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

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05:29:31  [ SOUNDING GAVEL ]
05:29:34   >>Marlene Naratil: THE MEETING WILL COME TO ORDER, PLEASE.
05:29:37   >> I'LL SO MOVE.
05:29:37   >> SECOND.
05:29:37   >>Marlene Naratil: ALL IN FAVOR?
05:29:39   >> AYE.
05:30:09   >>Dr. Tim Allen: HERE.
05:30:12   >>Anthony Gargano: HERE.
05:30:14   >>Marlene Naratil: HERE.
05:30:15   >>James Tatooles: 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.
A YE.

Marlene Naratil: OUR FIRST ONE IS A PUBLIC HEARING FOR THE COCONUT POINT FARMERS MARKET. AND THEY ARE LOOKING FOR A TEMPORARY USE PERMIT TO OPERATE THEIR MARKET ONE DAY A WEEK FROM OCTOBER 1st, 2020, THROUGH MAY 27, 2021 FROM 9 A.M. TO 1 P.M.

Is there someone here to --

Mary Gibbs: Well, first, I think we need to have Nancy Stroud go over. We have two public hearings tonight, and they are quasi-judicial process. I think we'll ask our land use attorney to kind of explain the land use -- the quasi-judicial and then some of the things we have to do and the swearing in before we actually start with the case.

Nancy Stroud: Let's do this for both of them so we don't have to do it twice. They are quasi-judicial hearings. Let me briefly go over the process for quasi-judicial hearings.

Because these agenda items require the board's recommendation while they sit in a quasi-judicial capacity, there are special procedures involved. If you intend to provide testimony on the zoning application, you must be sworn in, which I will do in a moment, and should also fill out a public speaker's card and get it to the clerk before the item is called.

In general, we first hear from the Community Development Director. Anybody in the audience who has been sworn in then can testify. We have a time limit of five minutes for that.

We need to know if any written communications have been received -- [phone ringing] -- on either of these items. [Phone ringing]

>> AYE.

>>Marlene Naratil: OUR FIRST ONE IS A PUBLIC HEARING FOR THE COCONUT POINT FARMERS MARKET. AND THEY ARE LOOKING FOR A TEMPORARY USE PERMIT TO OPERATE THEIR MARKET ONE DAY A WEEK FROM OCTOBER 1st, 2020, THROUGH MAY 27, 2021 FROM 9 A.M. TO 1 P.M.

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>> AYE.
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.
They plan to start up in October. The only difference, and they plan to operate the same way they have done in the past, one day a week on Thursdays from 9 to 1. The only difference is that instead of operating from October through April, they would like to operate through May.

If you may recall from last month, we had a farmers market at Miromar Outlets, a similar situation where they actually asked to extend the operation beyond the April date in the land development code. We said you need a variance in order to do that.

So we've said also you need a variance to do this, which we're recommending approval of. And the reason is we are looking in our new land development code that we're working on now that you'll be seeing later this fall to kind of be a little more flexible with the farmers markets because the growing seasons seem to overlap and are becoming a little more year round.

So we're looking at a way where we can be more flexible not to operate all year round, but to at least give them options to operate at different times during the year. So that will be coming to you.

However, they are asking to operate an extra month now. We're recommending approval because they do comply with everything else in the land development code except for that one provision.

They did have approval from the mall manager, Jamie Grofik, who is here tonight.

We recommended approval with the conditions that are in your draft resolution, which basically limits it to the days and the hours of operation that they've requested.

If you don't have any other questions, I can turn it over.

First, we have to clean the microphone.

>> If you need a job, come see me.

I could use good cleaning people.

>> Good evening.

If you have questions, I'm happy to answer.

This is the same farmers market.

>> Can you talk into the microphone?

>> This is the same --

>> You have to get a little closer, Jamie.

>> Jamie Grofik: My name is Jamie Grofik.

I'm the GM at Coconut Point.

This is our farmers market that we've done every year for
THE LAST FOUR YEARS WITH THE SAME OPERATOR.

THEY DID OPERATE UNDER COVID CONDITIONS EARLIER THIS YEAR IN THE SPRINGTIME.

THEY WERE VERY GOOD ABOUT SOCIAL DISTANCING AND HAVING LOTS OF CLEANING THINGS AND TRYING TO SPREAD THINGS OUT.

THEY DO HAVE A PLAN THAT THEY’VE WRITTEN TO COME BACK IN THE FALL, WHICH BASICALLY LAYS OUT EDUCATION AND CLEANING AND THE THINGS THAT THEY WILL DO, THE THINGS THAT WE WILL PROVIDE.

SO THAT IS AVAILABLE IF YOU NEED TO SEE THAT.

AND IF YOU HAVE ANY QUESTIONS, I’M HAPPY TO ANSWER.

>>>Anthony Gargano: I’VE GOT A QUESTION.

FIRST, LET ME SAY I’M A HAPPY SUPPORTER OF THIS ENDEAVOR.

I THINK IT DELIVERS AN EXCELLENT SERVICE TO OUR RESIDENTS, BUT I WAS CURIOUS, IN READING THE PROCEDURAL RECOMMENDATIONS THAT THE MARKET HAS TO GO THROUGH, HOW IS IT THE VENDORS WILL BE ABLE TO ACCESS CLEANING STATIONS?

>>Jamie Grofik: HONESTLY, I WOULD HAVE TO ASK JEAN. LAST YEAR, THEY HAD ADDITIONAL WATER STATIONS. THEY HAD THE DISPOSABLE WIPES SET UP AND ASKED THEIR VENDORS TO BRING THOSE AND MAKE SURE THAT THEY USE THOSE IN BETWEEN. SO I’M GUESSING THOSE SAME THINGS WILL BE THERE.

>>>Anthony Gargano: OKAY.

THANK YOU.

>>>Jamie Grofik: CERTAINLY.

ANY OTHER QUESTIONS?

COULD I HAVE A MOTION TO APPROVE?

>>Nancy Stroud: LET’S OPEN IT UP FOR PUBLIC HEARING, IF ANYONE IS HERE.

>>Marlene Naratil: IS THERE ANYBODY WHO HAS QUESTIONS IN THE PUBLIC?

>>Tammy Duran: NOBODY IS SIGNED UP.

>>Marlene Naratil: DOES STAFF HAVE ANYTHING FURTHER?

>>Mary Gibbs: NO.

>>Marlene Naratil: NOTHING FURTHER.

OKAY.

I WOULD LIKE A MOTION THEN TO APPROVE THIS VARIANCE.

>> I’LL MAKE A MOTION THAT WE APPROVE THE REQUESTED RELIEF, INCLUDING THE EXTRA MONTH WITH THE STAFF RECOMMENDATIONS.

>> I’LL SECOND IT.

>>Marlene Naratil: WE’LL HAVE A ROLL-CALL VOTE ON THIS,

TAMMY.

>>Tammy Duran: BOARD MEMBER ALLEN?
OUR NEXT ITEM ON THE AGENDA IS THE PUBLIC HEARING REGARDING THE ESTERO FIRESTONE STORE.

WHO IS GOING TO DO THAT?

MARY?

NO, ACTUALLY, WE HAVE OUR PLANNER, KATHY EASTLEY HERE. SHE'S SITTING BEHIND ME. SHE'S BEEN HERE ABOUT FOUR MONTHS FROM COLORADO, BUT FROM VARIOUS PLACES.

I'M GOING TO HAVE HER DO A QUICK INTRODUCTION FOR THE BOARD, AND ALSO, TAMMY, DO WE HAVE TO CLEAN THE MICROPHONE BEFORE SHE GETS UP THERE?

LET'S DO A QUICK CLEANING.

KATHY IS GOING TO EXPLAIN HER RESUMÉ A LITTLE BIT ABOUT HER EXPERIENCE BECAUSE SHE WOULD LIKE TO BE QUALIFIED AS AN EXPERT WITNESS.

SO WHEN SHE GETS UP THERE.

FOR THE RECORD, I'M KATHY EASTLEY.

I AM A SENIOR PLANNER HERE AT THE VILLAGE OF ESTERO AND HAVE BEEN SINCE THE MIDDLE OF APRIL.

[VOICE CUTS OUT] [MICROPHONE NOT ON] [INAUDIBLE]

WOULD YOU GIVE ONE TO THE CLERK, PLEASE?

IT BECOMES PART OF THE RECORD.

[INAUDIBLE]

DO ANY OF THE BOARD MEMBERS HAVE QUESTIONS OF KATHY?

KATHY EASTLEY: [INAUDIBLE]

ANYONE HAVE QUESTIONS OF KATHY?

SHALL I ASK FOR A MOTION TO APPROVE HER AS AN EXPERT WITNESS?

CAN I HAVE A MOTION TO APPROVE HER AS AN EXPERT WITNESS?

SO MOVED.

SECOND.

DO WE NEED A VOTE, ROLL CALL?

JUST A GENERAL VOTE WOULD BE FINE.

ALL IN FAVOR OF ACCEPTING KATHY AS AN EXPERT WITNESS.

AYE.

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
There have been a variety of amendments that have been approved in the intervening years, and the development has, as I had shown, does have a variety of commercial uses in it.

This is a page out of the resolution. And it does show auto repair and service group 1 as a use, limited as an accessory use to a permitted use with two restrictions.

One that garage doors may not face the arterial, and, two, that no outdoor storage or display is permitted.

So I just want to take a minute to talk specifically about automotive repair and service group 1.

This is pursuant to section 34-622-c-2 of the land development code.

The group 1 uses under automobile repair and service include a variety of automobile uses.

The Firestone Complete Auto Care does include tire installation, tire sales, but they also include other activities as well related to automobile repair, including oil changes and things of that nature.

So when you look at the uses that are under group 1, it does include drive-in oil change, it also includes tire repair shops and wheel alignments.

So the use that is being proposed is appropriate under that definition.

So, of course, the request is to rezone a portion of tract A to allow a stand-alone auto repair and service group 1 use.

As you can see from the graphic on the screen, the red-hatched area is the three-acre tract A and the black outlined portion is the legal description of the rezone area.

The site is currently vacant.

The applicant has submitted a master concept plan that shows the improvements on 1.14 acres.

The pattern book does include a Mediterranean architectural theme, adequate landscaping and connectivity.

And then for transportation, we do have the transportation study that has designated 183 daily trips will result from this development proposal.

When we look at the review criteria, we have three components that we're looking at.

First and foremost is the comprehensive plan.

We have a future land use of transitional mixed-use.

As you're aware, the comprehensive plan was recently put 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 AWAY 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   >>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 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 PLAN THAT OUTLINES SPECIFICALLY WHAT CAN OCCUR IN THE DIFFERENT LAND USE CATEGORIES?
05:57:50 >>Nancy Stroud: DID YOU BRING A COPY OF THE COMPREHENSIVE PLAN TO SHOW THE WITNESS?
05:57:52 >>Neale Montgomery: I DID, BUT I'VE TOUCHED IT. AND I PROBABLY BREATHED ON IT.
05:58:02 >>Mary Gibbs: MAY I ADD THAT I THINK I'M FAMILIAR WITH THE CHART THAT NEALE IS TALKING ABOUT.
05:58:10 THERE IS A GENERAL LIST OF THINGS THAT ARE ALLOWED IN THAT CATEGORY; IT'S NOT ALL-INCLUSIVE.
05:58:15 >>Neale Montgomery: THIS IS MINE. I TOOK IT OUT OF THE BOOK.
05:58:16 I TOOK IT OUT OF THE BOOK.
05:58:19 >>Kathy Eastley: YES, I SEE THE CHART THAT YOU'RE TALKING ABOUT.
05:58:21 IT SAYS MIXED-USE OR SINGLE USE COMMERCIAL ALLOWED SUBJECT TO COMPATIBILITY STANDARDS, JUST AS I HAD SAID.
05:58:24 >>Neale Montgomery: SO YOU CAN HAVE SINGLE USE IN THE 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 BEEN PREVIOUSLY APPROVED, IS THAT CORRECT?
05:58:42 THE ESTERO TOWN COMMONS.
05:58:44 >>Kathy Eastley: ESTERO TOWN COMMONS IS AN APPROVED DEVELOPMENT.
05:58:46 >>Neale Montgomery: AND YOU INDICATE THAT WE'RE INCREASING THE TRIPS BY 183 TRIPS.
05:58:50 >>Neale Montgomery: AND YOU INDICATE THAT WE'RE INCREASING THE TRIPS BY 183 TRIPS.
05:58:51 ARE THOSE 183 TRIPS IN ADDITION TO WHAT PART OF THE CENTER 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 GENERATED BY THE FIRESTONE CENTER, AND I WOULD DEFER TO YOUR TRAFFIC IMPACT -- YOUR TRAFFIC ANALYSIS PEOPLE TO ANSWER THAT QUESTION.
05:59:12 >>Neale Montgomery: OKAY.
05:59:13 YOU DON'T KNOW IF THAT'S MORE TRIPS, LESS TRIPS, OR THE SAME NUMBER OF TRIPS ALREADY APPROVED.
05:59:19 >>Kathy Eastley: I DON'T KNOW THAT ANY AMOUNT OF TRIPS ARE APPROVED.
05:59:20 I MEAN, I'M SURE THAT THERE WAS A DISCUSSION WHEN THE DEVELOPMENT WAS APPROVED ABOUT THE TRAFFIC GENERATION FROM THE ENTIRETY OF THE DEVELOPMENT.
BUT I THINK THAT AS DEVELOPMENT PROPOSALS COME IN, THEY WOULD BE LOOKING AT THOSE TRIPS AS WELL.

>>Neale Montgomery: YOU INDICATED, I THINK, THAT THIS APPLICATION IS ONLY FOR PARCEL A, IS THAT CORRECT?

>>Kathy Eastley: IT'S TRACT A, I BELIEVE, ACCORDING TO THAT. AND IT'S FOR 1.14-ACRE PORTION OF TRACT A.

>>Neale Montgomery: IF THE LEGAL DESCRIPTION AND THE APPLICATION IS ONLY FOR THAT PARCEL, THEN ALL CONDITIONS SHOULD ONLY RELATE TO THAT PARCEL, CORRECT?

>>Kathy Eastley: THAT IS CORRECT. AND THAT WAS THE INTENT IN THE CONDITION.

SO JUST AS A NOTE, STAFF DOES CONTINUE TO RECOMMEND DENIAL. HOWEVER, AS A COURTESY, WE HAVE PROVIDED CONDITIONS OF APPROVAL SHOULD THE PLANNING AND ZONING BOARD DEEM THAT THE PROPER ROUTE TO GO IN A RECOMMENDATION.

>>Neale Montgomery: CONDITION 6 AND 17 -- I'M SORRY, 6 AND 20 DO NOT RELATE TO THIS PARTICULAR PARCEL.

THEY RELATE TO THE ALREADY DEVELOPED TOWN CENTER, IS THAT CORRECT?

>>Nancy Stroud: I HAVE TO STOP YOU HERE, NEALE, BECAUSE THERE WAS NO TESTIMONY ABOUT THE CONDITIONS.

CROSS-EXAMINATION --

>>Neale Montgomery: IT'S PART OF THE STAFF REPORT.

SHE SAID IN HER CONCLUSION THAT HER RECOMMENDATION IS BASED ON THE STAFF REPORT IN ITS ENTIRETY.

>>Nancy Stroud: THAT'S RIGHT.

JUST GIVE HER A CHANCE TO THEN LOOK AT THE CONDITIONS BECAUSE IT WASN'T PART OF HER PRESENTATION.

>>Mary Gibbs: I WOULD LIKE TO MAKE A COMMENT.

IT SEEMS THAT WE'RE JUMPING AHEAD.

I KNOW YOU SAID IT WOULD BE OKAY TO CROSS-EXAMINE, BUT I BELIEVE YOU'RE JUMPING AHEAD.

IT WOULD MAKE MORE SENSE TO TALK ABOUT THE CONDITIONS WHEN YOU GET UP TO TALK ABOUT THE CONDITIONS, BECAUSE YOU MAY BE MISUNDERSTANDING A COUPLE OF CONDITIONS.

>>Neale Montgomery: WELL, CONDITION 20 SAYS YOU HAVE TO IMPOSE A WHOLE NEW WATER QUALITY MONITORING AT THE OUTFALL OF THE ALREADY DEVELOPED AND ALREADY IN PLACE BACKBONE SYSTEM.

IT DOESN'T RELATE TO THIS PARCEL.

CONDITION 6 RELATES TO AN AGREEMENT --

>>Kathy Eastley: ONCE AGAIN, I WOULD LIKE TO REITERATE THAT STAFF IS RECOMMENDING DENIAL AND THAT THE DISCUSSION OF THE CONDITIONS AT THIS TIME IS MAYBE NOT APPROPRIATE.

EVEN THOUGH IT WAS INCLUDED IN YOUR DOCUMENTATION, IT'S NOT SOMETHING THAT STAFF IS RECOMMENDING.
WE PROVIDED THEM AS A COURTESY, AND WE CAN DISCUSS THEM.

IT MIGHT BE BEST IF THE APPLICANT WOULD REALLY PRESENT WHAT THOSE CONDITIONS ARE AND WHAT THEIR CONCERNS ARE REGARDING THEM.

>>Neale Montgomery: I HAVE ONE MORE QUESTION NOT RELATED TO THE CONDITION.

YOU INDICATED THAT YOU THINK THE VILLAGE WOULD LIKE TO TRANSITION TO A MIXED-USE.

I ASKED YOU, THIS PROJECT IN ITS ENTIRETY WAS APPROVED AS COMMERCIAL PLAN DEVELOPMENT, CORRECT?

>>Kathy Eastley: THAT'S CORRECT.

>>Neale Montgomery: THERE'S ONLY, WHAT, TWO OUTPARCELS OR THREE IF YOU SPLIT TRACT A LEFT TO BE DEVELOPED?

>>Kathy Eastley: I BELIEVE THERE ARE TWO OR THREE.

AND THEY CAN DEVELOP AS THEY ARE CURRENTLY ENTITLED TO, ACCORDING TO THE RESOLUTION.

WHAT'S HAPPENING HERE, THOUGH, IS THAT TRACT A COULD DEVELOP PURSUANT TO THE RESOLUTION THAT'S CURRENTLY IN PLACE, BUT THEY ARE ASKING FOR SOMETHING ADDITIONAL.

SO BECAUSE OF THAT, THEY ARE GOING THROUGH THIS PROCESS.

>>Neale Montgomery: I DO BELIEVE YOUR TESTIMONY WOULD INDICATE THAT AN AUTO PARTS STORE IS PERMITTED.

>>Kathy Eastley: I WOULD DISAGREE THAT THE FIRESTONE --

>>Neale Montgomery: I DIDN'T ASK THAT QUESTION.

IS AN AUTO PARTS STORE A PERMITTED USE?

>>Kathy Eastley: YES.

-- IS PERMITTED AS AN ACCESSORY USE TO A PERMITTED USE, ISN'T IT?

>>Kathy Eastley: NO.

WE'LL READ YOU THE RESOLUTION ON THAT.

>>Kathy Eastley: I THINK AS AN ACCESSORY USE IS REALLY THE KEY TERMINOLOGY HERE.

I DON'T THINK THAT PEOPLE WALK INTO A FIRESTONE CENTER AND BUY TIRES AND WALK OUT WITHOUT THEM BEING INSTALLED.

I THINK THAT THERE'S A REAL DIFFERENCE FROM A NAPA AUTO PARTS OR AN AUTO PARTS STORE WHERE YOU'RE WALKING IN TO BUY A SPARK PLUG TO WHERE YOU'RE WALKING IN AND BUYING FOUR TIRES OR GETTING AN OIL CHANGE.

AND THAT IS WHY I BROUGHT UP WHAT THE CODE STATES AS FAR AS THAT GROUP ONE AUTO SERVICE AND REPAIR.

>>Marlene Naratil: WE SHOULD GO AHEAD AND PRESENT --

>>Mary Gibbs: IF I MAY ADD SOMETHING -- IT SEEMS THAT THIS APPLICATION, FROM WHAT WAS JUST DISCUSSED IS VEERING AWAY FROM WHAT THEY ACTUALLY ASKED FOR IN THEIR APPLICATION.

I'M A LITTLE BIT CONCERNED THAT NOW THEY ARE CLAIMING IT'S A
DIFFERENT USE.

WE'LL SEE WHAT SHAKES OUT IN THE PRESENTATION.

I ALSO WANTED TO ASK -- I'M NOT SURE WHO IS KICKING OFF THE

PRESENTATION, IF IT'S BRENDAN.

IT'S VERY LENGTHY.

THERE ARE ABOUT 70 SLIDES.

SO I WOULD LIKE TO ASK IF YOU CAN GIVE US AN APPROXIMATE

TIME OF HOW LONG THIS MIGHT TAKE TO RUN THROUGH ALL THE

SLIDES?

>>Neale Montgomery: WELL, THERE ARE SOME THAT ARE

PICTURES.

I THINK THEY'LL BE ABLE TO MOVE THROUGH THOSE.

IN LIGHT OF THE FACT KATHY SAID, COMPATIBILITY -- I KNOW YOU

ALL KNOW THE AREA, BUT THEY ARE THERE TO HELP YOU UNDERSTAND

HOW THIS IS NOT ONLY COMPATIBLE BUT AN IMPROVEMENT OVER

WHAT'S IN THE GENERAL AREA.

>>Mary Gibbs: CAN I JUST ASK, IS IT GOING TO TAKE AN HOUR?

IS IT GOING TO TAKE 45 MINUTES, TAKE TWO HOURS?

>>Brendan Sloan: I'LL ANSWER THAT AND SAY I CERTAINLY HOPE

NOT.

HOPE AROUND 30, 45 MINUTES AT THE MAXIMUM.

WE WOULD ALL LIKE TO GET OUT OF HERE, I'M SURE AND EAT

DINNER.

I'M BRENDAN SLOAN WITH AVALON ENGINEERING.

I'M THE DIRECTOR OF ENGINEERING AT AVALON ENGINEERING.

I WILL BE PLAYING VANNA WHITE FOR OUR SENIOR PLANNER LINDA

MILLER, WHO IS ON THE PHONE, WHO WILL BE TALKING ABOUT A

MAJORITY OF THE SLIDES, BUT I'LL CHIME IN ON THE CIVIL

ENGINEERING PORTIONS AND WE HAVE OTHER DESIGN PROFESSIONALS

AS WELL TO TALK ABOUT THEIR PORTIONS.

LET ME PULL UP THE PRESENTATION HERE.

>>Linda Miller: IF YOU CAN LET ME KNOW WHEN THE SLIDE IS

UP, I'LL GET STARTED.

>>Brendan Sloan: YOU ARE CLEAR TO GO.

>>Linda Miller: CAN EVERYONE HEAR ME?

>> YES.

>> YES.

>> Linda Miller: GOOD EVENING.

MY NAME IS LINDA MILLER.

I'M A SENIOR PLANNER AT AVALON ENGINEERING AND THE LAND

PLANNER FOR THIS DEVELOPMENT AND THE FACILITATOR OF THIS

PRESENTATION FROM MY OFFICE IN CAPE CORAL WITH THE

ASSISTANCE OF BRENDAN SLOAN.

I HAVE 21 YEARS' EXPERIENCE IN LAND PLANNING AND SITE

DEVELOPMENT, 16 YEARS AT AVALON ENGINEERING AND FIVE YEARS

WITH THE CITY OF CAPE CORAL.
I'VE BEEN RECOGNIZED AS AN EXPERT WITNESS IN CAPE CORAL AND LEE COUNTY AND WOULD LIKE TO BE RECOGNIZED AS AN EXPERT WITNESS FOR THIS CASE IN THE VILLAGE OF ESTERO.
>> LET ME JUST ASK, AN EXPERT WITNESS IN THE FIELD OF PLANNING, IS THAT WHAT YOU'RE ASKING?

>> Linda Miller: YES.

>> PLANNING AND ZONING.

>> Mary Gibbs: I'M NOT OBJECTING, BUT I WOULD TELL LINDA THAT IT'S THE AMERICAN INSTITUTE OF CERTIFIED PLANNERS, NOT INSTITUTION, WHICH, YOU KNOW, SOMETIMES IT FEELS LIKE AN INSTITUTION, BUT I WOULD LIKE TO CLARIFY THAT POINT.

>> Marlene Naratil: DOES SHE HAVE SOMETHING WE CAN PRESENT TO THE CLERK AS PART OF THE RECORD?

>> Mary Gibbs: DOES LINDA HAVE A RESUMÉ?

>> Would the board accept her as an expert in planning and zoning?

>> Mary Gibbs: MAY WE SEE A COPY, PLEASE?

>> Brendan Sloan: I WAS NOT, AND I DON'T BELIEVE LINDA WAS EITHER.

>> Mary Gibbs: IT'S A VERY NICE PICTURE, LINDA.

>> Neale Montgomery: AN EXPERT IS SOMEONE WHO BY THEIR EDUCATION AND EXPERIENCE HAS MORE KNOWLEDGE AND EXPERTISE THAN THE GENERAL PUBLIC.

CERTAINLY, WITH LINDA'S EXTENSIVE EXPERIENCE LOCALLY AND WITH 163, SHE HAS GREATER KNOWLEDGE AND EXPERTISE THAN THE GENERAL PUBLIC.

>> Mary Gibbs: BUT ONLY ABOUT HALF AS MUCH AS I DO.

>> Neale Montgomery: I WASN'T GOING TO POINT THAT OUT.

>> Mary Gibbs: ESPECIALLY TONIGHT.

>> Thank you for that.

>> Nancy Stroud: THE RESUME WILL SPEAK FOR ITSELF.

I GUESS YOU NEED TO MAKE A DECISION.
I HEARD NO OBJECTION.

DOES THAT MEAN THAT THE BOARD ACCEPTS HER AS AN EXPERT --

>>Marlene Naratil: DOES SOMEBODY WANT TO MAKE A MOTION TO

ACCEPT LINDA AS AN EXPERT WITNESS?

>>John Yarbrough: I'LL MAKE THE MOTION.

>>Marlene Naratil: THANK YOU, JOHN.

>> I'LL SECOND IT.

>>Marlene Naratil: ALL IN FAVOR?

>>Brendan Sloan: WE'LL PROCEED.

LINDA, ARE YOU READY?

>>Linda Miller: YES, WE HAVE WITH US THIS EVENING A

REPRESENTATIVE OF THE PROPERTY OWNER, KRG ESTERO, LLC,

DOUG -- BY PHONE, THE DEVELOPER OF THE FIRE STATION,
FIREFSTONE, PALMETTO CAPITAL GROUP AND A TEAM OF EXPERT
PROFESSIONALS EXPERIENCED WHO WILL DEMONSTRATE HOW THE
FIREFSTONE IS AN ATTRACTIVE DEVELOPMENT AND A NECESSARY
SERVICE TO THE COMMUNITY AND HOW THE DESIGN OF THE SITE AND
BUILDING IS CONSISTENT WITH THE VILLAGE OF ESTERO'S
COMPREHENSIVE PLAN, THE ESTERO PLANNING COMMUNITY AND THE
EXISTING ZONING RESOLUTION.

NEXT SLIDE, PLEASE.

33-ACRE SHOP CENTER LOCATED IN THE SOUTHEAST CORNER OF
CORKSCREW ROAD AND THREE OAKS PARKWAY APPROVED UNDER
RESOLUTION Z-03-032 AS ESTERO TOWN CENTER COMMERCIAL PLANNED
DEVELOPMENT, CPD, ON OCTOBER 20th, 2003.

RESOLUTION Z-03-032 REZONED THE PARCEL FROM AG-2 TO
COMMERCIAL PROFESSIONAL -- SORRY, COMMERCIAL PLANNED
DEVELOPMENT AND PROVIDED FOR A MAXIMUM OF 265,000 SQUARE
FEET OF GROSS FLOOR AREA OF WHICH UP TO 50,000 SQUARE FEET
CAN CONSIST OF OFFICE SPACE.

THE RESOLUTION ESTABLISHED THE USES PERMITTED WITHIN THE
ANCHOR PARCEL AND WITHIN THE VILLAGE PARCELS ONE AND TWO.
AUTO REPAIR AND SERVICE GROUP ONE USE IS LISTED AS A
SUBORDINATE USE TO A PERMITTED USE WITHIN THE ANCHOR AND
VILLAGE PARCEL.
THE ESTERO TOWN CENTER ENVISIONED A SAM'S, COSTCO, BJ'S,
SUPER WALMART OR TARGET WHICH ARE ALL CLASSIFIED AS A
DEPARTMENT STORE USE WITHIN THE REDEVELOPMENT CODE.
ON THE ANCHOR PARCEL OF THIS DEVELOPMENT, MOST OF THESE
TYPES OF DEPARTMENT STORES INCLUDE AN AUTO REPAIR AND
SERVICE GROUP ONE TIRE STORE WITHIN THEIR STORES, SO,
THE AUTO REPAIR AND SERVICE GROUP ONE USE WAS
LISTED AS A SUBORDINATE USE ON THE ANCHOR PARCEL WAS
SOMETHING THAT WAS ENVISIONED.
THE ESTERO TOWN CENTER ALSO ENVISIONED AN AUTO REPAIR AND
SERVICE GROUP ONE USE AS A STAND- Alone USE WITHIN THE
VILLAGE PARCEL.


THE ZONING RESOLUTION DID LIST AN AUTO REPAIR AND SERVICE GROUP ONE USE AS A SUBORDINATE USE WITHIN THE VILLAGE PARCEL. SINCE THE AUTO REPAIR AND SERVICE USE WOULD BE A SUBORDINATE USE TO A DEPARTMENT STORE USE, WHICH IS NOT PERMITTED, WE FEEL THAT THE INTENT OF THE FINAL ZONING RESOLUTION WAS TO ALLOW FOR AN AUTO REPAIR AND SERVICE GROUP ONE USE AS A PERMITTED USE WITHIN THE VILLAGE PARCEL, AND THAT THIS USE SHOULD BE CONSIDERED A PERMITTED USE BY RIGHT WITHIN THE VILLAGE PARCEL.

THE ESTERO TOWN CENTER DEVELOPED THE ANCHOR PARCEL WITH A LOWE'S HOME IMPROVEMENT STORE. LOWE'S IS CLASSIFIED AS A HARDWARE STORE IN THE LEE COUNTY DEVELOPMENT CODE AND DOES ALSO AUTO REPAIR AND SERVICES. SINCE THE HARDWARE STORE WAS DEVELOPED AS THE ANCHOR TO THIS DEVELOPMENT, WE BELIEVE THAT THE SHOPPING CENTER ENVISIONS HAVING AN AUTO REPAIR SERVICE GROUP ONE USE AS A STAND-ALONE USE WITHIN ONE OF THE VILLAGE PARCELS.

THE APPLICANT IS REQUESTING AN AMENDMENT TO THE ESTERO TOWN CENTER COMMERCIAL PLANNED DEVELOPMENT TO CONSTRUCT AN AUTO REPAIR AND SERVICE GROUP ONE USE, FIRESTONE, ON 1.14 ACRES OF TRACT A. THE USE IS NECESSARY IN THIS AREA DUE TO THE SITE'S PROXIMITY TO THE INTERSTATE 75, THE GROWTH PLAN FOR THE FLORIDA GULF COAST UNIVERSITY, AND TO MAINTAIN THE VEHICLES OF THE RESIDENTS WITHIN THIS GROWING AREA.

>> EXCUSE ME.

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
LINE.
06:16:46 ALL THE OTHER PROPERTY LINES FRONT PARCELS WITHIN THE
SHOPPING CENTER WITH ALL PROPERTY LINES INTERNAL INTO THE
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
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
FIRESTONE DRAWN IN.
06:17:15 AS YOU CAN SEE, THE FIRESTONE IS PART OF A LARGE COMMERCIAL
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
ROAD HEADING EAST.
06:17:29 NEXT SLIDE.
06:17:32 THIS IS A PICTURE OF THE SITE AS SEEN FROM INSIDE THE
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
ACCORDANCE WITH ESTERO PLANNING COMMUNITY, THE CORKSCREW
OVERLAY, AND THE ZONING RESOLUTION.
06:17:51 THE FIRESTONE SITE WILL CONSIST OF 1.14 ACRES, A PORTION OF
TRACT A.
06:17:56 THE GROSS FLOOR AREA OF THE BUILDING IS 6400 SQUARE FEET AND
THE BUILDING COVERAGE IS 6,573 SQUARE FEET OR 13% OF THE
SITE.
06:18:07 THE ENTRANCE INTO THE BUILDING IS WITHIN THE NORTHEAST
CORNER FACING CORKSCREW ROAD AND THE PARKING LOT, WHICH IS
CONSISTENT WITH ZONING RESOLUTION Z-03-032.
06:18:19 THE BUILDING IS SET BACK 25 FEET FROM CORKSCREW ROAD WHICH
IS CONSISTENT WITH ZONING RESOLUTION Z-03-032.
06:18:27 LANDSCAPE AREAS PROVIDED ALONG THE PROPERTY LINES ARE 25 TO
30 FEET ALONG CORKSCREW ROAD, 5 TO 58 FEET ALONG THE WESTERN
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
THE SHOPPING CENTER PLOTTED AS ESTERO TOWN COMMON PLACE AND
CROSS ACCESS FROM THE DENTAL OFFICE TO THE SITE EAST.
06:18:56 THE SITE WILL PROVIDE VEHICLE AND PEDESTRIAN CONNECTIONS TO
ALL PARCELS WITHIN THE DEVELOPMENT, CONSISTENT WITH SECTION
33-118 OF THE LAND DEVELOPMENT CODE AND ZONING RESOLUTION
Z-03-032.
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.
THE TURQUOISE ARE THE CONNECTOR SIDEWALKS THAT THE FIRESTONE PROPOSES INTERIOR TO THE DEVELOPMENT TO CONNECT TO EACH ONE OF THOSE NETWORKS. THE PROJECT IS CONSISTENT WITH THE ESTERO PLANNING COMMUNITY LAND DEVELOPMENT CODE SECTION 33-362, WHICH STATES THAT SIDEWALKS MUST CONNECT THE ON-SITE PEDESTRIAN SYSTEM TO THE PEDESTRIAN SYSTEMS ON ADJACENT DEVELOPMENTS WITH A PUBLIC SAFETY ELEMENT. THE CROSSWALKS ARE SHOWN THROUGHOUT THE SITE TO ALLOW FOR SAFE ACCESS TO THE FIRESTONE AND ADJACENT PROPERTIES AS SHOWN ON THE MASTER CONCEPT PLAN IN THE PREVIOUS SLIDE. THE PROJECT IS CONSISTENT WITH THE CORRIDOR OVERLAY DISTRICT, CORKSCREW ROAD LAND DEVELOPMENT CODE SECTION 33-404, WHICH STATES THAT DEVELOPMENTS MUST BE DESIGNED TO CREATE SPACES ALONG THE STREET THAT ARE VISUALLY ATTRACTIVE AND THAT PROVIDE FOR PEDESTRIAN CONNECTION. THE PROJECT HAS BEEN LANDSCAPED AND ARCHITECTURALLY DESIGNED TO PROVIDE A VISUALLY ATTRACTIVE APPEAL WITH PEDESTRIAN CONNECTIVITY. THE PROJECT IS ALSO CONSISTENT WITH THE CORRIDOR OVERLAY DISTRICT, CORKSCREW ROAD LAND DEVELOPMENT CODE SECTION 33-405, WHICH STATES THAT THE DEVELOPMENT MUST BE DESIGNED TO CREATE PUBLIC SPACES TO ALLOW FOR ACTIVITY TO TAKE PLACE ALONG THE STREETFRONT, SUCH AS SIDEWALKS AND OPEN AREAS. THE MASTER CONCEPT PLAN FROM THE PREVIOUS SLIDE HAS MULTIPLE GATHERING LOCATIONS FOR PEDESTRIANS TO CONGREGATE ALONG WITH CROSSWALKS TO SAFELY GET PEDESTRIANS FROM SPACE TO SPACE. THE PROJECT IS ALSO CONSISTENT WITH ZONING RESOLUTION Z-03-032, WHICH STATES THAT THE ESTERO TOWN COMMONS CENTER WILL BE FULLY INTEGRATED AND WILL BE A FULLY INTEGRATED PLAN SITE WITH WELL-DESIGNED PEDESTRIAN PATHS AND LANDSCAPING THROUGHOUT THE SITE. THE SLIDE IN FRONT OF YOU SHOWS HOW THE FIRESTONE PROJECT CONNECTS TO THE EXISTING PEDESTRIAN NETWORK WITHIN ESTERO TOWN COMMONS. TO BRING UP FUTURE ZONING CONDITIONS THAT HAD WE WILL DISCUSS AT THE END, WE WOULD LIKE TO MAKE A REVISION TO CONDITION NUMBER 17 TO STATE THAT SIDEWALKS SHALL BE PROVIDED CONSISTENT WITH SAFETY REQUIREMENTS OF SECTION 33-362 OF THE LEE COUNTY LAND DEVELOPMENT CODE. THE MASTER CONCEPT PLAN AND PATTERN BOOK WILL BE FURTHER EVALUATED FOR CONSISTENCY WITH THE LDC AND PUBLIC SAFETY THROUGH THE REVIEW OF THE LOCAL DEVELOPMENT ORDER APPLICATION. SO AS PREVIOUSLY DISCUSSED, CROSSWALKS ARE SHOWN THROUGHOUT THE SITE TO ALLOW FOR SAFE ACCESS TO THE FIRESTONE AND
ADJACENT PROPERTIES AS SHOWN ON THE MASTER CONCEPT PLAN.

This will all be reviewed during the Village of Estero Development Order Review.

NEXT SLIDE.

SO STORMWATER MANAGEMENT.

ESTERO TOWN COMMONS IS AN EXISTING COMMERCIAL SHOPPING CENTER WITH AN EXISTING SOUTH FLORIDA WATER MANAGEMENT DISTRICT PERMIT THAT GOVERNS THE TREATMENT AND ATTENUATION OF ALL STORMWATER WITHIN THE DEVELOPMENT.

AS A PART OF THE PERMIT, ESTERO TOWN COMMONS CONSTRUCTED A DRY DETENTION AREA IN THE SOUTHWEST CORNER OF THE OVERALL PROJECT FOR STORMWATER TREATMENT THAT OUTFALLS TO A CONTROL STRUCTURE INTO A DRAINAGE SWALE ON THE EAST SIDE OF THREE OAKS PARKWAY.

Estero Town Commons is an existing commercial shopping center with an existing South Florida Water Management District Permit that governs the treatment and attenuation of all stormwater within the development. As a part of the permit, Estero Town Commons constructed a dry detention area in the southwest corner of the overall project for stormwater treatment that outfalls to a control structure into a drainage swale on the east side of Three Oaks Parkway.

As you can see from this slide, the Firestone is in the northeastern -- southeastern corner of Corkscrew and Three Oaks Parkway.

The blue arrows show a pre-stubbed inlet infrastructure system that takes the drainage from the Firestone to the existing dry detention area in turquoise.

If you look at the left corner of that turquoise shade, there is a control structure highlighted in white that then outfalls drainage discharge into a swale on the east side of Three Oaks Parkway.

The Firestone project within Tract A of Estero Town Commons falls within the existing South Florida Water Management District Permit.

The project will outfall, like I just said, and then as part of the special conditions in South Florida Water Management District Permit, a permit modification application is required to be approved prior to construction to confirm that the Firestone development meets the impervious area and elevation requirements within the approved South Florida Permit.

Avalon Engineering has already confirmed that the Master Concept Plan meets the maximum impervious area percentage outlined in the water management permit of the 80% as we only are requesting a 65% impervious percentage on the overall site.

So we therefore, this site will be providing a reduction in impervious area from the approved permit and will not require any additional water quality treatment to be provided on-site.

The finished floor elevation of the Firestone building is required to be one foot above the FEMA flood zone A-H.
ELEVATION OF 14.5 AND ABOVE THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT 100-YEAR, THREE-DAY STORM EVENT ELEVATION OF 16.3.

THE PROJECT WILL MEET BOTH REQUIREMENTS AS PART OF THE VILLAGE OF ESTERO DEVELOPMENT ORDER REVIEW AND SOUTH FLORIDA WATER MANAGEMENT DISTRICT PERMIT MODIFICATION REVIEW.

AS PART OF THE PROPOSED ZONING CONDITIONS IN THE FUTURE THAT WE'LL DISCUSS, WE WOULD ALSO LIKE TO REVISE CONDITION NUMBER 20 TO STATE THAT THE DEVELOPER OF THE EASTERN PORTION OF PARCEL A WILL PREPARE A HAZARDOUS WASTE PROTECTION PLAN THAT PREVENTS ANY HAZARDOUS WASTE OR MATERIAL FROM ENTERING THE STORMWATER MANAGEMENT SYSTEM.

THE PLAN WILL BE PROVIDED WITH THE DEVELOPMENT ORDER APPLICATION SHOULD ANY HAZARDOUS WASTE BE GENERATED OR HAZARDOUS MATERIALS BE STORED ON-SITE.

THIS CONDITION HAS BEEN REVISED SINCE ANY POTENTIAL HAZARDOUS POLLUTANTS UTILIZED OR SPILLED BY A SERVICED VEHICLE WITHIN THE FIRESTONE BUILDING ARE COLLECTED VIA A FLOOR SCRUBBER SYSTEM AND DISCHARGED INTO THE OIL WATER SEPARATOR THAT GOES TO THE SEWER SYSTEM, NOT THE STORMWATER SYSTEM.

THEREFORE, THE FIRESTONE WOULD NOT PRODUCE POLLUTANTS THAT ARE IN EXCESS OF ANY TYPICAL PARKING LOT THAT OUTFALLS INTO A REGULAR STORMWATER SYSTEM.

A WATER QUALITY MONITORING PLAN FOR THE OVERALL SUBDIVISION SHOULD NOT BE REQUIRED WITH THE ADDITION OF THIS USE.

ESTERO TOWN COMMONS HAS AN EXISTING PUBLIC INFRASTRUCTURE SYSTEM, THAT INCLUDES THE CENTRALIZED POTABLE WATER SERVICE AND CENTRALIZED SEWER SERVICE STUBOUT FOR THE FIRESTONE PROJECT.

THIS PROJECT WILL NOT REQUIRE ANY WATER OR SEWER MAIN EXTENSIONS OUTSIDE OF THE ESTERO TOWN COMMONS SERVICE SYSTEM.

THE PROJECT IS CONSISTENT WITH THE ESTERO PLANNING COMMUNITY LAND DEVELOPMENT CODE SECTION 33-112, WHICH STATES THAT UTILITIES MUST BE LOCATED UNDERGROUND.

THE FIRESTONE PROJECT MEETS THIS REQUIREMENT.

LASTLY FROM ME, WE DID A FIRE TRUCK ROUTING.

AS PART OF THE PD AMENDMENT REVIEW, ESTERO FIRE RESCUE WAS CONSULTED TO CONFIRM THAT THE FIRE TRUCK, THAT THE FIRE DEPARTMENT'S 45-FOOT STANDARD FIRE TRUCK COULD ACCESS THE SITE SAFELY.

THE SLIDE IN FRONT OF YOU REFLECTS AN AUTO TURN EXHIBIT SHOWING THE FIRE TRUCK LOOPING THROUGH THE PROJECT SITE 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
06:31:55  THE PUBLIC SPACES PROVIDED WITHIN THIS DEVELOPMENT.
06:31:58  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.
06:32:48  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.
06:33:28  >>Ted Treesh: GOOD EVENING.
06:33:30  TED TREESH WITH TR TRANSPORTATION CONSULTANTS, THE PRESIDENT
06:33:34  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?
ALL IN FAVOR?

>> AYE.

>> AYE.

>> Ted Treesh: THANK YOU.

I JUST HAVE A COUPLE OF BRIEF SLIDES THAT I WOULD LIKE TO SUMMARIZE THE TRAFFIC ANALYSIS PREPARED AS PART OF THE APPLICATION.

THIS DEVELOPMENT WILL HAVE NO SIGNIFICANT IMPACTS ON THE SURROUNDING ROADWAYS AND THE VILLAGE OF ESTERO, LEE COUNTY DEFINES WHAT THE SIGNIFICANT IMPACT THRESHOLDS ARE.

THIS USE IS REALLY A LOW TRAFFIC GENERATOR, AND I'LL GET TO THAT IN JUST A SECOND.

BECAUSE OF THE LOW TRIPS, WE DON'T HAVE A SIGNIFICANT IMPACT ON THE SURROUNDING ROADWAYS, THREE OAKS PARKWAY OR CORKSCREW ROAD.

THERE WAS ONE LEVEL SERVICE DEFICIENCY THAT WAS OUTLINED IN THE TRAFFIC STUDY ON CORKSCREW ROAD, AS YOU'RE WELL AWARE, BETWEEN THREE OAKS AND I-75.

RIGHT NOW, AS YOU'RE AWARE, THERE IS A CONSTRUCTION PROJECT GOING ON WITH THE INTERCHANGE.

THAT'S GOING TO HELP IMPROVE THE FLOW OF TRAFFIC THROUGH THAT AREA.

HOPEFULLY F.D.O.T. INDICATES FOR THE NEXT TEN YEARS OR SO UNTIL FUTURE IMPROVEMENTS ARE FUNDED.

ONCE THAT IMPROVE IS DONE AT THE INTERCHANGE, WE'LL SEE A NOTICEABLE IMPROVEMENT OF TRAFFIC FLOW THROUGH THE INTERCHANGE AREA ON CORKSCREW ROAD.

AGAIN, THOSE IMPROVEMENTS ARE UNDER CONSTRUCTION.

CAN I ASK A QUESTION?

RIGHT NOW, CORKSCREW IS LEVEL F.

WHAT IT GOING TO BE AFTER THEY ARE DONE WITH THIS INITIAL --

>> Ted Treesh: F.D.O.T. INDICATES IT SHOULD BE A LEVEL OF SERVICE C WHEN F.D.O.T. IS DONE WITH THAT FOR THE NEXT PERIOD OF ABOUT 8 TO 10 YEARS.

ONE THING I'D LIKE TO POINT OUT, THE TRIP GENERATION OF THIS PROJECT, AND THE STAFF INDICATED THE 183 DAILY TRIPS.

THAT'S WHAT IS SHOWN IN THE TOP TABLE. TYPICALLY, TRANSPORTATION ANALYSIS, WE LOOK AT THE PEAK HOUR.

THAT'S WHAT WE EVALUATE THE LEVEL OF SERVICE ON.

AND TYPICALLY IN THIS AREA, THE P.M. PEAK HOUR, SO THAT'S A 60-MINUTE WINDOW BETWEEN 4 AND 6 P.M. GENERALLY.

THAT'S TYPICALLY THE HIGHEST TRAVELED PERIOD OF THE DAY.

SO THAT'S WHEN WE DO OUR LEVEL OF SERVICE EVALUATION.

AGAIN, IT'S DONE ON A PEAK SEASON BASIS AS WELL.

THE TOP TABLE SHOWS BASED ON THE FIRESTONE LAND USE THE TRIP GENERATION THAT WE ANTICIPATE WITH THIS PROJECT.
I typically don’t like to get into numbers, but I want to point out that you can see in the weekday P.M. peak hour, which is the three columns to the right next to the daily trips, we anticipate 26 trips in the weekday P.M. peak hour, 11 in and 15 out.

The bottom table by comparison is what could be developed on the parcel, assuming a very conservative square footage per acre if this was developed as retail, which is what it was analyzed when this project went through the zoning process with Lee County and the zoning resolution was approved. We assumed about 10,000 square feet to be built on this property with the support of parking, et cetera.

If a retail use was built on there, that same peak hour would get just under a hundred trips, or 99 trips. So it’s quite a significant decrease.

It’s almost a 73% decrease in that P.M. peak hour and the daily trips, again, are about an 85% decrease.

Positive in terms of it doesn’t generate a lot of traffic. We’ve all visited these type of facilities. Typically if you’re getting your car serviced or you visit the store to purchase something, if your car is there for a little while, the trip isn’t an in and out like what typically occurs at a retail, say, if you’re going into the Lowe’s or another retail in the center, where you might shop and leave within a few -- short time period later.

So the number of trips for this use is significantly decreased from what otherwise could be developed on the property.

As previously indicated, the access to the shopping center has all been established.

There’s a future traffic signal going in on Corkscrew Road that this project, as well as the overall shopping center is being assessed proportionate share.

That signal as I understand it has been designed. So now the funds are being collected in order to have that traffic signal constructed so traffic from the shopping center will be able to get to enter and exit off of Corkscrew Road at a traffic signal, which currently does not exist.

That concludes the comments I have. I would be more than happy to answer any questions.

>> I have one question.

I’m not sure it’s for you.

But are vehicles going to be allowed to stay there 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 --
06:42:27 [ 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.
06:43:42 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.
CERTAINLY THIS FITS THE BUSINESS MODEL OF WHAT THEY ARE THROWING OUT NATIONWIDE.

SO THIS IS VERY TYPICAL OF WHAT YOU WOULD SEE ACROSS THE COUNTRY AS A FOCUS FOR THIS PROGRAM.

YES.

DOES THAT ANSWER --

>>Marlene Naratil: WOULD YOU SAY THAT THE EXTERIOR IS MORE SUBJECTIVE, THAT YOU TRY TO USE THE GUIDELINES OF WHAT'S ALREADY IN THE AREA TO COME UP WITH THE FACADE.

>>Robert Klemple: YES, FOR FIRESTONE ESPECIALLY, THEY HAVE A VERY SLIM, SLEEK, KIND OF MODERN PRESENTATION.

THAT'S PART OF THEIR BRANDING THAT THEY ARE PUSHING FORWARD OUT RIGHT NOW.

IT'S DIFFERENT THAN WHAT THEY'VE HAD BEFORE.

SO YOU COULD SAY IT'S A VERY POSTMODERN OR MODERN-ESQUE SET OF GUIDELINES AND DESIGNS.

LACK OF ORNAMENTATION.

FOCUS ON COLORS.

EMPHASIZING THEIR SIGNAGE, BRANDING, AND SUCH THINGS LIKE THAT.

BUT WHEN IT COMES TO THE CONSIDERATION OF THIS SITE AND OTHER SITES WHERE IT MAKES MORE SENSE TO UNDERSTAND WHAT THE DESIGN NEEDS TO BE ON ITS OWN MERIT FOR THAT SITE.

THIS IS OBVIOUSLY A SITE THAT FALLS UNDER THAT CATEGORY WITH A LAND DEVELOPMENT CODE THAT HAS SPECIFIC LANGUAGE TALKING ABOUT THE DETAILS AND KIND OF THE VISION AND THE SPIRIT, WE BELIEVE WE PROVIDED ARCHITECTURE THAT MEETS THAT.

ALSO, WHEN YOU LOOK AT THE CONTEXT THAT WE HAVE WITH THE CENTER, REGIONAL, AS WELL AS THE APPROXIMATE, WE BELIEVE WE INCORPORATE ALL OF THE DETAILS THAT ARE SHOWN THERE.

IF I JUST JUMP TO THIS SLIDE, THIS SHOWS THINGS THAT ARE NOT UNCOMMON TO YOU.

THIS IS YOUR COMMUNITY.

THIS IS THE DEVELOPMENT RIGHT HERE THAT WE'RE TALKING ABOUT, THE DOLLAR TREE, THE KIND OF FRIEZE AND THE BALUSTRADE ON THE TOP.

THE EMPHASIS OF THE VERTICAL AND BRINGING KIND OF THE SCALE OF THOSE ELEMENTS TO THE HUMAN SCALE.

THE TILE ROOF IS KIND OF A BENCHMARK OF THE MEDITERRANEAN STYLE AND BEING ABLE TO HIGHLIGHT SOME OF THOSE ARCHES AND THREE DIMENSIONAL CORNICE, THE SPECIALTY LIGHTING.

IT'S NOT THE TYPICAL KIND OF WALL PACKS THAT YOU WOULD SEE ON A TYPICAL KIND OF RETAIL STORE, PERHAPS.

AND THEN SOME OF THE OTHER ARTICULATION THAT HAPPENS THROUGHOUT THE CENTER AS WELL AS THE MASSING.
THE BOOK ENDS OF THE DEVELOPMENT.

THAT’S KIND OF WHAT’S VERY COMMON IN A LOT OF THE DEVELOPMENTS HERE IS THAT THERE IS A BOOK END OR A KIND OF HINGE POINT ON THOSE CORNERS THAT PROVIDE A LITTLE BIT MORE SCALE, TOWER ELEMENTS, ROOFING ELEMENTS THAT ARE SEEN THROUGHOUT.

SO THAT’S EXACTLY WHAT WE DID.

WE TOOK A LOOK AT THE BUILDING, AND IF YOU THINK OF IT AS KIND OF RECTILINEAR KIND OF CANVAS, WE STARTED APPLYING THE LAYERS THAT WE FELT WERE NECESSARY, THAT ARE CONSISTENT WITH THE LAND DEVELOPMENT CODE.

ON THE VERY RIGHT, WHERE THE FIRESTONE SIGNAGE IS, THE PYRAMID PEAK, OR THE ROOF ELEMENT AND GEOMETRY FACES CORKSCREW.

THAT’S THE PEDESTRIAN NODE.

YOU LOOK AT THE BOOK ENDS.

WE START WITH THE LAYERING OF THE BASE BUILDING.

WE ADDED A COUPLE OF FEET TO MITIGATE ANY VISIBILITY FOR THE ROOFTOP UNITS OR ANY KIND OF ROOFTOP EQUIPMENT.

WE ADDED SOME DETAIL THERE AS BASICALLY A THREAD THAT LINKS THESE VIGNETTES, SO TO SPEAK, TOGETHER.

THE CORNER BEING THE PEDESTRIAN NODE AND THEN THE BOOK END OF THE BRIDGE STONE WHICH FACES THE INTERIOR OF THE DEVELOPMENT.

AND THEN THE TRANSITIONAL PIECE IN THE MIDDLE.

AND THEN ADDING SOME CANOPIES TO PROVIDE SOME KIND OF SHADOW AND SOME -- AND DEPTH TO THAT CANVAS.

AND THEN LOOKING AT THE COLORS AND TEXTURES, BASICALLY WE COPIED WHAT WAS THERE.

WE LEVERAGED WHAT WAS THERE.


WE BELIEVE WE’VE DONE THAT.

THIS IS THE BACK SIDE THAT FACES THE WEST OR THE ADJACENT PROPERTY IN QUESTION.

WE HAVE SOME SCUPPERS TO HELP DRAIN THE ROOF FROM THERE, BUT RAISED PARAPETS.

WE ADDED THE BANDING TO CONNECT THOSE PIECES TOGETHER,

AGAIN, BOOK END ELEMENTS KIND OF IDENTIFYING THOSE CORNER HINGE POINTS.

AND THEN A TRANSITIONAL PIECE IN THE VERY MIDDLE WITH
AWNINGS ON THE BACK SIDE HERE.

SO WE BELIEVE ALL FOUR FACADES ARE CONSISTENT WITH NOT ONLY WHAT THE LAND DEVELOPMENT CODE ASKS FOR, BUT THEY ARE CONSISTENT WITHIN THEMSELVES.

SAME DETAILING, THREE DIMENSIONAL CORNICE, CANOPIES TO PROVIDE DEPTH AND RELIEF, AND INTEREST IN THAT JOURNEY OF THE FACADE VISUALLY AND, OF COURSE, WE’LL TALK A LITTLE BIT MORE ABOUT THE LANDSCAPE, AS THAT PROVIDES MORE LAYERING WITH ARCHITECTURE.

>> I’VE GOT ONE QUESTION.

>> Robert Klemple: YES, SIR, AS MENTIONED BEFORE, THE BASELINE PROTOTYPE KIND OF HEIGHT OF THAT PARAPET IS TWO FEET LOWER THAN WHAT WE HAVE RIGHT NOW.

>> IF YOU LOOK AT THE EXHIBIT HERE, THE TANNED -- OR THE DARK-TAN, KIND OF OLIVE COLOR IS THE BASE BUILDING.

>> THAT WAS RAISED TWO FEET, AND THEN IN ADDITION, THE BOOK END PIECES AND THE MIDDLE PIECE ARE RAISED ANOTHER COUPLE OF FEET.

>> SO WE BELIEVE THAT IT WILL HIDE OR MITIGATE ANY VISUAL OR VISIBILITY TO THOSE ROOFTOP PIECES OF EQUIPMENT.

>> THE ANSWER IS YES.

TRASH ENCLOSURE WHICH WAS MENTIONED IN THE PRESENTATION, FOR THE TRASH AND THE RECYCLE TIRES.

WE HAVE A RAISED SCREEN WALL THAT HAS THE SAME DETAILING AS THE REST OF THE DEVELOPMENT.

THEN JUST A COUPLE OF SLIDES TO SHOW A KIND OF LINKING HERE VISUALLY OF HOW WE ARE PROVIDING THE SAME LEVEL OF DETAIL AS THE REST OF THE DEVELOPMENT.


AGAIN, SOME MORE KIND OF ENLARGED DETAILS, SPECIFICITY ON SOME OF THOSE DETAILS, HOW THEY ARE LINKED TOGETHER.

THE TOWER ELEMENTS BEING ABLE TO EMPHASIZE THE CORNER OF THE BUILDING.


AGAIN, THIS IS THE SERVICE BAYS FACING EAST AND THE LAYERING OF THE TREES, THE LANDSCAPE THAT IS THERE PROVIDED.

AND HERE FROM CORKSCREW, AS WE’RE GETTING CLOSE TO THE BUILDING, THE CONNECTIVITY OF THE SIDEWALKS WITH THE CORNER ELEMENT, WHICH IS WHERE THE CUSTOMER WOULD INTERFACE WITH
FIRESTONE AND THE REPRESENTATIVE THERE.


THIS IS A VIEW FROM CORKSCREW GOING WESTBOUND, SO YOU SEE THAT THE CORNER OF THE FIRESTONE STARTS TO PEEK ABOVE THE LANDSCAPE IN SOME OF THE LANDSCAPING THAT'S THERE. AS THAT LAYERING OF THE RICHNESS OF THE ARCHITECTURE AS WELL AS THE LANDSCAPING THERE, NOT JUST A FULL BUILDING WITHOUT ANY LANDSCAPING.

IT'S NOT FULL LANDSCAPING WITHOUT A BUILDING. THEY ARE LIVING AND BREATHING TOGETHER HERE IN A NICE KIND OF RICH TAPESTRY.

AGAIN, HERE'S ANOTHER VIEW.

WE ARE KIND OF LOOKING BACK OVER A SHOULDER, GOING EASTBOUND. WE'RE A LITTLE BIT CLOSER TO THE DEVELOPMENT. YOU SEE A LITTLE BIT OF THE CARS, PARKING, LANDSCAPING AND THE BUILDING AS THEY ARE ALL TOGETHER THERE.

THEN WE DID PROVIDE A PHOTOMETRIC PLAN. WE BELIEVE WITH COMPLIED WITH ALL OF THE KIND OF SAFETY FACTORS AND LEVELS OF LIGHT THAT WE NEED THERE.

AND SPECIALTY LIGHTING, WHICH YOU SEE OVER THERE ON THE LEFT KIND OF QUADRANT, PART OF THE DOLLAR TREE LITTLE STRIP MALL.

IT'S A TYPE OF SITE FIXTURE WE'RE GOING TO USE AND THEN YOU SEE THE LITTLE GOOSENECK LIGHT WHICH IS PART OF THE SPECIALTY LIGHTING THAT'S ON THAT CENTER FEATURE OF THE FRONT FACADE AND THE BACK FACADE.

THEN IN CONCLUSION, SIDE BY SIDE KIND OF LOOK HERE WITH THE DESIGN OF OUR BUILDING, THE MEDITERRANEAN STYLE, WHICH FITS EXACTLY WITH WHAT IS EXPECTED HERE, OF COURSE.

AND ON THE RIGHT, HERE WE HAVE THE DEVELOPMENT. FOR THE RECORD, WE BELIEVE THAT WE'RE CONSISTENT WITH AND COMPATIBLE WITH THE VISION AND THE SPIRIT OF THE CODE.

THE CODES ARE LISTED HERE.

LDC CODE SECTION 33-227.

33-228.

33-330.

33-334.

33-337.

33-115.

33-116.

AND Z-03-032.

I KNOW I BRUSHED THROUGH THAT QUICKLY.

I'M TRYING TO MOVE US ALONG.
BUT IF YOU HAVE ANY QUESTIONS, PLEASE LET ME KNOW.

THANK YOU, SIR, FOR YOUR PRESENTATION.

>>Marlene Naratil: THERE ARE NO QUESTIONS.

>>Robert Klemple: THANK YOU, I APPRECIATE IT.

>>Mary Gibbs: MAY I ASK, BECAUSE WE'RE 45 MINUTES INTO THIS,

AND IT LOOKS LIKE THERE ARE ABOUT 30 SLIDES LEFT.

I WAS THINKING WE ARE GOING TO TAKE AN HOUR.

MAY I ASK HOW MUCH LONGER?

HOW MUCH LONGER WE THINK THIS IS GOING TO RUN IF WE HAVE 30 MORE SLIDES?

>>Neale Montgomery: WE'RE TRYING TO MOVE THROUGH QUICKLY.

THE APPLICANT NEEDS TO PROVIDE COMPETENT, SUBSTANTIAL EVIDENCE.

>>Mary Gibbs: SOME OF THE THINGS ARE DETAILS THAT ARE REALLY LIKE DESIGN REVIEW BOARD TYPE DETAILS.

>>Neale Montgomery: YES, BUT THE STAFF JUST TESTIFIED THAT THIS ISN'T COMPATIBLE, SO WE'RE ADDRESSING COMPATIBILITY ON ALL LEVELS.

>> 20 MINUTES.

OKAY.

THANK YOU, BRENDAN.

>>David Kulsveen: HELLO.

DAVID KULSVEEN WITH LANDESCO LANDSCAPE ARCHITECTURE, FOUNDED LANDESCO IN 2012.

I'M BEEN A PROFESSIONAL IN THE STATE OF FLORIDA AND KENTUCKY SINCE 2012 AND I PRESENTED PROJECTS, WORKED ON PROJECTS FROM HIGH-END RESIDENTIAL TO LARGE PARK SYSTEMS. AND WE FOCUS PRIMARILY HERE IN SOUTHWEST FLORIDA IN THE COMMERCIAL INDUSTRY.

WITH THAT SAID, I WOULD LIKE TO BE RECOGNIZED AS AN EXPERT IN THE FIELD OF LANDSCAPE ARCHITECTURE.

DO YOU HAVE A SLIDE THAT SHOWS YOUR QUALIFICATIONS?


>>Mary Gibbs: I JUST HAVE A QUESTION.

AGAIN, I'M NOT OBJECTING, NORMALLY I DON'T KNOW THAT WE ASK LANDSCAPE ARCHITECTS TO QUALIFY AS AN EXPERT.

>>Marlene Naratil: I DON'T RECALL THAT EITHER.

WE MIGHT ASK ABOUT A TREE OR TWO.

YOU'RE GOOD WITH THE LANDSCAPE.

WE CAN GO.

>>Nancy Stroud: IF THEY ARE ASKING TO BE QUALIFIED AS AN EXPERT, IT'S A FIELD OF EXPERTISE.
HE CERTAINLY -- YOU CERTAINLY CAN QUALIFY THEM AS AN EXPERT
IF YOU BELIEVE THEY ARE.
JUST BECAUSE WE HAVEN'T DONE IT IN THE PAST DOESN'T MEAN YOU
SHOULDN'T DO IT NOW.
I BELIEVE HE'S ASKED TO BE QUALIFIED, SO YOU NEED TO DECIDE.
>>Marlene Naratil: WE SHOULD VOTE ON IT THEN.
>> I'LL MAKE A MOTION.
TO ACCEPT --
>>Marlene Naratil: TO ACCEPT HIM AS AN EXPERT.

>> IN LANDSCAPE ARCHITECTURE.
IS THAT WHAT YOU'RE REQUESTING?
>>Marlene Naratil: ALL IN FAVOR?
>> AYE.
>> AYE.
>>David Kulsveen: THANK YOU.
SO MOVING ON, WE'LL GET TO THE PLAN HERE.
>>Mary Gibbs: THAT TOOK A MINUTE OFF OF YOUR TIME NOW.
[ LAUGHTER ]
>>David Kulsveen: THIS IS THE LANDSCAPE PLAN.
THIS SHOWS THE BUFFER SYSTEMS ALONG THE PERIMETER, WHICH TO
THE NORTH IS THE CORKSCREW ROAD, WHICH IS A COMMERCIAL
PROJECT ABUTTING A RIGHT-OF-WAY, WHICH REQUIRES A TYPE D
BUFFER, WHICH IS ALSO PROPOSED ALONG THE SOUTH TO ESTERO
TOWN COMMONS PLACE.
TO THE EAST AND TO THE WEST ARE TYPE A BUFFERS FOR
COMMERCIAL TO COMMERCIAL.
TYPE D BUFFER ON THE NORTH AND SOUTH ARE 20 PLUS FEET AND TO
THE EAST AND WEST ARE FIVE FEET PLUS.
IN THOSE BUFFERS, ADJACENT TO THE ROADWAYS, YOU'LL HAVE FIVE
CANOPY TREES AND 66 SHRUBS PER HUNDRED LINEAR FEET.
TO THE EAST AND WEST IN THE TYPE A BUFFER, YOU'LL HAVE FOUR
TREES PER HUNDRED LINEAR FEET.
THE BUILDING FOUNDATION PLANTS ARE BASED ON 10% OF THE
BUILDING SQUARE FOOTAGE, AND THE LANDSCAPING WITHIN THE
PARKING AREA ARE BASED ALSO ON 10% OF THE VEHICULAR AREA.
LOOKING AT THE OPEN SPACE, THERE'S BEEN MORE THAN ADEQUATE
SPACE PROVIDED FOR IN THE OPEN SPACE LAYOUT HERE.
A LOT OF THE FOCUS WAS AIMED AROUND THE PEDESTRIAN
CONNECTIVITY TO AND FROM THE SITE AND FROM THE PUBLIC.
YOU CAN ACCESS TO THE NORTH OF THE BUILDING THERE ALONG
CORKSCREW ON A PATHWAY SYSTEM THAT CONNECTS INTO A WAITING
AREA OR AREA -- NICE LANDSCAPE POCKET WITH BENCHES, STREET
FRONTAGE, TRASH RECEPTACLES THERE, NORTH OF THE BUILDING
WHICH IS CONNECTED ALONG THE BUILDING TO THE EAST BY
SIDEWALK SYSTEM AND CONNECTS TO YOU THE ESTERO TOWN COMMONS
PLACE WITH A NICE SEATING AREA.
THE SOUTHWEST CORNER.

AND THEN AN ADDITIONAL SEATING AREA ON THE SOUTHEAST CORNER UNDER SOME NICE CANOPY TREES.

I'D ALSO LIKE TO POINT OUT THAT THERE IS DOUBLE THE AMOUNT OF CANOPY TREES ON THIS PROJECT THAN WHAT WAS REQUIRED.

ALSO, THE BUILDING FOUNDATION PLANTINGS HAVE APPROXIMATELY 30% MORE PLANTS, SHRUBS, AND OVER TWICE THE SQUARE FOOTAGE THAN WHAT WAS REQUIRED AND THE VEHICULAR USE AREA ALSO HAS ADDITIONAL PLANTS.

THIS IS A LOOK AT THE NORTH ELEVATION STARTING OUT AT THE TOP OF THE SLIDE, AS YOU WOULD SEE IT FROM CORKSCREW LOOKING INTO THE SITE.

THE GAP THERE IS THE CONNECTIVITY TO THE FRONT OF THE BUILDING, WHICH ALSO HAS THOSE BENCHES AND NICE LANDSCAPE SEATING AREA.

TO THE EAST, YOU HAVE A LOOK FROM THE DENTAL OFFICE I BELIEVE IS WHAT'S THERE NOW.

LOOKING IN, YOU KIND OF SEE THE TALLER CANOPY TREES THERE AND THE UNDERSTORY OF SMALLER MEDIUM-SIZED TREES TO FILL THAT VOID.

AT THE SOUTH, FROM ESTERO TOWN COMMONS PLACE, LOOKING INTO THE SITE, AND THEN TO THE WEST IS FROM THE VACANT PARCEL THERE.

THIS IS A LOOK AT THE PLANT LIST ON-SITE THAT'S CONSISTENT WITH THE OVERALL DEVELOPMENT.

YOU HAVE A LOT OF NATIVE TREES AND SHRUBS AND PALM TREES.

WE'VE PROVIDED A LOT OF COLOR IN THIS LANDSCAPE PLAN.

SO WE HAVE A NICE VARIETY OF LARGER CANOPY TREES, MEDIUM-SIZED TREES, FLOWERING SHRUBS AND ALSO TREES, ESPECIALLY TO THE SOUTHEAST CORNER HERE WITH A NICE SEATING AREA.

THERE'S A ROYAL POINCIANA THAT PROVIDES A FULL-SIZE CANOPY AND SHADE AREA FOR PEDESTRIANS.

THIS IS A LOOK FROM CORKSCREW ROAD WITH A CROSS SECTION TO KIND OF SHOW THE RELATIONSHIP FROM CORKSCREW, THE SIDEWALK, AND THE PUBLIC RIGHT-OF-WAY, THE BERMED LANDSCAPE AREA AS THAT FADES DOWN TO THE PARKING AREA THERE AT THE BUILDING BY THE FIRESTONE.

THIS IS A BIRD'S EYE LOOK FROM THE SOUTHEAST CORNER LOOKING IN.

YOU CAN SEE THE PEDESTRIAN LINKAGE FROM THE BUILDING SWINGING AROUND WITH SOME NICE HARD SCAPE AND SEATING AREA FOR PEDESTRIANS, USERS OF THE SITE, OR A WAITING AREA, SOMETHING FOR THEM TO KIND OF COLLECT AND MOVE THROUGH THE SITE HERE ALONG THE SOUTH TO THIS OTHER SEATING AREA THAT'S KIND OF BLOCKED BY THESE TREES, BUT YOU CAN SEE THE NICE
ROYAL POINCIANA THAT PROVIDES GOOD SHADE AND COLOR.
ANOTHER BIRD'S-EYE VIEW FROM THE SOUTHEAST PORTION, KIND OF
GET ANOTHER LOOK AT THE COLORFUL LANDSCAPING AND DIFFERENT
TEXTURES AND SIZES TO KIND OF SCALE AND PROVIDE NICE
CONSISTENCY WITH THE REST OF THE CENTER.
I THINK THIS IS GOING BACK TO LINDA, POSSIBLY?
>>Neale Montgomery: DOES ANYBODY HAVE QUESTIONS ON THE
LANDSCAPE ARCHITECTURE?
>> WHAT KIND OF INTEGRATION WILL THIS HAVE WITH SIGNAGE?
>>David Kulsveen: SIGNAGE, THAT WOULD PROBABLY BE MORE OF A
QUESTION --
>> THE CONCERN I ALWAYS HAVE WITH LANDSCAPING, WHICH IS A
GREAT PRESENTATION, AND WE'VE GOT A LITTLE COUNTERVAILING
INTEREST HERE.
ONE IS THE LANDSCAPING SO IT LOOKS HEAVILY LANDSCAPED AND
VERY BEAUTIFUL, AND THEN WE LOSE SIGHT OF THE FACT THAT IT'S
A COMMERCIAL BUILDING.
>>David Kulsveen: RIGHT.
>> AND IF YOU HAVE IT OVER-LANDSCAPED AND HAVE IT SO FULL
WITH FOLIAGE, SOMEBODY IS LOOKING FOR THIS PROPERTY OR
LOOKING FOR THE SITE WHEN THEY ARE GOING DOWN THE STREET,
THEY CAN'T SEE IT FOR THE SAKE IT'S OVER-LANDSCAPED AND TOO
MUCH FOLIAGE.
THAT'S ALWAYS MY CONCERN.
IRONICALLY, AT THE SAME PARCEL OF PROPERTY, ON THE THREE
OAKS SIDE, THE TENANTS OF THE BUILDINGS OVER THERE, CAME IN
AND REQUESTED THAT THE LANDSCAPING BE ALTERED.
SO ALONG THE WESTERN PROPERTY LINE ON THREE OAKS, THERE WAS
A REVISION MADE AND A LOT OF TREES WERE TAKEN DOWN, FOLIAGE
WAS TAKEN DOWN SO THE PEOPLE COULD SEE THE BUILDINGS AND
KNOW THEY WERE THERE.
THAT'S ONE OF MY CONCERNS IS THAT YOU CAN OVERDO THE
LANDSCAPING AND TAKE AWAY THE COMMERCIAL ASPECTS OF MAKING
THE PROPERTY FUNCTION PROPERLY AS A BUSINESS.
>>David Kulsveen: I UNDERSTAND.
I THINK THAT IS A VALID CONCERN, AND WE TOOK THAT INTO
CONSIDERATION WHEN WE PUT THIS LANDSCAPE TOGETHER.
I'M TRYING TO GET TO A SLIDE THAT SHOWS THE FRONT THERE TO
SHOW THE LAYERING.
AS YOU'LL SEE HERE, WE HAVE SHADY LADY -- I'M SORRY.
EXCUSE ME.
GUMBO-LIMBO, WHICH IS MORE OF A CANOPY TREE THAT IS KIND OF
LACEY AND ALLOWS YOU TO SEE THROUGH, ESPECIALLY
THREE-QUARTERS DOWN.
IT HAS A NICE APPEAL TO THE TRUNK OF THE TREE AND ALLOWS
VISIBILITY IN.
They can be pruned and maintained at a certain height, which is healthy to the tree. And we've also opened up areas with these palms to either side, which are also great for allowing visibility, as long as they are maintained. And we also have some smaller flowering trees, which are crepe myrtles and more gumbo-limbo to the east portion of the north buffer, which also will allow visibility of the signage along the building. As for the ground signage, that's something that's out of my expertise on this project.

>> Mary Gibbs: If I may add something, though, we typically, when this goes to design review board for the development order, that's when we typically will look at the signage and make sure that we don't have conflicts with the landscaping. Because otherwise, that does happen. The sign people don't normally talk to the landscape architect or the engineer, and you do have those things happen. So we try to ensure that we get into design review board, but those things are looked at.

>> It also becomes a hazard in what we're talking about. If somebody is looking for the site so that -- that's their destination point, and if they have to slow down and they have a hard time looking at it, that becomes a hazard. If it's something they can spot without too much problem, they won't slow down too much and they won't lose a little bit of their focus on where they are trying to go.

>> David Kulsveen: I will point out -- I guess, with the Estero planning community land development code, the corridor overlay district and the zoning resolution, I feel that we've adequately met the pedestrian linkage and provided for accessibility to pedestrians from the frontage, from outside of the project, as well as adding an interest through the landscaping. Also, adequate shade for pedestrians that will be using the seating areas.

That concludes my portion.

>> Brendan, can you take us 51, please?

>> Brendan Sloan: I will.

Give us a second.

Cleaning.

>> We're only two-thirds of the way through the presentation. Can I propose we take a five or ten minute recess?

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?
07:20:01  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,
07:20:54  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.
07:21:10  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,
07:21:29  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.
ESTERO TOWN COMMONS, WHEN APPROVED, PROVIDED WHAT IS NOW CALLED A PATTERN BOOK. THIS WAS PROVIDED IN EXHIBIT D.

WITH THE -- PROVIDE THE VILLAGE OF ESTERO AND LEE COUNTY ASSURANCES THAT THE PROJECT WILL BE DEVELOPED TO MEET THE LANGUAGE -- OF THE ESTERO PLAN WHILE PROVIDING THE DEVELOPER THE FLEXIBILITY TO MARKET THE PROJECT TO TENANTS OF VARYING USES, BUILDING TYPES AND SIZE REQUIREMENTS.

UNDERSTAND ESTERO TOWN COMMONS WHEN APPROVED REALLY WAS REVIEWED BY THE ESTERO PLANNING BOARD, RESIDENTS WITHIN THE ESTERO COMMUNITY, HAD PUBLIC HEARING ON THIS USE.

AS STATED BY THE DESIGN PROFESSIONALS IN EACH OF THEIR PRESENTATION, THIS PROJECT IS CONSISTENT WITH ZONING RESOLUTIONS V 03-032 FOR THE FOLLOWING THINGS: I REALLY DON'T WANT TO GO THROUGH THEM ALL BECAUSE WE DID THEM IN ALL OUR PRESENTATION AND STAFF REALLY DID NOT HAVE AN ISSUE WITH THE FACT THAT OUR DIMENSIONAL REQUIREMENTS, ARCHITECTURAL, LANDSCAPING ARE ALL NOT CONSISTENT WITH THE CODE. THEY HAD AN ISSUE WITH THE ACTUAL USE.

THIS IS THE FUTURE LAND USE MAP.

THE SITE IS IN A TRANSITIONAL MIXED-USE FUTURE LAND USE, PERMITTED USES INCLUDE --

>> [INAUDIBLE]

>> KEEP GOING, LINDA.

>> Linda Miller: THANK YOU.

>> [AUDIO REPEATING] -- TEN MORE SLIDES IN THE PRESENTATION, AND I'LL GO THROUGH THEM AS QUICKLY AS POSSIBLE.

>> Linda Miller: I'M NOT SURE WHY I'M HEARING MY VOICE PLAY THE SAME THING OVER AGAIN.

>> Tammy Duran: IS SOMEBODY LISTENING TO IT LIVE?

>> CAN YOU MUTE IT?

>> YOU'RE GETTING THE PLAYBACK.

>> MY APOLOGIES.

>> THE VIDEO FEED IS RUNNING A COUPLE OF MINUTES BEHIND THE ACTUAL PRESENTATION.

>> SO I'VE MUTED.

>> Linda Miller: THANK YOU.

>> WE'RE ON SLIDE 55.

>> FUTURE LAND USE MAP.

>> THE SITE IS IN A TRANSITIONAL MIXED-USE FUTURE LAND USE.

>> PERMITTED USES INCLUDE REGIONAL, COMMUNITY, AND NEIGHBORHOOD SHOPPING CENTERS, ALONG WITH MINOR COMMERCIAL HOTELS AND OFFICE.
WHAT OUR SITE IS, IS A MINOR COMMERCIAL.

IT IS A PERMITTED USE IN THIS MIXED-USE LAND USE CATEGORY UP TO ONE MILLION SQUARE FEET AS ALLOWED WITHIN THESE AREAS.

NEXT SLIDE, PLEASE.

DURING THE VILLAGE OF ESTERO'S PROCESS TO CREATE THE COMPREHENSIVE PLAN, MANY CONCEPTUAL PLANNING MAPS WERE CREATED TO ILLUSTRATE DESIGNATED AREAS WITHIN THE VILLAGE.

THIS MAP IS A CONCEPTUAL PLANNING MAP OF VACANT PARCELS FOR POTENTIAL FUTURE MIXED-USE DEVELOPMENTS WITHIN THE VILLAGE OF ESTERO.

THIS MAP WAS COMMISSIONED BY THE ESTERO COUNCIL FOR COMMUNITY LEADERS IN COOPERATION WITH THE MEMBERS OF THE ESTERO COMMUNITY, PLANNING PANEL AND ESTERO DESIGN REVIEW COMMITTEE.

AS YOU CAN SEE, THE ESTERO TOWN COMMON SHOPPING CENTER, WHICH INCLUDES THE FIRESTONE SITE IS NOT SHOWN AS A POTENTIAL MIXED-USE AREA.

NEXT SLIDE.

THIS SLIDE SHOWS SEVERAL MAPS THAT PROVIDE DESIGNATED AREAS WITHIN THE VILLAGE OF ESTERO.

THE ESTERO TOWN CENTER IS DESIGNATED AS COMMERCIAL UNDERWAY ON THE TOP RIGHT AND THE BOTTOM TWO MAPS.

NEXT SLIDE, PLEASE.

WE BELIEVE THIS PROJECT IS CONSISTENT WITH THE VILLAGE COMPREHENSIVE PLAN SLU 1.1.1.

SLU 1.1.1-E.

SLU 1.2.8.

AND HERE, WE'RE SAYING THAT THE TRANSITIONAL MIXED-USE AREAS ARE CHARACTERIZED BY PRIMARY EXISTING OR EMERGING DEVELOPMENTS WITHIN THE VILLAGE'S LARGEST AND MOST INTENSE COMMERCIAL AREAS OR WILL BE CONCENTRATED.

THAT'S REALLY IMPORTANT THING.

THESE ARE SUPPOSED TO BE IN AREAS WHERE INTENSE COMMERCIAL IS PROVIDED.

AND WE ARE ONE OF THOSE INTENSE COMMERCIAL SHOPPING CENTERS WITH 33 ACRES AND OVER 255,000 SQUARE FEET OF -- LAND AREA OF COMMERCIAL USES.

THIS CATEGORY PROVIDES FOR A BROAD USE OF MIXES, WHICH MS. EASTLEY TOLD US ABOUT THAT.

THERE IS A BROAD MIX OF USES.

BUT IN THIS CATEGORY, WE'RE ALLOWED TO HAVE A SINGLE USE, A MINOR COMMERCIAL USE, A STAND-ALONE COMMERCIAL USE, AS LONG AS THAT USE IS FOUND TO BE COMPATIBLE AND IS BEING HEARD BY A PUBLIC HEARING.

SO WHAT WE'RE TRYING TO SHOW WITH THE SLIDES IS THAT WE ARE COMPATIBLE, AND WE ARE A SINGLE USE.
WE ARE ALSO CONSISTENT WITH SLU 1.3.1, AND SLU 1.5.1, ESTERO TOWN COMMON CENTER IS DESIGNATED AS A COMMUNITY COMMERCIAL CENTER.

NEXT SLIDE, PLEASE.

WE ARE CONSISTENT WITH SLU 1.10.1, HIGH QUALITY, HIGH DESIGN COMMERCIAL USE.

IN THIS CATEGORY, YOU'RE TO PERMIT AN ORDERLY, WELL PLANNED OUT COMMERCIAL DEVELOPMENT, VIEWED AND EVALUATED AS TO THE COMPATIBILITY WITH ADJACENT AND NEARBY USES.

THAT IS WHAT YOU'RE SUPPOSED TO LOOK AT.

TRAFFIC AND ACCESS IMPACTS.

WE DON'T REALLY HAVE ANY TRAFFIC AND ACCESS IMPACTS.

OUR ACCESS IS INTERNALLY INTO THE SHOPPING CENTER.

OUR TRAFFIC IS LESS THAN WHAT WAS ORIGINALLY PLANNED WITH THE PLANNED DEVELOPMENT PROJECT.

ARCHITECTURAL LANDSCAPING, ARCHITECTURAL DESIGN.

WE SHOWED YOU SLIDE AFTER SLIDE OF BEAUTIFUL ARCHITECT AND LANDSCAPING, REALLY NICE LANDSCAPING THAT COMPLEMENTS THAT ARCHITECTURAL STYLE.

SITE PLANNING, INTERCONNECTABILITY, PUBLIC SPACES.

WE'RE PROVIDING THREE PUBLIC SPACES ON THE 1.14-ACRE PARCEL.

-- LANDSCAPING AND BUFFERING, WE'RE A SHOPPING CENTER, BUT WE PROVIDE NICE LANDSCAPING BETWEEN THE OTHER COMMERCIAL USES AND ALONG THE ROADWAY FRONTAGES.

AVAILABILITY OF SERVICES AND FACILITIES.

WE DO HAVE UTILITIES ALREADY THERE TO THE SITE, AND WE ALSO HAVE STORMWATER CONNECTABILITY TO THE SITE.

IMPACT ON ADJACENT LAND USES AND SURROUNDING NEIGHBORS, WE HAVE NO IMPACT ON THE SURROUNDING NEIGHBORS.

WE ARE A TRACT WITHIN A COMMERCIAL DEVELOPMENT THAT FRONTS ON CORKSCREW ROAD.

PROXIMITY TO OTHER SIMILAR CENTERS.

WE'RE ON THE CORNER OF A MAJOR INTERSECTION, CORKSCREW ROAD AND THREE OAKS PARKWAY.

WE HAVE COMMERCIAL SHOPPING CENTERS TO THE NORTH, TO THE NORTHWEST OF OUR SITE, TO THE NORTHEAST OF OUR SITE, AND A LITTLE BIT TO THE SOUTH OF OUR SITE.

PROXIMITY, ENVIRONMENTAL CONCERNS.

WE SHOWED YOU HOW THERE IS NO ENVIRONMENTAL CONCERN.

IF YOU'RE LOOKING AT SLU 1.10.1, DO WE HAVE A WELL-PLANNED COMMERCIAL DEVELOPMENT THAT MEETS THESE REQUIREMENTS?

YES, WE DO.

WE'RE ALSO CONSISTENT WITH SLU 1.10.3, ALSO TRA 1.2.1.

NEXT SLIDE.

AS PART OF THE REZONING REQUIREMENTS IN SECTION 34-145, EACH REZONING APPLICATION MUST BE FOUND TO BE, A, COMPLIES WITH
THE VILLAGE COMPREHENSIVE PLAN.

WE FEEL THAT WE COMPLY WITH THE VILLAGE COMPREHENSIVE PLAN FROM THE TWO SLIDES WE JUST PROVIDED, FROM ALL THOSE CODE SECTIONS THAT WE COMPLY WITH.

HAVE TO MEET THE CODE AND OTHER COUNTY REGULATIONS.

WELL, WE'VE SHOWN YOU HOW WE MEET SECTION 33, WHICH IS ESTERO PLANNING COMMUNITY, AND THE DEVELOPMENT REQUIREMENTS WITHIN THE LAND DEVELOPMENT CODE AND ALSO HOW WE'RE CONSISTENT WITH THE EXISTING ZONING ORDINANCE, 03-032.

ARE WE COMPATIBLE WITH EXISTING AND PLANNED USES IN THE SURROUNDING AREA?

WE SHOWED YOU PICTURES OF ALL OF THE EXISTING USES THAT WE AROUND AND SURROUND US, AND WE ARE VERY COMPATIBLE.

WE'RE ONE SMALL TRACT WITHIN A SHOPPING CENTER THAT'S ALREADY DEVELOPED.

WE'LL PROVIDE ACCESS SUFFICIENT TO SUPPORT THE PROPOSED DEVELOPMENT INTENSITY.

OUR ACCESS POINTS ARE ALREADY ESTABLISHED.

WE'RE IN A SHOPPING CENTER.

THOSE ACCESS POINTS ARE ESTABLISHED.

WE'RE NOT CREATING ANY NEW ACCESS POINTS FOR THE DEVELOPMENT.

THE EXPECTED IMPACTS OF TRANSPORTATION FACILITIES WILL BE ADDRESSED.

I THINK WE'VE KIND OF TOLD YOU ABOUT THE TRANSPORTATION.

THIS IS ALREADY AN EXISTING SITE.

WE HAVE ACCESS ALREADY.

OUR TRIPS HAVE ACTUALLY ALREADY BEEN VESTED WITHIN THIS PROJECT SITE.

ONE WAS APPROVED IN 2003.

AND NOW OUR BACKGROUND TRAFFIC ON CORKSCREW ROAD AND THREE OAKS PARKWAY.

WILL NOT AFFECT ENVIRONMENTALLY SENSITIVE AREAS.

WE DO NOT HAVE ANY ENVIRONMENTALLY SENSITIVE AREAS ON THE SITE AND WILL BE SERVED BY URBAN SERVICES.

-- WHAT WE'RE DOING TODAY ALSO HAS THE PROPOSED USE MIX OF USES IS APPROPRIATE FOR THE PROPOSED LOCATION.

AND WE FEEL THAT THE USE IS APPROPRIATE FOR THIS PROPOSED LOCATION THAT IS ON CORKSCREW ROAD.

IT HAS ACCESS INTO THE SITE, WHICH IS ACCESS BY AUTOMOBILES.

AND WE FIND THAT THIS USE IS CONSISTENT WITH THAT.

AND IF THERE'S RECOMMENDED CONDITIONS -- WE KNOW THAT THERE ARE SOME CONDITIONS THAT HAVE BEEN BROUGHT FORWARD BY THE PLANNER, AND WE WOULD BE HAPPY TO GO OVER THOSE AT THE END OF THE PRESENTATION.

NEXT SLIDE.
WE WOULD LIKE TO REBUT SOME OF THE STATEMENTS WITHIN THE STAFF REPORT.

THE STAFF REPORT SAID THERE WAS NOT ADEQUATE JUSTIFICATION PROVIDED FOR THE PROPOSED REZONE.

A REZONE APPLICATION IS REQUIRED TO DEMONSTRATE HOW THE REQUEST IS CONSISTENT WITH THE LAND DEVELOPMENT CODE AND THE COMPREHENSIVE PLAN.

WE FEEL WE HAD DEMONSTRATED THAT THIS DEVELOPMENT IS INDEED CONSISTENT WITH THE LAND DEVELOPMENT CODE AND THE VILLAGE COMPREHENSIVE PLAN.

THE PROPOSAL DOES NOT COMPLY WITH THE TRANSITIONAL MIXED-USE FUTURE LAND USE.

WE BELIEVE THAT THE PROPOSED REZONING DOES COMPLY WITH THE TRANSITIONAL MIXED-USE FUTURE LAND USE, AS THIS AREA ALLOWS FOR STAND-ALONE COMMERCIAL USES THAT ARE COMPATIBLE WITH THE SURROUNDING AREA.

WE HAVE DEMONSTRATED THAT THE FIRESTONE IS COMPATIBLE WITH THE SURROUNDING USES.

STAFF SAID WE LACKED THE LACK OF COMPLIANCE WITH THE CORKSCREW ROAD OVERLAY.

WE BELIEVE THAT THE PROPOSED REZONING IS WHAT WAS ENVISIONED FOR THE SHOPPING CENTER ALONG CORKSCREW ROAD.

THE BUILDING IS SET CLOSE TO THE ROAD WITH PUBLIC AREA AND SEATING WITH SIDEWALKS AND A BUS STOP TO CONNECT CORKSCREW ROAD TO THIS DEVELOPMENT.

THE PARKING LOT AREA IS ALONG THE SIDE OF THE BUILDING, NOT WITHIN THE FRONT.

30 FEET FROM CORKSCREW ROAD AS PERMITTED BY ZONING 03-032 AND A SCREEN WITH A LANDSCAPED BERM WITH TREES AND A CONTINUOUS ROW OF SHRUBS.

-- REGARDING WHY THE USE IS CURRENTLY PERMITTED ONLY AS AN ACCESSORY USE TO THE PERMITTED USE.

WE DID PROVIDE THE VILLAGE PLANNING STAFF WITH THE TRANSCRIPT OF THE HEARING EXAMINER PUBLIC HEARING.

TO RESTATE WHAT WAS PREVIOUSLY STATED, WE BELIEVE THAT THE CONDITIONAL LANGUAGE THAT THIS USE WAS PERMITTED ONLY AS SUBORDINATE TO ANOTHER USE, A DEPARTMENT STORE USE WAS JUST CARRIED OVER TO THE VILLAGE PARCELS WITHIN THE HEARING EXAMINER’S ORDER WHEN IT SHOULD HAVE BEEN LISTED AS A PERMITTED USE.

THE VILLAGE COMPREHENSIVE PLAN AND THE CORKSCREW ROAD CORRIDOR PLAN BOTH SUPPORT TRANSITIONING THE USES OF THE AREA TO MIXED-USE TO CREATE MORE ACTIVITY AND VITALITY FOR THIS AREA.

WE BELIEVE THAT THE VILLAGE COMPREHENSIVE PLAN DOES SUPPORT A SINGLE COMMERCIAL USE WITHIN THE TRANSITIONAL MIXED-USE.
FUTURE LAND USE AREA IN ADDITION TO SUPPORTING A MIXTURE OF RESIDENTIAL AND COMMERCIAL USES ON UNDEVELOPED LAND OR LAND AREAS SUITABLE TO REDEVELOPMENT WITH COMMERCIAL -- WITH RESIDENTIAL AND COMMERCIAL USES. THE FIRESTONE SITE IS WITHIN AN 85% DEVELOPED COMMERCIAL SHOPPING CENTER. BACKBONE SYSTEM FOR ACCESS, DRAINAGE, UTILITIES, OPEN SPACE, PEDESTRIAN CONNECTION AND UTILITIES HAVE ALL BEEN CONSTRUCTED AND ARE IN PLACE FOR COMMERCIAL USES ONLY. THE CENTER WAS NOT DESIGNED FOR RESIDENTIAL USES AND IS NOT SUITABLE FOR OTHER MIXTURES OF USES LIKE RESIDENTIAL USES. THE FIRESTONE PARCEL IS NOT SUITED FOR RESIDENTIAL. IT'S TOO CLOSE TO CORKSCREW ROAD. IT'S NOT -- INDUSTRIAL-TYPE USES THAT WERE NOT ANTICIPATED FOR THE CENTER. THE CENTER CURRENTLY contains RETAIL SPACE, RESTAURANT SPACE AND A HOME IMPROVEMENT STORE, BUT LACKS SERVICE-ORIENTED BUSINESS LIKE FIRESTONE. STAFF DOES NOT FIND THAT THE PROPOSED REZONING IS CONSISTENT WITH THE COMPREHENSIVE PLAN. WE DISAGREE WITH STAFF AS WE FIND THAT THE PROJECT IS CONSISTENT WITH MANY ELEMENTS OF THE VILLAGE COMPREHENSIVE PLAN. AND THAT'S THE END OF MY PRESENTATION.

AND THAT'S THE END OF MY PRESENTATION.

NEALE.

>>Neale Montgomery: I DON'T HAVE ANY OTHER QUESTIONS AT THIS POINT.

THANK YOU, LINDA.

DOES THE BOARD HAVE ANY QUESTIONS FOR LINDA?

>>Marlene Naratil: ANY BOARD MEMBERS HAVE ANY QUESTIONS OF ANY OF THE PRESENTERS?

>>MAYBE I WOULD ASK THAT, MARY, YOU OR YOUR STAFF KIND OF GO THROUGH PAGE 61.

>>Mary Gibbs: RIGHT.

AND I'M GOING TO HAVE KATHY GET UP AND EXPLAIN A LITTLE BIT --

>>Neale Montgomery: I BELIEVE THERE ARE MEMBERS OF THE PUBLIC.

ARE WE GOING TO DO PUBLIC NOW?

THE PROPERTY OWNER IS ON THE PHONE AND MR. ARNOLD IS HERE ON BEHALF OF THE PROPERTY OWNER.

DO YOU WANT TO DO THAT AFTER THE STAFF OR NOW?

>>Mary Gibbs: DO YOU HAVE MORE PRESENTATIONS, NEALE?

>>Neale Montgomery: WELL, MR. KIRBY IS THE PROPERTY OWNER, REPRESENTS THE PROPERTY OWNER AND NOTED THERE WERE THINGS RAISED THAT RELATE TO THE SHOPPING CENTER AS A WHOLE, NOT JUST THE SITE.
Mary Gibbs: ARE THOSE ABOUT THE CONDITIONS?

Neale Montgomery: WELL, THAT AND THE GENERAL CONCERN, I WOHN'T SPEAK FOR MR. KIRBY, BUT HE'S BEEN MARKETING THIS PROPERTY FOR I THINK HE'S BEEN INVOLVED FOR 20-PLUS YEARS AND A RESIDENTIAL --

Nancy Stroud: IF YOU HAVE FURTHER WITNESSES, INCLUDING THE PROPERTY OWNER, THEN YOU SHOULD COMPLETE YOUR PRESENTATION, AND THEN THE STAFF WILL DO THEIR PRESENTATION, AND THEN WE'LL OPEN IT UP TO THE PUBLIC.

Neale Montgomery: AND THEN REBUTTAL.

Nancy Stroud: IF YOU HAVE FURTHER WITNESSES, INCLUDING THE PROPERTY OWNER, THEN YOU SHOULD COMPLETE YOUR PRESENTATION, AND THEN THE STAFF WILL DO THEIR PRESENTATION, AND THEN WE'LL OPEN IT UP TO THE PUBLIC.

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Nancy Stroud: IF YOU HAVE FURTHER WITNESSES, INCLUDING THE PROPERTY OWNER, THEN YOU SHOULD COMPLETE YOUR PRESENTATION, AND THEN THE STAFF WILL DO THEIR PRESENTATION, AND THEN WE'LL OPEN IT UP TO THE PUBLIC.

Mr. Kirby, are you on the phone still?

Mr. Kirby, are you on the phone still?

I'm still here.

I've been involved in the property since I joined KRG Realty Group as the owner of the property.

I've been involved since 2014.

No one has ever presented or come before us trying to entertain a residential concept on the vacant land.

I've been involved in retail commercial development for almost 30 years, and this would not fit a residential use.

It's not compatible.

It's not conducive to a residential use.

And this you look at the list of uses in the PD, in the commercial plan development, residential is not an approved use.

Neale Montgomery: Mr. Kirby, has your company done mixed-use projects in other locations?

Neale Montgomery: Mr. Kirby, has your company done mixed-use projects in other locations?

We've done numerous mixed-use properties throughout the country, and it was planned as a mixed-use property from the beginning.

This was planned as a commercial plan development from the beginning.

It's never been planned to be developed to put any residential component.

Neale Montgomery: In your expert opinion as a developer is this site suitable or even viable for a mixed-use project?

Neale Montgomery: In your expert opinion as a developer is this site suitable or even viable for a mixed-use project?

No.

What's left here, as said all night, what's left here to be developed is nominal at best.

This parcel in particular is at the hard corner of two arterials.

Sitting in front of a 130,000 square foot Home Improvement Store.

It's not conducive to trying to do a residential component.
>>Neale Montgomery: I DON'T HAVE ANY OTHER QUESTIONS.
MR. KIRBY, IS THERE ANYTHING ELSE YOU WANTED TO SHARE AT
THIS JUNCTURE?
>> NO, NOT AT THIS TIME.

THANK YOU.
>>Neale Montgomery: MR. ARNOLD.

HI.

GOOD EVENING.
MY NAME IS WAYNE ARNOLD.
I'M A CERTIFIED PLANNER WITH Q. GRADY MINOR AND ASSOCIATES.
I'M HERE REPRESENTING MR. KIRBY AND KRG DEVELOPMENT.
I'M NOT PUTTING ON A FORMAL PRESENTATION, BUT I AM
CONSIDERED AN EXPERT IN LAND USE AND PLANNING MATTERS.
I'VE TESTIFIED HERE NUMEROUS TIMES OVER THE YEARS.
AND MY RESUME IS ON FILE SOMEWHERE IN THESE HALLS.
MR. KIRBY APPROACHED ME ONCE THE STAFF REPORT HAD BEEN
ISSUED AND ASKED ME TO LOOK AT IT AND OFFER SOME CRITIQUE,
BECAUSE OBVIOUSLY WE WEREN'T THRILLED WITH THE
RECOMMENDATION OF DENIAL.
SO I DID EVALUATE THE REPORT, MUCH AS LINDA REVIEWED IT WITH
YOU.
I'M NOT GOING TO GO BACK AND TRY TO REHASH THE THINGS THAT
IN HER EXPERT OPINION SHE CONCLUDES EXACTLY WHAT I HAVE,
WHICH THIS IS A COMPATIBLE LAND USE AND IT IS CONSISTENT
WITH YOUR PLAN.
ONE OF THE THINGS I SPEND A LOT OF TIME WORKING ON YOUR
COMPREHENSIVE PLAN AND THE WORD "COMPATIBLE" IS THROWN
AROUND A LOT, BUT YOU DO DEFINE IT.
IT SAYS, COMPATIBILITY IS A CONDITION IN WHICH LAND USES OR
CONDITIONS CAN COEXIST IN RELATIVE PROXIMITY TO EACH OTHER
IN A STABLE FASHION OVER TIME SUCH THAT NO USE OR CONDITION
IS UNDULY NEGATIVELY IMPACTED DIRECTLY OR INDIRECTLY BY
ANOTHER USE OR CONDITION.
WHEN YOU LOOK AT THE TOTALITY OF THIS PROJECT WITH, ONE,
WHAT THEY ARE PROPOSING AS PART OF THE PD WITH THE DESIGN
STANDARDS THAT THEY'VE IMPLEMENTED THROUGH LANDSCAPING AND
BUILDING ORIENTATION, ARCHITECTURAL DESIGN, SUBJECT TO THE
PATTERN BOOK THAT WAS IN EFFECT FOR THIS WHEN YOU ADOPTED
MANY OF THE CHAPTER 333 STANDARDS.
WE'RE COMPLYING WITH THOSE.
I AGREE WITH MS. MILLER THAT YOU DON'T GO TO THE MIXED-USE
SECTION OF YOUR FUTURE LAND USE ELEMENT TO DEAL WITH A
COMMERCIAL PLANNED DEVELOPMENT.
THERE ARE SEPARATE CONDITIONS THAT SHE WENT OVER THAT YOU
HAVE TO MEET FOR A COMMERCIAL PROJECT.
AND IN MY OPINION, WE HAVE MET THAT TEST.

I THINK ONE OF THE OTHER THINGS THAT WE'VE STATED IT BEFORE, AND I THINK IT SHOULDN'T BE OVERLOOKED IS THAT YOUR POLICY 1.2.1, WHICH DOES HAVE THE TABLE THAT TALKS ABOUT THE GENERAL LAND USES PERMITTED IN EACH CATEGORY, CLEARLY SAYS THE TRANSITIONAL MIXED-USE CATEGORY ALLOWS FOR SINGLE USE COMMERCIAL.

THERE ARE TWO TABLES IN THAT POLICY. THE NEXT TABLE TALKS ABOUT WHAT USES AND INTENSITY, WHICH TAKES YOU THEN TO YOUR COMMERCIAL LOCATION STANDARDS THAT YOU HAVE IN THE LAND DEVELOPMENT CODE AND THE COMPREHENSIVE PLAN AND YOUR LOCATIONAL STANDARDS AT THIS LOCATION OF TWO ARTERIAL ROADS ALLOWS YOU TO HAVE ALL THE WAY UP TO REGIONAL COMMERCIAL, WHICH I WOULD SAY A LOWE'S HOME IMPROVEMENT STORE CERTAINLY IS A REGIONAL USE.

YOU DON'T HAVE THOSE AS PART OF EVERY COMMUNITY SHOPPING CENTER.

I THINK OF THOSE MORE GROCERY BASED OR THOSE THAT HAVE SOME OTHER MIX OF USES.

IN THIS PARTICULAR CASE, I'VE BEEN DOING THIS A LONG TIME.

I'VE WORKED IN THE PRIVATE SECTOR.

I'VE WORKED FOR COLLIER COUNTY GOVERNMENT, AND THIS IS NOT A LOCATION WHERE YOU WOULD EXPECT TO FIND ON AN OUTPARCEL WHERE YOU HAVE TWO VACANT OUTPARCELS REMAINING ON A HARD CORNER OF TWO ARTERIALS THAT YOU'RE LIKELY TO FIND A RESIDENTIAL DEVELOPMENT.

FAR INTO THE FUTURE, IF LOWE'S HOME IMPROVEMENT STORES GO AWAY AS A RETAIL USER IN OUR COMMUNITY IT MIGHT BE A VIABLE REUSE OF THE SITE TO HAVE MIXED USE.

I THINK IT WOULD BE A FAIR ARGUMENT TO HAVE AT THAT POINT IN TIME.

TONIGHT, TO DEAL WITH A SINGLE OUTPARCEL THAT'S AN ACRE IN SIZE, IT DOESN'T MAKE SENSE TO ME AS A LAND PLANNER, IN MY EXPERT OPINION, IT'S NOT A LOGICAL LAND USE TO HAVE A RESIDENTIAL USE HERE IF WE'RE PROMOTING MIXED-USE.

I KNOW THAT ONE OF THE ARGUMENTS WOULD BE, WELL, YOU'VE GOT ALL OF THESE OTHER USES THAT CAN BE PERMITTED.

AND I WOULD SAY, YOU'RE RIGHT, WE DO, BUT THIS DOCUMENT WAS APPROVED 17 YEARS AGO.

THINGS EVOLVE IN THE COMMERCIAL WORLD.

A LOT OF RETAILERS WE HAD IN 2003 ARE NO LONGER HERE WITH US.

AND WE HAVE TO BE ABLE TO EvOLVE IN OUR COMMUNITY, BUT I THINK IT'S AN UNFAIR TEST WHEN YOU HAVE 85, 90% OF A PLANNED DEVELOPMENT DEVELOPED TO TRY TO IMPOSE A MIXED-USE STANDARD THAT REALLY, YOU'VE HEARD FROM THE PROPERTY OWNER, YOU'VE
07:44:20 Heard from two experts that this is not a legitimate 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 of the -- land development code.
07:44:46 There are two purpose and intent sections related to the overlays and then specifically Corkscrew Road.
07:44:55 I'm going to start this with the staff recommendation of 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 expert opinion as to whether or not those have been addressed?
07:45:14 >> What you've handed me is part of chapter 33 from the land development code.
07:45:19 And section 33-400, purpose and intent says, overlay sections are corridors within the Estero Planning Community.
07:45:27 That are of special concern and require special site design 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 developed as the Estero Planning Community's main street, a corridor of architecturally appealing and attractively landscaped retail, office, residential, and institutional 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 the testimony you've heard today, is there attractive architecture?
07:46:05 >> I believe there is.
07:46:07 I viewed the exhibits that were part of the presentation, and I found it to be very consistent with the architecture 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 input to get appealing building.
07:46:23 >> Neale Montgomery: Attractive and appealing landscaping as 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 appealing.
>>Neale Montgomery: DOES THAT PURPOSE AND INTENT SECTION ALLOW RETAIL?
>> IT DOES.
>>Neale Montgomery: AND IN YOUR EXPERT OPINION, IS THE APPLICATION CONSISTENT WITH THE PURPOSE AND INTENT OF THE CORKSCREW ROAD OVERLAY AND THE OVERLAY PURPOSE AND INTENT SECTION?
IN MY PROFESSIONAL OPINION, IT IS.
I'VE EVALUATED THE ENTIRETY OF SECTION 33 AND ALSO CHAPTERS 34, THAT ARE THE FINDINGS FOR CONSIDERATION OF A REZONING OR AN AMENDMENT AND FIND THEM TO BE CONSISTENT AS PROPOSED.
>>Neale Montgomery: DID YOU FIND ANYTHING IN THE STAFF REPORT THAT SUPPORTED THE CONCLUSION THAT CORKSCREW OVERLAY INTENT HAS NOT BEEN MET?
I DID NOT.
>>Neale Montgomery: DID YOU FIND ANY SPECIFICS IN THE STAFF REPORT OTHER THAN THEY LIKE IT TO BE TRANSITION TO MIXED-USE THAT DEMONSTRATED HOW THE PROJECT WASN'T IN CONFORMANCE WITH THE COMP PLAN?
NO.
AND I GUESS JUST TO FURTHER THAT THOUGHT, I MEAN, AGAIN, IT GOES BACK TO THE THOUGHT, IS THIS REALLY GOING TO BE A MIXED-USE SITE?
IS THIS THE OPPORTUNITY TO GET IT, TO BECOME ONE?
BECAUSE, YES, THERE ARE OTHER PERMITTED COMMERCIAL USES THAT CAN GO HERE WITHOUT BEING BEFORE YOU, BUT WE THINK WE BROUGHT FORWARD A VERY THOUGHTFUL PROJECT AND ONE THAT THE COMMUNITY CAN BE PROUD OF.
>>Neale Montgomery: THANK YOU, MR. ARNOLD.
THANK YOU.
>>Neale Montgomery: WE DON'T HAVE ANY FURTHER WITNESSES AT THIS TIME.
WE RESERVE THE RIGHT FOR REBUTTAL.
>>Nancy Stroud: NOW IT'S TIME FOR THE STAFF TO MAKE ANY COMMENTS AND ANSWER ANY QUESTIONS.
>>Marlene Naratil: WOULD MARY AND KATHY HAVE ANYTHING FURTHER TO ADD?
>>Mary Gibbs: I WOULD JUST LIKE TO BE VERY BRIEF BECAUSE I KNOW IT'S GETTING LATE.
WE'VE HAD REAMS OF PRESENTATIONS.
WE JUST DISAGREE WITH THE APPLICANT.
THEY'VE GOT EXPERTS.
WE'VE GOT EXPERTS.
WE FEEL THAT IT DOESN'T MEET THE TRANSITIONAL MIXED-USE CATEGORY.
WHEN THIS CATEGORY WAS PUT INTO PLACE BY THE COUNCIL IN OUR
NEW COMPREHENSIVE PLAN, SPECIFICALLY ADDED THIS PROPERTY.

THEY KNEW IT WAS A SHOPPING CENTER, BUT THEY ADDED THIS QUADRANT.

THEY ADDED SOME OTHER QUADRANTS, AND THEY WANTED IT TO BE MIXED-USE BEFORE IT WAS CONSIDERED ON THE COUNTY PLAN, WHICH IS OUR TRANSITIONAL PLAN, IT WAS CONSIDERED GENERAL INTERCHANGE.

AND GENERAL INTERCHANGE HAD USES THAT WERE VERY AUTO CENTRIC, TRAVELING PUBLIC TYPE THINGS THAT WERE THESE KIND OF USES THAT DEVELOPED OVER TIME.

SO, YOU KNOW, THE COUNCIL SPECIFICALLY DID NOT WANT THAT GENERAL INTERCHANGE CATEGORY TO CONTINUE.

THEY DIDN'T REALLY WANT THE MISHMASH OF COMMERCIAL USES.

SO THEY DESIGNATED IT TRANSITIONAL MIXED USE, AND THEY DIDN'T REALLY WANT THE WHOLE AUTO CENTRIC KIND OF PRIORITY.

THEY WANTED THE MORE WALKABILITY.

I KNOW THIS APPLICANT HAS TRIED WITH THE ARCHITECTURE TO DESIGNATE IT, TO MAKE IT MEET THE SETBACKS AND DO THE LANDSCAPING AND THOSE TYPE OF THINGS, BUT I THINK WHAT IT BOILS DOWN TO IS JUST THE USE.

IS THE TIRE STORE WHAT THE COUNCIL IS ENVISIONING WITH THE TRANSITION MIXED USE?

I DON'T WANT TO GET INTO AN ARGUMENT OVER EVERY LITTLE SLIDE OR WE'VE GOT A SLIDE FROM ECCL THAT DIDN'T SHOW IT AS MIXED-USE, SO WHAT.

I DON'T WANT TO GET INTO PICKING THOSE THINGS APART.

I WANT TO BE REALLY SUCCINCT ABOUT THAT'S WHY WE FEEL IT DOESN'T COMPLY AND WE DO HAVE IN OUR STAFF REPORT FINDINGS OF FACT.

I KNOW THE PERSON DOESN'T AGREE WITH THEM.

BUT WE THINK THEY ARE PERFECTLY ADEQUATE.

I DON'T KNOW WHAT ELSE TO SAY.

THAT'S REALLY WHERE WE'RE COMING FROM ON THIS.

IT'S NOT ABOUT IS THE ARCHITECTURE PRETTY, WHICH WE AGREE.

WE DO LIKE THE ARCHITECTURE.

IT'S NOT ABOUT MEETING THE SETBACKS OR SIX TREES PER X SQUARE FEET.

IT'S REALLY ABOUT THE USE.

>>Marlene Naratil: ANY OTHER PLANNING BOARD MEMBERS COMMENTS

TO MAKE AT THIS POINT?

>> WHEN I LOOK AT THE STAFF RECOMMENDATION --

>> I DIDN'T HEAR US CALL THE PUBLIC.

>>Marlene Naratil: I'LL CLOSE THE PUBLIC HEARING.

>>Nancy Stroud: YOU CAN DO SOME COMMENTS NOW AND WE CAN OPEN UP THE PUBLIC.

I DON'T THINK THERE'S ANY PUBLIC.
YOU MIGHT WANT TO DO THE PUBLIC NOW AND OPEN UP THE PUBLIC HEARING NOW AND THEN CLOSE.

>>James Tatooles: I SAID WHEN I LOOK AT THE STAFF RECOMMENDATION, THERE'S WIGGLE ROOM IN IT, BECAUSE THE STAFF RECOMMENDS DENIAL.

HOWEVER, CONDITIONS OF APPROVAL ARE PROVIDED SO THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL.

WHAT I FIND ABOUT THIS SITE IS THAT IF YOU COULD HAVE YOUR IDEAL, YOU'九龙绒 WOULD PROBABLY WANT TO HAVE THIS SITE AND THE PIECE NEXT DOOR TO IT COMBINED INTO ONE BIG PIECE AND MAKE SOME KIND OF BEAUTIFUL PARK OUT OF IT.

I'M BEING FACETIOUS.

BUT THE THING THAT I SEE HERE THAT'S GOOD IS THAT BASICALLY THIS LITTLE SHOPPING CENTER IS A DESTINATION SHOPPING CENTER.

IN CONTRAST TO A SHOPPING CENTER WHERE PEOPLE GO THERE AND LOOK AT THE STORES.

SO YOU'RE GOING TO GO TO LOWE'S BECAUSE SOMETHING SPECIFIC YOU WANT TO BUY.

GO TO THE NURSERY CENTER, YOU GO THERE SPECIFICALLY BECAUSE YOU WANT SOMETHING FROM THE NURSERY CENTER.

SOME OF THE STORES, MAYBE NOT THE DOLLAR STORE, ARE SPECIFICALLY TARGETED FOR PARTICULAR USES.

THAT'S WHAT MAKES THIS THING COMPATIBLE TO ME BECAUSE IT'S A DESTINATION USE WITHIN A SERIES OF DESTINATION USES.

THE MORE UNIQUE THING ABOUT IT, AND I'VE DONE THIS IN MY PAST, IN MY LAND DEVELOPMENT DAYS, I BUILT A LOT OF AUTOMOTIVE CENTERS, AND THIS TYPE OF A CENTER WOULD NEVER FLY IN THE OLD DAYS BECAUSE THEY WOULD WANT IT TO BE RIGHT ON CORKSCREW.

THEY WOULD WANT IT TO BE ON 41 AND WANT TO HAVE DIRECT ACCESS OFF THE STREET.

THIS WOULD HAVE BEEN REJECTED IN THE PAST.

BUT THE FACT THAT IT DOESN'T JEOPARDIZE TRAFFIC FLOW, AND IT'S FED FROM THE INSIDE, I THINK THAT'S A PLUS FOR IT.

THAT ONLY WORKS BECAUSE IT'S A DESTINATION SITE.

AND THE ARCHITECTURE AND THE LANDSCAPING I THINK IS WELL DONE WITHIN THE STANDARDS OF WHAT WE'RE LOOKING FOR.

I REALLY WOULD SAY, WHAT OTHER USE COULD YOU FIND, ESPECIALLY WITH WHAT'S HAPPENING IN OUR MARKETING WORLD TODAY, IT'S HARD FOR ME TO THINK OF GETTING ANOTHER COMPATIBLE USE IN THERE TO FINISH OFF THIS SITE.

SO I DON'T HAVE ANY OBJECTIONS.

>>Anthony Gargano: WE'RE BEING ASKED TO ADD AN AUTO REPAIR AND SERVICE GROUP TO THE ZONE.

THAT'S THE ZONING REQUEST WE'RE GETTING.

I BELIEVE THAT THE CONCEPT OF THE TRANSITIONAL MIXED-USE FOR
FUTURE LAND USE IS ONE OVERARCHING, THE SPIRIT OF WHICH IS THERE TO GUIDE DEVELOPMENT IN THE COMMUNITY AS THE CHARACTER OF THE COMMUNITY CHANGES, AS THE COMMUNITY GROWS AND EXPANDS.

AND AS CHANGES OCCUR, SUCH AS THE PREVIOUS INTERCHANGE ZONE. WE'VE HEARD A LOT ABOUT CONSISTENCY WITH THE ORIGINAL 18-YEAR-OLD ZONE, AND WE'VE HEARD A LOT ABOUT COMPATIBILITY WITH EXISTING USES, BUT I THINK THAT'S BEYOND THE SPIRIT OF THE TRANSITIONAL MIXED-USE FUTURE LAND USE.

SO I'D BE SUPPORTIVE OF THE STAFF'S RECOMMENDATION FOR DENIAL.

>>Marlene Naratil: HOW ABOUT YOU, JOHN?

>>Scotty Wood: THIS IS SCOTTY. I HAVE SOME COMMENTS.

>>Marlene Naratil: WHO IS SPEAKING NOW?

SCOTTY?

>>Scotty Wood: I JUST WANT TO NOTE THAT THE APPLICANT HAS NOTED THAT SEVERAL ASPECTS OF THE PLAN ARE IN COMPLIANCE WITH THE LAND DEVELOPMENT CODE AND THE ESTERO DESIGN CONCEPTS.

IT SHOULD BE NOTED THAT A ZONING VARIANCE REQUEST CARRIES WITH IT A SIGNIFICANT RESPONSIBILITY ON THE APPLICANT TO DEMONSTRATE ALMOST WITHOUT EXCEPTION COMPPELLING RATIONALE TO SUPPORT A VARIANCE FROM THE VILLAGE'S NOW EXISTING COMPREHENSIVE PLAN.

I HAPPEN TO AGREE WITH STAFF'S NOTATION THAT THE APPLICATION IS INCONSISTENT WITH ESTERO'S COMPREHENSIVE PLAN AND FURTHER IS INCONSISTENT WITH THE CORKSCREW ROAD OVERLAY. I WOULD NOTE THAT THIS APPLICATION IS TANTAMOUNT TO SPOT ZONING BECAUSE IT PROMISE -- PROPOSES TO SPLIT AN EXISTING PARCEL WITHOUT CONSIDERATION TO THE UNDEVELOPED PORTION OF THE SITE, A PRACTICE THAT PLANNING PROFESSIONALS BROADLY ADVISE IS UNECESSARY BECAUSE SUCH A PRACTICE ENCOURAGES INCONSISTENT DEVELOPMENT, SUGGESTING NO REAL PLAN IS IN PLACE.

THE ESTERO COMPREHENSIVE PLAN WAS DEVELOPED ONLY AFTER EXTENSIVE PUBLIC INPUT. THE APPLICANT HAS NOT, IN MY OPINION, SHOWN OVERWHELMING EVIDENCE THAT A ZONING VARIANCE BE RECOMMENDED, PARTICULARLY ON A PARCEL INCLUDED IN THE CORKSCREW ROAD OVERLAY.

ORIENTED USE LAYOUT OF THE SITE AND THE FACT THAT THE PARKING LOT CONSUMES HALF OF THE CORKSCREW ROAD FRONTAGE, WHICH IS CLEARLY INCONSISTENT WITH THE OVERLAY. I CANNOT VOTE TO OVERRIDE THE COMPREHENSIVE PLAN THAT OUR RESIDENTS HAVE CONTRIBUTED EXTENSIVELY TO, RELYING UPON THE VILLAGE TO IMPLEMENT AND ADMINISTER IN A WAY THAT PROTECTS THE INTEGRITY OF THE PLANNING AND DESIGN CONCEPTS THAT ESTERO WAS BUILT UPON, RENOWNED FOR, AND SEEKS TO PRESERVE. I WILL VOTE TO RECOMMEND DENIAL IN AGREEMENT WITH STAFF'S RECOMMENDATION. THANK YOU.

>>Marlene Naratil: JOHN?

>>John Yarbrough: I CAN -- YOU KNOW, I'M NOT A PLANNING EXPERT, SO I CAN SEE SORT OF BOTH SIDES OF THINGS HERE. I THINK ONE OF THE THINGS THAT MAY HAVE BEEN LOST, AND I UNDERSTAND -- ONE OF MY QUESTIONS REALLY IS, WHEN YOU ALL CAME BEFORE US IN JULY OF LAST YEAR, JUST OBVIOUSLY WITH -- ISSUE, AM I RIGHT? WHEN THEY MADE THE PRESENTATION, MATT NOBLE WAS THERE, AND THERE WAS NO INDICATION THAT THERE WAS AN ISSUE. >>Mary Gibbs: I THINK THAT WAS THE INFORMATION MEETING THAT YOU'RE TALKING ABOUT, AND WE USUALLY DON'T COMMENT AT AN INFORMATION MEETING. I DON'T BELIEVE THERE'S -- EVEN IF YOU KNEW THERE WAS AN ISSUE. I DON'T HAVE A PROBLEM WITH IT. >>Mary Gibbs: NOT TYPICALLY. >>John Yarbrough: I THINK ON THE OTHER SIDE OF IT, BY SAYING WE'D LIKE TO SEE MIXED-USE, I THINK PEOPLE ARE JUMPING TO RESIDENTIAL AND I DON'T THINK THAT'S WHAT WAS INTENDED BY THAT AT ALL. OBVIOUSLY, RESIDENTIAL WOULDN'T MAKE SENSE THERE EVEN IF IT WAS MIXED-USE.
AGAIN, I'M NOT AN EXPERT SO I DON'T KNOW, WHEN I SAY MIXED-USE, IF I'M ON THE SAME PAGE OF WHAT A PROFESSIONAL WOULD SAY IS MIXED USE. MY POINT IS, IT SEEMS LIKE THERE ARE OTHER THINGS, OTHER ENTITIES THAT COULD GO THERE AND MAYBE HAVE THE SUPPORT OF MARY AND HER STAFF. I'M KIND OF CAUGHT BETWEEN. IT'S EITHER FIRESTONE -- FIRESTONE OR NOTHING. I DON'T SEE IT THAT WAY. I'M KIND OF IN THE MIDDLE RIGHT NOW. BUT I WILL CONTINUE MORE TONIGHT AS WE GO THROUGH THIS. >> TIM, ARE YOU STILL THERE?
TIM ALLEN?
Dr. Tim Allen: I AM.
Dr. Tim Allen: I'M HERE.
Marlene Naratil: WOULD YOU LIKE TO MAKE YOUR COMMENTS?
Dr. Tim Allen: IF IT'S APPROPRIATE, I'D LIKE TO ASK MARY A
QUESTION.
WHAT DO YOU ENVISION FOR THIS PARCEL, ALL OF TRACT A OR PART
OF TRACT A, AND APPROPRIATE MIXED USE PROJECT?
WHAT'S IN YOUR MIND, WHAT DO YOU THINK IS IN THE MIND OF THE
COUNCIL?
Mary Gibbs: WELL, I DO AGREE WITH MR. YARBROUGH A LITTLE
BIT.
OBVIOUSLY, THIS IS A LITTLE PROBLEMATIC BECAUSE THE SHOPPING
CENTER IS MOSTLY DEVELOPED.
YOU DON'T WANT TO SPLICE IN RESIDENTIAL.
THAT WOULDN'T MAKE ANY SENSE.
I THINK A MORE COMPLEMENTARY TYPE OF COMMERCIAL USE WOULD BE
BETTER.
I THINK THE TIRE STORE, YOU KNOW, IF YOU'RE GOING TO HAVE
THE TIRE STORE, HAVE IT BE IN THE BACK WITH THE BIG BOX, THE
WAY IT WAS ENVISIONED WHEN THE ZONING WAS APPROVED.
IT COULD BE A SUBORDINATE USE TO A LARGER BIG-BOX TYPE USE.
IN OUR OPINION, THE TIRE STORE IS NOT REALLY ADDING
ANYTHING.
IT'S NOT COMPLEMENTARY.
IT JUST DOESN'T REALLY ADD ANY KIND OF VITALITY OR ANYTHING
TO THE CENTER.
AND I THINK ANOTHER ISSUE, IN MY MIND, YOU'RE SPLITTING A
PARCEL.
NOW YOU'RE ELIMINATING AN OPPORTUNITY.
YOU MAY END UP WITH TWO SMALL COMMERCIAL USES WHERE YOU
COULD HAVE HAD A LARGER PARCEL WHERE YOU HAVE MORE
OPPORTUNITY TO HAVE A USE THAT MIGHT BE MORE CONSISTENT WITH
TRANSITIONAL MIXED-USE, COMMERCIAL TYPE USE.
NOW YOU'RE SPLITTING THE PARCEL.
NOW YOU HAVE A SMALL ONE ACRE, AND THEN YOU'LL HAVE ANOTHER
ONE ACRE ONE COME IN WHERE YOU MIGHT HAVE HAD A MORE
OPPORTUNITY TO BE MORE LIKE THE ORIGINAL ZONING THAT KIND OF
SHOWED MORE OPEN SPACE.
IF YOU LOOKED AT THE DESIGN OF THE ORIGINAL KIND OF TOWN
CENTER AND THEY REFERENCED THE PATTERN BOOK, IT SEEMED TO BE
MORE TREE LINED WITH SOME OPEN SPACE AND MORE KIND OF
GATHERING AREA.
I KNOW THAT'S A LITTLE ESOTERIC.
I WOULD SAY NOT RESIDENTIAL, OBVIOUSLY.
BUT I THINK OTHER COMMERCIAL USES THAT ARE -- THIS IS LIKE A
LITTLE BIT OF A HEAVY COMMERCIAL USE.
SO I THINK A LESS INTENSE COMMERCIAL USE.

>>Dr. Tim Allen: COULD YOU GIVE ME AN EXAMPLE?

I DON'T WANT TO BIND YOU INTO ANYTHING.

I'M TRYING TO UNDERSTAND THE HISTORY.

SOME OF THIS HAPPENED BEFORE I WAS INVOLVED.

>>Mary Gibbs: WELL, I'M KIND OF SHOOTING FROM THE HIP HERE.

I THINK EVEN AN OFFICE-TYPE USE.

YOU HAVE A DENTIST OFFICE NEXT DOOR.

SOME TYPE OF OFFICE USE.

IF YOU'RE SAYING THIS IS KIND OF A DESTINATION PLACE, MAYBE ANOTHER RESTAURANT.

I KNOW RUBY TUESDAY'S KIND OF WENT DARK.

I DON'T KNOW WHAT THE ISSUE WAS THERE.

IF YOU HAVE USES THAT RESTAURANT USES, USES THAT PEOPLE CAN WALK AND DRIVE TO AND GO BACK AND FORTH BETWEEN LOWE'S AND

ANOTHER RESTAURANT OR, AGAIN, SOME OTHER TYPE OF OFFICE USE.

>>Dr. Tim Allen: THE OFFICE WAS A DENTIST, I BELIEVE IT WAS A BANK?

>>Mary Gibbs: YEAH, IT WAS A BANK BEFORE.

>>Dr. Tim Allen: DID THEY HAVE TO HAVE A REZONING TO PUT A MEDICAL USE IN THERE?

>>Mary Gibbs: I THINK THAT WAS ALREADY PERMITTED.

I THINK THEY JUST GOT A DEVELOPMENT ORDER.

>>Dr. Tim Allen: AGAIN, I DON'T HAVE A LOT OF INSIGHT INTO THE HISTORY, BUT I OBSERVE THAT OUTPARCEL SITTING VACANT FOR QUITE A WHILE.

I AM PRETTY SURE -- WOULD ABSORB THAT OR DEVELOP IT IF THEY COULD HAVE FOUND A BUYER WITH A GOOD USE.

IT'S BEEN A LONG TIME COMING, BUT I THINK WE FINALLY FOUND A USE THAT LOOKS LIKE --

I'M CONCERNED ABOUT SPLITTING THE TRACT MORE THAN PUTTING THE FIRESTONE THERE.

I COULD SEE A LARGER AUTOMOTIVE ORIENTED USE THERE ON THE FULL TRACT.

BUT THAT'S NOT WHAT IS BEING ASKED FOR.

MY GUT FEELING RIGHT NOW IS TO APPROVE THE APPLICATION, VOTE TO APPROVE THE APPLICATION.

I'M NOT SURE WE HAVE A DEFINED BETTER ALTERNATIVE.

I THINK THE LANGUAGE OF MIXED-USE, CONFUSING FOR THIS ALREADY PLANNED COMMERCIAL TRACT -- DEVELOPMENT.

I DON'T SEE IT TO BE TERRIBLY INCONSISTENT.

THOSE ARE MY THOUGHTS FOR THE MOMENT.

>>Marlene Naratil: I AGREE THAT THE PLAN PRESENTED WAS VERY WELL DONE.

I HAVE SOME QUESTIONS AND I AGREE WITH THE STAFF ON THIS PROPOSAL DOESN'T COMPLY WITH THE TRANSITIONAL LAND USE OR
THE CORKSCREW OVERLAY.

AND WHEN I WAS READING THROUGH WHAT WAS ENVISIONED BY THESE TYPES OF ZONING, IT WAS VIBRANCY.

AND I JUST DIDN'T SEE A TIRE STORE BRINGING VIBRANCY TO THAT CORNER.

BUT I, TOO, HAVE QUESTIONS REGARDING, WELL, WHAT DOES BRING VIBRANCY?

PERHAPS ANOTHER USAGE ON THE WHOLE PARCEL TO MAKE A LARGER STATEMENT.

BUT BASICALLY, WE HAVE TO DECIDE WHAT WE'RE GOING TO RECOMMEND TO THE VILLAGE COUNCIL.

Nancy Stroud: AT THIS POINT, WE DO NEED TO TAKE PUBLIC COMMENT AND THE APPLICANT HAD RESERVED SOME REBUTTAL TIME. SO I THINK THEY NEED AT LEAST FIVE OR TEN MINUTES FOR REBUTTAL.

Marlene Naratil: DO WE HAVE ANY PUBLIC COMMENT AT THIS POINT?

Tammy Duran: NO.

Marlene Naratil: SHE SAID NO.

Okay.

NEALE, DID YOU HAVE ANYTHING?

Neale Montgomery: THANK YOU FOR THIS OPPORTUNITY.

THINGS HAVE SHIFTED A LITTLE BIT FROM THE STAFF REPORT TO THE PRESENTATION AT THE BEGINNING TO THE PRESENTATION AT THE END.

THE STAFF REPORT SUGGESTED THAT WE NEEDED TO BE MIXED-USE, AND I THINK I'VE HEARD EVERYBODY, EVEN MARY AGREE, THIS SITE IS NOT APPROPRIATE FOR RESIDENTIAL.

TRUE MIXED-USE INCLUDES RESIDENTIAL.

SO I THINK WE CAN ALL AGREE A MIXED-USE PROJECT WITH RESIDENTIAL IS NOT APPROPRIATE.

I'VE HEARD DISCUSSION FROM MR. WOOD AND MARY ABOUT WHAT WAS INTENDED.

THE PROBLEM IS FROM A LEGAL STANDPOINT, YOU COULD HAVE MEANT OR INTENDED A LOT OF THINGS, BUT WHAT'S IMPORTANT IS WHAT'S IN BLACK AND WHITE, WHAT DID YOU ADOPT.

AND WHAT YOU ADOPTED -- AND WHAT WAS ADOPTED WAS A LAND USE CATEGORY THAT SPECIFICALLY ALLOWS FREE-STANDING COMMERCIAL, SPECIFICALLY ALLOWS NEIGHBORHOOD, COMMUNITY COMMERCIAL, AND REGIONAL.

THOSE ARE ALL AUTO CENTRIC.

IT'S ALLOWED UNDER WHAT WAS EXPRESSLY ADOPTED.

AND I HEARD DISCUSSION ABOUT COMPLEMENTARY COMMERCIAL.
I'LL GIVE YOU MY EXAMPLE.
I'VE ASKED A LOT OF GUYS AND MARLENE, I'LL KIND OF LEAVE YOU OUT OF THIS, BUT FOR THOSE OF YOU WHO ARE MARRIED, I'M GOING TO WAGER FROM ALL THE GUYS IN THIS ROOM THAT MOST OFTEN YOUR WIFE DOESN'T TAKE THE CAR TO GET THE CAR -- THE TIRES CHANGED.
I'M GOING TO GUESS YOU GUYS PROBABLY DO.
WHERE DO MOST GUYS LIKE TO GO WHEN THEY DO THEIR SHOPPING?
I'M THINKING MACY'S PROBABLY ISN'T WHERE A LOT OF YOU GO.
A LOT OF YOU, AT LEAST STATISTICALLY, GO TO LOWE'S OR HOME DEPOT.
SO FOR THE FOLKS THAT ARE TAKING THE CAR TO THE TIRE STORE, WHERE ARE YOU GOING TO GO WHEN YOU'RE DONE WHILE YOU'RE WAITING?
YOU'RE GOING TO GO TO LOWE'S.
SO IF YOU LOOK AT IT IN THE REAL WORLD, IT IS COMPLEMENTARY.
THAT IS HOW THAT'S GOING TO WORK.
YOU'RE GOING TO GO TO GET A SMOOTHIE, OR GO TO LOWE'S, AND THE FACT OF THE MATTER IS, AN AUTO PARTS STORE IS PERMITTED ON THE OUTPARCELS, AND IT IS PERMITTED IN THE IN-LINE CENTER.
I THINK WHEN YOU READ THE TRANSCRIPT, THE HEARING EXAMINER PUT IT IN, AND SHE PUT THE SAME LANGUAGE IN AS SHE DID FOR THE ANCHOR PARCEL.
I MEAN, REALISTICALLY, WHERE IS SERVICE GOING TO BE ACCESSORY USE, TO WHAT USE?
THE ANSWER IS, IT IS GOING TO BE AN ACCESSORY USE TO SOMETHING THAT SELLS PARTS.
SO IT'S A LOGICAL ACCESSORY USE.
AND THAT'S THE ONLY THING THAT'S BEING REQUESTED HERE, AND MR. ARNOLD READ YOU THE PURPOSE AND INTENT OF THE CORKSCREW OVERLAY.
AND THE PURPOSE AND INTENT HAS BEEN TO CREATE AN ATTRACTIVE CORRIDOR, TO IMPROVE THE ARCHITECTURE, TO IMPROVE THE LANDSCAPING, AND WHAT THE LANDSCAPE AND THE ARCHITECT DIDN'T TELL YOU WAS, THIS IS, IN THEIR OPINION, ONE OF THE NICEST LOOKING FIRESTONES EVER.
SO IT HAS FAR AND AWAY EXCEEDED NORMAL DESIGN STANDARDS, AND IT DOES MEET YOUR SITE DESIGN CRITERIA FOR THE CORKSCREW OVERLAY.
AND I THINK SEVERAL OF YOU SAID, IF NOT THIS, WHAT?
AND MR. KIRBY TOLD YOU HOW LONG THEY HAVE BEEN MARKETING THIS PROPERTY.
AND MR. ALLEN NOTED HOW LONG THIS PARCEL HAS BEEN VACANT.
IT'S NICE TO SAY WE'D LIKE RESTAURANTS.
I LISTEN TO THE BUSINESS CHANNEL THIS WEEK, AND THEY SAID 50% OF ALL RESTAURANTS WILL BE CLOSED AS A RESULT OF THIS
So I don’t see a restaurant any time soon coming to this parcel until they can figure out how to operate in our new world and environment. So when we look at the reality of Amazon and restaurant future and COVID, and the fact that it’s not suitable for residential and you’ve gotten the architecture and the landscaping you want, this is an appropriate use for this parcel based on what was adopted in black and white in your Comp Plan and in your LDC.

Thank you.

A legal issue was brought up, if you’d permit me.

A legal issue was brought up, if you’d permit me just to make a comment on a legal issue, in response to what Ms. Montgomery said.

>>Marlene Naratil: Go right ahead.

>>Nancy Stroud: The black and white in the existing zoning says that this kind of auto use has to be accessory to a principal use on the site.

I know that the applicant has tried to convince you that somehow that isn’t what was intended, somehow the hearing officer slipped it in even though the County Commission adopts the ordinance. The black and white and how you read a resolution is you look at what the words say, and you don’t try to second-guess if there was a different intent.

So the original intent, according to what’s in the resolution, is that an auto -- this kind of auto store would be accessory to a use on the parcel.

That doesn’t mean you can’t change the zoning.

That’s what they are asking you to do.

But to say -- to sort of dismiss it and say somehow legally as you look at it another way, I just wanted to correct that, I think.

>>Marlene Naratil: We’ll go ahead and have a motion to accept or someone wishing to make a motion to reject this proposal?

I’ll make a motion to deny the requested relief.

Marlene Naratil: A motion to deny it.

Who seconds?

Second.

All right.

>>Tammy Duran: Board Member Allen?

Board Member Allen?

>>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 Tatooles: 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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