

# TPI-FMB Proposed Project Zoning Discussion

## Comprehensive Plan

### Pedestrian Commercial Future Land Use

- extends from approximately Lynn Hall Memorial Park to Diamond Head adjacent to Estero Boulevard
- Only Future Land Use Category that permits hotels **and** motels by right.

### Land-Use Types

- Policy 4-B-12 defines Commercial Uses
  - Includes Hotels/Motels/Resorts
- Policy 4-C-2 defines Commercial Intensity
  - “encourage more intense commercial uses only in the Pedestrian Commercial category”
- Policy 4-C-3 defines Commercial Locations
  - “Where new or expanded commercial uses are encouraged, as in the Pedestrian Commercial category, **the Land Development Code shall specify its permitted form and extent** and provide a streamlined approval process. Landowners may also use the **Planned Development rezoning process to seek approval of other forms of commercial** development in that category.
- Policy 4-C-6 defines Motel Densities
  - “The Land Development Code shall specify equivalency factors between guest units (which include motel rooms) and full dwelling units.”
    - When citing this policy or section of the Comprehensive Plan **IT MUST BE** followed up with:
  - **LDC Section 34-1803(2) permits guest units to exceed equivalency factors if approved as a deviation to a planned development**

## Zoning

### Commercial Planned Development

- Enables ALL elements of the proposal to be evaluated and conditioned
  - Unique characteristic of the PD request
  - Not typical of development within the Town since incorporation
  - Provides Staff, LPA and Council more oversight of the final development
- Must request to utilize the regulations of the Downtown Zoning District
- Must request a deviation to utilize Floor Area Ratio
  - Per 34-1803(2) as mentioned above
- Must justify deviation request
  - With our application being the “first” it will set the “bar” every request will have to meet or exceed our bar to achieve the same end result. More on “setting the bar” below/Public Benefits

- Density and Intensity of a Planned Development is **ONLY** determined by Town Council via approval of the PD zoning request
  - LDC Section 34-931(c) outlines this requirement

## TPI-FMB

- Unique location on the island
  - Pedestrian Commercial FLU
  - Downtown Zoning District
  - Together these designations permit the most intense commercial uses on the island
    - When the FLU Map and Downtown Zoning District Map are compared, they overlap each other. This was intentional to address the commercial intensity needed to create a “downtown” as desired by the Comprehensive Plan and Land Development Code
- Justifies the requested deviation with numerous public benefits
  - These benefits set the “bar” that all others have to meet or exceed
  - Remember all others are limited in location AND reviewed by Staff, LPA and Council providing ample opportunity for public input on the benefits offered

## Other Hoteliers/Properties

### To achieve the FAR we are requesting

- Must be within the Pedestrian Commercial Future Land Use Category
- Must submit a Commercial Planned Development
- Must request a Deviation **AND** Justify it
- Must be evaluated by the LPA and Council
- Must demonstrate they meet or exceed TPI-FMB benefits

## Items to note

- This request **IS NOT** a deviation from the Comprehensive Plan, there exists no such option available for any development to deviate from the Comp Plan
- The application materials must clearly demonstrate consistency with the Comprehensive Plan
- The Downtown Zoning District has the highest FAR permitted, every other zoning district is 1.2 or less
  - FAR Max of 1.8 based on location
  - We are consistent with this limitation even though we could go up to 1.4, TPI-FMB is at 1.1

## Public Benefits TPI-FMB sets for the bar for comparison to any future Applications

- View Corridors
  - Does not have a negative impact on the view of the Gulf from the top of the Sky Bridge
  - Creates 324' of direct Gulf view from Estero Blvd. that doesn't exist today as a result of removing beachside buildings.
  - Concentrates the building intensity on the non-Gulf side of Estero Blvd. on the current Helmerich Plaza property.
  - Relocation of above ground utility lines to below grade, removing visual clutter.
  - The majority of the three-story building bayside of Estero Blvd. is along Crescent St. and Fifth Ave. resulting in a lower profile immediately adjacent to Estero Blvd.
- Creates the opportunity for another LeeTran stop/pick-up
- Creates two public access pedestrian over-passes for pedestrian and bicyclists, one over Estero Blvd. and the other over Fifth Avenue, constructed at the developers cost. Both have stair and elevator access on each side of the streets.
- Creates a Town owned expanded beach access to replace Canal street that is wide enough to accommodate between 24-26 metered car parks for public use, emergency vehicle beach access and pedestrian beach access at the cost of the developer.
- Creates a second public beach access through the middle of the beach side development.
- Enhanced Storm Water Detention for the entire 6 acres which is non-existent today along with the willingness to work with the Town to create additional capacity to help solve some detention issues in the immediate area at the developer's costs.
- Construction of and completion of sidewalks surrounding the development area at the developer's costs. Landscape to include Palm Trees to create Avenue of the Palms effect not otherwise existing.
- Creating many interactive resort amenities accessible to residents, their guests and other resorts guests to include restaurants and bars, retail, aquatic beach club, coffee shop, entertainment, etc.
- Traffic & Safety
  - Eliminates all ingress' and egress' that currently exist along Estero Blvd. which enhances flow of traffic along Estero Blvd.
  - Contains all ingress and egress points to along Crescent Street at the furthest distance from Estero Blvd./Crescent St. intersection and along Fifth Avenue. Pedestrian over passes mitigate traffic conflicts & improves safety
  - Destination Resort use is the least vehicle day trip traffic generator use and generates less vehicle day trips than the current/previous approved uses
  - Resort employees will be compensated for using the LeeTran park and ride facility currently being built at Summerlin and Pine Ridge
- Parking; in addition to meeting the resort parking requirements, excess parking will be available to the public
- Scale of Development; the TPI-FMB project as proposed has a FAR of 1.1 which is almost 30% below that which is allowed of 1.4.
- History, previous uses; Pre-Hurricane Charley all of the TPI-FMB property was actively operating as bars, restaurants, retail shops, hotel, rental cabins, post office, etc. Additionally, at that time on Crescent Beach Family Park and the County owned Seafarer's property were more hotels, bars and restaurants and retail shops. At that time it was an active commercial pedestrian friendly area. The TPI-FMB proposed project would help re-invigorate this area defined in the Town's Comp Plan as the most intense commercial pedestrian friendly area of the Island.