

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**

### **Design Review Board Meeting**

**Village of Estero  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
September 26, 2018 5:30 p.m.**

- 1. CALL TO ORDER:** 5:30 p.m.
- 2. PLEDGE OF ALLEGIANCE:** Led by Chairman Glass.
- 3. ROLL CALL:**

Present: Chairman Glass and Board Members W. Scott Anderson, Thomas Barber, Barry Jones, and Michael Sheeley. Absent: Board Members Zach Zachariah and Patty Whitehead.

Also present: Community Development Director Mary Gibbs, Land Use Counsel Nancy Stroud, Development Review Manager Walter McCarthy, Principal Planner Matthew Noble, and Senior Planner Mark Muraczewski.

- 4. APPROVAL OF AGENDA:**

**Motion:** Move to revise and approve the agenda, shifting Agenda Item 5 (c)(1) - Germain Arena Public Information Meeting to be heard first due to the large number of people in the audience.

**Motion by:** Board Member Sheeley

**Seconded by:** Board Member Jones

**Action:** Revised and approved the agenda, shifting Agenda Item 5 (c)(1) - Germain Arena Public Information Meeting to be heard first due to the large number of people in the audience.

**Vote:**

Aye: Unanimous (Board Members Whitehead and Zachariah absent)

Nay:

Abstentions:

**5. BUSINESS:**

**(c) Public Information Meeting**

- (1) Germain Arena (District 5) 11000 Everblades Parkway, west of Ben Hill Griffin Parkway and north of Corkscrew Road. Review proposed repainting of the exterior surfaces of Germain Arena for conformance with Chapter 33-334 and Ordinance 2015-01.

Community Development Director Gibbs provided a brief overview.

**Presentation/Information by:**

Craig Brush, Germain Arena

Scott Bryant, Germain Arena

Jayesh Patel, Senior Vice President, Hertz

Mr. Brush provided background information on the arena and explained income generation from parking, ticket sales, and advertising. He stated that the biggest advertising component was naming rights and that it was critical for the arena's long-term financial health and a branding opportunity for Hertz. He introduced Jayesh Patel, Hertz Senior Vice President. Mr. Patel explained the reasons for painting the arena yellow.

Mr. Bryant explained the proposed colors of the arena and provided an overview of the views of adjacent areas. He explained that approving the color of the building would not set a precedent in the Village of Estero as the building was unique and there were no other sports and entertainment complexes in the area that host concerts, three sheets of ice, and own an ECHL hockey team.

**Board Questions or Comments by:** Chairman Glass stated that he supported the arena and Hertz; however, he was not thrilled about turning the arena into a billboard.

Board Member Sheeley inquired whether the roof would be painted yellow and if Germain Arena reviewed the Village's ordinance regarding building colors.

Comments were made regarding using different bandings to break up the scale of the building; using the colors in a way to break up the building instead as one monolithic color; using the Hertz logo to brand the building; and blocking the colors to minimize the building size.

Community Development Director Gibbs noted that she received between 400-450 emails regarding this agenda item.

**Public Comment:**

JJ Basso, President, Grandezza Homeowners Association, stated that he appreciated Hertz but believed that the company could do better in the color of the building and considering other ways to brand the building.

Bill Carr, Riverwoods, stated he had no objection to renaming Germain Arena to Hertz Arena but opposed the exterior bold solid yellow paint design for the building.

Richard Simon, Preserve at Corkscrew, spoke against the proposed design.

Steven Novak, Tidewater, spoke against the proposed design.

Gayle Bluford, Tidewater, urged Hertz to show the same interest in the residents of Estero as they do in their building and hoped that they respected the wishes of the community.

Joe Miceli, Rookery Pointe, spoke against the proposed design.

Don Eslick, ECCL, spoke against the proposed design.

Irv Nathanson, Lighthouse Bay, spoke against the proposed design.

Avemaria LaMonica, Tidewater, spoke against the proposed design.

Brian Zajac, Bella Terra, spoke against the proposed design and stated that the rendering presented to the Board was done haphazardly without any care or effort.

Fred Bluford, Tidewater, spoke against the proposed design.

Board Member Jones clarified that this item was the Public Information Meeting and that the Board would not be approving or making any decisions on the proposed design at this time. He explained this was the first opportunity for the public and the Board to provide feedback to the applicant. He noted that the applicant should take the feedback and return at a subsequent meeting with a product that was more in line with the community.

**(a) Consent Agenda**

- (1) Approval of August 22, 2018 meeting minutes.

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

**(b) Public Hearings**

Staff and audience members presenting testimony for all hearings were sworn in by Village Land Use Counsel Stroud. There were no disclosures of ex parte communications or conflicts of interest from Board Members.

- (1) Heartland Dental (LDO2018-E032) (District 6) 23250 Via Villagio; an existing but vacant bank building located on the northeast corner of Coconut Road and Via Villagio in the Coconut Point Mall. Application is for the removal of the existing drive-thru canopy, conversion of the teller window to a solid wall and adjustments to landscape. Public Information Meeting was held September 12, 2018. The applicant is requesting that the Board approve the removal of the drive-thru canopy, modification of the building's exterior wall, and adjustments to existing landscape.

Community Development Director Gibbs stated that the applicant held a Public Information Meeting on September 12, 2018 and was returning to the Board to present landscaping as suggested.

**Presentation/Information by:**

Michael Atkinson, Hill Foley Rossi and Associates, LLC

Mr. Atkinson provided an overview of the revised plans which included landscaping in the drive-thru canopy location. He also explained that the former teller window was replaced with an aluminum window and a trellis would be added to break up the building.

**Board Questions or Comments by:** Questions were asked and a suggestion was made to include an outdoor table and seating area for the employees. It was also suggested to have the window that replaced the drive-up teller window installed on the "banding" of the building.

**Public Comment:** None.

**Motion:** Move to approve with the understanding that staff will work with the applicant to incorporate a landscape design consistent with the existing horticulture around the structure.

**Motion by:** Board Member Jones

**Seconded by:** Board Member Sheeley

**Action:** Approved with the understanding that staff will work with the applicant to incorporate a landscape design consistent with the existing horticulture around the structure.

**Vote:**

Aye: Unanimous (Board Members Whitehead and Zachariah absent)

Nay:

Abstentions:

- (2) Shoppes at University Highlands (UHLP Parcel 10B) (District 5) West of Ben Hill Griffin Parkway between Everblades Parkway and Miromar Outlet Drive. Commercial development of retail, restaurant and personal service uses. The initial development will include a Starbucks and a Tide Cleaners with drive-thru. Public Information Meeting was held March 14, 2017 and a Workshop was held

May 9, 2018. Requesting Design Review Board approval of the Development Order.

There were no disclosures of ex parte communications or conflicts of interest from Board Members.

Community Development Director Gibbs provided a brief overview.

**Presentation/Information by:**

Dan Waters, Peninsula Engineering  
Jeff Scott, South Florida Architecture  
Steve Sammons, Peninsula Engineering

Mr. Waters provided an overview of the project site and existing conditions, the proposed uses, vehicular and pedestrian access and connectivity, stormwater management system, proposed dumpster enclosures and service areas, and the proposed landscaping plan.

Mr. Scott provided an overview of the proposed building elevations and the outdoor seating area.

**Board Questions or Comments by:** Questions were asked and comments were made regarding the columns on the buildings.

**Public Comment:** None.

**Motion:** Move to approve the Development Order.

**Motion by:** Board Member Jones  
**Seconded by:** Board Member Sheeley

**Action:** Approved the Development Order.

**Vote:**

Aye: Unanimous (Board Members Whitehead and Zachariah absent)  
Nay:  
Abstentions:

6. **PUBLIC INPUT:** None.

7. **BOARD COMMUNICATIONS:**

Community Development Director Gibbs reminded the Board of the joint Design Review Board and Planning and Zoning Board meeting on October 16, 2018 at 5:30 p.m. on the Land Development Code.

(a) **Next meeting October 10, 2018**

A motion to adjourn was made and duly passed.

**8. ADJOURNMENT: 7:20 p.m.**

---

Kathy Hall, MMC  
Village Clerk  
(mr/kh)