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**DRAFT**

## **FINAL ACTION AGENDA/MINUTES**

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

**Village of Estero  
9401 Corkscrew Palms Circle  
Estero, FL 33928  
July 16, 2019 5:30 p.m.**

- 1. CALL TO ORDER:** 5:30 p.m.
- 2. PLEDGE OF ALLEGIANCE:** Led by Chairman Wood.
- 3. ROLL CALL:**  
Present: Chairman Scotty Wood and Board Members Tim Allen, Marlene Naratil, Anthony Gargano, James Tatoes, and John Yarbrough. Absent: Board Member Robert King.

Also present: Land Use Counsel Nancy Stroud, Community Development Director Mary Gibbs, Principal Planner Matthew Noble, and Senior Planner Steve Cramer.

#### **4. APPROVAL OF AGENDA:**

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

#### **5. BUSINESS:**

##### **(a) 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. There were no ex-parte communications or conflicts of interest noted.

- (1) Tony Sacco's Coal Oven Pizza (COP2019-E001) (District 6) 8001 Plaza Del Lago Drive (coconut Point Mall), east of US 41 occupying the same building as Bokampers Restaurant.

Request to change existing alcoholic beverage licenses from 2COP to 4COP SFS.

**Presentation/Information by:**

Community Development Director Mary Gibbs  
Keith E. Long, Esq., Authorized Agent/Attorney, Long Law, P.A.

**Board Questions or Comments:** Board Members Naratil, Allen, Gargano, Tatrooles, Yarbrough, and Chairman Wood.

**Public Comment:** None.

**Motion:** Move to approve Tony Sacco's Coal Oven Pizza request for consumption on premise of alcoholic beverages license from 2COP to 4COP SFS with the Staff conditions.

**Motion by:** Board Member Gargano

**Seconded by:** Board Member Naratil

**Action:** Approval of changing Tony Sacco's Coal Oven Pizza request for alcoholic beverage license from 2COP to 4COP SFS with the conditions of Staff.

**Vote:**

Aye: Board Members Allen, Gargano, Naratil, Tatrooles, Yarbrough, and Chairman Wood

Nay:

Abstentions:

- (2) Proposed Burger King Fast Food Restaurant - Estero Town Center CPD - Tract B (DCI2018-E003) District 4), 21301 Town Commons Drive, located east of Three Oaks Parkway in the Estero Town Commons Development (Lowe's Plaza) next to Ruby Tuesday.
- (a) To add a cross-section C-1 to the design guidelines approved as part of the Zoning Resolution Z-03-032
  - (b) To add deviations specific to parking and stacking, and for no sidewalk adjustment to Tract B

There were no ex-parte communications or conflicts of interest noted.

Principal Planner Matthew Noble provided background and an overview of the applicant's request.

**Presentation/Information by:**

Neale Montgomery, Esq., Legal Counsel, Pavese Law Firm  
Wayne Arnold, AICP, Principal & Director of Planning, Q. Grady Minor  
Daniel B. Fitzpatrick, CEO, Quality Dining, Inc.

**Board Questions or Comments:** Board Members Allen, Naratil, Yarbrough, Tatooles, Gargano, and Chairman Wood.

**Public Comment:** None

**Motion:** Motion to recommend that Village Council approve the amendment to the Commercial Planned Development Zoning with staff conditions and deviations, except for deviation 3 which is not recommended for approval.

**Motion by:** Board Member Allen

**Seconded by:** Board Member Yarbrough

**Action:** Recommended that Village Council approve the amendment of the Commercial Planned Development Zoning with staff conditions and deviations, except for deviation 3 which is not recommended for approval.

**Vote:**

**Aye:** Board Members Allen, Gargano, Naratil, Tatooles, Yarbrough, and Chairman Wood

**Nay:**

**Abstentions:**

**(b) Public Information Meeting**

- (1) Estero Firestone – Estero Town Commons (District 5) 1.2 acres located in Tract A of Estero Town Commons (Lowe’s Plaza) at the corner of Three Oaks Parkway and Corkscrew Road. The applicant is requesting an amendment to the zoning permitted uses to add automotive repair and services.

Principal Planner Matthew Noble provided background and an overview of the applicant’s request.

**Presentation/Information by:**

Linda Miller, AICP, Senior Planner, Avalon Engineering

Brendan Sloan, P.E., Civil Engineer/Project Manager, Avalon Engineering

John Tate, Developer, Palmetto Capital Group

**Board Questions or Comments:** Board Members Allen, Gargano, Naratil, Tatooles, Yarbrough and Chairman Wood.

**Public Comment:** None

**6. PUBLIC INPUT:** None.

**7. BOARD COMMUNICATIONS:** None.

(a) Next Board Meeting August 20, 2019

A motion to adjourn was made and duly passed.

**8. ADJOURNMENT:** 6:32 p.m.

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Tammy Duran,  
Deputy Village Clerk