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**VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2022 - 14**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, AMENDING THE COCONUT TRACE COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING TO ALLOW A REAL ESTATE SALES CENTER FOR OFF-SITE SALES ON A 3.5-ACRE PROPERTY ON THE WEST SIDE OF US 41 NORTH OF COCONUT ROAD ACROSS FROM COCONUT POINT MALL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Naples Community Hospital represented by LB Estero Bay Investments and RVi Planning + Landscape Architecture, (the “Applicant”) filed an application for an amendment to the Coconut Trace Commercial Planned Development (CPD to amend the Schedule of Uses to allow a Real Estate Sales Center for Off-site Sales on approximately 3.5-acres (the “Property”); and

WHEREAS, the property STRAP numbers are 09-47-25-E2-3500B.00C0 and 09-47-25-E2-3500B.00D0 and is legally described as:

Out-Parcels C and D in Block “B”, Coconut Trace according to the Plat thereof recorded under Official Records Instrument Number 2006000423660, of the Public Records of Lee County, Florida.

WHEREAS, at a duly noticed public hearing held on September 13, 2022, the Planning, Zoning, and Design Board recommended approval with conditions of the rezoning; and

WHEREAS, a duly noticed first reading was held before the Village Council on October 19, 2022; and

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on November 2, 2022 for adoption of the Ordinance; and

NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero, Florida:

45 **Section 1. Zoning Amendment.**

46
47 The Village Council approves with conditions the amendment to the Commercial
48 Planned Development, subject to the following conditions.
49

50 **Section 2. Conditions**

51
52 1. Master Concept Plan

53
54 Development of this project is limited to a maximum of 40,000 square feet of
55 commercial use and development must be consistent with the Master Concept
56 Plan (MCP) titled “Coconut Trace Master Concept Plan”, stamped “Received
57 June 14, 2022”. Development must also be consistent with the 35-foot height
58 maximum and other property development regulations in Resolution Z-03-011.
59

60 2. Pattern Book

61
62 Development of this project must be consistent with the Pattern Book titled
63 “Coconut Trace CPD Supplemental Pattern Book, Tracts C & D”, stamped
64 “Received August 17, 2022”. The applicant will modify the Pure White color to a
65 more muted white tone acceptable to Village Staff.
66

67 3. Resolution Z-03-011

68
69 The approval and conditions granted in Resolution Z-03-011 shall remain in
70 effect except for the Schedule of Uses and Site Development Regulations which
71 are amended to add as follows:
72

73 2.A. Schedule of Uses

74
75 REAL ESTATE SALES OFFICE, Parcel C and D only.
76

77 4. Lyden Drive

78
79 If construction of Lyden Drive is not completed to Coconut Road, or if
80 construction of Cerise Drive to US 41 is not completed, then the applicant shall
81 place barricades south of the project entrance on Lyden Drive to allow a
82 turnaround, subject to Public Works approval prior to a Certificate of Occupancy
83 for the building.
84

85 5. Public Gathering Area

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87 The applicant shall provide details regarding the improvements associated with
88 the Public Gathering Areas at the time of the development order.

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6. Sidewalk & Pedestrian Connections

Sidewalks and pedestrian connections must be provided consistent with the Pattern Book and Land Development Code.

7. Buffers

An enhanced Type “D” Buffer shall be provided along U.S. 41 to include trees/palms that are a minimum of 14-foot tall at the time of planting.

As part of local development order approval, the development order plans must demonstrate buffering consistent with the Master Concept Plan, the Land Development Code, and the Pattern Book.

As part of local development order approval, all required buffer plantings must be 100% native vegetation.

Section 3. Findings and Conclusions

Based upon an analysis of the application and the standards for approval in the Land Development Code, and the conditions of approval, the Council finds and concludes the application:

1. Is consistent with and furthers the goals, objective, and policies of the Comprehensive Plan and all other Village adopted plans.
2. Is not in conflict with any portion of the LDC.
3. Addresses a demonstrated community need
4. Is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.
5. Would result in a logical and orderly development pattern.
6. Would not adversely affect the property values in the area.
7. Would result in development that is adequately served by public facilities (road, potable water, wastewater, solid, waste, storm water, schools, parks, police, and fire and emergency medical facilities.
8. Would not result in significantly adverse impacts on the natural environment – including, but not limited to water air, noise, storm water management, wildlife,

132 vegetation, wetlands, environmentally critical area, and the natural functioning of
133 the environment.

134
135 9. Is compatible with existing or planned uses in the surrounding area.

136
137 **Section 4. Exhibits**

138
139 The following exhibits are attached to this Ordinance and incorporated by reference:

140
141 Exhibit A Master Concept Plan, received and date stamped June 14, 2022.

142 Exhibit B Pattern Book, received and date stamped August 17, 2022.

143
144 **Section 5. Severability.**

145
146 Should any section, paragraph, sentence, clause, phrase or other part of this
147 Ordinance subsequent to its effective date be declared by a court of competent
148 jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance
149 as a whole or any portion thereof, other than the part so declared to be invalid.

150
151 **Section 6. Effective Date.**

152
153 This ordinance shall take effect upon adoption at second reading.

154
155 **PASSED** on first reading this 19th day of October, 2022.

156
157 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of
158 Estero, Florida this 2nd day of November 2022.

159
160
161 Attest:

VILLAGE OF ESTERO, FLORIDA

162
163
164 By:


Carol Sacco, Village Clerk

By:


Katy Errington, Mayor

165
166
167
168 Reviewed for legal sufficiency:

169
170
171 By:


Nancy Stroud, Esq., Village Land Use Attorney

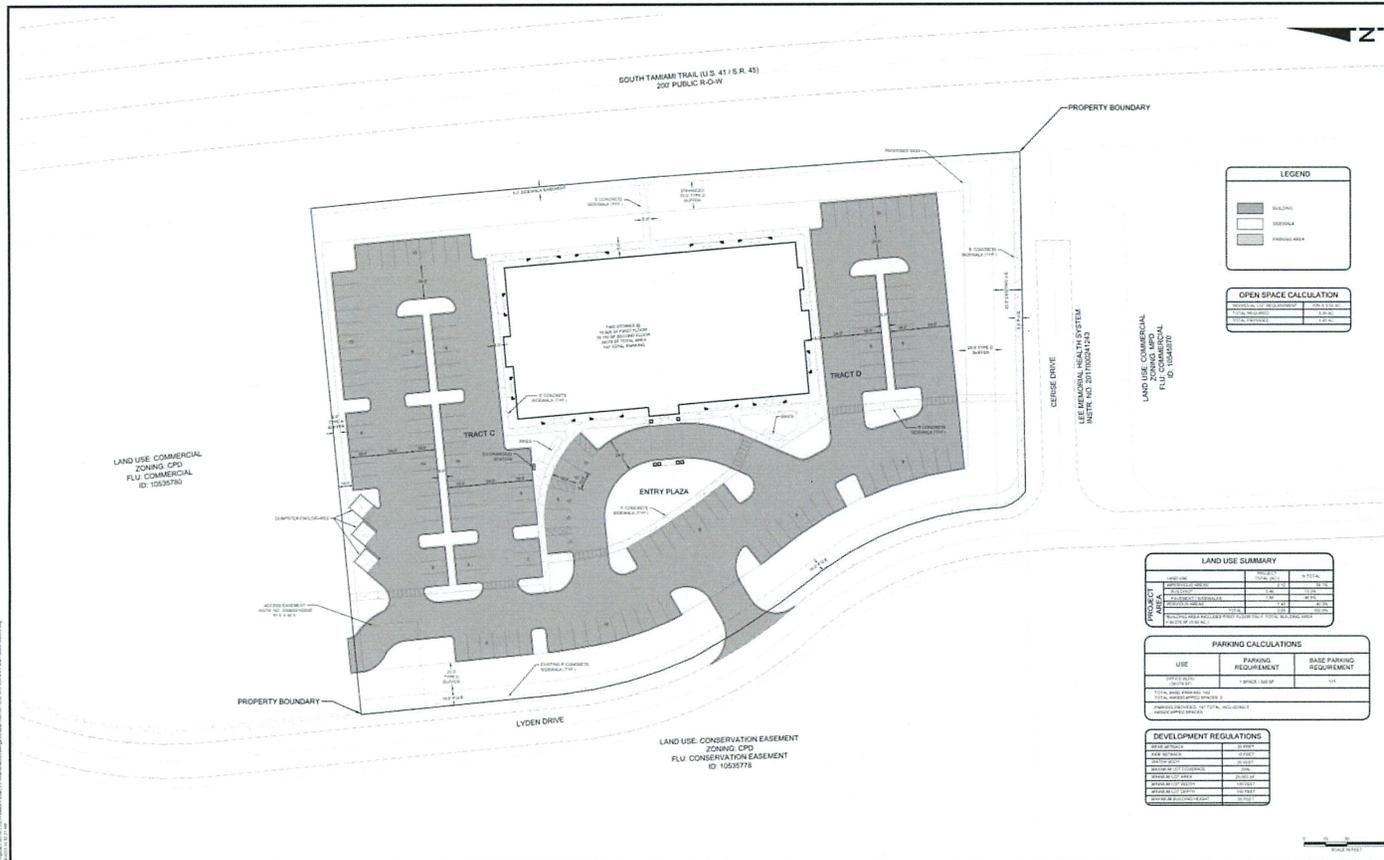
176			
177			
178	Vote:	AYE	NAY
179			
180	Mayor Errington	<u>X</u>	_____
181	Vice Mayor McLain	<u>X</u>	_____
182	Councilmember Ribble	<u>X</u>	_____
183	Councilmember Fiesel	<u>X</u>	_____
184	Councilmember Boesch	<u>X</u>	_____
185	Councilmember Ward	<u>X</u>	_____
186	Councilmember Wilson	<u>X</u>	_____



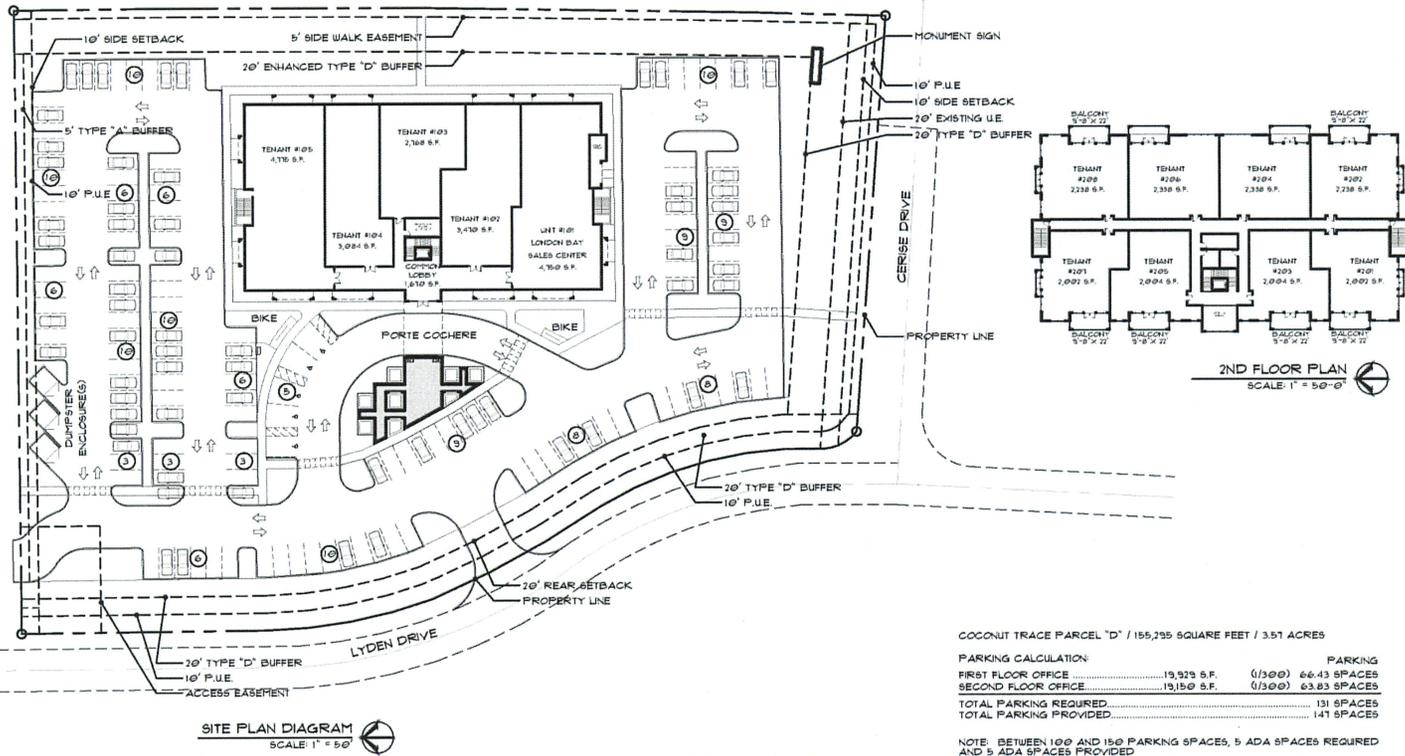
COCONUT TRACE CPD
SUPPLEMENTAL PATTERN BOOK
TRACTS C & D

August 17, 2022

CONCEPTUAL SITE PLAN



CONCEPTUAL SITE PLAN



Coconut Trace
US 41 and Gen. Dr. Estero Florida

MHK ARCHITECTURE & PLANNING SK2
JAN 8 1998

COCONUT TRACE CPD - TRACTS C & D

CONCEPTUAL ARCHITECTURAL RENDERING PERSPECTIVE TO THE EAST



04/23/2022 08:14:49 AM 10/23/2022 08:14:49 AM

Coconut Trace
US 4.1 out from Dr. Estero Florida

1000 BARBER ROAD
SUITE 1000
PALM BEACH, FLORIDA 33480
TEL: 561-833-1111
WWW.MKAP.COM

MK ARCHITECTURE & PLANNING

SK9
August 09, 2022

COCONUT TRACE CPD - TRACTS C & D

CONCEPTUAL ARCHITECTURAL RENDERING PERSPECTIVE TO THE EAST



10/18/2018 10:11:24 AM 10/18/2018 10:11:24 AM 10/18/2018 10:11:24 AM 10/18/2018 10:11:24 AM 10/18/2018 10:11:24 AM

Coconut Trace
 US 41 and Glen Dr. Estero Florida

200 7th St. Suite C
 Fort Lauderdale, FL 33304
 Phone: 754.444.1111
 Fax: 754.444.1112
MK ARCHITECTURE & PLANNING


COCONUT TRACE CPD - TRACTS C & D

MASTER LANDSCAPE CONCEPT PLAN



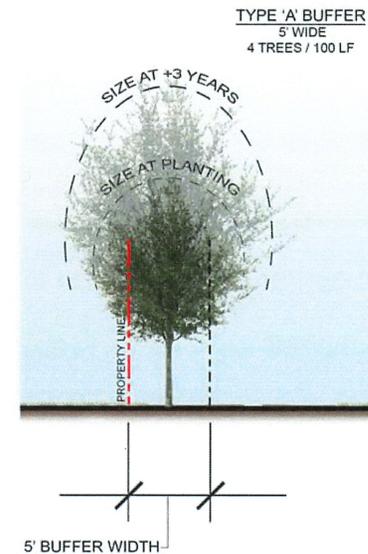
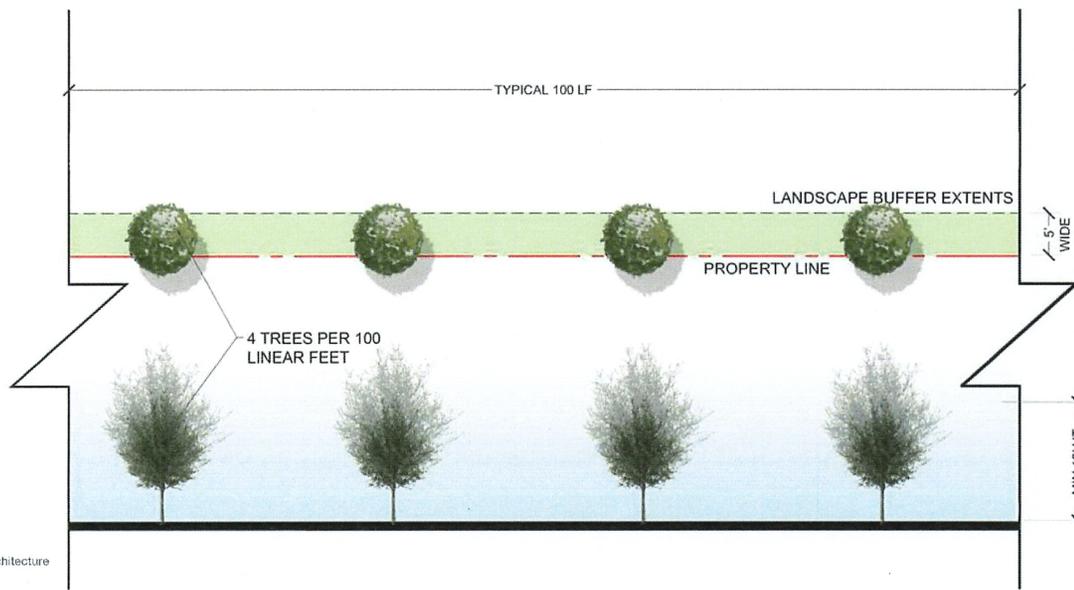
DISCLAIMER: LANDSCAPE IS CONCEPTUAL AND SUBJECT TO CHANGE UPON FINAL APPROVAL

COCONUT TRACE CPD – TRACTS C & D

LANDSCAPE: TYPE A BUFFER VISUALIZATION

Plant Material Specifications (per LDC Sec. 5-403 & Sec. 5-406)

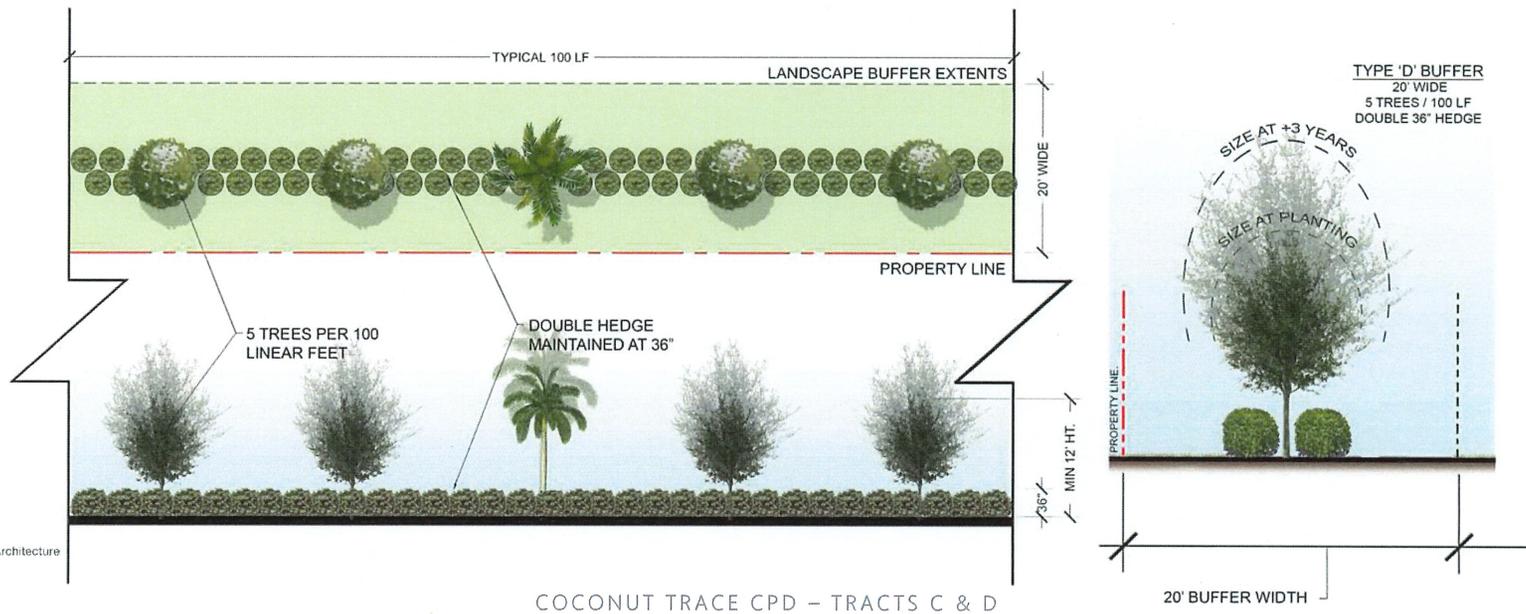
- Code required canopy trees must be a minimum of twelve (12) feet in height measured from the adjacent grade of the development site, have a two & one-half inch (2-1/2) caliper, a five (5') foot spread, and 45-gallon size or field-grown at the time of planting. The clustering of trees and use of palms (3 or more) within the ROW buffer will add design flexibility and reduce conflicts.
- Shrubs must be a minimum of 24 inches in height, at time of planting. All shrubs must be installed at an appropriate height to meet the minimum specified height after one growing season or one year from time of installation, whichever is more restrictive, and be spaced an average of 18 to 36 inches on center. They must be at least 36 inches in height within 12 months of time of planting and maintained perpetuity at a height of no less than 36 inches. Shrubs shall be installed to maintain an 18-inch clearance from hardscapes and a 36-inch clearance from buildings.
- Required hedges must be planted and maintained so as to form a continuous, unbroken, solid visual screen within a minimum of one-year the time of planting.



LANDSCAPE: TYPE D BUFFER VISUALIZATION

Plant Material Specifications (per LDC Sec. 5-403 & Sec. 5-406)

- Code required canopy trees must be a minimum of twelve (12) feet in height measured from the adjacent grade of the development site, have a two & one-half inch (2-1/2) caliper, a five (5') foot spread, and 45-gallon size or field-grown at the time of planting. The clustering of trees and use of palms (3 or more) within the ROW buffer will add design flexibility and reduce conflicts.
- Shrubs must be a minimum of 24 inches in height, at time of planting. All shrubs must be installed at an appropriate height to meet the minimum specified height after one growing season or one year from time of installation, whichever is more restrictive, and be spaced an average of 18 to 36 inches on center. They must be at least 36 inches in height within 12 months of time of planting and maintained perpetuity at a height of no less than 36 inches. Shrubs shall be installed to maintain an 18-inch clearance from hardscapes and a 36-inch clearance from buildings.
- Required hedges must be planted and maintained so as to form a continuous, unbroken, solid visual screen within a minimum of one-year the time of planting.

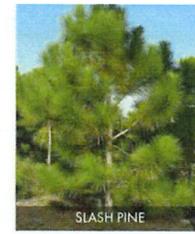


LANDSCAPE: PLANT PALETTE

SHRUBS & ACCENTS



CANOPY



GROUND STORY



ACCENTS / MIDSTORY



LAKE BANKS LITTORALS



PALM



