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DRAFT

FINAL ACTION AGENDA/MINUTES

Planning and Zoning Board Meeting

**Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
October 17, 2017 5:30 p.m.**

1. **CALL TO ORDER:** 5:35 p.m.
2. **PLEDGE OF ALLEGIANCE:** Led by Chairman Wood.
3. **ROLL CALL:**
Chairman Scotty Wood and Board Members William Campos, Robert King, Marlene Naratil, and James Tatoes. Absent: Board Members Anthony Gargano and John Yarbrough.

Also present: Village Land Use Counsel Nancy Stroud, Community Development Director Mary Gibbs and Development Review Manager Walter McCarthy.

4. **APPROVAL OF AGENDA:**

A motion to approve the agenda was made and duly passed.

5. **BUSINESS:**

(a) Comprehensive Plan - Workshop on Future Land Use

Presentation/Information by:

Laura DeJohn, Johnson Engineering, highlighted important aspects of the Future Land Use element of the proposed comprehensive plan. She stated that the essence of the Village of Estero is creating balance; prioritizing neighborhoods; focusing on aesthetics; encouraging public participation; and maintaining and furthering a sense of place.

Jim LaRue, LaRue Consulting, explained that the Future Land Use element of the plan ties into the overall essence of the Village. He explained key terms, presented an overview of the objective, and stated the community design is a sub-element within the Future Land Use element. Mr. LaRue further noted that the community character of Estero includes a high quality of life, protection of natural environments, lasting neighborhoods; a distinct built environment; and public participation in the land development approval process.

Ms. DeJohn then presented and defined the proposed Future Land Use categories in the plan which include Village Neighborhood 1, Village Neighborhood 2, Transitional Mixed-Use, Urban Commercial, Village Center, Wetlands, Conservation, Public Parks and Recreation, and Public Facilities. She further explained the proposed Specific Use Considerations; that Bonus Density would be considered in appropriate locations in Transitional Mixed-Use designated areas through the public hearing process; and that commercial site location standards are consistent with Lee County Plan policies to avoid commercial strip development.

Ms. DeJohn briefly noted that historic and archeological resources recognize the Old Estero area; encourage preservation through public/private recognition program; foster historic and cultural resources at Estero Community Park and other locations.

She further explained that the community design sub-element of the proposed plan are the design standards/definitions for the Village with regard to mixed-use development, commercial use, residential uses, and corridor planning. Ms. DeJohn stated that feedback from the Design Review Board on this sub-element was received.

Ms. Gibbs stated that the Design Review Board was invited to attend the meeting but due to the hurricane, were not available to attend. She noted that Design Review Board Member Bill Prysni provided a letter for the Planning and Zoning Board to consider.

Board Questions or Comments: The Board asked questions throughout the presentation which were answered by the consultant.

Public Comment:

Greg Toth, 9000 Williams Road, Estero, stated that sustainability of commercial real estate has not been addressed and that a study on demographics of the area should be conducted to determine what community needs are. He also stated that if the Village Center was placed on the ballot, it would not pass. Ms. Gibbs responded that the Village has data and analysis on demographic and housing and that the Council will have a series of workshops where the information will be presented.

Matt Uhle, Fort Myers, representing CT Investment, LLC, commented that Coconut Point is proposed to be placed in both the traditional mixed-use and Village Use categories and stated they would like it to be placed in the transitional mixed-use category; requested additional dialogue with Village staff on the proposed comprehensive plan and policies; and expressed concern regarding the criteria for vertical transitional mixed-use.

Peter Cangialosi, The Preserve, summarized suggested revisions he sent to the Board which included the elimination of very low density residential use in wetlands and urged the Board to take a stronger stand to protect wetlands in the Village.

Tim Hancock, AICP, Stantec, Naples, requested that the designation of urban commercial be reconsidered in some locations to allow residential mixed-use buildings.

Wayne Arnold, GradyMinor, Bonita Springs, representing Corkscrew Crossing, stated they have an existing plan development and wanted to ensure that the current development will continue and not be impacted by the new land use categories proposed. Ms. Gibbs reported that staff is aware of the issues being addressed.

Mark Novitski, Bella Terra, stated he submitted comments to the Village and LaRue Planning and spoke about building public facilities (i.e., sports fields, Village hall, theater, etc.); collaborating with Lee Health and Florida Gulf Coast University; identifying utility sites; including fire districts in discussions regarding safety counter-measures; and including additional language regarding solar lights.

Bill Carr, Carriage Court, Estero, representing ECCL, expressed concerns about flooding and storm water drainage with new developments in the Corkscrew Road area; urged the Board to exercise diligence and apply their expertise when reviewing proposed development; and suggested that a temporary development moratorium be issued until the Corkscrew Road study has been completed.

Andy Solis, Estero on the River, representing Village Partners, LLC, expressed concern regarding using the Florida Master Site File as the method of maintaining a historic record stating that it is not accurate because it is an inventory of sites and locations that have been reported to be at least 50 years old. He also stated that language to define what “corridor” and “within the vicinity” means needs to be included.

Jim Shields, Grandezza, representing ECCL, encouraged the Board to amend Section FLU 1.2.10 to stipulate that planning of the Village center be done by holding charrettes conducted by Council-appointed representatives and Estero citizens; stated that the location of the Village Center be next to the Estero Community Center; and urged the Village to collaborate with Lee Health and Florida Gulf Coast University for opportunities in the proposed Village Center location.

Don Eslick, Arbor Lake Drive, representing ECCL, stated the proposed comprehensive plan does not put enough emphasis on civic and cultural development.

Nina Bachrach, Pelican Sound, urged the Board to require new construction development include landscaping in 10% of their project budget and spoke to the need to include pervious parking lots for better drainage.

Ms. Gibbs explained the next steps of the Comprehensive Plan include an update with the Village Council on October 18, 2017, providing a schedule of workshops with the Council, and possibly with the Planning and Zoning Board.

(b) Public Hearing:

- (1) Review of Ordinance No. 2017-10 - Ordinance to amend the Land Development Code to prohibit medical marijuana facilities within the Village

Community Development Director Gibbs explained that there currently is a moratorium in place on cannabis dispensaries that was adopted by the Village Council which expires on December 7, 2017. She stated that Village Council drafted an ordinance to ban dispensaries but noted that the State of Florida is currently considering legislation on where dispensaries can be placed; if legislation contradicts language in the Village's ordinance, the Village Council will need to revisit the ordinance.

Public Comment:

Benjamin and Nina Bachrach of Pelican Sound and Nick Garulay of Naples spoke in opposition of Ordinance No. 2017-10

Bill Carr, Riverwoods, spoke in favor of Ordinance No. 2017-10.

Board Questions or Comments: Questions were asked on the number of Estero residents with medical marijuana cards and how doses are administered. Comments were made that the proposed amendments were too restrictive and dispensaries should be county/regional-based and not community-based.

Motion: Move to not recommend that Council adopt Ordinance No. 2017-10.

Motion by: Board Member King
Seconded by: Board Member Tatooles

Action: Recommended that Council not adopt Ordinance No. 2017-10.

Vote:

Aye: Unanimous (Board Members Gargano and Yarbrough absent)
Nay:
Abstentions:

6. PUBLIC INPUT: None.

7. BOARD COMMUNICATIONS:

- (a) Next Board meeting November 14, 2017 at 5:30 p.m.

A motion to adjourn was made and duly passed.

8. ADJOURNMENT: 7:40 p.m.

Michelle Radcliffe, CMC
Recording Secretary