

SUBMITTAL COVER SHEET **Via Lee County Zoning Counter**

TO: CHAHRAM BADAMTCHIAN, Senior Planner

RE: **ADD2012-00027**
MIDTOWNE ESTERO Administrative Action

DATE: April 9, 2012

Attached please find the minutes of the ECPP Meeting which were not available at the time of submittal of the referenced application package.

<u>Quantity</u>	<u>Description</u>
3	Minutes of Estero Community Planning Panel March 19, 2012 Meeting

ADD 2012-00027

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COMMUNITY DEVELOPMENT

ESTERO COMMUNITY PLANNING PANEL
Minutes of Public Meeting #137 – March 19, 2012
Estero Community Park, Estero, Florida

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Panel Members Present: Jack Lienesch, Chairman, Estero Community Association; Neal Noethlich, Emeritus Chairman; Ned Dewhirst, Estero Development Community; Jeff Maas, Estero Chamber of Commerce; John Goodrich, ECCL; Lena Boles, Recording Secretary, ECCL; Roger Strelow, ECCL; Bev MacNellis, Treasurer; Greg Toth, Founding Member.

Also present : Tony Palermo, Division of Planning, Lee County Department of Community Development; Dan DeLisi, DeLisi Fitzgerald, Inc.; Neale Montgomery, Pavese Law; Ray Blacksmith and Joe Cameratta of Cameratta Properties; and Nicole Johnson of the Conservancy.

Public Notice: Posted at South County Library Regional Library, BB&T and Fifth Third Banks and the Estero website.

Approval of Minutes: Goodrich: Motion to waive the reading of the minutes of the Feb 20, 2011 workshop and accept them as written, edited and posted. Jeff Maas: Seconded. Accepted unanimously.

Treasurer's Report: Treasurer MacNellis reported a balance of \$1,564.72. Goodrich: Motion to accept the report. Roger Strelow: Seconded. Accepted unanimously.

PRESENTATIONS

Midtowne Estero East -- Ray Blacksmith spoke regarding the Cameratta Properties' Midtowne Estero East proposed residential planned development (RPD) administrative amendment. In December, 2011, they requested lowering the residential density from the approved 200 two story multi-family units to 125 single-family one-story units on the parcel using the same footprint. Now they are asking to reduce the density further to 110 units incorporating 55 duplex twin villa buildings, again on the same footprint. Each would be approximately 1500 sf featuring extended lanais but no individual pools. Maximum roof height for each one story unit would be about 35 feet. Audience members from Shadow Wood's Longleaf Trail neighborhood (immediately to the south) questioned the developers on buffering, security and sightlines. The developers indicated the minimum distance from their southernmost unit structure to the northernmost Longleaf Trail residence will be 265 feet. Their market target is empty nesters and second home buyers – properties will be marketed at about a \$200,000 price point. Landscape buffers will remain as before – type B buffers of 20', 20' and 15'. Several audience members complained about not receiving a notice on this zoning change. Neale Montgomery indicated that the original RPD rezoning several years ago required a public notice and public hearings. Administrative amendments to a RPD zoning do not require public notices or hearings if there is no increase of intensity or density and no reduction of open space/buffers/preservation areas. The developer indicated he wished to start development in 90 to 120 days. Strelow asked about locating their turn in across from the fire station access turn. After vetting the community input received, the panel indicated it was in concurrence with Cameratta's requested amendment.

Corkscrew Commerce MPD Added Usage. Waldrop Engineering requested a "Boutique Pharmacy" as an added usage. Prescription drugs and related supplies only – no drive through or non-medical items would be present. A public meeting at the site was held for neighboring communities to address any issues. None was raised. The panel supports this additional usage.

Shadow Wood Interior Parking Lot -- Bruce Russell from Shadow Wood in the Brooks spoke of an interior parking lot addition proposal for one of the neighborhoods to add an additional 6-8 spaces. Apparently the

contractor indicated the County refused to issue a permit for a technical reason. The panel suggested that Bruce direct the contractor to call Pete Eckenrode 533-8585 to explain the situation since the proposal appears to be a Development Review issue. The panel thought there should not be a problem.

Corkscrew Woods Rezone/Comp Plan Amendment Status – Jack reported on a meeting at the county to discuss this project with Nicole Johnson, county staff and several ECPP members in attendance. The consensus from that meeting was that all felt the development should go forward, but at issue is the community's desire to keep the property within the DR/GR Lee Plan land use category and to use some method of transfer of development rights (TDRs) to achieve the density requested.

Joe Cameratta gave an overview of the proposed project, giving the merits over the existing approved development plan. He said there should be a way to compromise to keep it in the DR/GR so long as the project can develop as proposed on a reasonable schedule and cost. A complication with keeping the project within the DR/GR category is that the county has yet to create a viable TDR program for use by developers within the DR/GR area. Nicole indicated this will be the first case of this situation (removal of land from the DR/GR area) since the DR/GR Area Study was approved. Joe reminded everyone that the original CEMEX plan was to develop 254 one-acre minimum-sized residential lots each using individual potable water wells and sanitary sewer septic systems. Joe indicated that he is financing with private placement monies, not banks, and their patience is short moving forward. He is concerned that the costs of development such as utilities, permit entitlement, panther mitigation, ACOE permits, etc. etc. are stacking up and potentially could sink the project before it can get started if TDR issues/costs are added as an additional hurdle. The panel indicated that although this parcel is outside of Estero's current planning area boundary, we would welcome the development as an addition should it move forward. Neale Montgomery outlined possible situations for this issue that she has identified, all of which would require an amendment to the Comprehensive Plan:

- 1.) Move the property out of the DR/GR Lee Plan land use category and into the Suburban Lee Plan land use category
- 2.) Stay in the DR/GR Lee Plan land use category with conditions or overlays based on what county staff and the Conservancy can agree to in the interim until Lee County can establish a TDR Program

Much discussion then ensued over these and other options for this property with all sides weighing in on how this might/could be handled. Finally, Neale offered to set up a meeting with the project principals, county staff, the Conservancy, and select panel members to attempt to craft an approach going forward that could be accepted by all.

ECPP

Update on Chapter 19 LDC Signage

The second official review of the recommended language changes that were presented to the county in December 2011 and to the LDCAC on February 10th were also presented to the EROC on March 14th with Jack in attendance. No objections were raised.

Estero on the River

A letter was received from Kevin Fitzgerald regarding his real estate firm's acting on behalf of DeJamoos to sell the property. They were invited to the April meeting to present their plan. Discussion ensued as to how we should handle this situation. No consensus was reached.

Bella Terra Commercial

Jon Hagan of Banks Engineering has asked to attend our April meeting to discuss their plans for this site on Corkscrew Road, just west of the Bella Terra entrance.

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COMMUNITY DEVELOPMENT

Community Plan Update Project

Dan Delisi updated the panel on next steps – a meeting will be scheduled on March 31st at Founders Hall at the church to discuss with residents of the historic district various ways to enhance that area consistent with our updated community plan efforts.

David Graham Award

Jack had proposed a hiatus this year for the award, but was outvoted by the committee. A meeting will be held to address how to sponsor an award for 2012 among the ECPP and EDRC David Graham Award committee members. Jeff Maas accepted the assignment to spearhead the award this year.

Member Issues: The panel welcomed Lena Boles to help with the secretarial duties.

ADJOURNMENT

Goodrich: Motion to adjourn meeting. Mass: Seconded. Accepted unanimously.

Panel was adjourned at 8:00 p.m.

NEXT REGULAR MEETING:

Monday, April 16, 2012, 6:00 p.m., Estero Community Park.

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