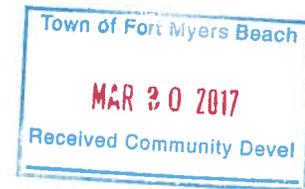


TPI-FMB**Commercial Planned Development
Design Standards Compliance**

The purposes of design regulations for commercial buildings include:

- (1) Encouraging traditional building forms that reinforce the pedestrian orientation and desired visual quality of the Town of Fort Myers Beach.

The proposed design of the hotel building, restaurant, and outdoor recreational facility promotes street level pedestrian activity through sidewalks, pedestrian corridors and beach access points. Balconies, awnings, canopies and landscaping are proposed to provide walkability, shading and an appealing view. Along the Gulf-front outdoor seating is also proposed with landscaping to provide gathering spaces and promote connectivity between the commercial uses and the beach front. These elements are consistent with the vision of the Town's Comprehensive Plan Community Design Element.

The architectural elements seek to promote the old Estero Island character as desired by the Town's Comprehensive Plan Community Design Element.

- (2) Creating usable outdoor space through the arrangement of compatible commercial buildings along street frontages.

Streetscaping, sidewalks, and pedestrian corridors are incorporated into the proposed redevelopment of the subject property to promote usable outdoor public spaces that feel like "outdoor rooms" as proposed by the Town of Fort Myers Beach Comprehensive Plan. Proposed balconies and overhangs created shade and interesting vistas to establish a neighborhood realm adjacent to the public streets and pedestrian corridors.

- (3) Encouraging buildings of compatible type and scale to have creative ornamentation using varied architectural styles.

The proposed redevelopment plan includes 4 new and 2 remodeled buildings each with its own architectural style that promotes the Old Estero Island character desired by the Community Design Element.

- (4) Enhancing the town's business districts as attractive destinations for recreation, entertainment, and shopping.

The proposed redevelopment is located within the Downtown Core/Times Square Redevelopment District which promotes pedestrian friendly mixed use development. The design proposed will promote entertainment and recreation for guests and residents alike.

- (5) Maintaining and enhancing the town's sense of place and its property values.

The proposed development seeks to not only comply with the commercial design standards but redevelop a series of parcels that currently are not contributing to the commercial vibrancy of the town or increased property values and taxes due to vacancy. The requested CPD will promote various types of commercial activities within the Downtown Core to improve pedestrian connectivity, public gathering and interaction as well as guest units in a location historically approved for such uses. By virtue of the redevelopment, property values and imposed property taxes will increase and the construction will be consistent with floodplain regulations improving the points available for the Community Rating System.

- (6) Implementing the design concepts in the Fort Myers Beach Comprehensive Plan.

The Town of Fort Myers Beach Comprehensive Plan incorporates numerous visioning and design elements. A detailed assessment of the proposed redevelopment's consistency with the Town's Comprehensive is outlined in a separate narrative attached to this application.

The Town's Community Design Element seeks to improve the appearance and function of transportation corridors, commercial areas and links to natural and recreational areas. The proposed redevelopment aggregates multiple parcels of older commercial or vacant properties to establish a mixed use development that promotes commercial and public uses. The hotel building is clustered on the Bay Side of subject property and the buildings proposed for the Gulf Side of the subject property are clustered and located in a manner to promote large new open view of the Gulf from Estero Boulevard. Clustering the intensity of the proposed development on the Bay Side ensures appropriate development of the subject property consistent with the Community Design Element of the Town's comprehensive plan. Two public Pedestrian Crossovers are provided. The first, above Fifth Street connects the Hotel Amenities and Hotel Building which will permit members of the public to walk across the proposed elevated outdoor deck on the first floor to reach the second over Estero Boulevard. Each crossover provides stairwells and elevators for the public to ascend and descend from ground level and connects the Bay and Gulf Side properties eliminating the opportunity for pedestrian and vehicular conflicts on Fifth Street and Estero Boulevard.

The Community Design Element also promotes public spaces by encouraging the establishment of an entry feature at the base of the Matanzas Pass Bridge, landscaping and streetscaping, undergrounding utilities and the revitalization of the Downtown Core as the nucleus of commercial activities. The proposed redevelopment will underground any remaining above ground utilities and includes landscaping of the pedestrian corridors and street frontage to promote the "Avenue of the Palms" as well as canopies, awnings and balconies along the street fronts to provide the public with shade and interesting vistas.

The proposed redevelopment is wholly within the Downtown Core Redevelopment Area, which is also known as Times Square per the Community Design Element. In support of the design elements desired within the Downtown Core, the applicant has proposed sidewalks

along all major streets, the implementation of a Pedestrian Flyover to eliminate conflicts, streetscaping, public gathering spaces, the elimination of ingress and egress points along Estero Boulevard to improve vehicular flow as well as a mix of uses that will provide options for residents and visitors alike.

The proposed redevelopment seeks to implement the elements of the Community Design Element in a manner that promotes the “Old Estero Island” vision of the area, implements to the desired design elements, and establishes uses that support the commercial district. Additional details regarding other elements of the Town’s Comprehensive Plan are attached to this application and are incorporated by reference.

Compliance determinations. Compliance with these standards shall be determined as follows:

- (1) An applicant may seek conceptual or final approval of a specific building and site design during the commercial planned development rezoning process (see § 34-931). The resolution approving a commercial planned development may include specific site plans and building elevations and shall specify the extent to which these plans and elevations have or have not been determined to meet these commercial design standards and whether any deviations to these standards have been granted.
- (2) Unless final approval has been granted pursuant to subsection (1), the town manager shall make a determination of substantial compliance with these standards before a development order can be issued pursuant to Ch. 10 of this code, or before a building permit can be issued if a development order is not applicable.

The applicant would propose that the architectural elevations provided are conceptual in nature and while they may be attached to the resolution, a condition should be provided that detailed architectural plans be provided for final approval at the time of a local development order is submitted.

Exterior walls.

- (a) **Generally.** These standards require commercial buildings to have traditional pedestrian-oriented exteriors and to be clad with typical Florida building materials that are durable and appropriate to the visual environment and climate. Design flexibility and creativity is encouraged using ornamentation from a wide variety of architectural styles.
- (b) **Finish materials for walls.** Exterior walls are the most visible part of most buildings. Their exterior finishes shall be as follows:
 - (1) Any of the following materials may be used for exterior walls and for columns, arches, and piers:
 - a. Concrete block with stucco (CBS)
 - b. Reinforced concrete (with smooth finish or with stucco)
 - c. Natural stone or brick
 - d. Wood, pressure-treated or naturally decay-resistant species

- (2) Exterior walls may also be covered with fiber-reinforced cement panels or boards, or with cast (simulated) stone or brick.
- (3) Synthetic stucco (an exterior cladding system with a stucco-like outer finish applied over insulating boards) may be used as an exterior wall covering except on principal facades.
- (4) Other materials for exterior walls may be used only if approved as a deviation from this section through the planned development rezoning process or when explicit approval has been granted to vary from these regulations (see § 34-992).
- (5) Fastenings that are required to dry-flood proof the first story of commercial buildings shall be integrated into the design of principal facades or be visually unobtrusive.

The proposed architectural design utilizes concrete block with stucco, reinforced concrete and natural stone or brick as permitted in item (1). Fiber-reinforced cement panels or boards may be utilized as permitted by item (2). The applicant is committed to complying with the floodplain management requirements for new buildings as well as the remodeling of the Cigar Hut Building.

- (c) ***Types of exterior walls.*** Principal facades are defined in § 34-993 and their requirements are described in § 34-995. Exterior walls that are *not* defined as principal facades require a lesser degree of finish and transparency, but must meet the following requirements:
- (1) Transparent windows must cover at least 30% of the wall area below the expression line and at least 10% of the wall area between the expression line and the cornice. These requirements shall not apply to walls facing and roughly parallel to rear lot lines, or to side walls being built closer than 5 feet to a side lot line if the adjoining lot also has a building with a side wall closer than 5 feet to the same side lot line. However, some rear and side walls qualify as principal facades in accordance with § 34-993 and must meet the more stringent requirements of § 34-995.
 - (2) All windows must have their glazing set back at least 3 inches from the surface plane of the wall, or set back at least 2 inches when wood frame construction is used.
 - (3) Rectangular window openings shall be oriented vertically (except for transom windows).

Due to the floodplain requirements within the Velocity Zone windows are not provided under base flood elevation. The applicant notes that 34-992(c) exempts commercial buildings from complying with ground-floor window and retail standards unless they are located on Old San Carlos. The subject property does not front Old San Carlos and therefore is exempt from transparency and glazing as described in item (1). The windows provided on the first, second and third floors provide glazing setback at least 3 inches from the surface plan of the wall and when utilized, rectangular window openings are oriented vertically.

Principal facade walls.

- (a) ***Facade elements.*** Principal facades are the primary faces of buildings. Being in full public view, they shall be given special architectural treatment.

- (1) All principal facades shall have a prominent cornice and expression line, a working entrance, and windows (except for side-wall facades where entrances are not required).
- (2) Buildings wider than 75 feet shall incorporate vertical elements in the principal facade to mimic smaller-scale development.
- (3) Principal facades facing a primary street, plaza, or public park may not have blank walls (without doors or windows) greater than 10 feet in length.
- (4) Expression lines and cornices shall be a decorative molding or jog in the surface plane of the building that extend at least 3 inches out from the principal facade, or a permanent canopy may serve as an expression line.
- (5) Awnings may not hide or substitute for required features such as expression lines and cornices.
- (6) Entrances and windows are addressed in subsections (b) and (c) below.

The proposed buildings provide principle facades adjacent to Estero Boulevard with prominent cornice and expression lines and windows and no blank walls greater than 10 feet in length. The proposed hotel building, which is wider than 75 feet, incorporates vertical elements to mimic smaller scale development. Decorative cornice lines, balconies and permanent canopies are provided on all proposed buildings.

The applicant notes due to the Velocity Zone requirements, no at grade commercial uses exist and therefore, public entry points have been elevated to the first floor. Public stairwells and elevators are located adjacent to Estero for the public Gulf Side restaurant. Entry points to the commercial uses not open to the public are provided on side streets to enable supervised entry. All parking at grade is screened with lattice that is designed to provide and support vertical growth of landscaping to provide a soft green screening element.

- (b) **Entrances.** A primary entrance and views into the first floor of commercial buildings are fundamental to creating an interesting and safe pedestrian environment.
- (1) The primary entrance to all buildings shall face the street.
 - (2) Corner buildings shall have their primary entrance face either the intersection or the street of greater importance.
 - (3) Additional ground floor retail spaces within the same building shall all have their respective primary entrances face streets unless the retail spaces do not adjoin an exterior wall along a street.
 - (4) Where building frontages exceed 50 feet, operable doors or entrances with public access shall be provided along streets at intervals averaging no greater than 50 feet.

The applicant notes due to the Velocity Zone requirements, no at grade commercial uses exist and therefore, public entry points have been elevated to the first floor. Public stairwells and elevators are located adjacent to Estero for the public Gulf Side restaurant. Entry points to the commercial uses not open to the public are provided on side streets to enable supervised entry.

- (c) **Windows.** Every principal facade must contain transparent windows on each story.
- (1) **All windows.**
- a. Rectangular window openings on principal facades shall be oriented vertically (except for transom windows).
 - b. All windows must:
 1. Contain visible sills and lintels on the exterior of the wall, and
 2. have their glazing set back at least 3 inches from the surface plane of the wall, or set back at least 2 inches when wood frame construction is used.
 - c. Glass in windows and doors, whether integrally tinted or with applied film, must transmit at least 50% of visible daylight.
 - d. See § 34-995(e)(1) regarding awnings.
- (2) **First-story windows.** In order to provide clear views inward and to provide natural surveillance of exterior spaces, the first story of every commercial building's principal facade shall have transparent windows meeting the following requirements:
- a. Window openings shall cover at least 60% of the wall area below the expression line;
 - b. The bottoms of the window opening can be no higher than 30 inches from sidewalk level; and
 - c. These windows shall be maintained so that they provide continuous view of interior spaces lit from within. Private interior spaces such as offices may use operable interior blinds for privacy.
- (2) **Upper-story windows.**
- a. All stories above the first story of every commercial building's principal facade shall contain between 15% and 75% of the wall area with transparent windows.
 - b. No single pane of glass may exceed 36 square feet in area.
- Due to the floodplain requirements within the Velocity Zone windows are not provided under base flood elevation. Windows are provided on the first, second and third story consistent with the requirements. Rectangular windows are oriented vertically, glazing is setback, 50% of visible daylight will be transmitted and between 15-75% of the wall area is transparent with Windows. The proposed glazing percentages are noted on the attached elevations for all principal facades.**
- (d) **Corner buildings.** For buildings located at the intersection of two streets, the corner of the building at the intersection may be angled, curved, or chamfered. The distance from the corner shall not exceed 20 feet measured from the intersection of the right-of-way lines to the end of the angled or curved wall segment, unless a greater amount is required by the visibility triangles in § 34-662(b)(4).
- The proposed hotel building has a corner façade and is placed 6 FT from the corner property line at the intersection of Crescent Street and Estero Boulevard. The setback of the building ensures vehicular visibility triangles can be maintained at the intersection.**

The commercial building at the corner of 5th and Estero is an existing structure. No building envelope modifications other than painting and roofing are proposed for this structure.

(e) ***Facade projections.*** Facade projections add visual interest to buildings. Some projections also provide protection from sun and rain for those passing by, others provide additional floor space for the building. The following types of facade projections are permitted as indicated below. At least one of these facade projections is required on each principal facade of all commercial buildings. Along both sides of Old San Carlos Boulevard, a continuous awning or canopy is required over the sidewalk except where the sidewalk is being shaded by an arcade or colonnade.

(1) ***Awnings and canopies:***

- a. Awnings and canopies may extend forward of the build-to line (see § 34-662) and may encroach into a street right-of-way.
- b. Awning or canopies extending from the first story cannot exceed the following dimensions:
 1. Depth: 5 feet (minimum) and strongly overlapping the sidewalk, but no closer than 2 feet to an existing or planned curb (see § 34-995(e) regarding Old San Carlos Boulevard)
 2. Height: the lowest point on an awning or canopy shall be between 9 feet and 12 feet above sidewalk level
 3. Length: 25% to 100% of the front of the building.
- c. There are no minimum or maximum dimensions for awnings or canopies extending from a second story or higher.
- d. Awnings shall be covered with fabric. High-gloss or plasticized fabrics are prohibited. Backlighting of awnings is prohibited.

The proposed buildings include awnings and canopies as one design element to provide façade projections. The proposed awnings and canopies provide a minimum depth of 5 and height of 9 feet. Awnings do not extend the length of the building but rather are provided as decorative architectural elements.

(2) ***Balconies:***

- a. Balconies may extend forward of the build-to line (see § 34-662) and may encroach into a street right-of-way.
- b. Balconies cannot exceed the following dimensions:
 1. Depth: 6 feet minimum for second story balconies; and no closer than 2 feet to the existing or planned curb
 2. Height: 10 feet minimum if overhanging a sidewalk
 3. Length: 25% to 100% of the front of the building
 4. Top of railing: 2-3/4" minimum

- c. Balconies may have roofs, but are required to be open, un-air conditioned parts of the buildings.
- d. On corners, balconies may wrap around to the side of the building.

Balconies are included on each proposed building and most do not extend into the right-of-way. Balconies are designed to be between 6 and 10 feet deep, approximately 10 feet above the sidewalk and do exceed 25% of the building front. There is one proposed balcony on the Gulf Side, connecting to the Pedestrian Crossing that will encroach over the Estero Right of Way as permitted.

(3) Bay windows:

- a. Bay windows may extend forward of the build-to line (see § 34-662) but may not encroach into a street right-of-way.
- b. Awning or canopies extending from the first story cannot exceed the following dimensions:
 - 1. Depth: 3 feet (minimum)
 - 2. Height: 10 feet minimum above sidewalk
 - 3. Length: 6 feet minimum
- c. Bay windows shall have the same details required for principal facades: sills, lintels, cornices, and expression lines.

Bay Windows are included in the design of the Hotel Amenities Building and comply with the design requirements listed above.

(4) Porches:

- a. Front porches may extend forward of the build-to line (see § 34-662) but may not encroach into a street right-of-way.
- b. Front porches cannot exceed the following dimensions:
 - 1. Depth: 8 feet (minimum)
 - 2. Length: 25% to 90% of the front of the building; however, no more than 25% of the floor area of a porch shall be screened if the porch extends forward of the build-to line.
 - 3. Top of railing: 2-3/4" minimum
- c. Front porches may have multi-story verandas and/or balconies above.
- d. Front porches are required to be open, un-air conditioned parts of a building.

Porches are not included in the proposed buildings. There is an existing porch associated with the existing "Ocean Jewel" property which is proposed for Hotel Retail that will remain.

(5) Stoops:

- a. Stoops may extend forward of the build-to line (see § 34-662) but may not encroach into a street right-of-way or sidewalk without specific approval by the town.
- b. Stoops cannot exceed the following dimensions:

1. Depth: 6 feet (minimum)
2. Length: 5 feet (minimum)
- c. Stoops may be roofed or unroofed but may not be screened or otherwise enclosed.

Stoops are not included in the proposed buildings. There is an existing stoop associated with the existing "Ocean Jewel" property which is proposed for Hotel Retail that will remain.

(6) Arcades and colonnades:

- a. Arcades and colonnades may extend forward of the build-to line (see § 34-662) and may encroach into a street right-of-way if explicit permission is granted by the town.
- b. Arcades and colonnades cannot exceed the following dimensions:
 1. Depth: 7 feet minimum from the building front to the inside face of the column.
 2. No part of the column shall be closer than 2 feet to the existing or planned curb
 3. Height: 10 feet minimum above sidewalk
 4. Length: 75% to 100% of the front of the building
 5. Top of porch railing: 2-3/4" minimum
- c. Open multi-story verandas, awnings, balconies, and enclosed useable space can be constructed above the colonnade.
- d. Arcades and colonnades shall only be constructed where the minimum depth can be obtained.
- e. On corners, arcades and colonnades may wrap around to the side of the building.
- f. Columns shall be spaced no farther apart than they are tall.
- g. Minimum column dimensions with enclosed space above shall be 8 inches.
- h. Minimum column dimension without enclosed space above:
 1. Rectangular columns: 6 inches
 2. Round columns: 6 inches in diameter

A Colonnade is proposed on the restaurant building adjacent to the western property boundary. The Colonnade is used to transition from the sidewalk to the public stairwell access for the pedestrian overpass. The Colonnade does extend into the right-of-way above the pedestrian height as permitted by the LDC.

Roofs.

(b) *Roof types permitted.* Commercial buildings may have any of the following roof types: hip roofs, gable roofs, shed roofs, flat roofs with parapets, or mansard roofs.

1. All flat roofs, and any shed roof with a slope of less than 2 inches vertical per 12 inches horizontal, must have their edges along all streets concealed with parapets.

2. All hip roofs and gable roofs, and any shed roof with a slope of more than 2 inches vertical per 12 inches horizontal, must have overhangs of at least 18 inches.
 - a. Exposed rafter ends (or tabs) are encouraged.
 - b. Wide overhangs are encouraged and can be supported with decorative brackets.
3. Mansard roofs are permitted only when the lowest sloped surface begins above a cornice line and then slopes upward and inward.
4. Small towers, cupolas, and widow's walks are encouraged (see § 34-631 for maximum dimensions).
5. Dormers are permitted and encouraged on sloped roofs.
6. Skylight glazing must be flat to the pitch of the roof if the skylight is visible from a primary street, plaza, or public park.

The roof type of the proposed buildings vary; however the designs meet the minimum standards for slopes and overhangs as described. Small towers, cupolas, widows walks and dormers are utilized to provide variations in the roof line and promote architectural interest.

(c) **Roofing materials permitted.** Commercial building roofs may be constructed with one or more of the following roofing materials:

(1) METAL:

- a. Steel (galvanized, enameled, or terne-coated)
- b. Stainless steel
- c. Copper
- c. Aluminum

(2) SHINGLES:

- a. Asphalt (laminated dimensional shingles only)
- b. Fiber-reinforced cement
- c. Metal (same as (a)(1))

(3) TILES:

- a. Clay or terra cotta
- b. Concrete

(4) FLAT ROOFS:

- a. Any materials allowed by applicable building codes

(5) GUTTERS AND DOWNSPOUTS:

- a. Metal (same as (c)(1))

(d) **Other roof types and materials.** Other types of roofs and roofing materials are prohibited unless explicitly approved in accordance with § 34-992.

The roofs of the proposed buildings are consistent with the materials listed.

Plazas and courtyards.

- a. **Generally.** New commercial buildings are generally oriented to public sidewalks. This section addresses other public open spaces that also can affect the orientation of commercial buildings.

- b. **Plazas.** This code contains “build-to lines” (see § 34-662) that require new commercial buildings to be placed near public sidewalks. These build-to regulations allow up to 25% of a building’s frontage to be recessed 10 feet. Plazas meeting the following requirements are permitted to be recessed further than the standard 10 feet:
- (1) The plaza cannot exceed 25% of a building’s frontage.
 - (2) The plaza is strictly for pedestrian usage and cannot be used to park vehicles.
 - (3) All building walls that surround the plaza must meet the design criteria for principal facades.
- c. **Courtyards.** New commercial buildings that are on larger lots may include interior courtyards designed for public or private usage.
- (1) If vehicular circulation is allowed through a courtyard, the only parking permitted will be in parallel spaces.
 - (2) Courtyards intended for public use are encouraged to have clear visual linkages between the courtyard and public sidewalks.
- A courtyard is provided on the first floor of the hotel building at the entry.**
- d. **Pedestrian passages.** Pedestrian passages, with or without a lane for vehicles, can be provided on private property to connect a courtyard to the sidewalk system, to provide walkways to parking lots behind buildings, or to provide additional retail frontages.
- Pedestrian Passages are provided on the Gulf Side between uses for public access to the beach front.**