

# The Old Estero Post Office

## PATTERN BOOK

8111 Broadway East  
Village of Estero



# Aerial Location Map

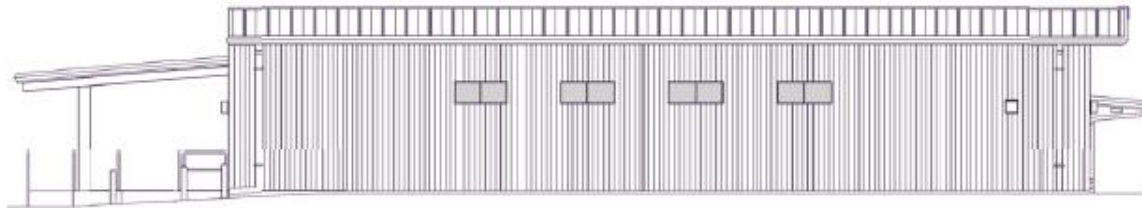




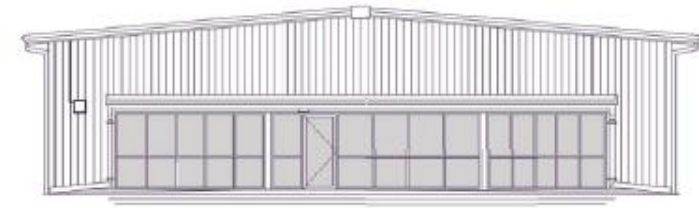
# Architectural Façade South Elevation



# Conceptual Redesign/Elevations



EXISTING WEST ELEVATION



EXISTING SOUTH ELEVATION

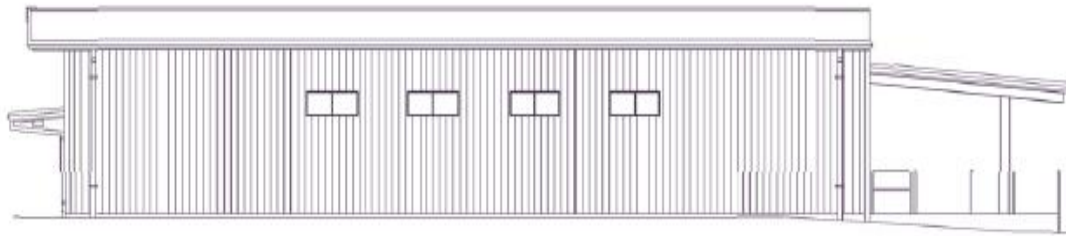


PROPOSED WEST ELEVATION



PROPOSED SOUTH ELEVATION

# Conceptual Redesign/Elevations



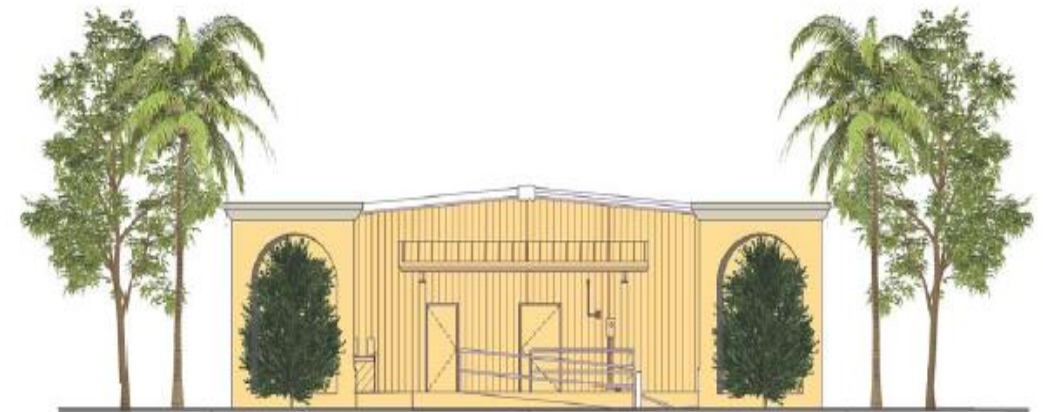
EXISTING EAST ELEVATION



EXISTING NORTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED NORTH (REAR) ELEVATION



# Colors and Materials



CLAY  
ROOF TILE  
SUNBURST



CANVAS AWNING



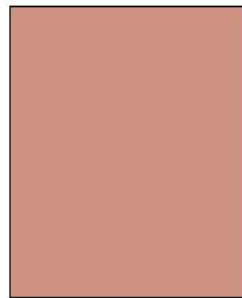
HIGH DENSITY URETHANE  
BRACKET  
WHITE



GATE, BUFFER WALL &  
DUMPSTER ENCLOSURE  
BLACK BEAN



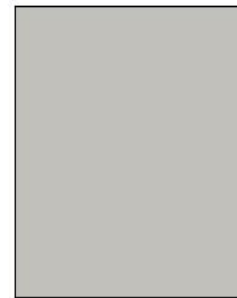
FIRED BRICK  
SW-6335



CORAL ISLAND  
SW-6332



SUNNY  
VERANDA  
SW-9017

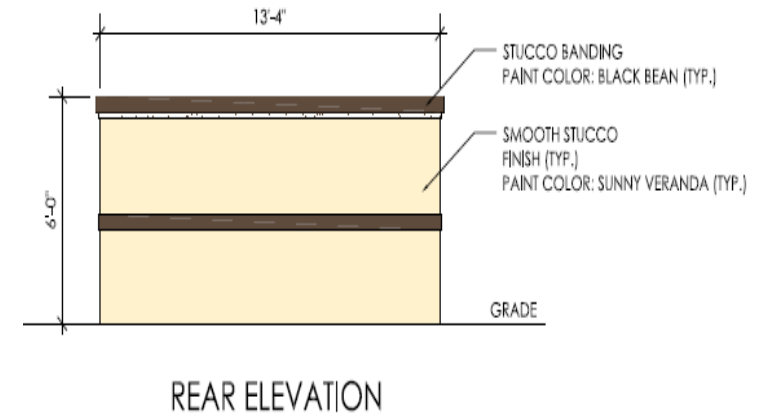
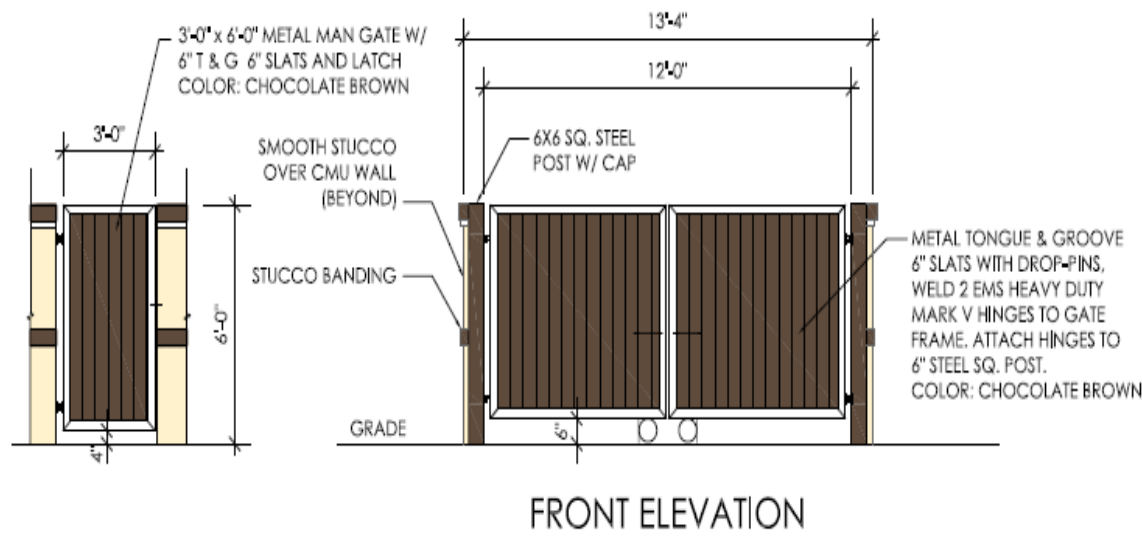
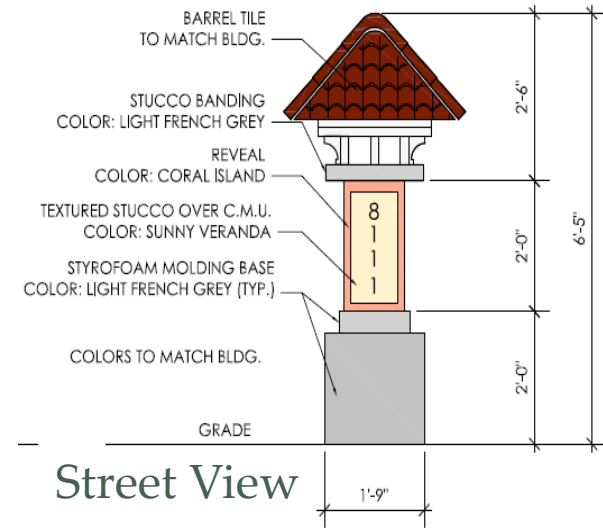
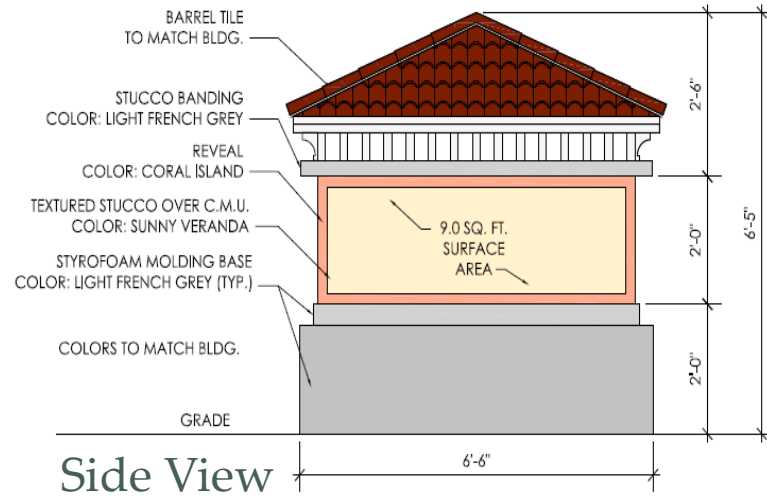


LIGHT FRENCH  
GREY  
SW-0055



BLACK BEAN  
SW-6006

# Monument Sign and Dumpster Details



# Master Concept Plan

**STREET ADDRESS**

8111 BROADWAY E  
ESTERO FL, 33928

**STRAP NUMBERS**

28-46-25-E2-U1923.2494

**PROJECT INFORMATION**

FUTURE LAND USE = URBAN COMMERCIAL  
 CURRENT ZONING = AG-2  
 PROPOSED ZONING = COMMERCIAL PLANNED DEVELOPMENT (CPD)  
 PROPOSED USE = COMMERCIAL/OFFICE/RETAIL  
 MIN. LOT SIZE = 46,547 SF/1.07 AC  
 MAXIMUM INTENSITY = 4,800 SF  
 MIXED USE OVERLAY = YES  
 EXIST. SOIL TYPES = #28 - IMMOKALEE SAND  
 IRRIGATION SERVICE = IRRIGATION WELL  
 ARCHAEOLOGICAL SENSITIVITY LEVEL = NONE

**BUILDING SETBACK REQUIREMENTS**

SOUTH (FRONT/STREET) = 25 FT  
 NORTH (REAR) = 20 FT  
 EAST (SIDE) = 16 FT\*  
 WEST (SIDE) = 20 FT

\* SEE DEVIATION

**ZONING/ACTUAL USE**

PROJECT SITE: CPD/COMMERCIAL  
 NORTH: CC/COMMERCIAL  
 SOUTH: BROADWAY E. ROW  
 EAST: AG-2/SFR  
 WEST: CC/COMMERCIAL

**LANDSCAPE BUFFER REQUIREMENTS**

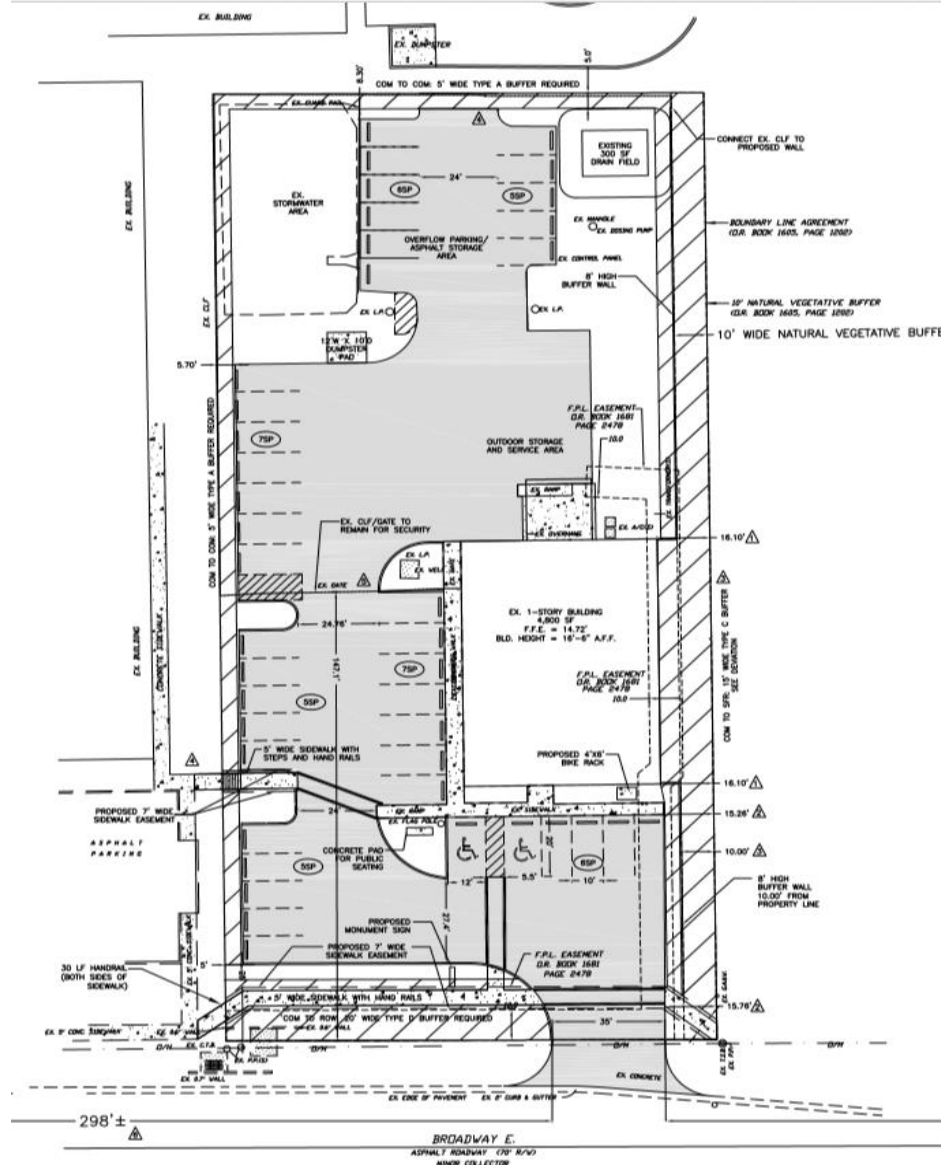
NORTH: COM TO COM: 5' WIDE TYPE A BUFFER REQUIRED  
 4 TREES/100 LF  
 SOUTH: COM TO ROW: 20' WIDE TYPE D BUFFER REQUIRED  
 5 TREES/100 LF AND DOUBLE-STAGGERED HEDGE ROW  
 EAST: COM TO SFR: 20' WIDE TYPE C BUFFER \*SEE DEVIATION #3  
 10 TREES AND 30 SHRUBS/100 LF WITH 8' HIGH WALL  
 WEST: COM TO COM: 5' WIDE TYPE A BUFFER  
 4 TREES/100 LF

**OPEN SPACE REQUIREMENTS**

SMALL COMMERCIAL DEVELOPMENTS = 20%  
 REQUIRED: 20% X 46,547 SF = 9,309 SF  
 PROVIDED: 15,704 SF / 33.7%

**PARKING REQUIREMENTS**

REQUIRED: AS REQUIRED BY THE LDC - TO BE DETERMINED AT TIME OF D.O.  
 PROVIDED: 30 SPACES INCLUDING 2 HANDICAP SPACES  
 PLUS 11 OVERFLOW SPACES OR OUTDOOR STORAGE AREA



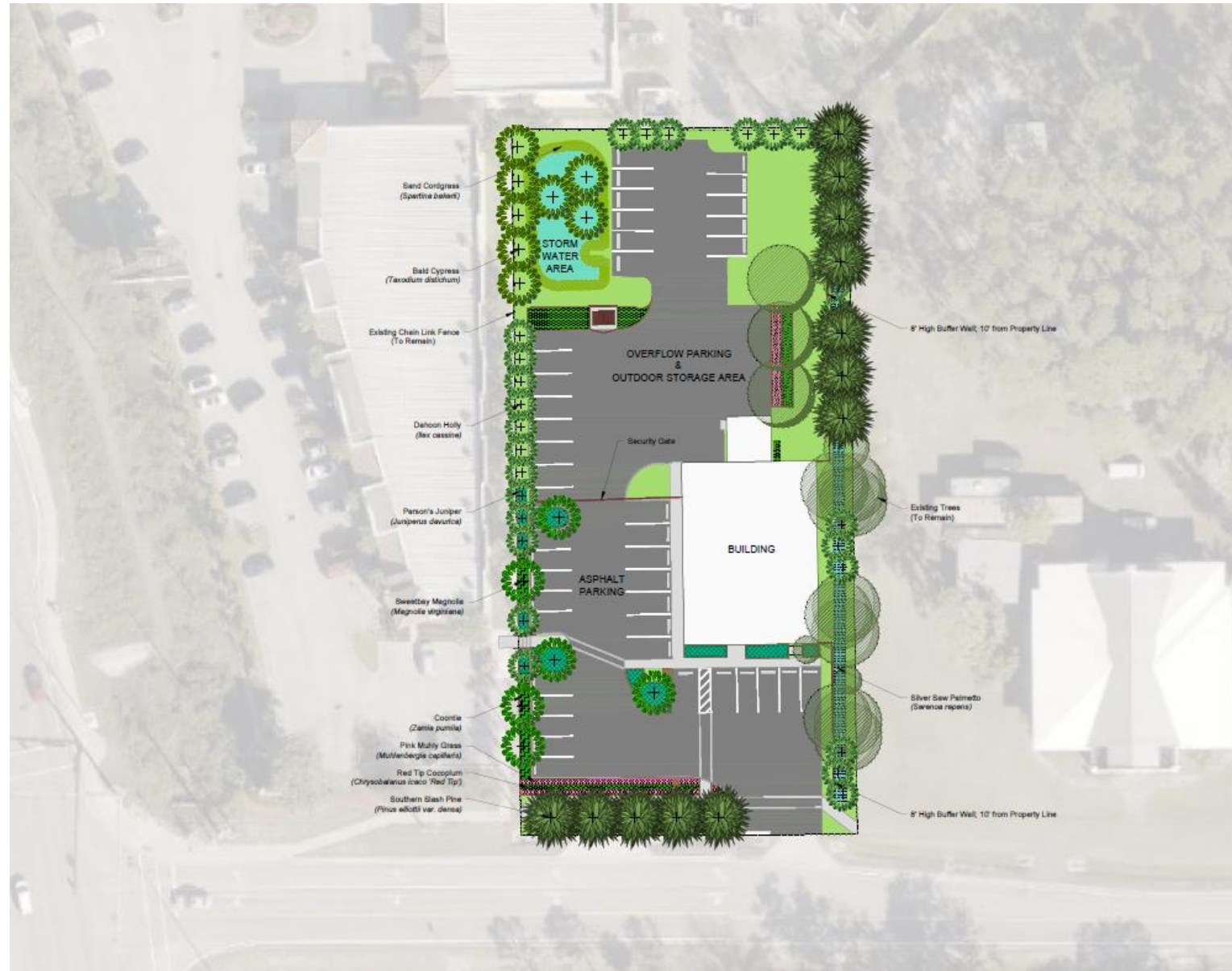
**LEGEND**

- EX. EXISTING
- R/W RIGHT-OF-WAY
- E.O.P. EDGE OF PAVEMENT
- CONC. CONCRETE
- TYP. TYPICAL
- CLF CHAIN LINK FENCE
- SF SQUARE FEET
- LF LINEAR FEET
- CY CUBIC YARDS
- R RADIUS, 5' UNLESS OTHERWISE NOTED
- 10SP NUMBER OF PARKING SPACES IN LOT
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- LANDSCAPE BUFFER
- DEVIATION





# Color Rendered Master Concept Plan



# Connectivity/Public Seating/Buffers

Vehicular and Pedestrian Connectivity:

Stairs and Sidewalk to Adjacent Commercial Plaza to West

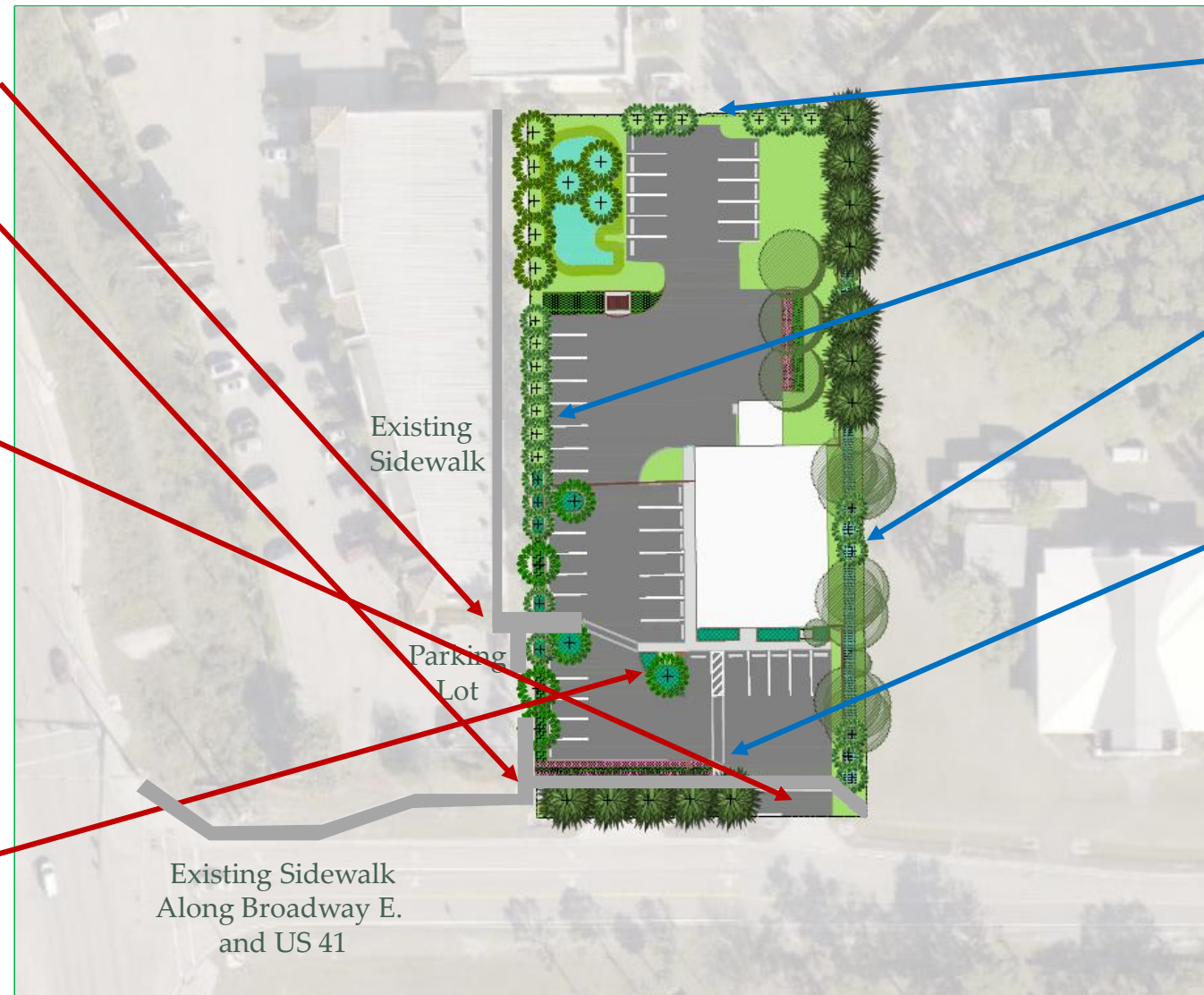
ADA Compliant Sidewalk and Ramp with Handrails Connecting to Existing Public Sidewalk to West

Full Access Driveway on Broadway E. (Eliminating Existing Driveway Closer to Intersection)



Public Seating in Landscaped Area near Flagpole

Sheet 10



North Buffer:  
5' wide with 4 trees per 100 lf

West Buffer:  
5' wide with 4 trees per 100 lf

East Buffer:  
15' wide with 10 trees and 30 shrubs per 100 lf plus 8' high solid opaque wall

South Buffer:  
20' wide with 5 trees per 100 lf and double hedgerow

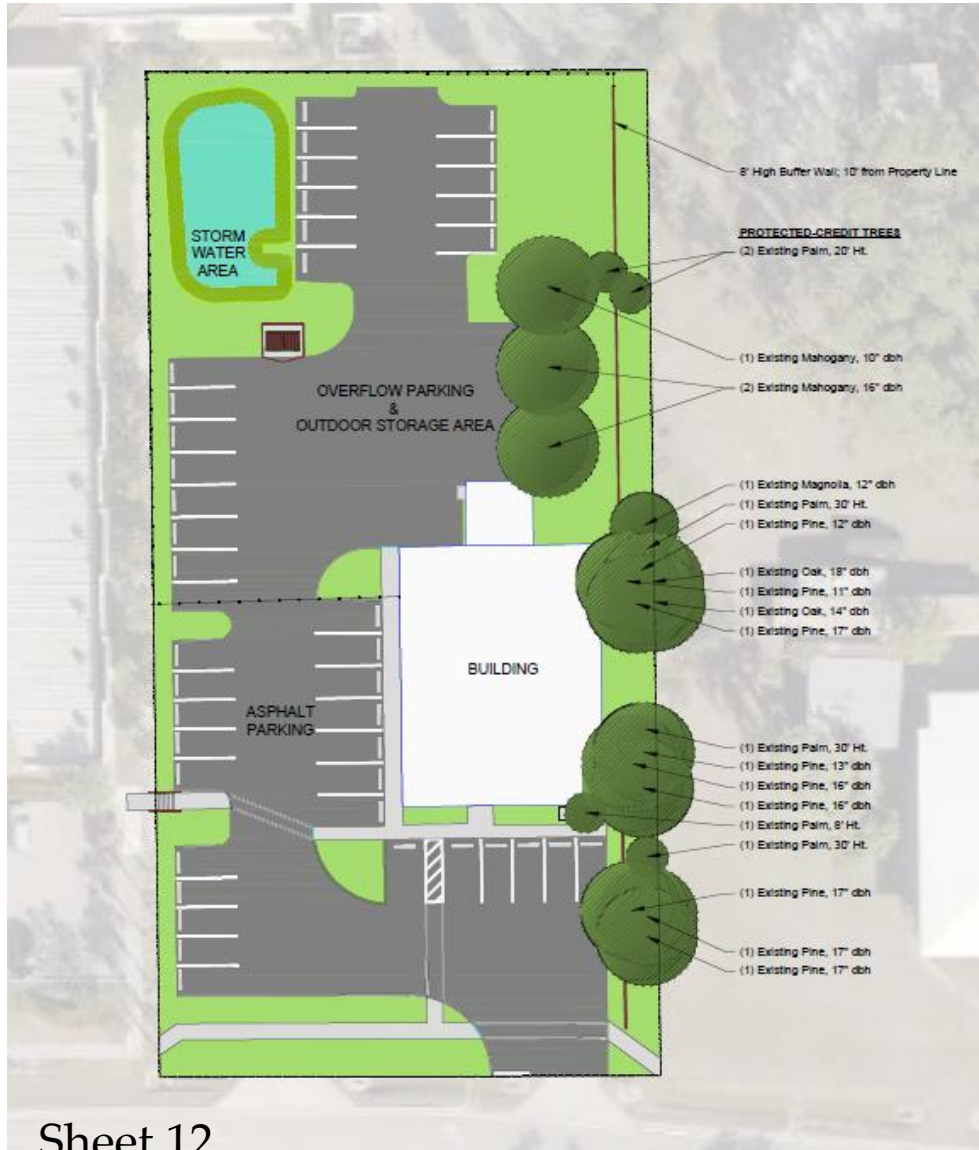








# Tree Preservation & Open Space



## Protected Trees:

Mahogany Trees, 10" - 16" dbh (3)

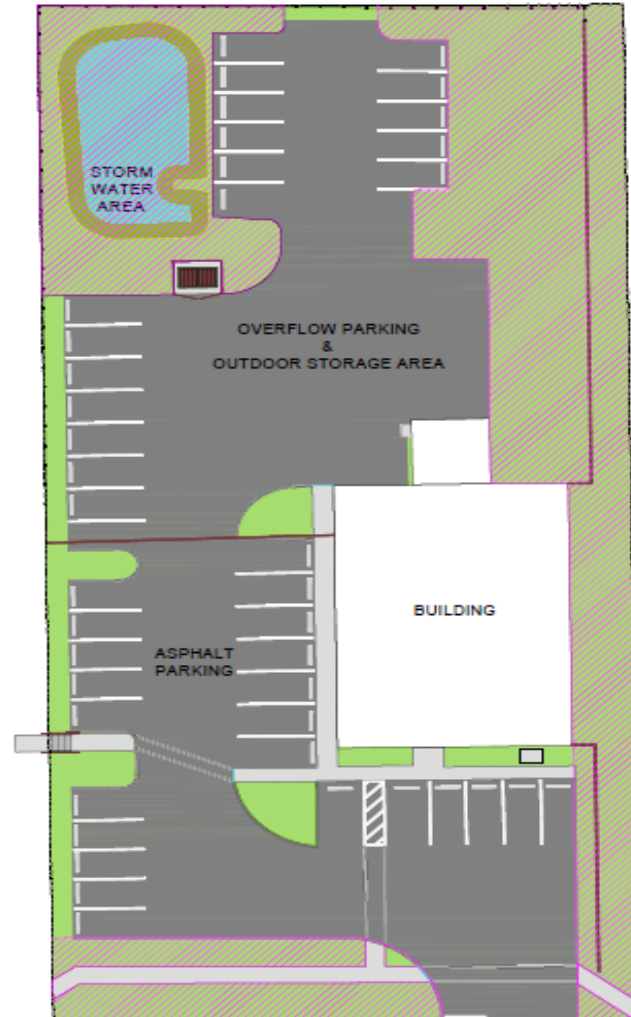
Oak Trees, 14" - 18" dbh (2)

Magnolia Trees, 12" dbh (1)

Pine Trees, 11" - 17" dbh (9)

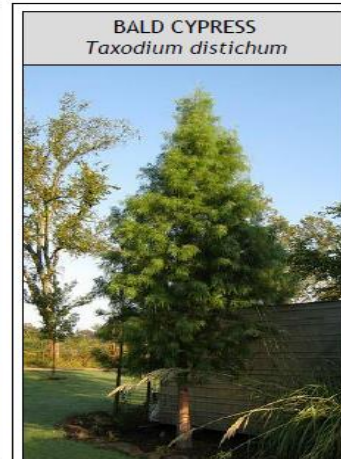
Palm Trees, 8' - 30' ht (6)

OPEN SPACE  
15,704 SF

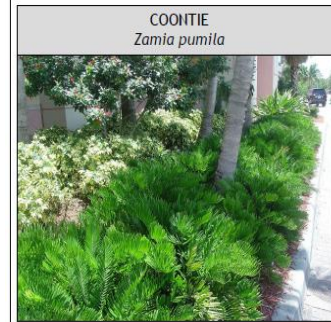
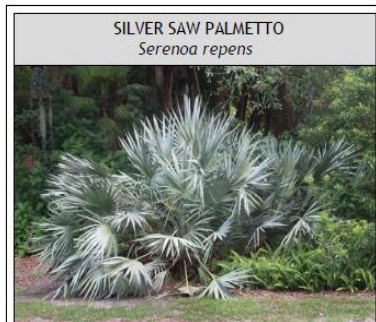
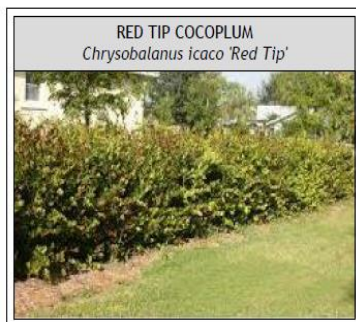


# Landscaping Images

## Trees



## Shrubs and Ground Cover







d#series

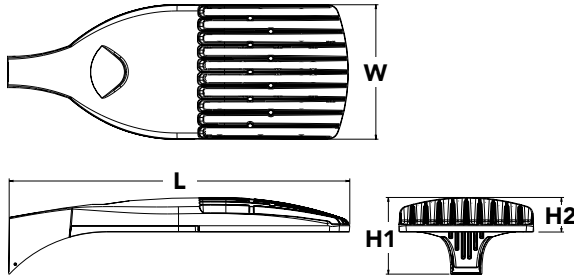
## D-Series Size 1 LED Area Luminaire



Hit the Tab key or mouse over the page to see all interactive elements.

### Specifications

- EPA:** 1.01 ft<sup>2</sup>  
(0.09 m<sup>2</sup>)
- Length:** 33"  
(83.8 cm)
- Width:** 13"  
(33.0 cm)
- Height H1:** 7-1/2"  
(19.0 cm)
- Height H2:** 3-1/2"
- Weight (max):** 27 lbs  
(12.2 kg)



### Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing up to 750W metal halide in pedestrian and area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

A+ Capable options indicated by this color background.

### Ordering Information

**EXAMPLE:** DSX1 LED P7 40K T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

DSX1 LED									
Series	LEDs	Color temperature		Distribution		Voltage		Mounting	
DSX1 LED	<b>Forward optics</b> P1 P4 P7 P2 P5 P8 P3 P6 P9 <b>Rotated optics</b> P10 <sup>1</sup> P12 <sup>1</sup> P11 <sup>1</sup> P13 <sup>1</sup>	30K	3000 K	T1S	Type I short	T5VS	Type V very short	MVOLT <sup>3</sup>	<b>Shipped included</b>
		40K	4000 K	T2S	Type II short	T5S	Type V short	120 <sup>4</sup>	SPA Square pole mounting
		50K	5000 K	T2M	Type II medium	T5M	Type V medium	208 <sup>4</sup>	RPA Round pole mounting
				T3S	Type III short	T5W	Type V wide	240 <sup>4</sup>	WBA Wall bracket
				T3M	Type III medium	BLC	Backlight control <sup>2</sup>	277 <sup>4</sup>	SPUMBA Square pole universal mounting adaptor <sup>5</sup>
				T4M	Type IV medium	LCCO	Left corner cutoff <sup>2</sup>	347 <sup>4</sup>	RPUMBA Round pole universal mounting adaptor <sup>5</sup>
				TFTM	Forward throw medium	RCCO	Right corner cutoff <sup>2</sup>	480 <sup>4</sup>	<b>Shipped separately</b>
									KMA8 DDBXD U Mast arm mounting bracket adaptor (specify finish) <sup>6</sup>

Control options	Other options	Finish (required)
<b>Shipped installed</b>	<b>Shipped installed</b>	DDBXD Dark bronze
NLTAIR2 nLight AIR generation 2 enabled <sup>7</sup>	HS House-side shield <sup>17</sup>	DBLXD Black
PIRHN Network, high/low motion/ambient sensor <sup>8</sup>	SF Single fuse (120, 277, 347V) <sup>4</sup>	DNAXD Natural aluminum
PER NEMA twist-lock receptacle only (controls ordered separate) <sup>9</sup>	DF Double fuse (208, 240, 480V) <sup>4</sup>	DWHXD White
PER5 Five-pin receptacle only (controls ordered separate) <sup>9,10</sup>	L90 Left rotated optics <sup>1</sup>	DBBTXD Textured dark bronze
PER7 Seven-pin receptacle only (controls ordered separate) <sup>9,10</sup>	R90 Right rotated optics <sup>1</sup>	DBLBXD Textured black
DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately) <sup>11</sup>	<b>Shipped separately</b>	DNATXD Textured natural aluminum
DS Dual switching <sup>12,13,14</sup>	BS Bird spikes <sup>18</sup>	DWHGXD Textured white
	EGS External glare shield <sup>18</sup>	
PIR High/low, motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 5fc <sup>15,16</sup>		
PIRH High/low, motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 5fc <sup>15,16</sup>		
PIR1FC3V High/low, motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 1fc <sup>15,16</sup>		
PIRH1FC3V Bi-level, motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 1fc <sup>15,16</sup>		
FAO Field adjustable output <sup>14</sup>		







John E. Manning  
*District One*

October 2, 2018

Via E-Mail

Cecil L Pendergrass  
*District Two*

Veronica Martin

Larry Kiker  
*District Three*

TDM Consulting, Inc.

Brian Hamman  
*District Four*

43 Barkley Circle, Suite 200

Frank Mann  
*District Five*

Fort Myers, FL 33907

Roger Desjarlais  
*County Manager*

**RE: Potable Water and Wastewater Availability**  
**8111 Broadway East**  
**STRAP #: 28-46-25-E2-U1923.2494**

Richard Wm Wesch  
*County Attorney*

Donna Marie Collins  
*County Chief*  
*Hearing Examiner*

Dear Ms. Martin:

The subject parcel is located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water lines are in operation along Broadway East and this property is currently served. Wastewater lines are in operation on South Tamiami Trail at Rosies Court, about 800 feet away. In order to provide service to the parcels, developer funded system enhancements such as line extensions will be required.

Your firm has indicated that this project will consist of 2 commercial units with an estimated flow demand of approximately 861 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and wastewater service as estimated above.

Availability of potable water and wastewater service is contingent upon final acceptance of the infrastructure constructed by the developer. Upon completion and final acceptance of this project, potable water service is provided through the Pinewoods Water Treatment Plant.

Wastewater service is provided by the Three Oaks Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system (please verify force mains are not exceeding velocities).

With regard to effluent reuse service; there are no reuse facilities available and therefore, Lee County does not have the capability of providing service at this time.

This letter is not a commitment to serve, but only an availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service, and the approval of all State and local regulatory agencies.

October 2, 2018

Page 2

Further, this letter of availability of potable water and wastewater service is for zoning purposes only. Individual letters of availability will be required for obtaining building permits.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nathan Beals', with a long horizontal flourish extending to the right.

Nathan Beals, PMP  
Senior Manager  
(239) 533-8157  
LEE COUNTY UTILITIES

**STREET ADDRESS**

8111 BROADWAY E  
ESTERO FL, 33928

**STRAP NUMBERS**

28-46-25-E2-U1923.2494

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MAXIMUM INTENSITY = 4,800 SF  
MIXED USE OVERLAY = YES  
EXIST. SOIL TYPES = #2B - IMMOKALEE SAND  
IRRIGATION SERVICE = IRRIGATION WELL  
ARCHAEOLOGICAL SENSITIVITY LEVEL = NONE

**BUILDING SETBACK REQUIREMENTS**

SOUTH (FRONT/STREET) = 25 FT  
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\* SEE DEVIATION

**ZONING/ACTUAL USE**

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WEST: CC/COMMERCIAL

**LANDSCAPE BUFFER REQUIREMENTS**

NORTH: COM TO COM: 5' WIDE TYPE A BUFFER REQUIRED  
4 TREES/100 LF  
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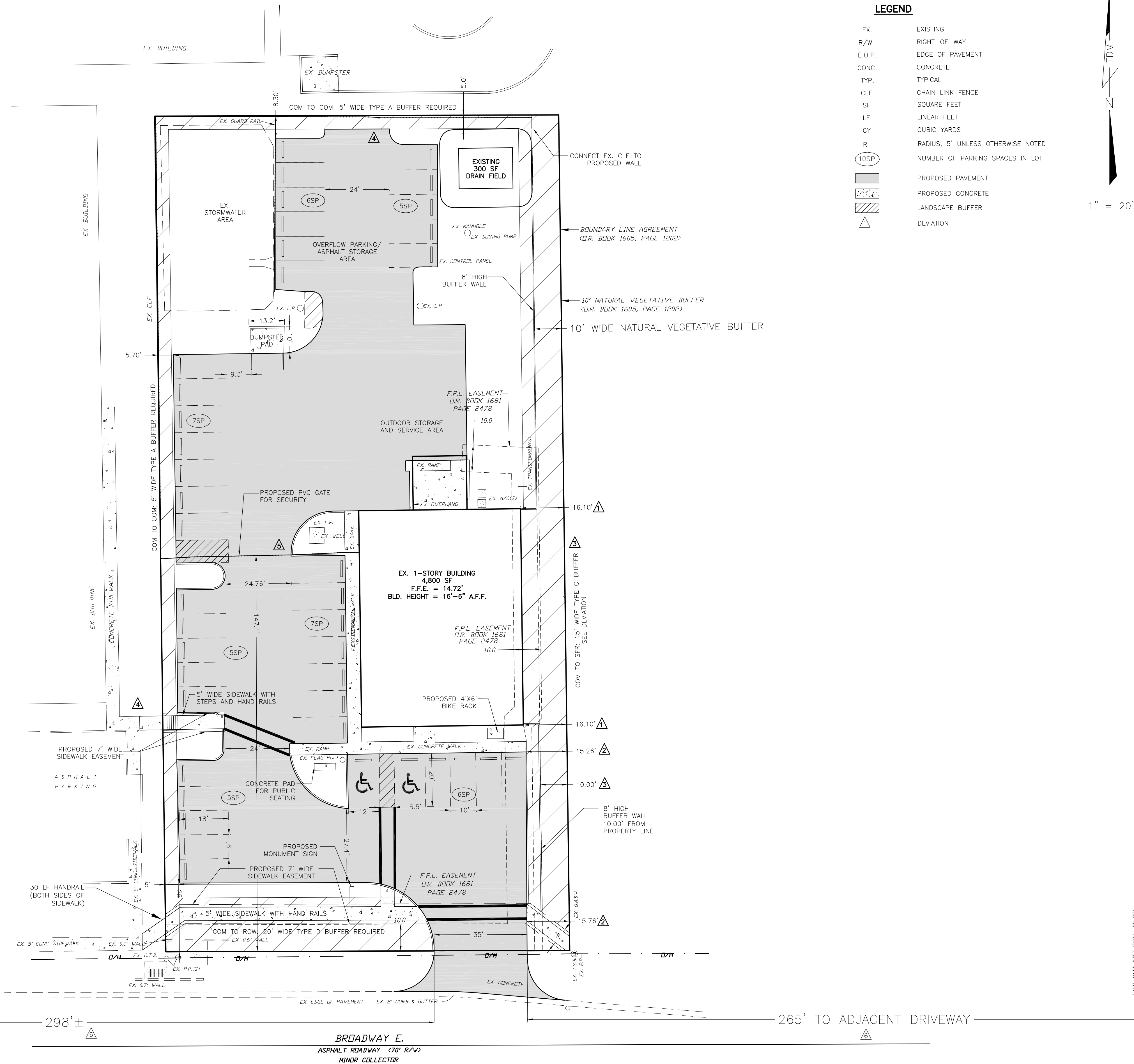
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**LEGEND**

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- (10SP) NUMBER OF PARKING SPACES IN LOT
- PROPOSED PAVEMENT
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- LANDSCAPE BUFFER
- DEVIATION

1" = 20'



DATE	REVISIONS	DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY
09/16/2019		TDM			
2/20/20	REVISED DUE TO CHANGES TO SITE	TDM			
4/20/20	REVISED PER VILLAGE OF ESTERO COMMENTS	TDM			
9/20/20	REVISED PER VILLAGE OF ESTERO COMMENTS	TDM			
10/20/20	REVISED PER VILLAGE OF ESTERO COMMENTS	TDM			

**8111 BROADWAY EAST  
MASTER CONCEPT PLAN**

Civil Engineering and Planning

**TDM CONSULTING, INC.**  
43 Barkley Circle, Suite 200  
Fort Myers, FL 33907  
Phone: (239) 433-4231  
Fax: (239) 433-9632

DEAN MARTIN, P.E.  
Florida #52022

DATE: \_\_\_\_\_





43 Barkley Circle, Suite 200  
 Fort Myers, FL 33907  
 Phone 239-433-4231 Fax 239-433-9632  
 www.tdmcivilengineering.com  
 Certificate of Authorization # 29086

**8111 Broadway E. CPD**  
**Narrative of Request**  
**Revised 4-23-2019**

The applicant is requesting to rezone the 1.07-acre property located at 8111 Broadway E. from Agricultural (AG-2) to Commercial Planned Development (CPD). The property is currently developed with a 4,800 square foot single-story building with parking and chain link fence. The historical use of the property was the Estero Post Office. As a federal development, the commercial use was permitted on Agricultural zoned property. In addition, the development was not required to adhere to local codes and regulations, including but not limited to setbacks, buffers, and parking. The applicant intends to redevelop the property for commercial uses that are suitable at the location - near the intersection of a major arterial and minor collector, next to existing commercial uses to the west and north, and adjacent to an existing single-family residence to the east.

**Compliance with the Adopted Estero Comprehensive Plan**

**Future Land Use Element**

The Future Land Use classification of the subject property is Urban Commercial. **FLU Policy - 1.2.9:** *The main purpose of the Urban Commercial designation is to foster development of unique destinations rather than a strip development pattern. Urban commercial areas are characterized by primarily existing or emerging developments along the Village's corridors where primarily single use retail, restaurant, office, and assisted living uses are concentrated. These properties are generally smaller in size (less than 10 acres) and serve nearby residential neighborhoods and consumers from outside Estero with daily and occasional needs for goods and services. Urban services are in place or readily expandable to support moderately intense levels of commercial development. Residential uses are also allowable, however they are not incentivized. These areas were typically designated Urban Community or Suburban and within the Mixed-Use Overlay per the Village's Transitional Comprehensive Plan. Urban Commercial areas are generally the individual development sites along major corridors of U.S. 41, Corkscrew Road, and Three Oaks Parkway. These areas are located in close proximity to: public transit routes; education facilities, recreation opportunities; and existing residential, shopping and employment centers.*

*A.Uses: A broad mix of commercial uses is allowed in the Urban Commercial areas to foster convenience and efficiency for a broader live/work/play environment, including neighborhood and community scale commercial including shopping, restaurant, hotel and office, all subject to the compatibility standards of FLU-1.10. Assisted living facilities, public and quasi-public uses are allowed in the Urban Commercial future land use category. Residential development is allowed subject to compatibility standards, and*

## Narrative of Request

Page 2 of 13

*limited to parcels of 5 or more acres in size or parcels subject to an approved and effective Development of Regional Impact (DRI) that designates residential development as allowable on the parcel.*

*B. Development Type, Density, and Intensity: Single use commercial subject to compatibility standards is limited to a maximum intensity of 1 FAR; and Neighborhood or community scale commercial per FLU-1.5*

The 1.07-acre subject property is located within 300 feet of the US 41/Broadway E. intersection. Both streets are identified as Village corridors. The property has been used for commercial purposes since it was developed in 1983. There's an existing commercial plaza to the west and north providing a wide variety of uses including auto repair and service, restaurants, retail, builders and contractors, medical and professional offices, studios, salons, and a place of worship. The addition of this property creates a block of commercial uses that serve the nearby community as well as travelers along the Village corridors. The applicant is requesting a maximum intensity of 4,800 square feet, which is a Floor Area Ratio (FAR) of 0.10, far below the 1.0 FAR permitted. Redevelopment of the subject property as a commercial development is consistent with **FLU Policy - 1.2.9**.

**FLU Policy - 1.3.1:** *To ensure that future commercial and mixed-use developments meet the community's planning priorities, all new commercial development which requires rezoning must be rezoned to a Commercial (CPD), Mixed Use (MPD), or Compact PD, as those districts may be amended from time to time. Commercial development shall not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. commercial access through residential areas), except where adequate mitigation can be provided as determined acceptable through the public hearing process.*

**FLU Policy - 1.3.6:** *Existing bona fide agricultural uses shall be allowed to continue.*

The property has a current zoning of Agricultural (AG-2). However, since construction of the Post Office in 1983, the use of the property has been commercial. The applicant is requesting to rezone the property to Commercial Planned Development (CPD). Not only is there no existing bona fide agricultural use on the subject property, the Urban Commercial Future Land Use classification doesn't permit agricultural uses. Therefore, the property must be rezoned in order to be redeveloped. This is consistent with **FLU Policy - 1.3.1 and FLU Policy - 1.3.6**.

**FLU Objective - 1.5:** *Commercial Site Location Standards. Objective: The siting of commercial developments shall be controlled by location standards. These standards are intended to avoid proliferation of commercial strip development by identifying appropriate locations for commercial uses to meet the needs of residents and visitors and to be compatible with existing neighborhoods or residential uses.*

**FLU Policy - 1.5.1:** *Commercial development levels are categorized as minor, neighborhood, community, or regional scale. The Village assigns intensities to these commercial levels according to the context and accessibility of the commercial development described below. See Map TR-1 for Functional Classifications of roadways. The location standards specified in Subsections A-D will apply to the following commercial developments: shopping centers, free-standing retail or service establishments, restaurants, convenience food stores, automobile dealerships, gas stations, car washes, and other commercial development generating large volumes of traffic. These location standards will not apply to the following: banks and savings*

## Narrative of Request

Page 3 of 13

*and loan establishments without drive-in facilities; hotels or motels; marinas; general, medical, or professional offices; industrial, warehouse, or wholesale development; clubs, as defined in the Land Development Code (commercial clubs excepted); and other similar development.*

*A. Minor Commercial*

*1. Provides for the sale of convenience goods and services and has a gross floor area less than 30,000 square feet.*

*2. Must be located (except where this plan provides specific exceptions) on or within 330 feet of the right of way of local and collector, local and arterial, or collector and collector roads; at the intersection of collector and arterial and arterial and arterial roads; or within a residential planned development provided it is located and designed primarily to meet the commercial needs of the residents of the development.*

*3. When developed as part of a Mixed Use planned development, Estero Planned Development or Compact planned development, and meeting the use limitations, modified setback standards, signage limitations, and landscaping provisions, retail uses may deviate from the locational requirements and maximum square footage limitations through compliance with design standards of this plan and approval by the Village Council.*

*4. Village Council may approve applications for minor commercial centers that do not comply with the location standards of subsection 2 above for such centers but which are consistent with design standards of this plan.*

*Standards specified in Subsections A-D for location and floor area will serve as guidelines during the rezoning process (allowing discretion by the Village Council in special cases in which retail uses are the only reasonable use of the parcel in light of its size, its proximity to arterials and collectors, and the nature of the existing and projected surrounding uses, including but not limited to environmental factors) but are strict requirements during the development order process. The descriptions specified in Subsections A-C will serve generally to indicate the types of development which are likely to fall within each commercial development level. Proposed rezonings to commercial or mixed use zoning districts may be found consistent with the comprehensive plan by the Village Council even if the subject parcel does not comply with the applicable location standard and floor area; provided, however, that all such development orders must be consistent with the level of service requirements in this plan.*

The maximum intensity of the development is 4,800 square feet gross floor area. The subject property is located within 300 feet of US 41, an arterial roadway, and Broadway, a minor collector and adjacent to existing commercial uses to the west and north. Per the Site Location Standards, the commercial development is classified as Minor Commercial. The proposed rezoning to Commercial Planned Development is consistent with **FLU Objective - 1.5 and FLU Policy - 1.5.1.**

**FLU Objective - 1.10:** *Design of Commercial Uses. Objective: Attractively designed and high quality commercial uses can be allowed in the Village Center and Transitional Mixed Use and Urban Commercial future land use categories, and in minor commercial and neighborhood centers of the Neighborhood Village Future Land Use category. The objective is to promote Estero's quality of life and diverse local economy by fostering the development of targeted economic areas, as a preference over the development of strip commercial centers, in order to provide 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.*



The proposed commercial development is located in the Urban Commercial future land use category and is categorized as a Minor Commercial development due to its size (4,800 sf) and proximity to the intersection of an arterial and minor collector road. The architect is proposing Mediterranean style design improvements to the existing structure to comply with the Village's Land Development Code and also to complement the adjacent commercial center to the west and north. This will create the effect of a commercial "block" that is cohesive rather than a strip commercial center. This is consistent with **FLU Objective -1.10**

**FLU Policy - 1.10.1 Commercial Development Form.** *To permit orderly and well-planned commercial development at appropriate locations, all applications for commercial development will be reviewed and evaluated as to their compatibility with adjacent and nearby uses, including consideration of the following:*

- A. *Traffic and access impacts (rezoning and development orders);*
- B. *Architectural and landscape architectural design (rezoning and development orders);*
- C. *Site planning, interconnectivity, and public space (rezoning and development orders);*
- D. *Screening, landscaping and buffering (rezoning and development orders);*
- E. *Availability and adequacy of services and facilities (rezoning and development orders);*
- F. *Impact on adjacent land uses and surrounding neighborhoods (rezoning);*
- G. *Proximity to other similar centers (rezoning); and*
- H. *Environmental considerations (rezoning and development orders).*

**FLU Policy - 1.10.2 Commercial Development Standards.** *New commercial developments should be designed to arrange uses in an integrated and cohesive unit in order to address compatibility with the adjacent and nearby uses by adhering to the following standards:*

- A. *Provide visual harmony and screening;*
- B. *Reduce dependence on the automobile;*
- C. *Promote pedestrian movement within the development and connectivity to adjacent and nearby uses where such uses are compatible;*
- D. *Utilize joint parking, access and loading facilities;*
- E. *Avoid negative impacts on surrounding land uses and traffic circulation;*
- F. *Protect natural resources;*
- G. *Provide necessary services and facilities where they are inadequate to serve the proposed use.*
- H. *Large scale nonresidential establishments will incorporate development design techniques to integrate the establishment into the surrounding community. Such design techniques will include:*
  - 1. *Creation of a series of smaller, well defined customer entrances to break up long facades and provide pedestrian scale and variety, that may be achieved through the use of liner buildings.*
  - 2. *Limited number and size of signs.*
  - 3. *Landscaping and use of pocket parks and courtyards adequate to soften large building masses.*
- I. *The Village shall evaluate establishing a review process for managing impacts of any new or expanding commercial development or use within a critical distance of an existing residential*

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*use or zoning district where residential use is allowed. Considerations of such a process may involve establishing limitations and controls associated with noise, light, security, aesthetic appearance, buffering, hours of operation and access to ensure compatibility of proposed commercial activity with nearby residences.*

A Traffic Impact Statement has been provided using the most intensive commercial use for the property in the proposed schedule of uses – bank/financial establishment. The number of trips created by the proposed uses are minimal and will not decrease the current Level of Service of the nearby roadways. The proposed architectural improvements to the existing structure have been design to mimic and complement the adjacent commercial development to the west and north to create a “block” of commercial development rather than a strip plaza. An ADA compliant sidewalk is proposed along the south property line, which will connect to the existing sidewalk to the west along Broadway, providing pedestrian connectivity. An easement will be granted permitting public use of the sidewalk. The landscaping provided meets and/or exceeds the minimum code requirements of the LDC. A 20-foot wide landscape buffer is proposed along the Broadway right-of-way and 5-foot wide buffers are proposed along the west and north. A 15-20-foot buffer with 8-foot high solid wall with native vegetation is proposed along the east property line to buffer the existing single-family property from the commercial development. The development is currently served by potable water and utilizes an on-site septic system.

This is a redevelopment of an existing commercial property. The Schedule of Uses is in keeping with those uses that support the surrounding community and are compatible with the existing commercial plaza to the west and north, the Place of Worship to the south, and most importantly, the residential use to the east. No detrimental uses are proposed, nor uses that create excessive noise, glare, noxious odors, or traffic. In addition, the proposed uses have standard hours of operation with no night time activities, with the exception of restaurants/cafes. This is consistent with **FLU Policy - 1.10.1 and FLU Policy 1.10.2.**

**FLU Policy - 1.10.3:** *Encourage commercial developments within the Village of Estero 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. Connections to existing residential neighborhoods will be encouraged and will not be precluded by the commercial development's design.*

Due to the extreme difference in elevations between the subject property, which was constructed in 1983, and the adjacent commercial property to the west and north, which was constructed in 2008, it's not possible to provide vehicular interconnects with the adjacent commercial property without having detrimental effects to the existing development. However, the applicant is providing an ADA compliant sidewalk with hand rails along Broadway for pedestrian connectivity to the adjacent commercial property. Please note a deviation is being sought from the same Land Development Code requirement. The justification includes an exhibit demonstrating the impossibility of complying with this Policy directive and the burden the application of the requirement places on the property owner.

**FLU Objective - 1.12:** *Improve the appearance and function of the Village's corridors by coordinating transportation and land use considerations with emphasis on safety to encourage more multimodal use and human scale activity along the corridors.*

**FLU Policy - 1.12.1:** *Along the Village's major corridors (Estero Parkway, U.S. 41, Corkscrew Road, and Three Oaks Parkway) and along the minor corridors (Broadway, Williams Road, Coconut Road, and Via Coconut Point), consider establishing corridor conscious development standards or the built environment that provide a pleasing and safe public realm for motorists, bicyclists, pedestrians and transit users. Such development standards should be based on planning for the various corridors to ensure these routes are functional and safe while identifying opportunities for enhanced conditions along the roadways to include, where appropriate: buildings oriented toward the street, bicycle racks, shaded pedestrian links and trails, plazas connecting from the right-of-way to buildings, transit stop accommodations, and buffering.*

**FLU Policy - 1.12.2:** *When considering corridor planning, priority should be placed on identifying opportunities for redevelopment and development along U.S. 41 north of Corkscrew Road in a way that captures the area's historic, natural and economic assets and enhances the area as a northern gateway into Estero.*

Broadway has been identified as one of the Village's corridors. The subject property has 150 feet of frontage on Broadway and the existing structure is oriented towards Broadway. The right-of-way (ROW) and southwest corner of the property are peppered with various drainage and utility structures, appurtenances, and an FPL easement (please see the survey). Due to the existing obstacles in the ROW, the applicant is providing pedestrian connectivity to the adjacent commercial property on the subject parcel. A 7-foot wide sidewalk easement is located on the subject property to permit public access.

As an existing commercial development, the property has two access points on Broadway. Part of the redevelopment of the site includes removing the driveway closest to the US 41/Broadway intersection and widening the driveway furthest away. This will reduce impacts to the right turn lane on Broadway and traffic queuing at the light and provide for better traffic circulation overall.

The site was used as the Estero Post Office, but is now vacant. The site will need to be redeveloped to permit any type of use. With a future land use classification of Urban Commercial and proximity to existing commercial uses, commercial rezoning is appropriate at this location. This is consistent with **FLU Objective - 1.12, FLU Policy - 1.12.1, and FLU Policy - 1.12.2.**

### **Transportation Element**

**TRA Policy - 1.2.2** *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, with priority on corridors linking neighborhoods to each other and a corridor to link Estero Community Park, the Estero River, Koreshan State Park, and Estero Bay Preserve; and*
- D. Enable multi-modal transportation access (pedestrian, bicycle, 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.*



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As mentioned above, the applicant is removing one of the existing driveways on Broadway E, thereby minimizing access points onto a primary road corridor. Doing so also allows for better traffic circulation by reducing the impacts to the right turn lane on Broadway. In addition, pedestrian connectivity is provided to the adjacent commercial property to the west at the US 41/Broadway intersection. As discussed previously under FLU – 1.10.3, an interconnect with the adjacent commercial property is not feasible. Overall, the proposed development is consistent with **TRA Policy - 1.2.2**.

**TRA Policy - 1.2.4:** *During the review of comprehensive plan amendments, rezonings, zoning amendments, and development order applications, applicants must provide an evaluation addressing potential for addition of new interconnections between communities, creation of pedestrian and vehicular interconnection, and addition of new connections to the surrounding road network.*

An analysis was conducted to explore the possibility of a vehicular interconnect with the adjacent commercial property to the west and north. Unfortunately, it's not feasible to provide an interconnect due to the extreme differences in elevation between the subject property, which was constructed in 1983, and the adjacent property, which was constructed in 2008. It has been determined that providing an interconnect would deprive the property owner of reasonable use of his property. And, in essence, the parking lot would become a "road" funneling traffic from the adjacent commercial property to Broadway. Please note a deviation is being sought from the same LDC requirement. The evaluation addressing the potential of new interconnections is consistent with **TRA Policy - 1.2.4**.

### **Housing Element**

**HOU Policy - 1.1.3:** *New development must be compatible with existing residential uses.*

**HOU Policy - 1.1.4:** *Protect residential neighborhoods from encroachment and detrimental impacts from other more intensive land uses and continue to enforce existing regulations that provide buffering from more intensive uses.*

The applicant has taken all necessary steps to protect the existing residential property from any negative impacts associated with the redevelopment of the existing "commercial" property. The proposed uses are "neighborhood" uses with typical hours (no 24/7 or late night operations). In addition, a 15-20 foot wide landscape buffer with an 8-foot high solid wall is proposed between the commercial property and the residence to the east, providing a physical barrier between the uses. This is consistent with **HOU Policy - 1.1.3 and HOU Policy - 1.1.4**.

### **Infrastructure Element**

**INF Policy -1.1.1:** *The following surface water management standards are adopted as minimum acceptable levels of service:*

*A. The existing surface water management system in the Village will be sufficient to prevent the flooding of designated evacuation routes (U.S. 41, Corkscrew Road, Three Oaks Parkway, Interstate 75, and Ben Hill Griffin Parkway) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.*

*B. Regulation of Private and Public Development.*

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*Stormwater discharges from development must meet relevant water quality and surface water management standards as set forth in state rules including but not limited to requirements listed in Numeric Nutrient Criteria and Total Maximum Daily Loads and Basin Management Action Plans.*

*Surface water management systems in new private and public developments (excluding widening of existing roads) must be designed to SFWMD standards (to detain or retain excess stormwater to match the predevelopment discharge rate for the 25-year, 3-day storm event [rainfall]).*

*Stormwater discharges from development must meet relevant water quality and surface water management standards as set forth in state rules including but not limited to requirements listed in Numeric Nutrient Criteria and Total Maximum Daily Loads and Basin Management Action Plans.*

*New developments must be designed to avoid increased flooding of surrounding areas. Development must be designed to minimize increases of discharge to public water management infrastructure (or to evapotranspiration) that exceed historic rates, to approximate the natural surface water systems in terms of rate, hydroperiod, basin and quality, and to eliminate the disruption of wetlands and flowways, whose preservation is deemed in the public interest.*

**INF Policy – 1.1.5** *The Village shall maintain requirements in its land development code that proper stormwater management systems be installed when land is being redeveloped. Appropriate exemptions will be provided to this requirement for individual residential structures and for historic designated properties. However, this policy will not be interpreted so as to waive any concurrency level-of-service standards.*

There is an existing SFWMD Environmental Resource Permit (ERP) on the property. The stormwater management system will work as designed once properly maintained. Please see the stormwater plan and narrative included with this submittal. This is consistent with **INF Policy – 1.1.1 and INF Policy – 1.1.5.**

**INF Policy 1.4.5:** *No development order for new development, or change in use or intensity in an approved development order, will be issued unless sanitary sewer service is available at the minimum acceptable level of service within 1/4 mile of the development, or surety is given that it will be installed prior to occupancy.*

**INF Policy 1.4.9:** *It is hereby declared that in the interests of preserving public health and of preserving and enhancing environmental quality, it is in the public interest to abate and cease use of septic tanks and wastewater treatment package plants where and when central sewer is available. The Village will identify the existing inventory of septic tanks in the Village, evaluate water quality issues associated with them, and coordinate with property owners, local utility providers and Florida Department of Environmental Protection to develop a program, schedule and funding to convert from septic tank use to central sewer facilities. Abatement of the use of private potable water wells and conversion to central water facilities should be considered in conjunction with this program.*

There is a current Department of Health permit for the existing septic and drainfield. In addition, an inspection was completed in 2018 verifying that the existing facility is operational and complies with all applicable codes. The development does not meet the criteria set forth in LDC Sec. 10-353 for mandatory connection to sanitary sewer. The applicant intends to continue utilizing the existing septic system under Florida Statute 64E-6.001(4).

**Florida Statute 64E-6.001(4)** *Except as provided for in Section 381.00655, F.S., any existing and prior approved system which has been placed into use and which remains in satisfactory operating condition shall remain valid for use under the terms of the rule and permit under which it was approved. Alterations that change the conditions under which the system was permitted and approved, sewage characteristics or increase sewage flow will require that the owner, or their authorized representative, apply for and receive reapproval of the system by the DOH county health department, prior to any alteration of the structure, or system. If an applicant requests that the department consider the previous structure's or establishment's most recent approved occupancy, the applicant must provide written documentation that the onsite sewage treatment and disposal system was approved by the department for that previous occupancy.*

It is our understanding that the Village is proposing to construct sanitary sewer lines along Broadway in the near future. At this time, the applicant intends to continue using the existing septic; however, agrees to connect to sanitary sewer when it's extended along Broadway.

**INF Policy – 1.5.4:** *No development order for new development will be issued unless potable water service, at the minimum acceptable level of service, is available at the property line, or surety is given that it will be installed prior to occupancy.*

Per the Letter of Availability from Lee County Utilities, potable water lines are in operation along Broadway East and the property is currently served. In addition, LCU has sufficient capacity continue to provide potable water for the proposed uses. This is consistent with **INF Policy – 1.5.4.**

### **Compliance with the Village of Estero Transitional Land Development Code and Ordinance 2016-07**

As previously noted, the property was developed by the United States federal government in 1982-1983. That means:

- The property was developed prior to the adoption of the Lee County Land Development Code or the Lee Plan;
- The property was developed prior to the Estero Planning Community guidelines set forth in Chapter 33 of the Land Development Code;
- The property was developed prior to the Village of Estero's Comprehensive Plan; and
- It is our understanding that the federal government was not required to abide by local codes, regulations, and ordinances.

As a result, there are areas where the existing development fails to comply with the Village of Estero's Transitional Land Development Code, Ordinance 2016-07 (Amendments to Chapter 33 and 34 of the Village of Estero's Transitional Land Development Code, or the adopted Comprehensive Plan. The applicant intends to bring the site into compliance with current codes and regulations to the maximum extent possible; however, as a result of the existing conditions, six (6) deviations have been requested as part of this planned development rezoning application.

**LDC Sec. 10-261 Refuse and solid waste disposal facilities.**



Currently there isn't a dumpster on site. Redevelopment of the property includes provisions for solid waste and recyclables. A dumpster pad meeting the requirements of LDC Sec. 10-261 is proposed to the rear of the parking lot.

**LDC Sec. 10-285 Connection Separation.**

As developed the site does not comply with the minimum connection separation for Collector roads. In an effort to come as close as possible to the 330-foot minimum requirement, the applicant is removing the existing driveway closest to the intersection of US 41 and Broadway. Doing so increases the connection separation to US 41 to 298± feet and the connection separation to Highlands Avenue remains at 275± feet. A deviation is sought from LDC Sec. 10-285.

A Traffic Impact Statement per **LDC Sec. 10-286** is included with the application.

**LDC Sec. 10-321 Stormwater Management.**

A stormwater management plan and narrative demonstrating the drainage infrastructure and how it works is included with this application. Please note that there is a SFWMD ERP on the subject property that will be amended at time of Development Order application.

**LDC Sec. 10-352 Potable Water Systems.**

The site is currently connected to Potable Water. A Letter from Lee County Utilities confirms that they have the capacity to serve the proposed redevelopment.

**LDC Sec. 10-353. Sanitary Sewer Systems.**

Per LDC Sec. 10-353(a) the following types of developments, when located within the boundaries of the franchised service area, must connect to that respective sewer system:

- (1) Any residential development that exceeds 2.5 dwelling units per gross acre, except for a development that contains less than ten dwelling units in any phase or combination of phases located more than one-quarter mile from a point of connection;
- (2) Any commercial or industrial development that exceeds 30,000 square feet of gross floor area and any smaller such development that will generate more than 5,000 gallons per day of sewage;
- (3) Any commercial or industrial development that generates more than 1,000 gallons per day located adjacent to or within 50 feet of a connection point, as measured from the property line;
- (4) Any commercial or industrial development subdivision consisting of more than five lots located less than one-quarter mile from a point of connection; or
- (5) Any residential, commercial or industrial development of any size where central sewer lines are or will be available within 90 days of the issuance of the development order.

The commercial development does not exceed 30,000 square feet of gross floor area nor will it generate more than 5,000 gallons per day of sewage. The maximum intensity of the proposed development is 4,800 square feet and the estimated usage is 861 gallons per day. The nearest connection point, per Lee County Utilities is over 800 feet away at Rosies Court. In addition, the development does not consist of more than five lots nor will central sewer lines be available within 90 days of issuance of a development order. The development does not meet the criteria for mandatory connection to sanitary sewer.

Per LDC Sec. 10-353(b), if the proposed development is not required to connect pursuant to 10-353(a), the developer may provide an on-site sewage disposal system in accordance with the

regulations of the State Department of Health. There is an existing septic system and drainfield on site that has a current DOH permit. This is consistent with **LDC Sec. 10-353 and F.A.C. Chapter 64E-6.**

**LDC Sec. 10-415 Open Space.**

Per LDC 10-415(a), Planned Developments must provide open space as required in Chapter 34 and per the approved Master Concept Plan and Resolution. Typically small commercial projects are required to provide a minimum of 20% open space. The applicant is proposing 24.7% open space.

Per LDC Sec. 10-415(b), large developments are required to preserve indigenous native vegetation and trees. Although this isn't a large project, the applicant is able to preserve 19 trees on site, with the majority of those along the east property line. Those mature native trees are to be utilized in the buffer.

**LDC Sec. 10-416 Landscape Standards**

Redevelopment of the site includes complying with the landscape standards set forth in LDC Sec. 10-416 and Chapter 33. All general trees, vehicle use area trees, building perimeter plantings, and buffer vegetation is compliant with the LDC. The only exception to the code requirements is a deviation to reduce the eastern buffer width from 20 feet to 15 feet for a portion of the site where the existing building and parking lot are located.

**Sec. 10-610 Site Design Standards and Guidelines for Commercial Developments.**

Redevelopment of the existing site will bring the property into compliance with LDC Sec. 10-610 and Chapter 33 to the maximum extent possible, including lighting, buffering and shielding, pedestrian walkways and bicycle parking, project entrance, and architectural requirements.

**LDC Sec. 33-54 Community Review.**

The applicant is requesting a rezoning to Commercial Planned Development. A Public Informational Meeting was held on March 19, 2019 before the Planning and Zoning Board. A summary of the meeting addressing any concerns or issues raised at the meeting is included with this resubmittal. This is consistent with **LDC Sec. 33-54.**

**LDC Sec. 33-100 Design Standards.**

The architectural improvements to the existing structure and the proposed site improvements have been designed to complement the surrounding commercial uses to the west and north and to also comply with the requirements of the Village of Estero Comprehensive Plan and Land Development Code. Doing so creates a commercial "block" at the intersection of two corridors and helps to unify the commercial uses at this location.

**LDC Sec. 33-111 Water Management.**

There is an existing swale along Broadway which will continue to be used for storm water drainage. A drainage plan and narrative are included with this application demonstrating compliance with the Comprehensive Plan and the Land Development Code. In addition, it should be noted that there is an existing SFWMD ERP on the subject property that will be amended at the time of Development Order permitting.

**LDC Sec. 33-112 Utilities.**

Per FPL, their lines are located underground along the east property line within a 10' wide easement. However, overhead lines are located along the ROW. This is consistent with **LDC Sec. 33-112**.

**LDC Sec. 33-114 Parking.**

The entrance to the site has been redesigned. The full-access driveway closest to the US 41/Broadway intersection has been removed as well as the parking spaces facing Broadway. A 20' wide right-of-way buffer along with a 5' wide vehicle use area planting strip is proposed to buffer and screen pedestrian and vehicular travel along the road. This is consistent with **LDC Sec. 33-114(a)(1) and (2), Sec. 33-114(b), (c), and (f)**.

**LDC Sec. 33-115 Service Areas.**

There is an existing loading dock and service area at the rear of the building and a new dumpster pad is proposed to the rear of the parking lot near the retention pond. This is consistent with LDC Sec. 33-115 which states that "Service areas, including loading docks, trash receptacles, mechanical equipment, outdoor storage areas and utility vaults must be located in areas where traffic impacts are minimized, and public visibility is diminished, and in areas that are accessible and functional. Smaller trash receptacles must be decorated or screened and placed in visible locations".

**LDC Sec. 33-118 Interconnections and shared access.**

An interconnect has been provided for pedestrian traffic on the subject parcel. However, due to the extreme differences in elevation between the subject property and the adjacent commercial property to the west and north, it isn't possible to provide a vehicular interconnect.

**Architectural Style.**

Architectural improvements to the existing structure comply with the preferred style of the Estero Planning Community. The improvements complement the existing commercial development to the west and north, creating a cohesive design theme of Mediterranean. The maximum height of the structure is 25 feet. The architectural elevations demonstrate compliance with façade treatment requirements in LDC Sec. 33-330 and the building's colors required by LDC Sec. 33-334. This is consistent with **LDC Sec. 33-227, Sec. 33-228, Sec. 33-229, Sec. 33-330, and Sec. 33-334**.

**LDC Sec. 33-351 Landscaping Buffers.**

At this time the site only has vegetation along the east property line. Redevelopment of the property includes providing the appropriate buffers to the north, south and west. A deviation is being sought for the east buffer to reduce the buffer width from 20' to 15' due to the existing building, parking lot, and driveway. However, the 8' high wall and vegetation requirements will be met. This is consistent with **LDC Sec. 33-351**.

**LDC Sec. 33-362 Pedestrian Walkways/Linkages.**

A new pedestrian sidewalk is proposed along the property frontage to connect to the existing sidewalk to the west. In addition a crosswalk is proposed from the building to the new sidewalk. This is consistent with **LDC Sec. 33-362(1), LC Sec. 33-362(3)(a) and (b), LDC Sec. 33-362(4) and (5)**.

**LDC Sec. 33-363 Bicycle Racks.**



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A new bicycle rack is proposed on the site.

**Sec 33-391. - Pattern books generally.**

A Pattern Book detailing the architectural improvements and landscaping is included with this application demonstrating the visual character and layout of the development.

The applicant is requesting to rezone the property to Commercial Planned Development (CPD). Redevelopment of the property complies with **LDC Sec. 34-934 Use Regulations Table** for properties in the CPD zoning district, with an Urban Commercial Future Land Use classification, and Neighborhood Commercial locational standards. In addition, with the exception of the requested deviations due to existing site conditions, the redevelopment complies with **LDC Sec. 34-935 Property Development Regulations** to the maximum extent possible.

**Planned Development Rezoning Criteria**

The applicant has proven entitlement to the rezoning by demonstrating compliance with the Village of Estero's Comprehensive Plan, the Village of Estero's Transitional Land Development Code, Ordinance 2016-07, and any other applicable code or regulation.

1. Per LDC Sec. 34-145(d)(3), the rezoning request:

- a) Complies with the Village of Estero's Comprehensive Plan, the Village of Estero's Transitional Land Development Code, Ordinance 2016-07, and all other applicable codes or regulations;
- b) Is consistent with the densities, intensities, and general uses set forth in the Comprehensive Plan;
- c) Is compatible with existing and planned uses in the surrounding area;
- d) Will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development;
- e) Not applicable;
- f) Is supported by the formal findings required by sections 34-377(a)(2) and (4);
- g) Urban services are available and adequate to serve the proposed land use;
- h) Not applicable;
- i) The level of access and traffic flow is sufficient to support the proposed development intensity;
- j) Not applicable.

2. The proposed use or mix of uses is appropriate at the proposed location.

3. The deviations:

- (1) Enhance the achievement of the objectives of the planned development; and
- (2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.



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## 8111 Broadway E. CPD Schedule of Deviations with Justifications

Revised 10-31-2019

Please note that the subject property was developed by the United States federal government for a Post Office in 1983, prior to the Land Development Code. In addition, the Estero Planning Community guidelines set forth in Chapter 33 weren't codified until 2005. As a result, there are areas of the existing development that do not comply with the current codes and regulations. The site will be brought to code to the maximum extent possible at time of local Development Order; however, several deviations are necessary to address existing conditions.

### **Deviation 1:**

Seeks relief from **LDC § 34-935(b)(1) Property Development Regulations**, which states that *"all buildings and structures must be set back from the development perimeter a distance equal to the greater of:*

- a. The width of any buffer area or landscape strip, required by Chapter 10 or 33; or*
- b. Fifteen feet, if the subject property is, or will be zoned RPD, MHPD, CFPD, or CPD; or*
- c. Fifteen feet for residential and commercial portions of the development, if the subject property is, or will be zoned MDP; or twenty-five feet for industrial portions of the development, if the subject property is, or will be MPD; or*
- d. Twenty-five (25) feet, if the subject property is, or will be zoned AOPD or IPD; or*
- e. One-half the height of the building or structure; or*
- f. The setback from the road, street or drive as appropriate (see section 34-2192), if the development perimeter abuts a street right-of-way or easement;*
- g. Forty feet, if the subject property is, or will be zoned RVPD unless abutting land zoned RV or RVPD; or*
- h. Setbacks applicable in MEPD districts are as provided in Chapter 12".*

A 20-foot building setback is required to the east property line (buffer width). Request to permit a 16-foot building setback to the East property line.

### **Justification:**

Per LDC § 34-935(b)(1) the minimum setback to the East property line is equal to the width of the buffer area required by Chapter 33. LDC § 33-351 requires a Type C or Type F buffer when commercial developments are adjacent to single-family residential uses. A Type C buffer is a minimum 20-foot wide and a Type F buffer is a minimum 50-foot wide. This is an existing site that was developed in 1983, prior to the Land Development Code. The existing structure was

## Schedule of Deviations

Page 2 of 6

constructed approximately 16.10 feet from the East property line. It is not practical or logical to move the building four (4) feet to comply with the minimum setback requirement. Doing so would create problems with the parking lot, drive aisles, sidewalks, etc. and probably create a multitude of problems with the building.

A Type C buffer is required to provide 10 trees and 30 shrubs per 100 linear feet plus an 8' high solid wall. A solid wall will be provided to the north and south of the existing building; however, the applicant is also proposing to utilize the structure as a portion of the solid wall. There are existing mature trees within the 10' natural vegetative buffer along the east property line (see Survey). All new vegetation will also be located on the residential side of the wall. Staff should be aware that there aren't any exterior doors on the east facing wall of the building. The 8-foot high solid wall, existing mature trees, and vegetative buffer will add privacy to the adjacent residential property. Existing site conditions that are not the result of actions taken by the applicant/property owner prevent the development from complying with the setback requirement to the East. The applicant believes the proposed alternative, a 16-foot setback, meets the intent of the LDC and respectfully request approval of this deviation request.

**Deviation 2:**

Seeks relief from **LDC § 34-935(b)(2) Property Development Regulations**, which states that *"parking or internal roads or drives may not be closer to the development perimeter than the width of a buffer area or landscape strip, required by Chapter 10, Chapter 33, or five feet, whichever is greater."* Request to permit the existing driveway and parking area to be located 15 feet from the East property line.

**Justification:**

Per LDC § 34-935(b)(2), the greater dimension is the 20-foot buffer width. As stated above in Deviation 1, this is an existing property and the driveway and parking lot are located only 15 feet from the east property line. As currently developed, there are two driveways off Broadway East. However, after discussions with staff, the applicant has agreed to remove the driveway closest to the US 41 intersection to allow for longer queuing at the intersection and better traffic circulation on Broadway East. LDC § 10-285 requires a connection separation of 330 feet on collector roads. Even with the removal of the driveway closer to US 41, this driveway still doesn't comply with the code. A deviation has been sought to permit a connection separation of 298± feet to US 41.

The east buffer requires an 8-foot high solid wall plus 10 trees and 30 shrubs per 100 linear feet. The residential property to the east will be adequately shielded from the noise and glare associated with the commercial uses by the solid wall and buffer vegetation. It would require a major redesign of the site to move the driveway and parking area five feet to the west and would decrease the connection separation distance to US 41. The applicant respectfully requests approval of this deviation request.

**Deviation 3:**

Seeks relief from **LDC § 33-351 Landscaping Buffers**, which requires a Type C buffer to be a minimum of 20 feet wide with 10 trees and 30 shrubs per 100 linear feet with an 8-foot high solid wall. The applicant is requesting to provide a 15-foot wide Type C buffer along the East property

## Schedule of Deviations

Page 3 of 6

line with the wall located 10 feet from the property line and to also permit the existing building to act as the “wall” for 80 linear feet.

**Justification:**

This is a developed property with an existing building, parking, and infrastructure. It was developed in 1983 as the Estero Post Office. It isn't possible to comply with the 20-foot minimum buffer width along the entire east property line due to the location of the existing building, parking lot, driveway, and easements. A Type C buffer is required to provide a minimum of 10 trees and 30 shrubs per 100 linear feet plus an 8-foot high solid wall. Per OR Book 1605 PG 1202, there's a 10' wide Natural Vegetative Buffer along the East property line in addition to a 10-wide FPL easement parallel to the buffer easement (see Survey). There are underground utilities located in the FPL easement, which ends just north of the existing structure. In addition, there is an existing septic and drainfield near the northeast corner of the property. The applicant is proposing the 8-foot high wall be constructed 10 feet from the east property line so as not to negatively impact the underground utilities in the FPL easement or the septic and drainfield. Please note the existing building will act as the buffer wall for 80 linear feet. No doors are proposed on the east façade of the building so it is reasonable to permit the building wall to also act as the buffer wall. A 15-foot wide buffer permits a 10-foot wide planting shelf plus 5 feet of green open space. The applicant believes the proposed alternative of a 15-foot wide buffer meets the intent of the code to shield and buffer the adjacent property from any negative impacts associated with the proposed commercial development and respectfully requests approval of this deviation request.

**Deviation 4:**

Seeks relief from **LDC § 33-118 Interconnections and Shared Access**, which states that *“adjacent commercial uses must provide interconnections for automobile, bicycle and pedestrian traffic. All adjacent parking lots must connect”*. The applicant is requesting to not provide a vehicular interconnection or shared access to the adjacent property to the north and west. Instead an ADA compliant sidewalk is proposed along the Broadway East right-of-way connecting to the existing sidewalk to the west and a non-ADA interconnection is proposed to the plaza to the west that includes steps, a sidewalk, and crosswalk.

**Justification:**

The subject property was developed in 1983 for the Estero Post Office. The property to the north and west was developed in 2007 for commercial use. As noted above, the applicant is providing a 5-foot wide sidewalk along the Broadway East right-of-way that is ADA compliant. Due to the extreme differences in elevation between the sidewalk/property to the west and the subject property, the sidewalk will be on an incline and handrails will be provided 30 linear feet. In addition, a second non-ADA compliant interconnect is provided to the plaza to the west. Steps are proposed to bridge the difference in elevations between the subject property and the plaza to the west. The steps lead to an existing sidewalk on the Plaza property as noted on the Master Concept Plan. The steps connect to a proposed sidewalk and crosswalk on the subject property, leading to the existing building. The two pedestrian interconnects (one that meets the ADA requirements and one that does not) are the best solution to meet the intent of the Land Development Code.

There are multiple reasons a vehicular interconnect doesn't work for this property:



1. Difference in elevations and loss of parking/outdoor storage area.

The difference in elevations between the two properties is significant and would require a costly site redesign. Please see the attached photographs. Per the survey, the elevation of the subject property along the west property line is 12.60 feet while the adjacent commercial property is at 16.4 feet. There isn't enough room between the driveway and the western property line to provide a vehicular interconnect when the drive aisle would need to be inclined to compensate for the 3.8-foot difference in elevation. It would basically take the entire frontage of the property making the remainder of the property inaccessible.

Per the Survey, the elevation of the subject property at the north property line is 13.47 feet while the elevation of the adjacent commercial property is at 17.1 feet. Providing a vehicular drive aisle to the north property line at a maximum 6% slope means construction of the drive aisle would extend into the property a minimum of 60.5 feet. That totally eliminates the overflow parking/outdoor storage area at that location. Several of the uses proposed either require the extra parking spaces (place of worship and restaurants) or will need the space for outdoor storage of company vehicles or product (contractors and buildings, landscaping contractor). Providing the drive aisle/interconnect denies the property owner reasonable use of the property. See the attached Interconnect Exhibit with cross section.

2. Security.

Expanding on #1 above, there's an existing security fence surrounding the north portion of the subject property. That fence is necessary for several of the uses proposed whether it's for the overnight parking of company vehicles or outdoor storage of products and materials for a contractor/builder or landscaping contractor. Not being able to provide a secure outdoor storage area negatively impacts the potential uses of the property

3. Stormwater.

Per the ERP, stormwater flows east to west towards the retention pond. A new drive aisle that is elevated to connect to the adjacent property impacts the natural flow of the stormwater. That area of the property will have to be regraded, additional drainage pipes will be necessary, along with a modification to the ERP. That is an extra cost the developer shouldn't be required to bear.

4. Traffic impacts.

A vehicular interconnect to the adjacent commercial property is a safety issue. Per DOS2006-00136 the adjacent property is 5.32 acres and is developed with 43,056 square feet of commercial uses. The adjacent property has one right-in/right-out driveway on US 41. As a result, traffic from the development must make a U-turn to travel south on US 41. Providing an interconnect with the adjacent property effectively turns the parking lot of the subject property into a street, funneling southbound traffic through the site onto Broadway. The adjacent commercial development is zoned Community Commercial (CC), which permits a wide range of commercial uses. The uses currently include restaurants, medical offices/outpatient, retail, contractors and builders, and auto repair and service - totaling 43,056 sf of commercial uses. If an interconnect was provided, the number of trips created by the 43,056 square feet of commercial uses would drastically change the Traffic Impact Statement and the Crash Analysis. Per the preliminary traffic calculations prepared by the Engineer of

Record for TDM Consulting, there would be 62 P.M. peak hour trips utilizing the parking lot for access onto Broadway. **That averages one car per minute.** That amount of traffic going through the parking lot is a safety hazard. There should be a dedicated road – not just a parking lot with cars backing into the drive aisle. The additional traffic creates a safety concern, which negatively impacts the types of businesses that may develop or lease the property. That is an unreasonable burden upon the property owner.

5. Existing site conditions of Broadway Grande Shoppes.

There's an existing dumpster pad at the property line of the adjacent commercial property. (See survey). In order to make an interconnect work, the dumpster would have to be relocated. A cursory review of the approved site plan of the adjacent property (DOS2006-00136) has determined that there really isn't another area where the dumpster pad could be relocated that doesn't impact the buffers, parking or drainage requirements. If removed and not relocated the development would be in violation of the Development Order.

6. Cross-Access and Maintenance Easement.

The applicant will be required to absorb all the additional costs associated with an interconnect. One that he doesn't want and believes to be a burden. However, a cross-access and maintenance easement will be required at time of Development Order permitting. If the property owner is required by the zoning resolution and Village of Estero Land Development Code to provide the interconnect, that places the entire burden of the legal documents on the property owner. There isn't a legal means to force the other property owner to share in any of the expenses or maintenance of the interconnect since their DO is already approved. This places an undue burden on the property owner.

7. Proposed new development – Downtown Estero.

There are plans to develop the land east of the adjacent commercial property. The property was rezoned in 2009 to Mixed-Use Planned Development via Z-10-017. Per the approved Master Concept Plan, an internal road through the development is proposed connecting US 41 to Broadway E. An interconnect is already proposed between the adjacent commercial property (Broadway Grande Shoppes) and the Downtown Estero development. The Downtown Estero access point on Broadway E is located further east of the subject property and meets connection separation requirements to US 41. It's better planning practice to use a major development (34± acres) with a designated internal street to distribute commercial traffic onto Broadway than to use the parking lot of the small 1.07-acre parcel. See the attached MCP for Downtown Estero.

The applicant understands the purpose of interconnects to reduce the amount of traffic on major roadways. However, in this case, it doesn't make sense to reduce the traffic on a 6-lane major arterial and negatively impact a small 1-acre development on a minor collector. The justifications above and the attached exhibits demonstrate how burdensome the application of this code is to the property owner. The applicant respectfully requests approval of this deviation.

**Deviation 5:**

## Schedule of Deviations

Page 6 of 6

Seeks relief from **LDC § 34-1742(b) Construction of Fences**, which states that “All fences and fence walls on each property to be of uniform materials, design, and color”. Request to permit both the existing silver chain link fence and proposed buffer wall and gate to be of different materials, design, and color than the existing chain link fence.

**Justification:**

There is an existing chain link fence around a portion of the property that was installed by the Estero Post Office for security purposes. Several of the proposed uses require outdoor storage, whether it's for company vehicles or materials such as for a lawn and garden supply store. The proposed storage area is located to the north of the site behind the building near the existing commercial property and will not be seen from the street or the residence to the east. The applicant intends to replace the existing chain link gate with a new gate to match the buffer wall. The fence and gate are necessary to separate the public area from the storage area and also for security purposes. The buffer wall is required to be a solid wall, not a chain link fence. As such, the two fences will be of different materials, design, and color. The applicant respectfully requests approval of this deviation request. Please note that all barbed wire on the existing chain link fence will be removed at time of development.

**Deviation 6:**

Seeks relief from **LDC § 10-285 Connection Separation**, which requires a connection separation distance of 330 feet on Collector roads. Request to permit a connection separation distance of 298± feet to US 41 and a connection separation distance of 265± feet to the nearest driveway to the east.

**Justification:**

As an existing development the site does not comply with the minimum connection separation for Collector roads. In an effort to come as close as possible to the 330-foot minimum requirement, and for safety reasons, the applicant is removing the existing driveway closest to the intersection of US 41 and Broadway and widening the driveway furthest away to create a single full-access driveway to the subject property. Doing so increases the connection separation to US 41 to 298± feet, allowing for longer queuing at the right turn lane and better traffic circulation on Broadway overall. The driveway is only 265± feet from the nearest driveway to the east, which leads to a single-family residential property. It isn't possible to relocate the driveway to comply with the 330 foot connection separation distance to US 41. And it's better planning practice to provide the greatest separation distance to an arterial road than a local road. The applicant respectfully requests approval of this deviation request.

**Summary:**

Please note that the exiting site conditions are not the result of actions taken by the applicant/property owner. The deviations requested are the minimum necessary to permit the applicant reasonable use of the land. Per LDC § 34-373(a)(9), the requested deviations enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests.

8111 Broadway E.  
Schedule of Deviations

RECEIVED 11-5-19 VILLAGE OF ESTERO

West Property Line



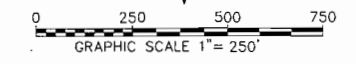




North Property Line



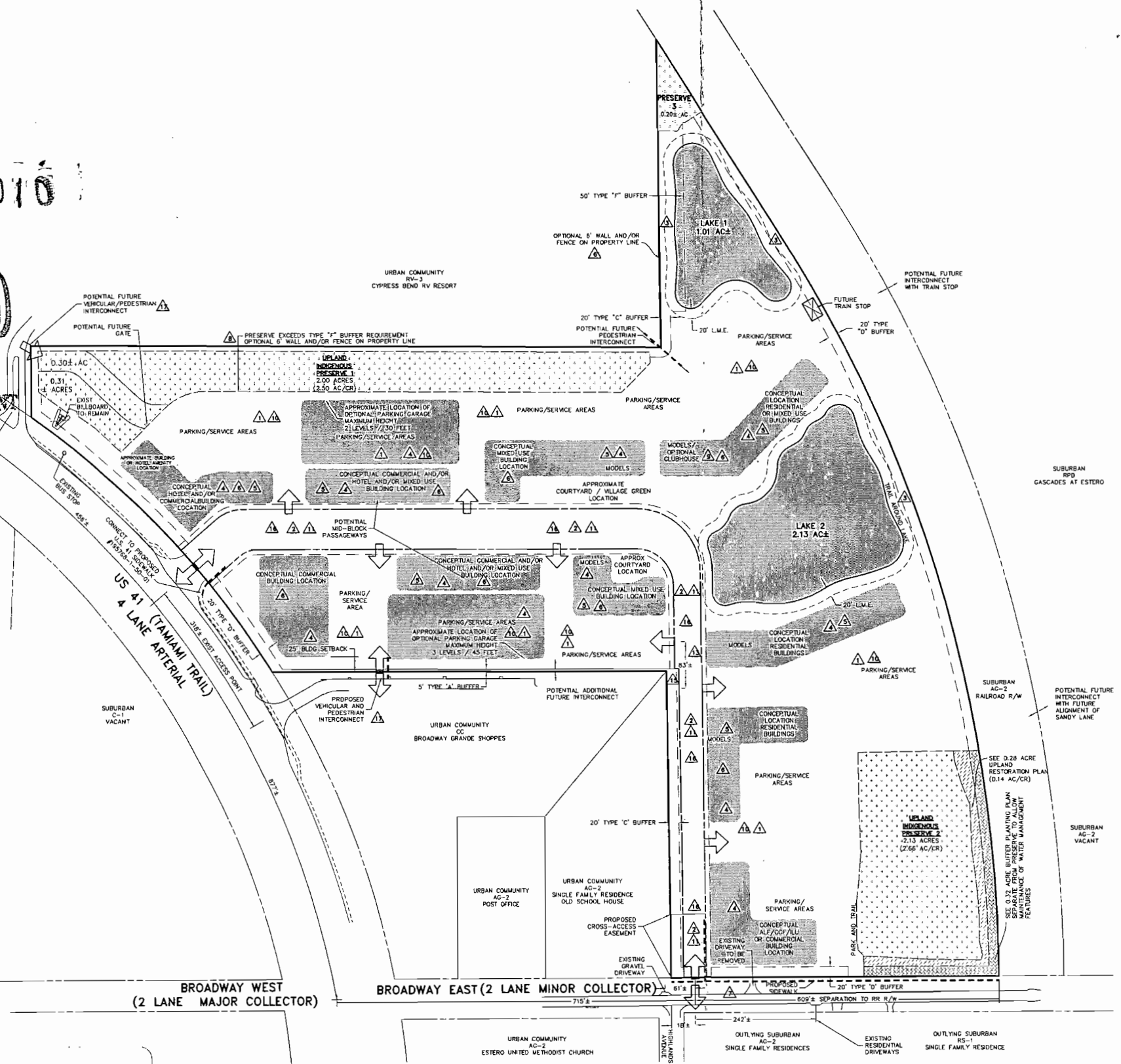




DCI 2009 00010

RECEIVED  
MAR 23 2011

COMMUNITY DEVELOPMENT



**OPEN SPACE CALCULATIONS:**  
 TOTAL SITE: 34.41± AC  
 MIXED USE PROJECTS REQUIRE 30% OPEN SPACE

**OPEN SPACE REQUIRED:**  
 $34.41 \times (0.30) = 10.32± AC$   
 TOTAL REQUIRED: 10.32± AC

**INDIGENOUS REQUIRED:**  
 50% OF OPEN SPACE  $10.32 \times (0.5) = 5.16± AC$

**INDIGENOUS PROVIDED: 6.11± AC/CREDIT**  
 POTENTIAL FUTURE INTERCONNECT 0.30± AC  
 RESULTS IN 5.81± AC/CR

**PRESERVES:** 125% CREDIT FOR MIN 1 AC/75' WIDTH PER LDC SECTION 10-415(b)(3)a. IT SHOULD BE NOTED THAT IF THE INTERCONNECT TO THE NORTH IS PROVIDED, A REDUCTION IN PRESERVE 1 WILL BE REQUIRED.

**OPEN SPACE PROVIDED:**  
 OPEN SPACE PROVIDED: 35%  
 LAKES (25% OF REQUIRED OPEN SPACE)  
 $10.32 \times (0.25) = 2.58± AC$   
 BUFFERS/OTHER OPEN SPACE: 2.26± AC  
 LAKE MAINTENANCE EASEMENT/OTHER OPEN SPACE: 1.80± AC  
 USEABLE OPEN SPACE: 0.54± AC  
 BUFFER RESTORATION AREA: 0.30± AC  
 INDIGENOUS PROVIDED: 6.11 AC/CREDIT  
 TOTAL OPEN SPACE PROVIDED: 13.59± AC/CREDIT (12.70± AC)

**USEABLE OPEN SPACE:**  
 0.54± AC  
 2 PLAZAS MINIMUM OF 7,000 SF EACH  
 2 COURTYARDS MINIMUM 850 SF EACH  
 1 FORMAL LAWN MINIMUM 8,000 SF

**DEVIATIONS:**

- 1 = SECTION 34-2015(1) TO ALLOW COMMON SHARED PARKING AREAS
- 2 = SECTION 34-2013(a) TO ALLOW ON-STREET BACK-OUT PARKING
- 3 = SECTION 10-329(d)(1)a.3. TO ALLOW LAKE SETBACK FROM PROPERTY LINE OF 30'
- 4 = SECTION 34-935(e)(4) TO ALLOW 15 FOOT BUILDING SEPARATION
- 5 = SECTION 33-229 TO ALLOW A MAXIMUM HEIGHT OF 4 STORIES/55 FEET FOR HOTEL/MOTEL USE AND/OR RESIDENTIAL USES
- 6 = SECTION 34-1263(e) AND 34-1264(b)(1) TO ALLOW 0 FOOT SEPARATION FOR ALL USES INTERNAL TO THE PROPERTY AND A MINIMUM 90 FEET FROM EXTERNAL USES (MOBILE HOME AND SINGLE-FAMILY) AND TO ALLOW OUTDOOR SEATING SUBJECT TO AN ADMINISTRATIVE REVIEW OF THE SEATING PLAN
- 7 = SECTION 10-285(a) TO ALLOW A MINIMUM CONNECTION SEPARATION ON BROADWAY OF ±18 FEET FROM HIGHLANDS AVENUE FOR MASTER CONCEPT PLAN A
- 8 = SECTION 10-421(a)(8) TO ALLOW AN OPTIONAL 6' WALL AND/OR FENCE ON THE PROPERTY LINE
- 9 = SECTION 34-2474(b)(6) TO ALLOW A 0 FOOT CLUBHOUSE SETBACK
- 10 = SECTION 34-2020(5)2 TO ALLOW A PARKING REQUIREMENT OF THREE SPACES PER 1,000 SQUARE FEET FOR ALL USES EXCLUDING HOTEL/MOTEL WHICH WILL PROVIDE 1 SPACE PER ROOM; RESIDENTIAL WHICH WILL PROVIDE 1 SPACE PER UNIT FOR STUDIO OR EFFICIENCY, 1.5 SPACES FOR 1-BEDROOM, AND 1.75 SPACES PER UNIT FOR 2+ BEDROOM; AND ALF/CCF/ILU WILL APPLY A 75% REDUCTION UTILIZING THE RESIDENTIAL PARKING REQUIREMENTS PROVIDED HEREIN
- 11 = SECTION 34-2011(c)(2) and (3) TO ALLOW ANY ANGLE OR PARALLEL ON-STREET PARKING FOR RESIDENTIAL AND COMMERCIAL USES
- 12 = N/A - ONLY APPLICABLE TO MCP B
- 13 = SECTION 10-285(a) TO ALLOW A MINIMUM CONNECTION SEPARATION FOR THE INTERNAL MAIN PRIVATELY MAINTAINED LOCAL ROAD OF ±83 FEET FOR MASTER CONCEPT PLAN A
- 14 = N/A - ONLY APPLICABLE TO MCP B
- 15 = SECTION 10-710(a)(1) TO ALLOW THE TEN-FOOT-WIDE PUBLIC UTILITY EASEMENT TO BE PROVIDED ABUTTING ONLY ONE SIDE OF THE INTERNAL PRIVATE LOCAL STREET
- 16 = SECTION 10-296(i)1.b. TO ALLOW A MINIMUM OF 20-FOOT PAVEMENT WIDTH FOR TWO WAY TRAFFIC FOR THE INTERNAL PRIVATE LOCAL STREET
- 17 = SECTION 33-383 TO ALLOW OFF-SITE DIRECTIONAL SIGNAGE FOR ADJACENT PROPERTIES (BROADWAY GRAND SHOPPES AND CYPRESS BEND RV RESORT OR THEIR SUCCESSORS) WHICH WILL INTERCONNECT TO THE SUBJECT PROPERTY

Approved as Exhibit C  
MCP Page 1 of 2  
Resolution # Z-10-017

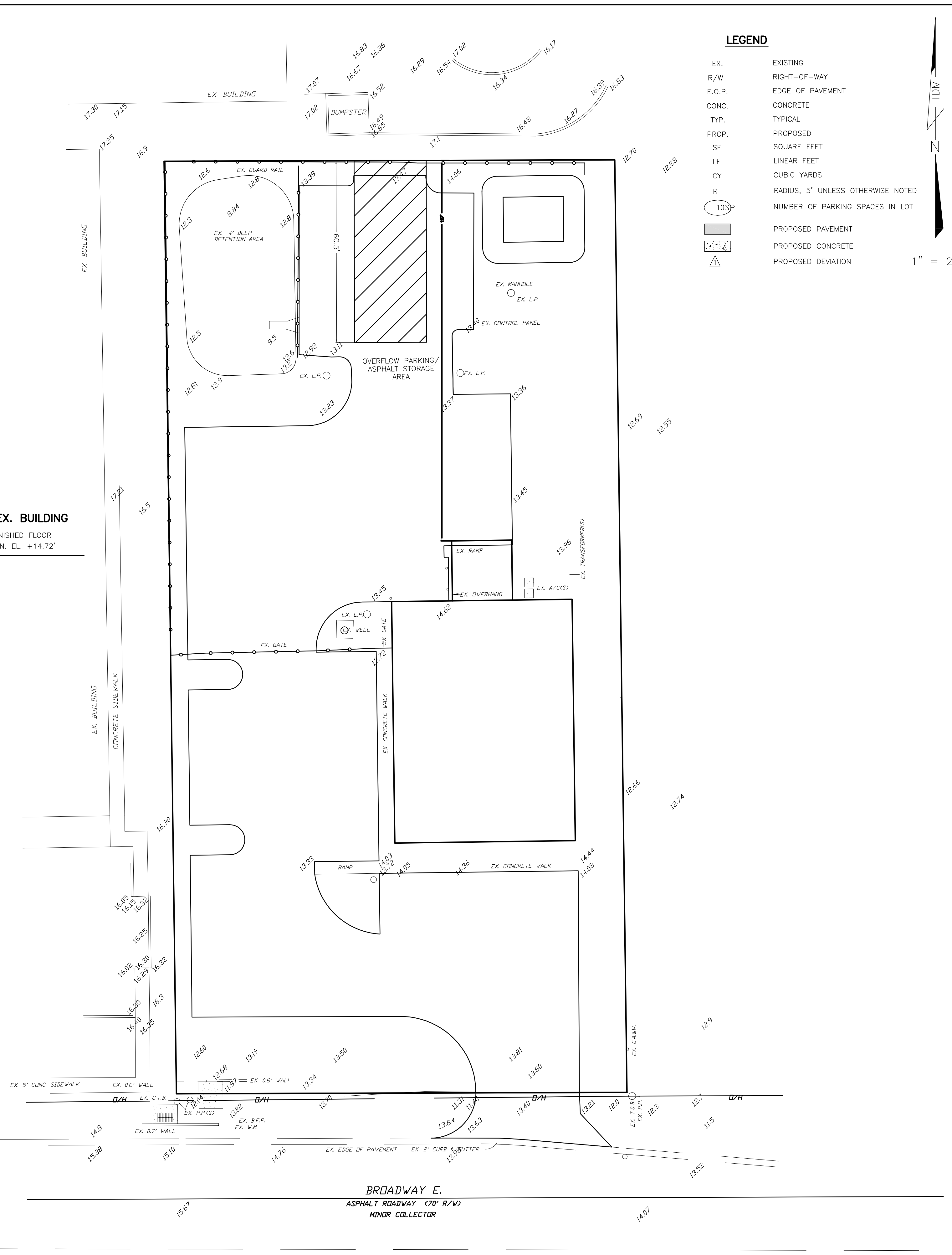
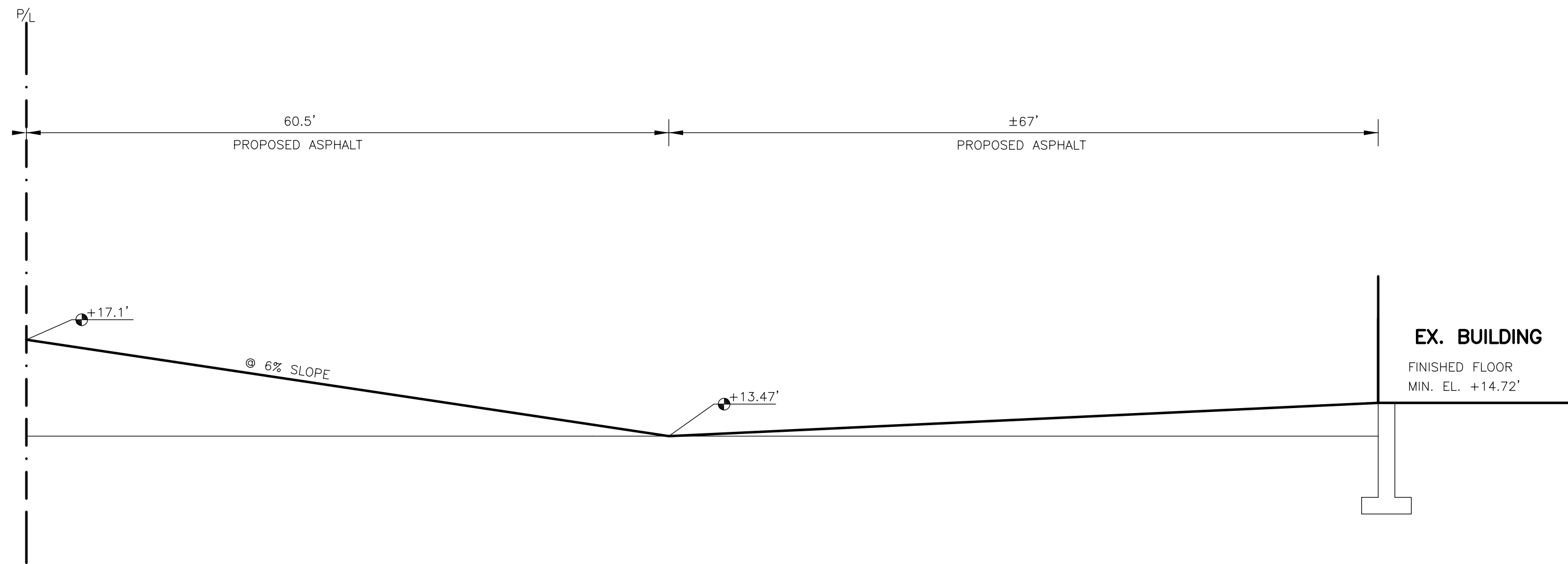
EXHIBIT C

PREPARED FOR:  
**CH ESTERO LAND LIMITED PARTNERSHIP**  
 9990 COCONUT ROAD, SUITE 375  
 BONITA SPRINGS, FLORIDA 34135  
 PHONE: (239) 494-8280  
 FAX: (888) 834-9346

NO.	DATE	IST SUFFICIENCY	REVISION DESCRIPTION	BY
7	03/07/11		ZONING RESOLUTION	SEH
6	08/17/10		DEVIATION 9	SEH
5	08/10/10		POTENTIAL INTERCONNECTS PER STAFF AND DEVIATIONS	SEH
4	05/10/10		REVISIONS PER ES STAFF	SEH
3	04/19/10		REVISIONS PER ES STAFF	SEH
2	03/16/10		2ND SUFFICIENCY	SEH
1	09/17/09		1ST SUFFICIENCY	SEH

**Hanks Engineering**  
 Professional Engineers, Planners & Land Surveyors  
 10511 SIX MILE CYPRESS PARKWAY  
 FORT MYERS, FLORIDA 33966  
 PHONE: (239) 936-5490 FAX: (239) 938-2523  
 ENGINEERING LICENSE # EB 6469  
 SURVEY LICENSE # LR 6690

MASTER CONCEPT PLAN - OPTION "A"									
DOWNTOWN ESTERO F/K/A SOUTHLAND VILLAGE MPD									
LEE COUNTY, FLORIDA									
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (5-1-R)
04/07/09	2444	MCP	SEH	SEH	SEH	1"=250'	1	1	(28-46-25)



**LEGEND**

- EX. EXISTING
- R/W RIGHT-OF-WAY
- E.O.P. EDGE OF PAVEMENT
- CONC. CONCRETE
- TYP. TYPICAL
- PROP. PROPOSED
- SF SQUARE FEET
- LF LINEAR FEET
- CY CUBIC YARDS
- R RADIUS, 5' UNLESS OTHERWISE NOTED
- 10SP NUMBER OF PARKING SPACES IN LOT
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- PROPOSED DEVIATION

DATE	REVISIONS
06/05/2018 <td>DESIGNED BY: JFW </td>	DESIGNED BY: JFW
1 2/2019 <td>REVISED DUE TO CHANGES TO SITE</td>	REVISED DUE TO CHANGES TO SITE
2 4/2019 <td>REVISED PER VILLAGE OF ESTERO COMMENTS</td>	REVISED PER VILLAGE OF ESTERO COMMENTS

DATE	DESIGNED BY	CHECKED BY	APPROVED BY
1 2/2019	JFW	JFW	JFW
2 4/2019	JFW	JFW	JFW

DRAWING NAME: JOBS\Surgenti-Drawings\CHISTE

# 8111 BROADWAY E

## INTERCONNECT EXHIBIT

Civil Engineering and Planning

dean@tdmconsulting.com  
www.tdmcivilengineering.com

**TDM CONSULTING, INC.**

43 Barkley Circle, Suite 200  
Fort Myers, FL 33907  
Phone: (239) 433-4231  
Fax: (239) 433-9632

Jonathan Widas, P.E.  
Florida #78911

DATE:

SHEET # **1 of 1**

SCALE: AS NOTED





**43 Barkley Circle, Suite 200  
 Fort Myers, FL 33907  
 Phone 239-433-4231 Fax 239-433-9632  
 www.tdmcivilengineering.com  
 Certificate of Authorization # 29086**

8111 Broadway E.  
 Proposed Schedule of Uses  
 Revised 4-11-2019

Accessory Uses and Structures  
 Administrative Offices  
 Animals: Clinic Only  
 ATM (Automatic Teller Machine)  
 Auto Parts Store  
 Banks and Financial Establishments, Groups I and II  
 Boat Parts Store  
 Broadcast Studio, Commercial Radio and Television  
 Building Material Sales  
 Business Services, Groups I and II (excluding Automobile Auctions On-Site)  
 Cleaning and Maintenance Services  
 Clothing Stores, General  
 Clubs, Commercial, Fraternal, Membership Organization, Private  
 Consumption on Premises  
 Contractors and Builders, Groups I and II  
 Day Care Center, Child, Adult  
 Drugstore, Pharmacy  
 Emergency Operations Center  
 EMS, Fire, or Sheriff's Station  
 Essential Services  
 Essential Service Facilities, Group I  
 Fences, Walls  
 Flea Market, Indoor  
 Food and Beverage Service, Limited  
 Food Stores, Groups I  
 Funeral Home and Mortuary  
 Gift and Souvenir Shop  
 Hardware Store  
 Health Care Facilities, Group III  
 Hobby, Toy, and Game Shops  
 Household and Office Furnishings, all Groups  
 Insurance Companies  
 Laundry or Dry Cleaning, Groups I and II

Page 2 of 2

Lawn and Garden Supply Stores

Library

Medical Office

Non-Store Retailers, all groups

Paint, Glass and Wallpaper

Personal Services, Groups I, II, III, and IV (excluding Massage Establishments, Massage Parlors,  
Escort Services, Palm Readers/Fortune Tellers, and Tattoo Parlors)

Pet Services

Pet Shop

Pharmacy

Place of Worship

Plant Nursery

Post Office

Printing and Publishing

Real Estate Sales Office

Recreational Facilities, Commercial, Groups I and IV

Recreational Facilities, Private, On-Site

Rental or Leasing Establishments, Groups I and II

Repair Shops, Groups I and II

Research and Development Laboratories, Group II

Restaurants, Groups I, II, III, and IV

Retail and Wholesale Sales (when incidental and subordinate to a principal use)

Schools, Commercial, Non-Commercial

Signs in Accordance with Ch. 30

Social Services, Group I

Specialty Retail Shops, Groups I, II, III, and IV (excluding Ammunition and Firearms Sales)

Storage, Indoor and Open

Studios

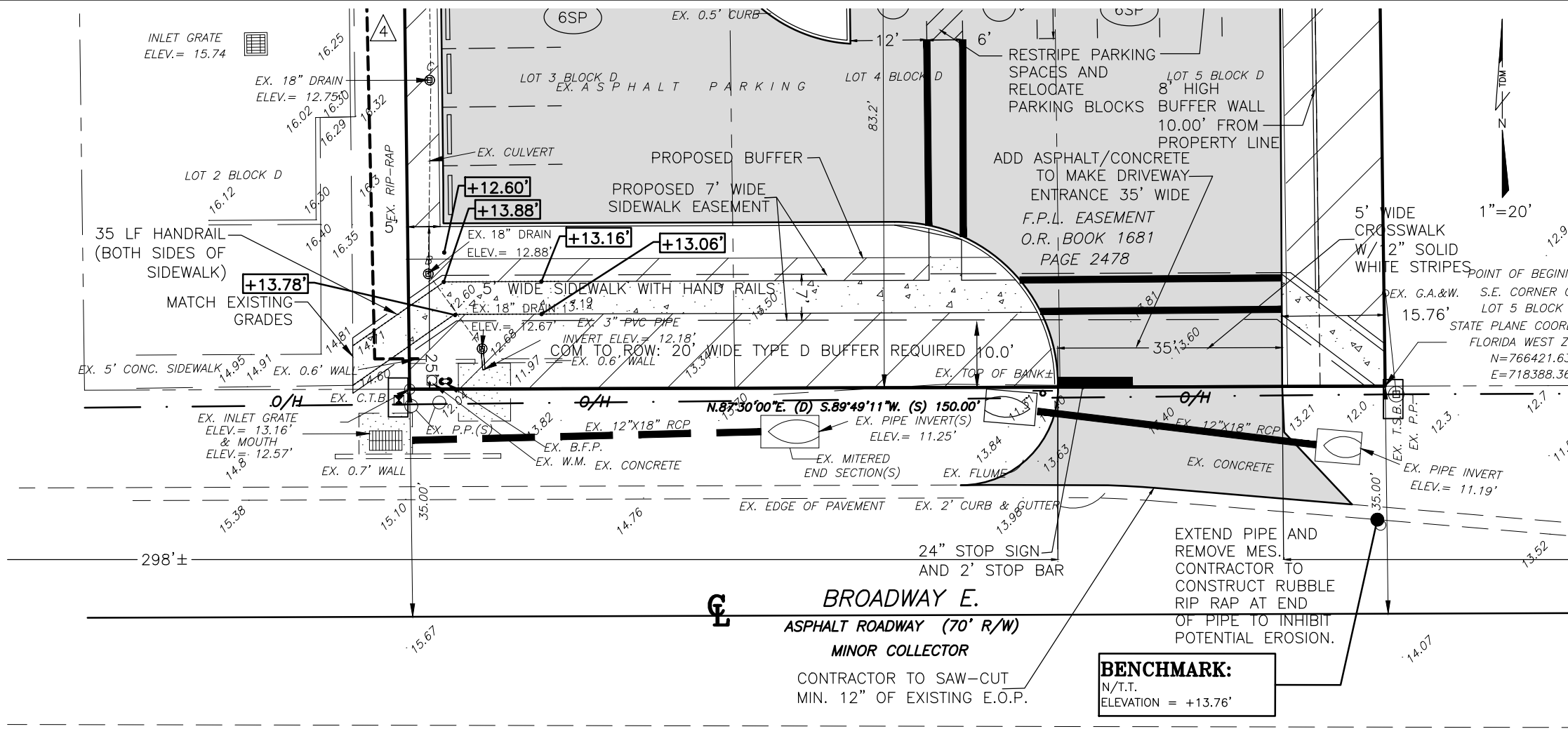
Temporary Uses

Used Merchandise Stores, Group I (excluding Pawn Shops)

Variety Store

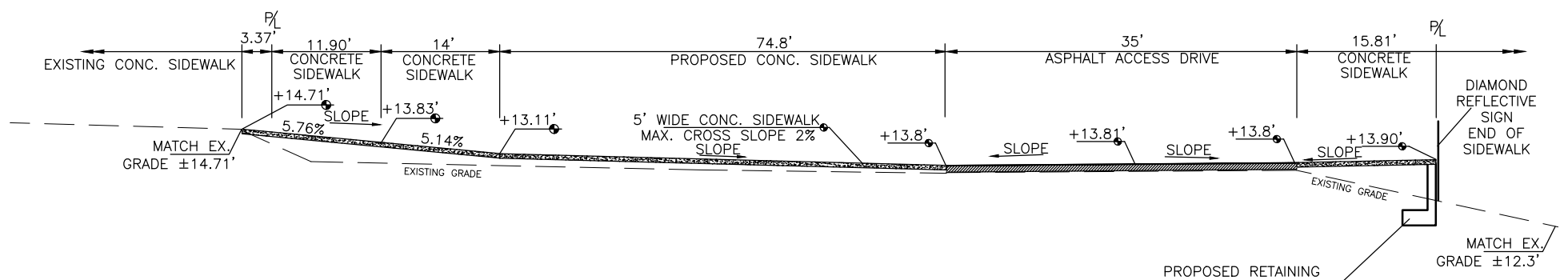
Warehouse, Private

Wholesale Establishments, Groups III and IV



**LEGEND**

	PROPOSED GRADE - SPOT
	EXISTING GRADE - SPOT
	PROPOSED PAVEMENT
	PROPOSED MITERED-END SECTION
	NEW REINFORCED CONCRETE PIPE
	INTENDED DIRECTION OF STORMWATER FLOW
	EXISTING CATCH BASIN
	EXISTING REINFORCED CONCRETE PIPE
	R/W, ROW RIGHT OF WAY
	P.U.E. PUBLIC UTILITY EASEMENT
	(TYP.) TYPICAL
	D.E. DRAINAGE EASEMENT
	EX. EXISTING
	SF SQUARE FOOT
	LF LINEAR FOOT
	I.E. INVERT ELEVATION
	EL. OR ELEV. ELEVATION
	T.O.B. TOP OF BANK
	T.O.S. TOE OF SLOPE
	CONC. CONCRETE
	EOP EDGE OF PAVEMENT
	N.A.V.D. NORTH AMERICAN VERTICAL DATUM



**CROSS-SECTION CENTER OF PROPOSED SIDEWALK**  
N.T.S.

**EXHIBIT 3**  
PROPOSED SIDEWALK ON BROADWAY E.  
**PLAN AND PROFILE**  
8111 BROADWAY EAST  
ESTERO, FL 33928  
SOURCE: TDM, 2019

**CIVIL ENGINEERING**  
**TDM**  
CONSULTING, INC.

43 Barkley Circle, Suite 200  
Fort Myers, FL 33907  
Phone: (239) 433-4231  
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**Certificate of Authorization # 29086**

## **8111 Broadway E. (Old Estero P.O.)**

### **Stormwater Narrative**

An Environmental Resource Permit (ERP) was issued by South Florida Water Management District (SFWMD) on July 17, 2009. Although the property is only 1.07 acres in size and less than 2 acres of impervious, the property owner chose to get the ERP after minor flooding of the parking lot during 100-year storm events. The ERP Number is 36-07147-P.

The Engineer of Record has determined that the existing drainage plan will work as designed but needs maintenance. As designed, storm water runoff from the building and the majority of the parking lot flows towards the west property line where there is a swale adjacent to the parking lot. Said swale is undulating vertically, with several catch basins placed at the swale's high points. The catch basins are connected to an existing culvert that is directly under the swale and connects the main dry detention area in the NW corner of the site to the discharge control along Broadway. Water quality is achieved in the swale's low points prior to staging up and entering the culvert conveyance. Since the discharge control is only a 3" bleeder pipe, this constricted discharge will force the storm water in the pipe/swale to flow into the deeper main detention area in the NW corner under many intense storm conditions. Said main detention area also receives storm water runoff from the remainder of the site, providing water quality prior to discharge. Storm water discharge from the site then flows east along Broadway in the existing roadside swale, flows south through the culvert under Broadway at the railroad tracks, and continues all the way to the Estero River, which drains into the Estero Bay.

A copy of the approved ERP, the Paving, Grading, and Drainage Sheet, and the Cross-Section Sheet are included with this Narrative. In addition, a Map of the stormwater flow path is provided.





**STORMWATER DRAINAGE EXHIBIT**

8111 BROADWAY E  
ESTERO, FL 33928

SOURCE: TDM, 05/2019



43 Barkley Circle, Suite #200  
Fort Myers, FL 33907  
Phone: (239) 433-4231  
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Email: dean@tdmconsulting.com  
Certificate of Authorization # 29086



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
ENVIRONMENTAL RESOURCE  
STANDARD GENERAL PERMIT NO. 36-07147-P  
DATE ISSUED: July 17, 2009**

Form #0941  
08/95

**PERMITTEE:** YOSHIRO & SHARON SUZUKI  
6054 GOLD SPIRIT STREET  
CORONA, CA 92880

**PROJECT DESCRIPTION:** This application is a request for an Environmental Resource Permit to authorize construction and operation of a surface water management system to serve a 1.06-acre postal service office known as Estero CAX with discharge into Broadway Avenue roadside swale.

**PROJECT LOCATION:** LEE COUNTY, SEC 26 TWP 46S RGE 25E

**PERMIT DURATION:** See Special Condition No:1. See attached Rule 40E-4.321, Florida Administrative Code.

This is to notify you of the District's agency action concerning Notice of Intent for Permit Application No. 090202-23, dated February 2, 2009. This action is taken pursuant to Rule 40E-1.603 and Chapter 40E-40, Florida Administrative Code (F.A.C.).

Based on the information provided, District rules have been adhered to and an Environmental Resource General Permit is in effect for this project subject to:

1. Not receiving a filed request for a Chapter 120, Florida Statutes, administrative hearing.
2. the attached 19 General Conditions (See Pages : 2 - 4 of 5),
3. the attached 13 Special Conditions (See Pages : 5 - 5 of 5) and
4. the attached 4 Exhibit(s)

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights," we will assume that you concur with the District's action.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the Permittee (and the persons listed in the attached distribution list) no later than 5:00 p.m. on this 17th day of July, 2009, in accordance with Section 120.60(3), Florida Statutes.

BY: \_\_\_\_\_

Ricardo A. Valera, P.E.  
Director, LWC Regulatory Division  
Lower West Coast Service Center

Certified mail number 7008 1140 0001 4113 9022



## NOTICE OF RIGHTS

As required by Sections 120.569(1), and 120.60(3), Fla. Stat., following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

### **RIGHT TO REQUEST ADMINISTRATIVE HEARING**

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or 2) within 14 days of service of an Administrative Order pursuant to Subsection 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

### **Filing Instructions**

The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. **Filings by e-mail will not be accepted.** Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P.O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. **Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office.** An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561) 682-6010. Pursuant to Subsections 28-106.104(7), (8) and (9), Fla. Admin. Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

**Initiation of an Administrative Hearing**

Pursuant to Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law.

**Mediation**

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

**RIGHT TO SEEK JUDICIAL REVIEW**

Pursuant to Sections 120.60(3) and 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.



### GENERAL CONDITIONS

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of State water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of State water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), incorporated by reference in Rule 40E-4.091, F.A.C. unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. The permittee shall notify the District of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District an Environmental Resource Permit Construction Commencement Notice Form Number 0960 indicating the actual start date and the expected construction completion date.
5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an annual status report form. Status report forms shall be submitted the following June of each year.
6. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a professional engineer or other individual authorized by law, utilizing the supplied Environmental Resource/Surface Water Management Permit Construction Completion/Certification Form Number 0881A, or Environmental Resource/Surface Water Management Permit Construction Completion Certification - For Projects Permitted prior to October 3, 1995 Form No. 0881B, incorporated by reference in Rule 40E-1.659, F.A.C. The statement of completion and certification shall be based on onsite observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawings. All surveyed dimensions and elevations shall be certified by a registered surveyor.
7. The operation phase of this permit shall not become effective: until the permittee has complied with the requirements of condition (6) above, and submitted a request for conversion of Environmental Resource Permit from Construction Phase to Operation Phase, Form No. 0920; the District determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the District in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit

## GENERAL CONDITIONS

Applications within the South Florida Water Management District, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 40E-1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.
9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit applications within the South Florida Water Management District, prior to lot or units sales or prior to the completion of the system, whichever comes first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State, county or municipal entities. Final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.
10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the District in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C..
12. The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the State, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
13. The permittee must obtain a Water Use permit prior to construction dewatering, unless the work qualifies for a general permit pursuant to Subsection 40E-20.302(3), F.A.C., also known as the "No Notice" Rule.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit

### GENERAL CONDITIONS

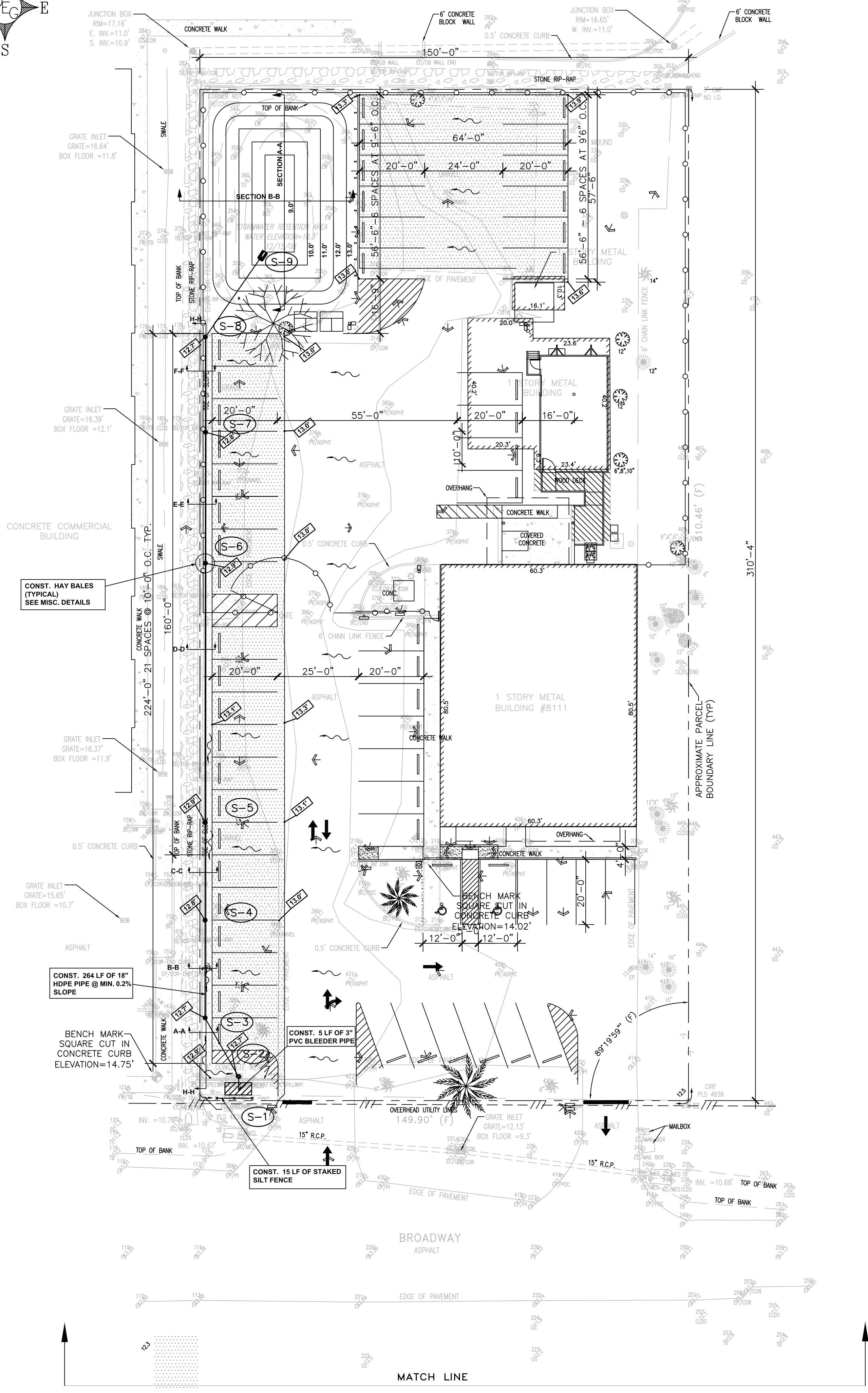
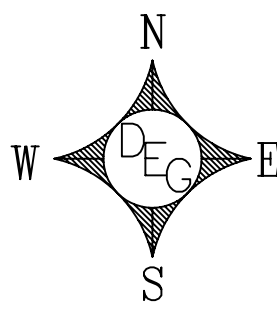
application, including plans or other supporting documentation, shall not be considered binding, unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.

16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rules 40E-1.6105 and 40E-1.6107, F.A.C.. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate District service center.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

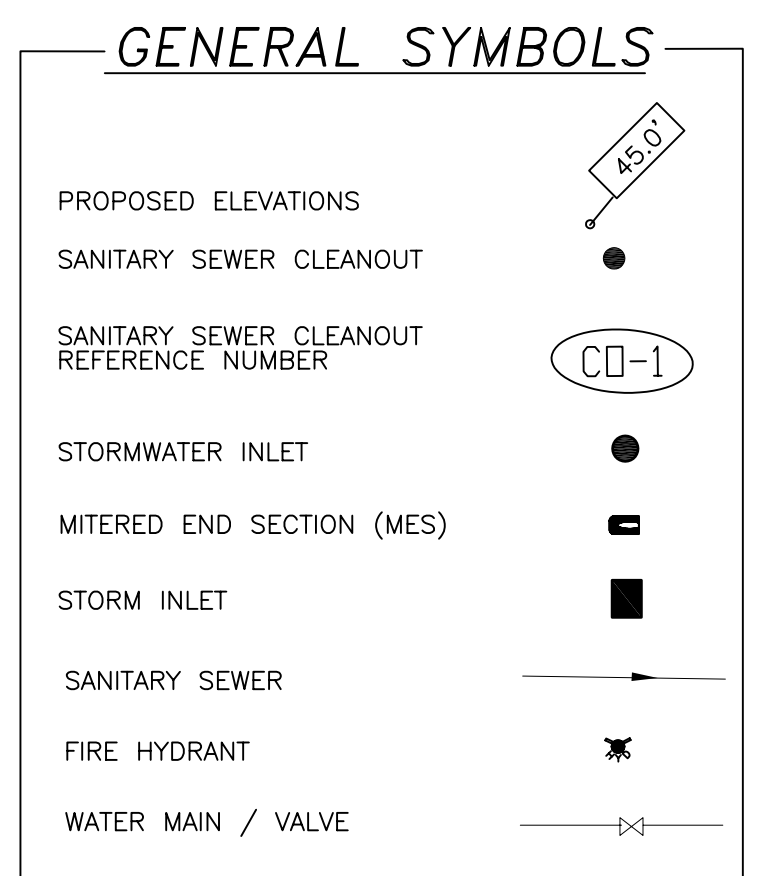
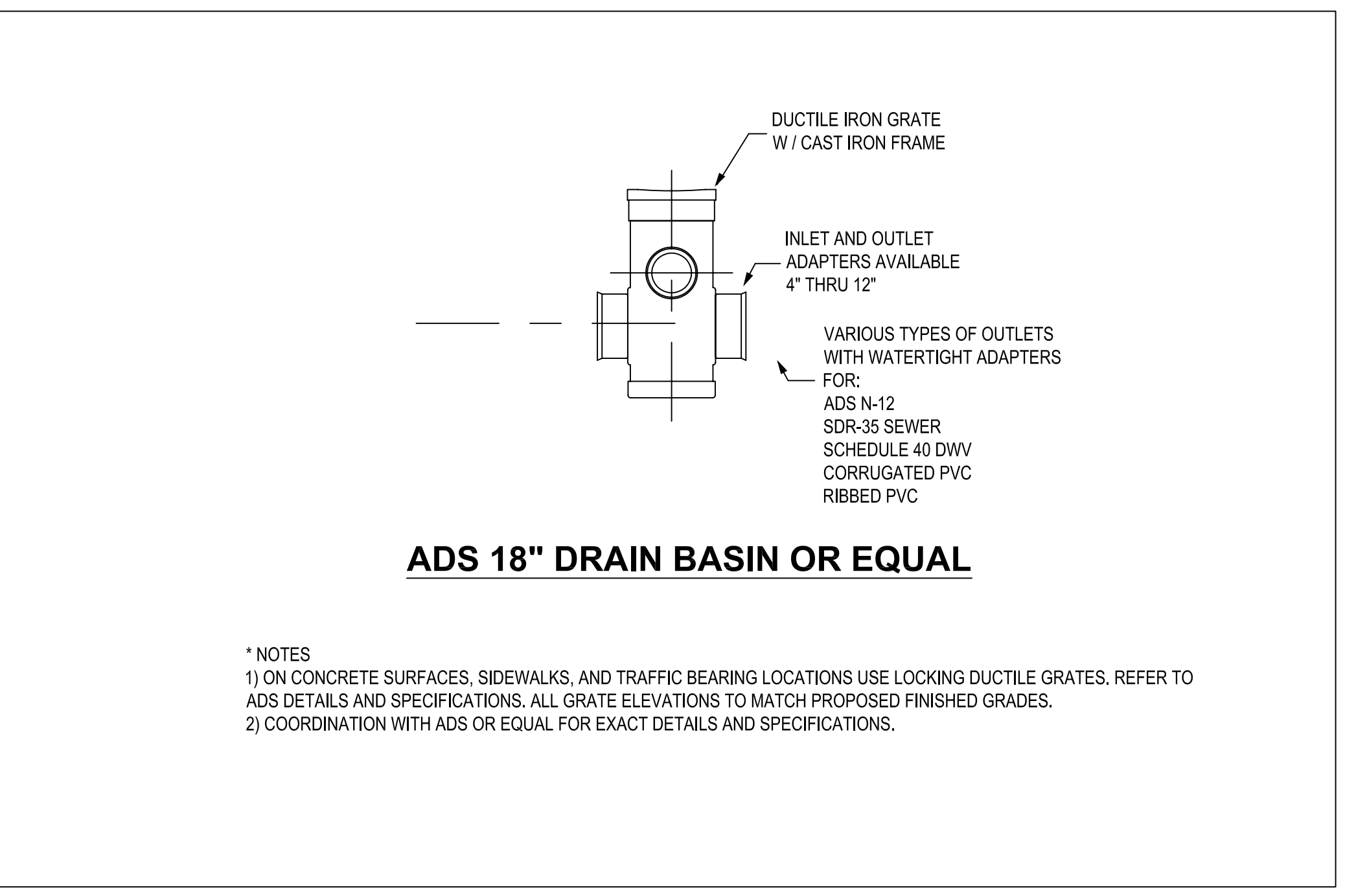
### SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on July 17, 2014.
2. Operation of the surface water management system shall be the responsibility of PERMITTEE.
3. Discharge Facilities:  
  
Control structure:  
  
1- (3) three-inch orifice bleeder at elevation 12.0 ft. NAVD.  
Control elevation: 12.0 ft. NAVD.  
Receiving body: Broadway Avenue swale.
4. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
5. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
6. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
7. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
8. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
9. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditions.
10. This permit is issued based on the applicant's submitted information which reasonably demonstrates that adverse water resource related impacts will not be caused by the completed permit activity. Should any adverse impacts caused by the completed surface water management system occur, the District will require the permittee to provide appropriate mitigation to the District or other impacted party. The District will require the permittee to modify the surface water management system, if necessary, to eliminate the cause of the adverse impacts.
11. The permittee acknowledges, that pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.
12. The improvements to the existing lake shall be constructed without dewatering as indicated in the application submittal.
13. The authorization of the surface water management system is issued pursuant to the water quality net improvement provisions referenced in Rule 40E-4.303(1); therefore, the water quality certification is waived.





- STORMWATER**
- (S-1) REMOVE EXISTING CONC. APRON  
CONC. NEW CONC. APRON (8' X 4')  
NEW CONC. APRON MIN. 4" THICK  
SEE PROPOSED HATCHED AREA  
CONST. 3" PVC BLEEDER PIPE IN CONC. APRON  
3" PVC BLEEDER PIPE ELEV. = 12.0 FT.  
SEE MISC DETAILS
  - (S-2) CONST. 18" DIA. W/ TRAFFIC BEARING GRATE  
ADS DRAIN BASIN (OR EQUAL)  
W/ ADS SILT STRAINER (OR EQUAL)  
GRATE ELEV.= 12.7 FT.  
FL. ELEV. (N&S) = 9.7 FT.
  - (S-3) CONST. 18" DIA. W/ TRAFFIC BEARING GRATE  
ADS DRAIN BASIN (OR EQUAL)  
W/ ADS SILT STRAINER (OR EQUAL)  
GRATE ELEV.= 12.7 FT.  
FL. ELEV. (N&S) = 9.6 FT.
  - (S-4) CONST. 18" DIA. W/ TRAFFIC BEARING GRATE  
ADS DRAIN BASIN (OR EQUAL)  
W/ ADS SILT STRAINER (OR EQUAL)  
GRATE ELEV.= 12.8 FT.  
FL. ELEV. (N&S) = 9.5 FT.
  - (S-5) CONST. 18" DIA. W/ TRAFFIC BEARING GRATE  
ADS DRAIN BASIN (OR EQUAL)  
W/ ADS SILT STRAINER (OR EQUAL)  
GRATE ELEV.= 12.9 FT.  
FL. ELEV. (N&S) = 9.4 FT.
  - (S-6) CONST. 18" DIA. W/ TRAFFIC BEARING GRATE  
ADS DRAIN BASIN (OR EQUAL)  
W/ ADS SILT STRAINER (OR EQUAL)  
GRATE ELEV.= 12.9 FT.  
FL. ELEV. (N&S) = 9.2 FT.
  - (S-7) CONST. 18" DIA. W/ TRAFFIC BEARING GRATE  
ADS DRAIN BASIN (OR EQUAL)  
W/ ADS SILT STRAINER (OR EQUAL)  
GRATE ELEV.= 12.8 FT.  
FL. ELEV. (N&S) = 9.1 FT.
  - (S-8) CONST. 18" DIA. W/ TRAFFIC BEARING GRATE  
ADS DRAIN BASIN (OR EQUAL)  
W/ ADS SILT STRAINER (OR EQUAL)  
GRATE ELEV.= 12.7 FT.  
FL. ELEV. (N&S) = 9.0 FT.
  - (S-9) CONST. CONC. MES  
FDOT INDEX 272  
FL. ELEV. = 8.9 FT.



- NOTES:**
- CONTRACTOR SHALL NOT START CONSTRUCTION UNTIL ALL PERMITS ARE OBTAINED. THESE PLANS HAVE NOT BEEN SUBMITTED TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) AS OF JANUARY 26, 2009.
  - SHADED AREA DEFINES LIMITS OF PAVING. FOR PAVING DETAILS SEE ARCHITECTURAL DRAWINGS.
  - ALL ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM (NAV) OF 1988. SEE SURVEY FOR EXACT BENCHMARK REFERENCE.

**Grading and Drainage Sheet**  
**1" = 20'**

consultant

**Advantage Engineering, Inc.**  
15310 Amberly Dr., Suite 250, Tampa FL 33647  
Ph 813.975.9636 Fax 813.994.5265  
Cert. # 00000806

revisions

6-15-09 SFWMD

Brian A. Acken, P.E.  
Fl. Reg. #46526

**masters architectural group**

License Number az26001052  
17129 9th St, Suite 100, Fort Myers, FL 33903  
Phone: 813.264.4441 Fax: 813.993.4792 Email: mag@mail@mastersag4.com

title

**ESTERO CAX PARKING PLAN**  
**ESTERO, FL 33928**

**H54669**

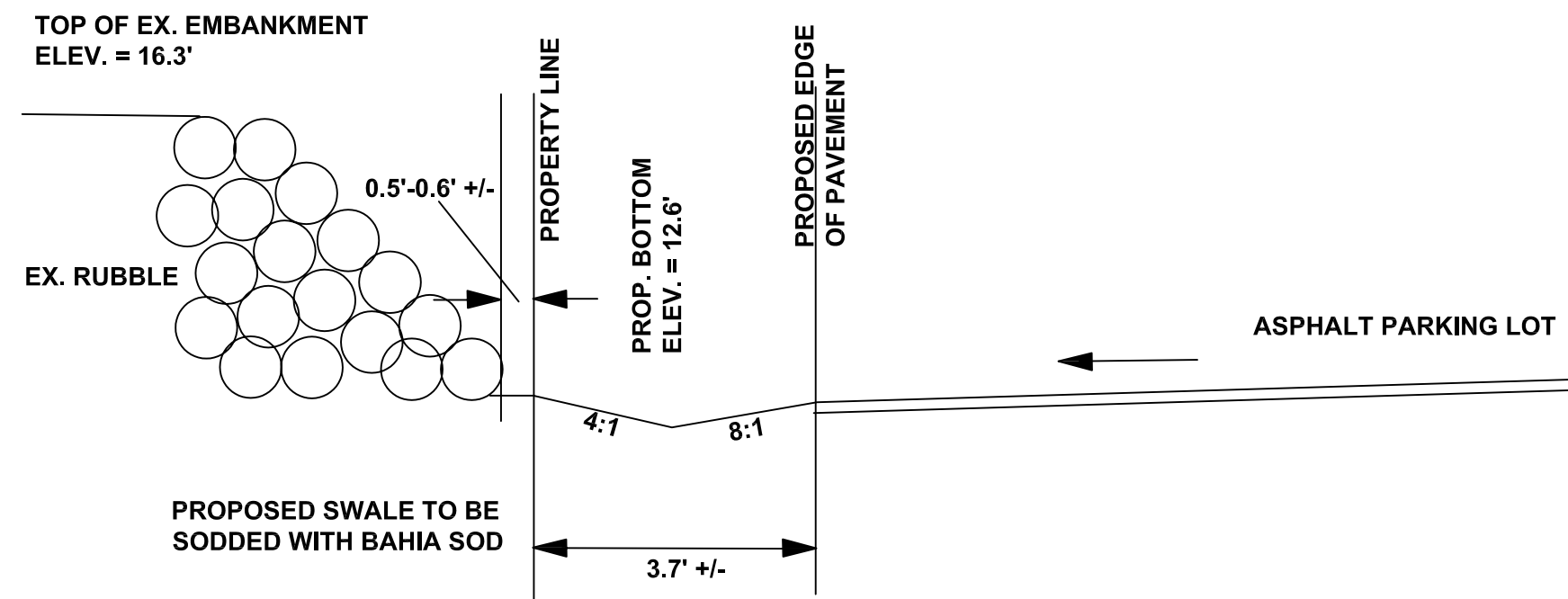
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date 12.18.08

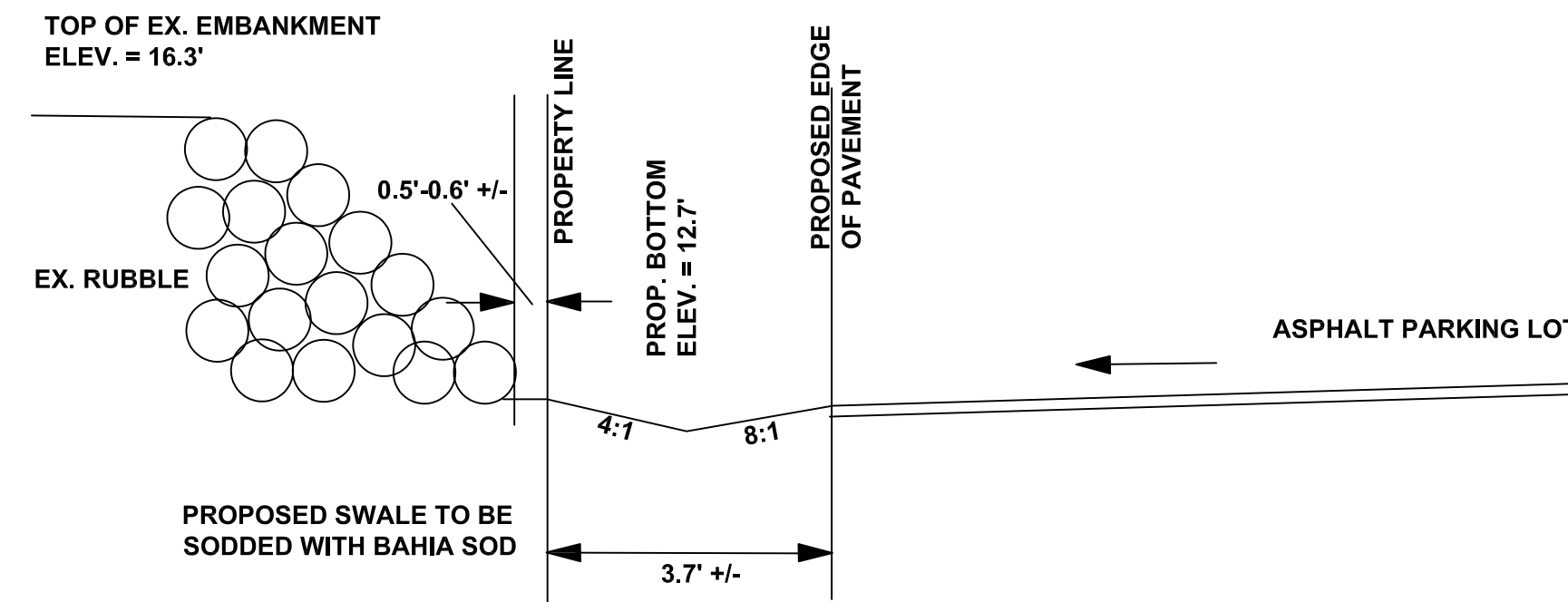
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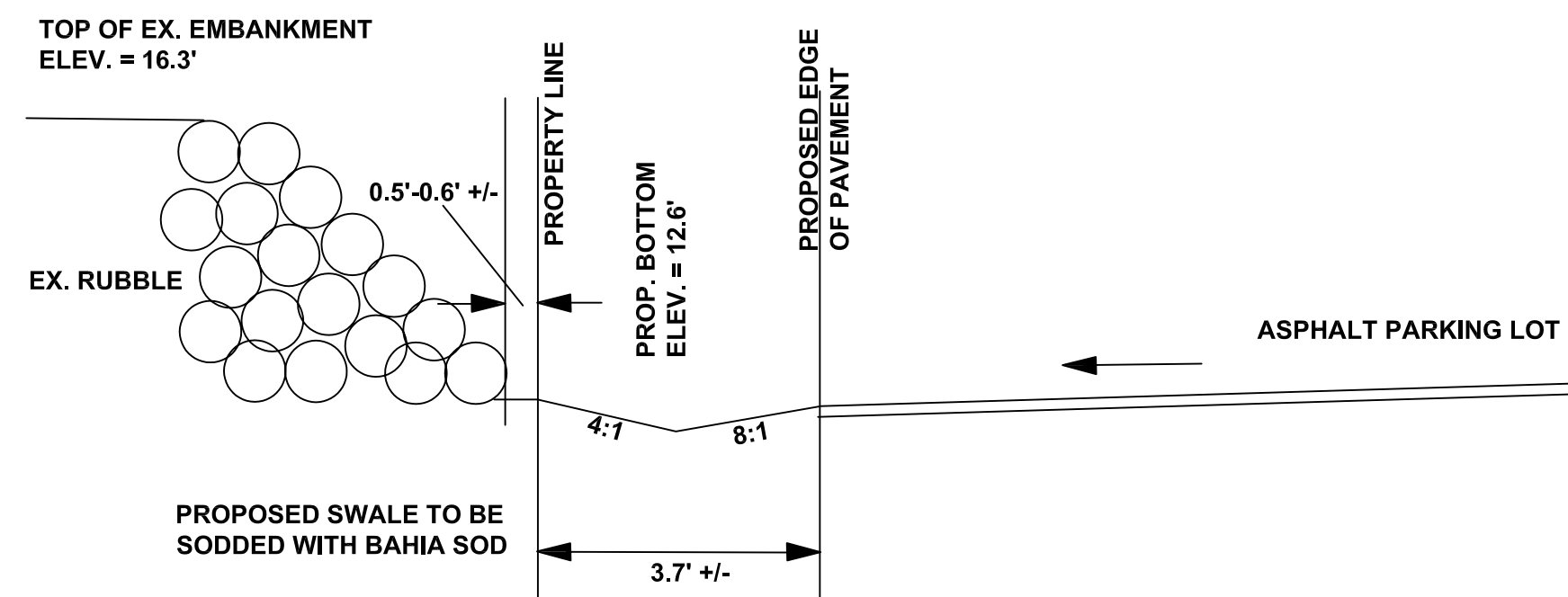
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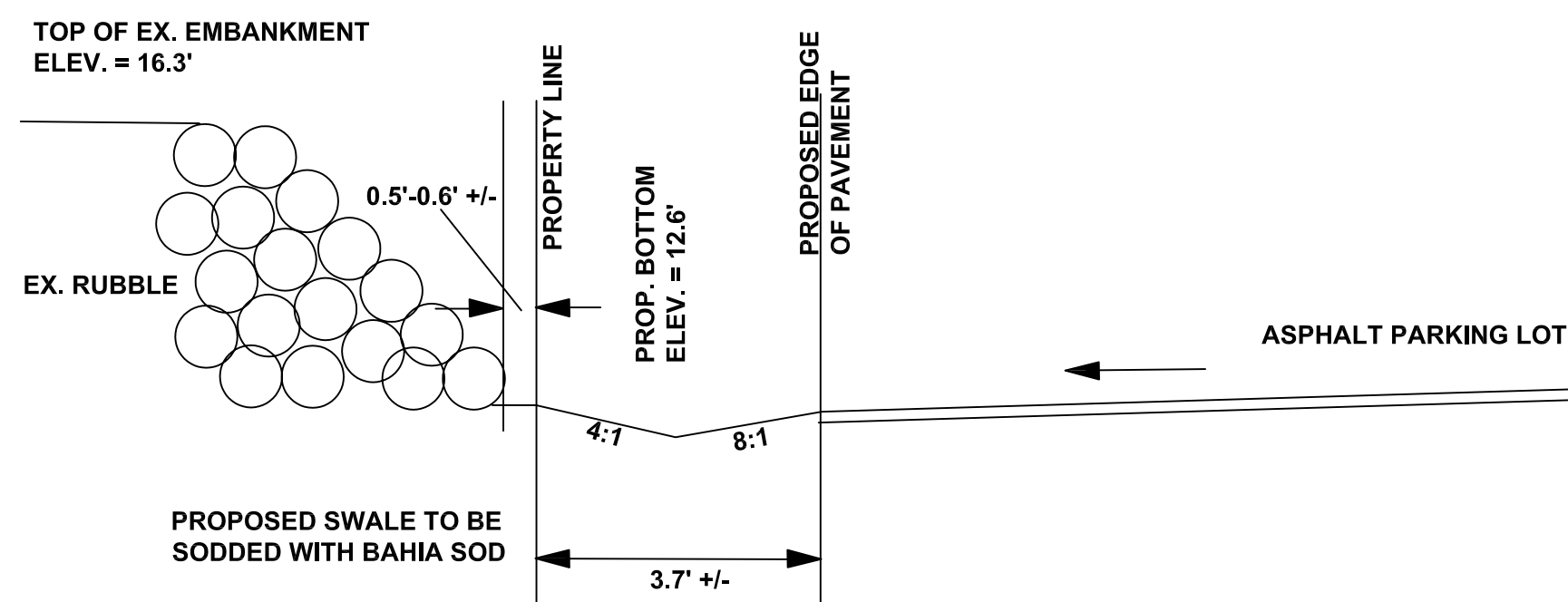
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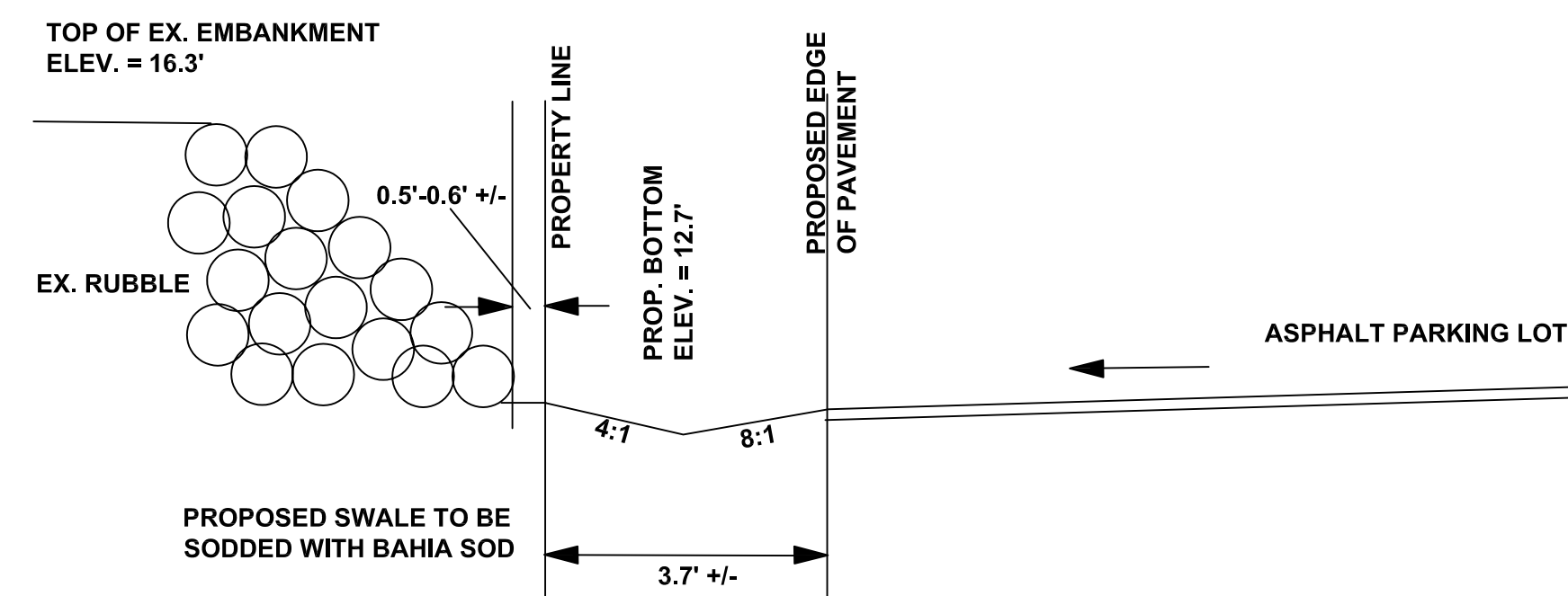
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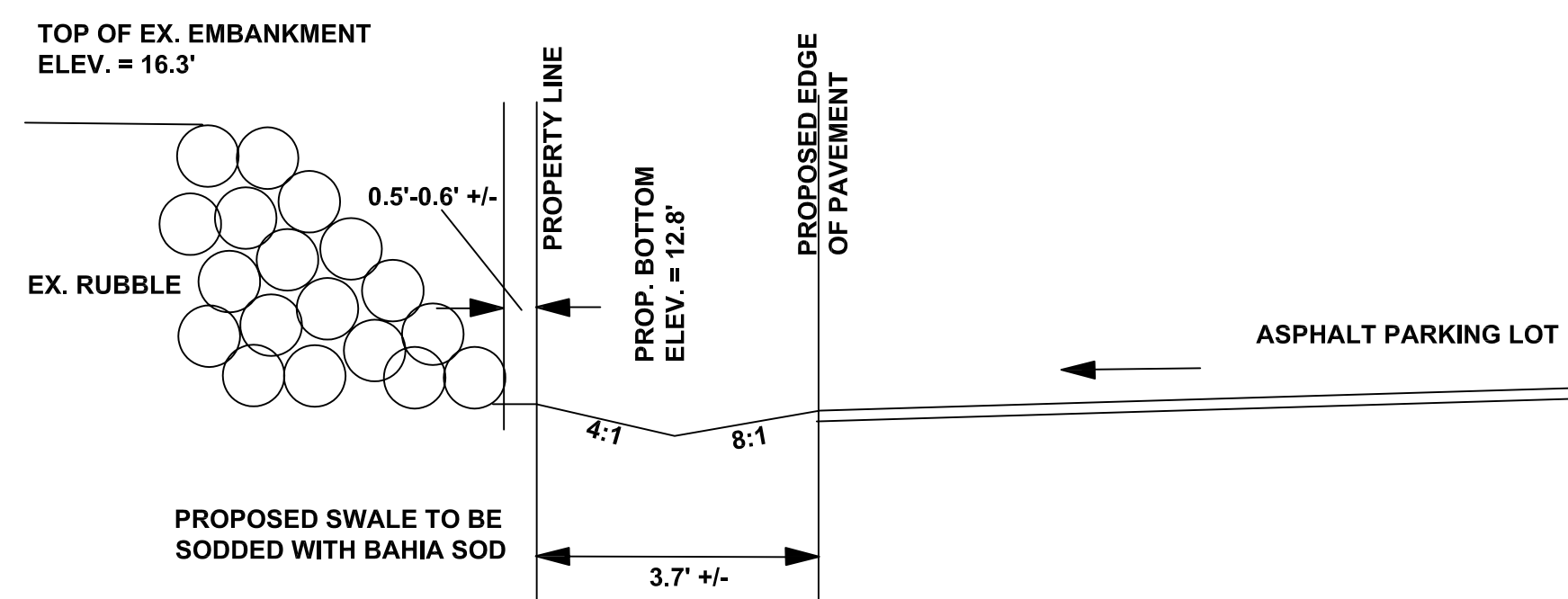
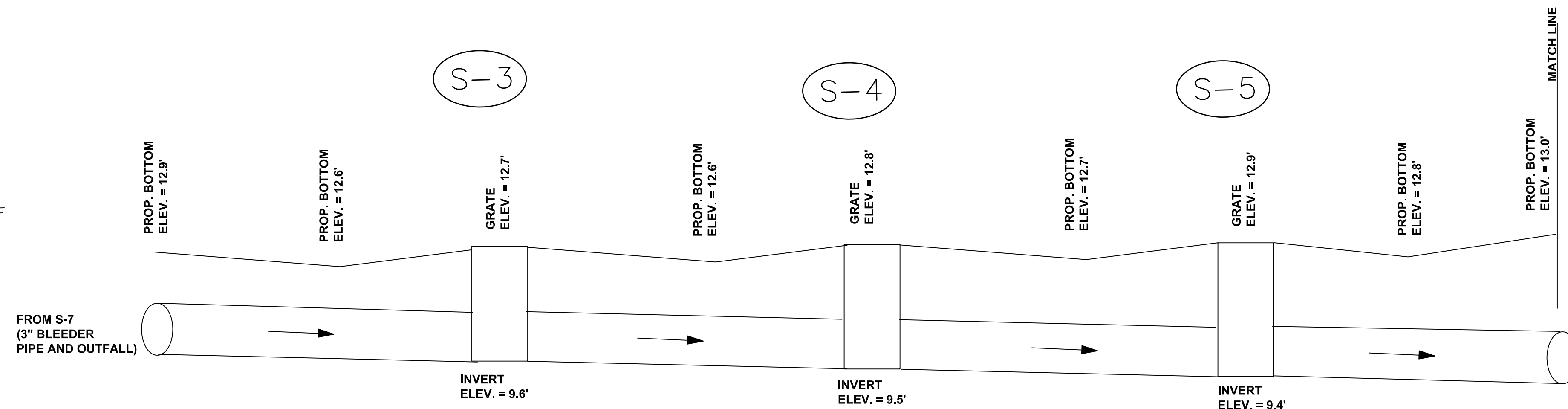
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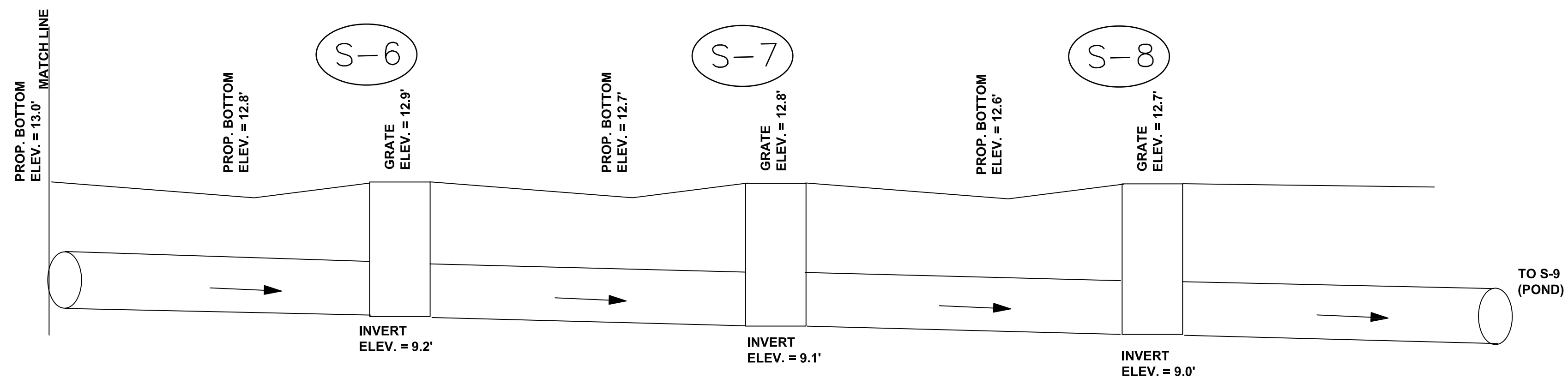
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CROSS SECTION C-C  
NTS



CROSS SECTION D-D  
NTS



CROSS SECTION H-H  
NTS

Misc Details Sheet

consultant

**Advantage Engineering, Inc.**  
 15310 Amberly Dr., Suite 250, Tampa FL 33647  
 Ph 813.975.9638, Fax 813.994.5265  
 Cert. # 00006806

revisions
6-15-09 SFWMD

Brian A. Acken, P.E.  
 FL Reg. #46526  
 email: mag@mail@mastersag4.com

**masters architectural group**  
 License Number az26001052  
 1725 Gandy Blvd., Suite 300, Tampa, FL 33606  
 phone: 813.264.4441, fax: 813.993.4792, email: mag@mail@mastersag4.com

title **ESTERO CAX PARKING PLAN**  
**ESTERO, FL 33928**  
 H54669

project 08024

date 12.18.08

sheet

C3.02

of 3

# ZONING TRAFFIC IMPACT STATEMENT

FOR A

PROPOSED 1.07-ACRE CPD

## 8111 Broadway East

*PREPARED FOR:*

**Mr. Yoshi Suzuki, Trustee  
Suzuki Family Trust  
6054 Gold Spirit Street  
Corona, CA 92880**

*PREPARED BY:*



**43 Barkley Circle, Suite 200  
Fort Myers, FL 33907  
Phone 239-433-4231 Fax 239-433-9632  
[www.tdmcivilengineering.com](http://www.tdmcivilengineering.com)**

*Dea Martz  
5-17-19*

**October 2018  
Revised May 2019**

## 1. PURPOSE

### **OBJECTIVE**

This report has been prepared in accordance with the Village of Estero Department of Community Development and the Lee County Land Development Code criteria as outlined in the Lee County Traffic Impact Statement Guidelines and the Lee County Turn Lane Policy for projects seeking Zoning approval. This report analyzes the anticipated traffic conditions of the proposed development in order to determine any adverse roadway impacts associated with the addition of **8111 Broadway East.**

The subject parcel per the most recent boundary survey provided by Harris-Jorgensen, Inc. is 1.07 acres.

This Traffic Impact Statement is based on the assumption that the proposed facility will be completed in 2020.

## 2. SITE DESCRIPTION

### ***SITE LOCATION***

**8111 Broadway East** is a 1.07-acre project located on the north side of Broadway East in Section 28, Township 46 South, Range 25 East, Estero, Florida (see Exhibit 1). The applicant proposes to convert the existing 4,800-square foot vacant building into commercial uses. For a zoning TIS, it may be assumed that the project will consist of the single use in the proposed Schedule of Uses that generates the most traffic; therefore, it is assumed for this report that the buildings will be converted to a fast casual restaurant.

Access to the proposed development will be provided by one (1) existing full-access driveway connection to Broadway East. It is worth noting that a second existing full-access driveway connection to Broadway East will be removed during this re-development.



### 3. OBSERVATIONS

#### 3.1 TRIP GENERATION CALCULATIONS

Vehicular trips generated by the existing development were calculated by using the equations provided by the Institute of Transportation Engineers, 10<sup>th</sup> Edition of the Trip Generation Manual, Land Use Code 930 (Fast Casual Restaurant) using the average rates or the fitted curve equations shown in the tables.

**Table 1. Raw Trip Generation – Proposed Fast Casual Restaurant (LUC 930)**

<b><u>4,800 Square Feet of Gross Floor Area:</u></b>	
<b>A.</b>	Daily Average Vehicle Trip Ends, Weekday $T = 315.17 (4.800) = 1,512$ (756 entering, 756 exiting)
<b>B.</b>	A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 2.07 (4.800) = 10$ (7 entering, 3 exiting)
<b>C.</b>	P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 14.13 (4.800) = 68$ (37 entering, 31 exiting)

Source: TDM, 2019

Based on this, the development will be analyzed using the criteria established for developments generating less than one hundred (100) vehicle trips during the peak hour as outlined in the Lee County Traffic Impact Guidelines for re-zonings.

#### 3.2 TRIP DISTRIBUTION

Traffic will enter and exit the proposed development at the one (1) existing full-access driveway connection to Broadway East. Broadway East provides access to U.S. 41.

Because Broadway East provides direct access to the nearest arterial street (U.S. 41) to the west and access to relatively few single-family homes to the east, it is assumed for this report that 90% of traffic will enter and exit the proposed development using this driveway connection from the west while 10% of traffic will enter and exit the proposed development using this driveway connection from the east.

### **3.3 EXISTING TRAFFIC CONDITIONS**

U.S. 41 is the nearest arterial road being accessed. Based on the 2018 Traffic Count Report prepared by the Lee County Department of Transportation, traffic on U.S. 41 near the proposed development heads south 68% of the time and north 32% of the time in the A.M. peak. In the P.M. peak, traffic near the proposed development heads north 57% of the time and south 43% of the time.

U.S. 41 is classified by the Lee County Comprehensive Plan as a six-lane divided state-maintained major arterial road. Per the 2017 Lee County Concurrency Report, it has an existing “C” Level of Service near the proposed development with a 2016 peak direction of flow volume of one thousand nine hundred ninety-eight (1,998) vehicles per hour, a Performance Standard “D” Level of Service, and a Performance Standard Capacity of three thousand one hundred seventy-one (3,171) vehicles per hour.

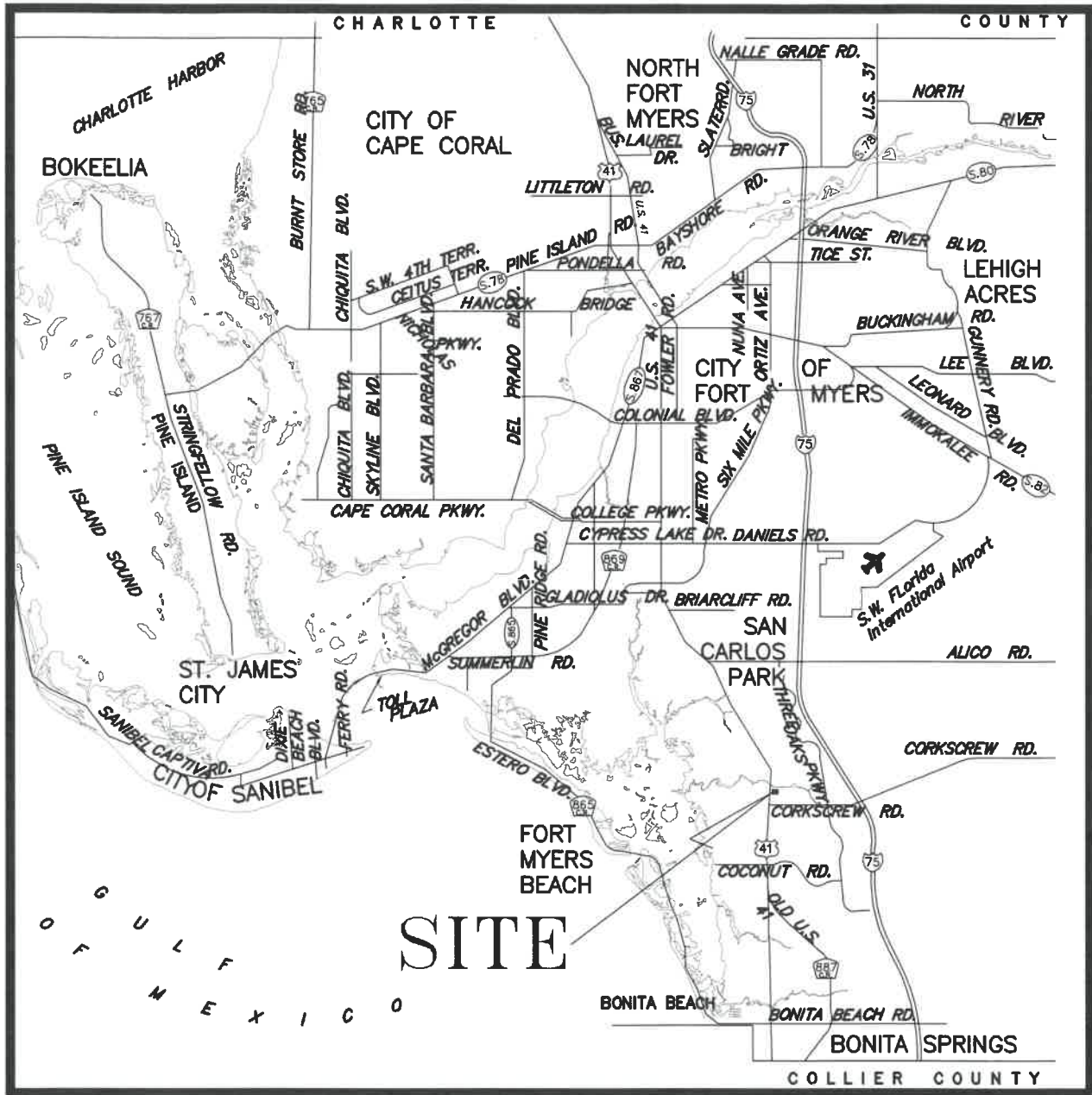
The U.S. 41 intersection with Broadway East is currently signalized and provides an exclusive north-bound right-turn lane (approximately 200’ of deceleration and stacking) and an exclusive south-bound left-turn lane (approximately 50’ of taper and 450’ of deceleration and stacking) on U.S. 41. In addition, said intersection provides an exclusive west-bound right-turn lane (approximately 175’ of taper and 275’ of deceleration and stacking) and an exclusive west-bound right-turn/thru lane (approximately 450’ of deceleration and stacking) on Broadway East.

### **3.4 LEVEL OF SERVICE ANALYSIS (U.S. 41)**

The development will not introduce a significant increase in traffic flows and will not degrade the Level of Service of U.S. 41 during the peak season below the Performance Standard Level of Service (see attached 100<sup>th</sup> Highest Hour Level of Service Calculation).

# 100<sup>TH</sup> HIGHEST HOUR LEVEL OF SERVICE CALCULATION U.S. 41

<b>ENGINEER:</b>	TDM Consulting, Inc. Dean Martin, P.E.
<b>DATE:</b>	May 1, 2019
<b>PROJECT NAME:</b>	8111 Broadway East
<b>PROJECT LOCATION:</b>	at Broadway
<b>PERMANENT COUNTING STATION NUMBER:</b>	25
<b>100<sup>TH</sup> HOUR V.P.H. (Year &amp; Rate) =</b>	2016                      1,998
<b>YEAR FOLLOWING PROJECT CONSTRUCTION:</b>	2021
<b>ADJUSTMENT FACTOR =</b>	
<b>Count &amp; Yr<sub>min</sub></b>	N/A N/A
<b>Count &amp; Yr<sub>max</sub></b>	N/A N/A
<b>Adjustment Factor =</b>	( N/A / N/A ##### ) <sup>5</sup> 1.000
<b>ADJUSTED 100<sup>TH</sup> HOUR V.P.H. =</b>	1,998 x 1.000                      1,998
<b>EXISTING LEVEL OF SERVICE =</b>	C
<b>PROJECT V.P.H. =</b>	37 (P.M. Entering) x 90% x 57% (North-Bound)                      19
<b>TOTAL V.P.H. =</b>	1,998 + 19                      2,017
<b>LEVEL OF SERVICE =</b>	C
<b>COMMENTS:</b>	Minimum growth rates are N/A



# LOCATION SKETCH

N.T.S.

### EXHIBIT 1

TRAFFIC IMPACT STATEMENT

### LOCATION MAP

8111 BROADWAY E.  
ESTERO, FL 33928

SOURCE: TDM, 05/2019



43 Barkley Circle, Suite 200  
 Fort Myers, FL 33907  
 Phone: (239) 433-4231  
 Fax: (239) 433-9632  
 Email: dean@tdmconsulting.com





**EXHIBIT 2**  
 TRAFFIC IMPACT STATEMENT  
**PEAK A.M. AND P.M. TRAFFIC DISTRIBUTION**  
 8111 BROADWAY E  
 ESTERO, FL 33928  
 SOURCE: TDM, 05/2019



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 Fort Myers, FL 33907  
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 Fax: (239) 433-9632  
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 Certificate of Authorization # 29086