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**VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2018 - 04**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING WITH CONDITIONS ZONING AMENDMENTS INCREASING SQUARE FOOTAGE AND HEIGHT AND DEVIATIONS INCREASING SETBACKS AND HEIGHT FOR ARCHITECTURAL FEATURES FOR PROPERTY LOCATED AT 10150 AND 10170 ARCOS AVENUE IN THE VILLAGE OF ESTERO, FLORIDA, AND COMPRISING APPROXIMATELY 3.72 ACRES IN THE PLAZA DEL SOL COMMERCIAL PLANNED DEVELOPMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, applicant, MIG-LAI Real Estate Holdings, LLC, on behalf of **Arcos Executive Center**, has applied for zoning amendments and deviations on the property (“Property”) which comprises Parcels B and C of Plaza Del Sol located at the northeast corner of Three Oaks Parkway and Corkscrew Road; and

WHEREAS, the property is part of a larger 38-acre project called Corkscrew Crossing which was rezoned in 1994 by Lee County to Commercial Planned Development (CPD) in Resolution Z-94-050; and

WHEREAS, the zoning was amended by Lee County in 2003 through Resolution Z-03-039 and renamed as Plaza Del Sol; and

WHEREAS, the applicant applied for an amendment to the CPD to increase square footage and height, and applied for deviations for setbacks and the height of architectural features, for a proposed office building of 66,000 square feet and a maximum height of approximately 60 feet; and

WHEREAS, the Property STRAP numbers are 35-46-25-E1-3100B.0000 and 35-46-25-E1-3100C.0000; and

WHEREAS, the public information meeting was held for this application at the Planning and Zoning Board on June 1, 2017; and

WHEREAS, the Planning and Zoning Board considered the application at its meeting on March 20, 2018 and recommended approval with conditions of the requests; and

44 **WHEREAS**, a duly noticed first reading was held before the Village Council on April
45 11, 2018; and

46
47 **WHEREAS**, a duly noticed second reading and public hearing was held before the
48 Village Council on May 9, 2018, at which time the Village Council gave consideration to the
49 evidence presented by the Applicant and the Village staff, the recommendations of the
50 Planning and Zoning Board, and the comments of the public.

51
52 **NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero,
53 Florida:

54
55 **Section 1. Zoning Amendments.**

56
57 The Village Council approves the amendments to the CPD zoning to increase the
58 square footage and height for a proposed office building with the following conditions:

- 59
60 1. The development of the 66,000 square foot office building (including up to 6,000
61 square feet of retail or personal service uses) on Parcels B and C must be
62 substantially consistent with the Master Concept Plan entitled Arcos Executive
63 Center date stamped “Received May 1, 2018”.
- 64
65 2. The previous approval (contained in Resolution Number Z-09-037) including
66 conditions and deviations remains in effect except as modified by the conditions
67 and deviations contained in this approval.
- 68
69 3. Transportation – Puente Lane Signal
70 Pursuant to a signalization agreement as a part of development order number
71 DOS2002-00172, the property owner of Plaza Del Sol, its successors and assigns
72 (“Owner”) is responsible for a proportionate share of the cost of the signalization
73 of the intersection of Puente Lane and Corkscrew Road at such time as the
74 required warrants for signalization are met. A signalization agreement, if required
75 by Lee County, may be required prior to a certificate of compliance being issued
76 for the development order.
- 77
78 5. Maximum Building Height
79 Maximum Building Height Parcel B and C only: 53 feet or 3 stories for office
80 use only (See Deviation 13 for architectural feature height).
- 81
82 6. Pattern Book
83 The project design must be consistent with the Pattern Book, titled “Arcos
84 Executive Center, Revised May 1, 2018”.

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- 7. Corkscrew Road Buffer
The existing heritage oak trees must be preserved. The landscaping along Corkscrew Road will be done in a manner to highlight the heritage trees.

- 8. Base Flood Elevation
The finished first floor of the building must meet the minimum base flood elevation (AE – EL 16 NAVD) plus one foot of free board.

- 9. Three Oaks Sidewalk Connection

The Owner must provide a sidewalk connection from the site to the sidewalk on Three Oaks Parkway once the lift station has been relocated and the final grade is determined. Per the agreement between the applicant and Lee County Utilities, the sidewalk connection to the Arcos Executive Center on-site sidewalk system, will be connected to the sidewalk on Three Oaks Parkway by Lee County Utilities as part of their corner restoration after the lift station has been removed.

- 10. Three Oaks Buffer & Landscaping
 - a. The existing landscape buffer along Three Oaks Parkway located from the north side of the proposed outdoor patio area to the north property line will be retained to the maximum extent possible. Prior to development order approval, this existing buffer will be staked and a meeting held onsite with the Village of Estero staff to determine the existing material to remain and any existing material that will need to be removed. Any material that needs to be removed will be replaced with the same or similar material meeting the following requirements: Live Oak trees must be 16 feet planted height and shrub material must be 36 inches at the time of installation and be maintained at 48 inches.

 - b. The landscape buffer along Three Oaks Parkway located from the north side of the proposed outdoor patio area to the south property line will be replaced with a buffer that meets the following requirements: Trees must be a minimum 45-gallon container, 12-foot to 14-foot planted height, the Royal Palms must meet an overall height of 24 feet, and shrub material must be 36 inches at the time of installation and be maintained at 48 inches.

- 11. The boardwalk area as depicted in the Pattern Book will be open to the public and cannot be fenced, gated or otherwise closed off. No signs prohibiting public use are allowed.

- 12. Prior to a Development Order being issued for the office building, an easement granting public access to the boardwalk area must be recorded in the official records of Lee County. The applicant must submit proposed easement language

129 to the Village for review and in a form acceptable to the Village attorney for
130 approval prior to recording. The easement language may contain reasonable
131 restrictions on the hours of operation. Financing shall not be subordinate to the
132 easement.

- 133
- 134 13. Applicant shall provide a five-foot strip of designated area within and along the
135 west side of the parking lot parallel to Three Oaks Parkway for a pedestrian
136 crosswalk.
- 137
- 138 14. Deviation 13 requests relief from the LDC §33-229 which limits buildings outside
139 of the Interstate Highway Interchange Areas to a maximum of three stories or 45
140 feet, whichever is less, to permit a maximum building height of 53 feet and 60
141 feet for elements that enhance visibility, create focal points or amenities, such as
142 turrets, sculpture, clock tower and corner accentuating rooflines as provided for
143 in the pattern book. This deviation is APPROVED.
- 144
- 145 15. Deviation 14 requests to deviate from LDC Section 33-403 which provides that
146 buildings on corner lots must be designed with a maximum setback of 25 feet
147 from each adjacent right-of-way to instead allow a maximum building setback of
148 120-feet for the buildings adjacent to Corkscrew Road. This deviation is
149 APPROVED.

150
151 **Section 2. Findings and Conclusions.**

152 The Council finds the following:

- 153
- 154
- 155 1. The applicant has provided sufficient justification for the zoning amendment by
156 demonstrating compliance with the Comprehensive Plan, the Land Development
157 Code, and other applicable codes.
- 158
- 159 2. The Village of Estero Area-Wide Traffic Study shows that Corkscrew Road from
160 Three Oaks Parkway to I-75 is failing in the PM peak hour based upon the 2017
161 Existing Volume. The Florida Department of Transportation (FDOT) has funded
162 interim improvements to the Corkscrew Road & I-75 Interchange that should
163 improve traffic flow along Corkscrew Road between Three Oaks Parkway and
164 Ben Hill Griffin Road. FDOT is constructing “on-ramp” Interchange
165 improvements which will be completed by the year 2019/2020 which include
166 constructing eastbound and westbound dual left turn lanes and extending the
167 eastbound and westbound right turn lanes. These Interchange improvements
168 should reduce the frequency of “on-ramp” queuing that encroaches into the
169 eastbound and westbound thru lanes during peak season conditions. FDOT has
170 estimated that the interchange will operate at LOS D with the completion of these
171 improvements.

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- 3. The application is generally compatible with existing or planned uses in the surrounding area. Staff notes that the proposed use is set back a considerable distance to adjacent commercial uses (The proposed office building is setback 80.6 feet from the common property line to the east and 87.2 feet from Corkscrew Road).
- 4. Urban services such as water and sewer will be available and adequate to serve the proposed use.
- 5. The request will not adversely affect environmentally critical areas and natural resources.
- 6. The proposed use, with the proposed conditions, is appropriate at the subject location.
- 7. The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to impacts on the public's interest created by or expected from the proposed development.
- 8. The deviations recommended for approval:
 - a. Enhance the planned development; and
 - b. Preserve and promote the general intent of the LDC to protect the public, health, safety and welfare.

Section 3. Exhibits.

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

- Exhibit A Legal Description
- Exhibit B Master Concept Plan, titled Arcos Executive Center, file date 01/2018, stamped "Received May 1, 2018"
- Exhibit C Pattern Book, titled Arcos Executive Center, dated Revised May 1, 2018

Section 4. Conflicts.

All Sections or part of Sections of the Code of Ordinances, all Ordinances or parts of Ordinances, and all resolutions or parts of Resolutions, in conflict with this Ordinance shall be repealed to the extent of such conflict upon the effective date of this Ordinance.

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Section 5. Severability.

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

Section 6. Effective Date.

This Ordinance shall be effective immediately upon adoption.

PASSED on first reading this 11th day of April, 2018.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this 9th day of May, 2018.

Attest:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall
Kathy Hall, MMC, Village Clerk

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

Reviewed for legal sufficiency:

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

Vote:	AYE	NAY
Mayor Boesch	_____	_____
Vice Mayor Ribble	_____	_____
Councilmember Batos	_____	_____
Councilmember Errington	_____	_____
Councilmember Levitan	_____	_____
Councilmember McLain	_____	_____
Councilmember Wilson	_____	_____



J.R. **EVANS** ENGINEERING

EXHIBIT A

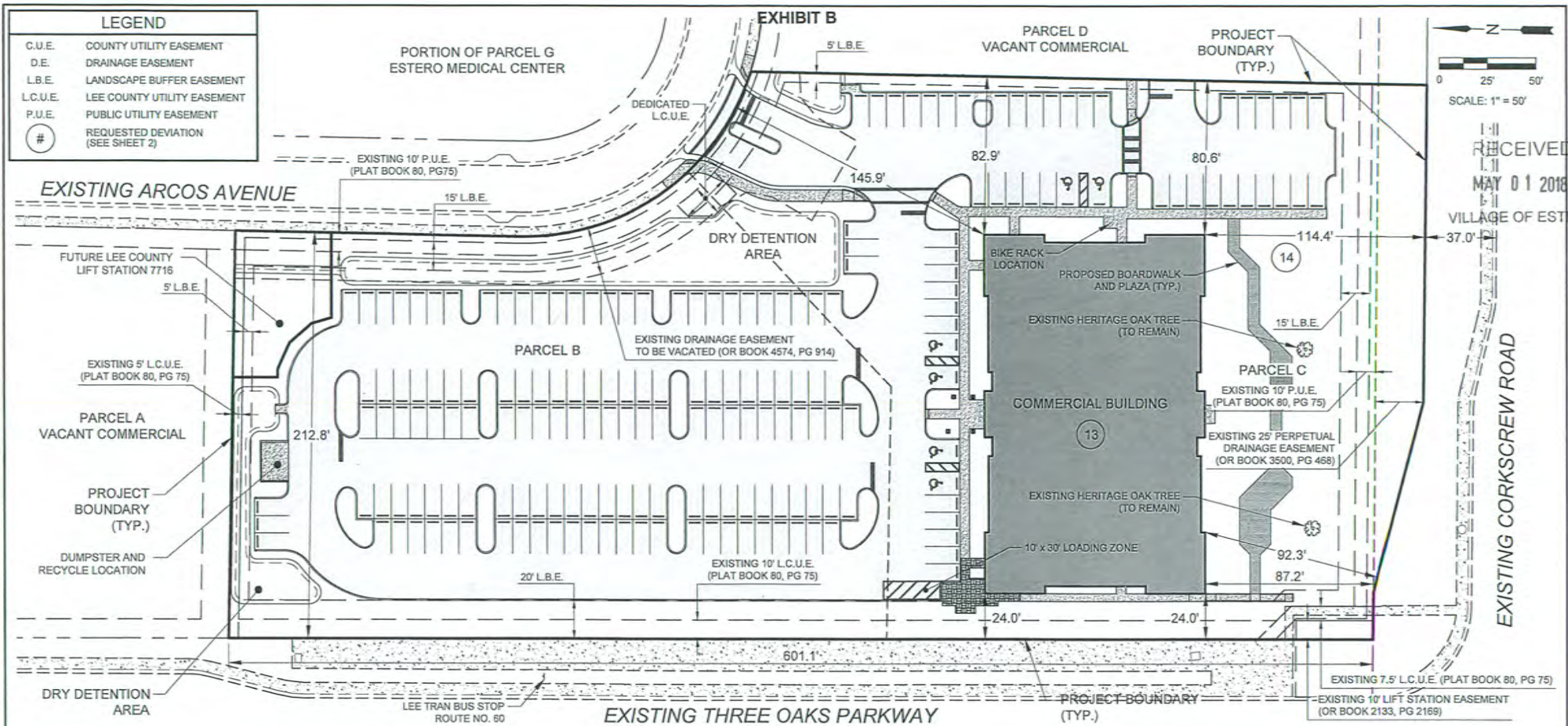
**ARCOS EXECUTIVE CENTER
SECTION 35, TOWNSHIP 46, RANGE 25 EAST
LEE COUNTY, FLORIDA**

DESCRIPTION: Parcels "B" and "C" of the Plaza Del Sol Subdivision according to the plat thereof as recorded in Plat Book 80 Pages 74 through 75 of the public records of Lee County, Florida less and except the west 30 feet as recorded in Official Record Book 4654 Pages 3335 through 3336.

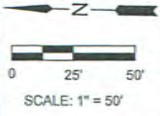
J.R. EVANS ENGINEERING

9351 CORKSCREW ROAD, STE. 102 / ESTERO, FL 33928 / 239.405.9148 (p) / 239.288.2537 (f)

WWW.JREVANSENGINEERING.COM



LEGEND	
C.U.E.	COUNTY UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
L.B.E.	LANDSCAPE BUFFER EASEMENT
L.C.U.E.	LEE COUNTY UTILITY EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
#	REQUESTED DEVIATION (SEE SHEET 2)



RECEIVED
MAY 01 2018
VILLAGE OF ESTERO

PARCELS B AND C SITE DEVELOPMENT SUMMARY		
DEVELOPMENT STANDARDS	REQUIRED	PROVIDED
MINIMUM LOT AREA (S.F.)	20,000	162,259
MINIMUM LOT WIDTH (FT.)	75	212.8
MINIMUM LOT DEPTH (FT.)	100	601.1
SETBACKS, ALL STRUCTURES:		
MINIMUM PRIVATE INTERIOR STREET (FT.)	20	145.9
MINIMUM SIDE YARD (FT.)	5	80.6
MAXIMUM CORKSCREW ROAD (FT.)	120	114.4
MAXIMUM THREE OAKS PARKWAY (FT.)	50	24.0
MAXIMUM BUILDING HEIGHT (FT.)	45 (3 STORIES)	50 (3 STORIES)
MAXIMUM GROSS BUILDING AREA (S.F.)	66,000	66,000

PARKING SUMMARY			
USE	PARKING RATIO	REQUIRED PARKING	PROVIDED PARKING
* OFFICE BUILDING (66,000 S.F.)	1 SPACE PER 350 SF OFFICE BUILDING (66,000 SF)	189 TOTAL PARKING SPACES (6 HANDICAP SPACES)	190 TOTAL PARKING SPACES (6 HANDICAP SPACES)

* 1 SPACE PER 350 SQUARE FEET OF TOTAL FLOOR AREA PER TABLE 34-2020(b) OF THE LDC FOR MULTIPLE USE DEVELOPMENT.

LAND USE SUMMARY		
CATEGORY	TOTAL ACREAGE	PERCENTAGE OF TOTAL ACREAGE
ON-SITE IMPROVEMENTS:		
BUILDING	0.48 ±	12.90%
PAVEMENT / CURB / CONCRETE / SIDEWALK	1.77 ±	47.58%
OPEN SPACE	1.47 ±	39.52%
TOTAL SITE AREA	3.72 ±	100.00%

SURFACE WATER MANAGEMENT PARAMETERS		
PARAMETERS	REQUIRED PER S.F.W.M.D. # 030819-4	PROVIDED
CONTROL ELEVATION	14.20' (NAVD)	N/A
FEMA ELEVATION (ZONE "AE")	16.00' (NAVD)	N/A
MINIMUM ROAD ELEVATION	16.10' (NAVD)	16.70' (NAVD)
MINIMUM PERIMETER BERM ELEVATION	17.32' (NAVD)	17.32' (NAVD)
MINIMUM FINISHED FLOOR ELEVATION	17.47' (NAVD)	18.60' (NAVD)
DRY DETENTION BOTTOM ELEVATION	15.22' (NAVD)	15.22' (NAVD)
DRY DETENTION BOTTOM AREA	7,052 S.F.	7,072 S.F.

J.R. EVANS ENGINEERING

J.R. EVANS ENGINEERING
9351 CORKSCREW ROAD, SUITE 102
ESTERO, FLORIDA 33928
PHONE: (239) 405-9148
FAX: (239) 288-2537
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ARCOS EXECUTIVE CENTER

PARCELS B & C MASTER CONCEPT PLAN
FILE DATE: 01 / 2018 | SHEET: 1 OF 2

DEVIATION 13: LDC CHAPTER 33, ARTICLE II, DIVISION 2, SUBDIVISION II, SEC. 33-229 (MAXIMUM HEIGHT)

THE APPLICANT SEEKS RELIEF FROM LDC CHAPTER 33, ARTICLE II, DIVISION 2, SUBDIVISION II, SEC 33-229 WHICH STATES THAT BUILDINGS OUTSIDE OF THE INTERSTATE HIGHWAY INTERCHANGE AREAS ARE LIMITED TO A MAXIMUM OF THREE (3) STORIES OR 45 FEET TO INSTEAD ALLOW THE MAXIMUM BUILDING HEIGHT TO BE 52.7 FEET AND TO ALLOW A MAXIMUM HEIGHT OF 59.93' FOR ARCHITECTURAL FEATURES.

DEVIATION 14: LDC CHAPTER 33, ARTICLE I, DIVISION 3, SUBDIVISION I, SEC. 33-403 (CORNER LOTS)

THE APPLICANT SEEKS RELIEF FROM LDC CHAPTER 33, ARTICLE II, DIVISION 3, SUBDIVISION I, SEC 33-403 WHICH STATES THAT BUILDINGS ON CORNER LOTS MUST BE DESIGNED WITH A MAXIMUM SETBACK OF 25 FEET FROM EACH ADJACENT RIGHT-OF-WAY TO INSTEAD ALLOW A MAXIMUM BUILDING SETBACK OF 120-FEET FOR THE BUILDING'S SOUTH SETBACK TO CORKSCREW ROAD.

EXHIBIT C

ARCOS EXECUTIVE CENTER

PATTERN BOOK

VILLAGE OF ESTERO

REVISED MAY 2018



ARCOS EXECUTIVE CENTER

PATTERN BOOK

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**Disclaimer: The following images and renderings are conceptual and subject to change.

ARCOS EXECUTIVE CENTER

PATTERN BOOK

VICINITY MAP



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ARCHITECTURAL NARRATIVE

Mediterranean Features

- Warm Earth Tones
- Travertine veneer
- Cornices along the top
- Sloped barrel tile roof
- Arched details
- Column Features
- Tower Elements

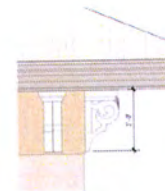
Class A Office Building Features

- Large Lobby Area with Stone Tile and Wood Paneling
- Two (2) elevators with Stone Tile and Wood Paneling
- Card Access security system at entrances
- High Quality finish packages
- Tray ceiling with optional coffered ceilings
- Minimum 9-foot high ceiling
- Cleaning and trash removal service for all tenants

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NORTH ARCHITECTURAL ELEVATION & DETAIL



3 Typical Corbel
1/2" = 1'-0"



4 Typical Small Cornice
1/2" = 1'-0"



2 North Elevation
1/8" = 1'-0"

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EAST ARCHITECTURAL ELEVATION



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WEST ARCHITECTURAL ELEVATION



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ARCHITECTURAL VIEWS



LOOKING FROM NORTH WEST



LOOKING FROM SOUTH EAST

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CORKSCREW & THREE OAKS INTERSECTION - STREET VIEW



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WESTBOUND CORKSCREW - STREET VIEW



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PATTERN BOOK

THREE OAKS PARKWAY - STREET VIEW



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LANDSCAPE PLAN

PATTERN BOOK



B

ARCOS EXECUTIVE CENTER

PATTERN BOOK

BOARDWALK & HERITAGE OAK CONCEPT VIEW



ARCOS EXECUTIVE CENTER

BOARDWALK & HERITAGE OAK PLAN

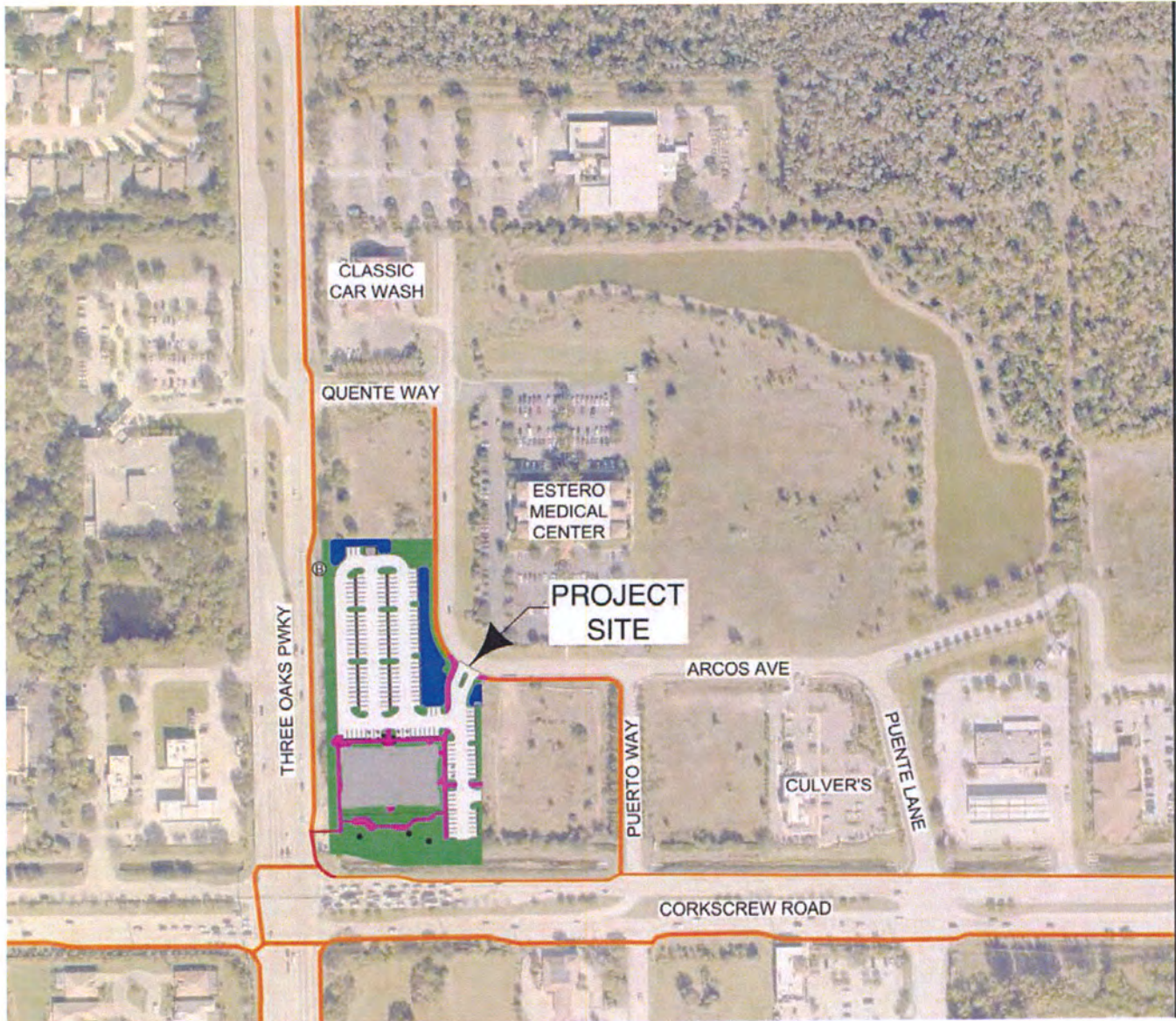
PATTERN BOOK









ARCOS EXECUTIVE CENTER

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CONNECTIVITY MAP



LEGEND	
	EXISTING PEDESTRIAN SIDEWALK
	PROPOSED SIDEWALK
	FUTURE SIDEWALK
	PROPOSED DETENTION AREA
	PROPOSED BUILDING
	EXISTING LEE TRAN BUS STOP

ARCOS EXECUTIVE CENTER

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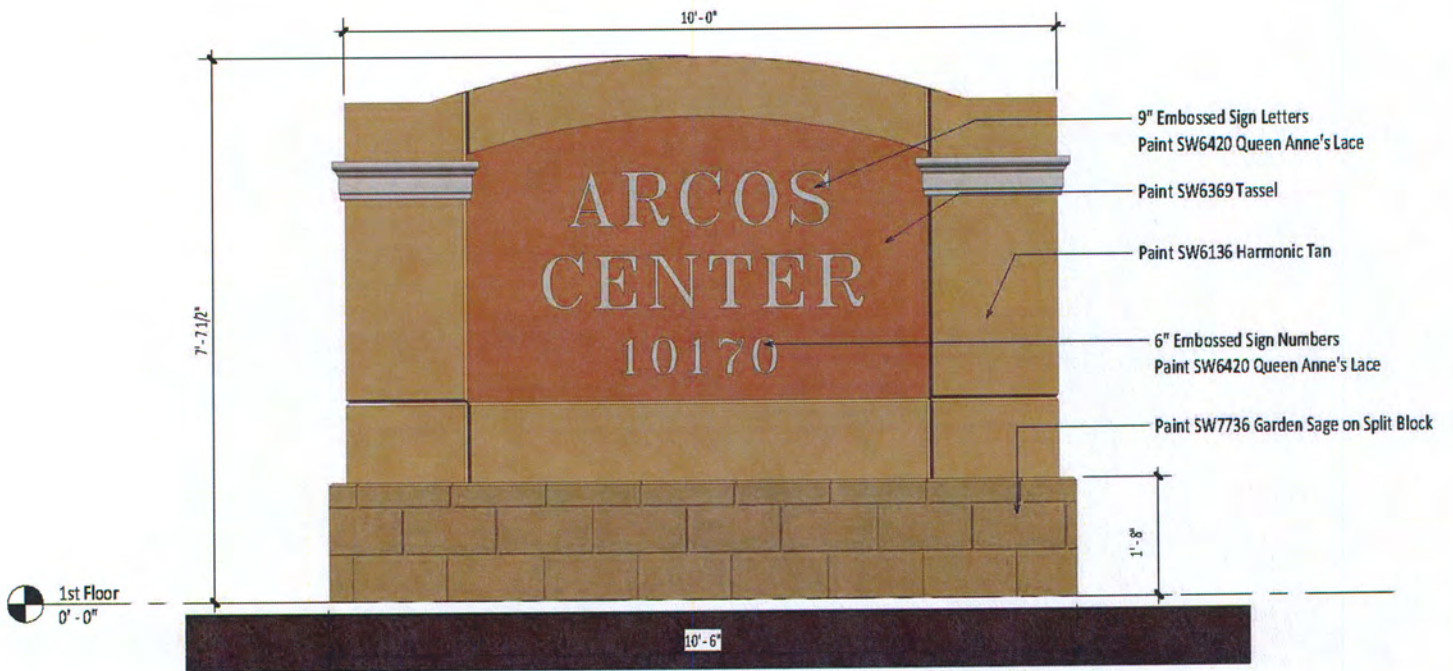
ENTRY CONCEPT PERSPECTIVE



ARCOS EXECUTIVE CENTER

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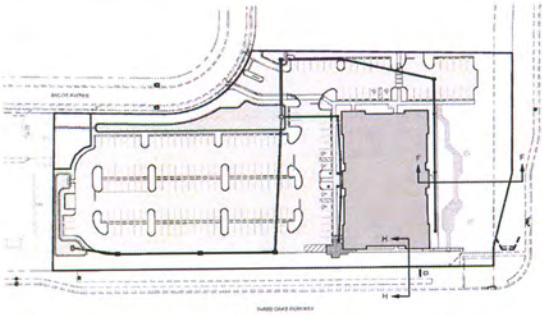
MONUMENT SIGN



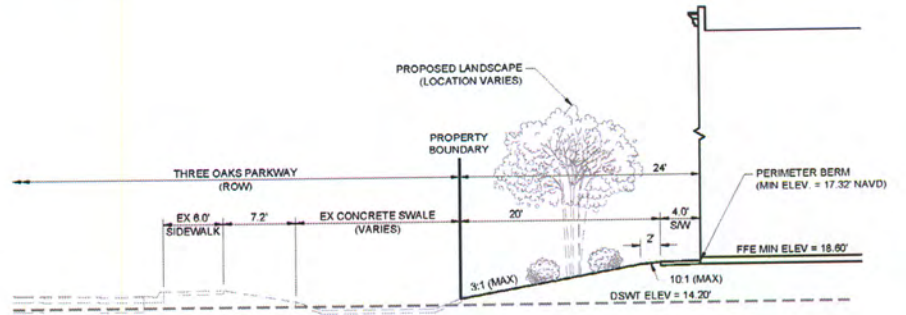
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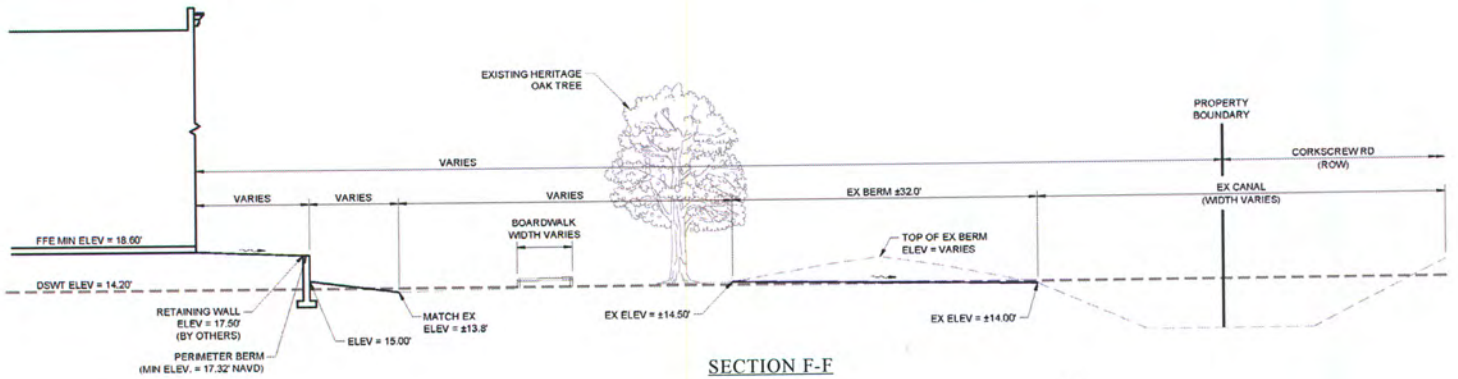
CROSS SECTIONS



CROSS SECTION MAP



SECTION H-H



SECTION F-F

ARCOS EXECUTIVE CENTER

PATTERN BOOK

SITE LIGHTING SPEC

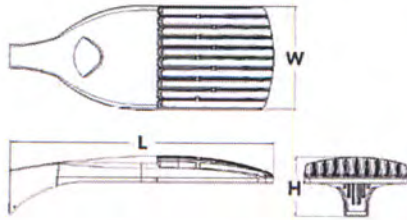


D-Series Size 1 LED Area Luminaire



Specifications

EPA:	1.01 ft ² (0.09m ²)
Length:	33" (0.841m)
Width:	13" (0.330m)
Height:	7-1/2" (0.190m)
Weight (max):	27 lbs (12.2kg)



NOTE: POLE SHALL BE ROUND TAPERED, EXTRUDED 6063 ALUMINUM ALLOY WITH 4-BOLT CAST ALUMINUM BASE, STAINLESS STEEL HARDWARE, 0.156" WALL THICKNESS, 7" BASE DIAMETER, 4.5" TOP DIAMETER, SIDE DRILL MOUNT, WHITE POWDER COAT FINISH AND LENGTH TO PROVIDE 25' FIXTURE MOUNTING HEIGHT ON TOP OF CONCRETE BASE.

A+ Capable prices indicated by this color background.

Catalog Number _____

Notes _____

Type _____

A+ Capable Luminaire

This item is an A+ capable luminaire, which has been designed and tested to provide consistent color appearance and system-level interoperability.

- All configurations of this luminaire meet the Acuity Brands' specification for chromatic consistency
- This luminaire is A+ Certified when ordered with DTL[®] controls marked by a shaded background. DTL DLL equipped luminaires meet the A+ specification for luminaire to photocontrol interoperability¹
- This luminaire is part of an A+ Certified solution for ROAM[®] or XPoint[™] Wireless control networks, providing out-of-the-box control compatibility with simple commissioning, when ordered with drivers and control options marked by a shaded background¹

To learn more about A+, visit www.acuitybrands.com/apius.

- See ordering tree for details.
- A+ Certified Solutions for ROAM require the order of one ROAM node per luminaire. Sold Separately. [Link to Roam](#); [Link to DTL DLL](#)

Ordering Information

EXAMPLE: DSX1 LED P7 40K T3M MVOLT SPA DDBXD

Series	LEDs	Color temperature	Distribution	Voltage	Mounting	
DSX1 LED	Forward optics P1 P4 P7 P2 P5 P8 P3 P6 P9 Rotated optics P10 ¹ P12 ¹ P11 ¹ P13 ¹	30K 3000K 40K 4000K 50K 5000K AMBPC Ambient photopic (overcast)	T1S Type I short T2S Type II short T2M Type II medium T3S Type II short T3M Type II medium T4M Type IV medium TFTM Forward throw medium TSVS Type V very short	T5S Type V short T5M Type V medium T5W Type V wide BLC Beamlight LCCO Left corner cutoff ¹ RCCO Right corner cutoff ¹	MVOLT ¹ 120V ¹ 208V ¹ 240V ¹ 277V ¹ 347V ¹ 480V ¹	Shipped included SPA Square pole mounting RPA Round pole mounting WBA Wall bracket SPUMBA Square pole universal mounting adapter ¹ RPUMBA Round pole universal mounting adapter ¹ Shipped separately XMAS DDBXD-U Maximum mounting bracket depth (specify finish) ¹

Control options

Shipped installed

PER	0-10V dimmer, not acceptable only if controls are also specified ¹
PER5	Free wire to enable only (controls optional separate) ¹
PER7	Zero-wire recess back only (controls optional separate) ¹
DMG	0-10V dimming recessed back of housing for external control (double ended)
DS	Dimmer switching ¹
PIR	8-level motion/familiar sensor, 8-15' mounting height, ambient sensor enabled at 5K ¹
PIR8	8-level motion/familiar sensor, 15-30' mounting height, ambient sensor enabled at 5K ¹
PIR1FC3V	8-level motion/familiar sensor, 8-15' mounting height, ambient sensor enabled at 1K ¹

PIR1FC3V	8-level motion/familiar sensor, 15-30' mounting height, ambient sensor enabled at 1K ¹
BL30	8-level switched dimming, 30K ¹
BL50	8-level switched dimming, 50K ¹
PIRMTDD3	Part 4424, dim 30-30min ¹
PIRMTSD3	Part night dim 5 hrs ¹
PIRMTGD3	Part night dim 6 hrs ¹
PIRMT7D3	Part night dim 7 hrs ¹
FAO	Field adjustable output ¹

Other options

HS	House-side shield ¹
SF	Single line (208, 277, 347V) ¹
DF	Double line (208, 240, 480V) ¹
L90	Left rotated optics ¹
R90	Right rotated optics ¹
BS	Black base
EGS	External glow shield

Finish

DDBXD	Dark bronze
DBLXD	Black
DNAXD	Matte aluminum
DVHXD	White
DDBTXD	Textured clear bronze
DBLXXD	Textured black
DNATXD	Textured natural aluminum
DVHXGD	Textured white



ARCOS EXECUTIVE CENTER

PATTERN BOOK

CONSULTANT TEAM

LAI DESIGN ASSOCIATES, LLC – *DEVELOPER / ARCHITECT*

LAI DESIGN ASSOCIATES, LLC

J.R. EVANS ENGINEERING, P.A. – *CIVIL ENGINEER*



WINDHAM STUDIO, INC – *LANDSCAPE ARCHITECT*

