

VILLAGE OF ESTERO, FLORIDA

ORDINANCE NO. 2016 - 09

1
2
3
4
5 AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
6 VILLAGE OF ESTERO, FLORIDA, (APPROVING)
7 (DENYING) A REZONING FROM AGRICULTURAL
8 DISTRICT (AG-2) AND COMMUNITY FACILITIES
9 (CFD) TO ESTERO PLANNED DEVELOPMENT
10 DISTRICT (EPD) TO ALLOW A MAXIMUM 297 UNIT
11 MULTIFAMILY RESIDENTIAL UNITS AND 30,000
12 SQUARE FEET OF COMMERCIAL USE WITH
13 ASSOCIATED AMENITIES FOR PROPERTY LOCATED
14 AT THE SOUTHWEST CORNER OF VIA COCONUT
15 POINT AND CORKSCREW ROAD CONSISTING OF
16 APPROXIMATELY 19.3 ACRES; DENYING THE
17 APPLICATION FOR A REZONING TO RESIDENTIAL
18 PLANNED DEVELOPMENT DISTRICT (RPD);
19 (APPROVING) (DENYING) A MASTER CONCEPT
20 PLAN, (CERTAIN DEVIATIONS AND CONDITIONS OF
21 DEVELOPMENT); PROVIDING FINDINGS; DENYING
22 THE APPLICATION FOR A COMPREHENSIVE PLAN
23 AMENDMENT FROM PRIMARILY SUBURBAN LAND
24 USE CATEGORY TO A NEW LAND USE CATEGORY TO
25 BE KNOWN AS VIA COCONUT URBAN PLACE;
26 PROVIDING FOR CONFLICTS; PROVIDING FOR
27 SEVERABILITY; AND PROVIDING AN EFFECTIVE
28 DATE.

29
30 WHEREAS, Focus Development Group, LLC (the “Applicant”) filed applications
31 to amend the Transitional Comprehensive Plan Future Land Use designations and to amend
32 the zoning districts for a property known as **Via Coconut**, located at the southwest corner of
33 Corkscrew Road and Via Coconut Point Estero, FL, consisting of approximately 19.3 acres
34 (the “Property”); and

35
36 WHEREAS, the Property is legally described in Exhibit A attached hereto; and

37
38 WHEREAS, the Applicant requested an amendment to the Transitional
39 Comprehensive Plan Future Land Use designation of the Property from the currently
40 designated primarily Suburban Land Use category to a new Land Use category to be created
41 and known as Via Coconut Urban Place; and

42
43 WHEREAS, the Village has subsequently amended the Future Land Use designation
44 of the Property to Village Center; and

Draft – Not Reviewed by Planning and Zoning Board

46 **WHEREAS**, the Applicant requested rezonings from Agricultural District (AG-2) and
47 Community Facilities District (CF) to Mixed Use Planned Development District (MPD); and
48

49 **WHEREAS**, the Village Center Land Use Category provides that in order for the
50 Property to develop at the requested density that it be rezoned to the Estero Planned
51 Development District; and
52

53 **WHEREAS**, the Applicant has requested certain deviations to the Estero Planned
54 Development District regulations pursuant to the Estero Transitional Land Development Code,
55 as amended; and
56

57 **WHEREAS**, the public information meeting for the Comprehensive Plan Amendment
58 and Rezoning was held at the Planning and Zoning Board on June 16, 2015; and a duly noticed
59 public hearing was held on April 19, 2016 and continued to June 21, 2016 and a public hearing
60 was held at the Planning and Zoning Board on August 23, 2016, and the Planning and Zoning
61 Board recommended (denial) (approval with conditions of the request); and
62

63 **WHEREAS**, a duly noticed first reading was held before the Village Council on July
64 6, 2016; and
65

66 **WHEREAS**, a duly noticed second reading and public hearing was held before the
67 Village Council on _____, 2016, at which time the Village Council gave consideration to the
68 evidence presented by the Applicant and the Village staff, the recommendations of the
69 Planning and Zoning Board and the comments of the public.
70

71 **NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero,
72 Florida:
73

74 **Section 1.** **Adoption of Recitals.**
75

76 The Village Council hereby adopts the foregoing recitals and incorporates them as a
77 part of this Ordinance.
78

79 **Section 2.** **Rezoning.**
80

81 The Village Council (approves) (denies) the rezoning of the Property from Agricultural
82 District (AG-2) and Community Facilities District (CF) to Estero Planned Development, to
83 allow a maximum 297 multi-family units and 30,000 square feet of commercial use with a
84 maximum building height of 45 feet, subject to the following conditions and deviations.
85

86 **Section 3.** **Conditions. (if approved)**
87

- 88 1. Master Concept Plan/Development Parameters

Draft – Not Reviewed by Planning and Zoning Board

89 The development of this project must be consistent with the one-page Master Concept
90 Plan for Via Coconut, stamped received July 22, 2016 (last revision date 04/16)
91 (Exhibit B), except as modified by the conditions below.
92

93 This development must comply with all requirements of the Land Development Code
94 (LDC) at time of local Development Order Approval, except as may be granted by
95 deviation as part of this planned development. If changes to the Master Concept Plan
96 are subsequently pursued, appropriate approvals will be necessary.
97

98 The project is approved for 297 multiple family residential units and 30,000 square feet
99 of commercial use, with a maximum building height of 45 feet.
100

101 2. Uses and Property Development Regulations

102 The following limits apply to the project and uses:

- 103 a. Schedule of Uses – See Exhibit C
- 104
- 105 b. Property Development Regulations – See Exhibit D
- 106
- 107
- 108

109 3. Vehicular/Pedestrian Connection

110 Happy Hollow Lane:

111 The future interconnections to the parcels along Happy Hollow Lane shown on the
112 Master Concept Plan are approved conceptually. Specific connection to and the right
113 to cross private property must be demonstrated at the time of local development order.
114

115 Property West of Railroad Right-of-Way:

116 Shown as a Future Potential Interconnection, the development must provide for future
117 vehicular and pedestrian access connection to the property to the west as part of any
118 residential development activity within this planned development.
119

120 More specifically, the Applicant must construct the east-west connector road and oval
121 as part of the residential development order. The road must be constructed to the west
122 property line with the stub-out design subject to approval of Village Staff.
123

124 Internal to the Planned Development:

125 The development must provide for both vehicular and pedestrian interconnection
126 throughout the development. The internal pedestrian connection must be in the form
127 of sidewalks internal to the project separate and distinct from vehicular roads, drives,
128 and access ways.
129

Draft – Not Reviewed by Planning and Zoning Board

134 External to the Planned Development:
135 Except as provided elsewhere in the conditions of this planned development, pedestrian
136 interconnection must be provided in accordance with the Master Concept Plan and
137 Land Development Code.

138

139 4. Open Space

140

141 Prior to development order approval, the development order plans must show 0.65
142 acres of open space for the commercial portion and 7.29 acres of open space for the
143 residential portion of the project.

144

145 5. Traffic

146

147 Connections shown on the Master Concept Plan to Via Coconut Point are subject to
148 the review and approval by Lee County Department of Transportation, unless this road
149 is turned over for maintenance to the Village of Estero. The southerly access point will
150 be reviewed by the Village at the time of the development order for sight visibility
151 issues to determine whether it is approvable.

152

153 6. Vehicular/Pedestrian Impacts

154

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

158

159 7. Transitional Comprehensive Plan

160

161 Approval of this zoning request does not guarantee local development order approval.
162 Future development order approvals must satisfy the requirements of the Planning
163 Communities Map and Acreage Allocation Table, Map 16 and Table 1(b) as may be
164 amended from time to time, and also be reviewed for, and found consistent with, the
165 retail commercial standards for site area.

166

167 8. Concurrency

168

169 Approval of this rezoning does not constitute a finding that the proposed project meets
170 the concurrency requirements set forth in the Land Development Code. The developer
171 is required to demonstrate compliance with all concurrency requirements prior to
172 issuance of a local development order.

173

174 9. Agricultural Uses

175

176 Agricultural Uses: Existing bona fide agricultural uses on this site are allowed as
177 follows:

178

Draft – Not Reviewed by Planning and Zoning Board

179 (a) Bona fide agricultural uses consisting of row crops, that were in
180 existence when the application for this project was filed, may continue in the
181 areas depicted on Exhibit E until a local development order is approved for the
182 area containing the agricultural uses.

183
184 (b) Clearing or injury of native trees or other native vegetation, including
185 understory, in agricultural areas is prohibited. Existing areas of bona fide
186 agricultural use that include existing grass pasture(s) may be mowed but those
187 areas may not be cleared or expanded. Violations of this condition will require
188 restoration in accordance with LDC Section 10-423. This prohibition of
189 clearing or expansion of agricultural use is not intended to preclude approved
190 requests for removal of invasive exotic vegetation.

191
192 (c) Prior to issuance of a local development order for the portion that
193 contains the agricultural use, the property owner must provide written proof,
194 subject to approval by the Village Attorney of the following:

195
196 (1) Termination of all agricultural use on the property included in
197 the development order application/approval. Proof must include a sworn
198 affidavit from the person or entity holding title to the property that
199 specifically provides:

200
201 (a) the date the agricultural uses ceased;

202
203 (b) the legal description of the property subject to the development
204 order approval;

205
206 (c) an affirmative statement that the owner acknowledges and
207 agrees that all agricultural uses, except for community gardens, are
208 illegal and prohibited on the property and that the owner covenants with
209 the Village that they will not allow any other agricultural uses on the
210 property until the property is re-zoned to permit agricultural uses; and

211
212 (d) that the affidavit constitutes a covenant between the owner and
213 the county that is binding on the owner, their assignees and successors
214 in interest.

215
216 The affidavit must be properly recorded in the public records of the
217 county at the owner's expense.

218
219 (2) Proof of termination of the agricultural tax exemption for the
220 portion of the property included in the development order
221 application/approval. Proof of termination must include a copy of the
222 owner's request to terminate the tax exemption provided to the Property
223 Appraiser.

Draft – Not Reviewed by Planning and Zoning Board

224 10. Solid Waste Management
225

226 As part of any local development order approval for vertical development, the
227 development order plans must include facilities in compliance with LDC Section 10-
228 261 and Solid Waste Ordinance #11-27 for the pick-up/disposal of solid waste and
229 recyclables. The minimum area required for, and specific locations of, these facilities
230 will be reviewed at the time of local development order application.
231

232 11. Development Permits
233

234 Issuance of a development permit does not in any way create any rights on the part of
235 the Applicant to obtain a permit from a state or federal agency and does not create any
236 liability on the part of the Village for issuance of the permit if the Applicant fails to
237 obtain requisite approvals or fulfill the obligations imposed by a state or federal agency
238 or undertake actions that result in a violation of state or federal law.
239

240 12. Pattern Book
241

242 The project must be redesigned to resolve issues identified in the staff report and to
243 comply with the Code for the Estero Planned Development. The redesign may also
244 result in revisions to the Pattern Book. The Pattern Book will be reviewed by the
245 Design Review Board prior to issuance of any development order.
246

247 13. Timing of Commercial Uses
248

249 The 8,000 square feet of commercial/non-residential space at the traffic oval will be
250 constructed during Phase I of the project.
251

252 14. Central Oval
253

254 The central oval must be constructed as at least a “Type C” road and shown on the
255 development order, and dedicated as a public easement, and recorded in the official
256 records of the county. The green space in the oval must be designed to include a focal
257 feature with appropriate seating, shade trees and other amenities.
258

259 15. Billboard
260

261 The billboard must be removed as part of the first development order for the site.
262

263 16. Gates and Walls
264

265 No gate is approved between the northerly commercial parcel and residential
266 development. Gates, fences and walls must be designed to be obscured from view from
267 the Via Coconut Point roadway.
268

Draft – Not Reviewed by Planning and Zoning Board

269 17. Commercial Uses
270

271

272 The commercial uses in the northern 2 acre site are intended to be neighborhood
273 commercial uses. There must be a variety and mixture of commercial uses. No one
274 use can dominate the site. The site will contain multiple buildings as shown on the
275 Master Concept Plan.

276

277 18. Parking Spaces

278

279 Parking spaces must be delineated on the development order plan and assigned to units,
280 with adequate guest parking required per code.

281

282 19. Property Development Regulations

283

284 The property development regulations list townhomes as a potential use. If townhomes
285 are developed, this will require an amendment to the zoning through the public hearing
286 process as the site plan will be different.

287

288 20. Incentive Offerings

289

290 The applicant's incentive offerings are incorporated into this zoning approval as
291 Exhibit F. Location and details are shown on the Master Concept Plan and in the
292 Pattern Book. The applicant will install and maintain the median landscaping on Via
293 Coconut in perpetuity from the project's main entrance extending south to the railroad
294 track crossing. The median landscaping must be completed prior to the first Certificate
295 of Compliance for the development order.

296

297 21. Public Park Disclosure.

298

299 The owner shall provide disclosure on sale or lease documents for unit owners or
300 renters that the project is located near to a public park with potential for events that
301 include noise, lights and congestion.

302

303 **Section 4. Deviations. (if approved)**

304

305 Deviation (1) seeking relief from LDC Section 10-296(b) which specifies right-of-way
306 standards for privately maintained access streets to allow the internal access drive to
307 meet parking lot aisle standards, allowing vehicles to back out onto the access drive, is
308 (approved)(denied). If approved, the design and posted speed limit shall be 25 mph or
309 less. An engineering study shall be provided at the time of development order to
310 determine final geometry, dimensions, signage, marking and sight visibility for review
311 by Village Staff. *Staff does not object with these conditions.*

312

313

Draft – Not Reviewed by Planning and Zoning Board

314 Deviation (2) seeking relief from the following:

- 315
- 316 (a) Section 10-416(d)(6) which requires a solid wall or combination berm
- 317 and solid wall not less than eight feet height to be constructed not less
- 318 than 25 feet from abutting property and landscaped (between the wall
- 319 and the abutting property) with a minimum five trees and 18 shrubs per
- 320 100 lineal feet; or a 30-foot wide Type F buffer with the hedge planted
- 321 a minimum of 20 feet from the abutting property line where roads,
- 322 drives or parking areas are located less than 125 feet from existing single
- 323 family residential lots; and
- 324
- 325 (b) Section 10-416(d)(7) which requires a Type C or F buffer for uses or
- 326 activities that generate noise;
- 327

328 to allow a buffer consisting Type F buffer plantings in a 15 to 20 feet wide planting

329 area, supplemented with an 8 foot wall as depicted on the MCP where commercial areas

330 about three single family residences, is (approved)(denied). *Staff does not object to this*

331 *deviation.*

332

333 Deviation (3) seeking relief from Section 34-2020(a) which requires a minimum of 2

334 parking spaces per multifamily unit to allow parking to be calculated at 1.5 spaces per

335 one-bedroom multifamily unit, for up to a maximum of 140 one-bedroom units, is

336 (approved)(denied). *Staff does not object to this deviation.*

337

338 **Section 5. Comprehensive Plan Amendment.**

339

340 Applicant's request to amend the Transitional Comprehensive Plan Future Land Use

341 designation from the Suburban and Public Facilities category to Via Coconut Urban

342 Place category is denied.

343

344 **Section 6. Rezoning.**

345

346 Applicant's request to rezone the property from Agricultural and Community Facilities

347 to Mixed Use Planned Development, is denied.

348

349 **Section 7. Findings and Conclusions. (if approved)**

350

351 Based on the evidence in the record and its analysis of the relevant Transitional

352 Comprehensive Plan goals, objectives and policies, Transitional Land Development

353 Code regulations, and codes and regulations, the Village Council makes the following

354 findings and conclusions.

355

- 356 1. The applicant qualifies for rezoning by demonstrating compliance with the
- 357 Comprehensive Plan for the Village Center, the Land Development Code, and other
- 358 applicable codes and regulations.

Draft – Not Reviewed by Planning and Zoning Board

- 359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
2. The rezoning is consistent with the densities, intensities and general uses set forth in the Estero Comprehensive Plan.
 3. The request as conditioned, is compatible with existing or planned uses in the surrounding area.
 4. 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.
 5. The request will not adversely affect environmentally critical area and natural resources.
 6. Urban services, as defined in the Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.
 7. The proposed uses, as conditioned, are appropriate at the subject location.
 8. The recommended conditions to the Master Concept Plan and other applicable regulations provide sufficient safeguards to the public interest.
 9. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.
 10. The deviations recommended for approval:
 - (a) Enhance the planned development; and
 - (b) Preserve and promote the general intent of the LDC to protect the public health, safety and welfare.
 11. In accordance with Section 33-518(b) of the Land Development Code, the Village has determined that the project:
 - (1) (Meets)(Does not meet) the goals and objectives of the comprehensive plan.
 - (2) (Meets)(Does not meet) the General Criteria under Sec. 33-502, and
 - (3) (Creates)(Does not create) significant public benefit commensurate with the value of such incentive offers to the Village, and the appropriateness of such incentive offers to the applicable Tier and to the particular development plan.
 12. The Village Council has determined that the project is consistent (not consistent) with the general criteria in Section 33-502 of the Land Development Code.

Draft – Not Reviewed by Planning and Zoning Board

403 13. The project meets (does not meet) the standards for a Tier 3 density, based on
404 the criteria in the Code.

405
406 **Section 8. Exhibits.**

407
408 The following exhibits are attached to this Ordinance and incorporated by reference:

409
410 Exhibit A Legal Description
411 Exhibit B Master Concept Plan
412 Exhibit C Schedule of Uses
413 Exhibit D Property Development Regulations
414 Exhibit E Agriculture Affidavit
415 Exhibit F Pattern Book and Incentive Offerings

416
417 **Section 9. Conflicts.**

418
419 All sections or part of Sections of the Code of Ordinances, all Ordinances or parts of
420 Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance shall
421 be repealed to the extent of such conflict upon the effective date of this Ordinance.

422
423 **Section 10. Severability.**

424
425 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance
426 subsequent to its effective date be declared by a court of competent jurisdiction to be invalid,
427 such decision shall not affect the validity of this Ordinance as a whole or any portion thereof,
428 other than the part so declared to be invalid.

429
430 **PASSED** on first reading this 6th day of July, 2016.

431
432 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,
433 Florida this ____ day of ____, 2016.

434
435 Attest: **VILLAGE OF ESTERO, FLORIDA**

436
437
438 By: _____
439 Kathy Hall, MMC, Village Clerk

436
437
438 By: _____
439 Nicholas Batos, Mayor

440
441
442 Reviewed for legal sufficiency:

443
444
445 By: _____
446 Nancy E Stroud,
447 Village Land Use Attorney

Draft – Not Reviewed by Planning and Zoning Board

| | Vote: | AYE | NAY |
|-----|-------------------------|-------|-------|
| 448 | Vote: | | |
| 449 | Mayor Batos | _____ | _____ |
| 450 | Vice Mayor Levitan | _____ | _____ |
| 451 | Councilmember Boesch | _____ | _____ |
| 452 | Councilmember Brown | _____ | _____ |
| 453 | Councilmember Errington | _____ | _____ |
| 454 | Councilmember Ribble | _____ | _____ |
| 455 | Councilmember Wilson | _____ | _____ |

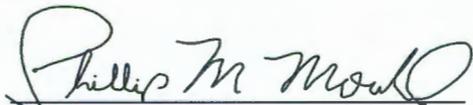
EXHIBIT "A"

DESCRIPTION: (PER TITLE COMMITMENT)

A LOT OR PARCEL OF LAND LYING IN THE EAST HALF (E1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 33, TOWNSHIP 46 SOUTH, RANGE 25 EAST, WHICH LOT OR PARCEL IS DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF THE EAST HALF (E1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 33, TOWNSHIP 46 SOUTH, RANGE 25 EAST, RUN S01°11'50"E ALONG THE EASTERLY LINE OF SAID SECTION 33 FOR 71.58 FEET TO A POINT ON THE SOUTHERLY MAINTAINED RIGHT OF WAY LINE (MAINTAINED RIGHT OF WAY WIDTH 50.00 FEET) OF A COUNTY ROAD (CORKSCREW ROAD); THENCE RUN S89°39'50"W ALONG SAID SOUTHERLY MAINTAINED RIGHT OF WAY LINE 388.68 FEET; THENCE RUN S2°48'10"E ALONG THE WESTERLY SIDE OF A 50 FEET WIDE ROADWAY EASEMENT FOR 954.56 FEET; THENCE RUN S87°11'50"W ALONG THE NORTHERLY SIDE OF A 50 FEET WIDE ROADWAY EASEMENT FOR 20.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LOT OR PARCEL. FROM SAID POINT OF BEGINNING RUN S02°45'10"E ALONG THE WESTERLY END OF SAID ROADWAY EASEMENT FOR 50.00 FEET; THENCE RUN N87°11'50"E ALONG THE SOUTHERLY SIDE OF SAID ROADWAY EASEMENT FOR 45.00 FEET; THENCE RUN S06°32'20"E FOR 241.78 FEET TO THE EAST-WEST ONE QUARTER SECTION LINE OF SAID SECTION 33; THENCE RUN S88°26'30"W ALONG SAID EAST-WEST QUARTER SECTION LINE FOR 115.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ATLANTIC COASTLINE RAILROAD; THENCE N10°25'50"W ALONG SAID RAILROAD RIGHT OF WAY LINE FOR 174.09 FEET TO A POINT OF CURVATURE; THENCE CONTINUE NORTHERLY ALONG SAID RAILROAD RIGHT OF WAY LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 5664.79 FEET FOR 117.10 FEET; THENCE RUN N87°11'50"E FOR 91.66 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH THE HEREINABOVE MENTIONED 50 FEET WIDE ROADWAY EASEMENT.



PHILLIP M. MOULD
LS #6515
APRIL 7, 2016

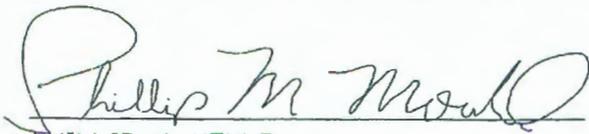
DESCRIPTION:

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 33 AND 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N.01°10'17"W., ALONG THE WEST LINE OF SAID SECTION 34 AND THE EAST LINE OF SAID SECTION 33, FOR 2647.06 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 34 AND THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE S.88°27'46"W., ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 33, FOR 42.66 FEET TO THE POINT OF BEGINNING AT AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF VIA COCONUT POINT (SANDY LANE EXTENSION); THENCE S.01°59'29"W., ALONG SAID RIGHT OF WAY LINE, FOR 50.95 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1730.50 FEET, DELTA ANGLE OF 10°28'04", CHORD BEARING S.13°27'10"E., CHORD DISTANCE OF 315.72 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 316.16 FEET; THENCE N.71°18'48"E., ALONG SAID RIGHT OF WAY LINE, FOR 8.50 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1722.00 FEET, DELTA ANGLE OF 6°19'46", CHORD BEARING S.21°51'05"E., CHORD DISTANCE OF 190.13 FEET, THENCE ALONG SAID RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 190.23 FEET; THENCE S.25°00'41"E., ALONG SAID RIGHT OF WAY LINE, FOR 149.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 666.00 FEET, DELTA ANGLE OF 71°08'35", CHORD BEARING S.10°33'37"W., CHORD DISTANCE OF 774.85 FEET, THENCE ALONG SAID RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 826.96 FEET; THENCE N.01°10'17"W., ALONG SAID SECTION LINE BETWEEN SAID SECTIONS 33 AND 34, FOR 59.79 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 656.00 FEET, DELTA ANGLE OF 15°32'32", CHORD BEARING S.51°55'36"W., CHORD DISTANCE OF 177.40 FEET, THENCE ALONG SAID CURVE FOR AN ARC LENGTH OF 177.95 FEET; THENCE S.59°41'52"W. FOR 46.37 FEET TO THE EAST RIGHT OF WAY LINE OF THE ATLANTIC COASTLINE RAILROAD; THENCE N.10°29'38"W., ALONG SAID RIGHT OF WAY LINE, FOR 1517.38 FEET; THENCE N.88°27'46"E., ALONG SAID EAST-WEST QUARTER SECTION LINE OF SAID SECTION 33, FOR 115.19 FEET; THENCE N.06°32'20"W. FOR 241.72 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HAPPY HOLLOW LANE (ROADWAY EASEMENT PER INSTRUMENT NUMBER 2006000268149); THENCE N.87°11'50"E. ALONG SAID RIGHT OF WAY LINE FOR 45.00 FEET; THENCE N.02°48'10"W. ALONG THE EAST LINE OF SAID RIGHT OF WAY FOR 50.00 FEET; THENCE N.87°11'50"E. FOR 94.03 FEET; THENCE N.01°10'57"W. FOR 923.88 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF CORKSCREW ROAD; THENCE S.88°36'12"E., ALONG SAID RIGHT OF WAY LINE, FOR 84.25 FEET; THENCE S.51°10'56"E., ALONG SAID RIGHT OF WAY LINE, FOR 83.32 FEET TO THE WEST RIGHT OF WAY LINE OF VIA COCONUT POINT (SANDY LANE EXTENSION); THENCE S.01°10'57"E., ALONG SAID RIGHT OF WAY LINE, FOR 998.33 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1722.00 FEET, DELTA ANGLE OF 5°19'22", CHORD BEARING S.03°50'38"E., CHORD DISTANCE OF 159.92 FEET; THENCE ALONG SAID RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 159.98 FEET; THENCE S.01°59'29"W., ALONG SAID RIGHT OF WAY LINE, FOR 1.37 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 807056.190 SQUARE FEET, OR 18.527 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 34 AS BEARING N.01°10'17"W.



PHILLIP M. MOULD

LS #6515

JULY 21, 2014

SURVEY NOTES:

1. BASIS OF BEARING SHOWN HEREIN TAKEN FROM THE WEST RIGHT-OF-WAY LINE OF HAPPY HOLLOW LANE, AS BEING S.02°48'10"E.
 2. FIELD NOTES IN SECTION 33-46-25.
 3. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREIN. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
 4. THIS SURVEY WAS BASED ON TITLE COMMITMENT BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NO. 299422, DATED APRIL 7, 2016.
 5. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
 6. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 7. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
 8. THIS SURVEY IS INTENDED TO BE VIEWED AS AN 11X17, 30 SCALE DRAWING.
 9. BENCHMARK DERIVED FROM RTCM-REF 0103, ELEVATION 35.68 N.A.V.D.
 10. ELEVATIONS ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D.)
- FLOOD ZONE: 'X' ELEVATION: N/A
 COMMUNITY No: 125124 PANEL No: 0591
 SUFFIX --- F REVISION DATE: 8/28/08
 MAP NUMBER: 12071C0591F

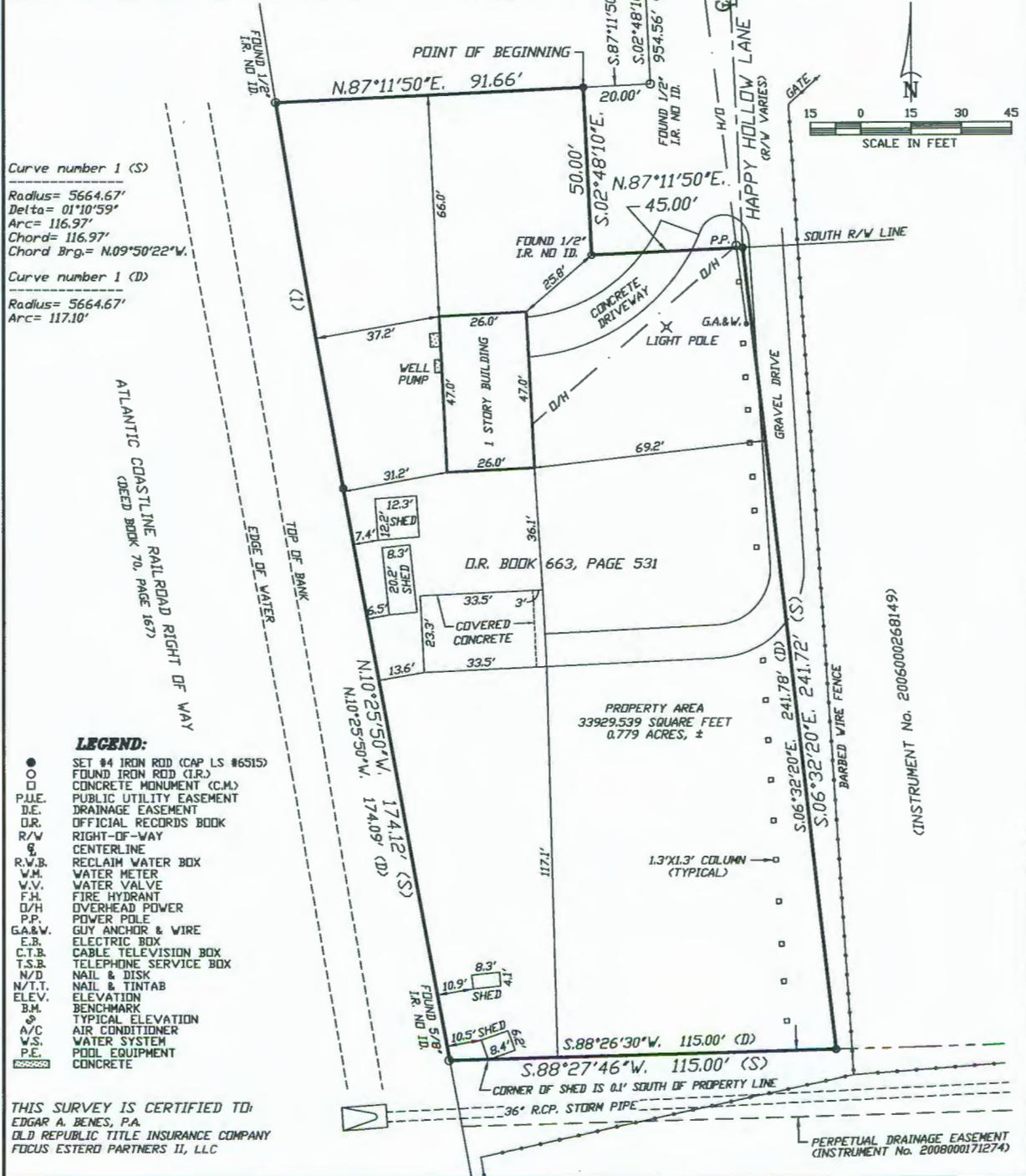
| REVISED | DESCRIPTION | BY |
|--|-------------|----------|
| | | |
| | | |
| | | |
| DATE OF LAST FIELD WORK: 4/6/16 | | |
| CERTIFICATE OF AUTHORIZATION: LB #6921 | | |
| DRAWN: | CHECK: | SCALE: |
| FBH | PMM | 1"=30' |
| SURVEY DATE: | | PROJ. # |
| 4/6/16 | | 21350 HH |
| FILE NO. | | SHT. - 1 |
| 46-25-33 | | OF - 1 |

PHILLIP M. MOULD
 PROFESSIONAL SURVEYOR AND MAPPER
 #6515 - STATE OF FLORIDA

HARRIS-JORGENSEN, INC.
 3046 DEL PRADO BLVD. S. 3A
 CAPE CORAL, FLORIDA 33904
 PHONE: (239) 257-2624
 FAX: (239) 257-2921

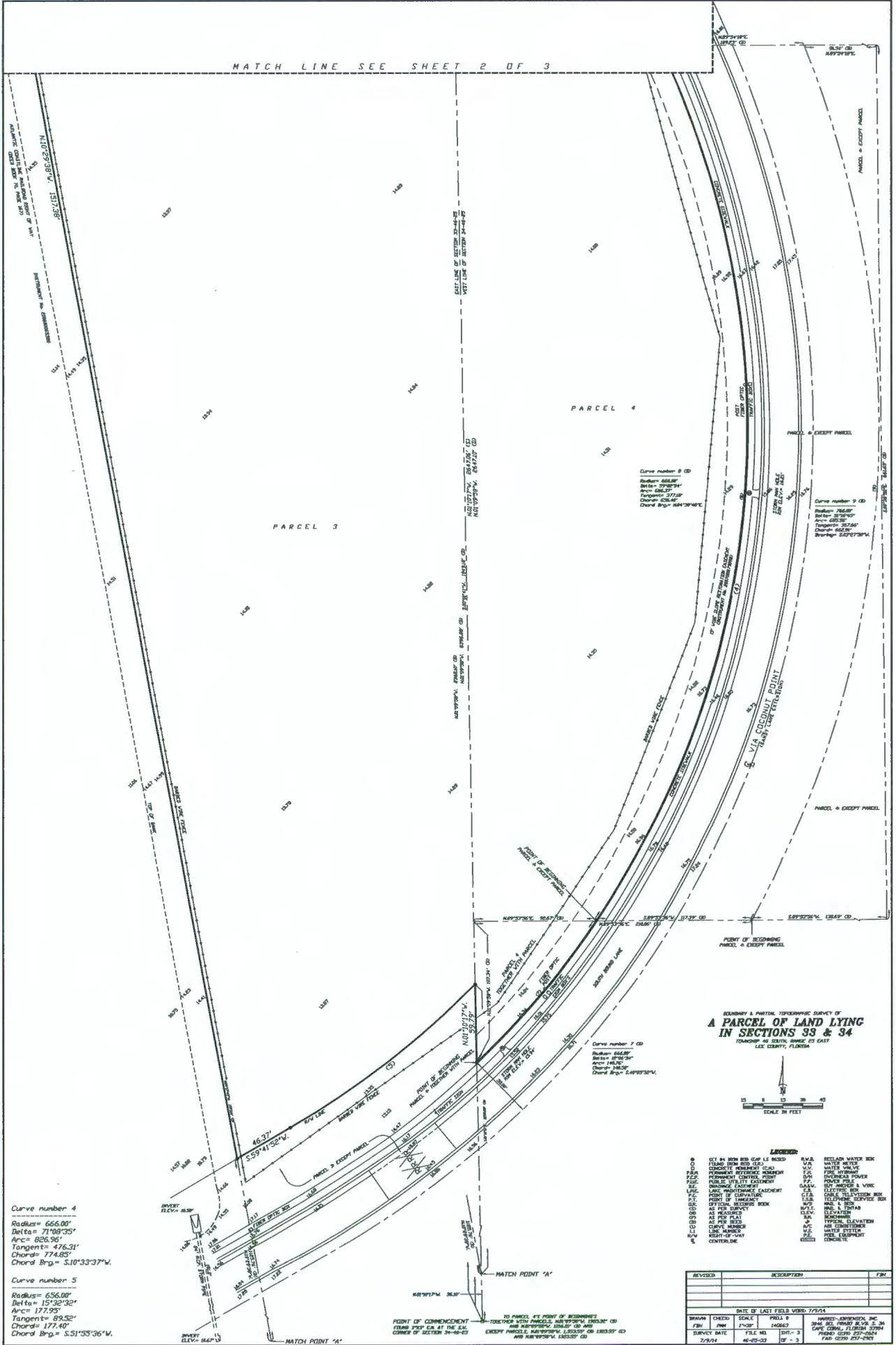
AS-BUILT SURVEY OF
A PARCEL OF LAND
LYING IN SECTION 33
 TOWNSHIP 46 SOUTH, RANGE 25 EAST
 (C.R. BOOK 663, PAGE 531)
 LEE COUNTY, FLORIDA

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION



THIS SURVEY IS CERTIFIED TO:
 EDGAR A. BENES, P.A.
 OLD REPUBLIC TITLE INSURANCE COMPANY
 FOCUS ESTERO PARTNERS II, LLC

MATCH LINE SEE SHEET 2 OF 3



Curve number 4
 Radius= 666.00'
 Delta= 71°08'35"
 Arc= 626.96'
 Tangent= 476.31'
 Chord= 774.65'
 Chord Brg= S31°53'37\"/>

Curve number 5
 Radius= 656.00'
 Delta= 15°32'32"
 Arc= 177.95'
 Tangent= 69.52'
 Chord= 177.40'
 Chord Brg= S51°55'36\"/>

**BOUNDARY & PARTIAL TOPOGRAPHIC SURVEY OF
 A PARCEL OF LAND LYING
 IN SECTIONS 33 & 34**
 TOWNSHIP 16 NORTH, RANGE 23 EAST
 LEE COUNTY, FLORIDA



LEGEND

| | | | |
|---|--------------------------------|--------|------------------|
| ① | SET IN BORN BORN G&P L&E BOUND | S.W.A. | RETAIN WATER B&K |
| ② | UTILITY BORN BORN L&E | W.V. | WATER VALVE |
| ③ | CONCRETE PERMANENT (C&D) | W.V. | WATER VALVE |
| ④ | PERMANENT RETROFIT ROBERT | W.V. | WATER VALVE |
| ⑤ | PERMANENT CONTROL POINT | P.P. | POWER POLE POWER |
| ⑥ | WALLS UTILITY CASINGWAY | W.V. | WATER VALVE |
| ⑦ | SHOULDER (C&D) | W.V. | WATER VALVE |
| ⑧ | LANE W/OUTSIDE CASSEMENT | E.L.B. | ELECTRIC BOX |
| ⑨ | POINT OF CURVATURE | W.V. | WATER VALVE |
| ⑩ | POINT OF TANGENCY | W.V. | WATER VALVE |
| ⑪ | AT PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ⑫ | AS REQUIRED | W.V. | WATER VALVE |
| ⑬ | AT PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ⑭ | AS REQUIRED | W.V. | WATER VALVE |
| ⑮ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ⑯ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ⑰ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ⑱ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ⑲ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ⑳ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉑ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉒ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉓ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉔ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉕ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉖ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉗ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉘ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉙ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉚ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉛ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉜ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉝ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉞ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㉟ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊱ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊲ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊳ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊴ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊵ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊶ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊷ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊸ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊹ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊺ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊻ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊼ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊽ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊾ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |
| ㊿ | AS PER BOUNDARY BOOK | W.V. | WATER VALVE |

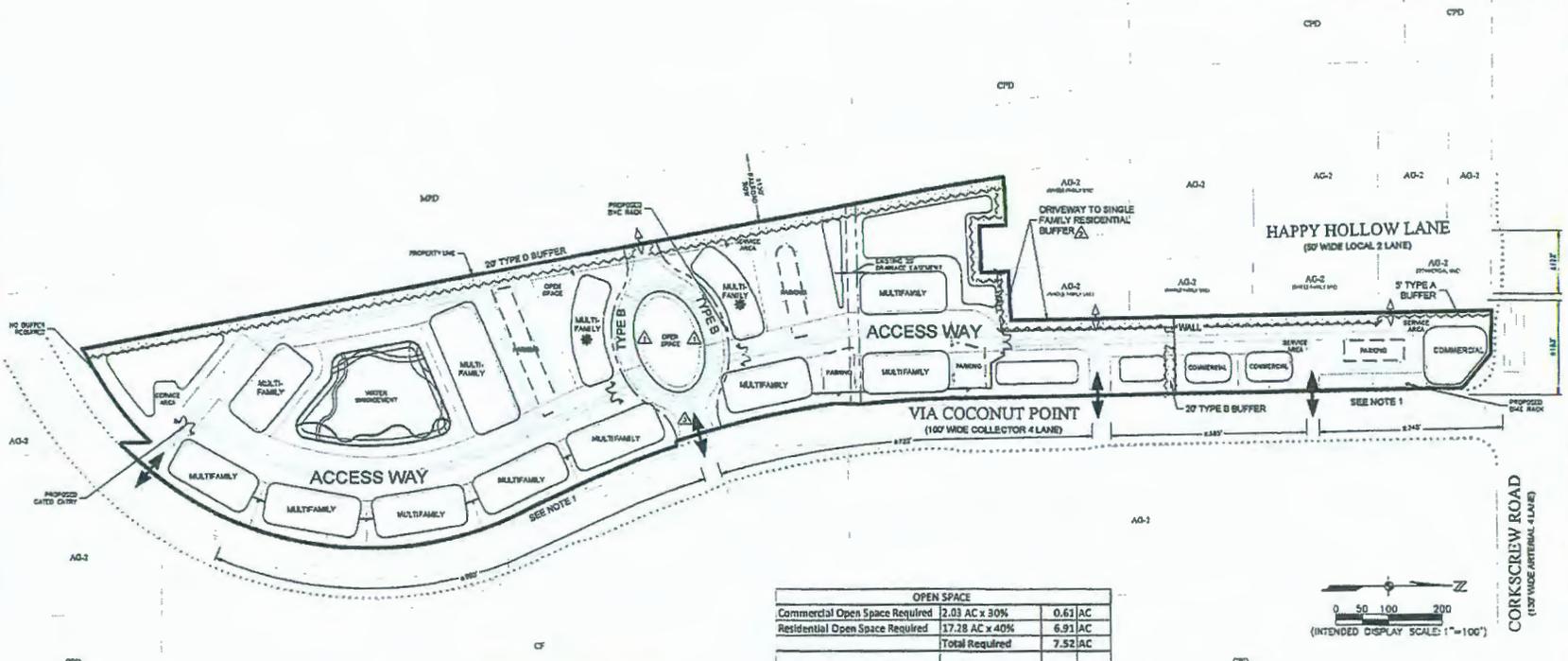
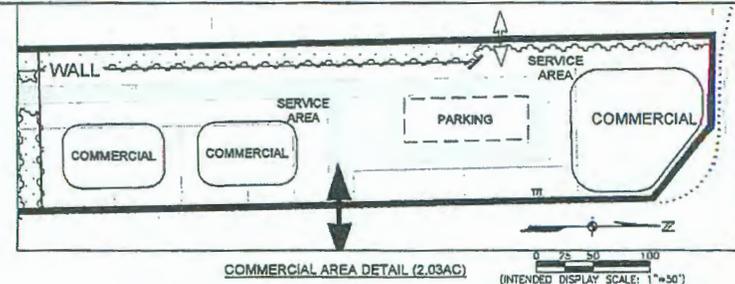
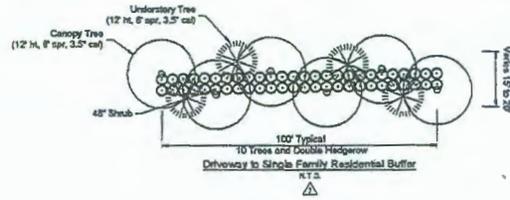
| REVISED | DESCRIPTION | BY |
|---------|-------------|----|
| | | |
| | | |
| | | |
| | | |

DATE OF LAST FIELD WORK: 7/25/14

| | | | | |
|-------------|----------|--------|----------------------|--------------------|
| DRAWN | CHECKED | SCALE | FIELD # | INVESTIGATING |
| FWB | J-CP | 1/6263 | 3946 | HWY 90, INC. 2-26 |
| SURVEY DATE | FILE NO. | DIT-3 | CONF. ONLY | FLORIDA 2004 |
| 7/25/14 | 46-023 | 02-3 | PARCEL 0230 227-0224 | PAR. 0230 227-0224 |

POINT OF COMMENCEMENT
 FROM THE CORNER OF SECTION 34-6-02
 TO PARCEL AT POINT OF BEGINNING'S
 TOGETHER WITH PARCELS 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

EXHIBIT B

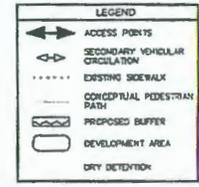


| ESTERO PD DEVELOPMENT SUMMARY | | | |
|---|-----------|----------------------|--|
| Total Site: 19.31 AC | | | |
| Tier 1 & Tier 2 | | | |
| COMMERCIAL AREA | | MAX. Building Height | |
| 2.03 AC | | 3 stories/45' | |
| Total Proposed Commercial Building Area | 22,000 SF | 3 stories/45' | |
| RESIDENTIAL AREA | | MAX. Building Height | |
| 17.28 AC | | 3 stories/45' | |
| Total Proposed Residential Units | 297 UNITS | 3 stories/45' | |
| Total Proposed Non-Residential Building Area* | 8,000 SF | 3 stories/45' | |
| Residential units may be developed as multifamily buildings or townhouses, not to exceed 297 units. Ground floors of two buildings indicated on the MCP with * may contain community amenity uses or commercial uses. | | | |

| OPEN SPACE | | |
|---------------------------------|---------------------------|----------------|
| Commercial Open Space Required | 2.03 AC x 30% | 0.61 AC |
| Residential Open Space Required | 17.28 AC x 40% | 6.91 AC |
| | Total Required | 7.52 AC |
| | | |
| Commercial Open Space Provided | | 0.65 AC |
| | | |
| Residential Open Space Provided | | |
| Buffer | | 2.04 AC |
| Dry Detention Areas | | 1.34 AC |
| Lake Area | | 0.99 AC |
| Other Open Space | | 2.92 AC |
| | Sub-Total | 7.29 AC |
| | Total MPD Provided | 7.94 AC |

NOTES
 Open Space standards for Mixed Use Planned Developments is set forth by LDC Section 34-935(g)(5).
 Individual lots shall provide 10% open space per LDC Section 34-914(c).
 No Indigenous Plant Communities are located onsite. Any Sabal Palms 8' CT or greater shall be preserved or re-located onsite.

- NOTES**
- FRONTAGE ALONG VIA COCONUT POINT AND CORKSCREW ROAD IS SUBJECT TO STREET SCAPE DESIGN PER SUBDIVISION OF DIVISION 3 OF ARTICLE 3 OF CHAPTER 33 LDC.
 - BUFFER TYPES ARE PER CHAPTER 33 PLANNING COMMUNITY REGULATIONS.
 - FUTURE POTENTIAL INTERCONNECTIONS ARE INDICATED TO REPRESENT POTENTIAL FOR ON-SITE IMPROVEMENTS TO THE INTO ADJACENT PROPERTIES IF AND WHEN CONNECTING INFRASTRUCTURE IS AVAILABLE ON THE ADJACENT SITE.
- * GROUND FLOORS OF THESE BUILDINGS TO CONTAIN AMENITY OR COMMERCIAL USES (MINIMUM TOTAL OF 8,000 SQUARE FEET)



JOHNSON ENGINEERING
 JOHNSON ENGINEERING, INC.
 1323 ADAMSON STREET
 SUITE 2000, FT. LAUDERDALE
 FLORIDA 33304-3608
 PHONE: (772) 324-8848
 FAX: (772) 324-8801
 E-MAIL: JEA@JEAFLA.COM

FOCUS DEVELOPMENT GROUP

VIA COCONUT MPD
 ESTERO PD
 VILLAGE OF ESTERO, FLORIDA

| DATE | DESCRIPTION |
|------|-------------|
| | |
| | |
| | |
| | |

DATE: SEPTEMBER 2014
 PROJECT NO: 2014-0700-000
 FILE NO: 13-14-03
 SCALE: AS SHOWN

DEVELOPMENT PLAN

\\vnc01\Drawings\2014\214288-000\Family\DCP\148788-00-407.dwg (David) 8.5 Jun 18, 2014 - 9:00am

EXHIBIT C

Via Coconut Schedule of Uses

Note: Strike-thru and underline indicates staff deletions and additions

Commercial Area

Accessory Uses and Structures

Administrative Offices

Agricultural uses, continuation of bona fide use only

Animals: Clinic

ATM (automatic teller machine)

Auto parts store, No installation service

Bait and tackle shop

Banks and financial establishments (34-622(c)(3)), Groups I, II

Broadcast studio, commercial

Business services (34-622(c)(5)): Group I, except bail bonding, check exchanges and oxygen tent services,
Group II (messenger services, packaging services, parcel and express services only)

~~Caretaker's Residence~~

~~Clubs: Commercial, Fraternal, Membership organization, Private~~

Consumption on premises (in conjunction with group 3 restaurants only, no service past midnight)

Convenience food and beverage store (no gas pumps)

Cultural facilities (34-622 (c)(10)), except animal or reptile exhibits, aquariums, botanical or zoological
gardens, historical sites, planetaria or zoos

Day care center, adult, child

~~Drive-through facility for any permitted use~~

Drugstore, pharmacy

EMS, fire or sheriff's station

Essential Services

Essential service facilities, (34-622(c)(13)), Group I

Excavation: Water retention, detention

Fences and Walls (see conditions)

~~Food and beverage service, limited~~

Food stores (34-622(c)(16)), Group I

Hardware store

Hobby, toy and game shops, (34-622(c)(21))

Household and office furnishings, (34-622(c)(22)), Group II

Insurance companies (34-622(c)(23))

Laundry or dry cleaning (34-622(c)(24)), Group I

Lawn and garden supply store

Medical office

Nonstore retailers (34-622 (c)(30)), Group I

~~Package store~~

Paint, glass and wallpaper

Parking lot: Accessory, Temporary (Temporary parking is subject to temporary use permit as applicable)

Personal services (34-622(c)(33)), Group I except coin-operated laundries or laundromat

Personal services (34-622(c)(33)), Group II except massage parlors (article VII, division3)
Personal services (34-622(c)(33)), Group IV, except escort services, palm readers, fortune tellers, card readers, or tattoo parlors
Pet services
Pet shop
Place of worship
Post office
Real Estate Sales and Rental Office – limited to sales and/or rental of units within the Planned Development
Recreational facilities, Group IV, except bingo halls or skating rinks
Rental or leasing establishments, (34-622(c)(39)), Groups I and II
Repair shops (34-622(c)(40)), Groups I and II, except taxidermists
Restaurant, fast food
Restaurants (34-622(c)(43)), Groups I, II and III
Schools, commercial (art, bartending, business, computer, crafts and dance only)
Signs in accordance with Chapters 30 and 33
Specialty retail shop (34-622 (c)(47)), Groups I – III, except ammunition, bowling equipment, firearms, hunters equipment, riding goods, saddlery stores, skiing equipment or tent shops
Studios (34-622(c)(49))
~~Temporary uses, subject to temporary use permit as applicable~~
Used merchandise stores, (34-622(c)(54)), Group I except pawn shops
Variety store

Residential Area

Accessory Uses and Structures

Agricultural uses, continuation of bona fide use only (see condition)

Dwelling Units: Multiple-Family Buildings, Townhouse

Entrance gates and gatehouse (see condition)

Essential Services

Essential service facilities, (34-622(c)(13)), Group I

Excavation: Water retention, detention

Fences and Walls (see conditions)

Home Occupation (subject to standards in Lee County Land Development Code Section 34-1772)

Model display center

Model Homes, Model Units and Model Display Center, including accessory parking lots

Park, including community gardens, neighborhood parks, passive and active recreation

Parking lot: Accessory, Temporary (Temporary parking is subject to temporary use permits as applicable)

Real Estate Sales and Rental Office – limited to sales and/or rental of units within the development

Recreation facilities, Personal and Private On-site

Signs in accordance with Chapters 30 and 33

Temporary uses, subject to temporary use permit as applicable

The following non-residential uses are permitted on the ground floor of the two multifamily buildings in the Residential Area that are indicated on the Master Concept Plan to contain a maximum of 8,000 s.f. ground floor non-residential use:

Administrative offices
ATM (automatic teller machine)
Banks and financial establishments (34-622(c)(3)), Groups I, II
Business services (34-622(c)(5)), Group I, except bail bonding, check exchanges and oxygen tent services, Group II (messenger services, packaging services, parcel and express services only)
Caretaker's residence
Clubs: Commercial, Fraternal, Membership organization, Private
Consumption on premises (service no later than 1 a.m.)
Convenience food and beverage store (no drive thru)
Cultural facilities (34-622 (c)(10)), except animal or reptile exhibits, aquariums, botanical or zoological gardens, historical sites, planetaria or zoos
Day care center, child
Drugstore, pharmacy
Food and beverage service, limited
Food stores (34-622(c)(16)), Group I
Hobby, toy and game shops (34-622(c)(21))
Household and office furnishings, (34-62(c)(22)), Group II
Insurance companies (34-622(c)(23))
Medical office
Package store
Paint, glass and wallpaper
Personal services (34-622(c)(33)), Group I except coin-operated laundries or laundromat
Personal services (34-622(c)(33)), Group II except massage parlors (article VII, division3)
Personal services (34-622(c)(33)), Group IV, except escort services, palm readers, fortune tellers, card readers, or tattoo parlors
Pet services
Pet shop
Post office
Real Estate Sales and Rental Office – limited to sales and/or rental of units within the Planned Development
Recreation facilities, Personal and Private On-site
Recreational facilities, Group IV, except bingo halls or skating rinks
Rental or leasing establishments, (34-622(c)(39)), Groups I and II
Repair shops (34-622(c)(40)), Groups I and II, except taxidermists
Restaurant, fast food
Restaurants (34-622(c)(43)), Groups I, II and III
Schools, commercial (art, bartending, business, computer, crafts and dance only)
Signs in accordance with Chapters 30 and 33
Specialty retail shop (34-622 (c)(47)), Groups I – III, except ammunition, bowling equipment, firearms, hunters equipment, riding goods, saddlery stores, skiing equipment or tent shops
Studios (34-622(c)(49))
Used merchandise stores, (34-622(c)(54)), Group I except pawn shops
Variety store

EXHIBIT D

Property Development Regulations

Commercial Area

| | |
|------------------------------|-------------------|
| Minimum Lot Area: | 5,250 square feet |
| Minimum Lot Width: | 70 feet |
| Minimum Lot Depth: | 75 feet |
| Minimum Building Separation: | 5 feet (3) |
| Maximum Lot Coverage: | 50% |
| Maximum Height: | 3 stories/45 feet |

Minimum Building Setbacks

| | |
|----------------------------|--|
| Street ROW: | 5 feet min. -25 feet max. (1) (2) Arcades, awnings, furnishings, and similar pedestrian realm architectural features may encroach into setback. |
| Side: | 0 feet (3) |
| Rear: | 25 feet |
| Water Body, if applicable: | 25 feet |
| Railroad ROW: | 15 feet |

- (1) Corner lots are subject to a maximum setback of 25 feet along both rights of way.
- (2) Parking lots must be set back 75 feet from Corkscrew Road.
- (3) Developments are encouraged to provide side setbacks of five feet or less to create a continuous "street wall" of building frontage where possible. Where side setbacks are more than five feet, architectural features, walls, pedestrian nodes or hedges will serve to support the continuity of the "street wall."

Residential Area (includes the two multifamily buildings that are indicated on the Master Concept Plan to contain non-residential ground floor uses)

| | |
|------------------------------|---|
| Minimum Lot Area: | 7,500 square feet |
| Minimum Lot Width: | 100 feet |
| Minimum Lot Depth: | 75 feet |
| Minimum Building Separation: | 5 feet (1) |
| Maximum Lot Coverage: | 50% |
| Maximum Height: | 3 stories/45 feet, with exception for architectural features not exceeding 20% of the roof area |

Minimum Building Setbacks

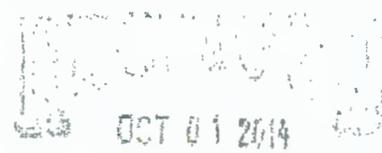
| | |
|---------------|---|
| Street: | 5 feet min. – 25 feet max. Arcades, awnings, furnishings, and similar pedestrian realm architectural features may encroach into setback. |
| Side: | 0 feet (1) |
| Rear: | 25 feet |
| Water Body: | 25 feet |
| Railroad ROW: | 25 feet for the two buildings with non-residential ground floors 50 feet for all other multifamily buildings |

Property Development Regulations

- (1) Developments are encouraged to provide side setbacks of five feet or less between buildings to create a continuous "street wall" of building frontage where possible. Where side setbacks are more than five feet, architectural features, walls, pedestrian nodes or hedges will serve to support the continuity of the "street wall."
- (2) As an alternative to developing in accordance with these property development regulations for multiple-family residential area, a parcel may be developed with townhouses on lots with a minimum area of 2,400 square feet per unit without compliance with minimum width, depth or side yard setback requirements; provided:
 - The overall parcel on which the lots are developed shall comply with all lot coverage, area, width and depth requirements;
 - All structures shall comply with setbacks, as measured from the boundary of the overall parcel;
 - All structures shall comply with front and rear and water body setbacks, as measured from individual lot lines.

EXHIBIT E

DCI 2014-00023



AFFIDAVIT OF AGRICULTURAL USE

COMMUNITY DEVELOPMENT

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, on this 20th day of August, 2014, personally appeared Stephanie Miller, in her capacity as Trustee for Land Trust dated 3/21/97 and as Trustee for Land Trust dated 1/9/04 and as General Partner of Wildcat Hollow LLP who is personally known to me or who produced License to ME as identification and who did take an oath, who deposes and says as follows:

1. I am the owner of the follow described property, to wit:

See Attached "Exhibit A"

2. That the above described property has been used for bona fide agricultural purposes, for the growing of row crops, at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described in attached "Exhibit A."
3. The agricultural use of the property is an existing bona fide agricultural use.
4. The agricultural use is being conducted on the entire 18.53± acres that is subject to rezoning. The entire property described on the attached "Exhibit A" is being used for row crops.
5. Affiant further states intent to continue the agricultural uses on the property, and when a Lee County Development Order is obtained, the owner will cease agricultural operation on that portion of the property subject to a Lee County Development Order.
6. Affiant further states that she is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that she has read, or has heard read to her, the full facts of this affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NAUGHT.

Stephanie Miller
 Signature
 Stephanie Miller
 Trustee for Land Trust dated 3/21/97
 Trustee for Land Trust dated 1/9/04
 General Partner of Wildcat Hollow LLP

8/20/2014
 Date

STATE OF FLORIDA
COUNTY OF LEE

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

STAMP/SEAL

David C. Peterson
 Signature of Notary Public

Commission No. FF 090440

David C. Peterson
 Print, type or stamp commissioned name of
 Notary Public)

"EXHIBIT A"

Property: 33-46-25-00-00018.0090
21351 HAPPY HOLLOW LN ESTERO FL 33928
Owner: WILDCAT HOLLOW LLP

Property: 33-46-25-00-00018.0000
8990 CORKSCREW RD ESTERO FL 33928
Owner: MILLER STEPHANIE TR FOR LAND TRUST DATED 3/21/97

Property: 33-46-25-00-00019.0010
21650 VIA COCONUT POINT ESTERO FL 33928
Owner: MILLER STEPHANIE TR FOR LAND TRUST DATED 1/9/04

Property: 33-46-25-00-00019.0020
ACCESS UNDETERMINED ESTERO FL
Owner: MILLER STEPHANIE TR FOR LAND TRUST DATED 3/21/97

Property: 34-46-25-01-0000C.0170
21750 VIA COCONUT POINT ESTERO FL 33928
Owner: MILLER STEPHANIE TR FOR LAND TRUST DATED 3/21/97

Village of Estero
Planning & Zoning Board
July 12, 2016

Via Coconut

PATTERN BOOK



Table of Contents

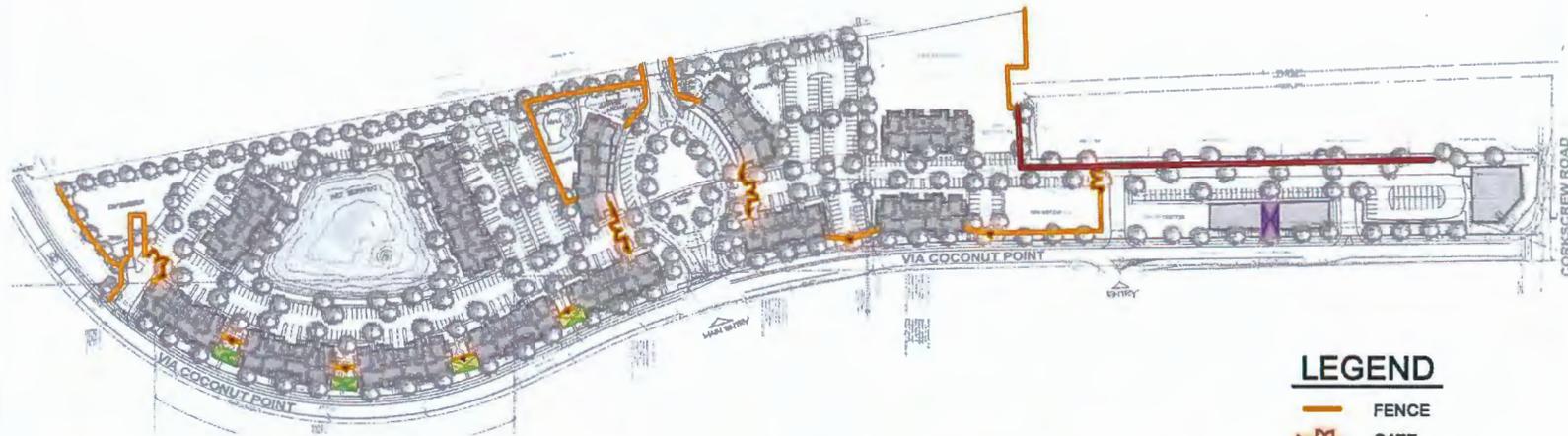
| | |
|---|-------|
| Illustrative Site Plan with aerial | 3 |
| Access Control Diagram | 4-5 |
| Pedestrian/Bicycle Network | 6 |
| Utilities Diagram | 7 |
| Conceptual Architectural Elevations | |
| Residential buildings | 8-13 |
| Oval Park/Village Green buildings | 14 |
| Commercial buildings | 15-18 |
| Signage Plan | 19-20 |
| Landscaping and Open Space | |
| Central Oval/Village Green Concept Plan | 21 |
| Streetscape along Via Coconut Point | 22-23 |
| Buffers | 24 |
| Accessway street section | 25 |
| Site Details | |
| Residential Realm | 26 |
| Village Green Realm | 27 |
| Commercial Realm | 28 |
| Architectural Details | |
| Residential buildings | 29 |
| Oval Park/Village Green buildings | 30 |
| Commercial buildings | 31 |
| Trim details | 32 |
| Incentive Offers | 33-36 |

Renderings and diagrams in this Pattern Book are a representation of the anticipated visual character of the proposed project including its architecture and landscaping. Renderings of landscaping show a mature condition. Pictures of site elements and architectural elements are provided to illustrate the anticipated visual character of the project.

Illustrative Site Plan with aerial



Access Control Diagram – Typical gates



- LEGEND**
- FENCE
 - GATE
 - WALL
 - RESIDENTIAL ARBOR FEATURE
 - COMMERCIAL ARBOR FEATURE

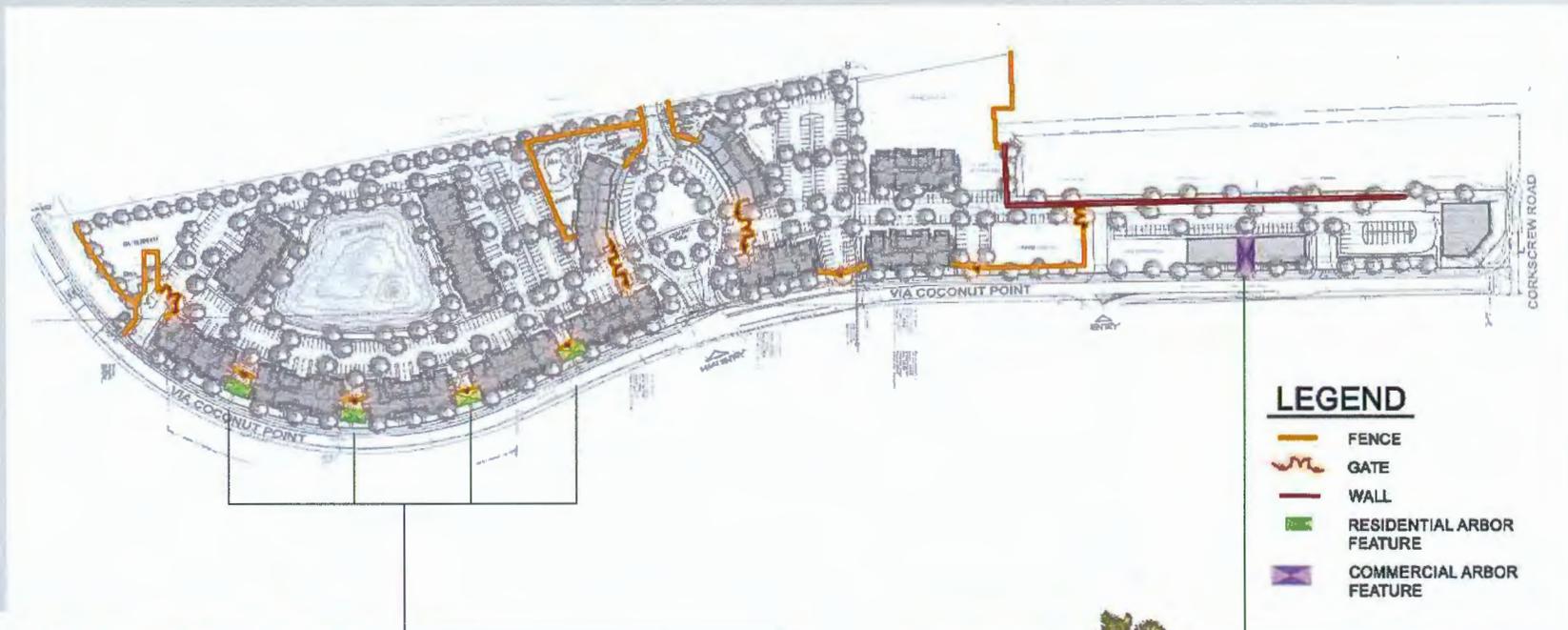


Typical vehicular gate – Character image



Typical pedestrian gate – Character image

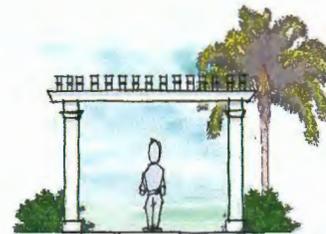
Access Control Diagram – Arbor concepts



Typical Residential Arbor with fencing



Typical Residential Arbor – character image



Typical Commercial Arbor



Typical Commercial Arbor – character image

Pedestrian/Bicycle Network

The pedestrian/bicycle network includes sidewalks that connect throughout the project, sidewalks along the east-west connecting street, and sidewalk connections to the external pedestrian facilities along Via Coconut Point.



Utilities Diagram

The conceptual utility plan shows the general locations proposed for utility lines and connections. Utility main extensions are required by LCU to be located within the Via Coconut Point Right of Way. Exact alignments will be determined during final design.



Architectural elevations – Residential Buildings

These elevations depict the Mediterranean architectural theme that will be characteristic of the primary façade of all 10 residential buildings, including proposed color palette. To the right is the eye-level view along Via Coconut Point.

The four different styles of building with varying architectural details (Scheme A, B, C, and D) will be used to provide a variety of appearance for the residential buildings. While the overall theme is consistent, this helps to avoid a duplicative look and helps make the buildings distinct from one another.



VIA COCONUT MPD JULY 2017 ELEVATION SCHEME 'A' (Stucco Finish) FOCUS
 VIA COCONUT MPD JULY 2017 ELEVATION SCHEME 'B' (Stucco Finish) FOCUS
 VIA COCONUT MPD JULY 2017 ELEVATION SCHEME 'C' (Stucco Finish) FOCUS
 VIA COCONUT MPD JULY 2017 ELEVATION SCHEME 'D' (Stucco Finish) FOCUS

View along Via Coconut Point



There are 10 residential buildings.
 Seven residential buildings are oriented with primary facades facing Via Coconut Point.
 The four different styles of building with varying architectural details (Scheme A, B, C, and D) will be used to provide variety of appearance along Via Coconut Point.

Architectural elevations – Residential Buildings Scheme A



VIA COCONUT MPD
Job# 5217

ELEVATION SCHEME 'A'
Estero, Florida



(View along Via Coconut Point)

Architectural elevations – Residential Buildings Scheme B



VIA COCONUT MPD
Job# 5217

ELEVATION SCHEME 'B'
Estero, Florida



(View along Via Coconut Point)

Architectural elevations – Residential Buildings Scheme C



VIA COCONUT MPD
Job# 5217

ELEVATION SCHEME 'C'
Estero, Florida



(View along Via Coconut Point)

Architectural elevations – Residential Buildings Scheme D



VIA COCONUT MPD
Job# 5217

ELEVATION SCHEME 'D'
Estero, Florida



(View along Via Coconut Point)

Architectural elevations – Residential Buildings Rear and Side Views



(Residential Building – Rear View along internal accessways)



(Residential Building - Side View)

Architectural elevations – Buildings around the Oval Park/Village Green

These elevations depict the Mediterranean architectural theme that will be characteristic of the primary façade of buildings around the central Oval Park/Village Green, including proposed color palette. The architecture is consistent with the residential architecture, however there are design features including an 8' wide arcade along the nonresidential ground floors to enhance the pedestrian experience and distinguish these mixed use buildings from the residential buildings.



View along the Oval Park/Village Green



There are 2 mixed use buildings with a total of approximately 8,000 s.f. of non-residential uses on the ground floor and residential above.

The buildings will be oriented toward the Oval Park (Village Green).

The required parking for the non-residential uses is provided as on-street angled parking in front of the buildings.

Architectural elevations – Commercial Buildings

These elevations depict Mediterranean architectural themes that will be characteristic of the primary façade of commercial buildings at the corner of Corkscrew Road and Via Coconut Point, including proposed color palette.



View along Via Coconut Point



There are 3 commercial buildings with a total of approximately 22,000 s.f. of commercial uses.

The buildings will be oriented toward Via Coconut Point with parking to the side and rear.

Architectural elevations – Commercial Building #1



View along Via Coconut Point

Architectural elevations – Commercial Building #2



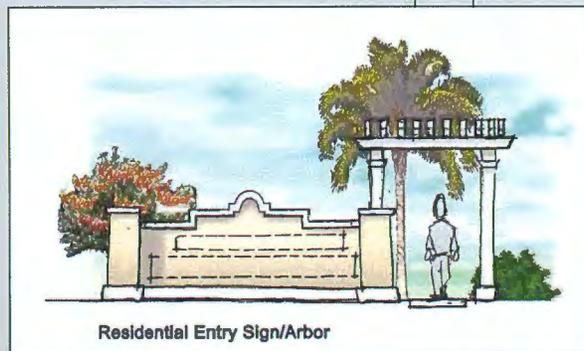
View along Via Coconut Point

Architectural elevations – Commercial Building #3 (corner of Corkscrew Road and Via Coconut Point)



View along Via Coconut Point

Signage Plan – Entry Signs



Signage Plan – Commercial Signs

Wall signs are located in horizontal sign bands, with one horizontal sign band per building in locations shown below. One projecting sign is at the corner of Corkscrew Road and Via Coconut Point.



Buildings along the Central Oval/Village Green

Commercial buildings



Two examples of Projecting Signs
Max. 4' from building wall
Min. 8' over sidewalk



LED reverse channel letters
Example of Wall Sign
Individual lettering with reverse channel lighting (LED)
Max. 30" in height for lettering.

LEGEND

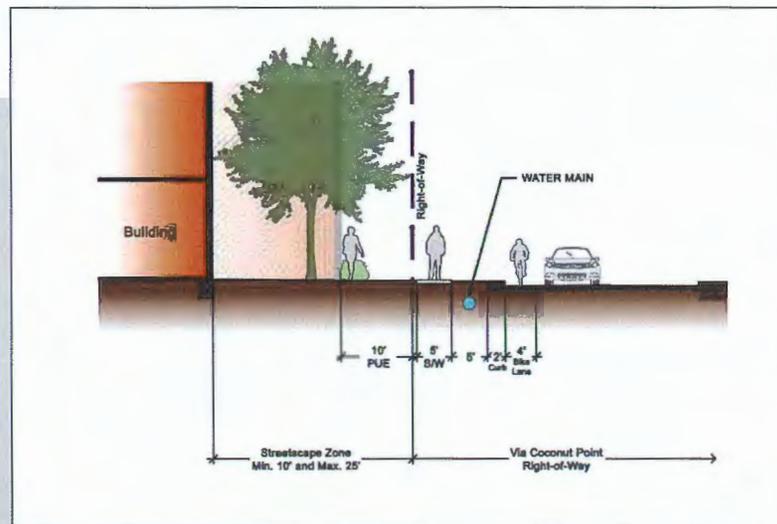
- COMMERCIAL ENTRY SIGN
- RESIDENTIAL ENTRY SIGN / ARBOR
- WALL SIGN
- ◆ PROJECTING SIGN

Landscaping and open space – Oval Park/Village Green Concept Plan

The Connecting Street surrounds the Oval Park which contains the Village Green. Angled on street parking along the Connecting Street (Deviation 1) allows for easy public access to storefronts and calms traffic for a safer and more comfortable pedestrian realm.



Landscaping and open space – Streetscape along Via Coconut Point



Streetscape section along Via Coconut Point - Typical

Landscaping and open space – Streetscape along Via Coconut Point



CONCEPT PLANT SCHEDULE



SHADE TREE
 Shady Lady Black Olive
 Satin Leaf
 -



ORNAMENTAL TREE
 Allspice
 Eagleston East Palatka Holly
 Japanese Blueberry Tree
 Podocarpus
 Simpson's Stopper
 Crape Myrtle
 Geiger Tree
 Little Gem Magnolia
 Queen Crape Myrtle
 -



LARGE PALM
 Royal Palm
 Ribbon Palm
 -



ACCENT TREE
 Italian Cypress
 White Bird of Paradise
 Jatropha
 Montgomery Palm
 Christmas Palm
 Foxtail Palm
 -



HEDGE
 Green Buttonwood
 Arbiocla
 Wild Coffee
 Jamaican Caper
 Pitch Apple
 -



FLOWERING SHRUB
 Flumbago
 Bougainvillea
 Knockout Rose
 Cleander
 -

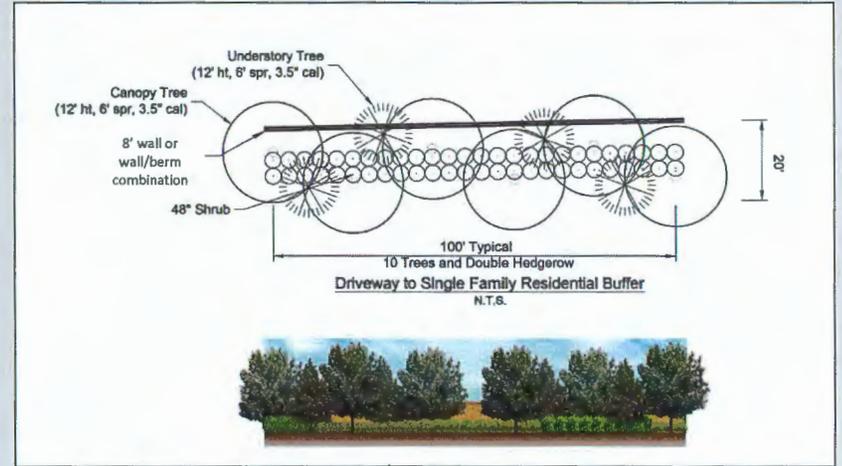
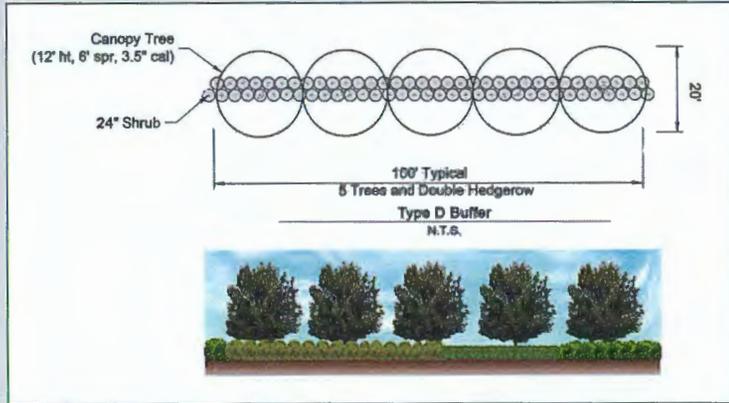


SMALL SHRUB
 Indian Hawthorn
 Green Island Ficus
 Gold Mound Duranta
 Lily of the Nile
 -



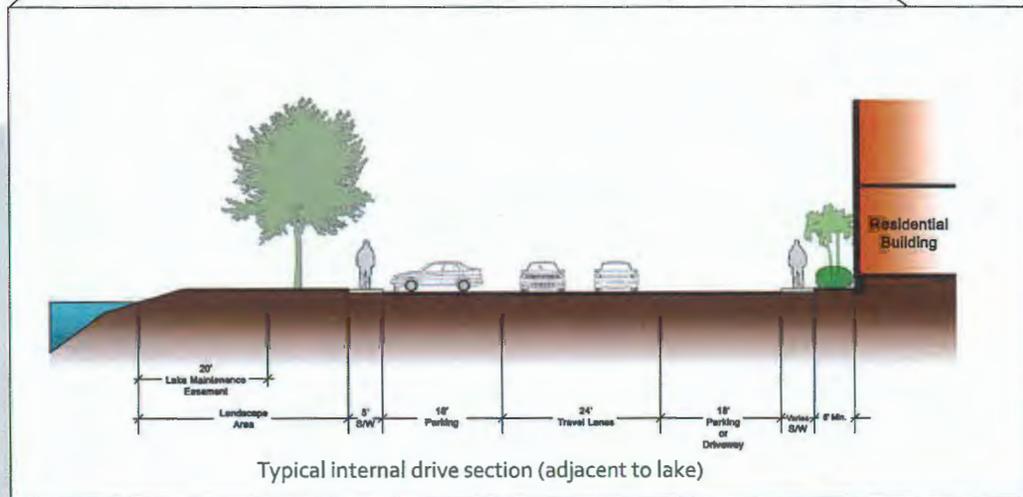
GROUNDCOVER
 Fox Lily
 Remenial Peanut
 Liriope
 Bromeliad
 -

Proposed Buffers



Internal accessways

Internal drives will serve the comfort and convenience of residents and businesses. Speeds will be posted at 25 mph or less. Accessways will provide access to perpendicular parking and driveways. Sidewalks are provided on both sides of accessways.



Residential Realm Details

ARBORS

Classic, white garden arbor with ornate detailing and durable construction material to provide a sense of fine craftsmanship in the residential use areas. Fencing and gates will be integrated so that arbors punctuate the fence line and establish recognizable and attractive threshold for transition from public to private realm in the courtyards between residential buildings along Via Coconut Point.



16'-18' MH

LIGHTING

Mediterranean lantern style light with decorative, round, tapered pole base, metal powder coat finish. Single post top mounted fixture at 16'-18' mounting height for residential pedestrian scale.

HARDSCAPE

Brushed concrete with saw cut jointing for public sidewalk, brushed concrete with troweled joints for residential entry thresholds for courtyard gardens to provide detailed hardscape treatment in residential use areas.



SEATING

Durable, permanent mounted, metal construction, powder coat finish, benches for comfortable design. Benches are consistent in the residential, commercial and Village Green realms for a harmonious aesthetic.



TRASH RECEPTACLES

Durable, permanent mounted, metal construction trash receptacles with vertical slats for aesthetic continuity within the residential, commercial and Village Green realms.



BIKE RACKS

Durable, permanently mounted, metal powder coat construction, elegant black finish, multi-looping bike rack with clean, sweeping lines to enhance the architectural treatment. Consistent bike rack design across the residential, commercial and Village Green realms provides visual harmony.



GATES & FENCING

Pedestrian and vehicular gates will be of black metal powder coat construction, with matching vertical elements. Decorative to provide aesthetic appeal while serving the purpose of security for residential areas.



Village Green Realm Details

PERGOLA

The focal point upon entry and a place to gather within the Village Green. Columns provide sturdiness and Mediterranean character for this "outdoor room," while the landscape cover provides shade in response to the SW Florida sun. Pavers accentuate the space. Benches form a frame and offer opportunities to sit, relax, and interact.



LIGHTING

Mediterranean lantern style light with decorative, round, tapered pole base, metal powder coat finish. Single and double post top mounted fixture with decorative arm at 20-25 foot mounting height for pedestrian sidewalks, roadway and parking lot scale.



HARDSCAPE

Brushed concrete with troweled joints and rock-salt finished border for public sidewalks.

Decorative colored stamped concrete for retail store front entries to provide detailed hardscape treatment in Village Green.

Pavers are proposed under the pergola.



SEATING

Durable, permanent mounted, black metal construction with signature quality detailing.



TRASH RECEPTACLES

Durable, permanent mounted, metal construction trash receptacles, vertical metal slats for aesthetic continuity within the Village Green.



BIKE RACKS

Durable, permanently mounted, metal powder coat construction, elegant black finish. Quality and detail to be consistent with Village Green benches. Same bike racks are present in residential areas and commercial areas for continuity.



PLANTERS

Durable, stone cylindrical, earth-tone, sleek planters. Visually heavy to avoid pedestrian manipulation but light enough to allow for planned seasonal relocation. A strong architectural urban landscape element consistent with the Commercial use areas.



Commercial Realm Details

ARBOR

Bold architectural detail, 6' x 6' shade structure providing visual stability and long term durability located in the large pedestrian space between two buildings in the Commercial use areas.



LIGHTING

Mediterranean lantern style light with decorative, round, tapered pole base, metal powder coat finish. Double post top mounted fixture with decorative arm at 20'-25' mounting height for roadway and parking lot scale.



HARDSCAPE

Brushed concrete with troweled joints and rock-salt finished border for public sidewalks and decorative colored concrete pavers to accent the arbor area to provide detailed hardscape treatment in the Commercial use area.



SEATING

Durable, permanent mount, powder coat metal, black benches, comfortable horizontal slat design with or without middle arm for Commercial Use areas.



TRASH RECEPTACLES

Durable, permanent mount, powder coat metal, black trash receptacles, vertical slat design, secure removable trash bin, with or without weather cover for Commercial Use areas.



PLANTERS

Durable, stone cylindrical, earth-tone, sleek planters. Visually heavy to avoid pedestrian manipulation but light enough to allow for planned seasonal relocation. A strong architectural urban landscape element for Commercial use areas.



BIKE RACKS

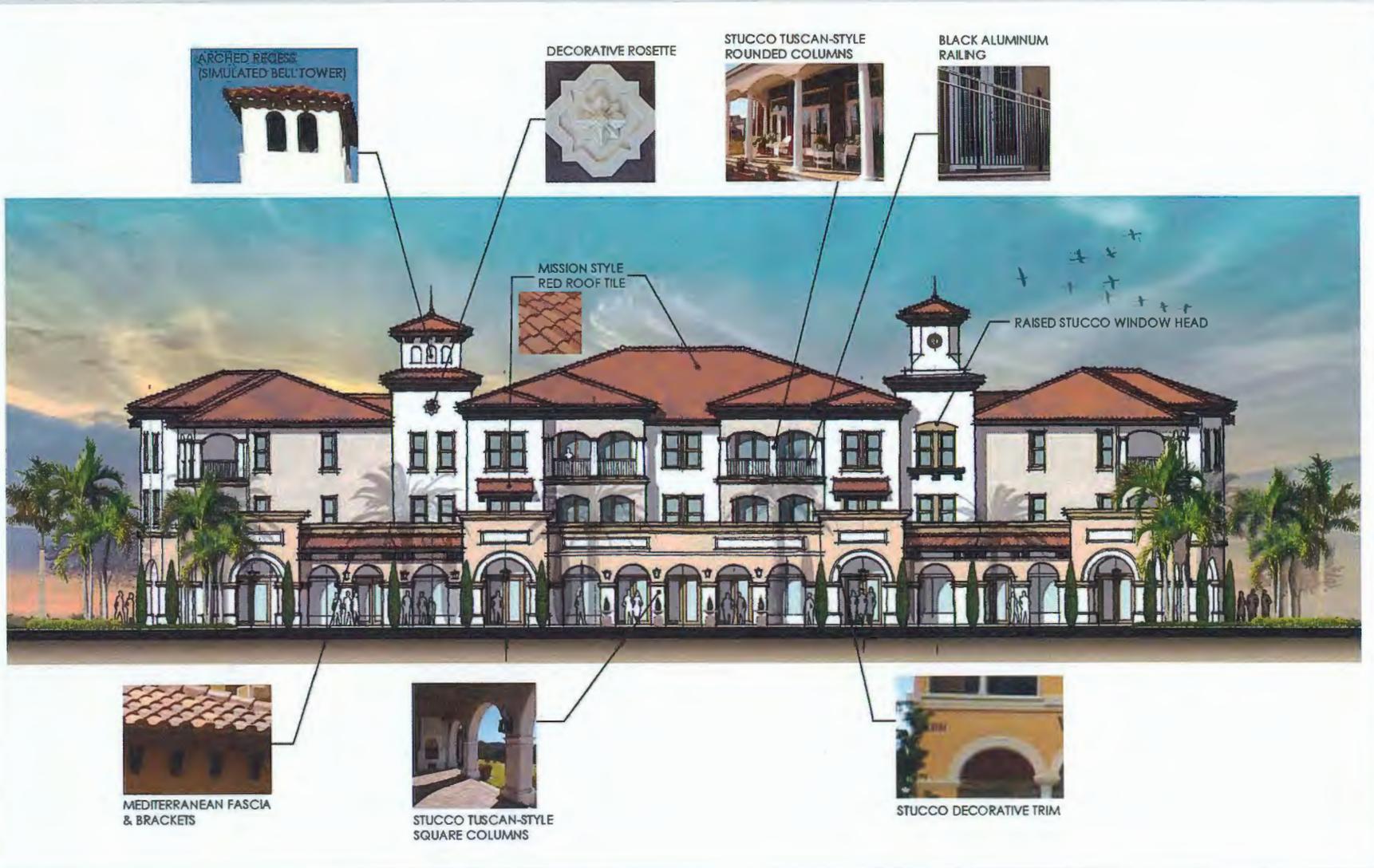
Durable, permanently mounted, metal powder coat construction, elegant black finish. Quality and detail to be consistent with benches for continuity.



Residential Building Architectural Details



Mixed Use Building Architectural Details



Commercial Building Architectural Details



STUCCO TUSCAN-STYLE SQUARE COLUMNS



FLAT PARAPET ROOF



EXTERIOR TRELLIS FOR OUTDOOR AREA



BACKLIT CHANNEL LETTER WALL SIGNAGE & CANVAS AWNING



STUCCO MOULDING ON PARAPET WALL



VERTICAL BLADE SIGNAGE

Incentive Offerings [LDC §33-518 - Ordinance 16-07]

- **Mixed use (Vertical) [33-518(h)(1)]**

The site features both vertical and horizontal mixed use. Buildings fronting the central Oval Park/Village Green are vertically mixed use buildings. Each building has approximately 4,000 square feet of nonresidential ground floor area. Residential units are on portions of the ground floors and on the 2nd and 3rd floors.

Three commercial buildings totaling approximately 22,000 square feet are at the corner of Corkscrew Road & Via Coconut Point. Open spaces around these buildings are provided for human scale comfort and furnishings for seating. These spaces are interconnected to the residential buildings with vehicular, pedestrian and bike connections that direct people through the site in a safe and convenient manner.

- **Interconnectivity & Pedestrian/Bicycle Connectivity [33-518(e)(1)]**

Bicycle and pedestrian connection is achieved with five foot wide (minimum) sidewalks throughout the site. These sidewalks include paths that connect to every commercial and residential building entry. The paths connect to continuous internal sidewalks along both sides of the residential area drive aisles, providing for convenient connection from one building to another and from one area of the site to another. The sidewalk network also connects to surrounding external sidewalks along Via Coconut Point and Corkscrew Road. Those pedestrian oriented interconnections also provide for the opportunity to increase access of the residents to the Estero Community Park recreational area. Proposed sidewalks are wider (8 feet wide within arcade and 8 feet wide outside the arcade) along the buildings that face the central Oval Park/Village Green, given the importance of these buildings for public use and enjoyment.

- **Off Site Public Improvements [33-518(e)(4)]**

The applicant proposes installing and maintaining landscaping in the public right-of-way. The landscaping is proposed in the Via Coconut Point median, subject to Village approval. The landscaped area is approximately 1,500 linear feet starting at the project's main entrance and extending south to the railroad track crossing.

- **Enhanced site landscaping and streetscape [33-518(e)(5)]**

The streetscape is enhanced with commercial and residential building facades and entrances oriented to the public street (Via Coconut Point) and the proposed east-west connector road. The streetscape is further enhanced by the transitional courtyards along Via Coconut Point that address interface of the public/private realm using arbors as signature elements in the residential realm and the commercial realm, helping to visually and functionally tie the two areas together. Landscaping is enhanced in that pedestrian comfort and scale is provided by a customized streetscape plan featuring shade trees, ornamental trees, shrubs and ground cover along Via Coconut Point.

- **Enhanced Street Design [33-518(e)(6)]**

The east-west connecting street features an enhanced street design with on-street parking and 8-foot wide pedestrian paths.

- **Public civic spaces [33-518(e)(7)] & Cultural Spaces [33-518(g)(5)]**

The central oval park/Village green is a ±0.5 acre public space that serves as a focal point for the project and creates the opportunity for cultural activities like arts fests, farmers markets, and similar activities for the community-at-large. This is proposed as publicly accessible green space in a formal urban setting. This village green is accented with benches, shade trees, pedestrian path and a 10'x20' pergola, all situated within the 1.26-acre area to be dedicated for public access, use and enjoyment.

- **Gathering places (outdoor cafes, etc.) [33-518(f)(2)]**

Commercial areas and first floor non-residential areas are designed to accommodate publicly accessible outdoor seating areas, and publicly accessible gather space is provided in the Village Green, consistent with 33-515(b).

- **On-street Parking [33-518(g)(1)]**

On-street parking is a feature of the central oval area, contributing to the urban character of this node that centralizes the site and serves as a focal point for the community at large. The connecting street around the Village Green is designed to carry one-way traffic in one 18-foot wide lane (required for 60-degree angled parking per Land Development Code §34-216). The parking spaces are 60-degree angled spaces. The traffic calming characteristic of the oval's geometry will slow traffic. The one-way, one-lane system reduces the complexity for drivers compared to a two-way street. On-street parking is an urban concept that makes for convenient public access to buildings and contributes to traffic calming because drivers must be observant of the parking movements, unlike moving through a thoroughfare with no on-street parking. On-street parking also improves the pedestrian quality of this central node, because the cars parked in the angled spaces serve as a buffer between the travelway and the pedestrians walking along the building fronts.

Incentive Offerings [LDC §33-518 - Ordinance 16-07] (continued)

- **Reduced Off-Street Parking [33-518(g)(2)]**

Reduction from the standard 2 parking spaces per unit to allow 1.5 spaces per one-bedroom dwelling unit is meant to control the proliferation of parking the site. Reduced parking in more urban contexts is responsive to the decrease in parking demand that results from smaller dwelling units located within walkable environments. Leasing provisions will address parking assignments, and property managers ensure that parking is properly assigned and accommodated in the residential parking areas.

Commercial parking ratios are not reduced, and commercial area parking will be open and available to the public.

- **Removal of Billboard [33-518(h)(2) – Other Offers]**

There is an existing, income-producing billboard on the subject site, positioned along Corkscrew Road. In consideration of the Village Center objectives to maintain an attractive community character and appearance, the applicant agrees to remove this asset prior to the start of any construction.

- **Construct Civic Improvements [33-518(g)(3)]**

The following civic improvements will be constructed by the applicant as part of the project:

Publicly accessible Streetscape along Via Coconut Point

Residential area:

4 - Ped arbors (6'x6')
90 sy - Conc. Sidewalk connections
4 - 6' benches
1,880 lf - Streetscape landscape
1,880 lf - Streetscape irrigation

Commercial area:

1 - Ped arbor (6'x6')
2,325 sf - Conc. Pavers
2 - 6' benches
4 - trash receptacles
815 lf - Streetscape landscape
815 lf - Streetscape irrigation

Publicly accessible Connecting Street with on-street parking & 8' sidewalk & central Oval Park/Village Green (total = ±1.26 acres)

Road, on-street parking, street trees, 8' sidewalk
(This does not include the cost of land, the cost to treat and attenuate stormwater associated with the roadway, or the cost to maintain the facilities over time.)

Oval Park/Village Green improvements:

1 - pergola (10'x20')
625 sf - Conc. Pavers
8 - 6' benches
4 - trash receptacles
0.6 ac Landscape/irrigation

Via Coconut Point median landscaping (1,500 lf)

Irrigation (includes directional bore crossings and connection valve)
Plantings
Maintenance

Incentive Offerings [LDC §33-518 - Ordinance 16-07] (continued)

• Architectural Excellence/Innovative Design [33-518(f)(5)]

Site:

The organization of the site responds to the irregular conditions of the site and the Village Center overlay. Design solutions include:

- Traditional Neighborhood Design (TND) with buildings up to the street and most parking away from the public view
- A central Village Green dividing the site and open to public access and use. Community connections are encouraged and organized events are employed to activate the setting.

Architecture:

- The architectural style is influenced by the original "beauty book" for Coconut Point, executed in a contemporary application of Mediterranean architecture.
- Four residential building types are designed with varied appearance to avoid replication of identical buildings along the Via Coconut frontage.
- Two buildings around the Village Green feature covered arcade for shade along storefronts (climate responsiveness).
- The commercial frontage along Via Coconut Point will follow the design theme with compatible architecture. The final users are unknown at this time and thus the building appearance is approximated. From restaurant to financial institution, or from office to retail, the overall frontage is intended to continue the varied approach while preserving the consistency of a uniform landscape theme and material pallet extending along the entire frontage of the project.
- The following elements contribute to the high quality architectural appearance:
 - Differing roof features
 - Varied exterior wall and trim pallets
 - Staggered fascia and roof lines
 - Pedestrian gateway entry arbors to delineate public/ private transition to & from units along Via Coconut
 - Selective use of private walkways to ground level units
 - Exterior balconies or sunrooms orienting to all sides of each building ("eyes on the street" CPTED)
 - A lush streetscape with a cadence of street trees between the buildings and the public sidewalk
 - Courtyards between structures offering a changing presentation to passing motorist and pedestrians

Construction:

The following superior building approaches are proposed to exceed the already substantially demanding Florida Building Code requirements:

- Post tensioned foundations
- Full height reinforced concrete masonry construction
- Barrel tile roof
- Energy Star certified
- Vinyl, double-pane, impact windows
- STC 54 sound rated walls and floors

The following special features will be incorporated in the residential units:

- Oversized unit floor plans relative to competitive offerings
- Expanded exterior porches or elective sun rooms (except for the one bedroom studio unit)
- Full sized utility rooms (except for the one bedroom studio unit)
- All bedrooms sized for king size beds
- All master bedrooms with walk in closet/dressing suite attached
- Double master suite in all two bedroom units
- Oversized tubs or showers in all bathrooms (except for the one bedroom studio unit)
- LED lighting on all exterior building and site applications
- Hardwood style flooring in all living, kitchen, and entry areas.
- Premium carpet (32 oz.) and pad in all bedrooms, closets and corridor areas.
- 9' ceiling heights on all units with selectively applied 12' ceilings in living areas on top floor units
- Granite or other similar solid surface counter top in kitchen and bathrooms
- Premium appliance packages including ice maker refrigerators, full size range and microwave, silent run dishwasher, spray-head single lever faucet with double bowl stainless sink

Incentive Offerings [LDC §33-518 - Ordinance 16-07] (continued)

• Architectural Excellence/Innovative Design [33-518(f)(5)] (continued)

Amenities:

1. Oval Park/Village Green Occupancies

The ground level occupancies facing the Village Green within the two fronting buildings offer approximately 8,000 sf. of non-residential floor area. Non-residential uses include:

- Leasing and management (approx. 1,200 s.f.-1,800 s.f.)
- Fitness facility (approx. 2,000 s.f.-4,000 s.f.)
- Business center (approx. 900 s.f.-1,500 s.f.)
- Postal center (approx. 250 s.f.-500 s.f.)
- Other business types:
 - Hair styling salon
 - Manicure and pedicure salon
 - Flower shop
 - Private fitness trainer
 - Tailor/seamstress
 - Coffee shop
 - Dry cleaning outlet
 - Executive office center operations
 - Light food and beverage operation*

**Full restaurants are largely viewed as not compatible with vertical mixed use residential/commercial occupancies except in intense urban centers. Their demand and impacts on food waste, odors, and late hour noise often devalue the adjacent residential tenants. More appropriately, these particular occupancies would best orient to the northern and more freestanding commercial portion of the project.*

2. Commercial along Via Coconut Frontage

Convenient walking and bike connections within the larger campus make this commercial venue a clear "lifestyle benefit" for residents.

Ideal commercial occupancies would exclude auto-centric commercial uses but include:

- Food and beverage operators
- Boutique fashion wear vendors
- Neighborhood medical and dental professional offices
- Neighborhood real estate professional offices
- Decorator show rooms
- Investment and insurance offices

3. Residential amenities:

- Pool with expanded pool deck, zero entry pool for children and sun-bathing
- Cabanas for extended outdoor relaxation
- Outdoor living area with summer kitchen, picnic area, and soft seating in shade
- Yard team events such as lawn chess, bocce, corn-hole
- Passive outdoor amenities:
 - Meditation garden
 - Herb/vegetable community gardens
 - Private party setting
 - Outdoor yoga/aerobic patio
 - Pet Park for active outdoor pet use
 - Bike storage areas with individual unit convenience
 - Connected sidewalks throughout the site, including around the large internal lake
 - Benches along internal walkways for relaxation