

This Final Action Agenda/Minutes is supplemented by electronic recordings of the meeting, which may be reviewed upon request to the Village Clerk. Village Design Review Board meetings from June 30, 2016 forward can be viewed online at <http://estero-fl.gov/council/watch-meetings-online/>. Staff reports, resolutions, ordinances, and other documents related to this meeting are available at <https://estero-fl.gov/agendas/> at the corresponding agenda date.

**DRAFT**

## **FINAL ACTION AGENDA/MINUTES**

### **Planning and Zoning Board Meeting**

**Village of Estero  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
February 20, 2018 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 Yarborough.

Also present: Community Development Director Mary Gibbs, Principal Planner Matthew Nobel, Senior Planner Mark Muraczewski, and Recording Secretary Michelle Radcliffe.

4. **APPROVAL OF AGENDA:**

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

5. **BUSINESS:**

**(a) Consent Agenda**

- (1) Approval of the August 15, August 29, September 19, October 17, November 14, 2017 and January 16, 2018 minutes.

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

**(b) Public Hearings:**

- (1) Burgerim Restaurant (COP2018-E001) (District 6) 23111 Fashion Drive, Suite #111, located in Tract A of the Coconut Point Mixed Planned Development (MPD) Suite previously occupied by Johnny Rockets Restaurant. The applicant is seeking Consumption on Premises (2COP) approval for the service of beer and wine only, for outdoor seating. This is part of the Tract 2A in the Coconut Point MPD which permits 2COP.

Chairman Wood provided information regarding Board business and quasi-judicial hearings. All audience members and staff providing testimony for all hearings were sworn in by the Recording Secretary. No ex parte communications or conflicts of interest were noted.

Community Development Director Gibbs provided a brief introduction. Senior Planner Mark Muraczewski provided an overview of the applicant's request for Consumption on Premises (2COP). He explained that the site was previously occupied by Johnny Rockets and that the applicant will have outdoor seating similar to the layout as the previous tenant. Mr. Muraczewski stated that the Village staff has received a letter of approval by the Simon Group and that staff recommends approval of the 2COP with two conditions: 1) 2COP in conjunction with restaurant operations; 2) sale and service of alcoholic beverages between the hours of 10:00 a.m. to midnight, Monday through Sunday for both indoor and outdoor seating; and 3) no outdoor entertainment.

**Presentation/Information by:** None.

**Board Questions or Comments:** Questions were asked regarding adequate room in the outdoor dining area for the public to walk by. Staff responded there would be enough room and that planters will be placed to show the boundaries of the outdoor eating area.

**Public Comment:** None.

**Motion:** Move to approve the Consumption on Premises with conditions listed in the resolution: 1) 2COP in conjunction with restaurant operations; 2) sale and service of alcoholic beverages between the hours of 10:00 a.m. to midnight, Monday through Sunday for both indoor and outdoor seating; and 3) no outdoor entertainment.

**Motion by:** Board Member Gargano

**Seconded by:** Board Member King

**Action:** Approved the Consumption on Premises with conditions listed in the resolution: 1) 2COP in conjunction with restaurant operations; 2) sale and service of alcoholic beverages between the hours of 10:00 a.m. to midnight, Monday through Sunday for both indoor and outdoor seating; and 3) no outdoor entertainment.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

- (2) Comterra Development, LLC/Coconut Square Lot 5 Hotel Final Plan Approval (ADD2017-E012) (District 1) 2340 Walden Center Drive, west of US 41 and south of Coconut Road and approximately 250 feet west of the intersection of Coconut Road and US 41. Applicant to verify conformance with the resolution. Public Information Meeting was held on January 16, 2018.

Community Development Director Gibbs requested that this agenda item be continued to the March 20, 2018 Board meeting. She explained that there were a few process questions raised that need to be resolved.

**Motion:** Move to continue the hearing to March 20, 2018.

**Motion by:** Board Member Naratil  
**Seconded by:** Board Member Campos

**Action:** Continued the hearing to March 20, 2018.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

- (3) Pheonix at Estero – Parcel G, Plaza de Sol CPD (DCI2017-E004) (District 4) 10251 Arcos Avenue, north and east of the intersection of Three Oaks Parkway and Corkscrew Road. Amend the Plaza de Sol Commercial Planned Development, Parcel G to increase the building height to 45 feet or three stories from the maximum 35 feet for an assisted living facility. Public Information Meeting was held on June 20, 2017.

Senior Planner Matt Noble provided a brief introduction.

**Board Questions or Comments:** Questions were asked regarding the transportation/traffic impact; roofline; and including an emergency preparedness plan.

**Presentation/Information by:** Stacy Ellis Hewitt, AICP, Banks Engineering;

Ms. Hewitt presented an overview of the area location, zoning history, master concept plan, proposed signage, landscape design, and transportation study. She stated that the applicant is in agreement with the twelve conditions imposed by Village staff.

**Board Questions or Comments:** Questions were raised regarding sidewalk connectivity to other businesses located near the proposed project and the ingress/egress plan to US 41. Comments were made that the Board appreciated that the density of the project was reduced, that the applicant agreed with the conditions imposed by Village staff, and that traffic issues would be addressed at the appropriate time.

**Public Comment:**

Joseph Stigliano, Preserve at Corkscrew

**Summary of Public Comment:** Mr. Stigliano asked questions regarding the location of the service delivery entrance and air intake equipment.

Zenos Morris, Architect, Court-Atkins Group, responded to questions raised by Mr. Stigliano.

**Motion:** Move to approve with conditions: 1) the development of the 140 ALF units on Tract G must be substantially consistent with the Master Concept Plan entitled “Master Concept Plan Plaza Del Sol Parcel G” dated June 9, 2017 last revised January 31, 2018 Added North Walkway; 2) the previous approvals (contained in Resolution Number Z-09-37 and Village of Estero Ordinance No. 2016-05) including conditions and deviations remain in effect except as modified by the conditions contained in this approval; 3) Fire Access: a 10-foot wide stabilized fire access on the east side of the proposed building must be included in the Development Order plans and be installed prior to the issuance of the certificate of compliance for the Development Order; 4) Transportation – Puente Lane Signal: Pursuant to signalization agreement as part of development order number DOS2002-00172, Plaza Del Sol is responsible for a proportionate share of the cost of the signalization of the intersection of Puente Lane and Corkscrew Road at such a time as the required warrants for signalization are met; 5) Maximum Building Height Parcel G Only: Parcel G, 45 feet or 3 stories; 6) Pattern Book: the project design must be consistent with the Pattern Book, titled “Phoenix Senior Living”, dated February 7, 2018; 7) Arcos Avenue Buffer: a 20 foot wide Type D buffer will be installed along Arcos Avenue as part of the Development Order; 8) Shuttle bus/van: a shuttle bus/van will be provided on site to provide transportation for facility residents; 9) Base Flood Elevation: the finished first floor must meet base flood elevation at a minimum plus one foot of free board; 10) Emergency Preparedness Plan: an emergency preparedness plan, acceptable to the Village Community Development Director, must be prepared prior to receiving a Development Order; 11) Shelter and Evacuation Impacts: the developer of the ALF must address the projects shelter and evacuation impacts consistent with the requirements of Land Development Code Chapter 2 and acceptable to the Village Community Development Director prior to receiving a Development Order; and 12) Deviation (12) seeks relief from the LDC §33-229 which limits buildings outside of the Interstate Highway Interchange Areas to maximum of three stories and 45 feet whichever is less to allow the cupola on the north elevation a maximum of 56 feet. Deviation 12 is approved.

**Motion by:** Board Member King

**Seconded by:** Board Member Campos

**Action:** Approved with conditions: Move to approve with conditions: 1) the development of the 140 ALF units on Tract G must be substantially consistent with the Master Concept Plan entitled “Master Concept Plan Plaza Del Sol Parcel G” dated June 9, 2017 last revised January 31, 2018 Added North Walkway; 2) the previous approvals (contained in Resolution Number Z-09-37 and Village of Estero Ordinance No. 2016-05) including conditions and deviations remain in effect except as modified by the conditions contained in

this approval; 3) Fire Access: a 10-foot wide stabilized fire access on the east side of the proposed building must be included in the Development Order plans and be installed prior to the issuance of the certificate of compliance for the Development Order; 4) Transportation – Puente Lane Signal: Pursuant to signalization agreement as part of development order number DOS2002-00172, Plaza Del Sol is responsible for a proportionate share of the cost of the signalization of the intersection of Puente Lane and Corkscrew Road at such a time as the required warrants for signalization are met; 5) Maximum Building Height Parcel G Only: Parcel G, 45 feet or 3 stories; 6) Pattern Book: the project design must be consistent with the Pattern Book, titled “Phoenix Senior Living”, dated February 7, 2018; 7) Arcos Avenue Buffer: a 20 foot wide Type D buffer will be installed along Arcos Avenue as part of the Development Order; 8) Shuttle bus/van: a shuttle bus/van will be provided on site to provide transportation for facility residents; 9) Base Flood Elevation: the finished first floor must meet base flood elevation at a minimum plus one foot of free board; 10) Emergency Preparedness Plan: an emergency preparedness plan, acceptable to the Village Community Development Director, must be prepared prior to receiving a Development Order; 11) Shelter and Evacuation Impacts: the developer of the ALF must address the projects shelter and evacuation impacts consistent with the requirements of Land Development Code Chapter 2 and acceptable to the Village Community Development Director prior to receiving a Development Order; and 12) Deviation (12) seeks relief from the LDC §33-229 which limits buildings outside of the Interstate Highway Interchange Areas to maximum of three stories and 45 feet whichever is less to allow the cupola on the north elevation a maximum of 56 feet. Deviation 12 is approved.

**Vote:**

Aye: Unanimous

Nay:

Abstentions:

**c) Public Information Meetings**

- (1) Corkscrew Crossing RPD (DCI2014-00022) (District 7) 12840 Corkscrew Road, south of Corkscrew Road and west of Bella Terra. Amendment to RPD zoning to reduce total residential units from 724 to 625, modify the number of single-family units, modify development standards and deviations, and modify the Master Concept Plan.

Community Development Director Gibbs provided a brief introduction.

**Presentation/Information by:** D. Wayne Arnold, AICP, Q. Grady Minor & Associates, P.A.; Mike Myers, Ecologist, Passarella and Associates; Michael Delate, P.E., Q. Grady Minor & Associates, P.A.; and James Banks, P.E., JMB Transportation Engineering, Inc.

Mr. Arnold provided a brief introduction and presented an overview of the application timeline and the approved and proposed concept plans.

Mr. Myers presented an overview of the proposed preserve and wildlife corridor. He explained that the goal is to have the preserve connect with existing preserves to provide a contiguous corridor for wildlife.

Mr. Delate presented an overview of the storm water discharge plan.

**Board Questions or Comments:** Questions were raised regarding culverts and wildlife crossing; the proposed flow way; traffic; storm water management; how noise and lights from construction projects will affect wildlife currently in the preserve; maintenance of the preserve once the project is complete; and timeframe of the project.

**Public Comment:**

The following speakers spoke in support of the project:

Kevin Tolliver, HOA President, Preserve at Corkscrew

Kathleen Fitzgerald, Wildcat Run

Lou Frattarelli, Preserve at Corkscrew

Steve Mighton, Preserve at Corkscrew, inquired where he can find documents regarding this project. Mr. Arnold provided him with the information.

Bill Carr, Riverwoods, shared his concerns regarding development.

Peter Cangialosi, Preserve at Corkscrew, shared concerns on storm water management.

Louis Grammas, Preserve at Corkscrew, shared concerns regarding traffic on Corkscrew Road.

Charles Chatfield, Preserve at Corkscrew, shared concerns regarding storm water management.

Community Development Director Gibbs explained the public information meeting process.

- (2) Miramar Outlet Hotel (DRI2017-E001) (District 5) 10801 Corkscrew Road, located in the northwest quadrant of the Miramar Outlet Mall on approximately 2.1 acres, south of Germain Arena, abutting I-75 and the lake. Amend the Miramar CPD to add a hotel as a permitted use in the parking lot area.

**Presentation/Information by:** Dan DeLisi, AICP, Delisi Inc.,

Mr. DeLisi provided an overview of the proposed project which included the location and the conceptual site plan.

**Board Questions or Comments:** Questions were raised regarding the location of future parking spots; location of hotel; traffic; and signage.

**Public Comment:** None

**6. PUBLIC INPUT:** None.

**7. BOARD COMMUNICATIONS:**

- (a) Next Board Meeting March 20, 2018

A motion to adjourn was made and duly passed.

**8. ADJOURNMENT:** 7:42 p.m.

---

Michelle Radcliffe, CMC  
Recording Secretary