



Shoppes at Coconut Trace CPD

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Staff Report & Staff Recommendation
Planned Development Amendment
DCI2017-E006
Planning & Zoning Board
January 16, 2018



I will Address:

The Proposal's Compatibility with Marsh Landing;
Consistency with the Comprehensive Plan, and;
Findings and Conclusions



Applicant's Request:

An amendment to the Shoppes of Coconut Trace CPD, in order to:

1. Clarify that a “freestanding emergency medical services department” is an existing permitted use.

2. Allow a freestanding emergency medical services department to operate 24-7

3. Allow service facilities (i.e. the emergency generator) closer to US 41 and farther from Marsh Landing

4. Expressly permit the height of the architectural elements (up to 63')



“Freestanding emergency medical services department” not an approved use:

Health Care Facilities:

GROUP III. Outpatient care facilities. Establishments primarily engaged in outpatient care with permanent facilities and with medical staff to provide diagnosis or treatment, or both, for patients who are ambulatory and do not require inpatient care.

GROUP IV. Hospitals. Establishments primarily engaged in providing diagnostic services, extensive medical treatment, including surgical services, and other hospital services, as well as continuous nursing services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care as **an emergency department**.



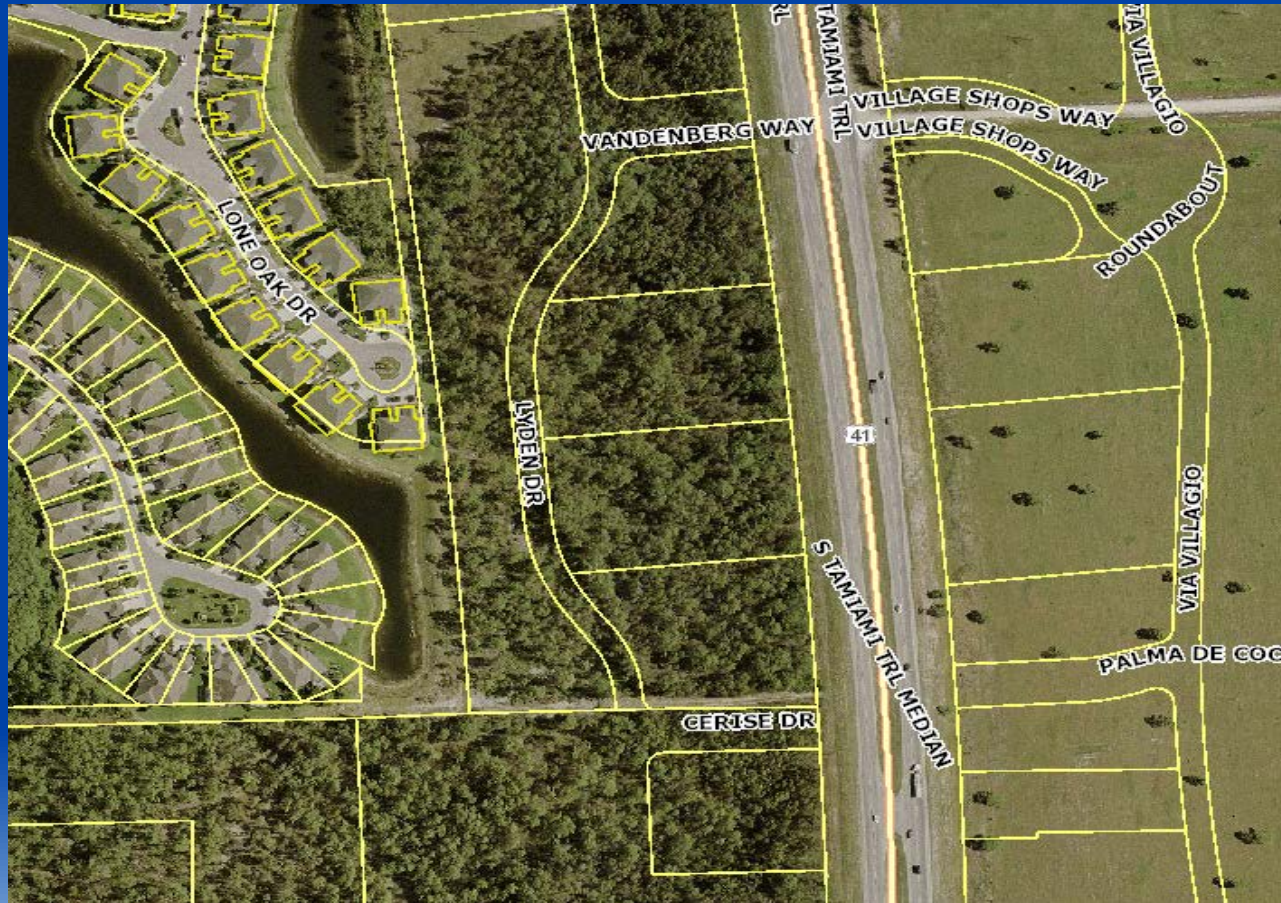
DCI2002-00039 (Resolution Z-03-011)

Approval:

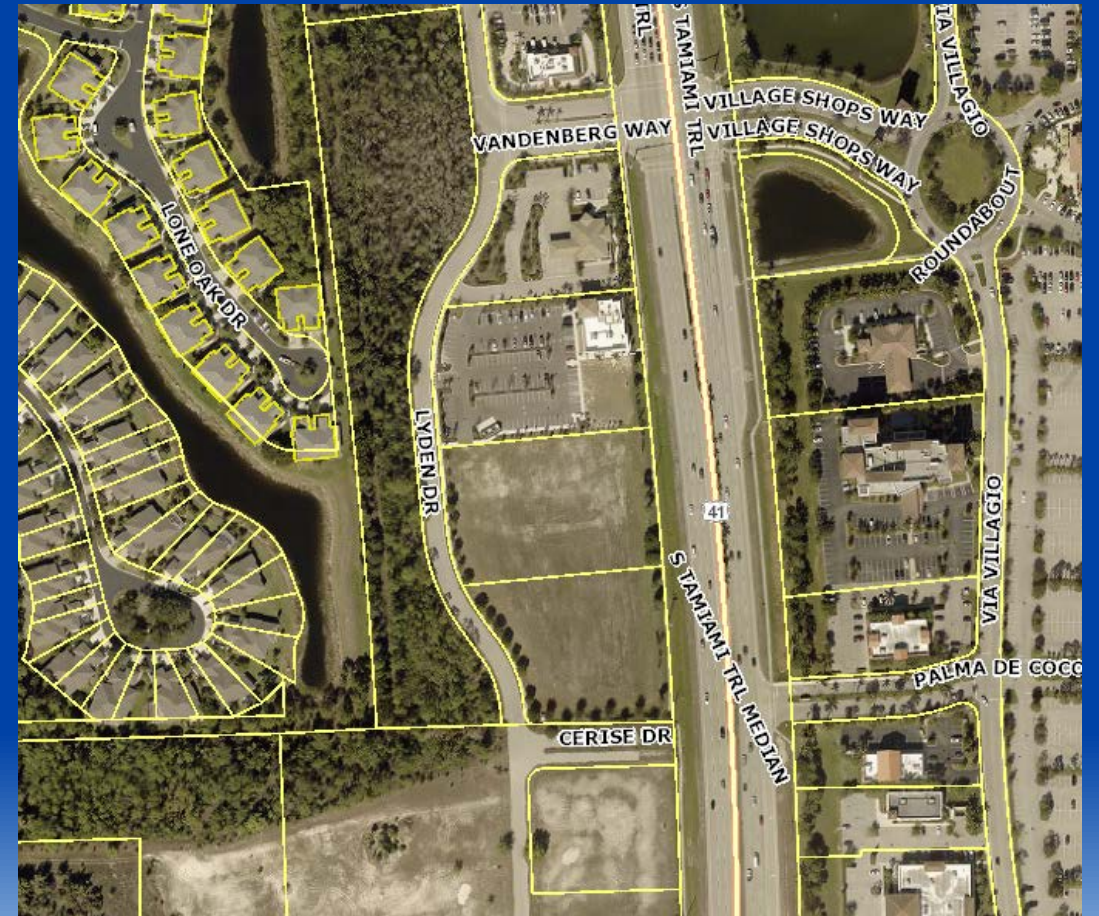
Operating hours are limited to 7 a.m. to 11 p.m.
Monday through Sunday

Circumstances the same:

2002:



2017:





LDC Definition of Compatible:

- **Compatible** means, in describing the relation between two land uses, buildings or structures, or zoning districts, the state wherein those two things exhibit either a positive relationship based on fit, similarity or reciprocity of characteristics, or a neutral relationship based on a relative lack of conflict (actual or potential) or on a failure to communicate negative or harmful influences one to another.



Merriam-Webster:

- **Definition of COMPATIBLE**
- **1** : capable of existing together in harmony *compatible* theories
- *compatible* people
- **2** : capable of cross-fertilizing freely or uniting vegetatively
- **3** : capable of forming a homogeneous mixture that neither separates nor is altered by chemical interaction
- **4** : capable of being used in transfusion or grafting without reaction (such as agglutination or tissue rejection)
- **5** : designed to work with another device or system without modification The printer is *compatible* with most computers. ; *especially* : being a computer designed to operate in the same manner and use the same software as another computer
- — **compatibility** \kəm-ˌpɑ-tə-ˈbi-lə-tē\ *noun*
- — **compatibleness** \kəm-ˈpɑ-tə-bəl-nəs\ *noun*
- — **compatibly** \kəm-ˈpɑ-tə-blē\ *adverb*



Typical Factors that Affect Compatibility Include:

- Distance
- Buffering and screening
- Noise
- Light
- Air emissions/Odors
- Vibration
- Traffic



Comprehensive Plan Consistency:

Village of Estero Transitional Comprehensive Plan
The Lee Plan – 2014 Codification



Vision Statement:

21. Estero - 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.



Policy 1.1.5 Suburban Policy Descriptor:

The Suburban areas are or will be **predominantly residential areas** that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is **appropriate** to **protect existing** or emerging **residential neighborhoods**. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed.



Policy 6.1.1:

All applications for **commercial development** will be **reviewed and evaluated** as to:

- a. Traffic and access impacts (rezoning and development orders);
- b. Landscaping and detailed site planning (development orders);
- c. Screening and buffering (planned development rezoning and development orders);
- d. Availability and adequacy of services and facilities (rezoning and development orders);
- **e. Impact on adjacent land uses and surrounding neighborhoods (rezoning);**
- f. Proximity to other similar centers (rezoning); and
- g. Environmental considerations (rezoning and development orders).



Policy 6.1.3:

Commercial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as commercial planned developments **designed** to arrange uses in an integrated and cohesive unit in order to:

- provide visual harmony and screening;
- reduce dependence on the automobile;
- promote pedestrian movement within the development;
- utilize joint parking, access and loading facilities;
- **avoid negative impacts on surrounding land uses and traffic circulation;**
- protect natural resources; and
- provide necessary services and facilities where they are inadequate to serve the proposed use.



Policy 6.1.4:

Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.

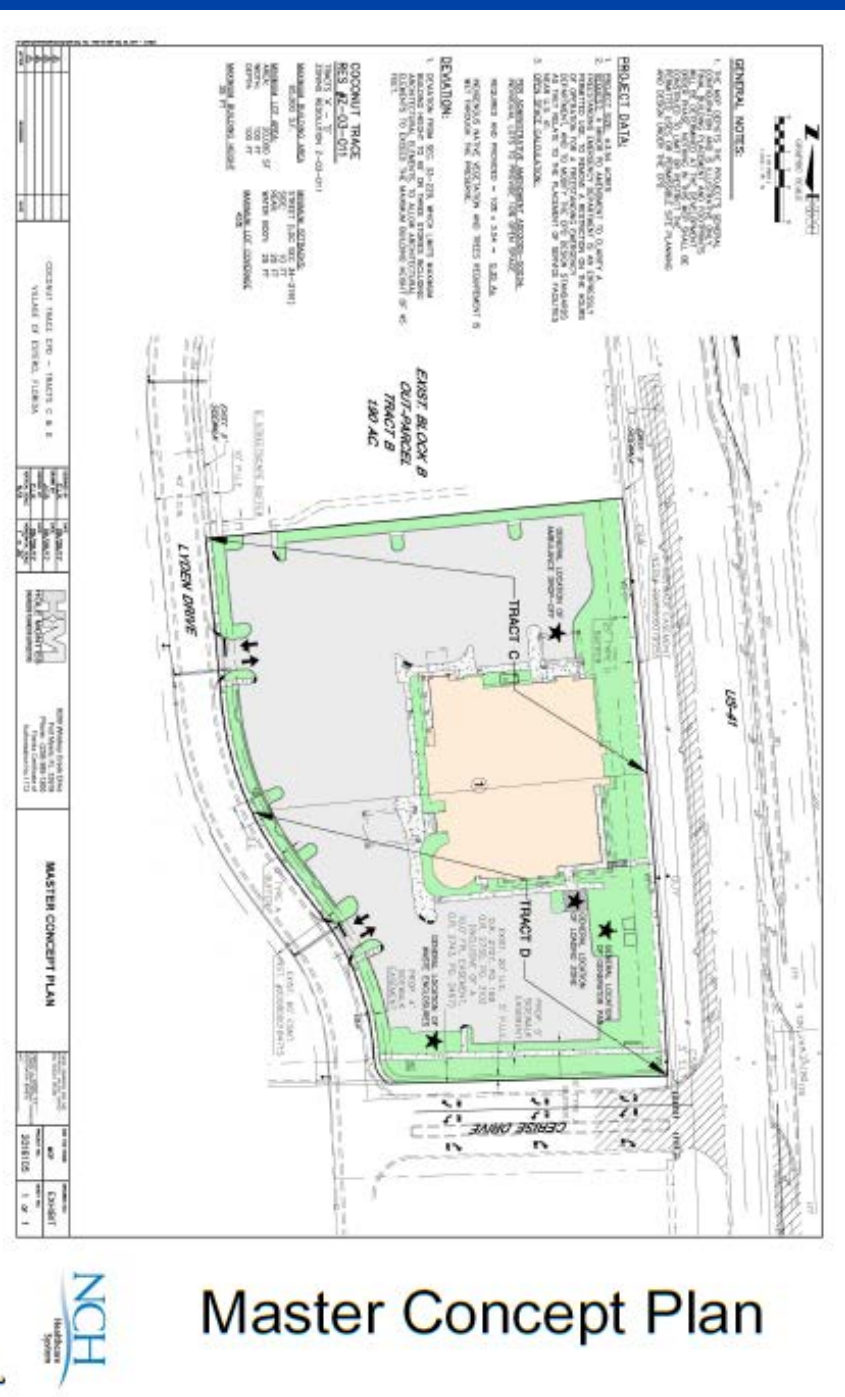


Policy 5.1.5:

Protect existing and future residential areas from **any** encroachment of uses that are **potentially destructive** to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, **where no adequate conditions can be devised, the application will be denied altogether**. The Land Development Code will continue to require appropriate buffers for new developments.



Freestanding Emergency Medical Department

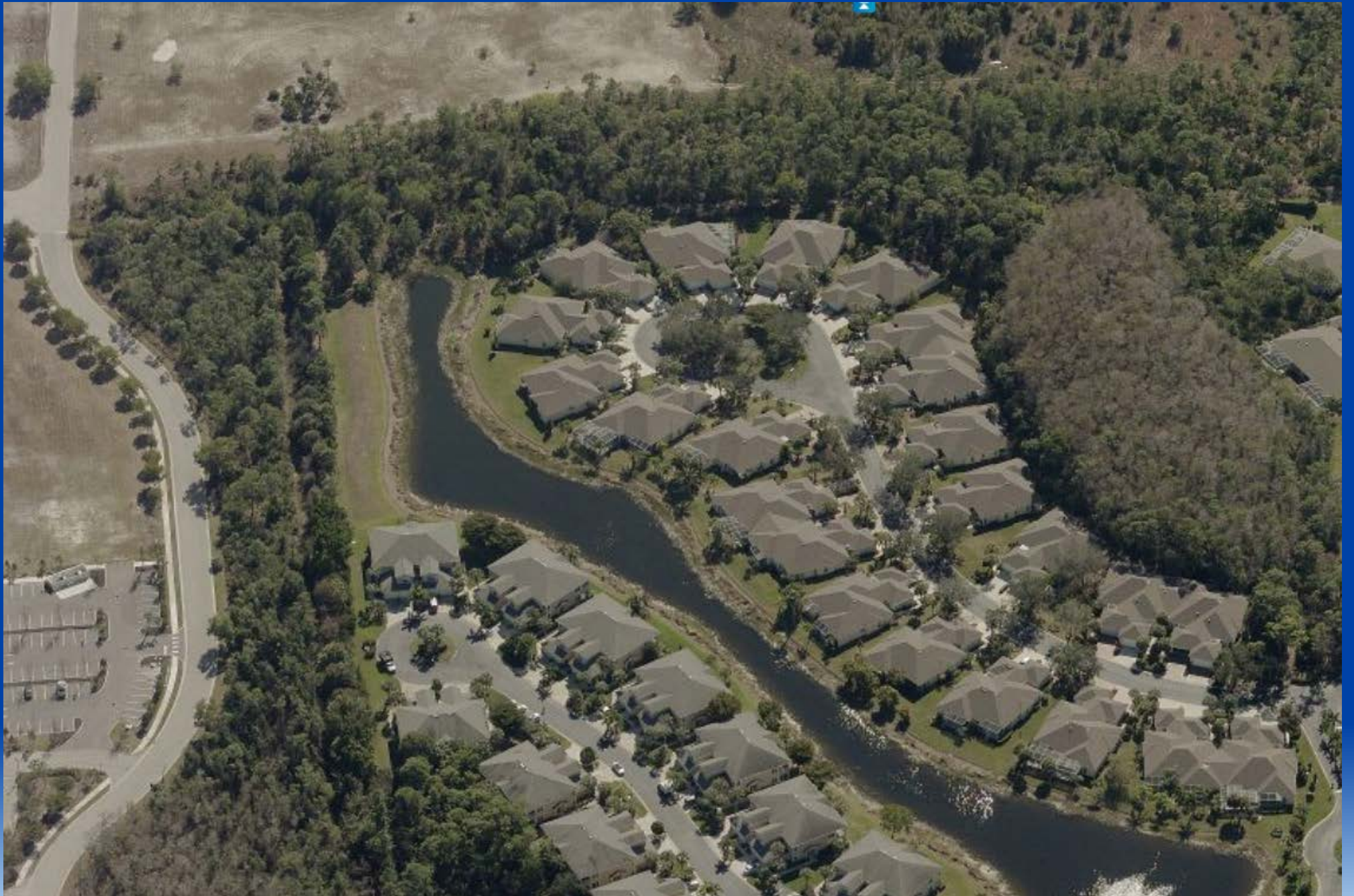


Master Concept Plan



Site Considerations







Compatibility Conditions of Approval:

No Blasting

No excess spoil removal

Hours of operation – 7 a.m. to 11 p.m.

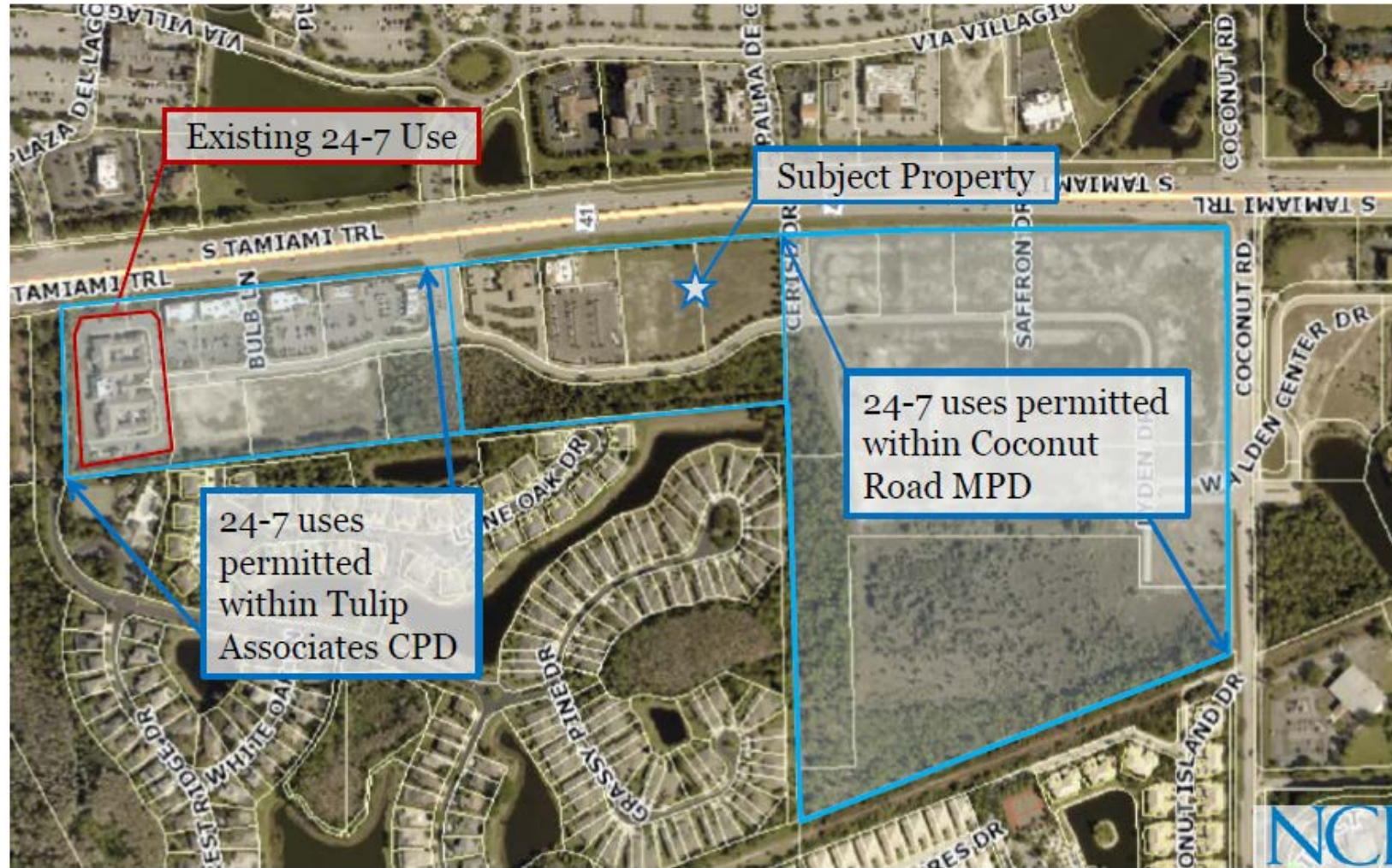
Limited height of light poles – 18 ft.

Streetlights are prohibited along reverse access street

West Site Buffer

Service Areas must be located away from west side

Hours of Operation





Findings and Conclusions:

1. The applicant has not provided sufficient justification for the amendment by demonstrating compliance with the Land Development Code and Comprehensive Plan.
2. The proposed change to allow a 24-hour operation, 7 days a week use as an emergency department is not compatible with the surrounding properties.
3. Urban services will be generally available and adequate to serve the proposed use.
4. The proposed use as a 24-hour, 7 day a week operation is not appropriate at the subject location.
5. The applicant's proposed conditions do not provide sufficient safeguards to the public interest from the proposed development.
6. The deviation and modification:
 - a. Do not enhance the planned development; and
 - b. Do not preserve and promote the general intent of the LDC to protect the public health, safety and welfare.