VILLAGE OF ESTERO
ZONING STAFF REPORT

PROJECT NAME: **GENOVA**
CASE TYPE: **PLANNED DEVELOPMENT/REZONING**
CASE NUMBER: **DCI2015-00009**
PLANNING & ZONING BOARD DATE: **May 3, 2016**

REQUEST AND STAFF ANALYSIS

This rezoning should be reviewed for the "Village Center" land use category and should be continued in order to draft appropriate conditions and a schedule of uses that comply with the new zoning district if the Planning and Zoning Board desires to recommend approval.

This is a request to rezone approximately 16.95 acres of land at 9050 Corkscrew Road (southeast corner of Corkscrew Road and Via Coconut Point), from the Agricultural District (AG-2) and Commercial Planned Development (CPD) District to Residential Planned Development (RPD) to allow development of up to 205 residential units with associated amenities and infrastructure. Maximum building height of 45 feet/4 stories is proposed.

The applicant is also requesting to vacate two right-of-way easements on the property which will be determined by the Village Council at a separate public hearing at a later date.

This zoning case has a concurrent Comprehensive Plan amendment to change it from the Suburban category to Intensive Development in order to achieve the proposed density which is not allowed under the existing land use or zoning. Also, two "vacations" of easements are requested for development of the property.

Additionally, the property is in the "Zoning in Progress" area described in Resolution 2015-22. A study conducted by consultants for the Village has resulted in amendments to the Comprehensive Plan which propose a new land use category of "Village Center" for this project as well as others in the area covered by the Resolution.

The staff does not recommend approval of the applicant's proposed Intensive Development category, but instead, would propose the Village Center category which was endorsed by the Council on March 30th, which voted to "transmit" the amendments to the state for further review. Without the appropriate land use change, the zoning cannot be changed as there is no zoning category that would permit the proposed densities.

If the Village's proposed Comprehensive Plan amendments are adopted and effective and the Land Development Code amendments for the Village Center, which are currently being drafted, are adopted, then the proposed project may be approvable.

APPLICATION SUMMARY

Applicant: Genova Partners, LLC c/o James Wallace, Managing Partner in reference to Genova

Request: Amend the Future Land Use Map to create a new Future Land Use category; and rezone 16.95 acres from Agricultural District (AG-2) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) to allow development of up to 205 residential units with associated amenities and infrastructure. Maximum building height of 45 feet/4stories is proposed. In addition to the rezoning of the subject property, the Applicant has requested to vacate two easements - one located through the middle of the site and the other vacation is located along the southerly property line.

Location: The subject property is located at 9050 Corkscrew Road (southeast corner of Corkscrew Road and Via Coconut Point), Estero, FL. There are numerous and varied STRAP numbers which are on file and available for inspection at the Department of Community Development, 1500 Monroe St., Fort Myers, FL.

LAND USE CATEGORY
Suburban

PUBLIC INFORMATION MEETING
The public information meeting for the Comprehensive Plan Amendment and Rezoning were held at the Planning and Zoning Board on June 16, 2015.

PROJECT HISTORY
The majority of the property is zoned Agricultural. The Agricultural District, AG-2 zoning is the original zoning and there have been no zoning actions on the site except for the northeast portion of the property. The property currently is farmed and contains a farm market stand. The site consists of nine (9) STRAP numbers. Strap numbers related to the CPD zoning include, 34-46-25-E1-U1981.2358, 34-46-25-E1-0100C.0350, 34-46-25-E1-0100C.035B, 34-46-25-E1-0100C.035C, 34-46-25-E1-0100C.035D, 34-46-25-E1-0100C.035E and 34-46-25-E1-0100C.035G. The AG-2 zoned portion of the site includes STRAP numbers 34-46-25-E1-0100C.035A and 34-46-25-E1-U1991.2358.

The northeast potion of the property was rezoned from the Agricultural District, AG-2, to Commercial Planned Development, CPD zoning. The rezoning of this portion of the property was approved by the Lee County Board of County Commissioners on December 4, 2000 with the adoption of Resolution Number Z-00-055. This rezoning to CPD allowed for commercial use with a maximum of 47,800 square feet of floor area on the 4.84 acre site. The approval granted three (3) optional development intensity scenarios (retail/office, retail/medical office, or retail/ALF). The approval was subject to the conditions contained in the resolution and there were no deviations from the Land Development Code. This portion of the site is currently farmed and vacant.

There is an application for a sales office on this portion of the site. ADD2015-00047 is a pending amendment to the CPD zoning to permit the development of a real estate sales office to be developed in conjunction with the proposed residential project requested in this application. However, the applicant has leased sales office space elsewhere. This application needs to be withdrawn.

SURROUNDING ZONING AND LAND USE
North of the property, across Corkscrew Road is vacant property. The Village of Estero on January 20, 2016 rezoned this property to Residential Planned Development, RPD (Case DCI2015-00013), permitting the development of an ALF/Continuing Care Facility (Volunteers of America, also known as The Colonnade) with a maximum of 340 beds.

East of the property is AG-2 zoning with a communication tower, then CPD zoning developed as Estero Park Commons. This property is predominantly developed as professional offices. Also east of the property is Community Facilities, CF zoning. This is developed as the Estero Community Park.

South of the property is also CF zoning and is part of the Estero Community Park.

West of the property, across Via Coconut Point, the property is zoned Agricultural, AG-2 and used for agricultural purposes. This property is currently seeking a Comprehensive Plan amendment and rezoning for 297 dwelling units and 30,000 square feet of commercial use on nearly 19 acres (Via Coconut Point project).

PROJECT DESCRIPTION and MASTER CONCEPT PLAN

The applicant is requesting a rezoning from Agricultural District (AG-2) and Commercial Planned Development (CPD) to Residential Planned Development (RPD). Filed in addition to this zoning application is a comprehensive plan amendment to amend the future land use designation of the property from "Suburban" to "Intensive Development". The intent of the requests is to allow for development of the site with residential use.

The Master Concept Plan proposes the development of 205 condominium units, with 6 u-shaped courtyard buildings and a one-story clubhouse. Maximum building height is 45 feet for the residential buildings with parking provided underneath the buildings. Stormwater management will be provided by an internal lake system.

The applicant proposes pedestrian connections from the project into Estero Community Park. One connection is proposed on the eastern boundary of the project, and the second connection is on the southern boundary. The developer will have to demonstrate at the time of the local development order that the County has approved these pedestrian connections to the Park.

The project has two proposed vehicular access points; one full access to Via Coconut Point and one right-out only onto Corkscrew Road.

The site plans shows a “Pocket Park” along Via Coconut Point to be used as a public sitting area and possible future bus stop. Additionally, a linear park, with locations for a sculpture and bench, is shown along the frontage of Corkscrew Road within a 25 foot Type D buffer.

Regarding connectivity, a sidewalk is provided along at least one side of the internal loop road. This sidewalk system proposes connection to the existing sidewalks along Corkscrew Road and Via Coconut Point.

Genova will provide internal sidewalks to connect to the public sidewalks currently existing along Corkscrew Road and Via Coconut Point in 5 locations.

VACATION OF RIGHT-OF-WAY (ROW)/EASEMENTS

In order to develop this property, the applicant is requesting to vacate two right-of-way-easements. Both easements were dedicated by means of a plat for public use. A brief description of each is below.

Corkscrew Road to Southerly Property Line

The first R.O.W./Easement is located along the southerly side of Corkscrew Road and within the northeasterly section of the property. This R.O.W./Easement is 60 feet in width and extends to a length of approximately 1300± feet.

Southerly Property Line

The second R.O.W./Easement is located and set back from the southerly property line. The width at this R.O.W./Easement varies from 25 to 30 feet and extends to a length of approximately 60 feet from the southeast corner to the southwest corner of the property.

STAFF ANALYSIS

The staff analysis section of this report includes information on various issues, such as environmental issues, transportation impacts, density and height, comprehensive plan considerations (including Estero-specific goals and policies) and an analysis of the applicant's requested deviations.

When the Planning and Zoning Board evaluates a zoning case, they must review these issues and provide a recommendation to Council. In order to assist, staff has provided a summary of the project's advantages and disadvantages below. Following this section is more information on each of these issues described above.

SUMMARY OF PROJECT ADVANTAGES AND DISADVANTAGES

Advantages:

- The applicant has committed to detailed architectural plans of "Italianate" style for the project, which exceeds Estero's code.
- The applicant is offering pedestrian interconnections to the park.
- The applicant has revised the site-plan to provide "liner" buildings to break up the massing of the buildings (liner duplexes in front of the 4-story condominiums).
- The applicant is proposing a "linear park" along part of the project's perimeter, and a "pocket park".
- The project will not create any concurrency impacts on roads or other services.
- There are no perimeter walls on the site.
- The project parking will be underneath the buildings so there will be no parking lots.

Disadvantages:

- This project will add nearly 1,200 new trips per day to the roads.
- The proposal is currently inconsistent with the Comprehensive Plan and zoning.
- The deviations requested have not been sufficiently justified to enhance the project.
- There is no road interconnection to the park.
- The project, while aesthetically designed, is internally focused.

Environmental Issues
Lee County Environmental Sciences staff reviewed this project. The memo is attached.

In summary, staff finds the existing site is disturbed and over the years has been used for agricultural purpose. There is currently an agricultural exemption on the property.

A protected species survey conducted by the applicant revealed no protected species on the site. Also, the site does not contain indigenous open space.

The Master Concept Plan (MCP) shows that the proposed development will provide 40% open space in accordance with Land Development Code (LDC) Section 10-415. However, the applicant has also requested a deviation from this LDC Section to allow the site to provide 35% open space. The applicant justifies this request because as they prepare for development order review and they have the design flexibility to adjust the development should the Village address urban design and they could subtract some open space areas. Staff is not recommending approval of the deviation.

The plantings for the buffers will comply with the Village of Estero LDC Section 33-351. However, the applicant has requested the width of the buffers or setbacks to be reduced to allow the property to be designed with a more urban design. The first deviation is from requirement for a 20 foot wide buffer along Via Coconut Road, to allow a 10 foot wide buffer adjacent to buildings 3 and 5. As described, the planting requirements will still be able to be met. The second deviation is from the requirement LDC 34-1743 which requires perimeter fences be setback a minimum 7.5 feet from the right of way, to allow a setback of 3.5 feet for a portion abutting building 3.

Density, Compatibility, and Height
The applicant is requesting 205 multiple family residential units on 16.95 acres, which is a density of approximately 12.1 units per acre. This density is double the 6 unit per acre maximum for the existing Suburban land use category, but can be considered for increased density in the Village Center land use category subject to meeting specific criteria, if that category is finally adopted. The requested density would need to be a Tier 2 level, which could allow up to 14 units per acre.

The applicant has offered items such as enhanced streetscape, linear park and bike/pedestrian interconnections to qualify as “Tier 2”. However, Tier 2 accommodates a mixed-use component and this project is proposing residential use only. The specific incentive offerings and compliance with the Tier definitions, will be evaluated prior to the Village Council review.

While the density requested by the applicant is double that allowed under the existing land use, this area appears appropriate for consideration of higher density given its location along Corkscrew Road and Via Coconut Point Road, with a communication tower, offices and a park to the east and commercial use and apartments proposed to the west across Via Coconut Point with a requested density of approximately 18 units per acre.

The height is proposed to be 45 feet or 4 stories maximum (3 stories over parking).

Transportation Issues
The site is located on the northeast corner of Via Coconut Point and Corkscrew Road. Access to the site is shown on the applicant's Master Concept Plan (MCP) via a full access connection to Via Coconut Point and a right out only access to eastbound Corkscrew Road. The full access intersection is shared with the proposed Via Coconut MPD project on the west side of Via Coconut Point. Via Coconut Point is currently a county-maintained collector road.

The application to rezone the site to allow development of up to 205 multi-family residential units will result in 1,201 new daily trips. Most of these trips will utilize Via Coconut Point to enter and exit the project with 30% of the exiting traffic using the Corkscrew Road exit.

According to the applicant's traffic study, no roadway sections in proximity to the site are expected to be significantly impacted with the addition of the subject-site traffic. Nearby sections of Corkscrew Road, Via Coconut Point, and US 41 currently operate at Level of Service "C", and when the project build-out traffic is added to these sections, all are estimated to operate at LOS "C". This is an acceptable Level of Service and no roadway link improvements are expected to be required to accommodate the proposed zoning.

The intersection of Via Coconut Point with Corkscrew Road and the Via Coconut Point site access intersections were also analyzed in the applicant's traffic study. The applicant determined that all of the aforementioned intersection approaches operate at an acceptable level of service under both existing and full build-out conditions. The Genova traffic study also analyzed the site access with the Via Coconut MPD with the combined project's traffic and it showed no operational issues. New turn lanes or modifications to existing turn lanes may be required to accommodate higher levels of turning traffic. At the time of local development order review, the intersections will be further evaluated to determine what site-related traffic improvements are required to accommodate the proposed development.

Since virtually all of the subject project traffic will utilize Via Coconut Point, that facility should be analyzed using a worst case scenario. Village staff noted that, in the applicant's Level of Service (LOS) analysis, some of the assumptions were modest. Staff conducted an independent LOS analysis using a growth rate of 4% for Via Coconut Point (the applicant used 1.92% based on the 2007-2010 traffic levels). Staff indexed the growth factor from 2010 (the latest date counts were made) rather than from 2014 used by the applicant and assigned all of the project traffic to Via Coconut Point. The more conservative Generalized Peak Hour Directional Service Volumes were also utilized (as recommended for zoning LOS analysis). Staff calculated total Peak Hour, Peak Season, Peak Direction (100th Highest Hour) Volume which was then assigned to the Via Coconut Road link. Utilizing these assumptions, LOS analyses were developed for the project for year 2016 and for the anticipated build-out date of year 2020. The current Level of Service with the background traffic indexed as previously noted, with no project traffic added, is LOS = C. The 2016 LOS with the 100th highest hour Genova project traffic added is LOS = C. The 2020 LOS with the background traffic indexed to that date with the 100th highest hour Genova traffic added is LOS = C.

Since the Via Coconut MPD project is also currently seeking zoning approval and all of that project's traffic will impact Via Coconut Point, additional LOS analyses were conducted for year 2016 and year 2020 with the combined traffic (combined 100th highest hour volume of 139 vph [47 vph from the Genova project and 92 vph from Via Coconut MPD]). The year 2016 LOS with the combined traffic from both projects is LOS = C. The LOS for year 2020 with the combined traffic from both projects is LOS = C.

In summary, while there will be over 4,000 additional trips on the road from both projects, neither the traffic from this project nor the combined traffic from this project as well as the Via Coconut MPD project will result in a technical degradation of the Level of Service on Via Coconut Point which will handle the majority of the traffic from this specific project.

It should be noted that while the Level of Service is projected to remain at "C", this does not address operational issues such as seasonal and peak hour backups at intersections along Corkscrew Road eastbound.

Comprehensive Plan Considerations

As of the preparation of this report, the property is designated Suburban on the Comprehensive Plan. As noted previously, there is a concurrent Comprehensive Plan Amendment filed with this zoning case, seeking to change the Future Land Use category from Suburban to Intensive Development, as well as a Village-initiated Comprehensive Plan Amendment to "Village Center" which has been transmitted to the state on March 30th. The staff report for the Village Center Comprehensive Plan Amendment, and the amendment language are both attached.

A description of the existing land use category for the property is below:

> ***POLICY 1.1.5:*** *The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Amended by Ordinance No. 94-30)*

This category is intended for primarily residential use with a maximum density of 6 units an acre. Under this category, the property could be developed with approximately 101 units.

The proposed new category of Village Center that was transmitted to the state on March 30th is defined below:

> ***POLICY 1.1.12:*** *The Village Center Area lies near US-41 in the heart of the Village of Estero. This area includes housing, employment, shopping, recreation, and civic uses and can accommodate additional development in walkable mixed-use patterns. Uses and densities must meet the standards for the Village Center land use category as described in Objective 19.8 and the policies thereunder.*

The relevant objective and policies for the Village Center are also stated below:

> ***OBJECTIVE 19.8: VILLAGE CENTER.*** *Improve the quality of life for Estero's residents and visitors by providing additional housing and neighborhood types and more diverse economic activity in the heart of Estero.*
>
> ***POLICY 19.8.1:*** *This comprehensive plan includes a Village Center category on the future land use map (also referred to as the "Village Center Area") which encourages higher densities and intensities of housing, employment, shopping, recreation, and civic uses in a series of interconnected neighborhoods and mixed-use areas. Policy 1.1.12 allows landowners in the Village Center Area to develop within the standard density range and other requirements of the Urban Community category; however the Village of Estero encourages land to be developed or redeveloped with a greater mix of uses and higher densities when placed in walkable mixed-use patterns. The glossary defines 'density', 'mixed-use', 'walkable', and 'mixed-use pattern'. The specific goals of the Village Center Area include creating socially vital centers supportive of business both big and small, neighborhoods and streets that are safe and attractive for walking and bicycling, the preservation of community history, and the protection of the environment, particularly along the Estero River.*

As the Village of Estero approves its first Comprehensive Plan and Land Development Code, as required by law, the area comprising the Village Center Area may change to, among other things, include other land in that vicinity that meets the goals and objectives of the Estero Community Plan and furthers Objective 19.8 and the policies thereunder.

POLICY 19.8.2: *The Village will create a new planned development zoning district in the Land Development Code (the "Estero Planned Development District") to help implement these policies. This zoning district will contain tiered standards that apply to the Village Center Area and may include sub-districts which may have specific policies applying therein. Rezoning to the new Planned Development Zoning District must be sought to take advantage of the new tiered standards and densities with respect to specific development tracts. The Village's intention is to use this new zoning district whenever increases in density and intensity are requested in the Village Center area.*

POLICY 19.8.3: *The Land Development Code provisions that will implement the objective and policies set forth in this Objective 19.8 shall consider such reasonable guidelines as are necessary in order to foster predictable built results and higher quality public spaces by using physical form (rather than separation of uses) as the organizing principle for achieving such objectives. Such guidelines may consider designating locations where different building form standards apply, the relationship of buildings to the public space, public standards for such elements in the public space as sidewalks, travel lanes, on-street parking, street trees, street furniture, and other aspects of the urban built environment that may be applicable to foster interconnection, social vitality and walkability in the Village Center Area. The Land Development Code provisions may also consider other alternative types of reasonable guidelines that may accomplish such goals in a different or complementary manner.*

POLICY 19.8.5: *The Land Development Code will provide standards for four levels of development in the Village Center Area that will contribute to a walkable mixed-use environment in the Village Center Area:*

a. Tier 1 provides a minimum network of connecting streets that will allow the public to move by car, bike, or on foot within and through development tracts.

b. Tier 2 accommodates residential neighborhoods with higher densities and a potential for a greater variety of housing types, as well as mixed-use neighborhoods with higher levels of non-residential uses, and, in each case, greater connectivity than Tier 1.

c. Tier 3 accommodates mixed-use neighborhoods with similar attributes as Tier 2 but with higher levels of non-residential uses as well.

d. Tier 4 allows an entire development tract to be planned as a compact community, as provided in Chapter 32.

POLICY 19.8.6: *The Land Development Code will provide minimum standards for each tier and will describe public benefits that developers may offer to obtain specified density/intensity incentives in each tier.*

POLICY 19.8.7: *Base and maximum residential densities will be set by the Village Council during the planned development rezoning process based on its determination of an application's compliance with this Comprehensive Plan and the specific standards and requirements for each tier. Increases in base residential densities may be allowed after consideration of incentive offers as provided in the Land Development Code. Densities cannot exceed the top of the following ranges:*

a. *Tier 1: Base level is up to 6 dwelling units per acre of Tier 1-only land plus up to 3 additional dwelling units per acre of Tier 1-only land after consideration of accepted incentive offers, for a maximum of 9 dwelling units per acre of Tier 1-only land.*

b. *Tier 2: Base level is up to 10 dwelling units per acre of Tier 2 land plus up to 4 dwelling units per acre of Tier 2 land after consideration of accepted incentive offers, for a maximum of 14 dwelling units per acre of Tier 2 land.*

c. *Tier 3: Base level is up to 15 dwelling units per acre of Tier 3 land plus up to 5 dwelling units per acre of Tier 3 land after consideration of accepted incentive offers, for a maximum of 20 dwelling units per acre of Tier 3 land.*

d. *Tier 4: Base level is up to 21 dwelling units per acre of Tier 4 land plus up to 6 dwelling units per acre of Tier 4 land after consideration of accepted incentive offers, for a maximum of 27 dwelling units per acre of Tier 4 land.*

The proposed Residential Planned Development zoning will not be consistent with the Village Center land use category. Land Development Code amendments are currently being drafted to implement the Village Center category. These amendments propose a new zoning category, "Estero Planned Development." This project appears to comply with many of the new Village Center policies but compliance will need to be evaluated further in conjunction with the Land Development Code and the applicant's incentive offerings.

Other Estero-Specific Policies

Goal 19 of the Comprehensive Plan and related Objectives and Policies specifically address the Estero Planning Community.

The Transitional Comprehensive Plan provides that a proposed project cannot be approved that is inconsistent with the plan, **Policy 19.2.1**. At this time, the project is not consistent but possibly could be under the new Village Center category.

The proposed development is within an urban area and urban services are provided (except for bus service) or can be extended to serve this proposed development consistent with **Policy 139.5.7.**

Other Services and Issues

FEMA Floodway

The subject property is not located within a FEMA identified floodway, nor is the property identified as being within a flood zone.

Historic Resources

The property is not within the Level 2 sensitivity areas for archaeological and historic resources.

Natural Resources

The South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) has not been issued on the subject property. The proposed development surface water system will be designed to SFWMD standards and the applicant will be required to obtain an ERP in order to develop the subject property.

Transit Services
The development is not directly served by Lee County Transit. In a letter dated August 11, 2015, LeeTran staff stated that currently, the LeeTran route closest to the subject property is Route 240, which runs along US-41 from Coconut Point Mall to Bell Tower Shops. The subject property does not lie within the quarter-mile service area for fixed routes. It is within the three-quarter mile service area for Paratransit service. The Transit Development Plan recognizes the need for services adjacent to the subject property during the 10-year planning horizon but the identified service is listed as unfunded.

Emergency Medical Services (EMS)
The closest EMS unit is located at the Estero Fire Station on Three Oaks Parkway. In a letter dated March 12, 2015, EMS staff stated that the primary ambulance for the subject property is Medic 21 and that there are two other locations within 5 miles of the subject property. All three locations are projected to meet service standards and that service availability for the proposed development is adequate at this time.

Police Services
In a letter dated May 4, 2015, Lee County Sheriff's office staff stated that the proposed development does not affect their ability to provide core services at this time.

Fire Services
In a letter dated March 11, 2015, Estero Fire Rescue staff stated that they are capable of providing fire protection and advanced life support/non-transport services for the subject property.

School District
In a letter dated March 30, 2015, School District staff stated that the School District currently has sufficient capacity to serve the estimated 19 additional school age children that would be generated by the proposed development.

Solid Waste
In a letter dated March 5, 2015, the solid waste service provider for the subject property stated that there is sufficient capacity to accommodate the proposed development.

Utility Services
In a letter dated March 11, 2015, Lee County Utilities (LCU) staff stated that the subject property is within the Future Service Areas for potable water and sanitary sewer service (Lee Plan Maps 6 and 7) and that potable water and sanitary sewer lines are in operation adjacent to the property. LCU staff stated that there is currently sufficient capacity to serve the proposed development of the subject property. Potable water service will be provided by the Pinewood Water Treatment Plant and sanitary sewer service would be provided by the Three Oaks Wastewater Treatment Plant.

Deviations
The applicant has requested twelve deviations from the Land Development Code. The applicant's Deviations and Justification document is found as an attachment to this report. Staff comments and recommendations may be found following each deviation request below.

1. Deviation from LDC Section 33-403 which requires that buildings must have a maximum setback of 25 feet from Corkscrew Road ROW, to allow a building setback of 30.7 feet.

Comments: The applicant justifies the granting of this deviation by stating the proposed additional setback will provide for a linear park. The linear park would enhance the project from a public perspective as it would be visible from Corkscrew Road, and the setback difference is minor. Staff recommends approval.

2. Deviation from LDC Section 33-351 which requires a 20 foot Type D Buffer for Multi-Family Development adjacent to right-of-ways, to allow a 10 foot buffer along a portion of Via Coconut Road adjacent to Building 3 and 5, as shown on the Master Concept Plan.

   Comments: This deviation is not recommended for approval. It would provide the required plantings, but in a smaller space. This does not enhance the project.

3. Deviation from LDC Section 10-285 which requires driveway connections on Arterial roads have a minimum separation of 660 feet, to allow a driveway separation of 350 feet for the egress onto Corkscrew Road.

   Comments: The Lee County Department of Transportation has the sole authority to grant access to Corkscrew Road. The deviation should be withdrawn since the Village is not able to grant access to roads maintained by Lee County. This connection should be handled at the time of local development order.

4. Deviation from LDC Section 10-329(d)(1)a. which requires:
   a) Stormwater management lakes to be setback 25 feet from proposed local streets, to allow a setback of 0 (zero) feet for the internal local road; and
   b) Stormwater management lakes to be setback 50 feet from collector roads to allow stormwater management lakes to be setback 25 feet from Via Coconut Point.

   Comments: The proposed deviation results in the potential to impact safety as a zero setback from the road to the lake could result in residents accidentally driving into the lake. The applicant should withdraw or revise this request. With regard to request b, the applicant should provide more details to how they will provide for wayward vehicles, which can then be reviewed by the Village staff.

5. Deviation from LDC Section 10-418(3)a which states that water management lakes may have a maximum of 20% of hardened shoreline to allow:
   a) Lake 1 to have a maximum of 35% of hardened lake shoreline.
   b) Lake 2 to have a maximum of 35% of hardened lake shoreline.
   c) Lake 3 to have a maximum of 35% of hardened lake shoreline.

   Comments: The referenced Section of the Code should be LDC Section 10-418(3), not including sub-section (a). The applicant notes that the LDC would require a compensatory littoral zone with the hardened shoreline. More information needs to be provided regarding the specific plantings to justify this deviation.

6. Deviations from LDC Section 34-1748 requiring the following:
   a. Entrance gates be located a minimum of 100 feet from the existing intersecting street, to allow the gates to be located 85± feet from the intersecting street.
   b. The gate to be designed in such a manner to allow a minimum of five vehicles to safely pull-off the intersecting street while waiting to enter, TO allow a minimum of four vehicles to safely pull-off the intersecting street while waiting to enter.

c. A paved turn-around, having a turning radius sufficient to accommodate a U-turn for a single unit truck vehicle per the AASHTO Green Book must be provided on the ingress side of the gate, to allow a turn-around to be provided after the gate.

Comments: All elements of this deviation should be considered for denial. The development proposes 205 units. Four stacking spaces (in approximately 85 feet) is insufficient space for vehicles to wait behind the entrance gate before entering the project. The development has only one entry point, which is located on Via Coconut Point. This is a major north/south road providing relief for traffic on US 41. There is the potential for vehicles waiting to enter this development to have conflicting movements with traffic on Via Coconut Point with other vehicles trying to enter or exit from this development. It must be noted here that another development is proposed across Via Coconut Point to the west. The traffic associated with the subject development and the other development (consisting of a proposed 297 dwelling units and 30,000 square feet of commercial use) should be considered together in order to determine the full impacts of development in Via Coconut Point and at this median crossing to determine the appropriateness of this deviation. It is recommended that this deviation be denied for safety reasons.

7. Deviation from LDC Section 34-2020 which requires a total of 36 parking spaces for the amenity center, to allow for a minimum of 26 parking spaces to be provided.

Comments: There is insufficient information provided to justify approval of this deviation. Clubhouse users typically do not park at other buildings to walk to the clubhouse, as is suggested by the applicant.

It should also be pointed out that the parking spaces for the clubhouse appear to back out into a private road. Parking lot (an area of land designed, used or intended for parking five or more vehicles) spaces must be provided with sufficient maneuvering room to allow an existing vehicle to leave the parking lot in a forward motion (LDC Section 34-2015(2)d). Three of the four parking lots serving the clubhouse are not designed to comply with this Section of the Code. These must be re-designed, or another deviation from the LDC will be required.

8. Deviation from LDC Section 33-229 which limits building heights outside of the Interstate Highway Interchange Area to three stories or 45 feet, whichever is less, to allow:
   a. A maximum height of 45 feet measured to the eave of the roof; and
   b. A maximum of 4 stories, with 3 stories of residential uses over a ground floor of parking.

Comments: The Village Center allows for consideration of more density and height. This would be appropriate in this case as the applicant would prefer parking underneath in lieu of parking lots, which would provide for a more aesthetically appealing project.

9. Deviation from LDC Section 10-296(i)(2) which requires a minimum 24 foot wide pavement width for Category B roads with curb-and-gutter drainage, to allow a pavement width of 20 feet.

Comments: This deviation should not be approved as the width is not adequate for the number of units proposed.

10. Deviation from LDC Section 34-1743 which requires perimeter fences and walls to be setback 7.5 feet from the right-of-way, to allow a setback of 3.5 feet for a portion of the perimeter railing adjacent to Building 3.

    Comments: This deviation is recommended to be denied as there is insufficient information at this time explaining its purpose. The request is described as being specific to Building 3, but the Master Concept Plan does not acknowledge that this Deviation has been requested, nor where it will be effective. It is, therefore, not possible as part of the current application to determine if the deviation is appropriate.

11. Deviation from LDC Section 10-415 which requires a multi-family residential development to provide a minimum of 40% open space, to allow a minimum open space of 35%.

    Comments: This deviation is recommended to be denied. It does not sufficiently explain the need. Although the development is intended to embrace the urban neighborhood goals, the applicant states in the submitted justification the project meets the 40% open space requirement, but further states the request for this deviation has been made to accommodate future changes to the design of the project. The approval of this deviation is not supported.

12. Deviation from LDC Section 34-935(b)(1)e which requires buildings to be setback from the perimeter of the project a minimum of one-half the height of the building, to allow a building setback of 18 feet for a small portion of the southeast corner of Building 4 which has a maximum height of 45 feet.

    Comments: This deviation could be approved. There is an irregularity in the lot line in that area that makes it difficult to comply with the setback.

Findings and Conclusions

The following provides the basic Findings and Conclusions of the Land Development Code that the Planning and Zoning Board and ultimately the Village Council must consider for approval of a planned development rezoning. Specific findings must be made at the time of recommendation by the Planning and Zoning Board and final decision-making by the Village Council. Since this case is recommended to be continued, findings are not required at this time but are included for informational purposes.

a) The applicant has justification to the rezoning by demonstrating compliance with the Comprehensive Plan for the Village Center, the Land Development Code, and other applicable codes and regulations.

b) The requested rezoning is consistent with the densities, intensities and general uses set forth in the Lee Plan.

c) The request as conditioned, is compatible with existing or planned uses in the surrounding area.

d) Approval of the request will increase traffic but not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development.

e) The request will not adversely affect environmentally critical area and natural resources.

f) Urban services, as defined in the Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.

g) The proposed use, or mix of uses, as conditioned, is appropriate at the subject location.

h) The recommended conditions to the Master Concept Plan and other applicable regulations provide sufficient safeguards to the public interest.

i) The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

j) The deviations do not:

1) Enhance the planned development; nor

2) Preserve and promote the general intent of the LDC to protect the public health, safety and welfare; and

Should be denied

ATTACHMENTS:

A. Maps
- Zoning
- Future Land Use
- Aerial
- Map A (Resolution 2015-22)

B. Conditions and Deviations (not included)
- Schedule of Uses (not included)
- Property Development Regulations (not included)

C. Master Concept Plan
D. Easement Site Plan
E. Village Center Comprehensive Plan Amendment Staff Report (March 24, 2016)
F. Village Center Comprehensive Plan Amendments CPA 2016-01 (March 24, 2016)
G. Minutes from Estero Public Information Meeting at Planning and Zoning Board dated June 16, 2015
H. Agricultural Affidavit
I. Zoning Resolution Z-00-055
J. Lee County Environmental Comments
K. Lee County Development Services – TIS Comments

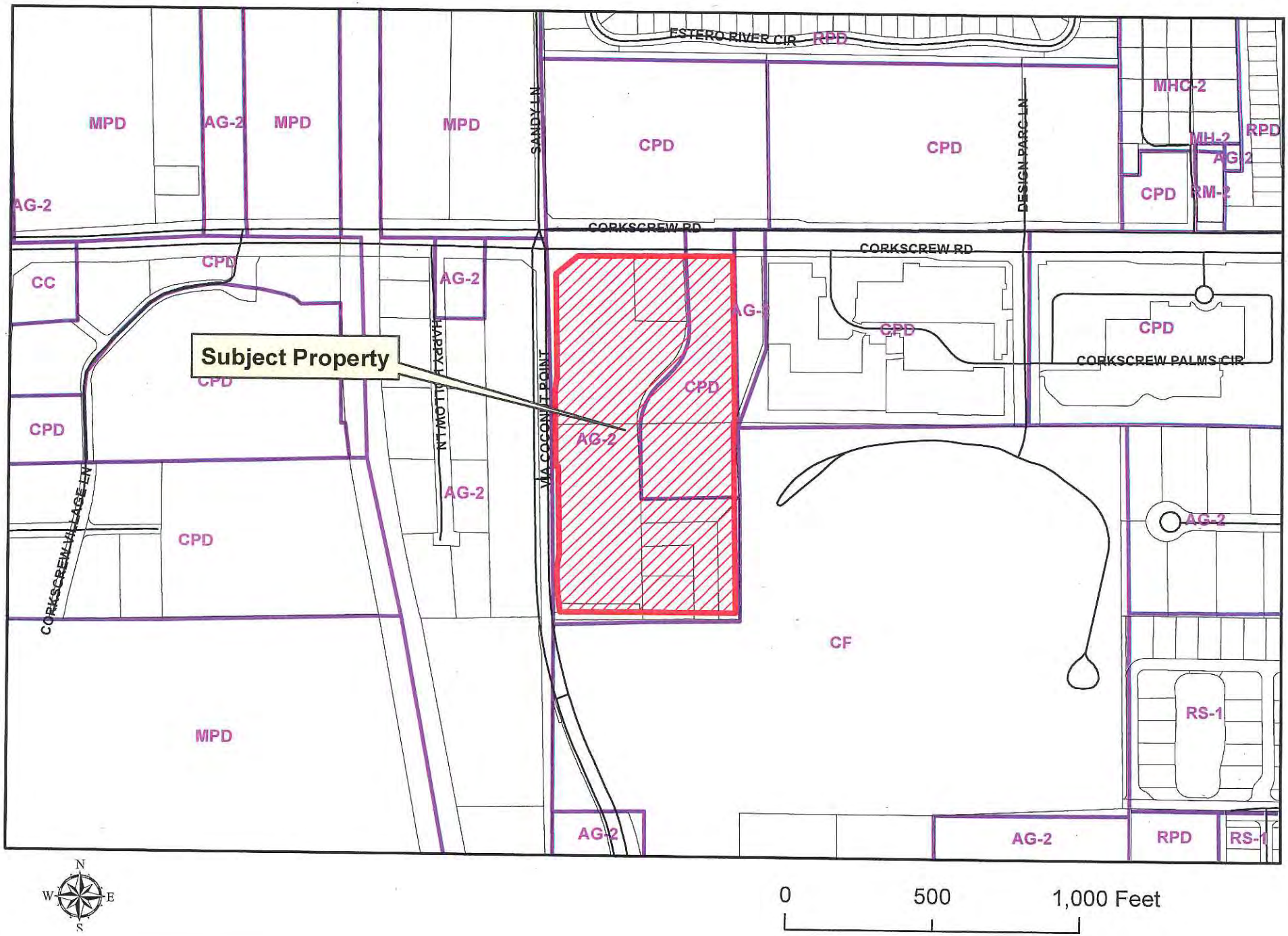
L. School District of Lee County Comments
M. Legal Description
N. Applicant Submitted Materials
- Narrative
- Design Standards Compliance
- Deviations and Justifications
- Original Traffic Impact Statement with subsequent responses

ATTACHMENT "A"

Maps

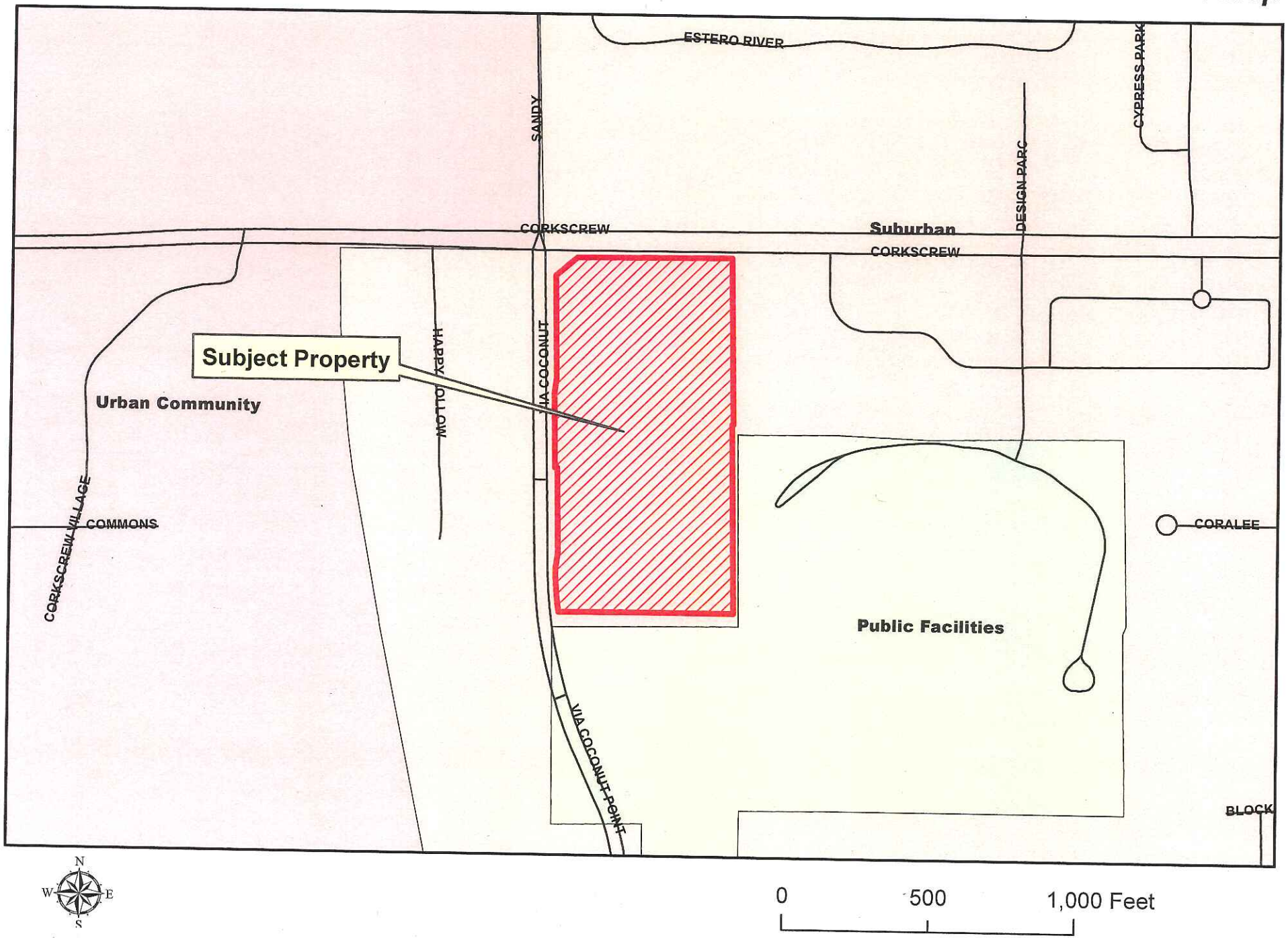
DCI2015-00009

ZONING MAP



DCI2015-00009

Future Land Use Map

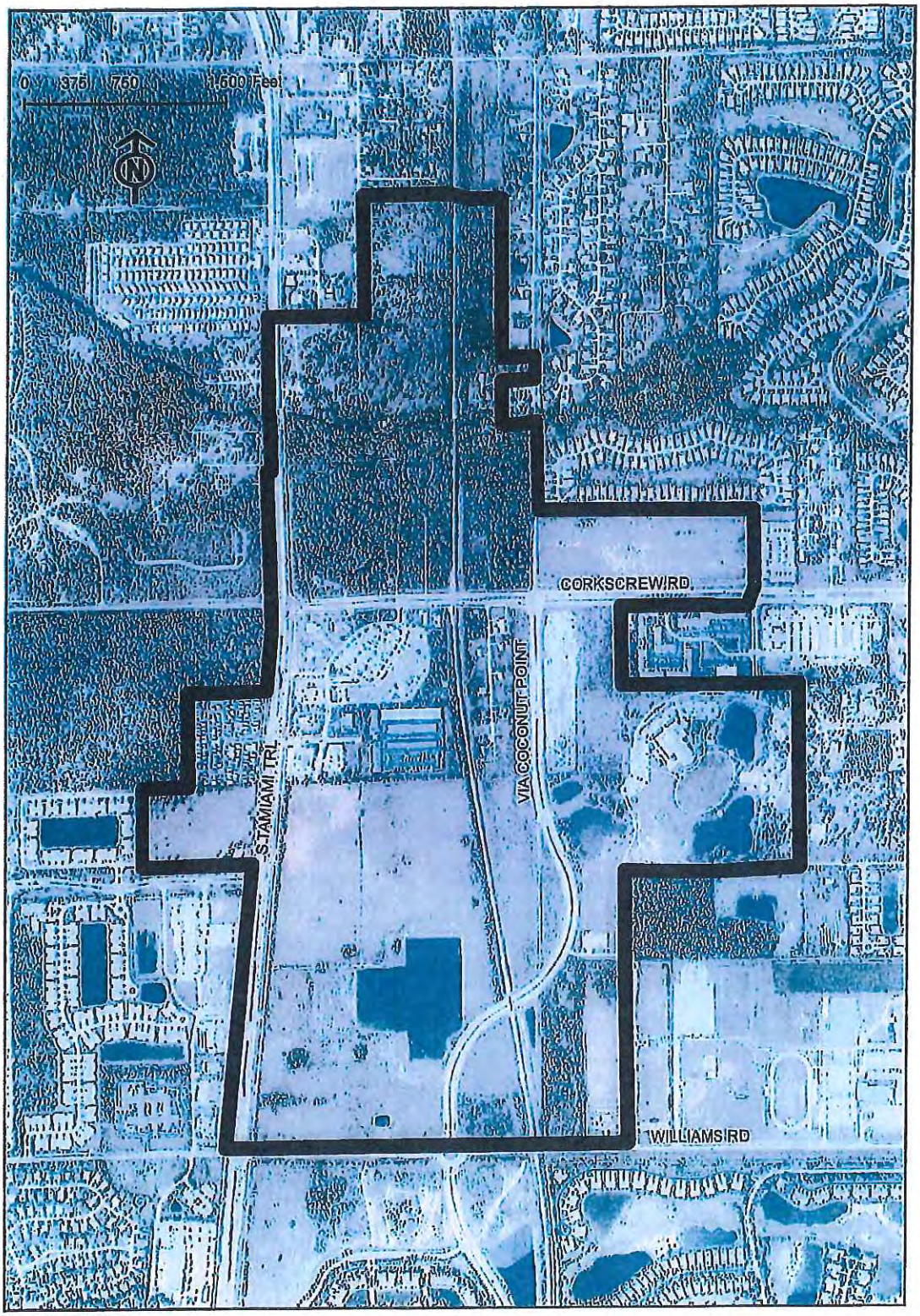


DCI2015-00009

2015 Aerial Map

N W E S

0 500 1,000 Feet


0 375 750 1,500 Feet
N
CORKSCREW RD.
VIA COCONUT POINT
S. TAMIAMI TRL
WILLIAMS RD

MAP A

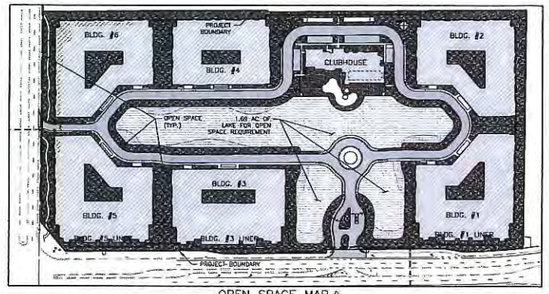
ATTACHMENT "B"

Conditions and Deviations

(not included)

ATTACHMENT "C"

Master Concept Plan



OPEN SPACE MAP ⚠
NTS

MASTER CONCEPT PLAN LEGEND

LAKE	CONCRETE SIDEWALK
4:1 LAKE BANK	ASPHALT PAVEMENT
BUILDING	⚠ INDICATES REQUESTED DEVIATION

*REFERENCE SHEET 3 FOR DEVIATION SCHEDULE

OPEN SPACE MAP LEGEND

OPEN SPACE	LAKE FOR OPEN SPACE ONLY

OPEN SPACE TABLE ⚠

REQUIRED	PROVIDED
40% OF SITE AREA	25% FROM LAKES REMAINDER WITHIN SITE
16.92 AC x 40% = 6.76 AC	6.76 AC X 25% = 1.69 AC
	OPEN SPACE WITHIN SITE = 5.77 AC
TOTAL REQUIRED = 6.76 AC (40%)	TOTAL PROVIDED 1.69 + 5.77 = 7.46 AC (44.1%)

* EXCLUDES OPEN SPACE AREAS LESS THAN 10' IN WIDTH AND INCLUDES 0.68 AC OF OPEN AIR ATRIUMS LOCATED AT INTERIOR OF BUILDINGS

PARKING TABLE

REQUIREMENT	PROVIDED
RESIDENTIAL PARKING	
2 SPACES PER UNIT PLUS 10% ADDITIONAL FOR GUEST	205 UNITS X2 = 410 SPACES 10% GUEST PARKING = 41 SPACES TOTAL PROVIDED = 451 SPACES
AMENITY PARKING	
FITNESS CENTER (7 SPACES PER 1,000 SF): 22 SPACES	12 SPACES
CLUB/RECREATION (4 SPACES PER 1,000 SF): 10 SPACES	10 SPACES
OFFICE (1 SPACE PER 300 SF): 4 SPACES	4 SPACES
TOTAL AMENITY REQUIRED: 36	TOTAL AMENITY PROVIDED: 26 (PER DEVIATION)
BICYCLE PARKING	
(5% OF AMENITY VEHICULAR PARKING): 2 SPACES	2 SPACES

TOTAL FLOOR AREA OF AMENITY CENTER = 6,482 SF

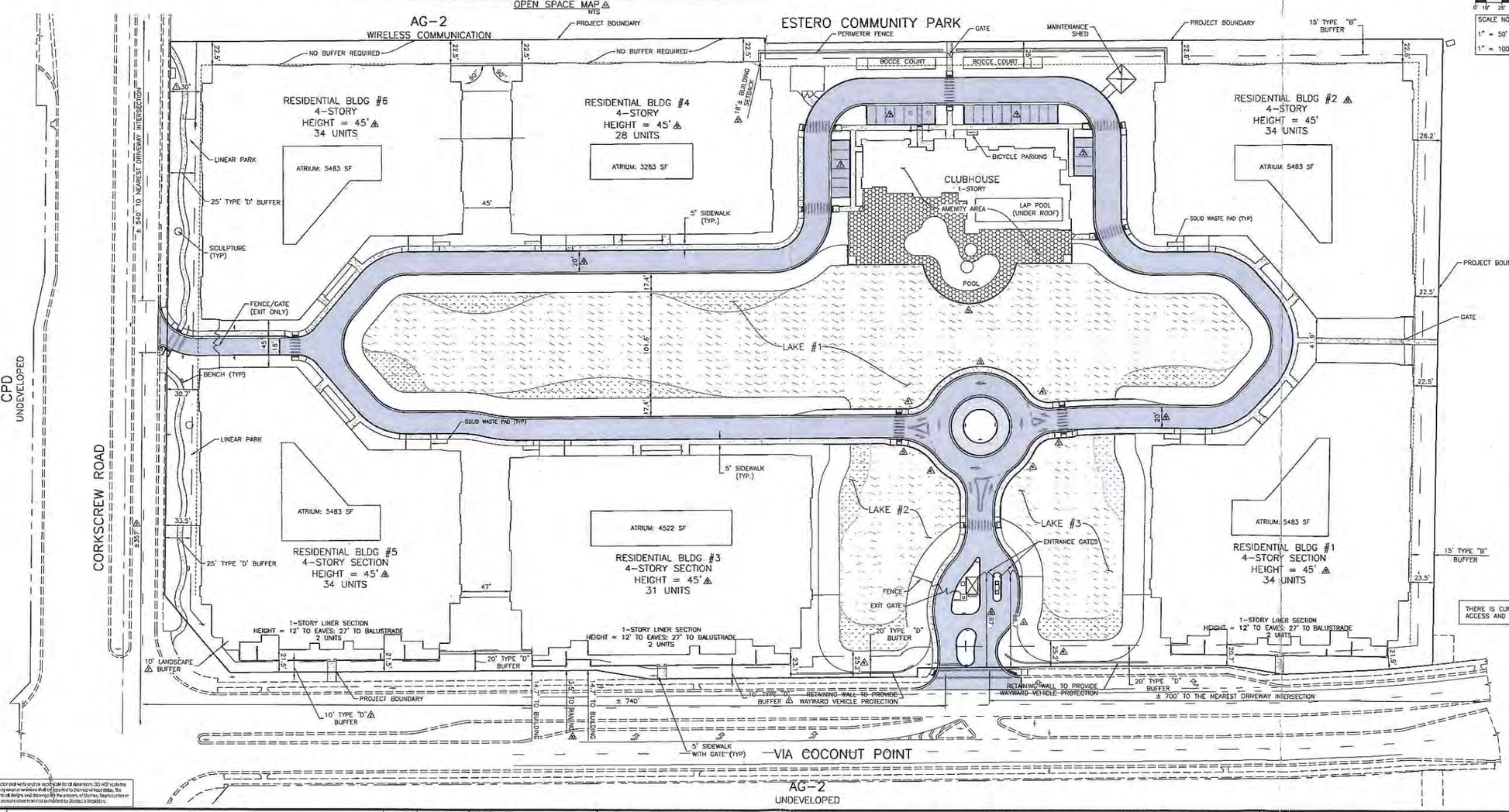
DRAINAGE BASIN & LAND USE TABLE

CATEGORY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE OF TOTAL
IMPERVIOUS:			
LAKE	119,441	2.74 AC.	16.2%
BLDG (ROOF)	291,329	6.69 AC.	39.5%
HARDSCAPE	15,638	0.36 AC.	2.1%
PAVEMENT	66,951	1.54 AC.	9.1%
SIDEWALK/DRWY	21,301	0.49 AC.	2.9%
PERMIOUS AREAS:			
OPEN SPACE	222,375	5.11 AC.	30.2%
TOTAL:	**737,035	16.92 AC	100%

** INCLUDES OPEN SPACE AREAS LESS THAN 10' IN WIDTH AND EXCLUDES IMPERVIOUS OPEN SPACE AREAS

0' 10' 25' 50' 100'

SCALE NOTE:
1" = 50' (24 x 36 SHEET)
1" = 100' (11 x 17 SHEET)



THERE IS CURRENTLY NO PUBLIC TRANSIT ACCESS AND NONE IS BEING PROPOSED

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COMMUNITY DEVELOPMENT

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REV NO	REVISION DESCRIPTION	REV DATE	DRAWN BY / EMP. NO	REVIEWED BY
C	REVISED PER ENGINEER	12/7/15	L.WILLIAMS	
B	REVISED PER LEE COUNTY ZONING REVIEW	6/30/15	R.LARUE	
A	REVISED PER LEE COUNTY ZONING REVIEW	5/06/15	R.LARUE	

PROJECT MANAGER:
PROJECT ENGINEER:
LEAD DESIGNER:
LEAD TECHNICIAN:

GENOVA PARTNERS, LLC
3798 CRACKER WAY
BONITA SPRINGS, FL 34134

Stantec
2800 Colonial Boulevard, Suite 100, Fort Myers, FL 33966
Phone: 239-939-1020 – Fax: 239-939-2412
Certificate of Authorization #27913 – www.stantec.com

ISSUE DATE: 04/07/15
ISSUE DESCRIPTION: LEE COUNTY REVIEW
PROJECT: GENOVA
TITLE: MASTER CONCEPT PLAN
PROJECT NUMBER: 215612546
SHEET NUMBER: 1 OF 3

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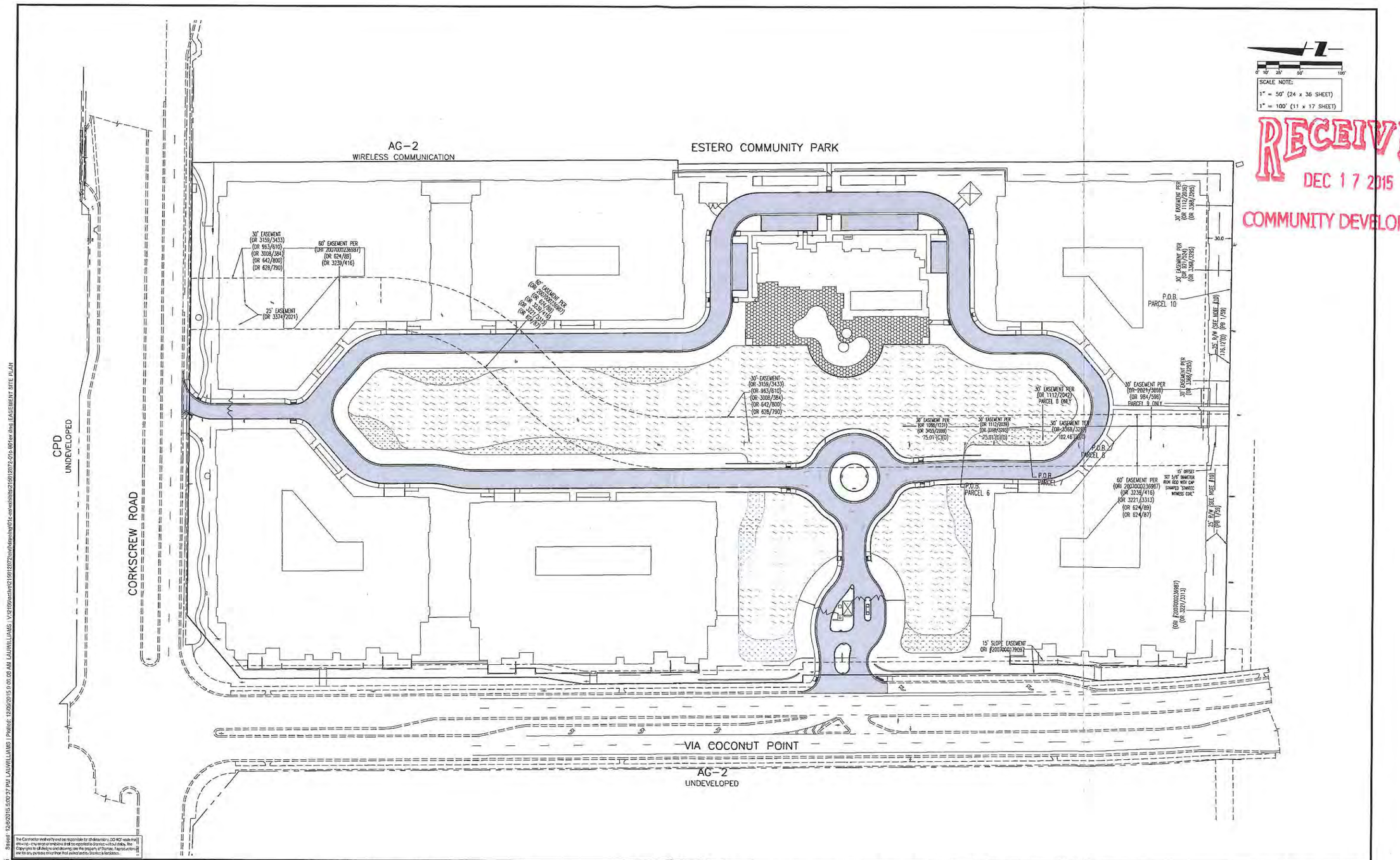
ATTACHMENT D

DCI 2015-00009

ATTACHMENT "D"

Easement Site Plan



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REV NO	REVISION DESCRIPTION	REV. DATE	DRAWN BY / EMP NO	REVIEWED BY:

PROJECT MANAGER
PROJECT ENGINEER:
LEAD DESIGNER:
LEAD TECHNICIAN:

GENOVA PARTNERS, LLC
3798 CRACKER WAY
BONITA SPRINGS, FL 34134

Stantec
3800 Colonial Boulevard, Suite 100, Fort Myers, FL 33966
Phone 239-939-1020 — Fax 239-939-2412
Certificate of Authorization #27912 — www.stantec.com

ISSUE DATE: 04/07/15
ISSUE DESCRIPTION: LEE COUNTY REVIEW
PROJECT: GENOVA
TITLE: EASEMENT SITE PLAN
PROJECT NUMBER: 215612546
SHEET NUMBER: 2 OF 3

© Stantec 2015 Saved: 12/9/2015 5:20:37 PM LAUVRILLIAMS1 | Plotted: 12/09/2015 01:00:00 AM LAUVRILLIAMS | V:\215612546\active\215612572\cad\drawings\01c-easements\215612572-01c-001ex.dwg EASEMENT SITE PLAN

DCI 2015-00009

ATTACHMENT "E"

Village Center Comprehensive Plan

Amendment Staff Report

(March 24, 2016)

VILLAGE OF ESTERO

COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT

VILLAGE CENTER
CPA 2016-01

(PUBLICLY SPONSORED AMENDMENT)

Village Council

March 30, 2016 Public Hearing

CASE NAME: VILLAGE CENTER

CASE TYPE: COMPREHENSIVE PLAN MAP AND TEXT AMENDMENT (PUBLICLY INITIATED)

CASE NUMBER: CPA 2016-01

VILLAGE COUNCIL TRANSMITTAL HEARING: MARCH 30, 2016

REQUEST SUMMARY

The Village of Estero is proposing a series of map and text amendments to its Comprehensive Plan and Land Development Code to support compact walkable development patterns in certain areas near US 41 referred to as the Village Center. These areas are anticipated to include employment, housing, shopping, recreation, and civic uses.

The request being considered by the Village Council on March 30 is limited to the Comprehensive Plan amendments, which would have the greatest effect on about 522 acres of land located near US 41 from the city limits with Bonita Springs north to just south of Broadway.

An important feature of these amendments is a new category on the Future Land Use Map to be called "Village Center." In this category, higher densities may be allowed if certain criteria are met. Final density decisions would be made by the Village Council at the time of rezoning.

Four 'tiers' or levels of development would be described in detail in the Land Development Code. As higher tiers are requested by developers, the allowable 'base density' increases and the code's criteria increase correspondingly. Additional density may be available in exchange for public features offered by developers such as enhanced streetscapes, public hiking and bicycling trails, gathering places (including outdoor cafes), and other amenities or improvements; these increases are called 'incentive density.' Density limits for both types of density are summarized in the following chart.

	(densities in units per acre)		
	Base Density	**Incentive Density**	**Maximum Density**
Tier 1	Up to 6	Up to 3	9
Tier 2	Up to 10	Up to 4	14
Tier 3	Up to 15	Up to 5	20
Tier 4	Up to 21	Up to 6	27

Detailed code requirements and potential incentive offers will be described in detail in Land Development Code Amendments, which will be adopted concurrently with final approval of these Comprehensive Plan amendments.

APPLICATION SUMMARY

Project Name: Village Center

Applicant: Village of Estero

Requests: Amend the Future Land Use Element of the Comprehensive Plan:

- Amend Lee Plan Map 1 (Page 1 of 8 of the Future Land use Map) to establish a new "Village Center" land use category and to redesignate about 522 acres of land into this new category
- Amend Lee Plan Map 1 (Page 6 of 8) to remove the "Mixed- Use Overlay" from land being designated into the new "Village Center" category
- Amend policies under Objective 1.1
- Amend policies under Goal 19
- Delete Goals 12 through 18 and 20 through 35 and all objectives & policies under these goals
- Amend Objective 2.12, 4.2, and 4.3 and policies under them
- Amend Goal 6 and policies & standards under Objective 6.1

Amend the Glossary

Amend Tables 1(a) and 1(c)

Size of Property: 522 acres will be designated into the "Village Center" category; none of that land will remain in the "Mixed-Use Overlay"

Property Location: The "Village Center" category is near US 41, beginning at the Village limits with Bonita Springs and ending just south of Broadway (see Attachment B).

Current Zoning: Much of the affected land has been zoned into one of the Planned Development zoning districts (see Attachment D).

Future Land Use Categories: **(current)** in Village Center area; see map in Attachment A

Urban Community	347 acres	(66.5%)
Suburban	112 acres	(21.5%)
Outlying Suburban	9 acres	(1.7%)
Public Facilities	54 acres	(10.3%)

Allowable Densities: (in current categories being changed to Village Center):

Future Land Use Category	Standard (Base) Density Range		Bonus Density
	Minimum	*Maximum*	*Maximum*
Urban Community	1	6	to 10
Suburban	1	6	*no bonus*
Outlying Suburban	1	3	*no bonus*
Public Facilities	n/a	n/a	*no bonus*

FEMA Floodway: A FEMA-designated floodway runs along the Estero River through the Village Center category.

Historic Resources: Part of the Village Center category is within level 2 sensitivity areas for archeological and historic resources. About 10 acres of the Koreshan Unity National Register Historic District is east of US 41 on the south bank of the Estero River and would be in the new "Village Center" category.

PUBLIC MEETINGS

Public meetings or workshops have been held on the following dates to discuss the evolving Village Center planning effort:

- In 2016: March 9, March 8, January 12
- In 2015: October 28, August 18

On March 22, 2016 the Planning and Zoning Board held a public hearing to consider these comprehensive plan amendments.

PROJECT HISTORY

As the real estate market was beginning to recover from the recession, a community planning initiative was sponsored by a coalition of Estero community organizations to anticipate changing demographic trends and their impact on Estero. That process included a detailed market assessment and an extended planning workshop to explore development scenarios for a surplus of commercially zoned land near US 41.

A possible framework for the development of the remaining vacant tracts in Estero was presented through a series of community meetings. This framework was based on the principles of compact, walkable, transit supportive, mixed-use development, with an emphasis on employment, housing variety, and recreational and civic uses. These principles could guide Estero toward a more sustainable model for future development that serves current residents of Estero while anticipating the needs and desires of future residents.

Findings from the community planning initiative were documented in three reports:

- *Estero Community Market Assessment* (September 2013, by Peloton Research Partners)
- *Estero Planning Workshop: February 24-27, 2014* (March 2014, by Seth Harry & Associates)
- *Community Planning Initiative, Final Report* (January 2015, by Seth Harry & Associates and Spikowski Planning Associates)

The market assessment was based on conditions in 2013. Since that time, real estate development has recommenced in Estero at a rapid pace. Lee Memorial Health System is about to develop a 31-acre site as a walkable mixed-use medical complex with complementary shops and services that are integrated with surrounding uses. Private developers are providing additional commercial uses and several smaller luxury gated communities that fit the prior Estero model, plus housing types that are new to Estero including apartment complexes and specialized housing with related medical care. The renewed economic activity and its diversity is welcome after the lengthy recession, but should be well-planned.

Additional data and analysis for these comprehensive plan amendments includes:

- *Land Use Scenarios for Lee County, Florida* (January 2015, by the Lee County Metropolitan Planning Organization)
- All data and analysis supporting amendments to the Estero Community Plan (Goal 19 and its objectives and policies) as adopted in late 2014.

The Village Council authorized the preparation of Comprehensive Plan and Land Development Code amendments in May 2015 through a consulting contract. The planning team included Bill Spikowski of Spikowski Planning Associates and urban designer Seth Harry of Seth Harry & Associates. These Comprehensive Plan amendments were prepared as part of that effort.

STAFF SUMMARY & ANALYSIS

The comprehensive plan amendments proposed in this report affect several different portions of the Comprehensive Plan. The following summary highlights the most significant changes. The map amendments are shown in Attachments B and C. The complete amendment language is provided in Attachment F. All three attachments were revised through March 24 to respond to ongoing input and comments.

Policy 1.1.12 and Map 1 (Page 1 of 8):

This policy would establish a new "Village Center" category on the Future Land Use Map:

> ***POLICY 1.1.12:*** *The Village Center Area lies near US 41 in the heart of the Village of Estero. This area includes housing, employment, shopping, recreation, and civic uses and can accommodate additional development in walkable mixed-use patterns. Uses and densities must meet the standards for the Urban Community category unless land is rezoned as a planned development to apply alternate tiered standards for*

the Village Center Area as described under Objective 19.8. Densities in the Village Center Area may exceed the standard density ranges in Table 1(a) only if the Village Council applies the alternate tiered standards through rezoning.

The Future Land Use Map would be amended to include about 522 acres of land into this category (see Attachment B). Owners of land in this new category could participate in the new tiered standards by requesting rezoning.

Policy 19.4.6:

A new Policy 19.4.6 would be added to expand on and replace existing Policy 19.4.2.f. The new policy would implement recommendations from the Lee County Metropolitan Planning Organization about preserving the rail corridor for future transportation purposes (potentially including enhanced freight service; commuter rail, light rail, or bus rapid transit; and hiking/biking/walking trails). The corridor bisects Fort Myers, Estero, and Bonita Springs and terminates in far northern Collier County.

The rail corridor is ideal for trails and bike paths because it would link most of Estero to destinations to the north and south without requiring walking or biking on busy roads. Trails and bike paths can be placed alongside active railroad tracks (known as 'rails-with-trails') or using abandoned rail corridors ('rails-to-trails'). Because the CSX / Seminole Gulf rail corridor is important for many transportation purposes, the MPO recommended the 'rails-with-trails' approach. The right-of-way is wide enough in most places to accommodate multiple uses including trails. The MPO recently identified the rail corridor as the preferred location for the critical north-south corridor for a system of greenways and trails in Collier and Lee Counties.

The rail corridor is owned and controlled by two private entities: CSX and Seminole Gulf Railway. CSX owns the land within the right-of-way. Seminole Gulf Railway has a long-term lease on the land to operate freight rail service; Seminole Gulf also owns and maintains the tracks and rolling stock.

The MPO concluded that in order to maintain options for multiple uses of this corridor, a public entity such as Florida DOT should pursue purchasing real estate interests in the rail corridor. (Lee County Rail Corridor Feasibility Study, October 2013)

Policy 19.6.3:

Policy 19.6.3 addresses the Estero Community Park with suggestions for integrating the park with the surrounding neighborhoods by constructing the originally planned westerly entrance onto Via Coconut Point.

Policy 19.7.3:

Policy 19.7.3 is being updated to avoid inconsistencies with the Village's Ordinance 15-01 that established advisory boards and updated the standards for public information meetings.

Objective 19.8 and subsequent policies:

The new policies following Objective 19.8 amplify Policy 1.1.12's general description of the new Village Center category and describe in general terms how the new tiered process would work, including the maximum allowable densities.

Goal 19 Generally:

Numerous minor editorial and updating changes are also proposed, for instance to reflect the jurisdiction of the Village of Estero rather than Lee County.

Goals 12 through 18 and 20 through 35:

These goals and their objectives and policies are being deleted; they apply only to other communities in unincorporated Lee County.

Objectives 4.2 and 4.3 and Map 1 (Page 6 of 8):

These objectives contain policies that apply to Lee County's "Mixed-Use Overlay."

This overlay would remain in effect for land outside the Village Center area where it would be applied in accordance with the modified terms under these objectives.

For land within the Village Center Area, this overlay would be removed. However, Policy 4.2.1 would be modified to indicate that development approvals that had been based on a property having been within the prior mixed-use overlay may request minor modifications to those approvals if they would not increase the previously approved densities and intensities.

Attachment C shows the existing Mixed-Use Overlay and land being redesignated to Village Center where the overlay will no longer apply.

Glossary:

The Glossary would be expanded by adding definitions for "mixed-use pattern" and "walkable," terms that are used in the policies but which aren't currently defined. The existing definition of "mixed use" would be deleted because it refers to individual development projects rather than to the development pattern that supports mixed uses; a more relevant definition of "mixed use" would replace it.

Table 1(a):

Table 1(a) would be amended to include the Village Center Area.

Table 1(c):

Table 1(c) would be deleted entirely.

Future Land Use Map:

Map 1 of 8 would be amended to redesignate about 522 acres of land from Urban Community, Suburban, Outlying Suburban, and Public Facilities to the new Village Center category.

Map 6 of 8 which includes the Mixed-Use Overlay would also be amended to remove the Mixed-Use Overlay where the Village Center category is being applied, as shown on Attachment C.

Vision statement:

Vision statements for 25 distinct communities in unincorporated Lee County are presented at the beginning of the Comprehensive Plan. The vision statement for Estero was updated in late 2014; it is reprinted on Page 1 of Attachment F but no additional changes are needed.

STAFF SUMMARY AND FINDINGS

Village Ordinance 2015-01 assigned the Planning and Zoning Board to serve as the Village's local planning agency. Under Florida law, local planning agencies are responsible for preparation of comprehensive plans and must hold a public hearing on all proposed amendments and make a recommendation on such amendments. Estero's Planning and Zoning Board held its public hearing on these amendments on March 22, 2016

The Village Council must hold its own public hearing and decide whether the amendments should be "transmitted" to state and regional agencies for formal review (or "not transmitted"). After formal review, the Village Council will hold another public hearing to make a final decision to adopt or not adopt the amendments.

Issues to be considered by the Village Council Board include:

- Do the amendments further the Village's policy goals in an effective and equitable manner?
- Are the amendments based on sound planning principles and appropriate data and analysis?
- Will the Comprehensive Plan be internally consistent if the amendments are adopted?

Staff recommends that the Village Council find in the affirmative on each of these criteria and vote to transmit these amendments for formal review at this time but to withhold final approval of these amendments until the Land Development Code can also be amended to provide suitable criteria for carrying out the Comprehensive Plan amendments.

Several maps are provided as attachments to this report. The most important are Attachment B which shows the new "Village Center" category and Attachment C which shows where the Mixed-Use Overlay would no longer apply.

The full text of the comprehensive plan amendments are presented in Attachment F immediately after the maps. Additions are shown underlined; deletions are ~~struck through~~; both additions and deletions are also highlighted in yellow.

ATTACHMENTS

Attachment A – Future Land Use Map (existing)

Attachment B – Future Land Use Map (area being changed to "Village Center") (modified on March 24, 2016)

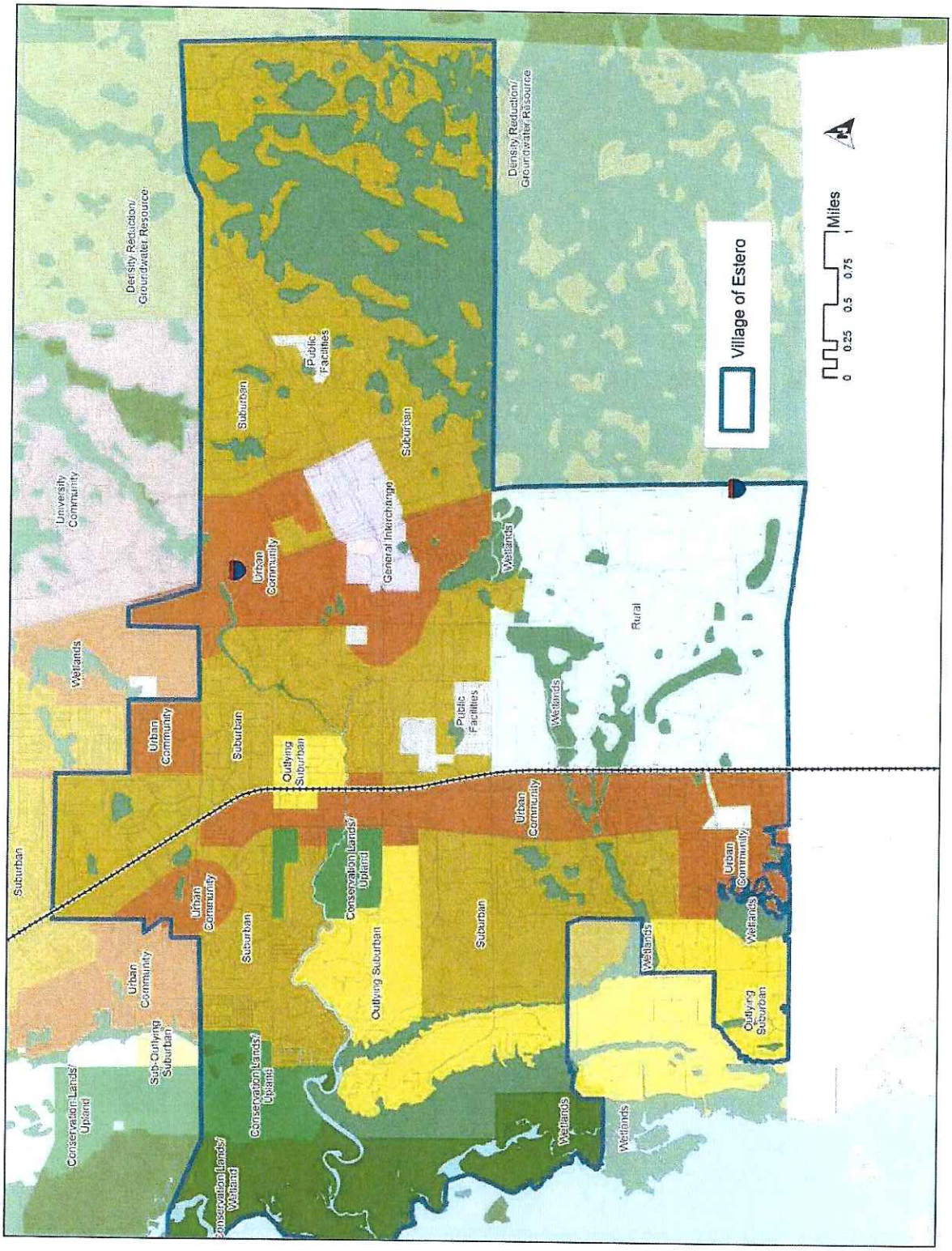
Attachment C – Mixed-Use Overlay (modified on March 24, 2016)

Attachment D – 'Planned Development' Zoning (existing)

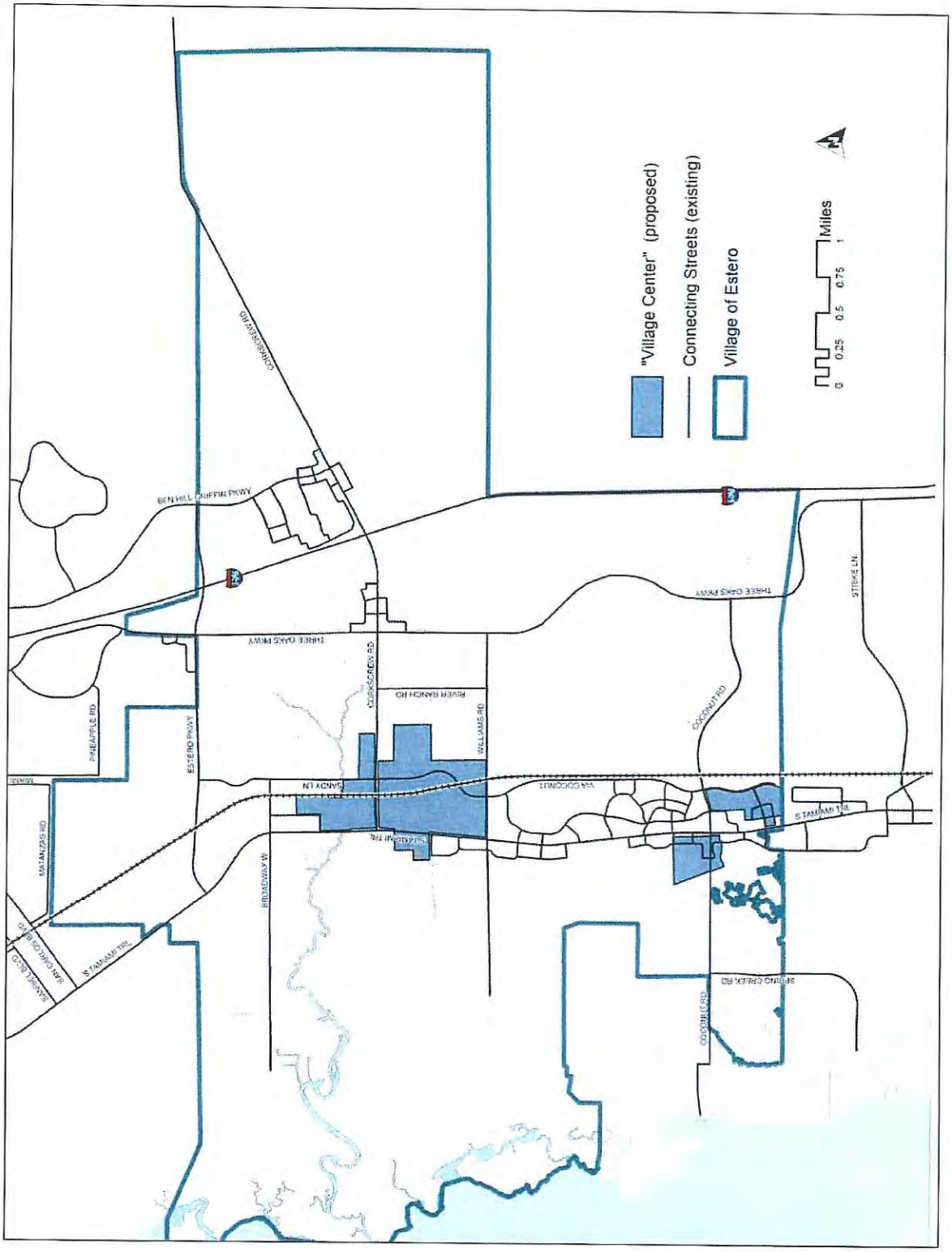
Attachment E – Map 3E (existing map that is referred to in new Policy 19.4.6)

Attachment F – Proposed changes to goals, objectives, and policies of the Comprehensive Plan (Draft, March 24, 2016).

Attachment A – Future Land Use Map (existing)

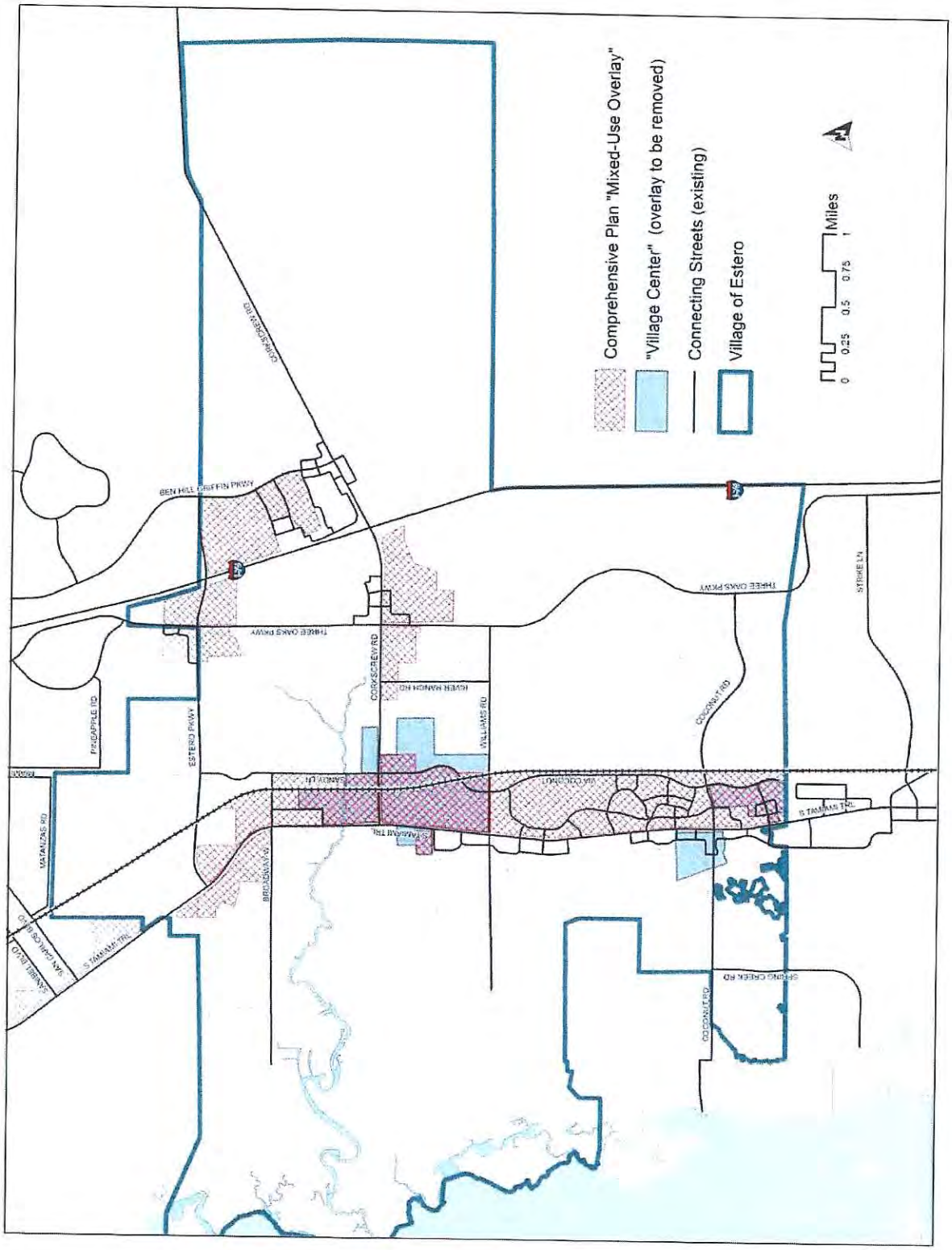


Attachment B – Future Land Use Map
(area being changed to "Village Center")



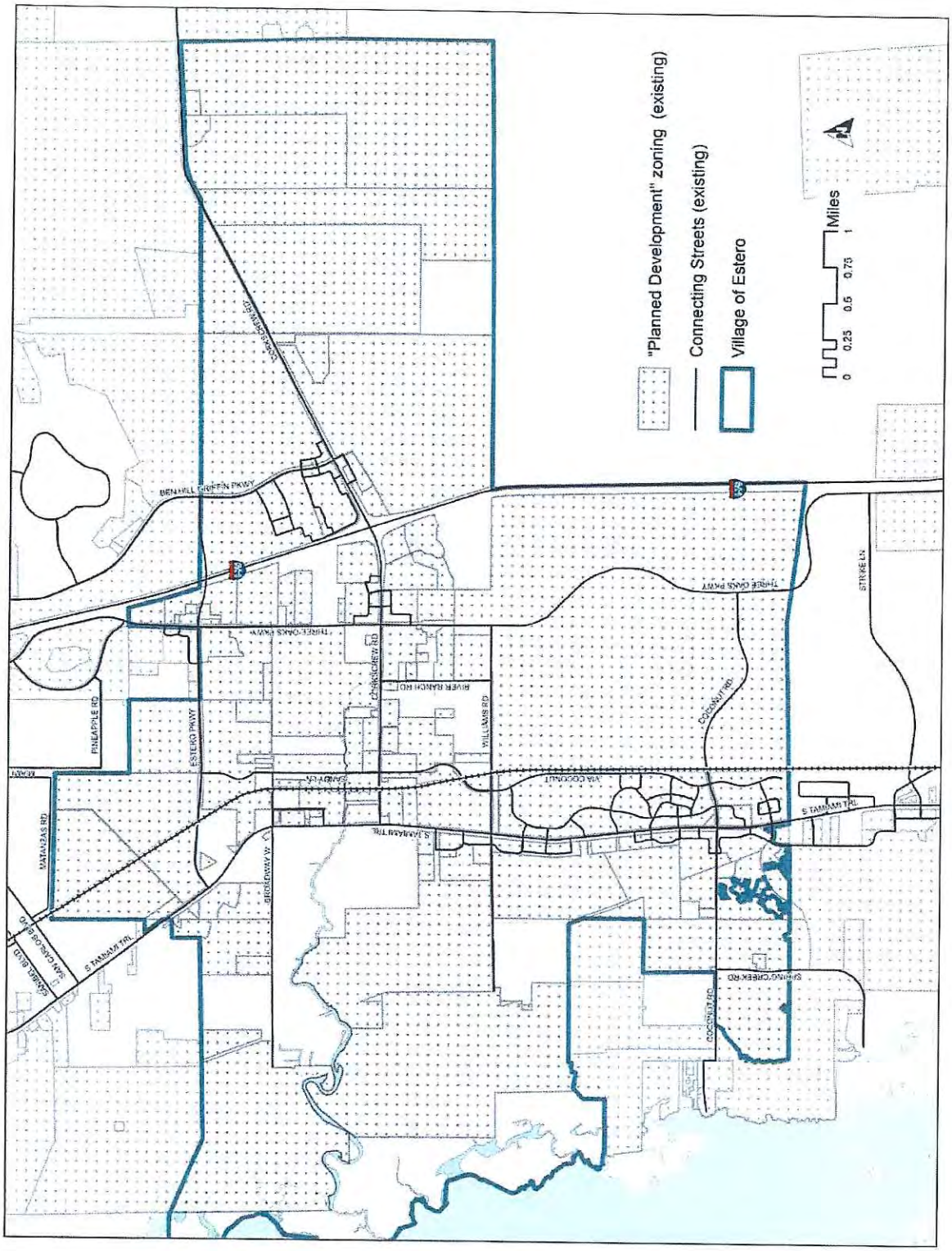
Report Date: March 24, 2016

Attachment C – Mixed-Use Overlay
(existing overlay plus "Village Center" area being removed from overlay)

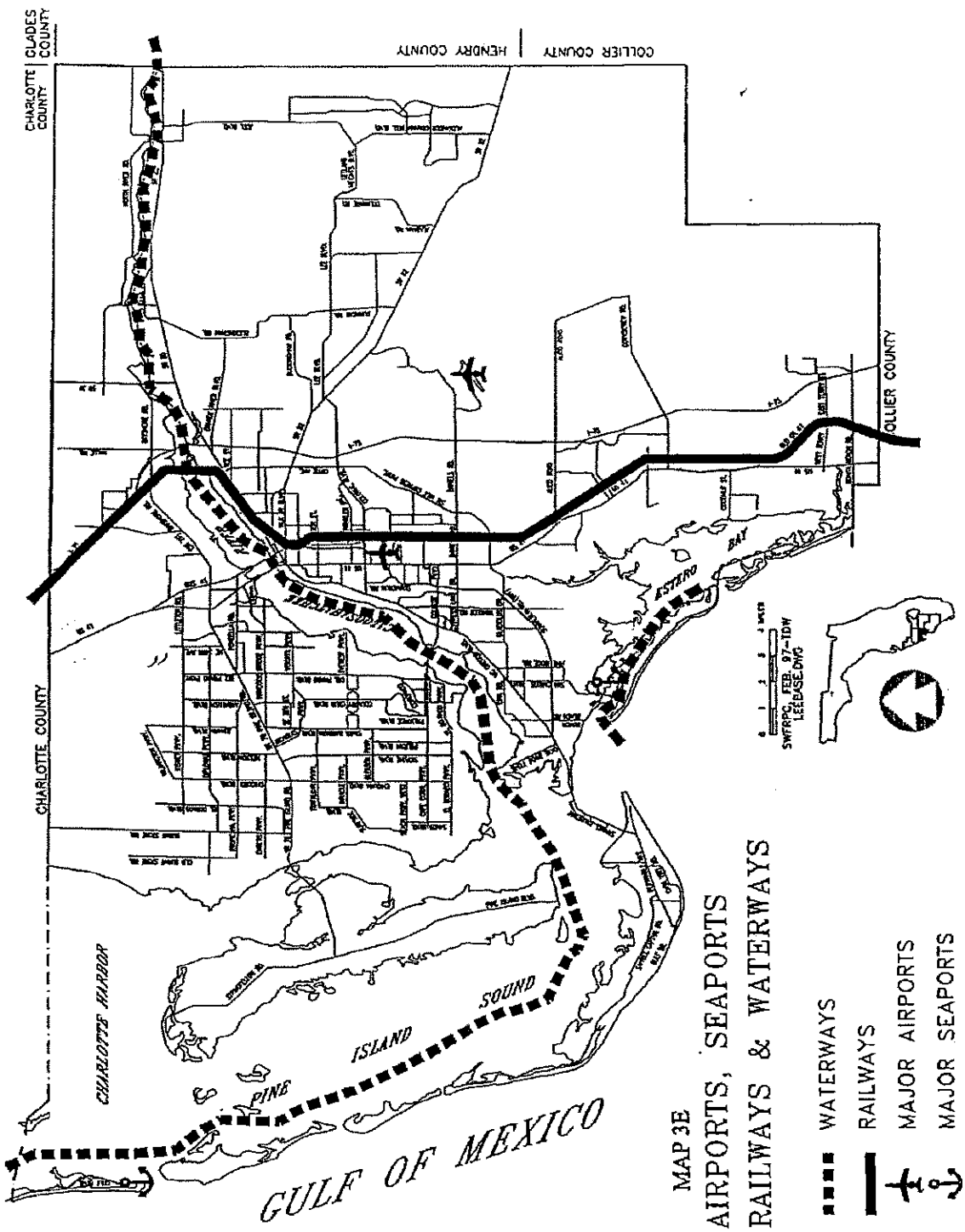


Report Date: March 24, 2016

Attachment D – 'Planned Development' Zoning (existing)



Attachment E – Map 3E (existing)



MAP 3E – PAGE 1 OF 1

ATTACHMENT "F"

Village Center Comprehensive Plan

Amendments CPA 2016-01

(March 24, 2016)

The Village of ESTERO

VILLAGE OF ESTERO

Comprehensive Plan Amendments

Village Center CPA 2016-01

Proposed by the Village of Estero

March 24, 2016 Draft

Language to be added is underlined.

Language to be removed is ~~struck through~~.

New language and language to be removed is also highlighted.

I. Lee County - A Vision for 2030

21. Estero - To establish a community that embraces its historic heritage and protects the environment, while carefully planning for future development resulting from a desirable high quality of life, expanding economic opportunities, and proximity to Florida Gulf Coast University and the Southwest Florida International Airport. Estero's growth will be planned with strong neighborhoods, diverse economic generators, interconnected mixed-use centers, varied parks, public spaces, recreational facilities, and unique natural environments that fosters a sense of belonging and creates a sense of place. Estero will be a highly valued place to live, work, and visit because of development standards and design guidelines that promote:

1) desirable neighborhoods and public amenities;
2) vibrant economic centers;
3) attractive landscaping, streetscaping, lighting, signage, and architectural features; and
4) an interconnected transportation network.

The implementation of this vision will successfully link residential and commercial areas and uphold Estero as a vibrant Lee County community. *(Amended by Ordinance No. 14-16)*

II. Future Land Use

GOAL 1: FUTURE LAND USE MAP. To maintain and enforce a Future Land Use Map showing the proposed distribution, location, and extent of future land uses by type, density, and intensity in order to protect natural and man-made resources, provide essential services in a cost-effective manner, and discourage urban sprawl.

OBJECTIVE 1.1: FUTURE URBAN AREAS. Designate on the Future Land Use Map (Map 1) categories of varying intensities to provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services. (The Future Land Use Map series also contains Map 2 and additional maps located in the appendix. A colored wall-size reproduction of Map 1 is also available.)

POLICY 1.1.1: The Future Land Use Map contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the Village of Estero ~~unincorporated portion of Lee County~~. Map 16 and Table 1(b) are an integral part of the Future Land Use Map series (see Policies 1.7.6 and 2.2.2). They depict the extent of development through the year 2030. No development orders or extensions to development orders will be issued or approved ~~by Lee County~~ which would allow the Planning Community's acreage totals for residential, commercial or industrial uses established in Table 1(b) to be exceeded (see Policy 1.7.6). The cities of Fort Myers, Cape Coral, Sanibel, Bonita Springs, the ~~and~~ Town of Fort Myers Beach, and unincorporated Lee County are depicted on these maps only to indicate the approximate intensities of development permitted under their comprehensive plans ~~of those cities~~. Residential densities are described in the following policies and summarized in Table 1(a). *(Amended by Ordinance No. 94-29, 98-09, 07-12, 07-13)*

POLICIES 1.1.2 through 1.1.11: *[no changes]*

POLICY 1.1.12: The Village Center Area lies near US 41 in the heart of the Village of Estero. This area includes housing, employment, shopping, recreation, and civic uses and can accommodate additional development in walkable mixed-use patterns. Uses and densities must meet the standards for the Village Center land use category as described in Objective 19.8 and the policies thereunder.

POLICY 1.7.6: The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2030. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded, except in Estero's Village Center Area. This policy will be implemented as follows:

1. For each Planning Community the County will maintain a parcel based database of existing land use. The database will be periodically updated at least twice every year, in September and March, for each Planning Community.
2. Project reviews for development orders must include a review of the capacity, in acres, that will be consumed by buildout of the development order. No development order, or extension of a development order, will be issued or approved if the project acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b), Acreage Allocation Table regardless of other project approvals in that Planning Community. For limerock mining in Planning Community #18, see special requirements in Policy 33.1.4 regarding industrial acreages in Table 1(b).
3. At each regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, the County must conduct a comprehensive evaluation of Planning Community Map and the Acreage Allocation Table system, including but not limited to, the appropriateness of land use distribution, problems with administrative implementations, if any, and areas where the Planning Community Map and the Acreage Allocation Table system might be improved.

(Amended by Ordinance No. 94-29, 98-09, 00-22, 07-13, 10-20)

~~GOAL 12: SAN CARLOS ISLAND.~~

[repeal Goal 12 and associated objectives and policies]

~~GOAL 13: CAPTIVA.~~

[repeal Goal 13 and associated objectives and policies]

~~GOAL 14: GREATER PINE ISLAND.~~

[repeal Goal 14 and associated objectives and policies]

~~GOAL 16: PRIVATE RECREATIONAL FACILITIES IN THE DR/GR.~~

[repeal Goal 16 and associated objectives and policies]

~~GOAL 17: BUCKINGHAM.~~

[repeal Goal 17 and associated objectives and policies]

~~GOAL 18: UNIVERSITY COMMUNITY.~~

[repeal Goal 18 and associated objectives and policies]

GOAL 19: ESTERO COMMUNITY PLAN. Promote the development of Estero as a community with a unique quality of life, distinct character, and diverse housing, economic, recreational, and social opportunities by:

a. Protecting the natural resources, environment, and lifestyle;

b. Establishing minimum aesthetic and design requirements;

c. Managing the type, location, quality, design and intensity of future land uses;

d. Providing greater opportunities for public participation in the land development approval process; and

e. Promoting a true sense of place in Estero. *(Added by Ordinance No. 14-16)*

OBJECTIVE 19.1: CHARACTER & LAND USE. Promote community character through the implementation of planning and development practices that create a visually attractive community, an enhanced quality of life, and foster a unique sense of place. *(Added by Ordinance No. 14-16)*

POLICY 19.1.1: Support the unique character and quality of life within the Estero community by managing growth and development and by maintaining and executing ~~Lee Plan~~ comprehensive plan policies, Land Development Code (LDC) regulations, and other planning tools that:

a. Implement and maintain commercial development standards for architecture, landscaping, buffering, signage, lighting designs and visual appearance of developments, transportation facilities, and other community amenities;

b. Promote the use of low impact design, sustainable energy, water, and other environmental features;

c. Establish higher density, mixed-use development within areas targeted on the Mixed-Use Overlay;

d. Encourage the redevelopment and infill of underutilized commercial and residential lands; and

e. Increase public participation in the land development approval process to ensure future development efforts support the Estero Community Plan and adopted ~~Lee Plan~~ comprehensive plan policies and LDC standards. *(Added by Ordinance No. 14-16)*

POLICY 19.1.2: ~~Lee County~~ The Village of Estero may not approve any proposed project that is inconsistent with ~~the Lee Plan~~ this comprehensive plan including, specifically, the Estero Community Plan set forth in Goal 19 and its objectives and policies. Wherever there is a conflict between the provisions of the Estero Community Plan and other provisions of the comprehensive Plan or Land Development Code, it is specifically intended that the Estero Community Plan will be given priority and superiority. Projects will be reviewed through a public process that includes the Estero community, property owners, and Village staff, land use boards, and officials ~~Lee County staff~~ to ensure that the development is consistent with the Estero Community Plan. *(Added by Ordinance No. 14-16)*

POLICY 19.1.3: Encourage new developments that achieve the Estero community's vision and planning goal and policies and are consistent with mixed-use design, architectural, location, connectivity and public access standards by establishing and implementing development incentives within the ~~Lee Plan~~ comprehensive plan and Land Development Code that:

a. Promote ~~urban integrated forms of~~ mixed use patterns in targeted areas, especially those designated Village Center on the future land use map or identified on the Mixed-Use Overlay;

b. Promote targeted industries in appropriate areas of Estero—e.g.: healthcare, arts and culture, technology, and research and development facilities;

c. Promote the use of green design, sustainable energy, water, and other environmental features;

d. Expedite development projects particularly in targeted incentive zones where the community has adopted mixed-use plans and LDC standards; and

e. Enable infill of underutilized commercial and residential lands.~~; and~~

f. ~~Encourage residential developments to use the bonus density established through the Lee Plan Urban land use categories.~~ *(Added by Ordinance No. 14-16)*

POLICY 19.1.4: Facilitate the redevelopment of properties constructed prior to the adoption of Estero ~~Lee Plan~~ Plan policies and LDC regulations by establishing incentives ~~(including, but not limited to, utilization of Bonus Densities established through the Lee Plan Urban land use categories)~~ and streamlined development processes that enable older properties to come into compliance with adopted ~~Lee Plan~~ comprehensive plan policies and LDC standards. *(Added by Ordinance No. 14-16)*

POLICY 19.1.5: Recognize the unique historical and cultural values of the Village of Estero by establishing and implementing development incentives and regulations within the ~~Lee Plan~~ comprehensive plan and Land Development Code that:

a. Encourage the development of the Old Estero area into a mixed-use center;

b. Incorporate design features of Estero's historic structures into future architectural design, streetscape, and community-wide LDC standards; and

c. Identify, protect, and promote historic resources and facilities such as those related to Koreshan Park, Old Estero area, and the Estero Community Park. *(Added by Ordinance No. 14-16)*

POLICY 19.1.6: Establish and promote Estero's unique character and identity by enhancing the community's boundaries through the use of gateway entry features such as ornamental landscape features, hardscape elements and Estero identification signs. Encourage the construction of~~, where feasible, that~~ gateways ~~are constructed~~ by working with the Lee County and Florida Departments of Transportation and private property owners. ~~to build the gateways at appropriate locations.~~ *(Added by Ordinance No. 14-16)*

POLICY 19.1.7: Explore opportunities to identify, prioritize, and fund local capital improvement projects (particularly projects that enhance transportation and infrastructure systems) within the Estero community. Evaluate the feasibility of local, dedicated funding options—e.g.: MSBU, Tax Increment Finance District, or other similar mechanism. Capital projects that could be targeted for such funding include:

a. Streetscape improvements such as roadway pavers, street furniture, street signs and lighting, trash receptacles, and other hardscape features—particularly in Old Estero and within new mixed-use centers;

b. Pedestrian scale lighting;

c. Landscaping and hardscape features—particularly along US 41;

d. Public trails and greenways facilities;

e. Blue way facilities that provide public access to Estero River;

f. Multi-modal transportation facilities that expand or establish pedestrian, bike, transit, and rail services;

g. Public space, park, and recreational facilities;

h. Urban level infrastructure services and systems within mixed-use center areas; and

i. Historic resources and facilities such as those associated with the Koreshan Park and Estero Community Park. *(Added by Ordinance No. 14-16)*

OBJECTIVE 19.2: MIXED-USE CENTERS AND ECONOMIC AREAS. Promote Estero's quality of life and diverse local economy by fostering the development of mixed-use centers and targeted economic areas, as a preference over the development of strip commercial centers. The aim of the mixed-use centers is to provide Estero with central gathering places for Estero's residents, business people, and visitors. The aim of the economic areas is to provide the community a diverse employment and economic base while meeting the commercial, professional, and service needs of the people who live, work, and play within the community. *(Added by Ordinance No. 14-16)*

POLICY 19.2.1: Where feasible, provide for the development of walkable mixed-use ~~town~~ centers and economic areas featuring diverse housing options; government offices and public facilities; medical facilities; employment centers; public gathering places, parks, outdoor plazas, and other public spaces; greenway trails and pathways; and public access to the community's natural resources through ~~Lee Plan~~ comprehensive plan policies and LDC regulations that support Estero's distinct community character and the following community priorities:

a. Support the development of a ~~central town~~ village center to unify the community;

b. Improve the connectivity between Estero's residential neighborhoods, economic areas, civic uses, and park and recreational facilities;

c. Diversify the community's economic base and employment opportunities;

d. Encourage the development of targeted industry clusters—particularly health industries, professional services and businesses, and technology, research, and development;

e. Expand multi-modal transportation options through improved pedestrian access, bikeways, transit service, and rail opportunities;

f. Improve access to the community's blueways—particularly the Estero river—, greenway trails, other open spaces;

g. Promote the community's cultural and historic resources; public spaces, parks, and recreational facilities; and other community amenities;

h. Provide ample and varied public gathering places, including, without limitation, parks, plazas, sidewalks, benches, restaurants, shops, civic spaces, green spaces, community recreation centers, and other recreational facilities;

i. ~~h. Commercial and mixed-use developments will~~ Maintain a unified and consistent aesthetic/visual quality in landscaping, architecture, lighting, and signage in all commercial and mixed-use developments; and

j. ~~i.~~ Promote and incentivize private investment within mixed-use centers and economic areas. *(Added by Ordinance No. 14-16)*

POLICY 19.2.2: Facilitate the development of a village ~~town~~ center for the Village of Estero through the development of LDC standards, plans, and incentives that address the community's need for a central civic and economic core that is connected to surrounding residential neighborhoods, commercial areas, the Estero River, the Old Estero area, the Estero Community Park, and other parks and recreational facilities. *(Added by Ordinance No. 14-16)*

POLICY 19.2.3: Establish a safe and desirable urban environment within the Estero community by adopting LDC standards that guide development in the community's major economic areas near FGCU, along the U.S. 41 corridor, along Corkscrew Road, and in the Old Estero area that:

a. Address streetscaping design and amenities, residential buffering standards, commercial center developments, signage, transportation facility needs, and other community concerns;

b. Provide for the economic and employment needs of the Estero community by utilizing the Mixed-Use Overlay to facilitate the development of mixed-use centers along the US 41, Corkscrew Road, Three Oaks Parkway, Ben Hill Griffin Parkway, Via Coconut/Sandy Lane, and in the Old Estero area; and

c. Encourage mixed-use centers at these locations. *(Added by Ordinance No. 14-16)*

POLICY 19.2.4: Ensure that future commercial and mixed-use developments meet the community's planning priorities by requiring that all new commercial development which requires rezoning within Estero must be rezoned to a Commercial (CPD), Mixed Use (MPD), or

Compact PD, as those districts may be amended from time to time. ~~Communities Planned Development (CCPD).~~ *(Added by Ordinance No. 14-16)*

POLICY 19.2.5: Except as set forth in Policy 19.2.5(a), the following uses are prohibited within Estero: "detrimental uses" (as defined in the Land Development Code, as amended); nightclubs or bar and cocktail lounges unless within a Group III Restaurant; tattoo parlors; and retail uses that require outdoor display in excess of one acre. Outdoor display in excess of one acre is permitted within the property located in the General Interchange Future Land Use Category west of I-75, south of Corkscrew Road, and east of Corkscrew Woodlands Boulevard. *(Added by Ordinance No. 14-16)*

POLICY 19.2.5(a): Nightclubs, bars, and cocktail lounges, which are not within a Group III Restaurant, may be permitted within a mixed use center approved as a Compact PD ~~CCPD~~ or MPD through the public hearing process. The Compact PD ~~CCPD~~ or MPD Project must include, at a minimum, a residential development of 1000 or more dwelling units and commercial development or activity which includes 1,000,000 square feet or more of floor area. These uses must be designed as part of an overall development project and placed within the project so that it is 1) located adjacent to entertainment and restaurant establishments and 2) located in the approximate center of the mixed-use development project. *(Added by Ordinance No. 14-16)*

POLICY 19.2.6: Encourage commercial developments within the Village of Estero to provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including, but not limited to, bike paths and pedestrian accessways. *(Added by Ordinance No. 14-16)*

POLICY 19.2.7: Encourage the development of medical-related uses within Estero by working with hospital officials ~~Economic Development Staff~~ and other private property owners to create ~~adopt~~ appropriate land use policies, land development standards, identify appropriate sites and locations, and establish incentives for the development of health related facilities. Particular emphasis will focus on establishing a medical economic center in this area of ~~in the southern section of~~ Estero along U.S. 41. *(Added by Ordinance No. 14-16)*

POLICY 19.2.8: Facilitate the development of professional, and research and development economic areas by working with Economic Development Staff and private property owners to adopt land development standards, identify appropriate sites and locations, and establish incentives for the development of professional and research and development facilities. Particular emphasis shall be on locating such facilities in areas that are in the proximity of FGCU educational resources and high technology facilities. *(Added by Ordinance No. 14-16)*

OBJECTIVE 19.3: RESIDENTIAL NEIGHBORHOODS. Support Estero's quality of life, promote the community's unique character through the development of diverse, well-designed, and well-connected residential neighborhoods, and provide for the needs of multigenerational community by supporting a variety of housing types and neighborhood development forms. *(Added by Ordinance No. 14-16)*

POLICY 19.3.1: Support and enhance Estero's residential character by establishing land development regulations that specifically address how the proposed residential neighborhoods:

a. Are compatible with adjacent uses, public facilities, and infrastructure systems;
b. Impact surrounding environmental and natural resources;
c. Access, where applicable, nearby parks, public spaces, recreational facilities, and greenways, blueways, and natural open spaces;
d. Connect to adjacent residential developments, mixed-use centers, economic areas, public facilities, natural resources, and other community facilities; and
e. Contribute to the overall design, landscaping, and aesthetics that make up the community's character as a harmonious place with beauty, spaciousness, and a diversity of high quality residential and commercial development that positively contributes to the quality of life of Estero's residents.

(Added by Ordinance No. 14-16)

POLICY 19.3.2: Meet the future residential and commercial needs of Florida Gulf Coast University by encouraging higher density residential developments, with a mix of unit types and design forms, including affordable housing and mixed-use centers, in close proximity to Florida Gulf Coast University. The development of such housing and mixed-use centers will consider the transitions between the adjacent residential neighborhoods, commercial centers, and park and recreational facilities. *(Added by Ordinance No. 14-16)*

POLICY 19.3.3: Establish LDC landscape requirements for the maintenance and development of a well-designed and landscaped community while providing appropriate transitions between residential uses and surrounding areas. Such landscaping requirements may be greater between residential and commercial uses, while less stringent within differing uses within a mixed-use center. *(Added by Ordinance No. 14-16)*

OBJECTIVE 19.4: TRANSPORTATION CONNECTIVITY AND MOBILITY. Facilitate the development of an interconnected community that enables people to easily access Estero's neighborhoods, commercial and mixed-use centers as well as other areas within the county and region through an integrated transportation and mobility system. *(Added by Ordinance No. 14-16)*

POLICY 19.4.1: Establish Land Development Code standards that ensure the development of a well-connected transportation system that includes pedestrian pathways, bikeways, transit, and roadways. These standards should:

a. Require, where feasible, interconnects with adjacent uses;
b. To the extent feasible, minimize access points onto primary road corridors by providing multiple access to adjacent properties;
c. Link neighborhoods, commercial and mixed-use centers, public facilities, and parks; and
d. Enable multi-modal transportation access (pedestrian, bike, vehicular, and transit) within and between the different neighborhoods, economic and employment centers, civic uses, and public space, park, and recreational facilities within the Village of Estero ~~Community~~. *(Added by Ordinance No. 14-16)*

POLICY 19.4.2: Expand opportunities for Estero's transportation network of pedestrian and bicycle pathways, sidewalks, trails, and other facilities by working with the State of Florida and other local, state, and regional entities to:

a. Construct multi-use pathways that feature shade trees, benches, bike racks, and other design elements to attract usage;
b. Identify targeted funding sources including development contributions, private donations, public funding sources (e.g.: MSBU), or other mechanisms;
c. Implement the greenways master plan within the Estero community by working with Lee County Parks Department;
d. Utilize the FP&L right of way within Estero State Buffer Preserve by working with FP&L and Lee County;
e. Establish a pedestrian–bike trail within or along the rail right of way for public recreation by working with the existing rail corridor and private developers; and
~~f. Encourage the development of an effective rail system by working with the existing rail corridor to improve and expand use of existing rail facilities.~~ *(Added by Ordinance No. 14-16)*
[the content of subsection f. has been moved to new Policy 19.4.6]

POLICY 19.4.3: All public and private rights-of-way within future mixed-use centers and the Old Estero area, as defined in the Land Development Code, are encouraged to be designed to include pedestrian ways, cross walks and traffic calming measures including, where appropriate, on-street parking, raised crosswalks, narrow lane widths or other similar mechanisms. *(Added by Ordinance No. 14-16)*

POLICY 19.4.4: Provide for well designed, safe, and multi-use transportation corridors by establishing, maintaining, and implementing complete street design guidelines for the major roadways within Estero including the US 41, Corkscrew Road, Via Coconut/Sandy Lane, and Three Oaks Parkway. In design, provide roadway and median landscape standards, access management guidelines, signage, street lighting, and sidewalks to ensure safe and effective pedestrian crossings within the context of a comprehensive pedestrian and bikeway system. *(Added by Ordinance No. 14-16)*

POLICY 19.4.5: Address regional transportation demands and considerations by proactively working with private developers, and the applicable advisory boards and other local, regional, and state agencies to improve transportation connectivity and mobility throughout Estero and to other communities. *(Added by Ordinance No. 14-16)*

POLICY 19.4.6: The Village hereby designates the CSX / Seminole Gulf rail corridor as a strategic regional transportation corridor to protect the corridor for future transportation purposes (see Map 3E). This designation has been recommended by the Lee County Metropolitan Planning Organization as a means for cities and counties along the rail corridor to recognize the regional nature of this asset and jointly commit to efforts to protect it in its entirety. This designation includes the designation of the rail corridor as a "transportation corridor" pursuant to F.S. 337.273. To implement this designation:

a. The Village of Estero supports efforts of the Lee County Metropolitan Planning Organization to plan for hiking/biking/walking trails along the entire rail corridor, to add capability for commuter rail, light rail, or bus rapid transit service in Lee County and northern Collier County, and to maintain freight capability.

b. The new Village Center Area designation (see Policy 1.1.12 and Objective 19.8) and pending amendments to the Land Development Code demonstrate the Village's commitment to transit-oriented development up to a half mile around future stations for commuter rail, light rail, or bus rapid transit. Transit-oriented development provides higher densities and intensities in a physical form that emphasizes walkability and connectivity and provides a broad range of uses, reducing reliance on vehicle trips and parking lots. Stations could be placed at Coconut Point and near Corkscrew Road. Model procedures for station area planning and implementation are provided in the Florida TOD Guidebook, published by Florida DOT in December 2012.

c. When creating its first Comprehensive Plan, the Village will consider designating the rail corridor into its own category on the Future Land Use Map. The allowable uses in this category could be determined by the entity owning or leasing the corridor for the period of time that the corridor remains in use for freight rail.

d. The Village encourages Florida DOT to purchase the real estate interests in the entire rail corridor from Arcadia to north Naples from its current owner, CSX Transportation Inc. (which leases the corridor to Seminole Gulf Railway).

e. The Village will formally oppose any attempts at abandonment of the rail corridor before the U.S. Surface Transportation Board, and will support use of federal rails-to-trails authority to railbank the corridor, if abandonment ever succeeds, in order to preserve the corridor for possible future rail service.

OBJECTIVE 19.5: NATURAL RESOURCES AND ENVIRONMENT. Ensure that Estero's natural environment enhances the character and quality of life of the community by protecting the natural resources of Estero, promoting the area's natural environment to visitors and residents, and supporting public access to greenway and waterfront areas. (Added by Ordinance No. 14-16)

POLICY 19.5.1: Protect the natural environment and resources of Estero by maintaining, amending, and implementing ~~Lee Plan~~ comprehensive plan or LDC regulations that:

a. Promote the quality of Estero's natural environment, native species and habitats, and ecological resources; and;

b. Facilitate where feasible, new development to provide public access to Estero waterways and greenways, as appropriate. Particular emphasis shall be given to properties along Estero River, its tributaries, and any Estero open spaces;

c. Incentivize the protection of Estero's natural resources—e.g.: wetlands, uplands, historic flow ways, native habitat, or other ecological resources; and

d. Require all new developments adjacent to Estero River or its tributaries to incorporate design techniques that protect the river's water quality through improved runoff or stormwater discharge practices. These techniques may include: the preservation of wetland areas, the incorporation of Low Impact Development techniques, or other surface water quality enhancement technologies. *(Added by Ordinance No. 14-16)*

POLICY 19.5.2: Improve public access, use, and enjoyment of Estero's waterfront and water-based resources by supporting the

creation of community water-based amenities such as Estero Bay water taxi, marina facilities, or other water-dependent facilities. *(Added by Ordinance No. 14-16)*

POLICY 19.5.3: Support the long term protection of Estero's environment and natural resources by working with local, regional, state, and national agencies and organizations to identify and preserve natural resources and the environment. *(Added by Ordinance No. 14-16)*

POLICY 19.5.4: The Estero Community attaches great importance to the integrity of provisions in the ~~Lee Plan~~ comprehensive plan and the Land Development Code with respect to the Density Reduction/Groundwater Resource Area (DR/GR) in so far as actions with respect to the DR/GR have an impact on the environment, natural resources, mobility, sense of place, and character of Estero. *(Added by Ordinance No. 14-16)*

OBJECTIVE 19.6: PUBLIC SPACES, PARKS, AND RECREATIONAL FACILITIES. Support Estero's quality of life through the development of a broad array of community parks, public spaces, and recreational facilities. *(Added by Ordinance No. 14-16)*

POLICY 19.6.1: Promote the development of a variety of public spaces, park, and recreational facilities within Estero by collaborating with the State of Florida, private developers and other local, state, and national organizations on the development of active and passive public resources and facilities. *(Added by Ordinance No. 14-16)*

POLICY 19.6.2: Expand the use, variety, and type of public spaces, parks, and recreational facilities within Estero by working with private developments to provide linkages, access, public parks, public space, and recreational amenities through the use of incentives, LDC requirements, and other development tools. *(Added by Ordinance No. 14-16)*

POLICY 19.6.3: Promote Estero Community Park as a hub for the entire community. Improve the park's integration with the community by improving the existing connections between the park and Estero and by constructing the originally planned westerly entrance onto Via Coconut Point. *(Added by Ordinance No. 14-16)*

POLICY 19.6.4: Encourage the use of park areas to link neighborhoods, commercial and mixed-use centers, and other open space and recreational facilities through an integrated system of bike, pedestrian, and roadways connections. *(Added by Ordinance No. 14-16)*

POLICY 19.6.5: Consistent with the ~~Lee Plan~~ Parks, Recreation, and Open Space Element, integrate the Koreshan State Historic Site into the fabric of the community by collaborating with the appropriate agencies such as the State of Florida to improve the area's landscaping, enhance pedestrian and bicycle access, historic resources and structures, and community park program and activities. *(Added by Ordinance No. 14-16)*

POLICY 19.6.6: Consistent with the ~~Lee Plan~~ Parks, Recreation, and Open Space Element, provide passive recreational opportunities within Estero State Buffer Preserve, Estero River, and Estero Bay by collaborating with the appropriate local, regional, and state agencies and private property owners to ensure the community's parks, natural amenities, and open spaces have easy access, parking, trails, and other community amenities. *(Added by Ordinance No. 14-16)*

OBJECTIVE 19.7: PUBLIC PARTICIPATION. Ensure the public has meaningful and appropriate opportunities to participate in and comment upon development in and around the Village of Estero ~~community~~. *(Added by Ordinance No. 14-16)*

POLICY 19.7.1: As a courtesy, ~~Lee County~~ the Village of Estero will register citizen groups and civic organizations within the Village of Estero that desire notification of pending review of Land Development Code amendments and ~~Lee Plan~~ comprehensive plan amendments. ~~Upon registration, Lee County will provide~~ Registered groups will be provided with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the ~~county's~~ failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or

bar a public hearing from occurring as scheduled. *(Added by Ordinance No. 14-16)*

POLICY 19.7.2: **Reserved.** ~~The Estero Community will establish an online document clearing house for their community, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations, and resolutions will be provided for public inspection. The county's failure to provide or to timely provide documents to the online document clearing house, or failure of the online document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.~~ *(Added by Ordinance No. 14-16)*

POLICY 19.7.3: The owner or agent applying for Planned Developments, Rezonings, Variances, Special Exceptions, Plan Amendments, Administrative Amendments, and Development Orders within the Village of Estero must participate in a public information meeting pursuant to adopted Village regulations and policies. ~~for county approval within the Estero Community must conduct one public informational session within the community in a publicly owned or leased facility where the agent will provide a general overview of the project for any interested citizens. Lee County encourages planning, zoning, and/or development services staff to participate at such public meetings. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing advance notice of the meeting place, time and date and providing security measures as needed. Subsequent to this meeting and the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. If the applicant chooses to hold the public meeting before any established community groups, then the minutes of that meeting as may be applicable must be provided prior to a finding of sufficiency.~~ *(Added by Ordinance No. 14-16)*

OBJECTIVE 19.8: VILLAGE CENTER. Improve the quality of life for Estero's residents and visitors by providing additional housing and neighborhood types and more diverse economic activity in the heart of Estero.

POLICY 19.8.1: This comprehensive plan includes a Village Center category on the future land use map (also referred to as the "Village Center Area") which encourages higher densities and intensities of housing, employment, shopping, recreation, and civic uses in a series of interconnected neighborhoods and mixed use areas. Policy 1.1.12 allows landowners in the Village Center Area to develop within the standard density range and other requirements of the Urban Community category; however the Village of Estero encourages land to be developed or redeveloped with a greater mix of uses and higher densities when placed in walkable mixed-use patterns. The glossary defines 'density,' 'mixed-use,' 'walkable,' and 'mixed-use pattern.' The specific goals of the Village Center Area include creating socially vital centers supportive of business both big and small, neighborhoods and streets that are safe and attractive for walking and bicycling, the preservation of community history, and the protection of the environment, particularly along the Estero River.

As the Village of Estero approves its first comprehensive plan and land development code, as required by law, the area comprising the Village Center Area may change to, among other things, include other land in that vicinity that meets the goals and objectives of the Estero Community Plan and furthers Objective 19.8 and the policies thereunder.

POLICY 19.8.2: The Village will create a new planned development zoning district in the Land Development Code (the "Estero Central Planning District") to help implement these policies. This zoning district will contain tiered standards that apply to the Village Center Area and may include sub-districts which may have specific policies applying therein. Rezoning to the new planned development zoning district must be sought to take advantage of the new tiered standards and densities with respect to specific development tracts. The Village's intention is to use this new zoning district whenever increases in density and intensity are requested in the Village Center Area.

POLICY 19.8.3: The Land Development Code provisions that will implement the objective and policies set forth in this Objective 19.8

shall consider such reasonable guidelines as are necessary in order to foster predictable built results and higher quality public spaces by using physical form (rather than separation of uses) as the organizing principle for achieving such objectives. Such guidelines may consider designating locations where different building form standards apply, the relationship of buildings to the public space, public standards for such elements in the public space as sidewalks, travel lanes, on-street parking, street trees, street furniture, and other aspects of the urban built environment that may be applicable to foster interconnection, social vitality and walkability in the Village Center Area. The Land Development Code provisions may also consider other alternative types of reasonable guidelines that may accomplish such goals in a different or complementary manner.

POLICY 19.8.4: Properties in the Village Center Area which have vested rights under the law may proceed under such vested rights as otherwise provided in the comprehensive plan and Land Development Code, and shall not be required by virtue of Objective 19.8 and the policies thereunder to seek rezoning to the Village Center standards if no increases in either densities or intensity (as such term is defined in the Land Development Code) are sought beyond such vested rights.

a. Nothing contained in Objective 19.8 and the policies thereunder shall modify or abridge the law of vested rights or estoppel under Florida Statutes or judicial precedent. Developments of Regional Impact maintain their statutory vested rights status pursuant to the provisions of Chapter 380.06 and Section 163.3167(5), Florida Statutes.

b. If the property owner is unclear as to the exact nature of the vested rights that are claimed, such property owner may submit an application to the Village of Estero for a determination of such vested rights. The Village Council will conduct a public hearing to determine the nature and extent of such vested rights, and shall apply judicially defined principles of equitable estoppel in making such determination. Each vested rights determination is based on the facts and law associated with that particular property and shall not be considered as a precedent that can be relied upon in any other determination.

POLICY 19.8.5: The Land Development Code will provide standards for four levels of development in the Village Center Area that will contribute to a walkable mixed-use environment in the Village Center Area:

a. Tier 1 provides a minimum network of connecting streets that will allow the public to move by car, bike, or on foot within and through development tracts.

b. Tier 2 accommodates residential neighborhoods with higher densities and a potential for a greater variety of housing types, as well as mixed-use neighborhoods with higher levels of non-residential uses, and, in each case, greater connectivity than Tier 1.

c. Tier 3 accommodates mixed-use neighborhoods with similar attributes as Tier 2 but with higher levels of non-residential uses as well.

d. Tier 4 allows an entire development tract to be planned as a compact community, as provided in Chapter 32.

POLICY 19.8.6: The Land Development Code will provide minimum standards for each tier and will describe public benefits that developers may offer to obtain specified density/intensity incentives in each tier.

POLICY 19.8.7: Base and maximum residential densities will be set by the Village Council during the planned development rezoning process based on its determination of an application's compliance with this comprehensive plan and the specific standards and requirements for each tier. Increases in base residential densities may be allowed after consideration of incentive offers as provided in the Land Development Code. Densities cannot exceed the top of the following ranges:

a. Tier 1: Base level is up to 6 dwelling units per acre of Tier 1-only land plus up to 3 additional dwelling units per acre of Tier 1-only land after consideration of accepted incentive offers, for a maximum of 9 dwelling units per acre of Tier 1-only land.

b. Tier 2: Base level is up to 10 dwelling units per acre of Tier 2 land plus up to 4 dwelling units per acre of Tier 2 land after consideration of accepted incentive offers, for a maximum of 14. dwelling units per acre of Tier 2 land.

c. Tier 3: Base level is up to 15 dwelling units per acre of Tier 3 land plus up to 5 dwelling units per acre of Tier 3 land after consideration of accepted incentive offers, for a maximum of 20. dwelling units per acre of Tier 3 land.

d. Tier 4: Base level is up to 21 dwelling units per acre of Tier 4 land plus up to 6 dwelling units per acre of Tier 4 land after consideration of accepted incentive offers, for a maximum of 27. dwelling units per acre of Tier 4 land.

POLICY 19.8.8: With respect to these base and maximum residential density calculations:

a. For land in Tier 1-only, densities are calculated based on the definition of "Density" in the Glossary of the comprehensive plan, thus excluding non-residential land in Tier 1.

b. For land in Tiers 2, 3, and 4, densities are calculated based on this definition except that non-residential land is included for these tiers only.

~~GOAL 20: BAYSHORE COMMUNITY.~~

[repeal Goal 20 and associated objectives and policies]

~~GOAL 21: CALOOSAHATCHEE SHORES.~~

[repeal Goal 21 and associated objectives and policies]

~~GOAL 22: BOCA GRANDE.~~

[repeal Goal 22 and associated objectives and policies]

~~GOAL 23: THE PALM BEACH BOULEVARD CORRIDOR.~~

[repeal Goal 23 and associated objectives and policies]

~~GOAL 24: COMMUNITY PLANNING.~~

[repeal Goal 24 and associated objectives and policies]

~~GOAL 25: NORTH CAPTIVA (Upper Captiva).~~

[repeal Goal 25 and associated objectives and policies]

~~GOAL 26: ALVA.~~

[repeal Goal 26 and associated objectives and policies]

~~GOAL 27: PAGE PARK COMMUNITY.~~

[repeal Goal 27 and associated objectives and policies]

~~GOAL 28: NORTH FORT MYERS.~~

[repeal Goal 28 and associated objectives and policies]

~~GOAL 29: OLGA COMMUNITY.~~

[repeal Goal 29 and associated objectives and policies]

~~GOAL 30: BURNT STORE MARINA VILLAGE.~~

[repeal Goal 30 and associated objectives and policies]

~~GOAL 31: DESTINATION RESORT MIXED USE WATER DEPENDENT (DRMUWD).~~

[repeal Goal 31 and associated objectives and policies]

~~GOAL 32: LEHIGH ACRES.~~

[repeal Goal 32 and associated objectives and policies]

~~GOAL 33: SOUTHEAST LEE COUNTY.~~

[repeal Goal 33 and associated objectives and policies]

~~GOAL 34: NORTHEAST LEE COUNTY PLANNING COMMUNITY.~~

[repeal Goal 34 and associated objectives and policies]

~~GOAL 35: NORTH OLGA COMMUNITY.~~

[repeal Goal 35 and associated objectives and policies]

GOAL 2: GROWTH MANAGEMENT. To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.

OBJECTIVE 2.12: DIVERSIFIED CLUSTER DEVELOPMENT. ~~The County~~ In several future land use categories, the Village of Estero allows the potential for a mixture of different land uses including: residential, commercial/office, research and development, and medical. ~~light industrial.~~ *(Added by Ordinance No. 09-06)*

POLICY 2.12.1: The Village ~~County~~ encourages and promotes clustered, mixed use development within certain Future Urban Area land use categories to spur cluster development and smart growth within those areas ~~of Lee County~~ where sufficient infrastructure exists to support development, as well as continue to improve the economic well-being of the County; provide for diversified land development; and provide for cohesive, viable, well-integrated, and pedestrian and transit oriented projects. This is intended to encourage development to be consistent with Smart Growth principles. *(Added by Ordinance No. 09-06)*

POLICY 2.12.2: **Reserved.** ~~Future development within the Tradeport and Industrial Development future land use categories is strongly encouraged to be designed to include a mixture of research and development, industrial, and related office uses, where appropriate.~~ *(Added by Ordinance No. 09-06)*

POLICY 2.12.3: Future development within the Intensive Development, Central Urban, and Urban Community future land use categories is strongly encouraged to be development as a mixed use with two or more of the following uses: residential, commercial (including office), and ~~light industrial (including~~ research and development ~~use~~). When residential use is one of the uses proposed, in a mixed use development, residential densities may be developed taking into consideration the definitions under the Glossary terms: "Mixed Use," "Mixed Use Building," "Mixed-Use Pattern," "Walkable," and "Density." *(Added by Ordinance No. 09-06)*

GOAL 4: SUSTAINABLE DEVELOPMENT DESIGN. To pursue or maintain land development code regulations which encourage ~~creative site designs and~~ mixed-use patterns. Using an overlay, locate appropriate areas for Mixed Use, Traditional Neighborhood Development, and Transit Oriented Development. *(Amended by Ordinance No. 94-30, 07-15)*

OBJECTIVE 4.1: Maintain the ~~current~~ planned development rezoning process which combines site planning flexibility with rigorous review. *(Amended by Ordinance No. 91-19, 94-30, 07-15)*

POLICY 4.1.1: Development designs will be evaluated to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site and to the existing and potential street pattern on surrounding sites. ~~, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements.~~ *(Amended by Ordinance No. 91-19, 00-22)*

POLICY 4.1.2: Development designs will be evaluated to ensure that the internal street system is designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development. *(Amended by Ordinance 91-19, 00-22)*

OBJECTIVE 4.2: MIXED-USE OVERLAY. Designate areas on the Future Land Use Map for Mixed Use, Traditional Neighborhood, and Transit Oriented development patterns. *(Added by Ordinance No. 07-15)*

POLICY 4.2.1: The Village ~~County~~ will maintain an overlay in the future land use map series (Map 1, Page 6) identifying locations outside the Village Center Area that are also desirable for mixed use patterns because they ~~that~~ are located in close proximity to: public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Development approvals in the Village Center Area that had been based on a property having been within Lee County's prior mixed-use overlay designation may request modifications to those approvals provided the modifications are in compliance with this Comprehensive Plan and

Land Development Code and do not increase the previously approved densities and intensities. Appropriate locations for any future mixed-use overlay will have a positive impact on transportation facilities though increased transit service, internal trip capture, and reduced travel distance (preference will be given to locations serviced by multiple transit routes). An analysis showing the number of existing and potential residential units within the immediate and extended pedestrian shed (measured through connections and delineating pedestrian barriers) will be considered in identifying appropriate locations. *(Added by Ordinance No. 07-15)*

POLICY 4.2.2: The Mixed Use Overlay will not intrude into established single family neighborhoods. Connections to existing residential neighborhoods will be provided upon the residential neighborhood's desire and not precluded by the Mixed Use Development's design. *(Added by Ordinance No. 07-15)*

POLICY 4.2.3: **Reserved.** ~~Any Planned Development project adhering to the Mixed Use Overlay standards, at the discretion of the Board of County Commissioners, may extend beyond the Mixed Use Overlay zone up to one quarter mile.~~ *(Added by Ordinance No. 07-15)*

POLICY 4.2.4: **Reserved.** ~~The Mixed Use Overlay may include areas within the Coastal High Hazard Area when unique public benefits exist. Such benefits may include providing workforce housing options for employees of businesses located on barrier islands when transit is provided between the workforce housing and the employment areas.~~ *(Added by Ordinance No. 07-15)*

POLICY 4.2.5: **Reserved.** ~~Encourage mixed use developments on sites that have existing connectivity to adjacent neighborhoods, qualify as a grayfield or brownfield sites, or are candidates for Transit Oriented Development. Properties lacking potential interconnections to adjacent properties will not be considered as preferred locations for the Mixed Use Overlay.~~ *(Added by Ordinance No. 07-15)*

POLICY 4.2.6: Reserved. ~~Staff will work with communities, specifically during the community planning process, to explain the benefits and address concerns related to mixed use/higher density developments to build the consensus needed to identify appropriate locations for the Mixed Use Overlay.~~ *(Added by Ordinance No. 07-15)*

POLICY 4.2.7: Development located in the Mixed-Use Overlay that utilizes the Compact PD zoning category ~~applying Chapter 32 - Compact Communities of the Lee County Land Development Code~~ will not be subject to the site location standards listed in Policy 6.1.2 and 6.1.2.7. *(Added by Ordinance No. 11-18)*

OBJECTIVE 4.3: The Mixed Use Overlay shall not include property in the Village Center Area. Development, redevelopment, and infill rezonings located within the Mixed Use Overlay outside of the Village Center Area that utilize the Compact PD or Mixed Use Planned Development (MPD) zoning category and meet the criteria in the policies below ~~that incorporate the following Mixed Use, New Urbanism, Traditional Neighborhood Development (TND), and Transit Oriented Development (TOD) criteria~~ will be allowed to use the area of commercial, office, ~~light industrial,~~ natural water bodies and other non-residential uses in their density calculations. These proposals must contribute to ~~areas will be~~ compact, multi-purpose, mixed use patterns ~~centers~~ which integrate commercial development with residential, civic, and open space within the same neighborhood or ~~and~~ buildings. *(Added by Ordinance No. 07-15)*

POLICY 4.3.1: **Reserved.** ~~Developments within the Mixed Use Overlay conforming to Chapter 32 - Compact Communities of the Land Development Code, will be deemed as meeting the principles listed in this objective.~~ *(Added by Ordinance No. 07-15, Amended by Ordinance No. 11-18)*

POLICY 4.3.2: **Mixed Uses:** ~~A balanced mixture of~~ Carefully mixing complementary uses can ~~will be provided to~~ reduce overall trip lengths, ~~to~~ support pedestrian, bicycle and transit opportunities and create pedestrian friendly streetscapes.

a. Mixed uses will be encouraged within individual buildings (e.g. residential above retail or office space) but may be located in separate buildings that can be easily reached using publicly accessible sidewalks and streets.

b. Mixed Use Overlay areas not within the Village Center Area will provide public gathering places, civic uses, such as green spaces or community centers, and other public amenities as described in Policy 19.2.1.

c. Mixed-use patterns will be integrated within an overall design framework to create a pedestrian friendly, human scale environment, through objective, measurable criteria including size, scale, proportion, and materials detailed in the land development regulations. Flexibility in design will allow for choice and variety in architectural style.

d. The Mixed Use Overlay is intended for mixing uses that are complementary rather than conflicting, as those terms are used in the glossary's definition of mixed use. The nature of the mix of uses will be determined based upon the needs of the Village, character of the surrounding area, the compatibility of the uses, and the characteristics of the transportation network. *(Added by Ordinance No. 07-15)*

POLICY 4.3.3: Site and Building Design: Integrate commercial, residential, civic, and open spaces to create multipurpose developments that feature unique style and ambiance through design, encouraging civic involvement and events to promote community interaction.

a. Provisions for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, ample seating, and walkable block size.

b. Well defined centers and edges with public or civic space creating an element around which other development is located.

c. Development plans will create focal points of signature buildings, civic spaces, natural amenities, and other prominent features through placement or street layout.

d. Link pedestrian routes and bikeways with the street system or other public space such as parks or squares avoiding routes through parking lots and other locations out of the public realm.

e. When necessary, development density and intensity will gradient from the center to the edge suitable to integrated surrounding land uses.

f. The designs will include a pedestrian circulation system to connect the nonresidential uses with residential uses and areas.

g. Local climate and history will dictate the architectural and landscape design and natural methods of cooling and heating will be encouraged. Evaluate Green Building techniques as an alternative way to provide open space.

h. Streets and roads will be fronted by design features including sidewalks which define and contribute to a pedestrian street character. Building design, placement, and entrances will be at a pedestrian scale and oriented towards streets or other public space such as parks or squares.

i. The street system will equally serve automobile and non-automobile modes of transportation. Development will provide pedestrian and bicycle-friendly access, and will provide transit facilities to the development and the surrounding community.

j. Large scale nonresidential establishments will incorporate development design techniques to integrate the establishment into the surrounding community. Such design techniques will include:

   1. creation of a series of smaller, well defined customer entrances to break up long facades and provide pedestrian scale and variety, that may be achieved through the use of liner buildings.
   2. limited number and size of signs.
   3. landscaping and use of pocket parks and courtyards adequate to soften large building masses.

k. An "A/B" street grid system may be utilized where "A" streets meet all pedestrian oriented standards and create a continuous uninterrupted pedestrian friendly streetscape, while "B" streets may include a limited amount of properly designed non-pedestrian oriented uses.

l. Crime Prevention Through Environmental Design (CPTED) guidelines will be incorporated to the maximum extent possible. *(Added by Ordinance No. 07-15)*

POLICY 4.3.4: Parking: Parking areas will be designed to minimize intrusiveness and impacts on the pedestrian character, through the following techniques:

a. On-street parking with landscaping and design features, such as corner and mid-street bump outs, that afford traffic calming and produce a comfortable and safe pedestrian environment will be promoted.

b. Parking lot locations will not separate pedestrian areas including sidewalks, squares, and plazas from the front of buildings containing the primary entrance.

c. Parking lots will be screened from all streets, sidewalks, and open spaces, and will be designed to maintain or enhance the street edge.

d. Parking lots will be designed with safe pedestrian connections to business entrances and public space to create a park-once environment.

e. Reduction of paved parking areas will be evaluated wherever practicable through measures such as provision of shared parking and parking structures to serve multiple uses and alternative paving materials. Large expanses of pavement will be discouraged. Reduced ratios of required parking for non-residential uses will be provided in the land development regulations.

(Added by Ordinance No. 07-15)

POLICY 4.3.5: ~~Automobile Access: Automobile facilities~~ Streets and Alleys: Streets will be designed to provide safe access to, through (where feasible), and within each ~~the~~ development.

a. Internal streets must meet Land Development Code standards found in Article II of Chapter 32 and ~~traffic circulation system design~~ will include:

   1. narrow traffic lanes and other traffic calming techniques to maintain safe multi-modal transportation.
   2. an interconnected street system extended to adjacent sites at the least intrusive locations, with interconnections as may be provided in the Land Development Code.
   3. maximum use of common access drives to arterial roads.
   4. a system of alleyways for service vehicles and access to parking.
   5. convenient access to transit facilities.
   6. sidewalks shaded by rows of street trees.

b. Major points of ingress to and egress from arterial roads carrying through traffic will be located at the allowed intersection spacing and connect to the internal traffic circulation system.

c. ~~A connector street system~~ Public streets will provide multiple vehicular, bicycle, and pedestrian linkages to adjacent local destinations, including residential neighborhoods, as an alternative to arterial and collector roads, except where such connections are precluded by physical layout of natural environmental features.

d. Automobile-oriented uses will have a limited number of driveways, and drive-in or drive-up windows will be located to avoid conflict with pedestrian and bicycle traffic.

e. Additional provisions to achieve the goals of development of walkable environments will be established in the Land Development Code.

(Added by Ordinance No. 07-15)

POLICY 4.3.6: Community Green Space: Public space and landscaping will be provided that includes.

a. Public areas will provide adequate urban landscaping that includes street trees, planted areas, and street furniture.

b. Required surface and storm water management facilities will be designed ~~as an~~ integrally with civic spaces, and as a physical or visual amenity that provides usable open space or an aesthetic feature that resembles natural areas.

c. Paved areas (including parking) will require overhead shading from tree canopy or building features based on factors such as scale of development and performance standards.

(Added by Ordinance No. 07-15)

POLICY 4.3.7: Connectivity and Buffering: Mixed use developments will be well integrated both internally and externally.

a. Automotive, pedestrian and/or bicycle connections to adjacent commercial development will be provided.

b. Connections to adjacent residential neighborhoods will not be precluded by the Mixed Use Development's design.

c. Buffering of uses internal to a Mixed Use~~s~~ development are not required.

d. Buffering from adjacent developments, when deemed absolutely necessary, will not preclude future interconnectivity.

(Added by Ordinance No. 07-15)

~~**POLICY 4.3.8:** Properties in a Mixed Use Overlay Zone, not within the Coastal High Hazard Area, will be considered as preferred receiving areas for Transferable Development Rights (TDRs) and will allow these TDRs to serve as a method for obtaining allowable bonus densities.~~ *(Added by Ordinance No. 07-15)*

~~**POLICY 4.3.9:** The owner or agent for a rezoning request utilizing the Mixed Use Overlay must conduct one publicly noticed informational session, before sufficiency, where the agent will, at a minimum, present an overview of the project's consistency with this objective. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.~~ *(Added by Ordinance No. 07-15)*
[the content of Policy 4.3.9 duplicates Policy 19.7.3]

OBJECTIVE 4.4: *[no changes proposed]*

GOAL 6: COMMERCIAL LAND USES. To permit orderly and well-planned commercial development at appropriate locations ~~within the county~~. *(Amended by Ordinance No. 94-30)*

OBJECTIVE 6.1: Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 11 and other provisions of this plan. *(Amended by Ordinance No. 94-30, 11-18)*

POLICY 6.1.1: All applications for commercial development will be reviewed and evaluated as to:

a. Traffic and access impacts (rezoning and development orders);
b. Landscaping and detailed site planning (development orders);
c. Screening and buffering (planned development rezoning and development orders);
d. Availability and adequacy of services and facilities (rezoning and development orders);
e. Impact on adjacent land uses and surrounding neighborhoods (rezoning);
f. Proximity to other similar centers (rezoning); and
g. Environmental considerations (rezoning and development orders). *(Amended by Ordinance No. 00-22)*

POLICY 6.1.2: Commercial development must be consistent with the location criteria in this policy except where specifically excepted by this policy or by Policy 6.1.7~~, or in Lehigh Acres by Policy 32.2.4~~ or if located in the Mixed Use Overlay and utilizing the Compact PD zoning category. ~~Chapter 32 – Compact Communities of the Land Development Code.~~

I. MINOR COMMERCIAL

a. **Major function:** Provides for the sale of convenience goods and services.

b. **Location:** The entire retail use, including buildings and outdoor sales area, must be located as follows except where this plan provides specific exceptions (e.g., Policy 6.1.7):

(1) On or near the intersection (within 330 feet of the adjoining rights-of-way of the intersection roads) of local and collector, local and arterial, or collector and collector roads. In Commercial Planned Developments where future road improvements that are included in the Capital Improvement Program will enable the property to qualify for the higher level of commercial development specified in Subsection 2 below, and which are conditioned to allow the increased commercial intensity when the roadway actually functions at the higher level of a collector road, the Minor Commercial use may extend beyond 330 feet of such intersections provided the Master Concept plan specifically indicates the phasing of the development from Minor to Neighborhood Commercial use. Proposed interconnections of future internal access roads or driveways servicing only the subject parcel with an arterial or collector will not comply with the requirements of this section;

(2) At the intersection (as defined below) of collector and arterial or arterial and arterial roads; or

(3) Within a residential planned development provided it is located and designed primarily to meet the commercial needs of the residents of the development.

c. **Site Area:** Two acres or less.

d. **Range of Gross Floor Area:** Less than 30,000 square feet.

e. When developed as part of a Mixed Use planned development or Compact planned development, and meeting the use limitations, modified setback standards, signage limitations and landscaping provisions, retail uses may deviate from the locational requirements and maximum square footage limitations, subject to conformance with the Estero Community Plan as outlined in Policies 19.2.3 and 19.2.4, and through approval by the ~~Board of County Commissioners~~ Village Council.

2. **NEIGHBORHOOD COMMERCIAL**

a. **Major function:** Provide for the sale of convenience goods and personal services such as food, drugs, sundries, and hardware items.

b. **Typical leading tenants:** Supermarket and drug store.

c. **Location:** Must be located as follows (except where this plan provides specific exceptions):

At the intersection of an arterial and a collector or two arterials so that direct access is provided to both intersecting roads. Such direct access may be provided via an internal access road to either intersecting road. ~~On Lee County's islands where there is no intersecting network of collectors and arterials, neighborhood commercial centers may be located using the standards for minor commercial centers.~~

d. **Site Area:** 2 to 10 acres

e. **Range of Gross Floor Area:** 30,000 to 100,000 square feet

~~f. In that portion of North Fort Myers lying between the Cape Coral city limits and the old S.A.L. railroad grade and north of the junction of the 41s, an exception to the strict adherence to the location standards in subsection (c) may be granted upon the approval of an application for Commercial Planned Development rezoning if the Board of County Commissioners makes a formal finding that the proposed project:~~

~~(1) is located on an existing arterial road;~~

~~(2) is located at the intersection of that arterial with a future collector or arterial that is indicated on the Official Trafficways Map; and~~

~~(3) will provide (or at least not interfere with) an acceptable alignment for the future roadway which is the justification for the approval, relative to both extensions from the point of intersection with the existing road.~~

3. COMMUNITY COMMERCIAL

a. **Major function:** Some functions of neighborhood commercial, in addition to providing for the sale of retail goods such as clothing, variety items, appliances, and furniture.

b. **Typical leading tenants**: Supermarket, drug store, minor department store, variety store, or discount center.

c. **Location:** Must be located as follows (except where this plan provides specific exceptions):

- At the intersection of two arterials so that direct access is provided to both intersecting roads.
- Such direct access may be provided by an internal access road to either intersecting road.

d. **Site Area:** 10 to 35 acres

e. **Range of Gross Floor Area:** 100,000 to 400,000 square feet

~~f. Notwithstanding prohibitions contained elsewhere in this plan, community commercial development may be granted in a portion of the Suburban land use category in North Fort Myers lying between the Cape Coral city limits and the old S.A.L. railroad grade and north of the junction of the 41s upon the approval of an application for Commercial Planned Development rezoning if the Board of County Commissioners makes a formal finding that the proposed project:~~

~~(1) is located on an existing arterial road;~~

~~(2) is located at the intersection of that arterial with a future arterial road that is indicated on the Official Trafficways Map; and~~

~~(3) will provide (or at least not interfere with) an acceptable alignment for the future roadway which is the justification for the approval, relative to both extensions of that future roadway from the point of intersection with the existing road.~~

4. REGIONAL COMMERCIAL

a. **Major Function:** Some functions of community commercial, in addition to providing a full range and variety of shopping goods for comparative shopping (such as general merchandise, apparel, furniture, and home furnishings).

b. **Typical leading tenants:** One or more full-line department stores.

c. **Location:** Must be located in such a manner as to provide direct access to two and preferably three arterial roads. Such direct access may be via an internal access road to one or more arterials.

d. **Site Area:** 35 to 100 acres

e. **Range of Gross Floor Area:** 400,000 to 1 million square feet or more.

f. The Commercial Site location standards described in this policy do not apply to Regional Commercial development approved as a single mixed-use Development of Regional Impact containing regional shopping opportunities on a 483-acre portion of Section 9, Township 47 South, Range 25 East, that is bounded on the west by U.S. 41, on the east by the Seminole Gulf Railroad tracks, on the south by Coconut Road, and on the north by a line located one half mile north of Coconut Road designated Urban Community, provided that the DRI specifically addresses:

1) Impacts to flow-ways,
2) Community and Regional Park levels of service,
3) Roadway levels of service,
4) Public Schools,
5) Fire protection services, and
6) Affordable housing.

5. Commercial development "at the intersection" will extend no more than one-quarter mile from the centerline of the intersection and must include proper spacing of access points, with the following exception: in a commercial development approved under the planned development rezoning process, "at the intersection" may extend beyond one-quarter mile from the intersection, provided that:
   a. direct access is provided to the development within one-quarter mile of the intersection;
   b. an internal access road or frontage road provides access to the intersecting street prior to occupancy of the development; and
   c. all access points meet Land Development Code requirements for safety and spacing.
   d. the retail commercial use, including any outdoor sales, does not extend beyond one-half mile from the centerline of the intersection.

6. Any contiguous property under one ownership may, at the discretion of the ~~Board of County Commissioners~~ Village Council, be developed as part of the ~~interstate~~ General Interchange category, ~~except in the Mixed-Use Interchange district,~~ provided the property under contiguous ownership to be developed as part of the ~~interstate~~ interchange does not extend beyond three-quarters of a mile from the interchange centerpoint. Applications seeking interstate uses outside of the ~~interstate highway~~ designated interchange area will be evaluated ~~by the Board~~ considering the following factors: percentage of the property within the ~~interstate~~ interchange; compatibility with existing adjacent land uses; and, compatibility with surrounding Future Land Use Categories. This is intended to promote planned developments under unified ownership and control, and to insure proper spacing of access points.

7. The location standards specified in Subsections 1-4 will apply to the following commercial developments: shopping centers; free-standing retail or service establishments; restaurants; convenience food stores; automobile dealerships; gas stations; car washes; and other commercial development generating large volumes of traffic. These location standards will not apply to the following: banks and savings and loan establishments without drive-in facilities; hotels or motels; marinas; general, medical, or professional offices; industrial, warehouse, or wholesale development; clubs, as defined in Chapter 34 of the Land Development Code (commercial clubs excepted); and other similar development. ~~The distinction in this subsection between these two major types of commercial uses does not apply in Lehigh Acres, where commercial uses are permitted in accordance with Policy 32.2.4. These location standards will not apply to property in the Mixed Use Overlay when Chapter 32 – Compact Communities of the Land Development Code is applied.~~

8. The standards specified in Subsections 1-4 for location, floor area and site area will serve as guidelines during the rezoning process (allowing limited discretion by the ~~Board of County Commissioners~~ Village Council in special cases in which retail uses are the only reasonable use of the parcel in light of its size, its proximity to arterials and collectors, and the nature of the existing and projected surrounding uses, including but not limited to environmental factors) but are strict requirements during the development order process in the case of zoning that existed prior to the effective date of the Lee Plan (December 21, 1984). The other standards specified in Subsections 1-4 will serve generally to indicate the types of development which are likely to fall within each commercial category. Proposed rezonings to commercial zoning districts that include both uses that are subject to the standards in Subsections 1-4 and uses that are not (see Subsection 7) may be found consistent with the ~~Lee Plan by the Board of County Commissioners~~ comprehensive plan by the Village Council even if the subject parcel does not comply with the applicable location standard; provided, however, that no development orders will be issued on any such parcel for any use to which the standards in Subsection 1-4 is applicable, and all such development orders must be consistent with the level of service requirements in Policy 95.1.3.

9. The location standards in this policy are not applicable in ~~the following areas:~~

   ~~a. In~~ the General Interchange land use category.

   b. ~~In Lehigh Acres where commercial uses are permitted in accordance with Goal 32~~

   c. ~~Within the Captiva community in the areas identified by Policy 13.2.1, in Area 9 of the University Community Conceptual Master Plan, or within the Mixed Use Overlay when utilizing Chapter 32 – Compact Communities of the Land Development Code~~

   ~~d. In the Density Reduction/Groundwater Resource land use category where some commercial development is permitted under Objective 33.3.~~

10. The ~~Board of County Commissioners~~ Village Council may approve applications for minor commercial centers that do not comply with the location standards for such centers but which are consistent with ~~duly adopted CRA and~~ the Estero Community Plans policies under Goal 19.

11. Uses that must comply with Subsections 1-4 may occur at the outside of a T-intersection so long as direct access is provided from at least two points on the adjacent intersecting road, one of which must be an extension of the other intersecting road.

12. Map 19 illustrates the existing ~~Lee County~~ intersections that are deemed to be consistent with the standards in subsections 2 and 3. Neighborhood and community commercial centers must be located at one of the designated intersections, at another intersection utilizing the list of Functional Classification for Arterial and Collector Roads, or in accordance with one of the exceptions under Goal 6~~, or in Lehigh Acres in accordance with Policies 1.8.1 through 1.8.3~~.

    The map shows some intersections with half-circles and others with full circles. Half circles indicate that only the two intersection quadrants shown on the map are deemed to be consistent with the standards. All of the quadrants of intersections designated with full circles are deemed to be consistent with the standards. Proposed neighborhood and community commercial centers that are located at the designated intersections are subject to all of the other Goals, Objectives and Policies of this Plan.

    Functional classifications of new or improved streets will be established in accordance with the definitions of "arterial" and "collector" roads in Rule 9J-5.003. A list of Functional Classification for Arterial and Collector Roads, consisting of roads that meet this criteria, will be maintained by the Lee County Department of Transportation, for county maintained roads, and the Lee County Division of Development Services, for privately maintained roads. ~~These functional classification lists will be adopted by Administrative Code.~~ For the purpose of determining compliance with the locational standards of Policy 6.1.2, only those roads identified as Major Collector roads will be considered collector roads. Roads identified as Minor Collector or not included on the list will be considered local roads. ~~The map will be revised annually during the county's regular plan amendment cycle.~~

~~13. Freestanding single-use commercial retail development of five (5) acres or more does not qualify as a Neighborhood Center as that term is used in the Suburban and Outlying Suburban Future Land Use Categories.~~ *(Amended by Ordinance No. 93-25, 94-30, 98-09, 99-15, 99-18, 00-22, 02-02, 07-09, 10-05, 10-16, 10-19, 10-40, 11-18)*

POLICY 6.1.3: Commercial developments requiring rezoning and ~~meeting Development of County Impact (DCI)~~ exceeding thresholds defined in the Land Development Code must be developed as Commercial planned developments, Mixed Use planned developments, or Compact planned developments that are designed to arrange uses in an integrated and cohesive unit in order to:

- provide visual harmony and screening;
- reduce dependence on the automobile;
- promote pedestrian movement within the development;
- utilize joint parking, access and loading facilities;
- avoid negative impacts on surrounding land uses and traffic circulation;
- protect natural resources; and
- provide necessary services and facilities where they are inadequate to serve the proposed use. *(Amended by Ordinance No. 94-30, 00-22)*

XII. Glossary

DENSITY - The number of residential dwelling or housing units per gross acre (du/acre). Densities specified in this plan are gross residential densities. For the purpose of calculating gross residential density, the total acreage of a development includes those lands to be used for residential uses, and includes land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made waterbodies contained within the residential development. Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included, except in the Village Center Area as specifically provided in Objective 19.8 and the policies thereunder, and except within areas outside the Village Center Area that are identified on the Mixed Use Overlay Map (Future Land Use Map Series Map 1 page 6 of 8) that have elected to use the process described in Objective 4.3. ~~4.2 and except within areas identified as Mixed-Use Communities as identified on Map 17 where development rights are concentrated or transferred using the process described under Objective 33.3. Within the Captiva community in the areas identified by Policy 13.2.1, commercial development that includes commercial and residential uses within the same project or the same building do not have to exclude the commercial lands from the density calculation. For true mixed use developments located on the mainland areas of the County, the density lost to commercial, office and industrial acreage can be regained through the utilization of TDRs that are either created from Greater Pine Island Coastal Rural future land use category or previously created TDRs. True mixed use developments must be primarily multi-use structures as defined in this Glossary as a mixed use building. If development is proposed in accordance with Policy 2.12.3, residential densities are calculated using the total land area included in the mixed use portion of the development.~~ *(Amended by Ordinance No. 98-09, 00-22, 03-21, 05-21, 07-09, 07-14, 09-06, 10-43)*

INFILL - The use of vacant land within a predominantly developed area for further construction or development. These lands already have public services available but may require improvements to meet current development standards. *(Added by Ordinance No. 07-14)*

MIXED USE – Complementary uses of land generally within a walkable distance from one another. Complementary means uses are compatible with each other and would serve the same users without requiring a car or a bike/walk trip on a circuitous or inhospitable route. Complementary uses are the opposite of conflicting uses, for example industrial uses or commercial uses that have features near residential uses which could negatively impact the quality of life or interfere with the quiet enjoyment of such residential uses. ~~The development, in a compact urban form, including residential and one or more different but compatible uses, such as but not limited to: office, industrial and technological, retail, commercial, public, entertainment, or recreation.~~ These uses may be combined within the same Mixed-Use Building or may be grouped together in cohesive neighboring buildings with limited separation, unified form and strong pedestrian interconnections to create a seamless appearance. ~~True mixed use developments primarily consist of mixed use buildings as defined by this Glossary.~~ *(Amended by Ordinance No. 05-21, 07-14)*

MIXED-USE BUILDING – Mixed-Use Building means a building that contains at least two different complementary land uses (i.e. commercial and residential, R & D and residential, office and residential, commercial and civic use open to the public) ~~that are related~~. *(Added by Ordinance No. 05-21)*

MIXED-USE PATTERN - A physical pattern where streets form an interconnected network within and surrounding various parcels in an overall development area, neighborhood, or group of interconnected neighborhoods. A variety of methods to subdivide such areas and neighborhoods may be utilized to develop individual buildings that can accommodate a variety of complementary land uses and building types.

REDEVELOPMENT - Development activity characterized by replacement of existing dilapidated or underperforming structures. The new development is usually at a higher level of intensity or density. *(Added by Ordinance No. 07-14)*

TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) - A form of development that creates mixed-use, mixed-income neighborhoods that are compact, diverse and walkable. *(Added by Ordinance No. 07-14)*

TRANSIT ORIENTED DEVELOPMENT (TOD) - Development located within walking distance of a transit stop using a mixed use development pattern and ~~that is mixed use and developed using~~ Traditional Neighborhood Development standards. *(Added by Ordinance No. 07-14)*

WALKABLE – A characteristic of mixed-use neighborhoods or districts where people can safely walk to nearby destinations on sidewalks or paths that encourage comfortable movement without driving. Nearby destinations are generally viewed as those that can be reached by a 5-minute walk or about ¼ mile in distance.

~~Table 1(c)~~
~~Mixed Use Overlay/Lehigh Acres~~
~~Specialized Mixed Use Node Ratios~~

~~Future Land Use Map Category~~	~~Floor Area Ratio~~	~~Acres*~~	~~Percent Residential~~	~~Percent Non-Residential~~
~~Intensive Development~~	~~3~~	~~1,595~~	~~10-50%~~	~~50-90%~~
~~Central Urban~~	~~2~~	~~3,997~~	~~20-50%~~	~~50-80%~~
~~Urban Community~~	~~2~~	~~3,195~~	~~25-60%~~	~~40-75%~~
~~Suburban~~	~~1~~	~~391~~	~~30-70%~~	~~30-70%~~
~~Outlying Suburban~~	~~1~~	~~123~~	~~30-70%~~	~~30-70%~~

~~* Remaining acres are within non-residential areas that are situated within the overlay such as Public Facilities and Wetlands.~~

~~Lee Plan~~ Future Land Use
Map 1, Page 1 of 8

[Certain land is being redesignated from Urban Community, Suburban, Outlying Suburban, Public Facilities, and Rural to the new Village Center land-use category, as shown on the following maps.]

[As the Village of Estero approves its first comprehensive plan and land development code as required by law, the area comprising the Village Center area may change to, among other things, include other land in that vicinity that meets the goals and objectives of the Estero Community Plan.]

Special Treatment Areas – Mixed Use Overlay

[The Village will maintain the mixed-use overlay for land in Estero outside of the Village Center Area only, as shown on the following maps.]

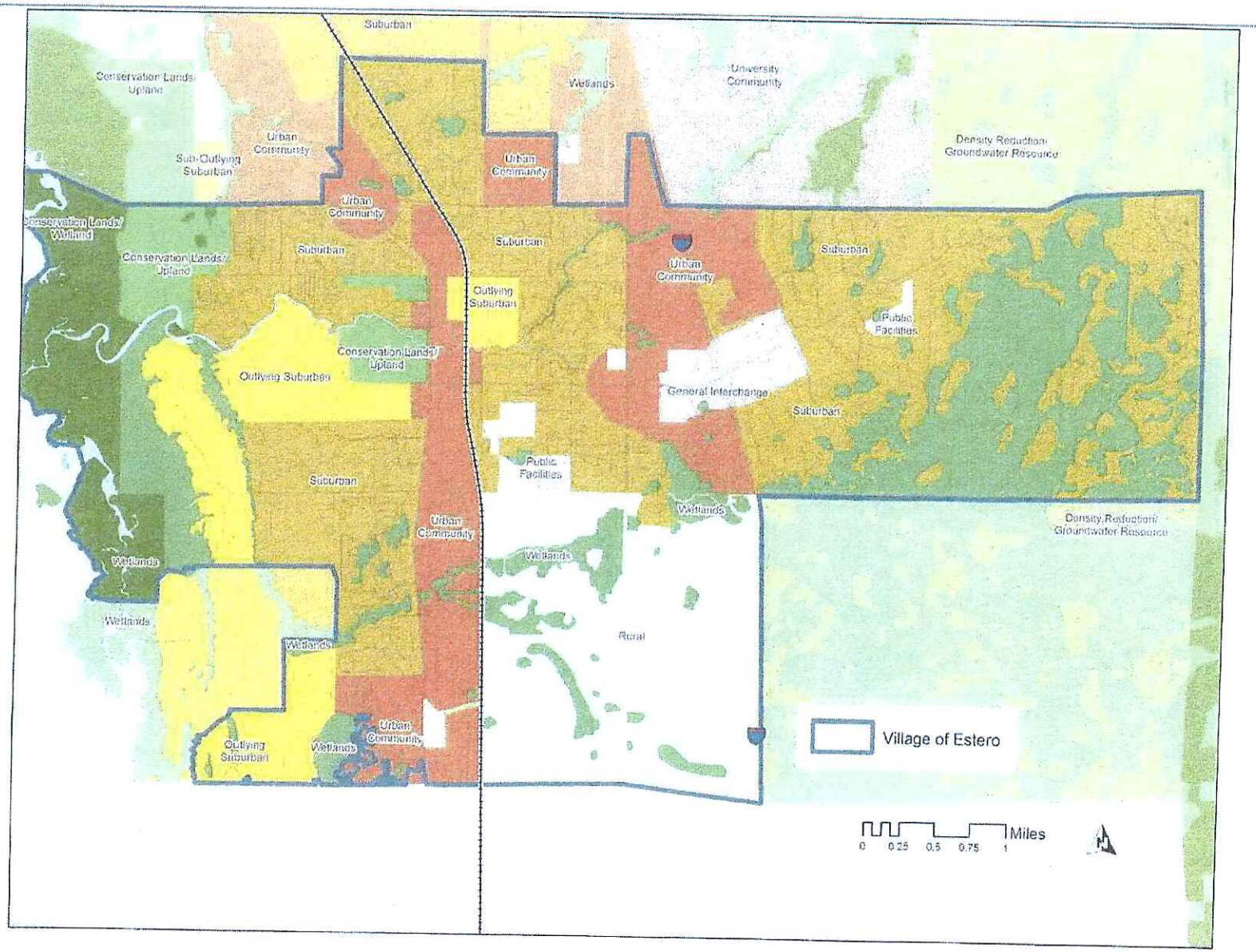
Table 1(a)
Summary of Residential Densities [1]

FUTURE LAND USE CATEGORY	STANDARD OR BASE DENSITY RANGE		BONUS DENSITY
	MINIMUM [2] (Dwelling Units per Gross Acre)	MAXIMUM (Dwelling Units per Gross Acre)	MAXIMUM TOTAL DENSITY [3] (Dwelling Units per Gross Acre)
Intensive Development	8	14	22
Central Urban	4	10	15
Village Center [14]	1	6	No Bonus [14]
Urban Community [4,5]	1	6	10
Suburban	1	6	No Bonus
Outlying Suburban	1	3	No Bonus
Sub-Outlying Suburban	1	2	No Bonus
Rural [10]	No Minimum	1	No Bonus
Outer Islands	No Minimum	1	No Bonus
Rural Community Preserve [6]	No Minimum	1	No Bonus
Open Lands [7]	No Minimum	1 du/5 acres	No Bonus
Density Reduction/Groundwater Resource	No Minimum	1 du/10 acres	No Bonus
Wetlands [8]	No Minimum	1 du/20 acres	No Bonus
New Community	1	6	No Bonus
University Community [9]	1	2.5	No Bonus
Destination Resort Mixed Use Water Dependent [11]	6	9.36	No Bonus
Burnt Store Marina Village [12]	No Minimum	160 Dwelling Units; 145 Hotel Units	No Bonus

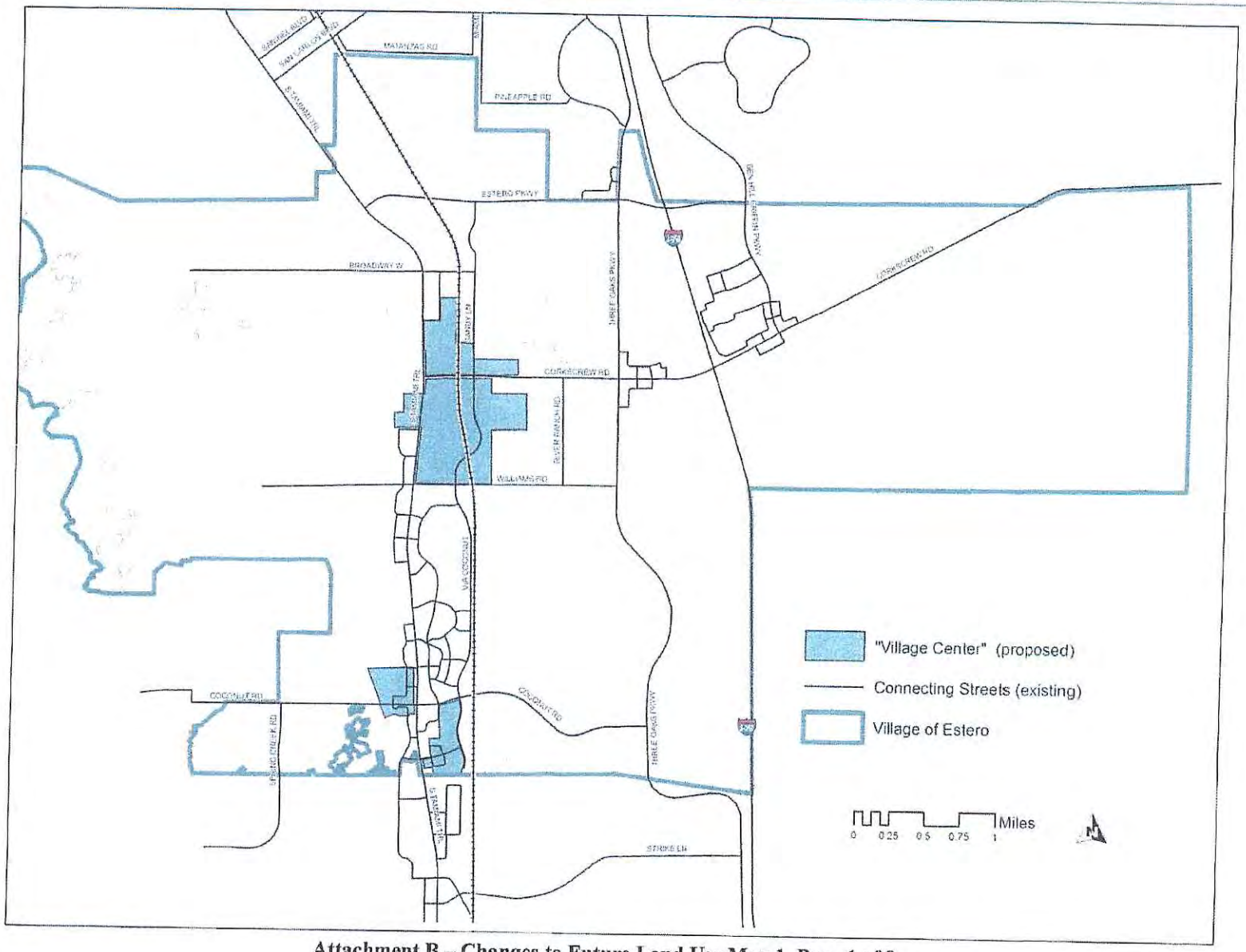
CLARIFICATIONS AND EXCEPTIONS

[1-13] *[no changes to footnotes 1 through 13]*

[14] See Objective 19.8 and subsequent policies for potential density increases that could be achieved through a new planned development zoning district for development that contributes to a walkable mixed-use environment.

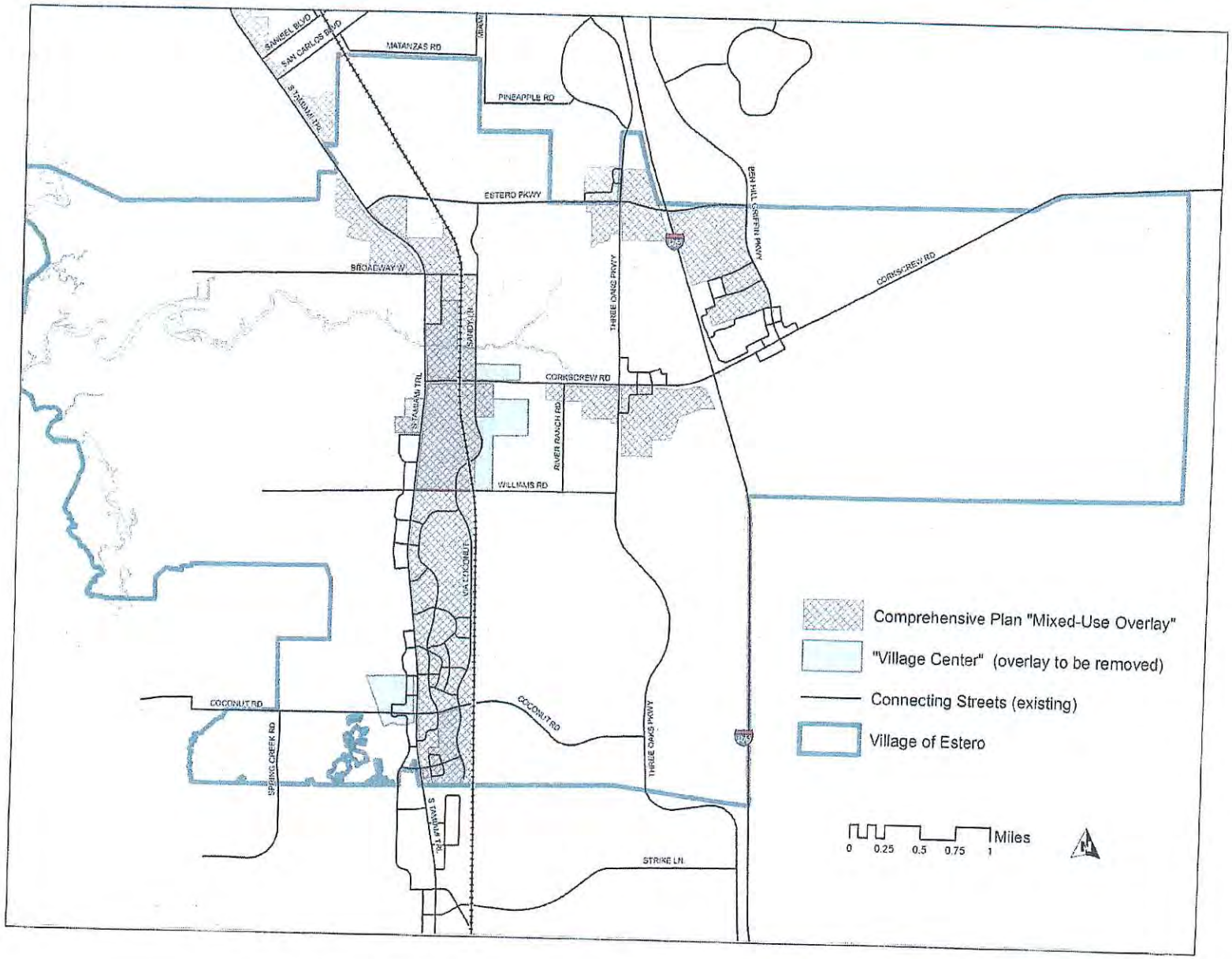


Attachment A – Future Land Use Map 1, Page 1 of 8 (existing)



Attachment B – Changes to Future Land Use Map 1, Page 1 of 8

(showing area being changed to "Village Center ")



Attachment C – Future Land Use Map 1, Page 6 of 8Mixed-Use Overlay
(existing Mixed-Use Overlay plus "Village Center" area being removed from overlay)

ATTACHMENT "G"

Minutes from Estero Public Information Meeting at Planning and Zoning Board (June 16, 2015)

Stantec

Meeting Summary

Village of Estero Planning and Zoning Board –Public Information Workshop

Genova Comprehensive Plan Amendment (CPA2015-00004, Residential Planned Development Rezoning (DCI201500009), and Sales Center Administrative Amendment (ADD2015-00047)

Date/Time:	June 16, 2015 / 5:30pm
Place:	Estero Fire Rescue 21500 Three Oaks Parkway Estero, FL 33928
Attendees:	Estero: Planning and Zoning Board members, Mayor Batos, Vice Mayor Leviton, Village Attorney Burt Saunders, Community Development Director Mary Gibbs Applicant Team: Jim Wallace, John Svoboda, Kevin Wallace, Neale Montgomery, Josh Philpott, AICP, Steve Martin , PE Members of the Public

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The following narrative is intended to provide a summary of the meeting relating to the Genova Comprehensive Plan, RPD Rezoning, and Sales Center ADD applications. It does not include a full summary of other agenda items, and should not be considered as a record of the complete agenda for the above listed meeting.

The meeting convened at 5:30pm. The board conducted business as outlined on the agenda. The Genova project was item 7.B on the agenda.

Following the presentation from the applicant the item was opened for public input. During the Public Comment portion of the workshop several items were discussed. A summary of the items are listed below, followed by the response from the applicant, as appropriate.

1. *Is the Genova Sales Center permanent?*

The Sales Center is proposed to be constructed as a permanent building. It is proposed to be used as a Real Estate Sales Office during the permitting and construction of the Genova residential development. It will be removed prior to the construction of Building 6 of the residential development.

2. *Is the current agricultural operation moving from the subject property?*

Yes.

3. *Is the proposed sidewalk along Corkscrew Road outside of the community?*

Yes. The existing sidewalk is located in the Corkscrew right-of-way. The applicant is proposing to construct a publicly-accessible linear park along Corkscrew Road which will include a meandering sidewalk.

4. *Has the applicant reviewed the traffic impact from the development on Corkscrew Road?*

A Traffic Impact Study (TIS) has been submitted for the proposed development. The TIS shows the proposed development will not create any Level of Services failures for any roads. In fact, the

traffic generated by the proposed 205 dwelling units will be less than the traffic generated by the commercial development currently permitted on the property.

Additionally, the main access point for the proposed development will be from Via Coconut Point, thereby reducing the trips on Corkscrew Road. The proposed vehicular connection to Corkscrew Road will be a right-out egress point. This egress will help reduce the congestion at the intersection of Corkscrew Road and Via Coconut Point by allowing project trips to access Corkscrew Road directly.

5. *A member of the public voice concern regarding the 4-story "high-rise" buildings.*

The proposed development will comply with the permitted 45' height limitation, outlined in Land Development Code Section 33-229.

6. *If the lake was required to have 6:1 Bank Slopes, would the lake meet the minimum width required by the South Florida Water Management District?*

The South Florida Water Management District (SFWMD) requires lake to be a minimum of 100' wide to be used for water quality treatment. The lakes for the proposed development have been designed to meet the 100' minimum width, with a 4:1 lake slope. If the lake bank slopes were revised to a 6:1, the lake would be approximately 88' wide and would not meet the SFWMD requirements.

7. *What is the basis for selecting Intensive Development as the proposed land use category?*

The applicant touched on the topic briefly during the presentation. The proposed development is slightly above 12 dwelling units per acre. The only existing land use designation which allows for a standard density above 10 dwelling units per acre is Intensive Development.

The applicant met with Lee County in February 2015 to discuss the proposed land use applications. During the discussion regarding the Comprehensive Plan Amendment application, staff directed the applicant to use the Intensive Development future land use category, rather than drafting language for a new site specific category.

8. *Why does the Comprehensive Plan Application show a maximum permitted density of 372 dwelling units?*

The Comprehensive Plan application requires the applicant to calculate to maximum number of dwelling units which could be developed based on the permitted density ranges for the proposed land use category, including bonus density. The proposed Intensive Development land use category allows a maximum density of 22 dwelling units per acre. Based on the 16.92 acre property, a total of 372 dwelling units could be approved. However, the zoning application request is limited to a maximum of 205 dwelling units.

9. *Will the stormwater overflow into the lake in Estero Community Park?*

No. The stormwater management system is proposed to connect to an existing stormwater management system located adjacent to the southwest corner of the subject property. The system will not outfall to the lakes in Estero Community Park.

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10. Is the 30% hardened shoreline sufficient for the project, or should it be expanded?

The proposed deviation to allow for a 30% hardened shoreline is sufficient for the proposed water management system.

Following the public discussion period, the board moved on to agenda item 7.C.

A copy of the meeting minutes will be forwarded as soon as they are available.

The foregoing is considered to be a true and accurate record of all items discussed. If any discrepancies or inconsistencies are noted, please contact the writer immediately.

Respectfully submitted,

Josh Philpott, AICP
Senior Planner
Phone: (239) 939-1020
Fax: (239) 939-3412
Josh.Philpott@stantec.com

Attachment: A. Meeting Agenda
B. Applicant Presentation

c. 28T

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COMMUNITY DEVELOPMENT
DCI2015-00009

PLANNING & ZONING BOARD
REGULAR MEETING
Agenda

Village Hall
21500 Three Oaks Parkway, Estero, FL

REVISED

Tuesday, June 16, 2015
5:30 p.m.

Planning & Zoning Board Members: *Roger Strelow, Chair; Ryan Binkowski; David Crawford; Ned Dewhirst; Jeff Mass; Marlene Ann Naratil; Scotty Wood*

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1. ***CALL TO ORDER***

2. ***PLEDGE OF ALLEGIANCE***

3. ***ROLL CALL***

4. ***APPROVAL OF AGENDA***

5. ***BOARD BUSINESS***

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JUL 16 2015
COMMUNITY DEVELOPMENT

DCI2015-00009

The public will have an opportunity to speak during each agenda item. Each individual has one opportunity to speak for three minutes per agenda item.

(A) Approval of May 19, 2015 Meeting Minutes

Attachment: May 19, 2015 minutes

6. ***ACTION ITEMS***

(A) Flood Hazard Reduction Amendments to Land Development Code

Ordinance No. 2015-08 Adopting Lee County Ordinance No. 15-09 Amending the Lee County Code of Ordinances in Effect in the Village of Estero, Pursuant to Section 12 (5)(A) of the Estero Charter Amending Lee County Land Development Code Chapters 6 and 10 and Certain Sections of the Florida Building Code to Authorize the Board of Adjustments and Appeals to Hear Certain Variance Requests from the Florida Building Code; Limit Building Permits Based on Affidavit; Amend the Definition of Substantial Improvement; Repeal and Replace Land Development Code Article IV Flood Hazard

Reduction (Secs. 6-401-6-476) in its Entirety, to Adopt Flood Hazard Maps, Designate a Floodplain Administrator, Adopt Procedures and Criteria for Development in Flood Hazard Areas, and for Other Purposes; Provide for Conflicts of Law, Severability, Codification and Scrivener's Errors, Modifications that may arise from Consideration at Public Hearing and Providing an Effective Date

Attachment: Ordinance No. 2015-08

7. ***PUBLIC INFORMATION MEETINGS***

(A) Timberland and Tiburon
- Amend Master Concept Plan to allow minor shifts to lakes and elimination of an internal roadway

Attachment: Application

(B) Genova
- Comprehensive Plan Amendment
- Rezoning
- Sales Center Administrative Amendment

Attachment: Application

(C) Estero Crossing
- Comprehensive Plan Amendment
- Rezoning

Attachment: Application

8. ***CONTINUED DISCUSSION OF DRAFT PROCEDURAL RULES***

9. ***PUBLIC INPUT OF NON-AGENDA ITEMS***

10. ***BOARD COMMUNICATIONS / FUTURE AGENDA ITEMS***

11. ***ADJOURN***

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JUL 16 2015
COMMUNITY DEVELOPMENT

If you desire to address the Board, please complete a Public Comment Card located on the table in the lobby and return it to the Clerk. Citizens desiring to speak must step up to the podium, state their full name and address and/or whom he or she represents.

ADA Assistance – Anyone needing special assistance at the Board meeting due to a disability or physical impairment, should contact Peter Lombardi, at 239-390-8000, at least 48 hours prior to the meeting.

Pursuant to Section 286.0105, Florida Statutes:
"If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a recording of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim recording of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Please Note: One or more members of the Village Council of the Village of Estero may be in attendance at this meeting.

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DCI2015-00009

ATTACHEMENT B

APPLICANT PRESENTATION

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COMMUNITY DEVELOPMENT
DCI2015-00009

ATTACHMENT "H"

Agricultural Affidavit

BONA FIDE AGRICULTURAL USE AT THE TIME OF ZONING APPLICATION AFFIDAVIT

WHEREAS, Section 34-202(b)(7), Village of Estero Land Development Code, requires property located in an agricultural zoning district at the time a zoning application is filed to include an existing agricultural use affidavit; and

WHEREAS, the affidavit, pursuant to the Land Development Code, must identify the property in question with specificity, and the affidavit must identify whether or not a bona fide agricultural use is in existence on the property at the time the application was filed.

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned notary public on this 27th day of MAY, 2015, personally appeared James "Jim" Wallace, Managing Partner of Genova Partners, LLC, who is personally known to me or who produced a Drivers License as identification and who, after first being duly sworn, deposes and says that:

1. The property that is subject of the zoning application is described more completely on the attached Exhibit "A".
2. That I am the authorized representative of the Limited Liability Company that owns the property described in Exhibit "A".
3. The property in question is zoned AG-2 and CPD. Section 34-202(b)(7) does not require an agricultural affidavit for property that is not located in an agricultural district at the time of zoning.
4. The property is currently in an agricultural use and the use is a legal non-conforming use on the CPD portion of the property.
5. The agricultural use of the subject property is row crops.
6. The row crops are occurring within the area identified on the attached Exhibit "B".
7. The affiant intends to continue the existing agricultural activity subsequent to the rezoning.

DCI2015-00009

FURTHER AFFIANT SAYETH NAUGHT.

EXHIBIT B

GENOVA PARTNERS, LLC

By: _____
Name: James "Jim" Wallace
Title: Managing Partner

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)

KATHLEEN A. PETERS
MY COMMISSION # FF 180270
EXPIRES: January 14, 2019
Bonded Thru Notary Public Underwriters

Kathleen A. Peters
Signature of Notary Public

Kathleen A. Peters
(Print, type of stamp commissioned name of Notary Public)

Commission No.# FF 180270

2012015-00009

ATTACHMENT "I"

Zoning Resolution Z-00-055

ACCO

RESOLUTION NUMBER Z-00-055

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

WHEREAS, an application was filed by the property owner, Stephanie Miller, Trustee, to rezone a 4.84± acre parcel from Agricultural (AG-2) to Commercial Planned Development (CPD), in reference to Corkscrew Road Square; and

WHEREAS, a public hearing was advertised and held on August 9, 2000, but then continued to August 29, 2000, then to September 14, 2000, and then finally to September 15, 2000, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI964585 (f/k/a 99-11-037.02Z 01.01); and

WHEREAS, a second public hearing was advertised and held on December 4, 2000 before the Lee County Board of Commissioners, who 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 4.84± acre parcel from AG-2 to CPD to allow a mixed use retail/professional office development consisting of a maximum of 47,800 square feet of gross floor area. Buildings will not exceed 35 feet in height, except the height may be increased to 45 feet for a hotel/motel use. Uses requested include, but are not limited to, Assisted Living Facility (not exceeding 145 units) banks, clubs, fire station, hotel/motel (not exceeding 58 rooms), medical and professional offices, restaurants, specialty retail shops, vehicle and equipment dealers, and mini-warehouse uses. The property is located in the Suburban Land Use Category and 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. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Corkscrew Road Square," prepared by Pokorny & Kareh, Inc., dated June 4, 1999, last revised 08/07/00, stamped "Received Aug 8 2000," except as modified by the conditions below.

The development is limited to a maximum total floor area of 47,800 square feet consisting of the retail establishments approved in the Schedule of Uses as set forth in Condition 2. All uses subject to retail site location standards may only be located in Phase I. (SEE ALSO CONDITION 12.) All other uses contained in the Schedule of Uses in Condition 2 may be located in either Phase I, II or III, consistent with Development Options #1, #2 or #4 as shown on the MCP (upper left hand corner). Option #3 has been withdrawn by the applicant.

This development must comply with all requirements of the LDC at time of local planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following Schedule of Uses replaces the Schedule of Proposed Uses on the approved MCP:

PHASES I, II & III (Listed uses are allowed in all phases unless otherwise indicated.)

ACCESSORY USES AND STRUCTURES (LDC §§ 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
ASSISTED LIVING FACILITY (LDC §§ 34-1491 *et seq.* and 34-1411)
(limited to a maximum of 116 units)
(not to exceed the density equivalency for the use as contained in LDC Chapter 34)
ATM (automatic teller machine)
BANKS AND FINANCIAL ESTABLISHMENTS [LDC § 34-622(c)(3)]: Groups I & II
(without drive-thru facilities)
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION
(LDC § 34-1441 *et seq.*) [Not to include Communication Tower(s).]
BUSINESS SERVICES [LDC § 34-622(c)(5)]: Group I
DAY CARE CENTER, CHILD, ADULT (Phases II or III only)
ESSENTIAL SERVICES (LDC §§ 34-1611 *et seq.*, and 34-1741 *et seq.*)
ESSENTIAL SERVICE FACILITIES [LDC § 34-622(c)(13)]: Group I
(LDC §§ 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC § 34-1651)
FENCES, WALLS (LDC § 34-1741)
GIFT AND SOUVENIR SHOP (no outdoor display)
HARDWARE STORE (not to exceed 5,000 square feet)
HEALTH CARE FACILITIES [(LDC § 34-622(c)(20)]: Groups I, II, III, & IV
(not to exceed the density equivalency for the use as contained in LDC Chapter 34)
HOBBY, TOY AND GAME SHOPS [LDC § 34-622(c)(21)]
INSURANCE COMPANIES [LDC § 34-622(c)(23)]
LAUNDRY OR DRY CLEANING [LDC § 34-622(c)(24)]: Group I
MEDICAL OFFICE
PARKING LOT:
Accessory
PERSONAL SERVICES [LDC § 34-622(c)(33)]: Group I

PHARMACY (not to exceed 5,000 square feet)
PLACE OF WORSHIP (LDC § 34-2051 *et seq.*)
REAL ESTATE SALES OFFICE (LDC §§ 34-1951, *et seq.*, and 34-3021)
RESTAURANTS [LDC § 34-622(c)(43)]: Groups I and II only (without drive-through facilities)
SCHOOLS:
Commercial [LDC § 34-622(c)(45)] (LDC § 34-2381)
Noncommercial (LDC § 34-2381)
SIGNS in accordance with Chapter 30 (Pylon signs are prohibited.)
SPECIALTY RETAIL SHOPS [LDC § 34-622(c)(47)]: Groups I & II
STUDIOS [LDC § 34-622(c)(49)]
VARIETY STORE (not to exceed 5,000 square feet)

3. Site Development Regulations

Minimum Lot Area and Dimensions:

Area:	20,000 square feet
Width:	100 feet
Depth:	100 feet

Minimum Setbacks:

Street:	variable according to the functional classification of the street or road (LDC § 34-2191 *et seq.*)
Side:	15 feet
Rear:	25 feet
Water Body:	25 feet

Accessory Use and Structure setbacks must comply with LDC §§ 34-1171 *et seq.* and 34-2194.

Maximum Height: 35 feet

Maximum Lot Coverage: 40 percent

4. Prior to local development order approval, open space areas must be designed to preserve as many existing native trees as possible. Sabal palms with a minimum 8-foot clear trunk must be preserved in place or relocated to open space areas to the maximum extent possible. Sabal palms preserved in place will receive three tree credits. Any relocated sabal palms will receive two tree credits.

5. The gopher tortoise management plan entitled "Protected Species Management Plan - Corkscrew 5.1 Acre Property," dated July 13, 1999, revised December 28, 1999, prepared by Boylan Environmental Consultants, is hereby adopted.

6. All material excavated as part of the use of Excavation, water retention must remain on-site. No excavated material may be permitted to be removed from the site as part of this planned development.

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

8. The MCP indicates the 60-foot-wide right-of-way road (Erika Lane), along the western boundary of the subject property, is planned to be constructed to County standards as a "Public local road." There is no guarantee, as part of this zoning approval, that the County will accept maintenance of a local road as depicted on the MCP.

9. Approval of this rezoning 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).

10. Development of the commercial buildings on this site must be substantially consistent with the architectural rendering labeled "Corkscrew Road Square," prepared by Erika Partnership, dated 11/09/99, also labeled "Hearing Examiner's Exhibit #B," and attached to this zoning resolution as Exhibit D.

11. The Phase I building must be oriented toward Corkscrew Road, OR the architectural theme and design of the front facade must be carried over to the north "end" of that building. If the developer chooses not to re-orient the building, he must install a minimum 3-foot-high berm along the Corkscrew Road frontage, and along Erika Lane from the corner of Corkscrew Road and Erika Lane to the first driveway into the subject property. The berm must also contain the enhanced plantings described on the MCP, including canopy type trees, or be consistent with any enhanced buffering established in the Estero Community Plan, whichever is more restrictive. The purpose of the increased berm height is to shield the development's parking lot from view of the drivers on Corkscrew Road, which would be accomplished if the building was reoriented to the frontage of the parcel.

12. Erika Lane, the proposed local road adjacent to the western perimeter of the subject property, must be constructed to Lee County local road standards set out in Chapter 10 of the LDC from the north to the south boundary line, before the developer is eligible to develop any of the uses set out herein that must meet commercial site location standards. Development of uses required to meet site location standards shall not exceed 10,000 square feet, SUBJECT TO additional limitations in size on certain retail uses set out in the Schedule of Uses in Condition 2.

13. Pylon signs are prohibited on the subject property.

14. The applicant agrees that, if the development area for this project is ever increased in size, every effort will be made to interconnect the various parking lots to minimize and/or reduce the number of access points along Corkscrew Road and Erika Lane.

SECTION C. DEVIATIONS:

1. Deviation (1) - WITHDRAWN AT HEARING.

SECTION D. EXHIBITS:

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

Exhibit A: The legal description and STRAP number of the property.
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D: Architectural Rendering - Corkscrew Road Square

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. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

   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.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The Schedule of Uses for this project contains uses uniquely tailored to a local neighborhood oriented development. The smaller size of the project site, in conjunction with the limited amount and types of retail uses, make the CPD well suited to serve the residents along the Corkscrew Road corridor.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Coy, seconded by Commissioner Judah and, upon being put to a vote, the result was as follows:

Robert P. Janes	Nay
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 4th day of December, 2000.

ATTEST:
CHARLIE GREEN, CLERK

BY: Ruth Jagmier
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

RECEIVED
DEC 13 2000
MINUTES OFFICE

EXHIBIT "A"

Bean, Whitaker, Lutz & Barnes, Inc.

CONSULTING ENGINEERS AND SURVEYORS

13041 McGREGOR BOULEVARD, SUITE 1
FORT MYERS, FLORIDA 33919-5910
E-Mail - FMOFFICE@BWLB.COM
(941) 481-1331
FAX (941) 481-1073

BWLB

N

Description of a Parcel of Land
Lying in
Section 34, Township 46 South, Range 25 East
Lee County, Florida
(Miller Parcel - Zoning Description)

A parcel of land situated in the State of Florida, County of Lee, being a part of Section 34, Township 46 South, Range 25 East and further described as follows:

Commencing at a spike in a disc marking the intersection of the centerline of Corkscrew Road (50 feet wide) and the west line of Section 34, said point lying approximately 46.5 feet south of the northwest corner of the Southwest One Quarter (SW 1/4) of the Northwest One Quarter (NW 1/4) of said Section 34; thence S89°11'00"E along said centerline for 497.25 feet; thence S00°00'45"W for 40.00 feet to the southerly line of Florida Department of Transportation Taking Parcel 121 (Section 12640-2601) and the Point of Beginning; thence S89°11'00"E along said southerly line for 165.74 feet; thence S00°01'30"W for 571.64 feet; thence N88°49'07"W for 4.80 feet; thence S00°03'00"W for 268.32 feet; thence N88°52'30"W for 326.43 feet; thence N00°00'45"E for 268.65 feet to the beginning of a curve to the right having a radius of 214.94 feet; thence northeasterly along said curve through a central angle of 45°26'23" for 170.46 feet; thence N45°27'08"E (N45°27'18"E - Deed) for 52.61 feet to the beginning of a curve to the left having a radius of 214.94 feet; thence northeasterly along said curve through a central angle of 45°26'23" for 170.46 feet; thence N00°00'45"E for 224.00 feet to the Point of Beginning.

Applicant's Legal Checked by

Containing 4.84 acres, more or less (inclusive of right-of-way easement).

Bearings are based on the west line of the Northwest One Quarter (NW 1/4) of Section 34 as bearing N00°00'00"E.

Bean, Whitaker, Lutz & Barnes, Inc.

DCI 964585

31380DESC1 5/24/99

Scott C. Whitaker, P.S.M. 4324

The applicant has indicated that the STRAP number for the subject property is:
34-46-25-00-00005.0010 & 34-46-25-01-0000C.035A

CASE NO:DCI964585 (99-11-037.02Z 01.01)

ZONING MAP

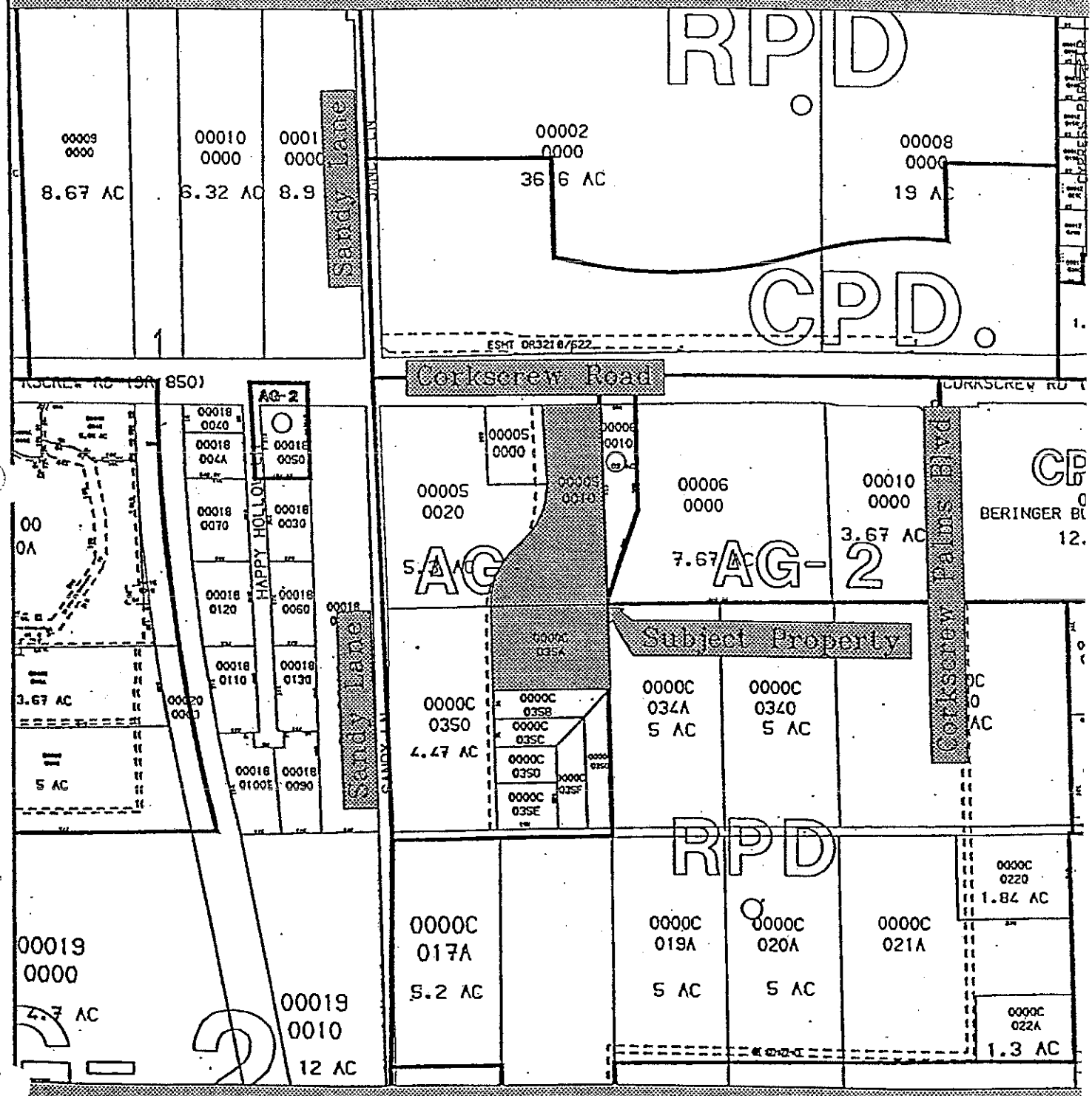


EXHIBIT "B"

DEVELOPMENT OPTIONS:

OPTION #1	OPTION #2
RETAIL 11,000 S.F.	RETAIL 11,000 S.F.
GENERAL OFFICES 24,000 S.F.	*MEDICAL OFFICES 24,000 S.F.
OPTION #3	**OPTION #4**
RETAIL 11,000 S.F.	RETAIL 11,000 S.F.
HOTEL / MOTEL 56 UNITS	ASSISTED LIVING FACILITY 150 UNITS

* GENERAL OFFICES CAN BE CONVERTED TO MEDICAL OFFICES AT THE RATE OF 1.0 / 0.67

GRAPHIC SCALE IN FEET

SPECIAL NOTE:
THIS STYLE OF TEXT REPRESENTS EXISTING FEATURES
THIS STYLE OF TEXT REPRESENTS PROPOSED FEATURES

GENERAL NOTES:

1. THE REQUESTED ZONING IS COMMERCIAL PLANNED DEVELOPMENT (CPD).
2. THE REQUESTED MAXIMUM SQUARE FOOTAGE IS 47,000 SQUARE FEET OF GROSS LEASABLE FLOOR AREA FOR RETAIL / OFFICE USE, 11,000 SQUARE FEET FOR RETAIL ESTABLISHMENTS, 36,000 SQUARE FEET FOR OFFICES, EXCLUDING MEDICAL. (SEE DEVELOPMENT OPTIONS THIS SHEET).
3. MAXIMUM BUILDING HEIGHT IS 35 FEET ABOVE AVERAGE ELEVATION OF ABUTTING STREETS.
4. PROPOSED USES: SEE SCHEDULE OF PROPOSED USES.
5. NO VARIANCES, SPECIAL EXCEPTIONS, OR SPECIAL PERMITS ARE BEING REQUESTED.
6. BOUNDARY INFORMATION IS TAKEN FROM A SURVEY PERFORMED BY DEAN, WHITAKER, LUTZ & WARNER, INC., DATED MAY 24, 1999.
7. THE PROJECT FALLS WITHIN NO SPECIAL FLOOD HAZARD AREAS ACCORDING TO F.I.R.M. 125124 0475 B, PANEL NOT PRINTED.
8. TOTAL AREA = 6.94 ACRES.
   OPEN SPACE REQUIRED = 30% OF TOTAL AREA = 2.45 ACRES.
   OPEN SPACE PROVIDED = MINIMUM OF 3.45 ACRES.
9. DEVELOPMENT IS LOCATED IN THE ESTERO FIRE PROTECTION AND RESCUE SERVICE DISTRICT, 20241 SOUTH TAMIAMI TRAIL, ESTERO, FLORIDA.
10. STORMWATER MANAGEMENT WILL BE HANDLED BY ON-SITE DRY DETENTION FACILITIES.
11. COASTAL SETBACK LINES DO NOT APPLY TO THIS PARCEL.
12. THERE ARE NO EXISTING BUILDINGS OR STRUCTURES ON THIS PARCEL.
13. UTILITIES:
    WATER: GULF ENVIRONMENTAL SERVICES, INC., 19910 SOUTH TAMIAMI TRAIL, ESTERO, FLORIDA.
    SEWER: GULF ENVIRONMENTAL SERVICES, INC., 19910 SOUTH TAMIAMI TRAIL, ESTERO, FLORIDA.
    ELECTRIC: FLORIDA POWER AND LIGHT COMPANY, 15634 NUNELE ROAD, FORT MYERS, FLORIDA.
    TELEPHONE: SPRINT, 2830 CARGO STREET, FORT MYERS, FLORIDA.
    REFUSE COLLECTION: GULF DISPOSAL, INC., 11990 S.R. 82 EAST, FORT MYERS, FLORIDA.
14. THERE WILL BE NO POTENTIAL IMPACT ON GROUND AND SURFACE WATERS.
15. THERE ARE NO APPARENT FLOWING WELLS ON THE PARCEL.
16. ACCELERATION, DECELERATION AND LEFT TURN LANES (IF REQUIRED) WILL BE DESIGNED IN ACCORDANCE WITH LEE COUNTY DEPARTMENT OF TRANSPORTATION REQUIREMENTS AND WILL BE CONSTRUCTED BY THE DEVELOPER.
17. SITE SOIL CLASSIFICATION: SOIL 38, MANDALAY SAND, (USDSCS, SOIL SURVEY OF LEE COUNTY, FLORIDA).
18. THE PROPERTY DOES LIE WITHIN AN ARCHAEOLOGICAL SENSITIVITY ZONE.
19. NO LEE TRAN ROUTE ADJACENT TO THIS PROPERTY.
20. FOR INFORMATION ON THE NATURAL VEGETATION, SEE THE REPORT PREPARED BY DOYLAN ENVIRONMENTAL CONSULTANTS, INC.

PARKING CALCULATIONS:

RETAIL OR BUSINESS ESTABLISHMENTS, FREE STANDING:
SMALL PRODUCTS OR COMMODITIES:
PER LEE COUNTY LAND DEVELOPMENT CODE, ZONING, CHAPTER 34, ARTICLE VII, DIVISION 26, SECTION 34-2020.2.a-3.

1 SPACE PER 200 S.F. OF TOTAL FLOOR AREA
1 = 8,000.00 / 200 = 40 SPACES

1 SPACE PER 500 S.F. OF TOTAL FLOOR AREA (DEAD STORAGE)
1 = 3,000.00 / 500 = 6 SPACES

OFFICES, EXCLUDING MEDICAL:
PER LEE COUNTY LAND DEVELOPMENT CODE, ZONING, CHAPTER 34, ARTICLE VII, DIVISION 26, SECTION 34-2020.2.j.

1 SPACE PER 300 S.F. OF TOTAL FLOOR AREA
1 = 36,000.00 / 300 = 120 SPACES

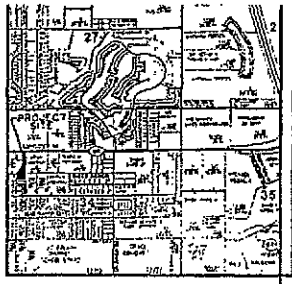
TOTAL PARKING SPACES REQUIRED = 167
TOTAL PARKING SPACES PROVIDED = 167

TOTAL H.C. PARKING SPACES REQUIRED = 6
TOTAL H.C. PARKING SPACES PROVIDED = 8

THE PARKING LOT IS FOR THE MUTUAL USE OF ALL BUILDINGS.

SCHEDULE OF CONSTRUCTION:

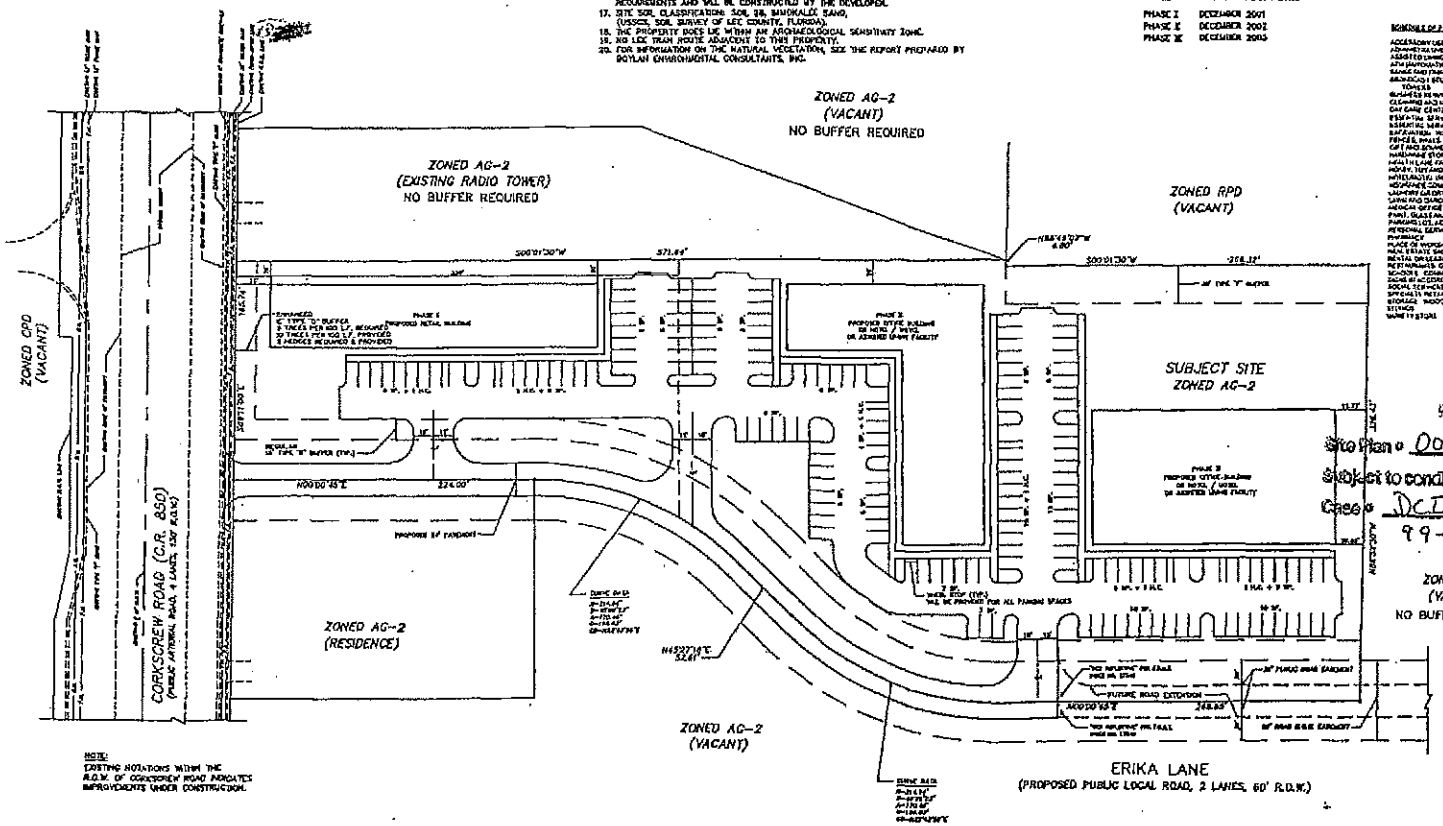
PHASE I DECEMBER 2001
PHASE II DECEMBER 2002
PHASE III DECEMBER 2003



LOCATION SKETCH
N.T.S.

SCHEDULE OF PROPOSED USES:

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
ASSISTED LIVING FACILITY (16 BEDS)
ATM (AUTOMATIC TELLER) (SHOWN)
BANK AND FINANCIAL ESTABLISHMENTS GROUP I, GROUP II, WITHOUT DRIVE-THRU FACILITIES
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION, NOT TO INCLUDE COMMUNICATION TOWERS
BUSINESS SERVICES GROUP I
CLEANING AND MAINTENANCE SERVICES
DAY CARE CENTER, GROUP I ONLY
EDUCATIONAL SERVICES
ESSENTIAL SERVICE FACILITIES GROUP I
EXCAVATION - WATER MANAGEMENT (NO OFF-SITE EXPORT) AS A USE
FENCES, WALLS
GIFT AND SOUVENIR SHOP
HARDWARE STORE
HEALTH CARE FACILITIES GROUP I, GROUP II, GROUP III, GROUP IV
HOBBY, TOY AND GAME SHOPS
INSTRUCTION (IN GROUP)
MONUMENTS COMMERCIAL
LAUNDRY AND DRY CLEANING GROUPS
LAWN AND GARDEN SUPPLY STORES
MEDICAL OFFICE
PAINT, GLASS AND WALLPAPER
PARKING LOT, LEFT RESIDENT
PERSONAL SERVICES GROUP I, GROUP II
PHOTOMAT
PLACE OF WORSHIP
REAL ESTATE SALES OFFICE
RETAIL OR LEASING ESTABLISHMENT, GROUP I
RESTAURANTS GROUP II, WITHOUT DRIVE-THRU FACILITIES
SIGNS, COMMERCIAL, NON-COMMERCIAL
SIGNS IN ACCORDANCE WITH CHAPTER 30
SOCIAL SERVICES GROUP I
SPECIALTY RETAIL SHOPS GROUP I, GROUP II
STORAGE, INDOOR ONLY
STORAGE
WAREHOUSE



NOTE:
EXISTING NOTATIONS WITHIN THE R.O.W. OF CORKSCREW ROAD INDICATES IMPROVEMENTS UNDER CONSTRUCTION.

APPROVED
Master Concept Plan
Site Plan # 00-055 Page 1 of 1
Subject to conditions in Resolution Z-00-055
Case # DCI96-4585 PRA
99-11-037.02261.01

EXHIBIT "C"
MASTER CONCEPT PLAN

POKORNY & KAREH, INC.
3570 COLONIAL BLVD., SUITE 34, FT. MYERS, FL 33907 (941) 936-7344

DRAFTING BY: E.G. TAYLOR
DESIGNED BY: E.G. TAYLOR
APPROVED BY: JAMES A. KAREH
PROJECT NUMBER: 99-16
SCALE: 1" = 40'
DATE: JUNE 4, 1999

DRIKA LANE PARTNERSHIP, C/O MS. STEPHANIE SHELLER, MANAGING PARTNER
3570 COLONIAL BLVD., SUITE 17, FORT MYERS, FLORIDA 33907
1571 CORKSCREW ROAD, ESTERO, FLORIDA 33928

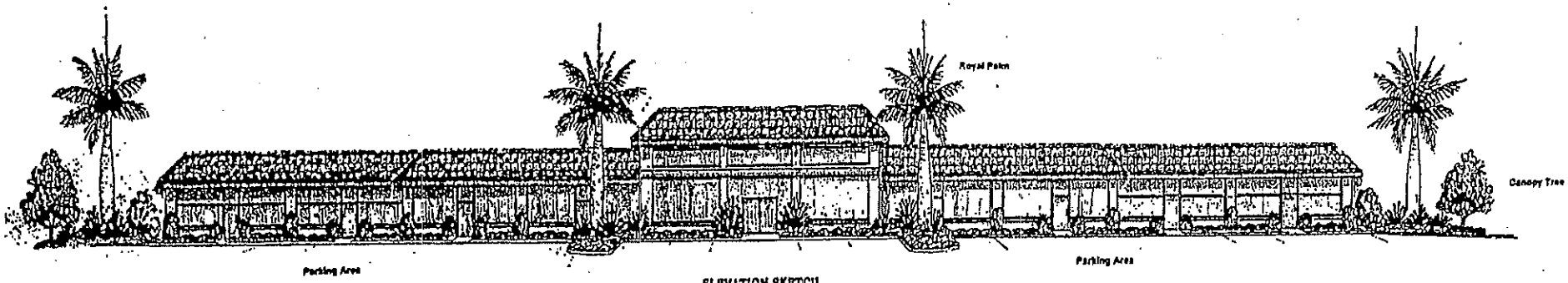
CORKSCREW ROAD SQUARE
SECTION 34, T 46S, R 25E, LEE COUNTY, FLORIDA

JAMES A. KAREH, P.E.
FLORIDA REG. NO.
DATE: AUG 8 2000

MASTER CONCEPT PLAN
SHEET 1 OF 1

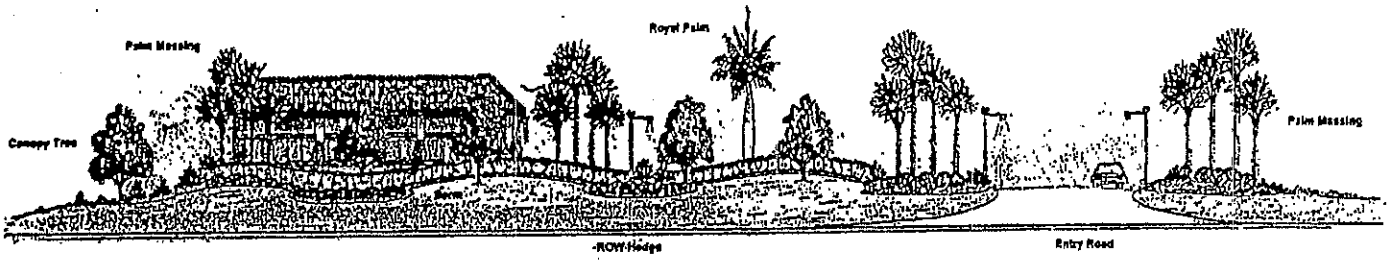
Corkscrew Road Square

Lee County Florida

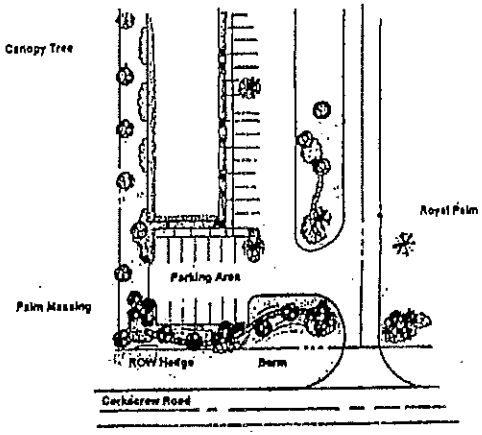


ELEVATION SKETCH
VIEW OF TYPICAL COMMERCIAL BUILDING

Exhibit D



ELEVATION SKETCH
VIEW SOUTH FROM CORKSCREW ROAD



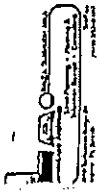
PLAN VIEW
LANDSCAPE LAYOUT

This is a graphic representation and is subject to change without notice

Corkscrew Road Square

PROPOSED COMMERCIAL DEVELOPMENT
SECTION 34, T 46S, R 26 E, LEE COUNTY, FL
PREPARED FOR: ERIKA PARTNERSHIP,
FORT MYERS, FL, 33919

NOT TO SCALE, GRAPHIC REPRESENTATION,
SUBJECT TO CHANGE
DATE: 11/10/99



ATTACHMENT "J"

Lee County Environmental Comments

MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES SECTION

Date: **January 14, 2016**

To: **Alvin 'Chip' Block, Principal Planner**

From: **Aaron Martin, Environmental Planner**
Phone: (239) 533-8522
E-mail: amartin@leegov.com

Project: **Genova RPD**
Case: **DCI2015-00009**
STRAP: **34-46-25-E1-0100C.035C & others**

The Development Services staff has reviewed the proposed DCI2015-00009 as it pertains to landscaping, open space, and protected species for the rezoning of the parcels from Agricultural (AG-2) and Community Planned Development (CPD) to Residential Planned Development (RPD) and offers the following analysis as a recommendation to the Village of Estero:

VEGETATION:
The existing site is disturbed and over the years has been used for agricultural purposes. It currently has an agricultural exemption (affidavit provided by applicant). The Florida Land Use and Cover Classification (FLUCCS) for the subject parcel are FLUCCS 214 Disturbed Land/Row Crops, FLUCCS 201 Storage Area, FLUCCS 202 Farmers Market, and FLUCCS 260 Open Land. County Staff did a site inspection to verify the FLUCCS on June 11, 2015.

PROTECTED SPECIES:
A protected species survey was conducted by Stantec in February of 2015. The survey revealed no protected species on site.

OPEN SPACE:
Per Land Development Code (LDC) 10-415, Residential Planned Developments (RPD) must provide 40% open space. The Master Concept Plan (MCP) provides the breakdown of open space required and provided, and demonstrates the site provides 40% open space. The applicant has requested a deviation from LDC 10-415 to allow the site to provide 35% open space. The applicant's justification states that the MCP demonstrates 40% but at time of development order

ATTACHMENT F

review and design they would like flexibility should the urban design subtract some open space areas. Lee County Development Services staff finds the MCP to be sufficient with the LDC with regards to open space and defers to Estero council on the deviation request.

INDIGENOUS PRESERVATION:
The FLUCCS shows that the site does not contain indigenous open space.

BUFFERS:
The buffers will comply with the Estero Planning Community landscaping buffers per LDC 33-351. However, a portion of the property is designed to have a more urban design which requires deviations from the LDC. The first deviation is from LDC 33-351 which requires a 20' wide type D buffer along Via Coconut Road, to allow a 10' buffer adjacent to buildings 3 and 5. This is due to the more urban design and the placement of liner buildings along Via Coconut Road. The planting requirements of this buffer will still be able to be met. The second deviation is from LDC 34-1743 which requires perimeter fences be setback a minimum 7.5' from the right of way, to allow a setback of 3.5' for a portion abutting building 3. This is due to a jog in the property line for a possible future expansion of Via Coconut Road. The 3.5' setback only runs for a small portion of the ROW and will allow for space to place shrubs on the exterior side of the fence for softening. Lee County Development Services staff finds the MCP to be sufficient with the LDC with regards to buffer and defers to Estero council on the deviation request.

ATTACHMENT "K"

Lee County Development Services

TIS Comments

Lee County
Southwest Florida

Department of Community Development
Development Services Section

MEMORANDUM

Date: January 27, 2016

To: A. Block
Principal Planner

From: M. Evans
Senior Engineer

Subject: **Genova Residential Planned Development (RPD) Transportation-Related Analysis and Recommendations**
Case No. DCI2015-00009
STRAP No. 34-46-25-E1-U1991.2358 (lowest)

Location and Access

The approximately 16.92-acre subject site is located on the south side of Corkscrew Road between Via Coconut Point/Sandy Lane and Estero Park Commons Boulevard in the Village of Estero. Access to the site is shown on the applicant's Master Concept Plan (MCP) as described in **Table 1**.

Table 1
Site Access Locations

Roadway (Functional Classification)	Location	Access Type
Corkscrew Road (arterial)	approximately 357 feet east of Via Coconut Point/Sandy Lane	direct right out access
Via Coconut Point (major collector)	approximately 740 feet south of Corkscrew Road	direct full access

Current and Proposed Zoning

The subject site is undeveloped and currently zoned as Agriculture (AG-2) and Commercial Planned Development (CPD). With the subject case, the applicant proposes to rezone the site to Residential Planned Development (RPD) to permit a maximum residential intensity of 205 multi-family units. It should be noted that while the applicant's request narrative and master concept plan (MCP) parking calculations both describe 205 multi-family units, the MCP depicts 195 multi-family units.

Trip Generation Review

The applicant analyzed traffic-related impacts assuming full site build-out with the greatest intense use with respect to the proposed schedule of uses. As part of the analysis, the applicant reviewed the Institute of Transportation Engineer's (ITE's) *Trip Generation Manual, 9th Edition*, and calculated generated trips in order to assess the traffic impacts of the proposed zoning. Trip generation calculation results are described

ATTACHMENT G

in **Table 2**. Traffic volumes shown in this table are new traffic volumes on the surrounding roadway network, and reflect a reduction for internal capture traffic (traffic interacting between differing uses on the site) and pass-by traffic (non-newly generated traffic already on the roadway network) if applicable.

Table 2
New Trip Generation

Zoning Description	AM Peak Hour			PM Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
New Trips	16	76	92	72	36	108	1,201

The Lee Plan/Roadway Segment Traffic Operations Level of Service Analysis

New trips were distributed to the surrounding road network in order to assess the level of service (LOS) impacts on sections expected to be significantly impacted by the proposed development. In the subject case, no roadway sections are expected to be significantly impacted by the proposed development. **Table 3** describes roadways immediately adjacent to the site along with corresponding pre- and post-project build-out levels of service.

Table 3
Roadways Immediately Adjacent to Site

Roadway	Location	Level of Service*
Corkscrew Road	US 41 to Three Oaks Parkway	C/C/C
Via Coconut Point	south terminus to Corkscrew Road	C/C/C

*current year/year 2020 without project/year 2020 with project

Based on a review of traffic volumes in the 2015 Lee County "Concurrency Report" and the most current "Lee County Generalized Peak Hour Directional Service Volumes" table, all roadway sections described in **Table 3** currently operate at LOS "C". Utilizing the 2014 Lee County Traffic Count Report and assuming a project build-out year of 2020, these roadway sections are estimated to operate at LOS "C" with future background traffic volumes. Once project build-out traffic is added to these sections, all are also estimated to operate at LOS "C". Based on the LOS standards as set forth in *The Lee Plan* for "unconstrained" roadway sections such as those described in **Table 3**, LOS "C" is an acceptable level of service. No roadway link improvements are expected to be required to accommodate the proposed zoning.

Applicant Proposed Deviation Review and Conditions

Development Services Section (DSS) staff reviewed the applicant's proposed traffic-related deviations for the subject case.

Deviation #3 seeks relief from the requirements of the *Land Development Code* Section 10-285 relating to connection separation along arterial and major collector roadways. Since Corkscrew Road and Via Coconut Point are both maintained by the Lee County Department of Transportation (DOT), DSS staff **defers to DOT staff for review and comment** on this requested deviation.

Deviation #6 seeks relief from the requirements of the *Land Development Code* Section 34-1748 which requires that the gate or gatehouse be located at minimum 100 feet from the existing intersecting right-of-way or easement, or the gate or gatehouse is designed such that a minimum of five vehicles can pull safely off the intersecting street while waiting to enter the site. Staff **recommends approval of this proposed deviation subject to the following condition**:

> DSS Staff Condition #6: The design of all right turn and left turn auxiliary lanes at the project entrances must be approved by the Lee County Development Services Director prior to development order issuance for site-related improvements within county-maintained right-of-way.

MJE:mje

Copy: file

ATTACHMENT "L"

School District of Lee County Comments

THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966 ♦ WWW.LEESCHOOLS.NET

DAWN HUFF
LONG RANGE PLANNER
239-337-8142
DAWNMHU@LEESCHOOLS.NET

CATHLEEN O'DANIEL MORGAN
CHAIRMAN, DISTRICT 3

STEVEN K. TEUBER
VICE CHAIRMAN, DISTRICT 4

MARY FISCHER
DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

PAMELA H. LARIVIERE
DISTRICT 5

NANCY J. GRAHAM, ED.D
SUPERINTENDENT

KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

April 28, 2015

Alvin Block, AICP
Lee County Development Services Division
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: DCI2015-00009
Genova

Dear Mr. Block;

This letter is in response to your request dated April 17, 2015 for the Genova proposed development for sufficiency comments in reference to the educational impact. This proposed development is located in the South Choice Zone, Sub Zone S-3.

The Developers request states there is a possibility of 205 multi-family dwellings. With regard to the inter-local agreement for school concurrency the generation rates are created from the type of dwelling unit and further broken down by grade level

For multi-family the generation rate is .091 with the following break-down, .046 for elementary, .022 for middle and .023 for high. A total of 19 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development.

The Concurrency Analysis attached, displays the impact of this development. Capacities for elementary and middle seats are not an issue within the Concurrency Service Area (CSA). For high school, the development adds to the projected deficit within the CSA, however, there are sufficient seats available to serve the need within the contiguous CSA.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 337-8142.

Sincerely,

Dawn Huff, Long Range Planner
Planning Department

ATTACHMENT H

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY	Lee School District
NAME/CASE NUMBER	Genova/DCI2015-00009
OWNER/AGENT	Genova Partners, LLLC
ITEM DESCRIPTION	various amendments; all impacts in South CSA, sub area S3
LOCATION	South east corner of Via Coconut Point & Corkscrew Rd
ACRES	17.00
CURRENT FLU	Suburban (S)
CURRENT ZONING	Agricultural (AG2)

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
0	205	0

	Student Generation Rates			
STUDENT GENERATION	**SF**	**MF**	**MH**	**Projected Students**
Elementary School		0.046		9.43
Middle School		0.022		4.51
High School		0.023		4.72

Source: Lee County School District, April 28, 2015 letter

CSA SCHOOL NAME 2018/19	**CSA Capacity (1)**	**CSA Projected Enrollment (2)**	**CSA Available Capacity**	**Projected Impact of Project**	**Available Capacity W/Impact**	**LOS is 100% Perm FISH Capacity**	**Adjacent CSA Available Capacity w/Impact**
South CSA, Elementary	12,413	10,768	1,645	9	1636	87%	
South CSA, Middle	5,621	5,325	296	5	291	95%	
South CSA, High	7,070	7,550	-480	5	-485	107%	

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan

(2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)

(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by: Dawn Huff, Long Range Planner

ATTACHMENT "M"

Legal Description

Stantec Consulting Services Inc.
3800 Colonial Blvd., Suite 100
Fort Myers FL 33966
Tel: (239) 939-1020
Fax: (239) 939-3412

Stantec

DCI 2015-00009

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DEC 17 2015
COMMUNITY DEVELOPMENT

LEGAL DESCRIPTION
GENOVA CPA & PD RE-ZONE
Section 34, Township 46 South, Range 25 East
Lee County, Florida

A parcel of land lying in Section 34, Township 46 South, Range 25 East, Lee County, Florida and being more particularly described as follows:

COMMENCE at the Northwest corner of the aforementioned Section 34; thence, along the West line of the Northwest one-quarter of said Section 34, S.01°10'57"E., 1,353.36 feet to an intersection with the centerline of Corkscrew Road, according to the survey of said right-of-way prepared by Jeffrey C. Cooner & Associates dated December 29, 2000 and according to the Florida Department of Transportation right-of-way Map Section 12640-2601; thence, along said centerline, N.89°38'03"E., 663.00 feet; thence S.01°09'27"E., 40.00 feet to an intersection with the South right-of-way of Corkscrew Road and the **POINT OF BEGINNING**; thence, along the Easterly line of lands described in Official Records Book 3159, page 3433 of the Public Records of Lee County, Florida, for the following two (2) courses:

1. S.01°09'27"E., 571.64 feet;
2. S.88°59'56"W., 4.80 feet;

thence S.01°07'57"E., 653.52 feet to an intersection with the South line of the Northwest one-quarter of the aforementioned Section 34; thence, along said South line for the following two (2) courses:

1. S.89°55'17"W., 326.18 feet;
2. S.89°55'17"W., 273.13 feet

to the Easterly right-of-way of Via Coconut (formerly Sandy Lane) as recorded in Official Records Book 4558, page 4802 of the aforementioned Public Records; thence, along said Easterly right-of-way for the following two (2) courses:

1. along the arc of a non-tangent circular curve concave to the East having for its elements a radius of 1,622.00 feet, a central angle of 01°03'58", a chord distance of 30.18 feet, a chord bearing of N.06°22'48"W., an arc distance of 30.18 feet;
2. along the arc of a tangent circular curve concave to the East, having for its elements a radius of 1622.00 feet, a central angle of 04°09'58", a chord distance of 117.91 feet, a chord bearing of N.03°45'50"W., an arc distance of 117.94 feet;

thence, along the Easterly line of additional right-of-way for Via Coconut (formerly Sandy Lane) as described in Official Records Instrument 2007000177427 of the aforementioned Public Records for the following three (3) courses:

Applicant's Legal Checked
by 12/18/15

ATTACHMENT I

Reference: Genova CPA & PD Re-Zone

1. N.08°23'52"E., 50.73 feet;
2. N.01°10'56"W., 298.99 feet;
3. S.88°49'04"W., 8.50 feet;

thence, along the aforementioned Easterly right-of-way of Via Coconut (formerly Sandy Lane) as recorded in Official Records Book 4558, page 4802 of the aforementioned Public Records, N.01°10'56"W., 258.75 feet; thence, along the aforementioned Easterly line of additional right-of-way for Via Coconut (formerly Sandy Lane) as described in Official Records Instrument 2007000177427 of the aforementioned Public Records for the following three (3) courses:

1. N.08°27'57"E., 50.72 feet;
2. N.01°10'56"W., 353.09 feet;
3. N.48°49'04"E., 97.16 feet

to an intersection with the aforementioned South right-of-way of Corkscrew Road; thence, along said South right-of-way, N.89°38'03"E., 530.04 feet to the **POINT OF BEGINNING**.

Said parcel contains 16.923 acres, more or less.

SEE ATTACHED SKETCH

This description and the attached sketch are not valid without the signature and raised seal of a Florida licensed Surveyor and Mapper. Bearings shown hereon are based on the State Plane Coordinate System, Florida West Zone, fixing the West line of the Northwest one-quarter of Section 34, Township 46 South, Range 25 East, Lee County, Florida as S.01°10'57"E.

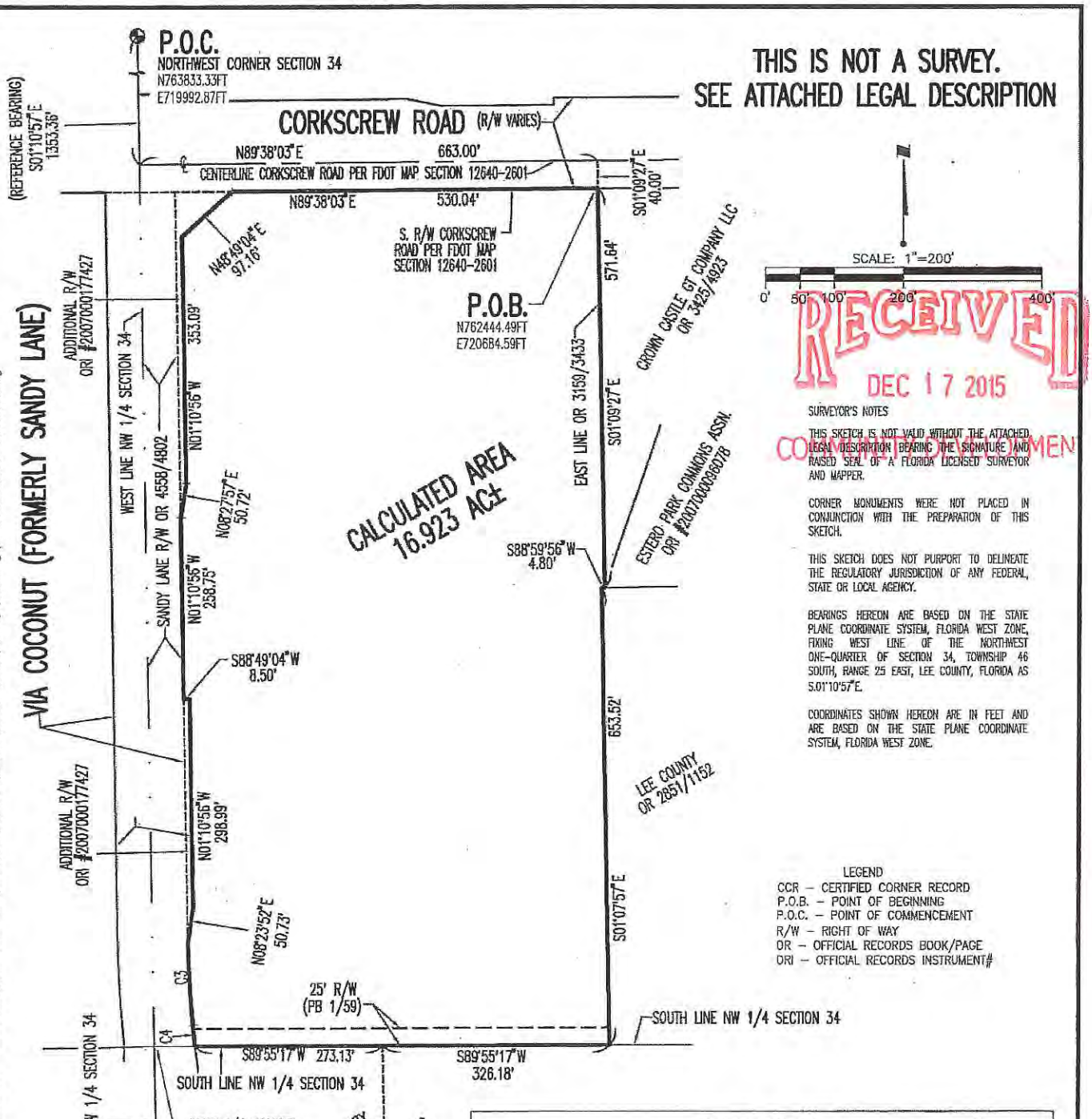
Stantec Consulting Services Inc.
Licensed Business No. LB7866
State of Florida

Mark D. Haines
Professional Surveyor and Mapper No. LS5312
State of Florida

3/23/15
Date:

Proj: 215612546 Task 210
Ref: 215612546001-K01.dwg
Date: March 23, 2015
File: \\us1255-f01\workgroup\2156\active\215612546\survey\docs\leg_genova_cpa_pd-rezone_21560323.docx

DCI 2015-00009



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DEC 17 2015

SURVEYOR'S NOTES

THIS SKETCH IS NOT VALID WITHOUT THE ATTACHED LEGAL DESCRIPTION BEARING THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CORNER MONUMENTS WERE NOT PLACED IN CONJUNCTION WITH THE PREPARATION OF THIS SKETCH.

THIS SKETCH DOES NOT PURPORT TO DELINEATE THE REGULATORY JURISDICTION OF ANY FEDERAL, STATE OR LOCAL AGENCY.

BEARINGS HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, FIXING WEST LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AS S.01°10'57"E.

COORDINATES SHOWN HEREON ARE IN FEET AND ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE.

LEGEND
CCR – CERTIFIED CORNER RECORD
P.O.B. – POINT OF BEGINNING
P.O.C. – POINT OF COMMENCEMENT
R/W – RIGHT OF WAY
OR – OFFICIAL RECORDS BOOK/PAGE
ORI – OFFICIAL RECORDS INSTRUMENT#

CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BEARING
C3	4°09'58"	1622.00'	117.94'	117.91'	58.99'	N03°45'50"W
C4	1°03'58"	1622.00'	30.18'	30.18'	15.09'	N06°22'48"W

Mar 23, 2015 – 13:19:57 MHAINES\\us1255-f01\workgroup\2156\active\215612546\survey\drawing\A-215612546-001K01.dwg

FOR: GENOVA PARTNERS, LLC

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
GENOVA CPA & PD RE-ZONE
SECTION 34, TOWNSHIP 46S., RANGE 25E.
LEE COUNTY, FLORIDA

Stantec
3800 Colonial Blvd., Suite 100, Fort Myers, FL 33966
Phone 239-939-1020 • Fax 239-939-3412
Certificate of Authorization #27013 • Licensed Business No. LB7866 • www.stantec.com

TASK CODE:	DRAWN BY:	CHKED BY:	CAD FILE:	PROJECT NO:	SHEET	DRAWING INDEX NO:	REV:
420	MDH	MDH	210	215612546	1 OF 1	A-215612546-001-K01	

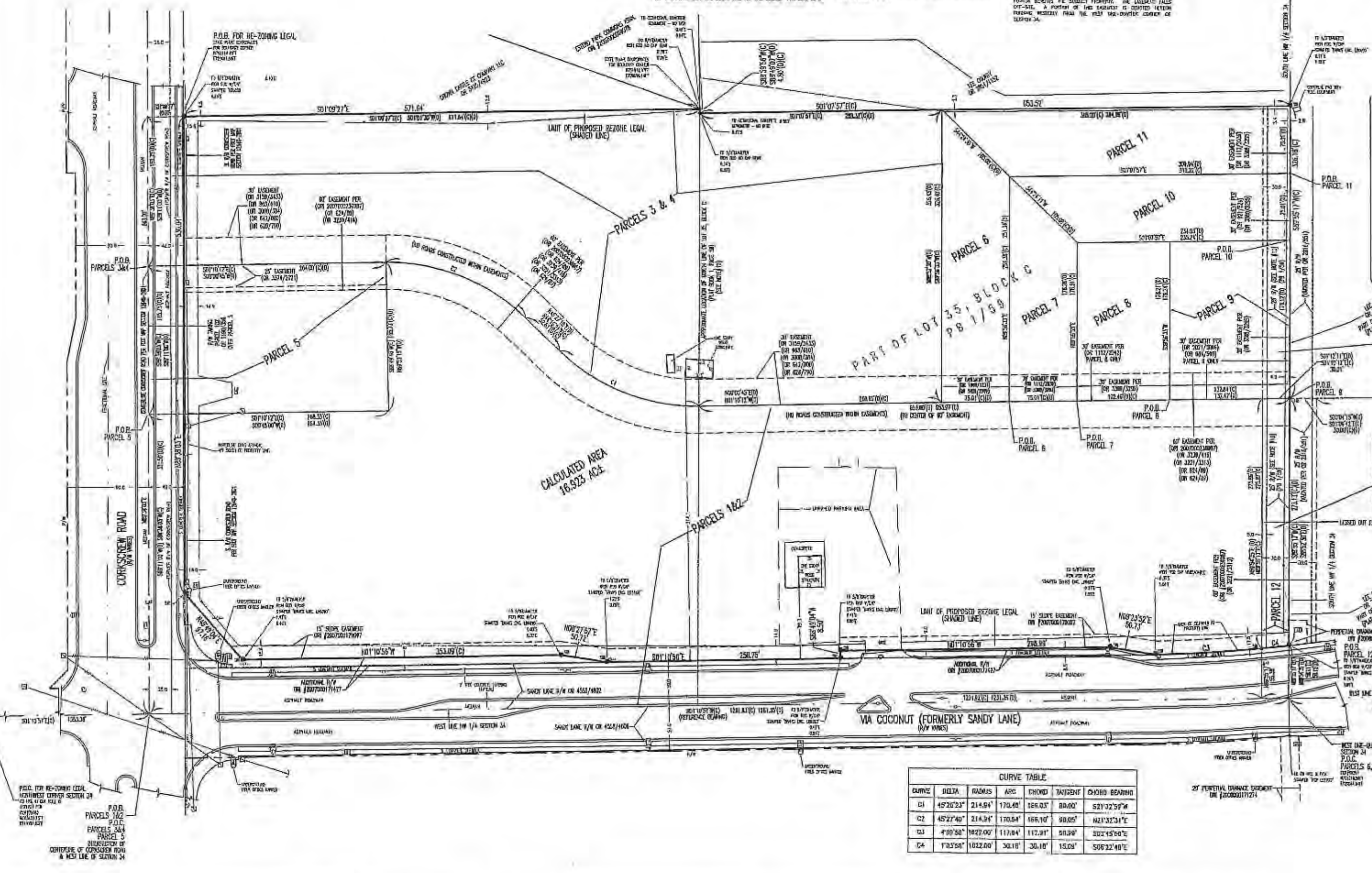
LEGAL DESCRIPTION
(FOR RE-ZONING ONLY – SHADED LINE)

ABBREVIATIONS/SYMBOLS

SURVEYOR'S NOTES

LEGAL DESCRIPTION

SCALE: 1"=60'



CURVE TABLE						
CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BEARING
C1	45°20'23"	214.94'	170.40'	166.03'	89.00'	S21°32'59"W
C2	45°27'40"	214.94'	170.54'	166.10'	90.05'	N21°32'31"E
C3	4°09'50"	1622.00'	117.84'	117.91'	58.99'	S03°15'00"E
C4	1°03'58"	1622.00'	30.18'	30.18'	15.09'	S06°22'40"E

LEGAL DESCRIPTION PARCEL 12

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COMMUNITY DEVELOPMENT
DCI 2015-00009
PRINTED
DEC 17 2015

SURVEYOR'S CERTIFICATION

Stantec
3800 Colonial Blvd., Suite 100, Fort Myers, FL 33966
Phone 239-939-1020 • Fax 239-939-4412

TITLE: BOUNDARY SURVEY
GENOVA CPA & PD REZONE
A PART OF LOT 35, BLOCK C, PLAT BOOK 1, PAGE 59 – SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST
VILLAGE OF ESTERO – LEE COUNTY, FLORIDA

DATE: 12/15/15
HORIZONTAL SCALE: 1" = 60'
SEC TWP RGE: 34-46-25

CLIENT: GENOVA PARTNERS, LLC
3798 CRACKER WAY
BONITA SPRINGS, FLORIDA 34134

PROJECT NO.: 215612546 | TASK CODE: 210 | SHEET NUMBER: 1 of 1 | DRAWING/FILE NUMBER: B-215612546-001S001_REV02

ACTIVITY	INITIALS/SIGNATURE	DATE
COMPUTED BY:	MDH	2/5/15
DRAWN BY:	DPB	2/5/15
CHECKED BY:	MDH	2/15
CLOSED BY:	215612546-001	PROJECT FILE
FIELD BOOK/PAGE:	CHIEF: F.WALTER	

ATTACHMENT "N"

Applicant Submitted Materials

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Zoning Request Narrative

The proposed application is a request is rezone a 16.92+/- acre parcel from Agricultural (AG-2) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) to permit the development of 205 multi-family dwelling units. The proposed development is for a 6-building multi-family development with associated amenities and infrastructure.

Development Summary

The proposed development consists of a total of 205 Multi-Family dwelling units in nine buildings on a 19.95 acre property. The property is located on the southeast corner of Corkscrew Road and Via Coconut Point. There are a total of six larger 45-foot tall buildings, with three stories of residential uses over a ground floor parking garage. Along Via Coconut Pt there are three liner buildings that will be located on the western side of the larger buildings. The proposed liner buildings will be structurally attached to the larger buildings and will share the same foundation. However, they are shown as separate buildings on the Master Concept Plan to help illustrate how the liner buildings will create a tiered building design between the Via Coconut Point right-of-way and the larger multi-story buildings.

Access to the site is provided by an entrance road to the Via Coconut Point. The entrance road connects to a loop road which runs along a stormwater management lake central to the development. A single lane egress to Corkscrew Road has been provided on the northern portion of the property. Pedestrian facilities have been provided along the internal access way and connect to the sidewalks along Corkscrew Road and Via Coconut Point.

The ground floor of the main buildings is designed to provide a two-car garage for each dwelling unit in the building including the two units in the liner buildings. The garages are located along an internal raceway interior to the building. There are additional parking spots available for overflow and guests. A rain garden green space is located in the middle of the ground floor. This area will serve as open space to allow natural light into the ground floor. This area will be planted with trees and shrubs and will help provide ventilation for the garage level. The second floor will designed to have a courtyard in the center with large open public space. This public space is designed provide common space for residents to gather. It is proposed to have seating areas and architectural enhancements such as planters and ornamental fountains. In the

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center of the courtyard is an opening to the atrium area on the ground floor parking garage.

The residential units are located on three sides of the courtyard with terraces and outdoor living spaces overlooking the courtyard. The open side of courtyard will be oriented internal to the project. By having the active and open areas of the buildings pointed internal to the project, the development will limit any potential impacts on the adjacent properties. This will also allow for the views from the outdoor spaces to overlook the lakes in the center of the property. Care has been taken with the design of the building to take into consideration the noise that may be generated from the adjacent roadways, or Estero Community Park. The entrance to each residence will be located along a perimeter hallway located on the outside of the building. This hallway will help reduce the noise generated off-site from impacting the proposed residential development.

In addition to other measures, three single-story liner buildings have been located between the larger buildings and Via Coconut Point, to accommodate the urban vision that is proposed in the recently completed Community Planning Initiative, commissioned by the Estero Council of Community Leaders. These buildings will serve to define the public space along Via Coconut and create a visual break from the taller buildings. Additionally, these buildings will provide visual barriers to the ground floor parking garages in the larger buildings. A small fence will be located between the liner buildings and the Via Coconut Point right-of-way. The fence will consist of a 24-inch high masonry base with a 36-inch high decorative metal fence on top. The total height of the fence will be 5 feet. This fence will be setback a minimum of 5 feet from the property line to allow for landscaping to be placed on the exterior side of the fence. By constructing a low masonry base and having an open decorative fence on top, the fence will not create a visual barrier along Via Coconut Point, while still providing the necessary security. These fences will only be located adjacent to the liner buildings.

A recreational facility is located along the eastern portion of the property, between buildings two and four. The recreational facility will include a fitness center, lap pool, a clubhouse, and a resort style pool and deck. A bocce ball court is located to the east of the clubhouse and fitness center. The development also provides for two pedestrian connections to Estero Community Park. One connection will be provided along the east boundary of the property. The second access will be to the south of the property. A private agreement between the property owner and Lee County will be provided at the time of local development order.

Buildings Five and Six are setback 30-feet from Corkscrew Road to provide an enhanced linear park along the northern portion of the property. This area has been

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designed to accommodate a sidewalk which will meander through the landscape buffer provided along the northern portion of the property. Additional street furniture such as benches and architectural features will be provided as well.

In summary, the proposed development provides the desired dense development style encouraged in the urban core of the Village of Estero, while maintaining the high architectural standards that Estero is known for.

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Design Standards Compliance

As outlined below, the proposed rezoning complies with the design standards outlined in the Lee County Land Development Code.

Sec. 34-411. - General standards.

(a) All planned developments must be consistent with the provisions of the Lee Plan.
The proposed residential development is consistent with the Village of Estero Comprehensive Plan. A complete Comprehensive Plan Compliance narrative is included with the application.

(b) Except where specifically suspended or preempted by alternative regulations in this article, or by special conditions adopted to the master concept plan, all general provisions of this chapter apply to all planned developments. All planned developments must be designed and constructed in accordance with the provisions of all applicable County development regulations in force at that time. Deviations from the general provisions of this chapter, as well as from any separate land development regulation or code, may be permitted if requested as part of the application for a planned development in accordance with section 34-373(a)(9) and approved by the Board of County Commissioners based on the findings established in section 34-377(b)(4). Amendments to approved master concept plans may be reviewed pursuant to section 34-380
The proposed development will comply with all sections of the Village of Estero Land Development Code, except as provided for by the zoning approval, Master Concept Plan and requested deviations.

(c) The tract or parcel proposed for development under this article must be located so as to minimize the negative effects of the resulting land uses on surrounding properties and the public interest generally, and must be of such size, configuration and dimension as to adequately accommodate the proposed structures, all required open space, including private recreational facilities and parkland, bikeways, pedestrian ways, buffers, parking, access, on-site utilities, including wet or dry runoff retention, and reservations of environmentally sensitive land or water.

(d) The tract or parcel shall have access to existing or proposed roads:
(1) In accordance with chapter 10 and as specified in the Lee Plan transportation element;
The proposed development will provide access to the existing street network in compliance with the Village of Estero Land Development Code.

(2) That have either sufficient existing capacity or the potential for expanded capacity to accommodate both the traffic generated by the proposed land use and that traffic expected from the background (through traffic plus that generated by surrounding land uses) at a level of service D or better on an annual average basis and level of service E or better during the peak season, except where higher levels of service on specific roads have been established in the Lee Plan; and
The adjacent street network has sufficient capacity to accommodate the traffic generated by the proposed development. A detailed Traffic Impacts Study has been included in the application.

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(3) That provide ingress and egress without requiring site-related industrial traffic to move through predominantly residential areas.

No industrial traffic is anticipated as part of the proposed development.

(e) If within the Lee Tran public transit service area, the development shall be designed to facilitate the use of the transit system.

The subject property is located outside of the Lee Tran Service area but falls within the ¾ mile Paratransit Service area. The development Plans include pedestrian facilities which connect to the bus stations for Lee Tran Route 240.

(f) Development and subsequent use of the planned development shall not create or increase hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other danger, nor shall it impose a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants.

The proposed development will not create or increase a hazard or nuisance to surrounding lands or the public interest. Prior to construction a permit will be required from the South Florida Water Management District to ensure the stormwater management system will not create an increased probability in flooding or other danger. The residential development will not create any nuisance to the adjacent properties in the form of noise, glare, dust, odor, air or water pollutants. The ERP will ensure that the pre and post development run off are the same.

(g) Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural, historic or archaeological features of the site, particularly mature native trees and other threatened or endangered native vegetation. Alteration of the vegetation or topography that unnecessarily disrupts the surface water or groundwater hydrology, increases erosion of the land, or destroys significant wildlife habitat is prohibited. That habitat is significant that is critical for the survival of rare, threatened or endangered species of flora or fauna.

A complete environmental analysis has been included with this application. No historic or environmentally significant features are present on the subject property.

(h) A fundamental principle of planned development design is the creative use of the open space requirement to produce an architecturally integrated human environment. This shall be coordinated with the achievement of other goals, e.g., the preservation or conservation of environmentally sensitive land and waters or archaeological sites.

The proposed development has been designed to provide for an open area along Corkscrew Road to encourage public use of the area. Additionally, buildings have been located close to Via Coconut Road in accordance with the Estero Overlay regulations to create a more urban appearance.

(i) Site planning and design shall minimize any negative impacts of the planned development on surrounding land and land uses.

The Master Concept Plan has been designed to minimize the impacts on the adjacent land uses while still accomplishing the goals of the Village of Estero.

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(j) Where a proposed planned development is surrounded by existing development or land use with which it is compatible and of an equivalent intensity of use, the design emphasis shall be on the integration of this development with the existing development, in a manner consistent with current regulation.

The proposed development is adjacent to Estero Regional Park, a highly-utilized and active recreational facility that serves a large portion of South Lee County. The proposed development will have a density of approximately 12 dwelling units per acre.

(k) Where the proposed planned development is surrounded by existing development or land use with which it is not compatible or which is of a significant higher or lower intensity of use (plus or minus ten percent of the gross floor area per acre if a commercial or industrial land use, or plus or minus 20 percent of the residential density), or is surrounded by undeveloped land or water, the design emphasis will be to separate and mutually protect the planned development and its environs.

The subject property is adjacent to Via Coconut Point to the west and Corkscrew Road to the north. Estero Regional Park is located to the south and East of the site. A wireless communication facility occupies a slender parcel along the northeastern portion of the property. Estero Regional Park is a highly utilized park that serves a large portion of South Lee County. The proposed development plan has been designed to minimize the impacts on the adjacent park. The required buffers have been provided along the common property lines, and the buildings have been oriented to minimize impacts to the park. However, pedestrian connections are being provided to encourage the use of the park by the future residents of the development.

(l) In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian activity and community interaction.

The subject property is less than 17 acres, and is not of sufficient size as to create neighborhoods or internal communities.

(m) In order to enhance the viability and value of the resulting development, the designer shall ensure the internal buffering and separation of potentially conflicting uses within the planned development.

The proposed residential development will not create internal land use conflicts.

(n) Density or type of use, height and bulk of buildings and other parameters of intensity should vary systematically throughout the planned development. This is intended to permit the location of intense or obnoxious uses away from incompatible land uses at the planned development's perimeter, or, conversely, to permit the concentration of intensity where it is desirable, e.g., on a major road frontage or at an intersection.

The proposed development will not have any obnoxious or incompatible uses. The site has been designed to comply with the urban vision outlined by the Village of Estero.

(o) Minimum parking and loading requirements are set forth in article VII, divisions 25 and 26, of this chapter. Where land uses are generators of occasional peak demand for parking space, a portion of the required parking may be pervious or semi-pervious surfaces, subject to the condition that the parking area is constructed and maintained so as to prevent erosion of soil. In all cases, sufficient parking must be provided to prevent the spilling over of parking demand onto adjacent properties or rights-of-way at times of peak demand.

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The project has been designed to meet the parking requirements outlined in the Lee County Land Development Code. Two parking spaces will be provided for each dwelling units in a parking garage located on the ground floor of the buildings, with the residential uses on the 3 floors above. An additional ten-percent of the required parking spaces will be provided for guest and/or overflow parking.

(p) Internal consistency through sign control, architectural controls, uniform planting schedules and other similar controls is encouraged.

The proposed development will comply with the architectural requirements outlined in Chapter 33 of the Land Development Code.

Sec. 33-100. - Design standards.

Sec. 33 -111. - Water management.

Closed drainage is encouraged for storm water management systems along arterial and collector streets. If swales are utilized, sidewalks must be located on the development side of the swale and pedestrian and bicycle connections must be provided at intersections and entryways into the development.

(a) The shape of stormwater ponds must be designed to appear natural by having a meandering shoreline. Stormwater pond configurations that are generally rectangular or triangular in shape are prohibited. (Refer to Figure 1).

The proposed development includes a deviation from this section of the Land Development Code. A full discussion regarding the deviation can be found in the Deviations section of the application.

(b) Wet and dry detention areas must comply with section 33-117

The stormwater management lakes along Via Coconut point will not exceed the 20,000 square-foot requirement outlined in Section 33-117 of the Land Development Code.

(c) All dry detention basins must be planted with wetland type plant species (such as Spartina) in minimum one-gallon containers not more than 36 inches on center throughout the extent of the basin.

Dry detention areas are not proposed as part of the stormwater management plan. A detailed outline of the Stormwater Management system has been included as part of the application.

Sec. 33-112. - Utilities.

All utility lines must be located underground except when located within a public street or road right-of-way.

All utilities for the proposed project located within the development will be located underground.

Sec. 33-113. - Places of public interest/open space.

Places of public interest/open space are intended to provide for areas of public interest within commercial developments and must be provided where possible. These areas must be equipped with amenities such as seating areas, structures that provide shade, drinking fountains and other amenities.

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This Section of the Land Development Code does not apply to the requested Residential Planned Development rezoning. The proposed development is for a 205-unit multi-family development with no commercial intensity. However, the Master Concept Plan does provide for public open space along the north 30 feet of the property through the inclusion of a linear open space area along Corkscrew Road.

Sec. 33-114. - Parking.

(a) Developments must follow these general requirements:
  (1) Parking areas must be designed to minimize hard landscaped areas, visually and physically, with vegetation, fountains, seating areas or other features.
  (2) Parking areas must be well configured with pedestrian links, buffers and visually pleasing landscaped areas.

(b) Parking lots must be located in accordance with section 34-2192

(c) Side parking areas must be adequately screened from pedestrian and vehicular travel along the frontage road.

(d) Parking area configurations must promote interconnections between adjacent project parcels. (This should be accomplished by providing an interconnected vehicular circulation route to the rear of properties fronting onto Corkscrew Road and Sandy Lane.)

(e) Sixty percent of the primary facade of a parking garage must incorporate the following:
  (1) Transparent windows, with clear or lightly tinted glass, where pedestrian oriented businesses are located along the facade of the parking structure; or
  (2) Display windows; or
  (3) Decorative metal grille-work or similar detailing, which provides texture and partially or fully covers the parking structure openings; and
  (4) Vertical trellis or other landscaping or pedestrian plaza area.

(f) A minimum ten-foot wide terminal island is required at the end of all parking rows.

The proposed parking will be provided in parking garages on the ground floor of the buildings. The development will comply with Section 33-114 at the time of Development Order approval.

Sec. 33-115. - Services areas.

Service areas, including loading docks, trash receptacles, mechanical equipment, outdoor storage areas and utility vaults must be located in areas where traffic impacts are minimized, and public visibility is diminished, and in areas that are accessible and functional. Smaller trash receptacles must be decorated or screened and placed in visible locations.

The proposed development will comply with Section 33-115 of the Land Development Code at the time of Development Order approval.

Sec. 33-116. - Lighting.

(These requirements are in addition to the requirements of section 10-610(b)).

(a) Provide pedestrian level lighting of building entryways.

(b) Lighting must be given a distinct architectural theme that complements the building's exterior. Light fixtures must complement the overall building development.

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(c) Provide lighting throughout all parking areas utilizing decorative light poles/fixtures. Other than pedestrian light fixtures, all other outdoor light fixtures must be fully shielded. Lighting must be directed to avoid intrusion on adjacent properties and away from adjacent thoroughfares.
(d) Lighting plans must be coordinated with landscape plans to identify and eliminate potential conflicts.
(e) Buildings, awnings, roofs, windows, doors and other elements may not be designed to be outlined with light. Exposed neon and backlit awnings are prohibited. Temporary seasonal lighting during the month of December is excluded from this requirement.

The development will comply with Section 33-116 at the time of Development Order approval.

Sec. 33-117. - Natural and manmade bodies of water.

Bodies of water, including wet and dry detention areas, exceeding 20,000 square feet in cumulative area and located adjacent to a public right-of-way are considered park area and an attractor for pedestrian activity. These areas must incorporate into the overall design of the project at least two of the following items:

(1) A five-foot wide walkway with trees an average of 50 feet on center; shaded benches a minimum of six feet in length located on average every 150 feet; or
(2) A public access pier with covered structure and seating; or
(3) An intermittent shaded plaza/courtyard, a minimum of 200 square feet in area with benches and/or picnic tables adjacent to the water body; and/or
(4) A permanent fountain structure.

There are no stormwater management areas along Via Coconut Point that will be 20,000 square foot in size.

Sec. 33-118. - Interconnections and shared access.

(a) Interconnects. Adjacent commercial uses must provide interconnections for automobile, bicycle and pedestrian traffic. All adjacent parking lots must connect. Interconnects between parking lots are not intended to satisfy the criteria for site location standards outlined in Policy 6.1.2(5) of the Lee Plan.
(b) Inter-parcel vehicle access points between contiguous commercial tracts must be provided. Properties that have frontage or other means of access to a side street parallel or perpendicular to US 41, Corkscrew Road, or Sandy Lane must connect to the side street.
(c) Use of shared accessways is encouraged.

The subject property is not adjacent to and commercial uses. Section 33-118 does not apply to the proposed development.

Sec. 33-226. - Applicability.

Architectural design of all commercial, industrial, public and mixed use buildings within the Estero Planning Community must comply with this subdivision.

Sections 33-226 through 33-338 of the Land Development Code do not apply to the proposed residential development.

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Sec. 33-352. - Plant materials.

(a) Palms used in buffers must be clustered in lengths of not less than four feet and more than eight feet apart. Not more than 50 percent of the required trees for a given buffer along its length may be in palms. A single tree may be used when an odd number of required trees along a frontage so warrant. Palms must be planted in staggered heights with a minimum of three palms per cluster. The use of single palms is permitted if the palms are the Royal Palm, Date Palm or Bismakia Palm variety; and, the use of palms does not constitute more than 50 percent of the total required tree count along a given buffer.

(b) Palms used to meet the required tree count for buffers may be used on a 2:1 basis. Cabbage palms may be used on a 3:1 basis for canopy trees when planted in clusters. Palms may be used to meet general tree requirements if they do not constitute more than 50 percent of the required tree count.

(c) Soldiering of cabbage palms in buffers is prohibited.

The development will comply with this section of the Land Development Code at the time of Development Order approval.

Sec. 33-353. - Landscape design.

(a) Developments must provide separation between pedestrian and vehicular movement by using plantings as space defining elements.

(b) Developments must utilize both hardscape and landscape features as space defining elements (Refer to Figure 8), including, where possible:

(1) Distinctive paving or painting to define the appropriate location for pedestrian and vehicular traffic;

(2) Plantings such as street trees, hedges and screening;

(3) Replicating landscaping patterns and materials to visually unify a development and creating focal points through design diversification where possible;

(4) Plant materials must be suited to the climate and, at their mature, natural size, be suitable for their planting location; and

(5) Selecting trees for parking lots and sidewalk areas that do not interfere with the visibility and movement of vehicles or pedestrians, or cause pavement or other hard surfaces to heave. Material selection must be designed to survive the effects of building or large paved areas (in terms of heat, shade, wind, etc.)

(c) All required trees must be a minimum 45 gallon container, 12-foot to 14-foot planted height, six-foot spread and 32-inch caliper, or field grown equivalent, at the time of planting.

(d) Not more than ten percent of the required internal landscape area, as related to the vehicular use area identified in section 10-416, may be planted in sod.

The development will comply with this section of the Land Development Code at the time of Development Order approval.

Sec. 33-354. - Tree preservation.

In an effort to preserve expansive open spaces and native vegetative communities:

(1) Development must be clustered to reserve large areas of open space;

(2) Existing native vegetation must be preserved whenever possible; and

(3) Infrastructure design must integrate existing trees and the natural character of the land to the greatest extent possible.

A detailed Environmental Analysis is included with the application. No significant trees or native vegetation currently exists on the property.

Sec. 33-361. - Transit facilitation.

Convenient access to public transportation, ride-share and passenger drop off areas must be provided. The following examples are design techniques that may be used to meet this requirement:

(1) Accommodate public transportation vehicles on the road network that services the development.

(2) Provide passenger loading/unloading facilities.

(3) For streets adjacent to a development, provide sidewalks and other pedestrian facilities such as bus shelters.

(4) Provide a convenient and safe access between building entrances and a transit or bus area, such as walkways or painted pedestrian crosswalks

No public transportation service is provided along the roads adjacent to the subject property. A sidewalk currently exists along Corkscrew Road and Via Coconut Point to provide pedestrian access to the transit facilities located to the west, along US-41.

Sec. 33-362. - Pedestrian walkways/linkages.

The following requirements are in addition to the requirements of section 10-610(d):

(1) Pedestrian walkways must be provided for each public vehicular entrance to a project, excluding ingress and egress points intended primarily for service, delivery or employee vehicles.

(2) In order to accentuate and highlight pedestrian areas, wherever possible, materials must include specialty pavers, concrete, colored concrete or stamped concrete patterns.

(3) Pedestrian walkways/links must be incorporated into, within and through a project in a way that addresses both site security concerns and pedestrian safety. The following are examples of design techniques that should be applied:

a. Incorporate cross-site pedestrian connections within projects.

b. Define walkways with vertical plantings, such as trees or shrubs. Pedestrian walkways may be incorporated within a required landscape perimeter buffer, in compliance with section 10-416(d)(4), Note 11.

(4) Sidewalks or pedestrian ways must connect the on-site pedestrian systems to pedestrian systems on adjacent developments.

(5) Traffic calming devices, at the discretion of the developer, must be provided at points where conflicting pedestrian and vehicular movements exist.

(6) Sidewalks or bikeways must be installed along all project frontage roads, and whenever possible must be separated from the edge of pavement by a minimum four-foot wide planting strip. The property owner must provide for maintenance of the planting strips unless the County formally accepts responsibility for maintenance. Existing non-conforming sidewalks must be brought into compliance with this section.

Pedestrian facilities have been provided throughout the site which provides connections to the existing facilities along Via Coconut Point and Corkscrew Road. Additionally,

pedestrian connections are proposed to provide connections to Estero Community Park to the south and east of the property. The sidewalks will be designed to accentuate and highlight pedestrian areas by the use of pavers, planting areas, and hardscape at the time of development order approval.

Sec. 33-363. - Bicycle racks.
Bicycle racks are required for all retail and office developments within overlay districts.
This section of the Land Development Code does not apply to the proposed Residential Planned Development.

Sec. 33-364. - Street furniture and public amenities.
Developments must provide street furniture and other pedestrian amenities in their design. All accessories such as railings, trash receptacles, street furniture and bicycle racks must complement the building design and style.
The development will comply with this section of the Land Development Code at the time of Development Order approval.

Sec. 33-381. - Purpose.
The purpose and intent of this subdivision is to modify and supplement Chapter 30 in order to protect and preserve the character and appearance of the Estero Planning Community.
The development will comply with this section of the Land Development Code at the time of Development Order approval.

Sec. 33-383. - Prohibited signs.
Unless a deviation or variance is granted, the following types of signs are prohibited within the Estero Planning Community:

(1) Animated signs.
(2) Emitting signs.
(3) Balloons, including all inflatable air signs or other temporary signs that are inflated with air, helium or other gaseous elements.
(4) Banners, pennants or other flying paraphernalia, except an official federal, state or county flag, and one symbolic flag not to exceed 15 square feet in area for each institution or business.
(5) Changing sign (automatic), including electronic changing message centers, except as approved within a development of regional impact by planned development zoning resolution adopted prior to June 24, 2003 (the adoption date of Ordinance 03-16).
(6) Figure-structured signs.
(7) Pole signs/freestanding.
(8) Pylon signs, except as approved within a development of regional impact by planned development zoning resolution adopted prior to June 24, 2003 (the adoption date of Ordinance 03-16).
(9) Off-site directional signs, except as approved within a development of regional impact by planned development zoning resolution adopted prior to June 24, 2003 (the adoption date of Ordinance 03-16).

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The development will comply with this section of the Land Development Code at the time of Development Order approval.

Sec. 33-384. - Temporary signs.

(a) Temporary sign permits for prohibited signs will not be issued.

(b) Special occasion signs.

(1) Temporary on-site sign permits may be issued for special occasions such as holidays (other than Christmas and Hanukkah, which are addressed in section 30-6), carnivals, parking lot sales, annual and semiannual promotions or other similar events, provided:

a. A special occasion sign permit is issued by the building official;

b. The special occasion sign permit is issued for a period of time not to exceed 15 days;

c. No business may be permitted more than two special occasion permits in any calendar year; and

d. The business did not violate the time limitation in subsection (b)1.b. above, within the calendar year preceding the request for the temporary sign permit.

(c) Signs must be located on-site and in a manner that does not create a traffic or pedestrian hazard;

(d) Signs illuminated by electricity must comply with all electrical and safety codes; and

(e) Signs must be constructed and secured in accordance with all applicable standards.

The development will comply with this section of the Land Development Code at the time of Development Order approval.

Sec. 33-385. - Permanent signs in commercial and industrial areas.

(a) *Identification sign.* A nonresidential subdivision or parcel will be permitted one monument-style identification sign along any street that provides access to the property in accordance with section 30-153

(1) Except as provided in subsection (3) below, the maximum height of any identification sign will be 17 feet.

(2) Lighting.

a. *Permissible lighting.* Except as provided in section 30-153(2)a.1.iv., the monument-style identification or wall sign may be illuminated by:

1. Individual internally illuminated letters and logo on an unlit background (i.e. channel lit lettering);

2. Lighting behind the letters and logo that illuminates the sign background (i.e. reverse channel lit lettering);

3. A combination of 1. and 2., above; or

4. Edge-lit letters using concealed neon or remotely lit fiber optics.

b. *Prohibited lighting.* Monument-style identification or wall signs will not be animated or illuminated by:

1. A visible source of external lighting;

2. Exposed neon;

3. Exposed raceways; or

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4. Internally illuminated box signs (as defined by a sign comprised of translucent surfaces illuminated from within), unless face and side of sign are opaque except for letters and/or logo being translucent.

c. All electrical connections, wiring, etc., must be concealed.

(3) Except as provided herein, monument-style identification signs must be set back a minimum of 15 feet from any street right-of-way or easement, and ten feet from any other property line. In no case will a monument-style identification sign be permitted between a collector or arterial street and a frontage road.

Exception: Where the building is within 15 feet of the street right-of-way or road easement the sign may be placed closer than 15 feet to the right-of-way or easement provided it does not project over any right-of-way or easement, the height does not exceed seven feet, and the sign is not located within ten feet of any overhead electrical supply.

(4) All monument-style identification signs must display the street address of the property. Street numbers must measure between a minimum of four inches and a maximum of six inches, in height. The copy area of the street address will not be counted toward the allowable sign copy area.

(5) Copy area of a monument sign will not exceed 75 percent of the total sign structure area and a minimum 25 percent of the sign structure area must be devoted to architectural features.

(6) Signs identifying individual businesses must be easily read from the pedestrian level.

(7) Signs must match the architectural style of the building or development.

(8) Wall signs are permitted in accordance with section 30-153(2)c.1. and section 30-153(3)d., with a maximum area of 300 square feet per wall per tenant. This area is to be determined by the sum of any and all signs on the tenant's wall. Wall signs will not contain advertising messages or sales item names.

The development will comply with this section of the Land Development Code at the time of Development Order approval.

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Deviations and Justification

Building Setbacks to Corkscrew

1. *A deviation from section 33-403 of the Land Development Code which requires that buildings must have a maximum setback of 25-feet from Corkscrew Road ROW, to allow a building setback of 30.7-feet.*

The requested deviation will allow a 30.7-foot setback for the buildings along Corkscrew Road to provide for a linear open space area to be constructed by the applicant along the northern portion of the property. This buffer will include enhanced landscape materials and a sidewalk meandering through the space. By requesting this deviation, the linear open space area will allow for additional public enjoyment of the green-space along Corkscrew Road. If not granted, the proposed Corkscrew Linear Park would be reduced from the proposed 30' width to 25' or less.

ROW Buffer for Via Coconut

2. *A deviation from section 33-351 of the Land Development Code which requires a 20' Type D Buffer for Multi-Family Development adjacent to Right-of-Ways, to allow a 10' buffer along a portion of Via Coconut Road adjacent to Building 3 and 5, as shown on the Master Concept Plan.*

The Master Concept Plan has been designed to meet the intent of the future vision of the Village of Estero as outlined in the "Community Planning Initiative Report" commissioned by the Estero Council of Community Leaders and adopted by the Village Council. A copy of the report is included in the application. The report outlines the future development vision for the Village of Estero by promoting a more urban development pattern with higher densities for this area of the Village. It states buildings should be located closer to the street right-of-way along Corkscrew Road and Via Coconut Point Road, but should also provide for public spaces adjacent to the roads.

The liner building-section located on the west side of Building #3 will be located approximately 10 feet from the Via Coconut Point Road right-of-way. The corners of Building 5 and the liner building-section adjacent to it have a setback of approximately 10 from the property line on the northwest corner of the property due to the angled nature of the property line. Although Section 33-406 allows for a 0-25 foot setback for buildings along Via Coconut Point, Section 33-351 only specifically exempts commercial developments from meeting the landscape buffer requirements. The requested deviation allows for the buildings to be located as envisioned by the Village of Estero in the "Community Planning Initiative Report", and comply with Section 33-406.

Intersection separation

3. *A deviation from section 10-285 of the Land Development Code which requires driveway connections on:*
   a.) *Arterial roods have a minimum separation of 660-feet, to allow a driveway separation of 350-feet for the egress onto Corkscrew Road; and*

The requested deviation allows for an egress-only connection to be provided along Corkscrew Road. The property has approximately 610' of frontage along Corkscrew Road and cannot

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comply with the minimum separation requirements of 660' for arterial roads. Providing an additional access point on Via Coconut Point Road would require a deviation as well. The access has been designed as a right-out only to eliminate/minimize any conflicts with traffic along Corkscrew Road. The proposed access is the only feasible location to provide a secondary means of egress from the proposed development.

Waterbody Setback for Roads

4. *A deviation from section 10-329(d)(1)a. of the Land Development Code which requires :*
   a.) *Stormwater management lakes to be setback 25-feet from proposed local streets to allow a setback of 0-feet for the internal local road; and*
   b.) *Stormwater management lakes to be setback 50-feet from collector roads to allow stormwater management lakes to be setback 25-feet from Via Coconut Point.*

This deviation is requested to accommodate an upscale, urban style development by taking full advantage of the project's water management lakes as aesthetic features. In the classic European style of urban planning the zero-foot lake setbacks along internal roads allow intimate viewing/enjoyment of the water features, and are considered an important passive amenity complimenting the upscale, urban design of the community.

Wayward vehicle protection will be provided by the use of rigid structures which direct stray vehicles towards the roadway and away from the lakes such as concrete curb barriers, landscaping, guard railing and/or other suitable devices where necessary to be determined at the time of the Development Order application.

Hardened shoreline for lakes great than 20%

5. *A deviation from section 10-418(3)a of the Land Development Code 10-418(3)a which states that water management lakes may have a maximum of 20% of hardened shoreline to allow:*
   a. *Lake 1 to have a maximum of 35% of hardened lake shoreline.*
   b. *Lake 2 to have a maximum of 35% of hardened lake shoreline*
   c. *Lake 3 to have a maximum of 35% of hardened lake shoreline*

As indicated in the Master Concept Plan, the hardened shoreline structures border the main entrance and the club amenity area. It is believed allowing pedestrian and vehicular access in close proximity to the water features of the development will enhance the overall visual appeal of the lakes and create a destination feature analogous to a boardwalk or a pier. This feature intentionally avoids the typical lake setbacks associated with lower-density, suburban development and create a more urban, pedestrian impression.

As required by the Land Development Code for hardened structures within a lake, a compensatory littoral zone equal to the linear footage of the shoreline structure will be provided within the same lake.

Gatehouse Entry

6. *A deviation request from Section 34-1748 of the Lee County Land Development Code which requires:*

a. *Entrance gates be located a minimum of 100' from the existing intersecting street to allow the gates to be located 85'+/- from the intersecting street.*
b. *The gate to be designed in such a manner to allow a minimum of five vehicles to safely pull-off the intersecting street while waiting to enter to allow a minimum of four vehicles to safely pull-off the intersecting street while waiting to enter.*
c. *A paved turn-around, having a turning radius sufficient to accommodate a U-turn for a single unit truck vehicle per the AASHTO Green Book must be provided on the ingress side of the gate, to allow a turn-around to be provided after the gate.*

The project entrance is located on the east side of Via Coconut Point Road. An existing 360' southbound left turn lane into the project is provided within the median of Via Coconut Point Road, and an existing 210' northbound right turn lane into the project is provided within the eastern Via Coconut Point Road R/W. Due to the presence of these turn lanes, which allow additional vehicular stacking, and due to the relatively low traffic volumes experienced on Via Coconut Point Road, this deviation is not expected to create interference with through traffic. Since the entrance roadway will accommodate 4 vehicles, it is anticipated that only 1 vehicle would experience stacking within the turn lane, and only at limited times.

Due to the urban design of the project which reduces non-functioning open space and unnecessarily wide roadways, room is not provided on the ingress side of the gate to accommodate the turning radius for the single unit truck. Upon entry, such vehicles would be permitted through the gates and allowed to turn around within the development for exiting. The proposed guardhouse will be manned 24-hours a day to allow for the gates to be opened permitting the vehicle to enter the property and turn around interior to the project and exit the property in a forward manner. This approach allows for a smaller, less impactful, more urban-style entry.

<u>Amenity Center Parking</u>

7. *A deviation from Section 34-2020 which requires a total of 36 parking spaces for the amenity center; to allow for a minimum of 26 parking spaces to be provided.*

The amenity center will be for the sole use of the residents of Genova and includes a fitness center, a club room with a catering kitchen, office space and washrooms. Section 34-2020 of the Land Development Code requires 36 parking spaces be provided for the 6,482 square foot amenity center. The applicant is requesting a deviation to allow for a minimum of 26 parking spaces to be provided. The parking requirements for non-residential uses in the Land Development Code are based on stand-alone commercial businesses which patrons typically must travel to by vehicle. They are not appropriate for private recreational facilities located within a residential development, particularly for projects developed on smaller parcels where the amenities are easily within walking distance of the residences.

The amenity center is not intended to generate a significant amount of vehicular traffic by visitors from outside of the development. The amenity center is within easy walking distance of all residential buildings and is immediately adjacent to 2 of the 6 residential buildings (Buildings #2 and #4). It is highly unlikely these residents will drive to the amenity center. Buildings #1 and #6 are approximately 325' and 375' away, and Building #3 is farthest away but within a walking distance of approximately 800'. Given the farthest distance to the amenity center from any building is only a few minutes, most residents will choose to walk or bike instead of drive their vehicles. A bike rack has been conveniently provided adjacent to the amenity center.

Additionally, the 2 residential buildings adjacent to the amenity center provide an additional 31 guest parking spaces, which could be used during periods of peak use of the amenity center, such as HOA meetings. This is in addition to the 402 parking spaces already provided for the residences plus the other additional 63 (94 less 31) for their guests . A total of 522 parking spaces for 201 residences. The applicant acknowledges there may be times when some residents choose to drive to the center due to weather conditions or other extenuating circumstances and the 26 parking spaces proposed are more than adequate to meet those needs.

Building Height

8. *A deviation from Section 33-229 which limits allows for a maximum height of 45-feet or three stories to allow:*
    a. *A maximum height of 45 feet measured to the eave of the roof; and*
    b. *A maximum of 4 stories, with 3 stories of residential uses over a ground floor of parking.*

The requested deviation allows for the proposed buildings to have 3 residential floors over a ground floor parking garage. This design will allow for the parking to be hidden internal to the building without the need for additional impervious area typically required for at grade parking. By allowing a ground floor parking garage the typical exterior parking lots associated with multi-family development will be replaced with a stealth parking area under the building including individual two-car garages for each unit eliminating at grade parking being visible from Via Coconut Point Road or Corkscrew Road. The ground floor parking will be hidden by architectural features which will make it look like a residential floor. Additionally, the liner building-sections and will shield the ground floor parking from view along Via Coconut Point Road.

The applicant is proposing to allow the 45 foot height measurement to be measured to the eave of the roof, instead of the mid-roof height. This will allow for the applicant to design a building with a more visually appealing random roofline and varying roof pitch resulting in a significantly enhanced architectural design. Although the buildings could be alternatively be designed with a uniform mansard roof and still meet the Land Development Code requirements, it would look commercial and detract from the upscale, urban Mediterranean architectural style of the buildings.

Pavement Width for Local Roads & Accessways

9. *A deviation from Section 10-296(i)(2) which requires a minimum 24-foot wide pavement width for Category B roads with curb-and-gutter drainage, to allow a pavement width of 20 feet.*

This deviation is requested to accommodate the project's urban design and appeal. Per the referenced section of the LDC, the same 20' pavement width is acceptable if valley gutter or swale drainage is proposed. In this case, proposing the use of raised curbing on both sides of the road provides wayward vehicle protection from the adjacent lake and for the adjacent sidewalk. This is believed a safer alternative for both drivers and pedestrians than valley gutters or swales, since the curb will serve as a barrier to deflect any misguided vehicular tire impacts.

It is not believed additional pavement width would provide any significant benefit to the community since the project consists of low-speed, privately maintained roads. There will be minimal turning movements and few intersections are proposed other than the entrance driveways to the condominium buildings. The specific requirement of the LDC appears to favor

a more suburban style development such as a sprawling golf course community rather than the Genova concept of a neighborhood on the edge of a more densely-populated urban center.

Perimeter Railing

10. A deviation from Section 34-1743 which requires perimeter fences and walls to be setback 7.5' from the right-of-way, to allow a setback of 3.5 feet for a portion of the perimeter railing adjacent to Building 3.

A deviation is being requested to allow a reduced setback of 3.5 feet for the perimeter railing adjacent to Building 3. This deviation is being requested due to a jog in the property line adjacent to building 3 for possible future expansion of Via Coconut Point Road. The proposed railing will consist of a 1'6" to 2' concrete footer with a 3'6" to 4'6" railing placed on top. The railing will provide needed security for the residential dwelling units in the liner building-section without the use of a solid perimeter wall. This visually inclusive design will weave the community landscaping into the ROW landscaping and is consistent with the goals of "Community Planning Initiative Report" adopted by the Village Council. The liner-section of Building 3 will comply with the setback and the landscape buffer plantings requirements of the Land Development Code. The railing will be located approximately 13'6" from the existing sidewalk along Via Coconut Point Road.

Open Space

11. A deviation from Section 10-415 which requires a multi-family residential development to provide a minimum of 40% open space to allow a minimum open space of 35%.

The requested deviation allows a reduction in the 40% open space required to allow for a minimum of 35% open space. Traditionally in Estero, due to the substantial amount of low-density suburban development, open space has been viewed as green space or pervious areas rarely used or incorporated for people to appreciate and rarely considered an important amenity of the community.

Open spaces typically serve as water management, buffering and small pockets of preserves serving little environmental benefit. However, In more urban environments, it is typical to see little or no pervious green space, and the "open space" is more typically a sidewalk, small linear park, small seating area overlooking a lake. In suburban settings the infrastructure serves a single purpose. The water management is often located to keep people away rather than to enjoy. In more urban settings the open space infrastructure serves multiple purposes. Sidewalks are turned into seating areas, areas along roads and lakes are turned into linear parks. Instead of lakes designed with wide sloping banks they are designed with shorelines which invite people to visually interact with, and enjoy the water.

The proposed development embraces the urban neighborhood goals adopted by the Village of Estero by incorporating open space into the daily lifestyle and characteristics of the community while still providing for the suburban-style pervious areas required in the Land Development Code.

Although the current Genova Master Concept Plan meets the 40% minimum open space requirement, the applicant wishes to include the requested deviation to accommodate potential changes to the design of the project which may occur during the local development

order permitting process such as the inclusion of air conditioner and emergency generator pads, etc.

Building Perimeter Setback

12. A deviation from LDC Section 34-935(b)(1)e which requires buildings to be setback from the perimeter of the project a minimum of one-half the height of the building, to allow a building setback of 18' for a small portion of the southeast corner of Building 4 which has a maximum height of 45'.

The requested deviation is to allow a reduced setback of 18' for the southeast corner of Building 4 due to a small shift in the eastern property line. Building 4 is located 22.5 feet from the eastern boundary of the property. However, slightly south of the building the property line shifts approximately 5.33 feet west, before turning south. This irregularity in the eastern property line creates an 18' setback from the corner of Building 4 to the corner of the property line. The building has been located to comply with the required setbacks along the majority of the eastern property line and the requested 18' setback will not create an impact on the surrounding properties.

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Site Conditions

2015 Aerial

Zoning Map

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Genova Land Use Applications

1 Comprehensive Plan Amendment

2 Residential Planned Development

3 Sales Center Administrative Amendment

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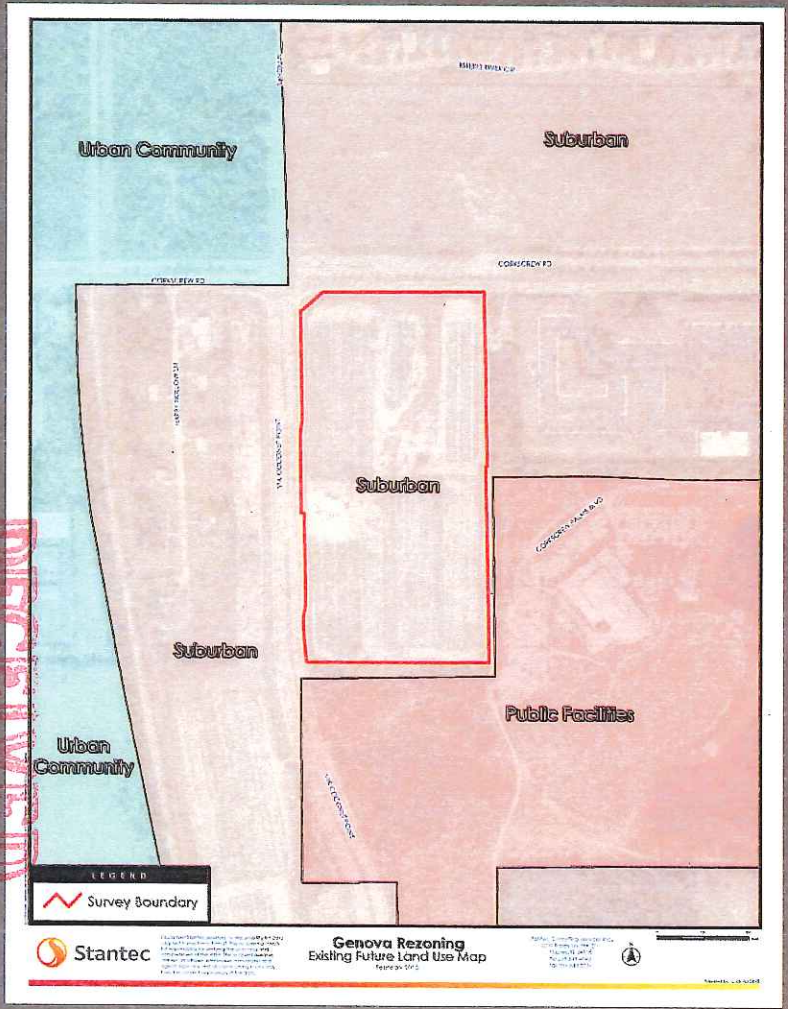
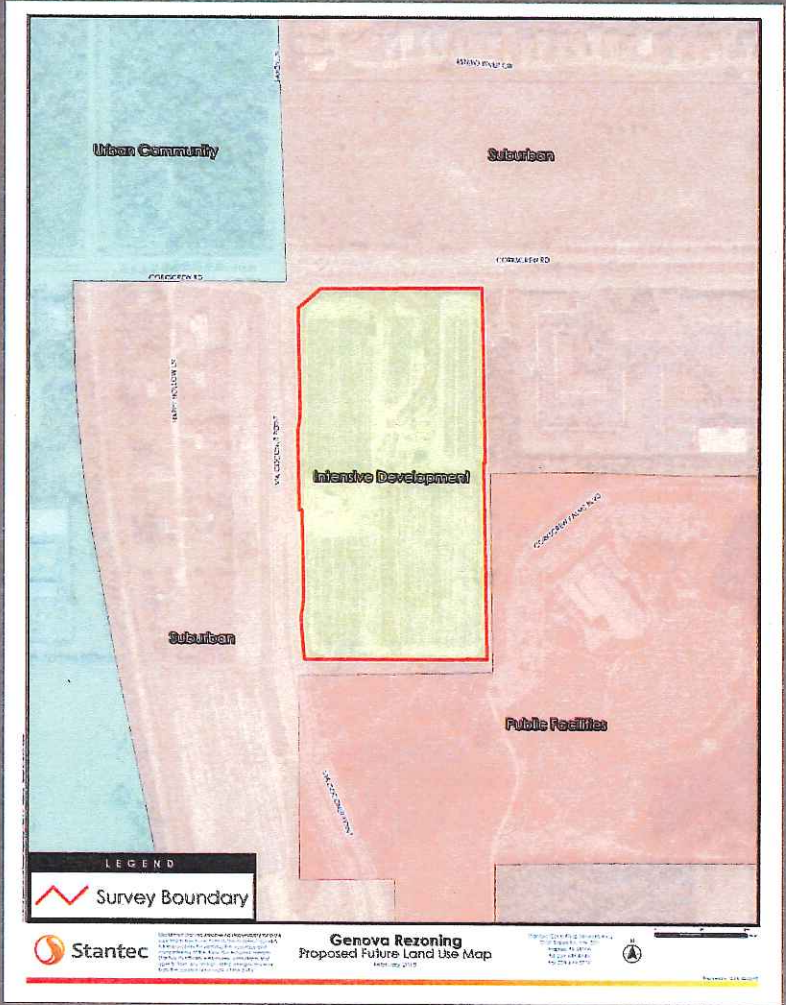
1 Comp. Plan Amendment

From Suburban to Intensive Development





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Why Intensive Development?

Standard Density Ranges

Suburban	1-6 DU/Ac
Urban Community	1-6 DU/Ac
Central Urban	4-10 DU/Ac
Intensive Development	8-14 DU/AC

TABLE 1(a)
SUMMARY OF RESIDENTIAL DENSITIES [1]

FUTURE LAND USE CATEGORY	STANDARD OR BASE DENSITY RANGE		BONUS DENSITY
	MINIMUM [2] (Dwelling Units per Gross Acre)	MAXIMUM (Dwelling Units per Gross Acre)	MAXIMUM TOTAL DENSITY [3] (Dwelling Units per Gross Acre)
Intensive Development	8	14	22
Central Urban	4	10	15
Urban Community [5,6]	1	6	10
Suburban	1	6	No Bonus
Outlying Suburban	1	3	No Bonus
Sub-Outlying Suburban	1	2	No Bonus
Rural [10]	No Minimum	1	No Bonus
Outer Islands	No Minimum	1	No Bonus
Rural Community Preserve [6]	No Minimum	1	No Bonus
Open Lands [7]	No Minimum	1 du/5 acres	No Bonus
Density Reduction/Groundwater Resource	No Minimum	1 du/10 acres	No Bonus
Wetlands [8]	No Minimum	1 du/20 acres	No Bonus
New Community	1	6	No Bonus
University Community [9]	1	2.5	No Bonus
Destination Resort Mixed Use Water Dependent [11]	6	9.36	No Bonus
Burnt Store Marina Village [12]	No Minimum	160 Dwelling Units; 145 Hotel Units	No Bonus

CLARIFICATIONS AND EXCEPTIONS

[1] See the glossary in Chapter XII for the full definition of "density."
[2] Adherence to minimum densities is not mandatory but is recommended to promote compact development.
[3] These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Housing Density Bonus Ordinance (No. 89-45, as amended or replaced) and the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced).
[4] Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 dwelling units per gross acre must "acquire" the density above 3 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Coastal Rural or Greater Pine Island Urban Categories.
[5] In all cases on Gasparilla Island, the maximum density must not exceed 3 du/acre.
[6] Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet.
[7] The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.
[8] Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:
(a) If the dwelling units are relocated off-site through the provisions of the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced); or
(b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, Central Urban, Urban Community, Suburban, Outlying Suburban, or Sub-Outlying Suburban from preserved freshwater wetlands at the same underlying density as is permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling unit per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.
[9] Overall average density for the University Village sub-district must not exceed 2.5 du/acre. Clustered densities within the area may reach 15 du/acre to accommodate university housing.
[10] In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1 du/2.25 acres.
[11] Overall number of residential dwelling units is limited to 271 units in the Destination Resort Mixed Use Water Dependent district.
[12] The residential dwelling units and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Lee Plan, Map 5.
[13] See Policies 33.3.2, 33.3.3, and 33.3.4 for potential density adjustments resulting from concentration or transfer of development rights.

October 2013 (Amended by Ordinance No. 92-47, 93-30, 98-09, 99-15, 00-22, 02-02, 03-20, 03-21, 05-21, 07-09, 09-15, 09-16, 10-19, 10-39)

TABLE 1(a) - Page 1 of 1

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Estero Studies

Peloton Market Analysis

- Overabundance of Commercial
- Need For Additional Residential
- Higher Densities
- Alternative Housing Types
- High Quality Architectural Standards

Community Planning Initiative Report

- Higher Densities
- Compact
- Walkable
- Transit Supportive
- Public Space
- Courtyard Buildings
- "Estero Brand"
- Mixed Use

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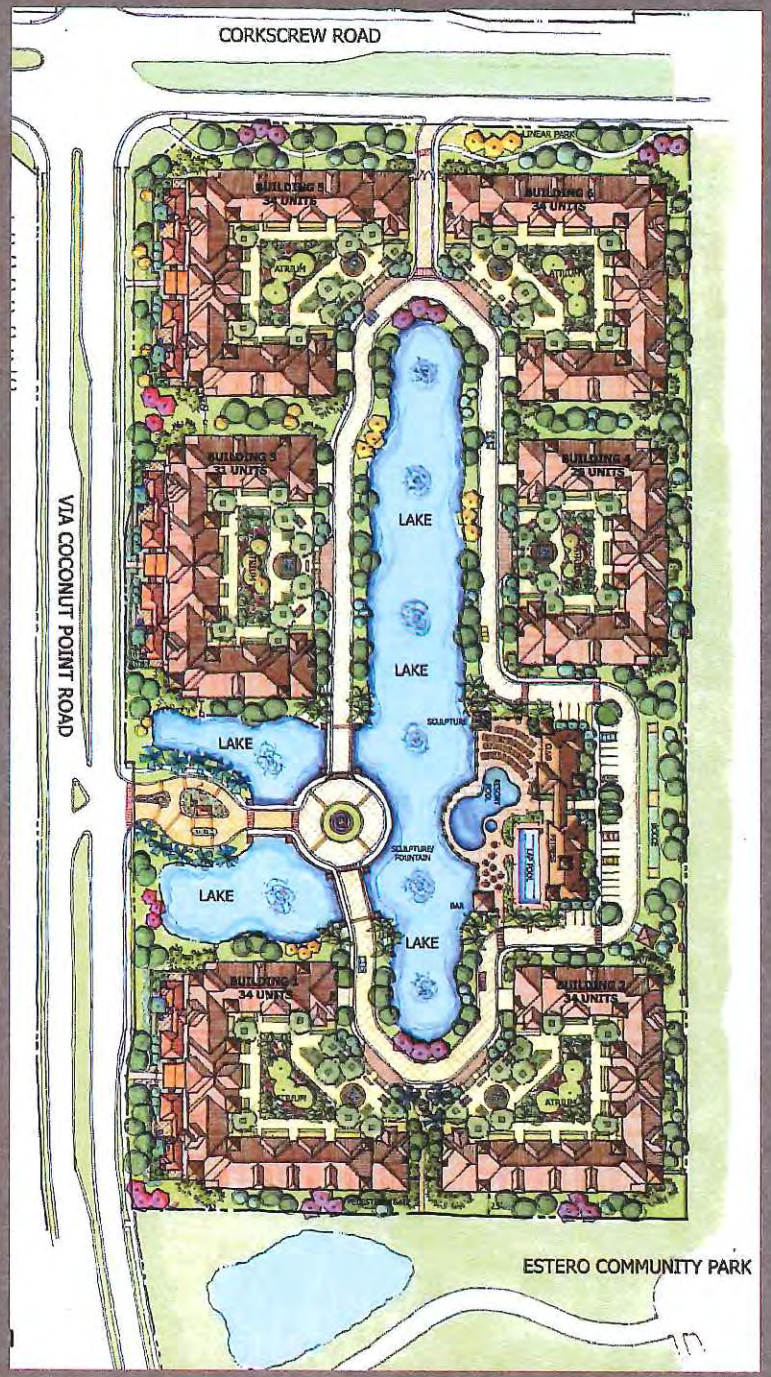
2 Residential Planned Development

- 16.92 Acres
- 205 Dwelling Units
- Access to Via Coconut Point and Corkscrew Road
- Courtyard Buildings with Liner Sections along Via Coconut Point
- 30' linear Park along Corkscrew
- 7 Pedestrian Access Points (5 to Adjacent Street, 2 to Estero Community Park)



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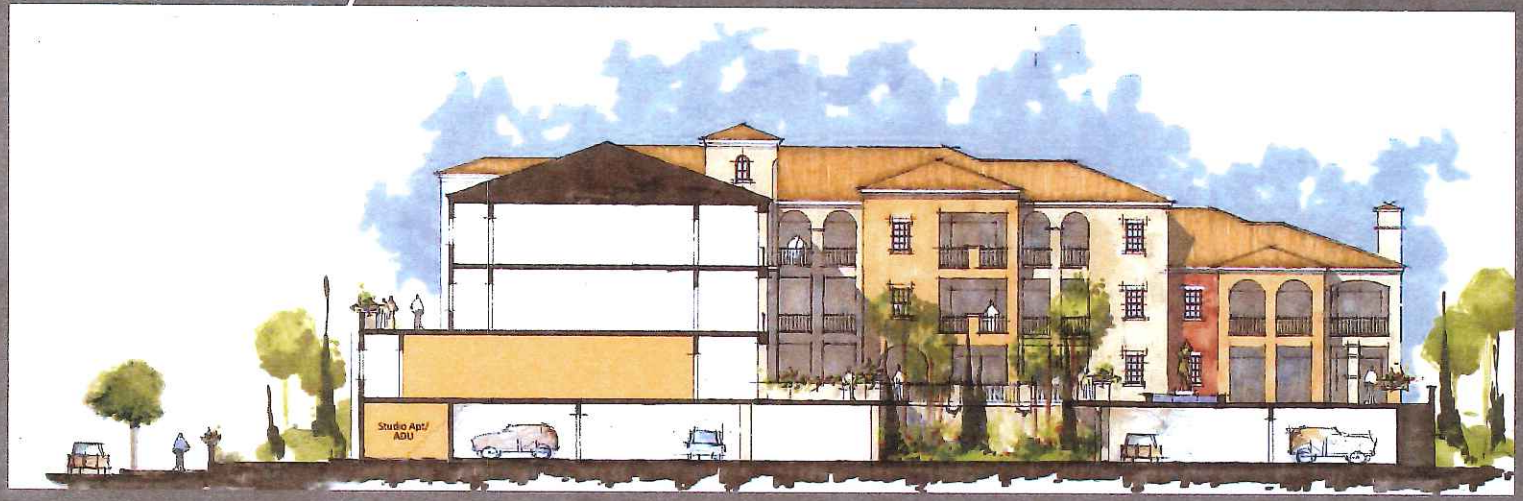
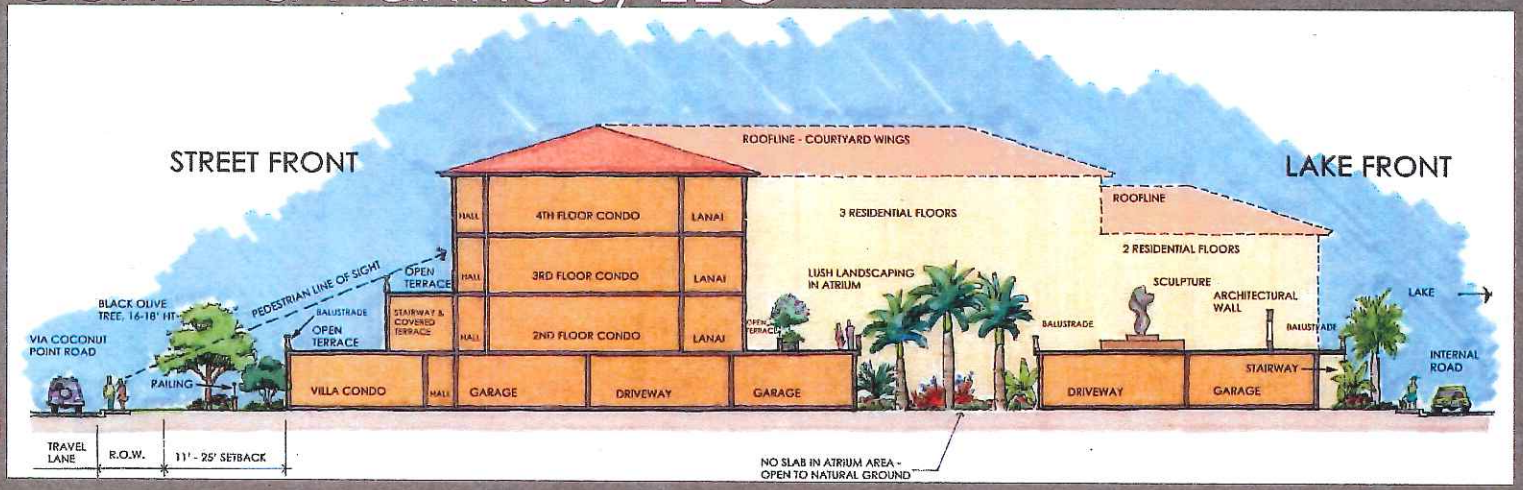
Courtyard Building Cross-Sections

Seth Harry



Genova Partners, LLC



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COUNTY DEVELOPMENT
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Architectural Influence

Pallazo Podesta

Pallazo Bianco

Pallazo Tursi

16th Century Palaces of Strada Nuova – Genoa, Italy

Documented by Pietro Paolo Rubens in "Palazzi di Genova"

The authority for Modern Urban Architecture throughout Europe

Camogli, Italy

DC12015-00009

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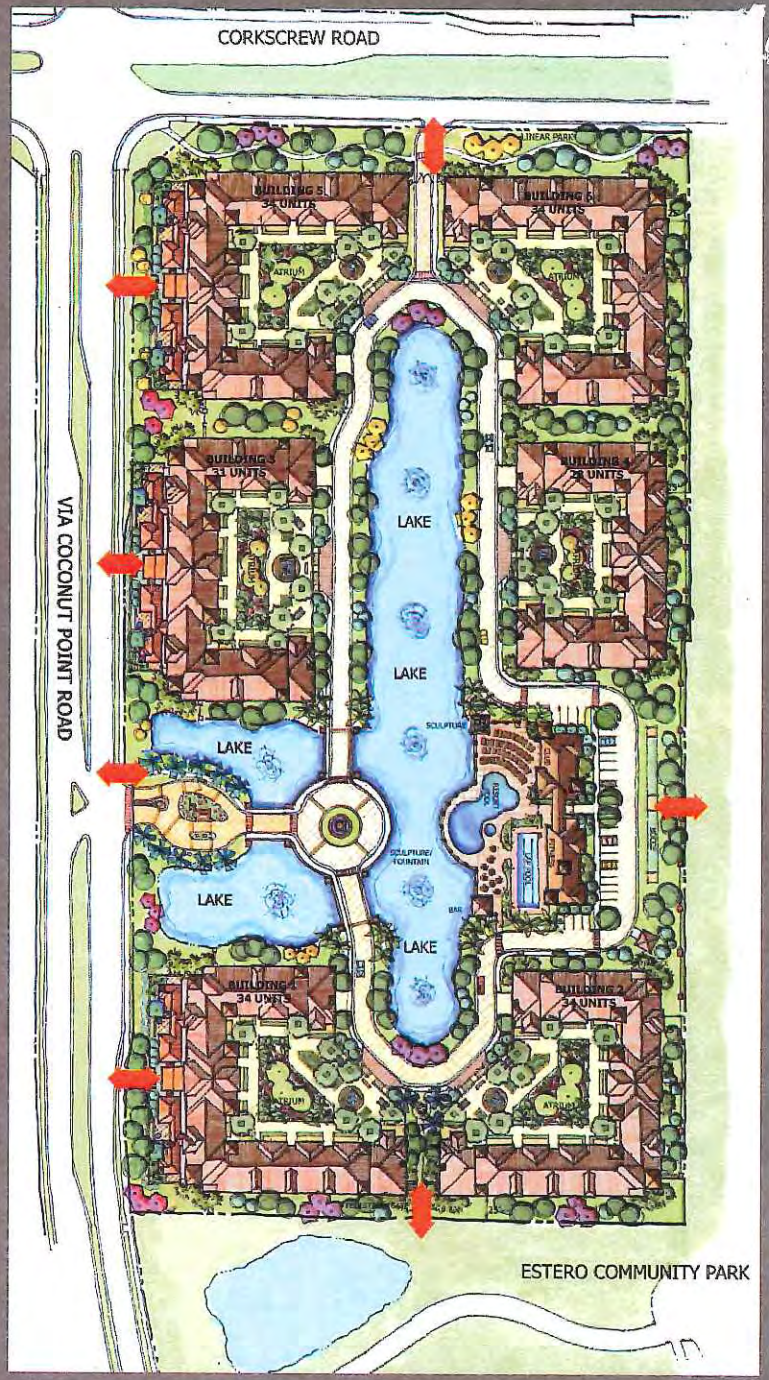
2 Residential Planned Development

- Walkable
  - Commercial Services within ¼ mile
- Compact
  - 3-Residential Stories Over Parking
- Higher Density
  - Approximately 12.5 DU/Ac
- Public Space
  - Linear Park
  - Liner Buildings
  - Park Pedestrian Connections
- Alternative Housing Type
- Transit Supportive
  - Within Transit Walking Shed
  - No Facilities Exist



COMMUNITY DEVELOPMENT
JUL 16 2015
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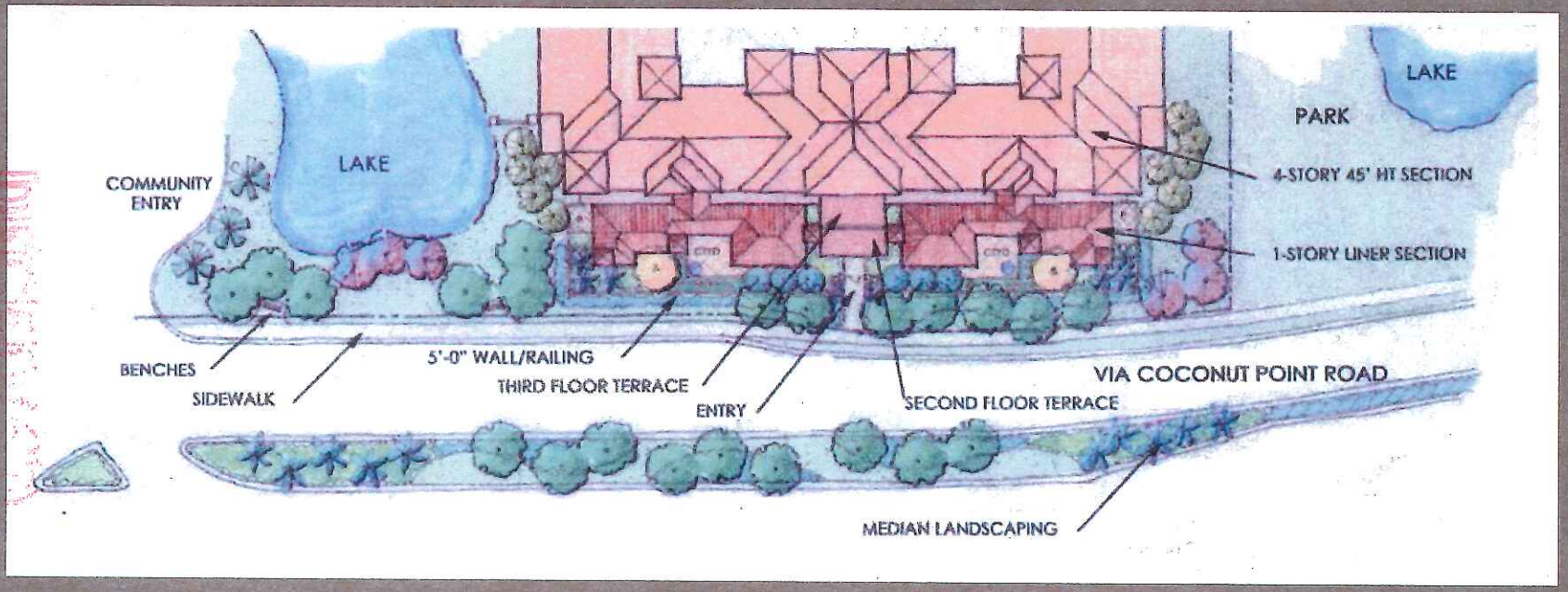
Via Coconut Point Buildings



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Requested Deviations

1. 30' Buildings Setback Along Corkscrew Road

Increased Setback Due to Linear Park

2. Buffer Width Along Via Coconut

Reduced Buffer Width for Liner Buildings

Required Plantings will be Provided

3. Intersection Separation

Required for Access to Corkscrew

4. Waterbody Setback For Roads

Allows Lakes to be Located Closer to Via Coconut Point

5. 4:1 Bank Slopes for Lakes

6. 30% Hardened Shoreline

Bulkheads Provided along Interior Road and Amenity Center

7. Gatehouse Entry

Gatehouse is setback 70' instead of 100'

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JUL 16 2015
PETITION 60000-0000 12015

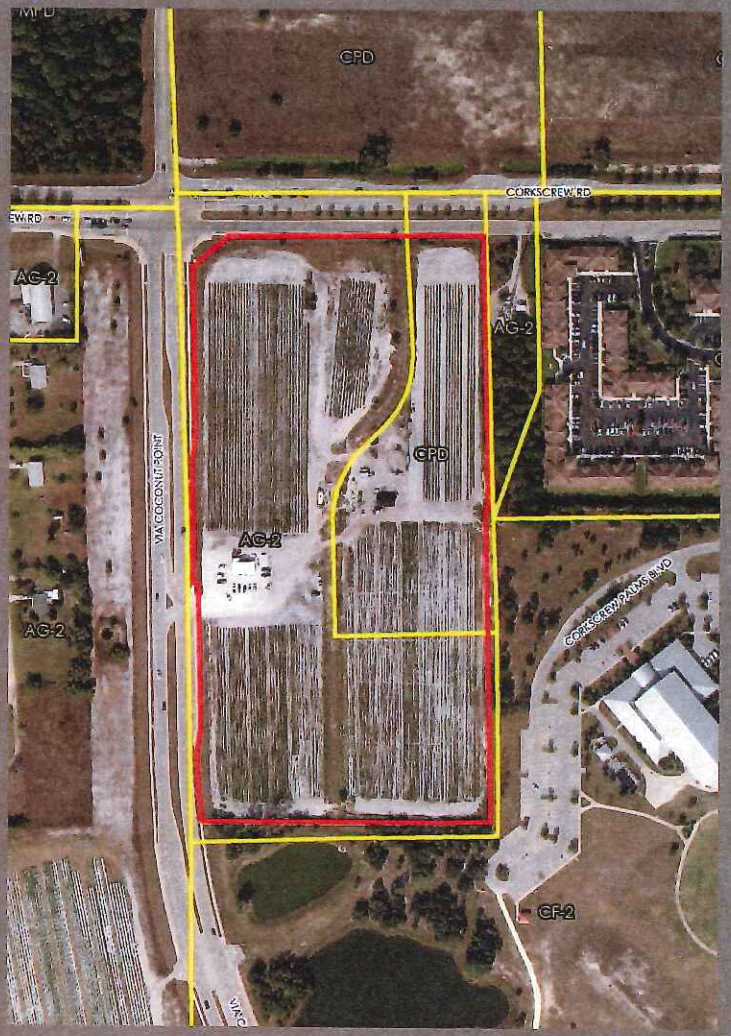
3 Sales Center Administrative Amendment

Northeast 5ac of zoned CPD (Z-00-055)
Approved in December 2000

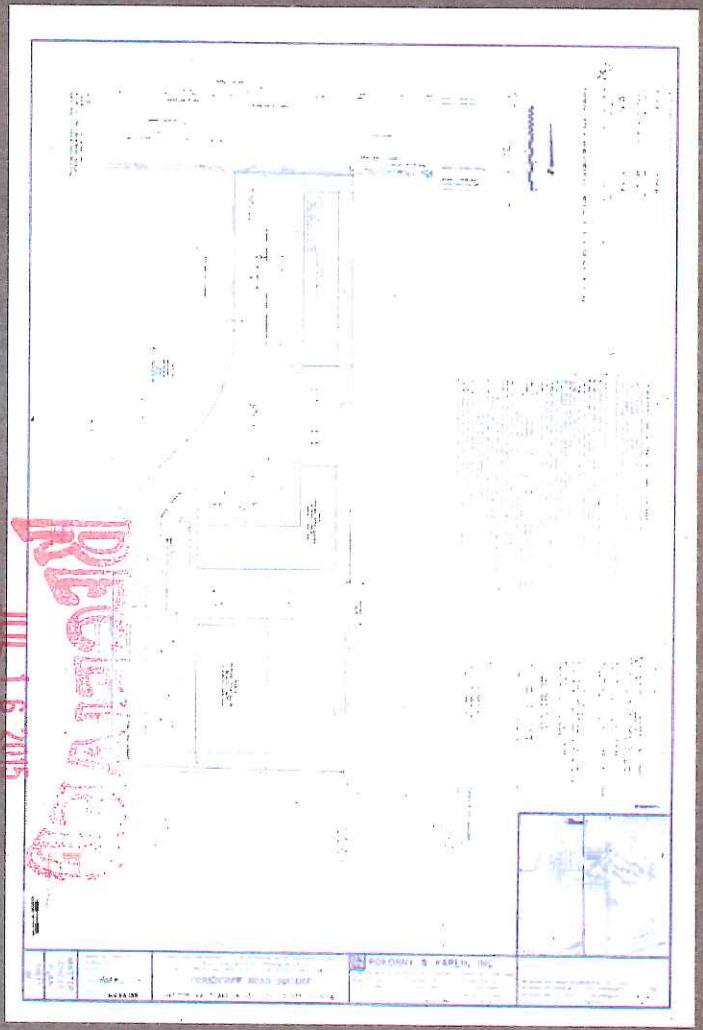
Permits 47,800sf of Commercial Developed in 3 Phases

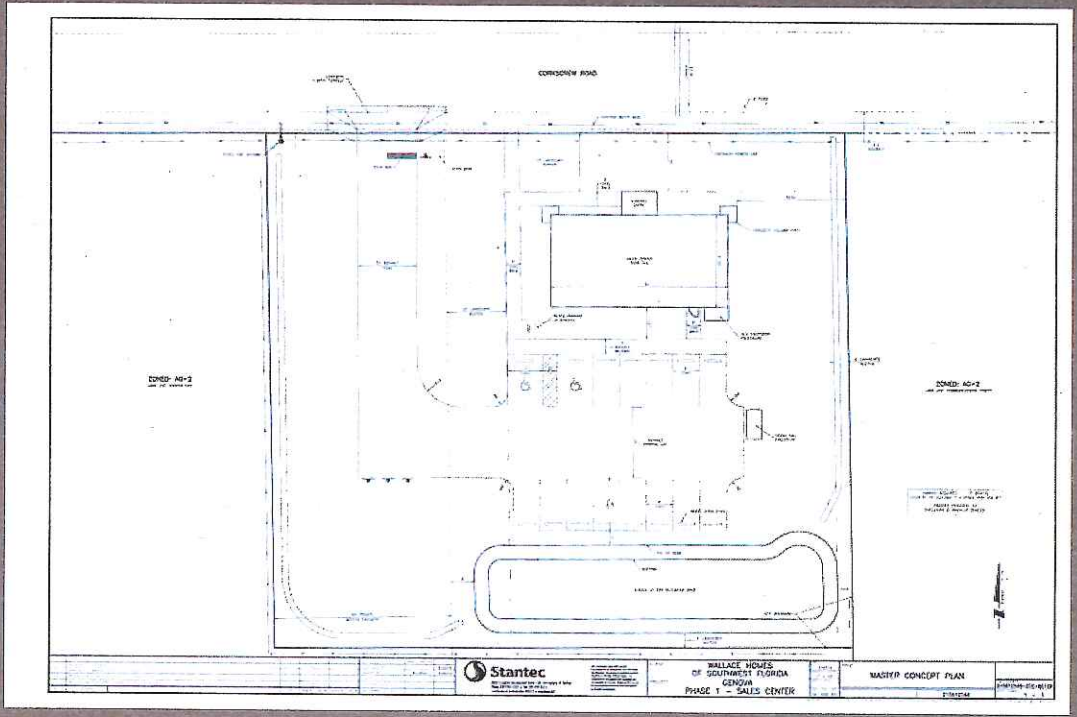
Amendment to Modify Phase 1 for a 2,200sf Sales Center

Complies with Design Standards



MCP and Revised Phase 1





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Questions?

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Genova Residential
Planned Development

REVISED TRAFFIC IMPACT STATEMENT

DCI 2015-00009

Genova
RPD Application
Zoning Traffic Study (ZTS)
215612546

Prepared for
Genova Partners LLC
3798 Cracker Way
Bonita Springs, Florida 34134

Prepared by
Stantec Consulting Services
Incorporated
Wilson Professional Center
3200 Bailey Lane, Suite 200
Naples, Florida 34105

April 16, 2015
May 21, 2015 Revised

DCI2015-00009

Stantec

Design with community in mind

PURPOSE

The following zoning traffic impact analysis is intended to satisfy the applicable requirements associated with a ***Zoning Traffic Study (ZTS)*** to support a Residential Planned Development (RPD) application for the ***Genova RPD*** PROJECT (hereafter "PROJECT") located on 17 acres in the southeast quadrant of the intersection of Corkscrew Road and Via Coconut Point. 4.84 acres of the PROJECT is currently zoned ***Corkscrew Road Square CPD*** and 12.16 acres is zoned ***AG-2***. The proposed RPD zoning would permit the development of 205 multi-family dwelling units.

The purpose of this traffic circulation analysis is to determine the effect of the zoning change on the surrounding roadway network.

STUDY AREA

The +/- 17 acre site is located in the southeast quadrant of the intersection of Corkscrew Road and Via Coconut Point, approximately ¼ mile east of US 41 (**Figure 1**).

Figure 1: PROJECT Location

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TRIP GENERATION

Development of the site is proposed to include 205 multi-family dwelling units. Trip generation is depicted in **Table 1.** All trip generation data was developed using *ITE Trip Generation Manual (9th Ed.)* equations, where available. During the a.m. peak hour, a total of 92 trips are expected to be generated by the PROJECT, with 16 entering and 76 exiting. During the p.m. peak hour, a total of 108 trips are expected to be generated by the PROJECT, with 72 entering and 36 exiting. The +/- 17 aces site includes the +/- 4.84 acre Corkscrew Road Square CPD. The additional +/- 12.16 acres are currently zoned agricultural (AG-2). The current CPD zoning would permit one of three possible scenarios including various mixes of commercial retail, office and assisted living facilities. It should be noted that notwithstanding what additional land uses could be developed on the existing AG-2 zoned land, that two of the three approved CPD scenarios produce a greater number of peak hour trips than the proposed PROJECT.

Table 1: Land Use Trip Generation

ITE Land Use (LU)	ITE LU#	Units	Unit of Measure	24-Hr Trips (2-Way)		Peak Hour Trips	Entering Rate	Exiting Rate	Driveway Volume	
									Entering Trips	Exiting Trips
Multi-family	230	205	DU	1,201	AM Pk Hr	92	17%	83%	16	76
					PM Pk Hr	108	67%	33%	72	36

Source: ITE Trip Generation Manual, 9th Ed., Equations:

24-Hr. 2-Way Volume: LN(T) = 0.87_N(X) + 2.46,
7-9 AM Peak Hr. Total: LN(T) = 0.80_N(X) + 0.26
0.17 Enter, 0.83 Exit
4-6 PM Peak Hr. Total: LN(T) = 0.82_N(X) + 0.32
0.67 Enter, 0.33 Exit

TRIP DISTRIBUTION

Because the p.m. peak hour trip generation is greater, an analysis was only completed for the p.m. peak hour. The percent of p.m. peak hour directional PROJECT trips assigned to the network (trip distribution) is depicted below in **Figure 2** & **3**. Directional trips are noted on each segment, with the peak hour directional PROJECT trips assigned to each segment. The PROJECT trips assigned to the peak direction during the p.m. peak hour are shown in red (minor differences are due to rounding.)

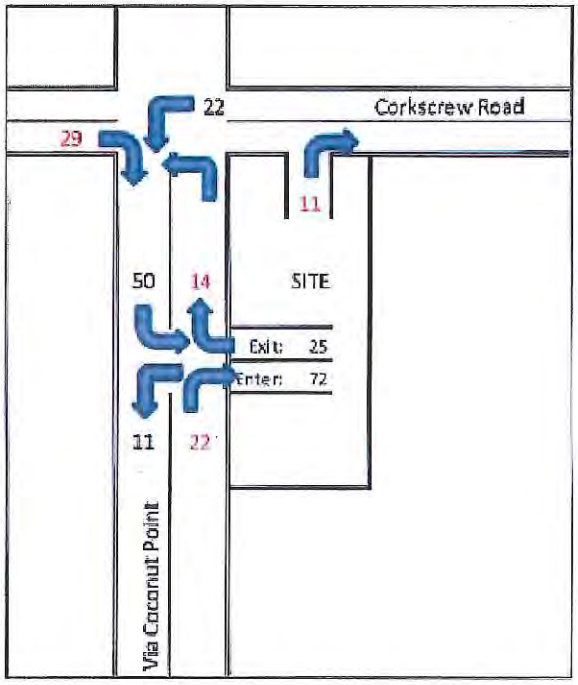

Figure 2: PROJECT Trips Directional Distribution at Site Access Points

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Project Trips in the P.M. Peak Direction

Figure 3: PROJECT Trips Directional Distribution to Network

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AREA OF INFLUENCE

The roadway network within the area of influence was identified and PROJECT trips assigned were compared to the link specific level of service "C" service volumes to determine if any of the roadways within the area of influence were significantly impacted (i.e., exceed 10% of the LOS C service volume). The results shown in **Table 2** indicate that no roadways are significantly impacted by PROJECT trips.

Table 2: PROJECT Trips as a Percentage of LOS "C" Service Volume

Facility	Limits	Type	LOS Std.	Pk. Hr. Dir. Serv. Vol.(1)	PM Pk. Dir(2)	PM Pk.Dir. Project Trips	PM Pk.Dir. Proj.Trips %SV
Ben Hill Griffin Blvd.	Corkscrew Rd to FGCU	4LD	C	1,960	NB	2	0.001
Coconut Rd.	US 41 to Three Oaks Pkwy	4LD	C	1,310	EB	4	0.003
Corkscrew Rd.	US 41 to Three Oaks Pkwy	4LD	C	1,900	EB	11	0.006
Corkscrew Rd.	Three Oaks Pkwy to I-75	4LD	C	1,900	EB	5	0.003
Corkscrew Rd.	I-75 to Ben Hill Griffen Blvd.	4LD	C	1,900	EB	2	0.001
Three Oaks Pkwy	Corkscrew Rd. to Coconut Road	4LD	C	1,940	NB	7	0.004
Three Oaks Pkwy	Corkscrew Rd. to San Carlos Blvd.	4LD	C	1,940	NB	2	0.001
Via Coconut Point	Corkscrew Rd. to South End	4LD	C	1,310	NB	22	0.016
Williams Rd.	US41 to River Ranch Rd.	2LU	C	550	EB	4	0.007
US41	Old 41 to Corkscrew Rd.	6LD	C	3,020	NB	11	0.004
US41	Corkscrew Rd. to Sanibel Blvd.	6LD	C	3,000	NB	9	0.003

(1) Source: Lee County Link Specific Service Volumes (May 2014)

(2) Source: 2014 Traffic County Report

Although not significantly impacted by PROJECT trips, during the methodology meeting with County Staff, the applicant was asked to provide an impact analysis of PROJECT trips on Corkscrew Road at PROJECT build-out (minimum 5-years). Lee County traffic count data was used to develop an annual average growth rate (AAGR) for traffic along Corkscrew Road and Via Coconut (**Table 3**).

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Table 3: Existing Conditions & Annual Average Traffic Growth

Facility	Limits	Type	LOS Std.	Pk. Hr. Dir. Serv. Vol [1]	2014 Pk.Hr. Dir. Vol [1]	2014 V/Std.	2014 LOS [1]	PM Pk. Dir [2]	Base Year AADT [2]	Last Year AADT [2]	AAGR	Years	
Corkscrew Rd.	US 41 to Three Oaks Pkwy	4LD	E	1,900	688	0.36	C	EB	13,900	14,300	0.36%	8	2005-2013
Corkscrew Rd.	Three Oaks Pkwy to I-75	4LD	E	1,900	1,520	0.80	C	EB	29,400	30,600	0.45%	9	2005-2014
Corkscrew Rd.	I-75 to Ben Hill Griffin Blvd.	4LD	E	1,900	1,128	0.59	C	EB	16,100	18,000	5.21%	8	2005-2013
Via Coconut Point	Corkscrew Rd. to South End	4LD	E	1,790	249	0.14	C	NB	5,100	5,400	1.92%	3	2007-2010

(1) Source: Lee County Link Specific Service Volumes (May 2014)
(2) Source: 2014 Traffic County Report

The AAGR (with a minimum of 1%) was applied to the 2014 peak hour direction volumes reported in the 2014 Concurrency Report for Corkscrew Road to generate a 2020 background traffic volume (without PROJECT trips). Peak direction *PROJECT trips* were then applied to the peak direction background volumes on each segment of Corkscrew Road and are reported in **Table 4.**

Table 4: Build-Out (2020) Conditions With and Without PROJECT Trips

Facility	Limits	Type	LOS Std.	Pk. Hr. Dir. Serv. Vol [1]	2014 Pk.Hr. Dir. Vol. [1]	2014 V/Std.	2014 LOS [1]	PM Pk. Dir [2]	Growth Rate Used	2020 W/Out Project Trips PmPkDir	2020 W/Out Project Trips V/Std	PM Pk.Dir Project Trips	PM Pk.Dir Proj. Trips %SV	2020 With Project Trips Pk Dir	2020 With Project Trips V/Std
Corkscrew Rd.	US 41 to Three Oaks Pkwy	4LD	E	1,900	688	0.36	C	EB	1.00%	750	0.39	1	0.005	741	0.39
Corkscrew Rd.	Three Oaks Pkwy to I-75	4LD	E	1,900	1,520	0.80	C	EB	1.00%	1,614	0.85	5	0.003	1,619	0.85
Corkscrew Rd.	I-75 to Ben Hill Griffin Blvd.	4LD	E	1,900	1,128	0.59	C	EB	3.21%	1,363	0.72	2	0.001	1,365	0.72
Via Coconut Point	Corkscrew Rd. to South End	4LD	E	1,790	249	0.14	C	NB	1.97%	279	0.16	22	0.013	301	0.17

(1) Source: Lee County Link Specific Service Volumes (May 2014)
(2) Source: 2014 Traffic County Report

As can be seen in **Table 4**, all portions of Corkscrew Road and Via Coconut are expected to operate at an acceptable level of service in 2020, and PROJECT trips will not have a significant impact on the adjacent roadway network.

SITE ACCESS ANALYSIS

The PROJECT's main access point will connect to Via Coconut Point at the existing directional median opening as shown on the Master Concept Plan in **Figure 4.** A secondary, right-out driveway will connect to Corkscrew Road. At the main access connection on Via Coconut Point, the PROJECT will utilize the existing driveway connection currently used by the existing U-pick farm operation. This connection is currently served by a 265-foot northbound right turn lane and a 400-foot southbound left turn lane. The posted speed on Via Coconut Point is 40 mph. Assuming a design speed of 45 mph, FDOT Standard Index 301 gives a required deceleration length of 185 feet.

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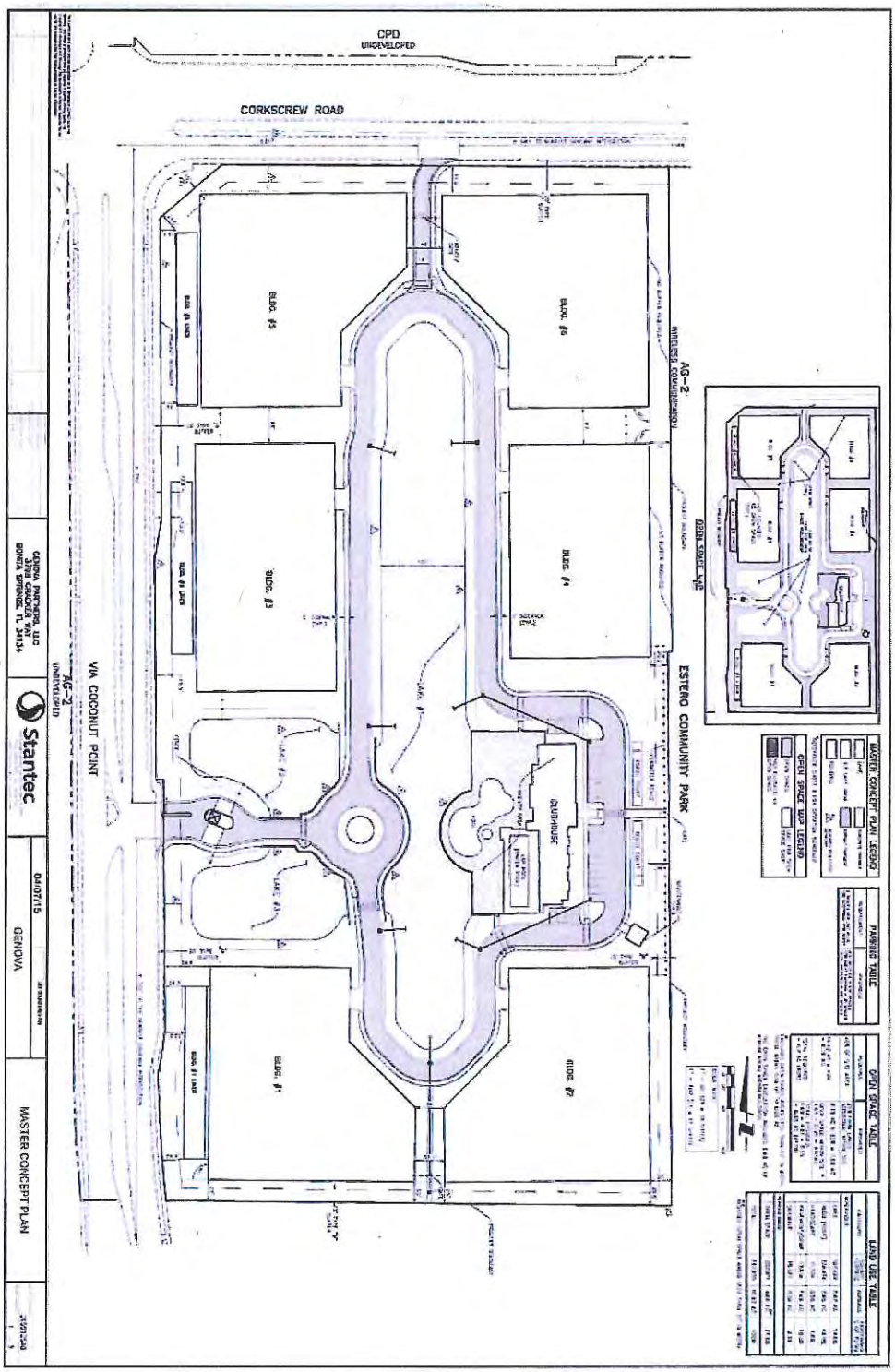

Figure 4: Site Access Connections

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The northbound right-turn lane exceeds the required deceleration length by 80 feet. Because it is a free-flow movement into the site, no queue storage length is required. Therefore, the existing 265-foot northbound right-turn lane will be more than adequate to accommodate the 22 northbound right-turn vehicles produced by this PROJECT.

The southbound left-turn lane exceeds the required deceleration length by 215 feet. The PROJECT is anticipated to generate 50 southbound left-turn vehicles. The required unsignalized queue length for the southbound left-turn lane was calculated using procedures outlined in the AASHTO *Green Book*. The 50 southbound left-turn vehicles will require 50 feet of queue storage; therefore, the existing 400-foot southbound left-turn lane will be more than adequate to accommodate the 50 southbound left-turn vehicles produced by this PROJECT. The queue length calculation for the left turn lane is shown below:

Via Coconut SB Left Turn Lane Queue Length:

$$50\frac{veh}{hr}\left(\frac{1\ hr}{60\ min}\right)\left(\frac{2\ min}{}\right)\left(\frac{25\ ft}{veh}\right) = 42\ ft \approx 50\ ft$$

The existing channelized median opening allows for southbound left entering traffic and westbound left exiting traffic, but will not permit traffic movements into or out of the proposed Via Coconut Urban Place Project to the west. In the March 30, 2015 supplemental TIS filing by the applicant for the Via Coconut Urban Place Project (DCI2014-00023), the access connections proposed do not include a modification to the existing channelized median opening, rather the full access to Via Coconut will occur at the existing full median opening south of the Genova project. The development is proposing to have a right-in/right-out access connection at the location of the Genova access point. Therefore, the only Via Coconut Urban Place traffic that will impact the operation of the access connection to Genova will be the 64 new northbound Via Coconut Point trips that exit the Via Coconut Urban Place at one of the access points south of Genova, and the 15 right-turn exiting vehicles leaving the Via Coconut Urban Place project at the connection directly opposite the Genova access. A complete intersection analysis is included later in this report.

Additionally, vehicles exiting the Genova site will not have trouble finding gaps to enter the Via Coconut Point traffic stream. Based on the Lee County Concurrency Report (2014), only 249 peak-hour peak-direction vehicles currently using Via Coconut Point in the peak direction (NB) during the peak hour, plus the 64 vehicles proposed from the Via Coconut Urban Place project are, less than 20% of the roadway's capacity.

Lee County's ZTS Guidelines require a review of existing connection spacing within 330 feet of the PROJECT's access on collectors (Via Coconut Point) and within 660 feet of the PROJECT's access connection on arterials (Corkscrew Road). Existing access points on adjacent parcels are shown in **Figure 5.** As can be seen in the exhibit, there are no existing connections within 330 feet of the site access on Via Coconut Point, and a single access connection within 660 feet of the proposed connection to Corkscrew Road. The location of the PROJECT's secondary right-out connection onto Corkscrew Road will be at least +/-540 feet west of the existing driveway connection on the parcel to the east.

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Figure 5: Access Connections on Adjacent Parcel

INTERSECTION ANALYSIS

An unsignalized intersection analysis was conducted for the access to Genova. The additional traffic from the Via Coconut Urban Place project, obtained from the March 25, 2015 filing of responses to sufficiency comments, was included in the analysis. The applicable data sheets are included in the **Appendix.**

Assuming a 55% peak hour directional split, the published 2014 northbound peak hour, peak directional volume of 249 was used to generate a total 2-way background traffic volume of 453 and a SB directional volume of 204.

Net new project trips from both the Genova site and the Via Coconut Urban Place site shown in **Figure 6**, were added to the background volumes in both directions to establish the northbound and southbound total approach volumes, and yield the turn and thru volumes used in the Highway Capacity Software (HCS) analysis. In the case of Via Coconut Urban Place, the turn volumes shown (and analyzed in the HCS analysis, are the driveway volumes, i.e., the sum of net

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new plus the pass-by trips assumed to be in the background volumes. Of the 46 right turns at the northernmost entrance to Via Coconut Urban Place, 23 are considered pass-by trips already in the background volume. Downstream south of the entrance, at two other entrances, 2 of the 77 entering trips are considered to be pass-by trips (75 net new trips). Therefore the 352 southbound approach volume is comprised of 204 background trips (which includes 23 right turn pass-by trips), plus 23 net new right turns, plus 75 net new thrus that will be right turns downstream, plus the 50 left turns entering the PROJECT. The northbound approach volume of 335 is made up of 249 background trips plus 22 entering PROJECT trips and 64 net new thru trips coming from Via Coconut Urban Place.

The HCS analysis, included in the **Appendix**, revealed an approach level of service (LOS) of "B" or better on both side streets and LOS "A" on the SB Left turn movement.

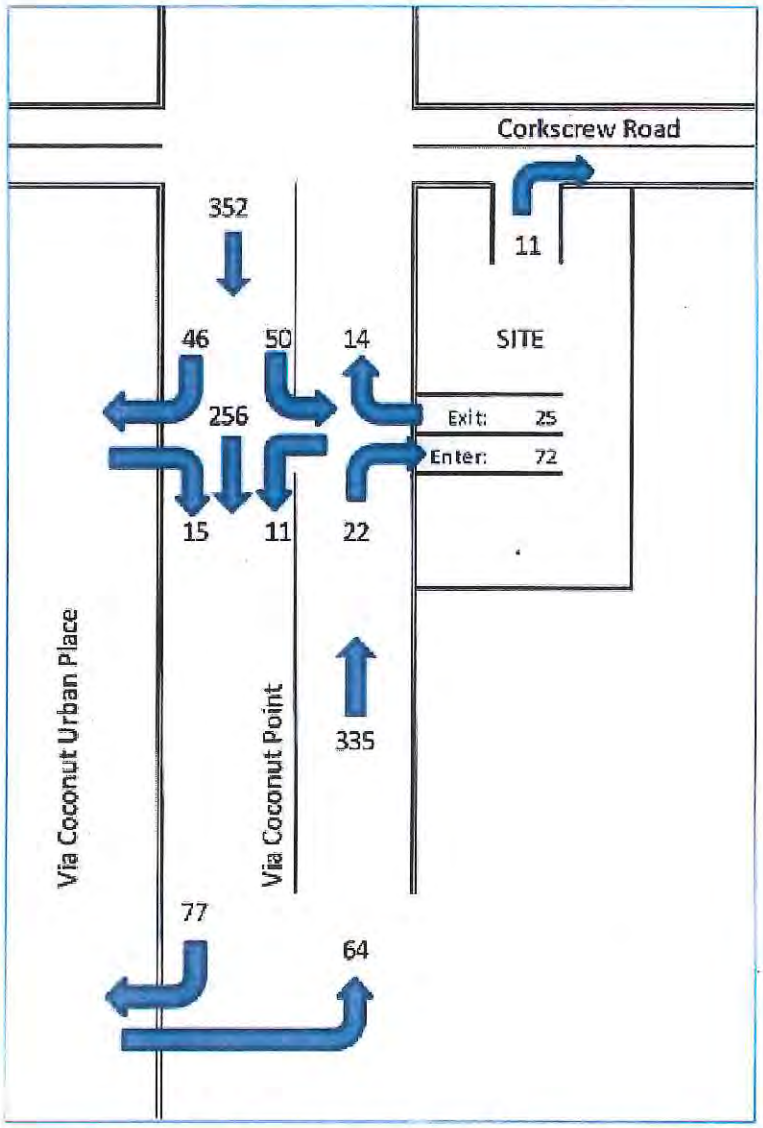

Figure 4: Genova and Via Coconut Urban Place P.M. Peak Hour Trip Distribution

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CONCLUSIONS

The proposed change in zoning from ***CPD and Ag-2*** to ***RPD*** does not adversely impact the adjacent roadway network. Additionally, the proposed residential development of the site will generate substantially less traffic than would be otherwise generated by the land uses permitted by the current zoning.

Within the 5-year build-out, the proposed zoning change has no significant impact on the adjacent roadways.

Primary access to Via Coconut Point is served by an existing median opening with adequately sized turn lanes. A secondary right-out access will be provided onto Corkscrew Road. An unsignalized intersection analysis revealed acceptable operating conditions at the project entrance. No additional site related improvements are required.

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APPENDIX

HCS Analysis

Via Coconut Urban Place trip generation and distribution data from the response to Sufficiency Comments (dated March 24, 2015)

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	MRC	Intersection	Via Coconut Pt/Site Access
Agency/Co.	Stantec	Jurisdiction	
Date Performed	5/20/2015	Analysis Year	2015
Analysis Time Period	PM Peak-Hour		

Project Description Genova Project	
East/West Street: Site Access	North/South Street: Va Coconut Point
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		313	22	50	256	46
Peak-Hour Factor, PHF	1.00	0.92	0.92	0.92	0.92	0.92
Hourly Flow Rate, HFR (veh/h)	0	340	23	54	278	49
Percent Heavy Vehicles	0	--	--	2	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	1	1	2	0
Configuration		T	R	L	T	TR
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			15	11		44
Peak-Hour Factor, PHF	1.00	1.00	0.92	0.92	0.92	0.92
Hourly Flow Rate, HFR (veh/h)	0	0	16	11	0	47
Percent Heavy Vehicles	0	0	0	2	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R		LR	

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L		LR				R
v (veh/h)		54		58				16
C (m) (veh/h)		1192		699				886
v/c		0.05		0.08				0.02
95% queue length		0.14		0.27				0.06
Control Delay (s/veh)		8.2		10.6				9.1
LOS		A		B				A
Approach Delay (s/veh)	--	--	10.6			9.1		
Approach LOS	--	--	B			A		

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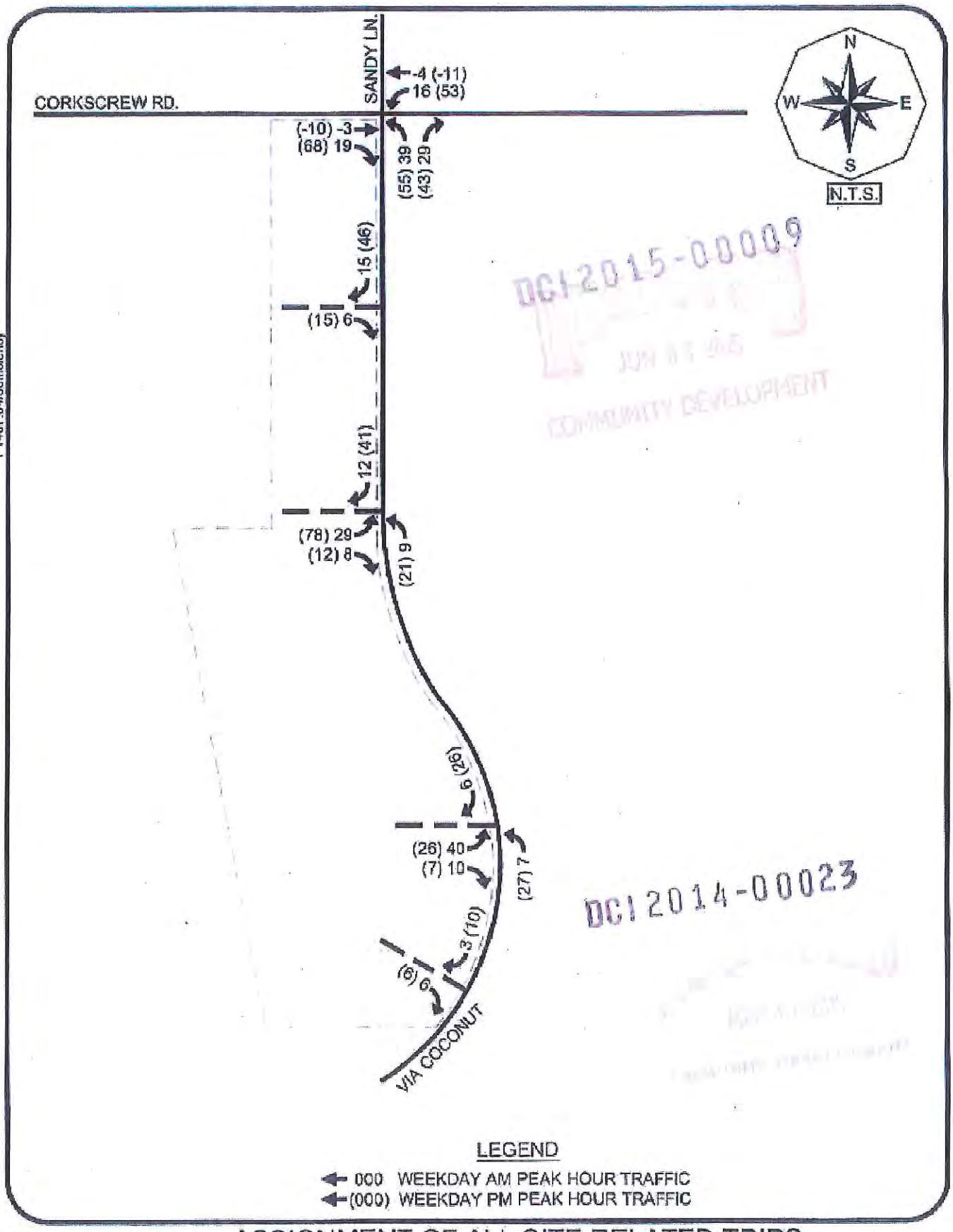

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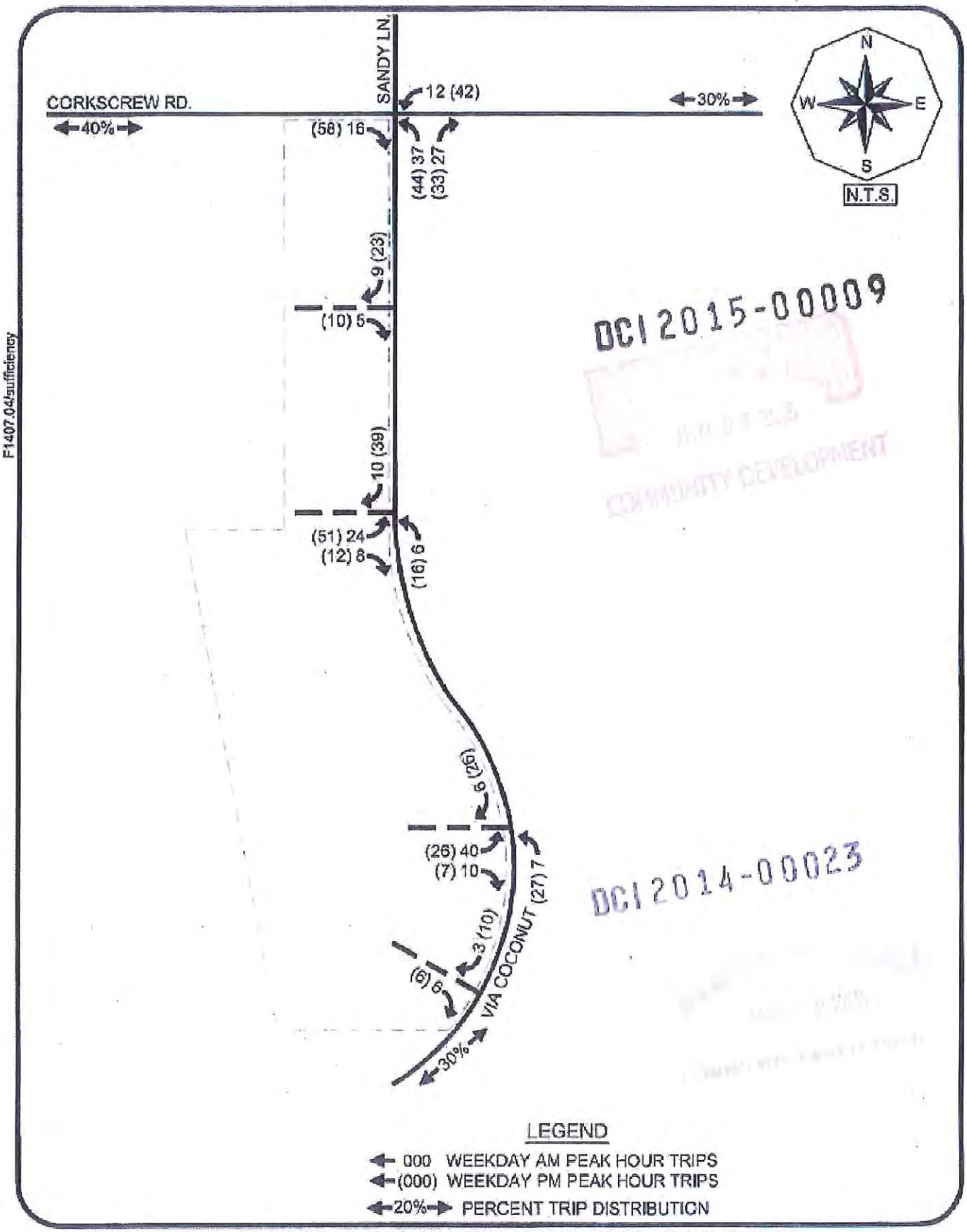
F1407.04/sufficiency

TRANSPORTATION CONSULTANTS, INC.

ASSIGNMENT OF ALL SITE RELATED TRIPS
NET NEW + PASS-BY TRIPS
VIA COCONUT MPD

Figure 2

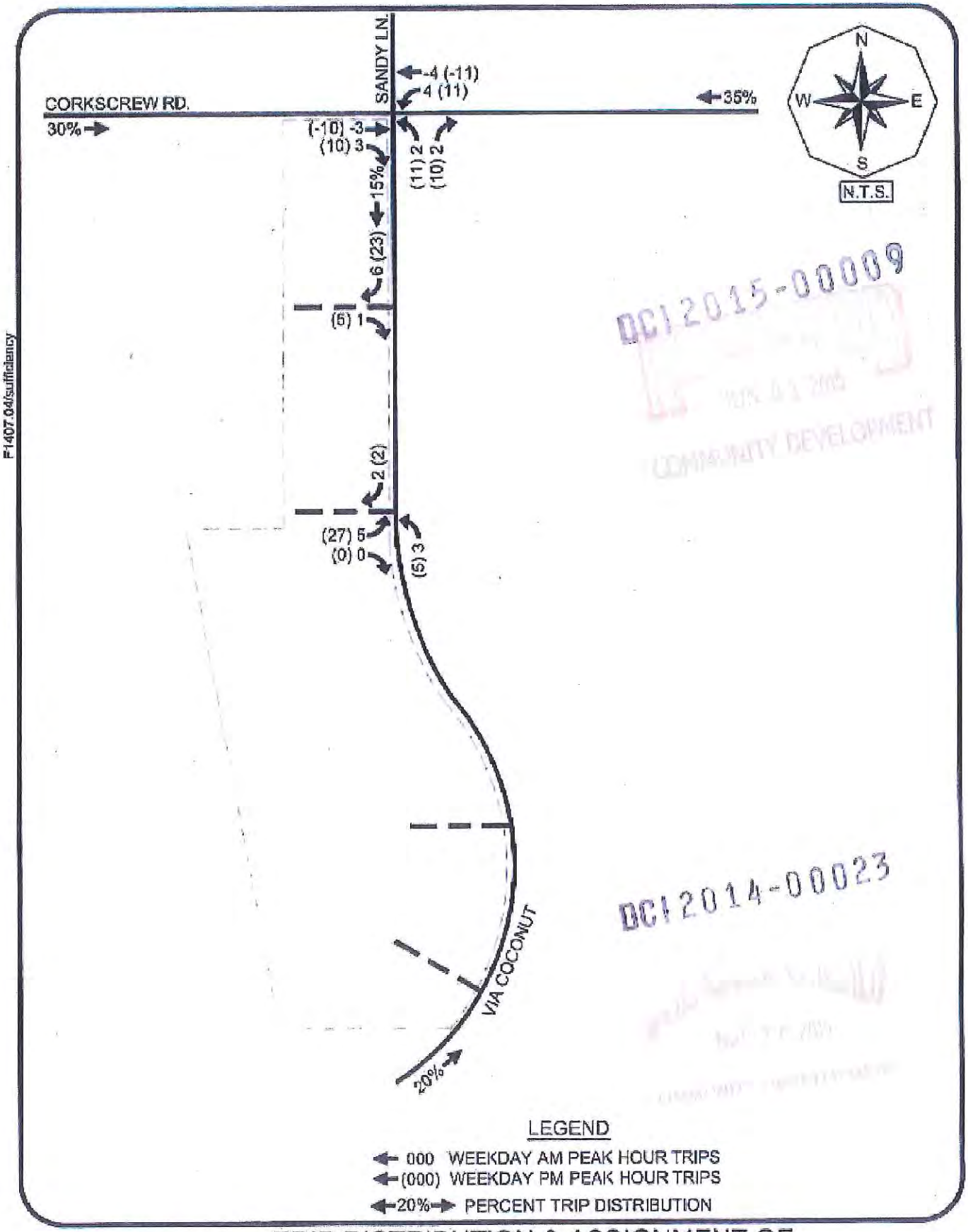


F1407.04/sufficiency

TRANSPORTATION CONSULTANTS, INC.

TRIP DISTRIBUTION & ASSIGNMENT OF NET NEW TRIPS VIA COCONUT MPD

Figure A-1



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COMMUNITY DEVELOPMENT
DCI2014-00023

F1407.04/sufficiency

TRANSPORTATION CONSULTANTS, INC.

TRIP DISTRIBUTION & ASSIGNMENT OF PASS-BY TRIPS
VIA COCONUT MPD

Figure A-2