) is a 36-acre commercial-planned development located at the northwest corner of Three Oaks Parkway and Estero Parkway; it is less than 2 miles east of US-41 and approximately ¼ mile west of I-75. The project includes an anchor-tenant parcel (13.6 acres) and eight out-parcels ranging in size from 1.3 acres to 2.6 acres. The project is fully entitled with 90% complete onsite backbone improvements, including roads, accesses/turn lanes, surface water management, and utilities. The project is zoned as a Commercial Planned Development and approved for a maximum of 250,000 square feet of retail commercial use and 50,000 square feet of office use.

Note: Due to the proximity to Florida Gulf Coast University, the Seller suggests this would be an excellent site for an apartment/student housing development. The Seller is willing to allow time to modify the zoning (if needed) to maximize the residential and/or commercial component of the project. As of July 2013, 18-acres of this site have been sold to accommodate a new apartment development.

### **University Highlands**

University Highlands is a 208-acre project situated between Interstate 75 and Ben Hill Griffin Parkway. It is the remaining portion of the 795-acre multi-use Development of Regional Impact known as Timberland and Tiburon. The project is approved for a maximum of 1,300 dwelling units, 150,000 square feet of office (including a maximum of 50,000 square feet of medical, 99,382 square feet of retail, and 200 hotel units). The dwelling units can include uses such as Assisted Living and Continuing Care facility units (with up to 200 units with cooking facilities or 800 units without), 555 single-family units, 800 duplex units, 800 two-family units, 1,300 townhouse units, or 555 zero lot line units. Dormitory and fraternity uses are also permissible on this site, with an intensity of 1,300 units with cooking facilities and a maximum of 5,200 units without cooking facilities. (Note: A combination of the approved residential types will be allowed based on the following conversion rates: 2.3 multi-family/townhouse units per single family unit; 1.6 multi-family/townhouse units per duplex/two-family unit.) Note: this property is listed with an asking price at \$47.5 million or \$228,365 per acre.

The diversity in listing prices and sales prices for the larger mixed-use development land in the Estero market reveals some of the uncertainty property owners and developers are experiencing when trying to determine the prospects for future commercial development. The properties previously listed are only a portion of a substantial number of potential development sites within the community. Given the depth of retail options already present in Estero, and the coming addition of a 185,000 square foot Super Wal-Mart store to the community, the properties previously highlighted will be hard-pressed to bring individual retail operators to the market that will occupy a significant portion of the 340+ acres of potential mixed-use development.

Estero already has an abundance of smaller, stand-alone retail centers as part of its 4.7 million in commercial/retail space. Total retail space is estimated to be 3.5 million square feet in 2013, including the Coconut Point Mall and Miromar Outlets. Additional population and job growth will be needed to attract additional retailers to any newly

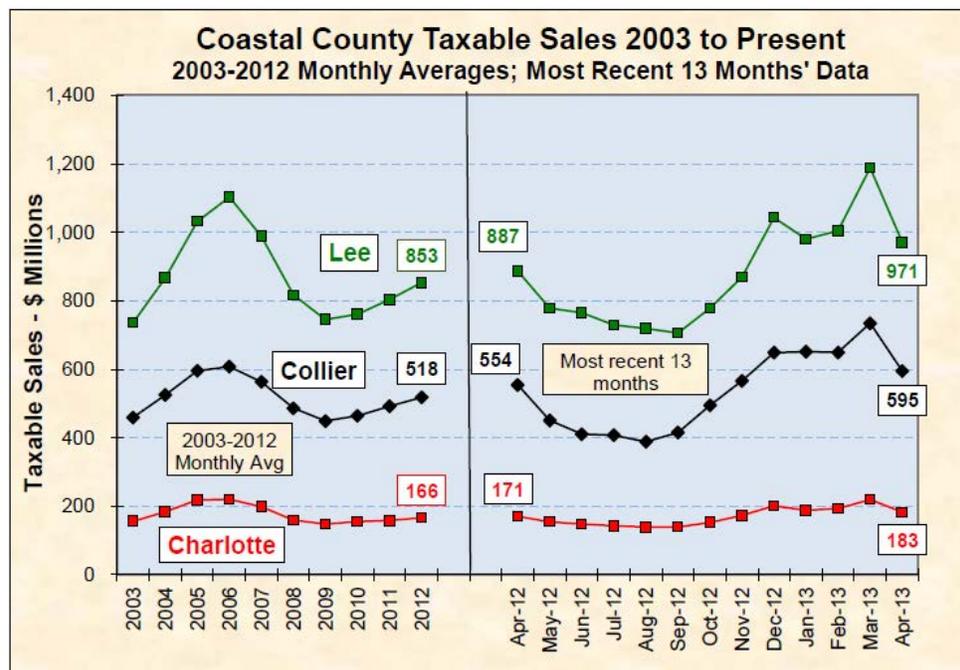
developed space. Another option is to draw more consumers from outside the immediate community, as Coconut Point Mall and Miromar Outlets have both done successfully. The establishment of a true Town Center in Estero, complete with multiple districts, would create the appropriate destination necessary to support more retail development along with other key commercial uses.

## RETAIL MARKET OVERVIEW

This section provides an overview of retail activity within Lee County and the Estero community. Retail spending per household in Estero is examined in an effort to evaluate the prospects for future retail demand and retail development.

### Lee County

Lee County has experienced a return in retail sales activity following declines that started in 2006 and continued until the 3<sup>rd</sup> Quarter of 2009. Sales in this market tend to be seasonal, and the county experienced some temporary declines following December of 2012 and then again following March of 2013. Nevertheless, the county saw average monthly taxable sales increase from \$887 million on average in April 2012 to \$971 million per month average in April 2013. The county is expected to see increasing sales activity over the next four quarters as consumer confidence continues to improve.



Source: Florida Department of Revenue, Office of Tax Research

### **Estero Retail Market Context**

The Estero retail market lies within a relatively low-density, modestly upscale community situated between two more densely populated areas -- Naples and Bonita Springs to the South and Ft. Myers/Cape Coral area to the north. All of these communities lie along a north-south axis defined by the two primary arterial corridors of I-75 toward the eastern edge of the currently developed area, and US-41 (Tamiami Trail), which tends to form the primary central spine of the region. The larger metropolitan area is constrained from further development to the west by Estero Bay and the Gulf of Mexico, while development to the east is discouraged by protected natural areas, competing agricultural and mineral-excavation industries, as well as growth management initiatives intended to limit development in these areas.

The existing retail in Estero and nearby communities primarily consists of a combination of grocery anchored, locally serving shopping centers, even located at about two mile intervals throughout the area, and more regionally focused centers in a range of formats including life-style centers, outlet centers, power centers, traditional malls, or a combination of all of the above, in addition to large-format club and warehouse stores. The regional consumer market as a whole is quite robust, with a largely affluent year-round population of close to 300,000 people within a 20-minute drive of Estero, making Estero's strategic location between Naples and Fort Myers, with good access from both I-75 and US-41, an attractive location for large regional centers drawing from the entire metropolitan market.

Most of the newest and most ambitious shopping centers in the area, including Coconut Point Mall in Estero and the Mercato in Naples, were developed during a period of unprecedented residential and income growth, which took place in the middle of the last decade, and reflect the optimistic assumptions of an ever growing consumer market prevailing at the time. A little worse for the wear -- for the most part -- they managed to weather the recent downturn relatively intact, in spite of the stagnation in both the housing and consumer markets, post-bubble, and with currently low vacancy rates, seem well poised to benefit from the ongoing market recovery.

However, the amount of retail GLA (gross leasable area) represented by all of these projects, including that contained in the grocery-anchored neighborhood centers, were pushing the margins of saturation even before the market collapse. Absent a major increase in consumer demand, either in the form of new housing and/or new jobs, it is

unlikely the market can sustain significant increases in the current amount of retail supply, without diluting or cannibalizing sales from existing centers, and opportunities for obvious market niches will be very limited. This reality contrasts sharply with the amount of retail square footage entitled at the peak of the market, and yet to be developed, which is still waiting for a recovery which might look quite different from the inflated market that subsided in late 2006.

The large visitor market, proximity to I-75, and convenient access to area tourist destinations made outlet retail an obvious and attractive opportunity, which the Miromar Outlets has effectively captured. The large, affluent, regional consumer market, blessed with significant disposable income, is also tempered somewhat by the seasonality of that market, and the year-round local population is of more modest means, limiting the opportunities to grow the market for more upscale, regional centers. The supply-driven momentum which produced the surge in retail GLA during the pre-bust era will more than suffice to service the existing market well into the future. Developing housing markets elsewhere in the region, such as the Ave Marie master-planned development in Naples, will work even harder to capture and protect what new household consumer spending emerges as the market recovers, thereby limiting opportunities for the kind of preemptive retail market grabs that were typical of the area, pre-2007.

Given that, everything from this point forward is going to require more strategic planning and development to maintain equilibrium, it will be necessary to balance new retail growth with consumer demand in a new type of format, build on the enviable reputation Estero proudly enjoys, which consciously targets household and employment growth through a more fully integrated approach to new development which anticipates new market and demographic trends, and allows for a more sustainable model of development.

### **Estero Current Retail Supply and Sales**

As previously noted the rapid population growth of the community brought rapid growth in both residential and retail development over the past decade. Residential development absorbed considerably more land than that of retail or commercial uses over the decade, though retail development far outpaced the capacity of the local

population to support the end uses. This was due, in large part, to the establishment of Estero as a regional retail destination.

Coconut Point Mall and Miromar Outlets were the two largest retail centers built in Estero over the decade, and both of these retail centers targeted households well beyond the Estero community boundaries. The following is a site plan for the 166-acre, \$225 million Coconut Point Mall.



This Coconut Point has 140 retail tenants in 1.2 million square feet of retail space while Miromar Outlets has 130 retailers occupying approximately 700,000 square feet of retail space.

Overall, retail and commercial development added 4.7 million square feet of new space in Estero over the past decade. More than half of this space is comprised of neighborhood retail centers, small strip centers, and the two larger regional retail centers. There is an estimated 3.5 million square feet of retail alone in Estero in 2013. This is a considerable amount of retail square footage for a community of less than 12,000 year-round households during 2012 (using Census figures as a basis), revealing, in large part, the financial influence of part-time residents and visiting consumers.

Retail sales activity in Estero during 2012 was estimated by PELOTON RESEARCH as just under \$810 million. The following major retail categories are included in this figure: automobile sales and parts; furniture and home furnishings; building materials; lawn and

garden supplies; electronics; health and personal care; clothing and accessories; gas stations; shoes; jewelry; luggage; books, music, and periodicals; sporting goods; general merchandise; florists; grocery, beer, and wine; restaurants and bars; among other categories.

Using an approximate figure of 12,000 year-round households in Estero as a basis, the retail \$810 million in retail sales in 2012 equated to \$67,500 per year-round household (\$810 million/12,000 = \$67,500). Given that the entire disposable income per household in Estero was \$51,645 in 2012, and approximately 32% of this was spent on average on local retail, the actual contribution of local year-round residents to total retail sales was approximately \$15,493 per household for the year. The calculation for the average annual retail contribution of year-round households is shown as follows:

$$\$51,645 \times 0.32 = \mathbf{\$16,526 \text{ per year-round household annually}}$$

If we assume that the approximate 6,000 part-time Estero households in 2012 had an average median disposable income that was 20% above year-round household median disposable income, but these households only spent 16% of this disposable income locally (due to half-time residency), the following calculation would show their annual retail spending per household:

$$(\$51,645 \times 1.20) \times 0.16 = \mathbf{\$9,915 \text{ per part-time household annually}}$$

Adding the impacts of the year-round household retail spending with that of the part-time household spending reveals the dollar impacts of the local “in-season” household spending on total retail sales in Estero during the 2012. The calculation is shown as follows:

$$\begin{aligned} (12,000 \text{ HH} \times \$16,526) + (6,000 \text{ HH} \times \$9,915) &= \\ \$198,312,000 + \$59,490,000 &= \\ \mathbf{\$257,802,000} \end{aligned}$$

**Total retail spending by local residents**

Given the previous figure of \$810 million in retail sales in Estero in 2012 the following can be concluded:

$$\$810,000,000 - \$257,802,000 =$$

**\$552,198,000**

**Total retail spending from other households**

The calculations reveal that the overwhelming majority of retail spending in Estero is coming from households other than those estimated as part-time and year-round residents within the community. Over \$550 million, or 68%, of retail spending is coming from households in surrounding communities within Lee and Collier Counties, from tourists visiting Estero, and any households within Estero that are not counted as part of the year-round or part-time population. These numbers are important to consider when analyzing the potential for new retail operations in Estero. Though the future growth of the Estero population is important to the future demand for retail in the community, the growth and demand from the surrounding market areas and from visitors and tourists to Estero is even more important.

Just two retail centers, the Coconut Point Mall and Miromar Outlets, contribute the highest overall percentage of retail sales to the Estero economy. The total retail sales revenue at these two centers was a combined \$612 million in 2012. This is average revenue of approximately \$322 per square foot over the combined 1.9 million square feet of these two centers (adjusted for vacancies). This is well above the average retail sales rate of \$136 per square foot reported by CoStar Group for Southwest Florida retailers in 2012. More importantly, this leaves approximately \$198 million in retail sales deriving from the remaining retailers located in Estero during 2012.

The trade area required for retail centers such as Coconut Point Mall and Miromar Outlets typically ranges a minimum of 75,000 to 100,000 households within a 20-minute drive. In 2012, Coconut Point Mall had just over 129,000 year-round households within a 20-minute drive. When combined with the part-time household population, there is substantial market support identified for both retail centers. The Mercato in Naples has overlapping, upper-income, target households that it competes with Coconut Point to attract. Gulf Coast Town Center, located directly north of Estero in Fort Myers, competes directly with Coconut Point for both upper-income and moderate-income households.

There is considerable overlap between the markets of these two centers, especially in the sectors that include bigger-box power-center retailers. CBL, Group, the owners of Gulf Coast Town Center, have reported that this center averages retail sales of \$310 per square foot, or in excess of \$360 million total annual sales. The following information provided by CBL describes the Gulf Coast Town Center and its trade areas (trade areas that also overlap with the trade areas of both Coconut Point and Miromar Outlets):

*Gulf Coast Town Center is located in Ft. Myers, in the high-growth corridor along busy I-75 between Ft. Myers and Naples.*

*Lee County is in the heart of one of Florida's most popular and affluent tourist areas hosting more than 6.5 million visitors each year. Local draws include the beautiful beaches, a vibrant downtown and numerous champion golf courses. Only six miles from Gulf Coast Town Center, the new Boston Red Sox spring training facility hosts training games in a 9,999-seat Fenway replica ballpark.*

*Gulf Coast Town Center is poised to capture the upscale growth occurring within the primary trade area. Housing has been trending upwards each year for the past five years. The majority of growth has occurred in the exclusive subdivisions such as Miromar Lakes, Grandezza, Bella Terra and Pelican Landing with prices ranging from \$300,000 to more than \$4 million.*

*There are more than 24,000 students attending six colleges and universities within the trade area, including the new Florida Gulf Coast University adjacent to Gulf Coast Town Center with an enrollment exceeding 13,000 students and projected to be 15,000 in the next five years.*

As communities surrounding Estero continue to add retail centers in their markets within close proximity to Estero's existing trade area, the more impact this will have on the sales potential for existing and future retailers within Estero.

### **Estero Future Retail Demand**

Existing retailers in Estero, and any new retailers considering locating in Estero over the next decade, will require significant new population and job growth within the community as well as new growth in the surrounding trade area. Estero is currently over-zoned for retail uses relative to future demand, and steps need to be taken to avoid retail duplication and saturation that harms successful local retailers, or worse, sets them up for failure. Vacant retail space in a location that would typically be considered prime

based on traffic counts, number of households, and household incomes, sends a clear signal to potential retailers that a market may be saturated.

There is an estimated 3 million square feet of additional future retail zoned on Estero lands. Over the past two decades approximately 3.5 million square feet of retail has been built, at a pace that could not be replicated in the future. Assuming 3 million square feet of retail space were to be built at a land-to-building ratio of 4-to-1 would suggest the need for 12 million square feet of land to support the built space, or approximately 275 acres to support 3 million square feet of retail uses.

Based on the review of existing retail sales in Estero, it was discovered that 68% of retail sales comes from outside the community. This is due in larger part to the influence of larger regional retailers in Estero that rely heavily on larger trade areas. Future retailers may be less interested in competing in the larger regional market, and may attempt to fill certain niches not currently present in the Estero, in an attempt to capture market segments that area currently underserved.

If future retailers require an average of \$200 per square foot in annual sales, and 1 million square feet of new retail is built in Estero, then \$200 million in annual retail sales would be needed to support this space. If a minimum of 32% of those sales come from within Estero, then \$64 million in spending will need to come from Estero residents, both part-time and year-round. To put this in perspective, each household in Estero contributes enough annual spending to support approximately 80 square feet of retail space (across all retail types). One million new square feet would require new household growth of 12,500 in Estero to be supported, or population growth of approximately 25,000 in households that average two people per residence. Estero is not projected to grow at this level over the next 20 years, so more retail demand would need to come from the surrounding market areas to support 1 million new square feet of retail space.

Given the 3 million square feet of retail currently planned for Estero, it becomes apparent the community is in danger of serious retail saturation. To combat this, the planners and developers within the community need to be very careful in the selection of future retail operators and the execution of future retail developments. In such a competitive market as that of Lee County, the quality and mix of retail will become more important with each new addition of space. Destination retail and dining will be the

largest opportunities moving forward, and based on a survey of Estero parcels with retail development potential, the community has more than enough land to fill this need in a cohesive fashion that connects with other complimentary uses that further feeds retail demand. This would additionally support the community's desire to create a multi-district centralized core that functions as Downtown Estero.

### **MULTI-DISTRICT DOWNTOWN PLAN**

Enough vacant land, over 340 acres, is potentially available to develop a multi-district town center in Estero. These districts could include, a mixed-use business district focused on corporate offices (with Hertz new headquarters as the catalyst), a medical/wellness district incorporating an acute hospital facility and ancillary medical services, including an adjacent senior care facility, and an entertainment and recreation district, including connectivity between the Estero Community Recreation Center and Koreshan State Park.

The plan for a multi-district town center would most likely require the cooperation of individual landowners to properly execute. A distinct area plan with a unique district overlay could be created to cover these various properties, with the goal of implementing an overall vision for the area. Collectively, these properties under a combined plan would be expected to achieve considerably higher overall values than if developed independently of each other. An overall master plan could include separate plans for each district, though the goal should remain to create connectivity and a clear identity of this area as the core of Estero. A successful town center would include several destinations, walkable blocks, interconnected streets, attractive development, and public greens.

Previous proposals to develop a Downtown Estero or an Estero Town Center were not planned at a large enough scale to provide a comprehensive planning area with multiple mixed-use districts. These proposed developments were additionally brought forward during unfavorable economic conditions.

The \$225-million Coconut Point open-air mall, located on 116 acres of the 500-acre Coconut Point Master Planned Development, currently acts as the Main Street for the Estero community with its pedestrian-friendly design and mix of entertainment, shopping, and dining options designed around 18 acres of lakes. Though built a year prior

to the global financial crisis, the development and its associated retail has been successful overall.



Current economic trends and future market prospects in Estero make the feasibility of town-centric development more likely in the near future. Based on a review of historical and forecasted growth trends, Estero is expected to see an increasing annual growth rate from 2014 to 2020. Constraints on this growth could come from a limited future supply of residential land and an above average increase in median home prices. The availability of future land and the option to provide a mix of residential building types will be essential for developers to meet the market demand for both workforce and retirement housing options.

As part of the central business district, the entertainment district would be established to focus primarily on dining and small boutique shopping venues in a walkable environment. The Town Center design would include connectivity between all the districts to allow more synergy to increase the overall economic viability of the Downtown. Residential units could be carefully integrated in the wellness and entertainment districts to provide a carefree, urban-living option for those seeking to live in immediate proximity to goods and services, in a low-maintenance, lock-and-leave lifestyle. The following is an example of a well-designed senior housing development with building types that could be integrated into a residential and/or health and wellness district in Estero.



This national award-winning project, located in Southern California, has a very impressive density of 46 units per acre.



The plan for a multi-district town center would most likely require the cooperation of individual landowners to properly execute. A distinct area plan with a unique district overlay could be created to cover these various properties, with the goal of implementing an overall vision for the area. Collectively, these properties under a combined plan would

be expected to achieve considerably higher overall values than if developed independently of each other. An overall master plan could include separate plans for each district, though the goal should remain to create connectivity and a clear identity of this area as the core of Estero. A successful town center would include several destinations, walkable blocks, interconnected streets, attractive development, and public greens.

The size and scale of the buildings within the various districts will depend on their use, the amount of total land available within the districts, and the timing and phasing of development. The Hertz headquarters and a potential hospital facility would create larger-scale buildings early in the creation of a multi-district Downtown. Retail, commercial, and residential uses may be phased more slowly based on market conditions. An appropriate scale for mixed-use development in Downtown Estero may be the scale of Worth Avenue in West Palm Beach (picture follows).

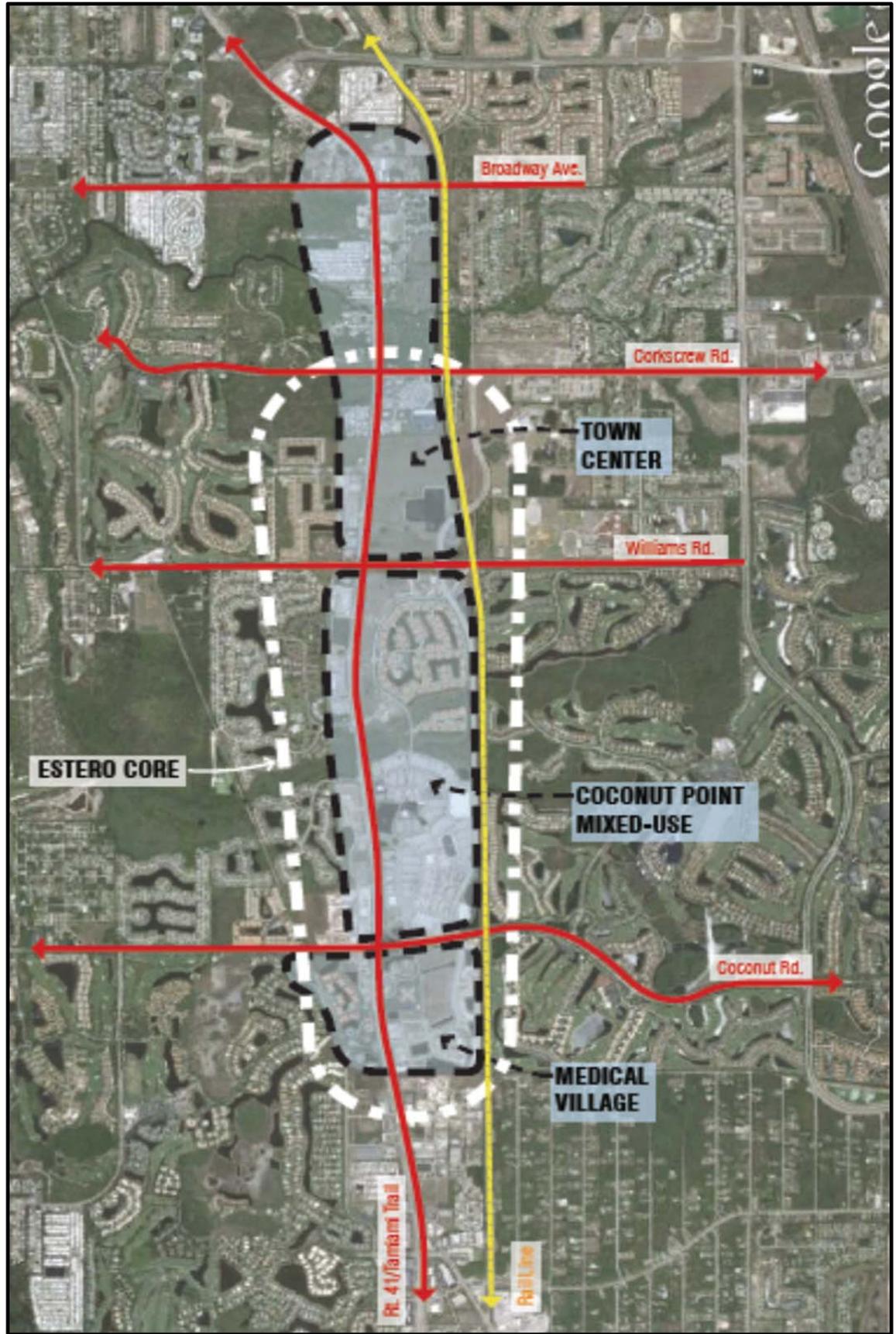


Low-rise to mid-rise building types can be integrated at this scale very attractively, creating an enjoyable pedestrian environment for all age groups.

The map and diagram on the following page shows the potential activity centers located along US-41 in a proposed multi-district plan for a Downtown Estero.

The south district would include a medical/health district anchored by an acute hospital facility and surrounded by complementary uses such as medical offices, rehabilitation centers, and assisted care facilities. This district would transition to the north into primary business district which includes Coconut Point Mall and the future Hertz headquarters. This central business district would be a walkable, transit-supportive district capable of supporting an array of mixed-uses including corporate offices, select retail, dining, and housing. Connectivity with existing uses will be essential to create a vibrant commercial core. This connectivity will transition from the business district to the neighborhood and civic center district to the north.

This district will combine the recreational opportunities provided by the Estero Community Center and Koreshan Park with that of new residential units and future civic uses. The creation of a town-centric plan would facilitate the future development of vacant mixed-use parcels located along US-41 in Estero. More importantly, these properties could be developed at potentially higher values than would be achieved by individual, insular projects. The community would further benefit from an identifiable central corridor offering shopping, dining, entertainment, recreation, wellness, lifestyle, and economic opportunities within Estero.

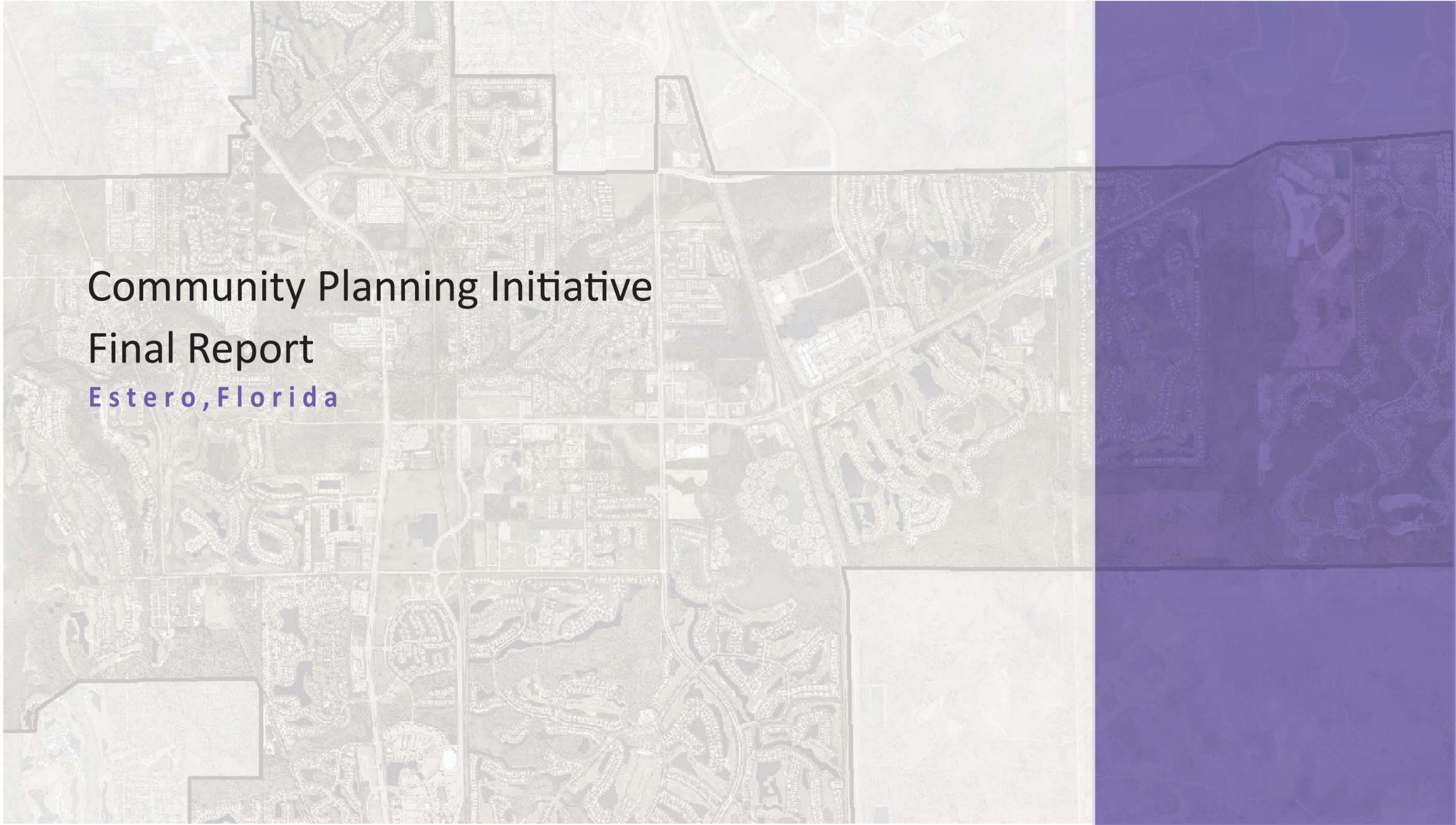


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The data sources utilized in the creation of this report are considered both credible and reliable. No guarantees are made by the author as to the accuracy of secondary data resources.

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Community Planning Initiative  
Final Report  
Estero, Florida

January 2015

Seth Harry & Associates, Inc.  
Spikowski Planning Associates

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## ACKNOWLEDGEMENTS

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Bob Lienesch, Finance Director  
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The Consultant would like to thank all of the participants for their time and interest in this process, and in particular, both ECCL and the community of Estero.

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Above: An illustrative model showing a potential build out for the future Village Center.

# 1.0 PART ONE INTRO AND BACKGROUND

## 1.1 Background and Overview:

In early 2013, as the market continued its long recovery from the recent economic downturn, Seth Harry & Associates, Inc. (SHA) was hired to assist the Estero Council of Community Leaders (ECCL) in redefining Estero's market position, in anticipation of the changing demographic trends, and consumer preferences to follow. This work took place in a three phase process beginning with an initial market overview, followed by a more comprehensive, in-depth market assessment, culminating in a three-day planning workshop which took place in February 2014 led by SHA and attended by ECCL, local property owners, and other interested parties, to illustrate and explore various development scenarios for a possible Village Center, as identified through the earlier market exercises.

The study area for the February 2014 workshop was chosen from one of three mixed-use nodes well-suited for more intensive development. The three nodes are situated along a central, north-south corridor in Estero, between US 41 to the west and the existing rail corridor to the east, and from the Estero River on the north, to just south of Williams Road on the south, referred to as the Village Center node, the Coconut Point node, and the Medical District node. The Village Center node -- the northernmost of the three -- was chosen as the subject of the workshop because it contained the largest undeveloped parcel within the corridor, and seemed the most well positioned for near-term development within a longer-term strategic context.

In the fall of 2014, as a follow-up to this initial effort, Seth Harry & Associates, Inc. and Spikowski Planning Associates were asked to undertake a series of community presentations to present and discuss a possible framework for the future development in Estero, based on the strategic goals and principles outlined through this process.

The purpose of those community meetings was to develop and support a shared community vision for the development of the proposed Village Center area, based on the underlying principles of compact, walkable, transit supportive, mixed-use development, with an emphasis on employment, housing, recreational and civic uses, and the possibility of using those principles to inform a broader policy framework which could help to guide Estero in shaping a more sustainable model for future development, one that not only served the current residents of Estero, but which anticipated the needs and desires of new residents and future generations to come.

A Power Point slide show was presented to the residents of Estero at each of the three meetings, and was updated and refined based on community input and feedback. The presentation began with a review of the findings, policy goals and strategic objectives identified through the initial market evaluation, intended to help restart and strengthen the stalled economy, by focusing on new development which will attract and retain higher-paying jobs and the work force to sustain them. These included:

- Maximizing short-term market potential and appeal, while still working toward a larger strategic vision; that will achieve a more balanced and sustainable economic foundation for the community, moving forward.
- Though residential development will lead the market recovery in the near term, the nature and type of the residential products offered could have a significant impact on how Estero positions itself in the marketplace relative to other uses.
- The physical plan of the community and related building types are critically relevant to achieving the strategic goals of mixed use (greater convenience and reduction in the cost of services), expanded housing choice (responding to demographically-driven lifestyle preferences), and reduced automobile reliance (enhanced mobility choice).
- Managing urban form is just as important as managing use, and both can be managed most effectively through the use of flexible building types that can accommodate a wide range of uses within a well-defined physical plan, based on a coherent and recognizable neighborhood structure (i.e., with an identifiable center and edge, spatially defined by a 5-minute walking radius).
- Development in this form, when done properly, can help to encourage and support the use of transit, reduce congestion, lower the cost of services, and reduce the burden on both natural and man-made systems.

It is possible to achieve these outcomes working within the existing planning and zoning legal framework, using existing entitlements and the recognized benefits of this approach as a basis for negotiation, by adapting the bulk regulations to better serve these strategic purposes. This can be accomplished in a consistent and predictable manner, which can be accurately represented in an easily understood graphic format, such as to encourage legitimate community buy-in and support.

This document is a summary of those presentations, the work that informed them, and the community's input and response to the ideas and concepts contained within them.

*Right: Since its founding, ECCL has played a significant role in shaping the attractive and successful community that Estero is today. This most recent effort represents a continuation of that legacy, updated to reflect the current challenges and opportunities facing the community.*

### Planning and Zoning Achievements By the Estero Community Planning Panel and the Estero Design Review Committee:

- No "bubble zoning"
- Heavy emphasis on prohibited uses
- Specific signage restrictions
- Upscale landscaping requirements
- Pedestrian/traffic networks
- Architectural standards
- Overlay districts
- Big-box & convenience store standards

### Realizing Estero's full potential:

Estero has come a long way in realizing its vision...

The community faces many new challenges in today's dynamic marketplace

What do we need to do during this coming decade to help fully realize this vision?

1.2 Village Center Visioning Strategy:

From the beginning of this process, the visioning strategy for Estero was driven by a couple of big ideas. The first of these was that the market that was coming back, post-downturn, was likely to be very different than the market that had gone away, seven years earlier.

The second was that during the height of Estero’s growth spurt over the previous decade, the type of development that occurred was largely one of a rather specific type -- large, gated single-family home communities, centered around a single major recreational amenity, i.e., golf courses, that required a great deal of land relative to the number of households it contained, and the commercial uses that served those communities were, without exception, located outside of those communities, usually at the intersection of two major roadways, and built as an oversized network of connecting arterials.

Third, that the amount of available land left for development would be rapidly reduced if development continued in the form that it had prior to the downturn, meaning that whatever other uses and amenities the citizens of Estero wished to see in their community in the coming years, now was the time to make sure those uses were accommodated, and the needs of the future residents, whose preferences and expectations might differ significantly from those who currently live in Estero, are met. And finally, that all of this should and could be accomplished without diminishing the value of Estero’s hard earned, and well deserved, “brand.”

After an informal market assessment, a more detailed market analysis was undertaken to document existing unmet, and future needs, with a particular emphasis on housing types which would attract and retain residents with the skill and knowledge to support a more diversified local economy, long term, as well as identifying the types of employers who would benefit from that workforce.

**LIFE STAGE INFLUENCES HOUSING CHOICE**  
**GEN Y MOVES TO HOME OWNERSHIP IN NEAR FUTURE**

Year	Student Housing	Single & Roommate Rental	Rent as Couple / 1st Home	Young Family Own	Mature Family Own	Empty Nester Downsize Own	Retiree Senior Housing
2008	Gen Y	Gen Y	Gen X	Gen X	Baby B	Baby B	Eisen Baby B
2010	Gen Y	Gen Y	Gen Y	Gen X Gen Y	Baby B Gen X	Baby B	Eisen Baby B
2015	Gen Y	Gen Y	Gen Y	Gen Y	Gen X	Baby B Gen X	Eisen Baby B
2020	Gen Z	Gen Y	Gen Y	Gen Y	Gen X Gen Y	Gen X Baby B	Baby B

Demographic trends are showing an unprecedented convergence in demand for walkable, mixed-use development

Regional-scale retail market is already well served. Need to balance any new retail supply with new consumer demand

Above: This slide, showing a study produced by RCLCO, shows an unprecedented convergence in consumer housing preferences around compact, walkable, transit-supportive community formats. Millennials (Generation Y), which is just now entering its primary household formation stage, eschews the generic suburban lifestyles of its Baby Boomer generation parents, while aging Boomers and Gen Xers are actively downsizing and looking for more convenient, amenity-rich urban communities to retire to, as they plan for a future in which driving may no longer be an option....

Above Right: There are a number of key market segments that have been largely underserved which creates both a critical need and an opportunity.

Below Right: Estero needs to be strategically proactive in anticipating market changes, and in leverage niche opportunities to maximum effect, both from an economic perspective, but also in supporting ongoing policy objectives.

Unmet Needs Shown By Local Market Research:

Opportunity/need for rental & workforce housing  
 (housing types to attract/retain desired workforce)

Need for senior housing/continuing care  
 (by 2017: 14% will be over 75; 46% will be over 65)

Opportunity for critical care medical services  
 (large population influx needs medical services)

Realizing Estero’s full potential:

Estero has come a long way in realizing its vision...

But the community still faces many new challenges in today’s dynamic marketplace

What do we need to do during this coming decade to keep Estero moving forward?

### 1.3 Development Patterns

To better understand both the urgency and need to get this right, a quick review of the development that has taken place in Estero over the past twenty years, and the past 10 years in particular, is in order.

Up until the late eighties and early nineties, development in Estero proceeded in a fairly ad hoc manner, and a fairly leisurely pace. Starting in the late nineties and in the early 2000s, the pace of residential development picked up dramatically, but even more important, the scale of the developments changed dramatically as well, with very large, master-planned gated communities consuming very large parcels of land in fairly rapid succession.

On the commercial side, retail typically follows rooftops, and the rapid increase in the size of the local consumer market certainly helped to support a corresponding level of activity in commercial development. In addition, however, Estero's strategic regional location between Naples and Ft. Meyers, proximity to I-75, excellent infrastructure, and well located, readily available, commercially-zoned parcels attracted several large-scale regional retail projects, supported, in part, but the region's strong seasonal tourist market and second-home market, as well as growing Gulf Coast University.

All of this peaked in the mid-to-late 2000s, before the dramatic slowdown triggered by the international economic crises. However, even before that occurred, there were a number of large parcels already entitled and ready to go, before the market collapse. Taking even these entitled parcels into consideration, the proportional amount of remaining land for development is very small in relation to what has already been developed, making the question of how these remaining parcels are developed critical to rebalancing Estero's offerings to better reflect changing consumer preferences, and in attracting and supporting uses which may have been overlooked prior the downturn.

The question everyone should be asking is, "what's missing?" and making sure it's an integral part of whatever is proposed for the remaining parcels.



Top: Residential development before 1980



Bottom: Residential development 1980s and 1990s



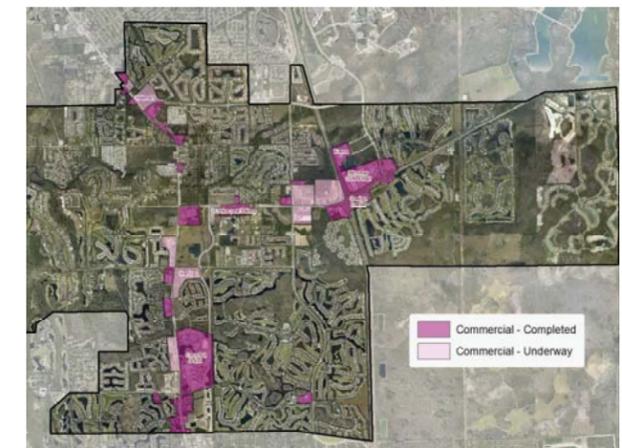
Top: Residential development completed



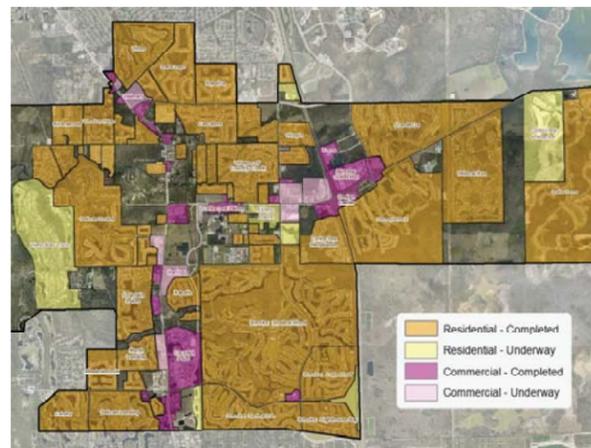
Residential development completed and underway



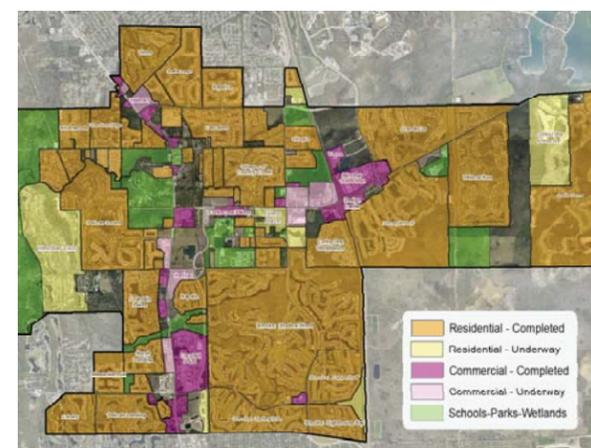
Commercial development completed



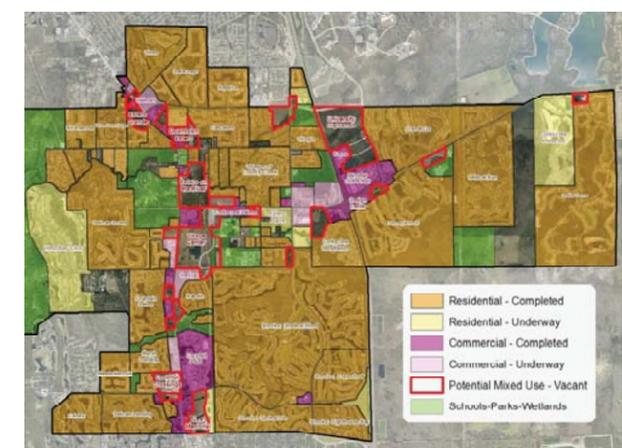
Commercial development completed and underway



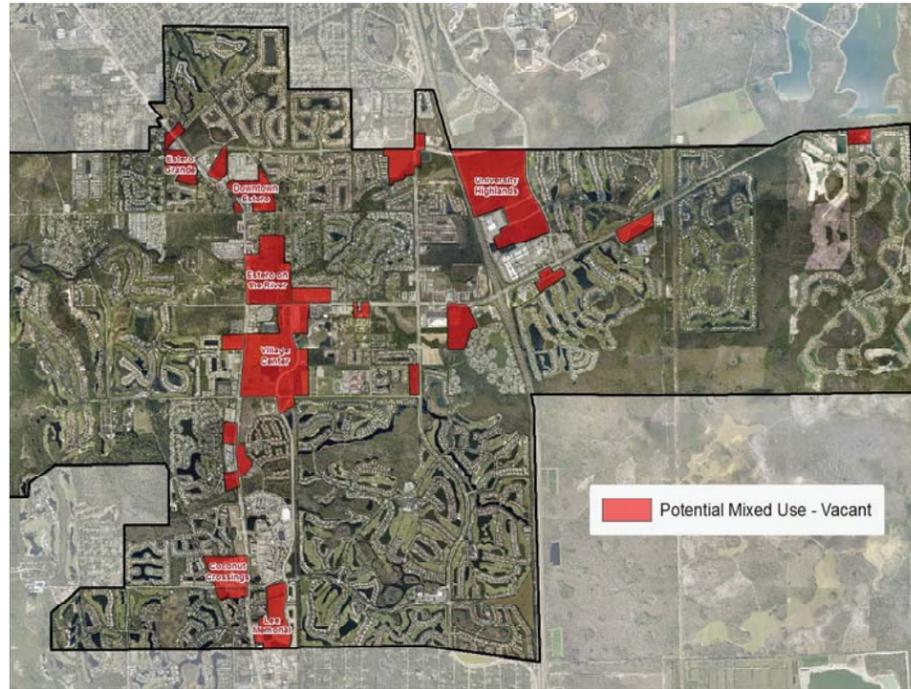
Residential and Commercial development completed and underway



Includes schools, parks and wetlands



Residential and Commercial - completed and underway, parks, schools, wetlands, and Potential Mixed Use



Potential Mixed-Use - Vacant

The image at left shows the remaining parcels available for mixed-use development, in relation to Estero as a whole. When compared to the parcels in the previous images, one can see that they more closely resemble infill development opportunities, rather than the kind of large planned gated community sites that were more typical pre-downturn.

Looked at in the context of the current market, and given their proximity to major transportation assets, it makes sense that these sites be more intensively developed to meet long term needs.

Given the well-served regional market for retail uses, the initial focus on these infill parcels will be primarily residential, though employment remains a viable option within nodes specifically identified and marketed for that use.

Residential Communities	Size	Vacant Tracts
Brooks: Shadow Wood	1750 acres	
Bella Terra	1000 acres	
Stoneybrook	800 acres	
Wildcat Run	600 acres	
Grandeza	575 acres	
West Bay Club	565 acres	
Pelican Sound	560 acres	
Brooks: Spring Run	315 acres	
Villages at Country Creek	290 acres	
Vines	280 acres	
Brooks: Copperleaf	255 acres	
Bella Lago	245 acres	
Fountain lakes	235 acres	
	230 acres	Univ. Highlands
	210 acres	Village Center area
Cascades	200 acres	

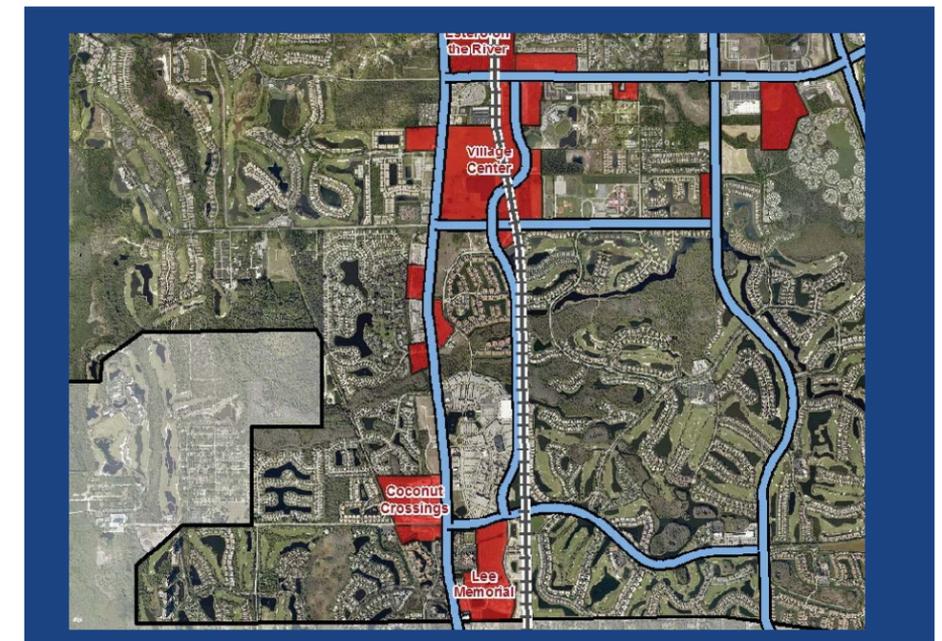
Above: Comparing currently vacant sites to existing developed sites shows how much smaller the remaining parcels are relative to most of the previously developed site.

## How is What's Left Different?

Much smaller development tracts

Adjacent to major thoroughfares & infrastructure

The image below shows how strategically located most of the remaining parcels are relative to major transportation infrastructure. When combined with the existing Coconut Point site, which still has significant infill opportunities, it is easy to image a linear development pattern along the US 41 corridor, based on higher-density mixed-use development, also capable of supporting future rail transit.



## How is What's Left Different?

Much smaller development tracts



Above: Lee County undertook a Rail Corridor Feasibility Study to explore the potential for a coordinated rail network serving designated mixed-use centers. Three of those possible station locations correspond with the infill development nodes identified in the strategic market study

### How is What's Left Different?

Much smaller development tracts

Adjacent to major thoroughfares & infrastructure

*Fundamentally different market context – what are the alternatives, and is there space?*

And finally -- given the changes in market context and demographically driven consumer preferences discussed earlier, and the smaller sizes of the remaining parcels, large scale, gated communities are not a practical option (and they are already well represented in the market), and the regional-scale retail needs are well served for the foreseeable future. So then, what are the viable alternatives, and can those alternatives fit within the remaining parcels while still providing the kind of investment returns and the incremental long-term build-out potential of a larger site?

The short answer is compact, walkable, mixed-use transit supportive development of the type previously discussed, with a proportional and flexible mix of uses within each site, strategically tailored to maximum market capture and value potential within the regional market as a whole.

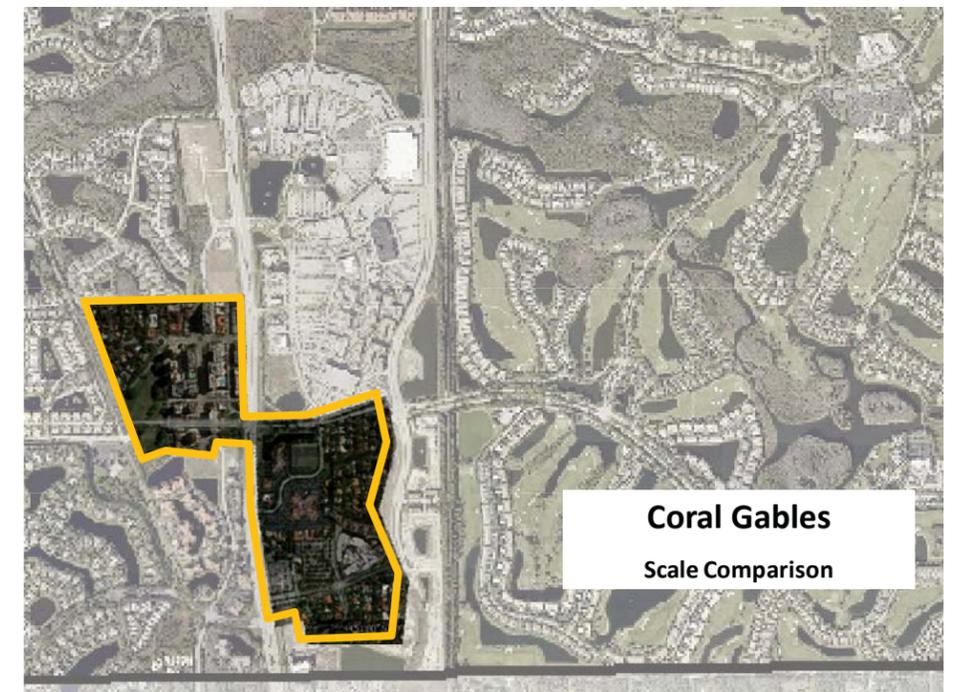
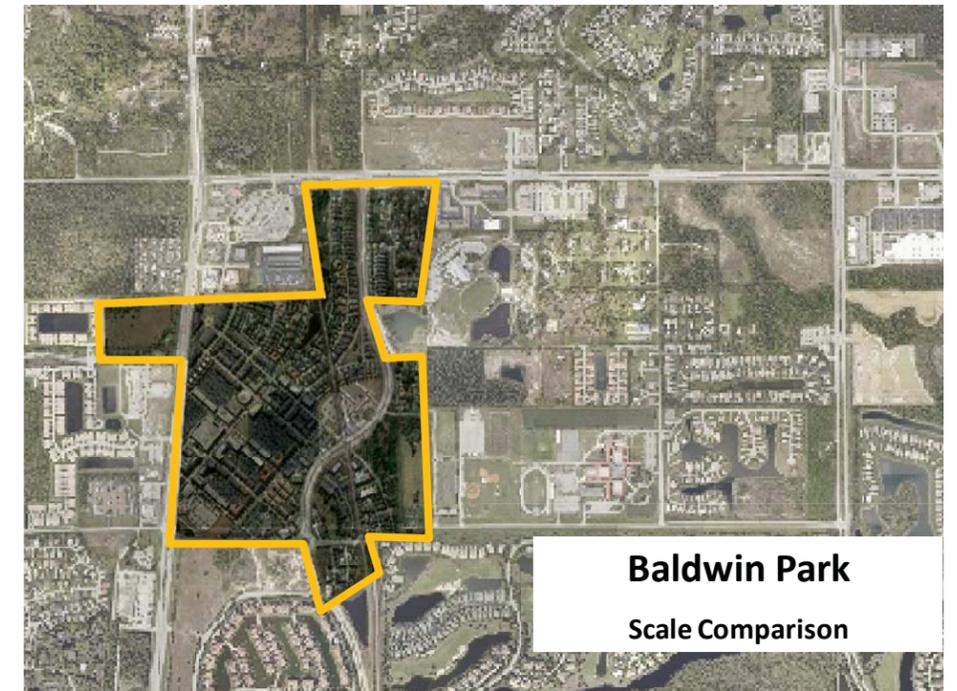
#### Scale Comparisons:

To help illustrate and better understand the theoretical potential of the remaining parcels, it is helpful to put them into a relevant context: One of the quickest and most effective tools for doing so is a "scale comparison" which superimposes an image of a place with similar attributes, to that of what is being proposed, at the same scale as the site. This provides an accurate frame of reference between a known place and the development parcel, allowing one to "experience" the site at full scale, even before a detailed plan is generated. This tool can also be used to quickly test yield, market and feasibility assumptions.

Two of the projects looked at for this comparative analysis were Baldwin Park, a new infill mixed-use neighborhood built on the site of a former Naval Air Station, in suburban Orlando. And downtown Coral Gables, Florida, an upscale 1920's vintage garden suburb, south of downtown Miami. Both markets are comparable to the Estero/Bonita Springs area.

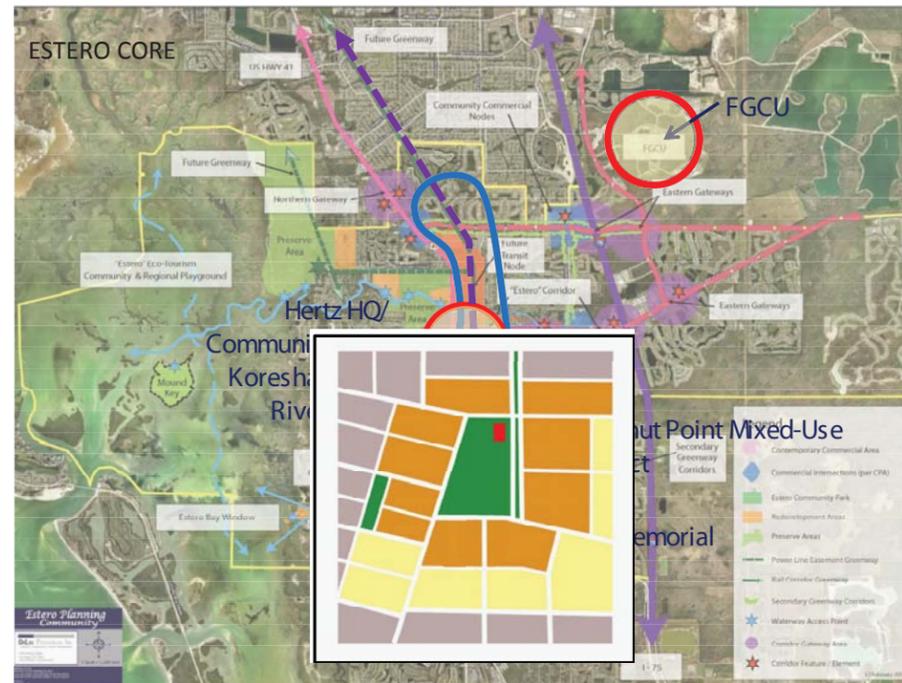
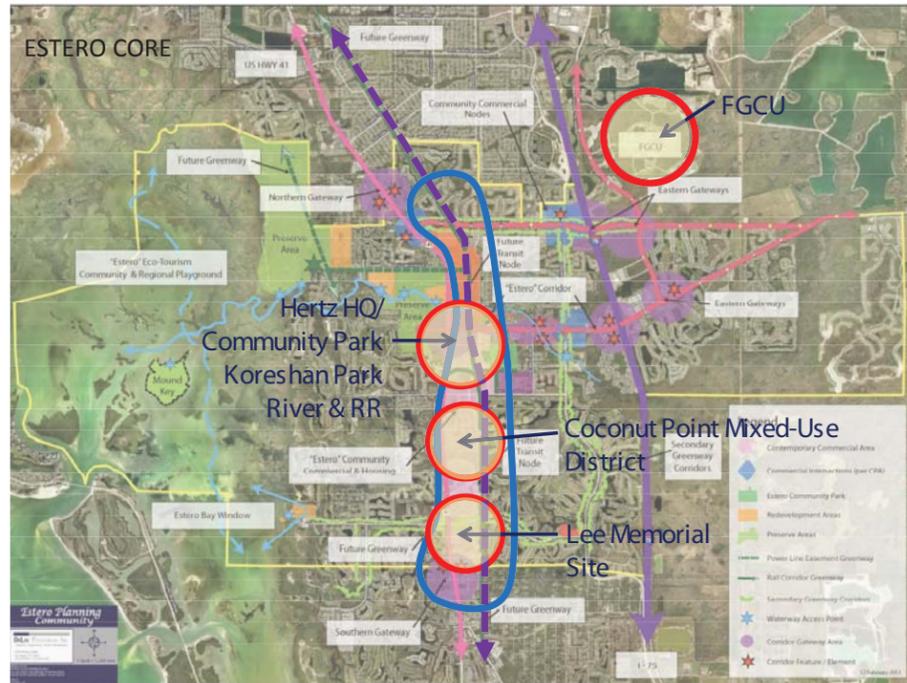
Above, right: This image shows the mixed-use commercial area of Baldwin Park, which is anchored by a grocery store and neighborhood-serving retail, and includes live-works, apartments, townhouses, and single-family detached homes, overlaid on the "Village Center" node area of Estero, east of US 41, and north of Corkscrew road (see following page).

Below, left: an image of a luxury mixed-use neighborhood near downtown Coral Gables, and a top notch local-serving hospital in a very desirable residential neighborhood adjacent to the University of Miami, superimposed at the same scale with the area currently identified as a potential new Health and Wellness, mixed-use neighborhood, just south of Coconut Point Mall.

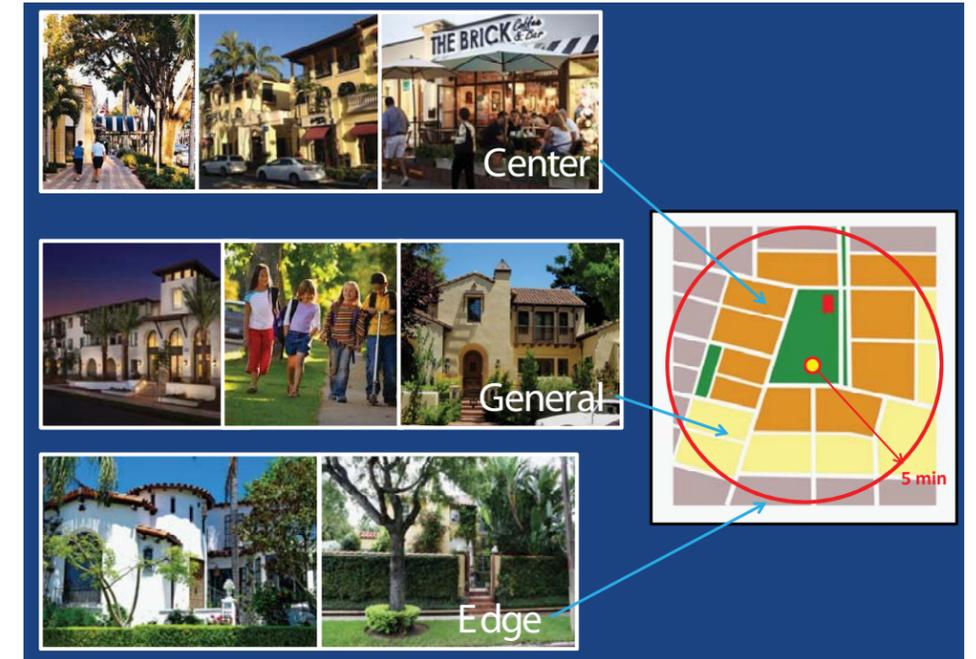


## 2.0 PART TWO-PLACE MAKING PRINCIPLES

### ESTERO: pieces or places?



### Components of Vibrant Places

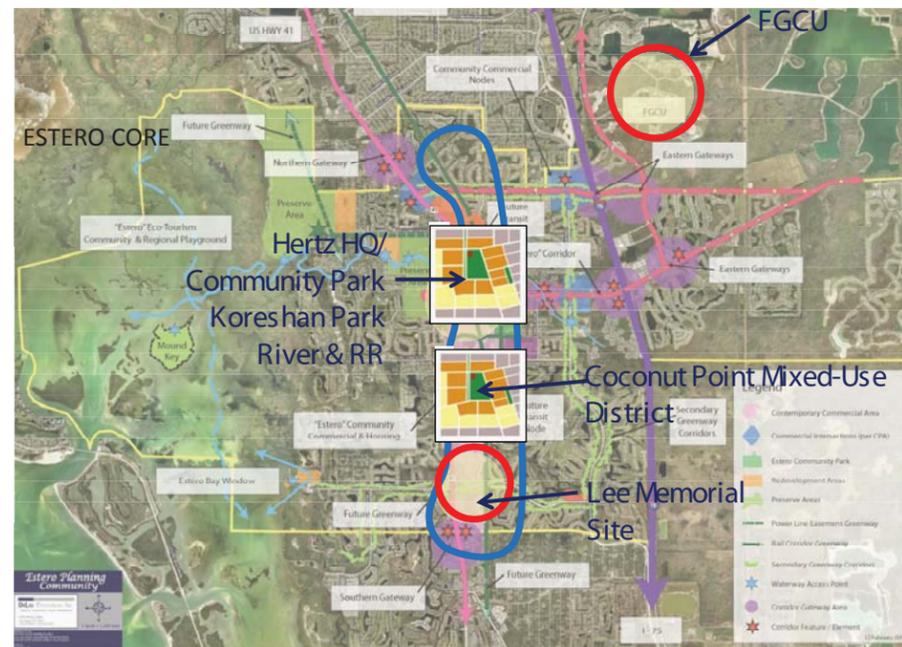


Looking at these “nodes” in more detail, it is important to understand that they should not, and will not, be developed as a single, generic commercial strip, but as a series of individual, discrete communities, each with its own internal network of interconnected local streets, parks, and civic places, of varying size, format and complexity.

One way to think of these nodes is as either individual neighborhoods, or as a collection of neighborhoods, each with a distinct form and character, based on the fundamental organizing principle of “center, general, and edge” conditions, and each with its own set of development parameters, targeting specific end-users and market preferences.

In addition to the variations within the different strata (center, general and edge) of each node, one can also think of – as in this case – of each node being programmatically distinct from one another, while still sharing basic compositional elements and structure. In the following illustrations, you can see how different scales or level of development might be represented in the built product, of each node. This could also apply to differences in focus, or thematic intent, again, specific to each node.

### Possible Anchors



Above: Each “node” is composed of individual neighborhoods, and each neighborhood is comprised of a Center, General, and Edge condition (or sub-zone), based on a 5 minute, or quarter-mile walking radius, as represent by the diagram above.

The photos show representational building types and relative scale and intensity for a single neighborhood, in this case what might be envisioned for the “Village Center” node, across those three neighborhood sub-zones. The top pictures shows low-scale (2-3 stories) mixed-use residential/office and commercial buildings in the neighborhood center area, the middle pictures, medium density multifamily and attached, to small-lot residential in the neighborhood general area, and the lower pictures show larger lot, single-family detached residential exclusive to neighborhood edge area.

Neighborhood  
Center

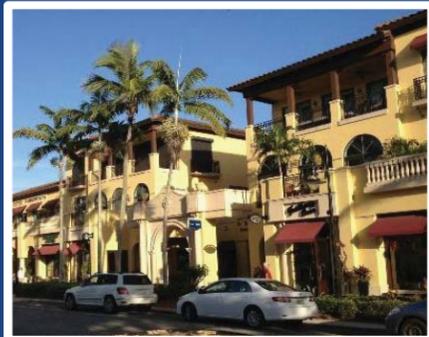
Neighborhood  
General

Neighborhood  
Edge

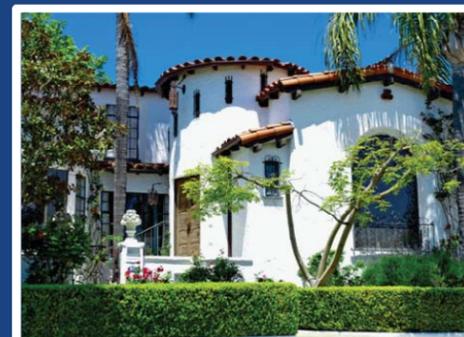
Small:  
(Village  
Center)



Medium:  
(Health  
Village)



Large:  
(Coconut  
Point)



In addition to the distinctions within the different strata of each node, one can think of, as in this case, each node being distinct from one another, while still sharing basic compositional elements and structure. In this illustration, you can see how different scales, or intensities, might be represented in the built product. This could also apply to differences in focus, or thematic intent, relating to each specific node.

Small-scale, inter-connected local streets allow for neighborhood amenities within easy walking distance, including neighborhood parks and playgrounds, elementary schools, neighborhood pools, local coffee shops and gathering places, all to be accessible without crossing major roads or highways

This form of neighborhood structure can support a broad spectrum of housing types, price points, and lifestyle preferences, from large lot, single-family detached homes, to urban townhouses and apartments. Work-housing can be accommodated in a number of ways, from small, detached cottages, to carriage houses (accessory dwelling units, which also enhance affordability for the property owner) -- both good options for working families -- to urban lofts and micro-units, very popular with young tech workers.

Variety of residential and lifestyle options...



### Workplaces...



In addition to Hertz's new headquarters, this form of incremental infill development can support a range of architectural styles and mixed-use building types, attracting and catering to a much wider range of end-users, while the compact, pedestrian-friendly (complete streets) environment readily lends itself to the inclusion of transit, including light rail, BRT (bus rapid transit), or even simple rubber-tired circulators.



**Complete Streets:**  
The key to complete streets is matching street types to walkable context, using a coordinated balance of land-uses and urban form. The connective power of networks is illustrated below

### Complete Streets:

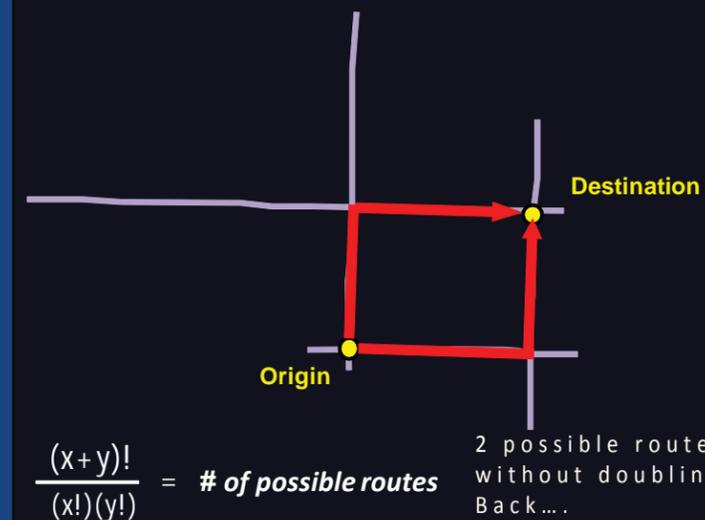
- Streets are designed to match the surrounding character
- Streets make up a diffuse network, with many choices
- Streets serve motorists AND walkers, bicyclists, and transit users



*These diagrams (right, above and below) show a simple network, typical of many suburban arterial networks with limited internal connectivity, or connecting street networks, at the local level.*

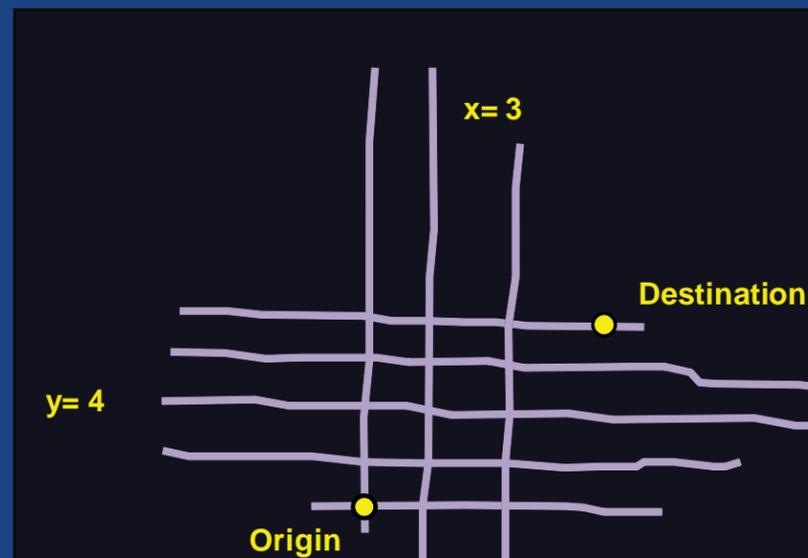
*Each addition or enhancement to the network results in an exponential increase in the number of possible routes. This dramatically reduces congestion -- meaning you can use much smaller streets to carry the same amount of traffic, through the use of a diffuse network. This not only allows for shorter trips, it greatly improves the environment for other uses, such as walking or bicycling, sidewalk, cafes, etc.*

### HOW DO WE GET THERE FROM HERE...?



Courtesy of Hall Planning & Engineering, Tallahassee FL

Power of Connected Streets

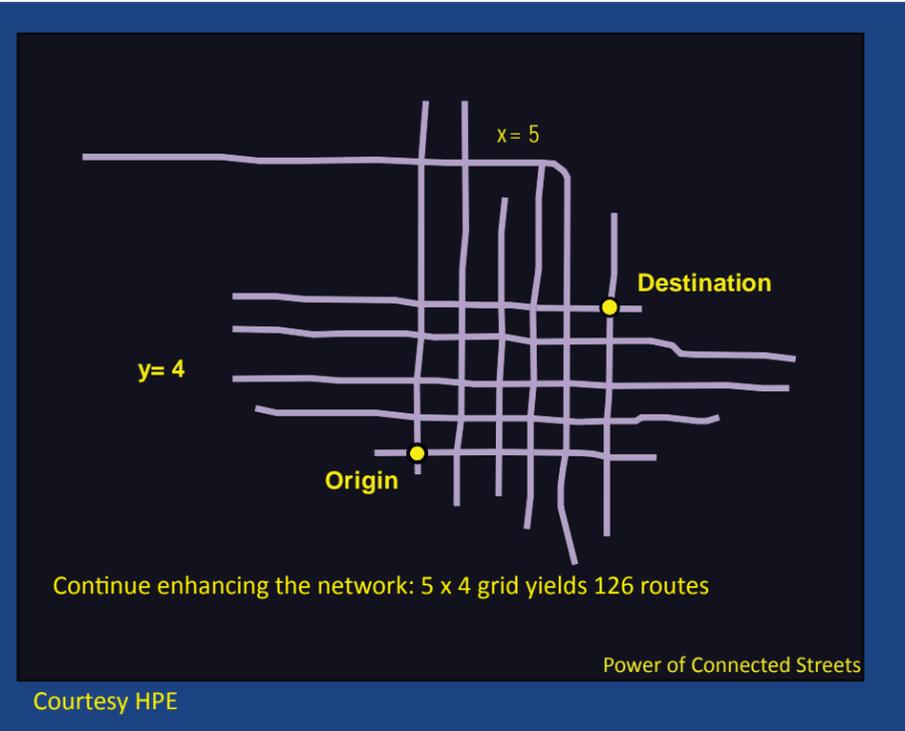


Enhancing the network: 4 x 3 grid yields 35 routes

Courtesy HPE

Power of Connected Streets

### 2.2 Neighborhood Structure



Left above and below: A relatively modest network comprised of an 8 X 8 grid, affords an astonishing number of routes. Ironically, there is probably more pavement than this in many of Estero's existing gated communities, but the lack of connectivity, both internally, and to the larger arterial network, negates most of the benefits this type of network offers.

Right, above: A few big roads are great from traveling long distances, but not ideal for local trips. A lot of small roads are great for capturing local trips, but problematic for regional traffic. A combination of small roads, in the form of a neighborhood, keeps local trips off of the large arterial network, freeing up capacity for regional, and/or "journey to work" trips.

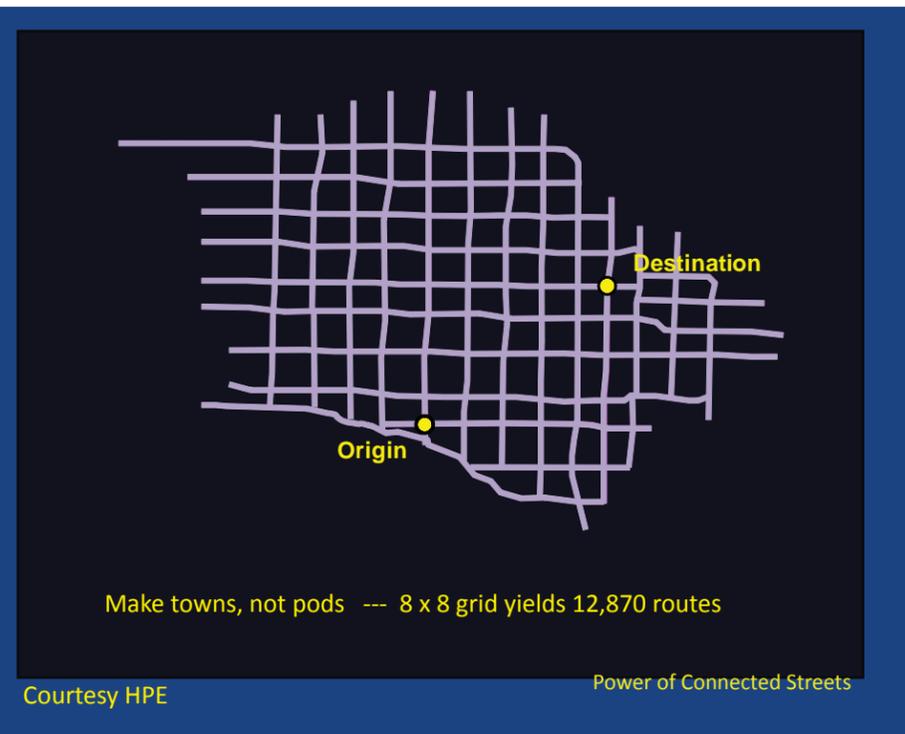
This also helps to keep local roads at a perfect scale for walking and bicycling, and provides an ideal pedestrian shed for local amenities already mentioned, such as neighborhood schools and parks, as well as transit.

### Why is this important?

Small Network = Big

Big Network = Small

Mixed Network...



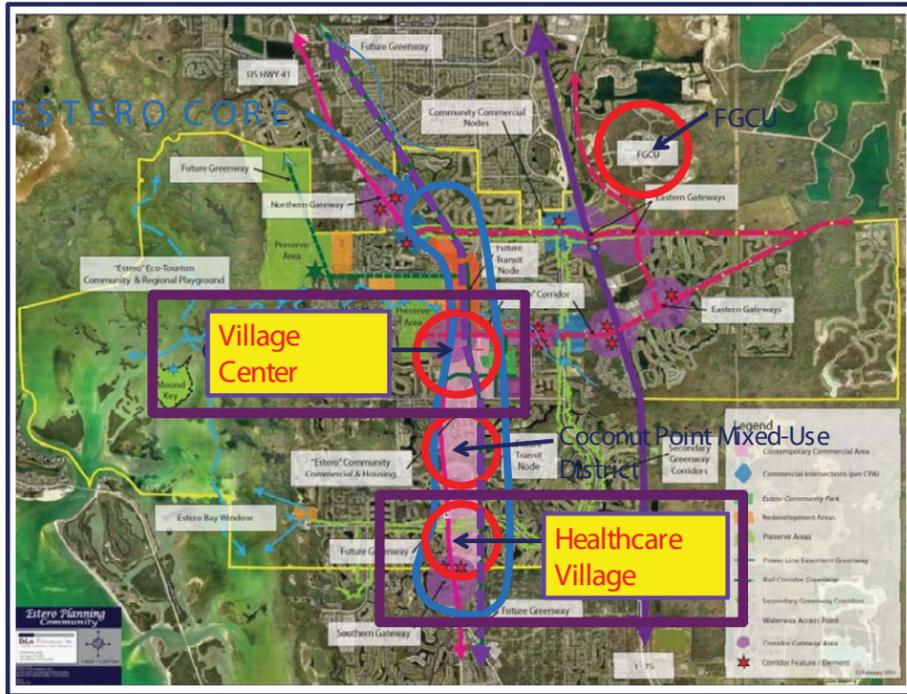
Right, Below: By capturing most local trips within the neighborhood's local street network (approx. 80% of household generated trips are local), it may even be possible to fully realize the long-term intentions of existing policies, implicit in many existing properties, such as this Corkscrew Road example, showing an "after" once the additional capacity design into the roadway is recaptured for on-street parking to serve true streetfront retail, as exemplified by Coral Gables premier shopping street, Miracle Mile (Coral Way).

### Corkscrew Road ?

Coral Way (Miracle Mile),  
Downtown Coral Gables, Florida –  
37,000 ADT

# 3.0 PART THREE-WHAT'S MISSING FROM ESTERO?

## Possible Anchors



All of these concepts and ideas relating to walkable mixed-use can also be applied to health care, by combining wellness, senior housing, and long-term care in a pleasant walkable environment, close to services. Though the Healthcare Village is intended to have a health-care focus, it can also support uses that will allow seniors to participate more fully in community life. Southside Village, in Sarasota is a good example of how a hospital/critical care facility can be integrated into neighborhood fabric, supporting local shops and restaurants, providing local jobs, and neighborhood amenities.

**Diversity of residential types, serving different housing and care needs... Aging in Place --**

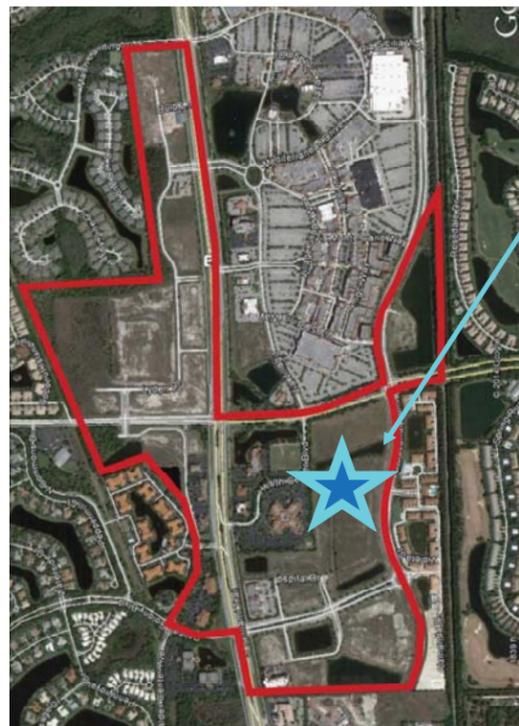
Here are two examples of higher density, multifamily housing products that can comfortably accommodate seniors in the type of walkable mixed-use environment this document envisions, without compromise in terms of quality-of-life, security or convenience. These can be proximate to, but not directly part of, a more active mixed-use commercial area, providing convenience and mobility choice, and very high quality, shared amenities and outdoor communal space. When combined with in-home health care services, this type of development can function as a purpose built NORC (naturally occurring retirement community), or even be part of a CCRC (continuing care retirement community), built in the form of a neighborhood, and seamlessly integrated into its local community context.

## Planning Estero's Future Development

**PART 3:**

- Healthcare in a New Era
- Creating the Missing Hub

### Healthcare Village



**Hospital Anchor:**  
*Providing community-wide Acute Medical Care, combined with local at-home services*



#### Aging at home

- In-home care
- Facilitated care (in-home monitoring, etc.)
- Easy, direct access to daily needs, recreational and cultural amenities
- Home delivery – food/medication/etc.

Easy access to transit, or personalized transportation services at low cost

### Purpose-Built Health-Care Village, based on 'NORC' precedent (Naturally-Occurring Retirement Community)

- Compact
- Walkable
- Mixed-Use
- Transit supportive
- Acute care and clinical services
- Wellness & prevention
- Senior & assisted living facilities
- Retail, dining, and hospitality
- Urban parks, gardens, bike paths
- Civic & entertainment venues

**Diversity of residential types, serving different housing and care needs...**



From cottages & apartments, to courtyard and single-family homes...



Another version of this same idea, elevator courtyard apartment buildings, offer parking directly below each unit, along with unique charm and a range of unit configurations and sizes, in low-maintenance convenient package, both part of, and distinct from, the neighborhood within which it resides. Bungalow courts, mixed-use courtyards, and small-lot, single family attached, are all options in this kind of walkable, neighborhood context.



A full range of daily needs and activities

- within easy walking distance
- or a short shuttle ride or a phone call away...

**Master Project Schedule – Phase I**

Project Phase	Q2 '14	Q3 '14	Q4 '14	Q1 '15	Q2 '15	Q3 '15	Q4 '15	Q1 '16	Q2 '16	Q3 '16	Q4 '16	Q1 '17	Q2 '17
Business Planning													
Team Formation													
Design Phase / Approvals													
Construction Phase													
Activation / Move-In													

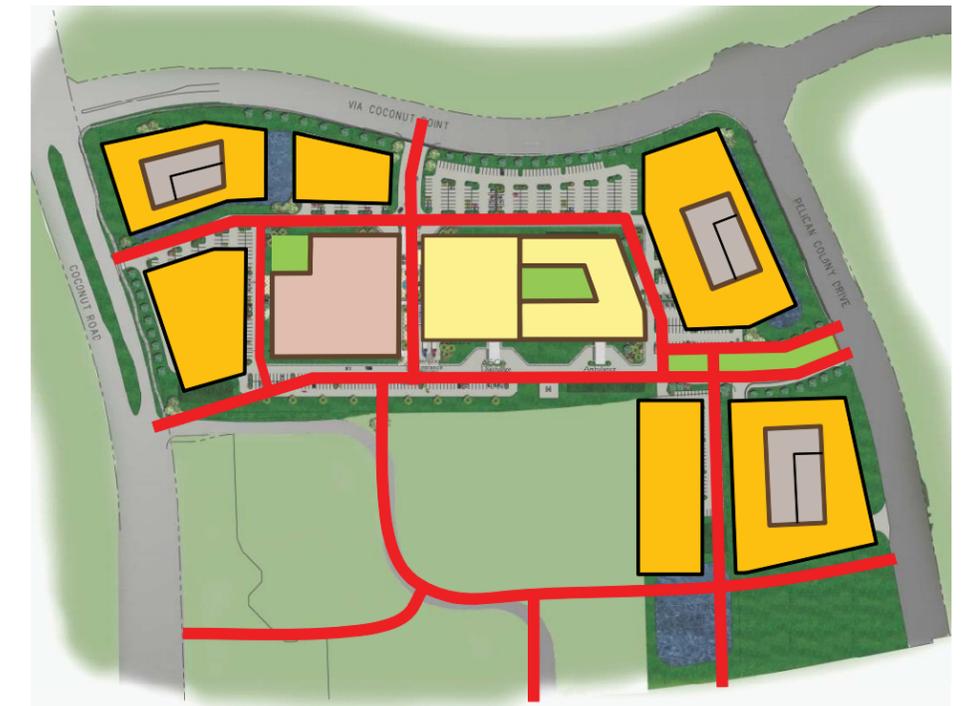
Phase I scope includes ASC, Freestanding ED, Clinical Decision Unit, Imaging, lab, Wellness, Retail, and Integrative Medicine / Wellness and Physician Offices.

**Concept Plan – Phase 1**



Phase 1 includes 3 development zones – Integrative Medicine / Wellness / ASC / Emergency, Physician Office Suites and Sports Medicine and Performance Center with retail components augmenting clinical areas.

**Alternative Concept Plan – Phase 1**



The proposed critical care facility, shown at left in a conventional suburban format, can be better integrated into a more traditional walkable, mixed-use neighborhood context (above), providing a more convenient way to take care of multiple health-related needs in a single visit, or to support nearby assisted living/continuing care-type facilities.

# Planning Estero's Future Development

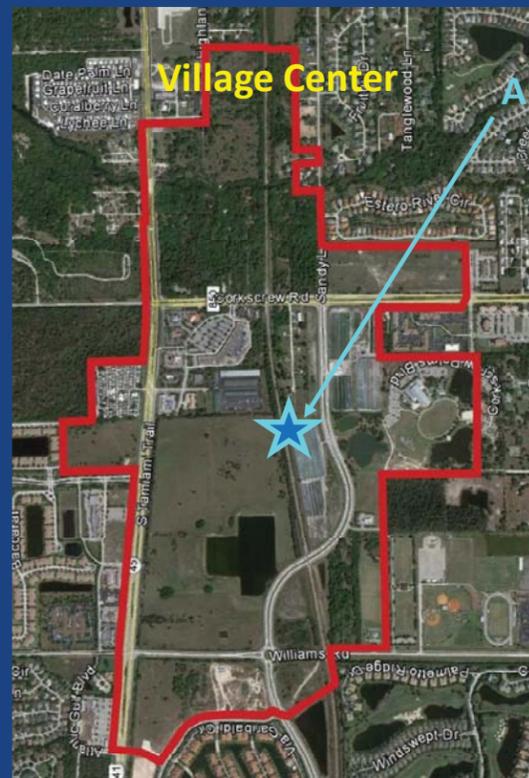
## PART 3:

- **Village/Town Center**
- **Civic Heart of Estero**

## Flexible, Incremental Development

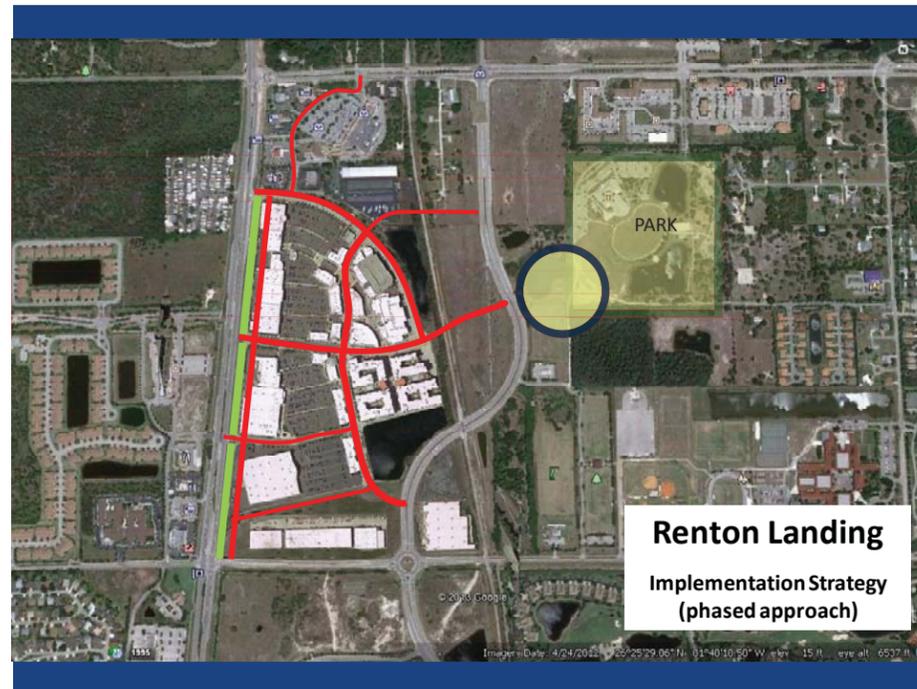
As part of an illustrative case-study exercise, the area identified as a potential Village Center node was used to demonstrate how a compact, walkable, mixed-use, transit supportive neighborhood could be incrementally built out to support a flexible array of residential, commercial and civic uses, that the market can support, in a way that optimizes the value and productivity of the underlying real estate, while providing community wide amenities and benefits, including enhanced access and utilization of an existing regional park, and the potential for a future light-rail station/transit-oriented development (TOD).

Two national examples were used to illustrate how a system of streets and blocks can be adapted to allow for either incremental build out, or incremental intensification, over time, in a rational, flexible way, which continuously builds toward value. The benefits of this approach are significant: It allows a property owner to extract value in increments that the current market can support, without undermining or foreclosing the potential for long-term gain, as the market continues to improve, across the broadest possible spectrum of uses, to maximize market potential and absorption, in a neighborhood format that builds value exponentially, and provides opportunities for returning some of that value in the form of neighborhood parks and amenities, that only serve to reinforce and strengthen the market viability and attraction of the location to future end-users and the community as a whole.



### ANCHORS:

- ✓ Civic Center
- ✓ Transportation Hub
- ✓ Entertainment
- New Main Entrance to Estero Community Park
- Potential Site for Village Hall
- Possible Commuter Rail or Bus Rapid Transit Station
- Performing Arts Theater?



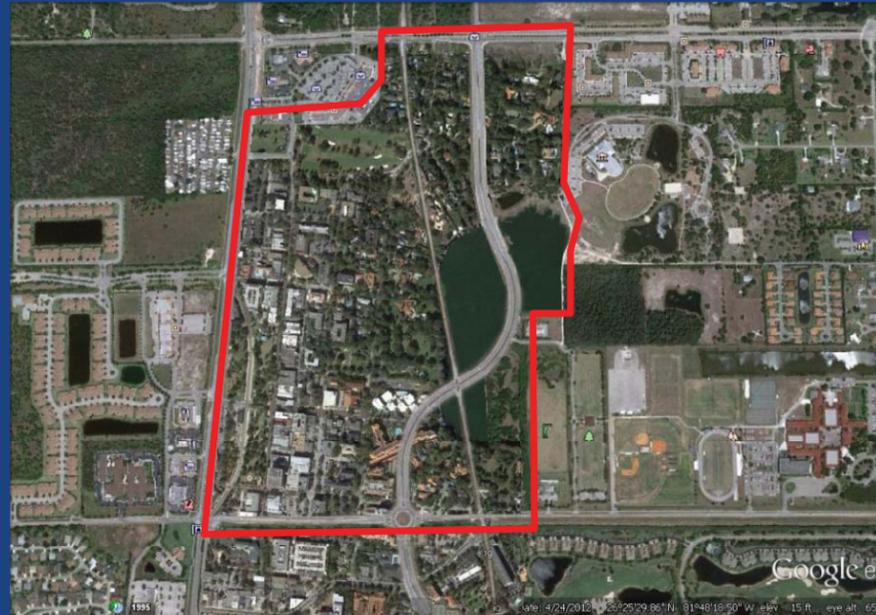
This example, overlaid on the Village Center area for demonstration purposes, shows how a more suburban development pattern, properly planned, can actually “evolve” over time, adding density and diversity by anticipating the location and size of future development sites, based on an implied street and block configuration, designed into the existing surface parking lots. The yellow circle shows a possible future “civic center,” connecting residential and commercial uses to the amenity of a nearby existing regional park.



This diagram shows another approach, building incrementally across the site, block by block, in increasing layers of intensity, as the market responds favorably to the investment represented by each preceding phase, until the entire site realizes its full potential.... An added bonus -- having created a large ridership population within the ½ mile pedestrian shed necessary to support transit, transit becomes a practical and viable economic possibility, as was the case with this example.



**Fifth Avenue South, Naples, FL**



**Park Ave, Winter Park, FL**



**Baldwin Park, Orlando, FL**



**City Place, West Palm Beach, FL**

To illustrate that there are many existing examples of other places in similar markets across Florida which share these attributes the images at left show various new and historic mixed-use neighborhood centers, overlaid to scale, across several of the parcels representing what could be a future Village Center for Estero.

The places selected have been oriented and placed to represent a hypothetical development scenario that best relates to the Village Center node area, and its immediate context, and may have been slightly modified to allow existing site features to remain visible for reference. The comparative sites were also selected because they represent a range of scales and programmatic focus that could be considered feasible for the US 41/Corkscrew location, depending on what the community's preferences were for this area. A brief description of each graphic representation and its implications for this site are as follows:

**Fifth Avenue South, Naples**

This example was chosen for obvious reasons -- it is close to Estero, and probably familiar to many of Estero's citizens. It is also a good example of smaller-scale, mixed-use development in the form of a small town neighborhood representing a classic network of small streets and blocks. Downtown Naples nonetheless supports a wide range of business and retail establishments, as well as fairly diverse array of housing options within walking distance of its primary commercial areas.

**Park Avenue, Winter Park**

Winter Park is similar in scale and character to downtown Naples, but has the additional distinction of a large downtown green, through which daily Amtrak service passes, and a small college. Though located within greater suburban Orlando, -Winter Park retains its small town character of small, walkable streets, local parks, and charming homes. It is also a local destination for unique dining, and small scale shops and independent businesses.

**Baldwin Park, Orlando**

A suburban infill redevelopment of a former Naval Air Station, Baldwin Park has a mixed-use commercial main street serving the residents and workplaces within Baldwin Park, and the surrounding neighborhoods. It has a higher concentration of multifamily and single family attached housing immediately around its commercial district, as well as a large number of neighborhood parks, schools and other amenities.

**City Place, West Palm Beach**

The densest and most urban of the four comparables, City Place is really an extension of West Palm Beach's downtown fabric, and contains, in addition to residential and retail uses, several major civic amenities, including a large performing arts center and nearby civic center. It is also proximate to major employment centers, numerous schools, and a regional rail TOD. Though more intensely developed than anything currently envisioned for Estero's Village Center, it shows the inherent flexibility of the street and block approach to incremental development.

# 4.0 PART FOUR-VILLAGE CENTER ILLUSTRATIVE BUILD-OUT SCENARIO

## VILLAGE CENTER DISTRICT MASTER PLAN

The following six images are intended to document the conceptual basis for a theoretical master plan, produced as an illustrative exercise to demonstrate how the principles described earlier in this report, could be applied to a specific, representative site.

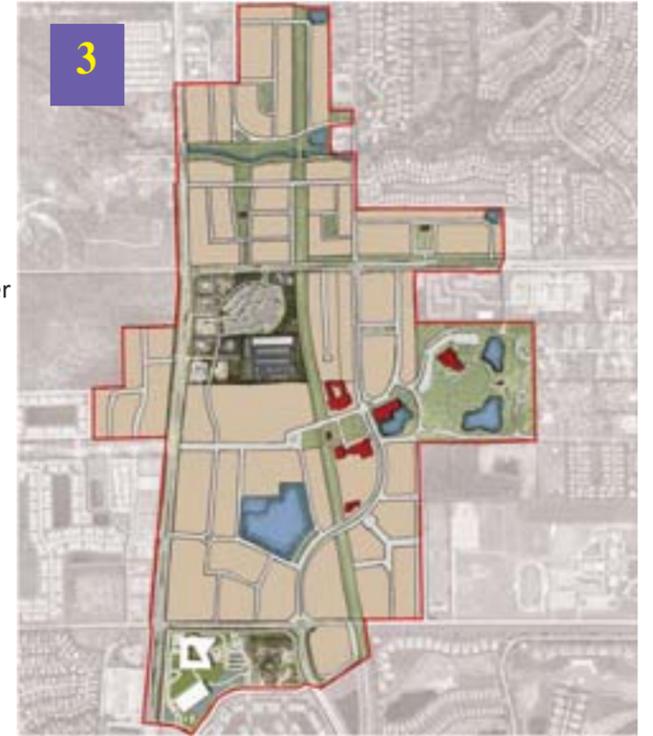
The first image shows the current entitled development schematic, which assumes a half-dozen large development parcels connected by a single internal roadway.



This second image shows how the original schematic plan diagram, with minimal changes, could be used as the basis for a much more flexible development plan, readily able to accommodate a wide-range of uses and building types in a flexible planning format supportive of walkable, mixed-use.

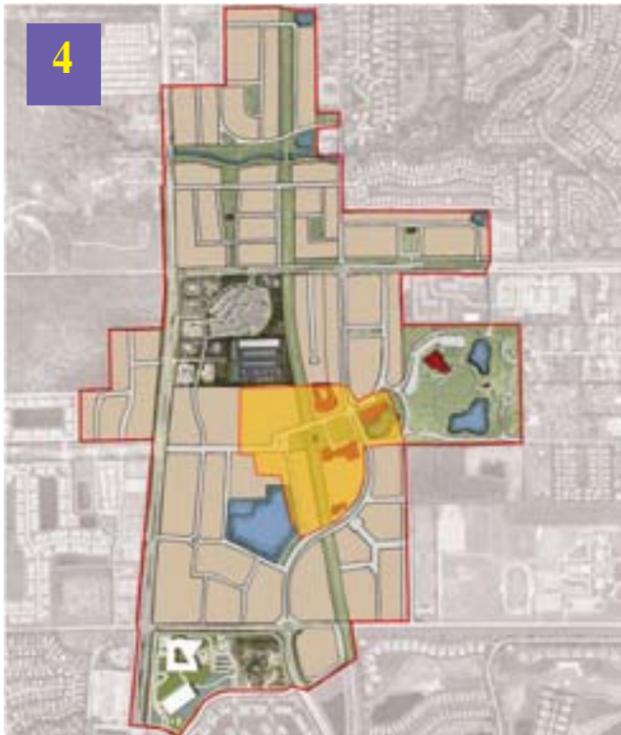


This image shows the overall framework plan for the entire Study Area, illustrating how large development parcels can be broken down into a finer grain network of streets and blocks. This plan also shows the introduction of a potential "civic" center that better leverages the value of the existing park, by connecting it with the North Point site, through the introduction of a new green corridor.



This fourth image introduces the idea of a special "Town Center" sub-area, which could take the form of a more explicitly defined overlay zoning district.

This sub-area would include the aforementioned civic center and green corridor, as well as a mixed-use village center area featuring more local businesses, and smaller scale retailers and local events of the type more typically associated with the idea of a traditional village center.



This image shows a more detailed representation of how the larger block-scale parcels can be efficiently sub-divided into even smaller development parcels, well suited for small-scale investors and development interests, dramatically increasing the market potential for these smaller lots, without compromising the value of the larger vision for the entire Village Center area.



This detailed plan illustrates a potential build-out scenario for the higher-density core of this node, including the proposed civic center.

This drawing shows the possibility of surface parking signature office buildings along US 41, anticipating the potential future intensification, even at this level of build out.





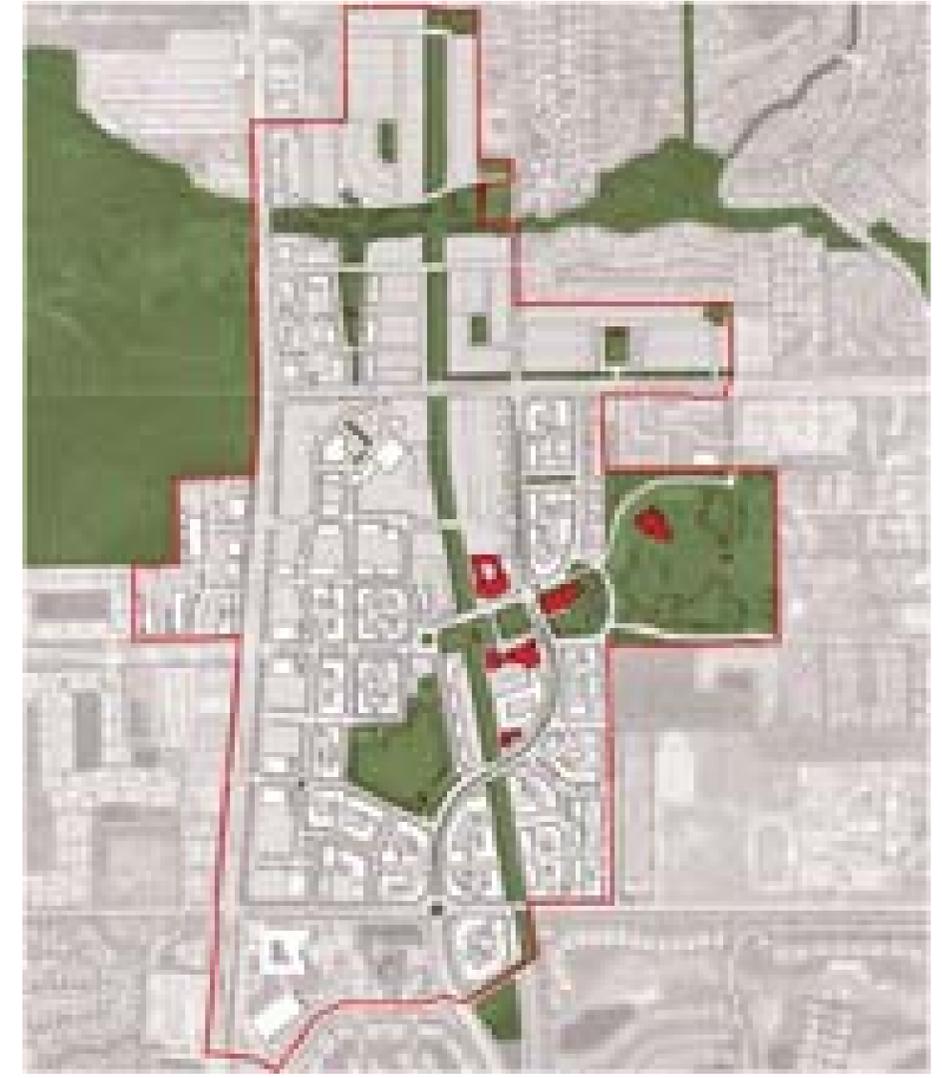
**EXISTING STREET NETWORK**

This diagram shows the existing street network, a disconnected network of isolated local streets juxtaposed against a large-scale network of very big, multilane arterials. This model is usually associated with a high-level of traffic congestion per relative density, particularly during peak periods (rush hour), since most local trips are required to use the same large-scale network more typically reserved for intra-regional trips.



**PROPOSED STREET NETWORK**

The illustrative Village Center street network, on the other hand, disperses traffic through an efficient network of smaller-scaled streets, capturing most local trips within the neighborhood, thus reducing congestion on the primary arterials. Furthermore, this network facilitates the efficient and cost-effective distribution of basic utilities, typically requires no more asphalt than conventional suburban development, while creating significantly higher value through better access and visibility, and most importantly from a value point of view -- significantly more linear feet of property frontage, on attractive, walkable, amenity rich, pedestrian-friendly streetscapes.



**GREEN NETWORK**

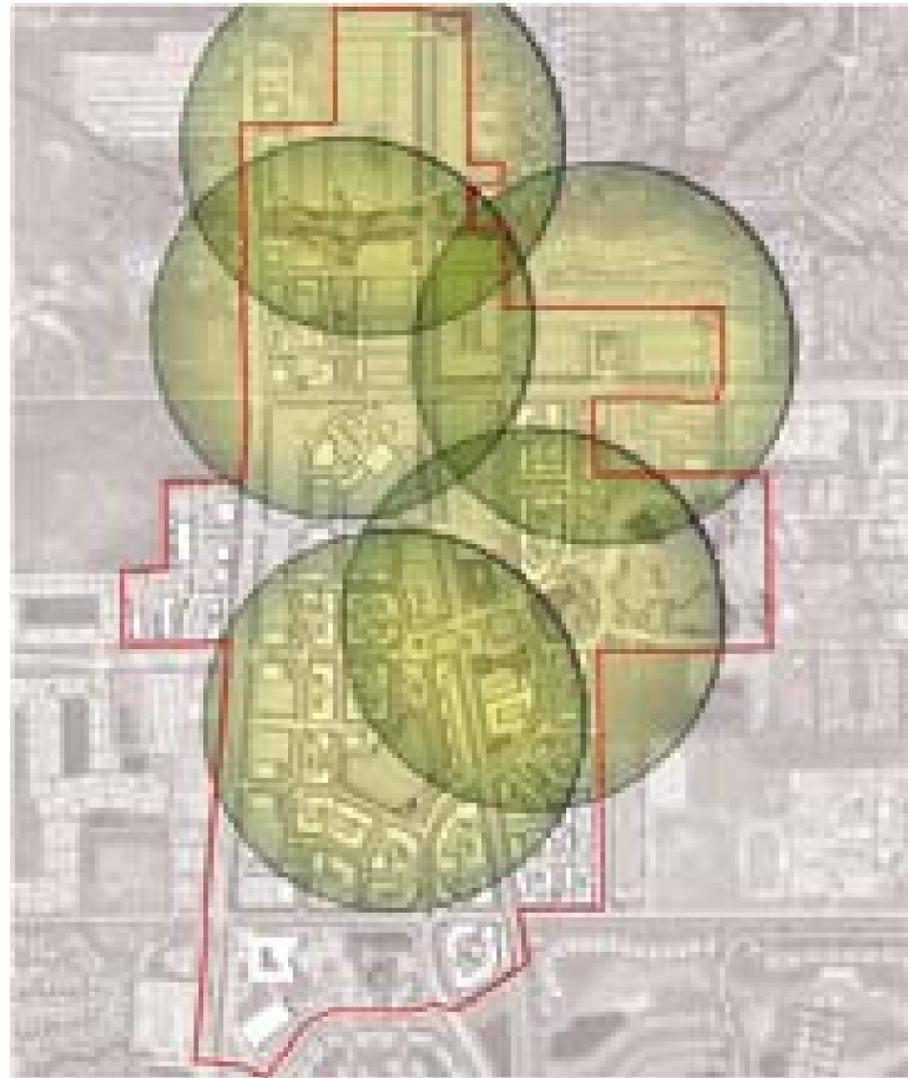
This plan diagram shows the potential of this node to link to meaningful green space through a network of natural, recreational and civic features and amenities including wildlife corridors, pristine natural waterways. Easy pedestrian and bicycle access to this green network from each neighborhood within the Village Center, will provide greater mobility for all ages, and add value to every use within the node, and a future light rail, and regional trail system would connect these amenities directly to the other nodes along the US 41 corridor.



**ZONING**

Though a range of regulatory tools are available to help ensure the efficient and accurate entitlement and implementation of both individual lots and large-scale parcels within the Study Area, this more form-based coding approach can be graphically represented in terms that would be immediately recognizable to anyone comfortable and familiar with a conventional land-use and zoning map.

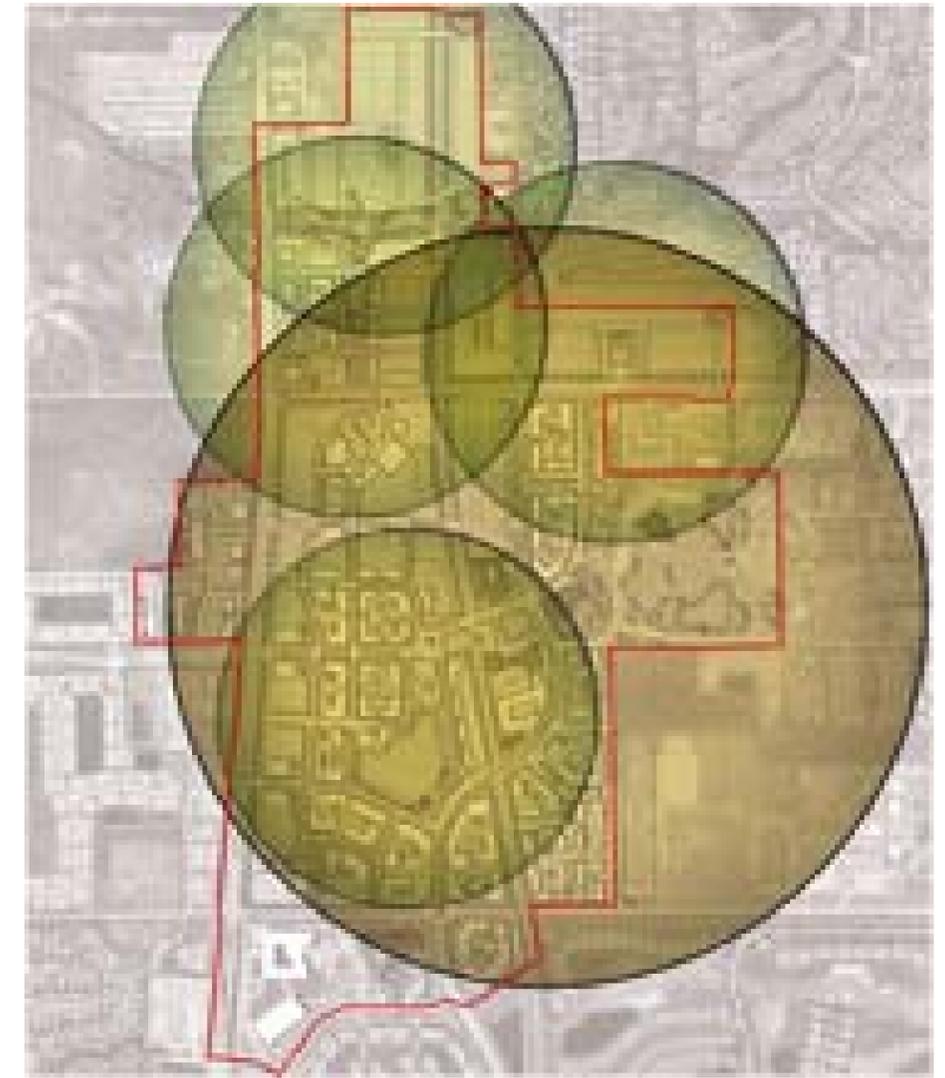
Additional tools could be used to provide even greater clarity and predictability, within a more flexible, integrated approach to zoning approval, resulting in greater market appeal and significantly higher net value than is often achieved through use-based zoning alone.



**PEDESTRIAN SHEDS**

A “pedestrian shed” is defined as the distance an average person can easily walk in 5 minutes, or about a 1/4 mile radius. Most traditional neighborhoods are based on this dimensional standard, a compact size which can easily accommodate a broad range of housing types, while providing easy access to local parks and daily needs.

This diagram shows that the Village Center node can accommodate between four and five “neighborhoods” within the Study Area, each of which can have its own unique character and flavor, which in turn, will help to define the Village Center in relation to Estero’s other core nodes.



**TOD PEDESTRIAN SHEDS**

TOD, or Transit-oriented development Pedestrian sheds, are similar to conventional pedestrian sheds, except that -- because they typically represent a less frequent, more “purpose-driven trip” than the more frequent and casual neighborhood walking trip -- they are assumed to have a larger ped shed. In this case, a 10 minute walking radius, or half-mile would normally encompass four neighborhoods.

The TOD ped shed illustrated is based on the possibility of a future rail stop at the Village/Civic Center, which would include the existing community park, and shows the potential of capturing additional community-scale recreational uses to the south and east of the potential station.



*This model image, left, reflects an earlier conceptual sketch, showing much of the landscaping moving inside the block, while the buildings engage the surrounding community, and provides both convenience and security in an attractive package that reflects the latest market preferences*

*This view of the Village Center sub-area, below, shows the “green” connection with the regional park in the form of a series of public spaces, both green and hardscaped, framed by various proposed civic uses including a new Village Hall, performing arts center, civic center/potential town library and future light rail station. Beyond that, a small-scale commercial area fronts a more urban lake edge, around which special events can be staged (i.e., farmers markets, art shows, wine festivals, etc.) among local boutiques, cafes and restaurants. To the immediate north of this area, a courtyard block, allows local residents to enjoy easy access to all of these amenities, within a short walk of home.*



This scenario-based planning exercise, used a range of comparable projects, based on similar planning principles, to define a set of credible benchmarks against which a proposed design could be reasonably measured in terms of development program, effective yield, and economic performance. This was intended to inform an effective regulatory framework to support the kind of a flexible, incremental approach to long-term development described above.

In summarizing the key points which emerged from this exercise, several warrant specific mention:

- The primary N-S corridor comprising the Estero “core,” covers too large an area to develop generically, either strategically or geographically. However, given the flexible parameters of compact, walkable, transit-supportive, mixed-use, it is possible to programmatically differentiate the three nodes, while maintaining the shared benefits of this approach. Given that, the northernmost node could most readily justify a Village Center designation, by consciously including community-serving civic uses as a significant component in the planning and development of this district, thereby setting the tone for the area.
- Though the Village Center will contain some types of retail uses, this is not intended to be just another large regional retail destination, or to have such a use as its primary focus. The difference here from the other mixed-use centers in the market will be in terms of emphasis – which in this case will be primarily on employment and housing – with the retail component intended to serve mostly locally-generated demand, and/or otherwise uses which support the notion of “village center” as a community gathering place.
- There was a lot of consideration given to the “mix” of uses in the Village Center area. Recognizing that some aspect of “live,



*This character sketch, produced shortly after the second-day pinup session, captures the essence of “Village Center,” A proposed village hall, foreground, flanks a new performing arts center, while across the town green, there is lakeside housing and a mixed-use commercial center.*

work, play...” should, and likely will, be common throughout the Estero core, the additional emphasis here will be on “civic,” which shall remain the defining feature of this area from the community’s point of view, regardless of other uses. Having said that, with a total land area of 500+ acres to work with (over 350 developable), there is nothing to say that it couldn’t, or shouldn’t, also contain a major employment district, and/or variety of housing and live/work combinations, and still meet that definition.

- This approach is about expanding choice, in a format that can more readily accommodate a recovering market, without diluting the value of the Estero “brand.” Individual parcels can be tailored for specific uses, including a combination of niche products that have greater collective appeal in the overall marketplace, while still reflecting a singular narrative vision. Properly planned and executed, this approach can add value both cumulatively and exponentially, building momentum as it goes, while still leaving ample opportunity for additional value

## 5.0 PART FIVE - SUMMARY

capture throughout the build out process.

- With the support of a robust regulating plan, an individual property owner could make smaller parcels available to the market right away, reserving the bulk of the property to sell later, as the market continues to recover, in the context of the larger vision. This approach maximizes the rate of return by managing debt service in the near term, without compromising the potential for long-term gains.
- In master planning each individual node, significant value can be gained by building on, and leveraging existing assets to maximize the value of the investment. This includes incorporating the existing regional park – currently an isolated and underutilized amenity -- into the civic area, and linking it to a larger green network, which anticipates the potential of a future transit station. By incorporating these disparate elements into a single, cohesive vision, the impact of each individual piece added to the mix is greatly enhanced (the whole outpaces the sum of the parts).

Along the same lines, the value of marginal features, such as the existing lake on the North Point site, can be increased by harnessing it to serve multiple uses and interests. To illustrate the point, it was suggested that a lake that size could have both an urban edge for outdoor cafes, etc., including a waterfront plaza for events such as farmer's markets, art shows, wine festivals, etc., in addition to the more typical naturalistic treatments.

- Issues of density and security can be addressed through the use of building types and residential products specifically designed to work within this kind of flexible, modular system. These, in turn, can be marketed on the basis of life-style preference – balancing price, size and convenience, with similar quality, leaving the existing inventory of large-lot homes an attractive and viable alternative for the segment of the market which prefers a gated golf-course community lifestyle option.
- Examples shown of these types of products included multifamily courtyard buildings, which can provide a high level of privacy and security, in a premium courtyard garden environment, a few short steps from a mixed-use village center, at densities ranging from 8 to over 40 units per acre, depending on style and price point. For other building types and uses, options include smaller boutique hotels and inns, instead of more generic suburban hotel formats, and/or smaller, multi-tenanted office buildings with ground floor retail, in lieu of, or in addition to, more conventional suburban-style single-tenant, signature office buildings.

### Important steps to move Estero forward:

- Land-use changes to allow better growth
- A vital and growing local economy
- More housing & transportation choices
- Accessible & comprehensive health care
- A real “Village Center” for Estero

*Left, Estero needs to adopt a regulatory approach which will align land-uses to current market realities; diversify the economy, by pursuing jobs that will attract and retain skilled, younger workers; provide more housing and transportation choices which reflect changing demographic preferences; and provide adequate healthcare for its growing senior population, in the form of compact walkable communities; and create a “real” center for Estero, that everyone can identify with.*

### Conclusion and Next Steps

This document outlines a broad agenda intended to sustain Estero's enviable quality of life and market competitiveness far into the future. In order for this goal to be fully realized, a clear and robust regulatory framework needs to be established which will ensure that whatever future the citizens of Estero chooses for itself, that vision will be fully supported, through a flexible, principle-based model that reflects the increasing market preferences for compact, walkable, transit-ready mixed-use development.

Therefore, it is recommended that the following steps be taken following Estero's incorporation:

1. Build on the recent amendments to the Estero Community Plan by making these additional comprehensive plan amendments by late Spring 2015:
  - a) Adopt a new overlay map that identifies the areas where new mixed-use planning standards would apply (and potentially a larger area where they might be optional). This map would include the village center (east of US 41 between the Estero River and Williams Road) and the healthcare village (surrounding the intersection of US 41 and Coconut Road).
  - b) Adopt policies that describe generally how these new standards will be applied. Higher densities would be allowed in traditional mixed-use patterns (city blocks and a network of walkable streets). Conceptual regulating plans would be adopted into the land development code to provide more predictability to developers. The new review process would consider these mixed-use areas as future interconnected neighborhoods instead of isolated development projects.

2. The Village Council should simultaneously commission the preparation of regulating plans and supporting standards such as block sizes, street connectivity, and building types that could be used in the new mixed-use code. The regulating plans would be created with input from affected landowners and the public.
3. Within one year, the Village Council should adopt detailed comprehensive plan amendments that implement these concepts. At that time, the Village Council should also adopt a set of coordinated code amendments. New density allowances for the mixed-use areas would be tied to a streamlined review process, which would be based on Lee County's compact communities code:
  - a) An initial framework would be adopted by the Village that shows city blocks, interconnected local streets, and transect zones. Amendments to the adopted framework could be proposed by master developers using the LDC amendment process.
  - b) A secondary framework would be approved for blocks or groups of blocks, specifying building types and ranges of uses. This secondary framework would be proposed by individual developers through the development order process (just prior to subdividing lots).
4. The Village Council should create a village design office to coordinate and administer the new mixed-use processes and provide design review services to the Village Council and its advisory boards.

## ESTERO COMMUNITY PLAN

Revised as of 8/20/2014

To establish a community that embraces its historic heritage and protects the environment, while carefully planning for future development resulting from a desirable high quality of life, expanding economic opportunities, and proximity to Florida Gulf Coast University and the Southwest Florida International Airport. Estero's growth will be planned with strong neighborhoods, diverse economic generators, interconnected mixed-use centers, varied parks, public spaces, recreational facilities, and unique natural environments that fosters a sense of belonging and creates a sense of place. Estero will be a highly valued place to live, work, and visit because of development standards and design guidelines that promote: 1) desirable neighborhoods and public amenities; 2) vibrant economic centers; 3) attractive landscaping, streetscaping, lighting, signage, and architectural features; and 4) an interconnected transportation network. The implementation of this vision will successfully link residential and commercial areas and uphold Estero as a vibrant Lee County community.

**GOAL 19: ESTERO VISION.** Promote the development of Estero as a community with a unique quality of life, distinct character, and diverse housing, economic, recreational, and social opportunities by:

- a. Protecting the natural resources, environment, and lifestyle;
- b. Establishing minimum aesthetic and design requirements;
- c. Managing the type, location, quality, design and intensity of future land uses;
- d. Providing greater opportunities for public participation in the land development approval process; and
- e. Promoting a true sense of place in Estero.

**OBJECTIVE 19.1: COMMUNITY CHARACTER AND LAND USE.** Promote community character through the implementation of planning and development practices that create a visually attractive community, an enhanced quality of life, and foster a unique sense of place.

**POLICY 19.1.1:** Support the unique character and quality of life within the Estero community by managing growth and development and by maintaining and executing Lee Plan policies, Land Development Code (LDC) regulations, and other planning tools that:

- a. Implement and maintain commercial development standards for architecture, landscaping, buffering, signage, lighting designs and visual appearance of developments, transportation facilities, and other community amenities;
- b. Promote the use of low impact design, sustainable energy, water, and other environmental features;
- c. Establish higher density, mixed-use development within areas targeted on the Mixed-Use Overlay;
- d. Encourage the redevelopment and infill of underutilized commercial and residential lands; and
- e. Increase public participation in the land development approval process to ensure future development efforts support the Estero community plan and adopted Lee Plan policies and LDC standards.

**POLICY 19.1.2:** Lee County may not approve any proposed project that is inconsistent with the Lee Plan including this Goal 19 and its objectives and policies. Projects will be reviewed through a public process that includes the Estero community, property owners, and Lee County staff to ensure that the development is consistent with Estero's plan and vision.

**POLICY 19.1.3:** Encourage new developments that achieve the Estero community's vision and planning goal and policies and are consistent with mixed-use design, architectural, location, connectivity and public access standards by establishing and implementing development incentives within the Lee Plan and Land Development Code that:

- a. Promote urban integrated forms of development in targeted areas identified on the Mixed-Use Overlay;
- b. Promote targeted industries in appropriate areas of Estero—e.g.: healthcare, arts and culture, technology, and research and development facilities;
- c. Promote the use of green design, sustainable energy, water, and other environmental features;
- d. Expedite development projects particularly in targeted incentive zones where the community has adopted mixed-use plans and LDC standards;
- e. Enable infill of underutilized commercial and residential lands; and
- f. Encourage residential developments to use the bonus density established through the Lee Plan Urban land use categories.

**POLICY 19.1.4:** Facilitate the redevelopment of properties constructed prior to the adoption of Estero Lee Plan policies and LDC regulations by establishing incentives (including, but not limited to, utilization of Bonus Densities established through the Lee Plan Urban land use categories) and streamlined development processes that enable older properties to come into compliance with adopted Lee Plan policies and LDC standards.

**POLICY 19.1.5:** Recognize the unique historical and cultural values of the Estero Community by establishing and implementing development incentives and regulations within the Lee Plan and Land Development Code that:

- a. Encourage the development of the Old Estero area into a mixed-use center;
- b. Incorporate design features of Estero's historic structures into future architectural design, streetscape, and community-wide LDC standards; and
- c. Identify, protect, and promote historic resources and facilities such as those related to Koreshan Park, Old Estero area, and the Estero Community Park.

**POLICY 19.1.6:** Establish and promote Estero's unique character and identity by enhancing the community's boundaries through the use of gateway entry features such as ornamental landscape features, hardscape elements and Estero identification signs. Encourage, where feasible, that gateways are constructed by working with the Florida Department of Transportation and private property owners to build the gateways at appropriate locations.

**POLICY 19.1.7:** Explore opportunities to identify, prioritize, and fund local capital improvement projects (particularly projects that enhance transportation and infrastructure systems) within the Estero community. Evaluate the feasibility of local, dedicated funding options—e.g.: MSBU, Tax Increment Finance District, or other similar mechanism. Capital projects that could be targeted for such funding include:

- a. Streetscape improvements such as roadway pavers, street furniture, street signs and lighting, trash receptacles, and other hardscape features—particularly in Old Estero and

- within new mixed-use centers;
- b. Pedestrian scale lighting;
- c. Landscaping and hardscape features—particularly along US 41;
- d. Public trails and greenways facilities;
- e. Blue way facilities that provide public access to Estero River;
- f. Multi-modal transportation facilities that expand or establish pedestrian, bike, transit, and rail services;
- g. Public space, park, and recreational facilities;
- h. Urban level infrastructure services and systems within mixed-use center areas; and
- i. Historic resources and facilities such as those associated with the Koreshan Park and Estero Community Park.

**OBJECTIVE 19.2: MIXED-USE CENTERS AND ECONOMIC AREAS.** Promote Estero’s quality of life and diverse local economy by fostering the development of mixed-use centers and targeted economic areas, as a preference over the development of strip commercial centers. The aim of the mixed-use centers is to provide Estero with central gathering places for Estero’s residents, business people, and visitors. The aim of the economic areas is to provide the community a diverse employment and economic base while meeting the commercial, professional, and service needs of the people who live, work, and play within the community.

**POLICY 19.2.1:** Where feasible, provide for the development of walkable mixed-use town centers and economic areas featuring diverse housing options; government offices and public facilities; medical facilities; employment centers; public gathering places, parks, outdoor plazas, and other public spaces; greenway trails and pathways; and public access to the community’s natural resources through Lee Plan policies and LDC regulations that support Estero’s distinct community character and the following community priorities:

- a. Support the development of a central town center to unify the community;
- b. Improve the connectivity between Estero’s residential neighborhoods, economic areas, civic uses, and park and recreational facilities;
- c. Diversify the community’s economic base and employment opportunities;
- d. Encourage the development of targeted industry clusters—particularly health industries, professional services and businesses, and technology, research, and development;
- e. Expand multi-modal transportation options through improved pedestrian access, bikeways, transit service, and rail opportunities;
- f. Improve access to the community’s blueways—particularly the Estero river—, greenway trails, other open spaces;
- g. Promote the community’s cultural and historic resources; public spaces, parks, and recreational facilities; and other community amenities;
- h. Commercial and mixed-use developments will maintain a unified and consistent aesthetic/visual quality in landscaping, architecture, lighting, and signage; and
- i. Promote and incentivize private investment within mixed-use centers and economic areas.

**POLICY 19.2.2:** Facilitate the development of a town center for the Estero community through the development of LDC standards, plans, and incentives that address the community’s need for a central civic and economic core that is connected to surrounding residential neighborhoods, commercial areas, and community park and recreational facilities.

**POLICY 19.2.3:** Establish a safe and desirable urban environment within the Estero community by adopting LDC standards that guide development in the community’s major economic areas

- near FGCU, along the U.S. 41 corridor, along Corkscrew Road, and in the Old Estero area that:
- a. Address streetscaping design and amenities, residential buffering standards, commercial center developments, signage, transportation facility needs, and other community concerns;
  - b. Provide for the economic and employment needs of the Estero community by utilizing the Mixed-Use Overlay to facilitate the development of mixed-use centers along the US 41, Corkscrew Road, Three Oaks Parkway, Ben Hill Griffin Parkway, Via Coconut/Sandy Lane, and in the Old Estero area; and
  - c. Encourage mixed-use centers at these locations.

**POLICY 19.2.4:** Ensure that future commercial and mixed-use developments meet the community's planning priorities by requiring that all new commercial development which requires rezoning within Estero must be rezoned to a Commercial (CPD), Mixed Use (MPD), or Compact Communities Planned Development (CCPD).

**POLICY 19.2.5:** Except as set forth in Policy 19.2.6, the following uses are prohibited within Estero: "detrimental uses" (as defined in the Land Development Code, as amended); nightclubs or bar and cocktail lounges unless within a Group III Restaurant; tattoo parlors; and retail uses that require outdoor display in excess of one acre. Outdoor display in excess of one acre is permitted within the property located in the General Interchange Future Land Use Category west of I-75, south of Corkscrew Road, and east of Corkscrew Woodlands Boulevard.

**POLICY 19.2.6:** Nightclubs, bars, and cocktail lounges, which are not within a Group III Restaurant, may be permitted within a mixed use center approved as a CCPD or MPD through the public hearing process. The CCPD or MPD Project must include, at a minimum, a residential development of 1000 or more dwelling units and commercial development or activity which includes 1,000,000 square feet or more of floor area. These uses must be designed as part of an overall development project and placed within the project so that it is 1) located adjacent to entertainment and restaurant establishments and 2) located in the approximate center of the mixed-use development project.

**POLICY 19.2.7:** Encourage commercial developments within the Estero Planning Community to provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including, but not limited to, bike paths and pedestrian accessways.

**POLICY 19.2.8:** Encourage the development of medical related uses within Estero by working with Economic Development Staff and private property owners to adopt appropriate land use policies, land development standards, identify appropriate sites and locations, and establish incentives for the development of health related facilities. Particular emphasis will focus on establishing a medical economic center in the southern section of Estero along U.S. 41.

**POLICY 19.2.9:** Facilitate the development of professional, and research and development economic areas by working with Economic Development Staff and private property owners to adopt land development standards, identify appropriate sites and locations, and establish incentives for the development of professional and research and development facilities. Particular emphasis shall be on locating such facilities in areas that are in the proximity of FGCU educational resources and high technology facilities.

**OBJECTIVE 19.3: RESIDENTIAL NEIGHBORHOODS.** Support Estero’s quality of life, promote the community’s unique character through the development of diverse, well-designed, and well-connected residential neighborhoods, and provide for the needs of multigenerational community by supporting a variety of housing types and neighborhood development forms.

**POLICY 19.3.1:** Support and enhance Estero’s residential character by establishing land development regulations that specifically address how the proposed residential neighborhoods:

- a. Are compatible with adjacent uses, public facilities, and infrastructure systems;
- b. Impact surrounding environmental and natural resources;
- c. Access, where applicable, nearby parks, public spaces, recreational facilities, and 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.

**POLICY 19.3.2:** Meet the future residential and commercial needs of Florida Gulf Coast University by encouraging higher density residential developments, with a mix of unit types and design forms, including affordable housing and mixed-use centers, in close proximity to Florida Gulf Coast University. The development of such housing and mixed-use centers will consider the transitions between the adjacent residential neighborhoods, commercial centers, and park and recreational facilities.

**POLICY 19.3.3:** Establish LDC landscape requirements for the maintenance and development of a well-designed and landscaped community while providing appropriate transitions between residential uses and surrounding areas. Such landscaping requirements may be greater between residential and commercial uses, while less stringent within differing uses within a mixed-use center.

**OBJECTIVE 19.4: TRANSPORTATION CONNECTIVITY AND MOBILITY.** Facilitate the development of an interconnected community that enables people to easily access Estero’s neighborhoods, commercial and mixed-use centers as well as other areas within the county and region through an integrated transportation and mobility system.

**POLICY 19.4.1:** Establish land development code standards that ensure the development of a well connected transportation system that includes pedestrian pathways, bikeways, transit, and roadways. These standards should:

- a. Require, where feasible, interconnects with adjacent uses;
- b. To the extent feasible, minimize access points onto primary road corridors by providing multiple access to adjacent properties;
- c. Link neighborhoods, commercial and mixed-use centers, public facilities, and parks; and
- d. Enable multi-modal transportation access (pedestrian, bike, vehicular, and transit) within and between the different neighborhoods, economic and employment centers, civic uses, and public space, park, and recreational facilities within the Estero Community.

**POLICY 19.4.2:** Expand opportunities for Estero’s transportation network of pedestrian and bicycle pathways, sidewalks, trails, and other facilities by working with the State of Florida and other local, state, and regional entities to:

- a. Construct multi-use pathways that feature shade trees, benches, bike racks, and other

- design elements to attract usage;
- b. Identify targeted funding sources including development contributions, private donations, public funding sources (e.g.: MSBU), or other mechanisms;
  - c. Implement the greenways master plan within the Estero community by working with Lee County Parks Department;
  - d. Utilize the FP&L right of way within Estero State Buffer Preserve by working with FP&L and Lee County;
  - e. Establish a pedestrian–bike trail within or along the rail right of way for public recreation by working with the existing rail corridor and private developers; and
  - f. Encourage the development of an effective rail system by working with the existing rail corridor to improve and expand use of existing rail facilities.

**POLICY 19.4.3:** All public and private rights-of-way within future mixed-use centers and the Old Estero area, as defined in the Land Development Code, are encouraged to be designed to include pedestrian ways, cross walks and traffic calming measures including, where appropriate, on-street parking, raised crosswalks, narrow lane widths or other similar mechanisms.

**POLICY 19.4.4:** Provide for well designed, safe, and multi-use transportation corridors by establishing, maintaining, and implementing complete street design guidelines for the major roadways within Estero including the US 41, Corkscrew Road, Via Coconut/Sandy Lane, and Three Oaks Parkway. In design, provide roadway and median landscape standards, access management guidelines, signage, street lighting, and sidewalks to ensure safe and effective pedestrian crossings within the context of a comprehensive pedestrian and bikeway system.

**POLICY 19.4.5:** Address regional transportation demands and considerations by proactively working with private developers, and the applicable advisory boards and other local, regional, and state agencies to improve transportation connectivity and mobility throughout Estero and to other communities.

**OBJECTIVE 19.5: NATURAL RESOURCES AND ENVIRONMENT.** Ensure that Estero's natural environment enhances the character and quality of life of the community by protecting the natural resources of Estero, promoting the area's natural environment to visitors and residents, and supporting public access to greenway and waterfront areas.

**POLICY 19.5.1:** Protect the natural environment and resources of Estero by maintaining, amending, and implementing Lee Plan or LDC regulations that:

- a. Promote the quality of Estero's natural environment, native species and habitats, and ecological resources; and;
- b. Facilitate where feasible, new development to provide public access to Estero waterways and greenways, as appropriate. Particular emphasis shall be given to properties along Estero River, its tributaries, and any Estero open spaces;
- c. Incentivize the protection of Estero's natural resources—e.g.: wetlands, uplands, historic flow ways, native habitat, or other ecological resources; and
- d. Require all new developments adjacent to Estero River or its tributaries to incorporate design techniques that protect the river's water quality through improved runoff or stormwater discharge practices. These techniques may include: the preservation of wetland areas, the incorporation of Low Impact Development techniques, or other surface water quality enhancement technologies.

**POLICY 19.5.2:** Improve public access, use, and enjoyment of Estero's waterfront and water-based resources by supporting the creation of community water-based amenities such as Estero Bay water taxi, marina facilities, or other water-dependent facilities.

**POLICY 19.5.3:** Support the long term protection of Estero's environment and natural resources by working with local, regional, state, and national agencies and organizations to identify and preserve natural resources and the environment.

**POLICY 19.5.4:** The Estero Community attaches great importance to the integrity of provisions in the Lee Plan and the Land Development Code with respect to the Density Reduction/Groundwater Resource Area (DR/GR) in so far as actions with respect to the DR/GR have an impact on the environment, natural resources, mobility, sense of place, and character of Estero.

**OBJECTIVE 19.6: PUBLIC SPACES, PARKS, AND RECREATIONAL FACILITIES.** Support Estero's quality of life through the development of a broad array of community parks, public spaces, and recreational facilities.

**POLICY 19.6.1:** Promote the development of a variety of public spaces, park, and recreational facilities within Estero by collaborating with the State of Florida, private developers and other local, state, and national organizations on the development of active and passive public resources and facilities.

**POLICY 19.6.2:** Expand the use, variety, and type of public spaces, parks, and recreational facilities within Estero by working with private developments to provide linkages, access, public parks, public space, and recreational amenities through the use of incentives, LDC requirements, and other development tools.

**POLICY 19.6.3:** Promote Estero Community Park as a hub for the entire community.

**POLICY 19.6.4:** Encourage the use of park areas to link neighborhoods, commercial and mixed-use centers, and other open space and recreational facilities through an integrated system of bike, pedestrian, and roadways connections.

**POLICY 19.6.5:** Consistent with the Lee Plan Parks, Recreation, and Open Space Element, integrate the Koreshan State Historic Site into the fabric of the community by collaborating with the appropriate agencies such as the State of Florida to improve the area's landscaping, enhance pedestrian and bicycle access, historic resources and structures, and community park program and activities.

**POLICY 19.6.6:** Consistent with the Lee Plan Parks, Recreation, and Open Space Element, provide passive recreational opportunities within Estero State Buffer Preserve, Estero River, and Estero Bay by collaborating with the appropriate local, regional, and state agencies and private property owners to ensure the community's parks, natural amenities, and open spaces have easy access, parking, trails, and other community amenities.

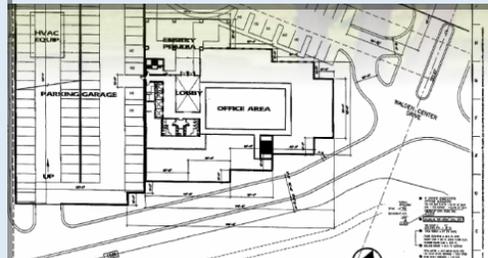
**OBJECTIVE 19.7: PUBLIC PARTICIPATION.** Ensure the public has meaningful and appropriate opportunities to participate in and comment upon development in and around the

Estero community.

**POLICY 19.7.1:** As a courtesy, Lee County will register citizen groups and civic organizations within the Estero community planning area that desire notification of pending review of Land Development Code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

**POLICY 19.7.2:** The Estero Community will establish an online document clearing house for their community, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations, and resolutions will be provided for public inspection. The county's failure to provide or to timely provide documents to the online document clearing house, or failure of the online document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

**POLICY 19.7.3:** The owner or agent applying for Planned Developments, Rezoning, Variances, Special Exceptions, Plan Amendments, Administrative Amendments, and Development Orders for county approval within the Estero Community must conduct one public informational session within the community in a publicly owned or leased facility where the agent will provide a general overview of the project for any interested citizens. Lee County encourages planning, zoning, and/or development services staff to participate at such public meetings. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing advance notice of the meeting place, time and date and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. If the applicant chooses to hold the public meeting before any established community groups, then the minutes of that meeting as may be applicable must be provided prior to a finding of sufficiency.



# Estero Market Overview

## Part 1 | Area Intro

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Disclaimer: This information is gathered from sources believed to be reliable; however we cannot guarantee its accuracy. This is not an appraisal and should not be used as the sole basis for valuing real estate.

# The story of Estero is best told by answering the questions: Why Florida? Why Lee County? Why Estero?

## Florida

Florida is a business-friendly environment and stands to benefit from one of the biggest demographic trends; namely the retirement and migration of baby boomers. You can have peace-of-mind when you locate your business in Florida. The state's favorable business tax structure, government policies and competitive costs make planning for future growth easy. Florida consistently ranks among the best states for business, thanks to its pro-business state tax policies, competitive cost of doing business and streamlined regulatory environment.

### Tax Benefits

Business dollars go a lot farther in Florida given the state's tax advantages, tax exemptions and no state personal income tax. Businesses thrive in this low-tax environment, and employees enjoy the benefit of no personal income tax.

### Infrastructure

Florida's multi-modal infrastructure supports more than 19.5 million residents and nearly 95 million tourists each year. From road to rail, to airports, seaports and spaceports, Florida will get your people, products and ideas to the world - fast.

### Work Force

As one of the largest states in the nation, Florida offers a large and talented pool of workers to employers. Florida's labor force is also more affordable than other leading high-tech states, thanks to a favorable tax structure and lower business costs. In addition, Florida's professionals are more culturally and linguistically diverse, providing additional competitive advantages to employers in the global marketplace.

Ranked 5th in the nation for high-tech employment by TechAmerica's Cyberstates report, Florida boasts nearly 267,500 high-tech workers. The talent pool is also rich in workers with advanced degrees and those specializing in healthcare. Florida is home to the nation's 4th largest workforce, totaling more than 9.4 million workers in 2013. For a detailed look at Florida's talent base by industry, make sure to visit TechAmerica's Research and Data Center.

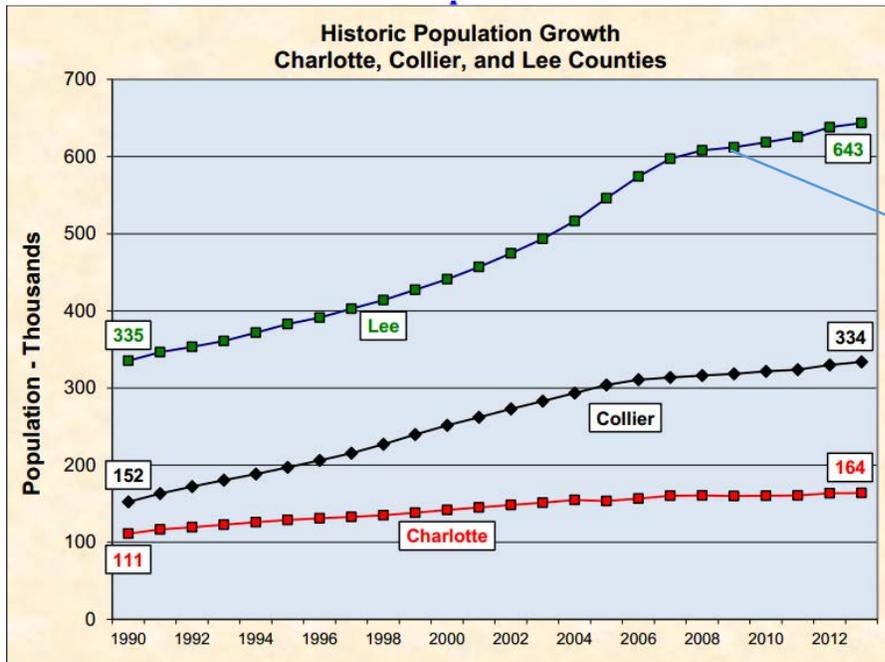
### Education

The state's 12 public universities, 6 major medical schools, and numerous private colleges and universities work closely with the business community to build programs that reflect the needs of Florida's industries.

Florida's colleges and universities are among the nation's top performers of research & development (R&D) and commercialization of technologies. In 2012, Florida universities performed more than \$1.98 billion in sponsored research, working closely with industries to create cutting-edge technologies. (Ref. Enterprise Florida; [www.enterpriseflorida.com](http://www.enterpriseflorida.com))

# Lee County

Lee County has experienced tremendous population growth. Even during periods of economic decline, the growth continues. Even as we wait for the vast majority of baby boomers to begin a great migration to Florida, we are already beginning to see the growth rate begin to accelerate once again.



Based on results from Florida Demographic Estimating Conference, February 2014 and UF BEBR Florida Population Studies, April 2014.

Consistently ranked one of the nation’s job growth leaders, Lee County is graced by 50 miles of white-sand beach, mild weather, palm-lined boulevards, and an amazing choice of shopping, dining and recreational options.

Simply put, Lee County is a very attractive location for the new creative class – more specifically, the active, highly skilled, well-educated employees that your business needs. Whether it's Bonita Springs, Cape Coral, Estero, Fort Myers, Fort Myers Beach, or Sanibel, Lee County is where business is moving.

From Thomas Edison and Henry Ford to Chico’s and Gartner Industries, entrepreneurs and businesses who could have chosen anywhere in the world chose Lee County. Why? We’re an attractive location for the new creative class – those active, highly skilled, well-educated employees today’s businesses need. And, with a pro-business attitude, growing workforce, and no corporate income tax, it’s easy to see why more companies have relocated or expanded into Lee County. (Ref. Lee County Economic Development Office, [www.leecountybusiness.com](http://www.leecountybusiness.com))

## Southwest Florida International Airport



Southwest Florida International Airport (RSW), operated by the Lee County Port Authority (LCPA), was certified for operation in May 1983. In response to more than two decades of record-breaking growth, a bright, modern, state-of-the-art terminal opened in 2005.

This award-winning facility was designed with today's traveler in mind and tomorrow's opportunities in view. Nonstop service is offered throughout the U.S., as well as international service to Canada and Germany. With flights to major gateways like Atlanta, Chicago, New York and more, travelers have access to convenient connections worldwide.

Located just 5 miles to the north of Estero, the airport is perfectly positioned to serve the greater Southwest Florida area as well as other points along Florida's Gulf Coast. Visitors can go from bag claim to beach in under 30 minutes. With quick access to Interstate 75 and U.S. 41, travelers will find that the airport's location puts all the attractions of the region within easy driving distance.

### Fast Facts about Southwest Florida International Airport

- Ranks among the top 50 airports for passenger traffic in the United States
- Class A Port of Entry with customs services on site
- Entire airport is a designated Foreign Trade Zone, which provides special customs procedures advantageous to U.S. companies engaged in international trade-related activities
- 7.9 million annual passengers (2014) w/ approximately 22,000 daily passengers
- Average of 211 daily flights
- The terminal at Southwest Florida International Airport is expandable to 65 gates with the ability to serve more than 16 million passengers annually.

### Facilities

- Three passenger concourses with 28 gates
- International arrivals facility with two gates and customs/immigration services
- International transit lounge
- Skyplex, a site located north of the runway, offers more than 1,100 acres for commercial development, including 75 acres of prime ramp access.

### Amenities

- More than 30 food, beverage and retail establishments, Free Wi-Fi
- Convenient cell phone lot with on-airport gas station and convenience store
- On-site rental car service center, just steps away from baggage claim
- Business center/currency exchange

# Florida Gulf Coast University

Located immediately to the north of Estero, FGCU is a relatively new university – established in 1997. In that time, the university has experienced rapid growth and has successfully attracted students from out of the area. There is a net inflow of graduates that stay in Southwest Florida after relocating to attend FGCU. Currently FGCU's Innovation Hub is under construction a few miles north of the University.

## Degree Programs

- 51 undergraduate degree programs
- 28 graduate degree programs
- 1 specialist program
- 2 doctoral degree programs

## Colleges

- Lutgert College of Business
- The UA Whitaker College of Engineering
- College of Education
- College of Health Professions and Social Work
- College of Arts and Sciences

## Students

- Total number of students enrolled: 14,673 — 13,429 undergraduate, 1018 graduate, 226 non-degree
- 47% are from Southwest Florida (Charlotte, Collier, Glades, Hendry and Lee counties), and 92% are from Florida
- 7% are from other states, 1.5% international
- Average SAT score for new students is 1569
- Average grade point average (GPA) for all current FGCU students is 3.04
- 4,748 students reside in on-campus housing (including West Lake Village)

## Alumni

- 19,620 alumni receiving one or more FGCU degrees as of spring 2014
- Percentage of all alumni live in:
  - 35% Lee County
  - 14% Collier County
  - 4% Charlotte County
  - 3.4% Sarasota County
  - 2.5% Broward County

As you can see, more than 55% of FGCU Alumni stay in Southwest Florida. As the growth rate of FGCU continues, the pool of skilled and highly educated employees will continue to grow.



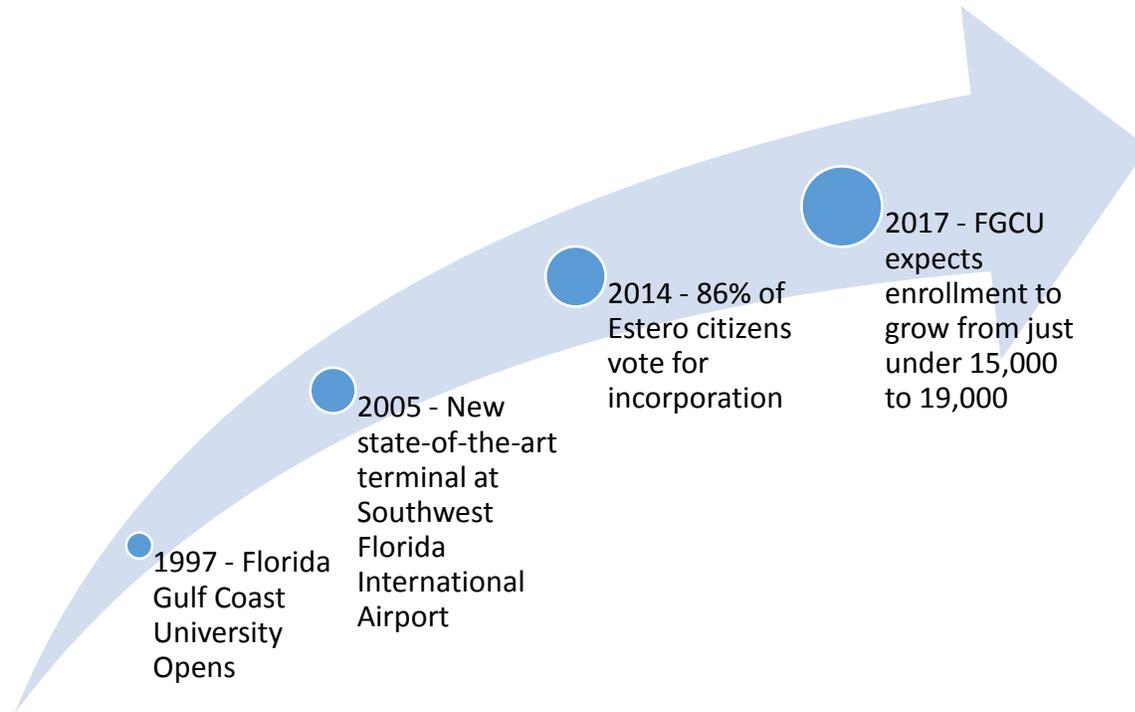
## WE HAVE PROVEN REGIONAL IMPACT

FGCU was the driving force behind 3,723 jobs and a \$422 million infusion of wages & other spending in the 5-county economy in 2013.



# Estero

New City. New Opportunity.



Since the turn of the century, Estero has tripled its population, increased north/south roadways from 8 to 20 lanes, and added 4 million square feet of commercial space. Estero boasts a central location between Fort Myers and Naples, close proximity to the international airport and beaches, world class shopping centers, and a pristine ecological environment.

While much of Florida continues to wait for full recovery after the Great Recession, Estero has attracted national and regional attention for major investment from Hertz Corporation, Simon Property Group, Lee Memorial Health System, and more.

On November 4, 2014, 86% of Estero's voters elected to incorporate the Village of Estero.

This has been an exciting step in the growth of a vibrant city where families, students, and retirees can work, live, and play for generations to come.

There are just a few outstanding land parcels left in the Estero submarket suitable for commercial and mixed use development.

The Estero Council of Community Leader (ECCL) has worked with the community and consultants to develop a conceptual vision for how these parcels could be developed in the future.

The following Forbes article describes one recent example of what Estero is becoming, in the context of the Florida and Southwest Florida.

## Will More Corporations Follow Hertz To Florida's Low Taxes And Sunshine?

Earlier this year, the Hertz Corporation – a Fortune 300 company and the world’s largest airport rental car business – announced that it would move its corporate headquarters from its 25year home in Bergen County, New Jersey to the Southwest Florida city of Estero. On the Tuesday before



Thanksgiving, Florida Governor Rick Scott, Hertz CEO Mark Frissora, and other government officials officially broke ground at the site; providing residents of Lee and Collier counties with even more reasons to be thankful given the projected economic impact of this important occasion. While critics will say this is just another run of the mill business migration, it actually holds greater significance than reported.

How so? Glad you asked.

To begin, Hertz spurned New Jersey’s repeated efforts – including \$40 to \$70 million in incentives – to keep the company headquartered in the Garden State. Additionally, Hertz’s 2012 acquisition of Tulsa based Dollar Thrifty saw Oklahoma come into the mix as a potential landing spot. However, Hertz quickly discovered that getting more than a hundred employees and their families to relocate from New Jersey to the Sooner State (and vice versa) proved a nonstarter. Even Texas, which has seen a dramatic increase in Fortune 500 relocations under the tenure of Governor Rick Perry, was unable to lure the rental car giant to its business friendly state.

With that in mind, we come back to the decision to set up shop in Florida — specifically the Southwest part of the state. Prior to Hertz’s May 7th announcement, relocating a Fortune 300 company to Southwest Florida had never been done. Companies similar in size and scope to Hertz seeking to relocate to the Sunshine State had traditionally favored the bigger cities and markets of Miami, Fort Lauderdale, Orlando, and Tampa.

While these metropolitan areas have an advantage in population size, Lee and Collier counties remain economically competitive, having received roughly 22 percent of the total \$95.61 billion

in annual adjusted gross income (AGI) Florida gained between 1992 and 2010. Tourism in the region and entire state has also increased as the annual number of passengers coming and going from Southwest Florida International Airport has risen by more than 2 million in the last decade, and Florida, as a whole, had double the amount of tourists this past year than New York and the Big Apple. This is all good news for a corporation built around the travel industry.

In addition to pristine beaches, warm year round climate, and Disney World, Florida is also known for not having a state income tax. What the general public might not be readily aware of is the fact that businesses located within the Sunshine State also enjoy the 12th lowest corporate income tax rate in the nation: a flat rate of 5.5 percent. Conversely, Oklahoma and New Jersey have their corporate income tax rates set at a flat 6 and 9 percent respectively. The 0.5 and 3.5 percent difference in relation to Florida's makes for a greater overall earning potential given that the federal corporate income tax rate of 35 percent is the highest in the world.

Of even greater importance is the fact that Hertz isn't the only entity which stands to benefit from its relocation.

According to an economic impact study conducted by Florida Gulf Coast University, Lee County can expect the creation of 700 new jobs by Hertz alone over a five year period. During this time, another 1,000 new jobs will be created and an annual economic impact, upon project completion, is forecasted to be \$190.2 million as a result. Even though the study only covers 2013 to 2017, the economic benefits are projected to continue well past 2017. Quite the economic boost for a county where the average annual wage in 2011 was \$38,193 and unemployment was 6.8 percent as of March 2013.

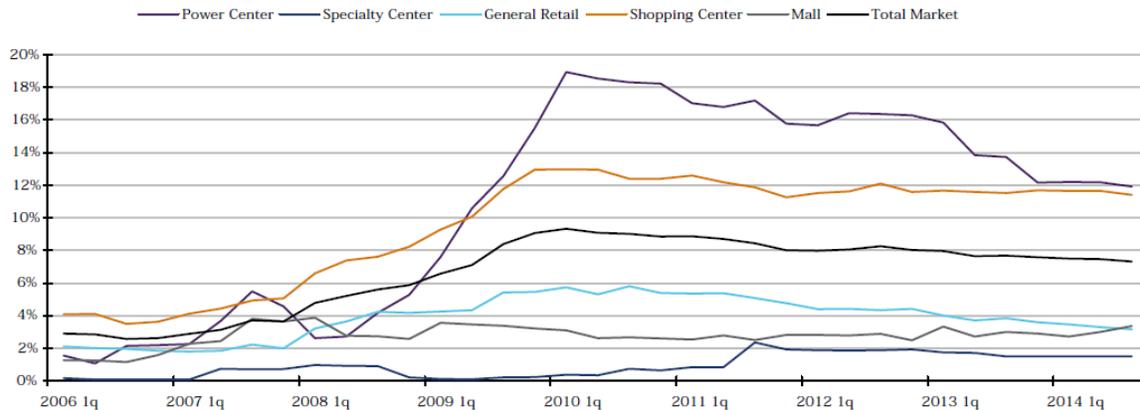
Fortune 200, 300, and 500 corporations are now taking note of the economic and quality of life benefits Southwest Florida offers to those who call the region home. Hertz's successful move will only serve as a catalyst for these companies seeking relocation from states with unfavorable business climates and high taxes. This article is available online at: <http://onforb.es/1bKlqZ1> 2015 Forbes.com LLC™ All Rights Reserved

## Retail Market

The following chart shows retail vacancy rates by property type, throughout Southwest Florida. Overall, vacancy is still relatively high. Power Centers and general retails have steadily increased occupancy over the last 3 years.

### Vacancy Rates by Building Type

2006-2014



Source: CoStar Property®

Of the 16 submarkets throughout Southwest Florida, Estero has the second lowest overall vacancy rate at 3.0%, only falling behind The Islands which are a smaller market with little room for growth. While conventional wisdom says the market shouldn't be able to support more retail, the statistics provide evidence to the contrary.

### Total Retail Submarket Statistics

Third Quarter 2014

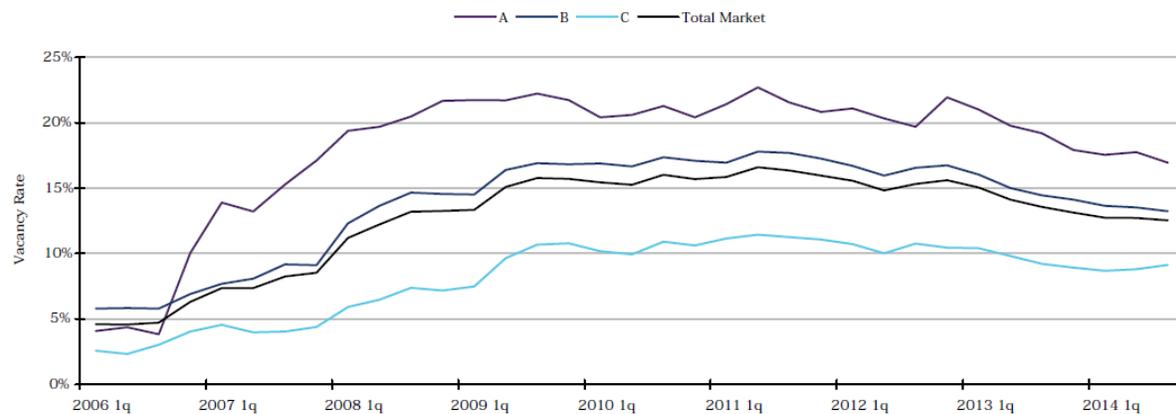
Market	Existing Inventory		Vacancy			YTD Net Absorption	YTD Deliveries	Under Const SF	Quoted Rates
	# Blds	Total GLA	Direct SF	Total SF	Vac %				
Bonita Springs	286	3,741,145	443,845	507,845	13.6%	(20,172)	0	6,000	\$14.48
Cape Coral	744	8,681,950	783,117	796,941	9.2%	45,086	11,250	0	\$12.61
Charlotte County	867	9,899,578	688,880	690,020	7.0%	(9,751)	6,328	0	\$12.24
City of Ft Myers	760	7,711,347	513,936	549,498	7.1%	49,405	12,480	0	\$10.03
East Naples	378	4,213,170	360,346	361,531	6.0%	12,186	6,622	11,624	\$14.38
Estero	117	3,559,414	106,370	106,370	3.0%	37,012	4,000	10,923	\$13.30
Golden Gate	102	963,092	45,897	45,897	4.8%	7,436	0	0	\$14.00
Lehigh	133	1,392,461	81,329	81,329	5.8%	54,630	28,757	95,051	\$13.08
Lely	62	1,030,375	160,031	160,931	15.6%	668	2,143	0	\$12.91
Marco Island	114	1,401,419	44,974	44,974	3.2%	10,323	0	0	\$16.78
Naples	207	2,860,256	121,884	121,884	4.3%	(39,322)	0	7,500	\$30.26
North Ft Myers	170	2,029,346	217,196	272,936	13.4%	6,069	0	13,360	\$9.01
North Naples	529	10,813,474	513,655	654,393	6.1%	150,656	87,316	44,700	\$19.16
Outlying Collier County	201	1,905,267	115,928	115,928	6.1%	44	0	31,415	\$18.32
S Ft Myers/San Carlos	937	15,962,628	1,045,246	1,140,088	7.1%	53,516	19,457	20,593	\$13.45
The Islands	160	1,200,381	9,670	9,670	0.8%	4,676	0	0	\$37.45
<b>Totals</b>	<b>5,767</b>	<b>77,365,303</b>	<b>5,252,304</b>	<b>5,660,235</b>	<b>7.3%</b>	<b>362,462</b>	<b>178,353</b>	<b>241,166</b>	<b>\$13.95</b>

Source: CoStar Property®

## Office Market

The overall vacancy of office space throughout Southwest Florida has been slowly improving over the past 2± years. The higher end office buildings (Class “A”) remain at the highest vacancy level which demonstrates that the market is still looking for more affordable spaces at this time.

### Vacancy Rates by Class 2006-2014



Source: CoStar Property®

Estero’s office market is small but rapidly growing. The majority of vacant/available office spaces are high priced units inside of Coconut Point. Class “B” and “C” office space is in shorter supply. With the addition of the Hertz property, the overall office market size will increase with corresponding vacancy dropping below 14%, which is in line with other submarket areas.

### Total Office Submarket Statistics

Third Quarter 2014

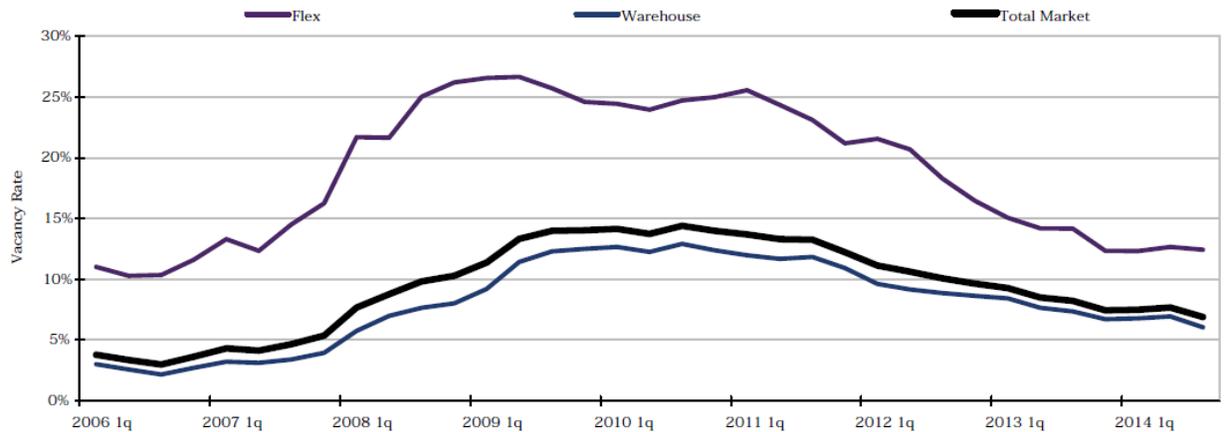
Market	Existing Inventory		Vacancy			YTD Net Absorption	YTD Deliveries	Under Const SF	Quoted Rates
	# Blds	Total RBA	Direct SF	Total SF	Vac %				
Bonita Springs	193	2,349,770	450,228	455,374	19.4%	96,414	0	0	\$14.54
Cape Coral	379	2,480,693	305,379	307,879	12.4%	87,366	11,807	0	\$12.53
Charlotte County	559	3,875,553	448,158	448,158	11.6%	40,031	5,988	0	\$13.66
City of Ft Myers	411	4,804,778	683,537	683,537	14.2%		0	0	\$13.00
East Naples	146	1,824,494	250,991	254,991	14.0%				\$14.22
Estero	31	537,450	108,777	108,777	20.2%			250,000	\$15.56
Golden Gate	31	136,845	8,608	8,608	6.3%	3,064	0	0	\$16.14
Lehigh	73	428,957	29,035	29,035	6.8%	(5,743)	0	0	\$12.37
Lely	16	127,558	30,760	30,760	24.1%	(4,501)	0	0	\$19.10
Marco Island	33	363,044	11,717	11,717	3.2%	2,743	0	0	\$18.71
Naples	98	1,277,301	104,523	108,346	8.5%	(5,507)	0	18,165	\$21.34
North Ft Myers	35	271,233	8,961	8,961	3.3%	(2,808)	0	0	\$8.38
North Naples	357	5,027,016	487,938	495,821	9.9%	(42,135)	0	7,800	\$22.27
Outlying Collier County	38	362,523	77,623	77,623	21.4%	18,552	0	0	\$28.10
S Ft Myers/San Carlos	743	7,895,625	966,917	975,684	12.4%	(16,383)	3,000	4,777	\$14.64
The Islands	51	195,042	1,200	1,200	0.6%	7,545	0	0	\$19.24
<b>Totals</b>	<b>3,194</b>	<b>31,957,882</b>	<b>3,974,352</b>	<b>4,006,471</b>	<b>12.5%</b>	<b>206,552</b>	<b>20,795</b>	<b>280,742</b>	<b>\$15.55</b>

Source: CoStar Property®

# Warehousing and Distribution Market

The overall warehouse/distribution market vacancy has been improving steadily for almost four years. The trend is getting us closer to occupancy levels prior to the great recession.

## Vacancy Rates by Building Type 2006-2014



Source: CoStar Property®

Estero is the second smallest warehousing and distribution market in Southwest Florida with only 14,242 square feet located in the submarket. Nearby Bonita Springs and South Fort Myers are traditionally the distribution and industrial hubs that serve the Estero market.

## Total Industrial Submarket Statistics

Third Quarter 2014

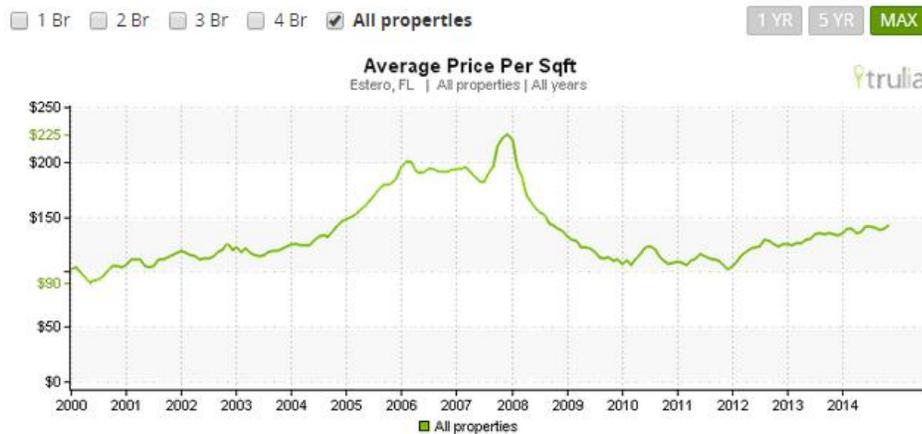
Market	Existing Inventory		Vacancy			YTD Net Absorption	YTD Deliveries	Under Const SF	Quoted Rates
	# Blds	Total RBA	Direct SF	Total SF	Vac %				
Bonita Springs	118	1,393,029	198,961	198,961	14.3%	8,918	0	0	\$7.38
Cape Coral	372	3,438,656	280,425	280,425	8.2%	21,470	0	0	\$6.90
Charlotte County	437	4,019,716	221,498	221,498	5.5%	70,568	0	0	\$5.97
City of Ft Myers	651	9,719,343	916,030	966,030	9.9%	(25,760)	0	0	\$4.70
East Naples	431	5,321,685	263,184	263,184	4.9%	35,160	0	0	\$8.24
Estero	3	14,242	3,171	3,171	22.3%	(2,114)	0	0	\$7.75
Golden Gate	15	97,587	3,600	3,600	3.7%	(2,400)	0	0	\$12.00
Lehigh	84	1,220,641	160,023	160,623	13.2%	143,077	0	0	\$5.58
Lely	2	9,963	0	0	0.0%	0	0	0	\$0.00
Marco Island	9	99,106	0	0	0.0%	0	0	0	\$0.00
Naples	10	58,532	0	0	0.0%	0	0	0	\$0.00
North Ft Myers	77	990,153	43,860	43,860	4.4%	(8,100)	0	0	\$5.19
North Naples	456	4,820,668	154,516	154,516	3.2%	28,957	17,000	0	\$8.62
Outlying Collier County	94	2,457,687	143,887	143,887	5.9%	(100,881)	0	0	\$10.10
S Ft Myers/San Carlos	825	13,289,039	782,945	810,189	6.1%	98,352	0	0	\$5.71
The Islands	19	158,262	0	0	0.0%	10,238	0	0	\$5.77
<b>Totals</b>	<b>3,603</b>	<b>47,108,109</b>	<b>3,172,100</b>	<b>3,249,944</b>	<b>6.9%</b>	<b>277,485</b>	<b>17,000</b>	<b>0</b>	<b>\$5.98</b>

## Estero Residential Market Statistics

The average home price per square foot in Estero, FL is \$144. This represents a 6.7% increase compared to the end of 2013. The median sales price for homes in Estero FL for August 2014 through November 2014 was \$240,000 based on 178 home sales. Compared to the same period one year ago, the median home sales price has decreased 4%, or \$10,000, and the number of home sales decreased 33.8%. There are a small number of units on the market which contributes to the low turnover.

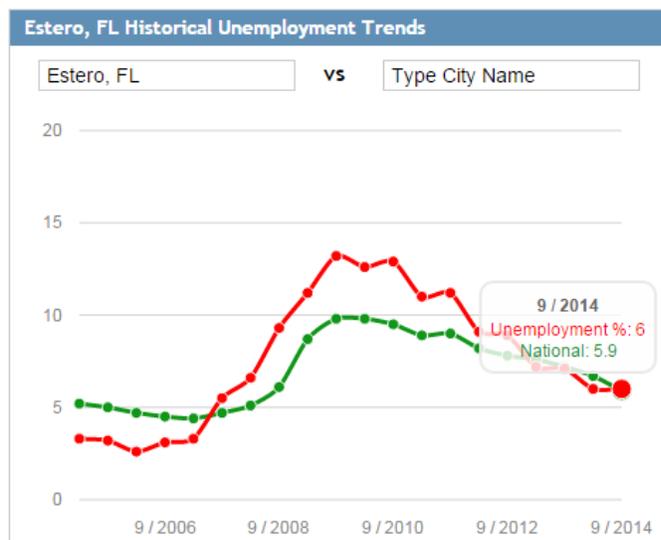
### Price trend

#### Average Price Per Sqft. for Homes in Estero



Source: trulia.com

## Unemployment Trending Down



Since 2005 the unemployment rate in Estero, Florida has ranged from 2.5% in December 2005 to 13.3% in January 2010. The unemployment rate for Estero was 6.0% in September 2014.

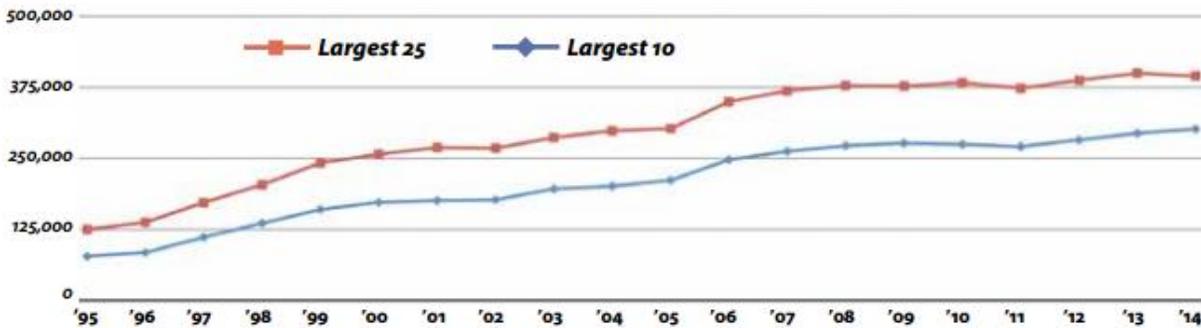
Source: homefacts.com

## Senior Housing Trends

According to the American Senior Housing Association, the trend in senior housing has remained strong. A brief pause in new units during the great recession led to new growth as early as 2012.

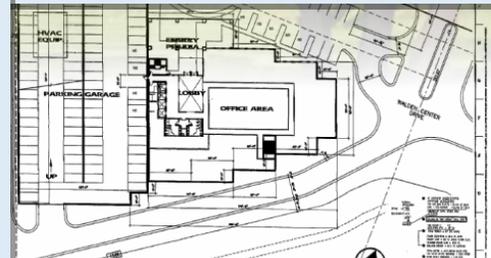
Southwest Florida in particular is expected to see a multi-decade acceleration of demand from baby boomers that are just now entering retirement age.

**Seniors Housing Units Operated by Largest 10 and 25 Firms, 1995–2014**



Between 2000 and 2006, Estero added 14,000 homes – mostly for retirees aged 60 to 65. Today they are in their 70's and many are looking for smaller quarters in or near the community.

Several developers are looking to meet this demand with high density residential condos and apartments near the village center.



# Estero Market Overview

## Part 3 | Land Transactions

### Prepared by

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### Prepared for

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Don Eslick, Estero Council of Community Leaders  
Howard Levitan, Estero Council of Community Leaders  
Tim Bristow, Colliers Macaulay Nicolls  
Michael J. Frye, CCIM, RE/MAX Realty Group

Disclaimer: This information is gathered from sources believed to be reliable; however we cannot guarantee its accuracy. This is not an appraisal and should not be used as the sole basis for valuing real estate.

## Representative Land Sales

The following are a few notable Estero land sales that traded from 2013 to the early part of 2015. These provide an indication of the price range for various locations, conditions, and sizes in the local market.

For more recent comparable land sales, please contact Andrew Falde:(239) 839-1464.

> 10 Acres				
	Acres ↓	PSF	Traffic	Description
1	34.25	\$7.54	High	Corporate user
2	34.87	\$3.82	High	Mixed use, mostly residential, Corkscrew
3	11.42	\$2.41	Medium	Acreage
4	10.63	\$8.50	Medium	Multi-family developer
	<b>High</b>	\$8.50		
	<b>Median</b>	\$5.68		
	<b>Low</b>	\$2.41		
< 10 Acres				
	Acres ↓	PSF	Traffic	Description
5	9.94	\$3.64	Medium	Acreage
6	3.51	\$15.35	High	Pad ready, end user, ALF
7	1.84	\$8.75	Medium	Retail development
8	1.1	\$19.48	High	Out parcel
9	1	\$21.12	High	Out parcel development
	<b>High</b>	\$21.12		
	<b>Median</b>	\$15.35		
	<b>Low</b>	\$3.64		

Additional details on following pages...

# #1



Hertz Corporation purchased 34.25 acres for \$11.25 Million (\$7.54± per square foot) in September 2013.

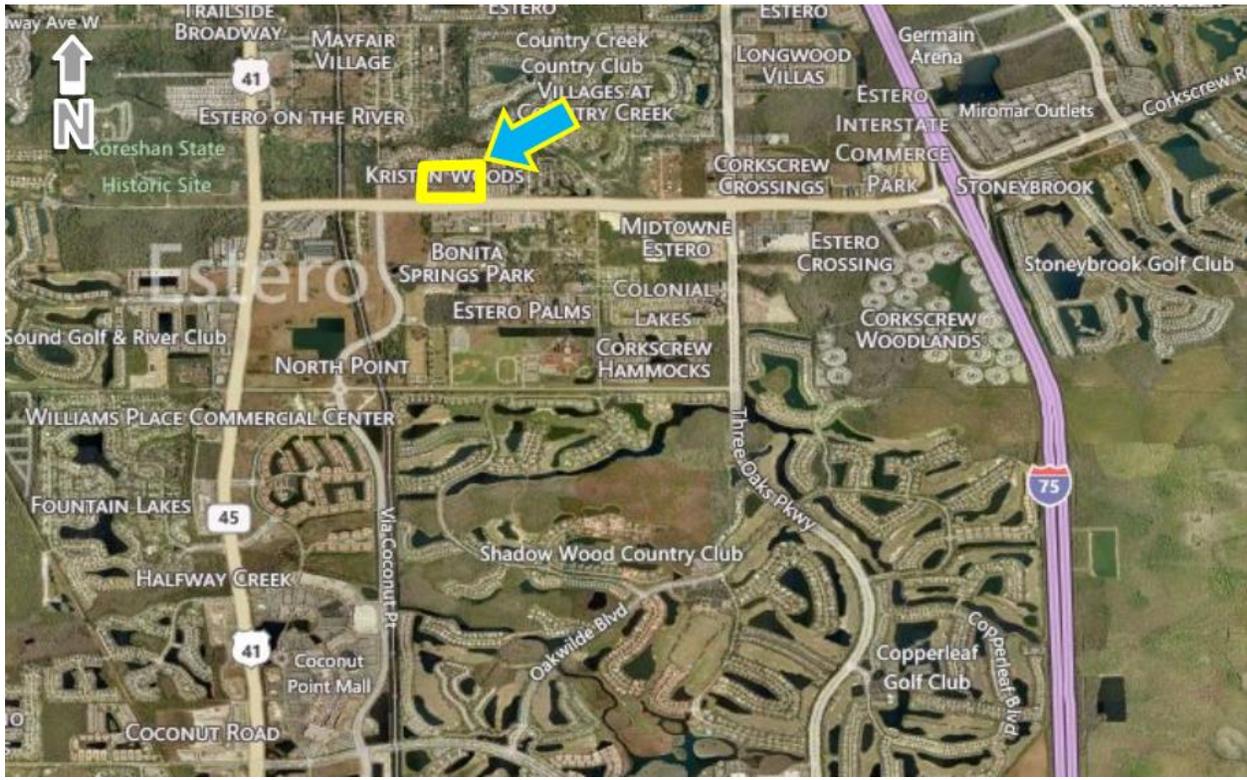
The property is located at the Southeast corner of US 41 and Williams Road and will be the new corporate headquarters.

## #2



SD Estero Crossings LLC, a subsidiary of Stock Development, purchased this 34.87 acre property in December 2014 for \$5.805 million (\$3.82 / sf).

### #3



RD Investment Properties LLC also purchased this 11.42± acre parcel for \$1,200,000 (\$2.41± per square foot) in April 2013.



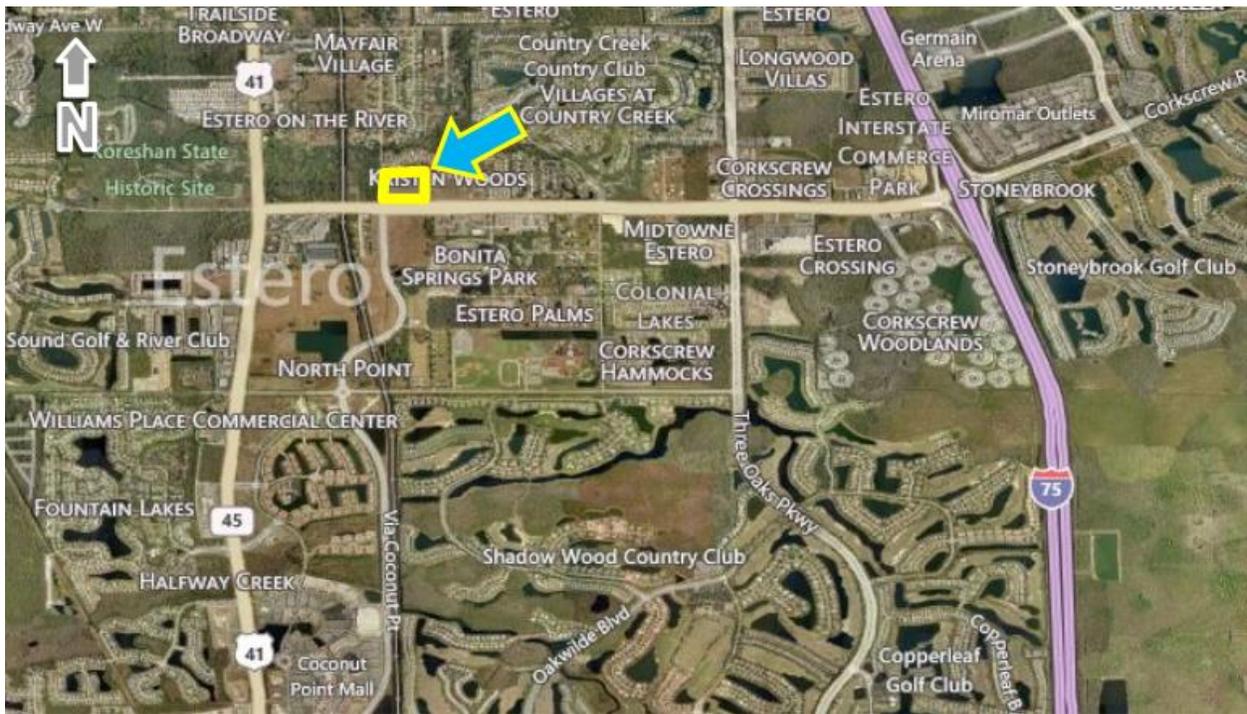
# #4

CONTINENTAL 305 FUND LLC purchased this 10.63± acre parcel for \$6,650,000 (\$8.50± per square foot) in September 2014.

The property is under development for a 260 multi-family units catering to student housing for the University.



#5



RD Investment Properties LLC purchased this 9.94± acre parcel for \$1,575,000 (\$3.64± per square foot) in May 2013.



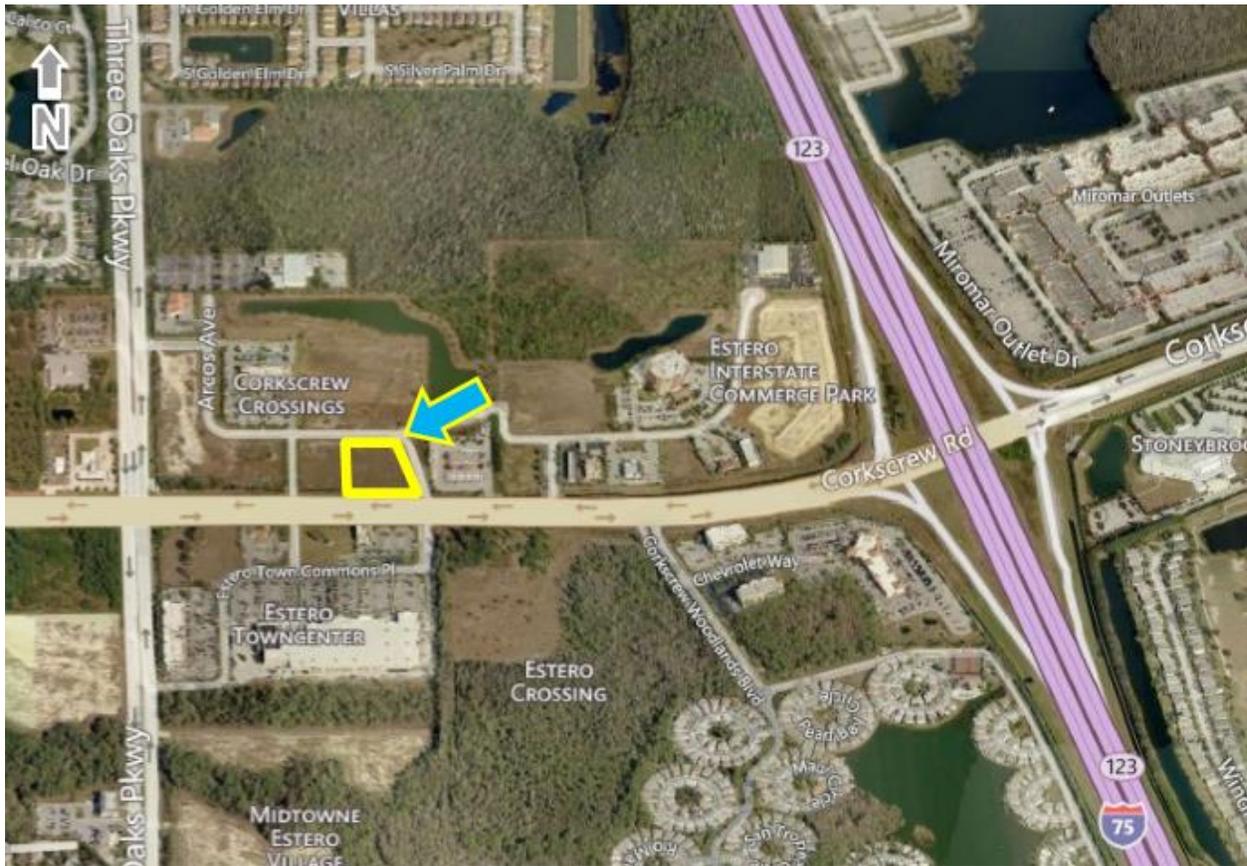
Southwest corner of the property

#6



Estero Memory Care, LLC purchased this 3.51 acre parcel in December 2014 for \$2,346,251 (\$15.35/sf). It is under development for Autumn Leaves memory care and assisted living.

#7



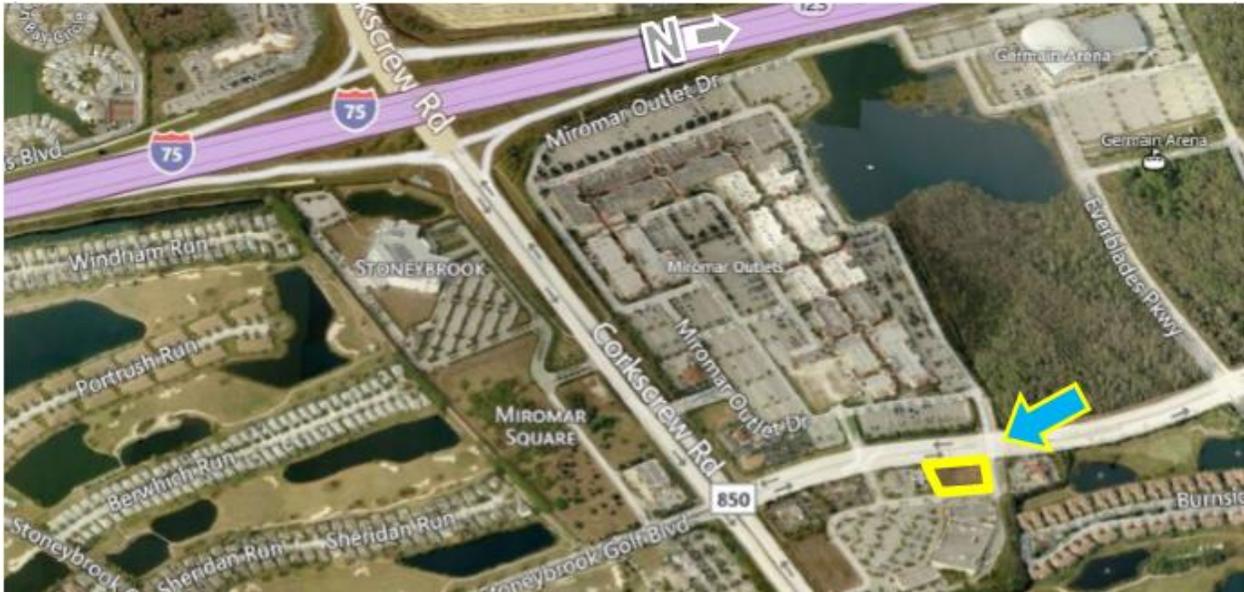
DSMB PROPERTY 1 LLC purchased 1.84 acre for \$700,350 (\$8.75± per square foot) in September 2013.

The property was developed after purchase for a Culver's restaurant.

Current (as-built)



#8



20290 ESTERO LLC purchased this 1.1± acre out parcel for \$935,000 (\$19.48± per square foot) in October 2013.

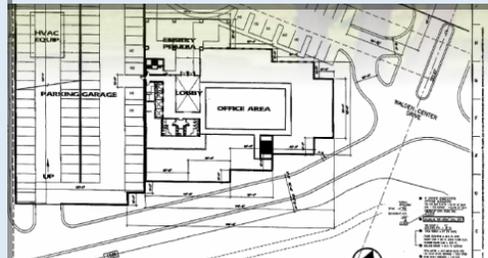
The parcel is at the entry to a Publix anchored shopping center, across from Miromar Outlets.



## #9

NLA UG ESTERO MA LLC purchased this 1± acre parcel for \$920,000 (\$21.12± per square foot) in January 2014. The property was then developed and resold in November 2014.





# Estero Market Overview

## Part 2 | Subject Areas

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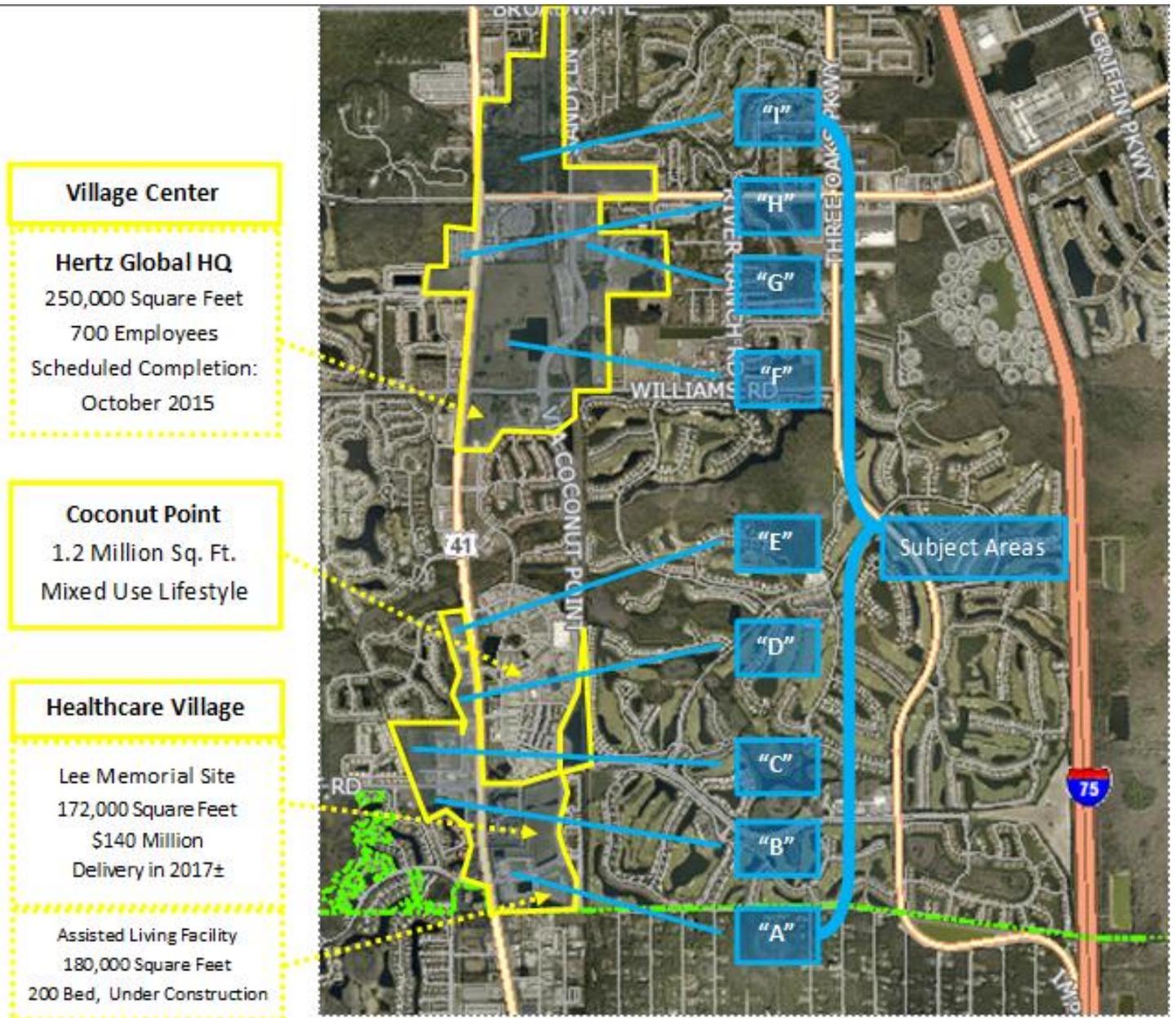
### Prepared for

Nick Batos, Estero Council of Community Leaders  
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# Estero "Subject Areas"

For purposes of this report, we have segmented nine subject areas. Four of these subject areas are in the northern section designated as the "Village Center", and five in the southern half designated as "Healthcare Village". These areas represent the significant available commercial and mixed use land for future development.



## Healthcare Village Anchors

The Health Care village will be anchored by two major projects: the planned 172,000 square foot, \$140 Million, Lee Memorial Acute Medical Care facility and the approved America House 200 bed, 180,000 square foot assisted living, independent living, and memory care facility.

### Lee Memorial Project Overview

The following is taken from a study completed by Navigant Consulting, Inc.

A recent denial of Lee Memorial Health System (LMHS) Certificate of Need (CON) to develop an inpatient facility by transferring 80-beds from Lee Memorial Hospital in need of replacement to its property in southern Lee County has led LMHS to reassess its strategy for how best to use its approx. 31-acre site in Estero to address community needs in Southern Lee County.

LMHS is exploring the potential development of an innovative healthcare campus, Lee Memorial Health System at Coconut Point (LMHSCP), to meet community needs and address service gaps in Southern Lee County.



Navigant has been engaged to assist in the development of the LMHSCP concept through the planning phase. A significant community need has been identified for a differentiated health and wellness ambulatory care offering. Growth in the senior population is accelerating demand for multi-specialty care in the area, including chronic care management and focusing on healthy lifestyles. The LMHSCP will be designed to become a destination with distinction by offering patient-centric, integrated and coordinated care delivery that is enabled by technology.

May include a broad array of services that support health, wellness and interventional treatment will be included at the site including an ASC, Freestanding ED, Imaging, Lab, Disease management, Sports Medicine and Performance Center and Physician Offices.

Multiple options have been identified for physician affiliation to drive clinical integration goals.

A significant number of employed LPG doctors along with strategically aligned independent physicians at the site will have an impact on how LMHS will clinically integrate.

Phase I of the LMHSCP is estimated at 172,000 square feet at a cost of \$140 million or ~ \$800/sq. ft. including land costs. Cost reduction opportunities will be diligently pursued during the design phase of the project. LMHS ownership will result in the lowest cost of capital and lowest occupancy costs.

LMHS will identify the best ways to take advantage of lower costs of capital while finding appropriate economic partnerships with physicians and other key participants in the overall program will be important. While the cost of capital may be higher through other forms of financing and ownership, other options should be explored as well, including retail and business opportunities.

LMHS has the opportunity to achieve a projected opening in first quarter 2017 if move into implementation phase in fourth quarter 2014.

## American House Senior Housing Facility

From News-Press.com article February 2015.

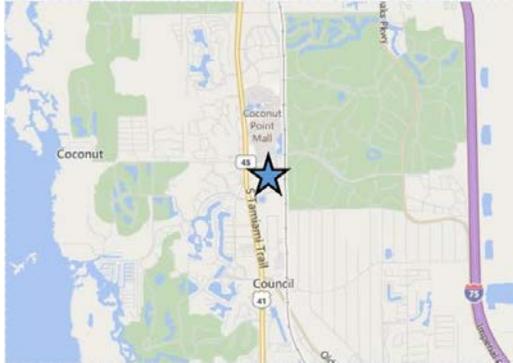
Construction will begin late this summer in Estero on American House Coconut Point, a 194-unit independent living/memory care community, developer REDICO announced.

REDICO, a Southfield, Mich.-based real estate development and investment company, expects to open the facility in the fall of 2015, the company said in a release Thursday.

"There is a tremendous demand for a rental-based model of senior housing in Florida," Dale Watchowski, president and CEO, said in the release. "We believe seniors deserve a housing option that doesn't require a hefty entrance fee, and our brand of senior care brings that choice to the marketplace."

The community will be under the brand of American House Senior Living Communities, an affiliate company of REDICO. It operates 35 properties in the Midwest.

# Subject Area "A" South of Lee Memorial Site



These three individual parcels are located at the entry to the area that is designated as "Healthcare Village" in the Estero Village Center.



## Parcel One: 2.3 Acres

[09-47-25-47-003C1.0000](#)

Owned by:  
LIVINGSTON/VETERANS LLC  
2950 IMMOKALEE RD STE 2 NAPLES FL 34110

Principal:  
Marilyn Bernier  
477 Devils Ln  
Naples, FL 34103-3019  
Phone 239-263-2314 or 239-263-3833

The property was originally acquired in 2014 in a “Deed in Lieu of Foreclosure” with a consideration of \$1,000,000 (approximately \$10 per square foot). There is no permitting activity on the property.

The property tax bill for 2014 is \$12,254.48

## Parcel Two: 1.45 Acre

[09-47-25-37-003A3.0020](#)

Owned by:  
CP LAND INVESTMENT LLC  
24880 BURNT PINE DR BLDG 8 BONITA SPRINGS FL 34134

Principal company is Oakbrook Properties, Inc. – the original owners of the Coconut Point Mall land.

Oakbrook Properties | Bonita Springs  
24880 Burnt Pine Dr.  
Bonita Springs, FL 34134  
(239) 992-5529

Local Contact: NED E DEWHIRST

Corporate Phone (630) 584-6580

There has been some permitting activity and approvals to modify uses. These changes included a reduction in retail square footage and dwelling units -- and an increase in office square footage.

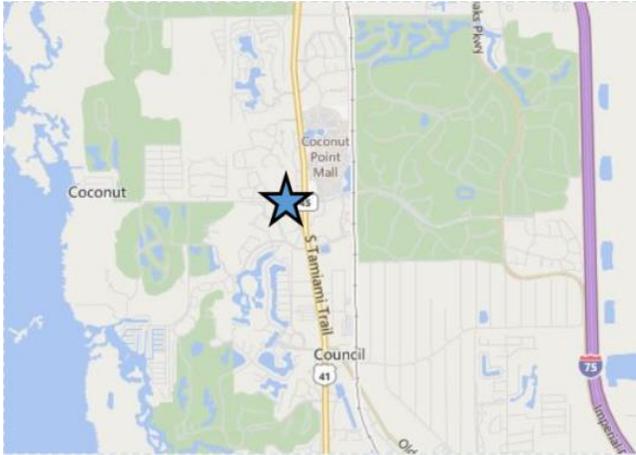
## Parcel Three: 2.35 Acres

[09-47-25-47-003C3.0000](#)

Same ownership as Parcel Two. Part of the original land for Coconut Point. Same recent zoning modifications as Parcel Two. No other permitting activity.

# Subject Area "B"

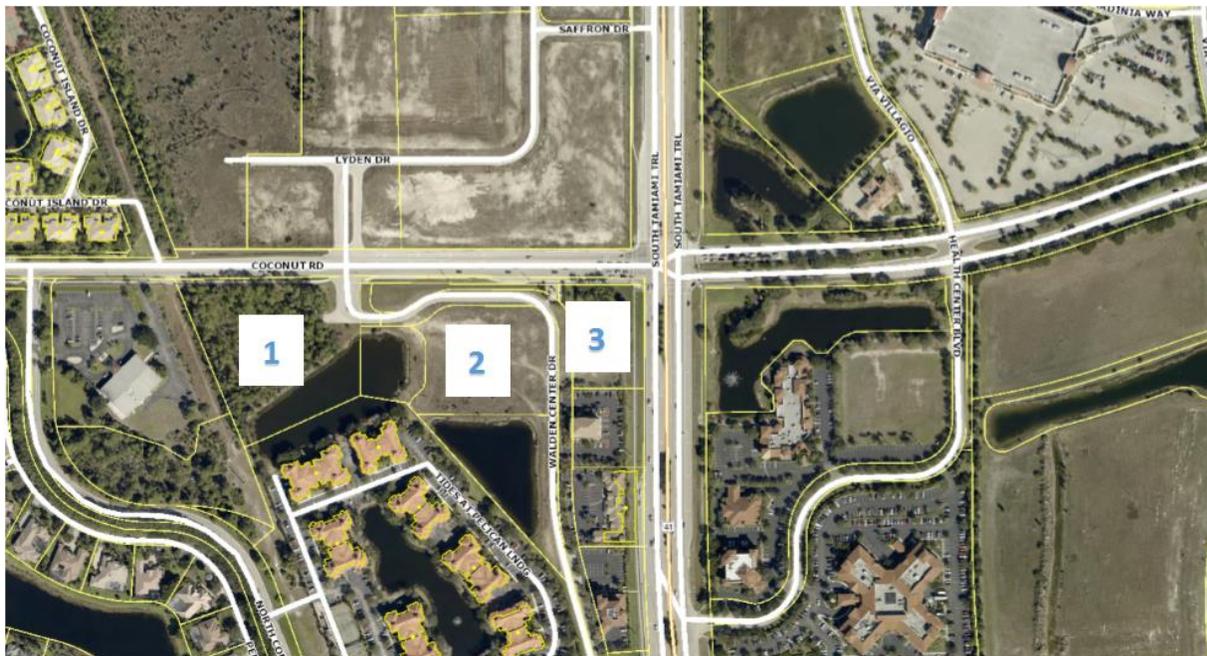
## Southwest Corner of US 41 and Coconut Road



### Summary

These three parcels total approximately 4.79 buildable acres directly across from the Lee Memorial site.

The close proximity to the Lee Memorial Acute Medical care facility and American House assisted living facility lends these parcels to medical related uses or supportive uses. Supporting uses include hotel for patient visitors or class-A apartments for doctors, nurses, and staff.



### Parcel One: 2.38 Acres

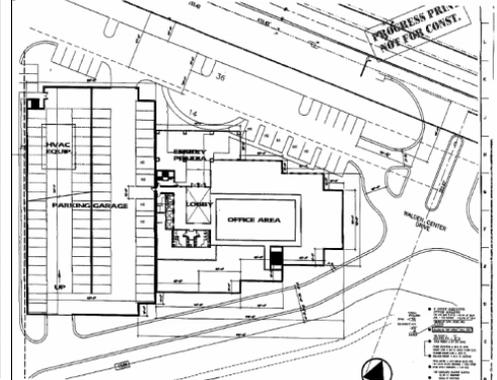
[09-47-25-00-00001.0310](https://www.sabaltree.com/09-47-25-00-00001.0310)

Purchased by Coconut Road Associates, LLC in 2007 for \$2,685,000 (\$25.90 per square foot). Of the 2.38 acres, 1.6± is Right of Way and Lake, leaving .78± acres for potential development.

The address is an attorney's office in Tampa, FL: Cordell & Cordell 813-884-8888

<http://cordellcordell.com/>

The property is on the market for an undisclosed price. A proposed site plan and conceptual development include a multi-story office development. However, there is no active permitting for the property.



Sales Representative: Zao Zang (813) 374-8886

Marketing materials created by Hegemon Capital (813) 774-6624

Zao has been following the local market and mentioned that they are not pursuing development in the short term.

Property taxes for 2014 are \$6,358.93

## Parcel Two: 2.61 Acres

[09-47-25-31-00000.0050](http://09-47-25-31-00000.0050)

Owned by:

ALLSEE INVESTMENT LP  
5830 COPPER LEAF LN  
NAPLES FL 34116

Principal contact:

AJ Global Management, LLC  
Phone 239.455.1662  
Cell 239.404.5772  
Fax 239.455.3851

[Annette@AJ-Global-Management.com](mailto:Annette@AJ-Global-Management.com)  
[www.AJ-Global-Management.com](http://www.AJ-Global-Management.com)

Purchased in 2006 for \$2,446,000 (\$21.50 per square foot)

There is no significant permitting activity for this parcel.

Property taxes for the property are \$18,771.14

## Parcel Three: 1.4 Acre

[09-47-25-31-00000.0010](#)

Owned by:

NAPLES DIAGNOSTIC IMAGING CENTER LTD

PO BOX 9829 NAPLES FL 34101

(239) 593-4200

Allen S Weiss, MD | CEO

Phone: (239) 436-5252

Fax: (239) 436-5914

Jim Bates

Phone: (239) 593-4200

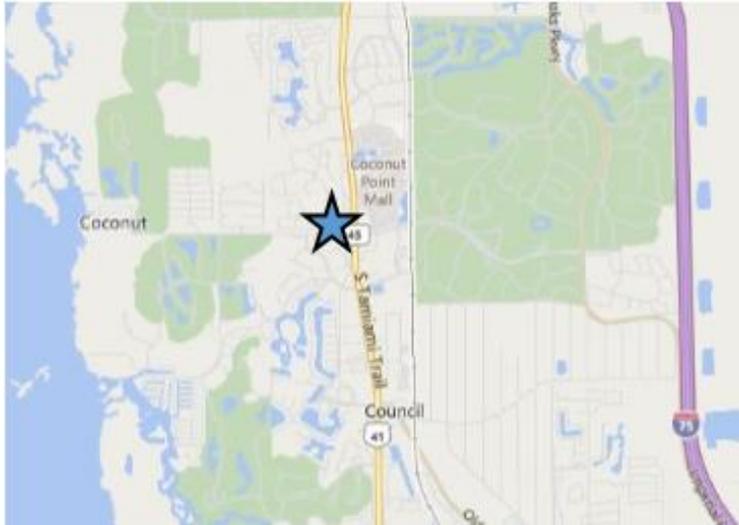
Purchased in 2006 for \$1,210,000 (\$19.89 per square foot). There is no active permitting for the property. It is located across US 41 from the planned healthcare facility. It is currently on the market for \$1.025 million (\$16.80 per square foot).

Property taxes for 2014 are \$12,458.25

Dr. Allen Weiss is CEO & President of the NCH Healthcare System. The property is specifically under the ownership of a partner entity. He stated that there are no current plans for the site.

# Subject Area "C"

## Northwest Corner of US 41 and Coconut Road



### Summary

These six contiguous parcels contain approximately 44.4 acres known as Coconut Crossings. The entire 44± acres was previously purchased in 2005 for \$18,500,000

Parcel 1 is owned by a real estate attorney through a "deed in lieu".

Parcels 2, 3, 4, and 5 are now owned by an Iberia Bank holding company.

Parcel 6 was recently purchased by an investor.



## Parcel One: 1.2 Acre

[09-47-25-00-00002.0070](#)

Owned by JTC Squared/Coconut Crossing, LLC

Principals are John T. Conroy Jr and J. Thomas Conroy, III

J. Thomas Conroy, III is a Naples based real estate attorney

Phone 239-649-5200

Email [tconroy@naplespropertylaw.com](mailto:tconroy@naplespropertylaw.com)

2210 VANDERBILT BEACH ROAD SUITE 1201

NAPLES, FL 34109

The property was acquired in 2012 for a "Deed in Lieu of Foreclosure". The prior purchase was June 2007 for \$1,650,000 or \$31.56± per square foot.

The property has temporary use permit for RV sales. This property is at the north end of the subject area at Cerise Dr. which has potential right in/right out access to US 41. The access point is directly across from an entry to Coconut Point and could potentially be converted to a full intersection in the future. 2014 Tax Bill is \$3,209.65

## Parcel Two: 1.05 Acre

[09-47-25-00-00002.0080](#)

Owned by Iberia Bank

601 Paydras St, Ste 2075

New Orleans, LA 70130

Phone: (504) 310-7344

Prior permitting activity to build an Orion Bank with drive through was abandoned in 2010.

Parcel is located at a right in/right out access point from US 41 to the 44± acre development. Property taxes for 2014 are \$3,154.77

## Parcel Three: 8.13 Acres

[09-47-25-00-00002.0020](#)

Owned by OB FLORIDA CRE HOLDINGS LLC

Part of the original \$18.5 million purchase that has gone back to the bank.

Managing principal is Iberia Bank out of Lafayette, LA. (Technically different than 'parcel two' ownership)

200 West Congress Street, 12th Floor  
Lafayette, LA 70501  
Phone: (337) 521-4012

This parcel contains existing right of way that reduces the amount of buildable area unless the development is redesigned. Property taxes for 2014 are \$9,485.70

### Parcel Four: 9.67 Acres

[09-47-25-00-00002.0040](#)

Same ownership and history as Parcel Three. This parcel is at the hard corner and includes one of the two access points from US 41.

There has been a recent application to “Amend Resolution Z-98-075 changing Development [Area] to allow for a mixed use development consisting of: 525 multiple family units; 152 Assisted Living Units; 210,500 square feet retail; 20,000 square feet of office; 20,000 square feet of medical office; and 130 hotel rooms.” Property taxes for 2014 are \$17,745.83

### Parcel Five: 10.05 Acres

[09-47-25-00-00002.0030](#)

Same ownership history as Parcels Three and Four. This parcel includes the only access point from Coconut Rd. It is odd shaped and includes what appears to be designated as an out parcel, a right of way, and preserve area in the Northwest portion of the property. Taxes for 2014 are \$8,391.92

### Parcel Six: 14.31 Acres

[09-47-25-00-00002.0060](#)

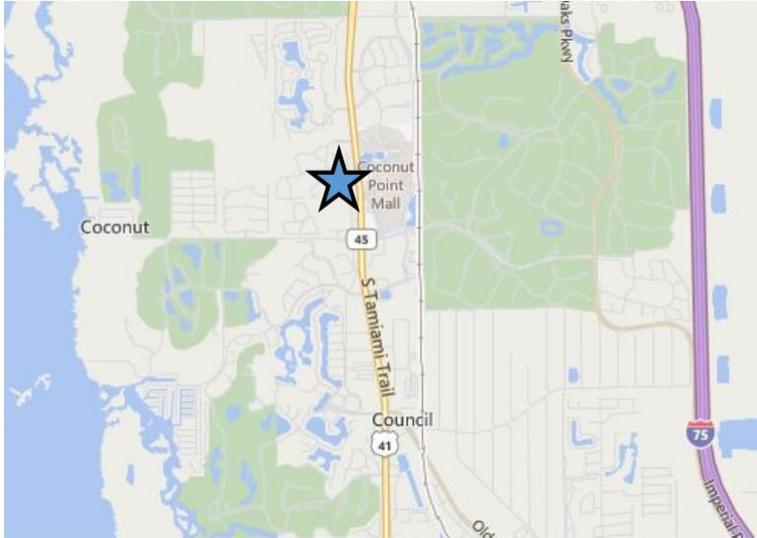
Principal address is an attorney’s office in Tampa, FL. Cordell & Cordell 813-884-8888  
<http://cordellcordell.com/>

This parcel was simultaneously sold off by the original developer at the original purchase. It is adjacent to the residential development Coconut Shores and is positioned well for a low impact use that transitions the commercial outparcels to the residential community.

There was minimal permitting activity related to site preparation in 2007, with no further activity since then. Property taxes for 2014 are \$3,579.33

# Subject Area "D"

## 5.45 Acres at South End of Coconut Trace



These three parcels are located at the southern end of Coconut Trace, across from Coconut Point shopping center.

One parcel was purchased in 2006 at the peak of the real estate cycle.

The remaining two parcels are marketed by the Dennis Lynch who is the developer of Coconut Trace and owns some of the remaining parcels in adjacent Area "E" at the north end of Coconut Trace.



## Parcel One: 1.90 Acre

[04-47-25-35-0000A.00F0](#)

CHERNG ANDREW JIN-CHAN TR + CHERNG PEGGY TSIANG TR FOR CHERNG TRUST  
1683 WALNUT GROVE AVE  
ROSEMEAD CA 91770

Purchased in 2006 for \$37.50 per square foot (leepa.org). Andrew and Peggy Cherng are the founders of Panda Restaurant Group, the parent company of Panda Express.

Panda Restaurant Group Corporate phone: (800) 877-8988.

There has been no significant permitting activity.

The 2014 property taxes for this parcel is \$11,404.04

## Parcel Two: 1.92 Acre

[09-47-25-35-0000B.00C0](#)

MANCHESTER ASSOCIATES LLC  
c/o LYNCH, DENNIS J  
4077 TAMIAMI TRAIL NORTH SUITE D-201  
NAPLES, FL 3410

(239) 261-1734  
djlcommercial.com

2014 Property taxes are \$11,537.86. There has been no significant permitting activity for this parcel.

On the market for \$24 per square foot (\$2,007,244)

## Parcel Three: 1.62 Acre

[09-47-25-35-0000B.00D0](#)

Same owner as Parcel Two.

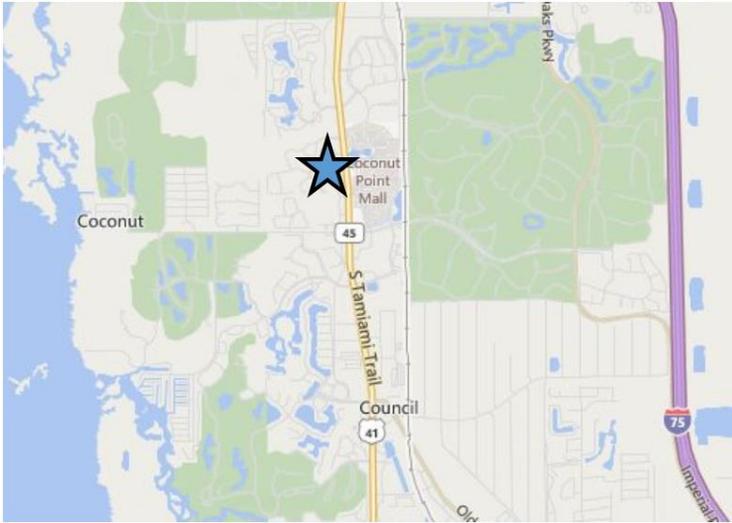
2014 Property Taxes are \$9,739.00

No significant permitting activity. This parcel has potential access to US 41 for a right in/right out. It is directly across from an entry to Coconut Point and far enough from the nearest lighted intersection, that it may be possible to create a full intersection in the future.

On the market for \$24 per square foot (\$1,693,612)

# Subject Area "E"

## 8.15 Acres at North End of Coconut Trace



The three (3) parcels are on the market just south of the Autumn Leaves of Estero which is a 54-bed 37,500 square foot assisted living facility on the 3.47 acres. Construction began in January 2015.

The subject area is located at the north end of Coconut Trace across from Coconut Point shopping center.



## Parcel One: 1.2 Acre

[04-47-25-35-0000A.00E0.](#)

Marketed by Dennis Lynch. There is no permitting activity for this parcel. The property is currently on the market for \$18 per square foot (\$940,896). The parcel is adjacent to residential with limited visibility from US 41. As it is also next to Autumn Leaves and near the planned Lee Memorial facility, the probable best use is medical office.

## Parcel Two: 1.34 Acre

[04-47-25-35-0000A.00C0](#)

Marketed by Dennis Lynch. There is no permitting activity for this parcel. It is currently on the market for \$24 per square foot (\$1,400,889). This property sits on the North side of a right in/right out access point to US 41.

## Parcel Three: 2.14 Acre

[04-47-25-35-0000A.00F0](#)

Marketed by Dennis Lynch. This is a larger parcel just off the main entry to the development. It is near residential, however there is a wooded buffer area for the majority of the property. The parcel sits immediately behind a small retail strip center.

The property is on the market for \$18 per square foot (\$1,677,931)

The image below is from marketing materials. This subject ("E") is represented by the three parcels highlighted in green on the north side (upper left).



# “Village Center” Overview Map



## Subject Area "F"

This subject area contains the largest contiguous commercial land suitable for development in the "Village Center" area.

The area is just the north of the Hertz Global Headquarters site. The underutilized rail line runs through the subject area providing access to proposed commuter rail, light rail, walking/biking, linear park, bus rapid transit, etc. More information on this is available here:

[http://spikowski.com/ExecutiveSummary\\_RailFeasibilityStudy.pdf](http://spikowski.com/ExecutiveSummary_RailFeasibilityStudy.pdf)

The vision of the ECCL is to ultimately create walkable interconnectivity to the 65 acre Estero Community Park to the east.



## Summary Table for Subject Area "F"

Parcel	Square Feet	Acres	Strap Number	2014 Tax	Link
1	3,777,088	86.71	33-46-25-00-00019.0000	\$ 10,240.30	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?FolioID=10275663">http://www.leepa.org/Display/DisplayParcel.aspx?FolioID=10275663</a>
2	288,367	6.62	04-47-25-30-0001A.0000	\$ 8,827.39	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10508131">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10508131</a>
3	380,279	8.73	34-46-25-01-0000C.0160	\$0.00	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275780">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275780</a>
4	423,839	9.73	34-46-25-01-0000C.0150	Unknown	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275771">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275771</a>
5	186,001	4.27	33-46-25-00-00019.0020	\$ 45.72	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10460677">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10460677</a>
6	149,411	3.43	34-46-25-01-0000C.0170	\$ 36.71	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275767">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275767</a>
7	228,690	5.25	33-46-25-00-00019.0010	\$ 56.19	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?FolioID=10275664">http://www.leepa.org/Display/DisplayParcel.aspx?FolioID=10275664</a>
8	121,696	2.79	33-46-25-00-00018.0000	\$ 29.87	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275647">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275647</a>
9	164,221	3.77	34-46-25-01-0000C.0350	\$ 40.76	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275751">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275751</a>
10	26,051	0.6	34-46-25-01-0000C.035E	\$ 6.49	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275755">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275755</a>
11	24,569	0.56	34-46-25-01-0000C.035F	\$ 6.05	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275783">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275783</a>
12	27,927	0.64	34-46-25-01-0000C.035G	\$ 6.93	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275749">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275749</a>
13	18,376	0.42	34-46-25-01-0000C.035D	\$ 4.51	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275757">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275757</a>
14	17,592	0.4	34-46-25-01-0000C.035C	\$ 4.30	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275756">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275756</a>
15	25,054	0.58	34-46-25-01-0000C.035B	\$ 6.27	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275782">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275782</a>
16	86,211	1.98	34-46-25-01-0000C.035A	\$ 21.41	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275750">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275750</a>
17	172,933	3.97	34-46-25-00-00005.0020	\$ 42.50	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275680">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275680</a>
18	121,696	2.79	34-46-25-00-00005.0010	\$ 29.87	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275679">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275679</a>
19	38,536	0.88	34-46-25-00-00005.0000	\$ 9.53	<a href="http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275678">http://www.leepa.org/Display/DisplayParcel.aspx?folioid=10275678</a>
<b>Total</b>	<b>6,278,536.40</b>	<b>144.12</b>		<b>\$ 19,414.80</b>	

## Parcel One: 86.71 Acres

Parcel 1A on the map is the western portion which contains 78.59± acres. Parcel 1B is the smaller piece on the east side of Via Coconut Road and contains 8.12± acres.

[33-46-25-00-00019.0000](#)

Owned by Estero North Point, Ltd. which is controlled by a corporation of the same name. The company's officers include representatives from the Lutgert Companies, the Barron Collier companies, and Madison Marquette in Washington DC.

Originally purchased in 2006 for \$34.4 million (\$9.10± per square foot).

Entitlements for a Development of Regional Impact were approved in 2003 for a larger 102.5 acre assemblage. Uses included 550,000 square feet of retail commercial use; 120,000 square feet of office use, 150 hotel/motel rooms; and 150 residential units; with maximum building height not to exceed 75 feet.

### Contacts

Scott Lutgert – 239-261-6100

Katherine Sproul – 239-263-2360

Howard Gutman – 239-261-6100

Douglas Baird – 239-262-2600

Bradley Boaz – 239-262-2600

David Brainerd – 202-741-3800

Phil Akins – 202-741-3800

2014 Property taxes were \$10,240.30

## Parcel Two: 6.62± Acres

[04-47-25-30-0001A.0000](#)

Owned by CP Land Investment LLC, a subsidiary of Oakbrook Properties, Inc., the original owners of the Coconut Point land. The property was originally purchased in 1981 and has been transferred to related entities four times since then.

There has been no significant permitting activity for the property.

Oakbrook Properties | Bonita Springs

24880 Burnt Pine Dr.

Bonita Springs, FL 34134

(239) 992-5529

Local Contact: NED E DEWHIRST

Corporate Phone (630) 584-6580

Property taxes for 2014 were \$8,827.39

### Parcel Three: 8.73 Acres

[34-46-25-01-0000C.0160](#)

Owned by Christ Community Ministries. Purchased in 1999 for \$330,000 (\$0.87 per square foot).

A development order for 31,743 square feet for a place of worship was approved in 2000, extended in 2010, and expired in 2012.

Mark Goodman, Pastor  
8681 County Road  
Esteros, FL 33923  
[pastormark@ccmswfl.org](mailto:pastormark@ccmswfl.org)

The property is tax exempt for the current ownership.

### Parcel Four: 9.73 Acres

[34-46-25-01-0000C.0150](#)

Forty-five percent owned by Gess Family Partnership  
Fifty-five percent owned by Gulf Coast Driving Range LLC

[William Gess III](#) is listed as the managing principal of Gulf Coast Driving Range, LLC.

151 North Eagle Creek Drive # 10  
Lexington, KY 40509  
(859) 543-1143

The property is currently in use as a driving range with no other permitting or development order activity.

Originally purchased in 2004 for \$856,300 (\$2.02 per square foot) including the driving range improvements and 1,000± square foot building.

## Parcels Five through Twenty

Originally purchased in 2001 as part of a multi-property transaction for \$400,000.

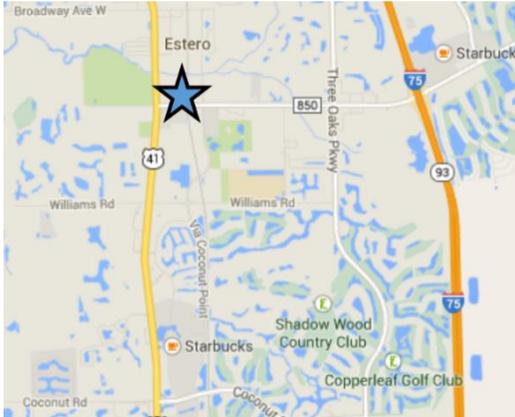
Stephanie Miller is a principal and the broker marketing the property for sale: 239-277-1515

The property is currently in use as a farm, however there has been recent permitting activity for parcels 5, 6, 7, and 16 (on the west side of Via Coconut Road):

“Rezone 18.53 acres from Agricultural Districts, AG-2 and Community Facilities Districts, CF-2 to Mixed Use Planned Development, MPD to allow for development of up to 297 dwelling units and 30,000 square feet of commercial. A comprehensive plan amendment has been filed concurrently.

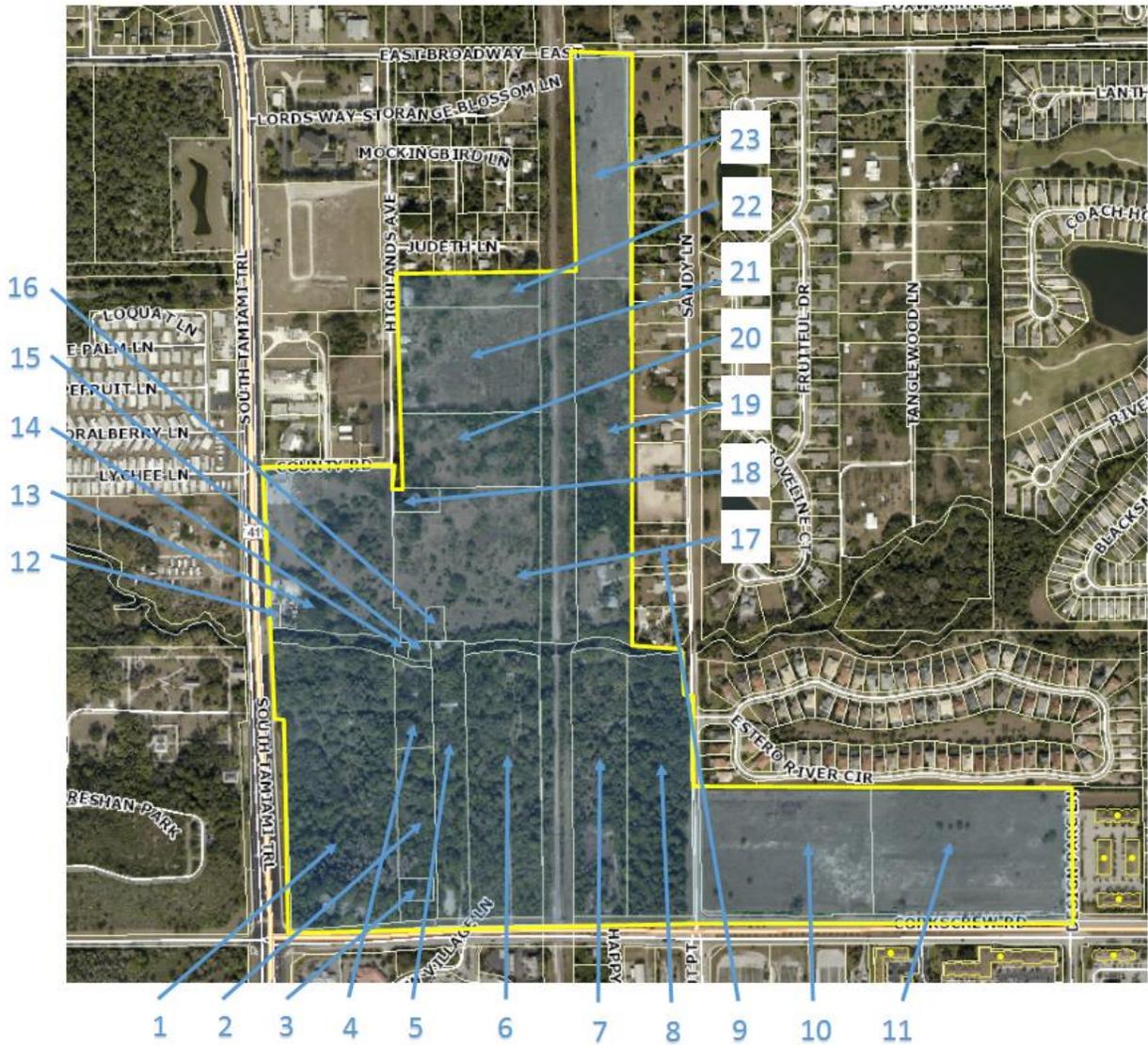
Parcels 9 through 15, and 17 through 20 are currently in contract for a proposed multi-family project.

# Subject Area "G"



This subject area is made up of 23 parcels containing 118 acres with 5 different owners.

Additionally, The Seminole Gulf rail line runs North/South and the Estero River runs East/West through the subject area.



VILLAGE PARTNERS | ESTERO ON THE RIVER

Parcel	Owner	Square Feet	Acres	Strap Number	2014 Tax
1	VILLAGE PARTNERS LLC	612,731	14.07	33-46-25-00-00001.0000	\$ 15,237.23
2	VILLAGE PARTNERS LLC	112,820	2.59	33-46-25-00-00006.0000	\$ 2,094.63
3	VILLAGE PARTNERS LLC	14,810	0.34	33-46-25-00-00007.0000	\$ 274.96
4	VILLAGE PARTNERS LLC	61,420	1.41	33-46-25-00-00005.0000	\$ 1,140.34
6	VILLAGE PARTNERS LLC	364,162	8.36	33-46-25-00-00009.0000	\$ 13,059.90
7	VILLAGE PARTNERS LLC	264,716	6.08	33-46-25-00-00010.0000	\$ 4,695.65
8	VILLAGE PARTNERS LLC	372,002	8.54	33-46-25-00-00013.0000	\$ 6,598.72
9	VILLAGE PARTNERS LLC	34,203	0.79	28-46-25-00-00014.0020	\$ 1,767.54
13	VILLAGE PARTNERS LLC	399,221	9.16	28-46-25-00-00033.0000	\$ 6,956.63
14	VILLAGE PARTNERS LLC	5,395	0.12	33-46-25-00-00004.0000	\$ 333.88
15	VILLAGE PARTNERS LLC	7,470	0.17	33-46-25-00-00003.0000	\$ 462.30
16	VILLAGE PARTNERS LLC	12,450	0.29	28-46-25-00-00016.0040	\$ 385.25
17	VILLAGE PARTNERS LLC	401,188	9.21	28-46-25-00-00016.0050	\$ 6,529.73
18	VILLAGE PARTNERS LLC	22,050	0.51	28-46-25-00-00017.0000	\$ 682.33
19	VILLAGE PARTNERS LLC	415,127	9.53	28-46-25-00-00015.0000	\$ 9,292.41
20	VILLAGE PARTNERS LLC	217,800	5.00	28-46-25-00-00018.0000	\$ 3,369.78
21	VILLAGE PARTNERS LLC	331,056	7.60	28-46-25-00-00020.0000	\$ 5,901.68
22	VILLAGE PARTNERS LLC	108,900	2.50	28-46-25-00-00021.0000	\$ 4,541.51
	Totals for Village Partners, LLC	3,757,521	86.26		\$ 83,324.47
HAPPEHATCHEE CENTER					
Parcel	Owner	Square Feet	Acres	Strap Number	2014 Tax
5	HAPPEHATCHEE CENTER INC	209,959	4.82	33-46-25-00-00008.0000	\$ 349.83
GALLERIA					
Parcel	Owner	Square Feet	Acres	Strap Number	2014 Tax
10	RD INVESTMENT PROPERTIES LLC	432,986	9.94	34-46-25-00-00002.0020	\$ 74,553.88
11	RD INVESTMENT PROPERTIES LLC	497,455	11.42	34-46-25-00-00002.0030	\$ 19,241.41
	Total for RD Investment Properties	930,441	21.36		\$ 93,795.29
OTHERS					
Parcel	Owner	Square Feet	Acres	Strap Number	2014 Tax
12	STULLER PAULA R SHIREY	3,054	0.07	28-46-25-00-00034.0000	\$ 2,290.16
23	ANDERSON JONATHAN	236,966	5.44	28-46-25-00-00015.1000	\$ 1,963.19
	Total Ancillary Properties	240,020	5.51		\$ 4,253.35
	Owner	Square Feet	Acres		2014 Tax
	<b>Grand Total</b>	<b>5,137,941</b>	<b>117.95</b>		<b>\$ 181,722.94</b>

## Village Partners, LLC

Village Partners, LLC first purchased two and a half acres identified as Parcel 22 in 2005 for \$600,000 (\$5.50 per square foot). The remaining 17 parcels of their portfolio were purchased in 2007 for \$11.4 million (\$3.12 per square foot).

The assemblage totals 86.2± acres and is on the market for \$34.5 million (\$9.18 per square foot). The seller has extensive experience in location commercial development and is receptive to proposals for joint venture or sale.

Broker / Principal:

Andy DJamoos

239-293-1673

[andy@andydjamooos.com](mailto:andy@andydjamooos.com)

## Happehatchee Center, INC

The Happehatchee Center owns Parcel 5 and has had related ownership since 1972. It is currently in use as a campground retreat. <http://happehatchee.org/>

(239) 992-5455 | [happehatchee@gmail.com](mailto:happehatchee@gmail.com)

## RD INVESTMENT PROPERTIES LLC

RD Investment Properties purchased Parcels 10 and Parcel 11 in 2013 for a total of \$2,775,000 (\$2.98 average per square foot). These two properties are on the market for \$5,500,000 (\$5.91 per square foot).

Michael C. Richter

5621 Strand Blvd, Suite 208

Naples, FL 34110

239.403.9363

[Michael.Richter@questarcapital.com](mailto:Michael.Richter@questarcapital.com)

David B. Douglas

5621 Strand Blvd, Suite 208

Naples, FL 34110

Norman Sharp

20660 Charging Cross Cir.

Estero, FL 33928

## Ancillary Properties

Paula Stuller owns Parcel 12 which has been in related ownership since 1984. It is a small parcel that is in use as canoe and kayak outfitter/rental for the Estero River. They rent a portion the Village Partners LLC piece as well.

Paula Stuller  
Estero River Outfitters  
(239) 992-4050  
[esteroriver@gmail.com](mailto:esteroriver@gmail.com)

Jonathan Anderson owns Parcel 23. It was rezoned in 2006 and approved for 16 residential units.

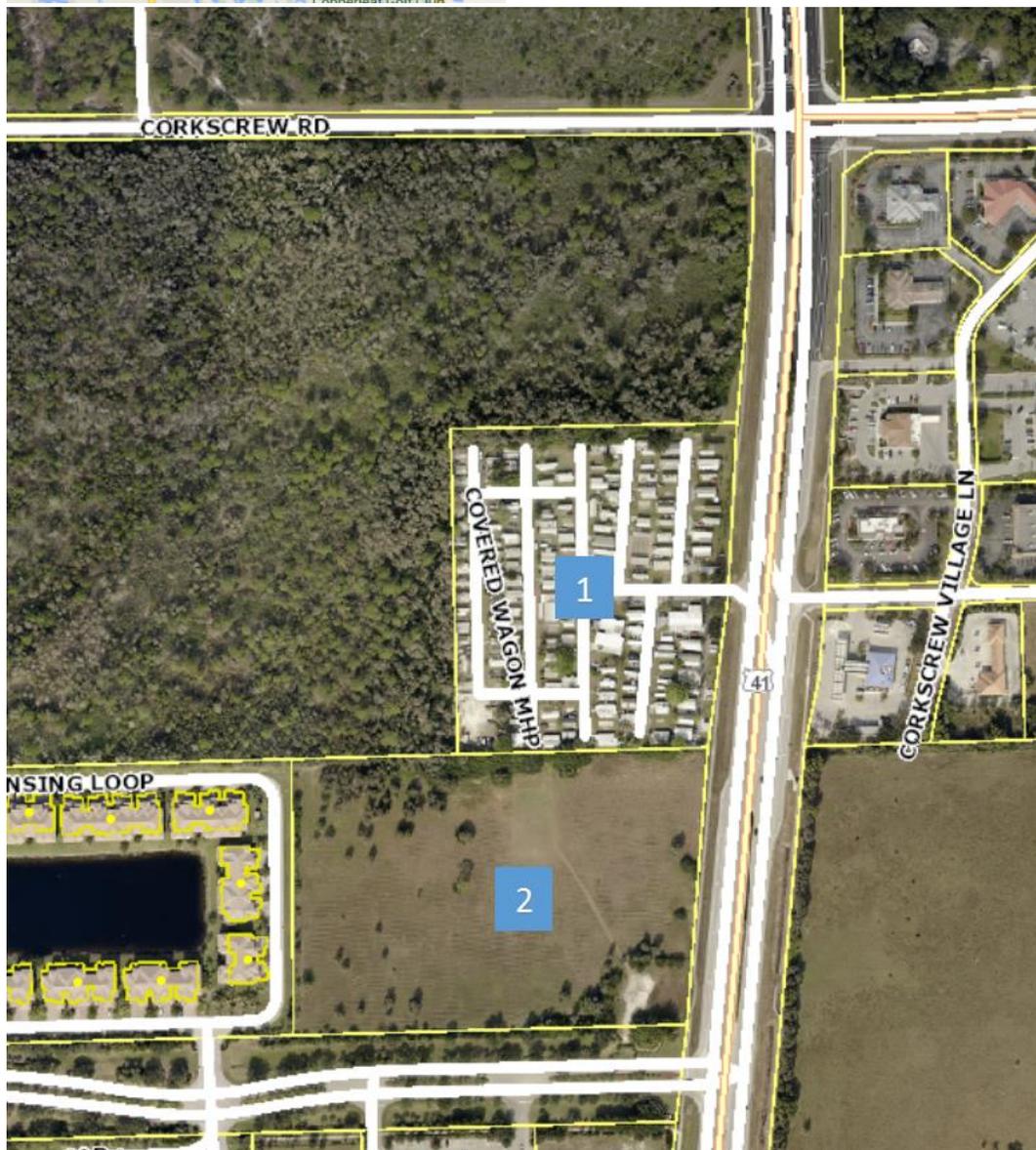
Property Appraiser:  
Jonathan Anderson  
PO BOX 352  
Estero FL 33929

Deed:  
Jonathan Anderson  
7647 Knollwood Drive  
Mounds View, MN 55112

# Subject Area "H"



This subject area contains two parcels across US 41 from Subject Area "F". One is a mobile home park with leaseholds that could potentially be combined with the second parcel.



## Parcel One: Approximately 8 Acres / 156 Unit Mobile Home Park

[33-46-25-00-00018.0080](#)

Owned by Covered Wagon Travel Trailer Park, LLC. Originally purchased in 1985

Principals: Trent Goss, James Goss, Trisha Fridella, and Tracy McDuffie. 10912 N 56<sup>th</sup> Street, Temple Terrace, FL 33617

Mr. Tracy L. McDuffie is an Orlando based attorney at Conroy, Simberg, Ganon, et al.

Trent Goss 813-984-1533 | [t.goss@yahoo.com](mailto:t.goss@yahoo.com)

After speaking with Trent Goss, we've learned that the property has been in the family over 30 years. They are not interested in selling but would entertain a ground lease on the front portion of the property. No permitting activity related to a change of use. There have been numerous violations, most of which have been resolved. Property taxes for 2014 were 29,382.75.

**Property taxes for 2012 and 2013 are outstanding with certificates totaling \$63,682.65**

## Parcel Two: 11.09 Acre

[33-46-25-00-00001.0030](#)

Owned by trustees: Charles M. Long, William A. Friedlander, and Joseph J. Dehner. Ownership c/o James T. Humphrey, an attorney at Knott, Ebelini, Hart. Phone: 239-334-2722

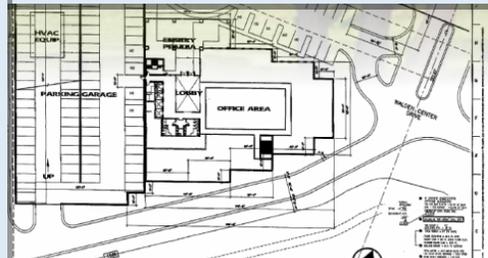
[jhumphrey@knott-law.com](mailto:jhumphrey@knott-law.com)

Jim Humphrey, former Mayor of Fort Myers, provided some insight on the ownership of this property. The trustees of the property have a heritage that goes back several generations in Lee and Collier counties and have influenced several landmark developments in the area.

The property ownership was last transferred in 1990 w/out price consideration. Most recent permitting activity from 2005:

APPROVED - "Amend Resolution Z-98-029 to adopt a new Master Concept Plan on 10.95 acres of the original planned development. The proposed Master Concept Plan seeks development of up to 27 multiple family residential dwelling units and 100,000 square feet of commercial floor area OR 125,000 square feet of commercial floor area with a proposed maximum building height of 45 feet (3 stories). Blasting is not a proposed development activity. The applicant indicates that they will connect to potable water and central sewer as part of any development of this property."

Property taxes for 2014 were \$33,412.34



# Estero Market Overview

## Part 4 | Available Properties

### Prepared by

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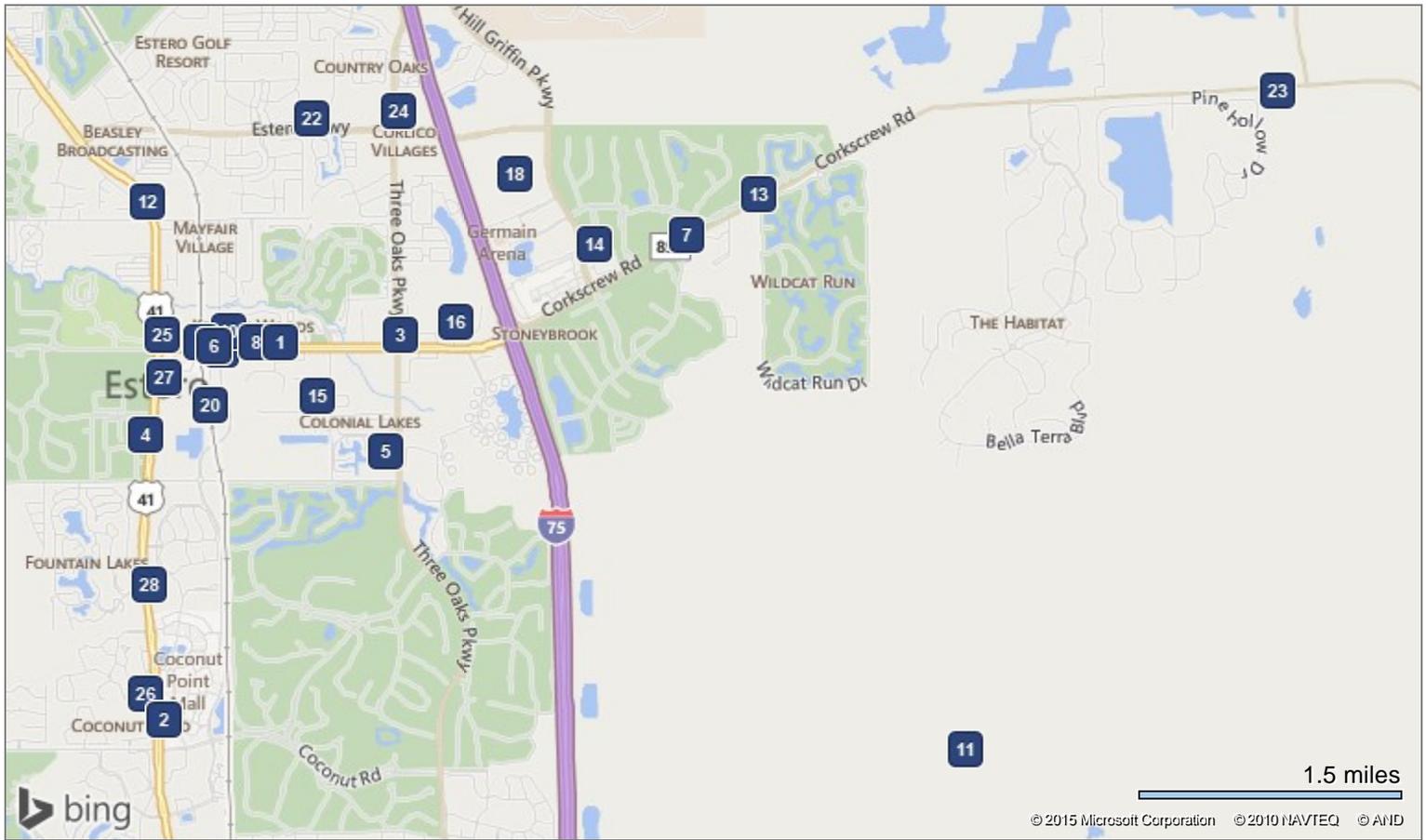
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Disclaimer: This information is gathered from sources believed to be reliable; however we cannot guarantee its accuracy. This is not an appraisal and should not be used as the sole basis for valuing real estate.

Map



**1** 9451 Corkscrew Road  
Estero, FL 33928

**4** 21740 S Tamiami Trail  
Estero, FL 33928

**7** Corner of Stoneybrook Golf Dr & Corkscrew Rd  
Estero, FL 33928

**10** 9201 and 9301 Corkscrew Road  
Estero, FL 33928

**13** 10350 Corkscrew Commons Drive  
Estero, FL 33928

**16** 10370 Corkscrew Commons Drive  
Estero, FL 33928

**19** 20441 S Tamiami Trail  
Estero, FL 33928

**22** Estero Parkway and Three Oaks Parkway  
Estero, FL 33928

**25** 8661 CORKSCREW RD  
Estero, FL 33928

**28** 8003 Sweetwater Ranch Blvd  
Estero, FL 33928

**2** Coconut Point Lot 2A  
Estero, FL 33928

**5** 21750 Three Oaks Parkway  
Estero, FL 33928

**8** 9301 Corkscrew Road  
Estero, FL 33928

**11** Corkscrew Road  
Estero, FL 33928

**14** 20330 Grand Oaks Shoppes Blvd  
Estero, FL 33928

**17** 20441 S Tamiami Trail  
Estero, FL 33928

**20** Via Coconut Point & Corkscrew Road  
Estero, FL 33928

**23** 15230 Corkscrew Road  
Estero, FL 33928

**26** 22961 LYDEN DR  
Estero, FL 33928

**3** 10170 Arcos Ave  
Estero, FL 33928

**6** 9600 Corkscrew Rd  
Estero, FL 33928

**9** 9201 Corkscrew Road  
Estero, FL 33928

**12** 20441 S. Tamiami Trail  
Estero, FL 33928

**15** 9400 Block Lane  
Estero, FL 33928

**18** Everblades Parkway  
Estero, FL 33928

**21** Via Coconut Point & Corkscrew Road  
Estero, FL 33928

**24** SW 1/4 AS DESC IN OR 4848 PG 1693  
Estero, FL 33928

**27** 8810 Commons Way  
Estero, FL 33928

## Properties for Sale

### 1 9451 Corkscrew Road, Estero, FL 33928



Price \$759,000  
Lot Size 1.17 AC  
Property Sub-type Office (land)  
Status Active

Property Notes

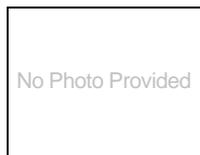
#### Lots

#	Price	Size	Price/Size	Description
	\$759,000	1.17 AC	\$648,720.49 /AC	

#### Property Description

1.17 acre commercial site with active development order for a 10,136 sf building. CPD Zoning allows office, medical and retail. Property has 235' of frontage on the north side of Corkscrew Road and a access to sewer and water. Excellent site for medical office and/or retail. Owner will consider build-to-suite and commercial condominium development.

### 2 Coconut Point Lot 2A, Estero, FL 33928



Price \$2,999,999  
Lot Size 3.37 AC  
Property Sub-type Retail (land)  
Status Active

Property Notes

#### Lots

#	Price	Size	Price/Size	Description
	\$2,999,999	3.37 AC	\$890,287.47 /AC	The parcel is restricted to a 40,000 SF max building

#### Property Description

The subject site is an outparcel to Coconut Point, Simon Properties' 500-acre, master planned community that includes 90,000 square feet of office condominiums, residential units, up to 1.3 million square feet of retail space, and a variety of great restaurants all surrounding several acres of lakes with a boardwalk. Close proximity to Miromar Outlets (700,000 square feet of retail space), International Design Center, Germain Arena, Florida Gulf Coast University (15,000 students enrolled), Gulf Coast Town Center (1.9 million square feet of retail space), and Hertz world headquarters (over 1,000 employees)

**3** 10170 Arcos Ave, Estero, FL 33928



Price \$763,490 - 1,451,888  
 Lot Size 1.25 - 2.08 AC  
 Property Sub-type Retail (land)  
 Status Active

Property Notes

**Lots**

#	Price	Size	Price/Size	Description
A	\$763,490	1.25 AC	\$610,792 /AC	
B	\$858,504	1.64 AC	\$523,478.05 /AC	
C	\$1,451,888	2.08 AC	\$698,023.10 /AC	

**Property Description**

The subject sites are available together or separately in the heart of Estero across from the Lowe's development and next to the new Culver's restaurant. The sites provide fantastic presence and visibility in the rapidly growing market of Estero. There are multiple residential projects in development including Estero Placa (Neal Communities), Estero Crossings (Stock Development), and Springs at Estero (Continental Properties). The sites are in close proximity to the new world headquarters for Hertz (nearly 1,000 employees) and Florida Gulf Coast University (15,000± students enrolled).

**4** 21740 S Tamiami Trail, Estero, FL 33928



Price \$595,000  
 Lot Size 1.36 AC  
 Property Sub-type Retail-Pad (land)  
 Status Active

Property Notes

**Lots**

#	Price	Size	Price/Size	Description
	\$595,000	1.36 AC	\$437,500 /AC	

**Property Description**

This outparcel fronts the Shoppes of Estero which is a 25,970 sf strip center anchored by Mother Earth, ABC Liquors, and Jimmie Johns.

**5** 21750 Three Oaks Parkway, Estero, FL 33928



Price \$4,500,000  
 Lot Size 9.92 AC  
 Property Sub-type Retail (land)  
 Status Active

Property Notes

**Lots**

#	Price	Size	Price/Size	Description
	\$4,500,000	9.92 AC	\$453,629.03 /AC	

**Property Description**

Located on a signalized hard corner, this parcel has Three Oaks Parkway and Williams Road frontage and close proximity to Hertz Global Headquarters.

**6 9600 Corkscrew Rd, Estero, FL 33928**



Price \$3,200,000  
 Lot Size 3.84 AC  
 Property Sub-type Retail (land)  
 Status Active

Property Notes

**Lots**

#	Price	Size	Price/Size	Description
	\$3,200,000	3.84 AC	\$833,333.35 /AC	

**Property Description**

Located at a signalized intersection with full median cut off Corkscrew Road. With CPD zoning, it is ideal for convenience store or fast food chain, bank, drug store, pharmacy, restaurant or specialty retail shops. Within close proximity to I-75, Gulf Coast Town Center, Coconut Point Mall and Hertz Global Headquarters.

**7 Corner of Stoneybrook Golf Dr & Corkscrew Rd, Estero, FL 33928**



Price \$2,500,000  
 Lot Size 12.02 AC  
 Property Sub-type Retail (land)  
 Status Active

Property Notes

**Lots**

#	Price	Size	Price/Size	Description
	\$2,500,000	12.02 AC	\$207,986.68 /AC	

**Property Description**

12.02 acre CPD - development order and zoning resolution in placeCleared, partially filled, utilities/roads in place Frontage on Corkscrew Road (1,900 +/- linear feet)White hot residential corridor - 5,000 rooftops within 2-mile radius and increasing rapidly to the East1 mile east of I-75 (Exit 123) and 1.5 miles from FGCU (state' s fast growing university)Approved for: 6-island gas station with c-store (3,700sf), office (16,000sf), retail (9,000sf), restaurant (4,000sf), and mini-storage (150,000sf).Meets Estero architecture and parking requirements

**8 9301 Corkscrew Road, Estero, FL 33928**



Price \$3,000,000  
 Lot Size 11.42 AC  
 Property Sub-type Commercial/Other (land)  
 Status Active

Property Notes

**Lots**

#	Price	Size	Price/Size	Description
	\$3,000,000	11.42 AC	\$262,697.03 /AC	

**Property Description**

Fantastic commercial corner in the Corkscrew Road growth-corridor in the red-hot Estero, FL market. This parcel is part of an approved (and amendable) Commercial Planned Development for 143,000 square feet of commercial space (see attached siteplan)...shovel-ready and able to accommodate a time-sensitive user. Price is below 2013 appraised value. Much activity has occurred in the area since. Adjoining parcel also available.

9 9201 Corkscrew Road, Estero, FL 33928



Price \$2,600,000 Property Notes  
 Lot Size 9.94 AC  
 Property Sub-type Commercial/Other (land)  
 Status Active

**Lots**

#	Price	Size	Price/Size	Description
	\$2,600,000	9.94 AC	\$261,569.66 /AC	

**Property Description**

Fantastic commercial corner in the Corkscrew Road growth-corridor in the red-hot Estero, FL market. This parcel is part of an approved (and amendable) Commercial Planned Development for 143,000 square feet of commercial space (see attached siteplan)...shovel-ready and able to accommodate a time-sensitive user. Price is below 2013 appraised value. Much activity has occurred in the area since. Adjoining parcel also available.

10 9201 and 9301 Corkscrew Road, Estero, FL 33928



Price \$5,500,000 Property Notes  
 Lot Size 21.36 AC  
 Property Sub-type Commercial/Other (land)  
 Status Active

**Lots**

#	Price	Size	Price/Size	Description
	\$5,500,000	21.36 AC	\$257,490.63 /AC	

**Property Description**

Fantastic commercial corner in the Corkscrew Road growth-corridor in the red-hot Estero, FL market. This opportunity features 2 separate parcels that are collectively part of an approved (and amendable) Commercial Planned Development for 143,000 square feet of commercial space (see attached siteplan)...shovel-ready and able to accommodate a time-sensitive user. In April, 2013, these properties appraised for \$6,085,000. Much activity has occurred in the area since. The parcels can be purchased together or separately.

11 Corkscrew Road, Estero, FL 33928



Price \$299,000 Property Notes  
 Lot Size 2.40 AC  
 Property Sub-type Commercial/Other (land)  
 Status Active

**Lots**

#	Price	Size	Price/Size	Description
	\$299,000	2.40 AC	\$124,583.33 /AC	

**Property Description**

The development is approximately 510 acres, featuring 441 single family homes. Lennar Homes and Pulte Homes have been selected by the developer, Cameratta Companies, to be the Premier Builders within the community. An overwhelming number of sales have occurred since the grand opening

12 20441 S. Tamiami Trail, Estero, FL 33928



Price	Price Not Disclosed	Property Notes
Building Size	999,999 SF	
No. Units	310	
Property Sub-type	Mid/High-Rise	
Status	Active	

**Property Description**

-Great Multifamily Apartment opportunity.-Approved for up to 310 units.-Fantastic location set to become a poignant Estero development-This 34.5+/- acre mixed-use development will offer both commercial and residential uses with over 200,000sf of retail and office space and up to 310 multi-family units, a 200 bed Assisted Living/Independent Living Facility and a 120 bed hotel.-Zoning approved along with permits in place to provide the master infrastructure for the development.-Developer will consider joint venture relationships, various financing terms, sale or lease of various parts of the development.

13 10350 Corkscrew Commons Drive, Estero, FL 33928



Price	\$997,542	Property Notes
Lot Size	2.29 AC	
Property Sub-type	Commercial/Other (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
	\$997,542	2.29 AC	\$435,607.87 /AC	

**Property Description**

Exit 123 of I-75, Close proximity to Miromar Outlets, Florida Gulf Coast University and Coconut Pointe Mall.

14 20330 Grand Oaks Shoppes Blvd, Estero, FL 33928



Price	\$345,000	Property Notes
Lot Size	1.41 AC	
Property Sub-type	Retail-Pad (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
6	\$345,000	1.41 AC	\$244,680.86 /AC	

**Property Description**

Retail Pad Site for fast food and many other retail uses.

15 9400 Block Lane, Estero, FL 33928



Price	\$1,200,000	Property Notes
Lot Size	5 AC	
Property Sub-type	Residential (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
	\$1,200,000	5 AC	\$240,000 /AC	

**Property Description**

The subject property consists of 5-acres with approved RPD zoning for up to 26 single-family units. The property is currently separated in two portions by a fence; the front 1.2 acres has a small house on it and the remaining 3.8 acres are vacant.

16 10370 Corkscrew Commons Drive, Estero, FL 33928



Price	\$860,000	Property Notes
Lot Size	2.47 AC	
Property Sub-type	Commercial/Other (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
11	\$860,000	2.47 AC	\$348,178.13 /AC	Zoned for a 100 room hotel site. Lot is cleared improved and ready for development. Also zoned for retail, office and medical use.

**Property Description**

Part of the 47+ acre Estero Interstate Commerce Park CPD. Fantastic I-75 and Corkscrew Road exposure. Seller will consider build to suit offers.

17 20441 S Tamiami Trail, Estero, FL 33928



Price	Price Not Disclosed	Property Notes
Lot Size	1 AC	
No. Beds	200	
Property Sub-type	Multifamily (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
		1 AC		

**Property Description**

Senior Living Facility within the 34.5+/- mixed-use Downtown Estero Development. Downtown Estero is a unique mixed-use project that will serve as the downtown setting for the Estero community. The project includes up to 200 assisted living/continuing care beds, 100 independent living residences or a combination to meet specific operational program. The development will have access to US41 by a full access opening approved by FDOT and an additional access to Broadway. Permits in place to provide the master infrastructure for the development.

18 Everblades Parkway, Estero, FL 33928



Price	\$3,000,000 - 8,000,000	Property Notes
Lot Size	2 - 14.21 AC	
Property Sub-type	Commercial/Other (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
Parcel 6	\$3,000,000	2 AC	\$1,500,000 /AC	
Parcel 7	\$6,500,000	6.36 AC	\$1,022,012.56 /AC	
Parcel10	\$8,000,000	7.61 AC	\$1,051,248.34 /AC	
11 & 12	\$6,700,000	14.21 AC	\$471,498.94 /AC	

**Property Description**

208± acres surrounding Germain Arena is Estero Florida. High visibility, high profile site with maximum I-75 exposure on western boundary. Approved Master Concept Plan. Part of DRI including 1,300 dwelling units; 150,000 SF Office; 100,000 SF Retail; 200 Hotel Rooms and ALF/CCRC. Parcels also available individually.

19 20441 S Tamiami Trail, Estero, FL 33928



Price	Price Not Disclosed	Property Notes
Lot Size	1 AC	
Property Sub-type	Retail-Pad (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
		1 AC		

**Property Description**

Retail Outparcel/Pads with frontage along US41 (Tamiami Tr) that will serve as the gateway to the Downtown Estero Development. The pads will have access to US41 by a full access opening approved by FDOT and secondary access to Broadway. . Downtown Estero is a unique 34.5 acres mixed-use project that will serve as the downtown setting for the Estero community. The development will offer both commercial and residential uses with over 200,000sf of retail and office space and up to 310 multi-family units, a 200 bed Assisted Living/Independent Living Facility and a 120 bed hotel.Zoning approved along with permits in place to provide the master infrastructure for the development.The developer will consider joint venture relationships, various financing terms, sale or lease of various parts of the development.

20 Via Coconut Point & Corkscrew Road, Estero, FL 33928



Price \$7,474,896.16 Property Notes  
 Lot Size 17.60 AC  
 Property Sub-type Commercial/Other (land)  
 Status Active

**Lots**

#	Price	Size	Price/Size	Description
	\$7,474,896.16	17.60 AC	\$424,710 /AC	

**Property Description**

Property is located in the Mix-Use overlay approved by Lee County in May of 2007. The proposed site plan consists of residential, retail, office condominiums, hotel and restaurants. Located in a heart of Estero, just north of Coconut Point Mall with frontage on Corkscrew Road.

21 Via Coconut Point & Corkscrew Road, Estero, FL 33928



Price \$7,186,093.23 Property Notes  
 Lot Size 16.92 AC  
 Property Sub-type Commercial/Other (land)  
 Status Active

**Lots**

#	Price	Size	Price/Size	Description
	\$7,186,093.23	16.92 AC	\$424,710 /AC	

**Property Description**

Property is located in the Mix-Use overlay approved by Lee County in May of 2007. The proposed site plan consists of residential, retail, office condominiums, hotel and restaurants. Located in a heart of Estero, just north of Coconut Point Mall with frontage on Corkscrew Road.

22 Estero Parkway and Three Oaks Parkway, Estero, FL 33928



Price \$3,500,000 Property Notes  
 Lot Size 5 AC  
 Property Sub-type Retail (land)  
 Status Active

**Lots**

#	Price	Size	Price/Size	Description
	\$3,500,000	5 AC	\$700,000 /AC	

**Property Description**

Retail, Medical & Office CDP: Commercial Planned Development 5 acres Will build to suit

23 15230 Corkscrew Road, Estero, FL 33928



Price	\$1,695,000	Property Notes
Lot Size	12.10 AC	
Property Sub-type	Commercial/Other (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
	\$1,695,000	12.10 AC	\$140,082.64 /AC	

**Property Description**

Vacant commercial land with 1,320' of frontage on Corkscrew Rd. in Estero, FL. Near the intersection of Alico Rd. This property is presented by Peak Realty Partners, LLC, S.F. (Bud) Balsom, Broker. Call Bud at 239-213-0900 today!

24 SW 1/4 AS DESC IN OR 4848 PG 1693, Estero, FL 33928



Price	\$2,500,000	Property Notes
Lot Size	5.30 AC	
Property Sub-type	Retail (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
0	\$2,500,000	5.30 AC	\$471,698.11 /AC	5.3 Acre Lot, partially cleared. Additional Student Housing Property is also for sale, Price to be determined by the market, not listed by Igoe Realty P.A.

**Property Description**

Corner lot 5.3 acre retail, partially cleared and surrounded by future housing. Corner of Three Oaks Parkway and Estero Parkway, 46,200 Sq Ft retail space has been approved for this site. Additional zoning suggestions, Medical Office, Bank, Restaurant, Strip Center. Estero Parkway is the Flyover I-75 connecting Three Oaks and Ben Hill Griffin Parkways. The construction of Super Wal Mart has begun on the NE Corner of US 41 and Estero Parkway, Approximately 2 miles from this site. Adjoining corner parcel has over 1500 College Student Housing units current and future surrounding it. NW Corner w/280 Upscale Residential units approved. Centered between two Major Shopping Malls and near FGCU, International Design Center, Miramar Outlet Malls, Germaine Arena and many large High End housing developments and Golf Course Communities.



Price \$34,499,520  
 Lot Size 87 AC  
 Property Sub-type Multifamily (land)  
 Status Active

Property Notes

#### Lots

#	Price	Size	Price/Size	Description
	\$34,499,520	87 AC	\$396,546.21 /AC	MPD to allow 530 residential units and 300,000 square feet of commercial space

#### Property Description

Major Hub area for Southwest Florida. Estero on the River is zoned MPD to allow 530 residential (r1 & R2) units and 300,000 square feet of commercial (MU & CU) use. The Estero River runs directly through the middle of the property and is surrounded by an abundance of foliage creating a natural and unique ambians. This property lends its self to a mix use site as a walkable and livable village atmospher in the center of all the action in SW Florida. The land use designations are Urban Community and Outlying Suburban. 2050 ft of US 41 Frontage.



Price \$940,896 - 2,009,352  
 Lot Size 1.20 - 2.14 AC  
 Property Sub-type Retail (land)  
 Status Active

Property Notes

#### Lots

#	Price	Size	Price/Size	Description
D of B	\$1,696,056	1.62 AC	\$1,045,440 /AC	Commercial Planned Development - Bank site potential!
C of B	\$2,009,352	1.92 AC	\$1,045,440 /AC	Commercial Planned Development
E of A	\$940,896	1.20 AC	\$784,080 /AC	
F of A	\$1,677,924	2.14 AC	\$784,080 /AC	

#### Property Description

Excellent US 41 (Tamiami Trail) frontage! 2 complete entrances to the property and a third awaiting construction. Of the three entrances, Coconut Trace shares a 4-way traffic light controlled intersection with Coconut Point's main intersection.

27 8810 Commons Way, Estero, FL 33928



Price	\$450,000	Property Notes
Lot Size	0.94 AC	
Property Sub-type	Commercial/Other (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
	\$450,000	0.94 AC	\$478,723.41 /AC	

**Property Description**

Near new Hertz Headquarters....Outstanding investment in the fastest growing area of the Coconut Point Mall. Zoning allows everything from retail to Contractors.

28 8003 Sweetwater Ranch Blvd, Estero, FL 33928



Price	Price Not Disclosed	Property Notes
Lot Size	1.97 AC	
Property Sub-type	Commercial/Other (land)	
Status	Active	

**Lots**

#	Price	Size	Price/Size	Description
		1.97 AC		

**Property Description**

Just south of the New Hertz 300,000 sf headquarters on US 41 in Estero, lies this well positioned 1.97 AC parcel. Mixed Use site with restaurant, retail, medical, office, bank\* uses available to be built on the location. Take advantage of being just north of the 1.8 million sf Coconut Point Mall, at the entrance to Rapallo Village and south of the Hertz location to be completed in 2015. You can't find a better positioned location at a signalized light on US 41 in Estero.



# Estero Community Plan

## Chapter 33 Rewrite

### COVER PAGE & TRANSMITTAL

#### ATTACHMENTS:

- Estero Community Plan – Land Development Code – Executive Summary
- Estero Community Plan – Land Development Code – Chapter 33 Revisions
- Estero Community Plan – Maps for LDC Appendices

The aforementioned documents have been transmitted to the Chairs of Estero Council of Community Leaders (ECCL), the Estero Planning Panel (ECP), and the Estero Design Review Committee (EDRC) on February 23, 2015.

#### PREFACE

The attached documents have undergone over three years of various states of revision, have been reviewed by each of the primary Estero Community groups noted above, and have received commentary by a number of development professionals and County Staff in their preparation.

In 2014, the ECP Steering Committee was created that included key members of each community group along with the participation of a local land use attorney to further review the standards in an effort to create the final draft submitted herein.

#### KEY NOTES:

Prior to reviewing the revised Code regulations, examine the executive summary to be better familiarized with the content.

The code language highlighted in **yellow** within document refers to section and authority references that have not been fully coordinated and are awaiting the context of the planned final community workshop prior to being finalized.

The code language highlighted in **cyan** within the document refers to figures and exhibits that are currently in progress and are being finalized. These will be made available prior to the planned community workshop.

3D Animation  
Virtual Design  
Digital Imagery  
Land Planning & Graphics  
Landscape Architecture

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RLA 370



# ESTERO COMMUNITY PLAN LAND DEVELOPMENT CODE REVISION EXECUTIVE SUMMARY

LDC - Chapter 33 as Revised February 2015

## GENERAL SUMMARY

- A. Many facets of the development design and permitting process conducted over the past 12 years have been integrated into the revisions of this code. This document solidifies and reinforces the accomplishments Estero has strived for.
- B. The original Estero Community Plan had numerous concepts and design standards which lead the way for Estero's future. This document better defines those elements and takes the next step in furthering Estero's vision.
- C. This document corrects many of the shortcomings of working within the limitations of the Lee County LDC.
- D. This document is specific to Estero. These revisions create a codified support system for both Planning and Design in all phases of permitting.

## APPLICABILITY AND PURPOSE

- A. Community Review has been updated and is consistent with Goal 19 (Sec 33-55). *Note this aspect of the code will be further updated once the final determination of the review boards has been completed.*
- B. More descriptive definitions have been added (Sec 33-57).
- C. Updated Estero Framework Plan (Appendix 1 Map1).
- D. Revisions set the table for more incentive and design based standards.

## OVERLAY DISTRICTS

- A. In response to on-going community workshops, three (3) additional overlay districts have been created.
  - 1. Old Estero Overlay District (Appendix 1 Map 2).
  - 2. Village Town Center Overlay District (Appendix 1 Map 3).
  - 3. Village Healthcare Overlay District (Appendix 1 Map 4).
- B. Overlay districts (intend to be high quality and design specific regions of Estero) are defined with incentive-based opt-in standards. *This section has not yet been fully developed.*

## REDESIGN OF DOCUMENT FORMAT

- A. This document has been fully reformatted to be easier to read and understand. This document is now based on the primary design criteria Estero has endeavored to improve. That criteria is based on the four following primary elements:
  - 1. Architecture (Subdivision I).
  - 2. Site Planning. (Subdivision II).
  - 3. Landscape, Hardscape, Irrigation, & Open Space (Subdivision III).
  - 4. Signage (Subdivision IV).

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**RLA 370**

### **REDESIGN OF DOCUMENT FORMAT... Cont.**

- B. Revised and additional graphics (figures & exhibits) to better illustrate the intent of code (final graphics pending).
- C. Additional language has been added to illustrate potential design opportunities versus simply delineating restrictions and regulations.

### **ARCHITECTURAL STANDARDS**

- A. Better and more descriptive definitions of desired architectural design styles have been included.
- B. Simplified and more expressive graphics better define the design intent.
- C. Additional design elements have been codified to note specific aspects of architectural design which result in higher quality buildings and developments.
- D. Redefined and simplified definition of building height.
  - 1. The eave height is the most important and expressive visual aspect of building height.
  - 2. Existing definition of building heights currently limit proper design treatments and is counterproductive to the styles of architecture intended in Estero.
  - 3. Current standards prevent stylistically appropriate roof designs.
- E. Massing criteria for a variety of architectural forms better defines the underlying design intent and more appropriately affords diversity of building forms in the community.
  - 1. Historically, the common fault with most architectural design submittals has been poor massing, forms, and details.
  - 2. Roof massing standards have been added.
- F. Parking Garages & Service Station Canopies
  - 1. Standards have been created for the form and appearance of these structures (which were previously poorly defined).
  - 2. Site planning standards have been added and design intent is clearer.

### **SITE PLANNING**

- A. Refined lake design criteria to require more natural looking lakes versus rectangular.
- B. Better integration of pedestrian circulation and connectivity through parking lots and developments in general.
- C. Additional requirements for more interconnections between commercial parking lots to improve community circulation and reduce traffic congestion.

**SITE PLANNING... Cont.**

- D. Provisions to offer more incentives for the creation of open space, community gathering spaces including such design opportunities as:
  - 1. Zero Setbacks for water bodies.
  - 2. Pedestrian nodes.
  - 3. Usable open space.
  - 4. Open air cafés.
  - 5. More flexible uses of lakes as open space.
- E. Provided more design opportunities for building locations and buffer landscape requirements.
- F. More refined and descriptive standards for dumpster enclosures, services areas, etc.

**LANDSCAPING, HARDSCAPE, IRRIGATION & OPEN SPACE**

Landscaping has two purposes; (1) to integrate or to (2) buffer in an aesthetic and a functional manner. Integrative landscaping is the art of bringing together the built and natural environments. Buffer landscaping, as a code requirement, is the science of separating and differentiating incompatible uses.

- A. Standards set the table for future code modifications which separate integrative landscaping and buffer landscaping as two distinct functions as opposed to the singular use of buffering throughout the current Lee County Code.
- B. Establish specific design criteria to afford more flexibility with landscaping and buffering which translates into a higher quality design.
- C. Creation of more flexible opportunities to create designs that are complimentary to proposed commercial developments along public roadways.
- D. Adoption of more well defined tree preservation standards.
- E. Adoption of more flexible plant material selection standards

**SIGNAGE**

- A. Sign setback requirements have been modified to be consistent with the previously approved deviations which better integrate signage into landscape treatments along roadways
- B. Better definition of what sign copy areas should represent as a part of the sign structural design plus design criteria for sign copy area.
- C. Better definition of architectural context of sign forms to be more consistent with the intent of building architecture and to discourage square forms only to maximize height.
- D. Allow digital signs only for fuel stations and changeable gas price displays as required by federal law.

## Chapter 33 - PLANNING COMMUNITY REGULATIONS <sup>[50]</sup>

<sup>(50)</sup> **Editor's note**— Ord. No. 05-29, § 5, adopted Dec. 13, 2005, amended the Code to create a new Chapter 33 as follows. This initial creation of Chapter 33 includes the renumbering and amendment of existing LDC provisions pertaining to the Estero Planning Community. For historical reference purposes, the existing section of renumbered provisions are identified in editor's notes. The user is also directed to the Code Comparative Table for a detailed analysis of inclusion.

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### **Sec. 33-1. Purpose and Intent**

The purpose of this chapter is to adopt the guidelines and provisions a planning community believes is necessary to achieve the goals, objectives and policies set forth in the Lee County Comprehensive Plan applicable to each recognized individual planning community located within unincorporated Lee County. These provisions are intended to enhance, not replace, the regulations contained in the balance of this Code, unless a particular planning community specifically provides otherwise.

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(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

**Sec. 33-2. Applicability**

The following articles apply to the planning communities in unincorporated Lee County that are specifically identified in the Lee Plan. Each article covers an individual planning community, or specifically identified portion of a planning community, that has chosen to pursue adoption of standards for the particular community.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

**Sec. 33-3. Effect of LDC Provisions**

Development within the planning communities affected by this chapter must comply with all Lee County regulations, including the provisions of this Code. The planning community regulations are intended to supplement regulations in this Code, unless a particular planning community specifically provides otherwise.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

**Sec. 33-4. Conflict**

A conflict between the provisions of this chapter and the balance of this Code will be resolved in accordance with the following. The provisions of the Lee Plan in effect at the time of the conflict is discovered will control. If the Lee Plan is silent with respect to the issue, then the standards articulated in this chapter will control. If the Lee Plan and this chapter are silent with respect to an issue, then the provisions within the balance of this Code will control.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

**Sec. 33-5. Deviations/Variances**

Deviations and Variances from the provisions set forth in each article may be achieved under the standards specifically set forth by the particular planning community. If the article does not contain a specific provision related to Deviations and Variances, then the relevant provisions in chapters 10 and 34 will apply.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

**Sec. 33-6. Appeal**

Appeal of the application or interpretation of this chapter must be filed and processed in accord with section 34-145(a).

(Ord. No. 05-29, § 5, 12-13-05)

**Secs. 33-7—33-50. Reserved**

## ARTICLE II. VILLAGE OF ESTERO

### DIVISION 1. IN GENERAL

#### Section 33-51 – Purpose and Intent

The purpose of this division is to create standards for design and growth within the Village of Estero (see map 1 in Appendix I), described in Goal 19 of the Lee County Comprehensive Plan. Specific high growth corridors may be designated as overlay districts subject to the provisions of this article. The standards contained within this article are intended to encourage mixed-use developments, interconnectivity, pedestrian activity, and to achieve and maintain a unique, unified and pleasing aesthetic/visual quality in architecture, landscape architecture, site planning, and signage throughout the community. These development provisions are intended to create a distinctive community image that is pedestrian friendly and will enhance and harmonize properties throughout the Village of Estero.

(Ord. No. 05-29, § 5, 12-13-05)

#### Section 33-52 – Applicability

- (A) *Scope.* The provisions of this article apply to all development (as defined in the Lee County LDC) located in the Village of Estero, as defined in **Section 33-54(A)** and Goal 19 of the Lee County Comprehensive Plan, except for individual single-family or two-family residential structures.
- (B) *Sign permits.* The provisions of this article, including specifically the provisions of Subdivision IV, **Sections 33-382 through 33-387** apply to all signs requiring a permit in the Village of Estero.

#### Section 33-53 – Demonstrating Compliance

Compliance with the standards set forth in this article must be demonstrated on the drawings or site development plans submitted in conjunction with any zoning application, an application for development order, limited review development order, ground mounted monument style sign approval or with a building permit application other than for an individual single-family or two-family residential structure if a development order is not required. This will not prevent simultaneous applications for a development order, limited review development order, and building permit on the same parcel, however, the development order approval must precede the building permit approval.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

#### Section 33-54 – Village of Estero and Overlay District Boundaries

- (A) *Village of Estero.* The boundaries of the Village of Estero are as depicted in the Lee County Comprehensive Plan (Estero Planning Community) on Lee Plan Communities Map 16 and in Appendix I on Map 1.
- (B) *Corkscrew Road Overlay.* The boundaries of the Corkscrew Road overlay district are as depicted in Appendix I on Map 1.
- (C) *Via Coconut Point (formerly Sandy Lane) Overlay District.* The boundaries of the Via Coconut Point overlay district are as depicted in Appendix I on Map 1
- (D) *US 41 Overlay District.* The boundaries of the US 41 overlay district are as depicted in Appendix I on Map 1.

(Ord. No. 05-29, § 5, 12-13-05)

### Section 33-55 – Village of Estero Community Review

- (A) *Applications requiring review.* The owner or agent applying for the following types of approvals must conduct one public informational session in accord with **Section 33-54(B)** within the incorporated limits of the Village of Estero prior to obtaining a finding of sufficiency or approval.
- (1) Development orders.
  - (2) *Limited review development orders*; applicable to only those applications that affect vehicular and/or pedestrian interconnectivity, landscaping, and/or building appearance.
  - (3) Conventional rezoning actions, planned development approvals, and compact communities.
  - (4) Amendments and deviations to existing development orders, applicable limited development orders as defined in **Section 33-54(A)(2)**, planned developments, and compact communities.
  - (5) Special exception and variance requests.
  - (6) Permanent monument-style identification sign permits requesting a building permit.
- (B) *Meeting requirements.* Applicants seeking approval for applications defined in **Section 33-54(A)** must conduct one (1) public informational session within the incorporated limits of the Village of Estero in a publicly owned or leased facility where the agent will provide a general overview of the project for any interested citizens. The applicant is fully responsible for providing the meeting space, and providing advance notice of the meeting place, date, and time, and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. If the applicant chooses to hold the public meeting before an established community group the minutes of that meeting prepared by the community group must be submitted to Lee County prior to a finding of application sufficiency. This requirement is contingent upon the minutes being issued by the community group within ten (10) business days of the public meeting.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

### Section 33-56 – Existing Planned Development

*Existing planned developments* may voluntarily bring a master concept plan into compliance with the Estero Community Plan or any regulation contained in this division administratively. No public hearing will be required if the sole intention is for existing planned developments to comply with these regulations.

(Ord. No. 05-29, § 5, 12-13-05)

### Section 33-57 – Definitions

The following definitions are in addition to those set forth in other chapters of this Code and are applicable to the provisions set forth in this article only. If, when construing the specific provisions contained in this article, these definitions conflict with definitions found elsewhere in this Code, then the definitions set forth below will control. Otherwise the definitions contained elsewhere in this Code will control.

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*Articulation* means shapes and surfaces having joints or segments that subdivide the area or elements; the joints or members add scale and rhythm to an otherwise plain surface.

*Big box/large retail/large footprint* means a single use retailer of more than fifty-thousand square feet (50,000 SF) of building footprint or one hundred thousand square feet (100,000 SF) of total building area. Multi-use developments, with more than one-hundred thousand square feet (100,000 SF) of building area, excluding out parcel development are also included.

*Building footprint* means the total area of land covered or occupied by an individual building, including all roofed areas and outdoor sales area. Walkways and public spaces are excluded from the calculation.

*Classical proportion* means the form of a structural element that is consistent with the historical architectural references of the golden section, golden ratio, or golden mean wherein the ratio of the width is approximately 1.6 times that of the height.

*Column/pillar* means freestanding vertical supports that generate unique features through the composition of the base, shaft and capital arrangement of column parts.

*Facade* means the vertical exterior surfaces of a building.

*Fully shielded light fixture* means a light fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal.

*Hardscape* means the use of physical forms in the landscape other than plant material or other biological elements. Hardscape elements include materials such as paving, walls, street furniture, uninhabitable structures, etc.

*Human scale and proportion* means the adequate positioning of building details and attributes that take into consideration the approximate eye level and average human height, in order to create a sense of its presence, or simply for it to be perceived and appreciated when encountered.

*Interior access drive/street* means any vehicular roadway, excluding alleys or driveways, located within the confines of the property.

*Internal block* means a building pad that does not front on a major road.

*Liner building/structures* means additional buildings located along a big box type structure to mask blank and unadorned walls. Liner buildings may also be used to help mass up or mass down the big box. Liner buildings may either be attached to the big box or be within fifteen feet (15') of the big box. (See Figure 11 in section 33-458) Liner buildings may either be an enclosed, partially enclosed, or a covered structure, including covered walkways.

*Mall* means a structure with multiple tenants with an internal public circulation spine (roofed or not roofed) with more than four hundred fifty thousand square feet (450,000 SF) of retail space.

*Major road* means an arterial or collector roadway as defined by the Lee County Department of Transportation.

*Monument sign, monument ground mounted style sign, or monument-style free standing sign* means a ground style sign composed of a structural base, sign copy area, and supporting architectural features that must have a minimum amount of component features attached to and made part of the overall

structure.

*Monument sign copy area* means the rectangular area of the sign face that excludes the monument sign base and any supporting architectural features provided that these areas outside of the sign copy area are not used for advertising purposes. The sign copy area used for the purposes of these standards must comply with the allowable or proposed sign copy areas defined by sections 30-91 and 30-153.

*Monument sign copy area height*; is measured from the point where the structural base meets the ground to the top of the sign copy area excluding the supporting cap or other architectural features, where applicable.

*Monument sign structural area* means the area of the structure measured from bottom of the structural base to the top of the highest structural element multiplied by the outside width of the overall structure, excluding the sign copy area and negative spaces. The top of curved structural areas may be measured from the midpoint of the arc to more accurately depict the sign structural area if desired.

*Monument sign structural base* means the supporting structure on which a monument style free standing sign is built upon that resides on finished grade.

*Monument sign structural height* means the height of the overall monument sign measured from the bottom of structural base to upper most point of the structure, excluding any ancillary elements like spires, finials, etc.

*Monument sign supporting cap* means the elements of a free standing monument sign that exclude the monument sign copy area, supporting structure and base. These elements of the sign may be integrated with the supporting structure or independent of it depending on style and do not add to the maximum height of the sign copy area.

*Open space square* means an outdoor common space. Open space squares must have a minimum average dimension of thirty feet (30') and a maximum average dimension of sixty-five feet (65'). Open space squares may be interconnected to form a larger square or a series of squares and must be integrated into the pedestrian circulation pattern for the project. Open space squares must also be located in the front or middle of the center.

*Out parcel buffer* means building parcels that are placed along more than seventy-five percent (75%) of the public right-of-way, having no more than two rows of parking in the front, and a landscaped buffer (type "D," minimum of six feet) provided at the front, back and the sides of the out parcel. Properties sharing common buffers may agree to install a joint buffer, at least eight feet in width; provided the buffer meets all type "D" buffer requirements, and includes three trees per one-hundred linear feet (100 LF). When a building is located in the Corkscrew Road overlay area, a setback of no more than twenty feet (20') from the Corkscrew Road right-of-way may satisfy the front landscaping requirements.

*Parapet* means a low protective wall at the edge of a terrace, balcony or roof.

*Parking pods* means a discrete parking lot with no more than four ingress/egress points, limited to a maximum of 120 parking spaces, and surrounded by a type "D" landscape buffer.

*Pedestrian infrastructure* means the construction elements that provide for the circulation of pedestrians to and within a development site.

*Pedestrian node* means an open space area within a development that includes paved hardscape surfaces, street furniture, and pedestrian interconnectivity to various elements within the site that is a

least four hundred square feet (400 SF) in area with an average minimum of width of fifteen feet (15').

*Pedestrian passageway* means a pedestrian connection between buildings that allows safe access to other public spaces.

*Pole or pylon style sign* is a freestanding sign composed of a single, double, or multiple pole or support structure, that is not a solid monument-style.

*Reflective pool or fountain feature* means a geometric pool like structure with a minimum of six inches (6") of water and a maximum of two feet (2') of water in the structure. Reflective pools or fountains may be connected to the water management system only if the reflective pool or fountain structures are designed to include filters, weirs, pumps, or other elements that insure that both systems function independently and in accordance to each of their specific design standards.

*Storefront* means the wood or metal armature of a window or door system, located within a ground-floor opening in the facade of a building.

*Street furniture* means objects that are constructed or placed above ground such as outdoor seating, kiosks, bus shelters, sculptures, tree grids, trash receptacles, fountains, and telephone booths, which have the potential for enlivening and giving variety to streets, sidewalks, plazas, and other outdoor spaces open to, and used by, the public.

*Usable open space* means a passive or active area of open space that is directly linked to pedestrian infrastructure, pedestrian nodes, plaza areas, or other actively designed spaces conducive to pedestrian activities.

*Vernacular* means building structure whose design is determined by an informal local tradition. A vernacular building is one that possess attributes common to other buildings in the region in terms of appearance, use of materials, dimensions, exterior decoration and approximate age. While there may be differences in attributes, it should "belong" and not seem out of place.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-58 – Deviations and Variances**

If an applicant desires to deviate from any architectural, site design, landscaping or signage requirements in this Article, including all Sections from 33-111 through 33-476, an applicant may do so at the time of zoning, development order or limited review development order, if permitted under Section 10-104. A rendered drawing to scale, showing the elements of the design, and clearly demonstrating the nature of the requested deviation must be submitted as part any of the aforementioned types of applications. Administrative deviations to a planned development may be allowed subject to a meeting within the Village of Estero in accord with Section 33-55(B).

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 11-01, § 4, 3-8-11)

### **Sections 33-59—33-70. Reserved**

## DIVISION 2. OVERLAY DISTRICTS AND SPECIFIC USES

### Section 33-71 – Purpose, Overlay Districts and Specific Uses

The purpose of this division is to identify the overlay districts located within the Village of Estero (see Appendix I, Map 1) and the specific uses that require specific regulations described in Goal 19 of the Lee County Comprehensive Plan and these regulations.

(Ord. No. 05-29, § 5, 12-13-05)

### Section 33-72 – Village of Estero Overlay Districts

#### (A) Purpose

- (1) Overlay districts are corridors within the Village of Estero that are of special concern and require special site design standards.
- (2) Requirements for overlay districts are defined within each subdivision as applicable.

#### (B) Applicability

- (1) Whenever the requirements of the overlay districts impose a different standard than the provisions of this Code or the LDC, the requirements of the overlay district will govern. Except where specifically modified by the provisions of the specific subdivision, all other requirements of this Code apply.
- (2) Whenever a standard or regulation is silent to a specific element, the underlying requirements of the section apply.

#### (C) The following Overlay Districts are applicable within the Village of Estero:

- (1) *Corkscrew Road and Via Coconut Point (formerly Sandy Lane) Overlay Districts.*
  - (a) *The Corkscrew Road Overlay District* will be developed as one of the Village of Estero's signature streets with a corridor of architecturally appealing and attractively landscaped varied development zones that cater to the vision of the community. The district is defined by the properties that front Corkscrew road as depicted in Appendix I, Map 1.
  - (b) *The Via Coconut Point Overlay District* will be developed as another of the Village of Estero's signature streets with a corridor of architecturally appealing and attractively landscaped varied development zones that cater to the vision of the community that accommodates more to mixed use development types. The district is defined by the properties that front Via Coconut Point as depicted in Appendix I, Map 1.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 09-23, § 9, 6-23-09)

- (2) *US-41 Overlay District:* The US 41 overlay district will be developed as the primary retail artery within the Village of Estero and will continue to grow as a commercial and residential corridor over the next decade, providing for the regional and local shopping needs of the Village of Estero and South Lee residents. The purpose of the overlay district is to create a corridor that is well landscaped, architecturally defined, and aesthetically pleasing while providing for a free flow of traffic through South Lee County. The regulations within this district aim to create a roadway corridor that enhances the drive through experience of the Village of Estero. The

district is defined by the properties that front Corkscrew road as depicted in Appendix I, Map 1.

- (3) *Old Estero Overlay District:* The Old Estero Overlay District recognizes the general historical significance of the area. Plans to develop that area are to be consistent with a more vernacular architectural theme with development sensitive to the local history and existing natural resources and neighborhoods. The boundaries of the Old Estero Overlay District are as depicted in Appendix I, Map 2.
- (4) *Town Center District:* The Town Center District will be developed as the primary community and civic core of the Village of Estero. This area will be provided with special incentives and bonus densities in an effort to develop a community core rich with civic uses, interconnectivity to public spaces and natural resources, with higher quality architectural, landscape, and site design standards. The boundaries of the Estero Town Center District are as depicted in Appendix I, Map 3.
- (5) *Medical Center District:* The Medical Center District will be developed as the primary medical core of the Village of Estero. This area will be provided with special incentives and bonus densities in effort to develop a medical center core rich with public health opportunities, interconnectivity to public spaces and natural resources, with higher quality architectural, landscape, and site design standards. The boundaries of the Estero Medical Center District are as depicted in Appendix I, Map 4.

(D) Areas of Public Interest and Street Front Activity (All Overlay Districts)

- (1) Developments must be designed to create people-oriented spaces along the street that are visually attractive, take into consideration the human scale and proportion, and provide for pedestrian connections.
- (2) Developments must be designed to create public spaces to allow for activity to take place along the street front such as; sidewalks, public plazas, art in public places, and usable open space areas.

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-73 – Specific Uses**

- (A) *Purpose;* the Village of Estero recognizes that there are specific uses that require specific regulations in addition to or indifferent to the general regulations contained within the subdivisions.
- (B) *Applicability;* the following regulations apply to specific requirement applicable to each specific use. For the purposes of the specific uses described, each regulation to a described Specific Use will be defined in the relative subdivision. The following Specific Uses are defined within the Village of Estero where more defined standards can found within each relative subdivision:
  - (1) *Automobile Service Stations and Convenience Food & Beverage Stores (with or without petroleum sales).*
    - (a) *Purpose;* ensure that automobile service stations do not adversely impact adjacent land uses, especially residential land uses. The high levels of traffic, glare, and intensity of use associated with automobile service stations, particularly those open 24 hours, are incompatible with surrounding uses, especially residential uses. Therefore, in the interest of protecting the health, safety and general welfare of the public, the regulations

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of these specific uses in this subdivision apply.

(Ord. No. 05-29, § 5, 12-13-05)

- (b) *Applicability*; these regulations apply to the location, layout, drainage, operation, fencing, landscaping, parking, architectural features and permitted sales and service activities of automobile service stations and also convenience food and beverage stores selling motor fuels.

For purposes of this subdivision only, the term "automobile service station" will be interpreted to also include the use "convenience food and beverage stores" selling motor fuels.

(Ord. No. 05-29, § 5, 12-13-05)

- (c) *Site and Location Standards*; all automobile service stations and convenience and beverage stores must meet the following criteria:

1. *Minimum frontage*; An automobile service station may not be located on a lot with less than one hundred fifty feet (150') of frontage on a vehicular right-of-way.
2. *Minimum depth*; one hundred eighty feet (180').
3. *Minimum lot or parcel area*; thirty thousand square feet (30,000 SF).
4. *Separation requirements*; There must be a minimum distance of Five Hundred feet (500')\*, between the nearest points on any lot or parcel of land to be occupied by automobile service stations, and any lot or parcel for such use already occupied by an automobile service station, or for which a building permit has been issued.

\* unless waived by the **Estero Design Review Board** in compliance with **Section 33-444**.

(Ord. No. 05-29, § 5, 12-13-05)

- (d) *Waiver of Distance Requirements*; the **Estero Design Review Board** may grant a waiver of part or all of the minimum separation requirements set forth in **Section 33-433(D)**, if it is demonstrated by the applicant that the site proposed for development of an automobile service station is separated from another automobile service station by natural or manmade boundaries, structures, or other features that offset or limit the necessity for such minimum distance requirements. The **Estero Design Review Board's** decision to waive part or all of the distance requirements must be based, in part, upon whether or not:

1. The nature and type of natural or manmade boundary, structure, or other feature lying between the proposed establishment and an existing automobile service station is determined by the **Estero Design Review Board** to lessen the impact of the proposed automobile service station. Such boundary, structure or other feature may include, but is not limited to, lakes, marshes, non-developable wetlands, designated preserve areas, canals and a minimum of a four-lane arterial or collector right-of-way.

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2. The automobile service station is only engaged in the servicing of automobiles during regular, daytime business hours, or, if in addition to or in lieu of servicing, the station sells food, gasoline and other convenience items during daytime, nighttime, or on a 24-hour basis.
3. The automobile service station is located within a shopping center and has access only from a shopping center parking lot aisle or is not within a shopping center and has access directly to a platted road right-of-way.
4. The granting of the distance waiver will have an adverse impact on adjacent land uses, especially residential land uses.

(Ord. No. 05-29, § 5, 12-13-05)

**(e) Building Setbacks**

1. Front yard setback—fifty feet (50’).
2. Side yard setback—forty feet (40’).
3. Rear yard setback—forty feet (40’).

(Ord. No. 05-29, § 5, 12-13-05)

**(f) *Infrastructure for generators;*** each automobile service station must provide the necessary infrastructure and pre-wiring to provide the capability for generator service in case of emergencies.

(Ord. No. 05-29, § 5, 12-13-05)

**(g) *Entrances and exits;*** no automobile service station may have an entrance or exit for vehicles within two hundred feet (200’), along the same side of a street, as a school, public playground, child care center, church, hospital, or public library.

(Ord. No. 05-29, § 5, 12-13-05)

**(2) *Big Box Commercial/Retail.***

**(a) *Purpose;*** big box retail designs pose enormous challenges to the community, governmental agencies, and designers because they are large and difficult to coordinate within the existing context of the community without detracting from the existing scale, connectivity, traffic patterns, walk-ability and image for the area. It is understood that large retailers can produce a useful economic function, serving as anchors for a center, bringing in sales and property taxes, revenues, and regional draws that can benefit the community and other business in the area. It is not the intention of these provisions to eliminate big box retailers from the market place, but to assimilate them into the community for the mutual benefit of both. These provisions have been drafted to acknowledge that large retail stores can be a productive and aesthetically pleasing part of a community and can be designed so as to minimize any negative impacts on the community.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

- (b) *Applicability*; big box commercial design standards, as set forth herein, are applicable throughout the Village of Estero, unless otherwise provided as follows:
1. *Renovations or remodeling*; in the case of renovations to a big box building's facade, the cost of which may not exceed fifty percent (50%) of the value of the existing structure or reconfiguration of vehicular use areas, the provisions of this subdivision will be applied only to the specific areas of renovation, remodeling or reconfiguration.
  2. *Redevelopment*; in the case of additions to, or redevelopment of, an existing big box building or project, where either the cost of such addition or redevelopment exceeds fifty percent (50%) of the value (based on the property appraiser's assessment) of the existing structure or structures or twenty percent (20%) of the square footage of the existing structures, the provisions of this subdivision will apply.
  3. *Discontinuance*; where the use of a big box structure ceases for any reason for more than one hundred eighty (180) consecutive days, compliance with this subdivision is required prior to re-occupancy of the structure.
  4. *Developments of Regional Impact (DRI)*: Developments of Regional Impact are exempt from the standards of this subdivision provided that design standards for the DRI are approved by the county as part of the zoning process. An example of this would be a new or existing regional mall type structure or as a requirement of the DRI Development Order.

(Ord. No. 05-29, § 5, 12-13-05)

- (3) *Vehicle Sale and Storage Facilities*; the application of all vehicle sale and vehicle storage facilities must be in accordance with the specific regulations described in Goal 19 of the Lee County Comprehensive Plan.

### **Section 33-74 – Scrivener's Errors**

If at any time a written regulation is in conflict with an associated numeric reference, the written regulation or the clear intent of the standard will take precedence.

### **Sections 33-75—33-99. Reserved**

## **DIVISION 3. DESIGN STANDARDS.**

### **Section 33-100 – Purpose, Design Standards**

These development design standards are intended to create a high quality building product that translates into a built environment that is unique to the Village of Estero.

(Ord. No. 05-29, § 5, 12-13-05)

### **Sec. 33-101 – Applicability, Design Standards**

The following design standards apply to all development within the Village of Estero, excluding individual

single and two family residential structures.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-102 – Incentives**

**Need to define minimal development oriented incentives at this time as they relate to zoning related incentives created or a more generic enabling version applicable to these standards, otherwise, leave out completely. Work in Progress.**

**Sections 33-103—33-109 – Reserved**

## **Subdivision I – Architectural Standards and Related Elements**

### **Sec. 33-110 – Applicability, Architectural Related Elements**

Architectural design of all commercial, industrial, multi-family residential, recreational, places of worship, public, and mixed use buildings within the Village of Estero must comply with these regulations.

Where areas are used to define the square footage of buildings in these regulations those areas are defined to be the space contained by the outside edge of exterior walls of the building being calculated. This square footage of building areas exclude porte-cocheres, outside dining areas or plazas, drive-throughs, and/or covered exterior entries or walkways.

**Sections 33-111—33-119 – Reserved**

### **Sec. 33-120 – Architectural Style**

The required architectural style for all structures within developments built in the Village of Estero must fall under one of the following architectural styles (single and two-family residential structures are exempt from these requirements):

(A) *Mediterranean revival architecture*; is an architectural style introduced in the United States near the end of the nineteenth century variously incorporating references from the following styles:

- (1) Mission Revival Style (preferred),
- (2) Italian Renaissance Revival or Italian Countryside Style,
- (3) Spanish Revival or Spanish Colonial Style.

All developments within the Village of Estero that opt for the Mediterranean architectural style must adhere to the design elements associated with the relative historical styles generally noted in **Figures 3a(1)-(5)**.

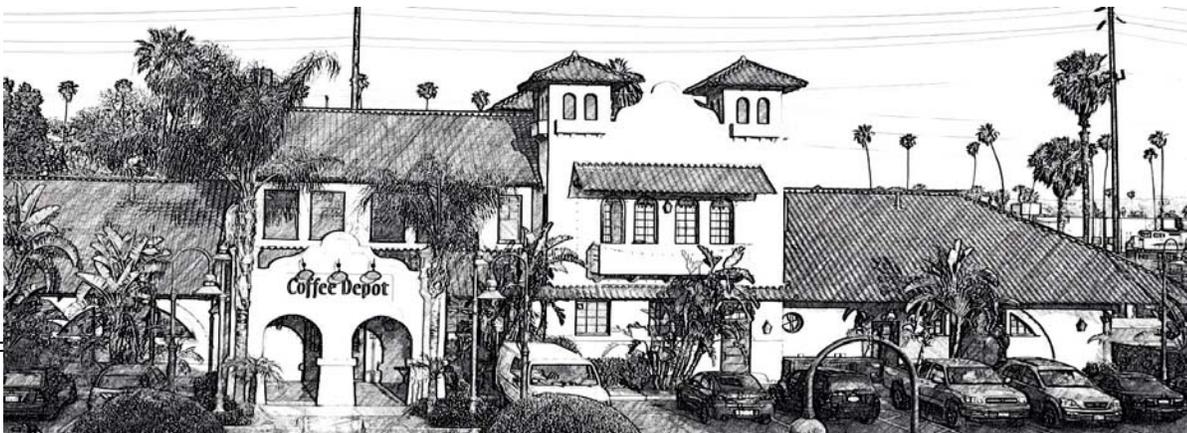


Figure 3a(1) – Mission Revival Style

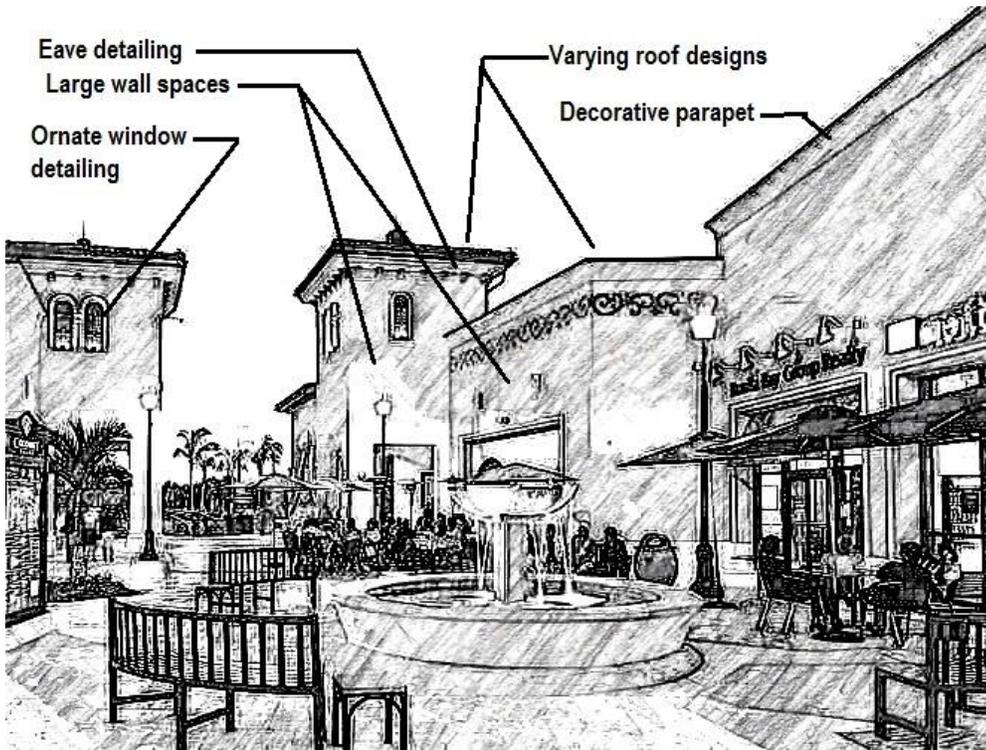


Figure 3a(2) – Italian Countryside Style

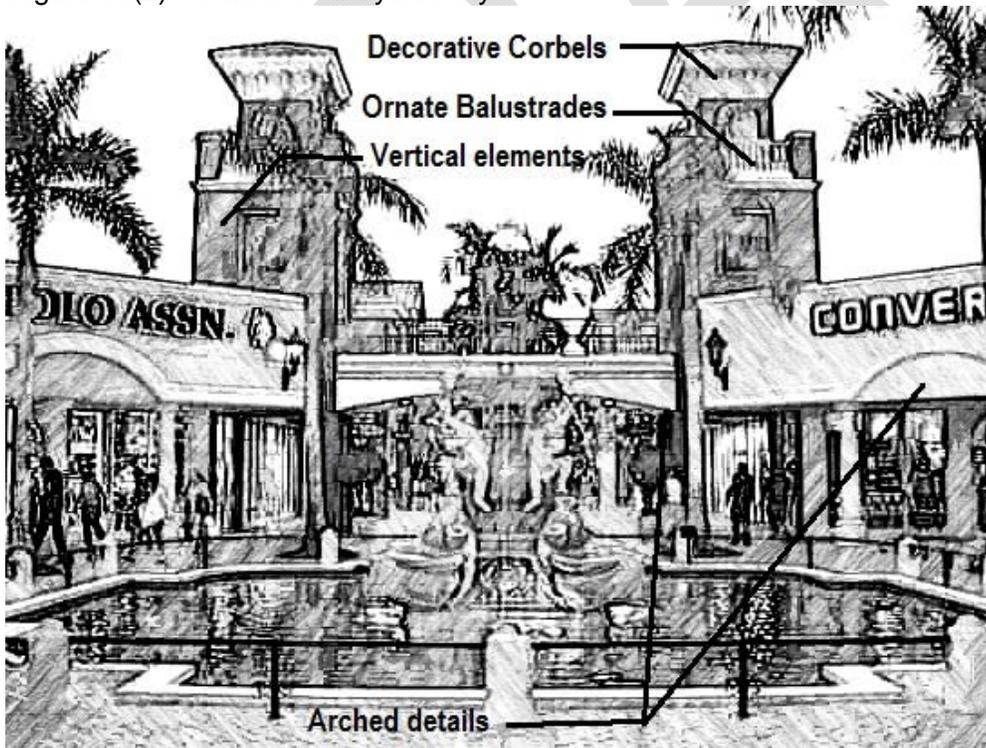


Figure 3a(3) – Italian Revival Style

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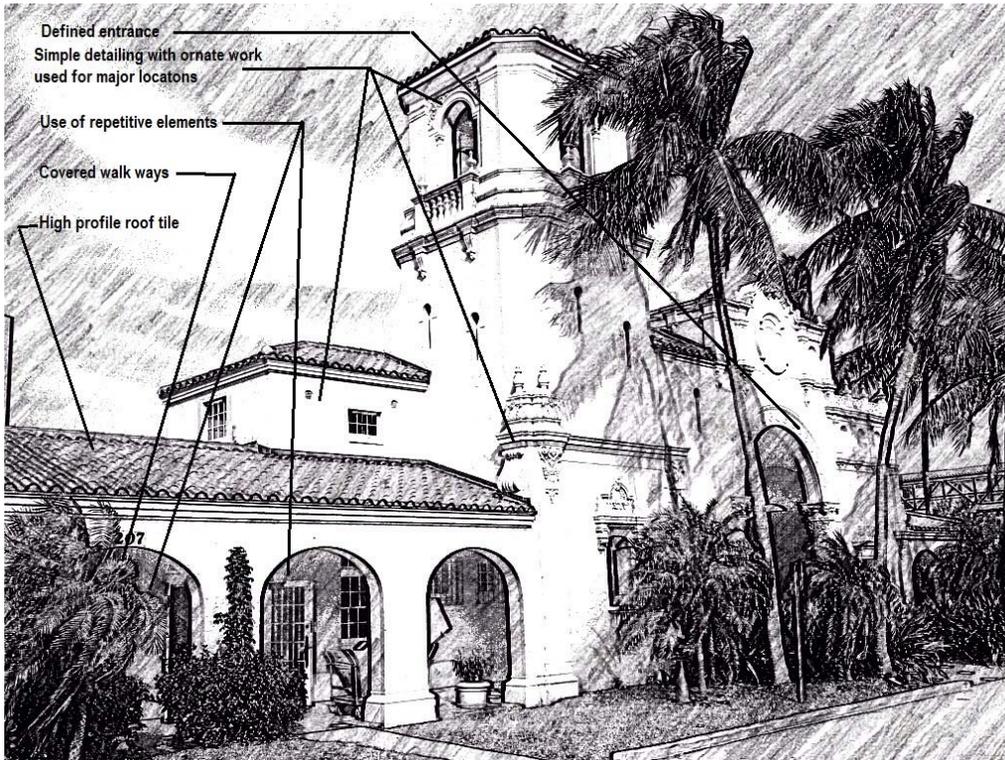


Figure 3a(4) – Spanish Colonial Style

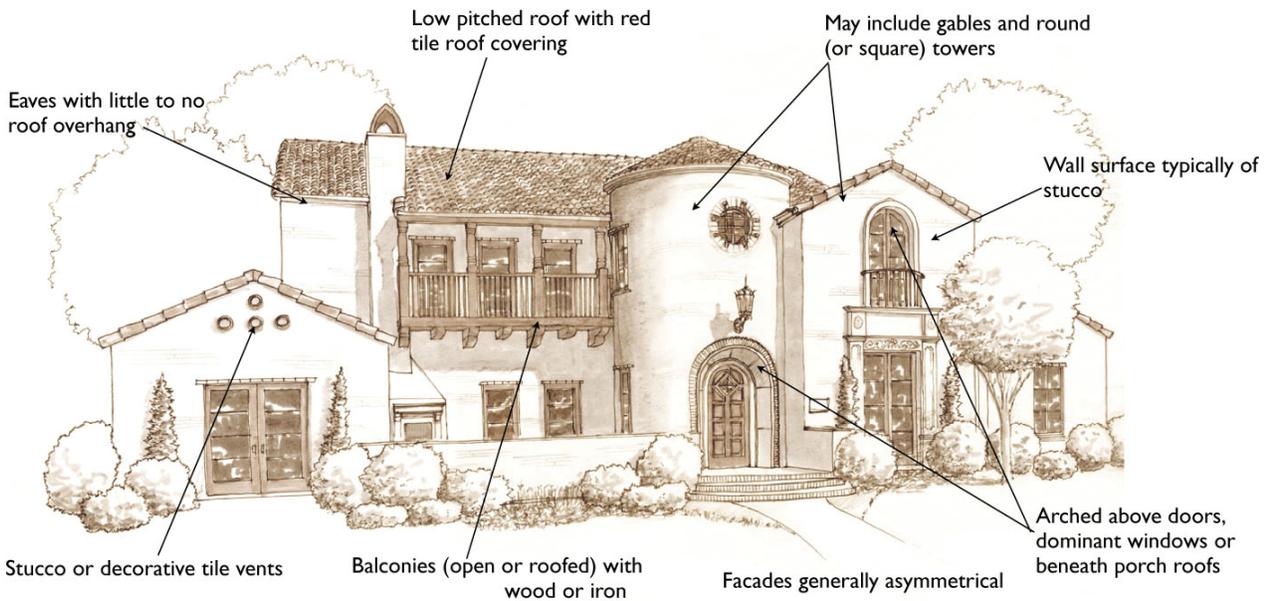


Figure 3a(5) – Spanish Revival Style

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(Ord. No. 05-29, § 5, 12-13-05)

(B) *Florida cracker architecture*; is a style used widely in nineteenth century Florida and is still a popular design theme throughout the state. The Florida cracker style of architecture acceptable within the Village of Estero is characterized by the following styles of architecture:

- (1) Florida Plantation Style (preferred),
- (2) Key West or Cracker Style,
- (3) Koreshan Style (local).

All developments within the Village of Estero that opt for the Florida cracker architectural style must adhere to the design elements associated with the relative historical styles generally noted in [Figures 3b\(1\)-\(4\)](#).

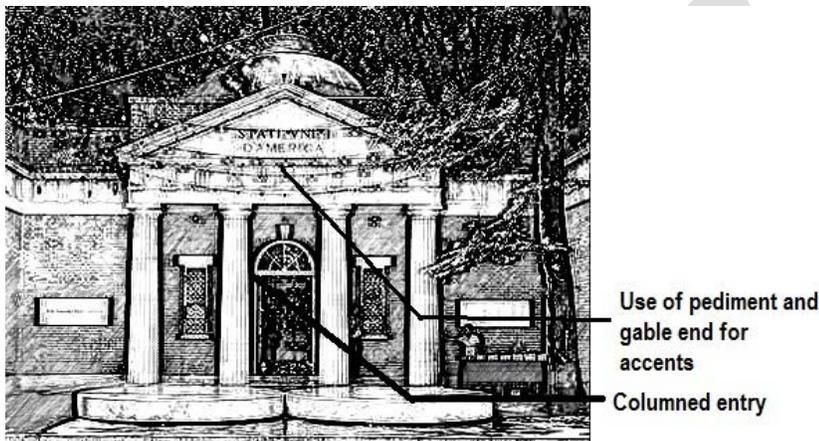


Figure 3b(1) – Florida Plantation Style

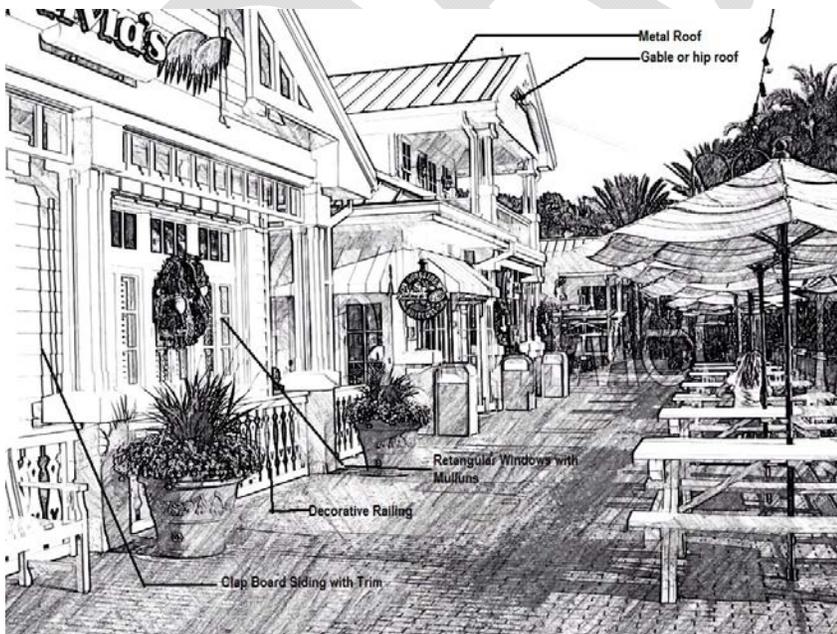


Figure 3b(2) – Florida Key West or Cracker Style

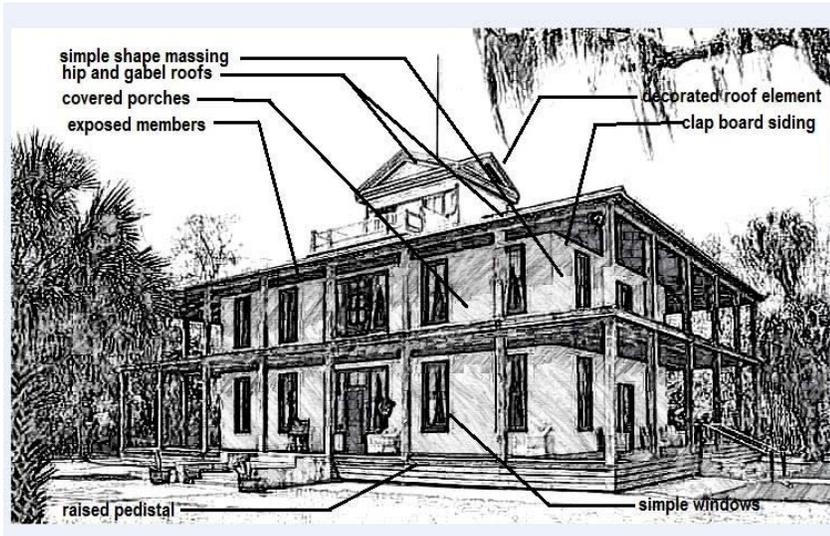


Figure 3b(3) – Koreshan Style

**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

**Sections 33-121—33-129 – Reserved**

### **Section 33-130 – Compliment Surrounding Development**

In addition to the requirements of LDC Section 10-620, all proposed development's architecture must blend with and complement existing architectural features of adjacent structures, whether on-site or on adjacent properties, constructed under these standards.

(Ord. No. 05-29, § 5, 12-13-05)

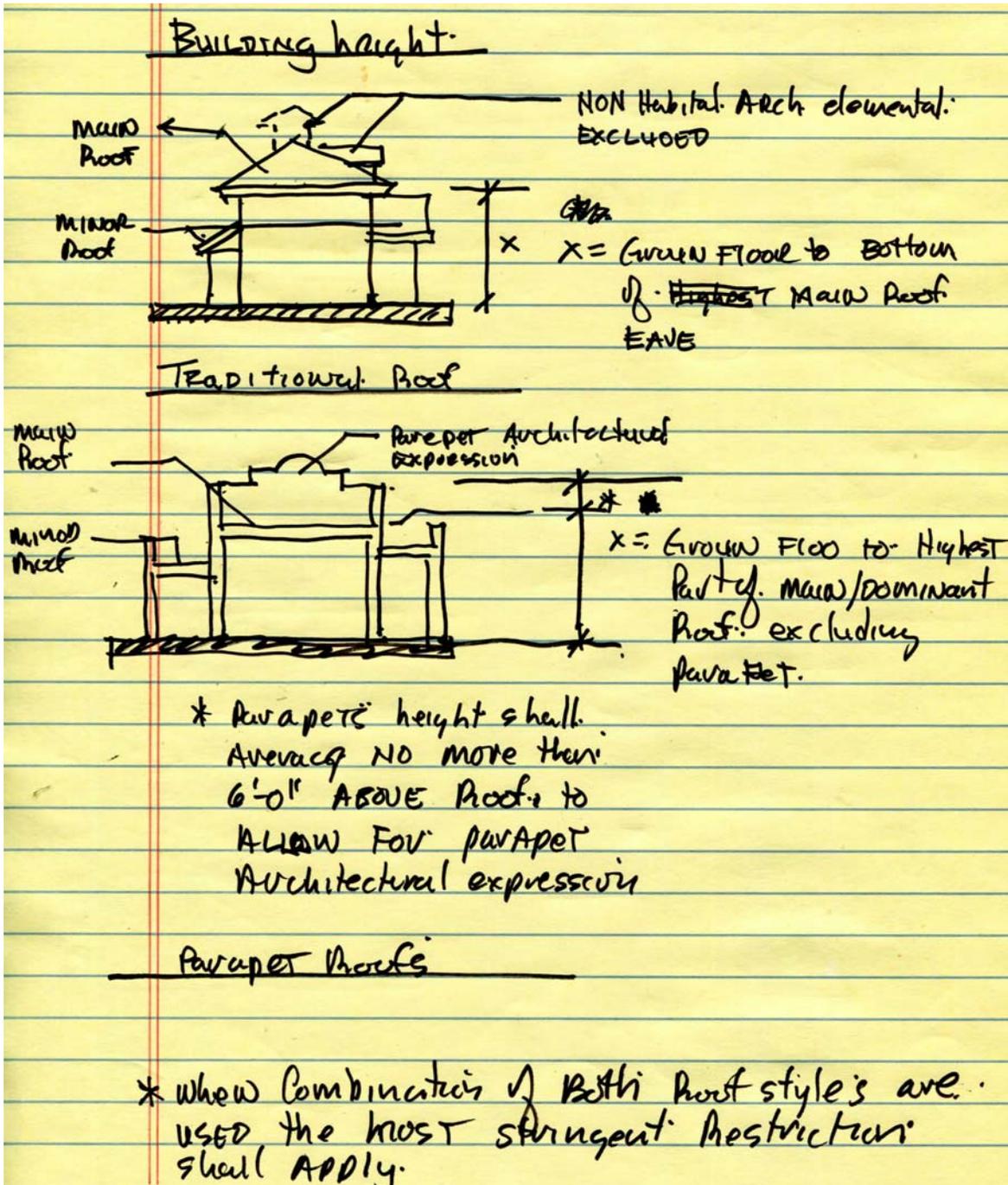
### **Section 33-131 – Maximum Building Height**

Buildings outside of the Interstate Highway Interchange Areas are limited to a maximum of forty five feet (45') in height. For this requirement the height of the building will be measured from the elevation of the first floor slab to the upper most and outward perimeter building eaves of the roof system, excluding the roof (see figure 4). This measurement is intended to exclude the roof for less restrictive design opportunities. Elements that enhance architectural features, create focal points such as; turrets, sculptures, clock towers and corner accentuating rooflines, may exceed the maximum height limitations with an approved variance or deviation (see figure 4).

(Ord. No. 05-29, § 5, 12-13-05)



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**Section 33-132 – Building Facade Treatment**

In addition to the requirements of Section 10-620(c), all projects must use architectural relief, building mass articulation and landscaping on all building facades to reduce the bulk of buildings with facades longer than seventy five feet (75') that are visible from the street. Buildings that are visible from more than one right-of-way, or an exit ramp must use facade treatments on all viewable facades. Methods for providing architectural relief of blank facades must include three (3) or more of the following:

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- (A) Recessed or clearly defined entryways;
- (B) Varying rooflines, pitches and shapes;
- (C) Dormers, balconies, porches and staircases;
- (D) Transparent window or door areas or display windows that provide visibility into the building interior. No reflective or darkly tinted glass may be used on ground level;
- (E) Overhangs, awnings and marquees;
- (F) Building ornamentation and varying building materials, colors, decorative tiles, edifice detail such as trellises, false windows or recessed panels reminiscent of window, door or colonnade openings and wall murals;
- (G) Shrubs or vines trained to grow upright on wire or trellises next to blank walls;
- (H) Architectural features such as cornices, articulated roof parapets, porticos, towers or other details that alter the building height;
- (I) Application of a contrasting base that is a minimum one-foot (1') in height and extends along the entire front of the building and at least ten feet (10') along the sides of the building.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

**Section 33-133 – Building Color:**

- (A) The colors for commercial, mixed-use, public/civic or multi-family residential structures must be neutral, warm earth tones or subdued pastels or other color combinations that are consistent with the chosen style of architecture.
- (B) Primary and secondary colors are prohibited, unless used only as accents in a manner fully consistent with the proposed architectural style.
- (C) Commercial, mixed-use, public/civic buildings may use more intense trim and accent colors to highlight contrasting colors on awnings or other architectural features, but are limited to a maximum of eighteen inches (18") in width and must be no more than ten percent (10%) of the total area of any single façade.
- (D) The use of color to promote advertising outside of allowable signage areas is prohibited.

(Ord. No. 05-29, § 5, 12-13-05)

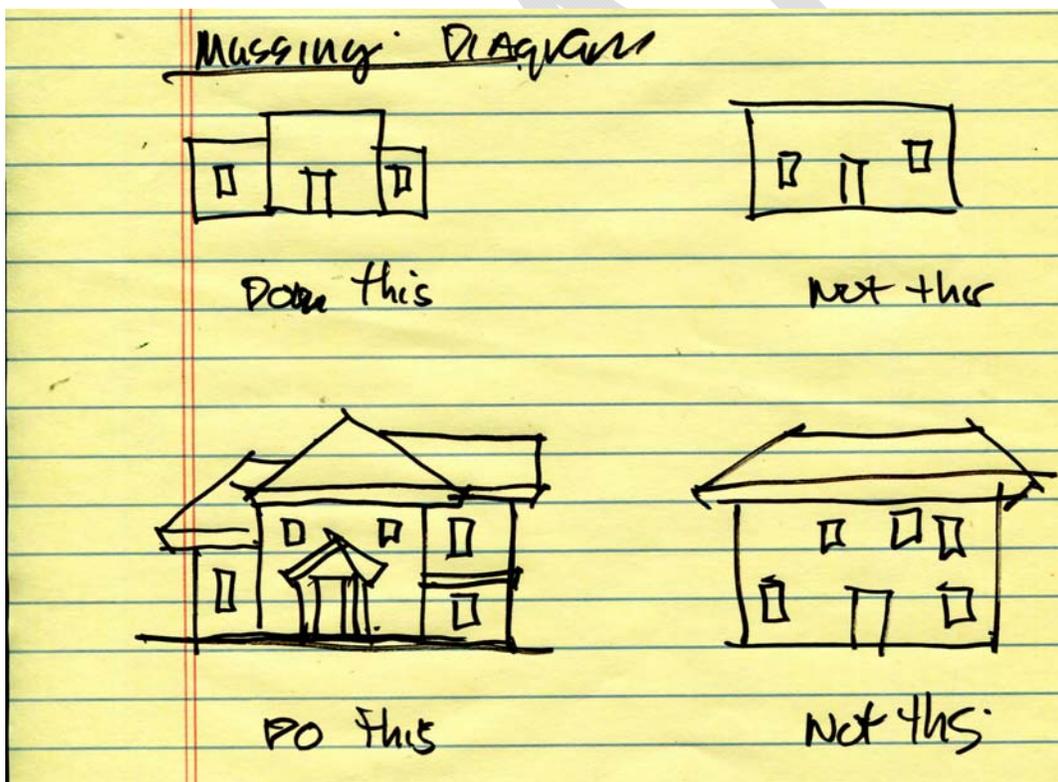
**Section 33-134 – General Building Massing**

For all commercial, industrial, public/civic, mixed-use, or multi-family buildings developed within the Village of Estero, the following general building massing standards apply:

- (A) *For buildings between 0-10,000 SF*; horizontal wall planes must not have any runs over forty linear feet (40 LF) along the primary streets or primary entrances. For other facades, wall planes must not have any runs over seventy-five linear feet (75 LF). All changes in the horizontal plane must be a minimum of eight inches (8") except for covered entries which must be a minimum of six feet (6') in depth. A minimum of ten percent (10%) of the primary façade must have covered/negative massing.

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- (B) For buildings between 10,001-35,000 SF; horizontal wall planes must not have any runs over seventy-five linear feet (75 LF) along the primary streets or primary entrances. For other facades, wall planes must not have any runs over one hundred linear feet (100 LF). All changes in the horizontal plane must be a minimum of sixteen inches (16") except for covered entries which must be a minimum of six feet (6') in depth. A minimum of twenty percent (20%) of the primary façade must have covered/negative massing.
- (C) For Buildings over 35,001 SF; horizontal wall planes must not have any runs over one hundred linear feet (100 LF) along the primary streets or primary entrances. For other facades, wall planes must not have any runs over one hundred and fifty linear feet (150 LF). All changes in the horizontal plane must be a minimum of two feet (2') except for covered entries which must be a minimum of six feet (6') in depth. A minimum of thirty-five percent (35%) of the primary façade must have covered/negative massing.
- (D) Drive thru or pick-up window massing; all of these types of elements associated with a building must utilize a covered roof system to cover the entire area of this element tied into the mass of the primary building.
- (E) Special considerations for single occupant buildings over two hundred thousand square feet (200,000 SF) may deviate from the specific architectural styles and massing requirements of this section provided that they were approved through the peer review and public meeting process.



**3D MODELED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

### Section 33-135 – Roof Parapets

Parapets utilized with flat roof areas must be detailed with similar materials as the main building (when multi-building projects are applicable) and must incorporate at least an eight inch (8") decorative cap and have a minimum of two (2) steps in the design of the band or cornice.

For multi-tenant buildings, roof parapets must be varied in depth and height. Roof parapets must be articulated to provide visual diversity at the upper most part of the wall. Parapets must include architectural relief or features at least every seventy-five feet (75'). The minimum height of the architectural features must be at least two feet (2'), and may be provided in height offset or facade projections such as porticoes or towers.

**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

### Section 33-136 – Roof Massing and Shape

- (A) The following roof massing and shape standards apply to Mediterranean style architectural design
- (1) Mediterranean style buildings *are* a simple and geometrical form with a concentration on hipped versus gable roofs. The following are appropriate roof forms for this style of architecture:
    - (a) Hip, Cross Hip, or Hip Combination,
    - (b) Stepped or Crow Stepped (limited use),
    - (c) Gable and Cross Gable (limited use),
    - (d) Flat Roofs (limited use).
  - (2) *Pitch/Slope*; Main roofs will utilize a minimum of four to twelve (4:12) and a maximum of eight to twelve (8:12) roof pitch consistent with design intent (**see Figure x**).



Figure 3. (s. 33-227)

**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

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- (3) Special considerations for single occupant buildings over two hundred thousand square feet (200,000 SF) may deviate from the specific architectural styles and massing requirements of this section provided that they were approved by the **Estero Design Review Board**.
- (B) The following roof massing and shape standards apply to old Florida vernacular design styles:
- (1) Old Florida vernacular style buildings *are* a simple and geometrical form with a concentration on hipped roofs and/or gable roofs. Koreshan style architecture is known to have more gable roof styles than other old Florida vernacular styles. The following are appropriate roof forms for this style of architecture:
    - (a) Hip, Cross Hip, Hip Combination,
    - (b) Stepped or Crow Stepped,
    - (c) Gable or Cross Gable,
    - (d) Flat or Shed Lean to (limited use).
  - (2) Pitch/Slope; Main roofs will utilize a minimum of four to twelve (4:12) and a maximum of eight to twelve (8:12) roof pitch. Shed or Lean to roofs may be sloped to a minimum of two to twelve (2:12), with limitations.
  - (3) Special consideration as defined in **Section 33-126(A)(3)**.
- (C) *Use of flat roofs (all design styles)*; does not lend itself to the styles of architecture defined as acceptable within the Village of Estero. Flat roofs cannot be used for ancillary elements for spaces outside of the gross measured area of the building as defined in **Section 33-101**. Flat roofs can only be used within the followings limitations:
- (1) *For buildings between 0-10,000 SF*; flat roofs are allowed only for restaurants. Flat roofs for these types of buildings will be limited to forty-percent (40%) of the overall roof area of the building providing that it is not facing the primary access roadway. Kitchen and other equipment must be completely concealed by a parapet or mansard that is consistent with the design of the building.
  - (2) *For buildings between 10,001-35,000 SF*; roof for building within this category may utilize a flat roof up to fifty percent (50%) of the building providing that this area is masked by seventy-five percent (75%) of the sloped roof areas.
  - (3) *Buildings over 35,001 SF*; because of the constraints to provide roofs over buildings of this size, flat roofs will be allowed for a majority of the building provided that all public areas are lined with sloped roofs that hide the flat areas. Up to twenty percent (20%) of the public area will be allowed to be without roof cover to allow for design interest and plant material embellishments.

**Section 33-137 – Roof Elements and Materials**

- (A) The following roof elements and material standards apply to Mediterranean style architectural design:
- (1) Roof elements are integral to the Mediterranean design style of buildings within the Village of

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Estero. They provide the appropriate interest, character, and direction in style. Acceptable roof elements are as follows:

- (a) Cupolas,
- (b) Dormers,
- (c) Vents,
- (d) Clear Story,
- (e) Towers, Bell Towers, and Carillons,
- (f) Chimneys and Faux Chimneys,
- (g) Other elements approved by the **Estero Design Review Board**.

(2) The following roof materials are acceptable:

- (a) Barrel tile (clay or concrete),
- (b) Flat tile,
- (c) Standing seam metal roofing as a limited accent element only.

(3) Asphalt shingles are prohibited.

(B) The following roof element and material standards apply to old Florida vernacular architectural design:

(1) Roof elements are integral to the Old Florida Vernacular design style of buildings within the Village of Estero. They provide the appropriate interest, character, and direction in style. Acceptable roof elements are as follows:

- (a) Cupolas,
- (b) Dormers,
- (c) Vents,
- (d) Clear Story,
- (e) Towers,
- (f) Chimneys and faux chimneys,
- (g) Other elements approved by the **Estero Design Review Board**.

(2) The following roof materials are acceptable:

- (a) Metal 'V' crimp,
- (b) Standing seam metal,

(c) Flat tile.

(C) Asphalt shingles are prohibited in all developments.

### **Section 33-138 – Roof Eaves and Soffits**

(A) The following roof eave and soffit standards apply to Mediterranean style architectural design:

- (1) *Eaves*; the following items must be provided as part of a Mediterranean style design at the eaves:
  - (a) Minimum eave size is six inches (6") and a maximum eave size is twenty-four inches (24"),
  - (b) Approved materials for the eave are wood, cementitious wood, or other simulated wood alternatives,
  - (c) 2-step eaves are required unless the eave is provided with a gutter,
  - (d) Eaves that utilize exposed rafters do not have to adhere to a minimum eave size,
  - (e) Aluminum eaves are prohibited without a deviation.
- (2) *Soffits*; widths are measured from the wall to the furthest horizontal member of the eave. The following items must be provided or are acceptable at the soffits:
  - (a) Minimum sixteen inch (16") overhang,
  - (b) Maximum unsupported overhang is thirty-six inches (36"),
  - (c) Soffits may utilize varied depths,
  - (d) Soffits may be cantilevered or rake style.
- (3) The following are approved soffit elements:
  - (a) Outriggers,
  - (b) Brackets,
  - (c) Cornices,
  - (d) Corbels,
  - (e) Combinations of 1 through 5 above,
  - (f) Two-step stucco bands,
  - (g) Other elements approved under the peer review and public meeting process.
- (4) The following are approved soffit materials:
  - (a) Stucco,
  - (b) Wood or simulated wood products,

- (c) Cementitious board,
  - (d) Aluminum soffits are prohibited without a deviation (multi-family-residential structures are exempt from this prohibition).
- (B) The following roof eave and soffit standards apply to old Florida vernacular style architectural design:
- (1) Eaves; the following items must be provided as part of an Old Florida Vernacular Style design at the eaves:
    - (a) Minimum eave size is four inches (4") and a maximum eave size is eighteen inches (18"),
    - (b) Approved materials for the eave are wood, cementitious wood, or other simulated wood alternatives,
    - (c) 2-step eaves are required unless the eave is provided with a gutter,
    - (d) Eaves that utilize exposed rafters do not have to adhere to a minimum eave size,
    - (e) Aluminum eaves are prohibited without a deviation.
  - (2) *Soffits*; will be measured from the wall to the furthest horizontal member of the eave. The following items must be provided or are acceptable at the soffits:
    - (a) All soffits must utilize a band/trim to transition between the wall and the soffit. Maximum size is two inches (2") larger/wider than the window trim,
    - (b) Maximum unsupported overhang is thirty-six inches (36"). Minimum overhang is sixteen-inches (16"),
    - (c) Soffits may utilize varied depths.
  - (3) The following are approved soffit elements:
    - (a) Outriggers,
    - (b) Brackets,
    - (c) Other elements approved by the **Estero Design Review Board**.
  - (4) Aluminum soffits are prohibited without a deviation (multi-family-residential structures are exempt from this prohibition).

**EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

**Section 33-139 – Vertical Exterior Elements and Walls**

These elements can be as much as eighty percent (80%) of the façade and are critical to the final design of the building. Close attention to the composition and detailing of these items is essential to the overall design of the proposed building

- (A) The following vertical exterior elements and wall standards apply to Mediterranean style architectural

design:

- (1) *Wall*; approved wall surface materials are as follows;
  - (a) Smooth or textured stucco,
  - (b) Multiple stucco textures provided that they are specific to a wall,
  - (c) Stone or stone veneer (all or partial wall applications).
- (2) *Trim*; must be provided under the eaves and at all windows.
- (3) *Blank wall areas*; must not be more than twenty feet (20') in the vertical direction and by twenty feet (20') in the horizontal direction without additional detailing such as banding, bays, reveals, offsets, or projecting ribs (see figure -X).

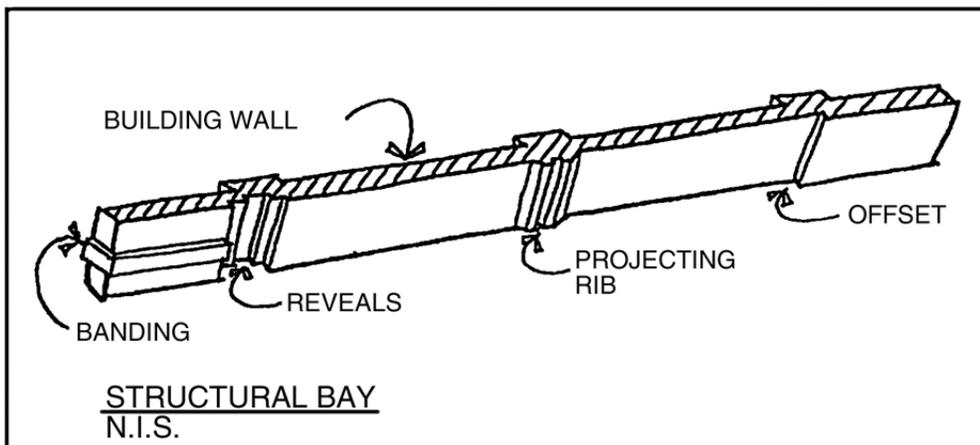


ILLUSTRATION #10

**REVISED 3D MODELED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

Blank walls must also have at least one (1) of the following elements repeating horizontally:

- (a) Texture change,
  - (b) Material change,
  - (c) Wall setbacks or projections,
  - (d) Pattern change.
- (B) The following vertical exterior elements and wall standards apply to old Florida vernacular style architectural design:
- (1) *Wall*; approved wall surface materials are as follows:
    - (a) Lap siding-wood, cementitious or stucco style lap-siding,

- (b) Shiplap siding-wood, cementitious or stucco style shiplap siding,
  - (c) Batt and board, cementitious material only,
  - (d) Wood or cementitious shaker shingles may only be used as accents and may not exceed twenty percent (20%) of any given wall surface along a façade,
  - (e) Stone or stone veneer (all or partial wall applications),
  - (f) Vinyl materials are prohibited on all wall applications.
- (2) *Trim*; must be provided at all inside and outside corners of the building. Trim must be provided at the top and bottom of all walls. All trim must be two inches (2") wider than the window trim used on the same façade.
- (3) *Blank wall areas*; must not be more than twenty feet (20') in the vertical direction and by twenty feet (20') in the horizontal direction without additional detailing such as banding, bays, reveals, offsets, or projecting ribs (see figure –X).

Blank walls must also have at least one (1) of the following elements repeating horizontally:

- (a) Texture change,
- (b) Material change,
- (c) Wall setbacks or projections,
- (d) Pattern change.

**EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

**Section 33-140 – Windows and Awnings**

- (A) *Window percentages*; windows with a primary road frontage or primary frontal aspect of the building that addresses the user must utilize a minimum of thirty five percent (35%) of the horizontal distance of this building façade. Shutters may be calculated as part of the window provided that the shutters used on the windows is used consistently along the facade. When facing a secondary parking lot or non-primary road the percentage of windows along the façade may be dropped to a minimum of fifteen percent (15%).
- (B) *Windows and Fenestration*; window or windows used in combination must be designed so that the vertical length is longer or equal to the horizontal length. A maximum of ten percent (10%) of the windows may break this rule when interior conditions do not allow for this standard where windows are needed or required.
- (C) *Fake Windows*; are only permitted when actual windows are provided and 'blacked-out' so as to appear as real and functional elements of the design.
- (D) *Window trim*; all windows for this style of architectural design must provide some expression of the window. This can be done through sill treatment only, header treatments only, header and sill combinations, or using a full trim around the window while still expressing the sill. Once a specific period style has been selected, that design style must represent at least eighty percent (80%) of the

windows throughout the building (see figure x).

- (E) *Window accessories*; may be used so long as they are consistent with the style of architecture proposed such as wall shutters. Wall shutters must be proportioned to match the window openings and utilize period hardware whether functional or not. Bahama shutters must be proportioned to match the window opening for the horizontal dimension. Awnings may be used when designed to match the roof material and use brackets and/or down columns of the same wall materials or decorative accents.
- (F) *Fabric awnings*; may not turn corners and must be associated with a window, group of windows, or other openings. Fabric awnings may not exceed fourteen inches (14") beyond a window or door in the horizontal direction and three feet (3') in the vertical direction. Fabric awnings are prohibited as roof structures.
- (G) If an awning is over a public sidewalk, it must project from the surface of the building at a minimum height of eight feet (8'). No awnings may be placed in or over any public or private right-of-way.
- (H) The design, materials and color of the awnings must complement the architecture of the building and not obscure its features.
- (I) Awnings must be consistent with the visual scale of the building.
- (J) Awnings must be placed at the top of openings. The awning shape must correspond with the shape at the top of the opening. Flat canopies are discouraged except in circumstances where it is accompanied by a valance. (Refer to Figure 5).
- (K) *Wall and Roof Vents*; all vents for this style must utilize a minimum trim around the windows of at least four inches (4") or more. Trim around the vent must accent and/or define the sill.

**EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-141 – Doors, Columns, and Railings**

- (A) All doors designed for public use must utilize trim of at least two inches (2") greater than the window trim. Non-public or emergency doors may be designed without trim. If trim is not used on such doors, then the doors must be colored to match the dominant wall color of the façade.
- (B) Columns may be used that are either round or square. Round columns must be tapered. All columns must include capital and a base. Approved column materials are as follows:
  - (1) Wood or Wood alternatives,
  - (2) Hardee Board,
  - (3) Stone or Faux Stone materials,
  - (4) Stucco,
  - (5) Precast,
  - (6) Any combination of the above.

- (C) Railings; All railings must meet the requirements of all applicable codes. Railings cannot have runs greater than eight feet (8') without a newel post or column that is greater than the width and height of the hand rail. This distance can be extended to twelve feet (12') when a decorative pattern is used within the run that is not less than four feet (4') or greater than eight feet (8') of the total run.
- (D) Aesthetic details may be created using columns/pillars. (Refer to Figure 6).

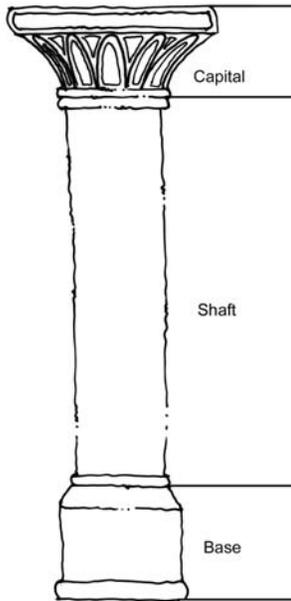


Figure 6.(s. 33-333) Column detailing through base, shaft and capital configuration

**Figure 6 (s. 33-333) Column detailing through base, shaft and capital configuration**

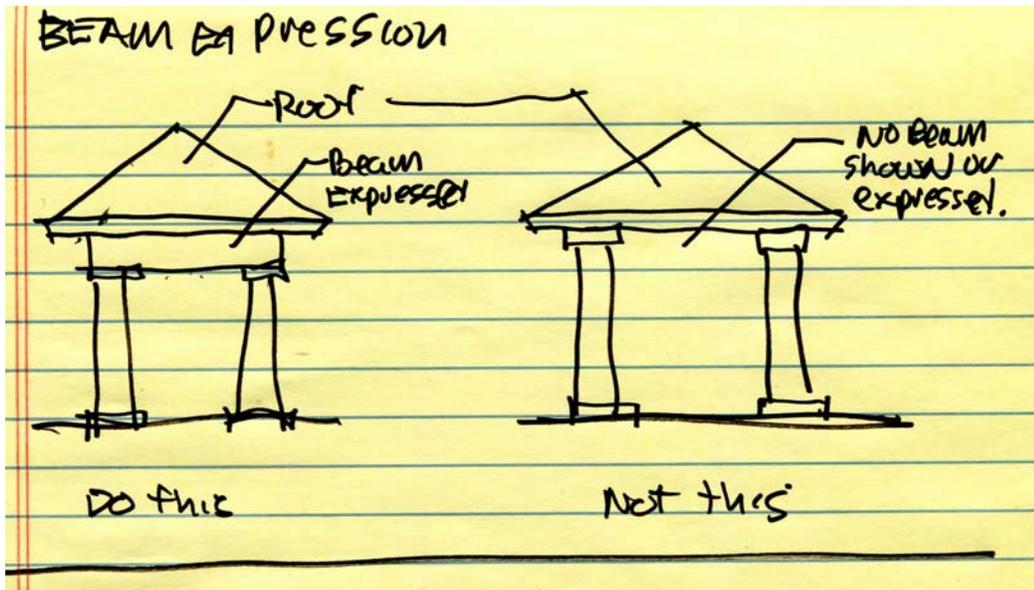
**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

- (E) Materials must be of high quality, durable and weather resistant. Plastic or shiny reflective type materials are prohibited.

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-142 – Beams, Arches, and Balconies:**

- (A) Porches and covered spaces must visually express the structural beam at the openings when a roof is present over the space. Flat and segmented arches are allowed. Full arches are not an approved element for this style of architectural design.



(B) Balconies must use the same materials as the dominant material of the façade.

**Sections 33-143—33-159. Reserved**

### **Section 33-160 – Multi-Tenant Buildings**

- (A) For multi-tenant buildings, roof parapets must be varied in depth and height. Roof parapets must be articulated to provide visual diversity. Parapets must include architectural relief or features at least every seventy five feet (75'). The minimum height of the architectural features must be one foot (1'), and may be provided in height offset or facade projections such as porticoes or towers.
- (B) For multi-tenant commercial or mixed-use buildings, all main entryways must be covered. For buildings of this use type that have three (3) or more tenants, all main entryways into the units must be covered and connected with covered walkways.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-161 – Out-parcels and Unified Design**

*Purpose and Intent;* the purpose and intent of these provisions is to assure unified architectural design and site planning between out-parcel buildings and the main building(s) on the site, to enhance the visual impact of the buildings, and to provide for safe and convenient vehicular and pedestrian access and movement within the site.

Exterior facades of out-parcel buildings must be treated as primary facades and must employ architectural, site, and landscaping design elements that are common to the theme used in the main development on site, including colors and materials associated with the main building. The purpose of this requirement is to assure a unified architectural theme and site planning between out-parcels and the main buildings on site, enhance visual impact of the buildings and to provide for safe and convenient vehicular and pedestrian access and movement on site.

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- (A) All exterior facades of an out-parcel building must be considered primary facades and must employ architectural, site, and landscaping design elements which are integrated with and common to those used on the main development on-site including colors and materials. associated with the main building.
- (B) When the use of common wall, side by side development occurs, continuity of facades and consolidated parking for several businesses on one parking lot may be used.
- (C) Out-parcel structures that are adjacent to each other must provide for vehicular connection between their respective parking lots and provide for interconnection of pedestrian walkways.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-162 – Infill Development**

Buildings planned for infill developments must be designed to relate and be compatible with the style of adjacent property structures built under these standards. In developing an infill development, consideration must be given to existing adjacent building design styles, heights, roof structures, colors, cornices and other architectural elements provided they are in compliance with these regulations. (Refer to Figure 7).



Figure 7. (s. 33-338) Application of the varied elements that present a composite Mediterranean streetscape and texture:

- (a) Varying roof heights;
- (b) Application of decorative building ornamentations;
- (c) Integration of landscaping features into building facades - hanging plants, shrubs, vines;
- (d) Street lighting with distinctive commercial characteristics; and
- (e) Awnings which complement building facade, placed at a height that appeals to the human scale.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

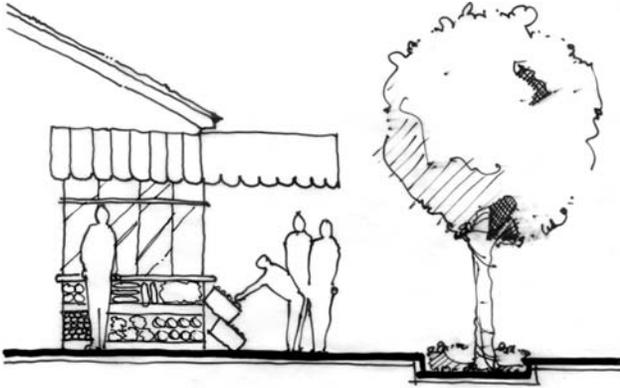


Figure 5. (s. 33-332)

**Figure 5. (s. 33-332)**

**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-163 – Parking Garages**

All parking garage structures must adhere to the following requirements:

- (A) Parking garage structures must utilize walled corners with no exposed openings for a minimum of ten feet (10') or ten percent (10%) of the façade (whichever is greater) at each corner as measured from the corner towards the middle of the façade.
- (B) Parking garage structures must utilize roof structures over any stair cases and elevator shafts.
- (C) Parking garage structures that accommodate more than four hundred (400) cars and face a public road must include liner buildings or false facades to reduce the mass and visual impact of the building facing the adjacent public road(s).
- (D) Parking garage structure walls facing public roads must have decorative detailing consistent with the architectural style of the overall development over not less than seventy-five percent (75%) of the façade.
- (E) Parking garages may not exceed more than forty five feet (45') in height as measured to the top of the upper most structural beam. Parking on the roof of a parking garage is permissible if the height of the roof is within the height limitations herein defined.
- (F) Where a proposed parking garage is located on a parcel adjacent to or abutting an existing taller residential use, all exposed parking spaces on the top level of the garage must provide additional design treatments, at the discretion of the **Estero Design Review Board**, to obscure view of the spaces from residential use. Design treatments may include, but are not limited to, a combination of landscaped trellises, opaque covers and permanent landscaping. In addition, surfaces of exposed parking aisles and drives must be comprised of specialty pavers or colored stamped concrete having non-reflective matte surface.

**EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

**Section 33-164 – Trash Storage and Dumpster Enclosures**

All trash storage areas must be enclosed within a walled structure with a gate (see Figure x).

- (A) All trash storage areas and dumpster enclosures within thirty feet (30') of a building must be built within an eight foot (8') high walled enclosure that is integrated with the architecture of the main building(s). Style, details, and colors of enclosure must be consistent with that of the building. Landscaping must be consistent with Section 33-3xx.
- (B) All trash storage and dumpster areas beyond thirty feet (30') of a building must be built within an eight foot (8') high walled enclosure that contains, at a minimum, a cap detail and a gate to close the structure. Additional landscaping must be installed consistent with Section 33-3xx.
- (C) For all Service Station and Convenience Store uses an eight-foot (8') high walled enclosed trash area must be integrated within and as a part of the design of the building and must be landscaped consistent with Section 33-3xx.

**EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

**Section 33-165 – Roof Top Mechanical Equipment and Other Utilities**

All roof top mechanical equipment and utilities must be shielded from the ground level by the appropriate architectural elements associated with the building design. Roof top mechanical equipment and utilities must also be shield from view if visible by any second floor or higher residential units that are in visual range of the roof.

**Sections 33-166—33-169. Reserved**

**Sec. 33-170 – Architectural Standards – Service Station and Convenience and Beverage Stores:**

All service station and convenience and beverage stores must meet the following architectural standards for all structures proposed within the site:

- (A) *Canopy Structures*; all service station and convenience store canopy structures must meet the following criteria:
  - (1) All structures must utilize a pitched style roof consistent with the architectural style of the primary building selected for a minimum of ninety percent (90%) of the overall structure. Roof slopes must not exceed a four to twelve (4:12) pitch.
  - (2) Canopy structures must not exceed fifty feet (50') in length without a visual break in the roof. For every additional twenty five linear feet (25') there must be an additional break in the roof line. Roof breaks must be both vertical and horizontal in nature and may include such elements as dormers, cupolas, decorative parapets, or other similar elements. Roof line breaks must constitute at least twenty five percent (25%) of the overall horizontal length per break with not more than three (3) roof breaks per side.

- (3) Canopy structures may utilize not more than two (2) colors for the canopy of which one (1) must be match the main body of the building so long as the color is not representative of a business logo or trademark of any kind and is consistent with the color theme of the main building. Canopy structural columns will be detailed similar to the main building.
- (4) Canopy structures are prohibited from deviating from the buffer requirements defined in **Section 33-3xx.**
- (B) Banding of any type on canopies is prohibited. Decorative banding that is not associated with signage, corporate logos or trademarks, or advertising of any kind may be considered as a deviation to this restriction on a case by case basis.
- (C) All lighting on or within the canopy roof must be recessed within the roof when applied to or made part of the roof. All lighting on or made part of the Canopy columns must be shielded and placed at the pedestrian level (maximum height of sixteen feet (16') above finished grade).
- (D) Car Wash or other ancillary buildings or structures must match in both form and style the architecture of the main building in all aspects. If these structures are within thirty feet (30') of the main building, they must to be physically connected and architecturally integrated.

(Ord. No. 05-29, § 5, 12-13-05)

**Secs. 33-171—33-179. Reserved**

**Section 33-180 – Architectural Standards, Big Box Commercial**

The following standards are in addition to any and all other architectural stands that may apply. Where the following requirements are silent, the established requirements apply. Where the following requirements may conflict, those requirements supersede and take precedence. For all buildings that are defined as big box commercial as defined in **Section 33-73(C)(2)**, the following requirements apply:

- (A) Big box commercial building location.
  - (1) To the extent possible big box retail buildings must be placed in a location that will satisfy functional needs while providing and being aesthetically pleasing for the community, the site, and the developer/retailer.
  - (2) Big box retail buildings must be placed away from residential areas. **(see Figure 10)**

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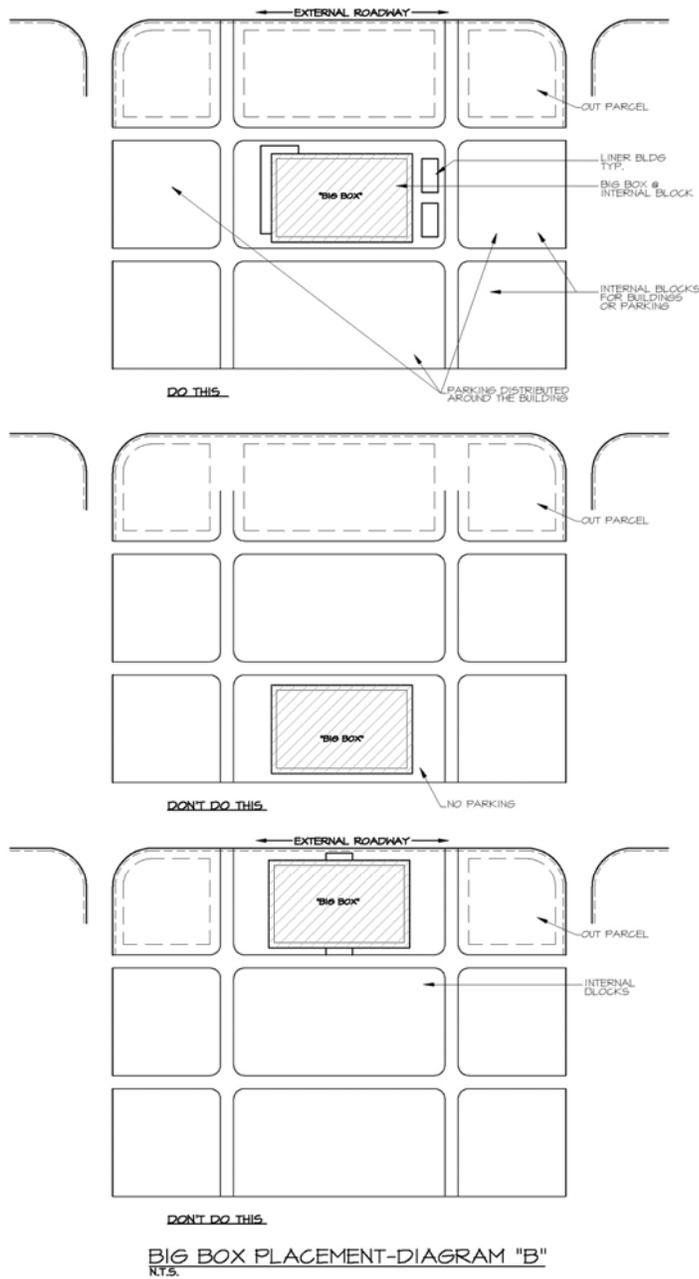
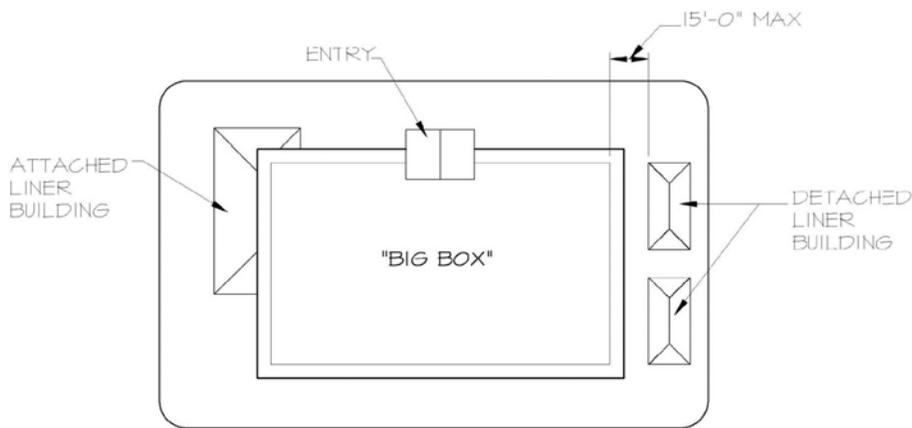


Figure 10 (s. 33-458(a)(2))

**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

- (3) Large format retail buildings must provide liner buildings along all primary facades and on a minimum of two sides of the building. (see Figure 11)

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LINEAR BUILDING-DIAGRAM "F"  
NTS.

Figure 11(s. 33-458(a)(3) & (b)(2))

(B) *Liner buildings.*

- (1) The purpose of liner buildings is to break the big box retail building down into smaller massing elements, and conceal any blank walls or facades of the large retail structure while creating scale and architectural character.
- (2) Liner buildings may be placed on any side of the building, but must be placed along all walls of big box buildings that face public right-of-ways (see Figure 11). Liner buildings must be utilized on a minimum of two sides of each building with over fifty thousand square feet (50,000 SF).
- (3) Liner buildings must cover a minimum of forty percent (40%) of the primary building facade.
- (4) The roof height of a liner structure must be at least five feet (5') lower or higher than the roof of the related big box.
- (5) Liner buildings must be designed to be complementary to the approved design standards for the project and must include along its facade a minimum of fifteen percent (15%) and a maximum of seventy five percent (75%) glazing.
- (6) Liner buildings may be used by a separate tenant or may be integrated for use by the adjacent big box user.

(Ord. No. 05-29, § 5, 12-13-05)

(C) *Big box building design*

- (1) To the extent possible, big box projects must be designed to create buildings that respect the area in which they are located and create a place that is attractive and flexible over time.
- (2) *Unified massing, details, and material:* All buildings associated within the big box project must be developed with similar design treatment to create unity among the elements and buildings. This may include, but is not limited to, exterior materials, roof pitches and treatments, colors, proportions, ornamentation and trim in accord with the design standards for the development.

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- (3) If the primary entry does not face a public right-of-way, then additional design elements must be added to create the appearance of a public entry. (see Figure 13)

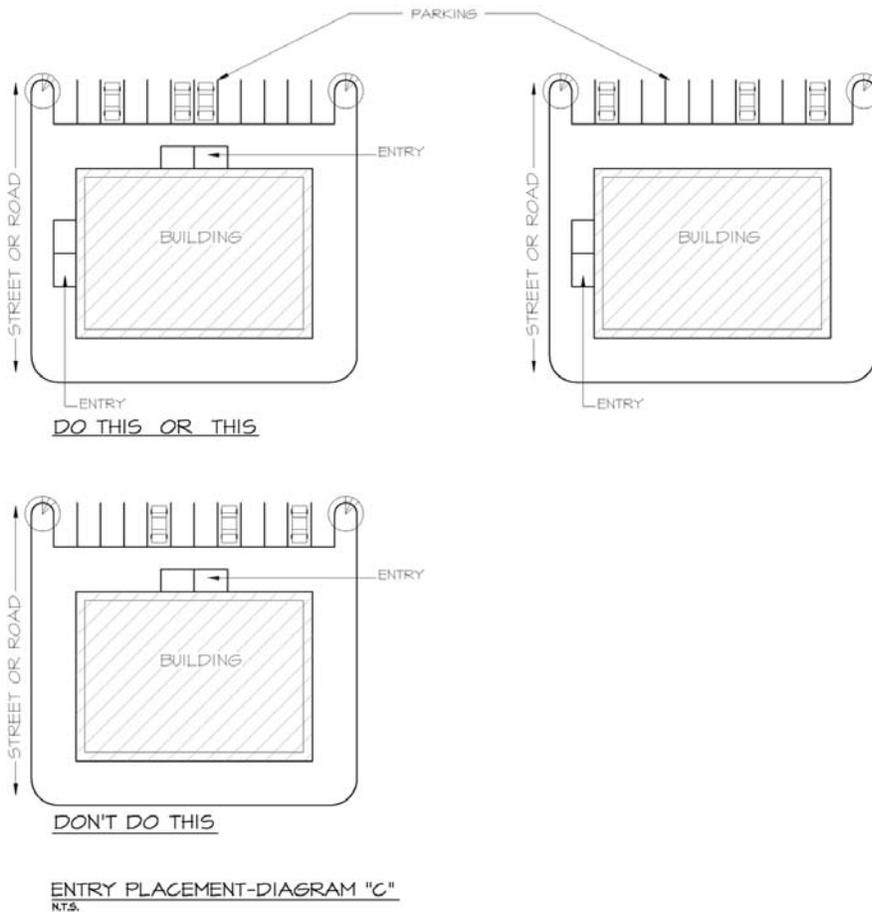


Figure 13 (s. 33-472)

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

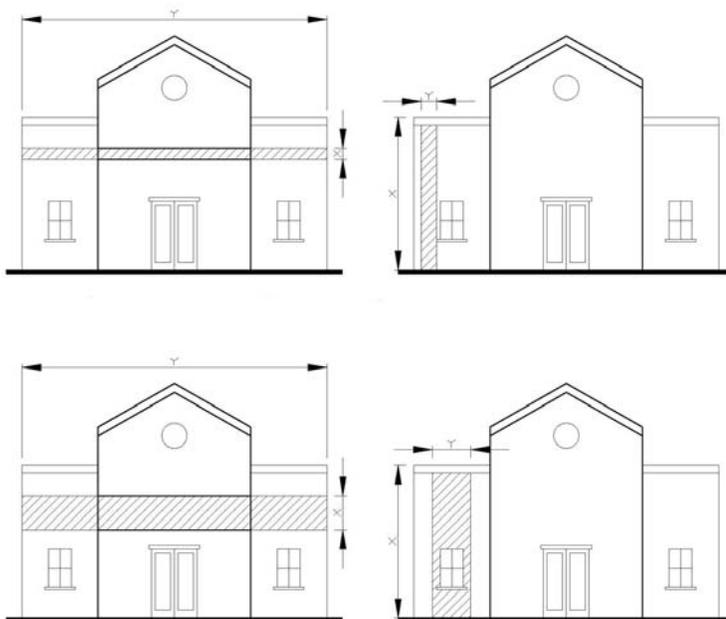
**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

(C) Building Façade

- (1) The treatment of the front façade must be continued, in its major features, around all sides of the building. Features must be carried for a minimum of 15 percent of the non-primary façade and be attached to the primary façade.
- (2) Individual or individual looking exterior façades must be faced with no more than four cladding materials. These cladding materials may be combined on the façade in a horizontal manner only (i.e. base of building: one material; middle area: another material; and, the top portion: a third type of material).
- (3) Vinyl siding materials are prohibited.

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- (4) Metal sided buildings are not permitted except as an accent material that does not exceed twenty five percent (25%) of the building facade.
- (5) The ground floor of all building facades facing a public right-of-way must be detailed and glazed as storefronts.
- (6) Storefronts must have glazed areas equal to at least fifteen percent (15%) and not more than seventy five (75%) percent of the ground level portion of the facade when facing a public right-of-way.
- (7) *Building color.* Primary and secondary colors on the exterior of buildings are restricted to a minimum of two inches for their shortest dimension. (see Figure 14)



PRIMARY & SECONDARY ACCENT COLORS-DIAGRAM "E"  
RTS.

Figure 14 (s. 33-473)

**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

- (8) Outdoor sales areas must be designed with similar details, colors and materials used in the primary facades of the building to which the outdoor sales area is attached.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

(D) Windows, Doors, Awnings and other openings

- (1) *Windows and doors.*

- (a) "Non-motorized" sliding glass doors and or sliding windows are prohibited at ground level.

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- (b) Glass may only be clear or lightly tinted.
  - (c) *Shutters*. Shutters must be sized and shaped to match the opening to which they are attached.
- (2) *Awnings*.
- (a) Awnings may not have a bottom soffit panel or be backlit.
  - (b) Awnings must be sized to match the window or door openings to which they correspond, and may not extend more than two feet on either side of the opening.
  - (c) Awnings may not be used at the corner of buildings to transition from one facade to the next.
- (3) *Openings*. Windows, doors, arcades and other openings in the facade must be squared or vertical in proportion. Arched windows may be approved administratively as a window or door type provided they are square or vertical in their overall proportions. (see Figure 15)

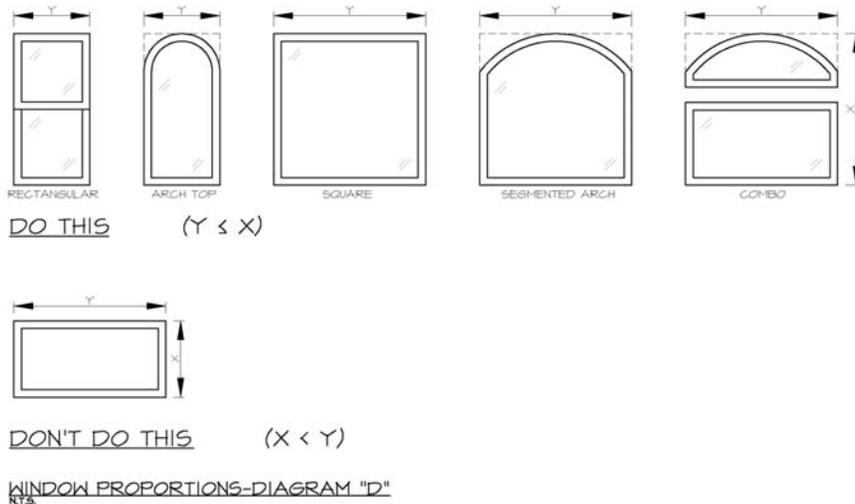


Figure 15 (s. 33-474)

**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

(Ord. No. 05-29, § 5, 12-13-05)

(E) Roofs

- (1) *Pitched roof*. All roofs must be pitched between thirty degrees (30°) and 8:12 (unless flat). Ancillary roof structures may be flat or pitched between thirty degrees (30°) and 12:12.

- (2) *Flat roof.* Flat roofs must have a full parapet at the perimeter of the roof. The parapet must not be less than twenty four inches (24”) or exceed fifteen feet in height (15’H). The height will be measured from the deck of the flat roof to the highest point of the parapet with the exception of non-habitable architectural elements.
- (3) *Roof changes* must occur at a minimum of one per fifteen thousand square feet (15,000 SF) with a minimum of three (3) for any building.

(Ord. No. 05-29, § 5, 12-13-05)

### Sections 33-181—33-199. Reserved

## Subdivision II – Site Planning Standards and Related Elements

### Section 33-200 – Applicability, Site Planning and Related Elements

#### (A) Vehicular and Pedestrian Site Planning

- (1) *Purpose and intent;* the purpose and intent of these provisions is to supplement and enhance existing regulations and to encourage the design of developments that will provide safe, convenient, and efficient access for vehicles while also providing for the safe, convenient, and efficient passage for pedestrians from the public right-of-way into the development, between buildings within the development, and between adjoining developments. Vehicular and pedestrian circulation are equally important in all developments within the Village of Estero.
- (2) It is further the purpose and intent of these provisions to require parking, lighting, and lighting fixtures to be designed, installed, and maintained in a consistent and coordinated manner for the entire site (including their out parcels) and integrated and designed so as to enhance the visual appearance and impact on the community. The **Estero Design Review Board** is hereby authorized to grant administrative deviations from the technical standards in this sub-section, subject to the criteria set forth in Section 10-104.
- (3) *Parking lot interconnections.* Adjacent commercial uses must provide parking lot interconnections for automobile and pedestrian traffic in accordance with **Section 33-220**. Interconnections are not intended to satisfy the criteria for site location standards as outlined in Lee Plan Policy 6.1.2(5). See additional provisions throughout this section.

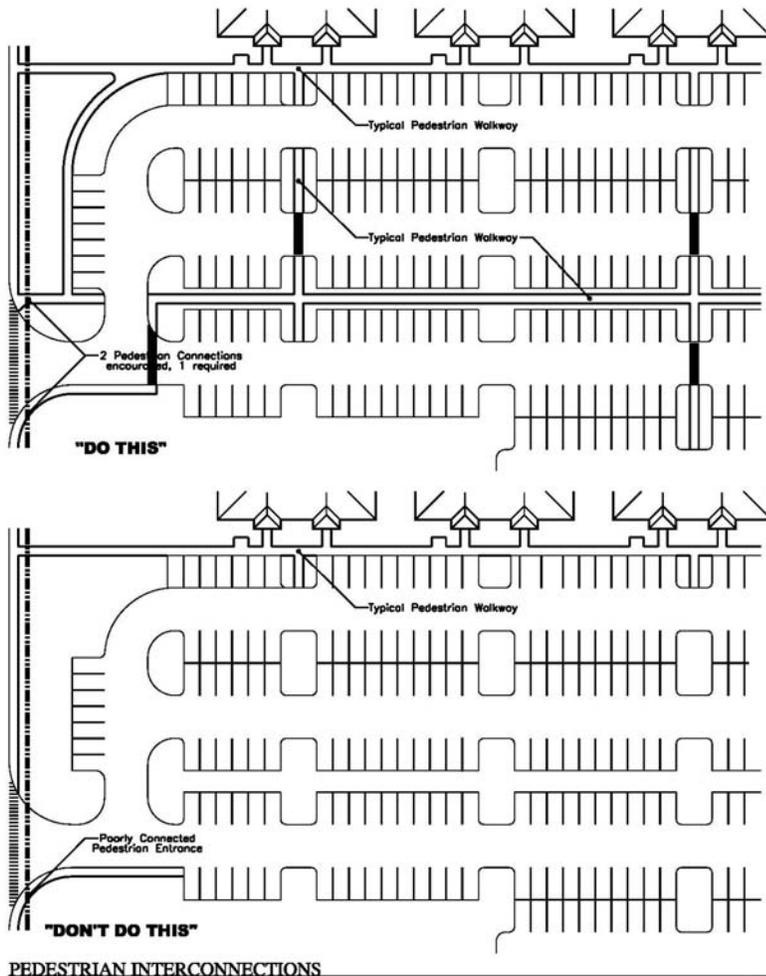
#### (B) Pedestrian and Bicycle Circulation

- (1) *Pedestrian access standards;* pedestrian ways, linkages or paths internal to the project must provide access between parking areas, building entries, surrounding streets, external sidewalks, and out parcels. The pedestrian facilities must provide safe access through the project from external sidewalk facilities or bus stops to the building entry (**see Figure x**).

If external sidewalk facilities identified on the official bikeways/walkways facilities plan are not in existence at the time of development, then the project must construct the internal pedestrian facilities up to the property line and external sidewalks consistent with Section

10-256. Use of the internal pedestrian facilities as open space is subject to the limitations set forth in Section 10-415(d)(2)d.

- (2) Pedestrian ways may be incorporated within a required landscape perimeter buffer in compliance with section 10-416(d)(4) Note (11). Shared pedestrian walkways are encouraged and adequate to provide between adjacent commercial projects.



### 3D MODELED EXHIBITS FOR THE ABOVE ARE IN PROGRESS

(C) Integration of Landscaping with Architecture, Site Design, and Open Space.

- (1) *Site Planning and Landscape Design*; should be designed to accommodate each other and to resolve any potential conflicts in site design that could create ill-conceived or horticulturally incorrect environments. Conflicts with utilities, site lines, grading, and vehicular uses must be resolved in unison with each design application (see Figure x).
- (2) *Building Relationships and Landscape Design*; should be considered as to afford the appropriate relationships between the proposed buildings and adjacent streets. All potential conflicts with the intended function of services associated with the building(s) must be

considered in the landscape design and the relationships the buildings have on the site. All conflicts with light poles, signage, and other site related elements must be considered in unison. Where buffers are required, the appropriate site relationships and building configurations must be considered to avoid potential compliance issues (see Figure x).

- (3) *Open Space*; must consider functional uses as part of the site planning and landscape design process. Open Space must relate to building uses and provide for usable areas and functional design elements for pedestrian use. Random strips of open space dispersed or disconnected throughout the site is discouraged and are not consistent with the intent of these standards (see Figure x).

### EXHIBITS FOR THE ABOVE ARE IN PROGRESS

#### Section 33-201 – Surface Water Management Systems

- (A) Closed drainage is encouraged for storm water management systems along arterial and collector streets. If sidewalks are present within stormwater management system areas then closed drainage is required to the extent necessary to prevent the sidewalks from flooding.
- (B) The shape of stormwater ponds must be designed to appear natural by having a meandering shoreline. Stormwater pond configurations that are generally rectangular, triangular, circular, oval or polygonal in shape are prohibited.
- (C) All shorelines in excess of two hundred linear feet (200 LF) must have a meandering offset in the shoreline. The meandering offset along all shorelines in excess of two hundred linear feet (200 LF) in length must consist of not less than thirty three percent (33%) of the overall shoreline of the given edge of a lake and must consist of an offset of not less than ten feet (10') over a minimum distance of fifty feet (50') or a maximum distance of two hundred feet (200') depending on the design. Meandering offsets are not required within lake edges that are on a continuous arc so long as the arc with an offset of at least ten feet (10') from the beginning to the end of the arc, lake corners are excluded. (refer to Figure 1 Updated Exhibits in Progress).
- (D) Where multi-tenant residential buildings are present, the lake meander may be more linear than defined in Section 33-201(C) so long as public access points and usable open space or pedestrian node features are provided at intervals of not less four hundred feet (400').

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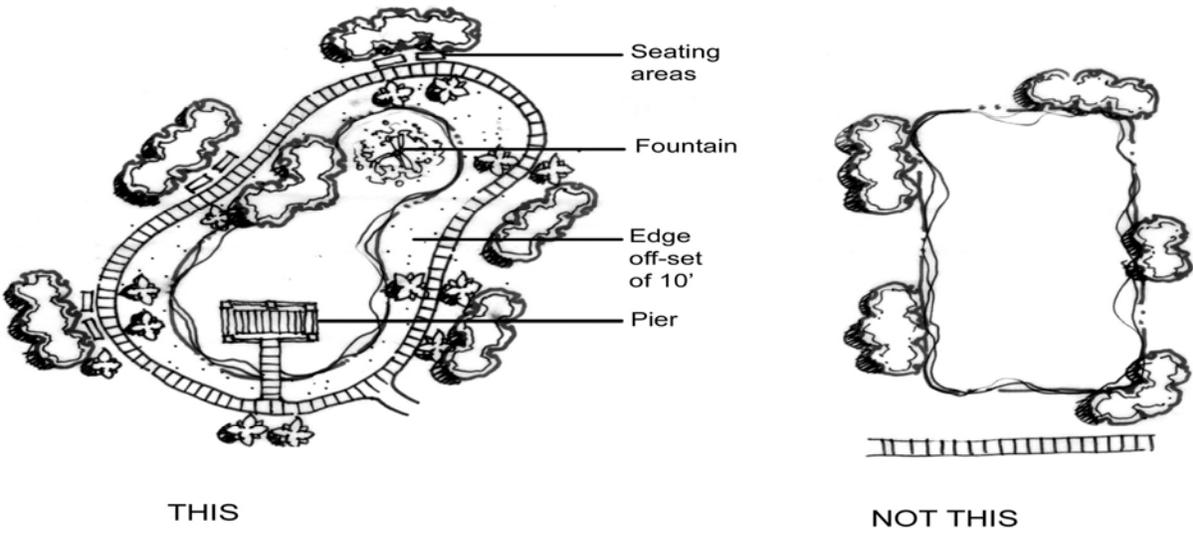
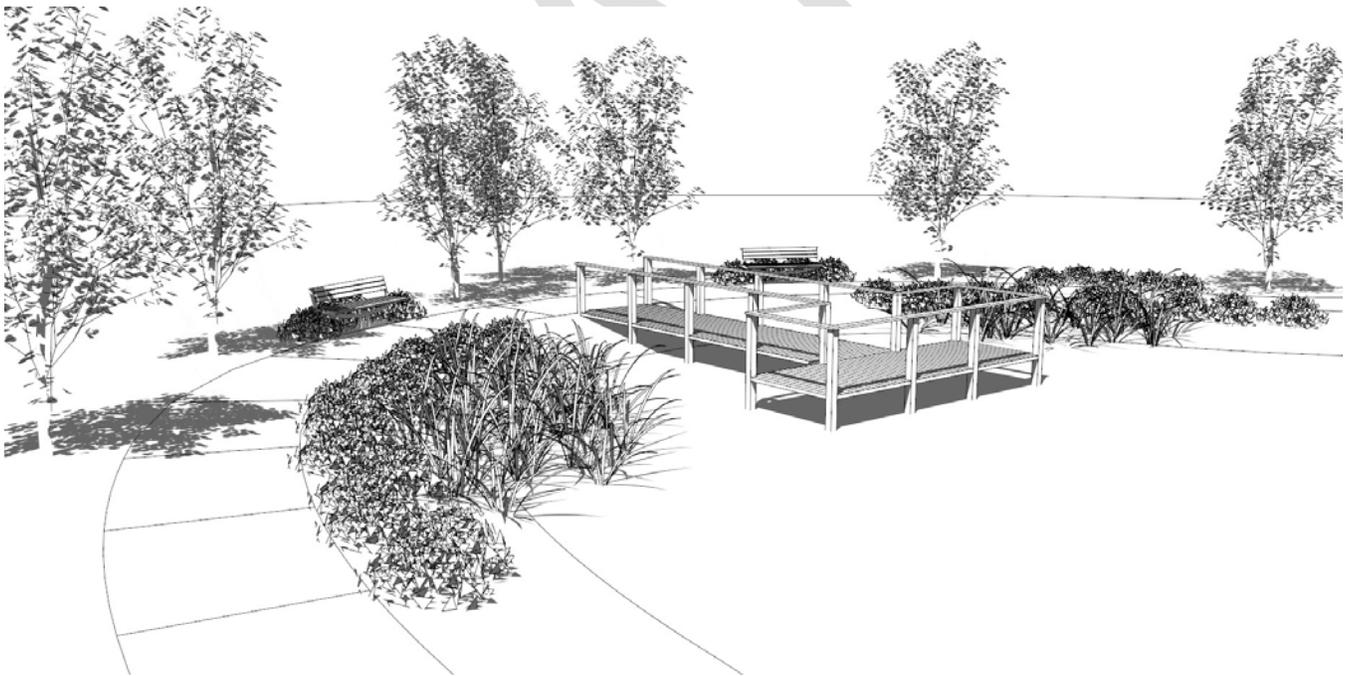
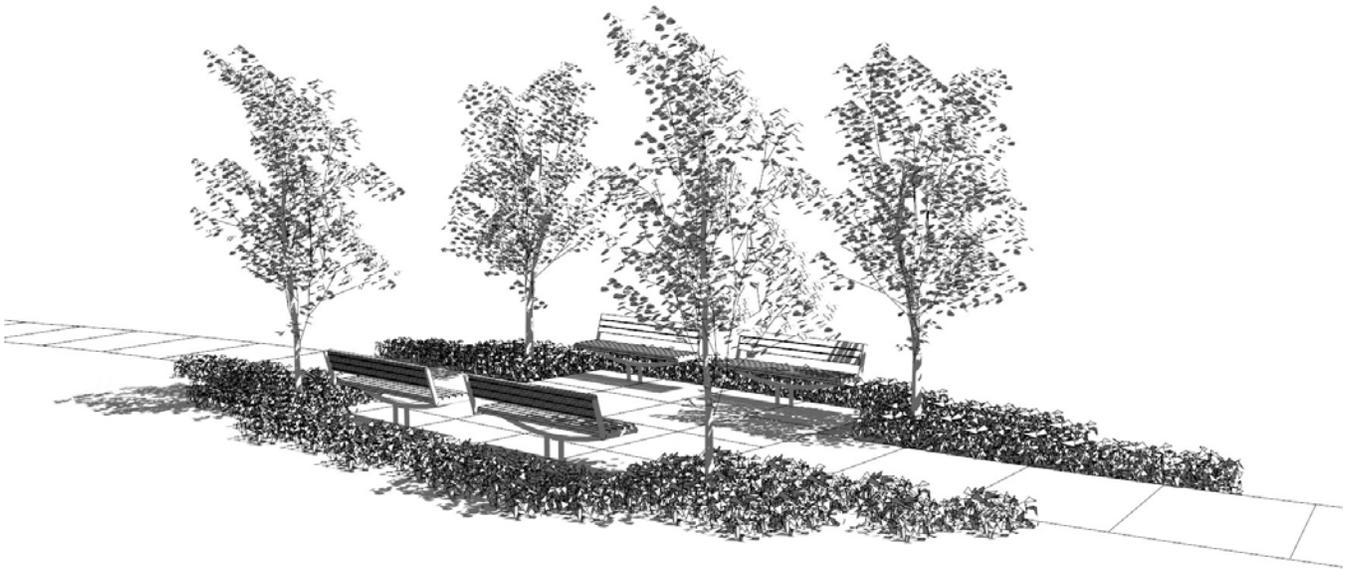
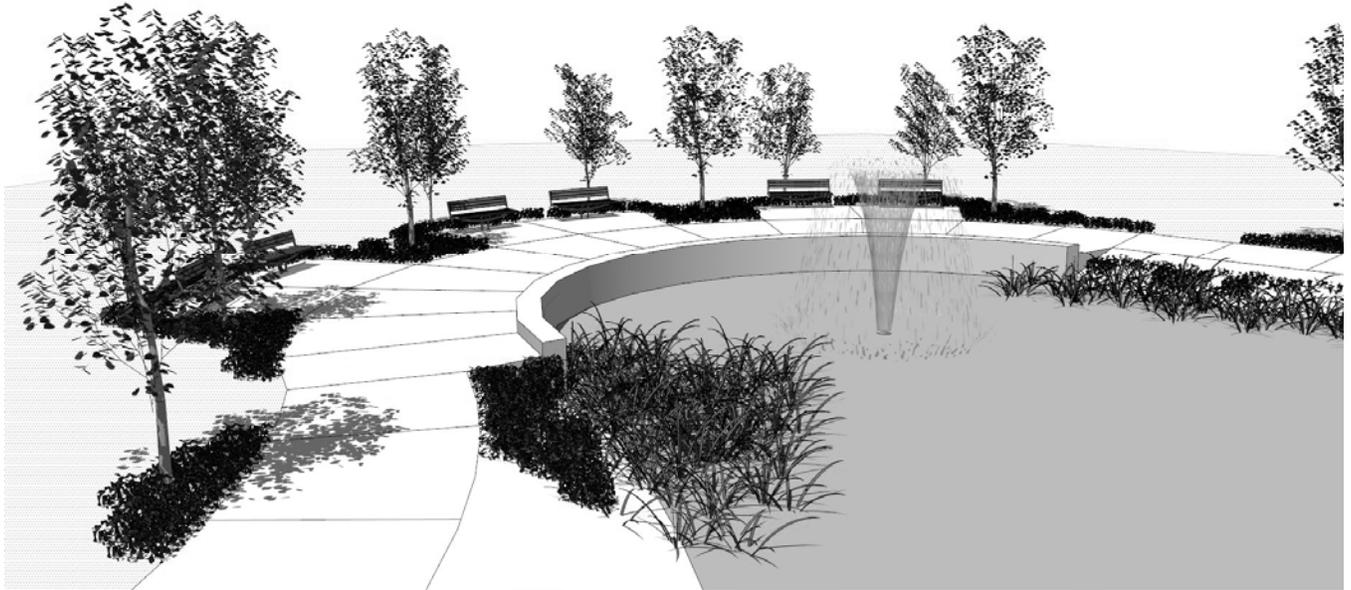
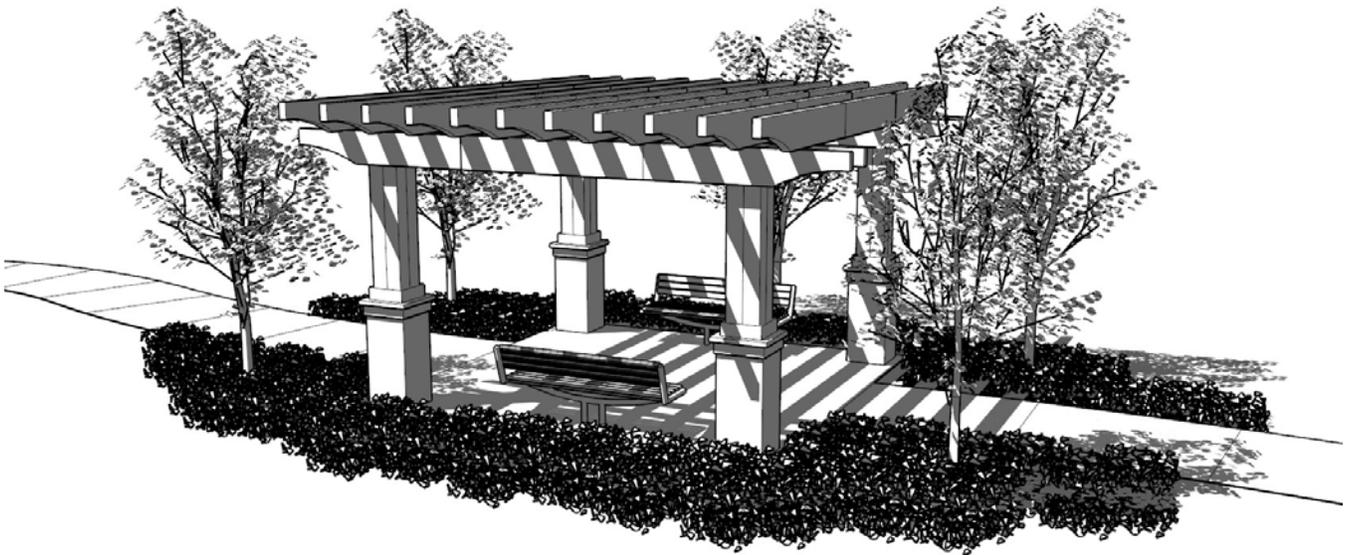


Figure 1. (s.33-111) Treatment of all bodies of water to appear natural and to incorporate landscaping features where possible.



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**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

- (E) Wet and dry detention areas must comply with **Section 33-202**.
- (F) All dry detention basins must include wetland type plant species consistent with the proposed storm water system design planted in minimum one-gallon (1G) containers not more than thirty-six inches on center (36"OC) throughout the extent of the basin. For any dry detention basin as measured from the top of slope that exceeds an area of two thousand square feet (2,000 SF), at least one (1) required general/canopy/buffer tree for every one thousand square feet (1,000 SF) of basin area must be included within the design of the basin (This is not to be construed as an additional tree requirement).
- (G) Bulkheads as defined in Section 10-418(3) may be increased to comprise up to forty percent (40%) of a lake shoreline if all of the adjacent space in conjunction with the bulkhead is made up of usable open space, pedestrian nodes, and/or outdoor dining areas.

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-202 – Natural and Manmade Bodies of Water**

- (A) Bodies of water, including wet and dry detention areas, exceeding twenty thousand square feet (20,000 SF) in cumulative area and located adjacent to and are within one hundred feet (100') of a public right-of-way are considered park areas and an attractor for pedestrian activity. Lakes within these areas must incorporate into their overall design at least two (2) of the following items:
  - (1) A five-foot wide (5'W) walkway that circles the lake with trees planted at an average of fifty feet on center (50'OC) along with benches incorporated within provided tree locations a minimum of six feet (6') in length located on average of one (1) bench for every one hundred fifty linear

feet (150 LF) of lake front,

- (2) A publicly accessible pier with covered structure and seating either on the base or on the end of the pier,
- (3) A pedestrian node such as an intermittent shaded and paved plaza/courtyard, a minimum of four hundred square feet (400 SF) in area with trees, benches and/or picnic tables adjacent to the water body,
- (4) A pedestrian node built along a bulkhead adjacent to the water as a publicly accessible area (not to encumber more than forty percent (40%) of the lake perimeter (superseding the limitations of percentile of lake frontage defined in LDC Section 10-418(3)) with a paved pedestrian node or eatery seating area immediately adjacent to the water of not less than six hundred square feet (600 SF) in area that includes safety railing consistent with the requirements of the Americans with Disabilities Act,
- (5) A permeant fountain structure within the lake or adjacent to the lake in combination with a pedestrian node.

**3D MODELED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

- (B) Zero (0') setbacks to water bodies may be used to the extent that outdoor commercial spaces (including restaurant patios, cafes, or public eateries) or accessible pedestrian nodes and usable open space are provided in conjunction with the zero setback.

(Ord. No. 05-29, § 5, 12-13-05)

**Sections 33-202—33-209. Reserved**

**Section 33-210 – Property Setback Regulations – Corkscrew Road and Via Coconut Point Overlay Districts**

Setbacks for the Corkscrew Road and Via Coconut Point Overlay Districts are shown in the following Table 1. With the exception of setbacks set forth within Table 1, the property development regulations set forth in Section 34-935 will apply. Table 1 specifically modifies and supersedes the provisions set forth in Section 34-935(b)(1).

To ensure conformity and development consistent with the goals and requirements of this section, developments that were approved prior to June 25, 2002, as part of a planned development, must also comply with the setback requirements contained in Table 1 to the extent the setback requirement was not specifically addressed as part of the planned development. Specific property development regulations that were approved as part of a planned development prior to June 25, 2002, are exempt from this section.

Table 1			
Dimensional Regulations	Special Notes	Corkscrew Road & Via Coconut Point Overlay Districts	
Setbacks <sup>1</sup>	34-2191 et seq.	Minimum	Maximum
Street (feet) <sup>2</sup>		0'	25'
Side yard (feet) <sup>3</sup>		0'	N/A

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Rear yard (feet)		25'	N/A
Water body (feet)		25'	N/A

Notes:

- (1) Building setback requirements must follow these General Requirements (See Figure 2):
  - (a) Setbacks will be established to facilitate the creation of uniform streetscape.
  - (b) Maximum right-of-way setbacks will be zero feet (0') to twenty-five feet (25'). This must allow for buildings to front directly onto the adjacent sidewalks, while providing for slight undulation (variety) in the definition and character of the corridor. The flexibility in this setback will also allow for the creation of small use areas (i.e. limited outdoor seating for restaurants and coffee shops, display of goods being sold, and small landscaped entrances) and enhance opportunities for activity. Automobile service stations and convenience food and beverage uses with fuel pumps may deviate from the maximum setback requirement per landscape requirements in Section 33-435. Interior lots are permitted for developments provided that there is a minimum seventy-five foot (75') setback for all parking lots.
  - (c) Minimum of forty percent (40%) of the building frontage will be required at the setback.
  - (d) These setback requirements do not apply to properties fronting Corkscrew Road east of Schoolhouse Road.
- (2) The provisions of Section 34-3131(a) "Vehicle Visibility at Intersections" is amended for the purposes of the Corkscrew Road and Via Coconut Point Overlay Districts to read as follows:
 

*Corner lots;* on a corner lot, no obstruction may be planted or erected that materially obstructs traffic visibility within the triangular space bounded by the two intersecting right-of-way lines and a straight line connecting the two points on the street right-of-way lines fifty feet (50') from their intersection. No structural and planting masses will be permitted between one and one-half feet (1-1/2') and eight feet (8') above the average grade of each street.
- (3) *Side Setbacks;* developments are encouraged to provide side setbacks of five feet (5') or less to create a continuous 'street wall' of building frontage whenever possible. Where side setbacks are less than five feet (5'), evidence must be presented that the land owner will be able to maintain the exterior wall. The exterior walls of buildings must meet fire protection standards.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

**Sections 33-211—33-219. Reserved**

**Section 33-220 – Project Entrances**

- (A) The entrance to a commercial development generating more than three hundred (300) trip ends total, or at an entrance with more than one hundred (100) entering vehicles during the peak hour of the generator, must include two (2) entrance lanes.

(B) The driveway length must provide adequate throat depth consistent with the FDOT Driveway Handbook.

(C) Sidewalks must be provided along the vehicular entrances to all developments and connected to any adjacent sidewalks where applicable when these conditions apply.

(Ord. No. 98-28, § 2, 12-8-98; Ord. No. 00-14, § 3, 6-27-00; Ord. No. 03-16, § 3, 6-24-03; Ord. No. 07-24, § 3, 8-14-07; Ord. No. 09-23, § 4, 6-23-09; Ord. No. 12-20, § 1, 9-11-12; Ord. No. 14-13, § 1, 6-17-14)

### **Section 33-221 – Interconnections and Shared Access**

(A) *Interconnects*; adjacent commercial and/or mixed use developments must provide interconnecting streets that accommodate vehicular, bicycle and pedestrian traffic. Interconnects between parking lots are not intended to satisfy the criteria for site location standards outlined in Policy 6.1.2(5) of the Lee Plan.

(B) Connecting on-site streets and driveways to existing adjacent off-site infrastructure must be executed whenever off-site facilities exist and where it is possible to make such connections.

- (1) If the adjacent parcel is undeveloped then stub-outs must be provided for future connections.
- (2) If the adjacent parcel has stub-outs, then connections must match and be connected to the adjacent parcel wherever applicable.
- (3) If the adjacent parcel is developed and connecting to the development is not practical based on existing physical conditions, then by the judgment of the **Estero Design Review Board**, no vehicular connections are required.

(C) Use of shared access ways is encouraged and required where feasible to connect.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-222 – Parking, General**

(A) Parking area configurations must promote both vehicular and pedestrian interconnections between adjacent parcels. This should be accomplished by providing interconnected circulation routes to the rear or middle of properties fronting public roads in all overlay districts. Developments must follow these general requirements for vehicular use area design:

- (1) Parking areas must be designed to accommodate pedestrian integration throughout the parking area and within the development through the use of sidewalks and other measures to differentiate the uses between vehicles and pedestrians.
- (2) Parking areas must be configured with pedestrian walkways, links, buffers and landscaped areas that include elements such as planting areas, trellises, fountains, and/or pedestrian nodes and other similar features. Pedestrian circulation must be separate from vehicular circulation as defined in **Section 33-119 (see Figure X)**.
- (3) Interconnections between parking are required where adjacent properties with parking areas and access ways can be connected including pedestrian links. If connections to existing adjacent properties require a reduction in parking to the adjacent development, then no impact to the parking requirements for that development site will be made. The required total of parking for that site will be adjusted to allow for the interconnect.

- (4) Pedestrian walkways and interconnections must be made in accordance with Sections 33-232 and 33-233 so far as they supersede or add to those required by Section 10-xx.
- (B) Parking lots must be located in accordance with Section 34-2192.
- (C) Side parking areas must be adequately buffered from adjacent pedestrian and vehicular travel along adjacent access and service roads. Buffering must be at a minimum a type 'D' buffer as defined in Section 33-351 where the parking areas are adjacent to private road right-of-ways. The trees planted to meet this requirement may be general or canopy trees as defined in Section 33-xx and Section 33-xx so long as those requirements are being met.

**EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

**Section 33-223 – Parking, Corkscrew Road and Via Coconut Point Overlay Districts**

Parking for all vehicles within the Corkscrew Road, Via Coconut Point, and US-41 Overlay Districts as defined in Section 33-xx must follow these general standards:

- (A) Freestanding buildings or shopping center developments containing seven thousand five hundred gross square feet (7,500 SF) of space or less may provide no more than twenty percent (20%) of parking areas in the front of buildings and/or be limited to no more than one (1) double row of parking. No more than twenty percent (20%) of the parking area may be located to the side of building, with the balance of parking located to the rear of the building.
- (B) For sites containing buildings that exceed a total of seven thousand five hundred gross square feet (7,500 SF) or more, no more than forty percent (40%) of the total parking area may be located along the front and sides of the buildings, with the balance of parking located to the rear of the building.
- (C) Parking lots along the US-41 and Via Coconut Point Overlay Area must provide a thirty foot (30') wide buffer consistent with the landscape standards defined in Section 33-xx.x.
- (D) Joint/shared parking facilities between adjacent uses are encouraged. When joint parking arrangements have been made within internally phased commercial developments, no buffers will be required between these parking areas. Pedestrian and bicycle interconnections must be considered. In order for buffers to be waived between shared developments, the adjacent shared parking facility must already be in place. Otherwise buffers as defined in Section 33-xx.x are required when applicable.

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-224 – Parking, US-41 Overlay District**

Parking for all vehicles within the US-41 Overlay District as defined in Section 33-xx must follow these general standards:

- (A) Freestanding buildings or shopping center developments containing seven thousand five hundred gross square feet (7,500 SF) of space or less may provide no more than twenty percent (20%) of parking areas in the front of buildings and/or be limited to no more than one double row of parking. No more than twenty percent (20%) of the parking area may be located to the side of building, with the balance of parking located to the rear of the building.
- (B) For buildings exceeding seven thousand five hundred gross square feet (7,500 SF), and fronting

US 41, parking is required to be at the sides and/or rear of the building.

- (C) Where parking is located adjacent to US 41, adequate screening, consisting of a minimum type "E" buffer, as specified in **Section 33-312**, containing a two to three foot (2'-3') undulating landscaped berm, without a wall, is required. This berm must vary from heights as low as two feet (2') and to at least as high as three feet (3'). The average height of the berm may not be less than two and half feet (2'-6"). The intent is to screen parking areas, but not buildings.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-225 – Parking, Big Box Commercial**

Parking for all vehicles within Big Box Commercial developments as defined in **Section 33-xx** must follow these general standards:

- (A) Parking areas must be developed into parking pods that do not exceed one hundred twenty (120) parking spaces, have a maximum of four (4) entry/exit points, and be separated by a continuous double row hedge and large canopy trees at an average of thirty feet on center (30' OC).
- (B) Parking lots must provide landscaped islands in accordance with Chapter 10.
- (C) Shared parking is encouraged.
- (D) Parking must be distributed on three sides of the big box retail building and away from loading areas. Peak and employee parking areas must be located on the sides of the building.
- (E) All parking lots must be interconnected.
- (F) As an alternative to the parking pod as set forth in **Section 33-461(b)**, parking areas must have a type "D" buffer separating every four (4) rows of parking, provided the big box building is screened by an out parcel buffer.
- (G) The number of parking spaces developed as part of the big box project may not exceed the number of spaces required by Section 34-2020, or other code parking requirement unless the increase complies with one of the following subsections.
- (1) Up to a twenty percent (20%) increase in parking spaces may be granted administratively if:
- (a) Parking pods are used for all parking on the project site; or
- (b) All trees used on-site and to meet the requirements of code are increased to a minimum of sixteen feet height (16'H) height, seven-foot spread (7'S), one-hundred gallon (100G) container size with a four-inch caliper (4"Cal) at the time of planting.
- (2) A parking space increase over twenty percent (20%) may be granted administratively only if the larger trees defined in **Section 33-210(G)1.b** are used and the number of required general and canopy trees for the entire project is increased by twenty-five percent (25%), buffer trees excluded from this increase.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

### Section 33-226 – Vehicular Access, Big Box Commercial

Vehicular access within Big Box Commercial developments as defined in **Section 33-xx** must follow these general standards:

- (A) To the extent possible, access to, from, and within the big box project must be designed to create:
  - (1) A safe and memorable environment for vehicular and pedestrian access to and from the site,
  - (2) A minimal number of curb cuts on the major arteries by providing shared access to adjacent properties; and,
  - (3) Convenient, functional, and attractive access around the project for vehicular and pedestrian movement.
- (B) Internal access drives/streets to the property must be developed at minimum intervals of two-hundred and fifty feet (250') and maximum intervals of fourteen hundred feet (1,400') in length, creating internal blocks for parking and buildings.
- (C) Internal access must be developed to simulate streets with sidewalks and trees, with an average tree separation of thirty feet (30') and a fifteen foot (15') planting strip with a combination of plants and grass along the street/parking/building edge. The planting may not contain more than thirty percent (30%) sod or turf grass for these areas.
- (D) Internal lanes must be no less than ten feet (10') in width for each lane.
- (E) Street and sidewalk accesses must be provided up to adjacent properties for future connectivity where not prohibited. The developer may provide an easement agreement in lieu of the physical interconnection when no development is planned on an adjacent parcel.
- (F) Landscaped pedestrian sidewalks must be provided along the sides of large buildings with adjacent parking lots.
- (G) All streets must terminate at other streets, future streets, or a parking lot. Cul-de-sacs or dead end streets are to be avoided if possible.
- (H) After seven hundred linear feet (700 LF) of roadway, five degrees (in plan) deflection or a landscaped median strip a minimum ten feet (10') by eighteen feet (18') must be designed into the road for traffic calming reasons.
- (I) On-street parking is encouraged on internal access roads where a main street type of development is desired. "Main street development" is defined as development where sidewalks and buildings or public spaces (excluding parking lots) are planned for the majority of both sides of the street.
- (J) Internal street medians are encouraged. Median widths must be a minimum of six feet (6') and maximum of fifteen feet (15') in width.
- (K) Sidewalks a minimum five feet (5') wide must be constructed on at least one side of all internal roadway or vehicular access areas (exclusive of parking lanes). In the alternative, walkways may be developed through the landscaped median areas, to facilitate access from the sidewalks along the rights-of way, provided the medians are increased by five feet to accommodate the walkway.

- (L) Sidewalks along buildings must be a minimum of eight feet (8') in width excluding landscaping.
- (M) Each building must be interconnected via a pedestrian pathway.
- (N) Development must be coordinated with Lee Tran where transit access is to be provided to the area.

(Ord. No. 05-29, § 5, 12-13-05)

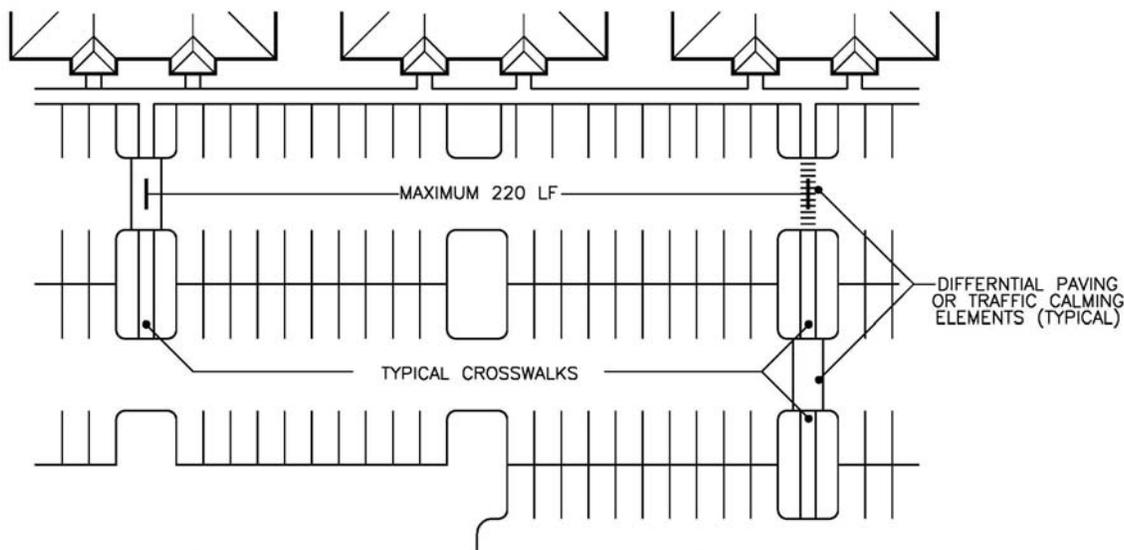
**Sections 33-227—33-239. Reserved**

**Section 33-240 – Pedestrian Walkways**

The following requirements are in addition to the requirements of Section 10-610(d) and apply to all developments within the Village of Estero:

- (A) Pedestrian walkways must be provided for each public vehicular entrance to a project. Pedestrian access points to off-site infrastructure must be at the driveway or within fifty feet (50') of the driveway to meet this requirement.
- (B) In order to accentuate and separate pedestrian areas from vehicular use areas paving materials must include specialty pavers, concrete, colored concrete, stamped concrete patterns, or other ADA approved surfaces that differ from the paving materials used for the vehicular use areas.
- (C) Pedestrian walkways must be incorporated into, within, and through a project. The following are examples of design techniques that must be applied:
  - (1) Incorporate cross-site pedestrian connections within projects and throughout all parking areas at a minimum to those defined in Section (G) below.
  - (2) Define walkways with horizontal definition by using variations of paving types/colors than those in parking areas while defining vertical elements with the use of trees, shrubs, and/or other space defining elements. Pedestrian walkways may be incorporated within a required landscape perimeter buffer, in compliance with Section 10-416(d)(4), Note 11.
- (D) Sidewalks must connect the proposed pedestrian circulation systems to sidewalks on adjacent developments or roadways. If the adjacent parcel is undeveloped or if pedestrian sidewalks are not present, then stub-outs must be provided for future connections. If the adjacent parcel has stub-outs, then connections must match with them. If it is not practical to connect to an adjacent parcel or roadway (I.E. presence of walls, canals, physical incompatibilities, etc.), then no connections are required to that parcel or roadway.
- (E) All developments must provide pedestrian interconnections within and between all land uses where the separation of pedestrian uses from vehicular use must be done with physical treatments such as and at a minimum the following:
  - (1) Separation of pedestrian uses from vehicular circulation using physical barriers such as curbing, walls, landscaping, and/or green space,
  - (2) Provisions for distinct paving patterns, materials, or striping on the pedestrian paths that clearly differentiates uses whenever they meet, cross, or share space with vehicular use areas,

- (3) The development site must be designed to minimize pedestrian usage of driveways or other areas proposed for vehicles to the extent possible,
- (4) Traffic calming measures must be provided at points where conflicting pedestrian and vehicular crossings exist. Traffic calming measures may include such elements as; differential paving or striping at the crossing, elevated speed humps, expanded sidewalk crossings, etc.
- (F) Sidewalks and/or integrated bikeways must be installed along all development access roads. The property owner or association must provide for maintenance of the sidewalks and landscaping (if landscaping is present) unless the County formally accepts responsibility for maintenance.
- (G) When parking areas with a depth of two (2) or more parking aisles run parallel to buildings being served by these parking facilities, cross pedestrian circulation that provides for perpendicular access to those buildings must be provided at least every two hundred and twenty feet (220'). These pedestrian walkways must be at least five feet (5') in width and may be incorporated into required parking lot islands (see Figure X).



**PEDESTRIAN CROSSWALKS IN PARKING LOTS**

FIGURE-X

- (H) All projects must provide pedestrian connections to all adjacent properties where applicable. Secured facilities, such as gated residential developments, may provide keyed access. Whereas when secured facilities exist adjacent to the subject development, no connection is required. Multiple pedestrian access points may be required to adjacent properties depending on the proposed and existing uses.
- (I) All pedestrian and bike paths must be paved.

**EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

**Section 33-241 – Bicycle Racks**

Bicycle racks are required for all developments within the Village of Estero as follows:

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- (A) Residential developments are required to provide bike racks at community facility locations, such as clubhouses and amenity centers, whenever these facilities are present within the development. If a residential community does not have a clubhouse or other community parks or common area features, then no bike racks are required.
- (B) Bicycle racks must be placed within fifty feet (50') of the main entrances of all applicable facilities and must accommodate public access to both the bike rack(s) and the building(s) without crossing a parking lot or driveway.
- (C) *Bicycle parking requirements.*
- (1) *Number of spaces;* safe and secure bicycle parking spaces must be provided as follows:
- (a) Spaces totaling five percent (5%) of required motor vehicle spaces in accord with Section 34-2020 up to one thousand (1,000) vehicle spaces.
- (b) For each five hundred (500) spaces above one thousand (1,000) vehicle spaces, four (4) additional bicycle parking spaces are required. A minimum of two (2) bicycle parking spaces must be provided.
- (2) *Design.*
- (a) A bicycle parking facility suited to a single bicycle may be a stand-alone inverted - U design measuring a minimum of thirty six inches (36") high and eighteen inches (18") wide [of one and one-half (1½) inch Schedule 40 pipe, ASTM F 1083] bent in one piece ("bike rack") mounted securely to the ground [by a 3/8-inch thick steel base plate, ASTM A 36] so it is capable of securing the bicycle frame and both wheels. Other designs may be submitted in concert with a specific architectural style as approved by the **Estero Design Review Board**.
- (b) Each bicycle parking space must have a minimum of three feet (3') of clearance on all sides of the bike rack.
- (c) Bicycle parking spaces must be surfaced with materials consistent with those approved for the motor vehicle parking lots or pedestrian walkways and lighted.
- (d) Extraordinary bicycle parking designs and surfaces that depart from the bike rack standard, but are consistent with the development's design theme may be considered by the **Estero Design Review Board**. Bike racks that are freely oriented, function without securing the bicycle frame, or require the use of a bicycle kick stand are prohibited.

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-242 – Transit Facilitation**

- (A) Convenient access to public transportation, ride-share and passenger drop off areas must be provided on all large projects that front public arterial or collector roadways where public transit either exists or is proposed. The following examples are transit oriented design techniques that may be used to meet this requirement, at least one (1) of the following must be utilized where applicable and where public transit services are being provided:
- (1) Accommodation for public transportation vehicles on the road network that services the development.

- (2) Passenger loading/unloading facilities linked to public transportation network services with a consistent sidewalk network linked to the development.
- (B) Convenient and safe access between building entrances and a transit or bus areas, such as walkways or painted pedestrian crosswalks, must be provided where practical.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-243 – Walls and Fences**

- (A) Walls and fences must be designed to be complementary to the main facade elements of the building(s). Walls must be one hundred percent (100%) opaque, whereas fences may have voids.
- (B) On all commercial and mixed use developments, walls and fences made of wood or wood products are prohibited. Fences made of chain link, barbed wire, or razor wire are prohibited.
- (C) Wall runs may not exceed one hundred linear feet (100 LF) in length without a vertical break in the ground plane of at least three feet (3'). If the subject wall is within a required buffer and the horizontal run of the required vertical break is less than ten linear feet (10 LF), then no additional width in the buffer needs to be provided to offset the vertical break where applicable (see Figure X).

### **EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

### **Section 33-244 – Service and Loading Areas**

Service and loading areas, including loading docks, trash receptacles, mechanical equipment, outdoor storage areas and utility vaults must be located in areas where traffic impacts are minimized, public visibility is diminished, and are in areas that are accessible and functional. Smaller trash receptacles must be manufactured to be conducive to the project architectural style and placed in visible/functional locations.

Loading areas and docks (including delivery truck parking), outdoor storage, trash collection, heating/air conditioning and other similar mechanical equipment, solid waste disposal facilities, trash compaction, recycling, and other similar service function areas must be fully shielded from adjacent properties and street rights-of-way when viewed from ground level. The shielding must extend vertically a distance equal to or greater than the items, delivery trucks, or facilities being shielded.

Shielding material and design must be consistent with design treatment of the primary facades of the commercial building or development and the landscape plan. The following conditions apply to all Service and Loading Areas:

- (A) To the extent possible, loading areas must be designed to diminish both the visual and noise pollution that these facilities can create on a community.
- (B) Loading areas must either be located out of view from all public roads, or adequately buffered.
- (C) When a loading area is facing a public right-of-way or a residentially zoned area, a ten-foot (10') high architecturally screened wall must be provided on a four-foot (4') berm located within a twenty-five foot (25') landscaped buffer. Berm and wall breaks are required every two hundred feet (200') in order to diminish the height and length of the wall and berm. Loading areas that are more than four hundred fifty feet (450') from the property line may utilize only the berm requirements

provided they are not adjacent to and facing a residentially zoned parcel.

- (D) Rooftop service areas must be shielded from public view with appropriate materials and methods consistent with the architectural style of the building(s).

(Ord. No. 05-29, § 5, 12-13-05)

### **Sec. 33-245 – Services and Loading Areas, All Overlay Areas and Specific Uses**

In addition to the Service Areas described in **Sec. 33-216**, Service areas, including loading docks, trash receptacles, mechanical equipment, outdoor storage areas and utility vaults must be located in areas behind buildings or hidden by structures tied into building facades.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-246 – Trash Storage and Dumpster Enclosures**

**See Section 33-120.**

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-247 – Utilities**

All utility lines must be located underground except when located within a public road right-of-way and only if they are pre-existing in this manner.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-248 – Curbing**

Curbing must be installed and constructed consistent with minimum code requirements between all paved vehicular use areas and required landscape areas, sidewalks, or pedestrian oriented paved areas.

### **Section 33-249 – Storage Tanks**

Motor vehicle fuel storage tanks and propane/natural gas tanks must be located below grade.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-250 – Outside Display or Storage of Products**

Outside display or storage of products is prohibited, except as described in **Section 33-242**.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-251– Outside Display or Storage of Vehicles**

Outside display of vehicles for sale must be in accordance with the regulations described in Goal 19 of the Lee County Comprehensive Plan.

### **Section 33-252 – Shopping Cart Storage**

- (A) To the extent possible temporary shopping cart storage must be buffered from public view from outside of the subject property.

- (B) Overnight storage of shopping carts external to the building (excluding 24-hour/7-day operations) must be behind a wall not less than eight feet in height (8'H) or a landscaped area not less than five feet in width (5'W) on three (3) sides planted with a continuous hedge thirty six inches in height (36"H) at installation and maintained at a height of not less than forty eight inches in height (48"H) in perpetuity with eighty percent opaqueness at planting.

**EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-253 – Garden Centers**

Garden centers located in commercial areas or associated building materials sales establishments or department stores etc., must shield all materials (except plants) from adjacent properties and street rights-of-way from view at ground level with permeant architectural elements consistent with the design style of the subject building.

**Sections 33-254—33-369. Reserved**

**Section 33-270 – Commercial Out-Parcels, Big Box Commercial**

Commercial out parcels within Big Box Commercial developments as defined in **Section 33-xx** must follow these general standards

- (A) To the extent possible out parcels should be placed to frame major commercial roadways, thus creating grand boulevards and gateways within the Village of Estero.
- (B) Projects that exceed fifty thousand square feet (50,000 SF) of retail floor area must provide a berm or an out parcel pad along collector and arterial roadways, with the majority of the parking located behind the building or berm. The berm must be an average of four feet high (4'H) and thirty feet wide (30'W) for seventy five percent (75%) of the public right-of-way that does not possess an out parcel pad. The berm must have a minimum of ten (10) trees per one hundred linear feet (100 LF) with a double hedge row. All plants must meet standard sizes as required in **Sections 33-351 through 33-354**. (see **Figure 12**)

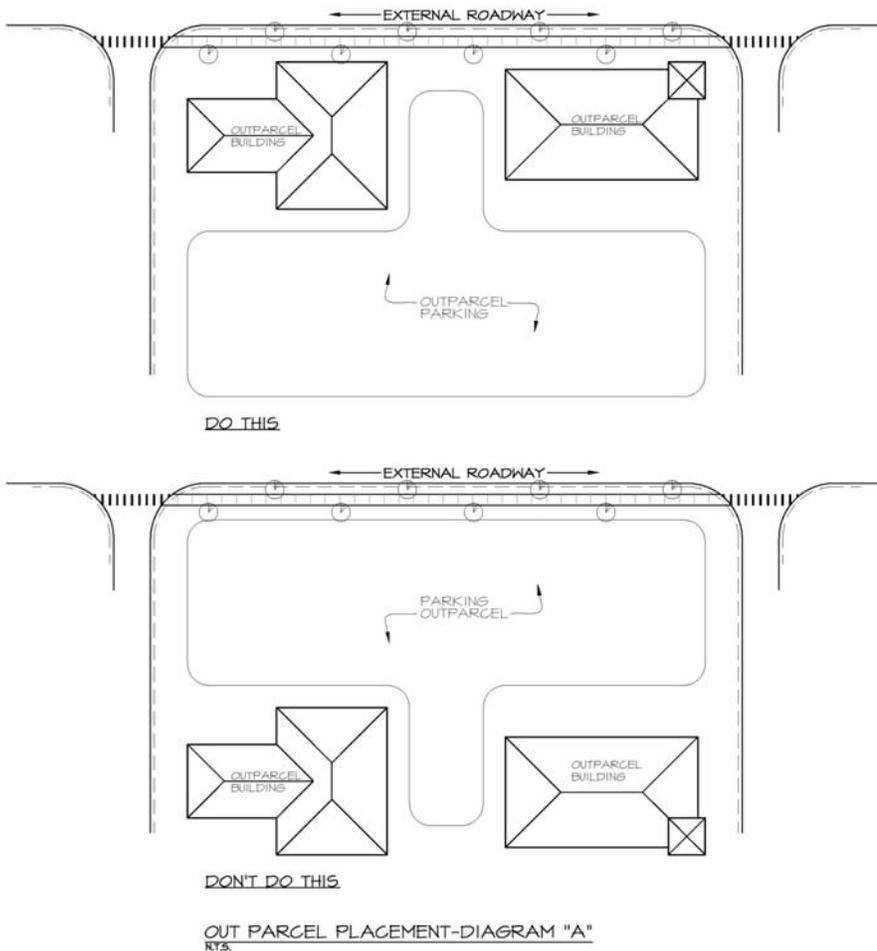


Figure 12 (s. 33-459)

Figure 12 (s. 33-459)

**REVISED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

- (C) Out parcels may also be developed along internal access drive locations provided the majority of the parking is not placed along the major roads of the community.

(Ord. No. 05-29, § 5, 12-13-05)

### Section 33-271 – Corner Lots for All Overlay Districts

In addition to the requirements of Section 10-620(c)(3), the development must create visually attractive street corners using distinctive building entryways in combination with landscaping or artwork. Buildings on corner lots must be designed with a maximum setback of twenty five feet (25') from each adjacent right-of-way and must provide pedestrian access from the street intersection (Refer to Figure 9).

IMAGE (11026-LDC-Chapter 33\_Figure-9 (33-403))

**Sections 33-272—33-269. Reserved**

**Sec. 33-280 – Outdoor Lighting**

These requirements are in addition to the requirements of Section 10-610(b). The following conditions must be met for lighting applications within the Village of Estero:

- (A) Provide pedestrian level lighting at all building entryways. The maximum height of pedestrian level lighting cannot be over twelve feet (12') in height to the light source.
- (B) Lighting must be given a distinct architectural theme that complements the building's exterior. Light fixtures must complement the architecture and overall building development.
- (C) All commercial, mixed-use, and multi-family residential developments must provide exterior lighting.
- (D) Provide lighting throughout all parking areas utilizing decorative light poles/fixtures. Other than pedestrian level light fixtures, all other outdoor light fixtures must be fully shielded. Lighting must be directed to avoid intrusion on adjacent properties and away from adjacent thoroughfares.
- (E) Lighting plans must be coordinated with landscape plans to identify and eliminate potential conflicts. Landscape plans must illustrate all light pole locations to coordinate any potential conflicts and demonstrate effective compliance.
- (F) Buildings, awnings, roofs, windows, doors and other elements may not be designed to be outlined with light. Exposed neon and backlit awnings are prohibited. Temporary seasonal lighting during the month of December is excluded from this requirement.
- (G) The following types of site lighting applications in parking areas, along streetscapes, or in common or pedestrian areas are prohibited:
  - (1) High Pressure Sodium
  - (2) Low Pressure Sodium
  - (3) Mercury Vapor
  - (4) Incandescent

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

**Sections 33-281—33-299. - Reserved.**

**Subdivision III – Landscape, Hardscape, and Open Space Standards and Related Design Elements**

**Section 33-300 – Purpose; Landscape, Hardscape, and Open Space Design Elements**

This Subdivision establishes requirements for landscape and hardscape design treatments, and open space standards to enhance the appearance of development, provide shade, reduce heat and glare, control soil erosion, conserve water, screen incompatible land uses, enhance the quality of

neighborhoods and commercial centers, improve air quality and pedestrian, vehicular, and bicycle functionality.

**Sec. 33-301 – Applicability; Landscape, Hardscape, and Open Space Design Elements**

The provisions of this Subdivision apply to new, existing, and future development and land uses. The standards apply community wide unless indicated otherwise as an Overlay District or Specific Use. Where the provisions of this Subdivision are silent with respect to the prevailing Land Development Code, the provisions of the Land Development Code apply.

All plans, drawings, and supporting documents submitted to meet the requirements of this subsection for development order, limited review development order, and building permit applications must meet the requirements defined by Section 10-414(a).

**Sections 33-302—33-309. Reserved**

**Section 33-310 – Landscape and Hardscape Design**

- (A) Developments must provide separation between pedestrian and bicycle circulation from vehicular movement by using plantings and/or open space as defining elements. Curbing or a planted green space not less than four feet (4') wide must be used to separate pedestrian circulation from adjacent driveways wherever feasible.
- (B) All single-family residential developments must provide for not less than two (2) trees and twenty (20) shrubs for each development lot. Lots sixty-five hundred square feet (6,500 SF) or less are only required to have one (1) tree per lot along with the shrub requirement (see Figure xx). These trees may be counted towards the overall general tree requirements of the project, as applicable. Palms may be substituted for trees on a 2:1 basis when used to meet this requirement. At least one (1) tree provided to a single-family residential lot must be planted in the front yard between the property line and the front wall of the structure. Lots sixty-five hundred square feet (6,500 SF) or less may have the tree planted anywhere on the lot. Conflicts with all utilities must be fully addressed as a function of this requirement and must take into consideration the root growth of the trees proposed in conjunction with the utilities on-site.

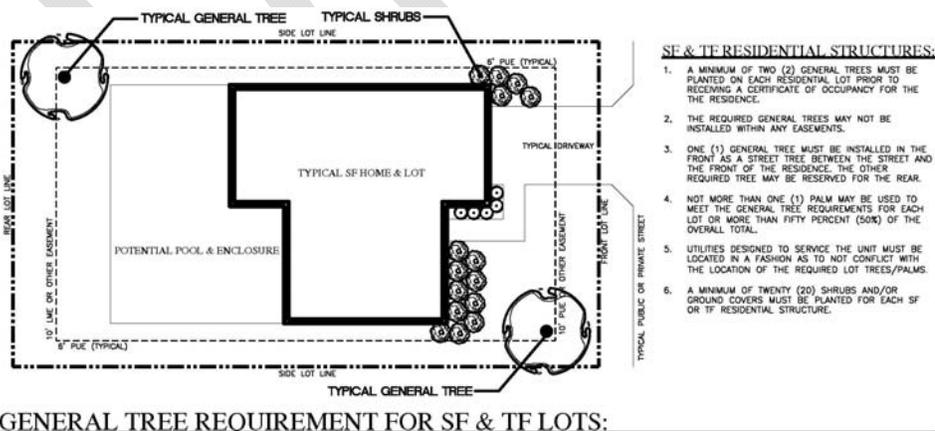


FIGURE-X

**3D MODELED EXHIBITS FOR THE ABOVE ARE IN PROGRESS**

- (C) Developments must utilize both landscape and hardscape features as space defining elements (Refer to Figure 8), including, where possible such as:
- (1) Distinctive paving or painting to define the appropriate location for pedestrian and vehicular traffic;
  - (2) Plantings such as street trees, hedges and screening;
  - (3) Replicating landscaping patterns and materials to visually unify a development and creating focal points through design diversification;
  - (4) Plant materials suitable to the climate and plants, at their mature natural size, be suitable for their planting location; and
  - (5) Trees for parking lot areas and along sidewalks must be species that do not interfere with the visibility and movement of vehicles or pedestrians or cause pavement or other hard surfaces to heave unless root barriers are provided at lengths not less than ten feet (10') in length centered between the proposed tree and pavement. Material selection must be designed to survive the effects of building or large paved areas (in terms of heat, shade, wind, etc.).
- (D) *Hardscape design elements and public amenities*; Large developments ten acres (10AC) in size or more must provide street furniture and other pedestrian amenities in their design. All design elements such as railings, benches, trash receptacles, street furniture and bicycle racks must complement the building architectural design.
- (E) Native or other naturalized plant materials that are not suitable to the microclimate of the Village of Estero are not permitted for use in meeting the requirements of this subdivision as specified below:

INAPPROPRIATE SOUTH ZONE NATIVE SPECIES FOR ESTERO*			
Botanical Name	Common Name	Botanical Name	Common Name
<i>Betula nigra</i>	River Birch	<i>Magnolia grandiflora</i>	Magnolia
<i>Juniperus virginiana</i>	Eastern Red Cedar	<i>Ulmus alata</i>	Winged Elm

\*Note: Other species may be deemed inappropriate as necessary by the Estero Design Review Board.

IMAGE (11026-LDC-Chapter 33\_Figure-8 (33-353) TO BE REVISED

**Figure 8. (s. 33-353)**

**Section 33-311 – Building Perimeter Landscape Design and Internal Landscape Design**

- (A) *Building perimeter plantings*; all commercial multi-family residential, churches, places of worship, public/civic buildings, and mixed-use buildings must provide perimeter planting in accordance with Section 10-416(b). The intent of this requirement is more specifically defined as follows:

- (1) At no time will parking to sidewalk to building façade be allowed without a minimum five foot (5') wide landscape planting area to break up this transition.
  - (2) The required building perimeter planting for multi-family residential or mixed use buildings may be dispersed to open space areas in proximity to the building if done through an integrative landscape betterment plan as defined in **Section 33-312** or so long as the overall required total area dispersed away from the building(s) is increased by twenty percent (20%).
  - (3) Industrial buildings with retail or service facilities open to the general public are required to have minimum five foot (5') wide planting area located between the building and the sidewalk or parking area where those retail store fronts interface with adjacent roads or parking lots. Industrial building uses are not required to have building perimeter plantings at any other locations.
- (B) Not more than ten percent (10%) of the required internal landscape area, as related to the vehicular use area identified in Section 10-416 or building perimeter planting areas identified in **Sections 10-xxx** and **33-312(A)** may be planted in sod.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-312 – Integrative Landscape Betterment Design**

Developments that cannot comply with the intent and criteria defined in Section 10-416 or in Subdivisions II and/or III of these regulations may demonstrate how the requirements can be more effectively accomplished through an integrative landscape betterment plan. Integrative landscape betterment designs must clearly exceed both the intent and standards defined by code in their overall context. Integrative landscape betterment designs are encouraged for difficult sites, including but not limited to, “in-fill” development sites, existing site renovations, or irregularly shaped parcels. The approval of integrative landscape betterment plans is at the discretionary review of the **Estero Design Review Board** and may include conditions to ensure that the overall landscape design complies with the intent of this article.

- (A) The designs submitted under this section must receive acceptance of the Village of Estero through the review process defined and implemented by the **Estero Design Review Board**. The following regulations supersede those defined in Section 10-419:
- (1) The proposed integrative landscape betterment design may deviate from the open space standards so long as the following conditions are met:
    - (a) There are no relevant conditions set forth by a DRI or zoning resolution on the property in question, if there are, those conditions must be met unless amended through the public hearing process associated with those conditions;
    - (b) The applicant meets the incentives defined by **Section 33-xx**.
    - (c) The proposed reduction in open space is offset by a distinct amount of functional open space and/or pedestrian nodes that are provided by an amount not less than twice the size as the open space area sought to be reduced.

- (2) Industrial projects may not reduce the amount of required open space unless all perimeter buffers are increased in both width and concentration of plant material.
- (B) The submitted plan must be labeled as an “Integrative Landscape Betterment Design” and must clearly indicate all of the deviations to any specific requirements. Any deviation to an approved “Integrative Landscape Betterment Design” must be submitted as a minor change to the development order and approved by the **Estero Design Review Board**.
- (C) There may be no deviation from minimum native plant requirements as defined in **Section 33-313(B)** unless a deviation of this requirement is clearly demonstrated as a benefit to the proposed design.

**Section 33-313 – Existing Non-Conforming Landscapes**

*Existing Non-conforming Landscapes;* that do not comply with the provisions of this article must be brought into conformity to the maximum extent possible when:

- (A) The existing vehicular use area is expanded by twenty percent (20%) or more,
- (B) The existing on-site building(s) is altered or expanded by amount that is fifty percent (50%) or more of the current taxable valuation, or
- (C) There has been a discontinuance of use for a period of six (6) months or more and a request for an occupational license to resume a business is made.

**Section 33-314 – Plant Material and Type Standards**

The plant material standards for this section must adhere to the requirements set forth in Section 10-420 except as superseded as follows:

- (A) *Tree and Palm sizes.* All code required trees must be a minimum of twelve-feet to fourteen-feet in height (12'-14H), six-foot spread (6'S) and 3-inch caliper (3"CAL), forty five gallon (45G) container or field grown (FG) equivalent, at the time of planting. All required palms must have at least ten feet of clear trunk (10'CT) at the time of planting. Cabbage Palms may be planted with eight feet of clear trunk (8'CT) at the time of planting if there is a purpose of doing so to achieve a specific buffer intent. Palms used to provide screening in buffers may have a lower clear trunk measurement only in so far as the intent is provide a visual screen at a lower level within the buffer.
- (B) *Native plant varieties.* At least a minimum of fifty percent (50%) of required trees, palms, and shrubs and twenty-five percent (25%) of ground covers must be native species conducive to this region of Florida.
- (C) *Plant material height measurements.* The height of all trees, shrubs, and ground covers for buffers must be measured from the final grade to which the plant is being installed against the grade of the element that is required to be buffered, such as; adjacent parking areas, service areas, service enclosures, or specific use areas. All other plant height applications are measured from the final grade to the top of the specific plant as defined by Grades and Standards from where the plant is actually being installed.

### Section 33-315 – Open Space

Developments must provide open space in accordance with Section 10-415 and/or with and zoning conditions or other applicable

- (A) Developments must provide separation between pedestrian and vehicular movement by using plantings as space defining elements.

<<<incomplete - Incentives in progress>>>

### Section 33-316 – Open Space, Big Box Commercial

Open Space requirements within Big Box Commercial developments as defined in Section 33-xx must follow these general standards

- (A) To the extent possible, big box retail development must be designed to manage open space for public benefit through combining a portion of the required open space into a usable component of the retail center.
- (B) A minimum of ten percent (10%) of the required open space must be aggregated together into usable format called "open space squares." Retail is encouraged to develop around these squares when possible. Open space squares must be developed as follows:
  - (1) Open space squares must be a minimum of thirty feet (30') and a maximum of sixty five feet (65') wide.
  - (2) Open space squares must be integrated into the site plan as either a passive or active space with direct pedestrian or bicycles access.
  - (3) Open space squares may be interconnected to form a series of usable spaces for the project.
  - (4) Open space squares will be counted towards open space requirements.

(Ord. No. 05-29, § 5, 12-13-05)

### Section 33-317 – Open Space, Places of Public Interest

- (A) Places of public interest/open space are intended to provide for areas of public interest within commercial developments and must be provided where possible. These areas must be equipped with amenities such as seating areas, structures that provide shade, drinking fountains and other amenities.
- (B) Umbrellas and open vending carts are encouraged within these areas to stimulate informal activities. Open-air restaurants and cafes are encouraged and incentivized.
- (C) Landscaping elements such as plantings, fencing, and changes of paving material are encouraged required to demarcate change in function of a public area and adjacent street. Where necessary, traffic calming devices must be applied to slow down traffic. (Refer to Figure 2)

IMAGE (11026-LDC-Chapter 33\_Figure-2 (33-113) TO BE REVISED

(Ord. No. 05-29, § 5, 12-13-05)

**Sections 33-318—33-329. Reserved**

**Section 33-330 – Integrative Landscape Design and Buffer Landscape Design**

Landscape design has two purposes; to integrate or to buffer in an aesthetic and functional manner. Integrative landscaping is the art of bringing together the built and natural environments. Buffer landscaping, as a code requirement, is the science of separating, screening, and differentiating incompatible uses.

- (A) *Integrative Landscape Design*; is intended to provide for the art of designing landscapes in concert with the proposed site, the proposed architecture and the relationship these elements have with the surrounding community.
- (B) *Buffer Landscape Design*; buffering applies to all developments. Existing landscapes that do not comply with the provisions of this section must be brought into conformity to the maximum extent possible as defined in this section.
  - (1) *General*; a buffering area is required along the entire perimeter of the proposed development or subject area as defined in the use matrix below whenever the proposed development or specific uses within a development abuts a different use. The existing use or, where vacant, the permitted use of the abutting property will determine the type of buffering area required for the proposed development. Buffer areas may not be located on any portion of an existing or dedicated street right-of-way or roadway easement except that buffers may be located within slope easements as long as appropriate planting soil is provided in the slope.
  - (2) *Use Categories*; in interpreting and applying the provisions of this section, development is classified into the following use categories and applied to the buffer matrices:

<b>PROPOSED OR SUBJECT USES AS DEFINED IN THE BUFFER REQUIREMENT MATRIX</b>	
AG	Agricultural uses
COM	Commercial uses, public facilities, schools (other than Lee County School District), and recreational vehicle parks
LAK	Lakes or wet retention areas both internal and free standing that are more than one hundred twenty five feet (125') in width as measured from the high water control line (excludes use within IND or STP) perpendicular to the closest property line
IND	Industrial use
MF-R	Residential structures containing three or more dwelling units on a single parcel

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PKG	Parking lots both internal and free standing measured twenty feet (20') outward from the edge pavement (excludes use within IND or STP) to the limits of the property (whichever is closer) perpendicularly to the closest property line
PRE	Public preserve lands for conservation and/or passive recreation
REC	Active recreational areas and parks
ROW	Street right-of-way or roadway easement (Public or Private)
SF-R	Single-family, duplex or two-family attached structures situated on individual lots
STP	Sewage and water treatments plants, service areas, dumpsters, above ground utility connections (applies to entire site property perimeter)
WOR	Places of worship, churches, or religious facility structures measured perpendicularly from the limits of the building edges to the property line

(4) *Buffer Requirements*; the following table provides the required buffer type when a proposed use is abutting an existing use or, in the absence of an existing use, the existing zoning.

<b>BUFFER REQUIREMENT MATRIX</b>													
<b>Proposed Uses</b>		<b>Permitted or Existing Uses</b>											
		AG	SF-R	MF-R	COM	PKG	LAK	WOR	IND	ROW	REC	PRE	STP
	<b>AG</b>	---	---	---	---	---	---	---	---	---	---	---	---
	<b>SF-R</b>	A	A/G	A/G	B/G	C/F	A(2)/G	D/G	C/F(1)	D(4)/G	B	A(5)	C/F
	<b>MF-R</b>	A	B/G	A/G	B/G	D(3)/G	A(2)/G	B/G	C/F(1)	D(4)/G	B	B(5)	C/F
	<b>COM</b>	D/G	C/F(1)	C/F(1)	A/G	D(3)/G	A/G	D/G	D/G	D(3)/G	C/F(1)	F(5)	C/F(1)
	<b>PKG</b>	A(2)/G	C/F(1)	C/F(1)	A/G	---	---	D(3)	D(3)	D/G	D(3)	B(5)	D(3)

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	<b>LAK</b>	—	A(2)	A(2)	A(2)/G	(1)	—	A(2)	A(2)	A(2)/G	A(2)	A(5)	F(2)
	<b>WOR</b>	A	B/G	B/G	B/G	B	A	A	A	D(3)/G	A	A(5)	A
	<b>IND</b>	C/F	E	E	C/F	D	B	C/F	—	D(3)	C/F	F(5)	—
	<b>ROW</b>	D/G	D	D	A(2)/G	—	—	D(3)	D(3)	A/G	D(3)	F(5)	C/F(1)
	<b>REC</b>	—	C/F	C/F	A/G	D	A/G	A/G	C/F	D(3)	—	A(5)	C/F
	<b>PRE</b>	—	—	—	—	—	—	—	—	—	—	—	—
	<b>STP</b>	C/F	E	E	E	D	C/F	C/F	B	C/F	E	F(5)	—

Buffer Requirement Matrix footnotes:

- 1 Commercial projects that are part of mixed use developments, as defined in Section 34-2 or Compact Communities defined in Chapter 32, are not required to provide buffers between similar uses.
- 2 Type “A” buffers required between commercial uses must be designed to allow for pedestrian, bicycle, and automobile connections through adequate spacing between required trees. Palms may be used where COM abuts COM on a 1:1 basis and may constitute one hundred percent (100%) of the requirement, if they are clustered as defined. The type “A” buffer between commercial uses can be waived if the adjoining parking lots are shared by multiple uses or are part of a phased application within an overall planned development.
- 3 The Type “D” buffers required between commercial uses and rights-of-way may be waived, or reduced if the proposed building setback is within twenty five feet (25’) of the right-of-way. This is not intended to allow for a reduction in general tree requirements or building perimeter planting requirements.
- 4 All Residential Planned Developments adjacent to I-75 are required to plant a buffer forty feet (40’) in width and must contain fifteen (15), fifty (50) shrubs and sixty (60) ground cover plants per one hundred linear feet (100 LF). If a berm is constructed, the forty-foot (40’) setback must include a minimum of eight feet (8’) from the toe of the berm to the right-of-way to allow for both state and private property maintenance of the edge of the right-of-way and for maintenance of the berm.
- 5 The required buffer must be one hundred percent (100%) native.

General Notes Concerning Uses in Buffer Requirement Matrix:

- (1) If the proposed use of a parking lot (PKG) or lake (LAK) is located within an industrial (IND) or sewage/water treatment plant (STP) use, then the overall IND or STP buffer requirements supersede and they cannot be applied as a proposed use.

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- (2) If the rear loading zones or utilities of commercial (COM) use are visible from the adjacent property fronted by a proposed lake, then the loading zones and/or utilities visible must be adequately buffered by not less than a Type “C/F” Buffer in those locations either at the source or on the lake or property front provided that the plantings buffer the elements in question unless the adjacent use is industrial (IND) or a sewer/water treatment plant/service area (STP).

(C) *Buffer Types*; the following table provides seven different buffer types. Each buffer type, identified by a letter, provides the minimum number of trees and shrubs per one hundred linear foot (100 LF) segment and indicates whether or not a wall, shrubs or hedge is required.

<b>BUFFER TYPES MATRIX (per 100 linear feet)</b>							
<b>Buffer types</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D(3)</b>	<b>E</b>	<b>F</b>	<b>G*</b>
Minimum width in feet	5	15	20	20	30	30	Varies(6)
Minimum number of Trees	4	5	10	5(4)	10	15	Varies(6)
Minimum number of Shrubs	—	Hedge(3)	30(4)	Hedge(3&5)	30(4)	Hedge(3)	Varies(6)
Wall required (1)	No	No	Yes	No	Yes	No	Varies(6)
*Indicates that all Type ‘G’ Buffers must be approved as an Integrative Landscape Betterment Plan as defined in <b>Section 33-xxx</b> .							

*Buffer Types Matrix footnotes:*

All integrative landscape designs and buffer landscape designs should complement adjacent projects to help aid in establishing a continuous landscape theme within the Village of Estero. The use of plant material indigenous to, and consistent with, existing vegetation within the Village of Estero is necessary.

- (1) Where a wall is required within a given buffer; a solid opaque wall (masonry or precast), berm, or wall and berm combination, not less than eight feet in height (8’H) as measured from the finished grade of the project site. All trees and shrubs required in the buffer must be placed on the outside of the wall facing the adjacent use. Walls must be constructed to ensure that historic flow patterns are accommodated and all stormwater from the site is directed to on-site detention/retention areas in accordance with the SFWMD requirements.
- (2) Hedges must be planted in double staggered rows and be maintained so as to form a minimum 36-inch high hedge (type “F” buffers must be forty eight inches (48”) at installation and be maintained at a minimum of sixty inches (60”) in height) continuous visual screen within one (1) year after time of planting. In situations where the elevation of the ROW is

higher than the elevation of the adjacent property, the effective plant screen must have an elevation of thirty six inches (36") as measured from the highest elevation within the buffer area resulting from the combination of the berm and/or plants. The clustering of shrubs that would not create a continuous visual screen, but add interest to the landscape design, is allowed on a case by case review basis by the **Estero Design Review Board**.

Trees within the ROW buffer must be appropriately sized in mature form so that conflicts with overhead utilities, lighting and signs are avoided. Palms are limited to a maximum of fifty percent (50%) of the ROW tree requirement. Palms must be clustered and cannot be planted in a "soldiering" effect, where they are equal distance and in a single row. South Florida slash pine (*Pinus elliotii* var. *densa*) and Longleaf pine (*Pinus palustris*) trees are encouraged for use in the ROW buffers due to their high crown, which provides tree canopy while maintaining good visibility to the development site.

- (4) Shrubs required by this section are intended to provide visual screening and may not be pruned to reduce the minimum heights indicated.
- (5) Type "D" buffers along public roadways must contain an additional layer of ground covers that front the hedgerows in a curved linear fashion or otherwise consistent with the overall design. Groundcover areas must constitute at least sixty percent (60%) of the frontage and must not be less than five plants deep at the mid-point of the mass.
- (6) Type "G" buffers are zones within developments that require landscape design treatments to sufficiently integrate the architectural elements with the natural elements proposed. These zones are not intended to be buffers, but are zones where the built environment and natural elements of plant materials are intended to be artistically arranged as to promote the effective articulation of both applications. The zones must contain enough landscape and hardscape materials to sufficiently augment the architecture elements proposed and/or existing. All buffer designs of this nature must be done in the context of an integrative landscape betterment design as defined in **Section 33-312** and must receive the approval of the **Estero Design Review Board**.

*General Notes for Buffers:*

- (1) Public and quasi-public facilities, including, but not limited to, places of worship, parks, utility facilities, government offices, neighborhood recreational facilities and private schools must provide a type "C" buffer if, in the opinion of the **Estero Design Review Board**, the proposed development will have a significantly adverse impact on adjacent existing residential uses.
- (2) If roads, drives, or parking areas are located less than one hundred twenty five feet (125') from an existing single-family residential subdivision or single-family residential lots, a solid wall or combination berm and solid wall not less than eight feet (8') in height must be constructed not less than twenty five feet (25') from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five (5) trees and eighteen shrubs (18) per one hundred lineal feet (100 LF) or a thirty foot wide (30'W) Type "F" buffer with the hedge planted a minimum of twenty feet (20') from the abutting property. Where residences will be constructed between the road, drive or parking area and the existing residential subdivision or lots, the wall or wall and berm combination are not required.

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- (3) Uses or activities that generate noise, dust, odor, heat, glare or other similar impacts, must provide a type “C” or “F” buffer if, in the opinion of the **Estero Design Review Board**, the proposed development will have a significantly adverse impact on adjacent property.
- (4) Walls, berms and buffer plantings must not be placed so they violate the vehicle visibility requirements of Section 34-3131
- (5) *Development abutting natural waterway.* there must be a fifty foot wide (50’W) vegetative buffer landward of non-seawalled natural waterways as measured from the mean high water line or top of bank, whichever is further landward.
  - a. In residential subdivisions, the buffer must be located within a common area or tract, and outside of all private property boundaries. Location of the buffers in accord with this section will not prevent the issuance of residential dock permits meeting the requirements of Section 26-71(g) or prohibit use of the buffer area for passive recreational uses.
  - b. Existing native vegetation within the buffer area must be retained. The natural waterway buffer must include, at minimum, six (6) native trees and fifty (50) native shrubs per one hundred linear feet (100 LF), which may be met through credits from the existing native vegetation within the waterway buffer area at a 1:1 credit ratio. If existing native vegetation is not present to meet the buffer vegetation standards, a planting plan must be submitted to the **Estero Design Review Board** for review prior to local development order approval. All proposed plantings within the natural waterway buffer area must be installed to mimic a natural system, and all plantings must comply with the plant standards set forth in Section 10-420. The use of heavy mechanical equipment such as bulldozers, front end loaders, hydraulic excavators, or similar equipment is prohibited, unless prior written approval is obtained from the Village of Estero.
  - c. The natural waterway buffer must be designed to incorporate the natural resources maintenance easement required under Section 10-328(a). Vegetation removal within the buffer is limited to
    1. Routine removal of exotics and downed vegetative debris;
    2. Limited removal to allow access of vehicles for maintenance of the waterway;
    3. Removal permitted as a condition of dock permit approval; and
    4. Prior to removal of native vegetation, approval must be obtained from ES staff.
- (6) All freestanding parking areas, whether commercial, public or private, not associated with other development must provide a type “D” buffer for the right-of-way and type “C” buffer if they abut single-family residential or multiple-family residential uses or zoning.
- (7) *Use of Buffer areas;* required buffers may be used for passive recreation such as pedestrian, bike, or equestrian trails, provided that:
  - a. No required trees or shrubs are eliminated;
  - b. Not more than twenty percent (20%) of the width of the buffer is impervious surface;
  - c. The total width of the buffer area is maintained; and
  - d. All other requirements of this chapter are met.
- (8) At no time will more than one third (1/3) of any required buffer area be encumbered by easements with the exception of a Type “D,” Type “E,” or Type “F” which may be encumbered by

up to one half (1/2) or be less than a total of ten feet (10') in width, whichever is greater. Type 'A' Buffers are five feet (5') in total width and cannot be encumbered by any easements. If the required plant material cannot be adequately installed in a sound manner, then additional area may need to be provided outside of the encumbrances of an easement.

- (9) Required plantings as defined by this article may not reside in any registered easement except drainage easements so long as the plant material proposed is consistent with the nature of the easement and is conducive to any flow way conditions that may exist.
- (10) Buffer trees and shrubs along with their calculations and quantities provided to meet the requirements of this section must be specifically delineated on the landscape plans

(Ord. No. 92-44, § 13(E), 10-14-92; Ord. No. 94-28, § 24, 10-19-94; Ord. No. 95-12, § 5, 7-12-95; Ord. No. 98-28, § 2, 12-8-98; Ord. No. 00-14, § 3, 6-27-00; Ord. No. 01-18, § 2, 11-13-01; Ord. No. 05-14, § 3, 8-23-05; Ord. No. 06-25, § 1, 11-28-06; Ord. No. 07-19, § 2, 5-29-07; Ord. No. 07-24, § 3, 8-14-07; Ord. No. 09-23, § 4, 6-23-09; Ord. No. 10-25, § 2, 6-8-10; Ord. No. 13-10, § 3, 5-28-13) (Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

### **Section 33-331 – Landscape & Buffering; Automobile Service Stations and Convenience Food and Beverage Stores**

Landscaping and buffering for automobile service stations and convenience food and beverage stores as defined in **Section 33-xx** must follow these general standards:

(A) The following landscape and buffering requirements are in addition to the requirements set forth in **Section 33-330** and supersedes those defined in **Section 10-XXX**.

(1) *Right-of-way buffering:*

(a) Landscaping adjacent to rights-of-way external to the site must be located within a landscape buffer easement that is a minimum of twenty five feet (25') in width.

(b) A horizontal undulating berm with a slope that ranges between a maximum of 3:1 and a minimum of 6:1 must be constructed along the entire length of the landscape buffer. The berm must be constructed and maintained at a minimum average height of three feet (3'). If varying the height requires the berm to be below three feet (3') at any point then an equal length of the berm must be raised higher than three feet (3') at a minimum to maintain the minimum average height across the entire length of the berm to be three feet (3') in height or greater. At no time may the lowest point of the berm be less than two feet (2') in height and constitute more than twenty percent (25%) of the total berm length. The berm must be planted with ground covers (other than grass), shrubs, hedges, trees and palms.

(c) The required trees and palms must be clustered in double rows with a minimum of three (3) trees per cluster. Canopy trees must be planted a maximum of twenty feet on center (20' OC) within a cluster. The use of palms within the right-of-way buffer must be limited to landscaped areas adjacent to vehicular access points. Palms must be planted in staggered heights to a minimum of three (3) palms per cluster, spaced at a maximum of eight feet on center (8' OC), with a minimum of a four foot (4') difference in height between each tree. Exceptions will be made for *Roystonea spp.*, *Bismarka spp.* and *Phoenix spp.* (not including *roebelenii*), which may be planted with one (1) palm per cluster. A maximum distance of twenty-five feet (25') between all types of tree clusters must be maintained.

(d) The required buffer trees along public rights-of-way for this use must be varieties of trees

that will achieve a normal height of over forty feet (40') and/or a normal width of over twenty five feet (25'). Mid-story or accent type trees that do not achieve the above defined normal heights and widths are not appropriate for the required buffering necessary for these types of developments along public roadways and can only be approved through the Integrative Landscape Betterment Plan (**Section 33-312**) process if so desired.

- (e) At installation, all trees must meet the minimum standards stated in **Section 33-353(c)**.
- (f) At installation, all shrubs must be a minimum sixty inches in height (60"H) with a thirty six inch spread (36"S) and ten gallon (10G) in container size planted not more than four feet on center (4'OC).

(2) *Landscaping adjacent to all other property lines:* Rear and side property boundaries must be planted with a single row hedge or with clusters of shrub and ground cover materials to give the effect of a continuous buffer along the edge of the property. The hedge must be a minimum of four feet in height (4'H) at planting, planted at three feet on center (3'OC) and must be maintained at a minimum height of sixty inches (60").

(B) *Perimeter Walls:* Automobile service station sites must be separated from adjacent residentially zoned or residentially developed properties by an architecturally designed eight-foot high (8'H) masonry wall or fence utilizing materials similar in color, module and texture to those utilized for the building. This wall must be offset from the adjacent residential property line a minimum of twenty-feet (20'). All required buffering must be planted on the residential side of the wall.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

### **Section 33-332 – Use of Palms**

(A) *Palms in Buffers.* Palms used in buffers must be clustered in lengths of not less than four feet (4') and more than eight feet (8') apart. Not more than sixty percent (60%) of the required trees for a given buffer along its length may be in palms. Palms used to meet the required tree counts in buffers are on a 3:2 basis. A single tree may be used when an odd number of required trees along a frontage so warrant. Palms must be planted in staggered heights with a minimum of three palms per cluster. The following species of Palms may be used in a single count fashion (non-clustered):

- (1) Bismarkia spp. (Bismarkia Palms)
- (2) Phoenix spp. (Date Palms, excluding spp. roebelini)
- (3) Roystonea spp. (Royal Palms)
- (4) Other species deemed appropriate by the **Estero Design Review Board** on a case by case basis.

(B) *Palms used as Canopy Trees.* Palms may be used on a 3:1 basis for canopy trees when planted in clusters. The following Palm species may be used for the 3:1 canopy tree to palm substitutions:

- (1) Sabal palmetto (Cabbage Palm)
- (2) Phoenix spp. (Date Palms)

- (3) *Wodyatta bifurcatta* (Foxtail Palm)
- (4) Other species deemed appropriate through peer review and public meeting process on a case by case basis.
- (C) *Palms used as General Trees*. Palms may be used to meet general tree requirements if they do not constitute more than fifty percent (50%) of the required general tree count on a 1:1 basis.
- (D) If the primary building of the project site is located within twenty five feet of the ROW line, then the ratio of palms to trees may be increased to eighty percent (80%) of the overall quantity provided that the palms are calculated on a 3:2 basis to meet this ratio increase (excluding the single palm uses species noted in **Section 33-353(a)**).
- (E) The soldiering of cabbage palms in buffers is prohibited.

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-333 – Tree Preservation:**

- (A) Preservation of indigenous tree clusters is preferred over individual tree protection. Reasonable efforts to retain individual trees must be made. It is recognized that site design requirements (e.g. fill) may limit the ability to retain some individual trees, and in that case the County will allow the removal of those trees. In addition to the requirements to section 10-415(b) existing native trees are to be preserved within all developments regardless of development size as follows:
  - (1) All development projects must be designed to in a manner to best preserve and retain existing native trees to the extent possible. The ground area the encompasses the preserves trees in not required to exceed more than fifty percent (50%) of the required open space, as applicable, or twenty percent (20%) of the development site if open space is not required.
  - (2) Healthy sabal palms with eight-foot clear trunk (8'CT) must be relocated in a manner that utilizes appropriate horticultural practices in accordance with Lee County Extension Services brochure Lee 8/2000A and clustered within open space areas.
  - (3) Native trees four to fifteen inch in caliper (4"-15" Cal) that cannot be preserved in place may be relocated to open space areas when proper horticultural methods (e.g. root pruning; use of anti-transpirants, or other measures to assure survival.) are utilized to insure the survivability of the trees, and a vegetation removal permit is obtained.
  - (4) Effort must be made to preserve heritage trees with at least a twenty inch caliper (20" Cal) measured at diameter breast height (dbh), including but not limited to oak (*Quercus* species), pine (*Pinus* species), mahogany (*Swietenia* species), or cypress (*Taxodium* species). If a heritage tree must be removed from a site then a replacement tree planted at a minimum twenty foot height (20'H) must be planted within an appropriate common area on the site conducive to its long term survival. Replacement heritage trees may be of a different native species only in so far that the

purpose of changing species is in effort to be conducive to the proposed planting area environs. All required heritage trees must be placed within common open spaces areas or required buffer spaces.

- (6) Native tree preservation must incorporate techniques as established in Section 10-420(j).
  - (7) Surface water management systems may overlap with native tree preservation areas only where it can be clearly demonstrated that the effects of water management system construction or operation will not cause death or harm to the preserve tree and indigenous plant community of protected species.
- (B) Infrastructure design must integrate existing trees and the natural character of the land to the greatest extent feasible.

(Ord. No. 05-29, § 5, 12-13-05)

### **Sections 33-334—33-339. Reserved**

### **Section 33-340 – Irrigation Design**

- (A) *Irrigation Drawings.* In an effort to promote water conservation and sustainable site landscape design, detailed drawings of the proposed irrigation system must be prepared and submitted. The irrigation drawings must be developed by or supervised by the same entity responsible for the landscape design for the purposes of consistency. The irrigation drawings must illustrate and specify the following components:
- (1) Head layout that illustrates all of the water delivery components on a drawing with supporting details specifying the manufacturer;
  - (2) Pipe layout that illustrates all of the piping that delivers water to the delivery system complete with necessary zones, component fittings, and material specifications;
  - (3) Specification of water source complete with use calculations as may be applicable to a consumptive use permit issued by the SFWMD or local service provider if the source is potable;
  - (4) Automatic clock system type and location along with a moisture sensor complete with supporting details specifying the manufacturer.
- (B) The use of low volume and/or drip irrigation systems is highly encouraged.
- (C) Irrigation systems must provide one hundred percent (100%) coverage (head to head) to all required plant materials. Turf area irrigation is encouraged and is not required to have irrigation and may be provided at the discretion of the owner (excluding turf areas).
- (D) Irrigation plans must be fully coordinated with the proposed landscape plans and be prepared by the appropriate licensed professional in accordance with **Section 10-xx**.

**Sections 33-341—33-349. Reserved**

**Section 33-350 – Street Furniture and Public Amenities**

Large developments must provide street furniture and other pedestrian amenities in their open space and landscape design. All design street furniture and public amenity elements such as railings, benches, trash receptacles, street furniture, bicycle racks, etc. must complement the building design and style.

(Ord. No. 05-29, § 5, 12-13-05)

**Sections 33-351—33-399. Reserved**

**Subdivision IV – Signage Standards**

**Section 33-400 – Title and Citation**

This division will be known and cited as the "Village of Estero Sign Code." This Subdivision supersedes and replaces the applicable sections that these provisions may conflict with or supersede in Chapter 30 and any other sections herein noted.

**Section 33-401 – Signs Standards**

- (A) *Purpose and Intent*; of this subdivision is to modify and supplement Chapter 30 in order to protect and preserve the character and appearance of the Village of Estero. Signs are intended to be designed to complement rather than detract from the visual impact of a development by utilizing design elements consistent with those employed in the structure's architecture and by minimizing conflicts with on-site landscaping areas and vehicular use areas.
- (B) *Applicability*; this subdivision is adopted as an addendum to the general sign regulations set forth in Chapter 30.

(Ord. No. 05-29, § 5, 12-13-05)

**Section 33-402 – Unified Sign Plan and Permit Requests**

- (A) *Unified Sign Plan*; where multiple on-premises signs are proposed for a single site or development, or in the case of a shopping center or other multiple-occupancy complex including out parcels under unified control with the main development, a unified sign plan must be submitted and approved. An application for a development order (or a building permit if a development order is not required) must be accompanied by a graphic and narrative representation of the unified sign plan to be utilized on the site. The unified sign plan may be amended and resubmitted for approval to reflect style changes or changing tenant needs. Design elements which must be addressed (in both graphic and narrative form) include:
  - (1) Colors,
  - (2) Construction materials and method,

- (3) Architectural design,
- (4) Illumination method,
- (5) Copy style and context of lighting methods,
- (6) Sign type(s) and location(s) and,
- (7) In the case of a shopping center or multiple occupancy complex and developments with multiple structures on-site, including outparcels, the unified sign plan must indicate conformance with the following:
  - (a) All wall signs for multi-use buildings must be located at a consistent location on the building facade, except that anchor tenants may vary from this locational requirement in scale with the anchor's larger primary facade dimensions. All signs must adhere to the dimensions provided for in the unified signage plan and,
  - (b) Ground mounted signs must include colors and/or materials common to those used in the design of the building to which the sign is accessory. A minimum one hundred square foot (100 SF) planting area or a planting strip not less than five feet (5') in width around the base of the sign (whichever is greater) must be provided for any ground mounted sign. These landscape areas must include shrubs and ground cover plants with a minimum of fifty percent (50%) coverage of the landscape area at the time of planting. Sod or turfgrass is prohibited within this specific landscape area requirement.

(D) *Building Permit Requests.* Requests for building permits for permanent on premise signs must adhere to the unified signage plan, which will be kept on file in the community development department. Requests to permit a new sign, or to relocate, replace or structurally alter an existing sign must be accompanied by a unified sign plan for the building or project the sign is accessory to. Existing permitted signs may remain in place; however, all future requests for permits, whether for a new sign, or relocation, alteration, or replacement of an existing sign, must adhere to the unified sign plan for the property.

(Ord. No. 98-28, § 2, 12-8-98)

**Sections 33-402—33-409. Reserved**

**Section 33-410 – Prohibited Signs**

Unless a deviation or variance is granted, the following types of signs are prohibited within the Village of Estero:

- (A) Animated signs.
- (B) Emitting signs.
- (C) Tri-fold, revolving, or multiple display changing signs or billboards of any kind.
- (D) Digital display signs (exceptions only as conditioned in **Section 33-413**).
- (E) Balloons, including all inflatable air signs or other temporary signs that are inflated with air, helium or other gaseous elements.

- (F) Banners, pennants or other flying paraphernalia, except an official federal, state or county flag, and one symbolic flag not to exceed fifteen square feet (15 SF) in area for each institution or business.
- (G) Changing sign (automatic), including electronic changing message centers, except as approved within a development of regional impact by planned development zoning resolution adopted prior to June 24, 2003 (the adoption date of Ordinance 03-16).
- (H) Figure-structured signs or sign structures resembling corporate logos or trademarks.
- (I) Freestanding pole signs.
- (J) Pylon signs, except as approved within a development of regional impact by planned development zoning resolution adopted prior to June 24, 2003 (the adoption date of Ordinance 03-16).
- (K) Off-site directional signs, except as approved within a development of regional impact by planned development zoning resolution adopted prior to June 24, 2003 (the adoption date of Ordinance 03-16).

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 11-01, § 4, 3-8-11)

### **Section 33-411 – Temporary Signs**

- (A) Temporary sign permits for prohibited signs will not be issued.
- (B) Special occasion signs.
  - (1) Temporary on-site sign permits may be issued for special occasions such as holidays (other than Christmas and Hanukkah, which are addressed in Section 30-6), carnivals, parking lot sales, annual and semiannual promotions or other similar events, provided:
    - a. A special occasion sign permit is issued by the building official;
    - b. The special occasion sign permit is issued for a period of time not to exceed fifteen (15) days;
    - c. No business may be permitted more than two (2) special occasion permits in any calendar year; and
    - d. The business did not violate the time limitation in **Section 33-404(B)(1)b.** above, within the calendar year preceding the request for the temporary sign permit.
- (C) Signs must be located on-site and in a manner that does not create a traffic or pedestrian hazard;
- (D) Signs illuminated by electricity must comply with all electrical and safety codes; and
- (E) Signs must be constructed and secured in accordance with all applicable standards.

(Ord. No. 05-29, § 5, 12-13-05)

### **Section 33-412 – Wall Signs**

Wall Signs are permitted on any wall facing a collector or arterial street or parking lot in accordance with Section 30-153(2)(c)1 and Section 30-153(3)d with a maximum area of three hundred square feet (300 SF) per wall per tenant. This area is to be determined by the sum of all reasonable rectangles that

enclose the sign parts of any and all signs on the tenant's wall. Wall signs are limited to business name and logo or a specific tenant oriented business reference (such as dentist, attorney or accountant for example), and must not contain advertising messages, services or sales item descriptions.

### **Section 33-413 – Digital Display Signs**

Digital display signs are only permitted for Automobile Service Station applications on ground mounted monument signs only. Digital displays for these types of ground mounted signs are limited to be a minimum of eight inches (8") and a maximum of eighteen inches (18") in height. Digital display signs are also limited to display only the numerical prices of fuel offered at the specific location and may not be changed more than once in a twenty four (24) hour period or not more than once per day.

### **Section 33-414 – Permanent Ground Mounted Monument Type Signs**

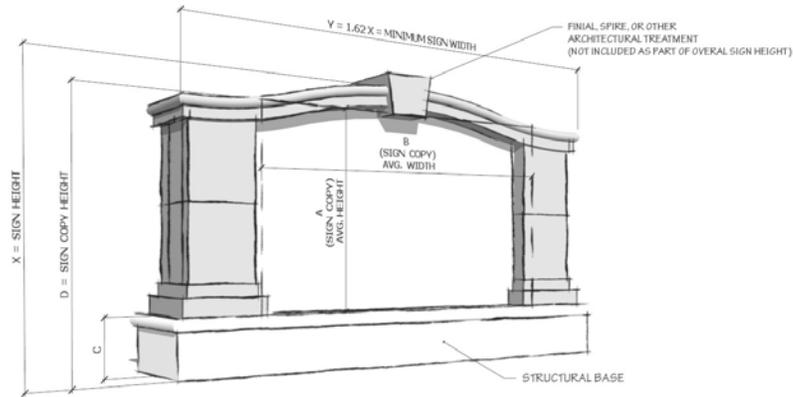
(A) *Ground mounted monument style signs.* A nonresidential development or parcel will be permitted one (1) monument-style identification sign along any street that provides access to the property in accordance with Section 30-153.

(1) Sign structure design and layout:

- (a) *Monument Style Ground Mounted Sign Layout.* All ground mounted monument style signs must have classical proportions and must be 1.6 times wider than they are tall (see figures 17 and 18) within a tolerance of plus or minus six inches (6") excluding the height of the sign structural base (up to thirty six inches (36")).
- (b) *Maximum Sign Copy Height.* All ground mounted monument signs will have a maximum sign copy height of seventeen feet (17') measured to the top of the sign copy area excluding any architectural features (see figures 17 and 18). No advertising of any kind may be located on the architectural features outside of the designated sign copy area or above the designated maximum sign copy height.
- (c) *Monument Style Ground Mounted Sign Structural Base;* all ground mounted signs must be mounted on a structural base that is a minimum of twenty four inches (24") in height and a maximum of thirty six inches (36") in height. The width of the sign structure must not be more than one hundred twenty percent (120%) of the base, where applicable by design.
- (d) *Sign Copy Area;* the maximum copy area of any ground mounted monument sign cannot exceed sixty percent (60%) of the total sign structure area. A minimum of forty percent (40%) of the total sign structure area must be devoted to architectural features. The sign copy area will be measured from the outside edges of the sign or sign frame, whichever is greater, excluding the area of the sign structure that is not used for advertising purposes. The sign copy area must be dimensionally taller than it is wide and must be within the proportional ratios of 4:3 and 16:9 (see figures 17 and 18).
- (e) *Sign Cap or Architectural Features;* the architectural elements associated with the sign cap or added architectural features of a sign are not included as part of the overall sign copy height as defined in Section 33-385(a)(1)b.
- (f) *Architectural Style;* the design of the sign structure must be in concert with, relate to, and be of a similar design style and form as the primarily architectural style and form of the

- development or primary building of the project. Sign copy must be legible from the pedestrian level view. If the architecture of the existing development is 'existing non-conforming,' then a specific architectural style/form consistent with **Section 33-227** must be applied to the proposed monument sign when it is designed and constructed.
- (g) *Maximum Sign Height*; the maximum height of the sign as measured from the bottom of the structural base to the top of the sign structure, excluding non-structural embellishments, is twenty feet (20') (**see figures 17 and 18**).
- (h) *Street Address*; all ground mounted monument signs must display the street address of the property or properties. Street numbers must measure not less than four inches (4") or a maximum of six inches (6") in height and must be clearly visible to the street that the sign faces. The copy area of the street address will not count towards the allowable copy area of the sign.
- (i) *Setbacks*.
1. All ground mounted monument style signs must be set back at least five feet (5') from any right-of-way line or to the limits of any existing or proposed easement, whichever is greater.
  2. All ground mounted monument style signs must be set back at least ten feet (10') from any property line not immediately adjacent to a roadway or to the limits of any existing or proposed easement whichever is greater.
  3. All ground mounted monument style signs located along a road frontage near a driveway must conform to the setback standards defined by **Figures 19a and 19b**.
  4. All ground mounted monument style signs located within an access drive or within an interior private road (I.E. only within roadway medians, not within the edge of pavement and right-of-line) must be set back at least fifteen feet (15') from the property line and must adhere to the aforementioned roadway sign clear zone standards.

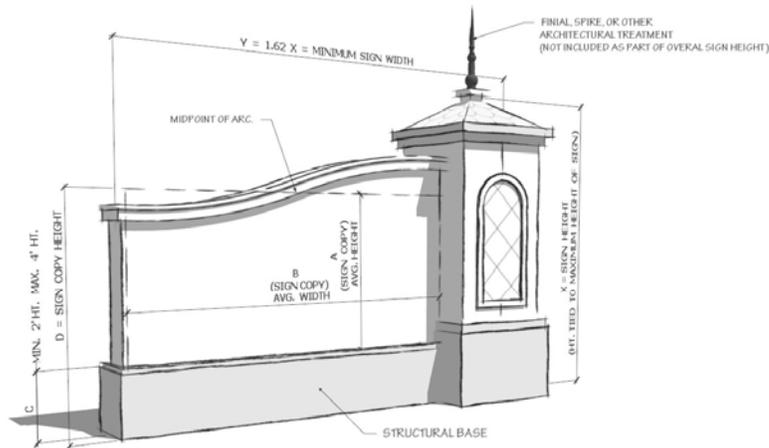
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- MONUMENT SIGN CALCULATIONS**
- SIGN COPY AREA =  $A \times B$
  - SIGN STRUCTURE AREA =  $X \times Y$
  - MAXIMUM COPY AREA =  $(X \times Y) \times 60\%$

- MONUMENT SIGN CALCULATIONS**
- STRUCTURAL BASE (MIN. 24" HT. / MAX. 48" HT) = C
  - SIGN COPY AREA (MAX. HEIGHT 17" HT) = D

MONUMENT STYLE SIGN (TYPICAL)



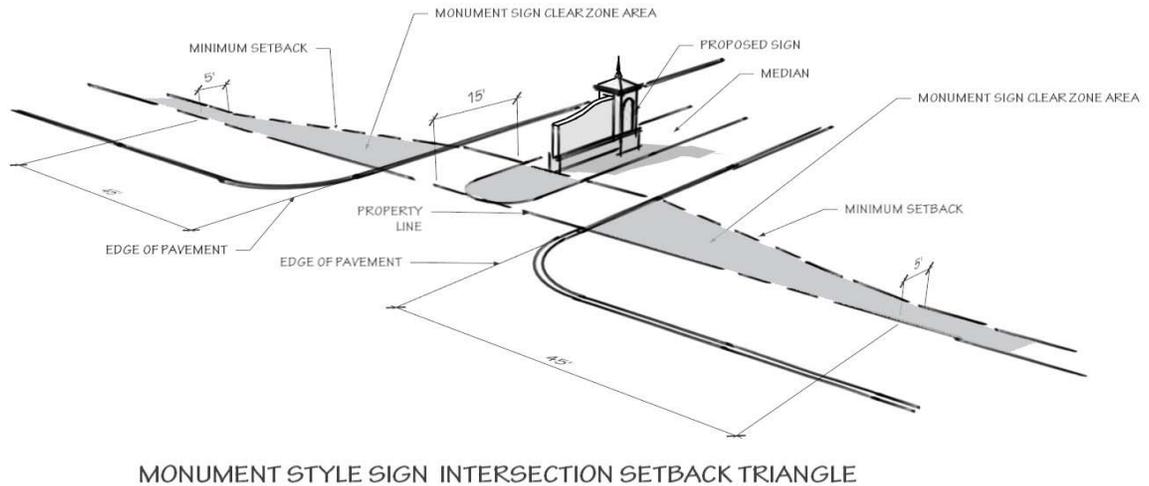
- MONUMENT SIGN CALCULATIONS**
- SIGN COPY AREA =  $A \times B$
  - SIGN STRUCTURE AREA =  $X \times Y$
  - MAXIMUM COPY AREA =  $(X \times Y) \times 60\%$

- MONUMENT SIGN CALCULATIONS**
- STRUCTURAL BASE (MIN. 24" HT. / MAX. 48" HT) = C
  - SIGN COPY AREA (MAX. HEIGHT 17" HT) = D

MONUMENT STYLE SIGN (WITH ARCHITECTURAL FEATURE)

**Figures 17 and 18 (s. 33-385) Ground mounted monument style signs**

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**Figures 19 (s. 33-385) Ground mounted monument style sign setbacks**

Note: Figure 19 only illustrates signs in medians within interior private roadways. Signs cannot be located within public rights-of-way without the appropriate approvals and/or permits from the relative public authority.

- (B) Sign and copy lighting may be illuminated by:
- (1) Individual internally illuminated letters and logo on an unlit background or otherwise known as channel lit lettering;
  - (2) Lighting behind the letters and logo that illuminates the sign background or as otherwise known as reverse channel lit lettering;
  - (3) A combination of (1) and (2), above; or
  - (4) Edge-lit letters using concealed neon or remotely lit fiber optics.
  - (5) *Prohibited lighting.* Monument-style identification or wall signs must not be animated or illuminated by:
    - (a) Any visible source of external lighting. All lighting sources must be concealed; or
    - (b) Exposed neon; or
    - (c) Exposed raceways, or
    - (d) Internally illuminated box signs (as defined by a sign comprised of translucent surfaces illuminated from within), unless the face and side of the sign are opaque except for the letters and/or logo being translucent and emitting light.
- (C) All electrical connections, wiring, etc., must be concealed within and made part of the structure.

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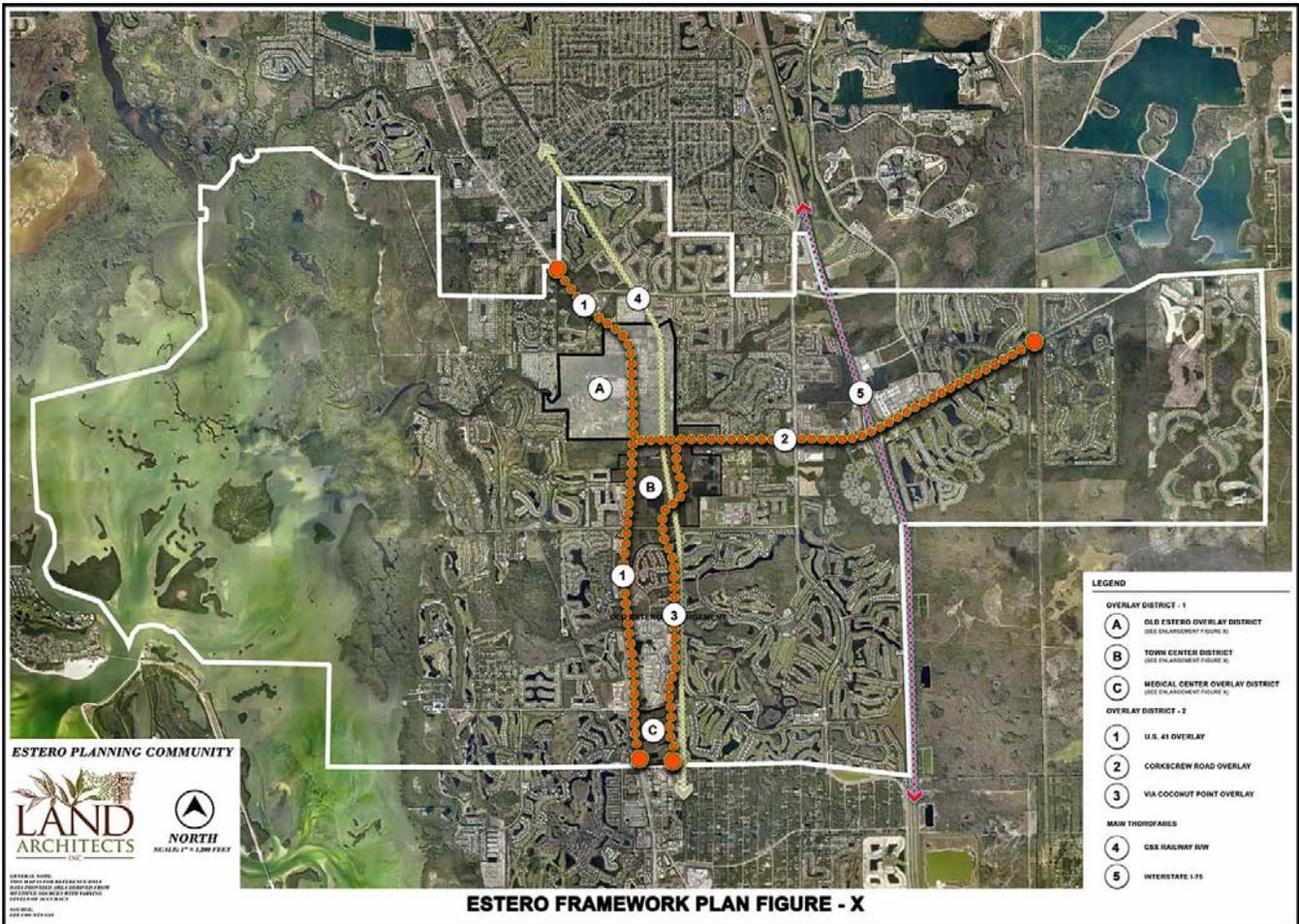
(Ord. No. 05-29, § 5, 12-13-05)

**Sections 33-415—33-1000. Reserved**

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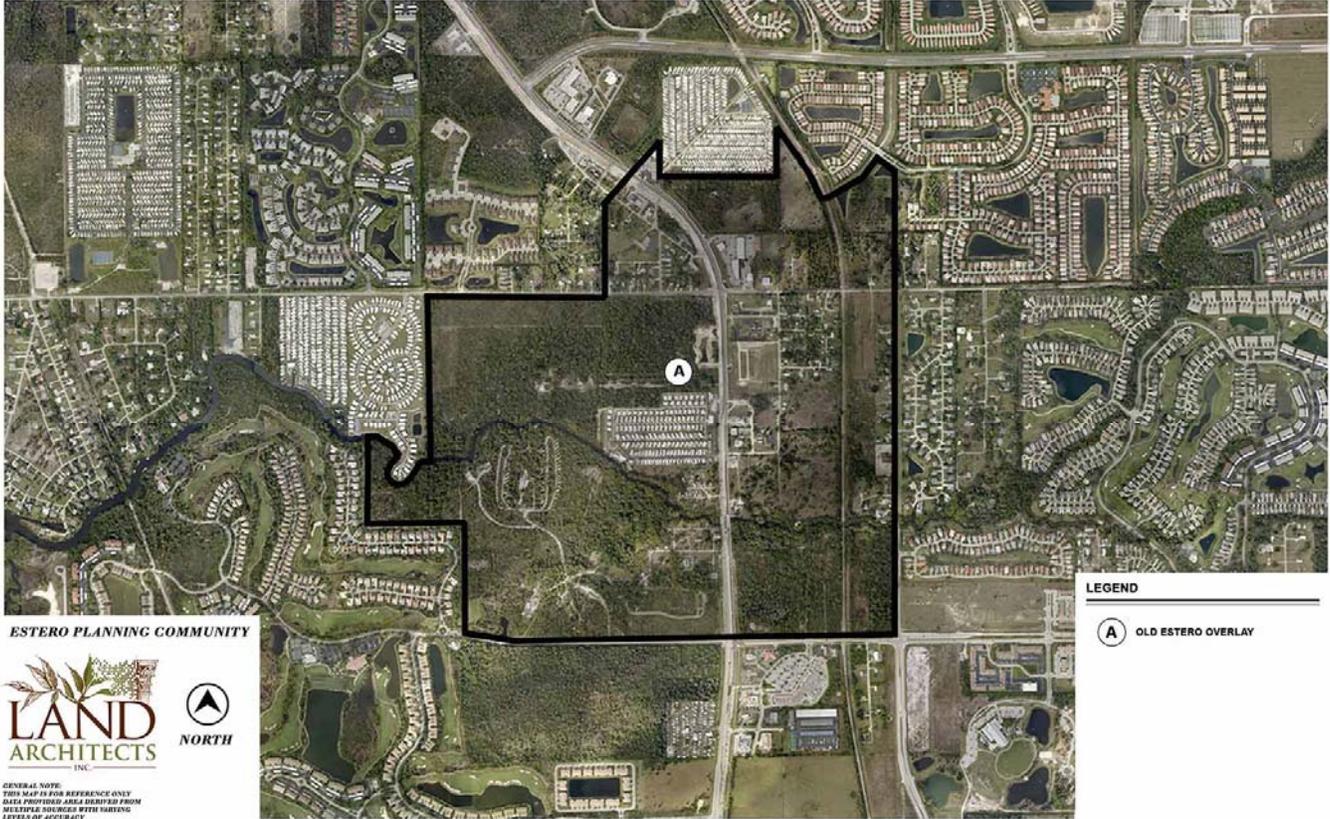
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Appendix 1, Map 1



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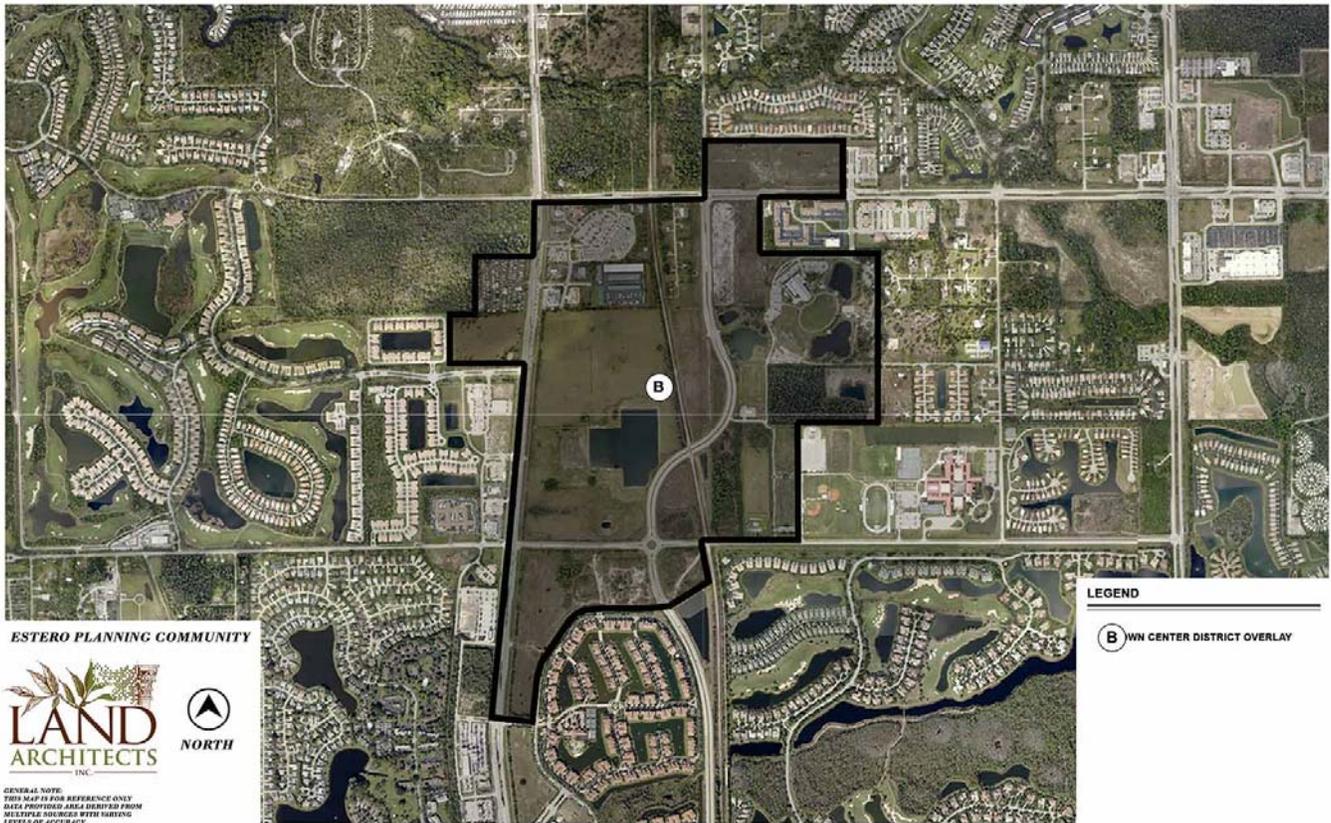
Appendix 1, Map 2



OLD ESTERO OVERLAY ENLARGEMENT FIGURE - X

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Appendix 1, Map 3

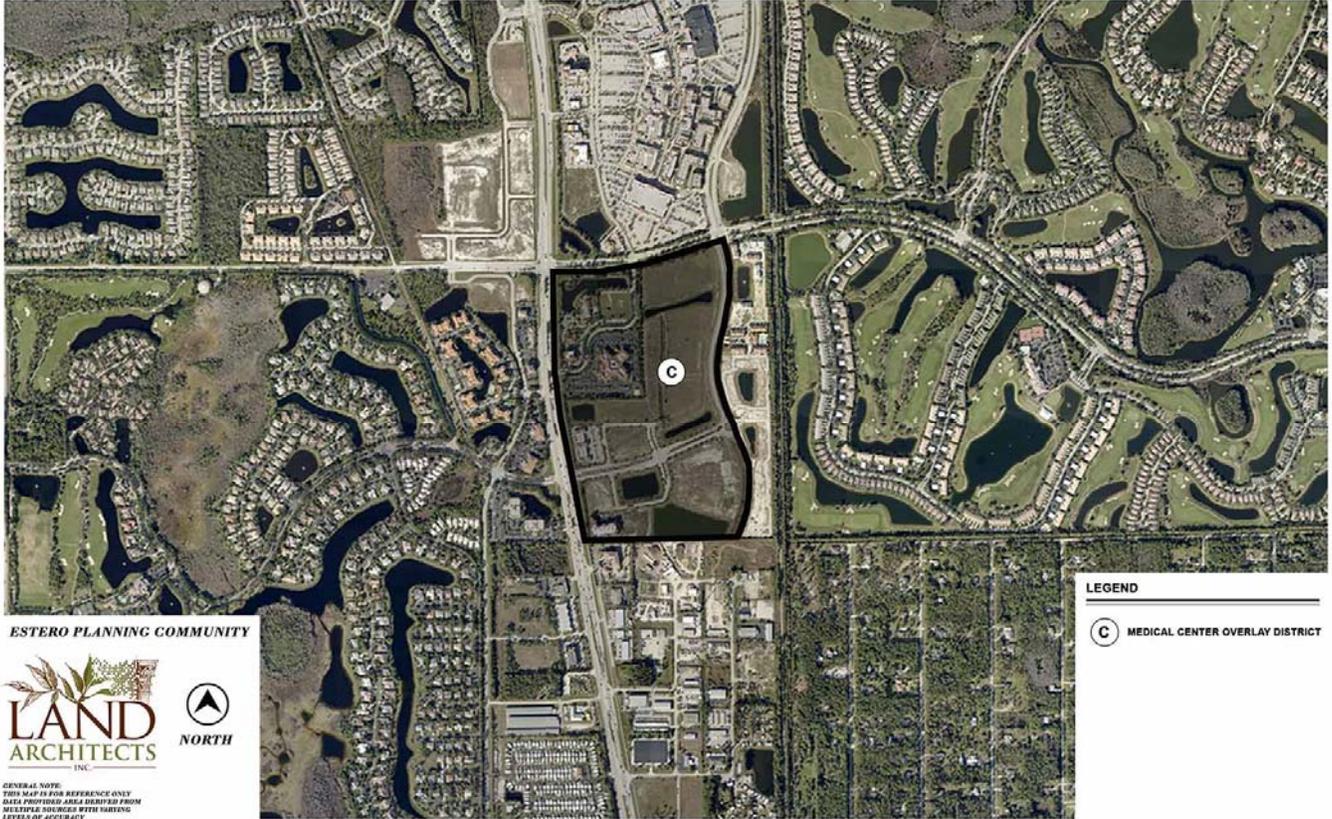


TOWN CENTER DISTRICT OVERLAY ENLARGEMENT FIGURE - X

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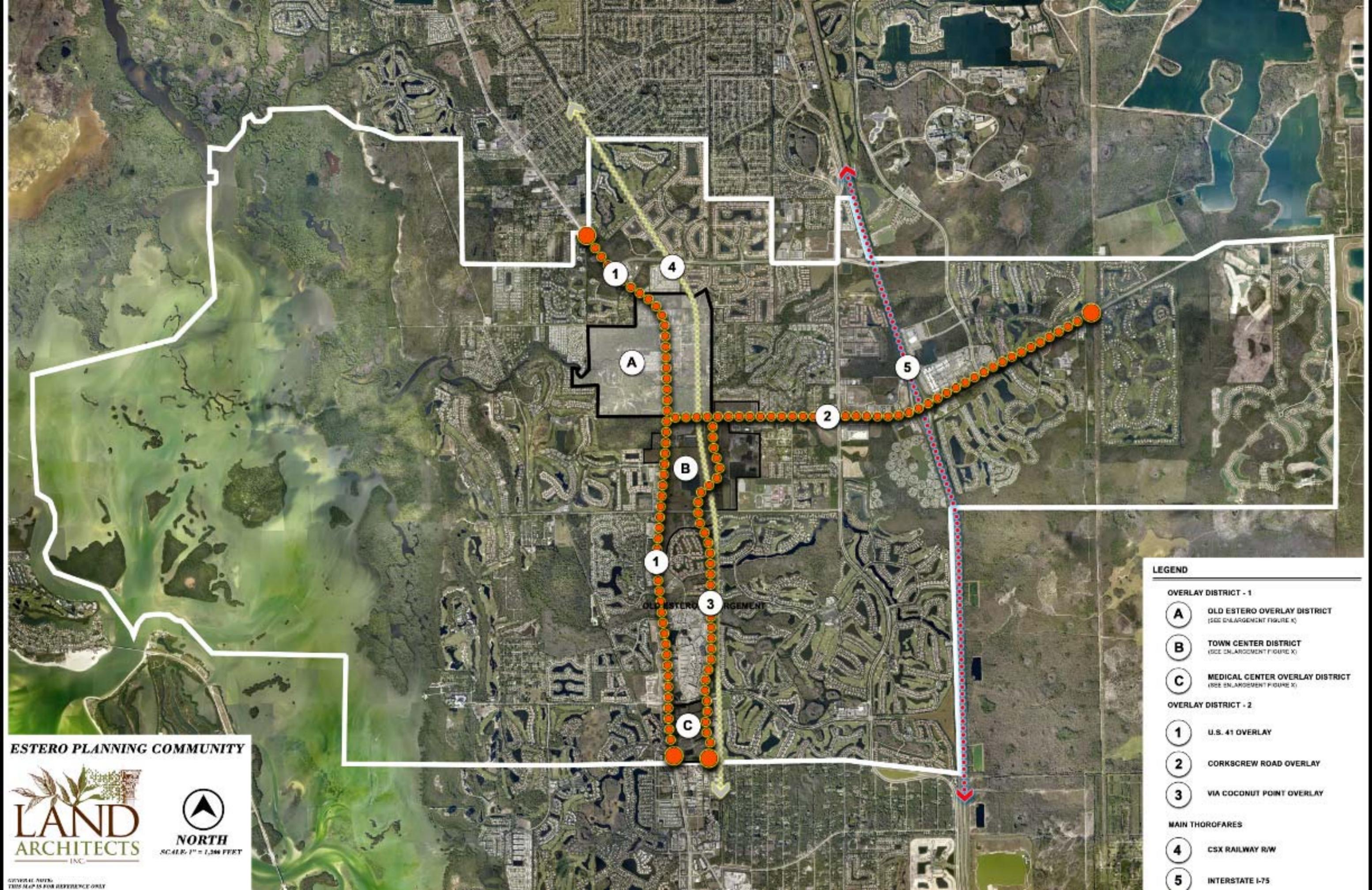
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Appendix 1, Map 4



MEDICAL CENTER OVERLAY DISTRICT ENLARGEMENT FIGURE - X

DRAFT



**LEGEND**

**OVERLAY DISTRICT - 1**

- A** OLD ESTERO OVERLAY DISTRICT  
(SEE ENLARGEMENT FIGURE X)
- B** TOWN CENTER DISTRICT  
(SEE ENLARGEMENT FIGURE X)
- C** MEDICAL CENTER OVERLAY DISTRICT  
(SEE ENLARGEMENT FIGURE X)

**OVERLAY DISTRICT - 2**

- 1** U.S. 41 OVERLAY
- 2** CORKSCREW ROAD OVERLAY
- 3** VIA COCONUT POINT OVERLAY

**MAIN THOROFARES**

- 4** CSX RAILWAY R/W
- 5** INTERSTATE I-75

**ESTERO PLANNING COMMUNITY**



GENERAL NOTE:  
THIS MAP IS FOR REFERENCE ONLY



**LEGEND**

**A** OLD ESTERO OVERLAY

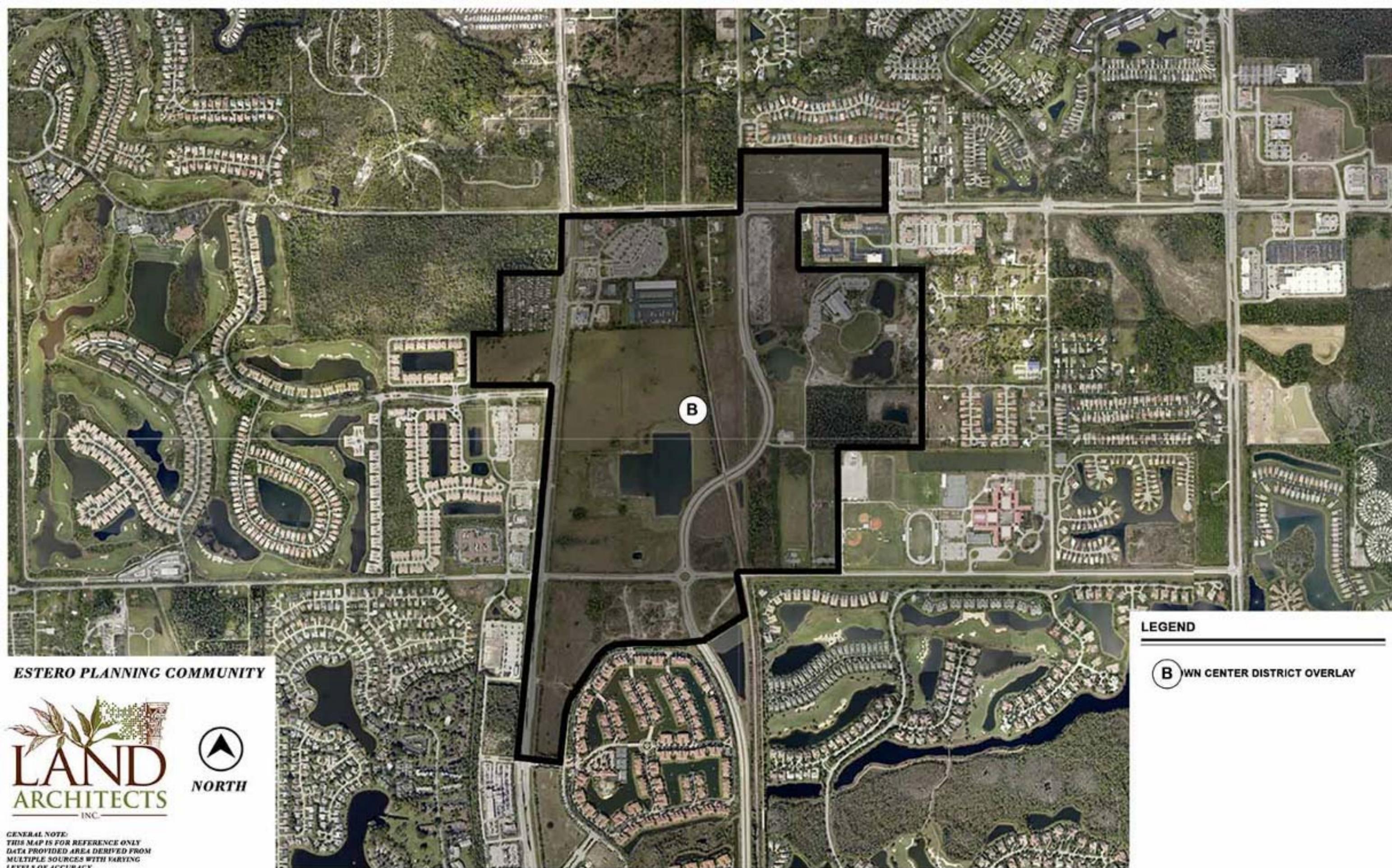
**ESTERO PLANNING COMMUNITY**



GENERAL NOTE:  
THIS MAP IS FOR REFERENCE ONLY  
DATA PROVIDED AREA DERIVED FROM  
MULTIPLE SOURCES WITH VARYING  
LEVELS OF ACCURACY

SOURCE:  
LEE COUNTY GIS

**OLD ESTERO OVERLAY ENLARGEMENT FIGURE - X**



**LEGEND**

**B** TOWN CENTER DISTRICT OVERLAY

**ESTERO PLANNING COMMUNITY**



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SOURCE:  
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**TOWN CENTER DISTRICT OVERLAY ENLARGEMENT FIGURE - X**



**ESTERO PLANNING COMMUNITY**

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LEVELS OF ACCURACY.

SOURCE:  
LEE COUNTY GIS



**NORTH**  
0-1000 FEET



**Healthcare Village Overlay District  
Appendix 1 - Map 4**