

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
April 17, 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 Tatooles, and John Yarborough.

Also present: Village Land Use Counsel Nancy Stroud, Community Development Director Mary Gibbs, Principal Planner Matthew Noble, and Recording Secretary Michelle Radcliffe.

4. **APPROVAL OF AGENDA:**

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

5. **BUSINESS:**

(a) Election of Vice Chairman

(1) Elect Planning and Zoning Board Vice Chairman

Chairman Wood nominated Board Member Naratil as Vice Chairman.

Motion: Move to elect Board Member Naratil as Vice Chairman.

Motion by: Board Member Yarbrough

Seconded by: Board Member King

Action: Elected Board Member Naratil as Vice Chairman

Vote:

Aye: Unanimous

Nay:

Abstentions:

(b) Consent Agenda

- (1) Approval of March 20, 2018 minutes

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

(c) Public Hearings:

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 Land Use Counsel Stroud.

- (1) Arcos Vacation of Right-of-Way (VAC2017-E002) (District 4). Existing detention area along Arcos Avenue which is north of the northeast corner of Corkscrew Road and Three Oaks Parkway. The applicant is seeking a vacation of a drainage area easement located along the eastern side of Parcels B and C recorded in Lee County Records, Plaza Del Sol Subdivision Plan, Book 80 Pages 74-76. This vacation is in conjunction with the Arcos Executive Office Park zoning case which was heard by the Planning and Zoning Board on March 20, 2018.

There were no ex parte communications or conflicts of interest noted. Community Development Director Gibbs provided a brief introduction.

Presentation/Information by: Kristina Johnson, PE, J.R. Evans Engineering, P.A.

Ms. Johnson provided a brief overview of the project and explained the reasons for the applicant's request for the vacation of Right-of-Way.

Board Questions or Comments: There were no questions or comments from the Board.

Public Comment: None.

Motion: Move to recommend approval of the vacation of a drainage area easement located along the eastern side of Parcels B and C, Plaza Del Sol Subdivision Plan to the Village Council.

Motion by: Board Member King

Seconded by: Board Member Gargano

Action: Recommended approval of the vacation of a drainage area easement located along the eastern side of Parcels B and C, Plaza Del Sol Subdivision Plan to the Village Council.

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (2) Coconut Point DRI/MPD Tract 1D-3 Hotel (DCI2017-E003) (District 6).
Continued from the March 20, 2018 meeting. 2.16-acre parcel in the Coconut Point Mixed Planned Development at the southwest corner of the intersection of Via Villagio and Sweetwater Ranch Boulevard adjacent to the Estero Fire Station. The applicant is requesting an amendment to the Coconut Point MPD zoning to add a hotel use to Tract 1D-3 and to increase the maximum height to 55 feet with deviations. The Public Information Meeting was held on August 15, 2017.

There were no ex parte communications or conflicts of interest noted. Community Development Director Gibbs provided a brief introduction.

Presentation/Information by: Ned Dewhirst, PE, Oakwood Properties; and Rick Brylanski, Hole Montes

Mr. Dewhirst provided an overview of the site plan, optional color scheme, building elevations, and landscaping. He stated that they are proposing a condition to reduce the height and use on Tract 1C prior to development of Tract 1D-3.

Mr. Dewhirst then provided an overview of the drainage report regarding the lakes at the Rapallo community. He explained that the report was completed and provided the timeline of meetings they have had with the residents of Rapallo, Village staff, South Florida Water Management, and Village constituents. He stated that the report concluded that there should be overflow structures to accommodate super storms, reduce the berm height to accommodate overflow, and proposing another overflow near the hotel.

Board Questions or Comments: Questions were asked and comments were made about how the applicant worked with the community to address their concerns and expressed appreciation in their efforts to keep the community abreast of the process.

Community Development Director Gibbs stated that there is a disconnect between the Planning and Zoning Board and Design Review Board regarding the roof height and that Village staff is trying to find a balance between the two Boards' opinions on rooflines. She also noted that Village Public Works Director David Willems is working with the applicant on the stormwater management on the proposed project and suggested that Condition #7 be reworded to strike the verbiage that states "...will be addressed at time of Development Order" to "applicant will provide prior to Village Council review." She also recommended not to include the applicant's proposed condition regarding Tract 1C.

Public Comment:

Anthony Rossi, Rapallo, President of the Rapallo Homeowners Association, spoke in support of the project but urged the Board to include conditions for approval: 1) have report certified and approved by the Village Public Works Director; and 2) have South Florida Water Management review mitigation plans proposed in the report.

Frank Moser, Rapallo, spoke in support of the project with inclusion of the two conditions suggested by Mr. Rossi. He urged the Board to continue this item until the conditions are met.

John Gotti, Jr., Rapallo, urged the Board to continue this item until the conditions are met and shared concerns regarding development in the area.

Community Development Director Gibbs explained that there is a stormwater study currently underway and that Village staff is working on the Capital Improvement Plan to address flooding issues.

Board Comments:

The Board applauded the applicant's efforts to keep the Rapallo community involved and apprised of the flooding report and the proposed project. Board Member Campos addressed the height limit stated in the Land Development Code and stated that the Planning and Zoning Board and Design Review Board is constantly in conflict with interpretation of the roofline height. He stated that the Council will need to address the conflict in the near future.

Motion: Move to recommend that Village Council approve an amendment to the Coconut Point MPD zoning with the following conditions: 1) the development of the 120-unit hotel building on Tract 1D-3 must be substantially consistent with the Master Concept Plan for Coconut Point MPD last revised on 05/18/2018 and with the 120-room hotel shown as struck through on Tract 1C; 2) the previous approvals (contained in Ordinance No. 2017-02) including conditions and deviations remain in effect except as modified by the conditions contained in this approval; 3) maximum building height for Tract 1D-3 only is 55 feet or 5 stories and the maximum building height for Tract 1C only is 45 feet or 3 stories, and Hotel Use is eliminated from Tract 1C; 4) the project design must be consistent with the Pattern Book, titled "Hilton Garden Inn at Coconut Point, Supplemental Pattern Book, Tract 1D-3", stamped received April 9, 2018; 5) the finished first floor of the hotel must meet base flood elevation (AE – EL 15 NAVD) at a minimum plus one foot of free board; 6) the applicant must provide a sidewalk connection, including the provision of crosswalks across Sweetwater Ranch Boulevard, to the offsite parking lot on the north side of Sweetwater Ranch Boulevard to the hotel. These improvements must be made prior to a certificate of compliance being issued for the Development Order for the proposed hotel. The off-site parking area will provide up to 10 parking spaces and will be accessed by way of easement to be provided at the time of Development Order; 7) the applicant shall provide additional stormwater information prior to Village Council

review, showing that the hotel development will not have any adverse impacts offsite, including the lakes at Rapallo; and 8) acceptance and approval of stormwater report from the Village Public Works Director.

Motion by: Board Member Campos

Seconded by: Board Member Gargano

Action: Recommended that Village Council approve an amendment to the Coconut Point MPD zoning with the following conditions: 1) the development of the 120-unit hotel building on Tract 1D-3 must be substantially consistent with the Master Concept Plan for Coconut Point MPD last revised on 05/18/2018 and with the 120-room hotel shown as struck through on Tract 1C; 2) the previous approvals (contained in Ordinance No. 2017-02) including conditions and deviations remain in effect except as modified by the conditions contained in this approval; 3) maximum building height for Tract 1D-3 only is 55 feet or 5 stories and the maximum building height for Tract 1C only is 45 feet or 3 stories, and Hotel Use is eliminated from Tract 1C; 4) the project design must be consistent with the Pattern Book, titled “Hilton Garden Inn at Coconut Point, Supplemental Pattern Book, Tract 1D-3”, stamped received April 9, 2018; 5) the finished first floor of the hotel must meet base flood elevation (AE – EL 15 NAVD) at a minimum plus one foot of free board; 6) the applicant must provide a sidewalk connection, including the provision of crosswalks across Sweetwater Ranch Boulevard, to the offsite parking lot on the north side of Sweetwater Ranch Boulevard to the hotel. These improvements must be made prior to a certificate of compliance being issued for the Development Order for the proposed hotel. The off-site parking area will provide up to 10 parking spaces and will be accessed by way of easement to be provided at the time of Development Order; 7) the applicant shall provide additional stormwater information prior to Village Council review, showing that the hotel development will not have any adverse impacts offsite, including the lakes at Rapallo; and 8) acceptance and approval of stormwater report from the Village Public Works Director.

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (3) University Highlands Parcel 6, Tract 1 (Self-Storage) (DCI2017-E007) (District 5). Located on the west side of Ben Hill Griffin Parkway, adjacent to Tidewater. The applicant requests to amend the Mixed Use Planned Development to allow for the conversion of retail and office square footage to self-storage to allow development of a storage facility on the site. Public Information Meeting was held on August 15, 2017.

There were no ex parte communications or conflicts of interest noted. Principal Planner Matt Noble provided a brief introduction.

Presentation/Information by: Neale Montgomery, Esq., Pavese Law; Charles Basinait, Esq., Henderson Franklin

Ms. Montgomery provided an overview of the project, explained the 2.5-foot deviation request for the tower, and spoke about the traffic conversion table.

Board Questions or Comments: Questions were asked regarding resident concerns on large moving vans and shading of the roll down doors located on the first floor. Mr. Basinait responded to those questions.

Board Member King noted that residents from the Tidewater and Grandezza communities were not in attendance so the assumption is that the community has accepted the project. Mr. Basinait then distributed the Pattern Book to the Planning and Zoning Board for consideration.

Public Comment: None.

Motion: Move to recommend that Village Council approve the request to amend the Mixed Use Planned Development with conditions to include a Pattern Book for Village Council review and the following conditions as listed on Attachment C of the Staff Report: 1) The development of the 84,819 square foot building on Parcel 6 (Tract F-3) must be substantially consistent with the Site Plan entitled University Storage Tract F-3 date stamped received April 5, 2018. Self-Storage facility is limited to 600 storage units; 2) the previous approval (contained in Resolution Number Z-10-031) including conditions and deviations remains in effect except as modified by the conditions and deviations contained in this approval; 3) hours of operation for the self-storage facility are Monday through Sunday 6:00 AM to 10:00 PM and customers may access their storage units only during these hours of operation; 4) no onsite auctions are permitted; 5) no outdoor storage is permitted. No storage of cars, other motor vehicles, boats or boat trailers is allowed. No overnight parking is permitted. No businesses may be conducted from a storage unit. Customers may not store or abandon hazardous materials in the facility. No onsite storage of animals, food, or other perishable items. Customers may not live in a storage unit; no residential use is approved; 6) maximum building height is 45 feet or 3 stories (See Deviation for architectural feature height); 7) all new required trees must be a minimum 45-gallon container, 12-foot to 14-foot planted height. Shrub height must be 36 inches at time of installation and be maintained at 48 inches. Other landscape buffers must be installed consistent with the Landscape Plan last revised on March 2, 2018; and 8) the finished first floor of the building must be at 21.0 NAVD at a minimum.

Motion by: Board Member Naratil

Seconded by: Board Member King

Action: Recommended that Village Council approve the request to amend the Mixed Use Planned Development with conditions to include a Pattern Book for Village Council review and the following conditions as listed on Attachment C of the Staff Report: 1) The development of the 84,819 square foot building on Parcel 6 (Tract F-3) must be substantially consistent with the Site Plan entitled University Storage Tract F-3 date stamped received April 5, 2018.

Self-Storage facility is limited to 600 storage units; 2) the previous approval (contained in Resolution Number Z-10-031) including conditions and deviations remains in effect except as modified by the conditions and deviations contained in this approval; 3) hours of operation for the self-storage facility are Monday through Sunday 6:00 AM to 10:00 PM and customers may access their storage units only during these hours of operation; 4) no onsite auctions are permitted; 5) no outdoor storage is permitted. No storage of cars, other motor vehicles, boats or boat trailers is allowed. No overnight parking is permitted. No businesses may be conducted from a storage unit. Customers may not store or abandon hazardous materials in the facility. No onsite storage of animals, food, or other perishable items. Customers may not live in a storage unit, no residential use is approved; 6) maximum building height is 45 feet or 3 stories (See Deviation for architectural feature height); 7) all new required trees must be a minimum 45-gallon container, 12-foot to 14-foot planted height. Shrub height must be 36 inches at time of installation and be maintained at 48 inches. Other landscape buffers must be installed consistent with the Landscape Plan last revised on March 2, 2018; and 8) the finished first floor of the building must be at 21.0 NAVD at a minimum.

Vote:

Aye: Unanimous

Nay:

Abstentions:

6. PUBLIC INPUT:

None.

7. BOARD COMMUNICATIONS:

(a) Next Board Meeting May 15, 2018

Chairman Wood reported that this was Board Member Campos' last meeting with the Planning and Zoning Board and thanked him for his service with the Village of Estero.

A motion to adjourn was made and duly passed.

8. ADJOURNMENT: 7:07 p.m.

Michelle Radcliffe, CMC
Recording Secretary