



Professional Engineers, Planners & Land Surveyors

Via Coconut MPD
DCI2019-E003

Estero Planned Development Zoning District

Narrative of Request
Revised January 2020

Request

The applicant is requesting rezoning approval of ±19.53 acres from Agricultural (AG-2) to Estero Planned Development Zoning District (PD) for the proposed Via Coconut MPD: a first-class Village Center destination for Estero citizens which includes socially vital and integral public amenities and public gathering spaces throughout a Tier 3 mixed-use development. It also includes a maximum of 330 multi-family dwelling units, 59,600 square feet of commercial retail, office or medical office space, with an option to convert 30,000 square feet of the commercial space to 124 hotel rooms. Proposed building heights vary throughout the development with a maximum height of 4 stories or 59 feet to top of embellishments (46'4" to mid-point between eave and ridge).



The project's numerous incentive offers provide significant public benefits and are consistent with the Estero PD Land Development Code provisions, and include:

• **SERVING THE STATE OF FLORIDA** •

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Social Vitality:

- (1) **Main Street (connecting street)**, the ultimate public gathering place as a high-quality, destination promoting place-making businesses including restaurants, coffee shops and fitness studios.
- (2) **±0.43-mile Linear park** with lush, greater-than-Code landscaping along Via Coconut Point frontage with interconnected public amenities for sitting, gazing and interacting with public spaces.
- (3) **14' x 14' public lake observation pavilion/fishing pier** interconnected by the 8' sidewalk within the linear park and will include educational informational plaques.
- (4) **Public park bench areas** interconnected by the 8' sidewalk within the linear park.
- (5) **Public pavilion and lawn area** interconnected by the 8' sidewalk within the linear park.
- (6) **Public dog park** interconnected by the 8' sidewalk within the linear park with benches, perimeter fence, and hedge.
- (7) **Vertical and Horizontal mixed-use development:** integrated mixed-use neighborhood with higher residential densities and mixed uses along the street frontage promoting place-making businesses including restaurants, coffee shops and fitness studios.
- (8) **Street front shops** located along Main Street (connecting street) and 8' sidewalk within the linear park.
- (9) **Upscale Waterfront restaurant** located along Main Street (connecting street) and 8' sidewalk within the linear park.
- (10) **Not Age-Restricted. Diverse Housing** – Via Coconut MPD is designed as a housing alternative for varying needs of the Village of Estero. The community will not be age restricted.

Connectivity:

- (11) **Desirable connector street:** Main Street provides a vital segment of the desired connector between Pelican Sound Drive and the future west entrance to Estero Community Park shown on the Framework Plan to connect to Corkscrew Palms Boulevard and Williams Road. It also provides for future connection to the proposed SUN Trail Rail Corridor shared use path.
- (12) **±0.45-mile 8' public meandering sidewalk along Via Coconut Point** within the linear park that will interconnect with Village's planned Estero Community Park west entrance shared use path proposed to connect to Williams Road.
- (13) **Bike lanes on Main Street** (connecting street) will connect to the Village's planned bike lanes on Via Coconut Point and Village's planned Estero Community Park west entrance shared use path proposed to connect to Williams Road.
- (14) **Promote walkability with interconnected sidewalks.** Internal sidewalks interconnect with public sidewalks external to the community on Via Coconut Point.
- (15) **Mixed-Use Pedestrian Shed** – All residential units are within pedestrian shed of proposed Main Street commercial uses and the proposed on-site private and public amenities.
- (16) **Non-gated community** – The proposed development does not include entry gates.

Architecture:

- (17) **Exceptional design** – The architecture depicted in the pattern book sets a high-quality standard for the Village Center Area and includes a unique residential building design including three-story stepped back elements from the remaining 4-story building

- masses. This massing change is stepped back from the perimeter water features and linear park creating a delicate footprint along the street frontage on Via Coconut.
- (18) **Screened Parking** - The bulk of the development's parking is concealed within the first level of the residential buildings with units wrapping around the perimeter. This creates a centralized lower massing element with an elevated amenity deck as an amenity to the users. The remaining parking is located behind the buildings or is appropriately visually buffered from Via Coconut Point.
 - (19) **Varying building heights** are provided throughout the development as demonstrated in the pattern book.
 - (20) **360-Degree Urban Look.** All the building elevations depicted in the pattern book have architectural design elements typical of front elevations so it will appear that there are no rear elevations.
 - (21) **Sustainable Design for Future Use** – The site design incorporates the future commercial development outparcel which anticipates development of either 30,000 square feet of commercial uses or 124 hotel rooms.
 - (22) **Entry pavers and landscaped signage** at each entry point to calm traffic and emphasize safety.
 - (23) **Sculpture features** on Main Street (connecting street) near mixed use buildings.
 - (24) **On-street parking** on Main Street (connecting street) and internal accessways as encouraged to calm traffic.
 - (25) **Street furniture** is proposed.
 - (26) **Best Practices for compact surface water management design** are proposed.
 - (27) **Best Practices for block lengths** are proposed.
 - (28) **Lake and water features** along the 8' sidewalk within the linear park.
 - (29) **Fountains** included in lake and water features.

Landscaping:

- (30) **Interweaving Public ROW and Via Coconut MPD frontage-** Integrating the Via Coconut Point Road ROWs with Via Coconut MPD's linear park, 8' sidewalk and landscaping to create a seamless ROW and a more inviting street-side environment.
- (31) **Enhanced landscape buffering along Via Coconut** with enhanced 14-18' trees, enhanced hedge shrub 36" at installation, additional ground covers and additional shrub layers.
- (32) **Filter marshes** along the 8' sidewalk within the linear park with a variety of grasses and aquatic plantings including seasonal plantings, Red Maples, Bald Cypress, etc.
- (33) **Label Plantings** for educational purposes.
- (34) **Cantilevered planters** along part of the deck and building to help conceal seasonal fluctuation of lake.
- (35) **Enhanced perimeter buffer plantings** with additional tree and shrub plantings exceeding code.
- (36) **Enhanced internal landscaping** with oversized 14' tall canopy trees in islands.
- (37) **Increased plant sizes** for the buildings for key areas.
- (38) **Median Planting** to emulate median plantings to the north.
- (39) **Flowering trees** and seasonal plantings.
- (40) **Large specimen palms** at entry and in select areas; Date palms or Royal Palms.

- (41) **Enhancements to Landscape** trees along rail corridor and desirable north/south trail along the west where no buffer is required and enhancements to north buffer to Happy Hollow Lane residential.
- (42) **Street trees** as shown on landscape plans to blend with proposed plantings for adjacent Genova development.

The public spaces are central to the site planning and are designed to drive public accessibility, both socially and physically, in a connected and walkable manner. The proposed 8' wide public meandering sidewalk and linear park includes lush, greater-than-Code landscaping and public spaces such as park benches, a lake observation and fishing pavilion, a sculpture park and a dog park along the Via Coconut Point frontage. The proposed 8' sidewalk will replace the existing sidewalk in the Village right-of-way to maximize the extent of the public realm between the proposed public spaces.

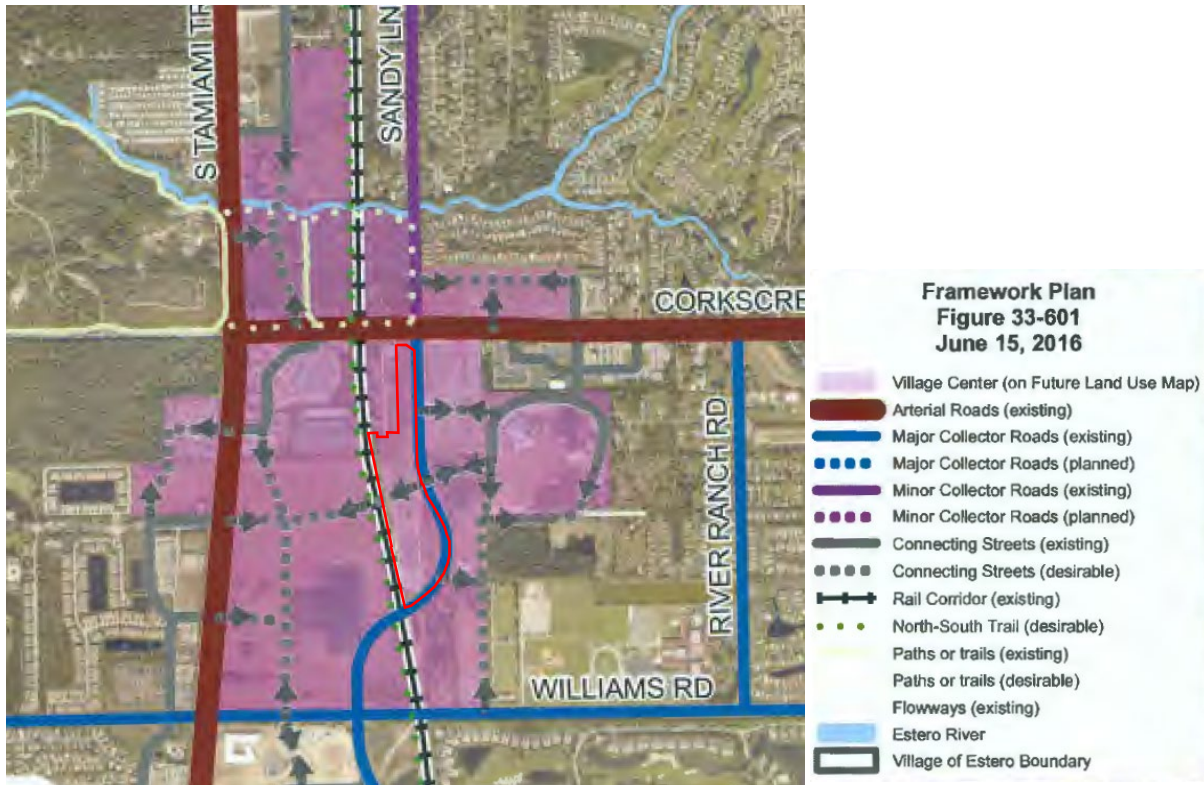
The proposed rezoning allows for infill development compatible with surrounding development patterns and consistent with the Village Center mixed use vision for proposed Tier 3 developments.

There will be concurrent applications filed to the Village of Estero for the vacation of the existing platted rights-of-way at the southern portion of the property and to Lee County to relocate an existing drainage easement that bisects the property.

Introduction and Background

The subject property is located at the southwest corner of Via Coconut Road and Corkscrew Road within the Village Center future land use category in the Village of Estero. The site is uniquely situated on the Framework Plan (see excerpt on following page) with frontage along an arterial to the north (Corkscrew Road), a major collector to the east and south (Via Coconut Point) and the rail corridor and desirable north/south trail along the west. The property includes a vital segment of the desirable connector street from Pelican Sound Drive to the future west Estero Community Park connecting to Corkscrew Palms Boulevard and proposed to connect to Williams Road.

The proposed project consists of an assemblage of multiple parcels under separate ownership that the contract purchaser/applicant proposes to develop under unified control with a proposed future phase commercial outparcel. Five of the parcels consist of existing grazing lands, one parcel is developed with an existing single-family residence and one parcel is vacant.



Transitional Comprehensive Plan Consistency Analysis

The proposed Via Coconut MPD is consistent with the Village of Estero Transitional Comprehensive Plan. The Village Center future land use category is provided below:

POLICY 1.1.12: The Village Center Area lies near US-41 in the heart of the Village of Estero. This area includes housing, employment, shopping, recreation, park and civic uses and can accommodate additional development in walkable mixed-use patterns. Uses and densities must meet the standards for the Village Center land use category as described in Objective 19.8 and the policies thereunder.

The proposed master concept plan includes a walkable mixed-use development that provides housing in the form of 330 multi-family dwelling units and provides opportunities for employment and shopping uses within the 29,600 - 59,600 square feet of commercial uses. Recreation and civic uses are proposed in the form of public amenities. The plan accommodates additional development with the commercial outparcel to consist of either 30,000 square feet of commercial or 124 hotel rooms. The proposed uses and densities meet the standards for the Village Center as described in Objective 19.8 and the policies thereunder. The proposed rezoning is consistent with Policy 1.1.12.

POLICY 19.1.3: Encourage new developments that achieve the Estero community's vision and planning goal and policies and are consistent with mixed-use design, architectural, location, connectivity and public access standards by establishing and implementing development incentives within the comprehensive plan and Land Development Code that:

- a. *Promote mixed use patterns in targeted areas, especially those designated Village Center on the future land use map or identified on the Mixed-Use Overlay;*
- b. *Promote targeted industries in appropriate areas of Estero e.g.: healthcare, arts and culture, technology, and research and development facilities;*
- c. *Promote the use of green design, sustainable energy, water, and other environmental features;*
- d. *Expedite development projects particularly in targeted incentive zones where the community has adopted mixed use plans and LDC standards; and*
- e. *Enable infill of underutilized commercial and residential lands.*

The proposed rezoning allows for infill development in a targeted area that provides a high-quality, walkable mixed-use environment compatible with surrounding development patterns and consistent with the Village Center mixed use vision for proposed Tier 3 developments. The proposed rezoning is consistent with Policy 19.1.3.

POLICY 19.1.5: Recognize the unique historical and cultural development incentives and regulations within the comprehensive plan and Land Development Code that:

- a. *Encourage the development of the Old Estero area into a mixed-use center;*
- b. *Incorporate design features of Estero's historic structures into future architectural design, streetscape, and community wide LDC standards; and*
- c. *Identify, protect, and promote historic resources and facilities such as those related to Koreshan Park, Old Estero area, and the Estero Community Park.*

The proposed rezoning provides a vital segment of the desirable connecting street shown as Main Street on the proposed master concept plan which is planned to eventually connect Pelican Sound Drive to the future west Estero Community Park connection and ultimately to Corkscrew Palms Boulevard and Williams Road. The thoughtful, place-making site design integrates walkability throughout by using interconnecting pedestrian vias along Via Coconut Point which parallel the featured lake and provide a waterfront pavilion, benches and pedestrian view vistas with lush, greater-than-Code landscaping and fountains to create a socially vital destination with exceptional public benefits along the interconnect with Estero Community Park. The proposed rezoning is consistent with Policy 19.1.5.

POLICY 19.1.7: Explore opportunities to identify, prioritize, and fund local capital improvement projects (particularly projects that enhance transportation and infrastructure systems) within the Estero community. Evaluate the feasibility of local, dedicated funding options-e.g.: MSBU, Tax Increment Finance District, or for such funding include:

- a. *Streetscape improvements such as roadway pavers, street furniture, street signs and lighting, trash receptacles, and other hardscape features-particularly in Old Estero and within new mixed-use centers;*
- b. *Pedestrian scale lighting;*
- c. *Landscaping and hardscape features- particularly along US 41;*
- d. *Public trails and greenways facilities;*
- e. *Blue way facilities that provide public access to Estero River;*

- f. *Multi-modal transportation facilities that expand or establish pedestrian, bike, transit, and rail services;*
- g. *Public space, park, and recreational facilities;*
- h. *Urban level infrastructure services and systems within mixed-use center areas; and*
- i. *Historic resources and facilities such as those associated with the Koreshan Park and Estero Community Park.*

The proposed high-quality mixed-use development plan incorporates several features identified in Policy 19.1.7 without utilizing capital improvement funding. The proposed socially vital mixed-use center incorporates lush, greater-than-Code landscaping, public 8' sidewalk and linear park with public spaces, street furniture, and a Main Street (connecting street) that provides for an additional connection to the rail corridor/desirable north/south trail and will connect to the Village's planned bike lanes on Via Coconut Point and Village planned Estero Community Park entrance shared use path to connect to Williams Road.

OBJECTIVE 19.2 MIXED-USE CENTERS AND ECONOMIC AREAS. Promote Estero's quality of life and diverse local economy by fostering the development of mixed-use centers and targeted economic areas, as a preference over the development of strip commercial centers. The aim of the mixed-use centers is to provide Estero with central gathering places for Estero's residents, business people, and visitors. The aim of the economic areas is to provide the community 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.

POLICY 19.2.1: Where feasible, provide for the development of walkable mixed-use centers and economic areas featuring diverse housing options; government offices and public facilities; medical facilities; employment centers; public gathering places, parks, outdoor plazas, and other public spaces; greenway trails and pathways; and public access to the community's natural resources through comprehensive plan policies and LDC regulations that support Estero's distinct community character and the following community priorities:

- a. *Support the development of a village center to unify the community;*
- b. *Improve the connectivity between Estero's residential neighborhoods, economic areas, civic uses, and park and recreational facilities;*
- c. *Diversify the community's economic base and employment opportunities;*
- d. *Encourage the development of targeted industry clusters particularly health industries, professional services and businesses, and technology, research, and development;*
- e. *Expand multi-modal transportation options through improved pedestrian access, bikeways, transit service, and rail opportunities;*
- f. *Improve access to the community's blueways-particularly the Estero river-, greenway trails, other open spaces;*
- g. *Promote the community's cultural and historic resources; public spaces, parks, and recreational facilities; and other community amenities;*

- h. Provide ample and varied public gathering places. including, without limitation, parks, plazas, sidewalks, benches, restaurants, shops, civic spaces, green spaces. Community recreation centers, and other recreational facilities;*
- i. Maintain a unified and consistent aesthetic/visual quality in landscaping, architecture, lighting, and signage in all commercial and mixed-use developments; and*
- j. Promote and incentivize private investment within mixed-use centers and economic areas.*

Via Coconut MPD is a proposed high-quality walkable and bikeable mixed-use center that incorporates socially vital and varying public gathering spaces interconnected by an 8' meandering sidewalk which parallels the featured lakes and provides lush, greater-than-Code landscaping and a linear park connecting to public areas such as a dog park, a public pavilion and lawn area, a 14'x14' public observation pavilion and fishing pier on the lake and park bench areas along Via Coconut Point. The plan incorporates the desired connecting road Main Street which provides a blend of integrated vertical and horizontal mixed uses along the street frontage promoting place-making businesses including restaurants, coffee shops and fitness studios. Main Street provides a vital connection that includes bike lanes and aligns with the future west entrance to Estero Community Park and provides for future connection to and through the rail corridor. The request is consistent with Objective 19.2 and Policy 19.2.1.

POLICY 19.2.2: Facilitate the development of a village center for the Village of Estero through the development of LDC standards, plans, and incentives that address the community's need for a central civic and economic core that is connected to surrounding residential neighborhoods, commercial areas, the Estero River, the Old Estero area, the Estero Community Park, and other parks and recreational facilities.

POLICY 19.2.3: Establish a safe and desirable urban environment within the Estero community by adopting LDC standards that guide development in the community's major economic areas near FGCU, along the U.S. 41 corridor, along Corkscrew Road, and in the Old Estero area that:

- a. Address streetscaping design and amenities, residential buffering standards, commercial center developments, signage, transportation facility needs, and other community concerns;*
- b. Provide for the economic and employment needs of the Estero community by utilizing the Mixed-Use Overlay to facilitate the development of mixed-use centers along the US 41, Corkscrew Road, Three Oaks Parkway, Ben Hill Griffin Parkway, Via Coconut/Sandy Lane, and in the Old Estero area; and*
- c. Encourage mixed-use centers at these locations.*

The requested rezoning facilitates the development of a first-class Village Center walkable and bikeable mixed-use destination of the highest quality to include socially vital public amenities and gathering spaces along interconnects to the future west connection into Estero Community Park. The thoughtful, place-making site design integrates walkability throughout by using interconnecting pedestrian vias which parallel the featured lake and provide waterfront park benches and pedestrian view vistas to create a socially vital destination with exceptional public benefits. The proposed commercial uses on site add to the economic and employment needs of

the Village of Estero community. Policy 19.2.2 specifically encourages a mixed-use center at the subject location. The requested rezoning is consistent with Policies 19.2.2 and 19.2.3.

POLICY 19.4.3: All public and private rights-of-way within future mixed-use centers and the Old Estero area, as defined in the Land Development Code, are encouraged to be designed to include pedestrian ways, cross walks and traffic calming measures including, where appropriate, on-street parking, raised crosswalks, narrow lane widths or other similar mechanisms.

The enhancement of walkability and connectivity through the street design was the primary design focus which favors pedestrian use, including the implementation of a connector road at the project's center, as well as on-street parking, paver entries, pedestrian crosswalks, and narrow lane widths to calm traffic and emphasize pedestrian safety. The project's storefronts, public areas and pedestrian connections encourage walkability. The public right-of-way of Via Coconut Point is enhanced by providing a wide public sidewalk and linear park with lush, greater-than-Code landscaping and public amenities along the project's frontage. The request is consistent with Policy 19.4.3.

OBJECTIVE 19.6: PUBLIC SPACES, PARKS, AND RECREATIONAL FACILITIES. Support Estero's quality of life through the development of a broad array of community parks, public spaces, and recreational facilities.

POLICY 19.6.1: Promote the development of a variety of public spaces, park, and recreational facilities within Estero by collaborating with the State of Florida, private developers and other local, state, and national organizations on the development of a broad array of community parks, public spaces, and recreational facilities.

POLICY 19.6.2: Expand the use, variety, and type of public spaces, parks, and recreational facilities within Estero by working with private developments to provide linkages, access, public parks, public space, and recreational amenities through the use of incentives, LDC requirements, and other development tools.

Publicly accessible gathering places are a primary feature of the site, including Main Street (connecting street) with bicycle lanes connecting to the Village proposed Via Coconut Point bicycle lanes and proposed Estero Community Park shared use path to connect to Williams Road, a long, 8' meandering sidewalk and linear park, a dog park, a public pavilion and lawn area, a 14'x14' public observation pavilion and fishing pier on the lake, a park bench areas, and an overall socially vital center with significant benefits to the public for congregating. The request is consistent with Objective 19.6 and Policies 19.6.1 and 19.6.2.

POLICY 19.6.3: Promote Estero Community Park as a hub for the entire community. Improve the park's integration with the community by improving the existing connections between the park and Estero and by constructing the originally planned westerly entrance onto Via Coconut Point.

POLICY 19.6.4: Encourage the use of park areas to link neighborhoods, commercial and mixed-use centers, and other open space and recreational

facilities through an integrated system of bike, pedestrian, and roadway connections.

The proposed rezoning provides a vital segment of the desirable connecting street shown as Main Street on the proposed master concept plan which is planned to eventually connect Pelican Sound Drive to the future Estero Community Park westerly entrance. Main street provides for an integrated system of bike, pedestrian and roadway connections. The site design incorporates an 8' meandering sidewalk and linear park along the project's Via Coconut Point which parallels the featured lake and provides enhancements and exceptional public benefits along the interconnect with the Village proposed west entrance to Estero Community Park and proposed connection to Williams Road. The request is consistent with Policies 19.6.3 and 19.6.4.

OBJECTIVE 19.8: VILLAGE CENTER. Improve the quality of life for Estero's residents and visitors by providing additional housing and neighborhood types and more diverse economic activity in the heart of Estero.

POLICY 19.8.1: This comprehensive plan includes a Village Center category on the future land use map (also referred to as the "Village Center Area") which encourages higher densities and intensities of housing, employment, shopping, recreation, park and civic uses in a series of interconnected neighborhoods and mixed-use areas. Policy 1.1.12 allows landowners in the Village Center Area to develop within the standard density range and other requirements of the Urban Community category; however the Village of Estero encourages land to be developed or redeveloped with a greater mix of uses and higher densities when placed in walkable mixed-use patterns. The glossary defines 'density', 'mixed-use', 'walkable', and 'mixed-use pattern'. The specific goals of the Village Center Area include creating socially vital centers supportive of business both big and small, neighborhoods and streets that are safe and attractive for walking and bicycling, the preservation of community history, and the protection of the environment, particularly along the Estero River.

As the Village of Estero approves its first Comprehensive Plan and Land Development Code, as required by law, the area comprising the Village Center Area may change to, among other things, include other land in that vicinity that meets the goals and objectives of the Estero Community Plan and furthers Objective 19.8 and the policies thereunder.

The proposed master concept plan includes a walkable, bikeable mixed-use environment that creates a socially vital center with interconnecting pedestrian vias which parallel the featured lake along Via Coconut Point and Main Street (connecting street) with a blend of integrated vertical and horizontal mixed uses. The proposed development will improve the quality of life for Estero's residents and visitors by providing additional housing and neighborhood types and more diverse economic activity in the heart of Estero. The proposed rezoning is consistent with Objective 19.8 and Policy 19.8.1.

POLICY 19.8.2: The Village will create a new planned development zoning district in the Land Development Code (the "Estero Planned Development Zoning

District”) to help implement these policies. This zoning district will contain tiered standards that apply to the Village Center Area and may include sub-districts which may have specific policies applying therein. Rezoning to the new Planned Development Zoning District must be sought to take advantage of the new tiered standards and densities with respect to specific development tracts. The Village’s intention is to use this new zoning district whenever increases in density and intensity are requested in the Village Center area (as such term is defined in the Land Development Code). The Village will coordinate with FDOT in review of any new “Village Center” land development or redevelopment project to assess potential impacts of density increase on State and SIS transportation facilities, such as US 41 and I-75.

POLICY 19.8.3: The Land Development Code provisions that will implement the objective and policies set forth in this Objective 19.8 shall consider such reasonable guidelines as are necessary in order to foster predictable built results and higher quality public spaces by using physical form (rather than separation of uses) as the organizing principle for achieving such objectives. Such guidelines may consider designating locations where different building form standards apply, the relationship of buildings to the public space, public standards for such elements in the public space as sidewalks, travel lanes, on-street parking, street trees, street furniture, and other aspects of the urban built environment that may be applicable to foster interconnection, social vitality and walkability in the Village Center Area. The Land Development Code provisions may also consider other alternative types of reasonable guidelines that may accomplish such goals in a different or complementary manner.

The proposed rezoning is for the Estero Planned Development District and the master concept plan complies with the Tier 3 standards as demonstrated further under the Land Development Code analysis. The project includes high quality public spaces that are central to the site planning and are designed to drive public accessibility, both socially and physically, in a connected and walkable manner. The proposed Main Street (connecting street) provides further interconnection and a safe, walkable and bikeable mixed use environment. The proposed rezoning is consistent with Policies 19.8.2 and 19.8.3.

POLICY 19.8.5: The Land Development Code will provide standards for four levels of development in the Village Center Area that will contribute to a walkable mixed-use environment in the Village Center Area:

- a. Tier 1 provides a minimum network of connecting streets that will allow the general public and residents to move by car, bike, or on foot within and through development tracts.*
- b. Tier 2 accommodates residential neighborhoods with higher densities and a potential for a greater variety of housing types, as well as mixed-use neighborhoods with higher levels of non residential uses, and, in each case, greater connectivity than Tier 1.*
- c. Tier 3 accommodates mixed-use neighborhoods with similar attributes as Tier 2 but with higher levels of non-residential uses as well.*

- d. *Tier 4 allows an entire development tract to be planned as a compact community, as provided in Chapter 32.*

POLICY 19.8.6: The Land Development Code will provide minimum standards for each tier and will describe public benefits that developers may offer to obtain specified density/intensity incentives in each tier.

The proposed rezoning is for the Estero Planned Development District and proposed Tier 3 master concept plan accommodates a vertically and horizontally integrated mixed-use neighborhood with higher densities and higher levels of non-residential uses. Compliance with the minimum standards for Tier 3 and the public benefits and incentives are demonstrated further under the Land Development Code analysis. The proposed rezoning is consistent with Policies 19.8.5 & 19.8.6.

POLICY 19.8.7: Base and maximum residential densities will be set by the Village Council during the planned development rezoning process based on its determination of an application's compliance with this Comprehensive Plan and the specific standards and requirements for each tier. Increases in base residential densities may be allowed after consideration of incentive offers as provided in the Land Development Code. Densities cannot exceed the top of the following ranges:

- a. *Tier 1: Base level is up to 6 dwelling units per acre of Tier 1-only land plus up to 3 additional dwelling units per acre of Tier 1-only land after consideration of accepted incentive offers, for a maximum of 9 dwelling units per acre of Tier 1-only land.*
- b. *Tier 2: Base level is up to 10 dwelling units per acre of Tier 2 land plus up to 4 dwelling units per acre of Tier 2 land after consideration of accepted incentive offers, for a maximum of 14 dwelling units per acre of Tier 2 land.*
- c. *Tier 3: Base level is up to 15 dwelling units per acre of Tier 3 land plus up to 5 dwelling units per acre of Tier 3 land after consideration of accepted incentive offers, for a maximum of 20 dwelling units per acre of Tier 3 land.*
- d. *Tier 4: Base level is up to 21 dwelling units per acre of Tier 4 land plus up to 6 dwelling units per acre of Tier 4 land after consideration of accepted incentive offers, for a maximum of 27 dwelling units per acre of Tier 4 land.*

Tier 3 allows additional densities (up to 20 units per acre/391 units) if incentive offers are accepted as providing significant public benefits. The Applicant's thoughtful project design deliberately elevated public benefits as the leading element and the site's incentive offers are numerous and truly provide the type of public benefits contemplated by the Village Center Area and Tier 3. The requested additional density (16.9 units per acre/330 units) is 1.9 units above the base density of up to 15 in Tier 3, which is consistent with the Applicant's approach to focus firstly on a true, place-making destination for the public, and only secondarily on residential density. The proposed rezoning is consistent with Policy 19.8.7.

Transitional Land Development Code Analysis

The requested rezoning and proposed master concept plan are consistent with the Estero PD General Criteria found in LDC Section 33-502 outlined below:

- (a) Goals: The request is consistent with the Village Center specific goals and policies set forth in the Comprehensive Plan as demonstrated in the above analysis. The proposed master concept plan and pattern book demonstrate a socially vital center supportive of businesses both big and small with the proposed 59,600 square feet of commercial development proposed. The proposed neighborhood and street frontages are safe and attractive for walking and bicycling including bike lanes on the proposed Main Street (connecting street) and a meandering 8' sidewalk and linear park along Via Coconut Point.
- (b) Reasonable Standards: The proposed master concept plan and pattern book demonstrate consistency with the reasonable standards including high quality construction and public spaces. The plan provides a walkable and bikeable mixed-use environment with internal sidewalks and a wide public 8' sidewalk and linear park with lush, greater-than-Code landscaping and public amenities. Main Street is a provided connecting street which includes bicycle lanes that will connect to the Village's planned bike lanes on Via Coconut Point and Village planned Estero Community Park west entrance shared use path to connect to Williams Road. On-street parking is proposed along the internal private accessways and on Main Street. Street trees and street furniture will be provided along Main Street and the 8' sidewalk which parallels the featured lake and provides waterfront pedestrian view vistas. The master concept plan demonstrates interconnectivity with the surrounding areas and throughout the public areas on site fostering social vitality and walkability in Village Center Area.
- (c) Accessibility: Via Coconut MPD includes public amenities along the Via Coconut Point frontage and along the Main Street (connecting street) mixed use center which provide socially and physically accessible public spaces that are interconnected, walkable and bikeable. Walkability, bikeability and the human pedestrian scale are primary over automobile use.
- (d) Streets: The proposed streets are a part of a connected, continuous street network, including Main Street which serves as an interconnector throughout the Village Center Area, and are designed to encourage a mixing of residential, commercial and public uses while connecting neighborhoods and destinations to serve the public interest.
- (e) Street Design: The enhancement of walkability and connectivity through the street design was the primary design focus which favors pedestrian use, including the implementation of a connector road at the project's center, as well as on-street parking, paver entries and pedestrian crosswalks to calm traffic and emphasize pedestrian safety. The storefronts, public areas and pedestrian connections encourage walkability.
- (f) Lots and Blocks. The layout of the streets creates connectivity and walkable blocks throughout the development. The private internal accessways provide access to parking and allow the outer faces of the development to include public amenities and building views establishing the intended urban fabric of the Village Center Area.
- (g) Visual Edge: The sidewalks, setbacks, building facades, public amenities, lush, greater-than-Code landscaping, lake features and other site design elements create an appealing "visual edge" visible from Via Coconut Road. All of this is bolstered by creative, high-quality site planning and architectural design. The buildings vary in height throughout the development for architectural variety and visual appeal. The residential structures are set back from Via Coconut Road behind the lakes and long, winding sidewalks with "architectural fingers" of the buildings extending towards Via Coconut to break up building

mass with covered parking screened with a single-story facade, rather than large, uniform blocks of structure. This design along with the proposed landscaping and public amenities encourage the social vitality of the street and truly activate the pedestrian landscape.

- (h) Architecture: The quality and variety of architecture is first-rate, having been designed by a local, prominent architect. The architecture of Via Coconut will be a refreshing Caribbean inspired architectural flavor. We feel it will be refreshing to the Village of Estero while being contextual to it's neighboring Mediterranean and Old Florida designed properties. The massing of the buildings is well articulated while respecting the human scale and character of the community. Varying rooflines, depictions of materials and the creating of light, mass and shadow are key components to this design.

The material pallet consists of subtle flavors of the British West Indies coastline including brown flat concrete roof tiles, contrasting simple white and off-white stucco walls, brown Bermuda shutters and awnings, painted aluminum eave brackets, sections of delicately horizontal scored stucco for texture as well as some contrasting shell stone / limestone detailing on prominent massing elements. The mixture of these colors textures and details will create a cinematic experience through the neighborhood.

The buildings include three-story stepped back elements from the remaining 4-story building masses. This massing change is stepped back from the perimeter lake and linear park creating a delicate footprint along the street frontage on Via Coconut. Additionally, the bulk of the development's parking is concealed within the first level of the building with units wrapping around the perimeter. This creates a centralized lower massing element with an elevated amenity deck as an amenity to the users.

We feel the project represents the highest of quality and appropriateness of our Coastal environment while delicately fitting into the surrounding context of the community. The architecture and public spaces are designed under the standards of the Village Center Area and share characteristics of neighboring properties that help generate a sense of connectivity and cohesive framework in the Village Center Area.

- (i) Quality of Buildings: The proposed buildings will be constructed with high quality materials and high technical quality to allow for adaptive reuse and/or renovation as needed. The building materials will be ecologically sensitive and compatible with Estero's unique climate.

The application and proposed master concept plan are consistent with the requirements of LDC Section 33-503. The master concept plan demonstrates the proposed Tier 3 designation and the location and classification of all streets as described in Section 33-508(a). The proposed mix of uses is demonstrated on the plan as well as the proposed use for the future phase commercial development parcel.

The proposed project meets the criteria for Tiers 1, 2 and 3 found in LDC Section 33-504. The proposed project includes a mixed-use neighborhood with higher densities and higher level of non-residential uses with connectivity for vehicles, bicycles and pedestrians creating a walkable mixed-use environment with significant public benefits.

The proposed residential density is consistent with LDC Section 33-505 and Comprehensive Plan Policy 19.8.7. Tier 3 densities are measured in dwelling units per gross acre for the entire tier, including non-residential land in that tier. As previously stated, Tier 3 allows additional densities

(up to 20 units per acre/391 units) if incentive offers are accepted as providing significant public benefits. The Applicant's thoughtful project design deliberately elevated public benefits as the leading element and the site's incentive offers are numerous and truly provide the type of public benefits contemplated by the Village Center Area and Tier 3. The requested additional density (16.9 units per acre/330 units) is 1.9 units above the base density of up to 15 in Tier 3, which is consistent with the Applicant's approach to focus firstly on a true, place-making destination for the public, and only secondarily on residential density.

The proposed maximum building height for the project is 4 stories or 59 feet to top of embellishments (46'4" to mid-point between eave and ridge) which is less than the base height allowed in Tier 3 of 60 feet and consistent with LDC Section 33-506. Although an increased height up to 70 feet may be requested in Tier 3, no additional height is requested as part of this application, so the incentive offers included are intended for increased densities only.

The Application includes a pattern book meeting the Tier 1, 2 and 3 standards that illustrates the anticipated visual character of the project including its first-rate architecture and lush, greater-than-Code landscaping, consistent with LDC Sections 33-507 and 33-393.

The proposed master concept plan is consistent with the street requirements in LDC Section 33-508. The master concept plan demonstrates the proposed street classifications and the proposed connecting street as shown on the Framework Plan. The connection is provided up to the edge of the development tract along the rail corridor and the private internal accessways provide sufficient turnaround area. The proposed connector street is shown as a Type B Semi-Public Street subject to final design at the time of development order at which time the determination will be made as to what may be potentially public, subject to subsection (c)(5). Interconnects are provided for the future commercial development parcel, integrating the site with the surroundings.

The site design implements best practices for block perimeter design to not exceed 1,600 linear feet in Tier 3, consistent with LDC Section 33-509 achieving connectivity and walkability. The block lengths range between 1,000 and 1,100 linear feet and private accessways provide rear access to parking areas.

The site does not include any existing indigenous plant communities, as demonstrated on the submitted environmental reports and no indigenous plant communities existed on the site when the Village of Estero incorporated.

Please see accompanying Surface Water Management Narrative. The development plan incorporates best practices for compact surface water management design to minimize impacts on connectivity and walkability by incorporating the below features consistent with LDC Sec. 33-511:

1. Unified surface water management system for entire tract.
2. Anticipates water management needs for future phase commercial outparcel of either 30,000 SF commercial or 124 hotel rooms.
3. Includes deviations to minimize the amount of land devoted to lakes to allow flexibility in the lake maintenance easements, to allow for a higher percentage of bulkheads, and to allow reduced setbacks along a collector roadway.
4. Proposes underground storage vaults as encouraged in Tier 3 to include storm water detained underground.
5. Provides filter marshes

The project is consistent with the Visible Edge requirements contained in LDC Section 33-512. The buildings on site present an attractive public face that contributes to public life and activity in the Village Center Area. The place-making site design elements create public spaces along the Via Coconut Point frontage which enhance and incentivize the social vibrancy of the Village Center Area while providing significant public benefits. Parking spaces are located within or behind the subject buildings or are appropriately visually buffered from Via Coconut Road. The commercial and mixed-use buildings will have entrances clearly visible and directly accessible from the street and located within a reasonably close distance to the connecting street. The future commercial development parcel will comply with all provisions of LDC Sec. 33-51 through 33-477.

The Application complies with the Tier 3 standards (Sec. 33-515) in addition to the Tier 1 standards (Sec. 33-513) and Tier 2 standards (33-514). Publicly accessible civic spaces are provided in the development plan with the 8' meandering sidewalk and linear park along Via Coconut Point. The thoughtful, place-making site design integrates walkability throughout by using interconnecting pedestrian vias which parallel the featured lake and provide a waterfront pavilion and fishing pier, benches and pedestrian view vistas to create a vital destination with exceptional public benefits.

- (a) Greater mix of uses: The proposed development is a true, place-making mixed use project that will be a socially vital destination for Village citizens. It includes vertical mixed use in buildings C and D along the proposed Main Street (connecting street) with commercial on the first floor and residential on the upper floors. Additional commercial uses are horizontally integrated at the intersection of Via Coconut with the connector Main Street, including a high-end restaurant with long, beautiful lake views. The project also includes high-end residential apartments. Commercial floor area is included in the first floors of all buildings with frontage on the primary public gathering place, Main Street. At least one-half of the commercial building area may accommodate restaurants.
- (b) Gathering places: Publicly accessible gathering places are a primary feature of the site, including Main Street (connecting street) with bicycle lanes connecting to the Village proposed Via Coconut Point bicycle lanes and proposed Estero Community Park shared use path to connect to Williams Road, a long, 8' meandering sidewalk and linear park, a dog park, a public pavilion and lawn area, a 14'x14' public observation pavilion/fishing pier on the lake, park bench areas, and an overall socially vital center with significant benefits to the public for congregating. The public spaces are central to the site planning and are designed to drive public accessibility, both socially and physically, in a connected and walkable manner.

Main Street (connecting street) would be the primary, publicly accessible gathering space. It is a thoughtfully planned and designed open public gathering space with place-making uses that functions as a "third place" for the Village to help create a social vitality in the Village Center Area. The design of Main Street is very attractive, visible and easily accessible from Via Coconut Road and will provide for connection through the adjacent rail corridor to the west. It is clearly located and designed for the larger public benefit, not just the benefit of the occupants of the development. The ground floors of the buildings on Main Street include place-making uses that would allow restaurants, bakeries, cafes, fitness studios and other uses that promote public gathering and social vitality.

The proposed development provides Architectural Diversity and High Quality Development consistent with LDC Section 33-517. The variety of architecture and landscaping is of the highest quality and the variety of uses include unifying and compatible features throughout the site, which features are also compatible and cohesive with the Village Center Area and neighboring developments. The architecture of Via Coconut will be a refreshing Caribbean inspired architectural flavor. We feel it will be refreshing to the Village of Estero while being contextual to it's neighboring Mediterranean and Old Florida designed properties. The massing of the buildings is well articulated while respecting the human scale and character of the community. Varying rooflines, depictions of materials and the creating of light, mass and shadow are key components to this design. The buildings include three-story stepped back elements from the remaining 4-story building masses. This massing change is stepped back from the perimeter lake and linear park creating a delicate footprint along the street frontage on Via Coconut. Additionally, the bulk of the development's parking is concealed within the first level of the building with units wrapping around the perimeter. This creates a centralized lower massing element with an elevated amenity deck as an amenity to the users. The architecture and public spaces are designed under the standards of the Village Center Area and share characteristics of neighboring properties that help generate a sense of connectivity and cohesive framework in the Village Center Area.

The architecture of Via Coconut fits under the category of "other styles" of architecture that are deemed compatible with both Mediterranean and Old Florida. The development's architecture is influenced by the Coastal Caribbean British West Indies style. The buildings include clean lines with timeless stucco textures and elongated coastal brackets. The buildings also include Caribbean influenced awning shutters and a simple, three toned color pallet. The rooflines are simplified by hipped roof configurations and vertical roof plane changes giving the buildings a sense of well proportioned massing. The roof is accentuated by a flat concrete roof cladding with mitered edging for a more contemporary appearance. The building includes large windows with dark bronze aluminum finishes. The brackets and shutters will share the same contrasting color scheme. The architectural style fits nicely within the framework of the existing Mediterranean influence of the community and becomes a good transition to more Old Florida style buildings.

The proposed Via Coconut development compliments and blends with the adjacent Genova condominium development which is in the Mediterranean style as well as the proposed new Pavich building adjacently North of this site which is Old Florida style. The proposed British West Indies style development is a mixture of Old Florida and Mediterranean design elements.

The development incorporates the following façade treatments:

- Each building contains a clearly defined entryway with stepped building massing to help identify the building entrance.
- The buildings include a wide variety of varying rooflines, pitches and roof shapes. The primary roof is a concrete flat roof system with varying perimeter undulating hip roof lines and hip roof tower elements.
- The mixed-use oriented structures along the main street entranceway include transparent display windows and provide visibility into the building's interior.
- The project consistently includes large overhangs and functional awning features.
- The buildings consistently include well-articulated building massing and avoid the use of blank wall areas. The building includes appropriate ornamentation with a variety of

building materials including flat concrete roof tiles, architectural brackets and a mixture of smooth and scored stucco applications.

- The buildings consistently include a large amount of brackets similar to the use of a cornice along with well-articulated roof parapets and tower elements creating a variety of vertical roof plane changes.

Each commercial and mixed-use structure within the development includes large display windows at the street level on all commercial street frontages.

The building colors for Via Coconut are in the soft and neutral range including earth tones. The trim colors are contrasting dark bronze to help transition the softness of the building walls to the roof color.

The anticipated construction materials are as follows:

- Buildings walls: concrete block construction, with a smooth stucco finish, painted with soft colors, off white.
- Stone veneer (light beige) in some areas.
- Interior finishes: Stucco walls painted, ceramic tile for restrooms and ceramic tile with carpet for floors.
- Building A, B, and C will provide 4 elevators each tower. (manufacturer by Kone or Schindler elevators)
- Buildings C and D will have one elevator each building. (manufacturer by Kone or Schindler elevators)
- Stairways: Cast in place concrete
- All building lighting will enhance entrances and main features of buildings points.
- Slabs: Concrete slabs, post tension reinforced concrete.
- Storefront and windows: Dark bronze aluminum storefront.
- Hand rails: Dark bronze aluminum
- Awnings: Frame dark bronze
- Brackets: Prefabricated, with dark bronze finish
- Roof system: The structure will be with prefabricated trusses, and tile roof system
- Circulation sidewalks and paths: Concrete and concrete tiles

The Application includes Public Benefits and Incentive Offers pursuant to LDC Sec. 33-518 to facilitate the request for additional densities, however additional height is not included in the request. Tier 3 allows additional densities (up to 20 units per acre/391 units) if incentive offers are accepted as providing significant public benefits. The Applicant's thoughtful project design deliberately elevated public benefits as the leading element and the site's incentive offers are numerous and truly provide the type of public benefits contemplated by the Village Center Area

and Tier 3. The requested additional density (16.9 units per acre/330 units) is 1.9 units above the base density of up to 15 in Tier 3, which is consistent with the Applicant's approach to focus firstly on a true, place-making destination for the public, and only secondarily on residential density. The Applicant's incentive offers create a place-making socially vital center with significant public benefits as follows:

- Interconnectivity (High Value): Main Street (connecting street) is consistent with the Village Center Framework plan for interconnectivity and provides a valuable public gathering place with pedestrian connections and bike lanes that will connect to the Village's planned bike lanes on Via Coconut Point and Village planned Estero Community Park entrance shared use path across the street to connect to Williams Road.
- Best Practices (High Value): The site design implemented best practices for block perimeter design to not exceed 1,600 linear feet in Tier 3, consistent with LDC Section 33-509 achieving connectivity and walkability. The development plan also incorporates best practices for compact surface water management design to minimize impacts on connectivity and walkability by incorporating the below features consistent with LDC Sec. 33-511:
 1. Unified surface water management system for entire tract
 2. Anticipates water management needs for future phase commercial outparcel of either 30,000 SF commercial or 124 hotel rooms
 3. Includes deviations to minimize the amount of land devoted to lakes to allow flexibility in the lake maintenance easements, to allow for a higher percentage of bulkheads, and to allow reduced setbacks along a collector roadway.
 4. Proposes underground storage vaults as encouraged in Tier 3 to include storm water detained underground.
 5. Provides filter marshes
- Enhanced street design (Medium-High Value): The site's street front design encourages pedestrian use and the calming of traffic. Bike lanes, on-street parking and sidewalks on both sides of the Main Street (connecting street) are provided.
- Public hike/bike trails (High Value): The site design provides for an 8' wide public meandering sidewalk and linear park with public spaces that winds along Via Coconut Point which is a visually appealing design feature and public benefit. Bike lanes are proposed along Main Street (connecting street) which will connect to the Village's planned bike lanes on Via Coconut Point and Village planned Estero Community Park entrance shared use path to connect to Williams Road and provide for future interconnect with the rail corridor and desirable north/south trail along the west.
- Gathering places (Medium-High Value): As previously stated, publicly accessible gathering places are a primary feature of the site, including Main Street (connecting street) with bicycle lanes connecting to the Village proposed Via Coconut Point bicycle lanes and proposed Estero Community Park shared use

path to connect to Williams Road, a long, 8' meandering sidewalk and linear park, a dog park, a public pavilion and lawn area, a 14'x14' public observation pavilion on the lake, a park bench area, and an overall socially vital center with significant benefits to the public for congregating.

Main Street (connecting street) is the ultimate public gathering place as a high-quality destination with place-making uses. It is a thoughtfully planned and designed open public gathering space with place-making uses that functions as a "third place" for the Village to help create social vitality in the Village Center Area. The design of Main Street is very attractive, visible and easily accessible from Via Coconut Road and will provide for connection through the adjacent rail corridor to the west. It is clearly located and designed for the larger public benefit, not just the benefit of the occupants of the development. The ground floors of the buildings on Main Street include place-making uses that would allow restaurants, bakeries, cafes, fitness studios and other uses that promote public gathering and social vitality.

- Architectural Excellent/Innovation Design (High Value): The architecture is of the highest quality and design. As previously stated, the proposed buildings will be constructed with high quality materials and high technical quality to allow for adaptive reuse and/or renovation as needed. The building materials will be ecologically sensitive and compatible with Estero's unique climate. The architecture of Via Coconut will be a refreshing Caribbean inspired architectural flavor. We feel it will be refreshing to the Village of Estero while being contextual to its neighboring Mediterranean designed properties. The massing of the buildings is well articulated while respecting the human scale and character of the community. Varying rooflines, depictions of materials and the creating of light, mass and shadow are key components to this design.

The material pallet consists of subtle flavors of the British West Indies coastline including brown flat concrete roof tiles, contrasting simple white and off-white stucco walls, brown Bermuda shutters and awnings, painted aluminum eave brackets, sections of delicately horizontal scored stucco for texture as well as some contrasting shell stone / limestone detailing on prominent massing elements. The mixture of these colors textures and details will create a cinematic experience through the neighborhood.

The buildings include three-story stepped back elements from the remaining 4-story building masses. This massing change is stepped back from the perimeter lake and linear park creating a delicate footprint along the street frontage on Via Coconut. Additionally, the bulk of the development's parking is concealed within the first level of the building with units wrapping around the perimeter. This creates a centralized lower massing element with an elevated amenity deck as an amenity to the users.

We feel the project represents the highest of quality and appropriateness of our Coastal environment while delicately fitting into the surrounding context of the community. The architecture and public spaces are designed under the standards of the Village Center Area and share characteristics of neighboring properties that

help generate a sense of connectivity and cohesive framework in the Village Center Area.

- On-street parking (Medium-High Value): The design of the on-street parking spaces proposed along the internal private accessways and Main Street (connecting street) is thoughtful, appropriately buffered, and traffic calming.
- Off-street parking (Medium-High Value): The design of the off-street parking spaces is thoughtful, appropriately buffered, and traffic calming. A deviation request is included for reduced non-residential on-site parking requirement. The residential buildings have been uniquely designed to conceal the bulk of the development's parking within the first level of the building with units wrapping around the perimeter. This creates a centralized lower massing element with an elevated amenity deck as an amenity to the users.
- Cultural Spaces (High Value): The site design includes a public pavilion and lawn area to facilitate cultural activities as part of the public amenities along the meandering 8' sidewalk and linear park.
- Vertical Mixed Use (High Value): Main Street (connecting street) includes 2 vertical mixed-use buildings where non-residential uses such as office, retail, or dining are at ground level and residential uses above.
- Construct Civic Improvements (Low-Medium Value): Publicly accessible civic spaces are provided in the development plan with the 8' meandering sidewalk and linear park along Via Coconut Point.

The applicant proposes to include the schedule of uses permitted under table 33-519(b) for the Estero PD district with the exception that dwelling units will be limited to live-work and multi-family uses and uses have been removed that were deemed inconsistent with the proposed development plan.

Transitional Land Development Code Required Determination and Findings

The proposed incentive offers comply with the Village Determination criteria provided in Land Development Code Section 33-518(b) as follows:

- (1) Meet or exceed the goals and objectives of the comprehensive plan;
- (2) Meet or exceed the General Criteria under Sec. 33-502, and
- (3) Create significant public benefit commensurate with the value of such incentive offers to the Village, and the appropriateness of such incentive offers to the applicable Tier and to the particular development plan.

The applicant submits that the multiple proposed incentive offers meet or exceed the goals and objectives of the comprehensive plan as demonstrated in the above analysis and meet or exceed the General Criteria under Sec. 33-502 as demonstrated in the above analysis. The proposed incentives create a significant public benefit and are appropriate for the proposed Tier 3 development plan.

The requested rezoning complies with the findings provided in Land Development Code Section 34-145(d)(3) as follows:

- a. *The applicant has proved entitlement to the rezoning by demonstrating compliance with the Lee Plan, this land development code, and any other applicable code or regulation; and*

The requested rezoning to Estero PD zoning district is in compliance with the Comprehensive Plan for the Village Center and the Land Development Code as discussed above.

- b. *The request, including the use of TDR or affordable housing bonus density units, is consistent with the densities, intensities and general uses set forth in the Lee Plan; and*

The requested rezoning to Estero PD zoning district is consistent with the densities, intensities and general uses set forth in the Comprehensive Plan as demonstrated in the above analysis.

- c. *The request is compatible with existing or planned uses in the surrounding area; and*

The request is compatible with existing or planned uses in the area. The site is uniquely situated on the Framework Plan with frontage along an arterial to the north (Corkscrew Road,) a major collector to the east and south (Via Coconut Point) and the rail corridor and desirable north/south trail along the west. The surrounding areas are also within the Village Center future land use category.

- d. *Approval of the request 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; and*

The Traffic Impact Statement submitted with this request analyzed a slightly more intense development scenario than the current application request and demonstrates that the request will not place an undue burden upon the existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development.

- e. *Where applicable, the request will not adversely affect environmentally critical areas and natural resources.*

The request will not adversely affect environmentally critical areas and natural resources. The environmental reports submitted with this request demonstrate there are no existing environmentally critical areas or natural resources on site.

- f. *In the case of a planned development rezoning or mine excavation planned development, the decision of the Hearing Examiner must also be supported by the formal findings required by sections 34-377(a)(2) and (4).*

(2) The recommendation made to the Board of County Commissioners must be supported by formal findings that address the guidelines set forth in section 34-

145(d)(3) of this chapter. In addition, the findings must address whether the following criteria can be satisfied:

a. The proposed use or mix of uses is appropriate at the subject location;

b. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

c. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

(4) If the application includes a schedule of deviations pursuant to section 34-373(a)(9), the Hearing Examiner's recommendation must approve, approve with modification or reject each requested deviation based upon a finding that each item:

a. Enhances the achievement of the objectives of the planned development; and

b. Preserves and promotes the general intent of this chapter to protect the public health, safety and welfare.

The proposed mix of uses are appropriate at the subject location and the requested deviations enhance the achievement of the objectives of the planned development and preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

g. Where the change proposed is within a future urban area category, the Hearing Examiner must also find that urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

Urban services are available and adequate to serve the proposed land uses. A letter of availability has been requested from Lee County Utilities and will be provided upon receipt. Estero Fire Department 41 is within approximately ½ mile of the site. Estero High School is within approximately ½ mile of the site.

h. If the rezoning is to Compact PD, the recommendation of the Hearing Examiner must also include findings regarding the provisions set forth in section 32-504(a).

Not applicable.

i. That the level of access and traffic flow (i.e. median openings, turning movements etc.) is sufficient to support the proposed development intensity.

The submitted Traffic Impact Statement demonstrates compliance with road capacity and transportation issues.

j. If the hearing concerns a mine excavation planned development, that the request meets the criteria and standards set forth in chapter 12

Not applicable.

In conclusion, the proposed Via Coconut MPD rezoning to Estero PD Zoning District is a project of the highest quality that fits squarely within the Village's vision for a place-making mixed use destination with significant public benefits. It is in compliance with the Village of Estero

Transitional Comprehensive Plan, the Land Development Code, and other applicable codes and regulations; meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; is consistent with the densities, intensities and general uses set forth in the Village of Estero Transitional Comprehensive Plan; is compatible with existing or planned uses in the surrounding area; will not adversely affect environmentally critical areas or natural resources; will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development; urban services are available and adequate to serve the proposed land use; the proposed mix of uses is appropriate at the subject location; the recommended conditions provide sufficient safeguard to the public interest and are reasonably related to the impacts on the public's interest created by or expected from the proposed development. For these reasons, the applicant respectfully submits that the rezoning request should be approved.