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VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2018 - 06

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, FOR FINAL ZONING
PLAN APPROVAL AND ONE DEVIATION FOR A
COMMERCIAL PLANNED DEVELOPMENT FOR A
PROJECT KNOWN AS COCONUT SQUARE LOT 5
HOTEL; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Com Terra Development, LLC, (“applicant”) filed an application for a Final Zoning Plan Approval and one deviation for a Commercial Planned Development for a project known as **Coconut Square Lot 5 Hotel** to allow development of a 128 room hotel with amenities on 2.6± acres at 23400 Walden Center Drive in the Pelican Landing Development of Regional Impact; and

WHEREAS, the property is located at the southwest corner of Coconut Road and US 41, Village of Estero, and described more particularly as: Strap Number: 09-47-25-E3-31000.0050; and

WHEREAS, the property was originally rezoned with the adoption of Resolution Number Z-94-014 and was amended by Resolution Z-97-073; and

WHEREAS, the subject property is designated as Village Center on the Future Land Use Map of the Village of Estero Comprehensive Plan; and

WHEREAS, LDC Section 10-261 (a) requires a 750 square foot trash enclosure; and

WHEREAS, the applicant seeks a 288 square foot trash enclosure rather than the required 750 square feet trash enclosure; and

WHEREAS, on January 16, 2018 a Public Informational Meeting was held by the Planning and Zoning Board; and

WHEREAS, Condition #1 of Resolution Z-94-014 requires a Final Plan Approval for local development orders located in the Pelican Landing Commercial Planned Development and Residential Planned Development zoning district; and

WHEREAS, the Planning and Zoning Board reviewed the request at its meeting on March 20, 2018 and recommended _____; and

45 **WHEREAS**, the Village Council will determine whether, under final plan approval
46 specifications, the “type, intensity, and configuration of the development for the particular site
47 is in compliance with the DRI Development Order, Zoning Resolution and Land Development
48 Code”; and

49
50 **WHEREAS**, the following findings of fact are offered:

- 51
52 1. The Final Zoning Plan is compliant with the allowed uses, development
53 parameters, and conditions in Resolutions Z-94-014 and Z-97-073.
- 54
55 2. The Final Zoning Plan is compliant with the Pelican Landing DRI
56 Development Order.
- 57
58 3. The deviation enhances the planned development and promote the general
59 intent of the LDC to protect the public, health, safety and welfare.
- 60
61 4. The Village Council has taken this action at a duly constituted public
62 hearing after due public notice.

63 **NOW, THEREFORE**, be it resolved by the Village Council of the Village of Estero,
64 Florida:

65
66 **Section 1.** The application for Final Plan Approval with one deviation for the
67 Coconut Square Lot 5 Hotel is approved, subject to the following conditions:

- 68
69 a. The terms and conditions of Zoning Resolutions Z-94-014 and Z-97-073 remain
70 in full force, except as modified herein.
- 71
72 b. The development of the hotel and amenities must be in substantial compliance
73 with the 1-page Master Concept Plan/Final Zoning Plan, by DeLisi Fitzgerald,
74 Inc., stamped received on January 26, 2018.
- 75
76 c. The deviation from Section 10-261 of the Land Development Code for a 288
77 square foot trash enclosure is approved.
- 78
79 d. If it is determined that inaccurate or misleading information was provided to
80 staff or the Village Council or if this decision does not comply with the LDC
81 when rendered then, at any time, the Village Council may issue a modified
82 decision that complies with the Code or revoke the decision. If the approval is
83 revoked, the applicant may seek the necessary approvals by filing an application
84 for public hearing in accordance with Chapter 34.

85
86 **Section 2.** This Resolution shall take effect immediately upon adoption.

