

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
December 4, 2019

Agenda Item:

Consider first reading of Ordinance No. 2019-30 for voluntary annexation of 10 acre property at 4528, 4406 and 4410 Coconut Road and set second reading/hearing for January 8, 2020.

Description:

The property owner and contract purchaser, Headwaters Coconut Road General Partnership, has initiated a voluntary annexation of 10 acres located on the north side of Coconut Road, south and east of El Dorado Acres. The property is within unincorporated Lee County. The owner is proposing a 21 lot residential subdivision on the property. The property is zoned RS-1 which allows single-family homes on lots of at least 7,500 square feet.

The property owner has met with the Village Manager and staff several times regarding the development plans. The Village Attorney has also been in contact with the applicant's attorney.

Voluntary annexation requirements are outlined in Florida Statute Chapter 171.044. The property conforms to the requirements in Florida Statutes pertaining to annexation, as it is compact and contiguous to the Village boundaries.

Urban services are generally available. Coconut Road at this location is Village-maintained. Water and sewer are provided by Bonita Springs Utilities. Fire is provided by Estero Fire Rescue.

Headwaters Coconut Road General Partnership before seeking annexation into the Village, was previously proceeding with its development plans before Lee County. Although interested in annexation into the Village, Headwaters is concerned about restarting the development review process under a different regulatory regime and the potential delays to its project.

To resolve such concerns the Village Attorney has prepared an annexation ordinance that outlines the terms of the annexation and the transition from Lee County to Village regulatory review consistent with Section 171.062, Florida Statutes. In summary:

- Village will expeditiously process the owner's development plans.
- County Comprehensive Plan and Land Development Code will continue to apply for 24 months.
- Applicant will pay Lee County impact fees and permit fees for the duration above.
- All Village procedural requirements apply except for Design Review Board.

In addition to an annexation ordinance, the Statute requires that notification be provided to Lee County, and two newspaper advertisements will be needed prior to the second reading.

Action Requested:

Consider first reading of Ordinance No. 2019-30 for voluntary annexation of 10 acre property at 4528, 4406 and 4410 Coconut Road and set second reading/hearing for January 8, 2020.

Financial Impact:

The Village will receive annual tax revenue which is dependent upon the housing price, and approximately \$100,000.00 in road impact fees which could be used for improvements to Coconut Road.

Attachments:

1. Ordinance No. 2019-30
2. Florida Statute Section 171.044