

WORKSHOP ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
January 19, 2022

Agenda Item:

Planning, Zoning and Design Board Annual Report

Description:

The Planning, Zoning and Design Board has provided Council an annual report with a status on different projects that have been reviewed over the year. Last year, the Planning and Zoning Board and Design Review Board were combined into one Board and a report was not provided at that time. A report for 2021 is attached for Council's review, and a PowerPoint presentation has also been prepared this year to provide an overview of developments in the Village.

Financial Impact:

No impact.

Attachment:

1. Annual Report

1-10-2022

VILLAGE OF ESTERO, FLORIDA

Planning, Zoning & Design Board

2021 Annual Report to the Village Council

INTRODUCTION

This is the first Annual Report of the new Planning, Zoning & Design Board (PZDB). The PZDB was formed in the spring of 2021 by combining the previous Planning & Zoning and Design Review Boards in order to streamline the planning, zoning, and review process for the Village staff and landowners wishing to develop or redevelop their properties.

The PZDB serves as the Village of Estero's State required Local Planning Agency. The PZDB is responsible for conducting all public hearings on zoning requests for proposed Estero land developments and then makes recommendations to the Village Council and/or takes actions itself on variances, deviations and special exceptions. Also, in its role as the overseer of the design and review of approved developments and portions thereto, all Development Order applications must be reviewed and acted upon by the PZDB, independently of the Village Council.

The PZDB usually meets monthly to review and decide action items and to conduct workshops and Public Information Meetings (PIM). A PIM is a session where applicants can make presentations, questions can be asked by the public or the Board, but no decisions are made. Public input is invited and encouraged at all PZDB meetings.

The PZDB is directly accountable to the Village Council. The nine Board members serve staggered terms. Currently, the District 3 Village Councilor, who is also the Vice Mayor, serves as the liaison to the PZDB. The Village Director of Community Development and staff provide necessary staff support, field studies, developer/owner dialogue and reports and recommendations to the PZDB. The Village has also retained a prominent land use attorney who advises the PZDB on all legal matters that come before the PZDB. Their efforts are immeasurably helpful to the PZDB, enabling it to conduct its assigned responsibility.

THE GOAL OF THE PZDB

The PZDB has the goal of overseeing the development, redevelopment and other changes to various properties within the Village in such a way that Estero grows responsibly. This means that proposals need to be consistent with the Village's Comprehensive Plan and Land Development Code (LDC) and are consistent or complementary with the values and design concepts that Estero has created over a continuum predating its incorporation in 2014 and continuing as an incorporated government.

The Comprehensive Plan identifies what is important to Estero's residents, and these items are contained in the Plan's Vision Statement.

PZDB activity also includes monitoring and planning to make sure that the Village infrastructure is able to support new development without overtaxing existing infrastructure. The PZDB, being the Local Planning Agency under the State of Florida Community Planning Act, recommends to the Village Council, after review of land development regulations and development proposals, whether they are consistent with the Village Comprehensive Plan. In concert with the Village Council and staff, the PZDB properly evaluates development proposals' effect on infrastructure and makes necessary recommendations to the Village Council to ensure that Village growth occurs responsibly and in a fashion that maintains the safe and efficient operation of the Village. When landowners and their developer partners seek to develop, they must have approved zoning, apply for a Development Order, and receive approval from the PZDB prior to obtaining a building permit.

The PZDB seeks to effectively serve several constituencies. First the residents, second the Village Council, and third, landowners who wish to develop or redevelop properties within the Village.

PZDB PROCESS

The PZDB reviews a wide variety of requests from landowners, developers or their representatives. These items range from minor changes to reviewing complex zoning change proposals and Comprehensive Plan Amendments. In 2021, the PZDB completed its first transitional year of activity using both the Village of Estero's Comprehensive Plan adopted two years ago and the Land Development Code, newly adopted in January of 2021.

The new LDC is specific to Estero. It modernizes Estero's development regulations and is aligned with contemporary best practices. It is exceptionally well organized, easy to read and contains numerous graphics to facilitate user understanding of content and effective use of the Code. It is significantly shorter in length, being half the length of the predecessor Transitional Code that it replaced. The new Code streamlines the process. One improvement is the delegation of minor zoning and development decisions to staff so that applicants with minor items (such as a small setback variance) can avoid a more protracted process designed for complex applications.

The PZDB conducts zoning and Development Order public hearings in a quasi-judicial capacity. Quasi-judicial hearings occur regarding site-specific zoning and Development Order applications. The purpose of a quasi-judicial procedure, which is somewhat more formal than normal public hearings, is to assure due process to all concerned parties and to bring evidence to the PZDB (and ultimately the Village Council) that allows the PZDB to apply the existing adopted regulations/policies/requirements to a specific application (i.e., to determine whether the application for the requested action meets the existing requirements). Presenters and witnesses are sworn in and ex-parte communications and any conflicts of interest are disclosed. The hearing is open to the public with public comment encouraged either in person or by correspondence. Witnesses are subject to cross-examination.

PZDB RULES OF PROCEDURE

With the assistance of the Village Director of Community Development and the Village Land Use Attorney, the PZDB developed formal rules of procedure that it follows as it considers zoning applications, Development Order applications, and other matters. These rules are adopted pursuant to the authority of the Village LDC, Section 2-302.A.10.

The purpose of these rules of procedure is to provide for the orderly conduct of the business of the PZDB. They are intended to ensure a reasonable and consistent process, to promote the orderly and efficient conduct of public proceedings, and to ensure the fair and impartial treatment of each person who appears before the Board. It should also be noted that the Board is scrupulous in its adherence to the Florida "Sunshine Laws", and deviations from those laws are not tolerated in any way.

Once the Board has completed its review of a matter, the Board considers the evidence in the record, the public's input, and any recommendations of the Village staff. On all decisions or recommendations made in any quasi-judicial proceeding, the Board's decision shall be based on competent substantial evidence in the record of the proceeding, and the applicable law. Should any application be denied, the Board shall state findings regarding the criterion or criteria that are not met.

DEVELOPMENT INVENTORY AS OF 12/31/21

When the Board, or its predecessor Boards or Council, approves an application for development, it can take several years for the approved development to be completed. In addition, Estero, like most of Florida, is a rapidly growing community experiencing high demand for quality residential development thus creating an environment where multiple projects are underway simultaneously. There are numerous developments in various stages ranging from initial land acquisition, planning, application submission, zoning approval, Development Order approval, permitting and construction.

Detailed below are the current developments in the various stages by general location. Several developments were approved prior to Estero's incorporation. Neighboring developments that directly impact Estero are referenced because they may impact the Village. Previously completed developments are not listed, nor are small items such as repaint permits, signage requests, and additions to buildings, items that nonetheless must follow the process.

Genova – Located on Corkscrew Road and Via Coconut. Four of six condominium mid rises are built and occupied. A Public Information Meeting was held to present a new proposal for the remainder of the project. The new proposal is for single family homes and town homes instead of the two remaining mid rises. No zoning amendment has been filed at this time.

Via Coconut - A mixed use planned development across Via Coconut from Genova, consisting of 330 multifamily dwelling units, 29,600 square feet of commercial/retail use, a 10,000 square foot church or alternate commercial use, and a one-acre public park. Zoning approved.

Pavich Realty - A mixed use planned development consisting of a two-story office and a retail cafe situated on a small existing property at Happy Hollow Lane and Corkscrew Road. Zoning approved.

Downtown Estero - A mixed use planned development in the Village Center on a 34-acre site east of US 41 and north of Broadway. Development Order is proposed and an information meeting at PZDB was held.

Estero Crossing - A mixed use planned development on a 42-acre site located on the south side of Corkscrew Road west of I-75 and east of Estero Town Commons Place (Lowe's). It consists of 306 multifamily residential units in six buildings situated behind 60,000 square feet of retail space located on Corkscrew Road. An Oak & Stone Restaurant is included, and a frontage road behind the retail space is being constructed. The site has been cleared, and construction has begun on the retail space.

Clean Machine Car Wash - A free-standing commercial building situated on US 41 immediately north of the Aldi's grocery store. Development Order and building permit are approved, and site clearing has begun.

Houck Dermatology - A new medical office building (18,000 square feet) situated on the northeast corner of Corkscrew Road and Three Oaks Parkway has been constructed.

AutoZone - A new commercial building situated adjacent to Houck Medical in the Plaza Del Sol Commercial Planned Development on the southwest corner of Puerto Way and Corkscrew Road has been constructed.

Wawa - A proposed convenience store and gas station located on the property formerly occupied by Ruby Tuesday on Corkscrew Road in Estero Town Commons. Zoning amendment has been filed and is under review by staff.

The Colonnade - A 340-unit Continuing Care Retirement Community (CCRC) situated on the north side of Corkscrew Road, east of Sandy Lane and across from Genova, has submitted a Development Order which is under review by Staff.

Fifth Third Bank - A Development Order was approved for a new bank building located at the northwest corner of the Miromar Shopping Center.

Corkscrew Crossing - A planned residential community consisting of 554 residential units situated on the south side of Corkscrew Road, east of Wildcat Run and west of The Preserve at Corkscrew. There are three phases to the development, and the Development Order for the first phase has been approved.

Shoppes at University Highlands - A one-story 7,300 square foot commercial building on the west side of Ben Hill Griffin Parkway just north of the Miromar Outlets. It is the fifth building for University Highlands, which includes 14 acres of retail, hotel, and office properties. Development Order has been approved.

Lee Health Medical Building - A 20,000 square foot medical office building located at the Shoppes at University Highlands on Ben Hill Griffin Parkway just north of Miromar Outlets. Development Order has been approved.

The Reserve at Via Coconut (formerly Edera) - A three building, four-story 180 multifamily unit community on the southeast corner of Williams Road and Via Coconut just east of Hertz Global headquarters. It is the most northeastern point of the Coconut Point Development of Regional Impact (DRI). Construction is nearing completion, and several units are occupied.

“Flag” Hotels - Zoning has been approved for 3 flag hotels (nationally known hotels), one located at the southwest Corner of Coconut Point Road and US 41, one on US 41 across from the main entrance to Fountain Lakes, and one at Miromar Outlets. No building permits have been submitted for these hotels. COVID has slowed progress on these hotels.

Coconut Landing - The Village annexed a vacant 10-acre parcel located off Coconut Road one quarter mile east of the Hyatt Coconut Point resort and west of El Dorado acres. The proposed development is under construction and will include 25 single family homes.

West Bay Club Pod 5 - The proposed development is the last phase of the West Bay Club community. A 23-story high rise is proposed to be built on a site previously approved by the County for a 20-story high rise. 88 luxury residential units are planned. The necessary zoning amendment has been approved by Village Council.

Marketplace at Coconut Point – A Public Information Meeting was held at the PZDB for a proposed commercial development on the southeast corner of US 41 and Via Rapallo Drive.

PROJECTS IN COUNTY OR BONITA SPRINGS

There are several projects in Lee County and the City of Bonita Springs that will impact the Village and are worth noting:

Corkscrew Road Area –

- The Place at Estero, 1,325 residential units
- Wild Blue, 1,100 residential units
- Verdana Village, 2,400 residential units and commercial uses
- Estero Fire Rescue Station 5, a 19,400-sf facility on Corkscrew Road

Coconut Road Area –

- London Bay – “Saltleaf” Project, high rise development with marina and restaurant (former Weeks Fish Camp) north of Hyatt

THE OUTLOOK FOR ESTERO IN 2022

In 2000, the full-time resident population of Estero was just over 9,000. The 2021 official estimate placed the resident population at 37,213. Most of this growth occurred when Estero's 39 gated communities were built but, as detailed in this report, development continues principally along the Corkscrew Road corridor, Via Coconut Point, US 41 and Coconut Road.

When all current developments pending, approved, or under construction are added together, the population in these developments could total over 17,500, resulting in a population of over 50,000 for the Village and nearby areas. Estero is now approximately 90% developed or under development.

As previously noted, this growth takes several years to mature but it requires advance planning to provide necessary infrastructure including not only roads, storm water management, water supply and utilities, but also public safety (police, fire, and EMS), public education and other essential public services.

It is widely known that the pandemic has created labor shortages and disruption of supply chains. Construction jobs and materials have been affected by that phenomenon, and the shortages and disruptions are predicted to continue but hopefully abate in 2022.

The work of Village staff, the Village Council and the Planning, Zoning and Design Board grows along with new development activity. The goal remains responsible development.

Respectfully submitted to the Village Council:

The Village of Estero Planning, Zoning and Design Board

Scotty Wood, Co-Chairman
Howard Levitan, Co-Chairman
Anthony Gargano
Kristin Jeannin
Barry Jones
Marlene Naratil
Mike Sheeley
James Tatoes
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