

**VILLAGE OF ESTERO DESIGN REVIEW BOARD
MEETING OF AUGUST 12, 2015**

The Village of Estero Design Review Board meeting was held on this date at the Estero Fire Rescue District Meeting Room, 21500 Three Oaks Parkway, Estero, Florida.

Present: Chairman Albert O'Donnell and Board Members W. Scott Anderson, Barry Jones, Joe McHarris, William Prysi, James Tatoes, and Patty Whitehead. Absent: Board Member Gerald Simons.

Also present: Nancy Stroud, Esq., Community Development Director Mary Gibbs, and Village Clerk Kathy Hall.

1. CALL TO ORDER

Chairman O'Donnell called the meeting to order at 5:34 p.m.

2. PLEDGE OF ALLEGIANCE

Chairman O'Donnell led the Pledge of Allegiance.

3. ROLL CALL

Village Clerk Kathy Hall called the roll; all members were present with the exception of Board Member Simons.

4. APPROVAL OF AGENDA

Board Member Prysi moved approval of the agenda, seconded by Board Member Jones, called and carried unanimously, with Board Member Simons absent.

5. BOARD BUSINESS

(A) Approval of July 8, 2015 Minutes

Board Member Prysi moved approval of the July 8, 2015 minutes as presented, seconded by Board Member McHarris, called and carried unanimously, with Board Member Simons absent.

6. ACTION ITEMS

**(A) Marsh Landing Tree Removal – US 41 Entrance (District 2) - LDO2015-00328
Remove oaks and pine tree from front entry (trees were not required as part of
County site plan approval)**

Community Development Director Mary Gibbs provided a brief introduction.

Connie Mansfield, Marsh Landing Community Association, addressed concerns regarding the trees in the entrance corridor proposed for removal; Ms. Mansfield provided photographs. She indicated that an arborist came back to the site to assess each tree. Chairman O'Donnell inquired regarding discussion at the Marsh Landing Community Association Board of Directors meetings. Ms. Mansfield responded that the trees had been discussed at three Board meetings; it was noted that copies of Board meeting minutes had been included for the record.

Brief discussion ensued. Board Member Prysi indicated that he had no issue with the evidence and rationale.

Chairman O'Donnell called for public comment and no one came forward.

Board Member Whitehead inquired how many trees were proposed to be removed in the south, north and middle. Ms. Mansfield responded none in the middle, four on the south and five on the north.

Board Member Jones moved approval of LDO2015-00328, seconded by Board Member Anderson, called and carried unanimously, with Board Member Simons absent.

(B) McDonald's Corkscrew SBS – Ben Hill Griffin Pkwy and Grand Oaks Shoppes Blvd. (District 7) – UDO2015-00356 Convert existing single drive-thru to dual sided drive-thru and minor changes to comply with current Americans with Disabilities (ADA) code

Community Development Director Mary Gibbs provided a brief introduction.

Jeffrey Satfield, CPH Engineers, explained the proposed development was to convert the existing single drive thru with the intention of improving vehicle circulation on the site and to help alleviate vehicle stacking from the drive thru onto the adjacent roadways along with updating pedestrian areas to current ADA standards, as well as installing new menu board signs. He indicated that the majority of the work was to the rear of the building; there were no proposed changes to the structure; a small amount of asphalt and parking spaces were being removed to allow for additional drive thru. Via a PowerPoint presentation, Mr. Satfield provided information regarding the drive thru elements; new menu boards; yellow canopy; existing and proposed landscape.

Board discussion ensued regarding the visual aspect of the new canopy; Estero has a certain look and was not a one size fits all community; the building was non-compliant; the need for additional screening; the parking lot; the roof color; future upgrades to the building.

Public Comment:

Howard Levitan, Pelican Sound resident, requested that the Board read the general conditions on the ordinance that the Board was required to make findings on with respect to all design elements, prior to taking action on the applications.

Board Member McHarris moved for disapproval of UDO2015-00356, seconded by Board Member Prysi. Discussion followed. Attorney Nancy Stroud provided clarification of options regarding how the Board could proceed.

Board Member McHarris withdrew the motion. Board discussion followed along with further clarification of options provided by Attorney Nancy Stroud.

Board Member Tatoes moved to continue with revision to style and design by the next meeting, seconded by Board Member Whitehead, called and carried unanimously, with Board Member Simons absent.

Board Member Jones commented regarding an Oak tree; Board Members Prysi and Tatooles provided clarification of what the Board was looking for in the way of revisions to the proposal regarding form, color, buffering, and safety.

(C) Shoppes of Coconut Trace on Lyden Drive – DOS2015-00056 (District 2) – Proposed construction of 2 acre commercial development within the Estero Pointe CPD project

Community Development Director Mary Gibbs provided a brief introduction.

Greg Roth, Bohler Engineering, reviewed the presentation from the July 8, 2015 Board meeting and spoke to the issues raised at the meeting. Via a PowerPoint presentation, Mr. Roth addressed the revisions made to the site relating to dumpster location; increased width of center islands; provided ADA connectivity to adjacent bank; removed parking stalls to increase separation between the building and parking field; additional landscaping provided, which was consistent with the bank.

Henry Klover, Klover Architects, addressed the architectural compatibility issues and provided pictures of the adjacent bank. He spoke to the incorporated design elements from the bank; increased depth of tower elements; loggia across the front of the building; additional sloped roof elements; arbor that would connect to the next building. He also addressed the Mediterranean style; decorative tiles; and palette of materials.

Board discussion followed related to dumpsters; the side of the building facing US 41; outdoor dining space; additional green space; the need for the Board to see the landscape plan and civil plan; ADA parking spaces; sidewalk; parking lot lighting; monument sign; and roof parapets.

Mr. Roth indicated that their intent was to come back to the next meeting with another new Development Order for the south building along with further information regarding this Development Order.

Chairman O'Donnell called for public comment and no one came forward.

Board Member McHarris moved to continue, seconded by Board Member Anderson, called and carried unanimously, with Board Member Simons absent.

(D) Genova Sales Center – DOS2015-00037 (District 5) – Real estate sales office located on south side of Corkscrew Road east of Sandy Lane

Board Member McHarris recused himself.

Community Development Director Mary Gibbs provided a brief introduction. Chairman O'Donnell inquired whether a temporary structure was permitted in Estero. Ms. Gibbs responded that a trailer or modular structure would not be permitted. Discussion ensued. Board Member Whitehead inquired whether the property was in the zoning in progress of the Village Center. Ms. Gibbs responded "yes" and brief discussion followed.

Josh Philpott, Stantec, reviewed the information presented at the July 8, 2015 Board meeting. He stated that the sales center would be brick and mortar construction; described the exterior

features and landscape plan; addressed the architecture, color palette, and spoke to a request for a deviation to the roof pitch, from 6:12 to 4:12.

Discussion ensued regarding the roof pitch deviation request; fire truck access; and landscaping.

Community Development Director Gibbs noted that an administrative approval was scheduled for Planning and Zoning Board; however, the applicant asked to come before the Design Review Board to obtain input to eliminate the need to redesign the plans again. She noted that any approval of the Development Order would be contingent on Planning and Zoning Board approval as well. Attorney Nancy Stroud provided further clarification and spoke to a rezoning application that was currently being reviewed. She stated that she had a conversation with the applicant's representative that any approval of the temporary sales office did not vest them or grandfather them in for any residential rezoning; they were reviewed independently. She continued that any resolution approving this would include a condition that the approval did not vest them; a scheme for the overall site could not be based upon this approval. Attorney Stroud asked for verbal confirmation. Attorney Neale Montgomery stated that she sent an email indicating that any approval of this was consistent with the CPD but it did not guarantee any right under the RPD request.

Chairman O'Donnell called for public comment and no one came forward.

Board Member Jones inquired regarding signage. Mr. Philpott responded that there would not be a monument sign on the property; however, once construction began there may be temporary signage and signage may be placed on the building at a later date.

Board Member Prysi moved approval of DOS2015-00037 with the condition that it does not vest any interest into the pending RPD, seconded by Board Member Jones, called and carried, with Board Member McHarris recusing.

Brief discussion followed regarding the roof deviation request. Board Member Tatoes moved support of the 4:12 roof pitch deviation, seconded by Board Member Whitehead, called and carried, with Board Member McHarris recusing and Board Member Simons absent.

7. PUBLIC INFORMATION WORKSHOPS

None.

8. PUBLIC INPUT

None.

9. BOARD DISCUSSION

(A) Draft Rules of Procedure

Attorney Nancy Stroud stated that comments were received from Board Member Prysi and noted that a number were policy issues that required a change to the ordinance. Discussion followed regarding the draft rules and public information meetings versus more of a dialogue meeting, similar to a pre-application meeting. Attorney Stroud indicated that she would draft language for the next meeting.

Vice Mayor Levitan provided information regarding the Village shifting Community Development from Lee County to a private contractor. He noted that prior to finalizing the rules of procedure, the Board would need to allow the private contractor to review them. He also addressed Ordinance 2015-01.

Discussion ensued regarding the draft rules of procedure. Attorney Stroud stated that, prior to approval of the rules as proposed, the Board would need to make a recommendation to the Council if the Board wanted to propose changes to the ordinance.

(B) Topics for next agenda

None.

10. ADJOURN

Board Member McHarris moved to adjourn, seconded by Board Member Jones, called and carried unanimously, with Board Member Simons absent. Chairman O'Donnell adjourned the meeting at 8:12 p.m.

Respectfully submitted,

Kathy Hall, MMC
Village Clerk