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**APPROVED BY THE BOARD
JANUARY 17, 2017**

FINAL ACTION AGENDA/MINUTES

**Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
Planning and Zoning Board
April 19, 2016 5:30 p.m.**

1. **CALL TO ORDER:** 5:31 p.m.
2. **PLEDGE OF ALLEGIANCE:** Led by Chairman Wood.
3. **ROLL CALL:** Present: Chairman Scotty Wood and Board Members David Crawford, Ned Dewhirst, Anthony Gargano, Marlene Naratil and Roger Strelow. Absent: Board Member James Tatooles.

Also present: Village Land Attorney Burt Saunders, Community Development Director Mary Gibbs and Village Clerk Kathy Hall.

4. **APPROVAL OF AGENDA:**

Motion: Move to approve the agenda.

Motion by: Board Member Crawford

Seconded by: Board Member Gargano

Action: Approved the agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

5. **BUSINESS:**

(a) **Approval of Minutes:** None.

(b) **Consent Agenda:** None.

(c) **Unfinished Business:** None.

(d) Public Hearings:

Chairman Wood provided information regarding Board business. All audience members and staff providing testimony were sworn in by Village Clerk Hall.

- (1) Via Coconut Planned Development/Rezoning – (District 5) South of Corkscrew Road, west of Via Coconut Point and east of the railroad tracks. Rezone 18.5 acres from the Agricultural District and Community Facilities District to Mixed-Use Planned Development to allow for development up to 297 dwelling units and 30,000 square feet of commercial use.

Ex parte communications and conflicts of interest: None noted.

Community Development Director Gibbs provided a brief explanation of the rezoning request. This plan is running concurrent with the comprehensive plan amendment. Staff is endorsing the comprehensive plan change that the Village submitted, not the previous one within the application; the reason for the amendment is a density increase from 6 to approximately 18 units per acre. Staff is recommending continuance to a date certain due to the pending provision of conditions of approval to review.

Presentations by:

Steve Hartsell, Pavese Law Firm, speaking on behalf of the applicant, presented three representatives of the applicant and asked that each one be recognized as an expert witness. The application was submitted in 2014 and found sufficient. The current presentation is on the planned development zoning application for Via Coconut Point mixed use land development. He provided details regarding the background of the application and explained that the transmittal of the comprehensive plan amendment allows this application to go forward. He also spoke to the number of meetings they have attended since July 21, 2014 and the subsequent findings of plan sufficiency. He stated that this is not subject to the zoning in progress.

Village Land Attorney Burt Saunders asked that applicant representative resumes be submitted.

Laura DeJohn, Johnson Engineering, provided information regarding her background and affirmed her prior collaboration with Community Development Director Gibbs; there were no objections from the Board to hearing her as an expert witness. Ms. DeJohn provided a PowerPoint presentation, a description of the property and a history of the shape of the property that resulted from a county realignment of Sandy Lane. There is a remnant piece of public facilities that needs to be corrected due to the curvature of the street; zoning is currently agricultural and the proposal is to rezone to mixed use planned development. Integrated commercial use is intended with a maximum height of 3 stories at 45 feet. The site is 19.3 acres and the request is to rezone to what the Village decides to call the zone in the Village Center, with a density of 15.12 units per acre and a maximum of 30,000 square feet of commercial. She provided details and a history of the site context, alignment with Village goals and market responsiveness. She explained how the

application is compliant: services are available and adequate; 297 residential units are requested with 30,000 square feet of commercial space to support them; site is within one quarter mile of walkable resources and facilities; the location of minor commercial uses is consistent with comprehensive plan policy. An analysis was performed on water and other environmental resources. Per the Estero Community Plan, Goal 19: the project is consistent with the policies already in place regarding Village Center. All land development code criteria must be met; community design standards have been met. The project is in the Corkscrew Road and Sandy Lane corridor overlay category. The maximum setback would be 25 feet and three deviations are requested: (1) to allow vehicles to back out of internal drives; (2) to allow relief of the buffer requirement from 25 to 20 feet wide (similar to Volunteers of America's request); and (3) to allow a reduced parking requirement to 1.5 spaces for one-bedroom units only. She then spoke to compliance with the land development code per the provision of a publicly accessible east-west connection across the site; types of proposed incentive-based offerings; vertical and horizontal mixed-use components; and a commitment to ensure that the existing billboard be removed within a reasonable timeframe.

Ted Treesh, TR Transportation, as an expert witness; he has appeared before this board previously and is accepted as an expert witness. All roadways would operate at an acceptable Level C of service at build out, including the traffic from an adjacent project and four access points.

Bob Koch, Fugelberg Koch, spoke on his professional background and qualifications; the Board accepted him as an expert witness. He presented illustrative materials and addressed the uniqueness of the site; the three distinct segments of the property; line of site concerns; the retention ponds; parking and the roundabout; access points and gates; and the railroad line. He detailed the north side, central node and southern block of the site design; the series of elevations and their connectivity and residential orientation to Via Coconut Point; depictions of architectural features; and mixed use orientation around the central open space. The marketing focus is based on the 80% of the market composed of millennials who prefer to rent and the over-fifty age group; there are only 18 three-bedroom units that are more likely to appeal to families.

Jeff Graef, Focus Development Group, responded to questions regarding rental rates; he predicts an average rent of \$1200 to \$1800 per month, depending on unit type.

Steve Hartsell, addressed the criteria for rezoning; the enhanced landscape, public spaces and other features provide for additional public benefits; the plan meets the goals of the third tier for the Village Center.

Community Development Director Gibbs spoke to the issues and the reasons for needing to continue, such as the need for more information regarding deviations. Staff wants to make certain that the commercial integrates with the residential; railroad approval of access is pending. She also clarified the school district analysis and explained that the county will require that a limited development order be submitted for the access points.

Questions or Comments by: Board Members Dewhirst, Naratil, Strelow, Crawford, Gargano, and Chairman Wood.

Discussion included access points; water management; the buffer wall and potential flooding; the separation between buildings; changes to the copy of the master concept plan between what is being presented and what was part of the packet; the alignment of ingress/egress near the curve; the meaning of limited access; fire protection; height of pergolas; marketing focus; the expected number of additional school-age children; monthly rental rates; bicycle traffic; and the railroad crossing;

Public Comment: None.

Motion: Move to continue the hearing.

Motion by: Board Member Dewhirst

Seconded by: Board Member Crawford

Questions or Comments by: Community Development Director Gibbs explained that the date certain will be determined and the applicant will take care of advertising it. Board Member Strelow commented that, from past experience, the applicant has asked the Board for a continuance before a vote was taken to grant it; Mr. Hartsell expressed his agreement.

Action: Continued the hearing.

Vote:

Aye: Unanimous (Board Member Tatoes absent)

Nay:

Abstentions:

(e) Public Information Meetings

- (1) Estero United Methodist Church – (District 4) South of Broadway and east of US 41, on the corner of Lords Way and US 41. Proposed amendment to the Planned Development Master Concept Plan to expand the existing church and redesign the site plan.

Walter McCarthy provided brief explanation.

Presentations by:

John Wojdak, DeLisiFitzgerald, representing the church, stated that the church has evaluated its growth plans and the plan has evolved; existing plan parcel 1 is bound by Broadway, US 41 and Lords Way; no changes are proposed to parcel 1. The previous master concept plan was approved in 2012 for 110,000 square feet across the whole site. The proposed plan for 80,000 square feet is essentially a down zone and is not completely final; the main difference is a larger expansion of the existing sanctuary; uses that are cramped in the space are proposed to be expanded; outbuildings to south are also reduced in size; access points on Lords Way and US 41; the driveway aligns with the existing driveway; they are awaiting a meeting time with Florida Department of Transportation; peak parking demands are based on a 1,000-seat sanctuary. There are no proposed changes to related deviations. The expansion of the existing sanctuary is ready to go and

preliminary architecture is available for it; there is a zoning amendment to revise the Master Concept Plan. Future buildings are not designed. They are extending the building toward US 41, including a porte cochere. There will be a 30-foot buffer along US 41, and they are also allowed to do 50% grass parking.

Rich Barrow stated that they were hoping to have an outdoor service area.

Dallas Disney, Architect, Disney and Associates, explained that the design has evolved over the last year and a half. He explained the covered entry (porte cochere) toward US 41; they are creating a nicer and clearer entry for the sanctuary; the existing wing includes small offices that are being moved to the expansion area; the building opens into a courtyard with a landscaped area visible from inside the facility and possibly a children's play area. Surrounding east and west of the new addition will be classrooms and social areas; there is a nursery for church days; the main entrance to the office area is on a diagonal under cover; the general image of the building is meant to maintain an Old Florida style. The south side faces the expansion to the south; the courtyard side will not be visible to US 41. He described the building materials and colors that are representative of Old Florida; they are aware of needing to go before the Design Review Board. He also addressed the challenge of changing a 1970s building and incorporating it into what the design style is today.

Questions or Comments by: Board Members Dewhirst, Naratil, Gargano and Crawford.

Questions and comments were offered regarding specific uses for the buildings; the date of approval of the previous master plan; the left turn lane onto US 41; the purposes of the outbuildings proposed on parcel 2; storage equipment; multi-purpose building for future church functions; added parking; the retention area; the architecture of the new building; and parking in front that does not seem to be what the Village is trying to achieve.

Public Comment: None.

Development Review Manager McCarthy clarified the issues of turn lanes; traffic generation; vegetation and valuable trees.

Questions or Comments by: Board Members Naratil, Dewhirst, and Chairman Wood.

Questions and comments were offered regarding relocation of vegetation; Mr. Wojdak responded that it is unlikely; the larger trees behind the sign in the previous plan are not native and not heritage trees; they would rather provide the continuous buffer across the frontage than keep them; the previous plan had a dead-end parking aisle. It was suggested that if those trees need to come out to increase parking space, then maybe the buffer plan could be beefed up. An inquiry was made whether the carnival and Christmas tree sales will continue after the plan is completed; Pastor Tim Carson stated that neither the carnival nor the farmer's market will be back, and that the church did not sell Christmas trees. It was suggested that the schedule of uses be considered and it was mentioned that there were no pedestrian connections on the plan; Mr. Wojdak responded that they are not yet on the plan. In response to a question regarding whether there will be a new sign, Mr. Wojdak responded that there may be a new monument sign. In response to a question

about the church's timetable, Mr. Wojdak responded that the expansion is fully funded and the rest is for the future. It was noted that the removal of vegetation will be very high-profile and must reflect what the Village is trying to accomplish.

(f) **Workshops:** None.

6. **PUBLIC INPUT:** None.

7. **BOARD COMMUNICATIONS:**

(a) **Committee Reports:** None.

(b) **Chairman's Reports:** None.

(c) **Member Reports and Comments:** None.

8. **NEW BUSINESS:**

(a) **Appoint Vice Chair**

Board Member Crawford nominated Board Member Naratil as Vice Chair, seconded by Board Member Dewhirst.

Action: Nominated Board Member Naratil as Vice Chair.

Vote:

Aye: Unanimous (Board Member Tatoes absent)

Nay:

Abstentions:

9. **ADJOURN:** 7:50 p.m.

A motion to adjourn was made and duly passed.



Kathy Hall, MMC
Village Clerk

(kh/ta)