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**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, AMENDING LEE COUNTY ZONING RESOLUTION Z-14-028 FOR THE MIXED USE PLANNED DEVELOPMENT KNOWN AS ESTERO GRANDE, BEING APPROXIMATELY 29.6 ACRES LOCATED GENERALLY WEST OF U.S. 41 AT THE INTERSECTION OF ESTERO PARKWAY, TO REQUIRE APPROVAL OF A PATTERN BOOK PRIOR TO ISSUANCE OF THE FIRST LOCAL DEVELOPMENT ORDER WHICH INCLUDES ANY VERTICAL CONSTRUCTION; ADOPTING RECITALS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Conditions 17 and 18 of the Resolution require that both a unified architectural theme on all sides of residential and commercial buildings, and a unified common signage plan and graphic design theme for the signs be approved by the Department of Community Development prior to local development order approval; and

**WHEREAS,** Village of Estero Ordinance 2015-01 (“Ordinance”) created the Estero Planning and Zoning Board, and the Estero Design Review Board, and delegated certain powers to those boards that under the Village of Estero Charter were vested in the Village Council; and

**WHEREAS**, the Village Council has determined that the Ordinance did not delegate the authority to approve a condition to Resolution to the aforesaid Boards but that authority is retained by the Village Council; and

**WHEREAS**, the Village Council has determined that it is more appropriate and beneficial to the Village that the Pattern Book establishing a unified architectural theme and sign plan and theme be approved by the Village Council prior to the issuance of the first local development order which includes any vertical construction; and

**WHEREAS**, Estero Grande, LLC, owner (“Applicant”) of the Property, has applied to the Village for an amendment to the Resolution to provide for approval of the Pattern Book

44 prior to the issuance of the first local development order which includes any vertical  
45 construction; and

46  
47 **WHEREAS**, the Village Planning and Zoning Board, sitting as the Local Planning  
48 Agency, at its duly noticed and conducted public hearing of May 16, 2017 recommended  
49 approval of the aforesaid amendment; and

50  
51 **WHEREAS**, a duly noticed first reading was held before the Village Council on May  
52 17, 2017; and

53  
54 **WHEREAS**, a duly noticed second reading and public hearing was held before the  
55 Village Council on May 31, 2017, at which time the Village Council gave consideration to the  
56 evidence presented by the Applicant and the Village staff, the recommendations of the  
57 Planning and Zoning Board and the comments of the public.

58  
59 **NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero,  
60 Florida:

61  
62 **Section 1. Recitals Adopted.** That each of the above stated recitals is hereby  
63 adopted and confirmed as being true, and the same are hereby incorporated as a part of this  
64 Ordinance.

65  
66 **Section 2. Approval.** That Resolution Z-14-028 is hereby amended as to Section  
67 B, paragraphs 17 and 18, to state as follows (underlining is additional text and strike through  
68 is deleted text):

69  
70 17. Development Parameters

71  
72 Development must include a unified architectural theme on all sides of residential and  
73 commercial buildings consistent with LDC Chapters 10 and 33 to ensure an equally  
74 attractive architectural elevation for every facet of the development.

75  
76 The developer must submit a plan illustrating these design standards to the Village  
77 Council for review and approval prior to the issuance of the first local development  
78 order which includes any vertical construction. This condition is applicable to the entire  
79 development including outparcels.

80  
81 18. Signs

82  
83 The project must reflect a unified, common signage plan and graphic design theme.  
84 The sign plan and graphic design theme must be reviewed and approved by the Village  
85 Council prior to the issuance of the first local development order which includes any  
86 vertical construction.

If applicable, deviations from LDC Chapters 10, 30 and 33 will be reviewed and considered through the Planned Development Administrative Approval process.

**Section 3. Effective Date.** That this Ordinance shall take effect immediately upon adoption at second reading.

**PASSED ON FIRST READING** this 17<sup>th</sup> day of May, 2017.

**PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this 31<sup>st</sup> day of May, 2017.

Attest:

**VILLAGE OF ESTERO, FLORIDA**

By: Kathy Hall  
Kathy Hall, MMC, Village Clerk

By: James R. Boesch  
James R. Boesch, Mayor

Reviewed for legal sufficiency:

By: Nancy E. Stroud  
Nancy E. Stroud, Village Land Use Attorney

Vote:	AYE	NAY
Mayor Boesch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Mayor Ribble	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Batos	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Errington	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Levitan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>