



VILLAGE OF ESTERO ZONING STAFF REPORT

PROJECT NAME: COCONUT POINT DRI (TRACTS 3A-1, 3A-2 and 3A-3-1)
CASE TYPE: ADMINISTRATIVE AMENDMENT
CASE NUMBER: ADD 2016-E005
PLANNING & ZONING BOARD DATE: July 19, 2016

REQUEST

The applicant is requesting a revision to the Eighth Amended DRI Development Order for the Coconut Point DRI which was adopted on May 7, 2014 and the Zoning Master Concept Plan to reduce net external trips by 135 for the Lee Memorial Tract of the Coconut Point DRI, and re-allocate them within Tract 3.

APPLICATION SUMMARY

Applicant: Lee Memorial Health System

Request: Revise a condition in the Eighth Amended Development Order for the Coconut Point DRI and Zoning Master Concept Plan. The revision will reduce the net external trips from 614 to 479 for the Lee Memorial tracts (3A-1, 3A2 and 3A-3-1).

Location: The property is located at 23410 and 23450 Via Coconut Point, south of Coconut Road. The applicant indicates the STRAP numbers for the properties are 09-47-25E3-373A1.0000, 09-47-25E3-373A2.0000 and 09-47-25E3-373A3.0000

PROJECT HISTORY

The tracts that are the subject of this request are located in Development Area #3 which is approximately 26.9 acres in the southern portion of the project and south of Coconut Road. The tracts are part of the Coconut Point DRI and shown on the Coconut Point Mixed Plan Development Master Concept Plan. The entire Coconut Point Mixed Planned Development was rezoned from AG-2 to Mixed Planned Development by Resolution Z-02-009 dated October 21, 2001. There have been 8 amendments to the DRI. The Eighth Amended DRI Development Order (DRI #09-2001-153) was adopted on May 7, 2014 through Zoning Resolution Z-14-005.

STAFF ANALYSIS

The Coconut Point DRI is a large Development of Regional Impact consisting of 482 acres located at the intersection of US 41 and Coconut Road. The Coconut Point DRI was approved for retail use, banks, medical office, hotel rooms, condominium units and assisted living facility. The project also consists of 33 acres of conservation areas, 57 acres of lakes, 43 acres of road right-of-way and 9 acres of green area/open space.

The DRI has been amended eight times since the project was approved in 2001. The Eighth Amendment approved by Lee County in May 2014 included the option to develop an acute care hospital within Tract 3A as shown on Map H. This approval allowed increased square footage of office space to be constructed within tract 3-A so long as net new external trips from tract 3-A do not exceed 614. The amendment also extended the buildout and termination dates of the DRI to December 31, 2024 and December 31, 2030. The Applicant is now requesting to reduce the net

external trips from 614 to 479 for the Lee Memorial tracts (3A-1, 3A-2 and 3A-3_1) and revise the Master Concept Plan to depict the new amount of net external trips. The remaining 135 net external trips would be re-allocated within Tract 3.

The reason for this request is that when Lee County approved the amendments, it was intended to only affect property owned by Lee Memorial Health System (Tracts 3A-1, 3A-2 and 3A-3_1); however, it inadvertently included other parcels in Tract 3, specifically tracts 3A-3_2 and 3A-3_3, leaving them without a trip allocation, and overstating the amount of trips for the Lee Memorial parcels.

The revision will correct this and allocate trips to the remaining parcels of Tract 3.

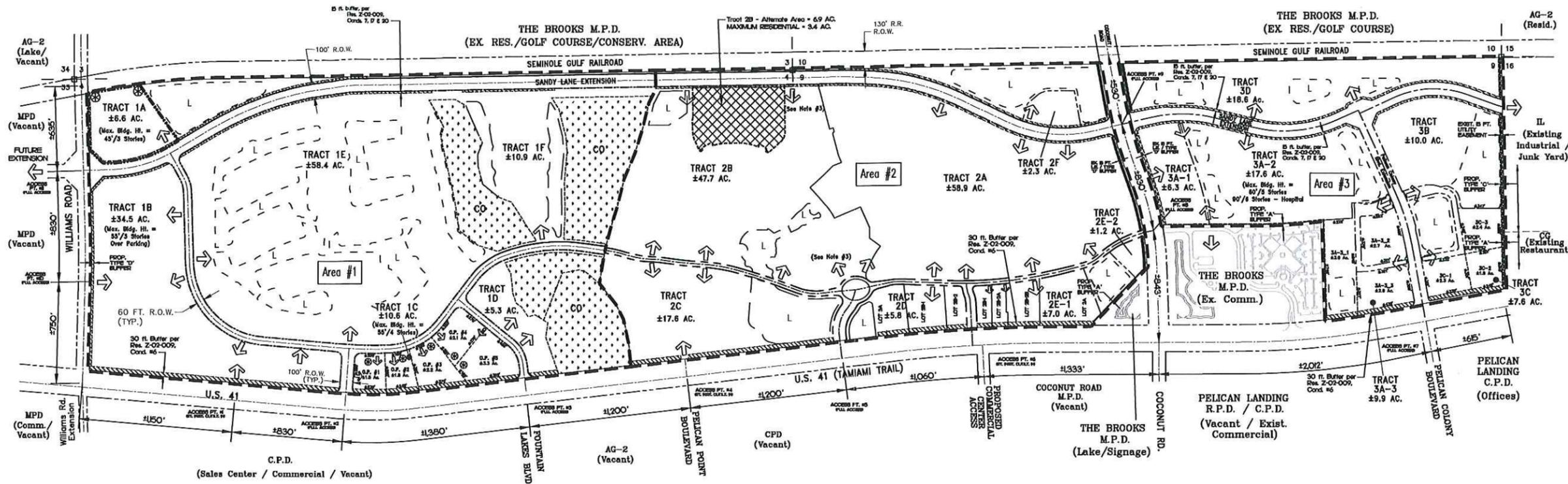
The Planning and Zoning Board will make a recommendation to Council regarding this request.

ATTACHMENTS

- A. Revised Master Concept Plan
- B. Draft Ordinance

Attachment A

Revised Master Concept Plan



PROJECT SUMMARY:

1. REQUEST: A REZONING FROM AG-2 TO MIXED USE PLANNED DEVELOPMENT (MPD)

2. OVERALL CONCEPTUAL PROJECT ACREAGE:

CONSERVATION AREAS	± 33.4 ACRES
LAKES	± 58.8 ACRES
INTERNAL (PRIVATE) R.O.W.	± 20.2 ACRES
INTERNAL (PUBLIC) R.O.W.	± 25.6 ACRES
GREEN AREAS / OPEN SPACE	± 8.7 ACRES
DEVELOPMENT TRACT AREAS	± 335.7 ACRES
TOTAL	± 482.4 ACRES

3. CONCEPTUAL TRACT AND LAND USE / ACREAGE BREAKDOWN:

a. DEVELOPMENT AREAS:

Development Area #1: (Residential - 740 M.F./ALF Units / Retail - Comm. 85,000 Sq.Ft. / Office 481,277 Sq.Ft. / Hotel 120 Rooms / Bank w/ D.T. - 8,000 Sq.Ft.)	
Proposed Lakes	± 28.1 Ac.
Proposed Internal/Private R.O.W.	± 8.2 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 10.1 Ac.
Conservation Areas	± 33.4 Ac.
Green Areas / Open Space	± 4.7 Ac.
Development Areas (Tracts 1A - 1F)	± 126.3 Ac.
Total Development Area #1	± 210.8 Ac.
Development Area #2: (Residential - 450 M.F. Units / Retail - Comm. 1,450,000 Sq.Ft. / Gen. Office 90,000 Sq.Ft. / Hotel - 200 Rooms)	
Proposed Lakes	± 17.0 Ac.
Proposed Internal/Private R.O.W.	± 6.1 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 8.1 Ac.
Green Areas / Open Space	± 4.0 Ac.
Development Areas (Tracts 2A - 2F)	± 140.5 Ac.
Total Development Area #2	± 175.7 Ac.
Development Area #3: (Residential - 424 M.F. / A.L.F. Units / Retail - Comm. 72,500 Sq.Ft. / Office 341,167 Sq.Ft. / 160 Hospital Beds)	
Proposed Lakes	± 13.7 Ac.
Proposed Internal/Private R.O.W.	± 5.9 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 7.4 Ac.
Development Areas (Tracts 3A-1 thru 3-3D)	± 68.9 Ac.
Total Development Area #3	± 95.9 Ac.

b. MAXIMUM DEVELOPMENT TRACT INTENSITY: (NOTE: CUMULATIVE INTENSITIES WILL NOT EXCEED MAXIMUM PROPOSED LAND USES FOR EACH DEVELOPMENT AREA)

Development Area #1:	
Tract 1A	200 ALF Units / 50,000 s.f. Office
Tract 1B	450,000 s.f. Office
Tract 1C	90,000 s.f. Retail / 20,000 s.f. Office / 120 Room Hotel
Tract 1D	5,000 s.f. Retail / 35,000 s.f. Office / Fire Station
Tract 1E	450 M.F. DU's
Tract 1F	90 M.F. DU's
Development Area #2:	
Tract 2A	650,000 s.f. Retail / 450 M.F. DU's / 60,000 s.f. Office / 200 Room Hotel
Tract 2B	600,000 s.f. Retail / 200 Room Hotel / 200 M.F. DU's
Tract 2C	150,000 s.f. Retail / 20,000 s.f. Office / 200 Room Hotel
Tract 2D/E	150,000 s.f. Retail / 30,000 s.f. Office / 200 Room Hotel
Tract 2F	20,000 s.f. Retail / 30,000 s.f. Office / 100 Multi-family Units
Development Area #3:	
Tract 3A-1 thru 3	60,000 s.f. Retail / 300,000 s.f. Office / 160 Hospital Beds (1)
Tract 3B	200 A.L.F. Units
Tract 3C	40,000 s.f. Retail / 90,000 s.f. Office
Tract 3D	224 M.F. DU's

(1) ANY COMBINATION OF PERMITTED LAND USES MAY DEVELOP WITHIN TRACTS 3A-1, 3A-2 AND 3A-3.1 PROVIDED TRIP GENERATION DOES NOT EXCEED 479 NET NEW EXTERNAL TRIPS.

4. PROJECT PHASING:

	M.F. / A.L.F. (UNITS)	RETAIL COMM. (SQ.FT.)	OFFICE (SQ.FT.)	HOTEL (ROOMS)	Bank w/ DT (SQ.FT.)	HOSPITAL (BEDS)
2001 - 2024	1,614*	1,607,500	912,444	320	8,000	160

* M.F. / A.L.F. UNITS MAY BE REPLACED WITH S.F. / T.F. / T.H. / DUPLEX USES SO LONG AS THE TOTAL NO. OF PEAK HOUR VEHICULAR TRIPS GENERATED BY THE DEVELOPMENT IS NOT INCREASED AND APPROVAL IS OBTAINED IN ACCORDANCE WITH RESOLUTION Z-02-009.

5. CONCEPTUAL OPEN SPACE (Tract 2B Alternate Plan):

a. REQUIRED (per L.C.L.D.C.):*	
Development Area #1: (LESS Sandy Lane Extension and Tracts 1E & 1F) (Tracts 1E / 1F)	131.4 Ac. x 30% ± 39.4 Ac. 69.3 Ac. x 40% ± 27.7 Ac.
Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4 AC RESIDENTIAL MAX]: (LESS Sandy Lane Extension & Resid. Area) (Residential Area)	
	158.4 Ac. x 30% ± 47.5 Ac.** 9.2 Ac. x 40% ± 3.7 Ac.
Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO RESIDENTIAL]: (LESS Sandy Lane Extension & Resid. Area) (Residential Area)	
	161.8 Ac. x 30% ± 48.5 Ac. 5.8 Ac. x 40% ± 2.3 Ac.
Development Area #3: (LESS Sandy Lane Extension & Tracts 3B & 3D) (Tract 3B & 3D)	
	59.7 Ac. x 30% ± 17.9 Ac. 28.8 Ac. x 40% ± 11.5 Ac.
Total Open Space Required [ALT 1]: ± 147.7 Ac. Total Open Space Required [ALT 2]: ± 147.3 Ac.	
* The % of Open Space may vary depending upon the ultimate land uses. ** Includes Residential above Commercial uses.	
b. PROVIDED (per L.C.L.D.C.):	
Prop. Lake Areas (@ <25.0% of 150.2 Ac.)	± 37.6 Ac.
Prop. Conservation Areas	± 33.4 Ac.
Development Area #1: Commercial Development (Tracts 1A/1B/1C/1D) Residential Development (Tracts 1E/1F)	
	57.0 Ac. x 19.65% ± 11.2 Ac. 69.3 Ac. x 30.0% ± 20.8 Ac. Sub-total: ± 32.0 Ac.
Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4 AC RESIDENTIAL MAX]: Commercial Development (Tracts 2A - 2F) Residential Development (Tract 2A) Residential Development (Tracts 2B)	
	131.3 Ac. x 19.52% ± 25.6 Ac. 5.8 Ac. x 23.60% ± 1.4 Ac. 3.4 Ac. x 23.50% ± 0.8 Ac. Sub-total: ± 27.8 Ac.
Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO RESIDENTIAL]: Commercial Development (Tracts 2A - 2F) Residential Development (Tract 2A)	
	134.7 Ac. x 19.52% ± 26.3 Ac. 5.8 Ac. x 23.60% ± 1.4 Ac. Sub-total: ± 27.7 Ac.

Development Area #3: Commercial Development Tracts (Tracts 3A-1 thru -3 & 3C)		42.6 Ac. x 19.55%	± 8.3 Ac.
Residential Development (Tracts 3B & 3D)		28.8 Ac. x 30.00%	± 8.6 Ac.
Sub-total:			± 16.9 Ac.
Total Open Space Provided [ALT 1]:			± 147.7 Ac.
Total Open Space Provided [ALT 2]:			± 147.6 Ac.

6. INDIGENOUS OPEN SPACE: DUE TO THE EXISTING AGRICULTURAL LAND USE AND THE EXTENT OF MELALEUCA INVASION WITHIN THE REMAINING FORESTED AREAS, NO INDIGENOUS OPEN SPACE IS REQUIRED.

7. NOTES:
- A. Internal access will be provided to allow through traffic between US 41 and Sandy Lane Extension.
 - B. For Tracts 1A and 1C general service area locations, see above MCP.
 - C. The project will be designed to facilitate the use of the Lee Tran services in accordance with Lee County LDC Sec. 34-411(e) and 10-442.

LEGEND

	PROPERTY BOUNDARY
	ROAD R.O.W. LINE
	CONSERVATION AREAS
	PROPOSED LAKE
	CONCEPTUAL ACCESS POINT
	ADJACENT ZONING / LAND USE
	GENERAL LOCATION OF SERVICE AREAS

REVISIONS	NUMBER	DATE
Added #F Units to Tract 2B (See Schedule B, Table 10.0)	1	01/26/06
Added Access Pt. for Tract 3A-1	2	11/19/05
Revised for Administrative Amendment #6 Tract 3D	3	11/19/05
Revised for Administrative Amendment #6 Tract 3D	4	08/22/05
Revised for Administrative Amendment #6 Tract 3D	5	02/04/05
Revised for Administrative Amendment Submittal	6	08/25/04
Revised for Administrative Amendment Submittal	7	05/19/04
Revised for Administrative Amendment Submittal	8	02/27/04
Revised per County Attorney's Office Memo	9	12/09/02
Revised Tracts / U.S. 41 / Permitted Uses	10	12/19/01
Revised per County Staff 1st P.A.L.	11	03/09/01

6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone: (239) 985-1200
Florida Certificate of
Authorization No.1772



COCONUT POINT M.P.D. MASTER CONCEPT PLAN EXHIBIT IV-E

DESIGNED BY	DATE
E.M.C.	08/16/05
DRAWN BY	DATE
C.R.B.	08/16/05
CHECKED BY	DATE
N.E.D.	04/25/16
VERT. SCALE	1" = 400'
PROJECT NO.	SHEET NO.
9779B_MCP8	1 of 1

ATTACHMENT 'A'

Attachment B

Draft Ordinance

1 **DRAFT**

2
3 **VILLAGE OF ESTERO, FLORIDA**

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5 **ORDINANCE NO. 2016 -**

6
7 **AN ORDINANCE OF THE VILLAGE COUNCIL OF**
8 **THE VILLAGE OF ESTERO, FLORIDA;**
9 **CORRECTING A DEVELOPMENT OF REGIONAL**
10 **IMPACT DEVELOPMENT ORDER AND ZONING**
11 **RESOLUTION ISSUED BY LEE COUNTY FOR THE**
12 **COCONUT POINT DEVELOPMENT OF REGIONAL**
13 **IMPACT FOR PROPERTY BOUNDED BY US 41 ON**
14 **THE WEST, PELICAN COLONY BOULEVARD**
15 **EXTENSION ON THE SOUTH, VIA COCONUT**
16 **POINT ON THE EAST, AND COCONUT ROAD ON**
17 **THE NORTH, IN THE VILLAGE OF ESTERO,**
18 **FLORIDA; ADOPTING RECITALS; ADOPTING**
19 **FINDINGS; AND PROVIDING AN EFFECTIVE**
20 **DATE.**

21
22 **WHEREAS,** Lee County originally approved the Development Order and rezoning for
23 the Coconut Point Development of Regional Impact (hereinafter, “Coconut Point DRI”) on
24 October 21, 2001; and

25
26 **WHEREAS,** Lee County approved the Eighth Development Order Amendment and a
27 concurrent zoning amendment to the Coconut Point DRI on May 7, 2014, through Lee County
28 Zoning Resolution #Z-14-005, upon application from Lee Memorial Health System
29 (hereinafter, “Lee Memorial”) which was intended to affect only property owned by Lee
30 Memorial, specifically Tracts 3A-1, 3A-2, and 3A-3_1 (hereinafter, the “Lee Memorial
31 parcels”); and

32
33 **WHEREAS,** the changes approved by the Eighth Development Order Amendment and
34 the concurrent zoning amendment inadvertently affected other parcels within the Coconut
35 Point DRI, specifically Tracts 3A-3-2 and 3A-3-3; and

36
37 **WHEREAS,** Lee Memorial has applied for an administrative amendment to the Eighth
38 Development Order Amendment and Zoning Resolution #Z-14-005 to accurately reflect the
39 intent of the changes approved by Lee County on May 7, 2014; and

Words that have been added are underlined. Words that have been deleted are ~~stricken through~~.

41 **WHEREAS**, after research and analysis of the changes approved in 2014, the Village
42 Director of Community Development has determined that the use limitations and external trip
43 restrictions adopted in 2014 have inadvertently affected more property than the Lee Memorial
44 parcels and should be revised so as to affect only the Lee Memorial parcels; and
45

46 **WHEREAS**, the subject property is located in the South Village of the Coconut Point
47 DRI on property bounded by US 41 on the west, Pelican Colony Boulevard on the south, Via
48 Coconut Point on the east, and Coconut Road on the north; and
49

50 **WHEREAS**, a public hearing was held with due public notice on July 19, 2016, by
51 the Village of Estero Planning and Zoning Board which gave full consideration to the evidence
52 available and recommended _____; and
53

54 **WHEREAS**, the first reading of this ordinance was duly noticed and held on
55 _____, 2016, by the Village Council; and
56

57 **WHEREAS**, the second reading and duly noticed public hearing of this ordinance was
58 held on _____, 2016, by the Village Council, which gave consideration to the evidence
59 available and determined that the adoption of this ordinance is in the public interest.
60

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

64 **Section 1. Recitals adopted.** Each of the above stated recitals are hereby
65 adopted and confirmed as being true and the same are hereby incorporated as a part of this
66 Ordinance.
67

68 **Section 2. Findings.** The Village Council finds that the amendment complies
69 with the Land Development Code and the Comprehensive Plan, is consistent with the general
70 uses set forth in the Comprehensive Plan, and is a minor revision and correction to a limitation
71 on trip count generation for the Lee Memorial parcels which has no external impacts.
72

73 **Section 3. Approval.**
74

75 That the Village Council hereby _____ the following amendments to Lee
76 County Zoning Resolution #Z-14-005 and the Eighth Development Order Amendment for
77 Coconut Point DRI:
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79 1. Zoning Resolution #Z-14-005 is hereby amended by replacing the Master
80 Concept Plan attached as Exhibit B to Resolution #Z-14-005 with the Master Concept Plan
81 attached to this Ordinance as Exhibit "A."

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2. The Eighth Development Order Amendment is hereby amended as follows:

A. Section I.A., Findings of Fact and Conclusions of Law, is amended to add the underlined language and delete the stricken language to read as follows:

A. The Coconut Point DRI is a master planned commercial development consisting of 482.4+/- acres located in unincorporated south central Lee County at the intersection of US 41 and Coconut Road. The Coconut Point DRI is a mixed use development that will consist of: 1,450,000 gross leasable square feet of retail/regional mall (Regional Retail Center), 157,500 gross leasable square feet of retail on other parcels adjacent to the regional mall (Community Commercial Retail), 8,000 gross leasable square feet of Banks, 782,777 square feet of office, of which no more than 104,333 square feet may be medical office, 320 hotel rooms, 1,214 condominium units, and a 400 unit assisted living facility. The project will include 33.4 acres of conservation areas, 57.1 acres of lakes, 43.2 acres of road rights-of-way and 9.0 acres of green area/open space.

This Eighth Amendment: (1) provides an option to develop an acute care hospital within Tract 3A as shown on Page 3 of Map H attached hereto as Exhibit "B"; (2) increases the square footage of office that can be constructed within Tract 3-A so long as net new external trips from Tract 3-A do not exceed 614479; and (3) extends the buildout and termination dates to December 31, 2024, and December 31, 2030, respectively.

Tract 3A was previously allocated up to 60,000 gross leasable square feet of retail and 170,000 gross leasable square feet of general office, of which 68,333 square feet could have been medical office. Pursuant to the Eighth Amendment, ~~Tract 3-A~~ Tracts 3A-1, 3A-2, and 3A-3 1 in the South Village may be developed with a maximum of the following: 160-bed acute care hospital, 60,000 gross leasable square feet of retail, 300,000 square feet office, of which a maximum of 198,000 square feet may be medical office, or any combination of the foregoing that does not exceed 614479 net new external trips.

Water and wastewater treatment will be provided by Bonita Springs Utilities.

Words that have been added are underlined. Words that have been deleted are ~~stricken through~~.

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The project phasing schedule consists of one phase with buildout in 2024.

B. Section I.D.1.a., Transportation, Significant Impacts, Assessment Parameters, is amended to add the underlined language and delete the stricken language to the paragraph marked by an asterisk (*) so as to read as follows:

*~~Tract 3-A~~ Tracts 3A-1, 3A-2, and 3A-3_1 in the South Village (shown on page 3 of Map H attached hereto as Exhibit "B") may be developed with a maximum of 60,000 gross leasable sq. ft. retail, 300,000 sq. ft. total office (of which a maximum of 198,000 sq. ft. may be medical office), a maximum of 160 acute care hospital beds, or any combination of these uses that does not exceed ~~614479~~ total net new external trips.

C. Exhibit C to the Eighth Amended Development Order is amended to add the underlined language and delete the stricken language to Footnote *** so as to read as follows:

*** (1) the hospital may only be constructed within ~~Tracts 3-A~~ 3A-1, 3A-2, and 3A-3_1, and (2) ~~Tracts 3-A~~ 3A-1, 3A-2, and 3A-3_1 may be developed with up to 60,000 gross leasable sq. ft. retail, 300,000 sq. ft. office (of which a maximum of 198,000 sq. ft. may be medical office), and 160 acute care hospital beds, or any combination of these uses that does not exceed ~~614479~~ total net new external trips.

Section 4. Effective Date.

This ordinance shall take effect immediately upon adoption.

PASSED on first reading this ____ day of _____, 2016.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this ____ day of _____, 2016.

Attest: **VILLAGE OF ESTERO, FLORIDA**
By: _____ By: _____
Kathy Hall, MMC Nicholas Batos
Village Clerk Mayor

Reviewed for legal sufficiency:

Words that have been added are underlined. Words that have been deleted are ~~stricken through~~.

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By: _____

Nancy Stroud, Esq.
Land Use Attorney

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