



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
VILLAGE COUNCIL DATE: AUGUST 17, 2016

REQUEST

The applicant is requesting a revision to the Eighth Amended DRI Development Order for the Coconut Point DRI 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. The request was presented to the Planning and Zoning Board on July 19, 2016.

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, 3A-2 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 (Development of Regional Impact). Coconut Point 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 Eighth Amendment approved by Lee County in May 2014 included the option to develop an acute care hospital within Tract 3A south of Coconut Point. This approval allowed increased square footage of office space to be constructed within Tract 3-A so long as net new external vehicle 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 requesting a reduction of the net external trips from 614 to 479 for the Lee Memorial tracts (3A-1,

3A-2 and 3A-3_1) and revision to 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 corrects the net external trip count and allocates trips to the remaining parcels of Tract 3.

The Planning and Zoning Board recommended approval of the request on July 19, 2016. Staff does not object to this amendment.

1 **VILLAGE OF ESTERO, FLORIDA**

2
3 **ORDINANCE NO. 2016 - 10**

4
5 **AN ORDINANCE OF THE VILLAGE COUNCIL OF**
6 **THE VILLAGE OF ESTERO, FLORIDA;**
7 **CORRECTING A DEVELOPMENT ORDER AND**
8 **ZONING RESOLUTION ISSUED BY LEE COUNTY**
9 **FOR THE COCONUT POINT DEVELOPMENT OF**
10 **REGIONAL IMPACT FOR PROPERTY BOUNDED**
11 **BY US 41 ON THE WEST, PELICAN COLONY**
12 **BOULEVARD EXTENSION ON THE SOUTH, VIA**
13 **COCONUT POINT ON THE EAST, AND COCONUT**
14 **ROAD ON THE NORTH, IN THE VILLAGE OF**
15 **ESTERO, FLORIDA; ADOPTING RECITALS;**
16 **ADOPTING FINDINGS; AND PROVIDING AN**
17 **EFFECTIVE DATE.**

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19 **WHEREAS,** Lee County originally approved the Development Order and rezoning for
20 the Coconut Point Development of Regional Impact (hereinafter, "Coconut Point DRI") on
21 October 21, 2001; and
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23 **WHEREAS,** Lee County approved the Eighth Development Order Amendment and a
24 concurrent zoning amendment to the Coconut Point DRI on May 7, 2014, through Lee County
25 Zoning Resolution #Z-14-005, upon application from Lee Memorial Health System
26 (hereinafter, "Lee Memorial") which was intended to affect only property owned by Lee
27 Memorial, specifically Tracts 3A-1, 3A-2, and 3A-3_1 (hereinafter, the "Lee Memorial
28 parcels"); and
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30 **WHEREAS,** the changes approved by the Eighth Development Order Amendment and
31 the concurrent zoning amendment inadvertently affected other parcels within the Coconut
32 Point DRI, specifically Tracts 3A-3-2 and 3A-3-3; and
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34 **WHEREAS,** Lee Memorial has applied for an administrative amendment to the Eighth
35 Development Order Amendment and Zoning Resolution #Z-14-005 to accurately reflect the
36 intent of the changes approved by Lee County on May 7, 2014; and
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38 **WHEREAS,** after research and analysis of the changes approved in 2014, the Village
39 Director of Community Development has determined that the use limitations and external trip
40 restrictions adopted in 2014 have inadvertently affected more property than the Lee Memorial
41 parcels and should be revised so as to affect only the Lee Memorial parcels; and

42 **WHEREAS**, the subject property is located in the South Village of the Coconut Point
43 DRI on property bounded by US 41 on the west, Pelican Colony Boulevard on the south, Via
44 Coconut Point on the east, and Coconut Road on the north; and
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46 **WHEREAS**, a public hearing was held with due public notice on July 19, 2016, by the
47 Village of Estero Planning and Zoning Board which gave full consideration to the evidence
48 available and recommended approval; and
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50 **WHEREAS**, the first reading of this ordinance was duly noticed and held on August
51 17, 2016, by the Village Council; and
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53 **WHEREAS**, the second reading and duly noticed public hearing of this ordinance was
54 held on _____, 2016, by the Village Council, which gave consideration to the evidence
55 available and determined that the adoption of this ordinance is in the public interest.
56

57 **NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero,
58 Florida:
59

60 **Section 1. Recitals adopted.** Each of the above stated recitals are hereby
61 adopted and confirmed as being true and the same are hereby incorporated as a part of this
62 Ordinance.
63

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

69 **Section 3. Approval.**

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71 That the Village Council hereby approves the following amendments to Lee County
72 Zoning Resolution #Z-14-005 and the Eighth Development Order Amendment for Coconut
73 Point DRI:
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75 1. Zoning Resolution #Z-14-005 is hereby amended by replacing the Master
76 Concept Plan attached as Exhibit B to Resolution #Z-14-005 with the Master Concept Plan
77 attached to this Ordinance as Exhibit "A."
78

79 2. The Eighth Development Order Amendment is hereby amended as follows:
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81 A. Section I.A., Findings of Fact and Conclusions of Law, is amended to
82 add the underlined language and delete the stricken language to read as follows:

83 A. The Coconut Point DRI is a master planned commercial
84 development consisting of 482.4+/- acres located in unincorporated
85 south central Lee County at the intersection of US 41 and Coconut Road.
86 The Coconut Point DRI is a mixed use development that will consist of:
87 1,450,000 gross leasable square feet of retail/regional mall (Regional
88 Retail Center), 157,500 gross leasable square feet of retail on other
89 parcels adjacent to the regional mall (Community Commercial Retail),
90 8,000 gross leasable square feet of Banks, 782,777 square feet of office,
91 of which no more than 104,333 square feet may be medical office, 320
92 hotel rooms, 1,214 condominium units, and a 400 unit assisted living
93 facility. The project will include 33.4 acres of conservation areas, 57.1
94 acres of lakes, 43.2 acres of road rights-of-way and 9.0 acres of green
95 area/open space.

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

104
105 Tract 3A was previously allocated up to 60,000 gross leasable
106 square feet of retail and 170,000 gross leasable square feet of general
107 office, of which 68,333 square feet could have been medical office.
108 Pursuant to the Eighth Amendment, ~~Tract 3-A~~ Tracts 3A-1, 3A-2, and
109 3A-3 1 in the South Village may be developed with a maximum of the
110 following: 160-bed acute care hospital, 60,000 gross leasable square
111 feet of retail, 300,000 square feet office, of which a maximum of
112 198,000 square feet may be medical office, or any combination of the
113 foregoing that does not exceed ~~614479~~ net new external trips.

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

117
118 The project phasing schedule consists of one phase with
119 buildout in 2024.

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

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~~*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 3A-1, 3A-2, and 3A-3 1, and (2) Tracts 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 17th day of August, 2016.

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

Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____
Kathy Hall, MMC, Village Clerk

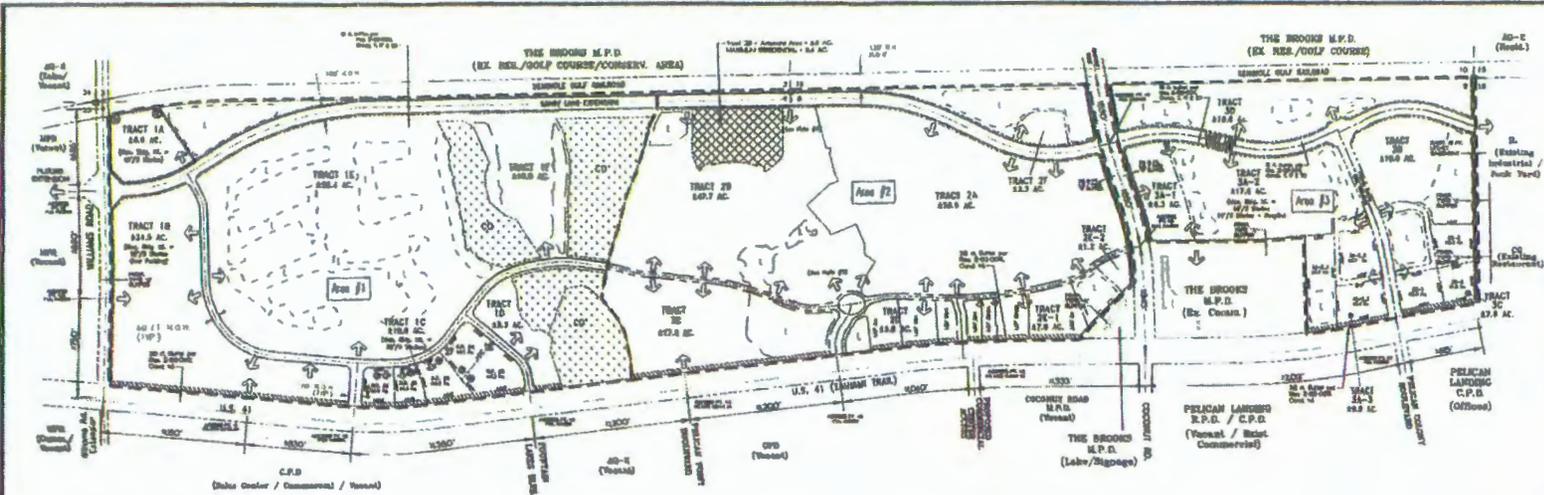
By: _____
Nicholas Batos, Mayor

Reviewed for legal sufficiency:

By: _____
Nancy Stroud, Esq., Village Land Use Attorney

	Vote:	AYE	NAY
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167	Mayor Batos	_____	_____
168	Vice Mayor Levitan	_____	_____
169	Councilmember Boesch	_____	_____
170	Councilmember Brown	_____	_____
171	Councilmember Errington	_____	_____
172	Councilmember Ribble	_____	_____
173	Councilmember Wilson	_____	_____

EXHIBIT A



PROJECT SUMMARY

1. REVIEW OF THE ZONING FROM AG-7 TO DETERMINE PLANNED DEVELOPMENT (MPD)
2. GENERAL CONCEPTUAL PROJECT ASSESSMENT
 - CONSERVED AREAS: 33.4 ACRES
 - LANDS: 58.8 ACRES
 - AVENUES (PRIVATE) R.O.W: 35.2 ACRES
 - AVENUES (PUBLIC) R.O.W: 29.9 ACRES
 - SEWER AREAS / OPEN SPACE: 8.7 ACRES
 - DEVELOPMENT TRACT AREAS: 236.7 ACRES
 - TOTAL: 492.4 ACRES
3. CONCEPTUAL TRACT AND LAND USE / ACREAGE BREAKDOWN
 1. DEVELOPMENT AREAS
 - Development Area #1 (Phased - 410 M.F. A/LF Units / Retail - Comm. 65,000 Sq Ft / Office 48,277 Sq Ft / Total 790 Rooms / Bank w/ D.T. - 8,100 Sq Ft)
 - Proposed Lot: 76.1 Ac.
 - Proposed Volume/Private R.O.W: 8.2 Ac.
 - Proposed Public R.O.W (Sandy Lane Pedestrian): 19.1 Ac.
 - Conservation Areas: 32.4 Ac.
 - Open Space / Open Space: 47.4 Ac.
 - Development Area (Tracts 1A - 1F): 128.2 Ac.
 - Total Development Area #1: 218.2 Ac.
 - Development Area #2 (Phased - 450 M.F. Units / Retail - Comm. 1,400,000 Sq Ft / Open Office 68,000 Sq Ft / Hotel - 200 Rooms)
 - Proposed Lot: 17.9 Ac.
 - Proposed Volume/Private R.O.W: 5.1 Ac.
 - Proposed Public R.O.W (Sandy Lane Extension): 8.4 Ac.
 - Open Space / Open Space: 4.8 Ac.
 - Development Area (Tracts 2A - 2F): 148.3 Ac.
 - Total Development Area #2: 178.7 Ac.
 - Development Area #3 (Phased - 424 M.F. A.L.F. Units / Retail - Comm. 72,500 Sq Ft / Office 361,187 Sq Ft / 100 Hospital Beds)
 - Proposed Lot: 13.7 Ac.
 - Proposed Volume/Private R.O.W: 5.9 Ac.
 - Proposed Public R.O.W (Sandy Lane Extension): 7.4 Ac.
 - Open Space / Open Space: 58.5 Ac.
 - Total Development Area #3: 85.9 Ac.

4. MAXIMUM DEVELOPMENT DENSITY
 - TRACT 1A: 200 M.F. Units / 20,000 S.F. Office
 - Tract 1B: 200 M.F. Units
 - Tract 1C: 100 M.F. Units / 20,000 S.F. Office / 100 Retail Units
 - Tract 1D: 50 M.F. Units / 20,000 S.F. Office / 100 Retail Units
 - Tract 1E: 200 M.F. Units
 - Tract 1F: 200 M.F. Units
5. CONCEPTUAL OPEN SPACE (Tract 2B Addition Plus)
 - Development Area #1: 131.4 Ac. x 35% = 46.0 Ac. x 40% = 18.7 Ac.
 - Development Area #2: 150.000 S.F. Retail / 20,000 S.F. Office / 100 Retail Units
 - Development Area #3: 181.8 Ac. x 20% = 36.4 Ac. x 40% = 14.5 Ac.

PROJECT PHASES

2001 - 2024	M.F. / A.L.F. (APPROX)	NETAL COMB. (SQ.FT.)	OFFICE (SQ.FT.)	HOTEL (SQ.FT.)	Bank w/ DT (SQ.FT.)	MORPHIN (SQ.FT.)
2001 - 2024	1,934*	1,301,505	942,444	206	8,000	100

* M.F. / A.L.F. UNITS MAY BE REPLACED WITH S.F. / F.T.H. / DUPLEX UNITS SO LONG AS THE TOTAL SQ. FT. OF PEAK HOUR VEHICULAR TRIPS GENERATED BY THE DEVELOPMENT IS NOT INCREASED AND APPROVAL IS OBTAINED IN ACCORDANCE WITH RESOLUTION 7-00-09

6. PROVIDED (per L.C. O.C.):
 - Prop. Lot Area (by ~75.0% of 150.2 Ac) = 37.8 Ac.
 - Prop. Conservation Areas = 30.4 Ac.
7. NOTES
 - A. Internal access will be provided to allow vehicle traffic between US 41 and Sandy Lane Extension
 - B. For Tracts 1A and 1C general access area locations, see sheet MP2
 - C. This project will be obligated to facilitate the use of the Low Line services in accordance with Lee County LDC Sec. 26-415(d) and 19-42.

LEGEND

- PROPERTY BOUNDARY
- ROAD RIGHT-OF-WAY
- CONSERVATION AREAS
- PROPOSED LAKE
- CONCEPTUAL ACCESS POINT
- ADVANT 200HC / LAND USE
- GENERAL LOCATION OF SERVICE AREAS

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone: (239) 986-1200
Florida Certificate of Professional Engineering No. 11722
Authorization No. 11722

H.M. HOLE MONTES
ENGINEERS-ARCHITECTS

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

DATE: 05/16/05
DRAWN: 05/16/05
CHECKED: 05/25/05
SCALE: 1" = 400'

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97.79-8 | 1