



# APPLICATION FOR DEVELOPMENT ORDER IN THE VILLAGE OF ESTERO

**Project Name:** Estero Grande

**Project Description:** The scope of work for the proposed Development Order consists of turn lane improvements, construction of an entry road, and the installation of backbone utility infrastructure that will support the future development of four commercial parcels & one multi-family residential parcel.

**Project Type:**       Small DO\*       Large DO\*

*\*A project becomes a large DO if it is over 10 acres in size or has 2 acres or more of impervious cover.*

1. **Name of Applicant:** W. Stephen Hagenbuckle  
**Company Name:** Estero Grande, LLC  
**Address:** 23421 Walden Center Dr. Suite #300  
**City, State, Zip:** Bonita Springs, FL, 34134  
**Phone Number:** \_\_\_\_\_ **E-mail:** Steve@TerraCapMgmt.com

2. **Relationship of Applicant to owner (check one) and provide Affidavit of Authorization form. [10-107; 10-153(1); 10-153(2)]**  
 Applicant is the sole owner of the property.  
 Applicant has been authorized by the owner(s) to represent them for this action.

3. **Authorized Agent: (If different than applicant) Name of the person who is to receive all Village of Estero-initiated correspondence regarding this application. [10-153(2)]**  
a. **Company Name:** Waldrop Engineering, P.A.  
**Contact Person:** Jeremy Arnold, P.E.  
**Address:** 28100 Bonita Grande Dr, #305  
**City, State, Zip:** Bonita Springs, FL, 34135  
**Phone Number:** 239-405-7777      **E-mail:** Jeremy@waldropengineering.com

b. **Professional Consultants Information:** If professional assistance was used in preparing the application or submittal items, attach the Professional Consultants Information Exhibit. [10-153(2)f.]

4. **STRAP Number(s):** [Attach extra sheets if additional space is needed.] [10-153(3)a.]  
28-46-25-E1-01001.0020      28-46-25-E1-01001.0030

5. **Street Address of Property:** Intersection of Estero Pkwy and S Tamiami Trail.

6. **Public Meeting Requirements,** Provide a meeting summary document of the required public informational session. [34-202(a)(10); 33-54(a) & (b)]

7. **Improvements in County Rights-of-Way.** Is the proposed development solely for improvements within County owned rights-of-way?  
 **YES** – If YES, application items #9 through 16, 17, 18 & 19 do not apply.  
 **NO**

THE VILLAGE OF ESTERO DEPARTMENT OF COMMUNITY DEVELOPMENT  
9401 Corkscrew Palms Circle • Estero, FL 33928  
PHONE (239) 221-5036

8. **Legal Description: [10-154(1)]**  
 Legal description (8½"x11") and sealed sketch of the legal description  
**OR**  
 The property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records (or Plat Books) of Lee County.
9. **Boundary Survey: [10-154(3)]**  
 A Boundary survey, tied to the state plane coordinate system.  
**OR**  
 A copy of the subdivision plat if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records (or Plat Books) of Lee County
10. **Use(s) of Property:**  
a. Current uses of property are: Vacant  
b. Intended uses of property are: Mixed Use Planned Development
11. **Comprehensive Plan (Future Land Use) Designation:** Urban Community/Suburban
12. **Current Zoning of Property:** Vacant Residential
13. **Property Dimensions [10-153(3)(c)]:**  
a. Width (average if irregular parcel): 1,686 Feet  
b. Depth (average if irregular parcel): 654 Feet  
c. Total area: 29.6 Acres or square feet
14. **Zoning Approval(s).** List the case number or resolution number of any variance, special exception, rezoning, or other zoning actions that have been granted or requested on the property. **[10-153(4)]**  
Resolution #Z-14-028
15. **DO/LDO Approval(s).** List the case number of any development order or development standards exemptions that have been approved or filed on the property. **[10-153(4)]** Commercial, religious, industrial, public or mixed use.
- 
16. **Building Design.** Are buildings and/or site improvements proposed as part of this application? **[10-600]**  
 **YES** – If **YES**, Design Standards apply and Exhibit V-G and Exhibit V-G Estero must be completed and submitted. (see LDC Section 10-600 – 33-100)  
 **NO** – If **NO**, application items #18 and 19 do not apply.
17. **Commercial Architectural Design Applicability:** Which category best describes the proposed development? If the answer is anything other than "None of the above," then Commercial Architectural Compliance is required (see architectural review requirements in LDC Section 10-600, et al.). **[10-602]**  
 New Building  
 Building Addition (>50% of sq ft of existing building)  
 Renovation (>50% of sq ft of existing building)  
 Redevelopment (>50% of sq ft of existing building)  
 Discontinuance (use of building was discontinued for one year or more)  
 None of the above (If none of the above, application item #20 does not apply)
18. **Architectural Design Style:** Indicate the architectural design style proposed for this project. {Note: Please refer to the specific Architectural style requirements outlined in LDC Section 33-227.}  
 Mediterranean                       Key West                       Spanish  
 Old Florida                               Colonial                         Vernacular  
 Modern International                 Contemporary                 Florida Vernacular  
 Main Street                               Caribbean                       Other \_\_\_\_\_

## SUBMITTAL REQUIREMENTS

*Clearly label all submittal documents with the document name indicated below.*

**One copy of all submittal items must be submitted electronically and five COLLATED paper copies submitted at the Permitting Lobby unless otherwise noted.**

### SUBMITTAL ITEMS

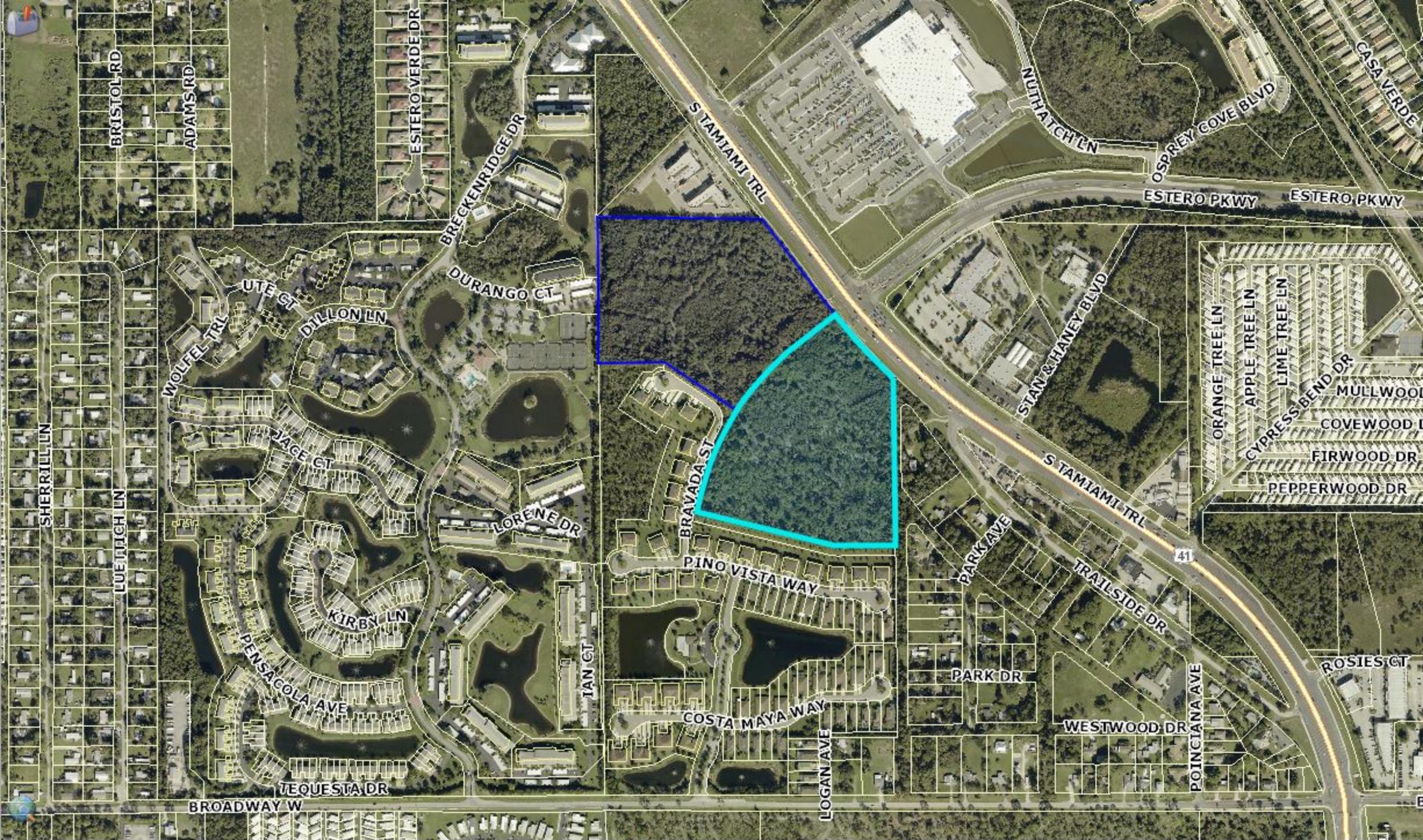
- |                                     |                                |
|-------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> | Completed application [10-153] |
| <input checked="" type="checkbox"/> | Filing Fee - [10-108(a)]       |

### PLAN SETS

- |                                     |  |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Existing Conditions Drawings [10-154(6)]   |
| <input checked="" type="checkbox"/> | Area Location Map [10-154(6)(a)]   |
| <input checked="" type="checkbox"/> | Site Plan [10-154(7)]  |
| <input checked="" type="checkbox"/> | Utility Plans [10-154(6)(h); 10-154(7)(j)]   |
| <input checked="" type="checkbox"/> | Drainage Plans [10-154(7)(k)]  |
| <input type="checkbox"/>            | Landscaping Plans [10-154(7)(l)]   |
| <input checked="" type="checkbox"/> | FLUCCS Map [10-154(6)(f)] (if applicable - required if DO is a large project)                        |
| <input type="checkbox"/>            | Exterior Lighting Plan [10-154(8)] (if applicable – required if exterior lighting is to be provided) |
| <input type="checkbox"/>            | Architectural Elevations [10-604, 33-52(c)]  |

### ADDITIONAL SUBMITTAL ITEMS

- |                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Affidavit of Authorization [10-153(1)] <i>Prior to DO approval, one signed &amp; notarized original must be submitted</i> |
| <input checked="" type="checkbox"/> | Professional Consultants Information [10-153(2)(f)]   |
| <input checked="" type="checkbox"/> | Legal description and sealed sketch of legal description or copy of plat [10-154(1)] (if applicable)                      |
| <input checked="" type="checkbox"/> | Boundary Survey or plat [10-154(3)] (if applicable)   |
| <input checked="" type="checkbox"/> | Title Certification [10-154(2)] (if applicable)   |
| <input checked="" type="checkbox"/> | List of STRAP Numbers (if additional sheet is required) [10-153(3)a]  |
| <input type="checkbox"/>            | Community Meeting Notes [33-54(a)&(b)]  |
| <input checked="" type="checkbox"/> | Stormwater Pollution Prevention Plan (SWP3) [14-477]  |
| <input checked="" type="checkbox"/> | Traffic Impact Statement [10-154(10)]   |
| <input checked="" type="checkbox"/> | Protected Species Survey [10-154(14)] (if applicable)   |
| <input checked="" type="checkbox"/> | Protected Species Management Plan [10-154(15)] (if applicable)  |
| <input checked="" type="checkbox"/> | Certificate to Dig [10-154(16)] (if applicable)   |
| <input type="checkbox"/>            | Historical Impact Assessment [10-154(17)] (if applicable)   |
| <input checked="" type="checkbox"/> | Exotic Vegetation Removal Plan [10-154(18)] (if applicable)   |
| <input type="checkbox"/>            | Hazardous Materials Plan [10-154(12)] (if applicable – private port facilities only)                                      |
| <input type="checkbox"/>            | Port Facility Permits (i.e. Tall Structures Permit) [10-154(13)] (if applicable)  |
| <input type="checkbox"/>            | Fire Protection Plan [10-154(20)] (if applicable)   |
| <input type="checkbox"/>            | Emergency Preparedness Plan [10-154(21)] (if applicable)  |
| <input type="checkbox"/>            | State/Federal Permit Applications [10-154(22)] (if applicable)  |
| <input checked="" type="checkbox"/> | Operation & Maintenance Covenants [10-154(23)] (if applicable)  |
| <input type="checkbox"/>            | Assignment of Maintenance [10-154(24)] (if applicable)  |
| <input checked="" type="checkbox"/> | Cost Opinion [10-154(25)] (if applicable)   |
| <input type="checkbox"/>            | Surety/Cash Bond [10-154(26)] (if applicable)   |
| <input checked="" type="checkbox"/> | Comprehensive Plan Consistency [10-154(27)]   |
| <input type="checkbox"/>            | Drainage Discharge Agreement [10-154(28)] (if applicable)   |
| <input checked="" type="checkbox"/> | Exhibit V-G [10-600] (if applicable)  |
| <input checked="" type="checkbox"/> | Exhibit V-G – Estero [33-100 et seq] (if applicable)  |



STRAP	Owner Name	Site Address	Last Trans. Date	Last Trans. Amt	Just Value	Taxable Value
28-46-25-E1-01001.0020	ESTERO GRANDE LLC	ACCESS UNDETERMINED, ESTERO	10-2010	\$ 2,875,000	\$ 1,252,050	\$ 1,078,310
28-46-25-E1-01001.0030	ESTERO GRANDE LLC	ACCESS UNDETERMINED, ESTERO	10-2010	\$ 2,875,000	\$ 1,263,100	\$ 1,087,826

























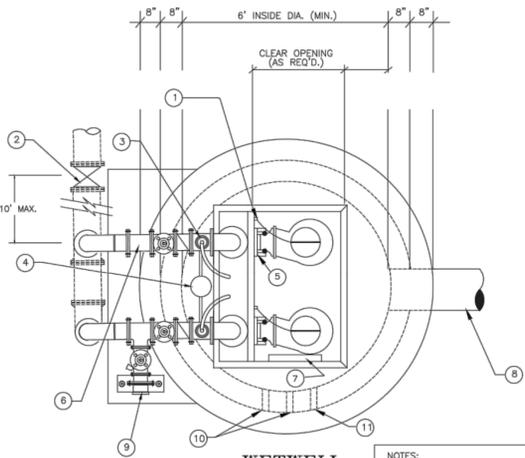






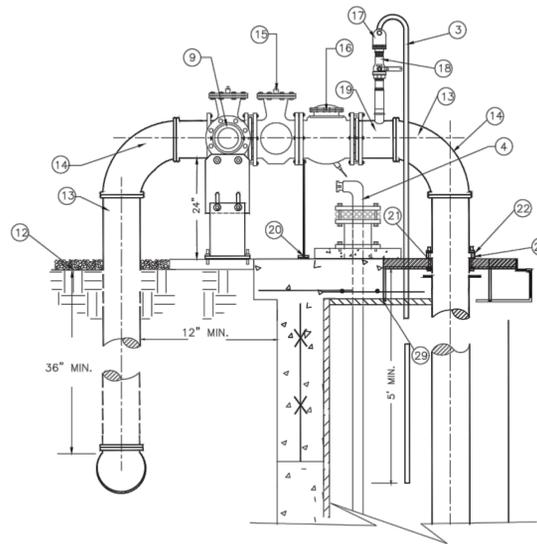




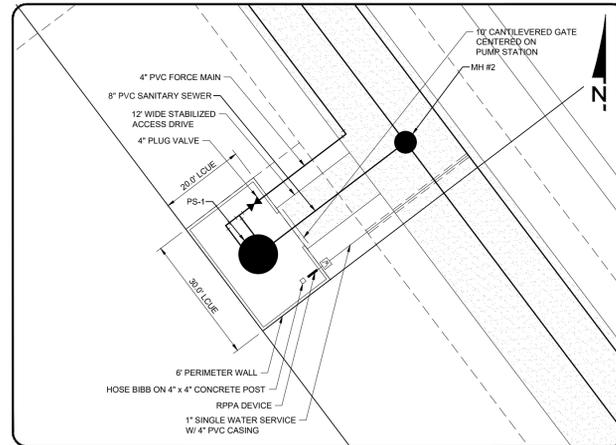


**WETWELL PLAN**  
N.T.S.

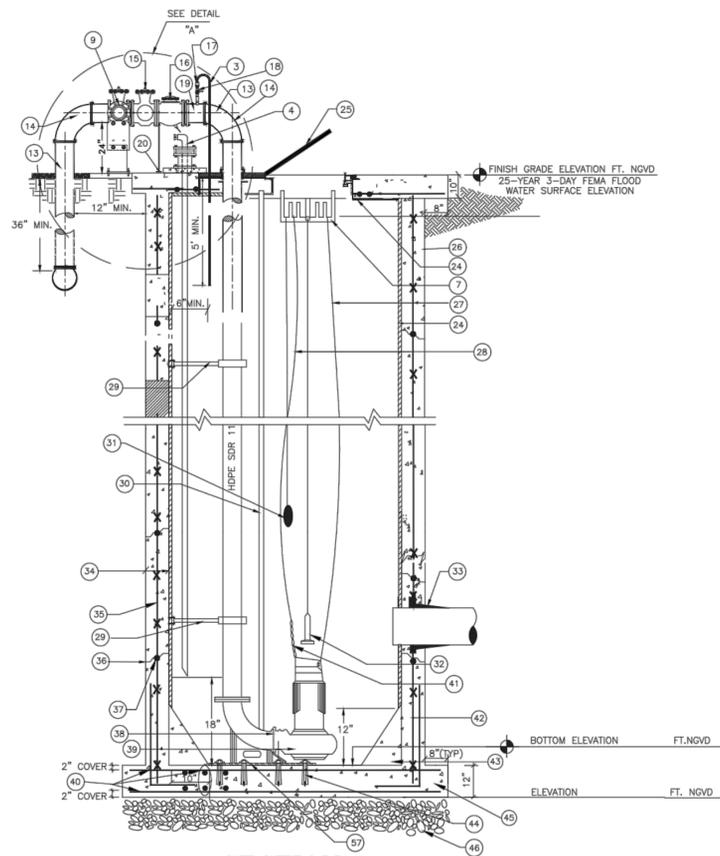
NOTES:  
CONTRACTOR TO SET PUMPS AND ACCESS COVER TO ENSURE ACCURATE ALIGNMENT OF GUIDE RAILS.  
CONDUIT FOR PUMP POWER CABLES & FLOAT SWITCH CABLES, PLACEMENT IS TO BE DETERMINED BY LOCATION OF CONTROL PANEL.



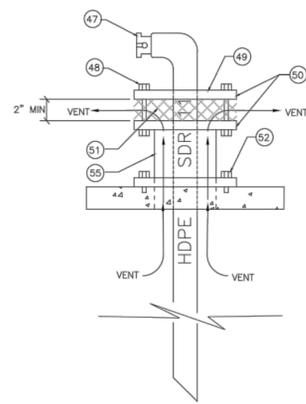
**DETAIL "A"**  
N.T.S.



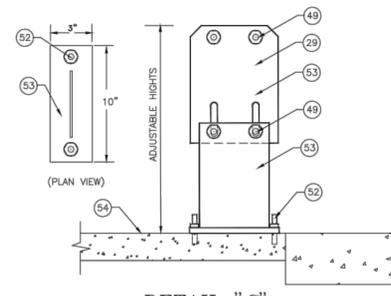
**SITE PLAN**  
SCALE: 1" = 20'



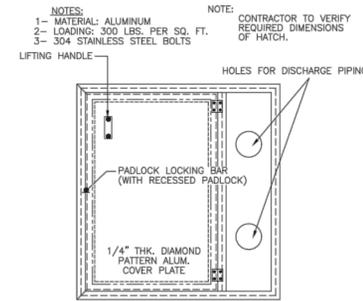
**SECTION**  
N.T.S.



**DETAIL "B"**  
N.T.S.



**DETAIL "C"**  
N.T.S.



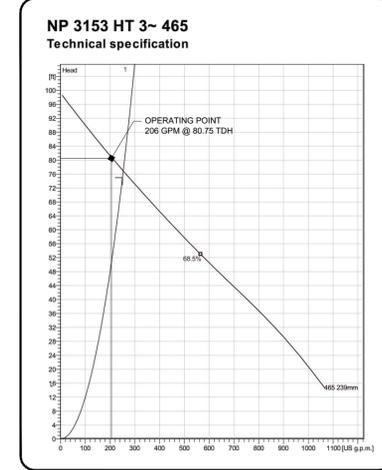
**DETAIL "D"**  
WETWELL ACCESS HATCH  
N.T.S.

**GENERAL NOTES AND REQUIREMENTS**

- 1 1/4" THK. SERIES 300 STAINLESS STEEL HOOKS FOR HOIST CABLES
- 2 PLUG VALVE
- 3 PCV DRAIN LINE FROM AIR RELEASE VALVE TO WET WELL
- 4 EMERGENCY PUMP OUT AND AIRVENT (SAME DIAMETER AS DISCHARGE PIPING) (SEE DETAIL "B")
- 5 GUIDE RAILS
- 6 SPOOL PIECE
- 7 STAINLESS STEEL FLOAT CABLE SUPPORT
- 8 INFLUENT PIPE INSTALLED RADIALLY FROM WETWELL CENTER
- 9 FEMALE QUICK CONNECT COUPLER WITH CAP AND PLUG VALVE
- 10 POWER CABLE
- 11 FLOAT CONTROLS
- 12 FILTER CLOTH WITH 4" OF COMPACTED #57 STONE
- 13 HDPE PIPE
- 14 LONG RADIUS 90° BEND
- 15 PLUG VALVE (PAINT BLACK)
- 16 SWING FLEX CHECK VALVE (PAINT BLACK)
- 17 2" AUTOMATIC AIR RELEASE VALVE; (SEE LCU APPROVED MATERIAL LIST) ON EACH DISCHARGE PIPE
- 18 2" STAINLESS STEEL BALL VALVE (SEE APPROVED MATERIAL LIST)
- 19 HDPE BRANCH SADDLE PE 3408 ASTM D3350 (BLACK) WITH FEMALE THREADED INSERT BRASS ALLOY STAINLESS COMPRESSION RING GRADE TYPE 304 OR 316
- 20 STAINLESS STEEL PIPE SUPPORT (SEE DETAIL "C")
- 21 NEOPRENE GASKET
- 22 STAINLESS STEEL FLANGE RING
- 23 HDPE RIM (FUSED TO HDPE PIPE)
- 24 LINER OR COATING (SEE LCU APPROVED MATERIAL LIST)
- 25 ALUMINUM HATCH (SEE DETAIL D)
- 26 COAL TAR EPOXY (BELOW FINISHED GRADE)
- 27 SENSOR CABLE
- 28 SERIES 316 STAINLESS STEEL 1/4" CABLE
- 29 SERIES 316 STAINLESS STEEL PIPE SUPPORT
- 30 2" SERIES 316 STAINLESS STEEL GUIDE RAILS
- 31 HIGH WATER ALARM SIGNAL ON
- 32 SUBMERSIBLE LEVEL TRANSMITTER
- 33 CAST IN PLACE FLEXIBLE PIPE CONNECTION WITH SERIES 316 STAINLESS STEEL CLAMP C-923, CHARDON RUBBER, O/E (TYP.) WALL THICKNESS 8" MIN.
- 34 STEEL REINFORCEMENT
- 35 RAM-NEK BLANKET OUTER SIDE OF WET WELL
- 36 RAM-NEK OR EQUAL PREFORMED PLASTIC GASKET MATERIAL BETWEEN PRECAST UNITS (TYP.)
- 37 AUTOMATIC DISCHARGE CONNECTION TO SUIT PUMP
- 38 SUBMERSIBLE PUMPS
- 39 #5 AT 8" CENTER
- 40 SERIES 316 STAINLESS STEEL 3/8" CHAIN (1'-6" LONG)
- 41 #4 AT 8" CENTER
- 42 CONC. OR PORTLAND TYPE II & SAND MIX
- 43 3/4" DIA. x 8" STAINLESS STEEL WEDGE BOLT SCREW ANCHORS, 8 EA. REFER TO LCU STANDARD DETAIL
- 44 BASE SECTION TO BE A MONOLITHIC CASTING
- 45 12" MIN. COMPACTED #57 STONE
- 46 CAM LOCK COUPLING ON EMERGENCY PUMP OUT
- 47 STAINLESS STEEL BOLTS
- 48 BLIND FLANGE
- 49 STAINLESS STEEL CLAMP
- 50 STAINLESS STEEL SCREEN CLOTH
- 51 STAINLESS STEEL CONCRETE BOLTS
- 52 3/8" STAINLESS STEEL
- 53 4" THICK 3,000 P.S.I. CONCRETE SLAB
- 54 AIR VENT TO BE 2 PIPE SIZES LARGER THAN EMERGENCY PUMP OUT. THE ACTUAL LOCATION IS TO BE DETERMINED IN THE FIELD.
- 55 LCU PREFERS THE LIFT STATION FENCE TO HAVE DARK GREEN VINYL COATING. HOWEVER, BLACK VINYL IS ACCEPTABLE.
- 56 PUMP DISCHARGE BASE PLATE, REFER TO LCU STANDARD DETAIL

NUMBER OF PUMPS	#1	#2
PUMP MANUFACTURER	FLYGT	FLYGT
PUMP MODEL NUMBER	NP 3153 HT 3-465	
IMPELLER NUMBER	465	465
TYPE OF PUMP	SEMI-PERMANENT WET	
DESIGN CAPACITY PER PUMP	375	375 (GPM)
TOTAL DYNAMIC HEAD	67.36	67.36 (FEET)
SHUT-OFF HEAD	99	99 (FEET)
DESIGN SPEED	1,765	1,765 (RPM)
MIN. HORSEPOWER PER PUMP	12	12 (HP)
VOLTS	230	230 (VOLTS)
PHASE POWER	3	3 (PH)
PUMP DISCHARGE SIZE	3-15/16	3-15/16 (INCHES)
DIAMETER RISER PIPE	3	3 (INCHES)
PUMP ON ELEVATION	0.5	1 (FEET)
HIGH WATER ALARM	1.5	(FEET)
PUMP OFF ELEVATION	-1.41	(FEET)
DIAMETER PIPE AFTER RISER	4	(INCHES)
DIAMETER WETWELL (I.D.)	8	(FEET)
TOP OF WETWELL ELEVATION	17.5	(FEET)
BOTTOM ELEVATION	-6	(FEET)
INFLUENT GRAVITY PIPE ELEVATION	2	(FEET)

BASIS OF DESIGN			
	ADF (gpm)	PHF (gpm)	EDU (1 EDU = 250 gpd)
EXISTING	0		
INTERIM	0		
FUTURE	46	207	265



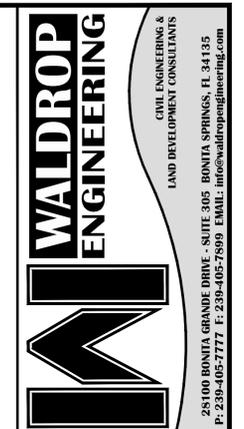
**PUMP CURVE**

REVISIONS	DATE	BY	APP'D

LEE COUNTY UTILITIES ENGINEERING  
SOUTHWEST FLORIDA  
1500 Monroe St., Fort Myers, Florida 33901  
Ph. (239) 533-8161 Fax. (239) 485-8365

STANDARD DETAIL NO. 6.42  
PUMP STATION DETAIL  
USING ABOVE GROUND  
DISCHARGE PIPING

SHEET: 1 of 2



DEVELOPMENT ORDER PLANS  
**ESTERO GRANDE**  
CLIENT: ESTERO GRANDE, LLC  
LEE COUNTY UTILITIES PUMP STATION DETAILS

PLAN REVISIONS

SCALE AS SHOWN

FLORIDA CERTIFICATE OF AUTHORIZATION #8836

JEREMY H. ARNOLD, P.E.  
FL LICENSE NO. 66421  
SET NUMBER: 364-04-01

VERTICAL ELEVATIONS BASED ON: NAVD-88

SHEET: 18





RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

WHEREAS, the property owner, Estero Grande LLC, filed an application to rezone a 29.6± acre parcel from Residential Single-Family (RS-1) to Mixed-Use Planned Development (MPD) in reference to Estero Grande; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Maria Collins, was advertised and held on October 29, 2014 and October 30, 2014. At the conclusion of the hearing on October 30, 2014, the Hearing Examiner left the record open and requested Staff and the Applicant to submit written submissions to her Office on or before November 3, 2014; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2014-00004 and REZ2014-00004 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on January 7, 2015 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 29.6± acre parcel from RS-1 to MPD for a maximum of 285 dwelling units and 100,000 square feet of commercial uses. The 285 units includes up to 108 bonus density units derived from Transferrable Development Rights (TDR) credits or by participation in the Bonus Density Program. Maximum building height requested is 45 feet. This development will connect to public potable water and sanitary sewer service. No development blasting is requested.

Request to participate in the Bonus Density Program and allow use of TDR credits to construct up to 108 bonus density units. Approval would allow up to a maximum of 285 dwelling units on the site with a resulting density of 9.6 units per acre.

The property is located in the Urban Community and Suburban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Master Concept Plan/Development Parameters. Development of this project must be consistent with the three-page Master Concept Plan (MCP) entitled "ESTERO GRANDE MPD," prepared by Waldrop Engineering, Sheets 1 and 3 last revised 01/09/15, Sheet 2 last revised 11/3/14, all date-stamped "RECEIVED JAN 09 2015, Community Development," and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

This zoning approval allows a maximum of 100,000 square feet of commercial floor area, including office and/or retail; and 285 multi-family dwelling units. The 285 dwelling units may include up to 108 units pursuant to the TDR, the Bonus Density Program or a combination of both.

2. Uses and Site Development Regulations

- a. Schedule of Uses

Commercial Tracts – all uses subject to Condition 28

Accessory Uses and Structures

Administrative Office

Animal Clinic – in compliance with LDC §34-1321 *et. Seq.* – No outdoor runs.

ATM (Automatic Teller Machine)

Auto Parts Store – No installation

Bait and Tackle Shop

Banks and Financial Establishments, Groups I and II

Building Materials Sales – Limited to 5,000 square feet maximum Business Services, Group I – excluding Bail Bonding

Car Wash – Limited to 1 for the entire MPD and only as an accessory use to a convenience Food and Beverage Store. Must be a minimum of 100 feet from any neighboring residentially-zoned property line (external to the MPD boundary)

Cleaning and Maintenance Services

Clothing Store, General – Limited to 30,000 square feet maximum

Computer Data and Processing Services

Consumption on Premises – See Condition 15

Convenience Food and Beverage Store – Limited to 1 for the entire MPD and in compliance with LDC §§ 34-1353, 33-431 and 33-445

Day Care Center – Child or Adult – buildings, structure and/or any outdoor playgrounds must be a minimum of 50 feet from any neighboring residentially-zoned property line (external to the MPD boundary)

Drive-Through Facility for Any Permitted Use

Drugstore/Pharmacy – Limited to 1 for the entire MPD  
Essential Services  
Essential Services Facilities, Group I  
Excavation, Water Retention and Detention  
Fences, Walls – Also See Condition 19  
Florist Shop  
Food Stores, Group I - Limited to 30,000 square feet maximum  
Gift and Souvenir Shop – Limited to 30,000 square feet maximum  
Hardware Store – Limited to 30,000 square feet maximum  
Healthcare Facilities, Groups I, II and III  
Hobby, Toy and Game Shops – limited to 30,000 square feet maximum  
Household and Office Furnishings, Groups I, II and III – limited to 30,000 square feet maximum  
Insurance Companies  
Laundry and Dry Cleaning, Group I  
Lawn and Garden Supply Stores – limited to 30,000 square feet maximum  
Medical Offices  
Non-Store Retailers  
Paint, Glass and Wallpaper – Limited to 5,000 square feet maximum  
Parking Lot, Accessory, Temporary  
Personal Services, Groups I, II, III and IV - Excluding Massage Parlors, Escort Services, Tattoo Parlors  
Pet Services, Pet Shops – No outdoor runs  
Photofinishing Laboratory  
Post Office  
Real Estate Sales Office  
Recreational Facilities, Commercial Groups I and IV – indoor only  
Rental and Leasing Establishments, Groups I and II  
Research and Development Laboratories  
Restaurant, Fast Food - in compliance with LDC §34-1353  
Restaurants, Groups I, II and III – also see Condition 15  
Retail and Wholesale Uses when clearly incidental and subordinate to a permitted principal use on the same premises  
Schools, Commercial  
Self-Service Fuel Pumps – maximum 16 pumps - accessory use to a Convenience Food and Beverage Store only  
Signs per Chapters 30 & 33  
Social Services, Groups I and II  
Specialty Retail Shops, Groups I and II  
Studios  
Temporary Uses  
Variety Store

#### Residential Tract

Accessory Uses and Structures  
Administrative Offices – subject to Condition 14  
Clubs/Private

Dwelling Units: Multi-Family, Townhouses  
Entrance Gates, subject to Condition 19  
Essential Services  
Excavation: Water Retention and Detention  
Fences, Walls – subject to Condition 19  
Home Occupation with no outside help  
Model Units – subject to Condition 14  
Parking Lot: Accessory  
Real Estate Sales Office – subject to Condition 14  
Recreation Facilities, Private, On-Site  
Residential Accessory Uses  
Sign in accordance with LDC Chapters 30 and 33  
Temporary Uses

b. Site Development Regulations

Commercial Tracts

Minimum Lot Areas and Dimensions

Lot Size: 7,500 square feet  
Lot Width: 75 feet  
Lot Depth: 100 feet

Minimum Setbacks

Street: 25 feet (US 41)/20 feet (private)  
Side: 15 feet  
Rear: 20 feet  
Water body: 20 feet

Accessory Uses: Per the LDC

Minimum Building Separation: 20 feet or ½ building height for structures exceeding 35 feet in height.

Building Height: 45 feet

Maximum Lot Coverage: 45%

Residential Tract

Minimum Lot Areas and Dimensions – Multi-Family

Lot Size: 9,000 square feet  
Lot Width: 90 feet  
Lot Depth: 100 feet

Minimum Setbacks

Street: 20 feet (private)  
Side: 10 feet  
Rear: 10 feet  
Water body: 20 feet

Accessory Uses: Per the LDC

Minimum Building Separation: 20 feet or ½ building height for structures exceeding 35 feet in height.

Building Height: 45 feet

Maximum Lot Coverage: 50%

Residential Tract

Minimum Lot Areas and Dimensions – Townhouses

Lot Size: 1,800 square feet  
Lot Width: 18 feet  
Lot Depth: 100 feet

Minimum Setbacks

Street: 20 feet (private)  
Side: 0/10 feet  
Rear: 10 feet  
Water body: 20 feet

Accessory Uses: Per the LDC

Minimum Building Separation: 20 feet or ½ building height for structures exceeding 35 feet in height.

Building Height: 45 feet

Maximum Lot Coverage: 55%

Recreation Tract

Minimum Lot Areas and Dimensions – Recreation

Lot Size: 9,000 square feet  
Lot Width: 90 feet  
Lot Depth: 100 feet

Minimum Setbacks

Street: 20 feet (private)  
Side: 10 feet  
Rear: 10 feet  
Water body: 20 feet

Accessory Uses: Per the LDC

Minimum Building Separation: 20 feet or ½ building height for structures exceeding 35 feet in height.

Building Height: 45 feet

Maximum Lot Coverage: 45%

3. No Blasting

Development blasting is prohibited.

4. Concurrency

Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements of the Lee Plan or LDC. The developer must demonstrate compliance with concurrency requirements prior to issuance of a local development order.

5. Vehicular/Pedestrian Impacts

Approval of this zoning request does not address mitigation of vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

6. Lee Plan Consistency

Approval of this zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b), as well as the remainder of the Lee Plan.

7. Solid Waste Management

Development order plans for vertical development must comply with LDC §10-261 and Solid Waste Ordinance #11-27 for the pick-up/disposal of solid waste and recyclables.

8. Utilities

The development must connect to water and sanitary sewer services as a condition of development order approval for vertical construction.

9. State/Federal Permits

Issuance of a county development permit does not establish a right to obtain permits from state or federal agencies. Further, it does not establish liability on the part of the county if the developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies or (b) undertakes actions that result in a violation of state or federal law.

10. Access to US 41/Tamiami Trail

Access to U.S. 41/Tamiami Trail is subject to Florida Department of Transportation approval.

11. Protected Species

The developer must submit a protected species survey with the application for development order approval. The developer must submit a gopher tortoise management plan meeting the requirements of LDC §10-474 for review and approval by the County Division of Environmental Sciences with the application for development order approval. The management plan must specify that gopher tortoises and commensal species found during burrow excavation may be relocated on or off-site consistent with Florida Fish and Wildlife Conservation Commission (FWC) permits. The management plan must include relocation procedures, proposed recipient site location; and management details of the recipient site.

The developer must provide the Division of Environmental Sciences with a copy of the FWC gopher tortoise permit prior to commencing work under a vegetation removal permit that may impact gopher tortoises.

12. Open Space/Indigenous Preserve

Development order plans must reflect open space consistent with the approved MCP Open Space Calculations Table.

Development order plans must reflect the preservation of 3.83 acres (5.75 acres with credits) consistent with the approved MCP.

13. Buffers

Buffer plantings must be 100% native vegetation. Development order plans must reflect buffers consistent with the MCP and the LDC. Enhanced buffers must comply with cross sections A-C in the areas delineated on the MCP.

14. Model Units/Real Estate Sales

- a. Model units are limited to a maximum of 6 units at one time.
- b. Outside the commercial areas, real estate sales are limited to clubhouses, model

units, temporary sales centers, temporary construction offices/trailers and civic/recreation areas.

- c. Real estate sales in the residential area are limited to the sale of lots or units within the project. Real estate sales in the commercial area are not limited.
- d. Hours of operation for model units and real estate sales in the residential area are limited to Monday through Sunday 8:00 a.m. to 8:00 p.m. Real estate sales in commercial areas are not limited.
- e. Dry models are prohibited.

15. Consumption on Premises

Consumption on Premises is permitted indoors and in conjunction with a Group II or III restaurant.

Outdoor consumption on premises must obtain approval through the special exception process if outdoor consumption will occur within 500 feet of a religious facility, school (non-commercial), day care center (child), park, or dwelling unit under separate ownership outside the boundaries of the MPD. Measurement of distances will be in accordance with LDC §34-1264(b)(1)3.

Outdoor consumption on premises in areas more than 500 feet from the uses specified above may be approved by amending the planned development approvals.

16. Lighting

Lighting must be in compliance with LDC §§ 33-116 and 34-625 utilizing a maximum height of 20 feet for structures. Lighting must be architecturally designed and complementary to the commercial and residential buildings where located.

17. Development Parameters

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

The developer must submit a plan illustrating these design standards to the Department of Community Development for review and approval prior to local development order approval. This condition is applicable to the entire development including outparcels.

18. Signs

The project must reflect a unified, common signage plan and graphic design theme. The sign plan and graphic design theme must be reviewed and approved by the Department of Community Development prior to local development order approval.

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

19. Fences and Walls

The developer must design fences and walls to complement the architecture of the development. If used, chain link fences must be green or black to blend in with the natural preserve, environment, indigenous areas, buffers, and landscaping.

Gates and fences separating the residential and commercial components within the MPD are permitted to restrict vehicular access to the residential tract. However, gates and fences may not restrict pedestrian and bicycle connectivity as shown on the Bicycle/Pedestrian Connectivity Plan.

20. Transit

There is an existing bus stop on US 41 on the same side of the road within approximately 500 feet of the south property line. The developer must comply with LDC §33-361.

Lee County Transit (Lee Tran) must review and approve applicable development parameters for consistency with LDC §33-361.

21. Outdoor Storage/Outdoor Display

Outdoor storage and outdoor fabrication are prohibited.

Outdoor display is limited to temporary/seasonal display of merchandise for sale or rent in accordance with LDC §34-3004. Outdoor display must be located a minimum of 50 feet from neighboring residentially-zoned property lines external to the MPD boundary.

22. Access

The site access opposite Estero Parkway will require signal modifications to the mast arm traffic signal at the intersection of US 41 and Estero Parkway. The design modifications must be consistent with the design of the intersection at the time of construction. The cost of modification, including design, permitting and construction, will be the sole responsibility of the property owner and its successors in interest. The signal modifications must be completed prior to the issuance of the Certificate of Compliance for the first phase of vertical construction for any lot in the development.

23. Civic Space/Park/Amenity Areas

Development order plans must provide useable open space (Civic, Park and Amenity Areas) at locations in general compliance with the approved MCP.

The area labeled as "Civic Space," "Amenity Areas" and "Park" on the approved MCP may not be used for public festivals or concerts. Only passive recreational activities are permitted in areas labeled "Civic Space" or "Park on the MCP.

24. Pedestrian-Friendly Design

The development must incorporate the following design elements:

- a. Traffic calming measures on internal roadways, including but not limited to: speed bumps or tables, raised pedestrian crossings, street trees and pedestrian-friendly landscaping; street furniture; or the use of pavers and contrasting materials within roadways.
- b. Sidewalks on both sides of the main entrance road that aligns with Estero Parkway with connections to the existing sidewalk system on US 41.
- c. An internal sidewalk network connecting the residential uses to the commercial tracts consistent with the MCP.
- d. A minimum of 2 pedestrian plazas consistent with the conceptual locations on the MCP.
- e. Bicycle racks throughout the development consistent with the conception locations reflected on the Bicycle/Pedestrian Connectivity Plan.
- f. A pedestrian-only connection to the Terra Vista development consistent with the MCP, subject to the approval of the Terra Vista Homeowners Association.

25. Off-Street Parking

A maximum of 20% of the parking spaces may be located between non-residential structures/buildings and the US 41 right-of-way, unless a Type "E" buffer is provided in accordance with LDC §33-422.

26. Development Phasing

Within 5 years of the date of development order issuance for 285 dwelling units, the developer must have obtained local development order for construction of a minimum of 25,000 square feet of non-residential uses. Construction of those non-residential uses must have commenced and be ongoing before Certificate of Occupancy is issued for the last (285<sup>th</sup>) dwelling unit.

27. Interconnection

The development must be designed with an interconnection to the Cayo de Estero commercial development to the north consistent with the approved MCP. The connection must provide for vehicular and bicycle/pedestrian facilities consistent with the design of the existing Cayo de Estero frontage road.

28. Retail Floor Area Limitations

While individual structures may be larger in size, the maximum floor area for a single user retail store is 30,000 square feet.

SECTION C. DEVIATIONS:

The Applicant requested two deviations:

1. Deviation (1), Connection Separation, seeks relief from the LDC §10-285 requirement to provide 660 feet of separation between access points on arterial roadways, to allow a minimum separation of 387 feet, 490 feet and 387.6 on US 41.
2. Deviation (2), Lake Setback, seeks relief from the LDC §10-329(d)(1)(a.)(3), requirement to provide a 50-foot setback between a private property line under separate ownership and excavations, to allow a 35-foot setback from the proposed lake and the western property line.

Pursuant to a Special Act, the State legislature adopted regulations creating the Village of Estero. Pursuant to Section 12, the Board is precluded from approving deviations to the Village of Estero's Transitional regulations. Therefore, the requested deviations are not approved as part of this Application.

SECTION D. EXHIBITS:

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

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. As conditioned, the MPD zoning designation, including the use of Transfer Development Rights and participation in the Bonus Density Program:
  - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
  - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan and LDC;
  - c. is compatible with existing or planned uses in the surrounding area;
  - d. will not adversely affect environmentally critical areas or natural resources.

3. Approval of a development intensity of 285 multi-family dwelling units will not place an undue burden upon existing transportation or planned infrastructure facilities. The internal street system is designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on adjacent development. Further, the site will be served by streets with the capacity to carry traffic generated by the development in that the level of service of surrounding roadways will not be degraded by the traffic generated by the proposed plan of development. In addition, the site is served by transit and has access to a bus stop immediately south of the property facilitating resident use of transit.
4. The rezoning satisfies the following criteria:
  - a. the proposed use or mix of uses is appropriate at the subject location;
  - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
  - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
5. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed multi-family development. These services include public water and sewer, paved streets, public transit, parks and recreational facilities, police, fire, and emergency services, urban surface water management, schools, employment and commercial centers, and libraries.
6. Consistent with State Law, the requested deviations are denied.
7. The request for bonus density satisfies the review criteria set forth in LDC §§ 34-1516(c) and 34-1517. See Lee Plan Objectives 135.1 and 135.4 and Policies 135.1.4 and 135.1.9.

Commissioner John Manning made a motion to adopt the foregoing resolution, seconded by Commissioner Cecil L Pendergrass. The vote was as follows:

John Manning	Aye
Cecil L Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Nay

DULY PASSED AND ADOPTED this 7th day of January, 2015.

ATTEST:  
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson  
Deputy Clerk

BY: Brian Hamman  
For: Brian Hamman, Chair



APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY

Michael D. Jacob  
Michael D. Jacob  
Managing Assistant County Attorney  
County Attorney's Office

RECEIVED  
MINUTES OFFICE  
mw  
2015 JAN 21 PM 1:29

**PARCEL DESCRIPTION: (As prepared for County Purposes)**

A tract of parcel of land situated in the State of Florida, County of Lee, lying in Section 28, Township 46 South, Range 25 East, being a part of Schulte South Tamiami Park, a Subdivision, as recorded in Plat Book 5, Page 33, of the public records of Lee County, Florida, and being further bounded and described as follows:

Beginning at the Northwest corner of said Section 28; thence South 89 deg 11' 12" East, along the North line of said section and said Subdivision, for 741.32 feet; thence South 37 deg 10'00" East, along the West right of way line of Tamiami Trail (U.S. 41), for 474.92 feet to a point of curvature of a curve to the left, having a radius of 2932.79 feet, a central angle of 01 deg 17'48", a chord bearing of South 37 deg 48'53" East and a chord length of 66.37 feet; thence along the arc of said curve and said right of way line, an arc length of 66.37 feet; thence continue along said curve to the left, having a radius of 2932.79 feet, a central angle of 07 deg 36'51", a chord bearing of South 42 deg 16'12" East and a chord length of 389.46 feet; thence along the arc of said curve and said right of way line, an arc length of 389.75 (mis-stated as 389.46 in deed) feet to the end of said curve; thence South 00 deg 44 '25" East, along the East line of the West one-half of the Northwest one quarter of said Section 28 and the East line of said Subdivision, for 754.35 feet; thence South 89 deg 15'35" West, for 273.18 feet; thence North 75 deg 57'39" West, for 635.05 feet to a point on a curve to the right, having a radius of 1240.00 feet, a central angle of 22 deg 46'34", a chord bearing of North 21 deg 17'53" East and a chord length of 489.69 feet; thence along the arc of said curve, an arc length of 492.92 feet; thence North 55 deg 57'53" West for 390.39 feet; thence South 89 deg 09'41" West for 296.00 feet; thence North 00 deg 50' 19" West, along the West line of said Section and said Subdivision, for 663.02 feet to the Point of Beginning.

Bearings are based on the North line of said Section 28, as bearing North 89 deg 11 '12" East.

DCI 2014-00004  
APPROVED  
JUN 20 2014  
COMMUNITY DEVELOPMENT

Approved Legal Description  
by CSJ 6/25/14

EXHIBIT A

**Legal Description**

of a Portion of Land Lying in Section 28, Township 46 South, Range 25 East, Lee County, Florida.

\* NOT A SURVEY \*

**STOUTENCRAMER**  
PROFESSIONAL SURVEYORS

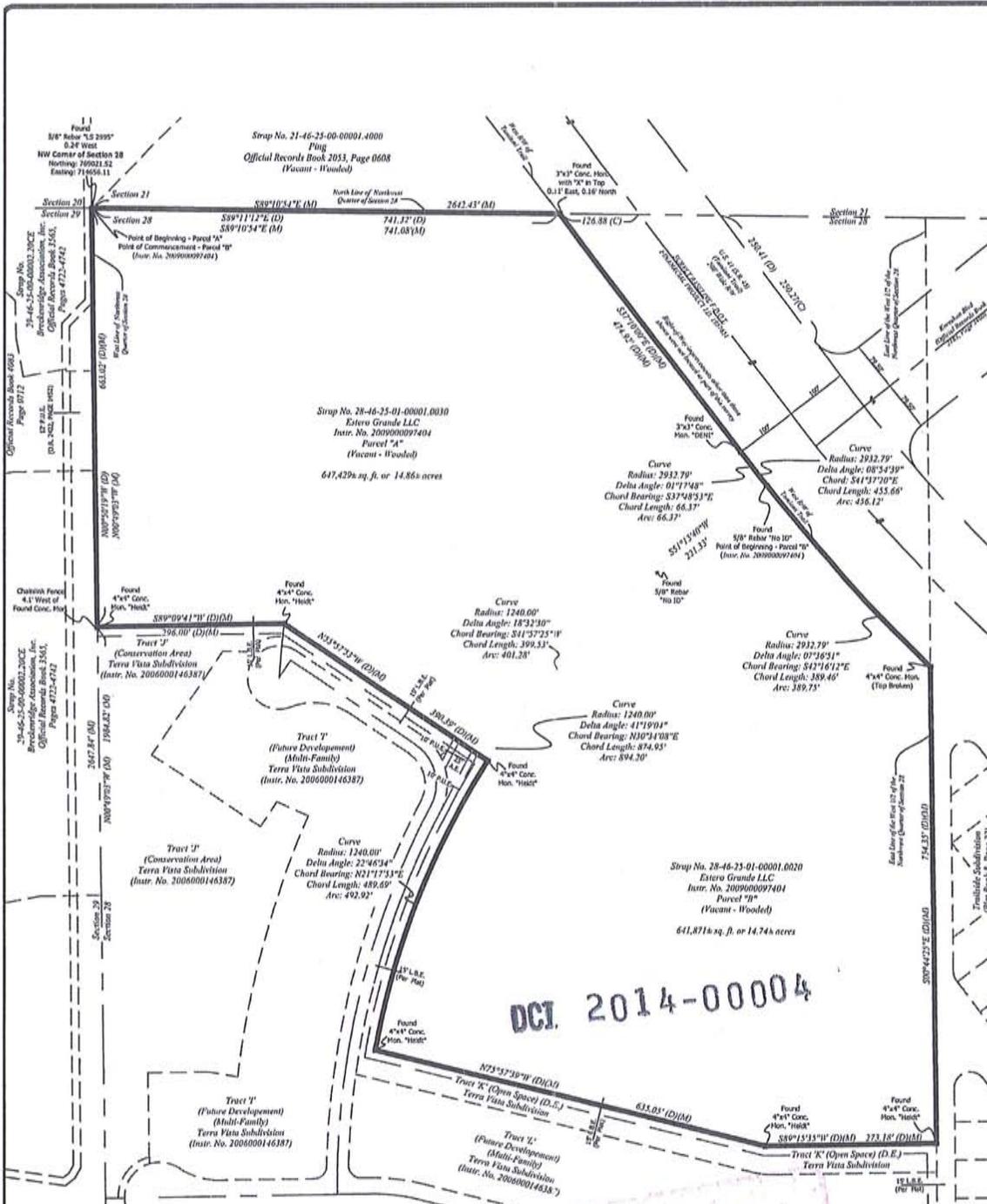
CERTIFICATE OF AUTHORIZATION: LB7922  
324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991  
Phone: (239) 673-9541 Fax: (239) 424-8181  
www.scisurvey.com

Page 1 of 2

I hereby certify that, to the best of my knowledge and belief, the sketch represented hereon, made under my direction on April 28, 2014 is in accordance with Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

*David K. Cramer*

DAVID K. CRAMER  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6655  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



**NOTES:**

1. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY. (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
3. BEARINGS ARE BASED ON THE WESTERLY RIGHT OF WAY LINE OF U.S. 41 (SR 45) AS MONUMENTED IN THE FIELD, BEING S37°0'00"E.
4. STATE PLANE COORDINATES SHOWN ARE BASED ON THE FLORIDA WEST ZONE, NORTH AMERICAN DATUM 1983, 1990 ADJUSTMENT.
5. BASELINE OF US 41 (S.R. 45) AS SHOWN ON RIGHT OF WAY MAP, FINANCIAL PROJECT LD. 1957651, DATED 11/23/04. ROTATED TO FIT BEARING BASIS OF DEED.

COMMUNITY DEVELOPMENT

JUN 20 2014

**Sketch of Legal Description**  
of a Portion of Land Lying in Section 28, Township  
46 South, Range 25 East, Lee County, Florida.

Scale = 1:200

NOT A SURVEY

**STOUTENCRAMER**  
PROFESSIONAL SURVEYORS

CERTIFICATE OF AUTHORIZATION: LB7922  
324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991  
Phone: (239) 673-9541 Fax: (239) 424-8181  
www.scisurvey.com

Page 2 of 2

I hereby certify that, to the best of my knowledge and belief, the sketch represented herein, made under my direction on February 17, 2014 is in accordance with Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Engineers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.27 Florida Statutes.

*David K. Cramer*

DAVID K. CRAMER  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6555  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



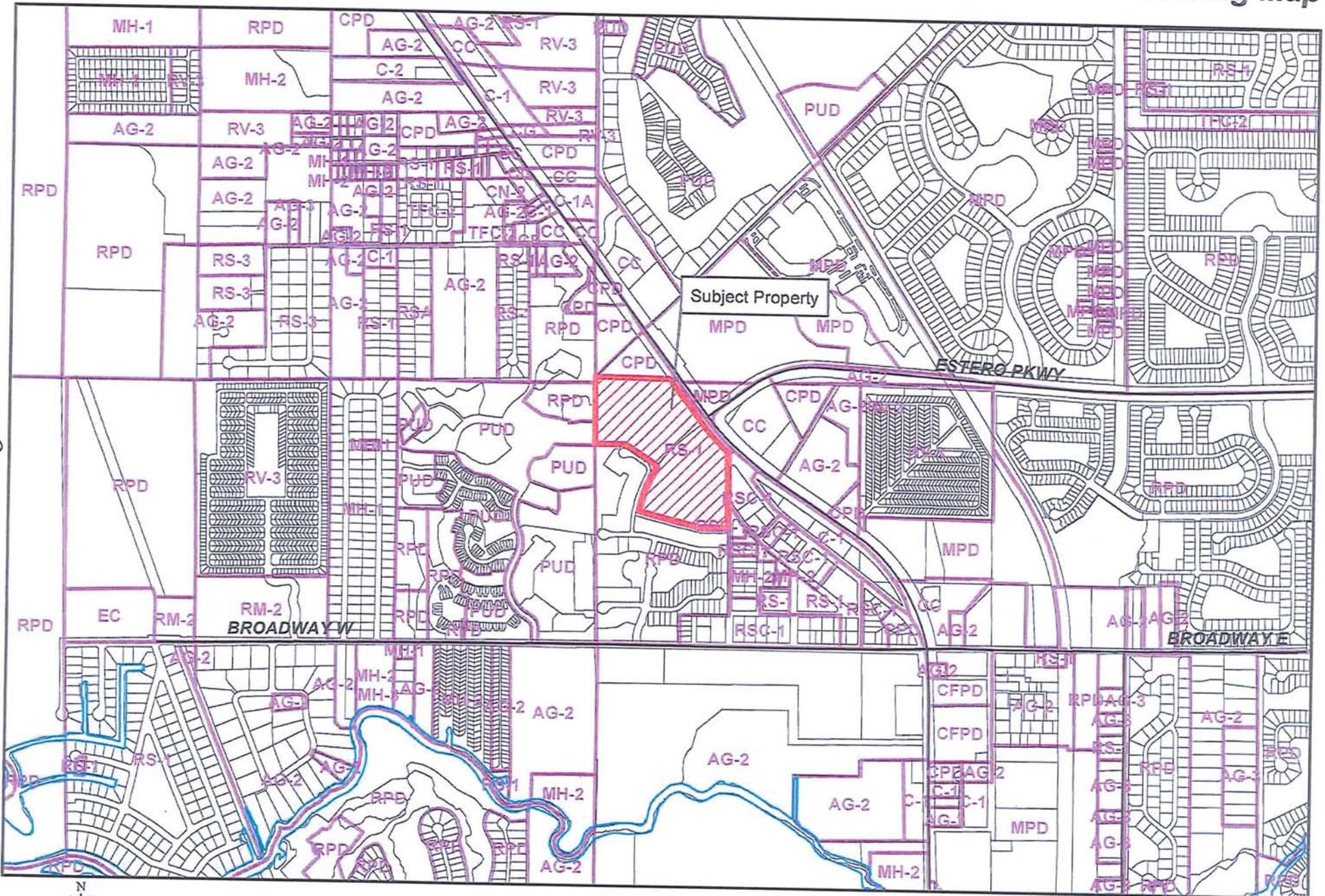


EXHIBIT B



0 0.125 0.25 Miles

