

Final Action Agenda/Minutes are supplemented by audio and video recordings of the meetings, as well as transcripts. Video recordings of Village Council meetings from June 8, 2016 forward, as well as agendas, staff reports, resolutions, ordinances, and other documents related to the meetings can be viewed online at <https://estero-fl.gov/agendas/> at the corresponding meeting date.

**DRAFT**

**FINAL ACTION AGENDA/MINUTES**

**VILLAGE COUNCIL**

**ZONING HEARING**

**Village of Estero Council Chambers**

**9401 Corkscrew Palms Circle**

**Estero, FL 33928**

**January 29, 2020 9:30 a.m.**

**1. CALL TO ORDER: 9:30 a.m.**

**INVOCATION:** Pastor Mark Goodman from Christ Community Ministries.

**PLEDGE OF ALLEGIANCE:** Led by Councilmember Levitan.

**ROLL CALL VOTE:** Present: Mayor Bill Ribble - District 1, Vice Mayor Katy Errington - District 4, Councilmember Howard Levitan - District 2, Councilmember Jon McLain - District 3, Councilmember Jim Boesch - District 5, and Councilmember Nick Batos - District 6. Absent: Councilmember Jim Wilson - District 7 (excused absence).

Also present: Village Manager Steve Sarkozy, Village Land Use Attorney Nancy Stroud, Community Development Director Mary Gibbs, Public Works Director David Willems, and Village Clerk Kathy Hall.

**2. PUBLIC COMMENT ON NON-AGENDA ITEMS: None.**

**3. ORDINANCE SECOND READING AND PUBLIC HEARING FOR ESTERO CROSSING:**

Ordinance No. 2019-29 An Ordinance of the Village Council of the Village of Estero, Florida, Approving with Conditions a Rezoning from Commercial Planned Development to Mixed Use Planned Development to Allow a Multiple Family and Commercial Development on Property Located 1,000 feet West of Interstate 75 and South of Corkscrew Road Consisting of Approximately 43 Acres; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Mayor Ribble explained the quasi-judicial process. Staff and audience members intending to provide testimony were sworn-in by Village Clerk Hall.

Disclosure of Ex Parte Communications: Councilmembers Levitan, McLain, Boesch, Batos, Vice Mayor Errington and Mayor Ribble. Conflicts of Interest: None noted.

**Staff Presentation/Comments:** Village Clerk Hall read the ordinance title and swore in all audience members and staff providing testimony; Community Development Director Gibbs spoke regarding the project history and revisions to the proposal.

**Presentations by:**

Dan Delisi, Land Use Planner, Delisi, Inc.  
Brian Stock, CEO, Stock Development  
Keith Gelder, Vice President, Stock Development  
John Wojdak, Delisi Fitzgerald, Inc.  
Hunter Booth, RLA, Booth Design  
Trent Ebersol, Engineer, McMahon Associates  
Neale Montgomery, Land Use Attorney

**Council Questions or Comments:** Councilmembers McLain, Boesch, Levitan, Batos, Vice Mayor Errington, and Mayor Ribble.

The meeting went into recess at 11:02 a.m. and reconvened at 11:17 a.m.

**Public Comment:**

William Savage, Island Club  
Jane Niehaus, Corkscrew Woodlands  
Darcie Finan-Morgan, Corkscrew Woodlands  
Sherry Sutton, Corkscrew Woodlands  
Jeff Ramsbottom, Villa Palmeras  
Jeff Collins, Corkscrew Woodlands  
Judy McGinnis, Corkscrew Woodlands  
Sue Guilford, Corkscrew Woodlands  
Paula Harris, Corkscrew Woodlands  
Joan Horan, Corkscrew Woodlands  
Bobbi Nelson, Island Club  
Beverly Pepper, Island Club  
Katrina Pace, Corkscrew Woodlands  
Rosemary Christensen, Corkscrew Woodlands  
John Matthews, Corkscrew Woodlands  
Denise Gunckle, Corkscrew Woodlands  
David Moore, Corkscrew Woodlands  
George Olmstead, Island Club  
John McDonald, Corkscrew Woodlands  
Chris Kiefer, Island Club  
Lee Kaldor, Island Club  
Jim Johnson, Island Club

**Council Questions or Comments:** Councilmember Boesch and Vice Mayor Errington.

**Rebuttal:**

Dan Delisi, Land Use Planner, Delisi, Inc.

**Council Questions or Comments:** Councilmembers Levitan, Batos, and Mayor Ribble.

**Motion:** Move to approve Ordinance No. 2019-29 with revisions: (1) Condition 8 – add the following language: “Staff will review and approve, at the time of Development Order, a plan for management of construction traffic including but not limited to posting of signs and other methods of communication.” (2) Condition 19, subparagraph b., second sentence to read: “Main Paseo walkways will be raised and constructed of paver bricks or similar materials.” (3) Add a new condition: “33. Public Access Easement. Consistent with the Village Comprehensive Plan, placemaking elements including the pedestrian plaza roads and reverse frontage road, public park, promenade and public open space, and sidewalks shall be accessible to the public through dedication of a public access easement in favor of the Village of Estero and acceptable to the Village Attorney.” (4) Deviation 12 new wording – “Deviation 12 (Connection separation for the mixed use parcel) Deviation from LDC Section 10-285(a) [Table 1] which requires a minimum roadway connection for separation distance of 60’ for access roads or accessways to allow a minimum separation of 48’ for the mixed use parcel access from the internal accessway serving the multi-family portion of the project.”

**Motion by:** Councilmember Levitan

**Seconded by:** Councilmember Boesch

**Action:** Approved Ordinance No. 2019-29 with revisions: (1) Condition 8 – add the following language: “Staff will review and approve, at the time of Development Order, a plan for management of construction traffic including but not limited to posting of signs and other methods of communication.” (2) Condition 19, subparagraph b., second sentence to read: “Main Paseo walkways will be raised and constructed of paver bricks or similar materials.” (3) Add a new condition: “33. Public Access Easement. Consistent with the Village Comprehensive Plan, placemaking elements including the pedestrian plaza roads and reverse frontage road, public park, promenade and public open space, and sidewalks shall be accessible to the public through dedication of a public access easement in favor of the Village of Estero and acceptable to the Village Attorney.” (4) Deviation 12 new wording – “Deviation 12 (Connection separation for the mixed use parcel) Deviation from LDC Section 10-285(a) [Table 1] which requires a minimum roadway connection for separation distance of 60’ for access roads or accessways to allow a minimum separation of 48’ for the mixed use parcel access from the internal accessway serving the multi-family portion of the project.”

**Vote:** (Roll call vote)

**Aye:** Councilmembers Levitan, McLain, Boesch, Batos, Vice Mayor Errington, and Mayor Ribble

**Nay:**

**Abstentions:** Councilmember Wilson absent

A motion to adjourn was made and duly passed.

**4. ADJOURNMENT:** 12:45 p.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: \_\_\_\_\_  
Kathy Hall, MMC, Village Clerk

By: \_\_\_\_\_  
Bill Ribble, Mayor