



## MEMORANDUM

DATE: November 19, 2018  
TO: Steve Sarkozy  
FROM: Mary Gibbs, Director of Community Development  
RE: Estero on the River Property  
Council Workshop – November 28, 2018

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The Village's land use Counsel Nancy Stroud and I have reviewed land use issues associated with the purchase of the Estero on the River Property. The purchase covers 62+ acres identified as Parcels 1, 2 and 3 of the total site. The remaining parcels that will not be purchased are Parcels 4 and 5. The staff reviewed the Zoning Resolution (Z-07-021, approved by Lee County on June 4, 2007) to ascertain which zoning conditions would apply to individual parcels, and which would apply to the property as a whole, since the property ownership will become separate. More specifically, there are 20 conditions of approval and 13 deviations. The memo from the Village land use counsel explains this in more detail.

The staff review indicates the following entitlements for Parcels 4 and 5 (parcels not being purchased by the Village).

Parcels 4 and 5 are the easternmost parcels of the property, east of the railroad right-of way and west of Sandy Lane (Via Coconut). The entitlements as shown on the approved zoning Master Concept Plan are listed below:

### Parcel 4 (13.18 acres)

- Residential (single-family, townhouse, 2-family and multi-family)  
102 units plus 90 bonus density units maximum
- Mixed-use
- Lake
- Open space
- Preserve area
- Future tract (ROW for Sandy Lane)
- Building height-maximum 35/60 feet residential, 45 feet mixed-use

### Parcel 5 (9.84 acres)

- Residential single-family (15 units)
- Park/preserve area
- Lake
- Open space
- Future tract (ROW for Sandy Lane)
- Building height maximum - 35 feet

### Review of Zoning Conditions

A review of the zoning conditions as applied to these parcels indicates that all of the conditions would apply to Parcels 4 and 5, although a few need clarification.

For example, the Master Concept Plan shows a road crossing the Estero River between Parcels 1 and 2. This would not be the responsibility of the property owners of Parcels 4 and 5 as it would not be on their property. The requirement for indigenous preserve area would be slightly reduced for Parcels 4 and 5, because the majority of native vegetation is located on Parcels 1 and 3.

To provide clarity, these are addressed specifically in a proposed agreement between the Village, the Trust for Public Land and Village Partners LLC.

### Attachment:

Zoning Resolution Z-07-021