

ESTERO COMMUNITY PLANNING PANEL
Minutes of Public Meeting #161 – May 19, 2014
Estero Community Park, Estero, Florida

CALL TO ORDER:

The Meeting was called to order at 5:00 p.m. by Panel Member and Acting Chairman Roger Strelow in place of ECPP Chairman Lienesch who was out of town.

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

Also present were Nick Batos, Chairman, ECCL; Bill Prysi, EDRC Chairman, and several members of the public, including Sal Dassaro, Jeff Kleeger, and Mike St. John. Also present were representatives of Terracap, developers of the Estero Grande site and of Waldrup Engineering representing that development. Finally, Sharon Jenkins-Owen from the Lee County DCD Planning Staff was present at this meeting.

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. He noted that a quorum of the ECPP was present for this meeting.

Minutes of the Prior Meetings. Acting Chairman Strelow noted that the minutes of the March 24 and April 21 Meetings of the Panel were prepared by Secretary Levitan, had been vetted by Chairman Lienesch, and had been posted on our ECPP website. Motion was made, seconded and unanimously passed to accept the March and April minutes as posted.

Treasurer's Report: Treasurer MacNellis presented her Treasurers' Report, and reported a balance of \$329.42. The Estero Grande fee of \$100 was also received this evening. ECCL has billed the ECPP for money it has advanced for insurance and D&O Liability Insurance in the amount of \$1,892.16, such sums to be repaid as and when the ECPP has sufficient funds from developer presentations. Motion made, seconded and unanimously passed to accept the Treasurer's Report as made.

PRESENTATIONS:

1. Estero Grande (fka Santorini): The presentation was made by Alexis Crespo of Waldrup Engineering. This has been designated as an informational meeting as we were unable to receive full information in time for a public hearing. The developer has agreed that they will return for a public hearing at the June Meeting. Also present were Steven Hagenbuckle and Michael Davis from Terracap, and Ryan Binkowski from Waldrup. The property is across US 41 from the present western end of Estero

Parkway, and includes about 30 acres. It is currently zoned RS-1. Prior attempts to rezone this property to mixed use had been withdrawn although it is in the Mixed Use Overlay. WalMart is directly across from this development on the northeast side of US 41. The property is abutted by Breckenridge on the West and the Terra Vista community on the south. The previous concept was for commercial on the frontage with multi-family in the rear.

Materials submitted:

- Plan titled "Estero Grande MPD Master Concept Plan" labeled as DRAFT COPY dated 5/16/14.

The current plan is to rezone the property from RS-1 to mixed use with 290 multi-family units at a density of 10 units per acre with bonus density, along with commercial on the frontage along US 41. Sidewalks and pedestrian interconnections will be added to connect the commercial with the residential. They are proposing a main access across from Estero Parkway, along with two others access points along US 41 which will require FDOT approval. They are not able to connect up to the south due to a property with single-family use. Both additional access points would be right in, right out. They have had a traffic analysis, which will require turn lanes and moving one light pole.

The four commercial lots would have one drive isle for interconnection along US 41 and more in the rear. The commercial will be 100,000 s.f. in total, 50,000 s.f. retail , 20,000 s.f. medical, and 30,000 s.f. professional uses. The maximum building height will be 65 feet. The multi-family buildings would be stepped up in height from the south to north. They will do these as condominiums initially, but the ownership might be a hybrid where some or all may initially be rented and then sold at a later point as condos.

Crespo stated that they are not seeking any deviations from the Estero Community LDC requirements. The requested 65' height limit is allowed within in the existing Lee Plan land use category of Urban Community (95' / 8 stories max). They will seek Lee Co LDC deviations for the arterial separation requirements as to access. Also, they will need a deviation for the lake, but this has not been finalized at this point. They also want to put in one (1) *Convenience Store with self-service fuel pumps* use in the commercial tract.

They will return in June with the full Master Concept Plan and other application details such as Schedule of Uses. This will have to comply with all of the Mixed Use requirements in the Lee County Lee Plan and LDC. If they comply with these standards, they get to count the entire requested density over the full project acreage not just the residential portion. In this case, the requested density is 9.8 units per acre (the max standard 6 units per acre plus bonus density of 3.8 units per acre) out of a maximum 10 units per acre allowed within the Lee Plan Urban Community land use category. The additional bonus density is permitted thru either TDRs or utilizing affordable housing units. In order to create a mixed-use project, Crespo stated that the panel has to understand that this will be a high density project.

Ned Dewhirst started the discussion from the Panel and commented that the key issue is how the project will satisfy the Lee Plan and LDC requirements for a true Mixed Use project (as defined in the Lee Plan) with public spaces and vehicular/pedestrian interconnects and walkability. For him, the most important aspect is the ability of the project to create a relationship and interplay between the two separate residential and commercial uses. Crespo responded that they also are planning some residential features interwoven with the commercial spaces not just as to the multi-family uses in the rear. Ned Dewhirst went on to state that the current level of plans do not show whether this is truly a Mixed Use project, and the developer cannot tell us much more because they do not know about the end users. He is also concerned that there is no reverse frontage road internally to the commercial to encourage walkability and vehicular/pedestrian interconnections with the onsite residential, offsite surrounding two residential communities and commercial uses to the north and south.

Neal Noethlich asked where are the parking spaces for the commercial units, and how many pumps will be allowed for the gas station. Crespo responded that they are still too early in the planning process to be able to answer in detail. They came here tonight just to list a gas station as one proposed use.

Greg Toth commented that the site plan seems to be going back a decade. The frontage road should be a reverse frontage road. This has to be a true Mixed Use project to achieve the requested density. He cannot see from the plan as proposed the actual mix of uses that interrelate the residential to the commercial. The residential will still be gated for vehicles not pedestrians. He stated that the Panel does not want to increase densities unless this is a true Mixed Use project, which enables each separate use to be interrelated to the others in addition to surrounding offsite uses. He feels that this is at the beginning stages of a Mixed Use project, but it is difficult to see how the interrelation works at this point. We clearly understand that vertical mixed use is not required under the Lee Plan, but it needs more work from a horizontal point of view. Ned Dewhirst added that we prefer a reverse access road rather than the new two right in, right out points that they proposed to the FDOT. The Estero Lee Plan discourages this type of request. Howard Levitan asked what are the schedule of uses going to be? Crespo responded that they do not just want this to be a residential project next to commercial on the same lot and then state it is mixed-use.

Acting Chairman Strelow summarized the consensus of the Panel that no action was taken on this project due to lack of submitted material, and we will expect them to come back in June with a full package of information. The most important aspect will be more complete details as to making this project a true Mixed Use project with interconnected uses, walkability, and proposed public spaces.

2. Milestone Learning Center: Michael Lause returned with his second presentation on this project. He is proposing a day care center in two back units at the commercial center off of US 41 near the Breckenridge access road. They are talking about a day care center for one year olds through age five. This is the same building project we

discussed last month. The parking is two spaces per employee, and with 12 employees maximum, they are required to have 24 spaces. With respect to our concerns about drop off and picking up their children, Lause stated that this does not usually occur at any specific times, and he believes that this will not create a need for more parking. They will have signage for appropriate access. The County did not require a new traffic study. They have tried to do everything that we asked at the last meeting including trying to contact the Breckenridge representatives, but those contacted did not respond. The drop off is from 7 to 9:30 although usually it will be normal working hours. Greg Toth thinks that there still will be a parking problem at drop off, pick up times.

Lause also stated that they are planning to open in July for the next season. They say that they have an alternative access plan if this one proves difficult. As to signage, they will have to look at the existing sign for this location and comply with our sign requirements. They need to get one panel on the monument. He wants an additional 4X8 sign separate from the monument, but realizes that this will be difficult to achieve.

Materials submitted: none.

Acting Chairman Roger Strelow summarized that the applicant appears to have done everything that we had asked, and that the County has not shown much concern for any of the perceived traffic issues that Greg Toth has raised.

3. Coconut Trace: Zeden Jones made this presentation. They have phase one under construction. Their parcels have a deed restriction on the square footage of overall commercial space. They are looking at an additional 5,000 s.f. for retail uses, in the event that the medical space currently leased to a dental office turns over. They are going to seek an amendment to their MCP. The original zoning restricted the overall MCP to 30,000 retail. They had some kind of deed restriction for office space. Ned Dewhirst sees this as an internal deed restriction matter. They want to increase the retail use from 30,000 to 35,000.

Materials submitted were:

- Construction Site Plan sheets 1-4A dated 1/27/2014 by LMA Engineers
- Recorded Amended Allocation of Retail and Office Agreement
- Project Zoning Res Z-00-010

Howard Levitan commented that if this is an informational presentation it is acceptable, but this is very preliminary information to justify taking action in a public hearing. Dewhirst thinks it is acceptable because all he is asking for is an additional 5,000 s.f. of retail use in the event that for any reason the medical use needs to be relet. The buildings and the two DOs will remain the same.

The sense of the Panel is that we thank them for coming, and while we do not think that this request will be a problem, he needs to come back with the full application for us to review at a noticed public hearing. No action was taken on this matter at this point, as

this was only a preliminary informational presentation. We will not charge an additional fee when he comes back with the full application.

ECPP ISSUES:

1. Estero Community Plan Revisions. Several of us went to the LPA today for the public hearing on the Estero Community Plan. We received a barrage of language change requests from the LPA. The key was that the policies not become regulatory in nature as this is the function of the Land Development Code. We negotiated the final language section by section and came up with compromises to the language without significant changes in overall meaning. Subject to the changes made, the LPA voted to recommend transmission to the State DCA. We thanked Sharon Jenkins-Owen for her help in getting this done.

Ned Dewhirst stated that Simon was very disappointed about 1) electronic signs not even being discussed during the 2 years plus of work on the Lee Plan changes, even though was part of the original contract scope of work; and 2) the fact that the stand-alone bars provision was deleted from the draft of the Estero Community Plan revisions at the last minute prior to going to the LPA for review.

2. Status of the LDC Rewrite. The Staff feels that at this point they can only help us with a glitch list for the LDC. Howard Levitan discussed the status of the LDC changes and suggested that this will be a topic of discussion at the next special meeting of the EDRC on May 21st.

3. Seth Harry Study, A small committee is working on language for a summary of the last workshop for the Town Center Area to be shared with the landowners and the Community. This summary will be done in conjunction with Colliers International from a marketing point of view.

4. Estero Apartments. This Comp. Plan Amendment was recently approved by the LPA, and goes on to the BOCC for transmittal.

5. Neale Communities Estero Place: There was another discussion of the vegetation removal at Estero Place. This issue was pretty much settled at the ECCL Meeting. There clearly were misunderstandings from the more informal nature of minutes as to recommendations by the Panel. There was a discussion about making the minutes clearer with respect to our requirements to avoid this in the future.

Comments were then made by Mike St. John regarding this issue with Neale Communities. He believes that it is necessary to work on the transition with the County, because there is a lot of concern in the Community about this problem. The Panel concluded that we need to see how things work out with the developer by August.

Roger Strelow added that there is a lot of attention being paid to the transition to a Village and what will be developed under the Village structures.

6. The Panel discussed recent presentations lacking adequate materials and sufficient review time. Everyone thought we need to improve on this issue. Also may need to review the panel website for clarity of materials needed for review.

7. Member Issues: None

8. Public Comments: None

Next Meeting is June 16th.

Meeting was adjourned at 7:00 p.m

Respectfully Submitted,

Howard Levitan, Secretary