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**VILLAGE OF ESTERO, FLORIDA
ZONING
RESOLUTION NO. 2018 - 06**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, FOR FINAL ZONING
PLAN APPROVAL AND ONE DEVIATION FOR A
COMMERCIAL PLANNED DEVELOPMENT FOR A
PROJECT KNOWN AS COCONUT SQUARE LOT 5
HOTEL; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, ComTerra Development, LLC, ("applicant") filed an application for a Final Zoning Plan Approval and one deviation for a Commercial Planned Development for a project known as **Coconut Square Lot 5 Hotel** to allow development of a 128 room hotel with amenities on 2.6± acres at 23400 Walden Center Drive in the Pelican Landing Development of Regional Impact; and

WHEREAS, the property is located at the southwest corner of Coconut Road and US 41, Village of Estero, and described more particularly as: Strap Number: 09-47-25-E3-31000.0050; and

WHEREAS, the property was originally rezoned with the adoption of Resolution Number Z-94-014 and was amended by Resolution Z-97-073; and

WHEREAS, the subject property is designated as Village Center on the Future Land Use Map of the Village of Estero Comprehensive Plan; and

WHEREAS, LDC Section 10-261 (a) requires a 750 square foot trash enclosure; and

WHEREAS, the applicant seeks a 288 square foot trash enclosure rather than the required 750 square feet trash enclosure; and

WHEREAS, on January 16, 2018 a Public Informational Meeting was held by the Planning and Zoning Board; and

WHEREAS, Condition #1 of Resolution Z-94-014 requires a Final Plan Approval as a prerequisite to any local development order located in the Pelican Landing Commercial Planned Development and Residential Planned Development zoning district; and

WHEREAS, the Planning and Zoning Board reviewed the request at its meeting on March 20, 2018 and recommended approval with conditions; and

44 **WHEREAS**, the Village Council will determine whether, under final plan approval
45 specifications, the “type, intensity, and configuration of the development for the particular site
46 is in compliance with the DRI Development Order, Zoning Resolution and Land Development
47 Code”; and
48

49 **WHEREAS**, the following findings of fact are offered:
50

- 51 1. The Final Zoning Plan is compliant with the allowed uses, development
52 parameters, and conditions in Resolutions Z-94-014 and Z-97-073.
53
- 54 2. The Final Zoning Plan is compliant with the Pelican Landing DRI
55 Development Order.
56
- 57 3. The deviation enhances the planned development and promote the general
58 intent of the LDC to protect the public, health, safety and welfare.
- 59 4. The Village Council has taken this action at a duly constituted public
60 hearing after due public notice.
61

62 **NOW, THEREFORE**, be it resolved by the Village Council of the Village of Estero,
63 Florida:
64

65 **Section 1.** The application for Final Plan Approval with one deviation for the
66 Coconut Square Lot 5 Hotel is approved, subject to the following conditions:
67

- 68 a. The terms and conditions of Zoning Resolutions Z-94-014 and Z-97-073 remain
69 in full force, except as modified herein.
70
- 71 b. The development of the hotel and amenities must be in substantial compliance
72 with the 1-page Master Concept Plan/Final Zoning Plan, by DeLisi Fitzgerald,
73 Inc., stamped received on May 2, 2018.
74
- 75 c. The deviation from Section 10-261 of the Land Development Code for a 288
76 square foot trash enclosure is approved.
77
- 78 d. No employee, guest, or patron of the hotel has any right to access or otherwise
79 use the Pelican Landing beach park, and Pelican Landing recreational facilities
80 and amenities owned and operated by the Pelican Landing Community
81 Association.
82
- 83 e. The hotel will not have any program, or shared use agreement that promotes the
84 use of the Coconut Point Hyatt Regency Resort recreational facilities.
85

- 86 f. Additional landscaping shall be installed to screen the dumpster enclosure and
87 parking area from the existing Tides Community. The screening includes an
88 additional 5 sabal palms with 10'-16' clear trunk around the dumpster enclosure
89 and a single row coco plum hedge (installed at 24", maintained at 36" minimum)
90 along the south parking area as shown on the Line of Sight landscape exhibit
91 prepared by David M. Jones and Associates, Inc.
92
93 g. If it is determined that inaccurate or misleading information was provided to
94 staff or the Village Council or if this decision does not comply with the LDC
95 when rendered then, at any time, the Village Council may issue a modified
96 decision that complies with the Code or revoke the decision. If the approval is
97 revoked, the applicant may seek the necessary approvals by filing an application
98 for public hearing in accordance with Chapter 34.
99

100 **Section 2.** This Resolution shall take effect immediately upon adoption.
101

102 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this 2nd
103 day of May, 2018.
104

105 Attest:

VILLAGE OF ESTERO, FLORIDA

106
107
108 By: Kathy Hall
109 Kathy Hall, MMC, Village Clerk
110
111

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

112 Reviewed for legal sufficiency:
113

114
115 By: Nancy Stroud
116 Nancy Stroud, Esq., Village Land Use Attorney
117
118

119 Exhibit:

- 120 A - Master Concept Plan (Final Plan Approval)
121 B - Line of Sight, Sheet L3, Stamped Received 5/2/2018

EXHIBIT A

PROPERTY INFORMATION	
STRAP #	264125-23-31000202
DESCRIPTION	LOT 5, COCONUT SQUARE, PLAT BOOK 75, PAGES 34 AND 35
ZONING	CPD

SITE DEVELOPMENT REGULATIONS PER RESOLUTION Z-84-014		
CATEGORY	REQUIRED	PROVIDED
MINIMUM BUILDING SETBACKS		
STREET	1/2 RIGHT-OF-WAY PLUS 30 FT (63 FT)	81 FT
SIDE	5 FT OR 10 FT FOR AN INTERIOR LOT AND 15 FT FOR A CORNER LOT	54 FT
WATER BODY	25 FT	24 FT
MAXIMUM BUILDING HEIGHT	35 FT	40 FT ⁽¹⁾
(1) 35 FEET PER DEVIATION 1		
(2) ARCHITECTURAL ELEMENTS MAY BE HIGHER THAN THE STRUCTURAL ROOF, OVERALL HEIGHT SHALL NOT EXCEED 40 FEET.		

BUFFER REQUIREMENTS		
PROPERTY LINE	ADJACENT USE	BUFFER REQUIRED
NORTH	R.O.W. (CPD)	30' TYPE "D"
EAST	R.O.W. (CPD)	30' TYPE "D"
SOUTH	LAKE (CPD)	NONE REQUIRED
SOUTHWEST	MP RESIDENTIAL (RPD)	30' TYPE "D"
WEST	LAKE (CPD)	NONE REQUIRED
NOTES:		
1. BUFFERS MAY OVERLAP EASEMENTS PER DEVIATION 10		

LAND USE SUMMARY		
CATEGORY	AREA	PERCENTAGE
BUILDING	0.42 AC.	19%
PAVEMENT / SIDEWALK	1.52 AC.	69%
PERVIOUS	0.87 AC.	20%
TOTAL	2.81 AC.	100.0%

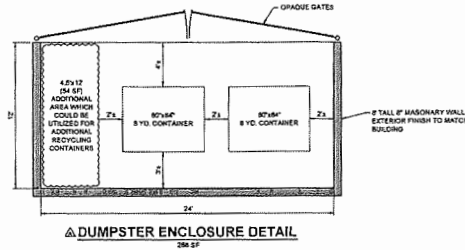
OPEN SPACE REQUIREMENT		
PER RESOLUTION Z-84-014		
REQUIRED OPEN SPACE IS 20% MINIMUM OF PROPERTY AREA		
AREA	PERCENTAGE	
REQUIRED (2.81 AC x 0.20)	0.56 AC.	20%
PROVIDED	0.87 AC.	29%

PARKING SUMMARY		
USE	RATIO	REQUIRED / PROVIDED
HOTEL	1.2 SPACES PER RENTAL UNIT (128 UNITS)	154 / 154 (0)
NOTES:		
1. "0" REPRESENTS THE NUMBER OF HANDICAP SPACES INCLUDED IN THE TOTAL SPACES		

ENTITLEMENT INVENTORY TABLE					
USE	UNITS	MAX INTENSITY ALLOWED	PREVIOUSLY PROPOSED	PROPOSED THIS PROJECT	AMOUNT REMAINING
RESIDENTIAL	UNITS	3,812	3,801	0	991
OFFICE	SF	475,000	0	0	250,779
RETAIL	SF	300,000	6,000	0	294,000
RESTAURANT	SF	5,000	5,000	0	0
MARINA	SLIPS	215	41	0	174
GOLF	HOLES	17	10	0	7
TENNIS	COURTS	24	22	0	2
HOTEL	ROOMS	750	450	128	172
(1) MAXIMUM INTENSITIES PER RESOLUTION Z-68-009					

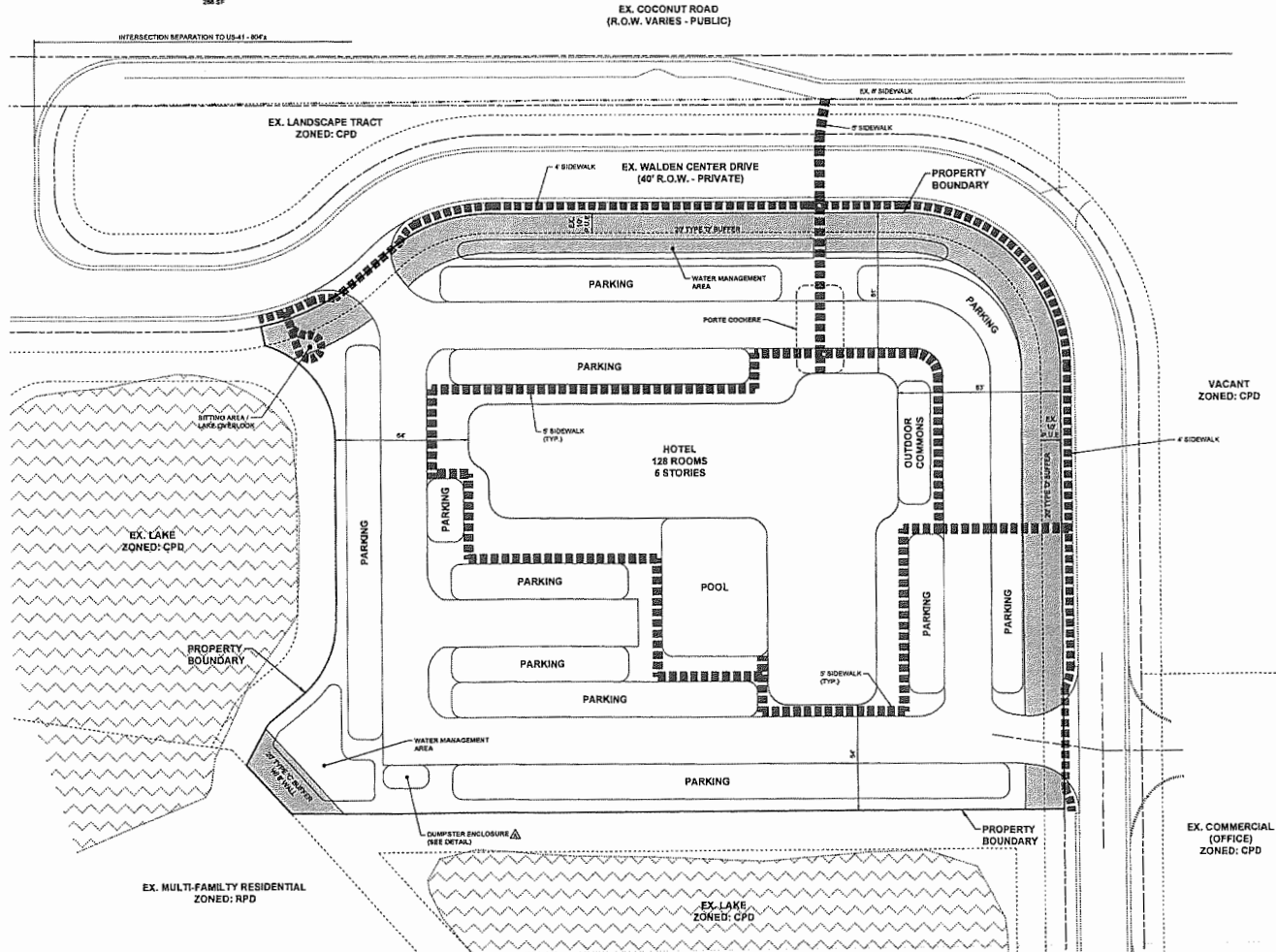
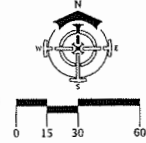
REFUSE & SOLID WASTE DISPOSAL FACILITIES	
REQUIRED	
PER FCHDD DEVIATION 20A 8' OF REFUSE & SOLID WASTE AREA WILL BE REQUIRED	
PROVIDED	
17' x 24' ENCLOSURE PROVIDED (SEE DETAIL)	
TOTAL PROVIDED	284 SF

DEVIATIONS APPROVED WITH RESOLUTION Z-84-014	
DEVIATION 1-2	NOT APPLICABLE
DEVIATION 3	LOG SECTION 34 (HIGH) REQUIREMENT TO PROVIDE A MINIMUM SETBACK FROM A STRUCTURE TO A WATER BODY OF 25 FEET TO ALLOW 30 FEET. (NOT UTILIZED FOR THIS PROJECT)
DEVIATION 4-2	NOT APPLICABLE
DEVIATION 10	LOG SECTION 15-414 (FOURTH LOG SECTION 10-1014) REQUIREMENT THAT NO PORTION OF A BUFFER AREA THAT CONSISTS OF TREES AND SHRUBS SHALL BE LOCATED OR ANY TARIAMENT TO ALLOW PLANTED BUFFERS IN EASEMENTS. CONDITION SHOULD ANY REQUIRED BUFFER PLANTINGS, WHICH HAVE BEEN PLANTED WITHIN AN EASEMENT, HAVE TO BE REMOVED, THEN THE PROPERTY OWNER SHALL REPLACE THE PLANTINGS. AT NO COST TO THE COUNTY, WITH THE SAME SIZE AND SPECIES OF PLANTS. (NOT UTILIZED FOR THIS PROJECT)
DEVIATIONS 11-12	NOT APPLICABLE
DEVIATION A	LOG SECTION 10-2614 (REQUIREMENT TO PROVIDE 214 SF FOR THE FIRST 25,000 SF & 8 SF FOR EACH ADDITIONAL 1,000 SF OF CONTAINER SPACE FOR SOLID WASTE, REFUSE, AND RECYCLING TO ALLOW 584 SF OF CONTAINER SPACE FOR THE 128 ROOM HOTEL)



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BY: MC

LEGEND	
[Pattern]	LANDSCAPE BUFFER
[Pattern]	PEDESTRIAN CONNECTIVITY
[Symbol]	DEVIATION

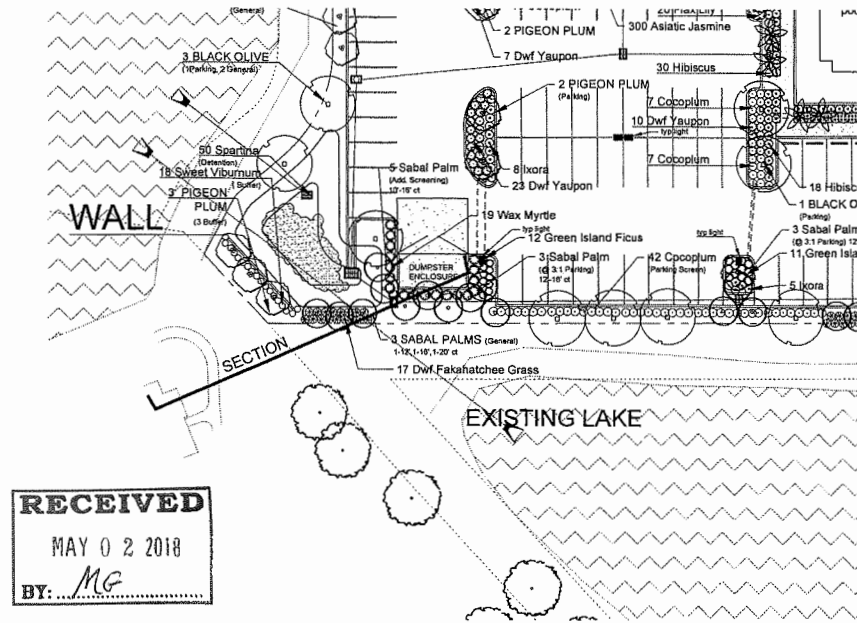


DELISI FITZGERALD, INC.
Planning - Engineering - Project Management
1605 Liberty Street
Fort Myers, FL 33901
(239) 418-0691
(239) 418-0692 fax
Professional Engineer License #95978

OWNER/DEVELOPER:
COMTEERRA DEVELOPMENT, LLC
1605 Liberty Street
Fort Myers, FL 33901
PROJECT:
**COCONUT SQUARE
LOT 5 HOTEL**

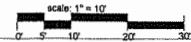
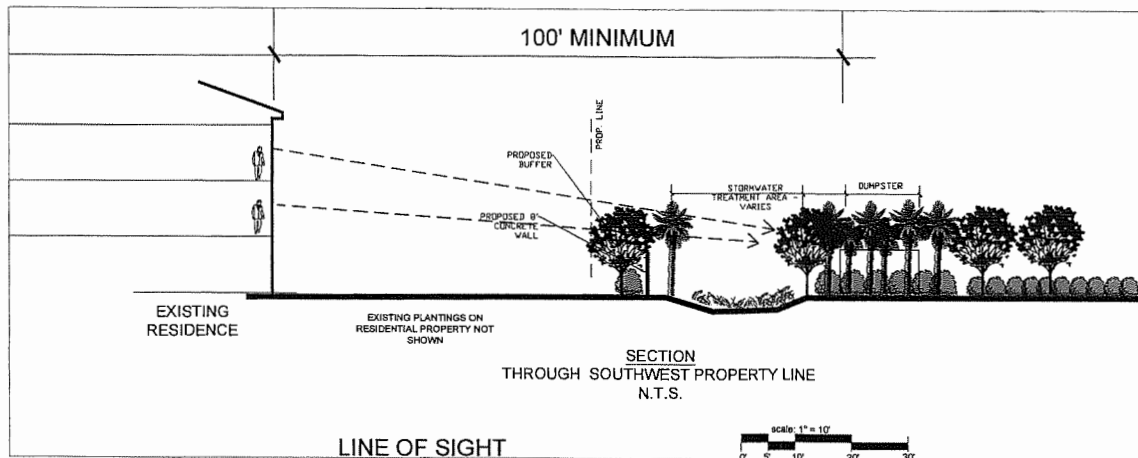
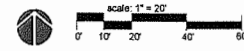
MASTER CONCEPT PLAN (FINAL PLAN APPROVAL)	
Project Manager	JTW
Drawn By	CAS
Checked By	JTW
Project Number	28452
Date of Revision	1
Township	47 S Range
County, State	LEE COUNTY, FL
Scales: FOR SUBMITTAL PURPOSES ONLY NOT FOR CONSTRUCTION	
Sheet Number: 1	

EXHIBIT B



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BY: *MG*

PARTIAL LANDSCAPE PLANTING PLAN



DMJA
DAVID M. JONES, JR.
AND ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
AND PLANNERS

2221 McGregor Blvd.
Fort Myers, Florida 33901
PHONE: (239) 337-6525
FAX: (239) 337-4654
4151 Tamiami Trail, Suite 100
Punta Gorda, Florida 33980
PHONE: (813) 836-2450
FAX: (813) 836-2438
L.A. LICENSE: LC 0000083

PROJECT INFORMATION:
**Coconut
Square Lot 5
Hotel**
23400 Walden
Center Drive
Estero, Florida
PREPARED FOR:
DELISI,
FITZGERALD, INC.
1605 Handy Street
Fort Myers, Florida
P: (239) 418-0691
F: (239) 418-0692

CONTRACT NO.

DESIGN PROFESSIONAL:
SPEDDY J. OSERIO, RLA
P.L.A. No. 1451
STATE OF FLORIDA

PROJECT NO. 217073
PROJECT NAME: Coconut Square Lot 5
PREPARED BY: KM
DESIGNER: KM
CHECKED BY: QJD
REVIEWED BY: QJD
DEVELOPMENT
ORDER

ISSUED DATE: December 18, 2017
REVISIONS:
JAN. 22, 2018 VILLAGE COMMENTS
MARCH 26, 2018 DRB COMMENTS

SHEET TITLE:
LINE OF SIGHT

SHEET NUMBER:
L3

