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RESOLUTION NO. PZB 2018-02

ADMINISTRATIVE AMENDMENT ADD2017-E009

**ADMINISTRATIVE APPROVAL
VILLAGE OF ESTERO, FLORIDA**

WHEREAS, Parkside Equities, LLC (“applicant”) filed an application for an administrative amendment to a Mixed Planned Development (MPD) known as Estero Grande is seeking to add a deviation for a reduction of parking spaces from the required 436 parking spaces required by the Land Development Code (LDC) Section 33-2020 (a) to 347 parking spaces.

WHEREAS, the property is located west of the intersection of US 41 and Estero Parkway, Village of Estero, and described more particularly as: Strap Numbers: 26-46-25-E1-01001.0030 and 28-46-25-E1-01001.0020; and

LEGAL DESCRIPTION: Parcel A and B of land situated in the State of Florida, County of Lee, lying in Section 28, Township 46 South, Range 25 East, being part of a Schulte South Tamiami Park, a Subdivision, as recorded in Plat Book 5, Page 33, of the public records of Lee County Florida.

ATTACHED AS EXHIBIT A

WHEREAS, the property was originally rezoned with the adoption of Resolution Number Z-14-028 from Residential Single Family (RS-1) to Mixed Planned Development (MPD); and

WHEREAS, LDC Section 33-2020 (a) requires 2 parking spaces per multi-family unit; and

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

WHEREAS, The Land Development Code (LDC) provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant seeks a parking space reduction from 436 parking spaces to 347; and

WHEREAS, on November 15, 2017 a Public Informational Meeting was held by the Planning and Zoning Board; and

45 **WHEREAS**, under the provisions of Ordinance 2015-01 of the Village of Estero,
46 the Planning and Zoning Board has been delegated the authority to make determinations
47 with respect to all applications for administrative actions; and
48

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

- 51 1. The applicant's analysis of parking space ratio requirements and the ITE
52 parking space studies confirm that 1.75 parking spaces per unit in a
53 multifamily unit will not place an undue burden upon the proposed and
54 surrounding communities.
55
- 56 2. The proposed deviation would not decrease buffers and would not reduce
57 open space required by the Land Development Code.
58
- 59 3. The proposed deviation would enhance on-site storm water retainage
60
- 61 4. The proposed deviation would decrease the amount of impervious surface on-
62 site.
63
- 64 5. The proposed deviation will not adversely impact environmentally critical
65 areas or natural resources.
66
- 67 6. The Planning and Zoning Board has taken this action at a duly constituted
68 public hearing after due public notice.
69

70 **NOW, THEREFORE, IT IS HEREBY DETERMINED** that the application for
71 administrative approval for the deviation is approved, subject to the following conditions:
72

- 73 1. The terms and conditions of the original Zoning Resolution (Z-14-028) remain
74 in full force, except as modified herein.
75
- 76 2. The total number of parking spaces to be provided is 347. Parking space
77 locations must be in substantial compliance with the Parkside Estero Reduced
78 Parking Plan dated 11/17/2017.
79
- 80 3. The Applicant is required to provide 10 parking spaces for the proposed
81 amenity building.
82
- 83 4. The Applicant has shown 83 additional parking spaces located in designated
84 proposed open space. If parking is found to be insufficient by the Village in
85 the future, the applicant or successor in interest will construct the spaces
86 within 60 days of notification by the Village. The Reduced Parking Exhibit is
87 attached.
88
- 89 5. If it is determined that inaccurate or misleading information was provided to
90 staff or the Planning and Zoning Board or if this decision does not comply

91 with the LDC when rendered, then at any time the Planning and Zoning Board
92 may issue a modified decision that complies with the Code or revoke the
93 decision. If the approval is revoked, the applicant may acquire the necessary
94 approvals by filing an application for public hearing in accordance with
95 Chapter 34.
96

97
98 **PASSED AND DULY ADOPTED** this 16th day of January, 2018.
99

100
101
102
103 **VILLAGE OF ESTERO, FLORIDA**
104 **PLANNING AND ZONING BOARD**
105

106
107
108 _____
109 Scotty Wood, Chairman

110 Attest:

111
112 By: _____
113 Kathy Hall, MMC, Village Clerk
114

115
116 Reviewed for legal sufficiency
117

118
119 By: _____
120 Nancy Stroud, Esq.
121

122
123 **Vote:**

124 William Campos	Yes ___	No ___
125 Anthony Gargano	Yes ___	No ___
126 Bob King	Yes ___	No ___
127 Marlene Naratil	Yes ___	No ___
128 James Tatoes	Yes ___	No ___
129 John Yarbrough	Yes ___	No ___

130
131 Exhibit:

132 A – Legal Description

133 B – Parkside Estero Reduced Parking Exhibit dated November 11, 2017

EXHIBIT A

PARCEL DESCRIPTION: (INST # 2010000263170)

PARCEL A:

A tract or parcel of land situated in the State of Florida, County of Lee, lying in Section 28, Township 46 South, Range 25 East, being a part of Schulte South Tamiami Park, a Subdivision, as recorded in Plat Book 5, Page 33, of the public records of Lee County, Florida, and being further bounded and described as follows:

Beginning at the Northwest corner of said Section 28; thence South 89 deg 11' 12" East, along the North line of said section and said Subdivision, for 741.32 feet; thence South 37 deg 10'00" East, along the West right of way line of Tamiami Trail (U.S. 41), for 474.92 feet to a point of curvature of a curve to the left, having a radius of 2932.79 feet, a central angle of 01 deg 17'48", a chord bearing of South 37 deg 48'53" East and a chord length of 66.37 feet; thence along the arc of said curve and said right of way line, an arc length of 66.37 feet to the end of said curve; thence South 51 deg 13'40" West, for 221.33 feet to the point of curvature of a curve to the left, having a radius of 1240.00 feet, a central angle of 18 deg 32'30", a chord bearing of South 41 deg 57'25" West and a chord length of 399.53 feet; thence along the arc of said curve, an arc length of 401.28 feet to the end of said curve; thence North 55 deg 57'53" West for 390.39 feet; thence South 89 deg 09'41" West for 296.00 feet; thence North 00 deg 50' 19" West, along the West line of said Section and said Subdivision, for 663.02 feet to the Point of Beginning.

Bearings are based on the North line of said Section 28, as bearing North 89 deg 11 '12" East.

PARCEL B:

A tract or parcel of land situated in the State of Florida, County of Lee, lying in Section 28, Township 46 South, Range 25 East, being a part of Schulte South Tamiami Park, a Subdivision, as recorded in Plat Book 5, Page 33, of the public records of Lee County, Florida, and being further bounded and described as follows:

Beginning at the Northwest corner of said Section 28; thence South 89 deg 11' 12" East, along the North line of said section and said Subdivision, for 741.32 feet; thence South 37 deg 10'00" East, along the West right of way line of Tamiami Trail (U.S. 41), for 474.92 feet to a point of curvature of a curve to the left, having a radius of 2932.79 feet, a central angle of 01 deg 17'48", a chord bearing of South 37 deg 48'53" East and a chord length of 66.37 feet; thence along the arc of said curve and said right of way line, an arc length of 66.37 feet to the Point of Beginning; thence continue along said curve to the left, having a radius of 2932.79 feet, a central angle of 07 deg 36'51", a chord bearing of South 42 deg 16'12" East and a chord length of 389.46 feet; thence along the arc of said curve and said right of way line, an arc length of 389.75 (mis-stated as 389.46 in deed) feet to the end of said curve; thence South 00 deg 44 '25" East, along the East line of the West one-half of the Northwest one quarter of said Section 28 and the East line of said Subdivision, for 754.35 feet; thence South 89 deg 15'35" West, for 273.18 feet; thence North 75 deg 57'39" West, for 635.05 feet to a point on a curve to the right, having a radius of 1240.00 feet, a central angle of 41 deg 19'04", a chord bearing of North 30 deg 34'08" East and a chord length of 874.95 feet; thence along the arc of said curve, an arc length of 894.20 feet to the Point of Tangency of said curve; thence North 51 deg 13'40" East for 221.33 feet to the Point of Beginning.

Bearings are based on the North line of said Section 28, as bearing North 89 deg 11 '12" East.

Legal Description

of a Portion of Land Lying in Section 28, Township 46
South, Range 25 East, Lee County, Florida.

* NOT A SURVEY *

STOUTENCRAMER
PROFESSIONAL SURVEYORS

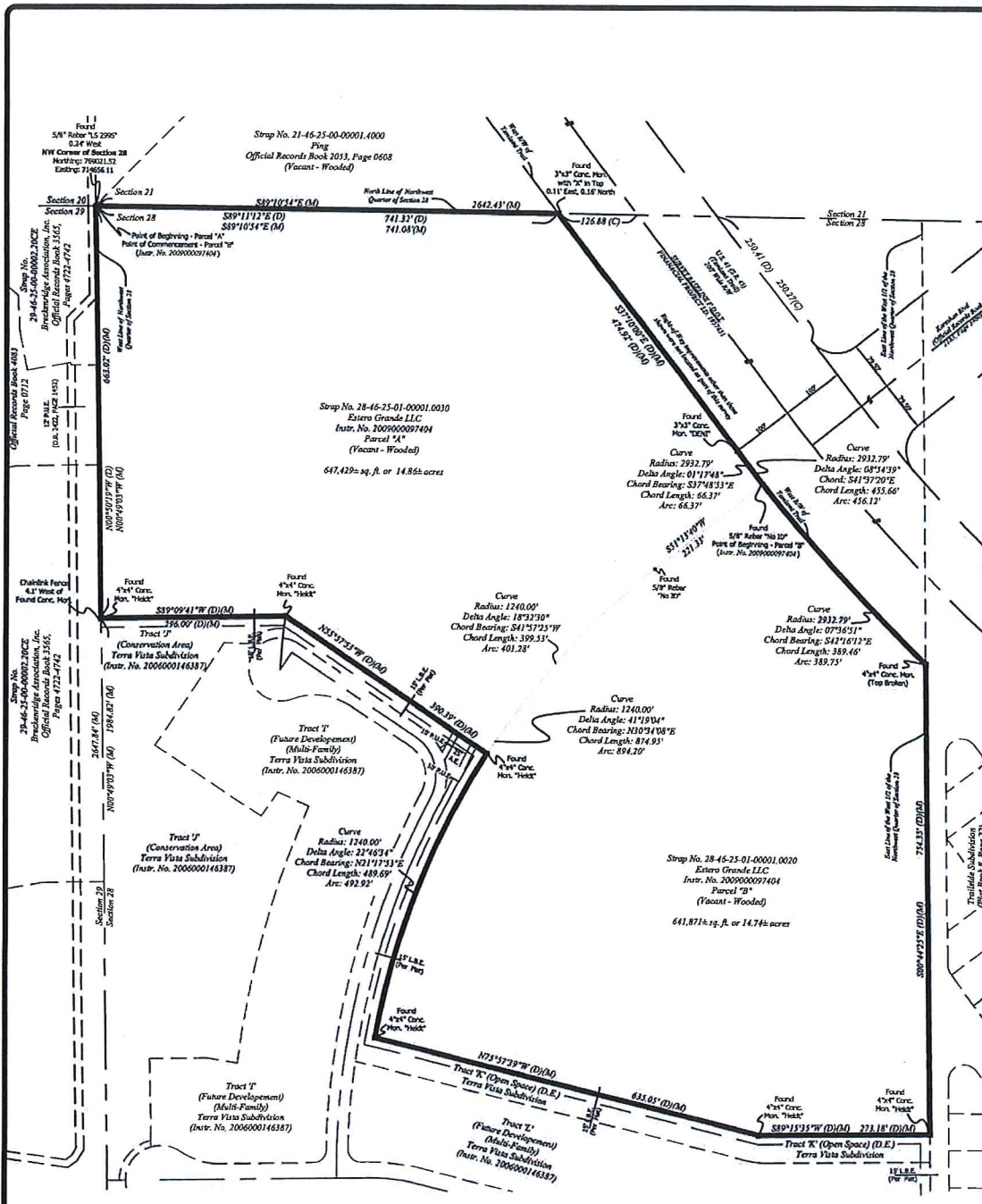
CERTIFICATE OF AUTHORIZATION: LB7922
324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991
Phone: (239) 673-9541 Fax: (239) 424-8181
www.sclsurvey.com

Page 1 of 2

I hereby certify that, to the best of my knowledge and belief, the sketch represented hereon, made under my direction on February 17, 2014 is in accordance with Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

DAVID K. CRAMER
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6655
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOB # 14-0208 PREPARED FOR: TerraCap
SECTION 28, TOWNSHIP 46S, RANGE 25E



NOTES:

1. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY. (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
3. BEARINGS ARE BASED ON THE WESTERLY RIGHT OF WAY LINE OF U.S. 41 (SR 45) AS MONUMENTED IN THE FIELD, BEING $S37^{\circ}10'00''E$.
4. STATE PLANE COORDINATES SHOWN ARE BASED ON THE FLORIDA WEST ZONE, NORTH AMERICAN DATUM 1983, 1950 ADJUSTMENT.
5. BASELINE OF US 41 (S.R. 45) AS SHOWN ON RIGHT OF WAY MAP, FINANCIAL PROJECT I.D. 1957651, DATED 11/23/04, ROTATED TO FIT BEARING BASIS OF DEED.

Sketch of Legal Description
of a Portion of Land Lying in Section 28, Township
46 South, Range 25 East, Lee County, Florida.

Scale = 1:200

* NOT A SURVEY *

STOUTENCRAMER
PROFESSIONAL SURVEYORS

CERTIFICATE OF AUTHORIZATION: LB7922
324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991
Phone: (239) 673-9541 Fax: (239) 424-8181
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Page 2 of 2

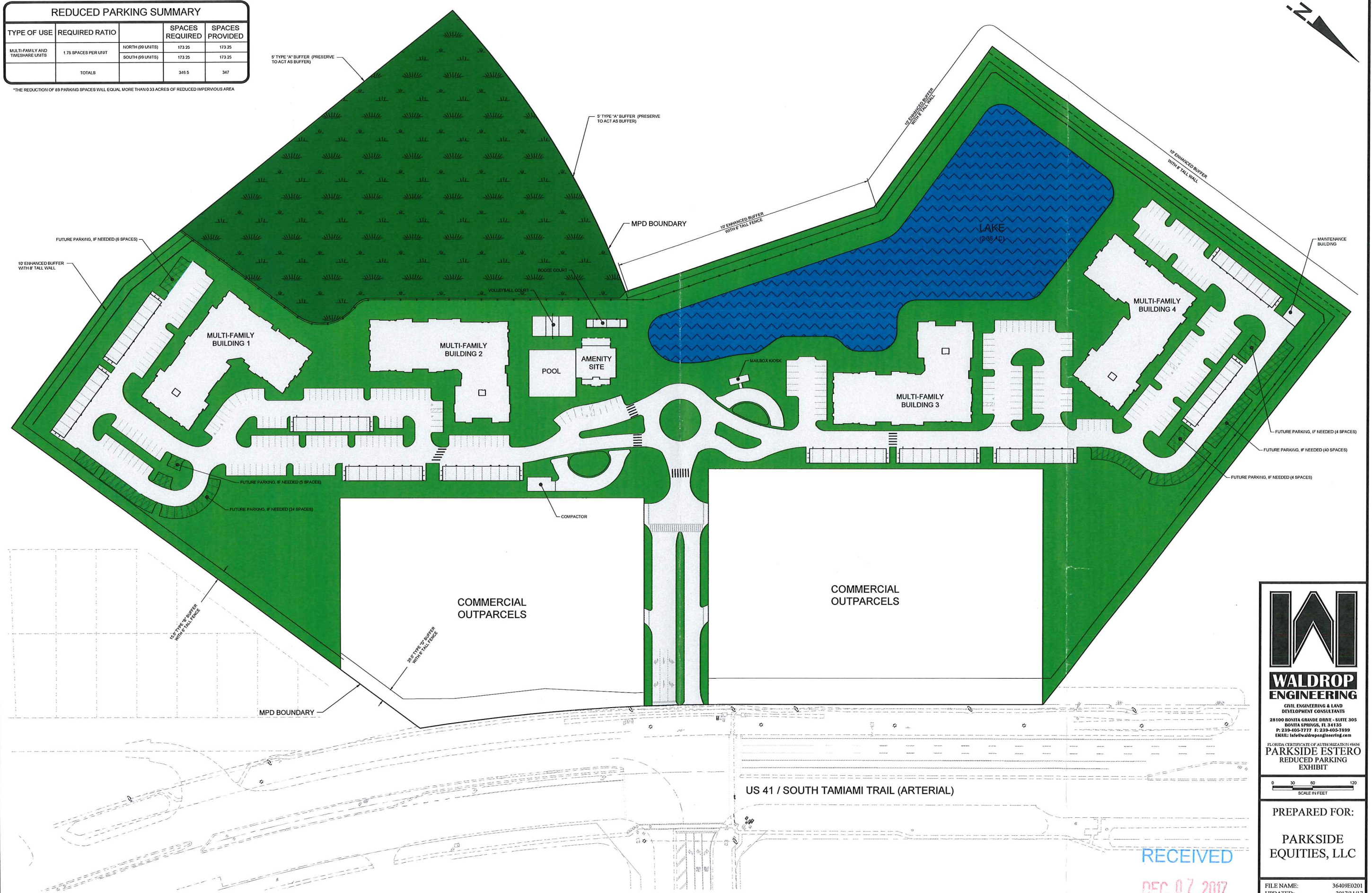
I hereby certify that, to the best of my knowledge and belief, the sketch represented herein, made under my direction on February 17, 2014 is in accordance with Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

[Signature]
DAVID E. CRAMER
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6655
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EXHIBIT B

REDUCED PARKING SUMMARY				
TYPE OF USE	REQUIRED RATIO		SPACES REQUIRED	SPACES PROVIDED
MULTI-FAMILY AND TESHARE UNITS	1.75 SPACES PER UNIT	NORTH (89 UNITS)	173.25	173.25
		SOUTH (69 UNITS)	173.25	173.25
TOTALS			346.5	347

*THE REDUCTION OF 89 PARKING SPACES WILL EQUAL MORE THAN 0.33 ACRES OF REDUCED IMPERVIOUS AREA



W
WALDROP
ENGINEERING
 CIVIL ENGINEERING & LAND
 DEVELOPMENT CONSULTANTS
 28100 BONITA GRANDE DRIVE - SUITE 305
 BONITA SPRINGS, FL 34135
 P: 239-405-7777 F: 239-405-7899
 EMAIL: info@waldropengineering.com

FLORIDA CERTIFICATE OF AUTHORIZATION FROM
PARKSIDE ESTERO
 REDUCED PARKING
 EXHIBIT

0 30 60 120
 SCALE IN FEET

PREPARED FOR:
PARKSIDE
EQUITIES, LLC

FILE NAME: 36409E0201
 UPDATED: 2017/11/17

RECEIVED
 DEC 07 2017

VILLAGE OF ESTERO

B:\Projects\36409\36409_Parkside_Estero_Trad_MF_1\Chwings-ExhibitB\36409_E02 - Reduced Parking Exhibit\Current Plans\36409E0201.dwg
 11/17/2017 10:25:41 AM