

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

**APPROVED BY BOARD
MARCH 12, 2024**

Planning Zoning and Design Board Meeting

**Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
February 13, 2024 4:30 p.m.**

1. **CALL TO ORDER:** 4:35 p.m.
2. **PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**

Present: Chairman Scotty Wood, Vice Chairman Anthony Gargano, Board Members Michael Sheeley, James Tatoes, Barry Jones, Jim Wallace (Via Zoom), and Kristin Jeannin (Via Zoom).

Also present: Village Land Use Counsel Nancy Stroud (Via Zoom), Community Development Director Mary Gibbs, Development Review Manager Jim Hart, Aymee Chavez, Associate Planner, and Deputy Village Clerk Tammy Duran.

4. **APPROVAL OF AGENDA:**

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

5. **BUSINESS:**

(a) Consent Agenda

(1) Approval of December 12, 2023, meeting minutes.

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

6. **PUBLIC HEARING (Quasi-Judicial)**

(a) Downtown Estero Multi-Family Townhomes - Development Order, DOS2023-E009 (District 4)
Multi-Family Townhomes located in the 34-acre Downtown Estero Development, east of US 41 and north of Broadway East.

Applicant is seeking to construct 10 multi-family townhomes within the Downtown Estero Development.

Chairman Wood provided information regarding Board business and quasi-judicial hearings. All audience members and staff providing testimony for the hearings were sworn in by Village Land Use Counsel Stroud.

Board Member Sheeley had to recuse himself as the developer is a client of his on other projects.

Staff Presentation/Comments

Mary Gibbs, Community Development Director
Jim Hart, Development Review Manager

Presentation/Information by

John Wojdak, Delisi Fitzgerald

Public Comment

In Person

Clark McKenzie, Estero

eComments

Joseph Bawolek, Pelican Sound

Board Questions or Comments

Board Members Wallace, Jones, Tatoes, and Vice Chairman Gargano.

Motion: Motion to approve Development Order with condition to provide updated construction information in the Construction Activities Management Plan within 30 days of Planning Zoning and Design Board approval.

Motion by: Vice Chairman Gargano

Seconded by: Board Member Jones

Action: Approved Development Order with condition to provide updated construction information in the Construction Activities Management Plan within 30 days of Planning Zoning and Design Board approval.

Vote:

Aye: Board Members Wallace, Jones, Tatoes, Vice Chairman Gargano, and Chairman Wood

Nay:

Abstentions: Board Member Sheeley

7. PUBLIC INFORMATION MEETINGS

- (a) Woodfield Mixed-Use Development Order – DOS2024-E002 (District 6) ±46 vacant acres on the northwest corner of US 41 and Coconut Road.

Applicant is seeking to construct Phase I of the development.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Alexis Crespo, RVi Planning + Landscape Architecture

Ross Abramson, Woodfield Development

Walter Hughes, Humphreys & Partners

Mark Jacobson, Landscape Architecture

Billy Hattaway, Fehr & Peers

Board Questions or Comments

Board Members Sheeley, Wallace, Jones, Tatooles, Vice Chairman Gargano, and Chairman Wood.

Public Comment

In Person

Marcus Cantos, Estero

Manuel Chambers, Meadowbrook

Gary Tasman, Lee County

Max Molloy, McGregor Isles

Mario DiBenedetto, Meadowbrook

Connie Mansfield, Marsh Landing

eComments

Alan Hill, Mariners Cove

Betty Stickel, Island Club

- (b) Via Coconut – Zoning Amendment (District 4)

8990 Corkscrew Road, 21650 & 21750 Via Coconut Point, 21331, 21350 & 21351 Happy Hollow Lane. Properties are located on 20-acres, south of Corkscrew Road and west of Via Coconut Point Road.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Michael Henneman, Royal Properties & Riverside Investment & Atlantic Residential

John O'Donnell, Royal Properties & Riverside Investment & Atlantic Residential

Tyler Lamkey, Riverside Investment & Development

Mark Mclean, MHK Architecture

Charlie Krebs, Hole Montes/Bowman

Board Questions or Comments

Board Members Jones, Tatoes, Sheeley, Wallace, Vice Chairman Gargano, and Chairman Wood.

Public Comment

None.

- (c) 8111 Broadway East (Old Post Office)- Zoning Amendment DCI2024-E001 (District 4)

8111 Broadway East located 200 feet east of US 41 on property originally developed by the U.S. Federal Government for a post office.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by Village Consultants

Veronica Martin, TDM Consulting

Dean Martin, P.E., TDM Consulting

David Moore, Moore & Spence Architects

David Kulsveen, Landesco

Board Questions or Comments

Board Members Wallace, Sheeley, Jones, Jeannin, and Vice Chairman Gargano.

Public Comment

None.

9. PUBLIC INPUT

None.

10. BOARD COMMUNICATIONS

- (a) Planning Zoning and Design Board Annual Report and Update on Development Projects

This was deferred due to the lack of time.

Staff provided an update on the process for the Planning Zoning and Design Board reappointments.

- (b) Next meeting – March 12, 2023

11. ADJOURNMENT: 7:43 pm.

Tammy Duran
Deputy Village Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME MICHAEL SHOLEY	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PADB
MAILING ADDRESS 1566 SW WOODWARD CT.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY FT. WALKER, FL 32908	NAME OF POLITICAL SUBDIVISION: VILLAGE OF ESTEY
DATE ON WHICH VOTE OCCURRED	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MICHAEL SHOLEY, hereby disclose that on 2-13-24, 20 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, FL STATE DEV.;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

DOS 2023-8009 - DOWNTOWN ESTERO M/F TH.

2-13-24
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.