

ESTERO COMMUNITY PLANNING PANEL
Minutes of Public Meeting #155 - November 18, 2013
Estero Community Park, Estero, Florida

CALL TO ORDER:

The Meeting was called to order at 5:00 p.m. by ECPP Chairman Lienesch.

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

Also present: More than 100 members of the general public signed in or were otherwise present, including several committee members of the EDRC and many from the Rapallo community. Also present was Alvin "Chip" Block, Principal Planner for Lee County.

Public Notice: Secretary Levitan reported that the meeting notice was posted on the ECPP website. The Agenda has been posted for over a week on the website although it has changed over time. He noted that a quorum of the ECPP was present for this meeting.

Minutes of the Prior Meeting. Chairman Lienesch noted that the minutes of the October 24, 2013 meeting were prepared by Secretary Levitan, had been vetted by the Panel, and the updated version was posted on our ECPP website. Motion made, seconded and unanimously passed to accept the October minutes as posted.

Treasurer's Report: Treasurer MacNellis presented her Treasurers' Report, and reported a balance of \$84.03. Motion made, seconded and unanimously passed to accept the Treasurer's Report as made.

PRESENTATIONS:

a. **Hertz Corporation.**

1. The proposed administrative amendment regarding Hertz was presented by Matt Uhle along with representatives of Hertz Corporation, including Richard Broome, EVP. The proposed Administrative Amendment is to be filed to exempt the design of the main office building from the Coconut Point DRA design guidelines and the Estero and Lee County LDC provisions that prefer a Mediterranean architectural style or a style which would be compatible with this standard. Rich Broome introduced his presenters including Gensler Architect Peter Wang along with civil engineer Tom McLean of Hole Montes who worked on the site plan. He also

introduced Todd Post and Dan Wisk (Hertz project managers) along with Joy Lehman, VP of Sustainability for Hertz.

2. Hertz is trying to develop a campus element that works for them as a headquarters building even though it does not meet the approved Coconut Point architectural guidelines nor the Estero preferred Mediterranean guidelines. While they were aware of both architectural guidelines, the key for them is sustainability and the highest LEEDS certification they could achieve, in this case the Gold certification. They could not do this with a Mediterranean design. Second, they are trying to create the best campus work environment for their employees. Finally, they completed a global rebranding initiative which they have been implementing since 2012 and wanted this building to be the best image of this rebranding. They want this to be a catalyst for future companies to join them in Estero.
3. Joy Lehman head of sustainability for Hertz then spoke about their brand redevelopment strategy. They first asked what their customers wanted, and then developed a new mission statement: fastest, easiest and most value rental experience. This new standard is driven by convenience technology. A lot of attention is given to training employees to give first class service to their customers. The key to this is rebranding their facilities to reflect this new mission statement. This is a global initiative for all of their buildings and facilities. All of the design was based on sustainability principles. They have now completed about 600 facilities worldwide all with a streamlined modern look and feel.
4. Gensler Architect Peter Wang then presented the building designs. They call the project "Driving Performance." He showed the current headquarters in New Jersey. Today, headquarters design is all about designing for people to work in, to attract and retain the best talent, and to foster the highest productivity. The plan is based on inside out design from the work teams out to the ultimate building design. They believe it is important to work with the community and their employees, and above all to foster sustainability. Their goals are a thriving Hertz community, innovation through interaction, and building and expressing their brand. These are the pillars of the design.
5. The sense of community is based on an open and transparent corporate culture. The key is an open work environment filled with daylight and open spaces providing a real sense of place for their employees. This is an amenity-rich environment including fitness and day care etc. Innovation is the key to open up the workspace and encourage collaborative spaces embedded throughout the offices, not necessarily just conference rooms. A central oasis is built into the middle of the site which is visible to most employees. The result is a green campus. "Driven by performance" is based on clean lines and sustainability and their global design standard. Ultimately, he said, form follows function.
6. The site plan was previously discussed at the October ECPP Meeting showing the building in a green environment. Tom McLean reviewed the overall site plan that

was presented last month. This is a campus design. The building is not surrounded by a sea of parking, but instead lots of green space through the use of a parking garage. Water quality treatment facilities will be added along the perimeter. Additional landscaping will be added along US 41 and Williams Road. He stated that the parking garage, and the retail sales/rental facility on the south end of the project will be Mediterranean in design to comply with both the Lee County LDC provisions and the Coconut Point Design Review Guidelines. It is just the headquarters office building that will not comply.

7. They still are looking at three stories for the building, but may shrink the footprint and height as well. It is now at 45 feet in height and may go smaller. Wang then presented four primary views of the building which were prepared to not show what will be an enhanced buffer of landscaping. This will be enhanced even more along US 41. With the plantings, drivers will not see most of the building. The garage will have solar panels on the roof and arches on the bottom, along with other Mediterranean elements and will be screened from the major external roads by the enhanced buffering. The headquarters office building will have clean lines and is basically glass. The key importance in design is to increase productivity by using a glass skin to let in sunlight. On the ground floor is a recessed arcade which reduces the volume of the building to the eye. They use the stair towers to punctuate the lines of glass. Soft curves in the building are most prominent on the Williams side and the internal front of the building. They also showed a view from within Rapallo featuring an enhanced buffer area. Hertz clearly committed that this enhanced landscaping will be designed to be conducive to the desired Mediterranean standards of both the Lee County LDC provisions and the Coconut Point DRGs.
8. Matt Uhle concluded by saying they tried to create a project which enhanced the sustainability and the campus look along with the public benefits of a much higher level of buffering and landscaping.
9. Comments from the Panel: Jeff Maas from Estero Chamber of Commerce stated that their sense is that this is a stand-alone project in Estero and they are comfortable with the architecture. The Chamber is overall pleased with the design.

Paul Roberts, development community, asked about the parking count and square footage. Wang replied that there will be about 200,000-290,000 square feet of space, but not greater than 300,000. There is future space available to allow another separate building up to 150,000 square feet in size.

Roger Strelow, ECCL, stated that any time you deal with a project of this scope, especially a global corporate headquarters, you need to look at what is best overall for both the company and the community. He personally feels that this is compatible despite the fact that it is not Mediterranean. He made the argument for compatibility based upon specific language in the DRA and the Estero portion of the LDC.

Greg Toth, founding member, said that he is concerned about the fact that they really have not shown us any designs which might have been more Mediterranean. Why are we making this exception for Hertz? They are the 800 pound gorilla, and he suggests that they should redesign so that the landscaping will block off the glass building. He feels bad about all of the other national companies like Loews and Walmart who have had to comply with our standards. He also commented that this has been the fastest permitting he has ever seen.

Neal Noethlich, Emeritus Chair, was the member of the Panel who selected the Mediterranean architecture for Estero. He will not say he does not approve the Hertz design, but thinks it should go through the public hearing process not as an administrative amendment. His questions are (i) will the site accommodate a one-time signature design, (ii) will the neighbors accommodate the design, and (iii) will the community support such a signature design? He is also concerned about reflecting a lot of yellow in the design and the signage.

John Goodrich, ECCL representative, complimented Hertz for trying hard to meet the objectives of the community. He does not like all glass buildings, but is focused on the campus elements and the landscaping.

Howard Levitan, Secretary, pointed out that one of the biggest problems and opportunities for Estero in the future is the large amount of un-built but already zoned commercial space. He stated that this design, while not in compliance with our Mediterranean standard, was none the less exceptional as a global headquarters, and we should be mindful of the economic development and other benefits that this will provide to the community.

10. Comments from the public. Howard Cohen, a resident of Pelican Landing, asked what is being waived from a legal standpoint, and what is the nature of the parking garage, rental facility and the signage. Uhle said the request is for an administrative amendment to the Coconut Point Design Review Guidelines (“DRGs”) and the Lee County LDC provisions which require them to meet the Mediterranean style. The height of the parking structure will not exceed 40-45 feet. Signage around the building and site have not yet been designed. Hertz intends to fully comply with signage criteria in the LDC. As to the sales and rental facility, it has not been designed, but will meet Mediterranean standards.

Anthony Caputo who lives in Rapallo is very disappointed with the plans. He does not want the parking garage closer than 200 feet from his house or other buildings in Rapallo. Now it is within 150 feet. Uhle says that the 200 feet restriction focused on the 55 foot main building, not the parking garage.

Bev MacNellis from Marsh Landing commented on Halfway Creek which floods periodically, and the water from this development may cause a problem for her community. She is also very concerned with the design of the building. The response regarding drainage was that the runoff facilities have already been

designed for this site, and the Hertz facility will increase the green space much more than required. The site will have treatment facilities in the ponds to help with the water quality. As to the design, the lines are rectilinear. Wang responded that the glass is white glass with a ceramic frit along with clear glass, but will include a low E coating to protect the employees from solar radiation.

Pat Komeshek, who lives in Island Club, commented that he would love to have the Mediterranean design, but apparently this is not the case. Walmart and Loews were retail projects and totally different from this one-of-a-kind project. This is a corporate headquarters not a retail store.

Nancy Cohen is a member of the EDRC and an architect. Her concerns are that they turned the rear of the building to the public and the parking garage does not relate to the rest of the project. She would like them to redesign the parking structure better, especially for the view from Rapallo.

Nick Batos, chairman of the ECCL. He has seen preliminary plans, and acknowledges that we were looking for something more Mediterranean. However, he has since been convinced that their plans for the landscaping will create this style for the campus and will be compatible. This is a really good thing for the community and wanted to welcome them as neighbors.

Christine Ross, Exec Director of the Bonita Springs/Estero EDC, commented that this is the first Leeds qualified building in Estero. We need this project which will be a real opportunity for future economic development in Estero. We need to be clear about this, and it is a really big deal for our community. Her comment was that it will be an "Armani building with Mediterranean jewelry."

Tom O'Dea from EDRC commented this project is bypassing the normal design review process in Estero. He believes that Hertz is making a mistake by bypassing the EDRC who do a great job. These buildings will be lighted at night and will shower light on the surrounding land including Rapallo.

Jim Wallace, also from EDRC, says we should embrace this overall project and not try to mix in Mediterranean buildings within the campus of a modern building. He would like to see hardscaping which would also soften the building like public art that is complimentary to the building, rather than just the landscaping.

Jack Lienesch reiterated in response to Tom O'Dea's comments that when Coconut Point was approved they specifically performed their own internal design review of projects within Coconut Point for compliance with the approved Coconut Point DRGs, and came to the EDRC quarterly to update as to their reviews and approvals and to discuss any deviations. There are others who feel that there is a dual role for both EDRC and the Coconut Point DRAs.

11. Summary of Panel: Presented by Chairman Lienesch. In general the Panel feels that the County should accept the exceptions that are being requested for this property based on the following unique aspects of the project:

- a. Corporate headquarters of a Fortune 300 company;
- b. Main building of over 200,000 square feet within a campus atmosphere;
- c. Investment of the order of \$60+ Million;
- d. Generation of hundreds of new jobs for Lee County residents; and
- e. Heavy landscaping to soften the appearance changes with neighboring developments.

Estero will consider exemptions for other projects of this magnitude providing they provide similar community benefits.

B. Private School Special Exception and Variance. Tina Ekblad and David Depew of Morris-Depew presented this to the Panel on behalf of the proposed private school development. The request is with respect to a property located on North Commons Drive immediately west of the Elks Lodge building on Coconut Road. This site would require a special exception.

The proposed site plan shows two buildings. The first is the main school building containing about 17,500 square feet of space in a two-story building. The second is a gathering place for recreation activities of 4,500 square feet. The plan meets all of the setbacks except for one sideline which is within 7 feet of certain utilities easements that require them to lower their buffering requirements at that point. They need variances for the buffer at this point. The County is also requiring them to complete a corrected lot split with the Elks Lodge property, and both sides of the split will have to be able to stand on their own from a zoning basis.

The school will only go to 5th grade, and they say that there is adequate ingress and egress along with stacking of cars to pick up and drop off the children. No road improvements are needed. This is near the Tides Residential community and Ron Hicks who is the HOA president was present at this public hearing. The school is moving to expand their capacity for students. The school has about 250 students and the parents say that they do carpool, so the presenters feel that the stacking on the entrance should be adequate.

Comments from the Panel: Greg Toth believes that there will be a problem with the stacking of cars and this will create traffic problems on the adjacent roads. Depew commented that this whole problem with respect to buffering is due to the very odd shape of the lot. As to parking spaces, they say that there are about 20 spaces which

meets the LDC provisions. They will come back to the EDRC at the time of development order with more information about the access and parking. The issue of the buffering is due to location of the smaller building which is required to meet other setbacks and is caused by the unusual shape of the lot.

Ron Hicks from the Tides Community says that they have two buildings in the Tides Condos which will face this area with 28 units in each building. He is concerned about noise without a wall around the building. He wants a solid buffer. The proposed variance is for 7.5 foot landscaping width of buffer instead of the Type F buffer. There is still plenty of setback space from the Tides Condominium since the utilities easement is very wide and runs between the project and the Tides. Toth thinks it would be better to move the smaller building closer to the Elks Building and make the setback to the Elks building the variance. Ekblad and Depew said that they did a lot of site plan manipulations on this lot, and this is the only location of that building which will work for them, especially since they are required by the fire laws for schools to have a 20 foot clear space around the buildings for emergency access. Chip Block says they are applying to use the F buffer with full landscaping but no wall with a variance for that portion of the buffer that abuts the power line easement. Ekblad said that they cannot do both a wall and landscaping in this area due to space requirements. Toth feels that our job is to protect the residents.

Chip Block also said that such a variance would clearly be a staff decision based on the criteria for this. They found it insufficient once before in this process. As to the lot split, they can try to get this done as soon as possible as they have to go to public hearing. They are working on making both the split lots legal under the LDC. The lot split will be a hearing examiner decision which does not go to the BOCC.

Summary. The Panel has no problem with the usage. Depew will take the comments on the site plan and buffer and stacking back to the architect when they design the building. There is a large buffer area with the power easement. The proponents know that they have to go to the EDRC at the DO stage. Jeff Maas commented on the fact that there may be greater needs for stacking than are planned here, and that this could be a significant issue.

C. Lot Split Rezoning For East Broadway. Dale and Charles Nelson presented this on their own behalf. They have been residents in Estero since 1995. They are looking for a split of the property on West Broadway adjacent to Holiday Lane. In order to make the lots legal, they need to rezone the property from MH-3 to MH-1. They removed the existing mobile home on the lot which was derelict. This matter will ultimately be presented to the hearing officer for public hearing.

Greg Toth says he thought that the Panel never got involved in any residential zoning matters except for how things looked from the streets. The proponents have letters from most of the abutters, including River Woods Plantation. They are aware of flood elevation issues. The rezoning is to bring this into conformity with the setbacks by lowering the setbacks required in the MH-1 zone which has lower lot size and setbacks.

The Panel supported this request.

D. **Keith Hanson- Administrative Amendment for Corkscrew Palms Circle of the Estero CPD.** They want to put in a training facility for EMTs and first responders. 8-10 students per weekend. Also several other types of classes like firearms training. This would require a rezone for an use for a commercial school. This is for suite 201 of building 9450 within the Corkscrew Palms Circle development right outside of the Estero Commons Park. This is only a request for this unit not the entire development. We had previously approved the day care facility in this area. Hanson was asked if the requested usage is for the suite not the entire building?

Howard Levitan was concerned that there was no public notice of this hearing since it was added at the last minute. Hanson said that the other tenants would not be of concern. However it is difficult to determine this since there may be issues which we do not know of without a public hearing. These units have separate owners since it is a condominium. Greg Toth asked if it was an acceptable use to the HOA. Apparently the management company for the HOA is Select Real Estate that manages the association.

The Panel agreed that it is not an adverse use of the property as long as the owners of adjacent units of the building or the HOA are not opposed.

Other ECPP Issues.

1. **Notice Issues.** Bill Prysi, Howard Levitan, and Jack Lienesch had a meeting with respect to the issues with respect to the EDRC and the way the meetings take place. Levitan discussed what happened and what was agreed to by the three representing all of the Estero organizations. The goal will be to enhance public participation at the EDRC and keep all of the organizations communicating in sync with respect to development projects.
2. **Seth Harry workshop.** Greg Toth thought the breakout sessions went very well. The main problem is that we went to the developers without having the FLUM map densities set up. Neal Noethlich commented about the presentation that the quality appeared to decrease with each version of it, as the presenters tended to lose interest in the discussion.
3. **Community Plan.** Jack Lienesch reported that there were very minor tweaks by ECCL in the Community Plan Revisions recommended by the ECPP including the language on standalone bars. Another workshop on Goal 14 is scheduled for December 3, 2013 at 5:00 p.m. (subsequently cancelled). The working group will continue on with the LDC revisions, and work on the scope of work for the consultant.

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Howard J. Levitan, Secretary