

THE VILLAGE OF ESTERO  
PLANNING AND ZONING BOARD MEETING  
TUESDAY, AUGUST 18, 2020, 5:30 P.M.

DISCLAIMER:

THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME  
CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE  
ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.  
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE  
PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

05:29:31 [ SOUNDING GAVEL ]  
05:29:34 >>Marlene Naratil: THE MEETING WILL COME TO ORDER, PLEASE.  
05:29:37 PLEASE STAND FOR THE PLEDGE OF ALLEGIANCE.  
05:29:45 >> I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF  
05:29:49 AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION  
05:29:52 UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.  
05:29:57 >>Marlene Naratil: TAMMY, COULD WE HAVE A ROLL CALL, PLEASE?  
05:30:07 >>Tammy Duran: BOARD MEMBER ALLEN?  
05:30:09 >>Dr. Tim Allen: HERE.  
05:30:12 >>Anthony Gargano: HERE.  
05:30:14 >>Marlene Naratil: HERE.  
05:30:15 >>James Tatoes: HERE.  
05:30:17 >>John Yarbrough: HERE.  
05:30:20 >>Scotty Wood: HERE.  
05:30:23 >>Marlene Naratil: THANK YOU.  
05:30:24 I'D LIKE TO HAVE A MOTION FOR AN APPROVAL OF TODAY'S AGENDA.  
05:30:31 >> I'LL SO MOVE.

05:30:33 >> SECOND.  
05:30:34 >>Marlene Naratil: ALL IN FAVOR?  
05:30:39 >> AYE.  
05:30:41 >> AYE.  
05:30:42 >>Marlene Naratil: AND TODAY'S BUSINESS, WE HAVE TO APPROVE  
05:30:44 THE CONSENT AGENDA, WHICH WILL INCLUDE THE MINUTES OF THE  
05:30:49 JULY 21st MEETING.  
05:30:52 MAY I HAVE A MOTION TO APPROVE THAT?  
05:30:54 >> SO MOVED.  
05:30:57 >> I'LL SECOND IT.  
05:31:07 >>Marlene Naratil: ALL RIGHT.  
05:31:08 >> MADAM CHAIR, WE NEED A VOTE.  
05:31:10 >>Marlene Naratil: WE NEED A VOTE ON THAT.  
05:31:12 OKAY.  
05:31:12 ALL IN FAVOR?  
05:31:13 DO WE HAVE TO DO IT INDIVIDUALLY?  
05:31:16 >> AYE.  
05:31:17 >> AYE.

05:31:17 >> AYE.  
05:31:21 >>Marlene Naratil: OUR FIRST ONE IS A PUBLIC HEARING FOR THE  
05:31:25 COCONUT POINT FARMERS MARKET.  
05:31:29 AND THEY ARE LOOKING FOR A TEMPORARY USE PERMIT TO OPERATE  
05:31:34 THEIR MARKET ONE DAY A WEEK FROM OCTOBER 1st, 2020,  
05:31:38 THROUGH MAY 27, 2021 FROM 9 A.M. TO 1 P.M.  
05:31:44 IS THERE SOMEONE HERE TO --

05:31:49 >>Mary Gibbs: WELL, FIRST, I THINK WE NEED TO HAVE NANCY  
05:31:52 STROUD GO OVER.  
05:31:53 WE HAVE TWO PUBLIC HEARINGS TONIGHT, AND THEY ARE  
05:31:56 QUASI-JUDICIAL PROCESS.  
05:31:57 I THINK WE'LL ASK OUR LAND USE ATTORNEY TO KIND OF EXPLAIN  
05:31:59 THE LAND USE -- THE QUASI-JUDICIAL AND THEN SOME OF THE  
05:32:03 THINGS WE HAVE TO DO AND THE SWEARING IN BEFORE WE ACTUALLY  
05:32:05 START WITH THE CASE.  
05:32:12 >>Nancy Stroud: LET'S DO THIS FOR BOTH OF THEM SO WE DON'T  
05:32:15 HAVE TO DO IT TWICE.  
05:32:17 THEY ARE QUASI-JUDICIAL HEARINGS.  
05:32:19 LET ME BRIEFLY GO OVER THE PROCESS FOR QUASI-JUDICIAL  
05:32:22 HEARINGS.  
05:32:24 BECAUSE THESE AGENDA ITEMS REQUIRE THE BOARD'S  
05:32:29 RECOMMENDATION WHILE THEY SIT IN A QUASI-JUDICIAL CAPACITY,  
05:32:33 THERE ARE SPECIAL PROCEDURES INVOLVED.  
05:32:36 IF YOU INTEND TO PROVIDE TESTIMONY ON THE ZONING  
05:32:39 APPLICATION, YOU MUST BE SWORN IN, WHICH I WILL DO IN A  
05:32:42 MOMENT, AND SHOULD ALSO FILL OUT A PUBLIC SPEAKER'S CARD AND  
05:32:47 GET IT TO THE CLERK BEFORE THE ITEM IS CALLED.  
05:32:52 IN GENERAL, WE FIRST HEAR FROM THE COMMUNITY DEVELOPMENT  
05:32:55 DIRECTOR.  
05:32:56 THEN WE HAVE A PRESENTATION BY THE APPLICANT, AND THEN THE  
05:33:00 COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE WILL MAKE A  
05:33:05 PRESENTATION.

05:33:08 ANYBODY IN THE AUDIENCE WHO HAS BEEN SWORN IN THEN CAN  
05:33:11 TESTIFY.  
05:33:13 WE HAVE A TIME LIMIT OF FIVE MINUTES FOR THAT.  
05:33:18 WE NEED TO KNOW IF ANY WRITTEN COMMUNICATIONS HAVE BEEN  
05:33:21 RECEIVED -- [PHONE RINGING] -- ON EITHER OF THESE ITEMS.  
05:33:27 [PHONE RINGING]  
05:33:33 >> HELLO?  
05:33:34 >>Nancy Stroud: MARY, DO YOU KNOW IF ANY WRITTEN  
05:33:35 COMMUNICATIONS HAVE BEEN RECEIVED?  
05:33:39 >>Mary Gibbs: NO, WE HAVE NOT RECEIVED ANY WRITTEN  
05:33:40 COMMUNICATION ON EITHER.  
05:33:41 HAVE WE GOTTEN ANY E-COMMENT CARDS, TAMMY?  
05:33:50 >>Nancy Stroud: ON THE FIRST ITEM, WOULD ANY BOARD MEMBER  
05:33:53 WHO HAS HAD ANY EX PARTE COMMUNICATIONS PLEASE DISCLOSE AT

05:33:57 THIS POINT.  
05:33:58 THAT IS THE FARMERS MARKET.  
05:33:59 AND THEN ON THE SECOND ITEM, HAS ANYONE HAD ANY EX PARTE  
05:34:07 COMMUNICATIONS?  
05:34:08 >>Mary Gibbs: DO WE NEED TO ASK THE TWO THAT ARE ON THE  
05:34:12 PHONE?  
05:34:15 >> I RECEIVED AN E-MAIL FROM THEM TODAY WITH SOME REVISIONS,  
05:34:20 REVISED DOCUMENTS.  
05:34:22 I'VE NOT HAD TIME TO FULLY CONSUME THEM.  
05:34:26 >>Mary Gibbs: I THINK WHAT TIM ALLEN IS REFERRING TO IS THAT  
05:34:31 THE APPLICANT'S ATTORNEY FOR THE SECOND CASE SENT AN E-MAIL  
  
05:34:36 TO THE TWO BOARD MEMBERS THAT AREN'T HERE TONIGHT ON  
05:34:39 SOMETHING SHE PLANS TO DISCUSS I THINK LATER ON DURING THE  
05:34:43 HEARING.  
05:34:44 >>Dr. Tim Allen: THAT'S CORRECT.  
05:34:47 >> FOR THE RECORD, I HAVE NOT RECEIVED THAT E-MAIL.  
05:34:49 >>Mary Gibbs: I THINK I SAW THE E-MAIL EARLIER, AND I THINK  
05:34:56 IT WAS SENT TO BOTH.  
05:34:57 MAYBE YOU HAVEN'T GOTTEN IT YET.  
05:34:59 IT WAS LATE THIS AFTERNOON.  
05:35:00 >>Nancy Stroud: THAT SHOULD BECOME PART OF THE RECORD AS AN  
05:35:04 EX PARTE COMMUNICATION.  
05:35:06 IF THERE'S ANY CONFLICT BY ANY BOARD MEMBER, THEY NEED TO  
05:35:11 DISCLOSE THAT AT THIS TIME AS WELL.  
05:35:14 GREAT.  
05:35:14 SO WE HAVE A FULL BOARD TO HEAR THIS.  
05:35:17 THEN I'LL GO AHEAD AND SWEAR IN THE WITNESSES, IF WE'RE  
05:35:21 READY.  
05:35:22 ANYBODY WHO EXPECTS TO GIVE TESTIMONY IN EITHER OF THESE  
05:35:24 HEARINGS, PLEASE STAND AND RAISE YOUR RIGHT HAND.  
05:35:29 DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY THAT YOU ARE ABOUT  
05:35:31 TO GIVE WILL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT  
05:35:34 THE TRUTH?  
05:35:36 >> I DO.  
05:35:37 >> I DO.  
05:35:37 >>Nancy Stroud: SO THEN IT'S TIME FOR THE COMMUNITY  
  
05:35:44 DEVELOPMENT DIRECTOR OR HER DESIGNEE TO INTRODUCE THE ITEM.  
05:35:48 >>Mary Gibbs: I'LL TRY NOT TO TOUCH ANYTHING.  
05:35:55 SO THE FIRST CASE IS THE FARMERS MARKET TEMPORARY USE  
05:36:00 PERMIT.  
05:36:01 AND THIS IS THE ONE AT COCONUT POINT MALL.  
05:36:05 YOU HAVE SEEN THIS BEFORE.  
05:36:07 THE APPLICANT IS THE LOCAL ROOTS JEAN BAER.  
05:36:15 SHE COULD NOT BE HERE, BUT JAMIE GROFIK IS HERE.  
05:36:18 THE FARMERS MARKET IS IN THE SAME LOCATION IT HAS BEEN IN  
05:36:21 PREVIOUS YEARS.

05:36:21 THEY PLAN TO START UP IN OCTOBER.  
05:36:24 THE ONLY DIFFERENCE, AND THEY PLAN TO OPERATE THE SAME WAY  
05:36:27 THEY HAVE DONE IN THE PAST, ONE DAY A WEEK ON THURSDAYS FROM  
05:36:29 9 TO 1.  
05:36:30 THE ONLY DIFFERENCE IS THAT INSTEAD OF OPERATING FROM  
05:36:34 OCTOBER THROUGH APRIL, THEY WOULD LIKE TO OPERATE THROUGH  
05:36:36 MAY.  
05:36:37 AND IF YOU MAY RECALL FROM LAST MONTH, WE HAD A FARMERS  
05:36:40 MARKET AT MIROMAR OUTLETS, A SIMILAR SITUATION WHERE THEY  
05:36:44 ACTUALLY ASKED TO EXTEND THE OPERATION BEYOND THE APRIL DATE  
05:36:50 IN THE LAND DEVELOPMENT CODE.  
05:36:51 WE SAID YOU NEED A VARIANCE IN ORDER TO DO THAT.  
05:36:55 SO WE'VE SAID ALSO YOU NEED A VARIANCE TO DO THIS, WHICH  
05:36:59 WE'RE RECOMMENDING APPROVAL OF.  
05:37:01 AND THE REASON IS WE ARE LOOKING IN OUR NEW LAND DEVELOPMENT  
  
05:37:06 CODE THAT WE'RE WORKING ON NOW THAT YOU'LL BE SEEING LATER  
05:37:09 THIS FALL TO KIND OF BE A LITTLE MORE FLEXIBLE WITH THE  
05:37:13 FARMERS MARKETS BECAUSE THE GROWING SEASONS SEEM TO OVERLAP  
05:37:17 AND ARE BECOMING A LITTLE MORE YEAR ROUND.  
05:37:19 SO WE'RE LOOKING AT A WAY WHERE WE CAN BE MORE FLEXIBLE NOT  
05:37:23 TO OPERATE ALL YEAR ROUND, BUT TO AT LEAST GIVE THEM OPTIONS  
05:37:26 TO OPERATE AT DIFFERENT TIMES DURING THE YEAR.  
05:37:29 SO THAT WILL BE COMING TO YOU.  
05:37:31 HOWEVER, THEY ARE ASKING TO OPERATE AN EXTRA MONTH NOW.  
05:37:35 WE'RE RECOMMENDING APPROVAL BECAUSE THEY DO COMPLY WITH  
05:37:39 EVERYTHING ELSE IN THE LAND DEVELOPMENT CODE EXCEPT FOR THAT  
05:37:41 ONE PROVISION.  
05:37:44 THEY DID HAVE APPROVAL FROM THE MALL MANAGER, JAMIE GROFIK,  
05:37:48 WHO IS HERE TONIGHT.  
05:37:49 WE RECOMMENDED APPROVAL WITH THE CONDITIONS THAT ARE IN YOUR  
05:37:52 DRAFT RESOLUTION, WHICH BASICALLY LIMITS IT TO THE DAYS AND  
05:37:55 THE HOURS OF OPERATION THAT THEY'VE REQUESTED.  
05:37:58 IF YOU DON'T HAVE ANY OTHER QUESTIONS, I CAN TURN IT OVER,  
05:38:08 IF YOU HAVE QUESTIONS FOR THE MALL MANAGER.  
05:38:11 FIRST, WE HAVE TO CLEAN THE MICROPHONE.  
05:38:28 >> IF YOU NEED A JOB, COME SEE ME.  
05:38:32 I COULD USE GOOD CLEANING PEOPLE.  
05:38:33 >> GOOD EVENING.  
05:38:34 IF YOU HAVE QUESTIONS, I'M HAPPY TO ANSWER.  
05:38:36 THIS IS THE SAME FARMERS MARKET.  
  
05:38:40 >> CAN YOU TALK INTO THE MICROPHONE?  
05:38:44 >> THIS IS THE SAME --  
05:38:46 >> YOU HAVE TO GET A LITTLE CLOSER, JAMIE.  
05:38:52 >> Jamie Grofik: MY NAME IS JAMIE GROFIK.  
05:38:54 I'M THE GM AT COCONUT POINT.  
05:38:56 THIS IS OUR FARMERS MARKET THAT WE'VE DONE EVERY YEAR FOR

05:38:59 THE LAST FOUR YEARS WITH THE SAME OPERATOR.  
05:39:02 THEY DID OPERATE UNDER COVID CONDITIONS EARLIER THIS YEAR IN  
05:39:06 THE SPRINGTIME.  
05:39:07 THEY WERE VERY GOOD ABOUT SOCIAL DISTANCING AND HAVING LOTS  
05:39:11 OF CLEANING THINGS AND TRYING TO SPREAD THINGS OUT.  
05:39:14 THEY DO HAVE A PLAN THAT THEY'VE WRITTEN TO COME BACK IN THE  
05:39:18 FALL, WHICH BASICALLY LAYS OUT EDUCATION AND CLEANING AND  
05:39:22 THE THINGS THAT THEY WILL DO, THE THINGS THAT WE WILL  
05:39:25 PROVIDE.  
05:39:26 SO THAT IS AVAILABLE IF YOU NEED TO SEE THAT.  
05:39:29 AND IF YOU HAVE ANY QUESTIONS, I'M HAPPY TO ANSWER.  
05:39:38 >>Anthony Gargano: I'VE GOT A QUESTION.  
05:39:39 FIRST, LET ME SAY I'M A HAPPY SUPPORTER OF THIS ENDEAVOR.  
05:39:45 I THINK IT DELIVERS AN EXCELLENT SERVICE TO OUR RESIDENTS,  
05:39:51 BUT I WAS CURIOUS, IN READING THE PROCEDURAL RECOMMENDATIONS  
05:40:00 THAT THE MARKET HAS TO GO THROUGH, HOW IS IT THE VENDORS  
05:40:11 WILL BE ABLE TO ACCESS CLEANING STATIONS?  
05:40:14 THERE'S A LOT OF REFERENCE PRESENTED TO CLEANING AFTER  
05:40:18 TRANSACTIONS AND CLEANING AFTER THINGS.

05:40:21 HOW WILL THAT ACTUALLY OCCUR?  
05:40:27 >>Jamie Grofik: HONESTLY, I WOULD HAVE TO ASK JEAN.  
05:40:30 LAST YEAR, THEY HAD ADDITIONAL WATER STATIONS.  
05:40:32 THEY HAD THE DISPOSABLE WIPES SET UP AND ASKED THEIR VENDORS  
05:40:35 TO BRING THOSE AND MAKE SURE THAT THEY USE THOSE IN BETWEEN.  
05:40:38 SO I'M GUESSING THOSE SAME THINGS WILL BE THERE.  
05:40:41 >>Anthony Gargano: OKAY.  
05:40:43 THANK YOU.  
05:40:44 >>Jamie Grofik: CERTAINLY.  
05:40:45 >>Marlene Naratil: ANY OTHER QUESTIONS?  
05:40:47 COULD I HAVE A MOTION TO APPROVE?  
05:40:54 >>Nancy Stroud: LET'S OPEN IT UP FOR PUBLIC HEARING, IF  
05:40:57 ANYONE IS HERE.  
05:40:58 >>Marlene Naratil: IS THERE ANYBODY WHO HAS QUESTIONS IN THE  
05:41:00 PUBLIC?  
05:41:00 >>Tammy Duran: NOBODY IS SIGNED UP.  
05:41:02 >>Marlene Naratil: DOES STAFF HAVE ANYTHING FURTHER?  
05:41:08 >>Mary Gibbs: NO.  
05:41:09 >>Marlene Naratil: NOTHING FURTHER.  
05:41:10 OKAY.  
05:41:11 I WOULD LIKE A MOTION THEN TO APPROVE THIS VARIANCE.  
05:41:14 >> I'LL MAKE A MOTION THAT WE APPROVE THE REQUESTED RELIEF,  
05:41:19 INCLUDING THE EXTRA MONTH WITH THE STAFF RECOMMENDATIONS.  
05:41:26 >> I'LL SECOND IT.  
05:41:27 >>Marlene Naratil: WE'LL HAVE A ROLL-CALL VOTE ON THIS,

05:41:31 TAMMY.  
05:41:32 >>Tammy Duran: BOARD MEMBER ALLEN?

05:41:35 >>Dr. Tim Allen: YES.  
05:41:36 >>Anthony Gargano: YES.  
05:41:38 >>Marlene Naratil: YES.  
05:41:41 >>James Tatoes: YES.  
05:41:42 >>John Yarbrough: YES.  
05:41:45 >>Scotty Wood: YES.  
05:41:46 >>Marlene Naratil: THANK YOU VERY MUCH.  
05:42:01 OUR NEXT ITEM ON THE AGENDA IS THE PUBLIC HEARING REGARDING  
05:42:05 THE ESTERO FIRESTONE STORE.  
05:42:11 WHO IS GOING TO DO THAT?  
05:42:12 MARY?  
05:42:13 >>Mary Gibbs: NO, ACTUALLY, WE HAVE OUR PLANNER, KATHY  
05:42:16 EASTLEY HERE.  
05:42:19 SHE'S SITTING BEHIND ME.  
05:42:21 SHE'S BEEN HERE ABOUT FOUR MONTHS FROM COLORADO, BUT FROM  
05:42:24 VARIOUS PLACES.  
05:42:25 I'M GOING TO HAVE HER DO A QUICK INTRODUCTION FOR THE BOARD,  
05:42:31 AND ALSO, TAMMY, DO WE HAVE TO CLEAN THE MICROPHONE BEFORE  
05:42:36 SHE GETS UP THERE?  
05:42:37 LET'S DO A QUICK CLEANING.  
05:42:40 KATHY IS GOING TO EXPLAIN HER RESUMÉ A LITTLE BIT ABOUT HER  
05:42:44 EXPERIENCE BECAUSE SHE WOULD LIKE TO BE QUALIFIED AS AN  
05:42:47 EXPERT WITNESS.  
  
05:42:49 SO WHEN SHE GETS UP THERE.  
05:42:59 >>Kathy Eastley: HELLO.  
05:43:00 FOR THE RECORD, I'M KATHY EASTLEY.  
05:43:01 I AM A SENIOR PLANNER HERE AT THE VILLAGE OF ESTERO AND HAVE  
05:43:04 BEEN SINCE THE MIDDLE OF APRIL.  
05:43:11 [AUDIO CUTS OUT] [MICROPHONE NOT ON] [INAUDIBLE]  
05:44:39 >> WOULD YOU GIVE ONE TO THE CLERK, PLEASE?  
05:44:43 IT BECOMES PART OF THE RECORD.  
05:44:55 >> [INAUDIBLE]  
05:44:56 >>Marlene Naratil: DO ANY OF THE BOARD MEMBERS HAVE  
05:44:57 QUESTIONS OF KATHY?  
05:45:01 >>Kathy Eastley: [INAUDIBLE]  
05:45:04 >>Marlene Naratil: ANYONE HAVE QUESTIONS OF KATHY?  
05:45:06 SHALL I ASK FOR A MOTION TO APPROVE HER AS AN EXPERT  
05:45:14 WITNESS?  
05:45:15 CAN I HAVE A MOTION TO APPROVE HER AS AN EXPERT WITNESS?  
05:45:19 >> SO MOVED.  
05:45:22 >> SECOND.  
05:45:22 >>Marlene Naratil: DO WE NEED A VOTE, ROLL CALL?  
05:45:27 >> JUST A GENERAL VOTE WOULD BE FINE.  
05:45:29 >>Marlene Naratil: ALL IN FAVOR OF ACCEPTING KATHY AS AN  
05:45:32 EXPERT WITNESS.  
05:45:34 >> AYE.  
05:45:35 >> AYE.

05:45:35 >> AYE.

05:45:36 OPPOSED?

05:45:37 THANK YOU, KATHY.

05:45:39 >>Mary Gibbs: KATHY, MAY I ASK YOU, THEY ARE GETTING TEXT

05:45:42 FROM PEOPLE SAYING THEY CAN'T HEAR.

05:45:46 >> I BELIEVE THAT THE MICROPHONE WAS OFF WHEN I WAS SPEAKING

05:45:49 EARLIER.

05:45:49 SO I HOPE THAT THIS HAS CORRECTED THE SITUATION.

05:45:53 I CERTAINLY THINK THAT EVERYONE IN HERE CAN HEAR ME OKAY.

05:45:58 >> WE CAN HEAR YOU NOW.

05:46:00 >>Kathy Eastley: THANK YOU.

05:46:02 >>Mary Gibbs: EVERYBODY TRY TO TALK LOUDER BECAUSE OF THE

05:46:05 MASKS.

05:46:07 >>Kathy Eastley: YES.

05:46:08 POINT WELL TAKEN.

05:46:08 I'LL LAUNCH INTO MY BRIEF PRESENTATION THEN TO INTRODUCE THE

05:46:12 APPLICATION THAT'S BEFORE YOU THIS EVENING.

05:46:14 SO THIS IS AN APPLICATION FOR A ZONING AMENDMENT FOR THE

05:46:19 ESTERO TOWN CENTER TRACT A.

05:46:22 SO THE APPLICANT IS KRG ESTERO, LLC, AND THEIR AUTHORIZED

05:46:42 AGENT IS BRENDAN SLOAN FROM AVALON ENGINEERING,

05:46:44 INCORPORATED.

05:46:44 THE LEGAL DESCRIPTION OF THE SITE THAT'S UNDER CONSIDERATION

05:46:47 IS A PORTION OF TRACT A FROM ESTERO TOWN CENTER.

05:46:50 TRACT A IS A LITTLE OVER THREE ACRES IN SIZE.

05:46:57 HOWEVER, THE REZONE AREA IS LIMITED TO 1.14 ACRES.

05:47:01 THE PROPOSAL IS FOR A BUILDING OF 6400 SQUARE FEET IN GROSS

05:47:08 FLOOR AREA.

05:47:09 THE ACCESS IS FROM CORKSCREW ROAD OR THREE OAKS PARKWAY AS

05:47:14 THIS PARCEL IS LOCATED IN THE SOUTHEAST SECTION OR QUADRANT

05:47:20 OF THAT INTERSECTION.

05:47:21 THE LEE COUNTY WATER AND SEWER DO PROVIDE UTILITIES TO THE

05:47:25 SITE.

05:47:25 SO THIS GRAPHIC JUST SHOWS THE ENTIRETY OF THE PARCEL.

05:47:29 AND YOU CAN SEE THAT THERE IS AN EXISTING LOWE'S HOME

05:47:32 IMPROVEMENT CENTER THERE.

05:47:34 THERE'S ALSO A STRIP MALL WITH SOME RETAIL AND SCHOOL

05:47:38 SERVICES THERE, RESTAURANTS, DOWNTOWN OFFICE AND RELATED

05:47:44 PARKING.

05:47:46 YOU CAN SEE THE AREA, TRACT A IS IN THE UPPER LEFT-HAND

05:47:52 CORNER AT THE INTERSECTION OF THREE OAKS AND CORKSCREW ROAD.

05:47:57 AND WHERE THE BLACK BOX IS, IS APPROXIMATELY THE REZONE

05:48:01 AREA.

05:48:03 SO THE ESTERO TOWN CENTER, TOWN COMMONS DEVELOPMENT WAS

05:48:09 APPROVED BY LEE COUNTY IN 2003 BY RESOLUTION Z-03-032.

05:48:15 AND THAT ALLOWED FOR 265,000 SQUARE FEET OF DEVELOPMENT IN

05:48:20 THAT AREA.  
05:48:21 THERE HAVE BEEN A VARIETY OF AMENDMENTS THAT HAVE BEEN  
05:48:24 APPROVED IN THE INTERVENING YEARS, AND THE DEVELOPMENT HAS,  
05:48:30 AS I HAD SHOWN, DOES HAVE A VARIETY OF COMMERCIAL USES IN  
05:48:34 IT.

05:48:40 THIS IS A PAGE OUT OF THE RESOLUTION.  
05:48:43 AND IT DOES SHOW AUTO REPAIR AND SERVICE GROUP 1 AS A USE,  
05:48:50 LIMITED AS AN ACCESSORY USE TO A PERMITTED USE WITH TWO  
05:48:54 RESTRICTIONS.  
05:48:55 ONE THAT GARAGE DOORS MAY NOT FACE THE ARTERIAL, AND, TWO,  
05:48:58 THAT NO OUTDOOR STORAGE OR DISPLAY IS PERMITTED.  
05:49:02 SO I JUST WANT TO TAKE A MINUTE TO TALK SPECIFICALLY ABOUT  
05:49:06 AUTOMOTIVE REPAIR AND SERVICE GROUP 1.  
05:49:09 THIS IS PURSUANT TO SECTION 34-622-C-2 OF THE LAND  
05:49:17 DEVELOPMENT CODE.  
05:49:18 THE GROUP 1 USES UNDER AUTOMOBILE REPAIR AND SERVICE INCLUDE  
05:49:23 A VARIETY OF AUTOMOBILE USES.  
05:49:26 THE FIRESTONE COMPLETE AUTO CARE DOES INCLUDE TIRE  
05:49:31 INSTALLATION, TIRE SALES, BUT THEY ALSO INCLUDE OTHER  
05:49:35 ACTIVITIES AS WELL RELATED TO AUTOMOBILE REPAIR, INCLUDING  
05:49:39 OIL CHANGES AND THINGS OF THAT NATURE.  
05:49:43 SO WHEN YOU LOOK AT THE USES THAT ARE UNDER GROUP 1, IT DOES  
05:49:48 INCLUDE DRIVE-IN OIL CHANGE, IT ALSO INCLUDES TIRE REPAIR  
05:49:51 SHOPS AND WHEEL ALIGNMENTS.  
05:49:55 SO THE USE THAT IS BEING PROPOSED IS APPROPRIATE UNDER THAT  
05:49:59 DEFINITION.  
05:50:03 SO, OF COURSE, THE REQUEST IS TO REZONE A PORTION OF TRACT A  
05:50:07 TO ALLOW A STAND-ALONE AUTO REPAIR AND SERVICE GROUP 1 USE.  
05:50:13 AS YOU CAN SEE FROM THE GRAPHIC ON THE SCREEN, THE  
05:50:16 RED-HATCHED AREA IS THE THREE-ACRE TRACT A AND THE BLACK

05:50:22 OUTLINED PORTION IS THE LEGAL DESCRIPTION OF THE REZONE  
05:50:28 AREA.  
05:50:32 THE SITE IS CURRENTLY VACANT.  
05:50:34 THE APPLICANT HAS SUBMITTED A MASTER CONCEPT PLAN THAT SHOWS  
05:50:37 THE IMPROVEMENTS ON 1.14 ACRES.  
05:50:41 THE PATTERN BOOK DOES INCLUDE A MEDITERRANEAN ARCHITECTURAL  
05:50:44 THEME, ADEQUATE LANDSCAPING AND CONNECTIVITY.  
05:50:48 AND THEN FOR TRANSPORTATION, WE DO HAVE THE TRANSPORTATION  
05:50:52 STUDY THAT HAS DESIGNATED 183 DAILY TRIPS WILL RESULT FROM  
05:50:58 THIS DEVELOPMENT PROPOSAL.  
05:51:00 WHEN WE LOOK AT THE REVIEW CRITERIA, WE HAVE THREE  
05:51:04 COMPONENTS THAT WE'RE LOOKING AT.  
05:51:06 FIRST AND FOREMOST IS THE COMPREHENSIVE PLAN.  
05:51:09 WE HAVE A FUTURE LAND USE OF TRANSITIONAL MIXED-USE.  
05:51:14 AS YOU'RE AWARE, THE COMPREHENSIVE PLAN WAS RECENTLY PUT  
05:51:18 INTO EFFECT LATE LAST FALL, AND THAT WAS ABOUT THE SAME TIME



05:51:24 THAT THE APPLICANT SUBMITTED THEIR APPLICATION.  
05:51:27 SO THEY ARE SUBJECT TO THE TRANSITIONAL MIXED-USE, AND THAT  
05:51:33 CATEGORY WAS A TRANSITION AWAY FROM THE AUTO-ORIENTED USES  
05:51:37 THAT WERE PREVIOUSLY DESIGNATED IN THAT AREA.  
05:51:41 AND THE TRANSITION IS REALLY FOR MIXED-USE AND ACTIVITY TO  
05:51:46 OCCUR IN THAT AREA.  
05:51:48 IF WE LOOK AT THE SECOND REVIEW CRITERIA, THE SITE IS  
05:51:52 LOCATED IN THE CORKSCREW ROAD OVERLAY.  
05:51:56 SO THAT CORKSCREW ROAD OVERLAY DOES RECOMMEND THAT STREET

05:52:01 ACTIVITY ON A CONTINUOUS STREET FRONT BE ALONG CORKSCREW  
05:52:07 ROAD AND THAT THE DEVELOPMENT PROPOSAL CREATE CHARACTER AND  
05:52:11 DEFINITION TO CREATE ACTIVITY ALONG THAT CORRIDOR.  
05:52:13 THE THIRD COMPONENT THAT WE USE FOR THE REVIEW CRITERIA IS,  
05:52:18 OF COURSE, THE LAND DEVELOPMENT CODE.  
05:52:21 AND NO DEVIATIONS HAVE BEEN SOUGHT BY THE APPLICANT, SO ALL  
05:52:25 OF THE SETBACKS ON ALL OF THE BUFFERS HAVE BEEN MET AND  
05:52:30 PARKING AND OTHER STANDARDS THAT ARE SUBJECT TO THE CODE  
05:52:33 HAVE ALSO BEEN MET.  
05:52:35 HOWEVER, STAFF IS RECOMMENDING DENIAL BECAUSE WE HAVE FOUND  
05:52:40 THAT THE PROPOSAL IS NOT CONSISTENT WITH THE TRANSITIONAL  
05:52:44 MIXED-USE FUTURE LAND USE CATEGORY.  
05:52:47 AND EVEN THOUGH IT MAY MEET THE PHYSICAL ATTRIBUTES THAT ARE  
05:52:52 REQUIRED BY THE LAND DEVELOPMENT CODE AS FAR AS THE  
05:52:58 STRUCTURE AND THE SETBACKS AND THE PARKING, IT'S THE USE  
05:53:01 THAT'S PROBLEMATIC IN THIS INSTANCE BECAUSE WE ARE LOOKING  
05:53:05 FOR MORE MIXED-USE IN THIS CORRIDOR AT THIS TIME.  
05:53:08 AND THAT REALLY IS THE CRUX OF STAFF'S CONCERN, AND IT'S  
05:53:13 REALLY THE IMPORTANCE OF YOUR COMPREHENSIVE PLAN AND  
05:53:17 DESIGNATING THAT FUTURE LAND USE CATEGORY.  
05:53:20 THE OTHER ITEM THAT WE'D LIKE TO BRING UP IS THE CORKSCREW  
05:53:24 ROAD OVERLAY.  
05:53:26 THE INTENT IS TO CREATE THAT CONTINUOUS STREET CORRIDOR TO  
05:53:31 ACTIVATE AND CREATE ACTIVITY ALONG THAT CORRIDOR.  
05:53:38 AN AUTO ORIENTED USE IS REALLY NOT GOING TO FURTHER THAT

05:53:42 GOAL.  
05:53:43 AND FOR THOSE TWO REASONS, STAFF HAS RECOMMENDED DENIAL OF  
05:53:48 THE APPLICATION.  
05:53:52 WHEN STAFF RECOMMENDS DENIAL, IT'S REALLY IMPORTANT THAT WE  
05:53:55 PROVIDE COMPETENT, SUBSTANTIAL EVIDENCE TO SHOW THAT THE  
05:53:58 APPLICATION DOES NOT CONFORM TO THE REVIEW CRITERIA.  
05:54:02 AND WE BELIEVE THAT WE HAVE MET THAT GOAL IN BOTH THE STAFF  
05:54:07 REPORT THAT'S BEEN PROVIDED TO YOU AS WELL AS IN THE  
05:54:11 PRESENTATION THIS EVENING.  
05:54:12 SO WITH THAT, THAT CONCLUDES MY PRESENTATION, BUT I AM  
05:54:16 AVAILABLE FOR QUESTIONS IF YOU HAVE ANY.  
05:54:20 >>Marlene Naratil: ANY QUESTIONS FROM THE PUBLIC, PLEASE?

05:54:37 >>Nancy Stroud: USUALLY WE WAIT UNTIL AFTER THE  
05:54:39 PRESENTATION, BUT IF THE BOARD WOULD LIKE -- THE FULL  
05:54:41 PRESENTATION -- BUT IF THE BOARD WOULD LIKE TO ENTERTAIN  
05:54:45 CROSS-EXAMINATION, ESSENTIALLY.  
05:54:47 I'M JUST SUGGESTING THE BOARD NEEDS TO SAY OKAY OR DO IT  
05:54:54 LATER.  
05:54:55 IF YOU'D LIKE TO PROCEED, PLEASE MAKE A DECISION.  
05:55:01 >>Marlene Naratil: ASKING QUESTIONS LATER?  
05:55:06 YOU'RE READY TO GO.  
05:55:11 >>Nancy Stroud: THEY ARE ENTITLED TO CROSS-EXAMINATION.  
05:55:13 IT'S JUST WHEN.  
05:55:14 DO YOU WANT TO HAVE IT NOW OR AFTER ALL THE PRESENTATIONS  
05:55:17 ARE MADE?

05:55:18 IT'S UP TO THE BOARD.  
05:55:20 >>Marlene Naratil: WE CAN GO AHEAD IF WE'RE READY.  
05:55:28 >> [NOT SPEAKING INTO A MICROPHONE]  
05:55:40 >>Nancy Stroud: YOU'LL NEED TO ASK A QUESTION, THEN MOVE  
05:55:42 AWAY AND LET HER COME AND ANSWER.  
05:56:02 >>Neale Montgomery: KATHY, YOU INDICATED THAT ONE OF YOUR  
05:56:04 TWO REASONS FOR RECOMMENDING DENIAL WAS INCONSISTENCY WITH  
05:56:07 THE TRANSITION MIXED-USE LAND USE CATEGORIES, IS THAT  
05:56:10 CORRECT?  
05:56:11 >>Kathy Eastley: THAT'S CORRECT.  
05:56:11 >>Neale Montgomery: DOES THE TRANSITION MIXED-USE LAND USE  
05:56:14 CATEGORY PERMIT NEIGHBORHOOD, COMMUNITY, AND REGIONAL  
05:56:18 COMMERCIAL?  
05:56:19 >> [NOT SPEAKING INTO A MICROPHONE]  
05:56:33 >>Kathy Eastley: IT DOES ALLOW FOR A BROAD ARRAY OF USES,  
05:56:36 AND IT DOES ALLOW FOR SUBJECT TO COMPATIBILITY STANDARDS.  
05:56:41 BROAD ARRAY OF USES SUBJECT TO COMPATIBILITY STANDARDS.  
05:56:44 HOWEVER, IT ALSO TALKS SPECIFICALLY ABOUT THE TRANSITION  
05:56:48 AWAY FROM AUTO-ORIENTED USES.  
05:56:52 >>Neale Montgomery: KATHY, COULD YOU PLEASE ANSWER MY  
05:56:53 QUESTION?  
05:56:54 DOES IT OR DOES IT NOT PERMIT NEIGHBORHOOD, COMMUNITY AND  
05:56:56 REGIONAL --  
05:56:57 >>Kathy Eastley: I ANSWERED AND I SAID, YES, IT DOES.  
05:56:59 IT PERMITS A BROAD ARRAY OF USES SUCH AS COMPATIBILITY

05:57:03 STANDARDS.  
05:57:03 >>Neale Montgomery: IN YOUR EXTENSIVE PLANNING EXPERIENCE,  
05:57:05 IS IT NORMAL FOR COMMUNITY AND REGIONAL TO HAVE A VERY BROAD  
05:57:11 DISTANCE AND BE REACHED BY VEHICLES?  
05:57:15 YOU WOULDN'T GO TYPICALLY TO A REGIONAL MALL BY WALKING OR  
05:57:19 BICYCLE.  
05:57:19 >>Kathy Eastley: I THINK THAT VARIES GREATLY FROM COMMUNITY  
05:57:21 TO COMMUNITY.

05:57:24 >>Neale Montgomery: POLICY 1.2.1, IS THERE A CHART THAT  
05:57:28 DESCRIBES WHAT CAN OCCUR IN THE VARIOUS LAND USE CATEGORIES?  
05:57:37 >>Kathy Eastley: I'M SORRY.  
05:57:38 I DON'T HAVE THAT CHART IN FRONT OF ME.  
05:57:40 >>Neale Montgomery: IS THERE A CHART IN THE COMPREHENSIVE  
05:57:42 PLAN THAT OUTLINES SPECIFICALLY WHAT CAN OCCUR IN THE  
05:57:45 DIFFERENT LAND USE CATEGORIES?  
05:57:50 >>Nancy Stroud: DID YOU BRING A COPY OF THE COMPREHENSIVE  
05:57:52 PLAN TO SHOW THE WITNESS?  
05:57:54 >>Neale Montgomery: I DID, BUT I'VE TOUCHED IT.  
05:57:56 AND I PROBABLY BREATHED ON IT.  
05:58:02 >>Mary Gibbs: MAY I ADD THAT I THINK I'M FAMILIAR WITH THE  
05:58:06 CHART THAT NEALE IS TALKING ABOUT.  
05:58:10 THERE IS A GENERAL LIST OF THINGS THAT ARE ALLOWED IN THAT  
05:58:11 CATEGORY; IT'S NOT ALL-INCLUSIVE.  
05:58:13 BUT THERE IS A GENERAL LIST.  
05:58:15 >>Neale Montgomery: THIS IS MINE.  
  
05:58:16 I TOOK IT OUT OF THE BOOK.  
05:58:19 >>Kathy Eastley: YES, I SEE THE CHART THAT YOU'RE TALKING  
05:58:21 ABOUT.  
05:58:21 IT SAYS MIXED-USE OR SINGLE USE COMMERCIAL ALLOWED SUBJECT  
05:58:24 TO COMPATIBILITY STANDARDS, JUST AS I HAD SAID.  
05:58:27 >>Neale Montgomery: SO YOU CAN HAVE SINGLE USE IN THE  
05:58:29 TRANSITION MIXED-USE, PER YOUR COMP PLAN.  
05:58:35 >>Kathy Eastley: SUBJECT TO COMPATIBILITY STANDARDS.  
05:58:41 >>Neale Montgomery: YOU INDICATE THAT THIS PROJECT HAS  
05:58:42 BEEN PREVIOUSLY APPROVED, IS THAT CORRECT?  
05:58:44 THE ESTERO TOWN COMMONS.  
05:58:46 >>Kathy Eastley: ESTERO TOWN COMMONS IS AN APPROVED  
05:58:49 DEVELOPMENT.  
05:58:50 >>Neale Montgomery: AND YOU INDICATE THAT WE'RE INCREASING  
05:58:51 THE TRIPS BY 183 TRIPS.  
05:58:54 ARE THOSE 183 TRIPS IN ADDITION TO WHAT PART OF THE CENTER  
05:58:58 OR IS THAT PART OF THE TRIP GENERATION OF THE ENTIRE CENTER?  
05:59:02 >>Kathy Eastley: THAT'S THE NUMBER OF TRIPS THAT WILL BE  
05:59:05 GENERATED BY THE FIRESTONE CENTER, AND I WOULD DEFER TO YOUR  
05:59:08 TRAFFIC IMPACT -- YOUR TRAFFIC ANALYSIS PEOPLE TO ANSWER  
05:59:12 THAT QUESTION.  
05:59:13 >>Neale Montgomery: OKAY.  
05:59:14 YOU DON'T KNOW IF THAT'S MORE TRIPS, LESS TRIPS, OR THE SAME  
05:59:17 NUMBER OF TRIPS ALREADY APPROVED.  
05:59:19 >>Kathy Eastley: I DON'T KNOW THAT ANY AMOUNT OF TRIPS ARE  
  
05:59:20 APPROVED.  
05:59:21 I MEAN, I'M SURE THAT THERE WAS A DISCUSSION WHEN THE  
05:59:24 DEVELOPMENT WAS APPROVED ABOUT THE TRAFFIC GENERATION FROM  
05:59:28 THE ENTIRETY OF THE DEVELOPMENT.

05:59:30 BUT I THINK THAT AS DEVELOPMENT PROPOSALS COME IN, THEY  
05:59:34 WOULD BE LOOKING AT THOSE TRIPS AS WELL.  
05:59:38 >>Neale Montgomery: YOU INDICATED, I THINK, THAT THIS  
05:59:39 APPLICATION IS ONLY FOR PARCEL A, IS THAT CORRECT?  
05:59:44 >>Kathy Eastley: IT'S TRACT A, I BELIEVE, ACCORDING TO THAT.  
05:59:48 AND IT'S FOR 1.14-ACRE PORTION OF TRACT A.  
05:59:53 >>Neale Montgomery: IF THE LEGAL DESCRIPTION AND THE  
05:59:54 APPLICATION IS ONLY FOR THAT PARCEL, THEN ALL CONDITIONS  
05:59:57 SHOULD ONLY RELATE TO THAT PARCEL, CORRECT?  
06:00:00 >>Kathy Eastley: THAT IS CORRECT.  
06:00:00 AND THAT WAS THE INTENT IN THE CONDITION.  
06:00:03 SO JUST AS A NOTE, STAFF DOES CONTINUE TO RECOMMEND DENIAL.  
06:00:09 HOWEVER, AS A COURTESY, WE HAVE PROVIDED CONDITIONS OF  
06:00:13 APPROVAL SHOULD THE PLANNING AND ZONING BOARD DEEM THAT THE  
06:00:17 PROPER ROUTE TO GO IN A RECOMMENDATION.  
06:00:21 >>Neale Montgomery: CONDITION 6 AND 17 -- I'M SORRY, 6 AND  
06:00:27 20 DO NOT RELATE TO THIS PARTICULAR PARCEL.  
06:00:35 THEY RELATE TO THE ALREADY DEVELOPED TOWN CENTER, IS THAT  
06:00:37 CORRECT?  
06:00:40 >>Nancy Stroud: I HAVE TO STOP YOU HERE, NEALE, BECAUSE  
06:00:41 THERE WAS NO TESTIMONY ABOUT THE CONDITIONS.

06:00:43 CROSS-EXAMINATION --  
06:00:45 >>Neale Montgomery: IT'S PART OF THE STAFF REPORT.  
06:00:47 SHE SAID IN HER CONCLUSION THAT HER RECOMMENDATION IS BASED  
06:00:53 ON THE STAFF REPORT IN ITS ENTIRETY.  
06:00:58 >>Nancy Stroud: THAT'S RIGHT.  
06:00:58 JUST GIVE HER A CHANCE TO THEN LOOK AT THE CONDITIONS  
06:01:01 BECAUSE IT WASN'T PART OF HER PRESENTATION.  
06:01:04 >>Mary Gibbs: I WOULD LIKE TO MAKE A COMMENT.  
06:01:06 IT SEEMS THAT WE'RE JUMPING AHEAD.  
06:01:08 I KNOW YOU SAID IT WOULD BE OKAY TO CROSS-EXAMINE, BUT I  
06:01:11 BELIEVE YOU'RE JUMPING AHEAD.  
06:01:13 IT WOULD MAKE MORE SENSE TO TALK ABOUT THE CONDITIONS WHEN  
06:01:15 YOU GET UP TO TALK ABOUT THE CONDITIONS, BECAUSE YOU MAY BE  
06:01:18 MISUNDERSTANDING A COUPLE OF CONDITIONS.  
06:01:21 >>Neale Montgomery: WELL, CONDITION 20 SAYS YOU HAVE TO  
06:01:24 IMPOSE A WHOLE NEW WATER QUALITY MONITORING AT THE OUTFALL  
06:01:27 OF THE ALREADY DEVELOPED AND ALREADY IN PLACE BACKBONE  
06:01:30 SYSTEM.  
06:01:31 IT DOESN'T RELATE TO THIS PARCEL.  
06:01:33 CONDITION 6 RELATES TO AN AGREEMENT --  
06:01:35 >>Kathy Eastley: ONCE AGAIN, I WOULD LIKE TO REITERATE THAT  
06:01:39 STAFF IS RECOMMENDING DENIAL AND THAT THE DISCUSSION OF THE  
06:01:43 CONDITIONS AT THIS TIME IS MAYBE NOT APPROPRIATE.  
06:01:47 EVEN THOUGH IT WAS INCLUDED IN YOUR DOCUMENTATION, IT'S NOT  
06:01:50 SOMETHING THAT STAFF IS RECOMMENDING.

06:01:52 WE PROVIDED THEM AS A COURTESY, AND WE CAN DISCUSS THEM.  
06:01:56 IT MIGHT BE BEST IF THE APPLICANT WOULD REALLY PRESENT WHAT  
06:02:00 THOSE CONDITIONS ARE AND WHAT THEIR CONCERNS ARE REGARDING  
06:02:07 THEM.  
06:02:09 >>Neale Montgomery: I HAVE ONE MORE QUESTION NOT RELATED  
06:02:11 TO THE CONDITION.  
06:02:12 YOU INDICATED THAT YOU THINK THE VILLAGE WOULD LIKE TO  
06:02:14 TRANSITION TO A MIXED-USE.  
06:02:16 I ASKED YOU, THIS PROJECT IN ITS ENTIRETY WAS APPROVED AS  
06:02:21 COMMERCIAL PLAN DEVELOPMENT, CORRECT?  
06:02:23 >>Kathy Eastley: THAT'S CORRECT.  
06:02:25 >>Neale Montgomery: THERE'S ONLY, WHAT, TWO OUTPARCELS OR  
06:02:28 THREE IF YOU SPLIT TRACT A LEFT TO BE DEVELOPED?  
06:02:32 >>Kathy Eastley: I BELIEVE THERE ARE TWO OR THREE.  
06:02:35 AND THEY CAN DEVELOP AS THEY ARE CURRENTLY ENTITLED TO,  
06:02:40 ACCORDING TO THE RESOLUTION.  
06:02:42 WHAT'S HAPPENING HERE, THOUGH, IS THAT TRACT A COULD DEVELOP  
06:02:46 PURSUANT TO THE RESOLUTION THAT'S CURRENTLY IN PLACE, BUT  
06:02:49 THEY ARE ASKING FOR SOMETHING ADDITIONAL.  
06:02:52 SO BECAUSE OF THAT, THEY ARE GOING THROUGH THIS PROCESS.  
06:02:57 >>Neale Montgomery: I DO BELIEVE YOUR TESTIMONY WOULD  
06:02:59 INDICATE THAT AN AUTO PARTS STORE IS PERMITTED.  
06:03:01 >>Kathy Eastley: I WOULD DISAGREE THAT THE FIRESTONE --  
06:03:06 >>Neale Montgomery: I DIDN'T ASK THAT QUESTION.  
06:03:07 >>Kathy Eastley: -- IS AN AUTO PARTS STORE.

06:03:09 >>Neale Montgomery: I DIDN'T ASK THAT.  
06:03:10 IS AN AUTO PARTS STORE A PERMITTED USE?  
06:03:13 >>Kathy Eastley: YES.  
06:03:16 >>Neale Montgomery: -- IS PERMITTED AS AN ACCESSORY USE TO  
06:03:19 A PERMITTED USE, ISN'T IT?  
06:03:22 >>Kathy Eastley: NO.  
06:03:25 >>Neale Montgomery: WE'LL READ YOU THE RESOLUTION ON THAT.  
06:03:28 >>Kathy Eastley: I THINK AS AN ACCESSORY USE IS REALLY THE  
06:03:30 KEY TERMINOLOGY HERE.  
06:03:31 I DON'T THINK THAT PEOPLE WALK INTO A FIRESTONE CENTER AND  
06:03:34 BUY TIRES AND WALK OUT WITHOUT THEM BEING INSTALLED.  
06:03:38 I THINK THAT THERE'S A REAL DIFFERENCE FROM A NAPA AUTO  
06:03:41 PARTS OR AN AUTO PARTS STORE WHERE YOU'RE WALKING IN TO BUY  
06:03:45 A SPARK PLUG TO WHERE YOU'RE WALKING IN AND BUYING FOUR  
06:03:48 TIRES OR GETTING AN OIL CHANGE.  
06:03:51 AND THAT IS WHY I BROUGHT UP WHAT THE CODE STATES AS FAR AS  
06:03:54 THAT GROUP ONE AUTO SERVICE AND REPAIR.  
06:04:02 >>Marlene Naratil: WE SHOULD GO AHEAD AND PRESENT --  
06:04:06 >>Mary Gibbs: IF I MAY ADD SOMETHING -- IT SEEMS THAT THIS  
06:04:14 APPLICATION, FROM WHAT WAS JUST DISCUSSED IS VEERING AWAY  
06:04:19 FROM WHAT THEY ACTUALLY ASKED FOR IN THEIR APPLICATION.  
06:04:21 I'M A LITTLE BIT CONCERNED THAT NOW THEY ARE CLAIMING IT'S A

06:04:24 DIFFERENT USE.  
06:04:25 WE'LL SEE WHAT SHAKES OUT IN THE PRESENTATION.  
06:04:27 I ALSO WANTED TO ASK -- I'M NOT SURE WHO IS KICKING OFF THE  
  
06:04:31 PRESENTATION, IF IT'S BRENDAN.  
06:04:34 IT'S VERY LENGTHY.  
06:04:35 THERE ARE ABOUT 70 SLIDES.  
06:04:37 SO I WOULD LIKE TO ASK IF YOU CAN GIVE US AN APPROXIMATE  
06:04:40 TIME OF HOW LONG THIS MIGHT TAKE TO RUN THROUGH ALL THE  
06:04:43 SLIDES?  
06:04:43 >>Neale Montgomery: WELL, THERE ARE SOME THAT ARE  
06:04:45 PICTURES.  
06:04:45 I THINK THEY'LL BE ABLE TO MOVE THROUGH THOSE.  
06:04:48 IN LIGHT OF THE FACT KATHY SAID, COMPATIBILITY -- I KNOW YOU  
06:04:52 ALL KNOW THE AREA, BUT THEY ARE THERE TO HELP YOU UNDERSTAND  
06:04:55 HOW THIS IS NOT ONLY COMPATIBLE BUT AN IMPROVEMENT OVER  
06:04:57 WHAT'S IN THE GENERAL AREA.  
06:05:00 >>Mary Gibbs: CAN I JUST ASK, IS IT GOING TO TAKE AN HOUR?  
06:05:03 IS IT GOING TO TAKE 45 MINUTES, TAKE TWO HOURS?  
06:05:07 >>Brendan Sloan: I'LL ANSWER THAT AND SAY I CERTAINLY HOPE  
06:05:09 NOT.  
06:05:10 HOPE AROUND 30, 45 MINUTES AT THE MAXIMUM.  
06:05:13 WE WOULD ALL LIKE TO GET OUT OF HERE, I'M SURE AND EAT  
06:05:17 DINNER.  
06:05:18 I'M BRENDAN SLOAN WITH AVALON ENGINEERING.  
06:05:20 I'M THE DIRECTOR OF ENGINEERING AT AVALON ENGINEERING.  
06:05:24 I WILL BE PLAYING VANNA WHITE FOR OUR SENIOR PLANNER LINDA  
06:05:28 MILLER, WHO IS ON THE PHONE, WHO WILL BE TALKING ABOUT A  
06:05:30 MAJORITY OF THE SLIDES, BUT I'LL CHIME IN ON THE CIVIL  
  
06:05:32 ENGINEERING PORTIONS AND WE HAVE OTHER DESIGN PROFESSIONALS  
06:05:36 AS WELL TO TALK ABOUT THEIR PORTIONS.  
06:05:37 LET ME PULL UP THE PRESENTATION HERE.  
06:05:41 >>Linda Miller: IF YOU CAN LET ME KNOW WHEN THE SLIDE IS  
06:05:47 UP, I'LL GET STARTED.  
06:05:49 >>Brendan Sloan: YOU ARE CLEAR TO GO.  
06:05:51 >>Linda Miller: CAN EVERYONE HEAR ME?  
06:05:53 >> YES.  
06:05:55 >> YES.  
06:05:56 >>Linda Miller: GOOD EVENING.  
06:05:57 MY NAME IS LINDA MILLER.  
06:05:59 I'M A SENIOR PLANNER AT AVALON ENGINEERING AND THE LAND  
06:06:01 PLANNER FOR THIS DEVELOPMENT AND THE FACILITATOR OF THIS  
06:06:03 PRESENTATION FROM MY OFFICE IN CAPE CORAL WITH THE  
06:06:05 ASSISTANCE OF BRENDAN SLOAN.  
06:06:07 I HAVE 21 YEARS' EXPERIENCE IN LAND PLANNING AND SITE  
06:06:11 DEVELOPMENT, 16 YEARS AT AVALON ENGINEERING AND FIVE YEARS  
06:06:14 WITH THE CITY OF CAPE CORAL.

06:06:16 I'VE BEEN A MEMBER OF THE AMERICAN INSTITUTION OF CERTIFIED  
06:06:19 PLANNERS SINCE 2008.  
06:06:21 I'VE BEEN RECOGNIZED AS AN EXPERT WITNESS IN CAPE CORAL AND  
06:06:25 LEE COUNTY AND WOULD LIKE TO BE RECOGNIZED AS AN EXPERT  
06:06:28 WITNESS FOR THIS CASE IN THE VILLAGE OF ESTERO.  
06:06:34 >> LET ME JUST ASK, AN EXPERT WITNESS IN THE FIELD OF  
06:06:37 PLANNING, IS THAT WHAT YOU'RE ASKING?

06:06:40 >>Linda Miller: YES.  
06:06:43 >> PLANNING AND ZONING.  
06:06:45 >>Mary Gibbs: I'M NOT OBJECTING, BUT I WOULD TELL LINDA THAT  
06:06:48 IT'S THE AMERICAN INSTITUTE OF CERTIFIED PLANNERS, NOT  
06:06:52 INSTITUTION, WHICH, YOU KNOW, SOMETIMES IT FEELS LIKE AN  
06:07:00 INSTITUTION, BUT I WOULD LIKE TO CLARIFY THAT POINT.  
06:07:03 >>Marlene Naratil: DOES SHE HAVE SOMETHING WE CAN PRESENT  
06:07:04 TO THE CLERK AS PART OF THE RECORD?  
06:07:06 DOES LINDA HAVE A RESUMÉ?  
06:07:16 >> WOULD THE BOARD ACCEPT HER AS AN EXPERT IN PLANNING AND  
06:07:19 ZONING?  
06:07:21 >>Mary Gibbs: MAY WE SEE A COPY, PLEASE?  
06:07:24 BRENDAN, DO YOU REMEMBER -- I KNOW YOU WERE HERE FOR A  
06:07:47 PUBLIC INFORMATION MEETING.  
06:07:49 >>Linda Miller: YES, I WAS.  
06:07:50 >>Mary Gibbs: DID YOU PRESENT A RESUMÉ AT THAT TIME?  
06:07:53 >>Linda Miller: I DON'T THINK IT WAS REQUIRED.  
06:07:55 IT WAS AN INFORMATIONAL MEETING.  
06:07:57 >>Mary Gibbs: I WAS THINKING I HADN'T SEEN YOUR RESUMÉ.  
06:08:00 SO I WANTED TO MAKE SURE YOU HADN'T BEEN ACCEPTED BEFORE  
06:08:03 HERE.  
06:08:03 >>Brendan Sloan: I WAS NOT, AND I DON'T BELIEVE LINDA WAS  
06:08:06 EITHER.  
06:08:08 >>Mary Gibbs: IT'S A VERY NICE PICTURE, LINDA.  
06:08:17 [ LAUGHTER ]

06:08:22 >>Neale Montgomery: AN EXPERT IS SOMEONE WHO BY THEIR  
06:08:23 EDUCATION AND EXPERIENCE HAS MORE KNOWLEDGE AND EXPERTISE  
06:08:26 THAN THE GENERAL PUBLIC.  
06:08:28 CERTAINLY, WITH LINDA'S EXTENSIVE EXPERIENCE LOCALLY AND  
06:08:31 WITH 163, SHE HAS GREATER KNOWLEDGE AND EXPERTISE THAN THE  
06:08:38 GENERAL PUBLIC.  
06:08:41 >>Mary Gibbs: BUT ONLY ABOUT HALF AS MUCH AS I DO.  
06:08:43 BUT THAT'S OKAY.  
06:08:45 NOBODY IS THAT OLD.  
06:08:46 >>Neale Montgomery: I WASN'T GOING TO POINT THAT OUT.  
06:08:48 >>Mary Gibbs: ESPECIALLY TONIGHT.  
06:08:49 THANK YOU FOR THAT.  
06:08:56 >>Nancy Stroud: THE RESUME WILL SPEAK FOR ITSELF.  
06:08:56 I GUESS YOU NEED TO MAKE A DECISION.

06:08:56 I HEARD NO OBJECTION.  
06:08:57 DOES THAT MEAN THAT THE BOARD ACCEPTS HER AS AN EXPERT --  
06:09:05 >>Marlene Naratil: DOES SOMEBODY WANT TO MAKE A MOTION TO  
06:09:07 ACCEPT LINDA AS AN EXPERT WITNESS?  
06:09:09 >>John Yarbrough: I'LL MAKE THE MOTION.  
06:09:10 >>Marlene Naratil: THANK YOU, JOHN.  
06:09:11 >> I'LL SECOND IT.  
06:09:12 >>Marlene Naratil: ALL IN FAVOR?  
06:09:19 >>Brendan Sloan: WE'LL PROCEED.  
06:09:20 LINDA, ARE YOU READY?  
06:09:22 >>Linda Miller: YES, WE HAVE WITH US THIS EVENING A  
  
06:09:23 REPRESENTATIVE OF THE PROPERTY OWNER, KRG ESTERO, LLC,  
06:09:29 DOUG -- BY PHONE, THE DEVELOPER OF THE FIRE STATION,  
06:09:34 FIRESTONE, PALMETTO CAPITAL GROUP AND A TEAM OF EXPERT  
06:09:39 PROFESSIONALS EXPERIENCED WHO WILL DEMONSTRATE HOW THE  
06:09:43 FIRESTONE IS AN ATTRACTIVE DEVELOPMENT AND A NECESSARY  
06:09:47 SERVICE TO THE COMMUNITY AND HOW THE DESIGN OF THE SITE AND  
06:09:49 BUILDING IS CONSISTENT WITH THE VILLAGE OF ESTERO'S  
06:09:51 COMPREHENSIVE PLAN, THE ESTERO PLANNING COMMUNITY AND THE  
06:09:54 EXISTING ZONING RESOLUTION.  
06:09:55 NEXT SLIDE, PLEASE.  
06:09:59 33-ACRE SHOP CENTER LOCATED IN THE SOUTHEAST CORNER OF  
06:10:08 CORKSCREW ROAD AND THREE OAKS PARKWAY APPROVED UNDER  
06:10:11 RESOLUTION Z-03-032 AS ESTERO TOWN CENTER COMMERCIAL PLANNED  
06:10:18 DEVELOPMENT, CPD, ON OCTOBER 20th, 2003.  
06:10:22 RESOLUTION Z-03-032 REZONED THE PARCEL FROM AG-2 TO  
06:10:28 COMMERCIAL PROFESSIONAL -- SORRY, COMMERCIAL PLANNED  
06:10:32 DEVELOPMENT AND PROVIDED FOR A MAXIMUM OF 265,000 SQUARE  
06:10:37 FEET OF GROSS FLOOR AREA OF WHICH UP TO 50,000 SQUARE FEET  
06:10:41 CAN CONSIST OF OFFICE SPACE.  
06:10:44 THE RESOLUTION ESTABLISHED THE USES PERMITTED WITHIN THE  
06:10:48 ANCHOR PARCEL AND WITHIN THE VILLAGE PARCELS ONE AND TWO.  
06:10:52 AUTO REPAIR AND SERVICE GROUP ONE USE IS LISTED AS A  
06:10:55 SUBORDINATE USE TO A PERMITTED USE WITHIN THE ANCHOR AND  
06:11:00 VILLAGE PARCEL.  
06:11:02 THE ESTERO TOWN CENTER ENVISIONED A SAM'S, COSTCO, BJ'S,  
  
06:11:08 SUPER WALMART OR TARGET WHICH ARE ALL CLASSIFIED AS A  
06:11:12 DEPARTMENT STORE USE WITHIN THE REDEVELOPMENT CODE.  
06:11:14 ON THE ANCHOR PARCEL OF THIS DEVELOPMENT, MOST OF THESE  
06:11:18 TYPES OF DEPARTMENT STORES INCLUDE AN AUTO REPAIR AND  
06:11:22 SERVICE GROUP ONE TIRE STORE WITHIN THEIR STORES, SO,  
06:11:26 THEREFORE, THE AUTO REPAIR AND SERVICE GROUP ONE USE, AS  
06:11:30 LISTED AS A SUBORDINATE USE ON THE ANCHOR PARCEL WAS  
06:11:35 SOMETHING THAT WAS ENVISIONED.  
06:11:38 THE ESTERO TOWN CENTER ALSO ENVISIONED AN AUTO REPAIR AND  
06:11:42 SERVICE GROUP ONE USE AS A STAND-ALONE USE WITHIN THE



06:11:46 VILLAGE PARCEL.  
06:11:47 IF THIS USE WAS NOT DEVELOPED WITHIN THE ANCHOR PARCEL AS  
06:11:50 PART OF THE SERVICE OFFERED BY A DEPARTMENT STORE USE, THE  
06:11:54 AUTO REPAIR AND SERVICE GROUP USE, GROUP ONE USE WAS  
06:11:58 INCLUDED ON THE SCHEDULE OF USES FOR THE VILLAGE PARCEL THAT  
06:12:02 WAS PROVIDED FOR THIS DEVELOPMENT AT THE TIME OF SUBMITTAL  
06:12:05 ON DECEMBER 6 OF 2002 AND REVISED THROUGH THE REVIEW PROCESS  
06:12:10 FOR THE ESTERO TOWN COMMONS PROJECT, FEBRUARY 10, MARCH 10,  
06:12:14 AND APRIL 15.  
06:12:15 THE AUTO REPAIR AND SERVICE GROUP ONE USE REMAINED ON THE  
06:12:21 APPLICANT'S SCHEDULE OF USES FOR THE VILLAGE PARCEL THROUGH  
06:12:24 THE STAFF REVIEW PROCESS AND UP TO THE PUBLIC HEARING IN  
06:12:27 FRONT OF THE HEARING EXAMINER.  
06:12:29 IN REVIEWING THE TRANSCRIPT OF THE HEARING EXAMINER PUBLIC  
06:12:33 HEARING, THE CPD APPLICATION DOCUMENTS AND THE FINAL ZONING

06:12:37 RESOLUTION, WE PROVIDE THE FOLLOWING: THE ZONING RESOLUTION  
06:12:42 DID NOT LIST A DEPARTMENT STORE USE AS A PERMITTED USE  
06:12:45 WITHIN THE VILLAGE PARCEL.

06:12:47 THE ZONING RESOLUTION DID LIST AN AUTO REPAIR AND SERVICE  
06:12:51 GROUP ONE USE AS A SUBORDINATE USE WITHIN THE VILLAGE  
06:12:56 PARCEL.

06:12:56 SINCE THE AUTO REPAIR AND SERVICE USE WOULD BE A SUBORDINATE  
06:13:00 USE TO A DEPARTMENT STORE USE, WHICH IS NOT PERMITTED, WE  
06:13:05 FEEL THAT THE INTENT OF THE FINAL ZONING RESOLUTION WAS TO  
06:13:08 ALLOW FOR AN AUTO REPAIR AND SERVICE GROUP ONE USE AS A  
06:13:13 PERMITTED USE WITHIN THE VILLAGE PARCEL, AND THAT THIS USE  
06:13:16 SHOULD BE CONSIDERED A PERMITTED USE BY RIGHT WITHIN THE  
06:13:20 VILLAGE PARCEL.

06:13:21 THE ESTERO TOWN CENTER DEVELOPED THE ANCHOR PARCEL WITH A  
06:13:26 LOWE'S HOME IMPROVEMENT STORE.

06:13:27 LOWE'S IS CLASSIFIED AS A HARDWARE STORE IN THE LEE COUNTY  
06:13:30 DEVELOPMENT CODE AND DOES ALSO AUTO REPAIR AND SERVICES.  
06:13:34 SINCE THE HARDWARE STORE WAS DEVELOPED AS THE ANCHOR TO THIS  
06:13:38 DEVELOPMENT, WE BELIEVE THAT THE SHOPPING CENTER ENVISIONS  
06:13:41 HAVING AN AUTO REPAIR SERVICE GROUP ONE USE AS A STAND-ALONE  
06:13:46 USE WITHIN ONE OF THE VILLAGE PARCELS.

06:13:49 THE APPLICANT IS REQUESTING AN AMENDMENT TO THE ESTERO TOWN  
06:13:52 CENTER COMMERCIAL PLANNED DEVELOPMENT TO CONSTRUCT AN AUTO  
06:13:55 REPAIR AND SERVICE GROUP ONE USE, FIRESTONE, ON 1.14 ACRES  
06:14:01 OF TRACT A.

06:14:02 THE USE IS NECESSARY IN THIS AREA DUE TO THE SITE'S  
06:14:06 PROXIMITY TO THE INTERSTATE 75, THE GROWTH PLAN FOR THE  
06:14:10 FLORIDA GULF COAST UNIVERSITY, AND TO MAINTAIN THE VEHICLES  
06:14:14 OF THE RESIDENTS WITHIN THIS GROWING AREA.

06:14:18 >> EXCUSE ME.

06:14:19 LINDA, I'M SORRY TO INTERRUPT.

06:14:20 WE'RE STILL ON THE SECOND SLIDE.  
06:14:22 ARE WE MISSING SOME SLIDES?  
06:14:24 BECAUSE THE TESTIMONY IS ON THE OTHER SLIDES, IT MIGHT BE  
06:14:28 EASIER TO UNDERSTAND.  
06:14:30 OKAY.  
06:14:31 I'M SORRY THEN.  
06:14:32 I APOLOGIZE FOR INTERRUPTING.  
06:14:34 >> I'M GLAD YOU SAID THAT, BECAUSE I WAS EQUALLY AS  
06:14:37 CONFUSED.  
06:14:41 >>Linda Miller: WE'RE ON SLIDE THREE OF THE PRESENTATION.  
06:14:43 WELL DEFINED COMMERCIAL AREA THAT CURRENTLY CONTAINS A  
06:14:49 MIXTURE OF RESTAURANT, RETAIL, TWO HOTELS, AUTO DEALERSHIP,  
06:14:53 A CAR WASH, MEDICAL OFFICES AND A HOME IMPROVEMENT STORE.  
06:14:58 ESTERO TOWN COMMONS WAS ESTABLISHED AS A COMMERCIAL SHOPPING  
06:15:01 CENTER IN 2003.  
06:15:03 NEXT SLIDE.  
06:15:06 THE NEXT FOUR SLIDES ARE PHOTOS OF THE EXISTING DEVELOPMENT  
06:15:09 WITH THE INTERSECTION OF CORKSCREW ROAD AND THREE OAKS  
06:15:13 PARKWAY.

06:15:13 THIS SLIDE IS THE NORTHEAST OF THE PROJECT SITE ON  
06:15:19 CORKSCREW, AND IT HAS A GAS STATION AND DUE NORTH OF THE  
06:15:23 SITE IS A VACANT COMMERCIAL BUILDING WITH A CAR WASH.  
06:15:28 NEXT SLIDE.  
06:15:28 ON THE NORTHWEST CORNER OF THREE OAKS AND CORKSCREW IS A  
06:15:33 7-ELEVEN AND ARBY'S FAST FOOD RESTAURANT ADJACENT TO THE  
06:15:37 7-ELEVEN.  
06:15:39 IN THESE DEVELOPMENTS, THE BUILDINGS ARE NOT ADJACENT TO  
06:15:41 CORKSCREW ROAD.  
06:15:43 THEY ARE SOME DISTANCE BACK WITH DRIVE AISLES AND PARKING  
06:15:46 SPACES BETWEEN CORKSCREW ROAD AND THE BUILDING.  
06:15:49 NEXT SLIDE.  
06:15:53 NORTHEAST OF THE SUBJECT PARCEL IS A -- AND ANOTHER GAS  
06:15:57 STATION.  
06:15:57 THE SITE ALONG THE NORTH SIDE OF CORKSCREW ROAD RUNS A DEEP  
06:16:02 DRAINAGE DITCH.  
06:16:03 THESE SITES ARE UNABLE TO PROVIDE PEDESTRIAN ACCESS FROM THE  
06:16:06 SIDEWALK ON CORKSCREW ROAD TO THE ENTRANCE TO THE BUILDINGS.  
06:16:10 NEXT SLIDE.  
06:16:11 THERE ARE THREE RESTAURANTS WITHIN THE TWO SHOPPING CENTERS  
06:16:17 ON THE EASTERN CORNER OF THREE OAKS PARKWAY AND CORKSCREW  
06:16:20 ROAD.  
06:16:20 THIS PICTURE IS OF TWO OF THOSE RESTAURANTS.  
06:16:22 TWO OF THE THREE RESTAURANTS ARE CURRENTLY VACANT.  
06:16:25 WE ANTICIPATE THAT THE CURRENT APPLEBEE'S AND THE RUBY

06:16:28 TUESDAY'S BUILDINGS WILL BE REDEVELOPED WITH A SINGLE  
06:16:32 COMMERCIAL USE WITH ANOTHER FULL-SERVICE RESTAURANT IN THE

06:16:35 NEAR FUTURE.  
06:16:36 NEXT SLIDE, PLEASE.  
06:16:41 THE SITE IS VACANT.  
06:16:43 THE SITE FRONTS CORKSCREW ROAD ALONG THE NORTH PROPERTY  
06:16:46 LINE.  
06:16:46 ALL THE OTHER PROPERTY LINES FRONT PARCELS WITHIN THE  
06:16:51 SHOPPING CENTER WITH ALL PROPERTY LINES INTERNAL INTO THE  
06:16:55 SHOPPING CENTER.  
06:16:56 THE OUTPARCEL TO THE EAST OF THE SITE IS DEVELOPED.  
06:16:58 THE SITE HAS ACCESS FROM THE INTERNAL SHOPPING CENTER ROAD  
06:17:02 AND CROSS ACCESS TO THE DENTIST OFFICE TO THE EAST.  
06:17:05 NEXT SLIDE.  
06:17:06 THIS IS AN AERIAL OF THE ESTERO TOWN COMMONS CENTER WITH THE  
06:17:13 FIRESTONE DRAWN IN.  
06:17:15 AS YOU CAN SEE, THE FIRESTONE IS PART OF A LARGE COMMERCIAL  
06:17:18 ONLY SHOPPING CENTER THAT IS MAINLY BUILT OUT.  
06:17:21 NEXT SLIDE.  
06:17:22 THIS IS A PICTURE OF THE SITE AS IT IS SEEN FROM CORKSCREW  
06:17:29 ROAD HEADING EAST.  
06:17:30 NEXT SLIDE.  
06:17:32 THIS IS A PICTURE OF THE SITE AS SEEN FROM INSIDE THE  
06:17:35 SHOPPING CENTER FROM ESTERO TOWN COMMONS PLACE.  
06:17:40 NEXT SLIDE.

06:17:40 THE MASTER CONCEPT PLAN FOR THIS DEVELOPMENT WAS DESIGNED IN  
06:17:46 ACCORDANCE WITH ESTERO PLANNING COMMUNITY, THE CORKSCREW  
06:17:48 OVERLAY, AND THE ZONING RESOLUTION.  
06:17:51 THE FIRESTONE SITE WILL CONSIST OF 1.14 ACRES, A PORTION OF  
06:17:56 TRACT A.  
06:17:56 THE GROSS FLOOR AREA OF THE BUILDING IS 6400 SQUARE FEET AND  
06:18:02 THE BUILDING COVERAGE IS 6,573 SQUARE FEET OR 13% OF THE  
06:18:07 SITE.  
06:18:07 THE ENTRANCE INTO THE BUILDING IS WITHIN THE NORTHEAST  
06:18:11 CORNER FACING CORKSCREW ROAD AND THE PARKING LOT, WHICH IS  
06:18:15 CONSISTENT WITH ZONING RESOLUTION Z-03-032.  
06:18:19 THE BUILDING IS SET BACK 25 FEET FROM CORKSCREW ROAD WHICH  
06:18:24 IS CONSISTENT WITH ZONING RESOLUTION Z-03-032.  
06:18:27 LANDSCAPE AREAS PROVIDED ALONG THE PROPERTY LINES ARE 25 TO  
06:18:32 30 FEET ALONG CORKSCREW ROAD, 5 TO 58 FEET ALONG THE WESTERN  
06:18:37 PROPERTY LINE, 5 TO 75 FEET ALONG THE EASTERN PROPERTY LINE.  
06:18:42 45 TO 75 FEET ALONG THE SOUTHERN PROPERTY LINE.  
06:18:45 ACCESS INTO THE SITE IS FROM A PRIVATE RIGHT-OF-WAY WITHIN  
06:18:48 THE SHOPPING CENTER PLOTTED AS ESTERO TOWN COMMON PLACE AND  
06:18:52 CROSS ACCESS FROM THE DENTAL OFFICE TO THE SITE EAST.  
06:18:56 THE SITE WILL PROVIDE VEHICLE AND PEDESTRIAN CONNECTIONS TO  
06:19:00 ALL PARCELS WITHIN THE DEVELOPMENT, CONSISTENT WITH SECTION  
06:19:03 33-118 OF THE LAND DEVELOPMENT CODE AND ZONING RESOLUTION  
06:19:08 Z-03-032.

06:19:11 A PARKING LOT IS SET BACK 30 FEET FROM CORKSCREW ROAD, WHICH  
06:19:15 IS CONSISTENT WITH ZONING RESOLUTION Z-03-032.  
06:19:19 THE SITE WILL PROVIDE 29 PARKING SPACES WITH TWO HANDICAP  
06:19:24 SPACES, THE REQUIRED PARKING IS 23 SPACES.  
06:19:27 A PARKING ISLAND IS PROVIDED AT THE END OF THE PARKING ROW  
06:19:30 WHICH IS CONSISTENT WITH SECTION 33-114 OF THE LAND  
06:19:34 DEVELOPMENT CODE.  
06:19:35 THE PARKING AREA HAS BEEN DESIGNED TO PROVIDE A VEHICLE  
06:19:38 CONNECTION TO THE DENTAL OFFICE PARKING AREA TO THE EAST AND  
06:19:42 ACCESS TO ALL OF THE OTHER PARKING AREAS WITHIN -- THROUGH  
06:19:46 THE SITE, THROUGH THE USE OF THE INTERNAL ACCESS ROAD TO THE  
06:19:49 SHOPPING CENTER, WHICH IS CONSISTENT WITH SECTION 33-114 OF  
06:19:53 THE LAND DEVELOPMENT CODE.  
06:19:54 3,148 SQUARE FEET OF CONCRETE PROVIDE A TOTAL OF 6% OF THE  
06:20:00 SITE AREA.  
06:20:01 THE FIVE-FOOT WIDE SIDEWALKS CONNECT THE SIDEWALK ALONG  
06:20:05 CORKSCREW ROAD INTO THE SITE AND CONNECT THE SITE TO ALL THE  
06:20:08 OTHER DEVELOPMENTS WITHIN THE SHOPPING CENTER, WHICH IS  
06:20:11 CONSISTENT WITH SECTION 33-362.  
06:20:15 34% OF THE SITE WILL BE OPEN SPACE FOR LANDSCAPE BUFFERS.  
06:20:18 PUBLIC AMENITIES, SPACE AND PLACES OF INTEREST CONSISTENT  
06:20:22 WITH SECTION 33-113 OF THE LAND DEVELOPMENT CODE.  
06:20:26 THE SITE WILL PROVIDE THREE PUBLIC GATHERING SPACES WITH  
06:20:30 LANDSCAPING, BENCHES, AND SEATING AREA, WHICH IS CONSISTENT  
06:20:33 WITH SECTION 33-113 AND 33-364 OF THE LAND DEVELOPMENT CODE.  
06:20:40 THE DEVELOPMENT WILL PROVIDE A BUS STOP, FIVE BY FIVE  
  
06:20:45 CONCRETE LANDING PAD AND BIKE RACKS CONSISTENT WITH SECTION  
06:20:48 33-361 OF THE LAND DEVELOPMENT CODE.  
06:20:52 THE TRASH ENCLOSURE IS LOCATED IN THE REAR OF THE BUILDING  
06:20:55 SCREENED WITH A WALL MATCHING THE COLORS OF THE BUILDING.  
06:21:01 THE TRASH ENCLOSURE IS IN AN AREA THAT IS ACCESSIBLE AND  
06:21:02 FUNCTIONAL WHICH IS CONSISTENT WITH SECTION 33-115 OF THE  
06:21:04 LAND DEVELOPMENT CODE.  
06:21:05 THE 30-FOOT OF GREENSPACE ALONG CORKSCREW ROAD HAS BEEN  
06:21:10 DESIGNED TO CREATE PUBLIC SPACES ALONG CORKSCREW ROAD THAT  
06:21:14 ARE VISUALLY ATTRACTIVE THAT PROVIDE PEDESTRIAN CONNECTION  
06:21:19 AND ALLOWS FOR ACTIVITY TO TAKE PLACE ALONG THE STREET  
06:21:21 FRONT, WHICH IS CONSISTENT WITH SECTION 33-404 AND 33-405 OF  
06:21:27 THE LAND DEVELOPMENT CODE.  
06:21:28 THE GREENSPACE WILL CONSIST OF A TWO-FOOT -- SHRUBS AND  
06:21:33 DOUBLE ROW OF TREES PLANTED WITHIN THE TO OF THE BERM.  
06:21:37 A SIDEWALK, A BUS STOP, A PUBLIC SPACE WITH BENCH SEATING IS  
06:21:40 ALSO PROVIDED ALONG CORKSCREW ROAD.  
06:21:42 NEXT SLIDE, PLEASE.  
06:21:47 >>Brendan Sloan: OKAY.  
06:21:49 >>Neale Montgomery: HOLD ON.

06:21:50 I HAVE A QUESTION FOR LINDA BEFORE WE LEAVE, IF I COULD.  
06:21:53 LINDA, CAN YOU HEAR ME?  
06:21:56 >>Linda Miller: YES.  
06:21:57 >>Neale Montgomery: BASED ON SLIDE THREE WHERE YOU LISTED  
06:21:58 ALL THE SURROUNDING USES AND BASED ON THE PHOTOGRAPHS YOU  
  
06:21:59 SHOWED, IS IT YOUR EXPERT OPINION THAT THE PROPOSED USE IS  
06:22:02 COMPATIBLE WITH THE SURROUNDING USES?  
06:22:05 >>Linda Miller: YES, IT IS.  
06:22:08 >>Neale Montgomery: THANK YOU.  
06:22:08 >>Brendan Sloan: OKAY.  
06:22:10 AS I SAID BEFORE, MY NAME IS BRENDAN SLOAN.  
06:22:13 I'M THE DIRECTOR OF ENGINEERING FOR AVALON ENGINEERS.  
06:22:15 AS YOU CAN SEE FROM THE PowerPoint SLIDE IN FRONT OF YOU,  
06:22:18 I'VE BEEN A LICENSED CIVIL ENGINEER SINCE 2009 AND WAS  
06:22:22 PREVIOUSLY RECOGNIZED AS AN EXPERT IN THE FIELD OF CIVIL  
06:22:24 ENGINEERING BY LEE COUNTY, COLLIER COUNTY AND THE CITY OF  
06:22:28 FORT MYERS.  
06:22:28 I WOULD LIKE TO REQUEST THAT THE VILLAGE ALSO RECOGNIZE ME  
06:22:31 AS AN EXPERT IN THE FIELD OF CIVIL ENGINEERING.  
06:22:44 >>Mary Gibbs: IS THIS YOUR RESUMÉ?  
06:22:48 >> [INAUDIBLE]  
06:23:08 >>Mary Gibbs: THIS LOOKS ACCEPTABLE, BUT AT SOME POINT, DO  
06:23:11 YOU HAVE A REGULAR RESUMÉ YOU COULD FORWARD TO US.  
06:23:14 >>Brendan Sloan: I CAN SEND IT TO YOU.  
06:23:15 >>Mary Gibbs: THEN WE CAN KEEP IT IN OUR FILE IN CASE OF  
06:23:19 OTHER PROJECTS.  
06:23:20 >>Brendan Sloan: IT'S LONG.  
06:23:22 >>Marlene Naratil: RECOMMENDATION WHETHER WE SHOULD ACCEPT  
06:23:28 BRENDAN SLOAN AS AN EXPERT WITNESS --  
06:23:31 >>Nancy Stroud: IN CIVIL ENGINEERING.  
  
06:23:33 >>Marlene Naratil: YES, CIVIL ENGINEERING.  
06:23:36 >> I MAKE A MOTION THAT WE DO THAT.  
06:23:39 >> SECOND.  
06:23:40 >>Marlene Naratil: ALL IN FAVOR?  
06:23:46 >> AYE.  
06:23:47 >> AYE.  
06:23:48 >>Brendan Sloan: THANK YOU ALL.  
06:23:49 I WILL CONTINUE.  
06:23:51 THIS SLIDE IS A PEDESTRIAN SYSTEM SLIDE.  
06:23:54 AS YOU CAN SEE, THE FIRESTONE PROPOSES TO PROVIDE PEDESTRIAN  
06:23:57 ACCESSIBILITY SIDEWALKS TO CONNECT THE PROJECT TO THREE OAKS  
06:24:00 PARKWAY, CORKSCREW ROAD, AND THE INTERNAL SIDEWALK NETWORK  
06:24:03 THAT EXISTS WITHIN ESTERO TOWN COMMONS.  
06:24:06 THE PURPLE SIDEWALKS OR THE PURPLE ON THE PLAN ARE THE  
06:24:09 EXISTING SIDEWALKS WITHIN ESTERO TOWN COMMONS, THREE OAKS  
06:24:13 PARKWAY AND CORKSCREW ROAD.

06:24:15 THE TURQUOISE ARE THE CONNECTOR SIDEWALKS THAT THE FIRESTONE  
06:24:19 PROPOSES INTERIOR TO THE DEVELOPMENT TO CONNECT TO EACH ONE  
06:24:21 OF THOSE NETWORKS.  
06:24:22 THE PROJECT IS CONSISTENT WITH THE ESTERO PLANNING COMMUNITY  
06:24:26 LAND DEVELOPMENT CODE SECTION 33-362, WHICH STATES THAT  
06:24:30 SIDEWALKS MUST CONNECT THE ON-SITE PEDESTRIAN SYSTEM TO THE  
06:24:34 PEDESTRIAN SYSTEMS ON ADJACENT DEVELOPMENTS WITH A PUBLIC  
06:24:37 SAFETY ELEMENT.  
06:24:39 THE CROSSWALKS ARE SHOWN THROUGHOUT THE SITE TO ALLOW FOR

06:24:42 SAFE ACCESS TO THE FIRESTONE AND ADJACENT PROPERTIES AS  
06:24:45 SHOWN ON THE MASTER CONCEPT PLAN IN THE PREVIOUS SLIDE.  
06:24:48 THE PROJECT IS CONSISTENT WITH THE CORRIDOR OVERLAY  
06:24:52 DISTRICT, CORKSCREW ROAD LAND DEVELOPMENT CODE SECTION  
06:24:54 33-404, WHICH STATES THAT DEVELOPMENTS MUST BE DESIGNED TO  
06:24:59 CREATE SPACES ALONG THE STREET THAT ARE VISUALLY ATTRACTIVE  
06:25:04 AND THAT PROVIDE FOR PEDESTRIAN CONNECTION.  
06:25:06 THE PROJECT HAS BEEN LANDSCAPED AND ARCHITECTURALLY DESIGNED  
06:25:08 TO PROVIDE A VISUALLY ATTRACTIVE APPEAL WITH PEDESTRIAN  
06:25:12 CONNECTIVITY.  
06:25:13 THE PROJECT IS ALSO CONSISTENT WITH THE CORRIDOR OVERLAY  
06:25:15 DISTRICT, CORKSCREW ROAD LAND DEVELOPMENT CODE SECTION  
06:25:18 33-405, WHICH STATES THAT THE DEVELOPMENT MUST BE DESIGNED  
06:25:22 TO CREATE PUBLIC SPACES TO ALLOW FOR ACTIVITY TO TAKE PLACE  
06:25:26 ALONG THE STREETFRONT, SUCH AS SIDEWALKS AND OPEN AREAS.  
06:25:29 THE MASTER CONCEPT PLAN FROM THE PREVIOUS SLIDE HAS MULTIPLE  
06:25:34 GATHERING LOCATIONS FOR PEDESTRIANS TO CONGREGATE ALONG WITH  
06:25:37 CROSSWALKS TO SAFELY GET THEM FROM SPACE TO SPACE.  
06:25:41 THE PROJECT IS ALSO CONSISTENT WITH ZONING RESOLUTION  
06:25:43 Z-03-032, WHICH STATES THAT THE ESTERO TOWN COMMONS CENTER  
06:25:49 WILL BE FULLY INTEGRATED AND WILL BE A FULLY INTEGRATED PLAN  
06:25:53 SITE WITH WELL-DESIGNED PEDESTRIAN PATHS AND LANDSCAPING  
06:25:55 THROUGHOUT THE SITE.  
06:25:56 THE SLIDE IN FRONT OF YOU SHOWS HOW THE FIRESTONE PROJECT  
06:25:59 CONNECTS TO THE EXISTING PEDESTRIAN NETWORK WITHIN ESTERO

06:26:04 TOWN COMMONS.  
06:26:04 TO BRING UP FUTURE ZONING CONDITIONS THAT HAD WE WILL  
06:26:13 DISCUSS AT THE END, WE WOULD LIKE TO MAKE A REVISION TO  
06:26:17 CONDITION NUMBER 17 TO STATE THAT SIDEWALKS SHALL BE  
06:26:19 PROVIDED CONSISTENT WITH SAFETY REQUIREMENTS OF SECTION  
06:26:23 33-362 OF THE LEE COUNTY LAND DEVELOPMENT CODE.  
06:26:28 THE MASTER CONCEPT PLAN AND PATTERN BOOK WILL BE FURTHER  
06:26:31 EVALUATED FOR CONSISTENCY WITH THE LDC AND PUBLIC SAFETY  
06:26:35 THROUGH THE REVIEW OF THE LOCAL DEVELOPMENT ORDER  
06:26:37 APPLICATION.  
06:26:38 SO AS PREVIOUSLY DISCUSSED, CROSSWALKS ARE SHOWN THROUGHOUT  
06:26:41 THE SITE TO ALLOW FOR SAFE ACCESS TO THE FIRESTONE AND

06:26:44 ADJACENT PROPERTIES AS SHOWN ON THE MASTER CONCEPT PLAN.  
06:26:48 THIS WILL ALL BE REVIEWED DURING THE VILLAGE OF ESTERO  
06:26:51 DEVELOPMENT ORDER REVIEW.  
06:26:54 NEXT SLIDE.  
06:26:55 SO STORMWATER MANAGEMENT.  
06:26:57 ESTERO TOWN COMMONS IS AN EXISTING COMMERCIAL SHOPPING  
06:27:00 CENTER WITH AN EXISTING SOUTH FLORIDA WATER MANAGEMENT  
06:27:03 DISTRICT PERMIT THAT GOVERNS THE TREATMENT AND ATTENUATION  
06:27:06 OF ALL STORMWATER WITHIN THE DEVELOPMENT.  
06:27:08 AS A PART OF THE PERMIT, ESTERO TOWN COMMONS CONSTRUCTED A  
06:27:11 DRY DETENTION AREA IN THE SOUTHWEST CORNER OF THE OVERALL  
06:27:14 PROJECT FOR STORMWATER TREATMENT THAT OUTFALLS TO A CONTROL  
06:27:18 STRUCTURE INTO A DRAINAGE SWALE ON THE EAST SIDE OF THREE

06:27:22 OAKS PARKWAY.  
06:27:23 THIS SWALE DRAINS SOUTH AND WEST TO ESTERO RIVER.  
06:27:27 SO AS YOU CAN SEE FROM THIS SLIDE, THE FIRESTONE IS IN THE  
06:27:33 NORTHEAST -- SOUTHEASTERN CORNER OF CORKSCREW AND THREE OAKS  
06:27:37 PARKWAY.  
06:27:38 THE BLUE ARROWS SHOW A PRE-STUBBED INLET INFRASTRUCTURE  
06:27:43 SYSTEM THAT TAKES THE DRAINAGE FROM THE FIRESTONE TO THE  
06:27:47 EXISTING DRY DETENTION AREA IN TURQUOISE.  
06:27:52 IF YOU LOOK AT THE LEFT CORNER OF THAT TURQUOISE SHADE,  
06:27:55 THERE IS A CONTROL STRUCTURE HIGHLIGHTED IN WHITE THAT THEN  
06:27:58 OUTFALLS DRAINAGE DISCHARGE INTO A SWALE ON THE EAST SIDE OF  
06:28:03 THREE OAKS PARKWAY.  
06:28:07 THE FIRESTONE PROJECT WITHIN TRACT A OF ESTERO TOWN COMMONS  
06:28:11 FALLS WITHIN THE EXISTING SOUTH FLORIDA WATER MANAGEMENT  
06:28:13 DISTRICT PERMIT.  
06:28:14 THE PROJECT WILL OUTFALL, LIKE I JUST SAID, AND THEN AS PART  
06:28:17 OF THE SPECIAL CONDITIONS IN SOUTH FLORIDA WATER MANAGEMENT  
06:28:20 DISTRICT PERMIT, A PERMIT MODIFICATION APPLICATION IS  
06:28:23 REQUIRED TO BE APPROVED PRIOR TO CONSTRUCTION TO CONFIRM  
06:28:27 THAT THE FIRESTONE DEVELOPMENT MEETS THE IMPERVIOUS AREA AND  
06:28:31 ELEVATION REQUIREMENTS WITHIN THE APPROVED SOUTH FLORIDA  
06:28:34 PERMIT.  
06:28:35 SO AVALON ENGINEERING HAS ALREADY CONFIRMED THAT THE MASTER  
06:28:38 CONCEPT PLAN MEETS THE MAXIMUM IMPERVIOUS AREA PERCENTAGE  
06:28:41 OUTLINED IN THE WATER MANAGEMENT PERMIT OF THE 80% AS WE

06:28:45 ONLY ARE REQUESTING A 65% IMPERVIOUS PERCENTAGE ON THE  
06:28:50 OVERALL SITE.  
06:28:52 SO WE THEREFORE, THIS SITE WILL BE PROVIDING A REDUCTION IN  
06:28:55 IMPERVIOUS AREA FROM THE APPROVED PERMIT AND WILL NOT  
06:28:58 REQUIRE ANY ADDITIONAL WATER QUALITY TREATMENT TO BE  
06:29:00 PROVIDED ON-SITE.  
06:29:02 THE FINISHED FLOOR ELEVATION OF THE FIRESTONE BUILDING IS  
06:29:05 REQUIRED TO BE ONE FOOT ABOVE THE FEMA FLOOD ZONE A-H

06:29:08 ELEVATION OF 14.5 AND ABOVE THE SOUTH FLORIDA WATER  
06:29:14 MANAGEMENT DISTRICT 100-YEAR, THREE-DAY STORM EVENT  
06:29:16 ELEVATION OF 16.3.  
06:29:18 THE PROJECT WILL MEET BOTH REQUIREMENTS AS PART OF THE  
06:29:21 VILLAGE OF ESTERO DEVELOPMENT ORDER REVIEW AND SOUTH FLORIDA  
06:29:24 WATER MANAGEMENT DISTRICT PERMIT MODIFICATION REVIEW.  
06:29:26 AS PART OF THE PROPOSED ZONING CONDITIONS IN THE FUTURE THAT  
06:29:31 WE'LL DISCUSS, WE WOULD ALSO LIKE TO REVISE CONDITION NUMBER  
06:29:34 20 TO STATE THAT THE DEVELOPER OF THE EASTERN PORTION OF  
06:29:40 PARCEL A WILL PREPARE A HAZARDOUS WASTE PROTECTION PLAN THAT  
06:29:44 PREVENTS ANY HAZARDOUS WASTE OR MATERIAL FROM ENTERING THE  
06:29:48 STORMWATER MANAGEMENT SYSTEM.  
06:29:49 THE PLAN WILL BE PROVIDED WITH THE DEVELOPMENT ORDER  
06:29:51 APPLICATION SHOULD ANY HAZARDOUS WASTE BE GENERATED OR  
06:29:55 HAZARDOUS MATERIALS BE STORED ON-SITE.  
06:29:57 THIS CONDITION HAS BEEN REVISED SINCE ANY POTENTIAL  
06:30:00 HAZARDOUS POLLUTANTS UTILIZED OR SPILLED BY A SERVICED

06:30:03 VEHICLE WITHIN THE FIRESTONE BUILDING ARE COLLECTED VIA A  
06:30:07 FLOOR SCRUBBER SYSTEM AND DISCHARGED INTO THE OIL WATER  
06:30:12 SEPARATOR THAT GOES TO THE SEWER SYSTEM, NOT THE STORMWATER  
06:30:15 SYSTEM.  
06:30:16 THEREFORE, THE FIRESTONE WOULD NOT PRODUCE POLLUTANTS THAT  
06:30:18 ARE IN EXCESS OF ANY TYPICAL PARKING LOT THAT OUTFALLS INTO  
06:30:21 A REGULAR STORMWATER SYSTEM.  
06:30:23 A WATER QUALITY MONITORING PLAN FOR THE OVERALL SUBDIVISION  
06:30:27 SHOULD NOT BE REQUIRED WITH THE ADDITION OF THIS USE.  
06:30:31 UTILITIES.  
06:30:34 ESTERO TOWN COMMONS HAS AN EXISTING PUBLIC INFRASTRUCTURE  
06:30:40 SYSTEM, THAT INCLUDES THE CENTRALIZED POTABLE WATER SERVICE  
06:30:44 AND CENTRALIZED SEWER SERVICE STUBOUT FOR THE FIRESTONE  
06:30:47 PROJECT.  
06:30:47 THIS PROJECT WILL NOT REQUIRE ANY WATER OR SEWER MAIN  
06:30:51 EXTENSIONS OUTSIDE OF THE ESTERO TOWN COMMONS SERVICE  
06:30:54 SYSTEM.  
06:30:55 THE PROJECT IS CONSISTENT WITH THE ESTERO PLANNING COMMUNITY  
06:30:59 LAND DEVELOPMENT CODE SECTION 33-112, WHICH STATES THAT  
06:31:02 UTILITIES MUST BE LOCATED UNDERGROUND.  
06:31:08 THE FIRESTONE PROJECT MEETS THIS REQUIREMENT.  
06:31:11 LASTLY FROM ME, WE DID A FIRE TRUCK ROUTING.  
06:31:13 AS PART OF THE PD AMENDMENT REVIEW, ESTERO FIRE RESCUE WAS  
06:31:17 CONSULTED TO CONFIRM THAT THE FIRE TRUCK, THAT THE FIRE  
06:31:20 DEPARTMENT'S 45-FOOT STANDARD FIRE TRUCK COULD ACCESS THE

06:31:23 SITE SAFELY.  
06:31:24 THE SLIDE IN FRONT OF YOU REFLECTS AN AUTO TURN EXHIBIT  
06:31:28 SHOWING THE FIRE TRUCK LOOPING THROUGH THE PROJECT SITE  
06:31:31 WITHOUT DIFFICULTY.



06:31:32 I WILL NOW TURN THIS BACK OVER TO LINDA MILLER TO DISCUSS  
06:31:35 THE NEXT SLIDE.  
06:31:37 >>Nancy Stroud: ARE THERE ANY QUESTIONS OF THIS WITNESS?  
06:31:47 >>Linda Miller: THE NEXT THREE SLIDES ARE RENDERINGS OF  
06:31:52 THE PUBLIC SPACES PROVIDED WITHIN THIS DEVELOPMENT.  
06:31:55 THESE AREAS ARE DESIGNED TO MEET THE REQUIREMENTS WITHIN THE  
06:31:58 ESTERO PLANNING COMMUNITY SECTION 33 OF THE LAND DEVELOPMENT  
06:32:01 CODE.  
06:32:01 THE PUBLIC AMENITY SPACE IS IN THE SOUTHWEST CORNER OF THE  
06:32:05 SITE AT THE ENTRANCE TO THE SITE FROM THE INTERNAL ACCESS  
06:32:09 ROAD WITHIN THE SHOPPING CENTER.  
06:32:10 THE PUBLIC SPACE AREA IS 55 FEET WIDE AND WILL CONTAIN TREES  
06:32:15 AND SHRUBS WHICH WILL PROVIDE A VISUALLY PLEASING SHADED  
06:32:22 SEATING AREA.  
06:32:25 THIS PUBLIC AMENITIES SPACE IS LOCATED IN THE SOUTHEAST  
06:32:28 CORNER OF THE SITE ADJACENT TO THE DENTIST OFFICE.  
06:32:30 THIS AREA WILL INCLUDE A TREE-COVERED SIDEWALK, FLOWERING  
06:32:35 SHRUBS AND BENCH SEATING.  
06:32:37 THIS IS A VIEW OF THE PUBLIC AREA TO THE RIGHT -- FROM  
06:32:47 ESTERO TOWN COMMONS PLACE.  
06:32:47 NEXT SLIDE.

06:32:48 THIS IS A VIEW OF THE SAME SOUTHEAST PUBLIC SPACE AREA  
06:32:50 WITHIN THE SITE AS YOU EXIT ONTO ESTERO TOWN COMMONS PLACE  
06:32:54 OR TO THE DENTIST OFFICE.  
06:32:56 NEXT SLIDE.  
06:33:01 AN ENVIRONMENTAL REPORT WAS CONDUCTED ON THIS SITE.  
06:33:03 1.09 ACRES OF THE SITE CONSISTS OF OPEN LANDS, LAND USE  
06:33:09 CLASSIFICATION 190.  
06:33:11 THERE ARE TWO TYPES OF SOILS WITHIN THE SITE AND NO  
06:33:15 PROTECTIVE SPECIES WERE FOUND ON THE SITE.  
06:33:18 NEXT SLIDE.  
06:33:22 >>Brendan Sloan: I'LL LEAVE THIS TO TED TREESH, OUR TRAFFIC  
06:33:26 EXPERT.  
06:33:56 >>Ted Treesh: GOOD EVENING.  
06:33:57 TED TREESH WITH TR TRANSPORTATION CONSULTANTS, THE PRESIDENT  
06:33:58 OF TR TRANSPORTATION.  
06:33:58 I'VE BEEN PRACTICING TRANSPORTATION PLANNING FOR JUST OVER  
06:34:01 30 YEARS NOW, AND I'VE BEEN ACCEPTED AS AN EXPERT IN THIS  
06:34:04 FORUM PREVIOUSLY AND TESTIFIED AT THE VILLAGE OF ESTERO A  
06:34:05 NUMBER OF TIMES SINCE ITS INCEPTION.  
06:34:11 I ASK TO BE ACCEPTED AS AN EXPERT IN TRANSPORTATION PLANNING  
06:34:12 RELATED MATTERS THIS EVENING.  
06:34:23 >>Marlene Naratil: I'D LIKE A MOTION TO ACCEPT MR. TREESH AS  
06:34:26 AN EXPERT WITNESS IN THIS FIELD.  
06:34:28 >> I'LL MOVE IT.  
06:34:30 >>Marlene Naratil: SECOND?

06:34:30 ALL IN FAVOR?  
06:34:36 >> AYE.  
06:34:37 >> AYE.  
06:34:37 >>Ted Treesh: THANK YOU.  
06:34:38 I JUST HAVE A COUPLE OF BRIEF SLIDES THAT I WOULD LIKE TO  
06:34:42 SUMMARIZE THE TRAFFIC ANALYSIS PREPARED AS PART OF THE  
06:34:44 APPLICATION.  
06:34:44 THIS DEVELOPMENT WILL HAVE NO SIGNIFICANT IMPACTS ON THE  
06:34:47 SURROUNDING ROADWAYS AND THE VILLAGE OF ESTERO, LEE COUNTY  
06:34:51 DEFINES WHAT THE SIGNIFICANT IMPACT THRESHOLDS ARE.  
06:34:54 THIS USE IS REALLY A LOW TRAFFIC GENERATOR, AND I'LL GET TO  
06:34:57 THAT IN JUST A SECOND.  
06:34:59 BECAUSE OF THE LOW TRIPS, WE DON'T HAVE A SIGNIFICANT IMPACT  
06:35:01 ON THE SURROUNDING ROADWAYS, THREE OAKS PARKWAY OR CORKSCREW  
06:35:06 ROAD.  
06:35:06 THERE WAS ONE LEVEL SERVICE DEFICIENCY THAT WAS OUTLINED IN  
06:35:09 THE TRAFFIC STUDY ON CORKSCREW ROAD, AS YOU'RE WELL AWARE,  
06:35:12 BETWEEN THREE OAKS AND I-75.  
06:35:14 RIGHT NOW, AS YOU'RE AWARE, THERE IS A CONSTRUCTION PROJECT  
06:35:16 GOING ON WITH THE INTERCHANGE.  
06:35:18 THAT'S GOING TO HELP IMPROVE THE FLOW OF TRAFFIC THROUGH  
06:35:21 THAT AREA.  
06:35:22 HOPEFULLY F.D.O.T. INDICATES FOR THE NEXT TEN YEARS OR SO  
06:35:27 UNTIL FUTURE IMPROVEMENTS ARE FUNDED.  
06:35:30 ONCE THAT IMPROVE IS DONE AT THE INTERCHANGE, WE'LL SEE A  
  
06:35:32 NOTICEABLE IMPROVEMENT OF TRAFFIC FLOW THROUGH THE  
06:35:35 INTERCHANGE AREA ON CORKSCREW ROAD.  
06:35:38 AGAIN, THOSE IMPROVEMENTS ARE UNDER CONSTRUCTION.  
06:35:42 >> CAN I ASK A QUESTION?  
06:35:43 RIGHT NOW, CORKSCREW IS LEVEL F.  
06:35:49 WHAT IT GOING TO BE AFTER THEY ARE DONE WITH THIS INITIAL --  
06:35:52 >>Ted Treesh: F.D.O.T. INDICATES IT SHOULD BE A LEVEL OF  
06:35:54 SERVICE C WHEN F.D.O.T. IS DONE WITH THAT FOR THE NEXT  
06:35:58 PERIOD OF ABOUT 8 TO 10 YEARS.  
06:35:59 ONE THING I'D LIKE TO POINT OUT, THE TRIP GENERATION OF THIS  
06:36:07 PROJECT, AND THE STAFF INDICATED THE 183 DAILY TRIPS.  
06:36:10 THAT'S WHAT IS SHOWN IN THE TOP TABLE.  
06:36:13 TYPICALLY, TRANSPORTATION ANALYSIS, WE LOOK AT THE PEAK  
06:36:16 HOUR.  
06:36:16 THAT'S WHAT WE EVALUATE THE LEVEL OF SERVICE ON.  
06:36:18 AND TYPICALLY IN THIS AREA, THE P.M. PEAK HOUR, SO THAT'S A  
06:36:23 60-MINUTE WINDOW BETWEEN 4 AND 6 P.M. GENERALLY.  
06:36:27 THAT'S TYPICALLY THE HIGHEST TRAVELED PERIOD OF THE DAY.  
06:36:30 SO THAT'S WHEN WE DO OUR LEVEL OF SERVICE EVALUATION.  
06:36:32 AGAIN, IT'S DONE ON A PEAK SEASON BASIS AS WELL.  
06:36:35 THE TOP TABLE SHOWS BASED ON THE FIRESTONE LAND USE THE TRIP  
06:36:40 GENERATION THAT WE ANTICIPATE WITH THIS PROJECT.

06:36:43 I TYPICALLY DON'T LIKE TO GET INTO NUMBERS, BUT I WANT TO  
06:36:47 POINT OUT THAT YOU CAN SEE IN THE WEEKDAY P.M. PEAK HOUR,  
06:36:50 WHICH IS THE THREE COLUMNS TO THE RIGHT NEXT TO THE DAILY

06:36:55 TRIPS, WE ANTICIPATE 26 TRIPS IN THE WEEKDAY P.M. PEAK HOUR.  
06:36:59 11 IN AND 15 OUT.  
06:37:01 THE BOTTOM TABLE BY COMPARISON IS WHAT COULD BE DEVELOPED ON  
06:37:06 THE PARCEL, ASSUMING A VERY CONSERVATIVE SQUARE FOOTAGE PER  
06:37:10 ACRE IF THIS WAS DEVELOPED AS RETAIL, WHICH IS WHAT IT WAS  
06:37:13 ANALYZED WHEN THIS PROJECT WENT THROUGH THE ZONING PROCESS  
06:37:16 WITH LEE COUNTY AND THE ZONING RESOLUTION WAS APPROVED.  
06:37:19 WE ASSUMED ABOUT 10,000 SQUARE FEET TO BE BUILT ON THIS  
06:37:24 PROPERTY WITH THE SUPPORT OF PARKING, ET CETERA.  
06:37:27 IF A RETAIL USE WAS BUILT ON THERE, THAT SAME PEAK HOUR  
06:37:31 WOULD GET JUST UNDER A HUNDRED TRIPS, OR 99 TRIPS.  
06:37:35 SO IT'S QUITE A SIGNIFICANT DECREASE.  
06:37:37 IT'S ALMOST A 73% DECREASE IN THAT P.M. PEAK HOUR.  
06:37:42 AND THE DAILY TRIPS, AGAIN, ARE ABOUT AN 85% DECREASE.  
06:37:47 SO FROM A TRANSPORTATION STANDPOINT, THIS USE IS VERY  
06:37:51 POSITIVE IN TERMS OF IT DOESN'T GENERATE A LOT OF TRAFFIC.  
06:37:55 WE'VE ALL VISITED THESE TYPE OF FACILITIES.  
06:37:57 TYPICALLY IF YOU'RE GETTING YOUR CAR SERVICED OR YOU VISIT  
06:38:00 THE STORE TO PURCHASE SOMETHING, IF YOUR CAR IS THERE FOR A  
06:38:04 LITTLE WHILE, THE TRIP ISN'T AN IN AND OUT LIKE WHAT  
06:38:08 TYPICALLY OCCURS AT A RETAIL, SAY, IF YOU'RE GOING INTO THE  
06:38:13 LOWE'S OR ANOTHER RETAIL IN THE CENTER, WHERE YOU MIGHT SHOP  
06:38:16 AND LEAVE WITHIN A FEW -- SHORT TIME PERIOD LATER.  
06:38:19 SO THE NUMBER OF TRIPS FOR THIS USE IS SIGNIFICANTLY  
06:38:23 DECREASED FROM WHAT OTHERWISE COULD BE DEVELOPED ON THE

06:38:27 PROPERTY.  
06:38:28 AS PREVIOUSLY INDICATED, THE ACCESS TO THE SHOPPING CENTER  
06:38:31 HAS ALL BEEN ESTABLISHED.  
06:38:32 THERE'S A FUTURE TRAFFIC SIGNAL GOING IN ON CORKSCREW ROAD  
06:38:36 THAT THIS PROJECT, AS WELL AS THE OVERALL SHOPPING CENTER IS  
06:38:40 BEING ASSESSED PROPORTIONATE SHARE.  
06:38:43 THAT SIGNAL AS I UNDERSTAND IT HAS BEEN DESIGNED.  
06:38:46 SO NOW THE FUNDS ARE BEING COLLECTED IN ORDER TO HAVE THAT  
06:38:50 TRAFFIC SIGNAL CONSTRUCTED SO TRAFFIC FROM THE SHOPPING  
06:38:53 CENTER WILL BE ABLE TO GET TO ENTER AND EXIT OFF OF  
06:38:56 CORKSCREW ROAD AT A TRAFFIC SIGNAL, WHICH CURRENTLY DOES NOT  
06:39:00 EXIST.  
06:39:01 THAT CONCLUDES THE COMMENTS I HAVE.  
06:39:02 I WOULD BE MORE THAN HAPPY TO ANSWER ANY QUESTIONS.  
06:39:04 >> I HAVE ONE QUESTION.  
06:39:05 I'M NOT SURE IT'S FOR YOU.  
06:39:07 BUT ARE VEHICLES GOING TO BE ALLOWED TO STAY THERE  
06:39:12 OVERNIGHT?

06:39:14 >>Ted Treesh: THAT WOULD BE SOMEONE ELSE ON THE TEAM.  
06:39:17 >> MR. TREESH, I HAVE A QUESTION.  
06:39:19 WHEN I LOOK AT THE TRANSCRIPT IT APPEARS TO ME IN 2003 THAT  
06:39:22 YOU WERE THE TRAFFIC CONSULTANT FOR THE PROJECT WHEN IT WENT  
06:39:25 THROUGH INITIALLY.  
06:39:26 >> ON THE ZONING REQUEST?  
06:39:29 >> YES.

06:39:30 >>Ted Treesh: YES.  
06:39:31 >> YOU ARE WELL AWARE OF THE FACT THAT THIS REQUEST WOULD BE  
06:39:33 A SIGNIFICANT REDUCTION IN TRIPS.  
06:39:34 >>Ted Treesh: YES, CORRECT.  
06:39:38 >>Marlene Naratil: DO ANY BOARD MEMBERS HAVE QUESTIONS OF  
06:39:40 MR. TREESH?

06:39:43 >>Ted Treesh: THANK YOU.  
06:39:44 >>Marlene Naratil: THANK YOU VERY MUCH.  
06:39:59 >> CAN YOU INTRODUCE THE ARCHITECT, PLEASE?

06:40:13 >>Rob Klemple: GOOD EVENING.  
06:40:14 HOPEFULLY YOU CAN HEAR ME ALL RIGHT.  
06:40:16 I'M STILL TRYING TO GET USED TO THE MASKS.  
06:40:19 IF I SOUND MUMBLY, JUST TELL ME TO SLOW DOWN BECAUSE  
06:40:22 SOMETIMES I GET ON A ROLL.  
06:40:24 HI.  
06:40:25 MY NAME IS ROB KLEMPLE.  
06:40:27 I'M WITH SGA DESIGN GROUP.  
06:40:28 WE'RE AN ARCHITECTURAL FIRM BASED OUT OF TULSA.  
06:40:30 I WORK IN OUR BENTONVILLE OFFICE.  
06:40:33 I AM AN ASSOCIATE PRINCIPAL, AND I AM A SENIOR ARCHITECT,  
06:40:38 LICENSED IN THE STATE OF OKLAHOMA WITH PENDING LICENSE IN  
06:40:41 THE STATE OF ARKANSAS.  
06:40:42 I'VE BEEN IN THE ARCHITECTURAL FIELD FOR 27 YEARS.  
06:40:46 GRADUATED FROM THE UNIVERSITY OF ARKANSAS WITH A BACHELOR'S  
06:40:49 OF ARCHITECTURE WITH A KEY FOCUS ON RETAIL AND GROCERY AS

06:40:55 WELL AS DESIGN AND INNOVATION.  
06:40:57 INNOVATION RELATED TO PICKUP, RETAIL, GROCERY, SPECIAL HIGH  
06:41:02 DESIGN, AS WELL AS AUTOMATION.  
06:41:05 SO WE'RE PROUD TO PRESENT THE ARCHITECTURE.  
06:41:09 I'M A LITTLE BIT BIASED.  
06:41:11 I THINK IT'S A LOT MORE FUN THAN SOME OF THE OTHER THINGS,  
06:41:15 BUT THEY ARE ALL KEY TO MAKING A PROJECT VERY SUCCESSFUL.  
06:41:19 IT'S NOT JUST THE GLITZ, THE GLAMOUR AND THE TEXTURES.  
06:41:22 IT'S EVERYTHING ELSE THAT COMES TOGETHER IN COHESIVE DESIGN.  
06:41:27 WITH THAT, I BELIEVE I'D LIKE TO GO AHEAD AND START WITH THE  
06:41:31 FIRST SLIDE.  
06:41:33 AND THERE'S A LITTLE BIT MORE FOR THE RECORD, THE  
06:41:37 QUALIFICATION STATEMENT.  
06:41:38 I CAN SEND AND FOLLOW UP WITH A RESUMÉ.

06:41:47 >>Mary Gibbs: I HAVE A QUESTION MAYBE FOR OUR ATTORNEY.  
06:41:49 DO WE NORMALLY ACCEPT ARCHITECTS AS EXPERT WITNESSES?  
06:41:53 I'VE NEVER REALLY DONE THAT.  
06:41:58 NOBODY HAS REALLY QUESTIONED THE ARCHITECTS.  
06:42:01 >>Robert Klemple: IT'S A VERY SUBJECTIVE FIELD, RIGHT?  
06:42:11 EVERYBODY HAS THEIR OPINIONS ABOUT ART AND WHAT'S  
06:42:11 APPROPRIATE ARCHITECTURE.  
06:42:11 SO I UNDERSTAND THAT.  
06:42:11 BUT I HAVE A GREAT DEAL OF HISTORY IN SPECIAL DESIGNS,  
06:42:16 ESPECIALLY FOR RETAIL AND MATTERS GERMANE TO SPECIAL DESIGNS  
06:42:20 LIKE THIS.

06:42:22 >>Mary Gibbs: WE DO LIKE THE ARCHITECTURE OF THIS PROJECT.  
06:42:25 THE STAFF DOES.  
06:42:26 >>Robert Klemple: THANK YOU.  
06:42:27 WITH THAT, I CONCLUDE --  
06:42:29 [ LAUGHTER ]  
06:42:29 I'M JUST KIDDING.  
06:42:32 LITTLE LEVITY.  
06:42:34 WE'LL KEEP THIS GOING.  
06:42:35 I WANTED TO POINT OUT A FEW THINGS.  
06:42:41 I WILL BRUSH THROUGH QUICKLY, BUT, OF COURSE, ASK ME ANY  
06:42:43 QUESTIONS OR SLOW ME DOWN AS YOU THINK IS NECESSARY.  
06:42:48 IT'S A RECTILINEAR PLAN, 51 PLUS FEET IN THE SHORT DIMENSION  
06:42:55 AND ABOUT 150 OR SO IN THE LONG DIMENSION.  
06:42:58 IN THE BLUE HERE, YOU SEE THAT WE HAVE EIGHT BAYS, SERVICE  
06:43:03 BAYS.  
06:43:03 YOU CAN SEE THAT THAT TAKES THE MAJORITY OF THE SQUARE  
06:43:05 FOOTAGE FOR THE SERVICES OF THOSE VEHICLES.  
06:43:08 IN THE GREEN ON THE RIGHT, WHICH FACES THE NORTH, OR  
06:43:13 CORKSCREW, IS THE CUSTOMER WAITING, AS WELL AS THE SHOW  
06:43:17 ROOM.  
06:43:18 IT HAS THE TIRES.  
06:43:19 THE RESTROOM IS IN THE YELLOW AND THEN THE RED, PARTS AND  
06:43:22 INVENTORY.  
06:43:22 THAT'S JUST A GENERALIZED KIND OF LAYOUT OF HOW THIS  
06:43:27 OPERATION WORKS HERE.

06:43:29 >>Marlene Naratil: EXCUSE ME.  
06:43:30 DO YOU USE STANDARDIZED PLANS FOR YOUR AUTO CENTERS THAT YOU  
06:43:37 BUILD THROUGHOUT THE COUNTRY?  
06:43:38 MANY OF THESE CORPORATIONS DO HAVE STANDARDIZED  
06:43:42 ARCHITECTURAL PLANNING.  
06:43:45 ALL THE CENTERS ARE VIRTUALLY ALIKE.  
06:43:47 >>Robert Klemple: THAT'S RIGHT.  
06:43:48 SIMILAR WITH THE LARGE CORPORATIONS THAT HAVE LARGE FORMAT  
06:43:53 OR HIGH-VOLUME BUILDING PROGRAMS, HAVE A SET OF GUIDELINES  
06:43:58 AND PROTOTYPICAL DOCUMENTS.

06:44:01 CERTAINLY THIS FITS THE BUSINESS MODEL OF WHAT THEY ARE  
06:44:03 THROWING OUT NATIONWIDE.  
06:44:05 SO THIS IS VERY TYPICAL OF WHAT YOU WOULD SEE ACROSS THE  
06:44:09 COUNTRY AS A FOCUS FOR THIS PROGRAM.  
06:44:11 YES.  
06:44:11 DOES THAT ANSWER --  
06:44:13 >>Marlene Naratil: WOULD YOU SAY THAT THE EXTERIOR IS MORE  
06:44:17 SUBJECTIVE, THAT YOU TRY TO USE THE GUIDELINES OF WHAT'S  
06:44:22 ALREADY IN THE AREA TO COME UP WITH THE FACADE.  
06:44:28 >>Robert Klemple: YES, FOR FIRESTONE ESPECIALLY, THEY HAVE A  
06:44:30 VERY SLIM, SLEEK, KIND OF MODERN PRESENTATION.  
06:44:33 THAT'S PART OF THEIR BRANDING THAT THEY ARE PUSHING FORWARD  
06:44:35 OUT RIGHT NOW.  
06:44:36 IT'S DIFFERENT THAN WHAT THEY'VE HAD BEFORE.  
06:44:38 SO YOU COULD SAY IT'S A VERY POSTMODERN OR MODERN-ESQUE SET

06:44:44 OF GUIDELINES AND DESIGNS.  
06:44:46 LACK OF ORNAMENTATION.  
06:44:48 FOCUS ON COLORS.  
06:44:50 EMPHASIZING THEIR SIGNAGE, BRANDING, AND SUCH THINGS LIKE  
06:44:53 THAT.  
06:44:54 BUT WHEN IT COMES TO THE CONSIDERATION OF THIS SITE AND  
06:44:58 OTHER SITES WHERE IT MAKES MORE SENSE TO UNDERSTAND WHAT THE  
06:45:01 DESIGN NEEDS TO BE ON ITS OWN MERIT FOR THAT SITE.  
06:45:04 THIS IS OBVIOUSLY A SITE THAT FALLS UNDER THAT CATEGORY WITH  
06:45:09 A LAND DEVELOPMENT CODE THAT HAS SPECIFIC LANGUAGE TALKING  
06:45:13 ABOUT THE DETAILS AND KIND OF THE VISION AND THE SPIRIT, WE  
06:45:17 BELIEVE WE PROVIDED ARCHITECTURE THAT MEETS THAT.  
06:45:20 ALSO, WHEN YOU LOOK AT THE CONTEXT THAT WE HAVE WITH THE  
06:45:23 CENTER, REGIONAL, AS WELL AS THE APPROXIMATE, WE BELIEVE WE  
06:45:27 INCORPORATE ALL OF THE DETAILS THAT ARE SHOWN THERE.  
06:45:32 IF I JUST JUMP TO THIS SLIDE, THIS SHOWS THINGS THAT ARE NOT  
06:45:37 UNCOMMON TO YOU.  
06:45:38 THIS IS YOUR COMMUNITY.  
06:45:39 THIS IS THE DEVELOPMENT RIGHT HERE THAT WE'RE TALKING ABOUT,  
06:45:42 THE DOLLAR TREE, THE KIND OF FRIEZE AND THE BALUSTRADE ON  
06:45:46 THE TOP.  
06:45:47 THE EMPHASIS OF THE VERTICAL AND BRINGING KIND OF THE SCALE  
06:45:51 OF THOSE ELEMENTS TO THE HUMAN SCALE.  
06:45:54 THE TILE ROOF IS KIND OF A BENCHMARK OF THE MEDITERRANEAN  
06:46:00 STYLE AND BEING ABLE TO HIGHLIGHT SOME OF THOSE ARCHES AND

06:46:02 THE FEATURES AND OPENINGS.  
06:46:04 THREE DIMENSIONAL CORNICE, THE SPECIALTY LIGHTING.  
06:46:09 IT'S NOT THE TYPICAL KIND OF WALL PACKS THAT YOU WOULD SEE  
06:46:12 ON A TYPICAL KIND OF RETAIL STORE, PERHAPS.  
06:46:16 AND THEN SOME OF THE OTHER ARTICULATION THAT HAPPENS  
06:46:19 THROUGHOUT THE CENTER AS WELL AS THE MASSING.

06:46:21 THE BOOK ENDS OF THE DEVELOPMENT.  
06:46:23 THAT'S KIND OF WHAT'S VERY COMMON IN A LOT OF THE  
06:46:27 DEVELOPMENTS HERE IS THAT THERE IS A BOOK END OR A KIND OF  
06:46:31 HINGE POINT ON THOSE CORNERS THAT PROVIDE A LITTLE BIT MORE  
06:46:35 SCALE, TOWER ELEMENTS, ROOFING ELEMENTS THAT ARE SEEN  
06:46:39 THROUGHOUT.  
06:46:40 SO THAT'S EXACTLY WHAT WE DID.  
06:46:41 WE TOOK A LOOK AT THE BUILDING, AND IF YOU THINK OF IT AS  
06:46:44 KIND OF RECTILINEAR KIND OF CANVAS, WE STARTED APPLYING THE  
06:46:49 LAYERS THAT WE FELT WERE NECESSARY, THAT ARE CONSISTENT WITH  
06:46:52 THE LAND DEVELOPMENT CODE.  
06:46:55 ON THE VERY RIGHT, WHERE THE FIRESTONE SIGNAGE IS, THE  
06:46:58 PYRAMID PEAK, OR THE ROOF ELEMENT AND GEOMETRY FACES  
06:47:03 CORKSCREW.  
06:47:04 THAT'S THE PEDESTRIAN NODE.  
06:47:05 SO YOU LOOK AT THE BOOK ENDS.  
06:47:07 WE START WITH THE LAYERING OF THE BASE BUILDING.  
06:47:09 WE ADDED A COUPLE OF FEET TO MITIGATE ANY VISIBILITY FOR THE  
06:47:13 ROOFTOP UNITS OR ANY KIND OF ROOFTOP EQUIPMENT.

06:47:17 WE ADDED SOME DETAIL THERE AS BASICALLY A THREAD THAT LINKS  
06:47:22 THESE VIGNETTES, SO TO SPEAK, TOGETHER.  
06:47:25 THE CORNER BEING THE PEDESTRIAN NODE AND THEN THE BOOK END  
06:47:28 OF THE BRIDGE STONE WHICH FACES THE INTERIOR OF THE  
06:47:32 DEVELOPMENT.  
06:47:33 AND THEN THE TRANSITIONAL PIECE IN THE MIDDLE.  
06:47:35 AND THEN ADDING SOME CANOPIES TO PROVIDE SOME KIND OF SHADOW  
06:47:39 AND SOME -- AND DEPTH TO THAT CANVAS.  
06:47:44 AND THEN LOOKING AT THE COLORS AND TEXTURES, BASICALLY WE  
06:47:53 COPIED WHAT WAS THERE.  
06:47:54 WE LEVERAGED WHAT WAS THERE.  
06:47:56 THE RICHNESS, THE TEXTURES, THE COLORS, THE PALETTES, THE  
06:48:03 DETAILS AND APPLIED THEM TO THE BUILDING TO MAKE SURE WE  
06:48:05 WERE SENSITIVE TO MAKING SENSE OF THAT WITH THE BUSINESS  
06:48:08 MODEL OF THE FIRESTONE, MAKING SURE THE DETAILS DID NOT  
06:48:11 INTERRUPT, DID NOT CONFLICT, BUT IT MADE SENSE AND LOOKS  
06:48:14 NICE AND HAS A RICHNESS THAT IS HARMONIOUS WITH THE REST OF  
06:48:17 THE DEVELOPMENT.  
06:48:17 WE BELIEVE WE'VE DONE THAT.  
06:48:19 THIS IS THE BACK SIDE THAT FACES THE WEST OR THE ADJACENT  
06:48:25 PROPERTY IN QUESTION.  
06:48:27 WE HAVE SOME SCUPPERS TO HELP DRAIN THE ROOF FROM THERE, BUT  
06:48:33 RAISED PARAPETS.  
06:48:35 WE ADDED THE BANDING TO CONNECT THOSE PIECES TOGETHER,  
06:48:38 AGAIN, BOOK END ELEMENTS KIND OF IDENTIFYING THOSE CORNER

06:48:41 HINGE POINTS.  
06:48:42 AND THEN A TRANSITIONAL PIECE IN THE VERY MIDDLE WITH

06:48:45 AWNINGS ON THE BACK SIDE HERE.  
06:48:47 SO WE BELIEVE ALL FOUR FACADES ARE CONSISTENT WITH NOT ONLY  
06:48:52 WHAT THE LAND DEVELOPMENT CODE ASKS FOR, BUT THEY ARE  
06:48:55 CONSISTENT WITHIN THEMSELVES.  
06:48:57 SAME DETAILING, THREE DIMENSIONAL CORNICE, CANOPIES TO  
06:49:01 PROVIDE DEPTH AND RELIEF, AND INTEREST IN THAT JOURNEY OF  
06:49:04 THE FACADE VISUALLY AND, OF COURSE, WE'LL TALK A LITTLE BIT  
06:49:09 MORE ABOUT THE LANDSCAPE, AS THAT PROVIDES MORE LAYERING  
06:49:14 WITH ARCHITECTURE.  
06:49:16 >> I'VE GOT ONE QUESTION.  
06:49:17 IS YOUR PARAPET WALLS HIGH ENOUGH SO THAT THEY'LL HIDE ANY  
06:49:21 ROOFTOP EQUIPMENT LIKE AIR CONDITIONING OR VENTING OR  
06:49:25 ANYTHING LIKE THAT?  
06:49:27 >>Robert Klemple: YES, SIR, AS MENTIONED BEFORE, THE  
06:49:29 BASELINE PROTOTYPE KIND OF HEIGHT OF THAT PARAPET IS TWO  
06:49:35 FEET LOWER THAN WHAT WE HAVE RIGHT NOW.  
06:49:39 IF YOU LOOK AT THE EXHIBIT HERE, THE TANNED -- OR THE  
06:49:42 DARK-TAN, KIND OF OLIVE COLOR IS THE BASE BUILDING.  
06:49:45 THAT WAS RAISED TWO FEET, AND THEN IN ADDITION, THE BOOK END  
06:49:49 PIECES AND THE MIDDLE PIECE ARE RAISED ANOTHER COUPLE OF  
06:49:52 FEET.  
06:49:53 SO WE BELIEVE THAT IT WILL HIDE OR MITIGATE ANY VISUAL OR  
06:50:00 VISIBILITY TO THOSE ROOFTOP PIECES OF EQUIPMENT.

06:50:06 THE ANSWER IS YES.  
06:50:10 TRASH ENCLOSURE WHICH WAS MENTIONED IN THE PRESENTATION, FOR  
06:50:14 THE TRASH AND THE RECYCLE TIRES.  
06:50:16 WE HAVE A RAISED SCREEN WALL THAT HAS THE SAME DETAILING AS  
06:50:20 THE REST OF THE DEVELOPMENT.  
06:50:21 THEN JUST A COUPLE OF SLIDES TO SHOW A KIND OF LINKING HERE  
06:50:29 VISUALLY OF HOW WE ARE PROVIDING THE SAME LEVEL OF DETAIL AS  
06:50:31 THE REST OF THE DEVELOPMENT.  
06:50:34 USING THE SAME TYPE OF ELEMENTS, THE CORNICE, THE FRIEZES,  
06:50:39 THE BANDING AND THE COLORS, AND WE BELIEVE THAT IT IS  
06:50:43 CONSISTENT WITH THE LAND DEVELOPMENT CODE.  
06:50:46 AGAIN, SOME MORE KIND OF ENLARGED DETAILS, SPECIFICITY ON  
06:50:53 SOME OF THOSE DETAILS, HOW THEY ARE LINKED TOGETHER.  
06:50:55 THE TOWER ELEMENTS BEING ABLE TO EMPHASIZE THE CORNER OF THE  
06:50:58 BUILDING.  
06:51:01 ONCE AGAIN, YOU SAW THESE, THE VIEWS, THE LAYERING OF THE  
06:51:04 LANDSCAPING, THE SITE AMENITIES AND THEN, OF COURSE, THE  
06:51:07 ARCHITECTURE IN THE BACKGROUND ALL AS PART OF THE WHOLE  
06:51:10 COMPOSITION.  
06:51:13 AGAIN, THIS IS THE SERVICE BAYS FACING EAST AND THE LAYERING  
06:51:19 OF THE TREES, THE LANDSCAPE THAT IS THERE PROVIDED.  
06:51:24 AND HERE FROM CORKSCREW, AS WE'RE GETTING CLOSE TO THE  
06:51:28 BUILDING, THE CONNECTIVITY OF THE SIDEWALKS WITH THE CORNER  
06:51:32 ELEMENT, WHICH IS WHERE THE CUSTOMER WOULD INTERFACE WITH



06:51:37 FIRESTONE AND THE REPRESENTATIVE THERE.

06:51:41 AND THEN THIS IS THE BACK SIDE OF THE BUILDING, WHICH SHOWS  
06:51:43 THAT LEVEL OF DETAIL, THE PARAPETS, THE RAISED HEIGHTS, THE  
06:51:48 CANOPIES, AS WELL AS THE LIGHT FIXTURES WHICH ARE SPECIAL  
06:51:54 HERE.

06:51:55 THIS IS A VIEW FROM CORKSCREW GOING WESTBOUND, SO YOU SEE  
06:52:00 THAT THE CORNER OF THE FIRESTONE STARTS TO PEEK ABOVE THE  
06:52:06 LANDSCAPE IN SOME OF THE LANDSCAPING THAT'S THERE.  
06:52:08 AS THAT LAYERING OF THE RICHNESS OF THE ARCHITECTURE AS WELL  
06:52:10 AS THE LANDSCAPING THERE, NOT JUST A FULL BUILDING WITHOUT  
06:52:14 ANY LANDSCAPING.  
06:52:15 IT'S NOT FULL LANDSCAPING WITHOUT A BUILDING.  
06:52:19 THEY ARE LIVING AND BREATHING TOGETHER HERE IN A NICE KIND  
06:52:21 OF RICH TAPESTRY.  
06:52:23 AGAIN, HERE'S ANOTHER VIEW.  
06:52:26 WE ARE KIND OF LOOKING BACK OVER A SHOULDER, GOING  
06:52:31 EASTBOUND.  
06:52:32 WE'RE A LITTLE BIT CLOSER TO THE DEVELOPMENT.  
06:52:34 YOU SEE A LITTLE BIT OF THE CARS, PARKING, LANDSCAPING AND  
06:52:37 THE BUILDING AS THEY ARE ALL TOGETHER THERE.  
06:52:44 THEN WE DID PROVIDE A PHOTOMETRIC PLAN.  
06:52:47 WE BELIEVE WITH COMPLIED WITH ALL OF THE KIND OF SAFETY  
06:52:50 FACTORS AND LEVELS OF LIGHT THAT WE NEED THERE.  
06:52:53 AND SPECIALTY LIGHTING, WHICH YOU SEE OVER THERE ON THE LEFT  
06:52:57 KIND OF QUADRANT, PART OF THE DOLLAR TREE LITTLE STRIP MALL.  
06:53:01 IT'S A TYPE OF SITE FIXTURE WE'RE GOING TO USE AND THEN YOU

06:53:04 SEE THE LITTLE GOOSENECK LIGHT WHICH IS PART OF THE  
06:53:07 SPECIALTY LIGHTING THAT'S ON THAT CENTER FEATURE OF THE  
06:53:09 FRONT FACADE AND THE BACK FACADE.  
06:53:11 THEN IN CONCLUSION, SIDE BY SIDE KIND OF LOOK HERE WITH THE  
06:53:16 DESIGN OF OUR BUILDING, THE MEDITERRANEAN STYLE, WHICH FITS  
06:53:20 EXACTLY WITH WHAT IS EXPECTED HERE, OF COURSE.  
06:53:24 AND ON THE RIGHT, HERE WE HAVE THE DEVELOPMENT.  
06:53:28 FOR THE RECORD, WE BELIEVE THAT WE'RE CONSISTENT WITH AND  
06:53:31 COMPATIBLE WITH THE VISION AND THE SPIRIT OF THE CODE.  
06:53:34 THE CODES ARE LISTED HERE.  
06:53:36 LDC CODE SECTION 33-227.  
06:53:39 33-228.  
06:53:40 33-330.  
06:53:42 33-334.  
06:53:44 33-337.  
06:53:46 33-115.  
06:53:48 33-116.  
06:53:49 AND Z-03-032.  
06:53:53 I KNOW I BRUSHED THROUGH THAT QUICKLY.  
06:53:57 I'M TRYING TO MOVE US ALONG.

06:53:59 BUT IF YOU HAVE ANY QUESTIONS, PLEASE LET ME KNOW.  
06:54:07 >>Marlene Naratil: THERE ARE NO QUESTIONS.  
06:54:08 THANK YOU, SIR, FOR YOUR PRESENTATION.  
06:54:09 >>Robert Klemple: THANK YOU, I APPRECIATE IT.  
06:54:11 >>Mary Gibbs: MAY I ASK, BECAUSE WE'RE 45 MINUTES INTO THIS,  
  
06:54:16 AND IT LOOKS LIKE THERE ARE ABOUT 30 SLIDES LEFT.  
06:54:20 I WAS THINKING WE ARE GOING TO TAKE AN HOUR.  
06:54:22 MAY I ASK HOW MUCH LONGER?  
06:54:25 HOW MUCH LONGER WE THINK THIS IS GOING TO RUN IF WE HAVE 30  
06:54:28 MORE SLIDES?  
06:54:29 >>Neale Montgomery: WE'RE TRYING TO MOVE THROUGH QUICKLY.  
06:54:31 THE APPLICANT NEEDS TO PROVIDE COMPETENT, SUBSTANTIAL  
06:54:34 EVIDENCE.  
06:54:36 >>Mary Gibbs: SOME OF THE THINGS ARE DETAILS THAT ARE REALLY  
06:54:38 LIKE DESIGN REVIEW BOARD TYPE DETAILS.  
06:54:40 >>Neale Montgomery: YES, BUT THE STAFF JUST TESTIFIED THAT  
06:54:41 THIS ISN'T COMPATIBLE, SO WE'RE ADDRESSING COMPATIBILITY ON  
06:54:45 ALL LEVELS.  
06:54:49 >> 20 MINUTES.  
06:54:50 >>Mary Gibbs: OKAY.  
06:54:51 THANK YOU, BRENDAN.  
06:55:00 >>David Kulsveen: HELLO.  
06:55:01 DAVID KULSVEEN WITH LANDESCO LANDSCAPE ARCHITECTURE, FOUNDED  
06:55:05 LANDESCO IN 2012.  
06:55:09 I'M BEEN A PROFESSIONAL IN THE STATE OF FLORIDA AND KENTUCKY  
06:55:14 SINCE 2012 AND I PRESENTED PROJECTS, WORKED ON PROJECTS FROM  
06:55:18 HIGH-END RESIDENTIAL TO LARGE PARK SYSTEMS.  
06:55:23 AND WE FOCUS PRIMARILY HERE IN SOUTHWEST FLORIDA IN THE  
06:55:29 COMMERCIAL INDUSTRY.  
06:55:31 WITH THAT SAID, I WOULD LIKE TO BE RECOGNIZED AS AN EXPERT  
  
06:55:39 IN THE FIELD OF LANDSCAPE ARCHITECTURE.  
06:55:41 >> DO YOU HAVE A SLIDE THAT SHOWS YOUR QUALIFICATIONS?  
06:55:44 >>David Kulsveen: I DO.  
06:55:44 GRADUATE OF THE UNIVERSITY OF KENTUCKY BACK IN 2007.  
06:56:00 >>Mary Gibbs: I JUST HAVE A QUESTION.  
06:56:01 AGAIN, I'M NOT OBJECTING, NORMALLY I DON'T KNOW THAT WE ASK  
06:56:05 LANDSCAPE ARCHITECTS TO QUALIFY AS AN EXPERT.  
06:56:07 >>Marlene Naratil: I DON'T RECALL THAT EITHER.  
06:56:10 >>Mary Gibbs: WE'VE HAD DAVID PRESENT ON ANOTHER CASE HERE.  
06:56:13 AND NORMALLY WE DON'T REALLY QUESTION THE LANDSCAPE  
06:56:16 ARCHITECTS.  
06:56:17 WE MIGHT ASK ABOUT A TREE OR TWO.  
06:56:19 >>David Kulsveen: YOU'RE GOOD WITH THE LANDSCAPE.  
06:56:22 WE CAN GO.  
06:56:26 >>Nancy Stroud: IF THEY ARE ASKING TO BE QUALIFIED AS AN  
06:56:29 EXPERT, IT'S A FIELD OF EXPERTISE.

06:56:31 HE CERTAINLY -- YOU CERTAINLY CAN QUALIFY THEM AS AN EXPERT  
06:56:35 IF YOU BELIEVE THEY ARE.  
06:56:36 JUST BECAUSE WE HAVEN'T DONE IT IN THE PAST DOESN'T MEAN YOU  
06:56:39 SHOULDN'T DO IT NOW.  
06:56:41 I BELIEVE HE'S ASKED TO BE QUALIFIED, SO YOU NEED TO DECIDE.  
06:56:46 >>Marlene Naratil: WE SHOULD VOTE ON IT THEN.  
06:56:51 >> I'LL MAKE A MOTION.  
06:56:55 TO ACCEPT --  
06:56:56 >>Marlene Naratil: TO ACCEPT HIM AS AN EXPERT.

06:56:59 >> IN LANDSCAPE ARCHITECTURE.  
06:57:02 IS THAT WHAT YOU'RE REQUESTING?  
06:57:04 >>Marlene Naratil: ALL IN FAVOR?  
06:57:08 >> AYE.  
06:57:09 >> AYE.  
06:57:10 >>David Kulsveen: THANK YOU.  
06:57:11 SO MOVING ON, WE'LL GET TO THE PLAN HERE.  
06:57:15 >>Mary Gibbs: THAT TOOK A MINUTE OFF OF YOUR TIME NOW.  
06:57:17 [ LAUGHTER ]  
06:57:18 >>David Kulsveen: THIS IS THE LANDSCAPE PLAN.  
06:57:21 THIS SHOWS THE BUFFER SYSTEMS ALONG THE PERIMETER, WHICH TO  
06:57:25 THE NORTH IS THE CORKSCREW ROAD, WHICH IS A COMMERCIAL  
06:57:32 PROJECT ABUTTING A RIGHT-OF-WAY, WHICH REQUIRES A TYPE D  
06:57:36 BUFFER, WHICH IS ALSO PROPOSED ALONG THE SOUTH TO ESTERO  
06:57:41 TOWN COMMONS PLACE.  
06:57:43 TO THE EAST AND TO THE WEST ARE TYPE A BUFFERS FOR  
06:57:46 COMMERCIAL TO COMMERCIAL.  
06:57:49 TYPE D BUFFER ON THE NORTH AND SOUTH ARE 20 PLUS FEET AND TO  
06:57:54 THE EAST AND WEST ARE FIVE FEET PLUS.  
06:57:59 IN THOSE BUFFERS, ADJACENT TO THE ROADWAYS, YOU'LL HAVE FIVE  
06:58:05 CANOPY TREES AND 66 SHRUBS PER HUNDRED LINEAR FEET.  
06:58:09 TO THE EAST AND WEST IN THE TYPE A BUFFER, YOU'LL HAVE FOUR  
06:58:14 TREES PER HUNDRED LINEAR FEET.  
06:58:17 THE BUILDING FOUNDATION PLANTS ARE BASED ON 10% OF THE  
06:58:23 BUILDING SQUARE FOOTAGE, AND THE LANDSCAPING WITHIN THE

06:58:27 PARKING AREA ARE BASED ALSO ON 10% OF THE VEHICULAR AREA.  
06:58:34 LOOKING AT THE OPEN SPACE, THERE'S BEEN MORE THAN ADEQUATE  
06:58:42 SPACE PROVIDED FOR IN THE OPEN SPACE LAYOUT HERE.  
06:58:47 A LOT OF THE FOCUS WAS AIMED AROUND THE PEDESTRIAN  
06:58:52 CONNECTIVITY TO AND FROM THE SITE AND FROM THE PUBLIC.  
06:58:56 YOU CAN ACCESS TO THE NORTH OF THE BUILDING THERE ALONG  
06:59:03 CORKSCREW ON A PATHWAY SYSTEM THAT CONNECTS INTO A WAITING  
06:59:07 AREA OR AREA -- NICE LANDSCAPE POCKET WITH BENCHES, STREET  
06:59:13 FRONTAGE, TRASH RECEPTACLES THERE, NORTH OF THE BUILDING  
06:59:17 WHICH IS CONNECTED ALONG THE BUILDING TO THE EAST BY  
06:59:21 SIDEWALK SYSTEM AND CONNECTS TO YOU THE ESTERO TOWN COMMONS  
06:59:26 PLACE WITH A NICE SEATING AREA.

06:59:31 THE SOUTHWEST CORNER.  
06:59:32 AND THEN AN ADDITIONAL SEATING AREA ON THE SOUTHEAST CORNER  
06:59:35 UNDER SOME NICE CANOPY TREES.  
06:59:40 I'D ALSO LIKE TO POINT OUT THAT THERE IS DOUBLE THE AMOUNT  
06:59:45 OF CANOPY TREES ON THIS PROJECT THAN WHAT WAS REQUIRED.  
06:59:50 ALSO, THE BUILDING FOUNDATION PLANTINGS HAVE APPROXIMATELY  
06:59:55 30% MORE PLANTS, SHRUBS, AND OVER TWICE THE SQUARE FOOTAGE  
07:00:01 THAN WHAT WAS REQUIRED AND THE VEHICULAR USE AREA ALSO HAS  
07:00:06 ADDITIONAL PLANTS.  
07:00:10 THIS IS A LOOK AT THE NORTH ELEVATION STARTING OUT AT THE  
07:00:15 TOP OF THE SLIDE, AS YOU WOULD SEE IT FROM CORKSCREW LOOKING  
07:00:19 INTO THE SITE.  
07:00:21 THE GAP THERE IS THE CONNECTIVITY TO THE FRONT OF THE  
  
07:00:25 BUILDING, WHICH ALSO HAS THOSE BENCHES AND NICE LANDSCAPE  
07:00:32 SEATING AREA.  
07:00:33 TO THE EAST, YOU HAVE A LOOK FROM THE DENTAL OFFICE I  
07:00:37 BELIEVE IS WHAT'S THERE NOW.  
07:00:42 LOOKING IN, YOU KIND OF SEE THE TALLER CANOPY TREES THERE  
07:00:45 AND THE UNDERSTORY OF SMALLER MEDIUM-SIZED TREES TO FILL  
07:00:49 THAT VOID.  
07:00:51 AT THE SOUTH, FROM ESTERO TOWN COMMONS PLACE, LOOKING INTO  
07:00:57 THE SITE, AND THEN TO THE WEST IS FROM THE VACANT PARCEL  
07:01:03 THERE.  
07:01:05 THIS IS A LOOK AT THE PLANT LIST ON-SITE THAT'S CONSISTENT  
07:01:09 WITH THE OVERALL DEVELOPMENT.  
07:01:11 YOU HAVE A LOT OF NATIVE TREES AND SHRUBS AND PALM TREES.  
07:01:17 WE'VE PROVIDED A LOT OF COLOR IN THIS LANDSCAPE PLAN.  
07:01:25 SO WE HAVE A NICE VARIETY OF LARGER CANOPY TREES,  
07:01:33 MEDIUM-SIZED TREES, FLOWERING SHRUBS AND ALSO TREES,  
07:01:39 ESPECIALLY TO THE SOUTHEAST CORNER HERE WITH A NICE SEATING  
07:01:43 AREA.  
07:01:44 THERE'S A ROYAL POINCIANA THAT PROVIDES A FULL-SIZE CANOPY  
07:01:52 AND SHADE AREA FOR PEDESTRIANS.  
07:01:55 THIS IS A LOOK FROM CORKSCREW ROAD WITH A CROSS SECTION TO  
07:01:59 KIND OF SHOW THE RELATIONSHIP FROM CORKSCREW, THE SIDEWALK,  
07:02:03 AND THE PUBLIC RIGHT-OF-WAY, THE BERMED LANDSCAPE AREA AS  
07:02:09 THAT FADES DOWN TO THE PARKING AREA THERE AT THE BUILDING BY  
07:02:17 THE FIRESTONE.  
  
07:02:19 THIS IS A BIRD'S EYE LOOK FROM THE SOUTHEAST CORNER LOOKING  
07:02:24 IN.  
07:02:25 YOU CAN SEE THE PEDESTRIAN LINKAGE FROM THE BUILDING  
07:02:27 SWINGING AROUND WITH SOME NICE HARD SCAPE AND SEATING AREA  
07:02:34 FOR PEDESTRIANS, USERS OF THE SITE, OR A WAITING AREA,  
07:02:38 SOMETHING FOR THEM TO KIND OF COLLECT AND MOVE THROUGH THE  
07:02:41 SITE HERE ALONG THE SOUTH TO THIS OTHER SEATING AREA THAT'S  
07:02:45 KIND OF BLOCKED BY THESE TREES, BUT YOU CAN SEE THE NICE

07:02:49 ROYAL POINCIANA THAT PROVIDES GOOD SHADE AND COLOR.  
07:02:54 ANOTHER BIRD'S-EYE VIEW FROM THE SOUTHEAST PORTION, KIND OF  
07:03:02 GET ANOTHER LOOK AT THE COLORFUL LANDSCAPING AND DIFFERENT  
07:03:05 TEXTURES AND SIZES TO KIND OF SCALE AND PROVIDE NICE  
07:03:11 CONSISTENCY WITH THE REST OF THE CENTER.  
07:03:17 I THINK THIS IS GOING BACK TO LINDA, POSSIBLY?  
07:03:22 >>Neale Montgomery: DOES ANYBODY HAVE QUESTIONS ON THE  
07:03:24 LANDSCAPE ARCHITECTURE?  
07:03:30 >> WHAT KIND OF INTEGRATION WILL THIS HAVE WITH SIGNAGE?  
07:03:35 >>David Kulsveen: SIGNAGE, THAT WOULD PROBABLY BE MORE OF A  
07:03:37 QUESTION --  
07:03:38 >> THE CONCERN I ALWAYS HAVE WITH LANDSCAPING, WHICH IS A  
07:03:41 GREAT PRESENTATION, AND WE'VE GOT A LITTLE COUNTERVAILING  
07:03:49 INTEREST HERE.  
07:03:50 ONE IS THE LANDSCAPING SO IT LOOKS HEAVILY LANDSCAPED AND  
07:03:53 VERY BEAUTIFUL, AND THEN WE LOSE SIGHT OF THE FACT THAT IT'S  
07:03:58 A COMMERCIAL BUILDING.

07:03:59 >>David Kulsveen: RIGHT.  
07:04:00 >> AND IF YOU HAVE IT OVER-LANDSCAPED AND HAVE IT SO FULL  
07:04:04 WITH FOLIAGE, SOMEBODY IS LOOKING FOR THIS PROPERTY OR  
07:04:08 LOOKING FOR THE SITE WHEN THEY ARE GOING DOWN THE STREET,  
07:04:11 THEY CAN'T SEE IT FOR THE SAKE IT'S OVER-LANDSCAPED AND TOO  
07:04:14 MUCH FOLIAGE.  
07:04:16 THAT'S ALWAYS MY CONCERN.  
07:04:18 IRONICALLY, AT THE SAME PARCEL OF PROPERTY, ON THE THREE  
07:04:23 OAKS SIDE, THE TENANTS OF THE BUILDINGS OVER THERE, CAME IN  
07:04:32 AND REQUESTED THAT THE LANDSCAPING BE ALTERED.  
07:04:36 SO ALONG THE WESTERN PROPERTY LINE ON THREE OAKS, THERE WAS  
07:04:44 A REVISION MADE AND A LOT OF TREES WERE TAKEN DOWN, FOLIAGE  
07:04:48 WAS TAKEN DOWN SO THE PEOPLE COULD SEE THE BUILDINGS AND  
07:04:52 KNOW THEY WERE THERE.  
07:04:53 THAT'S ONE OF MY CONCERNS IS THAT YOU CAN OVERDO THE  
07:04:59 LANDSCAPING AND TAKE AWAY THE COMMERCIAL ASPECTS OF MAKING  
07:05:02 THE PROPERTY FUNCTION PROPERLY AS A BUSINESS.  
07:05:05 >>David Kulsveen: I UNDERSTAND.  
07:05:07 I THINK THAT IS A VALID CONCERN, AND WE TOOK THAT INTO  
07:05:11 CONSIDERATION WHEN WE PUT THIS LANDSCAPE TOGETHER.  
07:05:14 I'M TRYING TO GET TO A SLIDE THAT SHOWS THE FRONT THERE TO  
07:05:20 SHOW THE LAYERING.  
07:05:21 AS YOU'LL SEE HERE, WE HAVE SHADY LADY -- I'M SORRY.  
07:05:25 EXCUSE ME.  
07:05:26 GUMBO-LIMBO, WHICH IS MORE OF A CANOPY TREE THAT IS KIND OF

07:05:32 LACEY AND ALLOWS YOU TO SEE THROUGH, ESPECIALLY  
07:05:36 THREE-QUARTERS DOWN.  
07:05:39 IT HAS A NICE APPEAL TO THE TRUNK OF THE TREE AND ALLOWS  
07:05:43 VISIBILITY IN.

07:05:44 THEY CAN BE PRUNED AND MAINTAINED AT A CERTAIN HEIGHT, WHICH  
07:05:47 IS HEALTHY TO THE TREE.  
07:05:49 AND WE'VE ALSO OPENED UP AREAS WITH THESE PALMS TO EITHER  
07:05:54 SIDE, WHICH ARE ALSO GREAT FOR ALLOWING VISIBILITY, AS LONG  
07:06:02 AS THEY ARE MAINTAINED.  
07:06:05 AND WE ALSO HAVE SOME SMALLER FLOWERING TREES, WHICH ARE  
07:06:08 CRAPE MYRTLES AND MORE GUMBO-LIMBO TO THE EAST PORTION OF  
07:06:15 THE NORTH BUFFER, WHICH ALSO WILL ALLOW VISIBILITY OF THE  
07:06:20 SIGNAGE ALONG THE BUILDING.  
07:06:23 AS FOR THE GROUND SIGNAGE, THAT'S SOMETHING THAT'S OUT OF MY  
07:06:29 EXPERTISE ON THIS PROJECT.  
07:06:31 >>Mary Gibbs: IF I MAY ADD SOMETHING, THOUGH, WE TYPICALLY,  
07:06:35 WHEN THIS GOES TO DESIGN REVIEW BOARD FOR THE DEVELOPMENT  
07:06:38 ORDER, THAT'S WHEN WE TYPICALLY WILL LOOK AT THE SIGNAGE AND  
07:06:41 MAKE SURE THAT WE DON'T HAVE CONFLICTS WITH THE LANDSCAPING.  
07:06:45 BECAUSE OTHERWISE, THAT DOES HAPPEN.  
07:06:46 THE SIGN PEOPLE DON'T NORMALLY TALK TO THE LANDSCAPE  
07:06:49 ARCHITECT OR THE ENGINEER, AND YOU DO HAVE THOSE THINGS  
07:06:52 HAPPEN.  
07:06:52 SO WE TRY TO ENSURE THAT WE GET INTO DESIGN REVIEW BOARD,  
07:06:55 BUT THOSE THINGS ARE LOOKED AT.

07:06:57 >> IT ALSO BECOMES A HAZARD IN WHAT WE'RE TALKING ABOUT.  
07:07:03 IF SOMEBODY IS LOOKING FOR THE SITE SO THAT -- THAT'S THEIR  
07:07:07 DESTINATION POINT, AND IF THEY HAVE TO SLOW DOWN AND THEY  
07:07:09 HAVE A HARD TIME LOOKING AT IT, THAT BECOMES A HAZARD.  
07:07:17 IF IT'S SOMETHING THEY CAN SPOT WITHOUT TOO MUCH PROBLEM,  
07:07:20 THEY WON'T SLOW DOWN TOO MUCH AND THEY WON'T LOSE A LITTLE  
07:07:23 BIT OF THEIR FOCUS ON WHERE THEY ARE TRYING TO GO.  
07:07:26 >>David Kulsveen: I WILL POINT OUT -- I WOULD LIKE TO POINT  
07:07:31 OUT, I GUESS, WITH THE ESTERO PLANNING COMMUNITY LAND  
07:07:36 DEVELOPMENT CODE, THE CORRIDOR OVERLAY DISTRICT AND THE  
07:07:38 ZONING RESOLUTION, I FEEL THAT WE'VE ADEQUATELY MET THE  
07:07:43 PEDESTRIAN LINKAGE AND PROVIDED FOR ACCESSIBILITY TO  
07:07:49 PEDESTRIANS FROM THE FRONTAGE, FROM OUTSIDE OF THE PROJECT,  
07:07:54 AS WELL AS ADDING AN INTEREST THROUGH THE LANDSCAPING.  
07:08:01 ALSO, ADEQUATE SHADE FOR PEDESTRIANS THAT WILL BE USING THE  
07:08:05 SEATING AREAS.  
07:08:09 THAT CONCLUDES MY PORTION.  
07:08:16 >> BRENDAN, CAN YOU TAKE TO US 51, PLEASE?  
07:08:19 >>Brendan Sloan: I WILL.  
07:08:21 GIVE US A SECOND.  
07:08:22 CLEANING.  
07:08:25 >> WE'RE ONLY TWO-THIRDS OF THE WAY THROUGH THE  
07:08:27 PRESENTATION.  
07:08:27 CAN I PROPOSE WE TAKE A FIVE OR TEN MINUTE RECESS?  
07:08:32 FOR THOSE OF US THAT MIGHT NEED IT.

07:08:38 >>Marlene Naratil: WITHOUT OBJECTION --  
07:08:43 >> THANK YOU.  
07:08:43 >>Marlene Naratil: WE'RE ADJOURNED UNTIL 7:15.  
07:08:48 [RECESS]  
07:19:50 >>Marlene Naratil: WE WOULD LIKE TO RECONVENE, PLEASE, FOR  
07:19:52 THE PLANNING AND ZONING BOARD.  
07:19:57 >> LINDA, ARE YOU THERE?  
07:19:59 >>Linda Miller: YES, I'M READY.  
07:20:01 WE SHOULD BE ON SLIDE 51.  
07:20:04 >>Brendan Sloan: YOU ARE.  
07:20:06 >> LET'S BE SURE OUR OTHER MEMBERS ARE ON THE PHONE AS WELL.  
07:20:10 >> SCOTTY IS ON.  
07:20:12 >> TIM IS ON.  
07:20:14 >>Nancy Stroud: THANK YOU.  
07:20:15 >>Marlene Naratil: THANK YOU.  
07:20:16 >>Linda Miller: SO WE HAVE TEN MORE COLLIDES IN OUR  
07:20:20 PRESENTATION, AND I WILL GO THROUGH THEM AS QUICKLY AS  
07:20:22 POSSIBLE.  
07:20:24 THIS SLIDE REFERS TO THE FACT THAT WE'RE IN COMPLIANCE WITH  
07:20:27 SECTION 33 OF THE ESTERO PLANNING COMMUNITY, DESIGN  
07:20:32 PROFESSIONALS WITHIN EACH OF THEIR PRESENTATION, THIS  
07:20:35 PROJECT IS CONSISTENT, SPECIFICALLY WITH 33-112, 33-113,  
07:20:40 33-114, 33-115, 33-116, 33-118, 33-227, 33-228, 33-330.  
07:20:54 33-334.  
07:20:56 33-337.

07:21:01 NEXT SLIDE.  
07:21:02 WE'RE ALSO CONSISTENT WITH 33-351, 33-353, 33-361.  
07:21:08 AND 33-362.  
07:21:10 33-364.  
07:21:12 AS STATED BY THE DESIGN PROFESSIONALS WITHIN EACH OF THESE  
07:21:15 PRESENTATIONS, THIS PROJECT IS ALSO CONSISTENT WITH THE  
07:21:18 CORRIDOR OVERLAY DISTRICT FOR THE CORKSCREW ROAD, 33-402,  
07:21:23 33-404.  
07:21:25 33-405 AND 33-406.  
07:21:29 NEXT SLIDE.  
07:21:29 THE ESTERO TOWN CENTER WAS FOUND TO BE CONSISTENT WITH THE  
07:21:40 LAND DEVELOPMENT CODE AT THE TIME OF APPROVAL FOR ALL OF  
07:21:43 THESE THINGS STATED, PERFORMANCE STANDARDS, LOCATIONAL  
07:21:48 STANDARDS, CONSISTENT WITH DENSITIES AND INTENSITIES, IS  
07:21:50 COMPARABLE WITH EXISTING AND PLANNED USES.  
07:21:52 WILL NOT PLACE AN UNDUE BURDEN UPON EXISTING TRANSPORTATION.  
07:21:57 WILL BE SERVED BY THE STREETS WITH CAPACITY TO CARRY TRAFFIC  
07:22:01 AND NOT ADVERSELY AFFECT ENVIRONMENTAL CRITICAL AREAS.  
07:22:05 URBAN SERVICES ARE AVAILABLE AND DEVIATION -- IN THE PROJECT  
07:22:09 HELP TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE AND  
07:22:14 DEVIATION THAT WAS APPROVED IN HERE WAS A PARKING LOT  
07:22:17 SETBACK FROM CORKSCREW ROAD TO 30 FEET.

07:22:21 ESTERO TOWN COMMONS, WHEN APPROVED, PROVIDED WHAT IS NOW  
07:22:24 CALLED A PATTERN BOOK.  
07:22:27 THIS WAS PROVIDED IN EXHIBIT D.

07:22:29 WITH THE -- PROVIDE THE VILLAGE OF ESTERO AND LEE COUNTY  
07:22:34 ASSURANCES THAT THE PROJECT WILL BE DEVELOPED TO MEET THE  
07:22:37 LANGUAGE -- OF THE ESTERO PLAN WHILE PROVIDING THE DEVELOPER  
07:22:41 THE FLEXIBILITY TO MARKET THE PROJECT TO TENANTS OF VARYING  
07:22:44 USES, BUILDING TYPES AND SIZE REQUIREMENTS.  
07:22:46 UNDERSTAND ESTERO TOWN COMMONS WHEN APPROVED REALLY WAS  
07:22:51 REVIEWED BY THE ESTERO PLANNING BOARD, RESIDENTS WITHIN THE  
07:22:56 ESTERO COMMUNITY, HAD PUBLIC HEARING ON THIS USE.  
07:23:00 NEXT SLIDE, PLEASE.

07:23:01 AS STATED BY THE DESIGN PROFESSIONALS IN EACH OF THEIR  
07:23:09 PRESENTATION, THIS PROJECT IS CONSISTENT WITH ZONING  
07:23:11 RESOLUTIONS V 03-032 FOR THE FOLLOWING THINGS: I REALLY  
07:23:17 DON'T WANT TO GO THROUGH THEM ALL BECAUSE WE DID THEM IN ALL  
07:23:20 OUR PRESENTATION AND STAFF REALLY DID NOT HAVE AN ISSUE WITH  
07:23:22 THE FACT THAT OUR DIMENSIONAL REQUIREMENTS, ARCHITECTURAL,  
07:23:26 LANDSCAPING ARE ALL NOT CONSISTENT WITH THE CODE.  
07:23:30 THEY HAD AN ISSUE WITH THE ACTUAL USE.  
07:23:32 THIS IS THE FUTURE LAND USE MAP.  
07:23:37 THE SITE IS IN A TRANSITIONAL MIXED-USE FUTURE LAND USE,  
07:23:40 PERMITTED USES INCLUDE --  
07:23:47 >> [INAUDIBLE]  
07:23:57 >> KEEP GOING, LINDA.  
07:24:02 >>Linda Miller: THANK YOU.  
07:24:03 >> [AUDIO REPEATING] -- TEN MORE SLIDES IN THE PRESENTATION,  
07:24:04 AND I'LL GO THROUGH THEM AS QUICKLY AS POSSIBLE.

07:24:07 THIS SLIDE --  
07:24:09 >>Linda Miller: I'M NOT SURE WHY I'M HEARING MY VOICE PLAY  
07:24:12 THE SAME THING OVER AGAIN.  
07:24:22 [AUDIO REPEATING]  
07:24:39 >>Tammy Duran: IS SOMEBODY LISTENING TO IT LIVE?  
07:24:42 CAN YOU MUTE IT?  
07:24:43 YOU'RE GETTING THE PLAYBACK.  
07:24:51 >> MY APOLOGIES.  
07:24:53 THE VIDEO FEED IS RUNNING A COUPLE OF MINUTES BEHIND THE  
07:24:58 ACTUAL PRESENTATION.  
07:24:59 SO I'VE MUTED.  
07:25:01 >>Linda Miller: THANK YOU.  
07:25:02 WE'RE ON SLIDE 55.  
07:25:04 FUTURE LAND USE MAP.  
07:25:06 THE SITE IS IN A TRANSITIONAL MIXED-USE FUTURE LAND USE.  
07:25:09 PERMITTED USES INCLUDE REGIONAL, COMMUNITY, AND NEIGHBORHOOD  
07:25:14 SHOPPING CENTERS, ALONG WITH MINOR COMMERCIAL HOTELS AND  
07:25:18 OFFICE.



07:25:21 WHAT OUR SITE IS, IS A MINOR COMMERCIAL.  
07:25:25 IT IS A PERMITTED USE IN THIS MIXED-USE LAND USE CATEGORY UP  
07:25:32 TO ONE MILLION SQUARE FEET AS ALLOWED WITHIN THESE AREAS.  
07:25:36 NEXT SLIDE, PLEASE.  
07:25:38 DURING THE VILLAGE OF ESTERO'S PROCESS TO CREATE THE  
07:25:42 COMPREHENSIVE PLAN, MANY CONCEPTUAL PLANNING MAPS WERE  
07:25:45 CREATED TO ILLUSTRATE DESIGNATED AREAS WITHIN THE VILLAGE.

07:25:49 THIS MAP IS A CONCEPTUAL PLANNING MAP OF VACANT PARCELS FOR  
07:25:55 POTENTIAL FUTURE MIXED-USE DEVELOPMENTS WITHIN THE VILLAGE  
07:25:57 OF ESTERO.  
07:25:59 THIS MAP WAS COMMISSIONED BY THE ESTERO COUNCIL FOR  
07:26:01 COMMUNITY LEADERS IN COOPERATION WITH THE MEMBERS OF THE  
07:26:04 ESTERO COMMUNITY, PLANNING PANEL AND ESTERO DESIGN REVIEW  
07:26:08 COMMITTEE.  
07:26:09 AS YOU CAN SEE, THE ESTERO TOWN COMMON SHOPPING CENTER,  
07:26:12 WHICH INCLUDES THE FIRESTONE SITE IS NOT SHOWN AS A  
07:26:16 POTENTIAL MIXED-USE AREA.  
07:26:18 NEXT SLIDE.  
07:26:19 THIS SLIDE SHOWS SEVERAL MAPS THAT PROVIDE DESIGNATED AREAS  
07:26:24 WITHIN THE VILLAGE OF ESTERO.  
07:26:26 THE ESTERO TOWN CENTER IS DESIGNATED AS COMMERCIAL UNDERWAY  
07:26:30 ON THE TOP RIGHT AND THE BOTTOM TWO MAPS.  
07:26:33 NEXT SLIDE, PLEASE.  
07:26:37 WE BELIEVE THIS PROJECT IS CONSISTENT WITH THE VILLAGE  
07:26:43 COMPREHENSIVE PLAN SLU 1.1.1.  
07:26:48 SLU 1.1.1-E.  
07:26:52 SLU 1.2.8.  
07:26:55 AND HERE, WE'RE SAYING THAT THE TRANSITIONAL MIXED-USE AREAS  
07:27:02 ARE CHARACTERIZED BY PRIMARY EXISTING OR EMERGING  
07:27:06 DEVELOPMENTS WITHIN THE VILLAGE'S LARGEST AND MOST INTENSE  
07:27:11 COMMERCIAL AREAS OR WILL BE CONCENTRATED.  
07:27:15 THAT'S REALLY IMPORTANT THING.

07:27:17 THESE ARE SUPPOSED TO BE IN AREAS WHERE INTENSE COMMERCIAL  
07:27:20 IS PROVIDED.  
07:27:22 AND WE ARE ONE OF THOSE INTENSE COMMERCIAL SHOPPING CENTERS  
07:27:25 WITH 33 ACRES AND OVER 255,000 SQUARE FEET OF -- LAND AREA  
07:27:32 OF COMMERCIAL USES.  
07:27:33 THIS CATEGORY PROVIDES FOR A BROAD USE OF MIXES, WHICH  
07:27:42 MS. EASTLEY TOLD US ABOUT THAT.  
07:27:44 THERE IS A BROAD MIX OF USES.  
07:27:46 BUT IN THIS CATEGORY, WE'RE ALLOWED TO HAVE A SINGLE USE, A  
07:27:50 MINOR COMMERCIAL USE, A STAND-ALONE COMMERCIAL USE, AS LONG  
07:27:53 AS THAT USE IS FOUND TO BE COMPATIBLE AND IS BEING HEARD BY  
07:28:00 A PUBLIC HEARING.  
07:28:01 SO WHAT WE'RE TRYING TO SHOW WITH THE SLIDES IS THAT WE ARE  
07:28:05 COMPATIBLE, AND WE ARE A SINGLE USE.

07:28:06 WE ARE ALSO CONSISTENT WITH SLU 1.3.1, AND SLU 1.5.1, ESTERO  
07:28:19 TOWN COMMON CENTER IS DESIGNATED AS A COMMUNITY COMMERCIAL  
07:28:22 CENTER.  
07:28:23 NEXT SLIDE, PLEASE.  
07:28:24 WE ARE CONSISTENT WITH SLU 1.10.1, HIGH QUALITY, HIGH DESIGN  
07:28:33 COMMERCIAL USE.  
07:28:37 IN THIS CATEGORY, YOU'RE TO PERMIT AN ORDERLY, WELL PLANNED  
07:28:42 OUT COMMERCIAL DEVELOPMENT, VIEWED AND EVALUATED AS TO THE  
07:28:47 COMPATIBILITY WITH ADJACENT AND NEARBY USES.  
07:28:51 THAT IS WHAT YOU'RE SUPPOSED TO LOOK AT.  
07:28:53 TRAFFIC AND ACCESS IMPACTS.

07:28:55 WE DON'T REALLY HAVE ANY TRAFFIC AND ACCESS IMPACTS.  
07:28:58 OUR ACCESS IS INTERNALLY INTO THE SHOPPING CENTER.  
07:29:01 OUR TRAFFIC IS LESS THAN WHAT WAS ORIGINALLY PLANNED WITH  
07:29:03 THE PLANNED DEVELOPMENT PROJECT.  
07:29:05 ARCHITECTURAL LANDSCAPING, ARCHITECTURAL DESIGN.  
07:29:09 WE SHOWED YOU SLIDE AFTER SLIDE OF BEAUTIFUL ARCHITECT AND  
07:29:12 LANDSCAPING, REALLY NICE LANDSCAPING THAT COMPLEMENTS THAT  
07:29:17 ARCHITECTURAL STYLE.  
07:29:18 SITE PLANNING, INTERCONNECTABILITY, PUBLIC SPACES.  
07:29:21 WE'RE PROVIDING THREE PUBLIC SPACES ON THE 1.14-ACRE PARCEL.  
07:29:25 -- LANDSCAPING AND BUFFERING, WE'RE A SHOPPING CENTER, BUT  
07:29:28 WE PROVIDE NICE LANDSCAPING BETWEEN THE OTHER COMMERCIAL  
07:29:32 USES AND ALONG THE ROADWAY FRONTAGES.  
07:29:35 AVAILABILITY OF SERVICES AND FACILITIES.  
07:29:40 WE DO HAVE UTILITIES ALREADY THERE TO THE SITE, AND WE ALSO  
07:29:43 HAVE STORMWATER CONNECTABILITY TO THE SITE.  
07:29:47 IMPACT ON ADJACENT LAND USES AND SURROUNDING NEIGHBORS, WE  
07:29:51 HAVE NO IMPACT ON THE SURROUNDING NEIGHBORS.  
07:29:55 WE ARE A TRACT WITHIN A COMMERCIAL DEVELOPMENT THAT FRONTS  
07:29:57 ON CORKSCREW ROAD.  
07:29:59 PROXIMITY TO OTHER SIMILAR CENTERS.  
07:30:02 WE'RE ON THE CORNER OF A MAJOR INTERSECTION, CORKSCREW ROAD  
07:30:05 AND THREE OAKS PARKWAY.  
07:30:07 WE HAVE COMMERCIAL SHOPPING CENTERS TO THE NORTH, TO THE  
07:30:12 NORTHWEST OF OUR SITE, TO THE NORTHEAST OF OUR SITE, AND A

07:30:18 LITTLE BIT TO THE SOUTH OF OUR SITE.  
07:30:22 PROXIMITY, ENVIRONMENTAL CONCERNS.  
07:30:25 WE SHOWED YOU HOW THERE IS NO ENVIRONMENTAL CONCERN.  
07:30:28 IF YOU'RE LOOKING AT SLU 1.10.1, DO WE HAVE A WELL-PLANNED  
07:30:34 COMMERCIAL DEVELOPMENT THAT MEETS THESE REQUIREMENTS?  
07:30:37 YES, WE DO.  
07:30:37 WE'RE ALSO CONSISTENT WITH SLU 1.10.3, ALSO TRA 1.2.1.  
07:30:47 NEXT SLIDE.  
07:30:48 AS PART OF THE REZONING REQUIREMENTS IN SECTION 34-145, EACH  
07:30:56 REZONING APPLICATION MUST BE FOUND TO BE, A, COMPLIES WITH

07:31:02 THE VILLAGE COMPREHENSIVE PLAN.  
07:31:04 WE FEEL THAT WE COMPLY WITH THE VILLAGE COMPREHENSIVE PLAN  
07:31:07 FROM THE TWO SLIDES WE JUST PROVIDED, FROM ALL THOSE CODE  
07:31:11 SECTIONS THAT WE COMPLY WITH.  
07:31:13 HAVE TO MEET THE CODE AND OTHER COUNTY REGULATIONS.  
07:31:17 WELL, WE'VE SHOWN YOU HOW WE MEET SECTION 33, WHICH IS  
07:31:20 ESTERO PLANNING COMMUNITY, AND THE DEVELOPMENT REQUIREMENTS  
07:31:24 WITHIN THE LAND DEVELOPMENT CODE AND ALSO HOW WE'RE  
07:31:28 CONSISTENT WITH THE EXISTING ZONING ORDINANCE, 03-032.  
07:31:36 ARE WE COMPATIBLE WITH EXISTING AND PLANNED USES IN THE  
07:31:38 SURROUNDING AREA?  
07:31:39 WE SHOWED YOU PICTURES OF ALL OF THE EXISTING USES THAT WE  
07:31:42 ARE AROUND AND SURROUND US, AND WE ARE VERY COMPATIBLE.  
07:31:46 WE'RE ONE SMALL TRACT WITHIN A SHOPPING CENTER THAT'S  
07:31:50 ALREADY DEVELOPED.

07:31:52 WE'LL PROVIDE ACCESS SUFFICIENT TO SUPPORT THE PROPOSED  
07:31:55 DEVELOPMENT INTENSITY.  
07:31:57 OUR ACCESS POINTS ARE ALREADY ESTABLISHED.  
07:31:59 WE'RE IN A SHOPPING CENTER.  
07:32:00 THOSE ACCESS POINTS ARE ESTABLISHED.  
07:32:02 WE'RE NOT CREATING ANY NEW ACCESS POINTS FOR THE  
07:32:05 DEVELOPMENT.  
07:32:05 THE EXPECTED IMPACTS OF TRANSPORTATION FACILITIES WILL BE  
07:32:08 ADDRESSED.  
07:32:10 I THINK WE'VE KIND OF TOLD YOU ABOUT THE TRANSPORTATION.  
07:32:13 THIS IS ALREADY AN EXISTING SITE.  
07:32:15 WE HAVE ACCESS ALREADY.  
07:32:16 OUR TRIPS HAVE ACTUALLY ALREADY BEEN VESTED WITHIN THIS  
07:32:19 PROJECT SITE.  
07:32:20 ONE WAS APPROVED IN 2003.  
07:32:22 AND NOW OUR BACKGROUND TRAFFIC ON CORKSCREW ROAD AND THREE  
07:32:25 OAKS PARKWAY.  
07:32:26 WILL NOT AFFECT ENVIRONMENTALLY SENSITIVE AREAS.  
07:32:31 WE DO NOT HAVE ANY ENVIRONMENTALLY SENSITIVE AREAS ON THE  
07:32:34 SITE AND WILL BE SERVED BY URBAN SERVICES.  
07:32:36 -- WHAT WE'RE DOING TODAY ALSO HAS THE PROPOSED USE MIX OF  
07:32:43 USES IS APPROPRIATE FOR THE PROPOSED LOCATION.  
07:32:45 AND WE FEEL THAT THE USE IS APPROPRIATE FOR THIS PROPOSED  
07:32:52 LOCATION THAT IS ON CORKSCREW ROAD.  
07:32:53 IT HAS ACCESS INTO THE SITE, WHICH IS ACCESS BY AUTOMOBILES

07:32:57 AND WE FIND THAT THIS USE IS CONSISTENT WITH THAT.  
07:33:01 AND IF THERE'S RECOMMENDED CONDITIONS -- WE KNOW THAT THERE  
07:33:07 ARE SOME CONDITIONS THAT HAVE BEEN BROUGHT FORWARD BY THE  
07:33:11 PLANNER, AND WE WOULD BE HAPPY TO GO OVER THOSE AT THE END  
07:33:14 OF THE PRESENTATION.  
07:33:15 NEXT SLIDE.

07:33:16 WE WOULD LIKE TO REBUT SOME OF THE STATEMENTS WITHIN THE  
07:33:21 STAFF REPORT.  
07:33:23 THE STAFF REPORT SAID THERE WAS NOT ADEQUATE JUSTIFICATION  
07:33:28 PROVIDED FOR THE PROPOSED REZONE.  
07:33:30 A REZONE APPLICATION IS REQUIRED TO DEMONSTRATE HOW THE  
07:33:33 REQUEST IS CONSISTENT WITH THE LAND DEVELOPMENT CODE AND THE  
07:33:36 COMPREHENSIVE PLAN.  
07:33:38 WE FEEL WE HAD DEMONSTRATED THAT THIS DEVELOPMENT IS INDEED  
07:33:41 CONSISTENT WITH THE LAND DEVELOPMENT CODE AND THE VILLAGE  
07:33:45 COMPREHENSIVE PLAN.  
07:33:46 THE PROPOSAL DOES NOT COMPLY WITH THE TRANSITIONAL MIXED-USE  
07:33:50 FUTURE LAND USE.  
07:33:51 WE BELIEVE THAT THE PROPOSED REZONING DOES COMPLY WITH THE  
07:33:54 TRANSITIONAL MIXED-USE FUTURE LAND USE, AS THIS AREA ALLOWS  
07:33:59 FOR STAND-ALONE COMMERCIAL USES THAT ARE COMPATIBLE WITH THE  
07:34:02 SURROUNDING AREA.  
07:34:05 WE HAVE DEMONSTRATED THAT THE FIRESTONE IS COMPATIBLE WITH  
07:34:08 THE SURROUNDING USES.  
07:34:10 STAFF SAID WE LACKED THE LACK OF COMPLIANCE WITH THE

07:34:14 CORKSCREW ROAD OVERLAY.  
07:34:15 WE BELIEVE THAT THE PROPOSED REZONING IS WHAT WAS ENVISIONED  
07:34:18 FOR THE SHOPPING CENTER ALONG CORKSCREW ROAD.  
07:34:21 THE BUILDING IS SET CLOSE TO THE ROAD WITH PUBLIC AREA AND  
07:34:25 SEATING WITH SIDEWALKS AND A BUS STOP TO CONNECT CORKSCREW  
07:34:28 ROAD TO THIS DEVELOPMENT.  
07:34:29 THE PARKING LOT AREA IS ALONG THE SIDE OF THE BUILDING, NOT  
07:34:33 WITHIN THE FRONT.  
07:34:34 30 FEET FROM CORKSCREW ROAD AS PERMITTED BY ZONING 03-032  
07:34:39 AND A SCREEN WITH A LANDSCAPED BERM WITH TREES AND A  
07:34:42 CONTINUOUS ROW OF SHRUBS.  
07:34:44 -- REGARDING WHY THE USE IS CURRENTLY PERMITTED ONLY AS AN  
07:34:50 ACCESSORY USE TO THE PERMITTED USE.  
07:34:52 WE DID PROVIDE THE VILLAGE PLANNING STAFF WITH THE  
07:34:55 TRANSCRIPT OF THE HEARING EXAMINER PUBLIC HEARING.  
07:34:58 TO RESTATE WHAT WAS PREVIOUSLY STATED, WE BELIEVE THAT THE  
07:35:00 CONDITIONAL LANGUAGE THAT THIS USE WAS PERMITTED ONLY AS  
07:35:06 SUBORDINATE TO ANOTHER USE, A DEPARTMENT STORE USE WAS JUST  
07:35:08 CARRIED OVER TO THE VILLAGE PARCELS WITHIN THE HEARING  
07:35:13 EXAMINER'S ORDER WHEN IT SHOULD HAVE BEEN LISTED AS A  
07:35:15 PERMITTED USE.  
07:35:16 THE VILLAGE COMPREHENSIVE PLAN AND THE CORKSCREW ROAD  
07:35:19 CORRIDOR PLAN BOTH SUPPORT TRANSITIONING THE USES OF THE  
07:35:26 AREA TO MIXED-USE TO CREATE MORE ACTIVITY AND VITALITY FOR  
07:35:30 THIS AREA.

07:35:31 WE BELIEVE THAT THE VILLAGE COMPREHENSIVE PLAN DOES SUPPORT  
07:35:35 A SINGLE COMMERCIAL USE WITHIN THE TRANSITIONAL MIXED-USE

07:35:39 FUTURE LAND USE AREA IN ADDITION TO SUPPORTING A MIXTURE OF  
07:35:42 RESIDENTIAL AND COMMERCIAL USES ON UNDEVELOPED LAND OR LAND  
07:35:47 AREAS SUITABLE TO REDEVELOPMENT WITH COMMERCIAL -- WITH  
07:35:51 RESIDENTIAL AND COMMERCIAL USES.  
07:35:53 THE FIRESTONE SITE IS WITHIN AN 85% DEVELOPED COMMERCIAL  
07:35:58 SHOPPING CENTER.  
07:36:00 BACKBONE SYSTEM FOR ACCESS, DRAINAGE, UTILITIES, OPEN SPACE,  
07:36:04 PEDESTRIAN CONNECTION AND UTILITIES HAVE ALL BEEN  
07:36:07 CONSTRUCTED AND ARE IN PLACE FOR COMMERCIAL USES ONLY.  
07:36:10 THE CENTER WAS NOT DESIGNED FOR RESIDENTIAL USES AND IS NOT  
07:36:14 SUITABLE FOR OTHER MIXTURES OF USES LIKE RESIDENTIAL USES.  
07:36:21 THE FIRESTONE PARCEL IS NOT SUITED FOR RESIDENTIAL.  
07:36:25 IT'S TOO CLOSE TO CORKSCREW ROAD.  
07:36:27 IT'S NOT -- INDUSTRIAL-TYPE USES THAT WERE NOT ANTICIPATED  
07:36:33 FOR THE CENTER.  
07:36:33 THE CENTER CURRENTLY CONTAINS RETAIL SPACE, RESTAURANT SPACE  
07:36:37 AND A HOME IMPROVEMENT STORE, BUT LACKS SERVICE-ORIENTED  
07:36:41 BUSINESS LIKE FIRESTONE.  
07:36:42 STAFF DOES NOT FIND THAT THE PROPOSED REZONING IS CONSISTENT  
07:36:45 WITH THE COMPREHENSIVE PLAN.  
07:36:47 WE DISAGREE WITH STAFF AS WE FIND THAT THE PROJECT IS  
07:36:51 CONSISTENT WITH MANY ELEMENTS OF THE VILLAGE COMPREHENSIVE  
07:36:54 PLAN AS PRESENTED THIS EVENING.

07:36:57 AND THAT'S THE END OF MY PRESENTATION.  
07:37:00 NEALE.  
07:37:02 >>Neale Montgomery: I DON'T HAVE ANY OTHER QUESTIONS AT THIS  
07:37:04 POINT.  
07:37:04 THANK YOU, LINDA.  
07:37:05 DOES THE BOARD HAVE ANY QUESTIONS FOR LINDA?  
07:37:08 >>Marlene Naratil: ANY BOARD MEMBERS HAVE ANY QUESTIONS OF  
07:37:10 ANY OF THE PRESENTERS?  
07:37:16 >> MAYBE I WOULD ASK THAT, MARY, YOU OR YOUR STAFF KIND OF  
07:37:22 GO THROUGH PAGE 61.  
07:37:25 >>Mary Gibbs: RIGHT.  
07:37:26 AND I'M GOING TO HAVE KATHY GET UP AND EXPLAIN A LITTLE BIT  
07:37:29 --  
07:37:30 >>Neale Montgomery: I BELIEVE THERE ARE MEMBERS OF THE  
07:37:31 PUBLIC.  
07:37:32 ARE WE GOING TO DO PUBLIC NOW?  
07:37:34 THE PROPERTY OWNER IS ON THE PHONE AND MR. ARNOLD IS HERE ON  
07:37:37 BEHALF OF THE PROPERTY OWNER.  
07:37:38 DO YOU WANT TO DO THAT AFTER THE STAFF OR NOW?  
07:37:45 >>Mary Gibbs: DO YOU HAVE MORE PRESENTATIONS, NEALE?  
07:37:51 >>Neale Montgomery: WELL, MR. KIRBY IS THE PROPERTY OWNER,  
07:37:53 REPRESENTS THE PROPERTY OWNER AND NOTED THERE WERE THINGS  
07:37:55 RAISED THAT RELATE TO THE SHOPPING CENTER AS A WHOLE, NOT  
07:37:59 JUST THE SITE.

07:38:00 >>Mary Gibbs: ARE THOSE ABOUT THE CONDITIONS?

07:38:02 IS THAT WHAT YOU'RE TRYING TO DO?

07:38:04 >>Neale Montgomery: WELL, THAT AND THE GENERAL CONCERN, I

07:38:06 WON'T SPEAK FOR MR. KIRBY, BUT HE'S BEEN MARKETING THIS

07:38:11 PROPERTY FOR I THINK HE'S BEEN INVOLVED FOR 20-PLUS YEARS

07:38:15 AND A RESIDENTIAL --

07:38:18 >>Nancy Stroud: IF YOU HAVE FURTHER WITNESSES, INCLUDING THE

07:38:20 PROPERTY OWNER, THEN YOU SHOULD COMPLETE YOUR PRESENTATION,

07:38:23 AND THEN THE STAFF WILL DO THEIR PRESENTATION, AND THEN

07:38:25 WE'LL OPEN IT UP TO THE PUBLIC.

07:38:28 >>Neale Montgomery: AND THEN REBUTTAL.

07:38:30 MR. KIRBY, ARE YOU ON THE PHONE STILL?

07:38:34 >> YES.

07:38:35 I'M STILL HERE.

07:38:36 I'VE BEEN INVOLVED IN THE PROPERTY SINCE I JOINED KRG REALTY

07:38:40 GROUP AS THE OWNER OF THE PROPERTY.

07:38:41 I'VE BEEN INVOLVED SINCE 2014.

07:38:44 NO ONE HAS EVER PRESENTED OR COME BEFORE US TRYING TO

07:38:49 ENTERTAIN A RESIDENTIAL CONCEPT ON THE VACANT LAND.

07:38:55 I'VE BEEN INVOLVED IN RETAIL COMMERCIAL DEVELOPMENT FOR

07:38:57 ALMOST 30 YEARS, AND THIS WOULD NOT FIT A RESIDENTIAL USE.

07:39:05 IT'S NOT COMPATIBLE.

07:39:06 IT'S NOT CONDUCIVE TO A RESIDENTIAL USE.

07:39:09 AND THIS YOU LOOK AT THE LIST OF USES IN THE PD, IN THE

07:39:13 COMMERCIAL PLAN DEVELOPMENT, RESIDENTIAL IS NOT AN APPROVED

07:39:16 USE.

07:39:19 >>Neale Montgomery: MR. KIRBY, HAS YOUR COMPANY DONE

07:39:22 MIXED-USE PROJECTS IN OTHER LOCATIONS?

07:39:24 >> YES.

07:39:25 WE'VE DONE NUMEROUS MIXED-USE PROPERTIES THROUGHOUT THE

07:39:27 COUNTRY, AND IT WAS PLANNED AS A MIXED-USE PROPERTY FROM THE

07:39:31 BEGINNING.

07:39:31 THIS WAS PLANNED AS A COMMERCIAL PLAN DEVELOPMENT FROM THE

07:39:35 BEGINNING.

07:39:36 IT'S NEVER BEEN PLANNED TO BE DEVELOPED TO PUT ANY

07:39:39 RESIDENTIAL COMPONENT.

07:39:40 >>Neale Montgomery: IN YOUR EXPERT OPINION AS A DEVELOPER IS

07:39:44 THIS SITE SUITABLE OR EVEN VIABLE FOR A MIXED-USE PROJECT?

07:39:49 >> NO.

07:39:49 WHAT'S LEFT HERE, AS SAID ALL NIGHT, WHAT'S LEFT HERE TO BE

07:39:54 DEVELOPED IS NOMINAL AT BEST.

07:40:00 THIS PARCEL IN PARTICULAR IS AT THE HARD CORNER OF TWO

07:40:03 ARTERIALS.

07:40:05 SITTING IN FRONT OF A 130,000 SQUARE FOOT HOME IMPROVEMENT

07:40:09 STORE.

07:40:10 IT'S NOT CONDUCIVE TO TRYING TO DO A RESIDENTIAL COMPONENT

07:40:13           HERE.  
07:40:17           >>Neale Montgomery: I DON'T HAVE ANY OTHER QUESTIONS.  
07:40:18           MR. KIRBY, IS THERE ANYTHING ELSE YOU WANTED TO SHARE AT  
07:40:21           THIS JUNCTURE?  
07:40:22           >> NO, NOT AT THIS TIME.

07:40:24           THANK YOU.  
07:40:27           >>Neale Montgomery: MR. ARNOLD.  
07:40:33           >> HI.  
07:40:34           GOOD EVENING.  
07:40:34           MY NAME IS WAYNE ARNOLD.  
07:40:35           I'M A CERTIFIED PLANNER WITH Q. GRADY MINOR AND ASSOCIATES.  
07:40:37           I'M HERE REPRESENTING MR. KIRBY AND KRG DEVELOPMENT.  
07:40:40           I'M NOT PUTTING ON A FORMAL PRESENTATION, BUT I AM  
07:40:44           CONSIDERED AN EXPERT IN LAND USE AND PLANNING MATTERS.  
07:40:47           I'VE TESTIFIED HERE NUMEROUS TIMES OVER THE YEARS.  
07:40:50           AND MY RESUMÉ IS ON FILE SOMEWHERE IN THESE HALLS.  
07:40:54           MR. KIRBY APPROACHED ME ONCE THE STAFF REPORT HAD BEEN  
07:40:57           ISSUED AND ASKED ME TO LOOK AT IT AND OFFER SOME CRITIQUE,  
07:41:02           BECAUSE OBVIOUSLY WE WEREN'T THRILLED WITH THE  
07:41:03           RECOMMENDATION OF DENIAL.  
07:41:05           SO I DID EVALUATE THE REPORT, MUCH AS LINDA REVIEWED IT WITH  
07:41:10           YOU.  
07:41:10           I'M NOT GOING TO GO BACK AND TRY TO REHASH THE THINGS THAT  
07:41:13           IN HER EXPERT OPINION SHE CONCLUDES EXACTLY WHAT I HAVE,  
07:41:17           WHICH THIS IS A COMPATIBLE LAND USE AND IT IS CONSISTENT  
07:41:20           WITH YOUR PLAN.  
07:41:21           ONE OF THE THINGS I SPEND A LOT OF TIME WORKING ON YOUR  
07:41:23           COMPREHENSIVE PLAN AND THE WORD "COMPATIBLE" IS THROWN  
07:41:26           AROUND A LOT, BUT YOU DO DEFINE IT.  
07:41:28           IT SAYS, COMPATIBILITY IS A CONDITION IN WHICH LAND USES OR

07:41:32           CONDITIONS CAN COEXIST IN RELATIVE PROXIMITY TO EACH OTHER  
07:41:35           IN A STABLE FASHION OVER TIME SUCH THAT NO USE OR CONDITION  
07:41:38           IS UNDULY NEGATIVELY IMPACTED DIRECTLY OR INDIRECTLY BY  
07:41:42           ANOTHER USE OR CONDITION.  
07:41:44           WHEN YOU LOOK AT THE TOTALITY OF THIS PROJECT WITH, ONE,  
07:41:48           WHAT THEY ARE PROPOSING AS PART OF THE PD WITH THE DESIGN  
07:41:51           STANDARDS THAT THEY'VE IMPLEMENTED THROUGH LANDSCAPING AND  
07:41:54           BUILDING ORIENTATION, ARCHITECTURAL DESIGN, SUBJECT TO THE  
07:41:58           PATTERN BOOK THAT WAS IN EFFECT FOR THIS WHEN YOU ADOPTED  
07:42:00           MANY OF THE CHAPTER 333 STANDARDS.  
07:42:04           WE'RE COMPLYING WITH THOSE.  
07:42:05           I AGREE WITH MS. MILLER THAT YOU DON'T GO TO THE MIXED-USE  
07:42:08           SECTION OF YOUR FUTURE LAND USE ELEMENT TO DEAL WITH A  
07:42:11           COMMERCIAL PLANNED DEVELOPMENT.  
07:42:12           THERE ARE SEPARATE CONDITIONS THAT SHE WENT OVER THAT YOU  
07:42:15           HAVE TO MEET FOR A COMMERCIAL PROJECT.

07:42:16 AND IN MY OPINION, WE HAVE MET THAT TEST.  
07:42:20 I THINK ONE OF THE OTHER THINGS THAT WE'VE STATED IT BEFORE,  
07:42:23 AND I THINK IT SHOULDN'T BE OVERLOOKED IS THAT YOUR POLICY  
07:42:26 1.2.1, WHICH DOES HAVE THE TABLE THAT TALKS ABOUT THE  
07:42:30 GENERAL LAND USES PERMITTED IN EACH CATEGORY, CLEARLY SAYS  
07:42:33 THE TRANSITIONAL MIXED-USE CATEGORY ALLOWS FOR SINGLE USE  
07:42:36 COMMERCIAL.  
07:42:37 THERE ARE TWO TABLES IN THAT POLICY.  
07:42:38 THE NEXT TABLE TALKS ABOUT WHAT USES AND INTENSITY, WHICH

07:42:42 TAKES YOU THEN TO YOUR COMMERCIAL LOCATION STANDARDS THAT  
07:42:45 YOU HAVE IN THE LAND DEVELOPMENT CODE AND THE COMPREHENSIVE  
07:42:49 PLAN AND YOUR LOCATIONAL STANDARDS AT THIS LOCATION OF TWO  
07:42:54 ARTERIAL ROADS ALLOWS YOU TO HAVE ALL THE WAY UP TO REGIONAL  
07:42:57 COMMERCIAL, WHICH I WOULD SAY A LOWE'S HOME IMPROVEMENT  
07:43:00 STORE CERTAINLY IS A REGIONAL USE.  
07:43:02 YOU DON'T HAVE THOSE AS PART OF EVERY COMMUNITY SHOPPING  
07:43:04 CENTER.  
07:43:05 I THINK OF THOSE MORE GROCERY BASED OR THOSE THAT HAVE SOME  
07:43:08 OTHER MIX OF USES.  
07:43:09 IN THIS PARTICULAR CASE, I'VE BEEN DOING THIS A LONG TIME.  
07:43:12 I'VE WORKED IN THE PRIVATE SECTOR.  
07:43:14 I'VE WORKED FOR COLLIER COUNTY GOVERNMENT, AND THIS IS NOT A  
07:43:17 LOCATION WHERE YOU WOULD EXPECT TO FIND ON AN OUTPARCEL  
07:43:20 WHERE YOU HAVE TWO VACANT OUTPARCELS REMAINING ON A HARD  
07:43:23 CORNER OF TWO ARTERIALS THAT YOU'RE LIKELY TO FIND A  
07:43:25 RESIDENTIAL DEVELOPMENT.  
07:43:27 FAR INTO THE FUTURE, IF LOWE'S HOME IMPROVEMENT STORES GO  
07:43:30 AWAY AS A RETAIL USER IN OUR COMMUNITY IT MIGHT BE A VIABLE  
07:43:33 REUSE OF THE SITE TO HAVE MIXED USE.  
07:43:35 I THINK IT WOULD BE A FAIR ARGUMENT TO HAVE AT THAT POINT IN  
07:43:37 TIME.  
07:43:38 TONIGHT, TO DEAL WITH A SINGLE OUTPARCEL THAT'S AN ACRE IN  
07:43:42 SIZE, IT DOESN'T MAKE SENSE TO ME AS A LAND PLANNER, IN MY  
07:43:45 EXPERT OPINION, IT'S NOT A LOGICAL LAND USE TO HAVE A

07:43:48 RESIDENTIAL USE HERE IF WE'RE PROMOTING MIXED-USE.  
07:43:51 I KNOW THAT ONE OF THE ARGUMENTS WOULD BE, WELL, YOU'VE GOT  
07:43:53 ALL OF THESE OTHER USES THAT CAN BE PERMITTED.  
07:43:55 AND I WOULD SAY, YOU'RE RIGHT, WE DO, BUT THIS DOCUMENT WAS  
07:43:58 APPROVED 17 YEARS AGO.  
07:44:00 THINGS EVOLVE IN THE COMMERCIAL WORLD.  
07:44:03 A LOT OF RETAILERS WE HAD IN 2003 ARE NO LONGER HERE WITH  
07:44:07 US.  
07:44:07 AND WE HAVE TO BE ABLE TO EVOLVE IN OUR COMMUNITY, BUT I  
07:44:09 THINK IT'S AN UNFAIR TEST WHEN YOU HAVE 85, 90% OF A PLANNED  
07:44:14 DEVELOPMENT DEVELOPED TO TRY TO IMPOSE A MIXED-USE STANDARD  
07:44:17 THAT REALLY, YOU'VE HEARD FROM THE PROPERTY OWNER, YOU'VE



07:44:20 HEARD FROM TWO EXPERTS THAT THIS IS NOT A LEGITIMATE  
07:44:23 OPPORTUNITY TO SEEK A MIXED-USE DEVELOPMENT HERE.  
07:44:25 WITH THAT, I'LL CLOSE.  
07:44:27 I'M HELP A TO ANSWER ANY QUESTIONS IF YOU HAVE ANY.  
07:44:30 >>Neale Montgomery: MR. ARNOLD, I HAVE A QUESTION.  
07:44:33 >> OKAY.  
07:44:33 SORRY.  
07:44:40 >>Neale Montgomery: MR. ARNOLD, I JUST HANDED YOU A PORTION  
07:44:46 OF THE -- LAND DEVELOPMENT CODE.  
07:44:49 THERE ARE TWO PURPOSE AND INTENT SECTIONS RELATED TO THE  
07:44:52 OVERLAYS AND THEN SPECIFICALLY CORKSCREW ROAD.  
07:44:55 I'M GOING TO START THIS WITH THE STAFF RECOMMENDATION OF  
07:44:58 DENIAL, YOU'VE ADDRESSED THE TRANSITIONAL MIXED-USE, BUT THE

07:45:01 SECOND ONE IS, THE CORKSCREW ROAD OVERLAY, QUOTE, INTENT.  
07:45:07 WOULD YOU READ THOSE TWO INTENT SECTIONS AND PROVIDE YOUR  
07:45:10 EXPERT OPINION AS TO WHETHER OR NOT THOSE HAVE BEEN  
07:45:14 ADDRESSED?  
07:45:14 >> WHAT YOU'VE HANDED ME IS PART OF CHAPTER 33 FROM THE LAND  
07:45:18 DEVELOPMENT CODE.  
07:45:19 AND SECTION 33-400, PURPOSE AND INTENT SAYS, OVERLAY  
07:45:24 DISTRICTS ARE CORRIDORS WITHIN THE ESTERO PLANNING COMMUNITY  
07:45:27 THAT ARE OF SPECIAL CONCERN AND REQUIRE SPECIAL SITE DESIGN  
07:45:30 STANDARDS.  
07:45:31 AND THEN THERE'S A SECTION 33-402, CITED AS INTENT.  
07:45:36 THAT'S SPECIFIC TO CORKSCREW ROAD AND SANDY LANE.  
07:45:38 IT SAYS, "CORKSCREW ROAD AND SANDY LANE DISTRICTS WILL BE  
07:45:41 DEVELOPED AS THE ESTERO PLANNING COMMUNITY'S MAIN STREET, A  
07:45:46 CORRIDOR OF ARCHITECTURALLY APPEALING AND ATTRACTIVELY  
07:45:49 LANDSCAPED RETAIL, OFFICE, RESIDENTIAL, AND INSTITUTIONAL  
07:45:52 DEVELOPMENTS THAT CATER TO THE NEEDS OF THE COMMUNITY."  
07:45:56 AND THEN THESE DISTRICTS ARE DEPICTED ON APPENDIX MAP ONE.  
07:45:59 >>Neale Montgomery: MR. ARNOLD, BASED ON THAT AND BASED ON  
07:46:02 THE TESTIMONY YOU'VE HEARD TODAY, IS THERE ATTRACTIVE  
07:46:05 ARCHITECTURE?  
07:46:06 >> I BELIEVE THERE IS.  
07:46:07 I VIEWED THE EXHIBITS THAT WERE PART OF THE PRESENTATION,  
07:46:10 AND I FOUND IT TO BE VERY CONSISTENT WITH THE ARCHITECTURE  
07:46:13 THAT WAS, I THINK, WELL THOUGHT OUT FOR THE LOWE'S, WHICH

07:46:17 WAS THE MAIN ANCHOR PARCEL AND WENT THROUGH EXTENSIVE PUBLIC  
07:46:23 INPUT TO GET APPEALING BUILDING.  
07:46:26 >>Neale Montgomery: ATTRACTIVE AND APPEALING LANDSCAPING AS  
07:46:28 REQUIRED BY THE PURPOSE AND INTENT?  
07:46:30 >> IN MY OPINION, THERE IS.  
07:46:31 I WOULD ALSO POINT OUT RELATED TO THE ARCHITECTURE COMMENT,  
07:46:34 I THINK STAFF REPORT IDENTIFIES THAT THE ARCHITECTURE IS  
07:46:36 APPEALING.

07:46:37 >>Neale Montgomery: DOES THAT PURPOSE AND INTENT SECTION  
07:46:41 ALLOW RETAIL?  
07:46:43 >> IT DOES.  
07:46:43 >>Neale Montgomery: AND IN YOUR EXPERT OPINION, IS THE  
07:46:47 APPLICATION CONSISTENT WITH THE PURPOSE AND INTENT OF THE  
07:46:51 CORKSCREW ROAD OVERLAY AND THE OVERLAY PURPOSE AND INTENT  
07:46:54 SECTION?  
07:46:55 >> IN MY PROFESSIONAL OPINION, IT IS.  
07:46:56 I'VE EVALUATED THE ENTIRETY OF SECTION 33 AND ALSO CHAPTERS  
07:47:02 34, THAT ARE THE FINDINGS FOR CONSIDERATION OF A REZONING OR  
07:47:04 AN AMENDMENT AND FIND THEM TO BE CONSISTENT AS PROPOSED.  
07:47:07 >>Neale Montgomery: DID YOU FIND ANYTHING IN THE STAFF  
07:47:10 REPORT THAT SUPPORTED THE CONCLUSION THAT CORKSCREW OVERLAY  
07:47:12 INTENT HAS NOT BEEN MET?  
07:47:14 >> I DID NOT.  
07:47:14 >>Neale Montgomery: DID YOU FIND ANY SPECIFICS IN THE STAFF  
07:47:17 REPORT OTHER THAN THEY LIKE IT TO BE TRANSITION TO MIXED-USE  
  
07:47:22 THAT DEMONSTRATED HOW THE PROJECT WASN'T IN CONFORMANCE WITH  
07:47:26 THE COMP PLAN?  
07:47:27 >> NO.  
07:47:27 AND I GUESS JUST TO FURTHER THAT THOUGHT, I MEAN, AGAIN, IT  
07:47:30 GOES BACK TO THE THOUGHT, IS THIS REALLY GOING TO BE A  
07:47:32 MIXED-USE SITE?  
07:47:33 IS THIS THE OPPORTUNITY TO GET IT, TO BECOME ONE?  
07:47:36 BECAUSE, YES, THERE ARE OTHER PERMITTED COMMERCIAL USES THAT  
07:47:39 CAN GO HERE WITHOUT BEING BEFORE YOU, BUT WE THINK WE  
07:47:42 BROUGHT FORWARD A VERY THOUGHTFUL PROJECT AND ONE THAT THE  
07:47:46 COMMUNITY CAN BE PROUD OF.  
07:47:47 >>Neale Montgomery: THANK YOU, MR. ARNOLD.  
07:47:49 >> THANK YOU.  
07:47:55 >>Neale Montgomery: WE DON'T HAVE ANY FURTHER WITNESSES AT  
07:47:58 THIS TIME.  
07:47:58 WE RESERVE THE RIGHT FOR REBUTTAL.  
07:48:03 >>Nancy Stroud: NOW IT'S TIME FOR THE STAFF TO MAKE ANY  
07:48:05 COMMENTS AND ANSWER ANY QUESTIONS.  
07:48:08 >>Marlene Naratil: WOULD MARY AND KATHY HAVE ANYTHING  
07:48:15 FURTHER TO ADD?  
07:48:16 >>Mary Gibbs: I WOULD JUST LIKE TO BE VERY BRIEF BECAUSE I  
07:48:19 KNOW IT'S GETTING LATE.  
07:48:21 WE'VE HAD REAMS OF PRESENTATIONS.  
07:48:22 WE JUST DISAGREE WITH THE APPLICANT.  
07:48:24 THEY'VE GOT EXPERTS.  
  
07:48:25 WE'VE GOT EXPERTS.  
07:48:26 WE FEEL THAT IT DOESN'T MEET THE TRANSITIONAL MIXED-USE  
07:48:30 CATEGORY.  
07:48:31 WHEN THIS CATEGORY WAS PUT INTO PLACE BY THE COUNCIL IN OUR

07:48:35 NEW COMPREHENSIVE PLAN, SPECIFICALLY ADDED THIS PROPERTY.  
07:48:38 THEY KNEW IT WAS A SHOPPING CENTER, BUT THEY ADDED THIS  
07:48:41 QUADRANT.  
07:48:42 THEY ADDED SOME OTHER QUADRANTS, AND THEY WANTED IT TO BE  
07:48:45 MIXED-USE BEFORE IT WAS CONSIDERED ON THE COUNTY PLAN, WHICH  
07:48:49 IS OUR TRANSITIONAL PLAN, IT WAS CONSIDERED GENERAL  
07:48:52 INTERCHANGE.  
07:48:53 AND GENERAL INTERCHANGE HAD USES THAT WERE VERY AUTO  
07:48:56 CENTRIC, TRAVELING PUBLIC TYPE THINGS THAT WERE THESE KIND  
07:49:00 OF USES THAT DEVELOPED OVER TIME.  
07:49:04 SO, YOU KNOW, THE COUNCIL SPECIFICALLY DID NOT WANT THAT  
07:49:08 GENERAL INTERCHANGE CATEGORY TO CONTINUE.  
07:49:12 THEY DIDN'T REALLY WANT THE MISHMASH OF COMMERCIAL USES.  
07:49:14 SO THEY DESIGNATED IT TRANSITIONAL MIXED USE, AND THEY  
07:49:17 DIDN'T REALLY WANT THE WHOLE AUTO CENTRIC KIND OF PRIORITY.  
07:49:21 THEY WANTED THE MORE WALKABILITY.  
07:49:23 I KNOW THIS APPLICANT HAS TRIED WITH THE ARCHITECTURE TO  
07:49:28 DESIGNATE IT, TO MAKE IT MEET THE SETBACKS AND DO THE  
07:49:32 LANDSCAPING AND THOSE TYPE OF THINGS, BUT I THINK WHAT IT  
07:49:35 BOILS DOWN TO IS JUST THE USE.  
07:49:37 IS THE TIRE STORE WHAT THE COUNCIL IS ENVISIONING WITH THE  
  
07:49:41 TRANSITION MIXED USE?  
07:49:43 I DON'T WANT TO GET INTO AN ARGUMENT OVER EVERY LITTLE SLIDE  
07:49:47 OR WE'VE GOT A SLIDE FROM ECCL THAT DIDN'T SHOW IT AS  
07:49:51 MIXED-USE, SO WHAT.  
07:49:53 I DON'T WANT TO GET INTO PICKING THOSE THINGS APART.  
07:49:55 I WANT TO BE REALLY SUCCINCT ABOUT THAT'S WHY WE FEEL IT  
07:49:58 DOESN'T COMPLY AND WE DO HAVE IN OUR STAFF REPORT FINDINGS  
07:50:01 OF FACT.  
07:50:02 I KNOW THE PERSON DOESN'T AGREE WITH THEM.  
07:50:07 BUT WE THINK THEY ARE PERFECTLY ADEQUATE.  
07:50:09 I DON'T KNOW WHAT ELSE TO SAY.  
07:50:11 THAT'S REALLY WHERE WE'RE COMING FROM ON THIS.  
07:50:11 IT'S NOT ABOUT IS THE ARCHITECTURE PRETTY, WHICH WE AGREE.  
07:50:20 WE DO LIKE THE ARCHITECTURE.  
07:50:21 IT'S NOT ABOUT MEETING THE SETBACKS OR SIX TREES PER X  
07:50:26 SQUARE FEET.  
07:50:27 IT'S REALLY ABOUT THE USE.  
07:50:30 >>Marlene Naratil: ANY OTHER PLANNING BOARD MEMBERS COMMENTS  
07:50:36 TO MAKE AT THIS POINT?  
07:50:42 >> WHEN I LOOK AT THE STAFF RECOMMENDATION --  
07:50:58 >> I DIDN'T HEAR US CALL THE PUBLIC.  
07:51:00 >>Marlene Naratil: I'LL CLOSE THE PUBLIC HEARING.  
07:51:04 >>Nancy Stroud: YOU CAN DO SOME COMMENTS NOW AND WE CAN OPEN  
07:51:06 UP THE PUBLIC.  
07:51:07 I DON'T THINK THERE'S ANY PUBLIC.

07:51:08 YOU MIGHT WANT TO DO THE PUBLIC NOW AND OPEN UP THE PUBLIC  
07:51:11 HEARING NOW AND THEN CLOSE.  
07:51:19 >>James Tatoes: I SAID WHEN I LOOK AT THE STAFF  
07:51:21 RECOMMENDATION, THERE'S WIGGLE ROOM IN IT, BECAUSE THE STAFF  
07:51:24 RECOMMENDS DENIAL.  
07:51:25 HOWEVER, CONDITIONS OF APPROVAL ARE PROVIDED SO THE PLANNING  
07:51:27 AND ZONING BOARD RECOMMEND APPROVAL.  
07:51:31 WHAT I FIND ABOUT THIS SITE IS THAT IF YOU COULD HAVE YOUR  
07:51:36 IDEAL, YOU'D PROBABLY WANT TO HAVE THIS SITE AND THE PIECE  
07:51:40 NEXT DOOR TO IT COMBINED INTO ONE BIG PIECE AND MAKE SOME  
07:51:43 KIND OF BEAUTIFUL PARK OUT OF IT.  
07:51:45 I'M BEING FACETIOUS.  
07:51:49 BUT THE THING THAT I SEE HERE THAT'S GOOD IS THAT BASICALLY  
07:51:55 THIS LITTLE SHOPPING CENTER IS A DESTINATION SHOPPING  
07:51:59 CENTER.  
07:52:00 IN CONTRAST TO A SHOPPING, SHOPPING CENTER WHERE PEOPLE GO  
07:52:04 THERE AND LOOK AT THE STORES.  
07:52:07 SO YOU'RE GOING TO GO TO LOWE'S BECAUSE SOMETHING SPECIFIC  
07:52:11 YOU WANT TO BUY.  
07:52:12 GO TO THE NURSERY CENTER, YOU GO THERE SPECIFICALLY BECAUSE  
07:52:15 YOU WANT SOMETHING FROM THE NURSERY CENTER.  
07:52:18 SOME OF THE STORES, MAYBE NOT THE DOLLAR STORE, ARE  
07:52:20 SPECIFICALLY TARGETED FOR PARTICULAR USES.  
07:52:25 THAT'S WHAT MAKES THIS THING COMPATIBLE TO ME BECAUSE IT'S A  
07:52:29 DESTINATION USE WITHIN A SERIES OF DESTINATION USES.

07:52:34 THE MORE UNIQUE THING ABOUT IT, AND I'VE DONE THIS IN MY  
07:52:39 PAST, IN MY LAND DEVELOPMENT DAYS, I BUILT A LOT OF  
07:52:43 AUTOMOTIVE CENTERS, AND THIS TYPE OF A CENTER WOULD NEVER  
07:52:46 FLY IN THE OLD DAYS BECAUSE THEY WOULD WANT IT TO BE RIGHT  
07:52:50 ON CORKSCREW.  
07:52:50 THEY WOULD WANT IT TO BE ON 41 AND WANT TO HAVE DIRECT  
07:52:53 ACCESS OFF THE STREET.  
07:52:55 THIS WOULD HAVE BEEN REJECTED IN THE PAST.  
07:52:58 BUT THE FACT THAT IT DOESN'T JEOPARDIZE TRAFFIC FLOW, AND  
07:53:06 IT'S FED FROM THE INSIDE, I THINK THAT'S A PLUS FOR IT.  
07:53:11 THAT ONLY WORKS BECAUSE IT'S A DESTINATION SITE.  
07:53:16 AND THE ARCHITECTURE AND THE LANDSCAPING I THINK IS WELL  
07:53:21 DONE WITHIN THE STANDARDS OF WHAT WE'RE LOOKING FOR.  
07:53:26 I REALLY WOULD SAY, WHAT OTHER USE COULD YOU FIND,  
07:53:33 ESPECIALLY WITH WHAT'S HAPPENING IN OUR MARKETING WORLD  
07:53:35 TODAY, IT'S HARD FOR ME TO THINK OF GETTING ANOTHER  
07:53:38 COMPATIBLE USE IN THERE TO FINISH OFF THIS SITE.  
07:53:42 SO I DON'T HAVE ANY OBJECTIONS.  
07:53:48 >>Anthony Gargano: WE'RE BEING ASKED TO ADD AN AUTO REPAIR  
07:53:56 AND SERVICE GROUP TO THE ZONE.  
07:54:00 THAT'S THE ZONING REQUEST WE'RE GETTING.  
07:54:06 I BELIEVE THAT THE CONCEPT OF THE TRANSITIONAL MIXED-USE FOR

07:54:11 FUTURE LAND USE IS ONE OVERARCHING, THE SPIRIT OF WHICH IS  
07:54:22 THERE TO GUIDE DEVELOPMENT IN THE COMMUNITY AS THE CHARACTER  
07:54:31 OF THE COMMUNITY CHANGES, AS THE COMMUNITY GROWS AND

07:54:34 EXPANDS.  
07:54:37 AND AS CHANGES OCCUR, SUCH AS THE PREVIOUS INTERCHANGE ZONE.  
07:54:47 WE'VE HEARD A LOT ABOUT CONSISTENCY WITH THE ORIGINAL  
07:54:52 18-YEAR-OLD ZONE, AND WE'VE HEARD A LOT ABOUT COMPATIBILITY  
07:54:59 WITH EXISTING USES, BUT I THINK THAT'S BEYOND THE SPIRIT OF  
07:55:05 THE TRANSITIONAL MIXED-USE FUTURE LAND USE.  
07:55:10 SO I'D BE SUPPORTIVE OF THE STAFF'S RECOMMENDATION FOR  
07:55:15 DENIAL.  
07:55:20 >>Marlene Naratil: HOW ABOUT YOU, JOHN?  
07:55:24 >>Scotty Wood: THIS IS SCOTTY.  
07:55:25 I HAVE SOME COMMENTS.  
07:55:28 >>Marlene Naratil: WHO IS SPEAKING NOW?  
07:55:30 SCOTTY?  
07:55:33 >>Scotty Wood: I JUST WANT TO NOTE THAT THE APPLICANT HAS  
07:55:36 NOTED THAT SEVERAL ASPECTS OF THE PLAN ARE IN COMPLIANCE  
07:55:39 WITH THE LAND DEVELOPMENT CODE AND THE ESTERO DESIGN  
07:55:42 CONCEPTS.  
07:55:43 IT SHOULD BE NOTED THAT A ZONING VARIANCE REQUEST CARRIES  
07:55:48 WITH IT A SIGNIFICANT RESPONSIBILITY ON THE APPLICANT TO  
07:55:53 DEMONSTRATE ALMOST WITHOUT EXCEPTION COMPELLING RATIONALE TO  
07:55:59 SUPPORT A VARIANCE FROM THE VILLAGE'S NOW EXISTING  
07:56:03 COMPREHENSIVE PLAN.  
07:56:06 I HAPPEN TO AGREE WITH STAFF'S NOTATION THAT THE APPLICATION  
07:56:10 IS INCONSISTENT WITH ESTERO'S COMPREHENSIVE PLAN AND FURTHER  
07:56:14 IS INCONSISTENT WITH THE CORKSCREW ROAD OVERLAY.

07:56:19 I WOULD NOTE THAT THIS APPLICATION IS TANTAMOUNT TO SPOT  
07:56:23 ZONING BECAUSE IT PROMISE -- PROPOSES TO SPLIT AN EXISTING  
07:56:28 PARCEL WITHOUT CONSIDERATION TO THE UNDEVELOPED PORTION OF  
07:56:31 THE SITE, A PRACTICE THAT PLANNING PROFESSIONALS BROADLY  
07:56:37 ADVISE IS UNDESIRABLE BECAUSE SUCH A PRACTICE ENCOURAGES  
07:56:42 INCONSISTENT DEVELOPMENT, SUGGESTING NO REAL PLAN IS IN  
07:56:47 PLACE.  
07:56:48 THE ESTERO COMPREHENSIVE PLAN WAS DEVELOPED ONLY AFTER  
07:56:51 EXTENSIVE PUBLIC INPUT.  
07:56:55 THE APPLICANT HAS NOT, IN MY OPINION, SHOWN OVERWHELMING  
07:56:59 EVIDENCE THAT A ZONING VARIANCE BE RECOMMENDED, PARTICULARLY  
07:57:02 ON A PARCEL INCLUDED IN THE CORKSCREW ROAD OVERLAY.  
07:57:08 REGARDING THE OVERLAY, STAFF OBSERVED THAT THE BUILDING DOES  
07:57:12 NOT CREATE A CONTINUOUS STREET FRONT, THE PARKING LOT COVERS  
07:57:17 MORE THAN HALF THE FRONTAGE ON CORKSCREW ROAD.  
07:57:21 WHILE THE FRONTAGE IS LANDSCAPED TO MINIMIZE THE VIEW OF THE  
07:57:24 PARKING AREA, THE SITE IS GENERALLY NOT COMPLIANT WITH THE  
07:57:29 GOALS OF THE OVERLAY DISTRICT GIVEN THE PROPOSED AUTO

07:57:33 ORIENTED USE LAYOUT OF THE SITE AND THE FACT THAT THE  
07:57:36 PARKING LOT CONSUMES HALF OF THE CORKSCREW ROAD FRONTAGE,  
07:57:41 WHICH IS CLEARLY INCONSISTENT WITH THE OVERLAY.  
07:57:45 I CANNOT VOTE TO OVERRIDE THE COMPREHENSIVE PLAN THAT OUR  
07:57:49 RESIDENTS HAVE CONTRIBUTED EXTENSIVELY TO, RELYING UPON THE  
07:57:54 VILLAGE TO IMPLEMENT AND ADMINISTER IN A WAY THAT PROTECTS  
07:57:58 THE INTEGRITY OF THE PLANNING AND DESIGN CONCEPTS THAT

07:58:01 ESTERO WAS BUILT UPON, RENOWNED FOR, AND SEEKS TO PRESERVE.  
07:58:07 I WILL VOTE TO RECOMMEND DENIAL IN AGREEMENT WITH STAFF'S  
07:58:10 RECOMMENDATION.  
07:58:10 THANK YOU.  
07:58:13 >>Marlene Naratil: JOHN?  
07:58:15 >>John Yarbrough: I CAN -- YOU KNOW, I'M NOT A PLANNING  
07:58:22 EXPERT, SO I CAN SEE SORT OF BOTH SIDES OF THINGS HERE.  
07:58:30 I THINK ONE OF THE THINGS THAT MAY HAVE BEEN LOST, AND I  
07:58:34 UNDERSTAND -- ONE OF MY QUESTIONS REALLY IS, WHEN YOU ALL  
07:58:42 CAME BEFORE US IN JULY OF LAST YEAR, JUST OBVIOUSLY WITH --  
07:58:50 ISSUE, AM I RIGHT?  
07:58:51 WHEN THEY MADE THE PRESENTATION, MATT NOBLE WAS THERE, AND  
07:59:00 THERE WAS NO INDICATION THAT THERE WAS AN ISSUE.  
07:59:04 >>Mary Gibbs: I THINK THAT WAS THE INFORMATION MEETING THAT  
07:59:07 YOU'RE TALKING ABOUT, AND WE USUALLY DON'T COMMENT AT AN  
07:59:13 INFORMATION MEETING.  
07:59:14 I DON'T BELIEVE THERE'S --  
07:59:17 >>John Yarbrough: EVEN IF YOU KNEW THERE WAS AN ISSUE.  
07:59:19 I DON'T HAVE A PROBLEM WITH IT.  
07:59:20 >>Mary Gibbs: NOT TYPICALLY.  
07:59:26 >>John Yarbrough: I THINK ON THE OTHER SIDE OF IT, BY SAYING  
07:59:33 WE'D LIKE TO SEE MIXED-USE, I THINK PEOPLE ARE JUMPING TO  
07:59:43 RESIDENTIAL AND I DON'T THINK THAT'S WHAT WAS INTENDED BY  
07:59:45 THAT AT ALL.  
07:59:46 OBVIOUSLY, RESIDENTIAL WOULDN'T MAKE SENSE THERE EVEN IF IT

07:59:50 WAS MIXED-USE.  
07:59:52 AGAIN, I'M NOT AN EXPERT SO I DON'T KNOW, WHEN I SAY  
07:59:55 MIXED-USE, IF I'M ON THE SAME PAGE OF WHAT A PROFESSIONAL  
08:00:03 WOULD SAY IS MIXED USE.  
08:00:04 MY POINT IS, IT SEEMS LIKE THERE ARE OTHER THINGS, OTHER  
08:00:08 ENTITIES THAT COULD GO THERE AND MAYBE HAVE THE SUPPORT OF  
08:00:20 MARY AND HER STAFF.  
08:00:26 I'M KIND OF CAUGHT BETWEEN.  
08:00:28 IT'S EITHER FIRESTONE -- FIRESTONE OR NOTHING.  
08:00:33 I DON'T SEE IT THAT WAY.  
08:00:34 I'M KIND OF IN THE MIDDLE RIGHT NOW.  
08:00:44 BUT I WILL CONTINUE MORE TONIGHT AS WE GO THROUGH THIS.  
08:00:52 >> TIM, ARE YOU STILL THERE?  
08:00:53 TIM ALLEN?

08:00:55 >>Dr. Tim Allen: I AM.  
08:00:56 I'M HERE.  
08:00:57 >>Marlene Naratil: WOULD YOU LIKE TO MAKE YOUR COMMENTS?  
08:01:00 >>Dr. Tim Allen: IF IT'S APPROPRIATE, I'D LIKE TO ASK MARY A  
08:01:04 QUESTION.  
08:01:06 WHAT DO YOU ENVISION FOR THIS PARCEL, ALL OF TRACT A OR PART  
08:01:12 OF TRACT A, AND APPROPRIATE MIXED USE PROJECT?  
08:01:17 WHAT'S IN YOUR MIND, WHAT DO YOU THINK IS IN THE MIND OF THE  
08:01:21 COUNCIL?  
08:01:23 >>Mary Gibbs: WELL, I DO AGREE WITH MR. YARBROUGH A LITTLE  
08:01:29 BIT.

08:01:29 OBVIOUSLY, THIS IS A LITTLE PROBLEMATIC BECAUSE THE SHOPPING  
08:01:32 CENTER IS MOSTLY DEVELOPED.  
08:01:34 YOU DON'T WANT TO SPLICE IN RESIDENTIAL.  
08:01:37 THAT WOULDN'T MAKE ANY SENSE.  
08:01:39 I THINK A MORE COMPLEMENTARY TYPE OF COMMERCIAL USE WOULD BE  
08:01:44 BETTER.  
08:01:45 I THINK THE TIRE STORE, YOU KNOW, IF YOU'RE GOING TO HAVE  
08:01:48 THE TIRE STORE, HAVE IT BE IN THE BACK WITH THE BIG BOX, THE  
08:01:52 WAY IT WAS ENVISIONED WHEN THE ZONING WAS APPROVED.  
08:01:55 IT COULD BE A SUBORDINATE USE TO A LARGER BIG-BOX TYPE USE.  
08:01:59 IN OUR OPINION, THE TIRE STORE IS NOT REALLY ADDING  
08:02:03 ANYTHING.  
08:02:03 IT'S NOT COMPLEMENTARY.  
08:02:05 IT JUST DOESN'T REALLY ADD ANY KIND OF VITALITY OR ANYTHING  
08:02:09 TO THE CENTER.  
08:02:10 AND I THINK ANOTHER ISSUE, IN MY MIND, YOU'RE SPLITTING A  
08:02:16 PARCEL.  
08:02:17 NOW YOU'RE ELIMINATING AN OPPORTUNITY.  
08:02:18 YOU MAY END UP WITH TWO SMALL COMMERCIAL USES WHERE YOU  
08:02:22 COULD HAVE HAD A LARGER PARCEL WHERE YOU HAVE MORE  
08:02:26 OPPORTUNITY TO HAVE A USE THAT MIGHT BE MORE CONSISTENT WITH  
08:02:29 TRANSITIONAL MIXED-USE, COMMERCIAL TYPE USE.  
08:02:34 NOW YOU'RE SPLITTING THE PARCEL.  
08:02:36 NOW YOU HAVE A SMALL ONE ACRE, AND THEN YOU'LL HAVE ANOTHER  
08:02:39 ONE ACRE ONE COME IN WHERE YOU MIGHT HAVE HAD A MORE

08:02:42 OPPORTUNITY TO BE MORE LIKE THE ORIGINAL ZONING THAT KIND OF  
08:02:44 SHOWED MORE OPEN SPACE.  
08:02:45 IF YOU LOOKED AT THE DESIGN OF THE ORIGINAL KIND OF TOWN  
08:02:48 CENTER AND THEY REFERENCED THE PATTERN BOOK, IT SEEMED TO BE  
08:02:52 MORE TREE LINED WITH SOME OPEN SPACE AND MORE KIND OF  
08:02:57 GATHERING AREA.  
08:02:59 I KNOW THAT'S A LITTLE ESOTERIC.  
08:03:02 I WOULD SAY NOT RESIDENTIAL, OBVIOUSLY.  
08:03:03 BUT I THINK OTHER COMMERCIAL USES THAT ARE -- THIS IS LIKE A  
08:03:08 LITTLE BIT OF A HEAVY COMMERCIAL USE.

08:03:09 SO I THINK A LESS INTENSE COMMERCIAL USE.  
08:03:14 >>Dr. Tim Allen: COULD YOU GIVE ME AN EXAMPLE?  
08:03:17 I DON'T WANT TO BIND YOU INTO ANYTHING.  
08:03:20 I'M TRYING TO UNDERSTAND THE HISTORY.  
08:03:21 SOME OF THIS HAPPENED BEFORE I WAS INVOLVED.  
08:03:25 >>Mary Gibbs: WELL, I'M KIND OF SHOOTING FROM THE HIP HERE.  
08:03:29 I THINK EVEN AN OFFICE-TYPE USE.  
08:03:31 YOU HAVE A DENTIST OFFICE NEXT DOOR.  
08:03:33 SOME TYPE OF OFFICE USE.  
08:03:36 IF YOU'RE SAYING THIS IS KIND OF A DESTINATION PLACE, MAYBE  
08:03:38 ANOTHER RESTAURANT.  
08:03:40 I KNOW RUBY TUESDAY'S KIND OF WENT DARK.  
08:03:43 I DON'T KNOW WHAT THE ISSUE WAS THERE.  
08:03:45 IF YOU HAVE USES THAT RESTAURANT USES, USES THAT PEOPLE CAN  
08:03:51 WALK AND DRIVE TO AND GO BACK AND FORTH BETWEEN LOWE'S AND  
  
08:03:54 ANOTHER RESTAURANT OR, AGAIN, SOME OTHER TYPE OF OFFICE USE.  
08:03:59 >>Dr. Tim Allen: THE OFFICE WAS A DENTIST, I BELIEVE IT WAS  
08:04:03 A BANK?  
08:04:04 >>Mary Gibbs: YEAH, IT WAS A BANK BEFORE.  
08:04:06 >>Dr. Tim Allen: DID THEY HAVE TO HAVE A REZONING TO PUT A  
08:04:09 MEDICAL USE IN THERE?  
08:04:11 >>Mary Gibbs: I THINK THAT WAS ALREADY PERMITTED.  
08:04:13 I THINK THEY JUST GOT A DEVELOPMENT ORDER.  
08:04:20 >>Dr. Tim Allen: AGAIN, I DON'T HAVE A LOT OF INSIGHT INTO  
08:04:24 THE HISTORY, BUT I OBSERVE THAT OUTPARCEL SITTING VACANT FOR  
08:04:31 QUITE A WHILE.  
08:04:33 I AM PRETTY SURE -- WOULD ABSORB THAT OR DEVELOP IT IF THEY  
08:04:39 COULD HAVE FOUND A BUYER WITH A GOOD USE.  
08:04:44 IT'S BEEN A LONG TIME COMING, BUT I THINK WE FINALLY FOUND A  
08:04:50 USE THAT LOOKS LIKE --  
08:04:54 I'M CONCERNED ABOUT SPLITTING THE TRACT MORE THAN PUTTING  
08:04:58 THE FIRESTONE THERE.  
08:04:59 I COULD SEE A LARGER AUTOMOTIVE ORIENTED USE THERE ON THE  
08:05:08 FULL TRACT.  
08:05:08 BUT THAT'S NOT WHAT IS BEING ASKED FOR.  
08:05:11 MY GUT FEELING RIGHT NOW IS TO APPROVE THE APPLICATION, VOTE  
08:05:16 TO APPROVE THE APPLICATION.  
08:05:21 I'M NOT SURE WE HAVE A DEFINED BETTER ALTERNATIVE.  
08:05:23 I THINK THE LANGUAGE OF MIXED-USE, CONFUSING FOR THIS  
08:05:34 ALREADY PLANNED COMMERCIAL TRACT -- DEVELOPMENT.  
  
08:05:39 I DON'T SEE IT TO BE TERRIBLY INCONSISTENT.  
08:05:44 THOSE ARE MY THOUGHTS FOR THE MOMENT.  
08:05:53 >>Marlene Naratil: I AGREE THAT THE PLAN PRESENTED WAS VERY  
08:05:56 WELL DONE.  
08:05:57 I HAVE SOME QUESTIONS AND I AGREE WITH THE STAFF ON THIS  
08:06:02 PROPOSAL DOESN'T COMPLY WITH THE TRANSITIONAL LAND USE OR



08:06:06 THE CORKSCREW OVERLAY.  
08:06:08 AND WHEN I WAS READING THROUGH WHAT WAS ENVISIONED BY THESE  
08:06:12 TYPES OF ZONING, IT WAS VIBRANCY.  
08:06:16 AND I JUST DIDN'T SEE A TIRE STORE BRINGING VIBRANCY TO THAT  
08:06:21 CORNER.  
08:06:22 BUT I, TOO, HAVE QUESTIONS REGARDING, WELL, WHAT DOES BRING  
08:06:26 VIBRANCY?  
08:06:29 PERHAPS ANOTHER USAGE ON THE WHOLE PARCEL TO MAKE A LARGER  
08:06:34 STATEMENT.  
08:06:37 BUT BASICALLY, WE HAVE TO DECIDE WHAT WE'RE GOING TO  
08:06:40 RECOMMEND TO THE VILLAGE COUNCIL.  
08:06:48 >>Nancy Stroud: AT THIS POINT, WE DO NEED TO TAKE PUBLIC  
08:06:51 COMMENT AND THE APPLICANT HAD RESERVED SOME REBUTTAL TIME.  
08:06:55 SO I THINK THEY NEED AT LEAST FIVE OR TEN MINUTES FOR  
08:06:59 REBUTTAL.  
08:07:01 >>Marlene Naratil: DO WE HAVE ANY PUBLIC COMMENT AT THIS  
08:07:03 POINT?  
08:07:03 >>Tammy Duran: NO.  
08:07:04 AND WE HAVE NOBODY SIGNED UP ON THE E-COMMENT EITHER.

08:07:10 >>Marlene Naratil: I DIDN'T HEAR.  
08:07:11 >>Tammy Duran: NO.  
08:07:12 >>Marlene Naratil: SHE SAID NO.  
08:07:13 OKAY.  
08:07:14 NEALE, DID YOU HAVE ANYTHING?  
08:07:21 >>Neale Montgomery: THANK YOU FOR THIS OPPORTUNITY.  
08:07:23 THINGS HAVE SHIFTED A LITTLE BIT FROM THE STAFF REPORT TO  
08:07:26 THE PRESENTATION AT THE BEGINNING TO THE PRESENTATION AT THE  
08:07:29 END.  
08:07:29 THE STAFF REPORT SUGGESTED THAT WE NEEDED TO BE MIXED-USE,  
08:07:35 AND I THINK I'VE HEARD EVERYBODY, EVEN MARY AGREE, THIS SITE  
08:07:40 IS NOT APPROPRIATE FOR RESIDENTIAL.  
08:07:42 TRUE MIXED-USE INCLUDES RESIDENTIAL.  
08:07:44 SO I THINK WE CAN ALL AGREE A MIXED-USE PROJECT WITH  
08:07:49 RESIDENTIAL IS NOT APPROPRIATE.  
08:07:51 I'VE HEARD DISCUSSION FROM MR. WOOD AND MARY ABOUT WHAT WAS  
08:07:57 INTENDED.  
08:07:58 THE PROBLEM IS FROM A LEGAL STANDPOINT, YOU COULD HAVE MEANT  
08:08:03 OR INTENDED A LOT OF THINGS, BUT WHAT'S IMPORTANT IS WHAT'S  
08:08:06 IN BLACK AND WHITE, WHAT DID YOU ADOPT.  
08:08:11 AND WHAT YOU ADOPTED -- AND WHAT WAS ADOPTED WAS A LAND USE  
08:08:16 CATEGORY THAT SPECIFICALLY ALLOWS FREE-STANDING COMMERCIAL,  
08:08:22 SPECIFICALLY ALLOWS NEIGHBORHOOD, COMMUNITY COMMERCIAL, AND  
08:08:25 REGIONAL.  
08:08:26 THOSE ARE ALL AUTO CENTRIC.

08:08:28 IT'S ALLOWED UNDER WHAT WAS EXPRESSLY ADOPTED.  
08:08:33 AND I HEARD DISCUSSION ABOUT COMPLEMENTARY COMMERCIAL.

08:08:39 I'LL GIVE YOU MY EXAMPLE.  
08:08:42 I'VE ASKED A LOT OF GUYS AND MARLENE, I'LL KIND OF LEAVE YOU  
08:08:47 OUT OF THIS, BUT FOR THOSE OF YOU WHO ARE MARRIED, I'M GOING  
08:08:50 TO WAGER FROM ALL THE GUYS IN THIS ROOM THAT MOST OFTEN YOUR  
08:08:55 WIFE DOESN'T TAKE THE CAR TO GET THE CAR -- THE TIRES  
08:08:58 CHANGED.  
08:08:58 I'M GOING TO GUESS YOU GUYS PROBABLY DO.  
08:09:01 WHERE DO MOST GUYS LIKE TO GO WHEN THEY DO THEIR SHOPPING?  
08:09:06 I'M THINKING MACY'S PROBABLY ISN'T WHERE A LOT OF YOU GO.  
08:09:11 A LOT OF YOU, AT LEAST STATISTICALLY, GO TO LOWE'S OR HOME  
08:09:14 DEPOT.  
08:09:15 SO FOR THE FOLKS THAT ARE TAKING THE CAR TO THE TIRE STORE,  
08:09:17 WHERE ARE YOU GOING TO GO WHEN YOU'RE DONE WHILE YOU'RE  
08:09:20 WAITING?  
08:09:21 YOU'RE GOING TO GO TO LOWE'S.  
08:09:22 SO IF YOU LOOK AT IT IN THE REAL WORLD, IT IS COMPLEMENTARY.  
08:09:26 THAT IS HOW THAT'S GOING TO WORK.  
08:09:28 YOU'RE GOING TO GO TO GET A SMOOTHIE, OR GO TO LOWE'S, AND  
08:09:36 THE FACT OF THE MATTER IS, AN AUTO PARTS STORE IS PERMITTED  
08:09:40 ON THE OUTPARCELS, AND IT IS PERMITTED IN THE IN-LINE  
08:09:45 CENTER.  
08:09:46 I THINK WHEN YOU READ THE TRANSCRIPT, THE HEARING EXAMINER  
08:09:53 PUT IT IN, AND SHE PUT THE SAME LANGUAGE IN AS SHE DID FOR

08:09:56 THE ANCHOR PARCEL.  
08:10:00 I MEAN, REALISTICALLY, WHERE IS SERVICE GOING TO BE  
08:10:05 ACCESSORY USE, TO WHAT USE?  
08:10:07 THE ANSWER IS, IT IS GOING TO BE AN ACCESSORY USE TO  
08:10:10 SOMETHING THAT SELLS PARTS.  
08:10:12 SO IT'S A LOGICAL ACCESSORY USE.  
08:10:14 AND THAT'S THE ONLY THING THAT'S BEING REQUESTED HERE, AND  
08:10:18 MR. ARNOLD READ YOU THE PURPOSE AND INTENT OF THE CORKSCREW  
08:10:21 OVERLAY.  
08:10:21 AND THE PURPOSE AND INTENT HAS BEEN TO CREATE AN ATTRACTIVE  
08:10:25 CORRIDOR, TO IMPROVE THE ARCHITECTURE, TO IMPROVE THE  
08:10:30 LANDSCAPING, AND WHAT THE LANDSCAPE AND THE ARCHITECT DIDN'T  
08:10:34 TELL YOU WAS, THIS IS, IN THEIR OPINION, ONE OF THE NICEST  
08:10:39 LOOKING FIRESTONES EVER.  
08:10:41 SO IT HAS FAR AND AWAY EXCEEDED NORMAL DESIGN STANDARDS, AND  
08:10:44 IT DOES MEET YOUR SITE DESIGN CRITERIA FOR THE CORKSCREW  
08:10:48 ROAD OVERLAY.  
08:10:49 AND I THINK SEVERAL OF YOU SAID, IF NOT THIS, WHAT?  
08:10:53 AND MR. KIRBY TOLD YOU HOW LONG THEY HAVE BEEN MARKETING  
08:10:56 THIS PROPERTY.  
08:10:57 AND MR. ALLEN NOTED HOW LONG THIS PARCEL HAS BEEN VACANT.  
08:11:02 IT'S NICE TO SAY WE'D LIKE RESTAURANTS.  
08:11:04 I LISTEN TO THE BUSINESS CHANNEL THIS WEEK, AND THEY SAID  
08:11:08 50% OF ALL RESTAURANTS WILL BE CLOSED AS A RESULT OF THIS

08:11:13 DURING THE NEXT YEAR.

08:11:14 SO I DON'T SEE A RESTAURANT ANY TIME SOON COMING TO THIS  
08:11:19 PARCEL UNTIL THEY CAN FIGURE OUT HOW TO OPERATE IN OUR NEW  
08:11:22 WORLD AND ENVIRONMENT.  
08:11:24 SO WHEN WE LOOK AT THE REALITY OF AMAZON AND RESTAURANT  
08:11:31 FUTURE AND COVID, AND THE FACT THAT IT'S NOT SUITABLE FOR  
08:11:34 RESIDENTIAL AND YOU'VE GOTTEN THE ARCHITECTURE AND THE  
08:11:36 LANDSCAPING YOU WANT, THIS IS AN APPROPRIATE USE FOR THIS  
08:11:40 PARCEL BASED ON WHAT WAS ADOPTED IN BLACK AND WHITE IN YOUR  
08:11:45 COMP PLAN AND IN YOUR LDC.  
08:11:47 THANK YOU.

08:11:53 >>Nancy Stroud: A LEGAL ISSUE WAS BROUGHT UP, IF YOU'D  
08:11:56 PERMIT ME.  
08:11:57 A LEGAL ISSUE WAS BROUGHT UP, IF YOU'D PERMIT ME JUST TO  
08:12:00 MAKE A COMMENT ON A LEGAL ISSUE, IN RESPONSE TO WHAT  
08:12:06 MS. MONTGOMERY SAID.  
08:12:07 >>Marlene Naratil: GO RIGHT AHEAD.  
08:12:08 >>Nancy Stroud: THE BLACK AND WHITE IN THE EXISTING ZONING  
08:12:15 SAYS THAT THIS KIND OF AUTO USE HAS TO BE ACCESSORY TO A  
08:12:20 PRINCIPAL USE ON THE SITE.  
08:12:26 I KNOW THAT THE APPLICANT HAS TRIED TO CONVINCING YOU THAT  
08:12:29 SOMEHOW THAT ISN'T WHAT WAS INTENDED, SOMEHOW THE HEARING  
08:12:33 OFFICER SLIPPED IT IN EVEN THOUGH THE COUNTY COMMISSION  
08:12:36 ADOPTED -- ADOPTS THE ORDINANCE.  
08:12:39 THE BLACK AND WHITE AND HOW YOU READ A RESOLUTION IS YOU  
08:12:42 LOOK AT WHAT THE WORDS SAY, AND YOU DON'T TRY TO

08:12:45 SECOND-GUESS IF THERE WAS A DIFFERENT INTENT.  
08:12:48 SO THE ORIGINAL INTENT, ACCORDING TO WHAT'S IN THE  
08:12:54 RESOLUTION, IS THAT AN AUTO -- THIS KIND OF AUTO STORE WOULD  
08:13:00 BE ACCESSORY TO A USE ON THE PARCEL.  
08:13:05 THAT DOESN'T MEAN YOU CAN'T CHANGE THE ZONING.  
08:13:07 THAT'S WHAT THEY ARE ASKING YOU TO DO.  
08:13:09 BUT TO SAY -- TO SORT OF DISMISS IT AND SAY SOMEHOW LEGALLY  
08:13:15 AS YOU LOOK AT IT ANOTHER WAY, I JUST WANTED TO CORRECT  
08:13:20 THAT, I THINK.  
08:13:26 >>Marlene Naratil: WE'LL GO AHEAD AND HAVE A MOTION TO  
08:13:30 ACCEPT OR SOMEONE WISHING TO MAKE A MOTION TO REJECT THIS  
08:13:37 PROPOSAL?  
08:13:40 >> I'LL MAKE A MOTION TO DENY THE REQUESTED RELIEF.  
08:13:47 >>Marlene Naratil: A MOTION TO DENY IT.  
08:13:54 >> WHO SECONDS?  
08:13:57 >> SECOND.  
08:13:59 >> ALL RIGHT.  
08:14:03 >>Tammy Duran: BOARD MEMBER ALLEN?  
08:14:04 BOARD MEMBER ALLEN?  
08:14:12 >>Dr. Tim Allen: I VOTE NO ON THE MOTION.

08:14:18 >>Anthony Gargano: JUST TO CLARIFY, A VOTE OF YES IS TO  
08:14:22 DENY.  
08:14:22 >>Tammy Duran: YES, A VOTE OF YES IS TO DENY.  
08:14:24 >>Anthony Gargano: YES.  
08:14:26 >>Marlene Naratil: YES.

08:14:27 >>James Tatoes: NO.  
08:14:30 >>John Yarbrough: YES.  
08:14:35 >>Scotty Wood: NO.  
08:14:43 WAIT A MINUTE.  
08:14:44 A VOTE TO DENY -- IS THAT THE MOTION IN FRONT OF US?  
08:14:48 >> A YES WOULD BE TO ACCEPT THE STAFF RECOMMENDATION.  
08:14:53 >> I VOTE YES.  
08:14:58 >>Marlene Naratil: SO THE MOTION -- THAT MOTION PASSES TO  
08:15:02 DENY.  
08:15:03 >>Nancy Stroud: THE MOTION TO DENY PASSES.  
08:15:06 >>Marlene Naratil: WE'LL SEND THIS TO THE VILLAGE COUNCIL.  
08:15:12 >> WE'LL SEND THAT RECOMMENDATION TO THE COUNCIL THEN FOR  
08:15:14 THEIR DECISION.  
08:15:18 >>Marlene Naratil: ANY OTHER COMMENTS BY THE BOARD?  
08:15:20 OUR NEXT MEETING IS SEPTEMBER 15th, I BELIEVE.  
08:15:32 >> CORRECT.  
08:15:33 >>Marlene Naratil: ALL RIGHT.  
08:15:35 >> NEED A MOTION TO ADJOURN.  
08:15:36 >>Marlene Naratil: MOTION TO ADJOURN, PLEASE?  
08:15:38 >> SO MOVED.  
08:15:40 >>Marlene Naratil: SECOND?  
08:15:41 >> I'LL SECOND IT.  
08:15:42 >>Marlene Naratil: THANK YOU.  
08:15:43 [ SOUNDING GAVEL ]

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