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DRAFT

FINAL ACTION AGENDA/MINUTES

Planning and Zoning Board Meeting

**Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
November 14, 2017 5:30 p.m.**

1. **CALL TO ORDER:** 5:30 p.m.
2. **PLEDGE OF ALLEGIANCE:** Led by Chairman Wood.
3. **ROLL CALL:**
Chairman Scotty Wood and Board Members William Campos, Anthony Gargano, Robert King, Marlene Naratil, James Tatoes, 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) **Consent Agenda**

- (1) Approval of April 26, 2017, May 16, 2017, June 1 and June 20, 2017 Meeting Minutes

A motion to approve the Consent Agenda was made and duly passed.

(b) Public Information Meetings:

- (1) Shoppes of Coconut Trace CPD (aka Naples Community Hospital) (DCI2017-E006) (District 2) 22951/22961 Lyden Drive, west of US 41 and across from Coconut Point Shopping Center. Request for a minor amendment to the Shoppes of Coconut Trace CPD Resolution Z-03-011 to remove the hours of operation restriction on a free standing emergency medical facility and allow 24-hour emergency service 7 days a week and modify design standards for the placement of service facilities closer to US 41 than allowed by the zoning resolution. Also a request for a deviation from the maximum height to allow building elements up to 63 feet.

Community Development Director Gibbs provided a brief introduction and summarized the timeline of the applicant's appearances to the Planning and Zoning Board and the Design Review Board.

Presentation/Information by:

Paula McMichael, AICP, Project Planner, Hole Montes

Shawn Patterson, Emergency Room Doctor, Naples Community Hospital, Naples location

Ms. McMichael provided an overview of the proposed project description and explained the applicant's request: to remove the limitation on the hours of operation for the emergency medical services department so that it can be open 24 hours/7 days a week; define the meaning of freestanding emergency medical services department; to place service facilities near US 41 and further from the Marsh Landing community; and a height deviation from 45 feet to 63 feet.

Dr. Patterson provided information on ambulance traffic and noise and presented statistics on the services Naples Community Health East (North Naples) provides.

Board Questions or Comments: Questions were asked on the procedure for transporting patients to a hospital and whether meetings were held between NCH and local residents to address concerns.

Public Comment:

The following people spoke in opposition of the zoning amendment request:

Joyce Johnson, Marsh Landing

Mark Novitski, Bella Terra

Connie Mansfield, Marsh Landing

Tal Curtin, Marsh Landing

Gary Milacnik, Marsh Landing

Bonnie Olson, Marsh Landing

Beverly MacNellis, Marsh Landing

Jerry Masters, Coconut Shores

Charles Williams, Marsh Landing

Bill Carr, Riverwoods Plantation

Don Eslick, Arbor Lake Drive, Naples, ECCL

Peggy McCluskey, Marsh Landing
Gary Green, Pensacola Avenue, Estero

The following people spoke in favor of the zoning amendment request:

John Prete, Marsh Landing
Jennifer Moorhead, Marsh Landing
Brian Hood, Marsh Landing
Christy Hood, Marsh Landing
Kevin Waldron, Marsh Landing

Josh Karnes, Marsh Landing, urged the Board to keep an open mind with this project and look at big picture advantages (jobs, access to healthcare, etc.) the project could bring in the Village.

Dennis Lynch, Burnaby Drive, Naples, stated he was the developer of the property and read an excerpt from the Office of the Zoning Examiner of Lee County from his zoning request submitted 14 years ago.

Ms. Gibbs summarized the next steps of the application process.

- (2) West Bay Club - Dog Park (ADD2017-E008) (District 1) West Bay Club Development, west of US 41 off Williams Road. The applicant proposes to develop in five phases a Dog Park/Amenity Area on Parcel 9A shown as residential on the Master Concept Plan. The amenities include Dog Park, 4 Pickleball Courts, Bocce ball Court, restroom facility, infrastructure and parking.

Community Development Director Gibbs provided a brief introduction and explained the Final Plan Approval process. She stated that, historically, the Final Plan Approval process was an administrative function within the County and since the Village does not have this administrative function, the Final Plan Approval is going to the Board for approval.

Presentation/Information by:

Dana Hume, P.E., Principal, Johnson Engineering

Mr. Hume provided an overview of the proposed project and explained that the applicant is requesting a parking deviation to allow grass parking in the recreation area. He stated that the residents requested a green parking area and explained the benefits.

Board Questions or Comments: Inquiries were made regarding dog waste. Regarding parking on grass, comments were made to remove the reasoning that golf carts are driven on residential roads.

Public Comment: None.

- (3) Estero Grande Parkside (ADD2017-E009) (District 4) Mixed Use Planned Development with approximately 198 multi-family units on 13.2 ± acres of the 29.6 ± acre parcel located west of the intersection of Estero Parkway and US 41. Requesting a deviation from Section 34-2020 of the Land Development Code. The applicant seeks a reduction from 2 parking spaces per unit, and 10% for visitor parking to 1.75 parking spaces per multi-family unit (436 spaces required to 347 requested).

Development Review Manager McCarthy provided a brief introduction and reported that, at the suggestion of staff, the applicant met with residents at the Breckinridge community on October 4, 2017 to hear their concerns.

Presentation/Information by:

David Willems, P.E., Project Engineer, Waldrop Engineering

Mr. Willems provided a brief summary of the project and explained the deviation request for the reduction of parking spaces per multi-family unit. He stated that the applicant met with residents and the concerns were expressed on stormwater run-off the project could create. Mr. Willems explained a way to mitigate those concerns is to reduce the parking area to reduce the impervious area and provide more water storage by expanding the lake and detention areas. He also stated that there is green space that could be used for parking in the future if needed.

Board Questions or Comments: Questions were asked on parking and sidewalk connectivity.

Public Comment: None.

- (4) FBC Home Concept Sales & Display (Granite Sales) (District 4)
20170 S. Tamiami Trail, between US-41 and Trailside Drive. The applicant is requesting variances on the 0.4-acre triangular site to allow for the use of the property as a granite sales center.

Community Development Director Gibbs provided a brief introduction.

Presentation/Information by:

Steve Hartsell, Esq., Legal Counsel, Pavese Law Firm

Mr. Hartsell provided an overview of the property, explained the variances requested on the site, and presented the proposed buffers and decorative wall on the property.

Board Questions or Comments: Questions were asked and comments were made that there is a long-range intent to beautify the right-of-ways in the Village of Estero limits in the north to the south and suggested the applicant coordinate with the Village.

Public Comment:

Bill Carr, Riverwoods Plantation, shared his observations regarding the properties located in this area; expressed concerns regarding traffic on Trailside Drive; and shared pictures of the applicant's property.

Gary Green, Pensacola Avenue, Estero, expressed concerns regarding landscaping and the proposed decorative wall.

(c) Public Hearings:

- (1) Fox Variance (ADD2017-E010) (District 3) 9204 Astonia Way, Reserve at Estero, east of US 41 and north of Estero Parkway. Applicant is requesting an administrative variance for the front setback for an existing residence.

Chairman Wood provided information related to Board business and quasi-judicial proceedings. Staff and audience members providing testimony were sworn in by Village Land Use Attorney Stroud. Chairman Wood asked for Board Member declarations of ex parte communications and conflicts of interest, and whether written communications had been received; there were none.

Community Development Director Gibbs provided a brief introduction and explained the survey discrepancies on the setback at the Fox residence.

Presentation/Information by:

James Morey, Esq., Legal Counsel, Bond, Schoeneck & King PLLC

Mr. Morey presented a brief overview of the property and explained the discrepancies in the setbacks.

Board Questions or Comments: Questions were asked and comments were made on contacting the original surveyor of the property.

Public Comment: None.

Motion: Move to approve the variance with the following conditions: 1) the development must be in compliance with the survey provided by Target Surveying, LLC, stamped received by the Village of Estero dated November 2, 2017; 2) the variance is limited to the existing detached single-family home and if the structure is voluntarily removed or destroyed, the variance will be null and void; and 3) the terms and conditions of the original zoning remain in full force and effect.

Motion by: Board Member Gargano

Seconded by: Board Member King

Action: Approved the variance with the following conditions: 1) the development must be in compliance with the survey provided by Target Surveying, LLC, stamped received by the Village of Estero dated November 2, 2017; 2) the variance is limited to the existing detached single-family home and if the structure is voluntarily removed or destroyed, the variance will be null and void; and 3) the terms and conditions of the original zoning remain in full force and effect.

Vote:

Aye: Unanimous

Nay:

Abstentions:

(2) Ordinance No. 2017-11

This ordinance amends Ordinance 15-01, the ordinance that established the Design Review Board and the Planning and Zoning Board. Amendments are proposed to revise sections relating to membership, quorums and ethics, and conflicts of interest.

Community Development Director Gibbs explained that the ordinance amendments had gone to the Village for first reading on November 8, 2017 and is scheduled for second reading on November 15, 2017. She stated that the second reading may be deferred due to questions and concerns expressed by members of the Design Review Board.

Land Use Council Stroud stated that the changes affect the Design Review Board more so than the Planning and Zoning Board. She suggested that the Board make a recommendation with the caveat that if the Village Council defers the action, the item will go back to the Planning and Zoning Board for further consideration.

Board Questions or Comments: Questions were asked and comments were made that valid concerns were raised by both the Council and the Design Review Board.

Public Comment:

Barry Freedman, The Vines

Gary Green, Pensacola Avenue, Estero,

Summary of Public Comment: There is a lack of professionalism on the Design Review Board and there needs to be more Board member training.

Motion: Move to recommend that Village Council adopt Ordinance No. 2017- 11.. If the Village Council defers taking action and revises the ordinance at a later date, the ordinance will go back to the Planning and Zoning Board for further consideration.

Motion by: Board Member King

Seconded by: Board Member Tatooles

Action: Recommended that Village Council adopt Ordinance No. 2017-11. If the Village Council defers taking action and revises the ordinance at a later date, the ordinance will go back to the Planning and Zoning Board for further consideration.

Vote:

Aye: Unanimous

Nay:

Abstentions:

6. PUBLIC INPUT: None.

7. BOARD COMMUNICATIONS:

- (a) Review 2018 Meeting Calendar
Next meeting December 19, 2017

A motion to adjourn was made and duly passed.

8. ADJOURNMENT: 8:25 p.m.

Michelle Radcliffe, CMC
Recording Secretary