

PUBLIC COMMENT CARD : Entry # 14270

Choose The Meeting You Are Commenting On

Land Development Code

Name

Sharon Rafter

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Representing

Myself

Date

10/17/2020

Agenda Item No. or Topic

Hazardous waste site

Comments

There are residents very concerned hearing about the proposed waste transfer and hazardous waste site on Alice, near Wild/Vista Blue. Shouldn't hazardous waste be removed from residential population? Residents also concerned about the increased truck traffic.

Notes



Admin Notification (ID: 5e70ca9c71a8d)

added October 17, 2020 at 4:42 pm

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 14271**Choose The Meeting You Are Commenting On**

Land Development Code

Name

Mark Novitski

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Representing

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Date

10/21/2020

Agenda Item No. or Topic

Land Development Code

Comments

In Chapter 3: Zoning Districts Section 3-1: General Provisions the zoning districts are identified (could have used page #'s). In Chapter 10: Definitions and Rules for Construction, Interpretation, and Measurement Section 10-4: Definitions (Uses Only) the document identifies Solar Energy Collection Facility, Small-Scale¹⁰⁴⁴ Equipment for the collection of solar energy or its conversion to electrical energy for use on the same property, or for incidental sale to a public utility, when that equipment is accessory to a principal use of the property. Components are typically mounted on the roof(s) of principal or accessory structures, but may be mounted on other parts of structures, or on the ground. I interpret this to include solar trees. Please confirm.

In SECTION 3-3. RESIDENTIAL DISTRICTS, SECTION 3-4. COMMERCIAL DISTRICTS, SECTION 3-6. LEGACY DISTRICTS, and SECTION 3-7. PLANNED DEVELOPMENT DISTRICTS solar energy collection is identified. In SECTION 3-5. SPECIAL PURPOSE DISTRICTS, Environmentally Critical (EC) District (EC), solar energy collection is NOT identified. This seems like a great place for solar trees!

Notes

PUBLIC COMMENT CARD : Entry # 14384**Choose The Meeting You Are Commenting On**

Land Development Code

Name

Tim Byal

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Bella Lago

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Representing

Bella Lago/Miromar Development

Date

10/21/2020

Agenda Item No. or Topic

Land Development Code

Comments

Requiring a strict adherence to a "Mediterranean-themed architecture is inconsistent with the current design trends that have a more modern influence. The effect will create a dated look for the Village compared with Naples and Ft. Myers. Good design does not need to follow a specific architectural style and the diversity will add value over the long term. I recommend that the design parameters be made less specific to architectural style and focus on size, scale and compatibility.

Notes**Admin Notification (ID: 5e70ca9c71a8d)**

added October 21, 2020 at 9:58 am

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 14484**Choose The Meeting You Are Commenting On**

Land Development Code

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Date

10/27/2020

Agenda Item No. or Topic

5(b)(1) Land Development Code

Comments

The ECCL is concerned with the definition of small wireless facilities. Is there a max height? Max footprint? Landscape screenage requirement?

"Updated to reflect the changes to State law in 2017 that allow for small wireless facilities in the public right-of-way"

Does the Village have the ability to deny a small wireless facilities in the "Village owned" public right-of-way?

This appears to be a "Home Rule" issued gone amuck!

Notes

PUBLIC COMMENT CARD : Entry # 14540**Choose The Meeting You Are Commenting On**

Planning and Zoning Board Meeting

Name

Bob Dion

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Community

Pelican Sound Golf and River Club

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Representing

Self

Date

10/27/2020

Agenda Item No. or Topic

5B Land Development Code

Comments

I know that the chapter 7 Natural Resources of the Code will be discussed at your November 9th meeting, but it's never too early to address our great Estero River in the context of land development. As you know, the Estero River is considered a "special water" - a designation that should result in a clean and properly flowing river. And yet, it is impaired by bacteria! That is a disgrace! We know that some of the bacteria is from human waste - the chemicals in the bacteria prove this. Also, the river is restricted by sediment which hampers storm water flow, which results in flooding. So, when reviewing a land development project, the Estero River should always be an important part of the review. Ground water containment, storm water flow and sewage concerns need to be reviewed for each project.

Beyond this, medium to large projects should be assessed a fee to be used by the village specifically to clean up the bacteria in the river, and to remove sediment as needed to keep the river flowing effectively.

Thank you for your efforts in this area. Bob Dion

Notes

PUBLIC COMMENT CARD : Entry # 15138

Choose The Meeting You Are Commenting On

Planning and Zoning Board Meeting

Name

Mary Shively

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Community

THE CASCADES AT ESTERO

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Representing

ourselves

Date

11/13/2020

Agenda Item No. or Topic

Land use

Comments

PUBLIC COMMENT CARD : Entry # 15138

We need more natural land for preserves for the animals, clean water and air, etc.

We fear that Estero has already become OVER-BUILT and OVER-COMMERCIALIZED.

Please stop all the multi-family building and unneeded commercial buildings.

Let's utilize the vacant properties even if they require remodeling. Would like our comments shared with all (4) meetings, village council, design review, planning & zoning and the land development meetings. Realize that stopping restricts the flow of MONEY which is fundamental to all those involved. Please, please calm things down for the sake of future generations. There are other communities wherein to build. Thank you Village of Estero.

Notes**Admin Notification (ID: 5e70ca9c71a8d)**

added November 13, 2020 at 12:27 pm

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 15251

Choose The Meeting You Are Commenting On

Village Council Meeting

Name

Bill Prysi

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Representing

LA Profession

Date

11/18/2020

Agenda Item No. or Topic

Land Development Code

Comments

PUBLIC COMMENT CARD : Entry # 15251

I wish I could be in person today to address Council, however I cannot due to the need to be quarantined for 5 more days.

With respect to the LDC Draft recently made available, there has not been much time for anyone to really assess the document as a whole. I am a bit dismayed that there hasn't been a prior workshop on the matter to give the relevant industries a chance to weigh in either. Therefore, I have concentrated on the Architecture and Landscape standards drafted in Section 5.

I am pleased to see the progression of Architectural standards that are consistent with the historic application of the standards sought and applied over the past 20 years. The Architectural standards do a good job in describing what features constitute each style without prescribing those standards into a checklist. That would be wrong and should be avoided. There needs to be a clear purpose defined in what elements constitute the language of each architectural style without limiting them to their individual parts. Supporting the styles with graphics is good, using a checklist is not the way to go. Glad to see this isn't in the works.. The Design Review Board populated with licensed professionals will be able to use these referential guidelines to determine whether an application meets the intent of a given style. The only problem with style definitions in this draft is that they are not complete nor consistent between style. I'd recommend that you employ a professional that knows the differences to the degree that these can all be wrote completely and holistically. This is a great start, but is not complete.

With respect to the landscape section I wish I could provide the same positive feedback. In summary, the landscape section in this draft is merely a regurgitation of the Lee County LDC with pieces of the Estero Community plan -Chapter 33 sprinkled in that in places actually regress to the County's code. It's that bad! There is nothing in this draft that takes the 20 years of progress Estero has made in bringing forth sensible landscape design in the development arena. Again, this draft actually sets it backward by not progressing either the appropriate intent or defining the correct standards. There is no definition of purpose that translates the need to integrate landscape design in conjunction with the architectural or site design standards. This code treats landscaping as a mask instead of a working integral part of development. It also does not apply any direction in which the Design Review Board can refer to with respect to place defining, architectural integration, the buffering between incompatible uses. It reads like someone who has never applied a landscape code before, certainly not one with a professional review board as a supplement. The are conflicts in the standards that actually thwart design opportunities. These are written in ways that truly do not understand their application. You can't apply setback standards upon elements that vary as widely as plant material. You cannot treat plant materials like concrete block. They vary and can be used in a variety of application that render some of the standard noted in the landscape code as both unnecessary and harmful top their purpose. Please hire someone that actually knows how to apply the standards that are being written. This landscape code sets Estero back to pre-2001 where it should be advancing the Village into the future.

With respect to the pedestrian and vehicular connectivity standards, there is much failure here as well. The standards and requirements are not defined in a manner that forwards the needs to integrate pedestrian activity into every project in the Village. The vehicular standards conflict in their application. Graphics in this section are scant and poorly conceived.

Being that the appendices just came out yesterday, I'm not sure how anyone would have a had a chance to digest these against the code in which they're referenced. I hope Village Council will have the wisdom to look at this code in greater detail and not to rush it through due to poor planning against time constraints!

Notes**Admin Notification (ID: 5e70ca9c71a8d)**

added November 18, 2020 at 9:17 am

WordPress successfully passed the notification email to the sending server.

Land Development Code Public Comment : Entry # 14211

Name

Mike Hughes

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Representing

self

Date

10/15/2020

Comments

I believe we need slower growth with less density to avoid even worse traffic issues.

Notes



Admin Notification (ID: 5e70ca9c71a8d)

added October 15, 2020 at 12:57 pm

WordPress successfully passed the notification email to the sending server.



Admin Notification (ID: 5e70ca9c71a8d)

added October 17, 2020 at 6:34 pm

WordPress successfully passed the notification email to the sending server.

Land Development Code Public Comment : Entry # 15156

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Representing

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Date

11/18/2020

Comments

Land Development Code Public Comment : Entry # 15156

Land Development Code comments:

General Standards for Off-Street Parking and Loading Areas

Surfacing227

All off-street parking areas, as well as off-street loading areas, shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent hard, dustless, and bonded surface material. Use of surfacing that includes recycled materials (e.g., glass, rubber, used asphalt, brick, block, and concrete) is encouraged. These surfaces shall be maintained in a smooth, well-graded, clean, orderly, and dust-free condition.

There is no mention of Turfblock. This is a great alternative to hard services and serves the purpose for parking or emergency ingress/egress

Minimum Number of Off-Street Parking Spaces

There is no mention of Government Offices in this section

SITE GRADING AND SURFACE WATER MANAGEMENT STANDARDS FOR SINGLE-FAMILY RESIDENTIAL AND DUPLEX LOTS

SW Lee County, including Estero, have a "Sheet flow" issue. The Lee county planners seem to only be concerned with the immediate parcel or property. We can do better in Estero and look at the "big picture" and how "sheet flow" affects surrounding properties.

SURFACE WATER MANAGEMENT

SW Lee County, including Estero, have a "Sheet flow" issue. The Lee county planners seem to only be concerned with the immediate parcel or property. We can do better in Estero and look at the "big picture" and how "sheet flow" affects surrounding properties.

Notes



Admin Notification (ID: 5e70ca9c71a8d)

added November 15, 2020 at 6:19 pm

WordPress successfully passed the notification email to the sending server.

Tamara Duran

From: Mary Gibbs
Sent: Monday, November 16, 2020 7:53 AM
To: Tamara Duran
Subject: FW: Estero Land Development Code Review - Comments

Are you keeping a file of comments?

From: Jim Wallace [mailto:jimwallace.genova@outlook.com]
Sent: Friday, November 13, 2020 6:41 PM
To: Mary Gibbs <gibbs@estero-fl.gov>
Cc: Barry Jones <jones@estero-fl.gov>; Barry Freedman <bfreedman9@gmail.com>; William Glass <glass@estero-fl.gov>; Michael Sheeley <Sheeley@estero-fl.gov>; Jim Wallace <jimwallace.genova@outlook.com>
Subject: Estero Land Development Code Review - Comments

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MARY;

As requested following are my comments on the Review Draft of the Estero Land development Code:

CHAPTER THREE

General:

Requests for deviations should always be allowed. Approval of all deviations should be based on a combination of criteria (1) the degree of necessity for the deviation in executing the concept of the development and (2) the resulting direct public benefit, if any, of the deviation and (3) the public benefit of on-site and off-site incentives offered to VOE as an inducement to approve the deviation.

Commentary Chapter 3: Zoning Districts – needs to be consistent with 3-304 recognizing multi-family (RM-2) as separate from 3-303 single-family (RSF).

Section 3-3 – should read “...establishes 4 conventional residential districts: a residential single-family district, a residential multi-family district, a mobile...”

Section 3-303 A. Purpose states “...accommodate primarily single-family detached dwellings...”.

What about duplexes (currently included only in RM-2 but previously included with single-family)?

What about zero-lot-line (which don't meet setback criteria)?

Section 3-304 A. Purpose states "...the RM-2 district not be applied to any additional lands in the Village."

This seems to prohibit new RM-2 developments (like Rapallo, Genova, etc.)...is that what was intended?

Section 3-305 A. Purpose states "the MH district not to be applied to any additional lands in the Village."

This seems to prohibit new MH developments (like Corkscrew Woodlands, etc.)...is that what was intended?

General comment – If 3-304 and 3-305 prohibit further development of multi-family RM-2 and mobile home MH, it creates a clear priority for single-family (RSF) at a maximum density of 5.8 units/acre...inconsistent with Estero's vision/goal of replacing the oversupply of commercial zoning with high density residential.

Section 3-4 Commercial Districts Note (1): current "30 ft. setback when adjacent to residential" does not consider the shadow impact of taller buildings (up to 75 ft). It should be changed to read "30 ft. or 120% of the height of the building, whichever is greater".

Section 3-703 A. Purpose states

Section 3-703 A. Purpose 7th line: How can VOE possibly measure "adverse social impact" (impractical and arbitrary).

Section 3-703 A. Purpose 10th line: Currently states "...permanent, year-round residential units". Seems to restrict the sale or use of dwellings to only year-round residents. Is that what we intended? Is it legal? Think the answer to both is "No!"

Table 3-703.D.1.A Maximum Gross Nonresidential Floor Area Allowed in RPD – This severely restricts developer's creativity integrating neighborhood mixed-use...one of VOE comprehensive plan goals. Should be increased to up to 5,000 sq ft in 100 units, up to 10,000 sq ft in 101-300 units, up to 15,000 sq ft in 301-600 units and up to 20,000 sq ft in 601-1200 units.

Section 3-706 A. Purpose 3rd paragraph states "...expectation that development quality will surpass what is otherwise achievable." What is the established standard of development quality by which VOW will evaluate this? It should not be arbitrary.

Table 3-706.D.13: transitional mixed use Density. Why is horizontal mixed-use density 10-14 units/acre but vertical mixed-use is 16-20 unit/acre. This makes no sense and only restricts the planner's and developers creativity. Both should be 10-20 units/acre.

Section 3-707-B-5. Street Design 5th line should read "...landscaped medians, two-way streets and undulating streets help to achieve...". Even minor undulation calms traffic and increased visual interest for pedestrians and drivers.

Section 3-707-B-6. Lots and Blocks. Due to the substantial benefits reaped from "alley-loaded" design in achieving VOE's Village Center goals I highly recommend "alley-loaded" design be much more prominently recognized as a highly-desirable land planning feature and valuable incentive to VOE.

Table 3-707.F: Maximum Building Height – Increasing Tier 2 maximum base building height (without incentives) is unnecessary and counter-productive. Recommend Tier 2 be 45 ft. base and 55 ft. with incentives and Tiers 3 and 4 should be 55 ft. base and 75 ft with incentives.

Section 3-707.H (2)(c): Sites Smaller Than 10 Acres: As currently stated "Connecting streets shall be constructed during the initial development phase" is well-intentioned but it does not consider the "real world" implications of building on infill parcels or the damage by construction vehicles to finished streets, particularly paver-stone streets, adding undue cost without benefit. This issue is better left to Fire Rescue and their requirements.

Section 3-707-H (2): Block perimeters limited to 1600 sq. ft. may makes sense in grid-design compact neighborhoods but is generally too restrictive...example – Genova would not meet this criteria.

Section 3-707.L (3)(a): A maximum setback of "not greater than 120 ft. is nor very urban". Recommend it be limited to 100% of the building height...or by deviation.

Section 3-707.N (1)(a)(2): The Tier 2 restriction of 2.5% of the total land area is over restrictive and limits the planner's and developer's creativity...contradicting the VOE goal of encouraging mixed-use, interconnectivity and walkable communities...this restriction does the opposite...highly recommend a workable limit of 6%.

Section 3-707-R-5 D, E and G: Based on the survey conducted by VOE of Estero residents and their high priority for landscaping and public greenspace, these incentives should be weighted "High Value".

Section 3-707-R-6: For clarity of interpretation it should read "All of the Tier 1 incentives plus:"

Section 3-707-R-7: For clarity of interpretation it should read “All of the Tier 1 and Tier 2 incentives plus:”

Section 3-707-R-8: For clarity of interpretation it should read “all of the Tier 1, Tier 2 and Tier 3 incentives plus:”

Figure 3-707.T1 Connecting Streets and T2 Connectivity Street Patterns: What is shown resembles Tier 4 grid-pattern compact design...not anticipated to be often used...if we believe in the desirability of undulating streets as a calming device we should show it in our illustrations.

Figure 3-707.T3 Cross section of Connecting streets: Drawing is incorrect...totally misrepresents streetscape which can be built in Estero....canopy trees cannot be planted within the utility easements...misleads planners and developers...if we want street-side canopy trees show them correctly in large tree pots.

Figure 3-803.D Road Corners: Drawing totally misrepresents what can be built in Estero...design does not provide for sidewalks or utility easements...of special note - canopy trees cannot be planted roadside with the utility easement. This gives planners the exact opposite impression of what is permitted...drawing needs to be replaced.

Table 3-803.E: Do we really want “zero” setbacks on an arterial road/hurricane evacuation route?

CHAPTER FOUR

Section 4-117-C: Too restrictive...a live/work retail premises may be open 10 hours a day/7 days a week, often employing staff on part-time “shifts”. I recommend changing to one non-resident employee per 160 sq. ft. of non-residential space. Example – a 2,000 sq. ft. live/work with 800 sq. ft. of non-residential space could have 5 part-time employees, each working 25-30 hours/week...very practical.

Section 4-303-D-3: Extremely restrictive...makes no sense. This would be a significant deterrent for attracting good developers. Developers typically need one model per floor plan offered for sale...example – Rapallo had 14 furnished models...since these models are within the community there should be no restrictions on the number of models.

Section 4-303-D-6: Not realistic. First, since gross square footage includes garages, lanais and pool decks the calculation should be based on air-conditioned sq. ft. Second, since most visitors to a development typically tour several models, it should not be a pro-rata square

footage calculation. A realistic number would be one parking space per 500 air-conditioned sq. ft. of the first model, plus an additional one parking space per 1,000 sq ft of additional models...example – a development with 10 models averaging 1800 A/c sq. ft. would require 21 parking spaces plus handicap...more than enough.

That's it...I've left the rest to my licensed professional colleagues on the board.
Hope this is helpful.

JIM

Mary Gibbs

From: Bill Pysi <BillPysi@hmeng.com>
Sent: Wednesday, November 18, 2020 5:01 PM
To: Mary Gibbs
Cc: nobel@estero-fl.gov; sarcozy@estero-fl.gov; Nick Batos; Joe McHarris; Albert O'Donnell; William Ribble
Subject: Current LDC

[**NOTICE:** This message originated outside of the Village of Estero -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Mary Gibbs, FAICP
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RE: Land Development Code Review

Dear Mary

Below are some collective comments from a few LAs I've entrusted along with Al O'Donnell and Joe McHarris whom you know well and have had a lot of experience with the LDC and Estero Community Plan. I would like to be present at tonight's DRB to speak to the matter, but I'm in a situation where I cannot. I'm in quarantine for a few more days...

General (Based solely on the information thus far made pertinent):

- There is a basic lack of both functioning the DRB into the code compliance process for Applicant to be made aware and the language is prescriptive in places that defeats their purpose.
- The use of phrases like "strongly encouraged" and "maximum extent possible" are meaningless words in a codified document. They're wasted text and space unless formulated in their purpose.
- The document lacks representative graphics and design samplings to describe intent or to illustrate required standards. A more in-depth effort needs to be made on creating representative diagrams. Typical Planner cut & paste should be avoided.
- In many cases where specificity of materials is noted, they are either obsolete or not appropriate to the conditions of SW Florida.
- There are some great passages that define purpose and intent and there are other cases where it is absent altogether.
- The steps taken to broaden the definition and required standards for Architecture are great, they just lack continuity and contain statements that are not factual. Matrices should be provided for all styles noted to give both the Applicant and DRB the necessary formation to have the appropriate dialogue to assure objectivity.

Landscape Section

- The absence of defining how landscape design is necessary to address the adopted architectural and site standards is conspicuously missing as are the standards to make that work!
- The Code reads like a regurgitation of the Lee County LDC and former Chapter 33 - Estero Community Plan. There are even instances where the Community Plan standards revert to the County's!
- The standards presented do not take the Village vision and move it forward in the direction Estero has been taking over the course of the past 20 years, some standards predates this document to 2001.
- Buffer Standards are written to provide a mask over roadways against commercial development defeating the purpose of architectural and setback standards. "Buffers" should be applied when incompatible uses are presented and a differentiation between those uses is necessary. "Performance or Design" standards should prevail when developmental elements are applied in a variety of situations to integrate those elements with each other and the community. Roadways needs to be defined as roadways, not 'public' roadway with relationship to buffers.
- How does Appendix F apply against the standards referenced?
- Exotic Species treatments and standards described are archaic. There are many other problematic exotics and the resurgence of exotics throughout the community remains a problem that code is not addressing!
- Plant separation requirements against buildings, lighting, walks and hardscape conflict with each, will create aesthetic nightmares in application, and do not consider thee variation in plant materials that would render the standards meaningless. Poorly conceived.
- Tree removal standards are scant with details and are attempting to bring back a notion of control that denounced by the community in the past. The requirements are addressing the materials, not the problems associated with their mismanagement. Very poorly written.
- Street Tree Standards are noted in title, but nothing is written to address the matter. There are inherent issues with streettrees, utilities, easements, and homes throughout the Village and this document is silent in addressing them. The issue resides in site development standards and the requirements associated with utility applications in proximity to streettree applications. This really needs to be addressed in the site utility standards. A win-win is there!
- The "Alternate Landscape Betterment Plan" should NOT under any circumstances, require a more stringent native requirements than code minimum. Requiring 100% is self-defeating. This is already underway to be changed in Lee County.
- The "Building Perimeter" standards regurgitate Lee County and will be problematic if the noted separation standards are applied. These have not been thought out. Plants are not concrete blocks, they do very in application, impact, and effect.
- Stormwater Management standards regurgitate Lee County, do not introduce requirements for low impact applications and regrade to Lee County in terms of treating detention basin. This area has not been properly addressed.
- Section 5-407.E is meaningless. There are several passages like this in the draft. They're meaningless without the corresponding intent or relationships to purpose. If you do this, you will give the DRB more objectivity and basis in which to drive applicants to better approved projects. Otherwise, they're just words on paper with no meaning.
- Open space standards are polluted with meaningless terms like "encouraged." Lee County standards are being refenced conflicting with those of the Village.
- Bulkhead standards do not relate to urban situations where mixed use development would be designed. They are silent to urban applications.
- Vehicular Use Area requirements revert to pre-Community Plan Lee County standards. Poorly addressed. The proposed parking lot exhibit (Figure 5-409.C) poorly represents the intent

behind pedestrian needs and civic spaces. Who came up with that??? Exhibits should reflect requirements, at the very least!

At this point, I've decided not to continue my assessment of the landscape standards or to even get fully into the Site, Lighting, and Architectural standards for the list goes on. The Architectural standards are really good, but incomplete. Same for the Site Development standards, good but incomplete. I haven't looked at signs, but I'm sure that issue alone will keep you busy enough. My only hope there is that we address monument sign design and how they relate to buffers and setbacks. The rest is all yours! I would like to be more proactive in this with you and your staff, but only if desired to be. From a professional standpoint, I will be vocal to combat the failed policies of Lee County in this document. I really hope this document will be better conceived to foster the Village's long term vision to be better than the norm.

Sincerely

Bill Pysi, PLA, ASLA