

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.

DRAFT MINUTES

Planning Zoning and Design Board Meeting

Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
October 29, 2024 4:30 p.m.

- 1. CALL TO ORDER:** 4:31 p.m.
- 2. PLEDGE OF ALLEGIANCE:**
- 3. ROLL CALL:**

Present: Board Members Michael Sheeley, James Tatooles, Jim Wallace, Al Paivandy, Kristen Jeannin, Dan Williams, Barry Jones, and Chairman Anthony Gargano.

Also present: Community Development Director Mary Gibbs, Land Use Attorney Nancy Stroud, 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 September 10, 2024, meeting minutes.

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

(b) Selection of Vice-Chairman

Motion: Motion to appoint Michael Sheeley as Vice Chairman.

Motion by: Board Member Williams
Seconded by: Board Member Wallace

Action: Appointed Michael Sheeley as Vice Chairman.

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

6. PUBLIC INFORMATION

- (a) Aldi - Development Order (Pending Submittal) (District 5)
Located east of Stoneybrook Golf Drive and south of Corkscrew Road.

Applicant proposes to develop a ± 22,000 square foot grocery store.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Julia Burroughs, Planning Director, Thomas Engineering Group

Edward McDonald P.E., Thomas Engineering Group

John Lynch, ADP Engineering & Architecture

Board Questions or Comments

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

Public Comment

eComments

Rachael Robbins, Stoneybrook

Brian Rowolinski, Stoneybrook

Molly Leach, Stoneybrook

Catherine Foss, Stoneybrook

Kathy Lynn, Stoneybrook

Kelli Pasalodos, Stoneybrook

Candice Roseberry, Stoneybrook

Melissa Mahmoud, Stoneybrook

Keneth Haney, Stoneybrook

Zara Jones, Verdana Village

Debbie Turkett, Stoneybrook

Lindsay Cieloha, Bella Terra

In Person

Adam Dalton, Stoneybrook

- (b) Mayfield Village – Residential Planned Development – Zoning Amendment
(District 4) (Pending Application)
8790 Broadway E, located south on Broadway E. and west of Sandy Lane and east of the Seminole Gulf Railroad ROW.

Applicant is proposing changes to Master Concept Plan and Zoning conditions for a small residential development.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Chris Hasty, Lennar

Board Questions or Comments

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

Public Comment

In Person

Joe Brincku, Estero

7. PUBLIC HEARINGS (Quasi-Judicial)

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

- (a) Celebree School – Development Order (DOS2024-E006) (District 4)
10351 Corkscrew Commons Drive. The property is located north of Corkscrew Road and west of Corkscrew Crossings Boulevard. The building previously operated as a Goodwill Retail & Donation Center.

No ex parte communication or conflicts of interest were noted.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Chris Hasty, Celebree Schools

Matthew Von Dohre, Colliers Engineering & Design

Public Comment

None.

Board Questions or Comments

Board Members Wallace, Jeannin and Vice Chairman Sheeley.

Motion: Motion to approve revision to Development Order to remove the stone at the base of the building and clarify the color of Utterly Beige for the base.

Motion by: Vice Chairman Sheeley
Seconded by: Board Member Williams

Action: Approved revision to Development Order to remove the stone at the base of the building and clarify the color of Utterly Beige for the base.

Vote:

Aye: Board Members Wallace, Jeannin, Jones, Paivandy, Tatoes, Williams, Vice Chairman Sheeley, and Chairman Gargano.

Nay:

Abstentions:

- (b) Shadow Wood Community Association – Three Oaks Guardhouse Remodel (LDO2024-E037) (District 6)
The guardhouse is located at the entrance to Shadow Wood on Oakwilde Boulevard and Three Oaks Parkway.

No ex parte communication or conflicts of interest were noted.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Adrian Karapici, AM Design Group

Board Questions or Comments

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

Public Comment

None.

Motion: Motion to approve Limited Development Order.

Motion by: Board Member Tatoes

Seconded by: Board Member Jeannin

Action: Approved Limited Development Order.

Vote:

Aye: Board Members Wallace, Jeannin, Jones, Paivandy, Tatoes, Williams, Vice Chairman Sheeley, and Chairman Gargano

Nay:

Abstentions:

- (c) Coconut Trace Planned Development – Zoning Amendment (DCI2024-E006) (District 1)

22910 Lyden Drive, located west of US 41 across from the Coconut Point Mall.

No conflicts of interest were noted. Board Member Tatoes received letters from people that live adjacent to Marsh Landing.

Vice Chairman Sheeley recused himself due a conflict of interest, his firm prepared the architectural plans.

Staff Presentation/Comments

Mary Gibbs, Community Development Director
Nancy Stroud, Land Use Attorney
Aymee Chavez, Associate Planner

Presentation/Information by

Jeremie Chastain, AICP, A Bowman Company
Carlos Cardet, MK Architecture
Steffi Bandril, MK Architecture
Charlie Krebs, PE, A Bowman Company

Board Questions or Comments

Board Members Wallace, Jeannin, Jones, Paivandy, Tatoes, Williams, and Chairman Gargano

Public Comment

eComments

Vicky Shaw, Marsh Landing
Richard Miller, March Landing
Xiao Xun Zhang, Lone Oak
Chris Sahakian, Marsh Landing
Robert Bodnar, Marsh Landing
Beth Reinhardt, Marsh Landing
John Reinhardt, Marsh Landing
Margaret Jelley, Marsh Landing
Dawn Glowonia, Marsh Landing

In Person

Richard Miller, Estero

Motion: Motion to approve a continuance until November 12, 2024 meeting.

Motion by: Board Member Jones
Seconded by: Board Member Wallace

Action: Approved a continuance until November 12, 2024 meeting.

Vote:

Aye: Board Members Sheeley, Wallace, Tatooles, Williams, Paivandy, and Jeannin.

Nay:

Abstentions: Vice Chairman Sheeley

- (d) Starbucks - Estero Town Commons - Development Order (DOS2024-E001) (District 4)
21301 Town Commons Drive, ± 1.4-acre vacant parcel on the corner of Corkscrew Road and Town Commons Drive in Estero Town Center Commercial Planned Development (CPD) Also known as Lowes Plaza.

No ex parte communication or conflicts of interest were noted.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Jeffrey Williams. Konover South

Board Questions or Comments

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

Public Comment

None.

Motion: Motion to approve the Development Order with staff stipulation and with the added landscaping on the North side.

Motion by: Vice Chairman Sheeley

Seconded by: Board Member Williams

Action: Approved the Development Order with staff stipulation and with added landscaping on the North side.

Vote:

Aye: Board Members Wallace, Jeannin, Jones, Paivandy, Tatooles, Williams, Vice Chairman Sheeley, and Chairman Gargano

Nay:

Abstentions:

- (e) Ordinance No. 2024-10 - Village Developments

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Nancy Stroud, Land Use Attorney

Board Questions or Comments

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

Public Comment

In Person

Terry Flanagan, Grandezza
Mark Geschwendt, Miromar Development

Motion: Motion to not recommend approval of Ordinance 2024-10 and to provide Planning Zoning and Design Board comments to Council.

Motion by: Board Member Jeannin
Seconded by: Board Member Wallace

Action: Approved recommendation not to approve Ordinance 2024-10 and to provide Planning Zoning and Design Board comments to Council.

Vote:
Aye: Board Members Wallace, Jeannin, Jones, Paivandy, Tatooles, Williams, Vice Chairman Sheeley, and Chairman Gargano
Nay:
Abstentions:

7. **PUBLIC INPUT**
None.

8. **BOARD COMMUNICATIONS**

(a) **Next meeting – November 12, 2024**

9. **ADJOURNMENT:** 7:55 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 SHEELEY MICHAEL KENNETH | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE VILLAGE OF ESTERO PZOB |
| MAILING ADDRESS 1566 OLD WOODBURN CT. | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: |
| CITY FORT MYERS, FL | <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| COUNTY LEE | NAME OF POLITICAL SUBDIVISION: VILLAGE OF ESTERO |
| DATE ON WHICH VOTE OCCURRED 10-21-84 | 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 E. SKOON, hereby disclose that on 10-29, 20 24:

(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, _____;
- 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:

COCONUT TRACE ZONING AMMENDMENT
DCL-2024-1000

10-29-24
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.