

**VILLAGE OF ESTERO, FLORIDA  
ZONING  
ORDINANCE NO. 2023 - 04**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF  
THE VILLAGE OF ESTERO, FLORIDA, REZONING  
21± ACRES OF PROPERTY OWNED BY THE  
VILLAGE OF ESTERO FROM COMMERCIAL  
PLANNED DEVELOPMENT AND AGRICULTURE  
TO ESTERO PLANNED DEVELOPMENT (EPD)  
ZONING TO ALLOW FOR VARIOUS SPORTS-  
RELATED AND RECREATION USES; PROVIDING  
FOR SEVERABILITY; PROVIDING FOR  
CONFLICTS; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, the Village of Estero filed an application for a rezoning for property at 9000 Williams Road (the "Property"); and

**WHEREAS**, the property STRAP numbers are 34-46-25-E4-0100C.0150 and 34-46-25-E4-0100C.0160 and is legally described as:

See Exhibit B.

**WHEREAS**, the property is zoned Agriculture and Commercial Planned Development (CPD). The Agriculture portion is vacant land and the Commercial portion contains an existing driving range; and

**WHEREAS**, the Village desires to expand the recreational potential of the site to provide sports-related indoor and outdoor recreation for the public and consistent with the Village Center land use designation; and

**WHEREAS**, at a duly noticed public hearing held on April 11, 2023, 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 June 7, 2023; and

**WHEREAS**, a duly noticed second reading and public hearing was held before the Village Council on June 21, 2023 for adoption of the Ordinance; and

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

45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88

47  
48

## 50

## 52

53  
54  
55  
56

## 58

59  
60

## 62

63  
64

65

66

67

68

69

70

71

72

73

74

75

76

77

79

## 81

82

84

85

86

87

88

Maximum Lot Coverage: 40 percent  
Maximum Building Height: 45 feet above grade

5. Access

Access points shown on the Master Concept Plan are approximate and may be shifted or relocated at time of development order.

6. Outdoor Consumption on Premises or Live Music

Any outdoor consumption on premises or live music or bar outdoor seating within 500 feet of existing homes will require a public hearing at Planning Zoning and Design Board. This does not prohibit owner from obtaining a temporary use permit or special event permit.

7. Buffers

As part of the local development order approval, landscape buffers must be consistent with the Master Concept Plan and Land Development Code except as approved by deviation. All required buffer plantings must be 100% native vegetation.

8. Lighting

Lighting must be in compliance with the Land Development Code.

9. Deviations

Deviation 1 to allow a submittal of the Pattern Book at time of development order in lieu of rezoning, is approved.

Deviation 2 is approved to omit the Type C/F buffer requirement where the proposed EPD abuts the Estero Community Park.

Deviation 3 is approved to reduce the intersection separation along Williams Road to 200 feet in lieu of 330 feet.

Deviation 4 is approved to reduce the intersection separation along Via Coconut Point to 200 feet in lieu of 330 feet.

**Section 3. Findings and Conclusions**

The proposal, as conditioned, is consistent with the general criteria of the Estero Planned Development zoning district as follows:

- a. Goals: This property is complementary to the surrounding uses and will help create a socially vital center for the community with a mix of recreation, sports-related uses and civic space.



- b. Reasonable Standards: This request will create high quality public and civic spaces.
- c. Accessibility: The public spaces will be accessible, interconnected, and walkable.
- d. Streets: There will be connections to the existing street network and interconnection to adjacent property to provide walkability and traffic dispersion.
- e. Street Design: Pedestrian connections and linkages will be provided to improve connectivity and walkability.
- f. Lots and Blocks: The linear site does not allow for a standard grid lot and block layout but does provide interconnections.
- g. The Visual Edge: The architectural features will be designed to integrate with the public space and streetscape to create a unique destination for the Village.
- h. Architecture: The building design and colors will be consistent with the Village architectural standards.
- i. Quality of Buildings: The buildings will be high quality and sustainable.

#### **Section 4. Exhibits**

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

Exhibit A	Master Concept Plan dated May 26, 2023
Exhibit B	Legal Descriptions

#### **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 take effect upon adoption at second reading.

**PASSED** on first reading this 7<sup>th</sup> day of June, 2023.

**PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this 21<sup>st</sup> day of June, 2023.



176 Attest:

VILLAGE OF ESTERO, FLORIDA

177  
178  
179 By:

Carol Sacco  
Carol Sacco, Village Clerk

By:

Jon McLain  
Jon McLain, Mayor

182  
183 Reviewed for legal sufficiency:

184  
185  
186 By:

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

187  
188  
189  
190  
191 Vote:

AYE

NAY

192  
193 Mayor McLain

X

—

194 Vice Mayor Ribble

—

—

195 Councilmember Fiesel

X

—

196 Councilmember Fayhee

X

—

197 Councilmember Lopez

X

—

198 Councilmember Ward

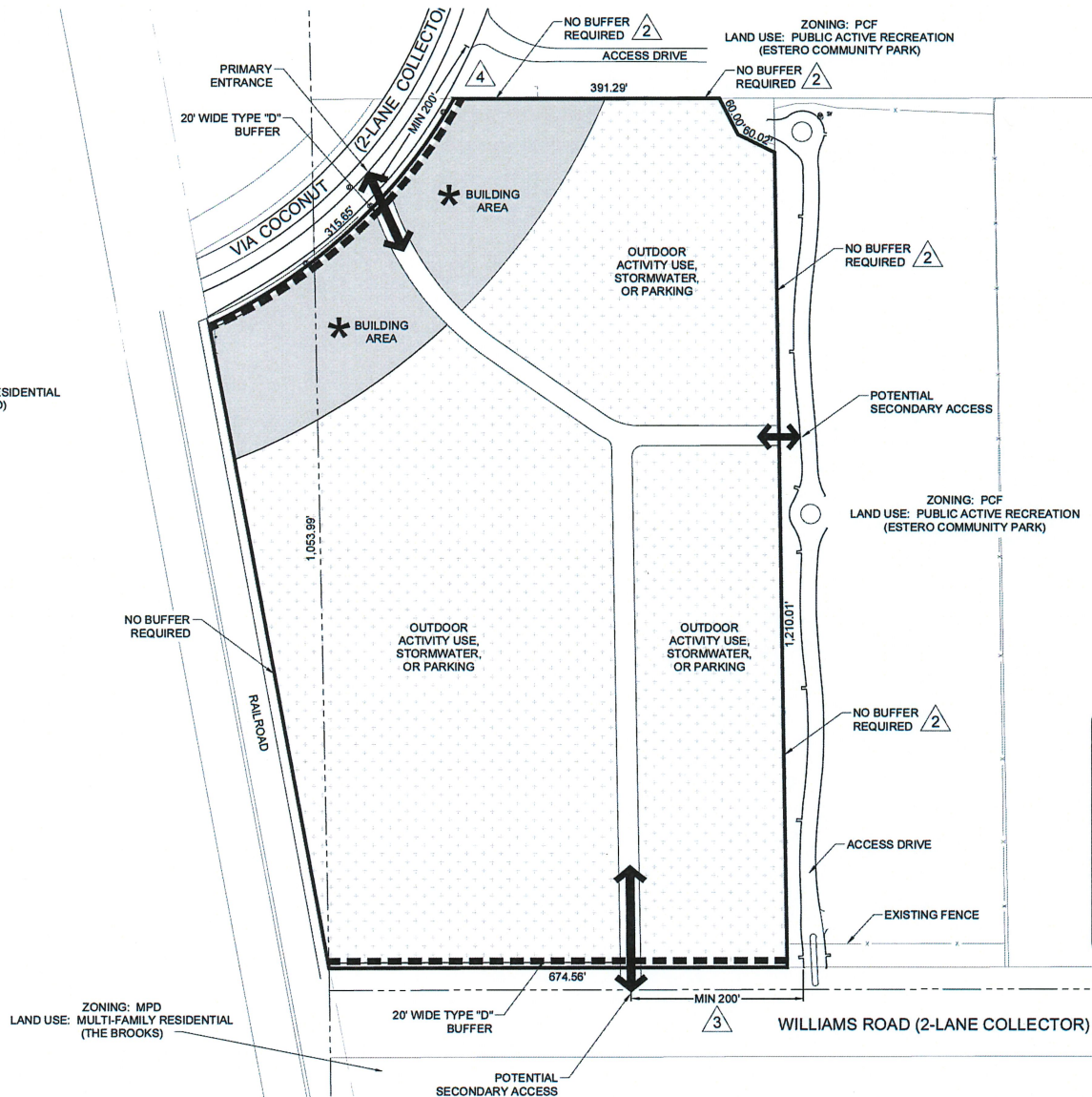
X

—

199 Councilmember Zalucki

X

—



OPEN SPACE / PRESERVE TABLE	
OPEN SPACE REQUIRED:	40% OF 21.2 AC (8.5 AC)
OPEN SPACE PROVIDED:	40% OF 21.2 AC (8.5 AC)
PRESERVE REQUIRED:	50% OF 8.5 AC (4.25 AC)
PRESERVE PROVIDED:	50% OF 8.5 AC (4.25 AC)

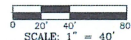
LEGEND	
	ACCESS / ENTRY
	PERIMETER BUFFER
	CONSUMPTION ON PREMISES (C.O.P.)
	DEVIATION
	BUILDING AREA
	OUTDOOR ACTIVITY USE, STORMWATER, OR PARKING

- GENERAL NOTES**
1. SITE INTENSITY LIMITED TO A MAXIMUM OF 190,000 SF OF NON-RESIDENTIAL USES.
  2. STORMWATER MANAGEMENT AND PARKING AREAS MAY BE LOCATED IN ALL TRACTS.
  3. OPEN SPACE INCLUDES PERVIOUS AND IMPERVIOUS AREA WITHIN OUTDOOR ACTIVITY USE AREAS, VILLAGE GREEN AND PARKING AREAS IN ACCORDANCE WITH LDC SEC. 5-408.D.
  4. NATIVE PRESERVE REQUIREMENT TO BE MET WITHIN OUTDOOR ACTIVITY AREAS SUBJECT TO MINIMUM DIMENSIONS AND SETBACKS SET FORTH IN LDC 5-408.F.
  5. TRAILS AND PASSIVE RECREATION USES MAY BE LOCATED IN BUFFERS AND OPEN SPACE AREAS.
  6. CONSUMPTION ON PREMISES SUBJECT TO CONDITION OF THE ZONING ORDINANCE.
  7. MAXIMUM BUILDING HEIGHT IS 45 FEET.
  8. REQUIRED ON-SITE PARKING WILL BE PROVIDED PER THE LDC.
  9. ACCESS SHOWN IS CONCEPTUAL IN NATURE. FINAL POINTS OF ACCESS AND INTERCONNECTION TO THE ESTERO COMMUNITY PARK WILL BE DETERMINED AT THE TIME OF LOCAL DEVELOPMENT ORDER.
  10. INTERNAL ROAD LOCATION IS CONCEPTUAL, TO BE DETERMINED AT TIME OF DEVELOPMENT ORDER.
  11. LOCATIONS OF TRACTS AND USES ARE APPROXIMATE.





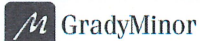
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	666.00'	140.70'	12°08'34"	N 40°05'46" E	146.50'
C1 (b)	666.00'	140.70'	12°08'34"	S 40°05'32" W	146.50'
C2	768.00'	315.65'	23°36'38"	N 40°54'42" E	313.42'
C2 (b)	768.00'	315.65'	23°36'38"	S 40°54'32" W	313.42'



THIS PLAN MAY HAVE BEEN ENLARGED OR  
REDUCED FROM INTENDED DISPLAY SCALE  
FOR REPRODUCTION REASONS

### LEGEND

- [illegible]



**Q. Grady Minor and Associates, P.A.**  
3800 Via Del Rey  
Bonita Springs, Florida 34134

**Civil Engineers • Land Surveyors • Planners • Landscape Architects**  
 Cert. of Auth. EB 0005151      Cert. of Auth. LB 0005151      Business LC 26000266  
 Bonita Springs: 239.947.1144      [www.GradyMinor.com](http://www.GradyMinor.com)      Fort Myers: 239.690.4380

## BOUNDARY & TOPOGRAPHIC SURVEY

## A PARCEL OF LAND

LYING IN  
SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

DRAWN BY:	AF
CHECKED BY:	TJD
JOB CODE:	VE001
SCALE:	1" = 40'
DATE:	15 DECEMBER 2022
FILE:	22-236-BST.DWG
SHEET:	2 of 2

\*NOT VALID WITHOUT  
SHEETS 1-2 OF 24

MATCHLINE - SEE SHEET 1

## EXHIBIT "A"

H:\1997\1997079\DW\SANDY LANE SKETCHES-AUDREE\ROW TAKES\S2-Bal.dwg Tab: Model Oct19, 2006 - 4:53pm Plotted by: JerryRiffelmaacher

