

**ORDINANCE 25-22  
(CPD AMENDMENT - Cottages at Myerside)**

**AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING WITH CONDITIONS AN AMENDMENT TO THE COMMERCIAL PLANNED DEVELOPMENT (CPD) APPROVED BY ORDINANCE 24-15 FOR THE PROPERTY LOCATED AT 125, 131-151 SCHOOL STREET AND 2661-2681 ESTERO BLVD., FORT MYERS BEACH, GENERALLY IDENTIFIED AS STRAP NUMBERS 19-46-24-W3-0020C.0230; 19-46-24-W3-0020C.0270; 19-46-24-W3-0020C.0290 IN FORT MYERS BEACH; PROVIDING FOR REVISIONS TO THE SCHEDULE OF PERMITTED USES TO INCLUDE OUTDOOR CONSUMPTION OF ALCOHOLIC BEVERAGES ON THE PROPERTY AS A USE ASSOCIATED WITH THE APPROVED HOTEL AND RESTAURANT USES; PROVIDING FOR CONFLICT OF LAW, SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

**WHEREAS**, Cottages at Myerside LLC, is the owner of 125, 131-151 School Street and 2661-2681 Estero Blvd known as Cottages at Myerside and identified as Strap number 19-46-24-W3-0020C.0230; 19-46-24-W3-0020C.0270; 19-46-24-W3-0020C.0290, and has filed an application to amend the schedule of uses identified in Ordinance 24-15, which rezoned the property to Commercial Planned Development (“CPD), to allow outdoor on-premises consumption of alcoholic beverages on the property as a use associated with the approved restaurant and hotel; and

**WHEREAS**, the property is in the Boulevard Future Land Use Category of the Comprehensive Plan of the Town of Fort Myers Beach, and is under common control of the applicant, as listed in the public records of Lee County Property Appraiser; and

**WHEREAS**, Section 34-214 of the Town’s Land Development Code contains the criteria for review of amendments to existing planned developments, with specific criteria for amendments to approved master concept plans in subsections (a) and (b) and states in subsection (c) that “[s]ome amendments can be approved administratively as provided in § 34-219 of this chapter; the remainder shall proceed through the public hearing process described in § 34-216 of this chapter”; and

**WHEREAS**, Section 34-216 of the LDC requires a public hearing before the LPA and provides that the LPA’s recommendation to the Town Council must be supported by the rezoning guidelines set forth in [§34-85](#) of the LDC as well as compliance with the following criteria:

- a. The proposed use or mix of uses is appropriate at the subject location;
- b. Sufficient safeguards to the public interest are provided by the recommended special conditions to the concept plan or by other applicable regulations;
- c. All recommended special conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development;
- d. The proposed use meets all specific requirements of the comprehensive plan that are relevant to the requested planned development . . .

**WHEREAS**, Section 34-216(4) further provides that “[i]f the local planning agency determines that a proposed condition is insufficient, it may recommend an alternate condition for consideration by the town council” and “if the application includes a schedule of deviations pursuant to [§34-212](#)(3) and [§34-932](#)(b) of this chapter, the local planning agency's recommendation must approve, approve with modification, or reject each requested deviation based upon a finding that:

- a. Each item enhances the achievement of the objectives of the planned development; and
- b. The general intent of this chapter to protect the public health, safety and welfare will be preserved and promoted; and
- c. Each deviation operates to the benefit, or at least not to the detriment, of the public interest; and
- d. Each deviation is consistent with the Fort Myers Beach Comprehensive Plan.

**WHEREAS**, the Town Council approved Ordinance 24-15 rezoning the property from downtown to commercial planned development (“CPD”), with conditions and deviations based on competent and substantial evidence in support of and satisfaction of the requirements of the Comprehensive Plan and the LDC; and

**WHEREAS**, Section 34-1264(b)(1) of the LDC provides “[e]xcept as may be exempted in subsections (a)(1) or (b)(2) of this section, no establishment for the sale or service of alcoholic beverages for consumption on the premises shall be located within 500 feet of a place of worship, religious facility, school (noncommercial), day care center (child), park, other establishment serving alcohol or a dwelling unit under separate ownership. Distance shall be measured from any public entrance or exit of the establishment in a straight line to the nearest property line”; and

**WHEREAS**, the proposed outdoor consumption on premise on the rooftop patio on third floor is proposed as an accessory to the hotel use and the service will be limited only to the hotel guests. The proposed outdoor consumption on premises is situated at 3,000 feet distance from a religious facility, 550 feet from a school, more than 4,000 feet from a day care center (child), 780

feet from a park, 650 feet other establishment serving alcohol and more than 500 feet from a dwelling unit under separate ownership.

**WHEREAS**, Section 34-1264(b)(2) of the LDC provides “[r]estaurants are exempt from the locational standards for consumption on a premises code section, provided 1. The restaurant is in full compliance with state requirements; 2. The restaurant serves cooked, full-course meals, prepared daily on the premises; 3. Only a service bar is used, and the sale or service of alcoholic beverages is only to patrons ordering meals, or, 4. The other requirements of LDC Section 34-1264 (k) are met.”; and

**WHEREAS**, the restaurant use as approved in Ordinance 24-15 is in compliance with the requirements of LDC Section 34-1264(b)(2). Moreover, because the property is: 1) not directly adjacent to any residential units. The closest residential property is located on the other side of the Town owned vacant parcel with an entry to the pool parking lot; and 2) the adjacent to the public pool and surrounded by the Town’s Bay Oaks Recreational Facility, the library and the Fort Myers Beach Elementary School. elementary school, and therefore is compatible and not in conflict with adjacent uses; and

**WHEREAS**, in accordance with Section 34-216 of the Land Development Code, a public hearing was held before the Local Planning Agency (LPA) on October 14, 2025 to consider the requested amendment to the CPD, as approved in Ordinance 24-15, for the sole purpose of including outdoor consumption of alcoholic beverages on the property as an accessory use to the approve hotel and restaurant uses; and

**WHEREAS**, the LPA gave full and complete consideration of the information contained in the application, the recommendations by Town staff, the documents included in the agenda materials, and the testimony of all interested persons, as required by Section 34-216 of the Town Land Development Code (“LDC”); and

**WHEREAS**, at the October 14, 2025 public hearing the LPA found that the request is consistent with the requirements of the Town’s Comprehensive Plan and the LDC, and based on competent and substantial evidence in the materials presented to it and the testimony during the public hearing, voted 6 to 0 to recommend **approval with conditions** of the requested amendment to Ordinance 24-15; and

**WHEREAS**, on November 17, 2025 the Town Council held a first reading of Ordinance 25-22 and gave full and complete consideration to the application, the recommendation of the LPA, the recommendation of Town staff, the documents in the agenda materials, and the testimony of all interested persons; and

**WHEREAS**, the Town Council approved scheduling a second reading and adoption public on December 15, 2025 regarding Ordinance 25-22 and the second public hearing was advertised on November 26, 2025 in the News-Press; and

**WHEREAS**, a Business Impact Estimate was posted on the Town’s website on the 7<sup>th</sup> day of November 2025; and

WHEREAS, on December 15, 2025, the second public hearing was held and the Town Council gave full and complete consideration to the application, the recommendation of the LPA, the recommendation of the Town staff, requirements of the Comprehensive Plan and the Land Development Code, the documents in the agenda materials, and the testimony of all interested persons.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:**

Section 1.     **Recitals.** The above recitals are true, correct, and incorporated herein by reference.

Section 2.     **Findings and Determination.**

- a. Based on competent substantial evidence presented during both public hearings before the Town Council, the Town Council finds and determines that the applicant **did** meet its burden of proof that the requested zoning amendment **does** meet the requirements of the Town Comprehensive Plan and Land Development Code. The Town Council specifically finds that the proposed amendment to include outdoor consumption of alcoholic beverages on the premises as an accessory use to the approved hotel and restaurant uses is consistent with the Comprehensive Plan and compatible with the existing and planned uses of surrounding properties, as well as consistent with the character of the area, and will not result in any adverse impact on adjacent lands. No evidence was presented to reject the findings previously made at the time of adoption of Ordinance 24-15 and its findings are specifically restated and incorporated herein by reference.

- b. Accordingly, the Town Council **approves with conditions** the requested amendment to the schedule of uses contained Ordinance 24-15 as provided herein for the CPD zoning of the Property with the following Exhibits attached, restated, and incorporated by reference: Exhibit A Ordinance 24-15 with Master Concept Plan; Exhibit B, Amended Schedule of Uses and Conditions of Approval; and Exhibit C Plan identifying COP area. Nothing in this decision is intended in any way to otherwise change the approvals, conditions and deviations contained in Ordinance 24-15. All other provisions of Ordinance 24-15 except as modified herein remain in full force and effect.

Section 3.     Whenever the requirements or provisions of this Ordinance conflict with the requirements or provisions of any other lawfully adopted LDC or Town Code provision, ordinance, or statute, the most restrictive shall apply.

Section 4.     Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the Town Manager without further process.

Section 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

Section 6. This Ordinance will take effect immediately upon adoption by the Town Council.

**THE FOREGOING ORDINANCE** was adopted by the Town Council upon a motion by Councilor King and seconded by Councilor Atterholt and upon being put to a vote, the result was as follows:

**DULY PASSED AND ADOPTED** on this 15<sup>th</sup> day of December 2025.

Dan Allers, Mayor	Aye
Scott Safford, Vice Mayor	Aye
John R. King, Council Member	Aye
Jim Atterholt, Council Member	Aye
Rebecca Link, Council Member	Aye

**FORT MYERS BEACH TOWN COUNCIL**

*Dan Allers*

Dan Allers (Feb 9, 2026 09:06:29 EST)

Dan Allers, Mayor

**ATTEST:**

*Amy Baker*

Amy Baker (Feb 10, 2026 13:25:30 EST)

Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE  
BY THE TOWN OF FORT MYERS BEACH:**

*NSA*

Nancy Superich (Feb 9, 2026 20:49:39 EST)

Vose Law Firm, LLP, Town Attorney

This Ordinance was filed in the Office of the Town Clerk on this 15<sup>th</sup> day of December 2025.

**Exhibits:**

- Exhibit A – Ordinance 24-15, with Master Concept Plan
- Exhibit B – Amended Schedule of Uses and Conditions of Approval
- Exhibit C – Plan identifying COP area

**ORDINANCE 24-15**

**AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING WITH CONDITIONS THE COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING FOR THE PROPERTY LOCATED AT 125, 131-151 SCHOOL STREET AND 2661-2681 ESTERO BLVD., GENERALLY IDENTIFIED AS STRAP NUMBERS 19-46-24-W3-0020C.0230; 19-46-24-W3-0020C.0270; 19-46-24-W3-0020C.0290 IN FORT MYERS BEACH, TO ALLOW A MIXED USE DEVELOPMENT INCLUDING LODGING, LIVE/WORK UNITS, RETAIL, AND RESTAURANT USES; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

**WHEREAS**, Cottages at Myerside, LLC, the owner, and The Neighborhood Company, as agent for the property located at 125, 131-151 School Street and 2661-2681 Estero Blvd., parcels generally identified as STRAP numbers 19-46-24-W3-0020C.0230; 19-46-24-W3-0020C.0270; 19-46-24-W3-0020C.0290 in the Town of Fort Myers Beach, filed applications to rezone the property from the CPD with Master Concept Plan (MCP) adopted in Ordinance 21-02 to CPD with Master Concept Plan (MCP) with certain deviations to the Land Development Code (LDC) in order to develop a mixed use development with 45 lodging units, 4 live-work units, and 9,000 square feet of commercial area; and

**WHEREAS**, the subject property is a combination of three parcels located in the Boulevard Future Land Use Category of the Comprehensive Plan of the Town of Fort Myers Beach; and

**WHEREAS**, a public hearing was held before the Local Planning Agency (LPA) on May 14, 2024; and

**WHEREAS**, at the May 14, 2024 public hearing the LPA gave full and complete consideration of the request, recommendations by staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-85 of the Town Land Development Code; and

**WHEREAS**, at the May 14, 2024 public hearing the LPA found that the request is consistent with the comprehensive plan and the requirements of the LDC and voted to recommend approval with conditions by a 6-0 vote; and

**WHEREAS**, on June 3, 2024 the Town Council held a first reading of the proposed Ordinance and gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-85 of the LDC; and

**WHEREAS**, the Town Council voted to have a second reading of the proposed Ordinance and a public hearing on this matter was noticed in the Fort Myers News-Press more than 10 days prior to the Town Council on June 17, 2024; and

**WHEREAS**, at the June 17, 2024 public hearing, the Town Council gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons, as required by Fort Myers Beach Land Development Code (LDC) Section 34- 85; and

**WHEREAS**, the applicant has resolved and is current on any outstanding fees associated with notice, advertisement, and consulting services required by the Town; and

**WHEREAS**, a Business Impact Estimate has been prepared and published on the Town’s website; and

**WHEREAS**, with the following terms, conditions, and requirements which the LPA and Town Council find to be in the public health, safety, and welfare, all of which are in compliance with the comprehensive plan and the Land Development Code; and

**WHEREAS**, Exhibit A provides the approved development regulations and the schedule of uses and conditions of approval for this CPD to be used during the permitting process; and

**WHEREAS**, Exhibit B is the approved Master Concept Plan (MCP), which future development should be substantially in compliance with; and

**WHEREAS**, the Town Council finds that this request to rezone the property from the CPD with MCP adopted in Ordinance 21-02 to CPD with MCP with six deviations to the LDC in order to develop a mixed-use development with 45 lodging units, 4 live-work units and 9,000 square feet of commercial area, is a unique application, which does not set precedent for future development or rezoning applications; and

**WHEREAS**, the requested deviations from the LDC include:

**Deviation #1**

Deviation from LDC Sec. 10-285, Table 10-1 – Connection Separation, which requires minimum separation between street and accessways, in order to allow driveway separations as depicted on the Master Concept Plan (MCP).

**Deviation #2**

Deviation from LDC Sec. 10-416 – Landscaping standards to allow the use of

an alternative landscape betterment plan pursuant to LDC Section 10-419. This section states applications are entitled to demonstrate that the intent of the landscaping standards can be more effectively accomplished through an alternate landscape betterment plan. The use of an alternate landscape betterment plan addresses all landscaping requirements pertaining to the redevelopment of the site; such as, but not limited to landscape islands, building perimeters, buffers, walls, parking and vehicular use areas.

**Deviation #3**

Deviation from LDC Sec. 34-1804(A) and Sec. 34-2020, which regulates parking for hotels/motels non-residential, residential, and combined use developments, to allow a 30% reduction in required parking and a minimum of three (3) individual uses within a master planned mixed use development.

**Deviation #4**

Deviation from LDC Division 4, Table 34-3 for the CR zoning district which limits height to 30 feet zoned height and three (3) stories to allow a maximum zoned height of 37 feet and a maximum of four (4) stories.

**Deviation #5**

Deviation from LDC Division 4, Table 34-3 for the CR zoning district which requires street setbacks of 10 feet to instead allow for build-to lines of 5 to 10 feet along Estero Boulevard and School Street.

**Deviation #6**

Deviation from LDC Sec. 34-1803(a)(1), which allows the conversion of dwelling units to hotel/motel guest units per established equivalency factors, in order to exceed said factors as allowed per LDC Sec. 34-1803(a)(2). This would allow a maximum intensity of 45 guest units rather than the 20 allowed per the existing table.

**Deviation #7**

A deviation from LDC Sec. 34-645(b) and Table 34-3, which allows a Floor Area Ratio (FAR) of 1.2. This would allow a maximum FAR of 1.3, which is below the maximum FAR allowed under the Boulevard Future Land Use category of 1.5.

**WHEREAS**, the Town Council considered all relevant factors and made the following formal findings before making its final decision on the requested rezone to a Commercial Planned Development (see LDC 34-85 and 34-216):

- a. Minor ambiguities were resolved through the deviation process.
- b. The previous development on the subject property was destroyed by Ian and adoption of the rezoning with deviations ameliorates longstanding design issues on the site.
- c. The rezoning would carry out the policies and requirements of the Comprehensive Plan

- and Land Development Code.
- d. The Town Council carefully considered the testimony of the applicant, the recommendations of staff and of the local planning agency, and testimony from the public.
  - e. The rezoning would be consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses in the Comprehensive Plan.
  - f. The rezoning would meet or exceed all performance and locational standards set forth for the proposed use.
  - g. Urban services are available and adequate to serve the proposed use.
  - h. The rezoning would protect, conserve, or preserve environmentally critical areas and natural resources.
  - i. The rezoning would be compatible with existing and planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
  - j. The rezoning would not place an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.
  - k. The rezoning, with the mitigating factors volunteered by the applicant and the special conditions imposed by the Town Council, is consistent with the Fort Myers Beach Comprehensive Plan, Land Development Code, and other applicable town ordinances or codes.
  - l. The proposed use or mix of uses is appropriate at the subject location.
  - m. Sufficient safeguards to the public interest are provided by the recommended special conditions to the master concept plan and by other applicable regulations.
  - n. All recommended special conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

**WHEREAS**, the Town Council made the following formal findings before making final decisions on the eight requested deviations from "by-right" requirements of the Land Development Code (see LDC 34-216):

- a. Each item enhances the achievement of the objectives of the planned development; and
- b. The general intent of this chapter to protect the public health, safety and welfare will be preserved and promoted; and
- c. Each deviation operates to the benefit, or at least not to the detriment, of the public interest; and
- d. Each deviation is consistent with the Fort Myers Beach Comprehensive Plan.

**WHEREAS**, the Town Council finds that this application to approve Ordinance 24-15 which is, **consistent** with the Town of Fort Myers Beach Comprehensive Plan and LDC and voted to **approve with conditions** the Application.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:**

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council determines the Applicant **did** meet its burden of proof, that the request to approve Town of Fort Myers Beach's Ordinance 24-15 and the conditions of approval for the commercial planned development zoning, **does** meet the requirements of the Town Comprehensive Plan and LDC. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties, the Town Council **APPROVE WITH CONDITIONS** the requested application.

Section 3. Town Ordinance 24-15 is adopted and the schedule of uses and conditions of approval for the Property's CPD set forth in Exhibit A, the attached Master Concept Plan in Exhibit B, and the attached Landscape Betterment Plan in Exhibit C, attached hereto and incorporated herein by this reference are approved.

Section 4. Whenever the requirements or provisions of this Ordinance conflict with the requirements or provisions of any other lawfully adopted LDC or Town Code provision, ordinance, or statute, the most restrictive shall apply.

Section 5. Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the Town Manager without further process.

Section 6. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

Section 7. This Ordinance will take effect immediately upon adoption by the Town Council.

**THE FOREGOING ORDINANCE** was adopted by the Town Council upon a motion by Council Member King and seconded by Council Member Safford, and upon being put to a vote, the result was as follows:

**DULY PASSED AND ADOPTED** on this 17<sup>th</sup> day of June 2024.

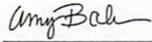
Dan Allers, Mayor	Nay
Jim Atterholt, Vice Mayor	Aye
John R. King, Council Member	Aye
Scott Safford, Council Member	Aye
Karen Woodson, Council Member	Aye

**FORT MYERS BEACH TOWN COUNCIL**

  
Dan Allers (Jun 20, 2024 12:03 EDT)

\_\_\_\_\_  
Dan Allers, Mayor

**ATTEST:**



\_\_\_\_\_  
Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE  
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**



\_\_\_\_\_  
Nancy Stuparich (Jun 20, 2024 17:00 EDT)  
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 20<sup>th</sup> day of June 2024.

**Attachments:**

- A – Conditions of Approval and Schedule of Uses
- B – Master Concept Plan (MCP)
- C – Alternative Landscape Betterment Plan

## **Exhibit A: CONDITIONS OF APPROVAL & SCHEDULE OF USE**

### Conditions of Approval

Staff finds that the CPD with deviations meets the criteria set forth in Sec. 34-85(b) and (c) and 34-216(2) of the LDC and recommends approval of DCI20230246 with the attached conditions:

1. Any tenant with consumption on premises would be required to acquire a separate COP license.
2. The live-work units shall only be occupied by the owner or employees of the commercial establishments at Myerside. At no time shall the live work units be used as an extension to the lodging units or as a part of the boutique hotel. Any other tenants will have to demonstrate employment on the island.
3. The restaurant area shall be limited to 2,250 sq ft of the total 9,000 sq ft of commercial square footage.
4. A local development order is required prior to any development of the site, in accordance with this planned development approval.
5. All state and local permits, including but not limited to right of way and stormwater permits, must be applied for and received prior to site development.
6. All signage and landscaping must meet the Vehicle Visibility at Intersection requirements found in Sec. 34-3131.
7. The property owner commits to encouraging visitors and staff to arrive without an automobile. If the proposed development's parking needs exceed the on-site parking provided, the applicant shall provide valet parking and/or coordinate with adjacent property owners, and/or consider other parking options to provide adequate parking.

If a shared parking agreement is specifically sought with the Town to help offset the need for supplemental parking, the Town will provide up to 15 parking spaces within the Bay Oaks Recreation Center to the property owner. If the tenants of the development include health and wellness providers, such as, but not limited to the following listed below, the Town will allocate 5 of those parking spaces at no charge for each Town approved (Administrative approval by Town Manager or designee) provider, up to a maximum of 15 parking spaces. The property owner may petition the Town Council to accept alternative personal service providers other than those preferred health and wellness providers listed below.

- Medical Clinic, with an MD, physician's assistant or Nurse Practitioner who can write a prescription
- Urgent Care, with an MD, physician's assistant or Nurse Practitioner who can write a prescription
- Dentist
- Pharmacy
- Rehabilitation/Physical Therapy clinic
- Chiropractor

8. To help mitigate traffic congestion along Estero Boulevard, the hotel proprietor will promote various marketing initiatives that support and encourage all guests to use alternative modes of transportation rather than drive a vehicle to or while on the island. Such efforts will include:
- Dedicated page(s) on the Myerside Hotel website outlining and promoting alternative modes of transportation in the area and various marketing incentives such as:
    - Information on the walkability of the area and those businesses of interest to guests within walking distance of Myerside.
    - Bicycle rental.
    - Fort Myers Beach's LeeTran "TROLLEE" and seasonal TRAM Service Schedules and Route Maps
    - Publix and other food delivery service options
    - Free resort fee
    - Restaurant discounts
    - Discounts on future stays
  - Establish partnerships with businesses on the island, especially in the "Heart of the Island," to provide incentives and discounts for guests. Hotel guests who do not drive onto the island will receive monetary discounts or vouchers for future stays and/or with participating local businesses, such as restaurants, bike rentals, and tour/tourism operators.
  - Participate in townwide traffic mitigation efforts, such as:
    - Off-island parking and transport initiatives, e.g. Water ferry/taxi discounts for those staying at the hotel.
    - Off-site parking availability identification systems.
    - Evaluating and improving LeeTran's "TROLLEE" and seasonal TRAM's service and rider/user experience.
9. The final development must be generally consistent with the Master Concept Plan, renderings, and landscape betterment plan attached to this ordinance.

## SCHEDULE OF USE

### **Lodging**

#### Principal:

- Hotel/Motel (Inclusive of Hotel Condominiums)
- Guest Units

#### Accessory:

- Hotel/Motel Accessory Uses
- Personal Services
- Recreational Facilities

### **Residential**

- Work/Live Units

### **Commercial**

- Offices, General or Medical
- Personal Services
- Restaurant with Bar Area
- Retail Store, Small & Large
- Subordinate Commercial Uses

MASTER CONCEPT PLAN FOR  
**THE MYERSIDE CPD**  
 SECTION 19, TOWNSHIP 46S, RANGE 24E,  
 FORT MYERS, FLORIDA



VICINITY MAP



SITE LOCATION MAP

PREPARED BY:

  
**THE NEIGHBORHOOD**  
 COMPANY  
 5618 WHISPERING WILLOW WAY  
 FORT MYERS, FL 33908

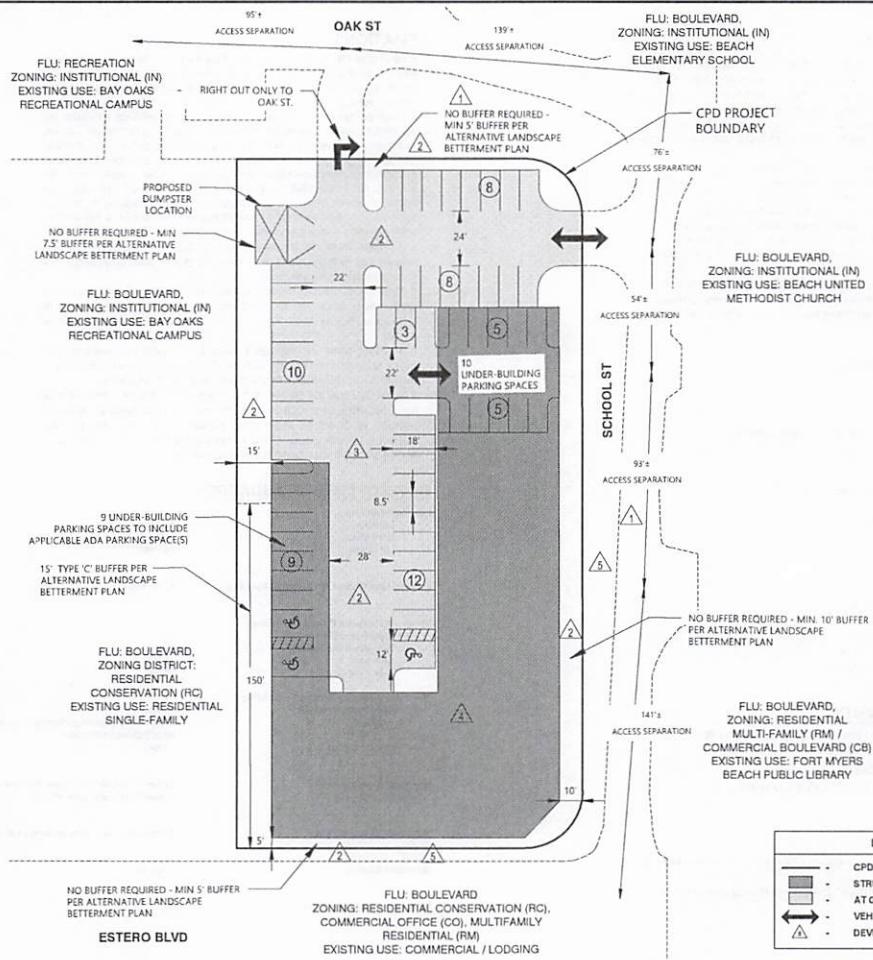
PREPARED FOR:

**COTTAGES AT MYERSIDE, LLC**  
 & MYERSIDE, LLC  
 145 SCHOOL ST  
 FORT MYERS BEACH, FL 33931

**CONTENTS**

SHEET NUMBER	SHEET DESCRIPTION
1	COVER SHEET
2	MASTER CONCEPT PLAN
3	NOTES

DATE: October, 2023 PROJECT#: 220050.01.01 SHEET#: 1 of 3



  
 THE NEIGHBORHOOD COMPANY  
 5618 WINDYBUSH BLVD, SUITE 100  
 FORT MYERS, FL 33908  
 WWW.THENEIGHBORHOODCOMPANY.COM

---

CLIENT: COTTAGES AT MYERSIDE, LLC & MYERSIDE, LLC  
 PROJECT: THE MYERSIDE COMMERCIAL PLANNED DEVELOPMENT (CPD)  
 TITLE: MASTER CONCEPT PLAN  
 SHEET: 2 OF 1

**GENERAL NOTES:**

1. THIS MASTER CONCEPT PLAN (MCP) IS CONCEPTUAL IN NATURE. THE OVERALL CONFIGURATION, SIZE AND LOCATION OF THE STRUCTURE(S) AND OTHER IMPROVEMENTS MAY VARY. FINAL DESIGN AND IMPROVEMENT DETAILS WILL BE PROVIDED AS PART OF THE DEVELOPMENT ORDER (D.O.) PROCESS.
2. WATER MANAGEMENT REQUIREMENTS FOR REDEVELOPMENT PROJECTS CAN VARY SIGNIFICANTLY. THE WATER MANAGEMENT PLAN WILL BE DESIGNED AT THE TIME OF D.O.
3. TOTAL CPD/DEVELOPMENT AREA: 1.03 +/- ACRES
4. FUTURE LAND USE MAP CATEGORY: BOULEVARD
5. THE PROJECT WILL BE DEVELOPED IN ONE PHASE.
6. NO ENVIRONMENTALLY SENSITIVE LAND OR WATER EXISTS ON SITE AS THIS SITE WAS IMPACTED BY PREVIOUS DEVELOPMENT AND HURRICANE IAN. NO PROTECTED SPECIES SURVEY IS REQUIRED PER APPROVED WAIVER.
7. ALL OTHER DEVELOPMENT STANDARDS SHALL BE SET FORTH IN LDC CHAPTER 24 OR OTHER APPLICABLE PROVISIONS OF THE LDC.
8. IN COMPLIANCE WITH LDC SECTION 34-1803(A)(2), THE MAXIMUM OF 45 ROOMS/LODGING UNITS AND FOUR (4) WORK/LIVE UNITS ARE ALLOWED DUE TO EXCEPTIONAL CIRCUMSTANCES AND PUBLIC BENEFIT PROVIDED BY THIS CPD.

**SCHEDULE OF USES:**

**LOGGING:**

**PRINCIPLE:**

- HOTEL/MOTEL (INCLUSIVE OF HOTEL CONDOMINIUMS)
- GUEST UNITS

**ACCESSORY:**

- HOTEL/MOTEL ACCESSORY USES
- PERSONAL SERVICES
- RECREATIONAL FACILITIES

**RESIDENTIAL:**

- WORK/LIVE UNITS

**COMMERCIAL:**

- OFFICES, GENERAL, OR MEDICAL
- PERSONAL SERVICES
- RESTAURANT WITH BAR AREA
- RETAIL STORE, SMALL, & LARGE
- SUBORDINATE COMMERCIAL USES

**MAXIMUM INTENSITY:**

- MAXIMUM OF 45 HOTEL ROOMS/TRANSIENT LODGING UNITS
- MAXIMUM OF 4 WORK/LIVE UNITS
- MAXIMUM OF 9,000 SF OF COMMERCIAL SPACE
- MAXIMUM FLOOR AREA RATIO (F.A.R.): 1.3 OR 58,377 SF

**PARKING:**

- REQUIRED: 91 SPACES WITH A 4 SPACE REDUCTION BY PROVIDING 16 BICYCLE SPACES = 87 SPACES
- PROVIDED: MIN. 60 SPACES (INCLUDING 3 ADA SPACES) WITH 31% PARKING REDUCTION

**DEVIATIONS:**

1. A DEVIATION FROM LDC SEC. 10-285, TABLE 10-1 - CONNECTION SEPARATION, WHICH REQUIRES MINIMUM SEPARATION BETWEEN STREET AND ACCESSWAYS, IN ORDER TO ALLOW DRIVEWAY SEPARATIONS AS DEPICTED ON THE MASTER CONCEPT PLAN (MCP).
2. A DEVIATION FROM LDC SEC. 10-416 - LANDSCAPING STANDARDS TO ALLOW THE USE OF ALTERNATIVE LANDSCAPE BETTERMENT PLAN PURSUANT TO LDC SECTION 10-419. THIS SECTION STATES APPLICATIONS ARE ENTITLED TO DEMONSTRATE THAT THE INTENT OF THE LANDSCAPING STANDARDS CAN BE MORE EFFECTIVELY ACCOMPLISHED THROUGH AN ALTERNATIVE LANDSCAPE BETTERMENT PLAN. THE USE OF AN ALTERNATIVE LANDSCAPE BETTERMENT PLAN ADDRESSES ALL LANDSCAPING REQUIREMENTS PERTAINING TO THE REDEVELOPMENT OF THE SITE; SUCH AS, BUT NOT LIMITED TO LANDSCAPE ISLANDS, BUILDING PERIMETERS, BUFFERS, WALLS, PARKING AND VEHICULAR USE AREAS.
3. A DEVIATION FROM LDC SEC. 34-1804(A) AND SEC. 34-2020, WHICH REGULATES PARKING FOR HOTELS/MOTELS AND OTHER ACCESSORY USES, TO ALLOW A 31% REDUCTION IN REQUIRED PARKING.
4. A DEVIATION FROM LDC DIVISION 4, TABLE 34-3 FOR THE CR ZONING DISTRICT WHICH LIMITS HEIGHT TO 30 FEET ZONED HEIGHT AND THREE (3) STORIES TO ALLOW A MAXIMUM ZONED HEIGHT OF 36 FEET AND A MAXIMUM OF FOUR (4) STORIES.
5. A DEVIATION FROM LDC DIVISION 4, TABLE 34-3 FOR THE CR ZONING DISTRICT WHICH REQUIRES STREET SETBACKS OF 10 FEET TO INSTEAD ALLOW FOR BUILD-TO LINES OF 5 TO 10 FEET ALONG ESTERO BOULEVARD AND SCHOOL STREET.
6. A DEVIATION FROM LDC SEC. 34-1803(A)(1), WHICH ALLOWS THE CONVERSION OF DWELLING UNITS TO HOTEL/MOTEL GUEST UNITS PER ESTABLISHED EQUIVALENCY FACTORS, IN ORDER TO EXCEED SAID FACTORS AS ALLOWED PER LDC SEC. 34-1803(A)(2). THIS WOULD ALLOW A MAXIMUM INTENSITY OF 45 GUEST UNITS RATHER THAN THE 30 ALLOWED PER THE EXISTING TABLE.

**DEVELOPMENT STANDARDS:**

<b>Minimum Lot Size</b>	
Lot Area	1.03 ± acre
Lot Width	145 feet
Lot Depth	300 feet
<b>Build to Line (Estero Blvd. and School St.)</b>	5 - 10 feet
<b>Minimum Setbacks Principal Building</b>	
Front Street (Estero Blvd.)	N/A
Side Street (School St.)	N/A
Side Yard	15 feet
Rear Yard (Oak St.)	20 feet
<b>Minimum Setbacks Accessory Building</b>	
Side Street (School St.)	10 feet
Side Yard	7.5 feet for dumpster enclosure, 15 feet for all other buildings/structures
Rear Yard (Oak St.)	10 feet
<b>Maximum Zoned Height</b>	37 feet (measured from base flood elevation + 3' of freeboard to mid-point of roof)
<b>Maximum Actual Height</b>	50 feet (measured from grade to peak of roof)
<b>Maximum Stories</b>	4 Stories
<b>Maximum Floor Area Ratio</b>	1.3





THE NEIGHBORHOOD COMPANY  
515 MYERSIDE BLVD., SUITE 100  
MYERSIDE, FL 33908  
WWW.THE-NEIGHBORHOOD-COMPANY.COM

CLIENT: COTTAGES AT MYERSIDE, LLC & MYERSIDE, LLC

PROJECT: THE MYERSIDE COMMERCIAL PLANNED DEVELOPMENT (CPD)

TITLE: NOTES

DATE: 11/15/23

SCALE: 1" = 10'-0"

DATE: 11/15/23

SCALE: 1" = 10'-0"

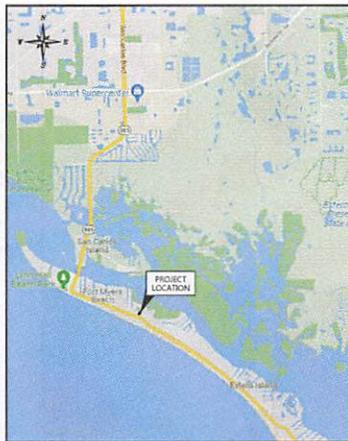
NO.	DATE	REVISION
1	11/15/23	ISSUED FOR PERMIT
2	11/15/23	REVISED PER COMMENTS
3	11/15/23	REVISED PER COMMENTS

LANDSCAPE BETTERMENT PERMIT PLANS FOR

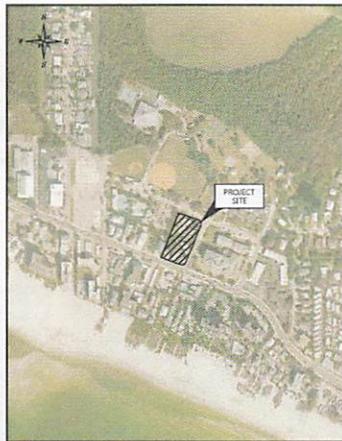
# MYERSIDE

PART OF SECTION 19, TOWNSHIP 46 S, RANGE 24 E,  
PROJECT COUNTY COUNTY, FLORIDA

PREPARED FOR/OWNED BY:  
MYERSIDE, LLC ----  
145 SCHOOL ST.  
FORT MYERS BEACH, FL 33931  
(239) 529-8785



PROJECT LOCATION



PROJECT SITE

## SHEET INDEX

Sheet Number	Sheet Title
01	COVER SHEET
02	MASTER PLANTING PLAN
03	PERMIT CALCULATIONS & IRRIGATION PLAN
04	PERMIT LANDSCAPE NOTES
05	PERMIT LANDSCAPE NOTES
06	LANDSCAPE CONSTRUCTION NOTES
07	LANDSCAPE CONSTRUCTION DETAILS
08	LANDSCAPE CONSTRUCTION DETAILS

PROPERTY ZONING INFO

ORDINANCE 21-62

PROPERTY IDENTIFICATION

STRAP: 19-60-04-03-0020C-0208  
STRAP: 19-60-04-03-0020C-0219  
STRAP: 19-60-04-03-0020C-0210

REVISIONS

No.	DATE	DESCRIPTION	APPROVED

**RWA**  
ENGINEERING

15015 Wilbur Park Drive  
Suite 200  
Naples, FL 34109  
Phone: (239) 434-1100  
Fax: (239) 434-1101  
www.rwa-engineering.com

15001 University Drive  
Suite 101  
Fort Myers, FL 33907  
Phone: (239) 332-2228

19501 E Road Village Place  
Suite A-1  
Lakewood, CO 80521

OWNER: MYERSIDE, LLC  
PROJECT NO: 200022-00-01  
DATE: MARCH 2004

LANDSCAPE ARCHITECTS, INC.

MEMBER OF THE INTERNATIONAL ASSOCIATION OF LANDSCAPE ARCHITECTS (IALA)

MEMBER OF THE SOCIETY OF PROFESSIONAL LANDSCAPE ARCHITECTS (SPLA)

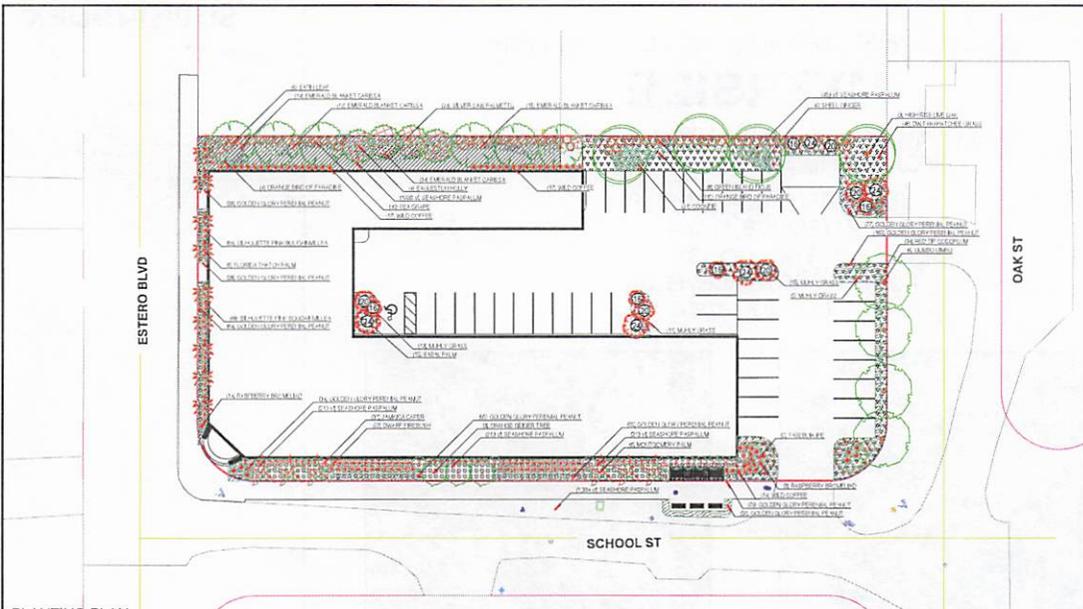
MEMBER OF THE AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS (ASLA)

MEMBER OF THE FLORIDA SOCIETY OF LANDSCAPE ARCHITECTS (FSLA)

MEMBER OF THE FLORIDA SOCIETY OF PROFESSIONAL LANDSCAPE ARCHITECTS (FSLA)

MEMBER OF THE FLORIDA SOCIETY OF PROFESSIONAL LANDSCAPE ARCHITECTS (FSLA)

DATE	MARCH 2004	PROJECT NO.	200022 00 01	SHEET NO.	01	OF	08
------	------------	-------------	--------------	-----------	----	----	----



**PLANT MATERIAL SCHEDULE**

NO.	SYMBOL	COMMERCIAL NAME	W. H. (ft)	L. (ft)	QTY	UNIT	PRICE	REMARKS
1	(Symbol)	BRANDY BLENDED GUARD BERRY	4.00	7.00	10 x 4	YES		
2	(Symbol)	CHERRY BLOSSOM SPRINGFLY	4.00	7.00	10 x 4	YES		
3	(Symbol)	COLEUS WENDLANDI	5.00	1.00	1 x 2	YES		
4	(Symbol)	BEE ATTRACTION BLOSSOM	5.00	1.00	1 x 2	YES		
5	(Symbol)	GERANIUM BLOSSOM	4.00	7.00	10 x 4	YES		
6	(Symbol)	THORN BLOSSOM	3.00	4.00	1 x 2	YES		
7	(Symbol)	SALVIA PALMISTO	4.00	7.00	10 x 4	YES		
8	(Symbol)	SALVIA PALMISTO	4.00	7.00	10 x 4	YES		
9	(Symbol)	SALVIA PALMISTO	4.00	7.00	10 x 4	YES		
10	(Symbol)	THORN BLOSSOM	4.00	7.00	10 x 4	YES		
11	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	NO		
12	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
13	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
14	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
15	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
16	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
17	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
18	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
19	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
20	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
21	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
22	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
23	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
24	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
25	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
26	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
27	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
28	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
29	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
30	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
31	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
32	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
33	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
34	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
35	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
36	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
37	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
38	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
39	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
40	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
41	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
42	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
43	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
44	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
45	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
46	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
47	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
48	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
49	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		
50	(Symbol)	WINTER BLOSSOM	4.00	7.00	10 x 4	YES		



**FRONT ELEVATION**

<p><b>RWA ENGINEERING</b></p> <p>12800 University Drive, Suite 175 Fort Myers, Florida 33907 (813) 937-0575 FAX: (813) 937-0578 info@rwa.com Florida Certificate of Authorization ES 7661 - LB6952</p>	<p><b>MYERSIDE, LLC</b></p> <p>MASTER PLANTING PLAN</p>	<p><b>811</b></p> <p>Know what's below. Call before you dig.</p>	<p><b>MYERSIDE</b></p> <p>PROJECT NO: 200022 CO 01 PERMIT NO: 200022 00 01 LA PERMIT DATE: 02 08</p>
	<p>DATE: 02/08/2022</p> <p>SCALE: AS SHOWN</p>	<p>PROJECT: MYERSIDE</p> <p>DATE: 02/08/2022</p>	<p>PROJECT: MYERSIDE</p> <p>DATE: 02/08/2022</p>

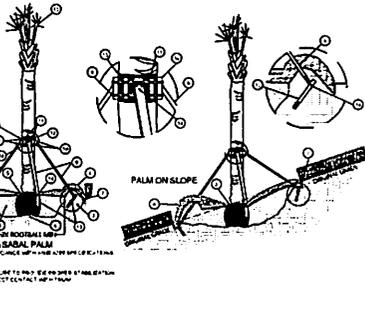
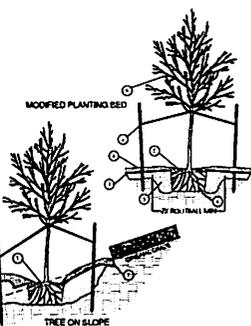




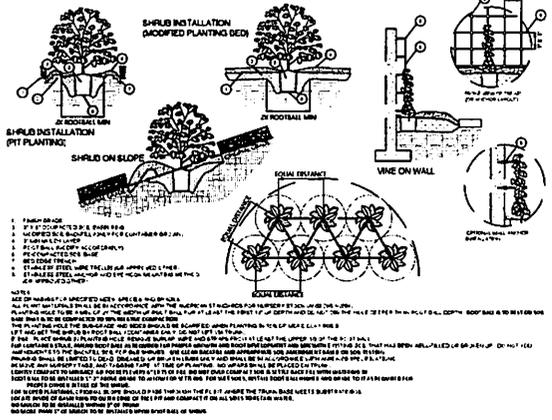




1. TREE SIZE
2. TREE CALIBER
3. TREE CALIBER
4. TREE CALIBER
5. TREE CALIBER
6. TREE CALIBER
7. TREE CALIBER
8. TREE CALIBER
9. TREE CALIBER
10. TREE CALIBER

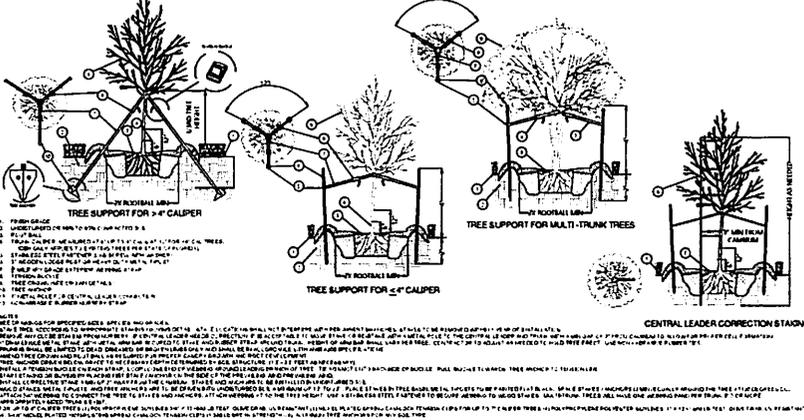


**1 TREE INSTALLATION**



**2 SHRUB & VINE INSTALLATION**

**3 PALM TREE INSTALLATION / BRACING**



**4 TREE STAKING / GUYING**

		12820 University Drive, Suite 175 Fort Myers, Florida 33907 (239) 597-0575 FAX: (239) 597-0576 www.rwa-engineering.com Florida Certificate of Registration EB 7668 126952	<b>CLIENT</b> MYERSIDE, LLC	<b>PROJECT</b> MYERSIDE
<b>DATE</b> 200222 00 01		<b>DATE</b> 200222 00 01 LA PERMIT		<b>SCALE</b> 07 1/8" = 1'-0"
<b>LANDSCAPE CONSTRUCTION DETAILS</b>				



**EXHIBIT B- AMENDED SCHEDULE OF USES AND CONDITIONS OF APPROVAL** (removed as ~~strike through~~, added as underlined)

**AMENDED SCHEDULE OF USES**

**Lodging**

Principal:

- Hotel/Motel (Inclusive of Hotel Condominiums)
- The sale of alcoholic beverages for on-premises consumption in 3000 sq. ft. of outdoor rooftop patio in hotel
- Guest Units

Accessory:

- Hotel/Motel Accessory Uses
- Personal Services
- Recreational Facilities

**Residential**

- Work/Live Units

**Commercial**

- Offices, General or Medical
- Personal Services
- Restaurant with Bar Area
- Retail Store, Small & Large
- Subordinate Commercial Uses
- The sale of alcoholic beverages for on-premises consumption in 690 sq. ft. of outdoor space in restaurant

## **AMENDED CONDITIONS OF APPROVAL**

1. Any tenant with consumption on premises would be required to acquire a separate COP license.
2. The live-work units shall only be occupied by the owner or employees of the commercial establishments at Myerside. At no time shall the live work units be used as an extension to the lodging units or as a part of the boutique hotel. Any other tenants will have to demonstrate employment on the island.
3. The restaurant area shall be limited to 2,250 sq ft of the total 9,000 sq ft of commercial square footage.
4. A local development order is required prior to any development of the site, in accordance with this planned development approval.
5. All state and local permits, including but not limited to right of way and stormwater permits, must be applied for and received prior to site development.
6. All signage and landscaping must meet the Vehicle Visibility at Intersection requirements found in Sec. 34-3131.
7. The property owner commits to encouraging visitors and staff to arrive without an automobile. If the proposed development's parking needs exceed the on-site parking provided, the applicant shall provide valet parking and/or coordinate with adjacent property owners, and/or consider other parking options to provide adequate parking.

If a shared parking agreement is specifically sought with the Town to help offset the need for supplemental parking, the Town will provide up to 15 parking spaces within the Bay Oaks Recreation Center to the property owner. If the tenants of the development include health and wellness providers, such as, but not limited to the following listed below, the Town will allocate 5 of those parking spaces at no charge for each Town approved (Administrative approval by Town Manager or designee) provider, up to a maximum of 15 parking spaces. The property owner may petition the Town Council to accept alternative personal service providers other than those preferred health and wellness providers listed below.

- Medical Clinic, with an MD, physician's assistant or Nurse Practitioner who can write a prescription
- Urgent Care, with an MD, physician's assistant or Nurse Practitioner who can write a prescription
- Dentist

- Pharmacy
- Rehabilitation/Physical Therapy clinic
- Chiropractor

8. To help mitigate traffic congestion along Estero Boulevard, the hotel proprietor will promote various marketing initiatives that support and encourage all guests to use alternative modes of transportation rather than drive a vehicle to or while on the island. Such efforts will include:

- Dedicated page(s) on the Myerside Hotel website outlining and promoting alternative modes of transportation in the area and various marketing incentives such as:
  - Information on the walkability of the area and those businesses of interest to guests within walking distance of Myerside.
  - Bicycle rental.
  - Fort Myers Beach's LeeTran "TROLLEE" and seasonal TRAM Service Schedules and Route Maps
  - Publix and other food delivery service options
  - Free resort fee
  - Restaurant discounts
  - Discounts on future stays
- Establish partnerships with businesses on the island, especially in the "Heart of the Island," to provide incentives and discounts for guests. Hotel guests who do not drive onto the island will receive monetary discounts or vouchers for future stays and/or with participating local businesses, such as restaurants, bike rentals, and tour/tourism operators.
- Participate in townwide traffic mitigation efforts, such as:
  - Off-island parking and transport initiatives, e.g. Water ferry/taxi discounts for those staying at the hotel.
  - Off-site parking availability identification systems.
  - Evaluating and improving LeeTran's "TROLLEE" and seasonal TRAM's service and rider/user experience.

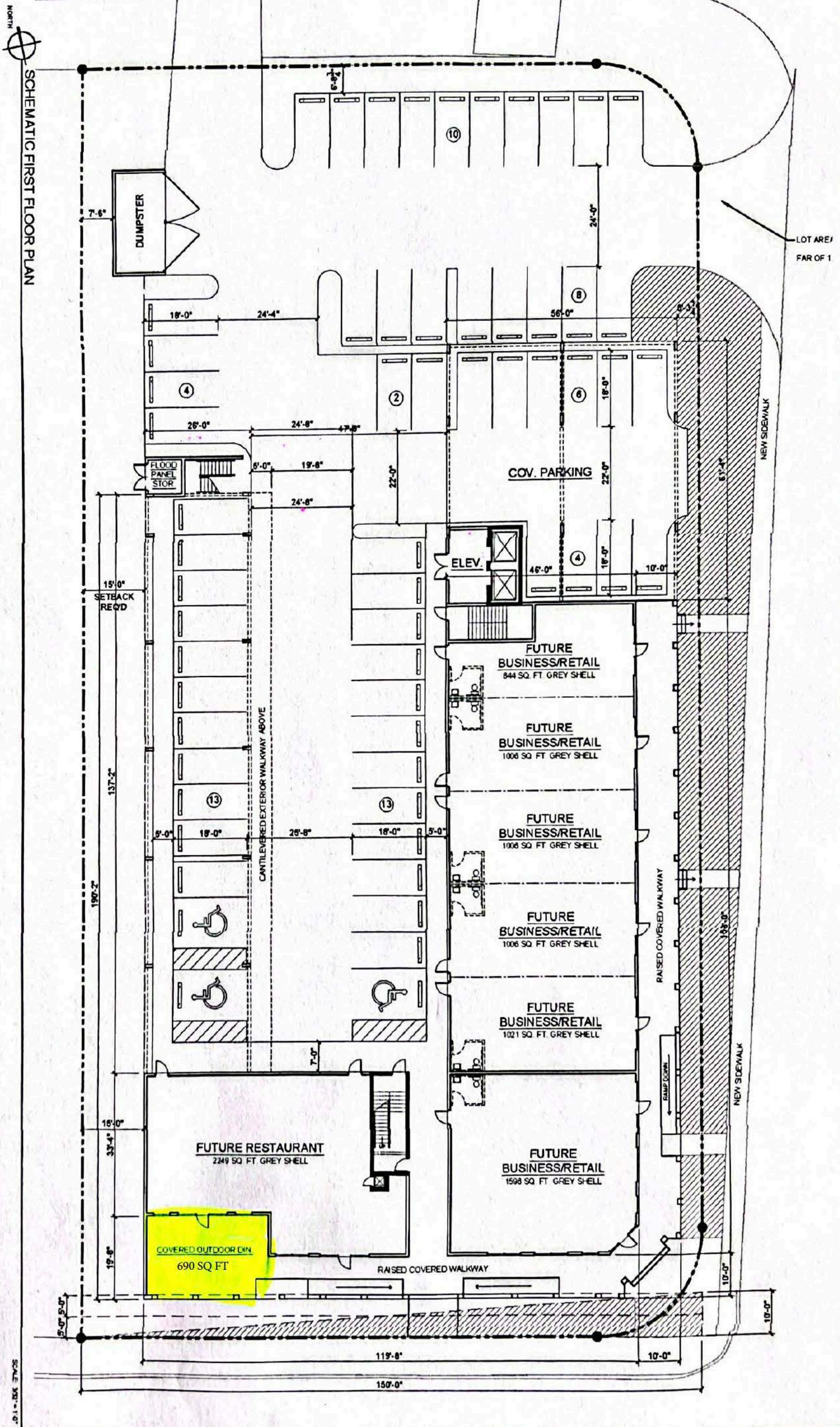
9. The final development must be generally consistent with the Master Concept Plan, renderings, and landscape betterment plan attached to this ordinance.

10. The approved schedule of uses are limited to those detailed on the attached Exhibit B.

11. The sale of alcoholic beverages for on-premises consumption in 690 sq. ft. of

outdoor space in restaurant, must comply with LDC Section 34-1264(k).

12. Consumption and serving of alcohol would be limited to 8:00 a.m. to 10:00 p.m.
13. Music shall be allowed during the hours when the adjacent “school property” is in use. In the event, the volume of the music is disruptive to the use of the “school property”, upon notice and a request from a representative of the “school property,” the property owner agrees to immediate decrease the volume of the music unless the volume is in compliance with the noise levels contained in the Town’s Code.





SCHEMATIC THIRD FLOOR PLAN

