

ESTERO COMMUNITY PLANNING PANEL

Minutes of Public Meeting #143 – December 17, 2012

Estero Community Park, Estero, Florida

Panel Members Present: Jack Lienesch, Chairman, Estero Community Association; Neal Noethlich, Emeritus Chairman; Ned Dewhurst, Estero Development Community; Greg Toth, Founding Member; Paul Roberts, Estero Development Community; John Goodrich, ECCL; Roger Strelow, ECCL; Jeff Maas, Estero Chamber of Commerce; Howard Levitan, Secretary, and Bev MacNellis, Treasurer.

Also present: Daniel DeLisi, DeLisi Fitzgerald, Inc.; Jeremy Franz, SW Florida Conservancy; Bill Prysi, Tom O’Dea, and Al O’Donnell from EDRRC; Roger Sirlin, Cristina Cepero, News Press; Laura Gates, Daily News/The Banner, and Jeff Kleeger.

Public Notice: Secretary Levitan reported that the meeting notice was posted on the ECPP website and notice was also posted on the bulletin boards of several local banks. He noted that a quorum of the ECPP was present for this meeting.

Minutes and Treasurer’s Report: Chairman Lienesch noted that the minutes of the November 17th meeting had been vetted by the Panel and the updated version is posted on our ECPP website. Treasurer MacNellis reported a balance of \$17,247.04 with \$16,500 having been received from Lee County towards the consulting bills regarding the Revised Estero Community Plan. Motions made by Dewhurst, seconded by John Goodrich to approve both the minutes and Treasurer’s Report, and both motions were unanimously approved.

PRESENTATIONS

No developer presentations were scheduled for this meeting.

ECPP ISSUES

1. David Graham Award 2012. Chairman Lienesch reported that Loews will accept the award for 2012, and this presentation is currently scheduled for March 15, 2013 in conjunction with a SW FL ULI Meeting. More information will be forthcoming on this event.

2. Uses in Estero Ridge. Chairman Lienesch reported that he had received several emails concerning certain uses now present in the Estero Ridge center located at the SE corner of Estero Parkway and US 41, including a tattoo parlor and hookah bar. Lienesch went on to state that he had contacted Pam Houck, Zoning Director for Lee County, who stated that this was an older development that was zoned in 1994 under the old CC commercial zoning designation. According to her, these types of uses are grandfathered despite the current limitations of the Estero Plan. There followed a discussion of whether there are any un-built projects that have been kept alive under the then-existing zoning, and it was concluded that no one on the panel was aware of any such projects that have not yet been built. A discussion followed about the non-conforming structures located on the Hess Parcel, and EDRC Chairman Prys reported that they had compromised with Hess recently with respect to both their monument sign and the canopy in order to try to get some movement towards the current requirements of the Estero LDC.

3. Horizon Council Recommendations. Chairman Lienesch reported that the Horizon Council had made certain recommendations to the LDC development process regarding, among other things, the community planning process. Lienesch had written to the Lee County Planning Staff over the summer on behalf of ECPP with his objections to some of these recommendations. Apparently, the Horizon Council recommendations are now in a more watered-down version, and they will likely have to go through the whole process with respect to Land Development Code amendments. This will give us more time to review these and object if this is still necessary. Lienesch stated that the first step is that Lee County staff is bringing this issue to the Board of County Commissioners (“BoCC”) in January for directions as to how to proceed.

4. Community Plan Update. Dan DeLisi, Consultant on this project, was asked to lead the discussion of the comments received by ECPP from both the ECCL and EDRC regarding the version reviewed by the Panel at our November meeting. DeLisi presented these comments in the form of a power point presentation with bullet points for each of the comments.

a. History of Plan Revisions. DeLisi started off the discussion by reviewing the background of the revisions, particularly the format of the November, 2010 public workshop at the Hyatt Resort and the resulting document summarizing the suggestions received from the public at that time. He went on to describe the joint meetings of the ECPP and EDRC with the consultants held in December, 2010 to narrow the scope of the project, and again in February, 2011 to agree upon the Guidance Document from which the

revisions would be made. DeLisi concluded this segment with a discussion of the desire of the public to have a stronger sense of place developed in the Community, and that this would be accomplished by focusing on the two unique aspects of Estero; namely, its history and the Estero River. The original plan had tried to encourage a sense of place by landscaping, architecture, and signage limitations, but there are still public concerns about where Estero is centered and what it is all about.

b. History and The River. Since these Plan revisions are additions to the existing Plan, DeLisi is now focusing of the unique aspects of Estero to enhance the sense of place. Estero was incorporated and existed in the early 1900's, long before the City of Miami and other now large population centers in Florida. Most of this early history involved the Koreshans, and people that either worked for or traded with this group. DeLisi believes that this history is very important in terms of enhancing the sense of place for Estero. Likewise, the Estero River is a very unique aspect of the Community, and the public has many times expressed a desire for more public access to the river.

c. Town Planning and Integrated Communities. DeLisi went on to discuss the nature of modern suburban road layouts versus a more traditional interconnected road network. Many of our gated and other residential developments are more like the former, while there are many advantages of an interconnected road network, more like a traditional town center in terms of walkable blocks, traffic dispersion, and slower, smaller streets where small retail establishments flourish and there are public green spaces for gathering. DeLisi concluded this segment with the concept of one or more town centers which could develop in Estero based on this integrated community format and design.

d. Historic Core Area. DeLisi went on to describe the Historic Core Area as set forth in the revised Plan. This is the essentially the area South of Broadway, East of US 41, West of Sandy Lane, and North of Corkscrew. DeLisi pointed out that this area is flanked on the North side by the proposed Downtown Estero Project on the north side of Broadway, and by the proposed Estero on the River Project off of Corkscrew northwards (neither of which projects has been actually developed). He said that the area of Highland Avenue still has original Florida-style homes dating back to the early 1900's and is the "historic" core area of Estero. His concept would be to provide design guidelines for the development/redevelopment of both the two "town center" areas of the Historic Core Area (Downtown Estero and Estero on the

River Projects) along with the area of US 41 and Highland Avenue in the middle.

There followed a long and detailed discussion of the actual historic value of the Highland Avenue area, and the ECCL's concerns that the likely commercial development of so-called town centers in Estero are more likely to occur in the areas along Corkscrew to Sandy Lane (including the Estero on the River land), along Sandy Lane/Via Coconut towards the round-about, and along US 41 South of Corkscrew including the prior proposed developments like North Point and the Art District at Rapallo.

One concern of the ECCL is that the area around Highland Avenue is not likely to be redeveloped for a long period of time. DeLisi pointed out that the revisions to the Plan are necessary in order to protect this historical area from problems when that occurs. He stated that the reference to "main street" with respect to Highland Ave. was misplaced, and in reality his thought is to provide for controlled redevelopment in this area with a sense of history which would be assisted by historical signage, education, and tasteful preservation. He went on to state that the revisions to the Plan do not prevent development of town centers in the Historic Core Area.

e. Future Commercial Development in Estero. It was pointed out in the ECCL comments that there are about 7 million square feet of zoned but un-built commercial space in the Estero Plan Commercial Corridors. The ECCL wants to focus the plan on creating incentives to having high quality construction in those commercial areas of Estero. This also ties in with the comments of EDRC about enhancing the architecture, landscaping, buffering and interconnectivity of these potential future developments.

There followed a long discussion about the fact that the current Plan focuses on Mixed Use commercial developments, yet several projects like the residences at Coconut Point and at the Mercado have failed to make the residential portions of such mixed use developments economically successful. Should the revised Estero Plan continue to encourage such mixed use developments with density bonuses and other incentives? The sense of the ECPP and others present was that the economic downturn was more the cause of these failures than the concept of mixed use development which may again become viable and was still a preferable way for large-scale development to take place in Estero. The consensus at the meeting was to continue to encourage such developments and to relook at the incentives and rules in the Plan to attempt to get higher quality architecture and uses in our commercial

corridors. The minority opinion on this subject concludes that the residential component of mixed use developments has not succeeded and may not be profitable in the future. We will want to be careful in the revised Plan to give us flexibility on the kind of mixed use developments that are incentivized.

The panel went on to discuss the ECCL concept of reviewing the priority development areas for commercial development in Estero. The consensus of the group was that there was no need to try to prioritize these commercial development areas, as this had already been done by setting up the commercial corridor overlay districts in Estero. More important to all of the organizations (ECCL, ECPP and EDRC) was to look at ways to encourage and incentivize smart growth and higher quality commercial uses, architecture, landscaping, and buffering, along with adding open green spaces for walking, seating, kiosks and the like.

Next, the Panel discussed a proposed addition to the revised Plan to encourage more healthcare facilities to be built in Estero, including a helipad if possible. Finally, there followed a discussion about the need for a better definition of “detrimental uses” in the LDC to prevent further lower quality uses similar to those present at Estero Ridge. Of particular concern were parcels zoned under previous commercial zoning, and the need to come up with ways to encourage the owners of these parcels to come into compliance with our Plan if any substantial changes are made to use or structures.

f. Greenway Issue. After discussion of the greenway concept in the revised Plan, it was decided by the panel that there was no need at present to bring the proposed greenway south of the Estero River, as this would involve getting permission from at least one of the gated communities through which the FPL easement to be used for the greenway would run. If the greenway were built north of the River, at a later date, the gated communities on the south side of the River could always ask to be included if they wanted to participate in this development.

g. Mobility. There was a discussion about the development of complete streets to allow for integral biking and sidewalks as well as landscaped center medians. The panel also discussed the fact that a bus route expansion was unlikely given the economy and the Lee County budget issues. Any tram development among the three retail centers would have to rely on funding from the retailers rather than on public money. The concept of a linear park along the railroad right-of-way was considered as a priority if development of commuter rail was unlikely.

h. MSBU Issues. The ECCL stated it did not see the benefit to the Estero Community in the current concept of an MSBU in the revised Plan, and had some concerns about the unintended consequences of such a concept on the Community. DeLisi asked whether we could continue the dialogue on this point, and it was discussed not to eliminate this concept from discussion as long as people understood that the benefits to the entire community would have to be clear and meaningful. Finally, the ECCL updated the Panel on the current status of discussions with FDOT concerning historic lighting along US 41 in the Historic Core Area, and it is likely that this will not happen due to FDOT time frames and the costs involved.

i. DR/GR Issues. DeLisi said that he could not take part in this discussion due to a conflict of interest. The ECCL has asked that a policy be developed for inclusion in the revised Plan stating our strong support for current County restrictions on the use of land in the DR/GR for development. Many participants at the meeting did not agree that such a policy needed to be in the Plan since the DR/GR was outside of the Estero Planning area. Others spoke strongly for its inclusion since doing so would not have a negative impact on the Plan, and because the Community had been fighting on behalf of the DR/GR since before the ECPP planning process and the Estero Plan came into existence. It was the conclusion of the panel that ECCL would draft provisions for the Plan for others to review in the context of the revisions.

j. EDRC Comments. DeLisi next went through the comments raised by the EDRC. These included a proposed expansion of the Estero Planning area by voluntary inclusion of the NW corner of Estero Parkway/Three Oaks, the small triangle on the NW corner of US 41 and Broadway, and the Cameratta property.

The majority of the discussion was on ways to incentivize higher quality architecture, landscaping and buffering in the Plan. It was noted that buffering was not landscaping, and our current buffer rules create situations that are not in the best interest of the Community. The EDRC concept would be to continue to build “community character” in the Plan defined by architecture, site planning, landscaping, buffering, signage, and by community participation in the development process. With respect to the later goal, EDRC suggests that we redefine the community participation in Estero in a manner unique to our planning district, rather than in terms of the one size fits all approach of the current Horizon Council proposals to the county.

DeLisi was asked to make further revisions to the Plan consistent with the above-comments for review by the panel at its next meeting in January.

5. Adjournment. A motion was made by John Goodrich, seconded by Roger Strelow to adjourn. The motion was passed and the meeting was adjourned at 7:45 p.m. by unanimous vote of the Panel. The next meeting was scheduled for 5:00 p.m. on January 28, 2013 at the Estero Community Building (delayed one week due to the MLK Holiday the previous week).

Respectfully submitted,

Howard J. Levitan, Secretary