

**ESTERO COMMUNITY PLANNING PANEL**  
**Minutes of Public Meeting #145 - February 18, 2013**  
**Estero Community Park, Estero, Florida**

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

Also present: Kathie Ebaugh from Lee County Community Development; Bill Prys from EDRC; Jeremy Franz from the SW Florida Conservancy; Dave McKee representing Monte Cristo; Alexis Crespo of Waldrup Engineering, Michael Greenberg and Patrick Neal from Neal Communities; and several others on the Sign-in sheet who are unidentified.

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. Chairman Lienesch noted that the minutes of the January 28, 2013 meeting had been vetted by the Panel, and the updated version is posted on our ECPP website. On motion made by Goodrich, seconded by Dewhirst, and unanimously passed, the minutes of the January 28, 2013 Meeting were approved as presented.

Treasurer's Report: In Treasurer MacNellis' absence, Chairman Lienesch reported a balance of \$280.04 in the checking account.

**PRESENTATIONS:**

**1. Coconut Trace:** Chairman Lienesch reported that no zoning approvals were required, so they are going to apply for a public hearing with EDRC regarding design review.

**2. Estero Place:** Neal Communities made the presentation, and was represented by Alexis Crespo of Waldrup Engineering. Ms. Crespo made the presentation along with the Patrick Neal, President of Neal Communities. They are proposing to rezone the property from CPD/RPD to RPD Master Concept Plan, to allow the development of 92 single family units. No commercial uses are proposed, and they are adding 5 acres located south of this property (the so-called "Cardella" property) which fronts on River Ranch Road.

This was the property which we know as the Midtown Estero big box mixed use proposal. The access to this development will be from Three Oaks Parkway and River Ranch Road. They intend to do 20 foot Type D buffers along the roads in compliance with the LDC. Buffering will

be in compliance as well. Some deviations as noted including only one access point per development node (east and west sides). There would be a walking/biking walkway over the water. No access on Corkscrew Road will be planned. This is in the Corkscrew Overlay District, and they will need to increase the setback from maximum of 25 feet to between 30 and 40 feet due to the residential aspect of the project. They will do walls along the Corkscrew and Three Oaks Parkway perimeters with landscaping on the outside of the walls. Another deviation would be a 40 foot wide right of way for the western residential area vs. 50 foot in the LDC. They will comply with the 50 foot upland buffer to the water. Patrick Neal said that their company is a detailed oriented company with good record of home building.

Paul Roberts started the discussion. He has no real concern about this project. We thought this would be a commercial development, but this is a down zoning and presents no issues. Jeff Maas stated that he had nothing to add. Goodrich stated that he was also very pleased with these plans compared to the original ones. Neal Noethlich talked about our past hopes for this lot, and this is much better from a traffic standpoint. He stated that he is also very pleased. Ned Dewhirst echoed the others, adding that he hoped that they soften the removal of the existing native vegetation on the corner to make it more aesthetically pleasing, possibly using the project's indigenous requirements for this area; similar to the other corners at the intersection. In addition, he stated that if any opportunity for biking/pedestrian access along the Estero River access arose, that would make the site plan possibly even better. Greg Toth asked about River Ranch Road, specifically whether there would be any improvement to this road? The road is very narrow. Patrick Neal reported that a traffic study is to be done by Jim Banks, and they will report back as to any improvements to the road. There is not much likelihood of River access since it is a gate community, and kayakers may not be able to reach the development due to conditions in the River.

Chairman Lienesch commented that it still is difficult to get out to the north on to Three Oaks Parkway, and that a traffic light is unlikely; therefore a u-turn will be required by drivers leaving the project to go north. Patrick Neal responded that there is now a median left turn lane across from the Fire Station.

Public comment was as follows: Chairman Lienesch reported that he had tried to contact the owners of the two houses on the east side of the property, but got no response. Bill Prysi said this property was very important to the overall Estero Community Plan as a commercial site at this major road intersection. He does not like the residential use on this corner based on the planned commercial designation in Estero Plan. He understands problems with the original plans, but he believes that a residential use does not make sense because commercial is on the three other corners. Other comments from the Panel did not see any major problem under the Estero Community Plan. Toth agrees that it would be better to have an upscale commercial project on this corner, based on the Corkscrew Overlay, but the market is driving this situation. The result is a three sided commercial corner on a major intersection with a landscaping buffer on the fourth. Neal said the only commercial uses that wanted to be on that corner were gas stations which would devalue the project. He noted that the same 3 corner pattern is true with the intersection of Coconut and Three Oaks with the Sweetbay shopping center. He thinks that

the buffering will solve this problem. Toth said that the outside wall must really look good from the street. A little more landscaping would really make this better, and the corner should be as visually attractive as possible. Patrick Neal went on to agree with this comment and would take this into consideration as the final plans were drawn up.

The overall sense of the Panel is that the ECPP supports this development as presented.

**3. Monte Christo Development:** Dave McKee and Katherine Backus of the Templeton Family Trust reported on this project which is located on Corkscrew Road just east of Wildcat Run. At the last meeting, the ECPP supported the reinstatement of the MCP on this property. Now with Toll Brothers as the prospective purchaser, they have prepared a new MCP with 584 units which represents a significant reduction in density from the original plan. They have had informal meeting with the County last week. There is more traffic than previous plan, but Corkscrew Road can likely handle this. The trip generation manual says that single family development generates more daily traffic than multi-family. They have expanded the development area, and included a 30 foot buffer with Wildcat Run and the properties to the East. They still plan to have an interconnect with Wildcat Run, but may need to change this. Also there has been some discussions about amenity sharing with Wildcat Run. There is a similar wildlife corridor in the drainage corridor. To the East, the Preserve at Corkscrew is being built now, and Bella Terra abuts to the East in part as well. The Estero Fire Dept. may want an interconnect between all of the developments on an emergency basis, and this needs to be discussed with these developments.

Panel Members comments. Chairman Lienesch asked what the Panel was being asked, since a formal rezoning has not been presented. Dave McKee stated that until Toll Brothers completes its due diligence, the plan is just conceptual. Ned Dewhirst recommends the interconnection be worked out with Wildcat during the zoning amendment since it may be difficult to remove later administratively. Greg Toth likes the ideas of interconnects with adjacent communities including Bella Terra at least from an emergency basis. This is a safety concern, which should be all agreed to before it is rezoned. Neal Noethlich asked about whether the greenway had been approved by the County? The portion of Bella Terra that is to the east is very isolated, and has a lot of animal incursions (bears and wild boars). There is some funds available for panther crossing based on the agreement with the County and the developers of the Camarratta property. Would this be available for a wildlife corridor under Corkscrew Road? All of these issues will arise and be dealt with at the County, State and Federal level. Noethlich recommended that they sit down with the Toll people to discuss a wildlife underpass using the panther funds from these developments. John Goodrich had no comments at this time. Jeff Maas noted that the units in the development had been pushed to the south of the property, and asked whether it will impact the indigenous area requirement? The Camaratta property got permits based on city water and sewer via Bella Terra making a loop with them. McKee stated that this property will also tie into Bella Terra to maintain the water pressure for all of these communities. They will ultimately be seeking a zoning amendment, but not now. Their next step is to go through the process for approvals from SW Water Management.

Public comments. Jeremy Franz of the Conservancy wants them to reach out to the Conservancy especially about the southern areas and various environmental concerns. They say that the road to that area is a built up road with area underneath for wildlife passage. Land on the southwest of the development is now all preserved and connected through this development. Kathie Ebaugh, Lee Co staff rep, reported that the County Environmental Department may have some significant problems with this development, specifically the additional southern development area.

The consensus of the Panel is that the ECPP supports what is shown in these preliminary plans, and sees no significant issues from a zoning standpoint. The ECPP will look forward to a more detailed review when the plan is in a more final form. Regarding the potential environmental issues, the Panel felt that this is not ECPP's area of expertise, and the developer will have to go through all of the permitting at the County, State and Federal level. The Panel looks forward to how this will come out.

## **ECPP ISSUES**

### **A. Community Plan.**

Dan DeLisi, Consultant for the Community Plan revisions, made the presentation following his meeting with the ECCL that afternoon. The ECCL January 18<sup>th</sup> comments are in blue on the new draft (2/18 draft). DeLisi stated that 80% of the ECCL comments make the draft Plan better and were easy to incorporate. The other issues may be conceptual, and he believes following his meeting with ECCL that they have come to agreement on most of this language.

With respect to the Estero Vision Statement, DeLisi commented about the discussion about sense of belonging vs. sense of place, and the compromise language that was added relating this back to the Estero Community and then using both sense of place and sense of belonging. Sense of place echoes what the County staff is trying to create as well by the new Community Elements. Other comments were as follows:

1. DeLisi went on to discuss the concept of growth management vs. growth aspirations in Policy 14.1.1, and it was decided to go back to growth aspirations. With respect to Policy 14.1.3, ECCL wants to quantify any deviation in landscaping and buffering with the word "significant" relating to other community benefits, even though it was subjective. DeLisi will continue to work on this language, and come up with a recommendation for ECPP.
2. Regarding the Historic Core Area, the policy in 14.1.5 was acceptable as amended in yellow, by taking out the town center aspects of this language. He also will amend the Map to include the Koreshan State Park. The key concept with respect to the Historic Core Area is that new developments in that district should respect the historical area particularly in architectural design

guidelines using a historical Old Florida or colonial theme. Also additional interconnects would be encouraged with the Koreshan Park.

3. The Mixed Use language in 14.1.6 was compared with the alternative language suggested by ECCL, and we will go with the ECCL language.

4. Policy 14.2.4 was added by DeLisi regarding FGCU proximity uses for R&D facilities. ECCL wants to broaden the area to anything proximate to the university. The discussion was that this would preferably be a new policy rather than combined with the limitations in the first sentence regarding Three Oaks Parkway. Many of the panel members questioned why we would target this particular intersection, and that we should instead focus on the proximity to FGCU. Also, do we really want R&D near to residential developments?

5. In looking at the Policy 14.2.5, there was a discussion of detrimental uses and sexually oriented uses. We also got into the issue of whether to maintain the prohibition of standalone bars. Mixed use development is supposed to have an evening entertainment/social component including in most cases, standalone bars. County Staff seems to support this, although, for example, most of the bars in Gulf Coast Center are Group III restaurants which would be allowed under the Estero Plan as well. A better example is World of Beer which offers the ability to buy food at adjacent restaurants like pizza etc. and then drink and eat outside with them. Mixed use places are very urban and we may need to expand our horizons on this point. Kathie Ebaugh stated that we need to look at our standalone bar prohibition. DeLisi stated that he is going to think about this some more. Can this work by design criteria or significant other benefits?

6. Regarding Policy 14.2.7 as to medical related uses within Estero (i.e encouraging a hospital use), one issue is ambulances and a helicopter pad adjacent to residential areas due to the noises involved. However, overall, it was felt that we should encourage medical uses.

7. Next, we discussed the alternative language regarding commercial incentives in Policy 14.2.8. The ECCL language is more specific and lists various incentives. The discussion was to use the specific language for the LDC and keep the original general language for the Plan.

8. The Plan language noted in green on page 4 relates to the Bella Terra situation regarding putting retail grocery etc. if none exists closer than 2 miles. The sentiment was against making this mandatory. This result is more likely to work if you can incentivize such a retail component by other means such as density bonuses. DeLisi will work on this language some more. The sentiment of the panel is that this should not be a part of the plan.

9. In Policy 14.4.3 MSBUs were discussed, and DeLisi will list it as a potential funding source, and he will expand this section to explore all funding options, including MSBUs.

10. Regarding Policy 14.4.5 DR/GR language, Dan is going to look at this to add the concepts of flooding and water quality. Inclusion of this policy is a significant one for ECCL. The Panel agreed to leave it in for review by Lee Co staff with exception of Neal Noethlich. DeLisi stated that he would keep this issue open without making a final decision.

11. Policy 14.6.1 Railway right of way. We want to emphasize the greenway not the transit line or at least do both at the same time.

12. 14.6.2 Greenway. It was again noted that the greenway will be shown only on the north side of the River.

13. Public Participation. There was a lot of discussion about this at ECCL Meeting. DeLisi prefers to defer this discussion to the next meeting of ECPP.

14. Regarding Transportation Issues and CR 951, Delisi discussed an alternative plan to continue Estero Parkway directly to Corkscrew and abandoning the curve to 951 through Grandeeza, This would benefit taking truck traffic off of Corkscrew and give the Eastern residential communities another way to go North. DeLisi thinks that the place to deal with transportation issues is in our Plan. Other planning communities have similar transportation issues in their policies, even though there already is a County wide and regional planning process for transportation issues. Others feel this may be very controversial and that traffic planning is addressed elsewhere in the Lee Plan by the traffic experts.

Delisi will do another draft of the Plan for all to review, and eventually to go to a public meeting.

### **C. Other ECPP Issues:**

1. No discussion as to update approvals or funding process
2. David Graham Award. Jeff Maas said he was still working on the plans for this.
3. Employee Theft Coverage. The annual cost is \$250 when we have very little money. The Panel agreed with Chairman Lienesch's thought to drop this coverage. Also will look at possible D&O insurance.
4. Howard Levitan is working on documents update, including the Articles of Incorporation and Bylaws, and we will have a draft for next meeting.
5. The website needs work. Cost of monthly work is about \$200, but our overall website needs archiving and more organization.
6. No member issues were discussed

Next Meeting is on March 18, 2013 at 5:00 p.m. at Estero Community Park. The Meeting was adjourned at 8:00 p.m.

Respectfully submitted, Howard Levitan, Secretary