



Village of
ESTERO

VILLAGE OF ESTERO
PLANNING ZONING AND DESIGN BOARD MEETING
PACKET
MAY 14, 2024, 03:30 PM



The Village Planning Zoning and Design Board Meeting will be conducted physically in Council Chambers at Village Hall, 9401 Corkscrew Palms Circle, with an opportunity for members to participate virtually. The meeting will be broadcasted live via the Village of Estero website <https://estero-fl.gov/council/watch-meetings-online/>. Please see the [bottom of this agenda](#) for further information and instructions for public participation.

AGENDA
PLANNING ZONING AND DESIGN BOARD MEETING
9401 Corkscrew Palms Circle, Estero, Florida
May 14, 2024, 03:30 pm

NEW MEMBER ORIENTATION CONVENES 3:30 - 4:30 P.M.

Attachment: [1. Resolution 2024-04 PZDB Appointment.pdf](#)
Attachment: [2. Ordinance 2022-09 Amending Qualifications of PZDB.pdf](#)
Attachment: [3. Conflict-of-Interest-Form.pdf](#)
Attachment: [4. PZDB Rules of Procedure 4.12.21.pdf](#)
Attachment: [5. PZDB 2024 Meeting Schedule.pdf](#)
Attachment: [6. LDC Section 5-7 Architectural Form Design Standards.pdf](#)
Attachment: [7. 2024 Project Review PowerPoint.pdf](#)
Attachment: [8. Village of Estero Future Land Use Map.pdf](#)
Attachment: [9. Village of Estero Zoning Map.pdf](#)
Attachment: [10. Village of Estero Communities Map.pdf](#)
Attachment: [11. PZDB Orientation 5.14.24.pdf](#)

SCHEDULED MEETING CONVENES 4:30 P.M.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. BUSINESS**

Items on the agenda are generally treated in sequential order, and due to the length of the agenda, any or all of the items listed for discussion may be rescheduled to a later date for consideration.

The meeting will adjourn no later than 9:00 P.M. unless extended by the Board.

a. Introduction of new members and announcement of reappointments

New Members Al Paivandy and Dan Williams

Reappointment of Anthony Gargano and appointment as Chairman

Reappointment of James Tatooles, Michael Sheeley and Scotty Wood.

b. Selection of Vice-Chairman

c. Consent Agenda

i. Approval of April 9, 2024 meeting minutes.

Attachment: [04092024 PZDB Minutes.pdf](#)

6. PUBLIC HEARINGS (Quasi-Judicial)

The public will have an opportunity to speak for five minutes per agenda item.

7. Shadow Wood Community Association - Coconut Road Guardhouse Remodel (LDO2024-E008) (District 6)

The guardhouse is located at the entrance to Shadow Wood on Oakwilde Boulevard, north of Coconut Road, and east of Via Coconut Point.

Applicant seeks to remodel the existing guardhouse, changing the appearance and increasing the height and roof overhang.

Public Information Meeting was held April 9, 2024.

See Staff Report.

Planning Zoning and Design Board will make a decision on the Limited Development Order.

Attachment: [1. Shadow Wood Guardhouse - Presentation with Building Colors.pdf](#)

8. Wildcat Run Pickleball-- Limited Development Order (LDO 2024-E002) (District 7)

20300 Country Club Drive, south of Corkscrew Drive and immediately east of RiverCreek.

Applicant is seeking to renovate 1 of the 5 existing tennis courts into new pickleball courts. These courts are south of the clubhouse in the center of the development.

Public Information Meeting was held April 9, 2024.

See Staff Report.

Planning Zoning and Design Board will make a decision on the Limited Development Order.

Attachment: [1. Wildcat Run Pickleball - Staff Report.pdf](#)

Attachment: [2. Wildcat Run Pickleball - Civil Plans.pdf](#)

Attachment: [3. Wildcat Run Pickleball - Presentation.pdf](#)

9. The Brooks Commons Club -- Pickleball Expansion (Amendment to LDO2022-E051) (District 6)

The Commons Club is located at 9920 Coconut Road and the courts are west of the club along Coconut Road.

Applicant is seeking to revise the original plan presented to the board January 10, 2023. Revised plans reduce pickleball courts from 16 to 11, relocate the open-air shade structure, change landscaping and lighting, and adjust the project's construction phasing.

Public Information Meeting was held April 9, 2024.

See Staff Report.

Planning Zoning and Design Board will make a decision on the Limited Development Order Amendment.

Attachment: [1. LDO2022-E051 The Brooks Common Club Pickle Ball Expansion AMENDMENT. Revised.pdf](#)

Attachment: [2. The Brooks Pickleball Expansion Amendment - Response to Comments Letter.pdf](#)

Attachment: [3. The Brooks Pickleball Expansion Amendment - Revised Lighting.pdf](#)

Attachment: [4. The Brooks Pickleball Expansion Amendment - SWFMD Permit.pdf](#)

Attachment: [5. The Brooks Pickleball Expansion Amendment - Presentation.pdf](#)

Attachment: [6. The Brooks Pickleball Expansion Amendment - Revised Civil Plans.pdf](#)

10.PUBLIC INFORMATION MEETINGS (No votes are taken at Public Information Meetings)

The public will have an opportunity to speak for three minutes per agenda item.

11.University Highlands II (DOS2024-E005) (District 5)

The property is located on Ben Hill Griffin Parkway north of Everblades Parkway North, and east of Tiburon Way. The site is part of the Timberland & Tiburon MPD/DRI.

The applicant seeks a Development Order to build 2 buildings on the vacant 6.37-acre site, identified as Tract F-4. Each one-story building includes 4 units and totals 7,800 square feet.

Attachment: [1. University Highlands II - PIM Request Application.pdf](#)

Attachment: [2. University Highlands II - Site Plan.pdf](#)

Attachment: [3. University Highlands II - Elevations.pdf](#)

Attachment: [4. University Highlands II- Presentation.pdf](#)

12.Celebree School (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.

The applicant seeks a Development Order that will modify the original site plan by replacing the loading zone with a playground and changing the color scheme of the building.

Attachment: [1. Celebree School - PIM Request Application.pdf](#)

Attachment: [2. Celebree School - Presentation.pdf](#)

15 MINUTE BREAK

13.PUBLIC HEARING (Quasi-Judicial)

The public will have an opportunity to speak for five minutes per agenda item.

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

The 1-acre site is located 200 feet east of US 41 on property originally developed by the U.S. Federal Government for a Post Office.

Public Information Meeting was held February 13, 2024.

The new owner is requesting an amendment to the approved zoning ordinance which includes changes to the Master Concept Plan, changes to the architectural elevations, deviations, and east landscaping buffer.

Planning Zoning and Design Board will make a recommendation to Council.

Attachment: [1. 8111 Broadway East -Staff Report.pdf](#)

Attachment: [1.a. 8111 Broadway E - Staff Report Attachment A - Area Location Map.pdf](#)

Attachment: [1.b. 8111 Broadway E - Staff Report Attachment B - Ordinance 2024-07 Amendment.pdf](#)

Attachment: [1.c. 8111 Broadway E - Staff Report Attachment C - Applicant's Revised Schedule of Uses.pdf](#)

Attachment: [2.a. 8111 Broadway E - Ordinance Exhibit A - Legal Description Sketch.pdf](#)

Attachment: [2.b. 8111 Broadway E - Ordinance Exhibit B - Master Concept Plan..pdf](#)

Attachment: [2.c. 8111 Broadway E - Ordinance Exhibit C - Pattern Book.pdf](#)

Attachment: [3. 8111 Broadway E - Revised Presentation.pdf](#)

14.PUBLIC INPUT (Each individual will be given five minutes to speak)

15.BOARD COMMUNICATIONS

a. Next meeting - June 11, 2024

16.ADJOURN

General Attachments

[- Transcript.pdf](#)

PLANNING ZONING AND DESIGN BOARD MEETING
TUESDAY, MAY 14, 2024, 3:30 P.M.

DISCLAIMER:

THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME
CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE
ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE
PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

03:37:08 >>Mary Gibbs: ALL RIGHT.
03:37:10 LET'S WELCOME EVERYBODY TO THE VILLAGE'S PLANNING ZONING AND
03:37:16 DESIGN BOARD ORIENTATION FOR NEW MEMBERS.
03:37:19 AND WE HAVE TWO NEW MEMBERS ON THE BOARD.
03:37:22 THE FIRST IS AL PAIVANDY.
03:37:26 WAVE, AL.
03:37:27 AND DAN WILLIAMS.
03:37:30 DAN IS GOING TO WAVE.
03:37:31 WE HAVE SOME OF OUR EXISTING BOARD MEMBERS WHO HAVE JOINED
03:37:37 THE MEETING EVEN THOUGH THEY DON'T HAVE TO COME UNTIL 4:30.
03:37:41 THEY WANT TO GET A LITTLE REFRESHER TRAINING TOO.
03:37:43 THAT'S GREAT.
03:37:44 WE HAVE KRISTIN JEANNIN, ANTHONY GARGANO, JIM TATOLES.
03:37:50 AT 4:30 TONIGHT, THE REST OF THE MEMBERS WILL JOIN US.
03:37:53 BUT WE DO HAVE BARRY JONES WHO IS SICK, SO HE WON'T BE
03:37:56 COMING TONIGHT AND MIKE SHEELEY ALREADY HAD A VACATION
03:37:59 PLANNED.
03:38:00 WE'LL BE TWO MEMBERS SHORT AT 4:30.

03:38:02 I WOULD LIKE TO WELCOME EVERYBODY.
03:38:04 JUST TO GIVE YOU A QUICK INTRODUCTION, WE HAVE OUR CLERK,
03:38:08 TAMMY DURAN.
03:38:12 SHE DOES ALL THE HEAVY LIFTING WITH THE RECORDING AND ROLL
03:38:15 CALL AND KEEPING TRACK OF EVERYBODY AND MAKING SURE WE ALL
03:38:18 DO EVERYTHING CORRECTLY.
03:38:20 WE HAVE OUR LAND USE ATTORNEY, NANCY STROUD -- WELL, SOME OF
03:38:25 YOU KNOW HER.
03:38:27 I'M GOING TO EMBARRASS HER BY SAYING SHE IS ONE OF THE
03:38:29 PREEMINENT LAND USE ATTORNEYS IN THE STATE OF FLORIDA, IF
03:38:32 NOT THE NOTION.
03:38:33 I KNOW I TOTALLY EMBARRASSED HER.
03:38:36 SHE'S BEEN OUR LAND USE ATTORNEY SINCE THE VILLAGE
03:38:38 INCORPORATED.
03:38:39 SHE STARTED AROUND 2015.
03:38:42 SHE HAS BEEN WITH US THROUGH THICK AND THIN.
03:38:45 NANCY WILL DO THE PRESENTATION AND THE ORIENTATION.
03:38:48 AND THEN WE HAVE ANTONIO, WHO IS OUR AUDIO/VISUAL, CANDY

03:38:56 DISTRIBUTOR TONIGHT.
 03:38:57 AND THE VOLUNTEERS IN THE BACK THAT HELP US THAT ARE NOT
 03:38:59 PAYING ATTENTION BUT ARE GREAT.
 03:39:01 I'M MARY GIBBS.
 03:39:02 I AM THE COMMUNITY DEVELOPMENT DIRECTOR FOR THE VILLAGE.
 03:39:04 WE'LL HAVE LATER AMY CHAVEZ, WHO IS ONE OF OUR PLANNERS,
 03:39:09 WILL JOIN US FOR THE MEETING.

03:39:10 SO THAT'S A QUICK OVERVIEW.
 03:39:13 WHEN WE DO THE MEETING AT 4:30, I WAS GOING TO ASK AL AND
 03:39:16 DAN IF THEY WANTED TO SAY A LITTLE BIT ABOUT THEMSELVES TO
 03:39:19 THE LARGER BOARD.
 03:39:24 WE'LL SAVE THAT FOR 4:30, I THINK.
 03:39:26 IF WE WANT TO GET STARTED, MAYBE WE'LL HAVE NANCY EXPLAIN
 03:39:30 SOME OF THE BASICS YOU'RE GOING TO NEED TO KNOW FOR THE
 03:39:32 HEARINGS.
 03:39:33 WE'VE ACTUALLY GOT PUBLIC HEARINGS TONIGHT.
 03:39:35 NANCY WILL TALK ABOUT QUASI-JUDICIAL PUBLIC HEARINGS,
 03:39:39 CONFLICTS OF INTEREST, EX PARTE CONVERSATION, AND OUR RULES
 03:39:43 OF PROCEDURE FOR THE PLANNING AND ZONING AND DESIGN BOARD.
 03:39:46 AND ALL THE THINGS THAT YOU'RE GOING TO NEED TO KNOW ABOUT,
 03:39:51 PLANNING AND ZONING IN FLORIDA, BY 4:30, YOU'LL BE EXPERTS
 03:39:55 AT EVERYTHING.
 03:39:56 TAKE IT AWAY, NANCY.
 03:39:59 >>Nancy Stroud: GOOD AFTERNOON, EVERYONE.
 03:40:03 WELCOME TO THE BOARD TO THE NEW MEMBERS.
 03:40:05 THANK YOU TO OUR EXISTING MEMBERS FOR COMING FOR A LITTLE
 03:40:08 REFRESHER.
 03:40:09 I APPRECIATE THAT.
 03:40:10 THIS IS A VERY SHORT COURSE IN PLANNING.
 03:40:16 I'M TRYING TO HIGHLIGHT THE KINDS OF THINGS THAT MIGHT COME
 03:40:19 UP MORE OFTEN THAN NOT IN OUR MEETINGS.
 03:40:26 I WELCOME QUESTIONS.

03:40:28 I DON'T MIND AT ALL IF YOU WANT TO RAISE YOUR HAND AND ASK
 03:40:32 QUESTIONS WHILE I'M DOING THIS.
 03:40:35 I THINK IT MIGHT BE ABOUT 40 MINUTES, SO THERE WILL BE TIME
 03:40:43 FOR A LITTLE BREAK BEFORE THE LARGER MEETING STARTS.
 03:40:48 LET'S START WITH ETHICS QUESTIONS.
 03:40:54 THERE IS A VERY IMPORTANT CONFLICT OF INTEREST STATUTE IN
 03:41:00 FLORIDA THAT PREVENTS BOARD MEMBERS AND ELECTED OFFICIALS
 03:41:07 FROM VOTING ON MATTERS IF A VOTE WOULD INURE TO YOUR SPECIAL
 03:41:14 PRIVATE GAIN OR LOSS.
 03:41:15 THOSE ARE THE MAGIC WORDS.
 03:41:17 SPECIAL PRIVATE GAIN OR LOSS OR SIMILARLY AFFECTS ANY ONE OF
 03:41:23 YOUR CLIENTS, YOUR RELATIVES, OR YOUR BUSINESS ASSOCIATES.
 03:41:28 SO THIS DOES OCCUR NOW AND THEN ON THE BOARD WHERE IF THERE
 03:41:34 IS SUCH A CONFLICT OF INTEREST, A MEMBER HAS TO RECUSE

03:41:40 HIMSELF OR HERSELF FROM VOTING.
 03:41:43 SO WHAT IS A SPECIAL PRIVATE GAIN OR LOSS?
 03:41:47 IT'S AN ECONOMIC BENEFIT OR HARM TO YOU, TO A RELATIVE OR A
 03:41:56 BUSINESS ASSOCIATE.
 03:42:00 IT'S OFTEN EASY TO DETERMINE THAT IF THERE IS A LAWYER, FOR
 03:42:06 EXAMPLE, SITTING ON THE BOARD OR AN ENGINEER WHO WORKS AT AN
 03:42:11 ENGINEERING COMPANY THAT IS REPRESENTING A CLIENT THAT COMES
 03:42:13 BEFORE THE BOARD.
 03:42:14 THAT PERSON IS AN ASSOCIATE OF THE BUSINESS AND THE VOTE
 03:42:23 WILL AFFECT NORMALLY THE INTEREST OF THE ENGINEERING
 03:42:29 COMPANY, SO THAT BOARD MEMBER WILL GENERALLY CONSIDER

 03:42:34 HIMSELF OR HERSELF TO HAVE A CONFLICT OF INTEREST.
 03:42:37 SOMETIMES AND ESPECIALLY IN COMMUNITIES LIKE ESTERO, A BOARD
 03:42:42 MEMBER WILL WONDER, WELL, I'M IN A HOMEOWNER ASSOCIATION, I
 03:42:47 LIVE IN A GATED COMMUNITY WITH A HOMEOWNER ASSOCIATION AND
 03:42:51 THE COMMUNITY IS COMING FORWARD WITH AN APPLICATION.
 03:42:56 FOR EXAMPLE, FOR PICKLEBALL COURT CHANGE, WHICH WE'VE SEEN A
 03:43:01 LOT OF RECENTLY.
 03:43:02 THE QUESTION THEN IS, WELL, THIS MIGHT INCREASE THE VALUE OF
 03:43:09 MY PROPERTY OR DECREASE THE VALUE OF MY PROPERTY.
 03:43:12 IS THAT A SPECIAL PRIVATE GAIN OR LOSS THAT REQUIRES ME TO
 03:43:18 RECUSE MYSELF.
 03:43:19 AND THAT'S WHERE THERE IS A RULE OF THUMB THAT'S ACCEPTED IN
 03:43:24 FLORIDA, WHICH IS IF YOU ARE PART OF A CLASS OF PEOPLE AND
 03:43:29 YOU REPRESENT ONE PERCENT OR LESS OF THAT CLASS, THEN YOU'RE
 03:43:35 NOT GOING TO HAVE A SPECIAL PRIVATE GAIN OR LOSS AND YOU CAN
 03:43:40 VOTE.
 03:43:40 YOU DON'T HAVE TO RECUSE YOURSELF.
 03:43:42 SO YOU'RE IN A COMMUNITY WITH A HUNDRED LANDOWNERS.
 03:43:48 MOST OF OUR COMMUNITIES ARE MUCH BIGGER THAN THAT.
 03:43:50 BUT SAY YOU ARE, AND THE COMMUNITY COMES FORWARD WITH AN
 03:43:55 APPLICATION.
 03:43:56 WELL, IF YOU OWN A LOT, YOU ARE ONE OF A HUNDRED, SO YOU
 03:44:01 SHOULD PROBABLY RECUSE YOURSELF.
 03:44:03 IT DOESN'T HAPPEN VERY OFTEN, BUT THE QUESTION COMES UP A
 03:44:07 LOT.

 03:44:07 I WANTED TO INCLUDE THAT.
 03:44:13 SO WHAT HAPPENS IF YOU HAVE A CONFLICT OF INTEREST.
 03:44:18 WHAT YOU NEED TO DO IS DISCLOSE THAT CONFLICT PRIOR TO THE
 03:44:23 MATTER BEING DISCUSSED.
 03:44:27 STEP DOWN FROM THE DAIS.
 03:44:31 WE ENCOURAGE PEOPLE TO ACTUALLY LEAVE THE ROOM.
 03:44:36 DON'T PARTICIPATE IN THE DISCUSSION, AND DON'T VOTE.
 03:44:39 SO IT'S A VERY CLEAN, VERY SORT OF BRIGHT LINE TEST.
 03:44:44 IT'S ACTUALLY A LITTLE BIT STRICTER THAN WHAT THE STATE
 03:44:47 STATUTE REQUIRES, BUT THE VILLAGE OF ESTERO HAS ESTABLISHED

03:44:53 A VERY BRIGHT-LINE TEST BECAUSE OF THE CONCERN FOR GOOD
 03:44:59 GOVERNMENT IN THE VILLAGE OF ESTERO.
 03:45:01 ALSO, ACCORDING TO THE STATUTE, THE BOARD MEMBER WHO HAS A
 03:45:05 CONFLICT OF INTEREST MUST FILE A FORM, WHICH YOU HAVE IN
 03:45:10 YOUR PACKAGE.
 03:45:11 FORM 8B.
 03:45:13 THAT IN WRITTEN FORM DISCLOSES WHAT YOUR CONFLICT IS AND YOU
 03:45:19 HAVE TO FILE IT WITH TAMMY, THE CLERK, WITHIN 15 DAYS AFTER
 03:45:23 THE VOTE.
 03:45:24 MOST BOARD MEMBERS DO IT THE NIGHT OF THE MEETING.
 03:45:29 THEY GET THE FORM.
 03:45:30 THEY FILL IT OUT AND THEY JUST GIVE IT WITH TAMMY BEFORE THE
 03:45:33 END OF THE MEETING.
 03:45:34 AND THEN THAT FORM IS INCORPORATED IN THE MINUTES.
 03:45:41 >>Kristin Jeannin: QUESTION.

03:45:42 THAT IS ONLY FOR WHEN WE'RE DOING QUASI-JUDICIAL HEARINGS?
 03:45:49 >>Nancy Stroud: NO.
 03:45:50 IT'S FOR ANY VOTE.
 03:45:52 >>Kristin Jeannin: SO ANYTHING THAT IS A VOTE BUT WHEN WE DO
 03:45:55 WORKSHOP RELATED OR PUBLIC INFORMATION MEETINGS WE CAN SPEAK
 03:45:58 UP AT THAT TIME, YES?
 03:46:00 >>Nancy Stroud: CORRECT.
 03:46:01 WHEN YOU'RE NOT TAKING A VOTE, AND IT'S NOT THE BUSINESS ON
 03:46:09 THE AGENDA, AND ACTUALLY, WE DO THAT IN TWO FORMS.
 03:46:12 WE HAVE PUBLIC INFORMATION MEETINGS WHICH ARE REQUIRED
 03:46:15 MEETINGS BEFORE APPLICATIONS COME FORWARD FOR FORMAL
 03:46:21 HEARING.
 03:46:22 WE ALSO SOMETIMES HAVE WORKSHOPS WHICH IS JUST MORE
 03:46:24 INFORMATION BECAUSE IT MIGHT BE A MORE COMPLICATED
 03:46:28 APPLICATION.
 03:46:33 IN THAT CIRCUMSTANCE, WE ALLOW THE BOARD MEMBER TO SIT ON
 03:46:41 THE DAIS.
 03:46:43 AND ASK QUESTIONS, BUT YOU DON'T HAVE TO ALSO.
 03:46:51 IT'S PROBABLY IN BETTER DISCRETION JUST TO STAY SILENT.
 03:46:58 OKAY.
 03:47:05 THERE IS ANOTHER ETHICS CONCERN THAT SOMETIMES COMES BEFORE
 03:47:08 THE BOARD, AND THAT IS WHERE A PUBLIC OFFICER -- AND YOU ARE
 03:47:15 ALL PUBLIC OFFICERS UNDER THE LAW -- REPRESENTS A CLIENT AND
 03:47:19 THAT CLIENT HAS A MATTER THAT COMES BEFORE THE BOARD FOR A
 03:47:23 VOTE.

03:47:27 THIS PART OF THE STATUTE WHICH I'VE CITED ON THE SCREEN,
 03:47:32 PROHIBITS THAT PUBLIC OFFICER FROM REPRESENTING A CLIENT IN
 03:47:36 MATTERS THAT COME BEFORE THE BOARD WHERE HE'S A MEMBER
 03:47:43 BECAUSE IT MAY INTERFERE WITH THE FULL AND FAITHFUL
 03:47:46 DISCHARGE OF HIS PUBLIC DUTIES, WHICH IS FULL AND FAITHFUL
 03:47:50 DISCHARGE OF PUBLIC DUTIES IS SOMETHING THAT COMES IN THE

03:47:53 CASE LAW AS IMPORTANT FOR PUBLIC OFFICERS.
 03:47:58 NOW, THERE IS AN EXCEPTION FOR BOARDS LIKE YOURSELF WHERE
 03:48:04 BOARD MEMBERS HAVE SPECIFIC PROFESSIONAL CERTIFICATIONS,
 03:48:12 ARCHITECTS, ENGINEERS, LANDSCAPE ARCHITECTS.
 03:48:17 THE LAW RECOGNIZES THAT IN THOSE KIND OF BOARDS WHICH
 03:48:22 REQUIRE PROFESSIONAL MEMBERS, THERE IS AN EXCEPTION THAT
 03:48:28 PROFESSIONAL MEMBERS CAN ACTUALLY REPRESENT CLIENTS.
 03:48:36 BUT AGAIN, IN THE VILLAGE OF ESTERO, THE VILLAGE COUNCIL HAS
 03:48:42 DECIDED THEY WANT TO BE MORE STRICT THAN THE LAW.
 03:48:46 AND WITH A LOT OF DISCUSSION LAST YEAR AMONG THE BOARD
 03:48:50 MEMBERS AND AMONG THE COUNCIL, THERE WAS AN EXCEPTION THAT
 03:48:57 ALLOWS IN THE VILLAGE OF ESTERO DESIGNATED MEMBERS OF THE
 03:49:02 BOARD, THE PROFESSIONAL MEMBERS TO REPRESENT A CLIENT AT A
 03:49:09 PUBLIC INFORMATION MEETING.
 03:49:12 THAT IS IN A MEETING WHERE THERE IS NO VOTE THAT'S BEING
 03:49:15 TAKEN AND IT'S REALLY AN EXPLANATION OF A PROPOSED PROJECT
 03:49:20 WITH THE OPPORTUNITY FOR BOARD MEMBERS TO ASK QUESTIONS AND
 03:49:25 NOT A DECISION AND EVEN NOT AN INDICATION FROM ANY BOARD
 03:49:31 MEMBER OF HOW THEY MIGHT VOTE OR WHAT THEY MIGHT THINK ABOUT

 03:49:34 THE PROJECT.
 03:49:35 IT'S REALLY PUBLIC INFORMATION MEETING IS WHERE THE PUBLIC
 03:49:40 HAS A CHANCE TO COME AND ASK QUESTIONS ABOUT THE PROJECT AND
 03:49:42 THE BOARD MEMBERS HAVE A CHANCE.
 03:49:47 THAT HAS HAPPENED IN THE VILLAGE OCCASIONALLY.
 03:49:54 OKAY.
 03:49:55 I'M GOING TO SWITCH FROM ETHICS.
 03:49:58 THERE'S A LOT MORE ON ETHICS, BUT WE COULD SPEND A WHOLE
 03:50:02 HOUR ON THAT.
 03:50:03 THOSE ARE THE TWO INSTANCES, THOUGH, THAT YOU'LL MORE LIKELY
 03:50:07 COME ACROSS IN YOUR WORK ON THE BOARD.
 03:50:10 I'M GOING TO SWITCH OVER TO WHAT THE BOARD DOES.
 03:50:15 ANTHONY, DID YOU HAVE -- OKAY.
 03:50:17 I THOUGHT THAT WAS A HAND RAISE.
 03:50:18 SO THE BOARD IS AN OFFICIAL -- UNDER THE FLORIDA STATUTE.
 03:50:26 FLORIDA COMMUNITY PLANNING ACT.
 03:50:27 THE ACT DESCRIBES THE BOARD AS THE LOCAL PLANNING AGENCY.
 03:50:34 AND YOU CAN SEE YOU WANTED THE STATUTE WHAT THAT AGENCY
 03:50:38 DOES.
 03:50:39 THAT'S EXACTLY WHAT YOU DO, BUT YOU HAVE SOME EXTRA DUTIES
 03:50:44 AS WELL THAT HAVE BEEN ASSIGNED BY THE COUNCIL.
 03:50:47 SO THE AGENCY IS RESPONSIBLE FOR THE PREPARATION OF THE
 03:50:51 COMPREHENSIVE PLAN OR PLAN AMENDMENTS AND MAKES
 03:50:53 RECOMMENDATIONS TO THE COUNCIL REGARDING PLAN AMENDMENTS.
 03:50:58 YOU ALSO ARE TASKED WITH MONITORING AND OVERSEEING THE

 03:51:03 EFFECTIVENESS AND STATUS OF THE COMPREHENSIVE PLAN AND
 03:51:06 RECOMMENDING CHANGES TO THE PLAN AS YOU SEE ARE NEEDED.

03:51:09 THIRDLY, YOU REVIEW PROPOSED LAND DEVELOPMENT REGULATIONS.
 03:51:15 THAT'S YOUR ZONING CODE, ET CETERA.
 03:51:18 AND AMENDMENTS TO THEM, AND YOU MAKE RECOMMENDATIONS TO THE
 03:51:23 GOVERNING BODY AS TO THE CONSISTENCY OF A PROPOSAL WITH THE
 03:51:27 ADOPTED COMPREHENSIVE PLAN.
 03:51:30 AND THE CONSISTENCY OF THE PROPOSAL WOULD BE A PROPOSED
 03:51:35 AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS AND ALSO AN
 03:51:38 APPLICATION FOR A DEVELOPMENT APPROVAL.
 03:51:41 IN THE VILLAGE, WHAT SPECIFICALLY DOES THAT MEAN?
 03:51:49 THE KINDS OF LAND DEVELOPMENT APPLICATIONS THAT THE BOARD
 03:51:53 REVIEWS INCLUDE DEVELOPMENT ORDERS, WHICH ARE SITE PLANS,
 03:52:01 DEVIATIONS, WHICH ARE RELATING TO THE HEIGHT OF BUILDING AND
 03:52:06 STRUCTURES, VARIANCES, SPECIAL EXCEPTIONS, AND MINOR PLAN
 03:52:12 DEVELOPMENT AMENDMENTS.
 03:52:14 THOSE ARE YOUR DECISIONS WHERE YOU ACT AS THE DECISION
 03:52:16 MAKER.
 03:52:17 THAT IS UNLESS THERE'S A PROJECT COMING IN FOR A REZONING
 03:52:23 THAT HAS A DEVIATION OR A VARIANCE.
 03:52:25 IN THAT CASE, THE COUNCIL MAKES THE DECISIONS.
 03:52:30 IT'S WRAPPED UP IN ONE PACKAGE WITH THE COUNCIL.
 03:52:36 IN ESTERO, AN APPEAL CAN BE MADE OF ONE OF YOUR DECISIONS
 03:52:42 WITHIN 30 DAYS TO THE VILLAGE COUNCIL BY AN AGGRIEVED PARTY,
 03:52:50 A PARTY SUCH AS AN APPLICANT THAT HAS BEEN ADVERSELY

 03:52:55 AFFECTED OR THE VILLAGE MANAGER AND THE COUNCIL MAY DECIDE
 03:53:02 TO TAKE JURISDICTION OF A MATTER AND ESSENTIALLY BRING THE
 03:53:06 MATTER UP TO ITSELF, WHICH HAS HAPPENED ONCE, I THINK, MARY,
 03:53:11 IF I'M CORRECT.
 03:53:12 THAT'S YOUR DECISION-MAKING POWER, BUT YOU ALSO HAVE DUTIES
 03:53:22 RELATING TO RECOMMENDATIONS TO THE VILLAGE COUNCIL, AND
 03:53:27 THOSE COVER RECOMMENDATIONS ON COMPREHENSIVE PLAN
 03:53:30 AMENDMENTS, LAND DEVELOPMENT REGULATION AMENDMENTS,
 03:53:35 INCLUDING REZONINGS, PLANNED DEVELOPMENT, AND AMENDMENTS TO
 03:53:40 PLANNED DEVELOPMENTS.
 03:53:42 VACATION OF EASEMENTS AND RIGHT-OF-WAYS, DEVIATIONS AND
 03:53:47 VARIANCES TO BE HEARD BY THE COUNCIL AND FLOOD VARIANCES.
 03:53:50 YOU HAVE A WIDE RANGE OF RESPONSIBILITIES.
 03:53:56 AND THAT'S PROBABLY WHY WE MEET ALL THROUGHOUT THE YEAR.
 03:54:00 THERE'S NO SUMMER BREAK AND OFTEN HAVE MORE THAN ONE MEETING
 03:54:05 A MONTH WHEN WE HAVE A LOT OF APPLICATIONS.
 03:54:09 YES.
 03:54:13 >> I KNOW YOU MENTIONED SOME OF THE PLANS.
 03:54:16 COULD THEY POSSIBLY BE MORE THAN THAT ALSO?
 03:54:19 YOU MENTIONED SITE PLAN, FOR EXAMPLE.
 03:54:21 >>Nancy Stroud: THERE ARE SITE PLANS.
 03:54:26 THERE ARE PLANNED DEVELOPMENTS WHICH INCLUDE MASTER CONCEPT
 03:54:29 PLANS, FOR EXAMPLE.
 03:54:33 >> THESE ARE DRAINAGE PLAN, FOR EXAMPLE?

03:54:36 >>Nancy Stroud: DRAINAGE PLANS.

03:54:38 WHAT MAY COME WITH A PLANNED DEVELOPMENT, SO IT'S PART OF
 03:54:45 THE PACKAGE, LANDSCAPE PLANS ALSO COME WITH THAT.
 03:54:49 WHEN YOU GET A SITE PLAN, IT OFTEN HAS LAYERS OF OTHER KINDS
 03:54:55 OF MORE SPECIFIC PLANS, WHICH ARE PART OF THE PACKAGE.
 03:54:58 BUT YOU GET STAFF RECOMMENDATIONS ON SOME OF THE MORE
 03:55:03 TECHNICAL THINGS LIKE THAT.
 03:55:06 >> THANK YOU.
 03:55:08 >>Nancy Stroud: THAT'S YOUR BROAD RANGE OF RESPONSIBILITIES.
 03:55:15 LET ME GO TO THE RULES OF PROCEDURE THAT HAVE BEEN ADOPTED
 03:55:19 BY THE BOARD.
 03:55:22 AND THIS REALLY EXPLAINS THE CONDUCT OF MEETINGS, HOW YOU
 03:55:28 MAKE DECISIONS.
 03:55:29 I'VE TAKEN OUT OF THE RULES OF PROCEDURE SELECTED TOPICS.
 03:55:38 THERE IS A LOT IN THERE THAT SORT OF REPEATS WHAT'S IN THE
 03:55:42 LAND DEVELOPMENT CODE AND IS NOT UNEXPECTED.
 03:55:45 BUT HERE ARE A FEW THINGS THAT I WANTED TO HIGHLIGHT.
 03:55:48 SO FOR THE PZDB, THE COUNCIL APPOINTS THE CHAIRPERSON.
 03:55:53 THE COUNCIL HAS APPOINTED MR. GARGANO AS THE CHAIRPERSON.
 03:55:58 BUT THE BOARD SELECTS THE VICE-CHAIR, AND YOU'LL BE DOING
 03:56:01 THAT THIS EVENING.
 03:56:05 A QUORUM IS NECESSARY TO CONDUCT ANY BUSINESS.
 03:56:08 WE WAIT FOR FIVE MEMBERS TO BE PRESENT AT A MEETING BEFORE
 03:56:13 WE CAN CONDUCT ANY BUSINESS.
 03:56:18 AND IT HAS TO INCLUDE THE DESIGNATED ARCHITECT AS WELL.
 03:56:21 MEETINGS HAVE A CURFEW OF 9:00.

03:56:27 IN OTHER WORDS, EVERYONE IS ON NOTICE.
 03:56:28 WE PUT IT IN THE AGENDA THAT THE MEETING WILL STOP AT 9:00
 03:56:34 UNLESS THE BOARD VOTES TO EXTEND THE TIME.
 03:56:38 THAT'S A WAY, HOPEFULLY, TO KEEP THE BOARD MEETING GOING
 03:56:43 FORWARD AND NOT A LOT OF EXTRANEIOUS MATTERS DELAYING THE
 03:56:50 ACTUAL DECISION MAKING OF THE BOARD.
 03:56:52 AT LEAST SEVEN DAYS' NOTICE OF THE BOARD MEETINGS ARE
 03:56:57 REQUIRED, INCLUDING THE AGENDA BEING POSTED ON THE WEBSITE.
 03:57:02 THE STATE STATUTES SOMETIMES REQUIRE MORE NOTICE THAN SEVEN
 03:57:06 DAYS, SO THAT'S A MINIMUM.
 03:57:09 SOME ITEMS ACTUALLY REQUIRE TEN DAYS' NOTICE.
 03:57:12 IT MAY CHANGE ACCORDING TO THE TYPE OF APPLICATION.
 03:57:15 A MAJORITY VOTE OF A QUORUM IS NECESSARY TO DECIDE ANY
 03:57:23 BUSINESS.
 03:57:23 THAT IS A STANDARD ROBERT'S RULE.
 03:57:28 SO IN OUR CASE, FIVE MEMBERS ARE A QUORUM.
 03:57:33 IF WE ONLY HAVE FIVE MEMBERS, WE NEED THREE VOTES TO PASS AN
 03:57:37 ITEM.
 03:57:38 IF A PHYSICAL QUORUM IS IN ATTENDANCE AT A MEETING, IN OTHER
 03:57:47 WORDS, YOU SHOW UP AT VILLAGE HALL AND SITTING AT THE DAIS

03:57:51 AND THERE ARE FIVE MEMBERS, THEN OTHER MEMBERS MAY ATTEND BY
 03:57:54 ELECTRONIC MEANS, AND THAT'S EVOLVED INTO ZOOM MEETINGS.
 03:58:00 I THINK WE HAVE SOMEONE ATTENDING TONIGHT, I ASSUME.
 03:58:04 WE HAVE SCOTTY WOOD.
 03:58:06 AND THAT'S NOT UNUSUAL, ESPECIALLY IN THE SUMMERTIME.

03:58:10 NOW, EVERY MEMBER IN ATTENDANCE HAS TO VOTE ON A MATTER.
 03:58:15 THAT'S STATE LAW, UNLESS YOU HAVE A CONFLICT OF INTEREST.
 03:58:19 SO YOU CAN'T SORT OF RECUSE YOURSELF BECAUSE YOU HAVE A
 03:58:26 STRONG OPINION ABOUT PARKS.
 03:58:30 UNLESS YOU HAVE A CONFLICT OF INTEREST WHERE THE VOTE WILL
 03:58:34 INURE TO YOUR SPECIAL PRIVATE GAIN OR LOSS, YOU NEED TO
 03:58:40 VOTE.
 03:58:40 IN THE VILLAGE, A PUBLIC INFORMATION MEETING IS REQUIRED FOR
 03:58:45 ALL APPLICATIONS.
 03:58:46 AS I EXPLAINED EARLIER, NO DECISIONS ARE MADE AT A PUBLIC
 03:58:51 INFORMATION MEETING.
 03:58:52 THE BOARD MAY ASK QUESTIONS OF A PRELIMINARY NATURE BUT OUR
 03:58:56 RULES OF PROCEDURE MAKE CLEAR THAT ANY QUESTIONS ARE
 03:59:01 PRELIMINARY.
 03:59:01 THEY ARE NOT BINDING ON A BOARD MEMBER WHEN THE APPLICATION
 03:59:07 ACTUALLY COMES BEFORE THE FORMAL -- IN A FORMAL HEARING.
 03:59:12 >> SAY YOU HAVE EIGHT MEMBERS PRESENT AND FOUR VOTE FOR AN
 03:59:18 ITEM AND FOUR VOTE AGAINST AN ITEM, WHAT IS THE RESULT?
 03:59:22 >>Nancy Stroud: DEPENDING ON THE MOTION, IF THE MOTION IS TO
 03:59:25 APPROVE AND THERE IS A SPLIT, THEN THE MOTION FAILS.
 03:59:29 THAT HAS HAPPENED.
 03:59:34 AND THEN THE NEXT STEP IS TO TAKE ANOTHER MOTION AND SEE IF
 03:59:40 THAT MOTION WILL SUCCEED.
 03:59:45 AND HOPEFULLY IT DOES SO WE CAN DECIDE -- THE BOARD CAN
 03:59:50 DECIDE.

03:59:52 >> THANK YOU.
 03:59:53 >>Nancy Stroud: ANY QUESTIONS ABOUT PROCEDURES?
 03:59:56 I'M GOING TO GET INTO QUASI-JUDICIAL PROCEDURES, BUT
 04:00:01 ANYTHING ELSE?
 04:00:03 OKAY.
 04:00:04 SO I WANT TO TALK A LITTLE BIT ABOUT PLANNING AND ZONING IN
 04:00:12 FLORIDA BECAUSE I KNOW -- I RECOGNIZE A LOT OF FOLKS IN
 04:00:16 ESTERO, INCLUDING BOARD MEMBERS AND COUNCIL MEMBERS, HAVE
 04:00:19 COME FROM OTHER JURISDICTIONS.
 04:00:22 FLORIDA IS ONE OF THOSE JURISDICTIONS THAT HAS HAD A FAIRLY
 04:00:28 UNUSUAL STATE PLANNING STATUTE SINCE THE 1970s.
 04:00:39 LOOSENED UP A BIT SINCE 2011, SO THE PROCEDURES ARE A LITTLE
 04:00:44 SIMPLER AND THERE'S MORE LOCAL GOVERNMENT INFLUENCE.
 04:00:50 BUT IT'S IMPORTANT TO UNDERSTAND THAT IN FLORIDA, COULD BE A
 04:00:57 LITTLE BIT DIFFERENT THAN WHAT YOU MIGHT KNOW FROM OTHER
 04:01:00 STATES.

04:01:00 COMPREHENSIVE PLANNING IS ONE OF THOSE THINGS.
 04:01:02 FLORIDA IS ONE OF THE EARLY STATES THAT REQUIRED ALL
 04:01:07 COUNTIES AND CITIES OR MUNICIPALITIES TO ADOPT A
 04:01:10 COMPREHENSIVE PLAN.
 04:01:14 AND IT ALSO MADE THE COMPREHENSIVE PLAN BASICALLY WHAT'S
 04:01:21 BEEN CALLED THE CONSTITUTION OF LAND USE.
 04:01:24 IT ACTS AS A LAW AND A REGULATION, AND EVERYTHING RELATED TO
 04:01:32 LAND DEVELOPMENT REGULATIONS, TO YOUR AND THE COUNCIL'S
 04:01:38 APPROVALS OF DEVELOPMENT APPLICATIONS HAVE TO BE CONSISTENT

 04:01:43 WITH THE PLAN.
 04:01:44 SO IT'S LIKE THE POLE STAR OF LAND DEVELOPMENT REGULATION.
 04:01:52 LAND DEVELOPMENT REGULATIONS HAVE TO BE IMPLEMENTED TO ADOPT
 04:01:56 THE PLAN AND THE STATUTE SETS OUT LAND DEVELOPMENT
 04:01:59 REGULATIONS THAT HAVE TO BE IMPLEMENTED.
 04:02:01 INTERESTINGLY ENOUGH, A ZONING CODE DOESN'T HAVE TO BE
 04:02:05 IMPLEMENTED.
 04:02:05 BUT, OF COURSE, THAT IS THE STANDARD WAY TO REGULATE LAND
 04:02:09 USE.
 04:02:09 I DON'T KNOW OF ANY COUNTY OR MUNICIPALITY THAT DOESN'T HAVE
 04:02:14 A ZONING CODE.
 04:02:15 IF A DECISION ON AN APPLICATION IS CHALLENGED IN COURT, THE
 04:02:25 FLORIDA COURTS HAVE ESTABLISHED A RULE THAT INCONSISTENCIES
 04:02:31 ARE SUBJECT TO WHAT'S CALLED STRICT SCRUTINY.
 04:02:34 IN OTHER WORDS, THE COURT DOESN'T DEFER TO THE LOCAL
 04:02:37 GOVERNMENT.
 04:02:37 THEY WILL LOOK CLOSELY AT WHAT THE COMPREHENSIVE PLAN SAYS
 04:02:43 AND WHAT THE ACTION TAKEN IS AND SEE IF THEY ARE CONSISTENT.
 04:02:48 SO THE JUDICIARY IN FLORIDA HAS TAKEN A PRETTY STRONG STAND
 04:02:53 ABOUT HOW THE PRECEDENCE OF THE COMPREHENSIVE PLAN MAKES A
 04:03:01 BIG DIFFERENCE IN FLORIDA.
 04:03:02 THERE ARE A COUPLE OF OTHER TOPICS THAT I WANTED TO TOUCH ON
 04:03:18 AS WELL.
 04:03:18 FLORIDA HAS SOMETHING CALLED THE BERT J. HARRIS JUNIOR
 04:03:25 PRIVATE PROPERTY RIGHTS PROTECTION ACT.

 04:03:27 AND THAT IS AN ACT THAT WAS PASSED IN I BELIEVE IT WAS THE
 04:03:31 1980s TO TRY AND ESTABLISH FLORIDA AS A STATE WHERE
 04:03:38 PRIVATE PROPERTY IS PROTECTED.
 04:03:41 MORE SO THAN IT MIGHT BE PROTECTED UNDER FLORIDA LAW, WHICH
 04:03:48 IS WHERE A LOT OF CASES HAVE BEEN TAKEN TO TRY AND ESTABLISH
 04:03:54 PRIVATE PROPERTY RIGHTS.
 04:03:55 THE BERT HARRIS ACT SAYS THAT ANY REGULATIONS OR OTHER
 04:04:04 GOVERNMENTAL ACTIONS MAY NOT INORDINATELY BURDEN PRIVATE
 04:04:09 PROPERTY RIGHTS.
 04:04:10 IF THE COURT FINDS THAT THE ACTION HAS INORDINATELY BURDENED
 04:04:18 THE PRIVATE PROPERTY RIGHT, THEN THE PRIVATE PROPERTY OWNER
 04:04:22 CAN RAISE A CLAIM FOR DAMAGES TO BE COMPENSATED FOR THAT

04:04:25 BURDEN.
 04:04:26 THE STATUTE ALSO MAKES CLEAR THAT THIS IS A BURDEN -- A
 04:04:33 BURDEN DOESN'T HAVE TO BE AS STRONG AS A BURDEN WOULD NEED
 04:04:37 TO BE UNDER FEDERAL LAW TO REQUIRE A COMPENSATION.
 04:04:45 AND THEN IT DEFINES WHAT AN INORDINATE BURDEN IS, WHICH
 04:04:49 ESSENTIALLY BRINGS IN A LOT OF THE FEDERAL LAW ON REGULATORY
 04:05:01 TAKINGS AND VESTED RIGHTS.
 04:05:02 NOW, IT'S A STATUTE THAT SOUNDS VERY PROTECTIVE, BUT IT'S
 04:05:09 ALSO A STATUTE THAT REQUIRES A LOT OF PRELIMINARY,
 04:05:14 ADMINISTRATIVE PROCESSES BEFORE A CASE ACTUALLY COMES TO
 04:05:21 COURT.
 04:05:22 AND BECAUSE OF THAT, THERE'S BEEN VERY LITTLE ACTUAL CASE
 04:05:26 LAW THAT HAS FOUND THAT THERE IS AN INORDINATE BURDEN.

 04:05:30 IT GIVES THE OPPORTUNITY TO LOCAL GOVERNMENTS TO HAVE NOTICE
 04:05:35 OF A CLAIM AND TO TRY AND WORK OUT SOME SORT OF COMPROMISE
 04:05:41 ON THAT CLAIM.
 04:05:41 AND THAT'S WHAT HAS GENERALLY HAPPENED OVER THE YEARS UNDER
 04:05:46 THESE -- UNDER THIS STATUTE.
 04:05:48 BUT YOU'LL FIND, ESPECIALLY IN THE EARLY DAYS OF THE LAW,
 04:05:54 YOU'D FIND A LOT OF PEOPLE COMING IN, DEVELOPERS,
 04:05:57 APPLICANTS, SAYING YOU CAN'T DENY MY APPLICATION BECAUSE
 04:06:02 OTHERWISE YOU'RE CREATING THIS INORDINATE BURDEN, AND I'M
 04:06:05 GOING TO SUE YOU AND GET DAMAGES AND ATTORNEYS' FEES.
 04:06:09 HASN'T REALLY WORKED OUT THAT WAY, BUT IT STILL IS SOMETHING
 04:06:16 THAT I THINK HAS CREATED AN ATMOSPHERE OF CAUTION, WHICH IS
 04:06:20 PROBABLY WHAT IT ORIGINALLY INTENDED ANYWAY.
 04:06:23 THERE'S ALSO A MORE RECENT LAW WHICH IS PRETTY UNUSUAL FOR
 04:06:34 THE COUNTRY.
 04:06:35 AND THAT'S A LAW THAT ALLOWS A PROPERTY OWNER TO CLAIM THAT
 04:06:43 A CONDITION TO A PERMIT IS AN ILLEGAL GOVERNMENTAL EXACTION.
 04:06:51 AND IF THAT HAS BEEN FOUND BY THE COURT, THEN THIS ALSO
 04:06:56 GIVES THE CLAIMANT A REMEDY OF DAMAGES.
 04:07:01 SO I THINK THIS WAS ALSO INTENDED TO BE SURE THAT ANY
 04:07:05 CONDITION THAT WAS PUT ON A PERMIT IS REASONABLY RELATED TO
 04:07:11 THE IMPACT OF THE PERMIT.
 04:07:15 IT'S SORT OF TRACKING WHAT HAS EVOLVED IN THE UNITED STATES
 04:07:18 SUPREME COURT AS CONSTITUTIONAL CLAIM.
 04:07:25 SO IF YOU LOOK ON PROHIBITED EXACTION UNDER THE STATUTE, IT

 04:07:30 MEANS ANY CONDITION IMPOSED BY A GOVERNMENTAL ENTITY ON A
 04:07:35 PROPERTY OWNER'S PROPOSED USE OF REAL PROPERTY THAT LACKS AN
 04:07:39 ESSENTIAL NEXUS TO A LEGITIMATE PUBLIC PURPOSE AND IS NOT
 04:07:42 ROUGHLY PROPORTIONATE TO THE IMPACTS OF THE PROPOSED USE
 04:07:46 THAT THE GOVERNMENT ENTITY SEEKS TO AVOID, MINIMIZE, OR
 04:07:50 MITIGATE.
 04:07:50 I THINK YOU'LL FIND THAT THE STAFF HERE IN THE VILLAGE IS
 04:07:56 VERY CAREFUL ABOUT ITS CONDITIONS.

04:07:59 THIS REQUIREMENT REALLY REFLECTS WHAT'S BEEN EVOLVING IN
 04:08:03 FEDERAL CASE LAW FOR A WHILE.
 04:08:07 IT DOES, AGAIN, MAKES STAFF CAUTIOUS ON RECOMMENDING WHAT
 04:08:17 CONDITIONS ARE AND ALLOWS THE BOARD TO STEP BACK AND SAY,
 04:08:22 WELL, REALLY, WE'D LIKE TO HAVE THIS FROM A DEVELOPER, BUT
 04:08:25 WE KNOW WE CAN'T IN SOME CASES REQUIRE IT OF THE DEVELOPER
 04:08:29 BECAUSE IT'S NOT REALLY PROPORTIONATE TO THE IMPACT OR
 04:08:34 RELATED SO CLOSELY TO THE IMPACT.
 04:08:36 OFTENTIMES A DEVELOPER WILL PROFFER, OFFER VOLUNTARILY
 04:08:42 CONDITIONS, BUT WE ALWAYS LIKE TO MAKE SURE THAT'S PRETTY
 04:08:44 CLEAR IN THE RECORD THAT IT'S VOLUNTARY AND IT'S NOT A
 04:08:50 MANDATORY CONDITION.
 04:08:51 IN FLORIDA, WE ALSO HAVE SORT OF LEGACY APPROVALS, AND WE
 04:09:03 ESPECIALLY HAVE THIS IN ESTERO AND IN SOUTHWEST FLORIDA,
 04:09:07 WHICH ARE CALLED DEVELOPMENTS OF REGIONAL IMPACT.
 04:09:10 AND THEY ARE BASICALLY LARGE PLANNED DEVELOPMENTS THAT WERE
 04:09:16 APPROVED BEGINNING IN THE 1970s.

04:09:19 AND THEY ORIGINALLY WERE APPROVED UNDER -- SOME PEOPLE WOULD
 04:09:27 SAY COMPLICATED APPROVAL PROCEDURES WHICH INVOLVED REVIEW BY
 04:09:31 THE REGIONAL PLANNING COUNCIL AND A LOT OF ADMINISTRATIVE
 04:09:39 PROCESS.
 04:09:40 I THINK BACK THEN PROBABLY FOR GOOD REASON BECAUSE A LOT OF
 04:09:46 LOCAL GOVERNMENTS AT THAT TIME WERE NOT VERY SOPHISTICATED
 04:09:49 IN FLORIDA AT LEAST ABOUT REVIEWING VERY LARGE PROJECTS.
 04:09:54 WELL, NOW THAT PROCESS HAS BEEN PHASED OUT SO THAT THE
 04:09:59 COMPLICATED REGIONAL REVIEW, ET CETERA, IS NOT REQUIRED, AND
 04:10:04 ANY AMENDMENT TO AN APPROVED DEVELOPMENT OF REGIONAL IMPACT
 04:10:08 SIMPLY GOES THROUGH A LOCAL GOVERNMENT REVIEW AND APPROVAL
 04:10:11 PROCESS, LIKE WE WOULD A PLANNED UNIT DEVELOPMENT OR
 04:10:14 SOMETHING LIKE THAT.
 04:10:15 BUT SINCE WE HAVE THESE LEGACY DRIs, IT'S IMPORTANT TO
 04:10:22 UNDERSTAND THAT THOSE DRIs THAT HAVE BEEN APPROVED AND
 04:10:27 BUILT HAVE OBTAINED VESTED RIGHTS IN THOSE APPROVALS THAT
 04:10:32 THE STATUTE PROTECTS.
 04:10:34 SO LOCAL GOVERNMENTS, INCLUDING ESTERO MIGHT CHANGE THEIR
 04:10:40 REGULATIONS TO MAKE REVIEWS MORE STRICT OR CRITERIA MORE
 04:10:44 STRICT OR CHANGE THEIR PLANS TO DO THE SAME THING AND THUS
 04:10:51 MAKE THE LAND DEVELOPMENT REGULATIONS CONSISTENT WITH THE
 04:10:56 PLAN TO BE MORE RESTRICTIVE.
 04:10:58 BUT UNDER THE FLORIDA LAW, LOCAL GOVERNMENT, THE VILLAGE IS
 04:11:04 RESTRICTED FROM REQUIRING ANYTHING MORE THAN WHAT WAS
 04:11:10 REQUIRED UNDER THE DRI APPROVAL.

04:11:14 YOU WILL FIND UNDER THE APPROVALS THAT WERE GRANTED IN LEE
 04:11:17 COUNTY BEFORE WE WERE A VILLAGE FOR THE DRIs, THERE'S
 04:11:22 USUALLY A LITTLE SECTION THAT SAYS, IF WE HAVEN'T COVERED
 04:11:26 EVERYTHING IN OUR DEVELOPMENT ORDER HERE, THEN THE LOCAL

04:11:33 GOVERNMENT REGULATIONS AT THE TIME OF ANY AMENDMENTS WILL
 04:11:38 APPLY.
 04:11:38 THAT GIVES US A LITTLE BIT OF WIGGLE ROOM, BUT OFTENTIMES
 04:11:44 YOU'LL SEE STAFF SAYING, SORRY, THIS IS WHAT THEY ARE VESTED
 04:11:48 FOR, SO WE REALLY CAN'T DO WHAT WE MIGHT DO WITH OTHER KINDS
 04:11:53 OF APPROVALS.
 04:11:53 I WANT TO TALK A LITTLE BIT ABOUT QUASI-JUDICIAL
 04:12:06 PROCEEDINGS.
 04:12:11 >> THESE WRITINGS FOR THE LAWS, QUITE A FEW WORDING --
 04:12:16 >>Nancy Stroud: I'M SORRY.
 04:12:17 CAN YOU SPEAK INTO THE MICROPHONE.
 04:12:21 >> I DIDN'T WANT TO BE HEARD, REALLY.
 04:12:23 GOVERNMENTAL AGENCIES OR ENTITIES, WHO IS THAT SPECIFICALLY?
 04:12:34 >>Nancy Stroud: UNDER THE DRI LAW?
 04:12:37 >> RIGHT.
 04:12:38 IT SHOWS UP IN A LOT OF FLORIDA LAW WRITING THAT I WAS
 04:12:42 READING.
 04:12:43 >>Nancy Stroud: THERE ARE ANY NUMBER OF GOVERNMENTAL
 04:12:45 ENTITIES THAT ARE -- HAVE A ROLE IN APPROVING AND REVIEWING
 04:12:50 PERMITS.
 04:12:53 AND THE VILLAGE HAS A CERTAIN ROLE THAT IS COVERED UNDER THE

 04:13:00 STATUTE -- THE STATUTES AND UNDER OUR CODE, BUT OFTENTIMES,
 04:13:08 ESPECIALLY IN COMPLICATED PROJECTS, THERE ARE A LOT OF OTHER
 04:13:14 AGENCIES INVOLVED.
 04:13:15 FEDERAL, STATE, SOMETIMES THE COUNTY.
 04:13:17 >> MAKE IT EASIER FOR YOU.
 04:13:18 IN THE LAWSUIT FROM THE DEVELOPER, WHO IS GETTING SUED?
 04:13:24 WHICH IS THE GOVERNMENT AGENCY?
 04:13:27 >>Nancy Stroud: DEPENDS ON THE PROJECT I GUESS AND THE
 04:13:30 APPROVAL.
 04:13:30 IF THE VILLAGE HAS RESPONSIBILITY FOR THE APPROVAL, IT'S THE
 04:13:36 VILLAGE THAT WILL GET SUED.
 04:13:38 OFTENTIMES THE VILLAGE IS ONLY ONE OF MANY, SO IT COULD BE
 04:13:45 THAT OTHERS WOULD BE INVOLVED AS WELL.
 04:13:47 DEPENDS ON THE PROJECT.
 04:13:51 >> EVER GOES DOWN TO THE INDIVIDUAL?
 04:13:53 >>Nancy Stroud: OH, INDIVIDUAL LIABILITY FOR APPROVALS BOTH
 04:13:58 FOR THE BOARD MEMBERS AND FOR THE COUNCIL MEMBERS IS VERY
 04:14:03 RESTRICTED.
 04:14:04 THERE IS INDIVIDUAL LIABILITY IF YOU CAN BE FOUND TO HAVE
 04:14:11 ACTED OUTSIDE OF YOUR JURISDICTIONAL POWERS, YOU KNOW, FOR A
 04:14:15 BAD PURPOSE FOR MALICE, TOTALLY BIAS AND VERY CLEAR ON THE
 04:14:23 RECORD.
 04:14:23 THAT RARELY HAPPENS.
 04:14:26 WE TRY TO MAKE SURE THAT WE STOP ANYTHING IF IT LOOKS LIKE
 04:14:31 IT MIGHT BE GOING IN THAT DIRECTION.

04:14:33 BUT IN THE VILLAGE, I'VE NEVER SEEN THAT REALLY BE A
 04:14:35 PROBLEM.
 04:14:37 >> SOME OF US MAY HAVE TO CARRY IT BUT I DIDN'T KNOW IF
 04:14:41 EVERY MEMBER DID.
 04:14:43 THANK YOU.
 04:14:43 >>Nancy Stroud: YOU'RE WELCOME.
 04:14:44 BACK TO QUASI-JUDICIAL PROCEEDINGS, A LOT OF WHAT YOU HEAR
 04:14:51 ON THE BOARD HAS TO DO WITH SITE-SPECIFIC APPLICATIONS.
 04:14:55 SITE PLANS RELATED TO A SPECIFIC SITE, VARIANCES FOR A
 04:15:01 SPECIFIC PROJECT.
 04:15:03 AND ALL OF THOSE KINDS OF APPLICATIONS HAVE TO BE HEARD
 04:15:08 UNDER QUASI-JUDICIAL PROCEDURES.
 04:15:11 EVERY TIME WE HAVE ONE OF THOSE -- AND YOU'LL HEAR IT
 04:15:14 TONIGHT -- THE CHAIRPERSON WILL EXPLAIN WHAT THE PROCEDURES
 04:15:19 ARE, NOT JUST FOR THE BOARD'S BENEFIT, BUT FOR THE PEOPLE IN
 04:15:22 THE AUDIENCE.
 04:15:26 SO WHEN YOU HAVE DEVIATION OF VARIANCE, SPECIAL EXCEPTION,
 04:15:31 AND ESPECIALLY DEVELOPMENT ORDERS, WHICH YOU SEE A LOT OF,
 04:15:36 THEN WE'LL KICK IN TO A PROCEEDING THAT IS MORE FORMAL THAN
 04:15:43 WHAT YOU MIGHT NORMALLY EXPECT IN OTHER PLACES.
 04:15:49 ALTHOUGH IT'S A FORMAL PROCESS AND IT LOOKS VERY MUCH LIKE
 04:15:57 WHAT YOU WOULD SEE WHEN A PERSON COMES TO COURT AND IS
 04:16:01 SITTING BEFORE A JURY, THE JURY IS MAKING A DECISION, IT'S
 04:16:08 ALSO QUASI-JUDICIAL, SO IT'S NOT QUITE AS FORMAL AS THAT.
 04:16:13 YOU'LL SEE THE PROCEDURES SET OUT IN SECTION 5 OF THE RULES.

 04:16:22 I'LL JUST GO OVER BASICALLY WHAT THIS MEANS.
 04:16:25 THE MINIMUM REQUIREMENT FOR QUASI-JUDICIAL PROCEEDINGS WHICH
 04:16:30 ARE WRITTEN INTO OUR RULES IS THAT THERE NEEDS TO BE AN
 04:16:34 IMPARTIAL DECISION MAKER, AND THAT'S YOU.
 04:16:36 THAT'S THE BOARD.
 04:16:37 TO ENSURE THE IMPARTIALITY OF THE BOARD MEMBERS BEFORE EACH
 04:16:47 APPLICATION IS HEARD WILL ASK WHETHER BOARD MEMBERS HAVE HAD
 04:16:52 ANY EX PARTE COMMUNICATIONS.
 04:16:55 THAT IS DISCUSSIONS WITH THE APPLICANT, WITH ANY OTHER
 04:16:59 PARTIES, INCLUDING CITIZENS, YOUR NEIGHBORS, OUTSIDE OF THE
 04:17:04 MEETING.
 04:17:05 IT'S REALLY A GOOD IDEA TO DISCLOSE YOUR EX PARTE
 04:17:13 COMMUNICATIONS BECAUSE THAT PROTECTS YOU FROM A CLAIM THAT
 04:17:19 YOU ARE MAKING YOUR DECISION BASED ON SOMETHING THAT NOBODY
 04:17:22 KNOWS ABOUT.
 04:17:25 SO I THINK A LOT OF PEOPLE THINK IT'S LIKE GOING TO
 04:17:27 CONFESSION, BUT IT'S NOT.
 04:17:29 IT'S REALLY JUST BEING TRANSPARENT AND LAYING IT OUT SO THAT
 04:17:36 YOU CAN MAKE A FAIR DECISION.
 04:17:39 AND THE APPLICANT CAN ASK YOU, WELL, WHAT DID YOU TALK ABOUT
 04:17:43 WITH THIS CITIZEN?
 04:17:46 THEY RARELY DO, BUT IT'S SUPPOSED TO BE TREATMENT, SO THEY

04:17:52 CAN IF THEY WANT TO.
 04:17:53 ALL FACT WITNESSES HAVE TO BE SWORN AND TESTIMONY IS GIVEN
 04:18:00 UNDER OATH.

 04:18:01 WE'LL DO THAT AT THE BEGINNING OF EACH HEARING.
 04:18:03 EVERYONE WHO IS GOING TO BE TESTIFYING, INCLUDING THE PUBLIC
 04:18:07 WILL TAKE AN OATH TO TELL THE TRUTH.
 04:18:10 AND THEN THE APPLICANTS, THE STAFF, AND INTERESTED PARTIES,
 04:18:19 ESPECIALLY INTERESTED PARTIES, NOT THE GENERAL PUBLIC, HAVE
 04:18:21 THE FULL OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT
 04:18:25 INCLUDING EXPERT WITNESSES.
 04:18:26 SO THIS IS WHAT THE TRIAL-LIKE PART OF THE PROCEEDING IS
 04:18:31 LIKE.
 04:18:31 AND WITNESSES MAY BE CROSS-EXAMINED BY THE PARTIES.
 04:18:35 THAT HAPPENS SOMETIMES.
 04:18:36 IT DOESN'T HAPPEN A LOT.
 04:18:37 BUT IT DOES.
 04:18:38 PUBLIC TESTIMONY AND COMMENT IS ALLOWED.
 04:18:43 THERE IS A PORTION OF THE HEARING WHICH IS ALWAYS SET ASIDE
 04:18:45 FOR PUBLIC TESTIMONY, AND THE PUBLIC IS LIMITED TO THREE
 04:18:52 MINUTES AND THEY CAN BE CROSS-EXAMINED BY THE APPLICANT.
 04:19:01 ANTHONY, DID YOU HAVE A QUESTION?
 04:19:04 >>Anthony Gargano: THREE OR FIVE?
 04:19:05 QUASI, PUBLIC IS LIMITED TO THREE OR FIVE?
 04:19:10 >>Nancy Stroud: THREE.
 04:19:11 FIVE BEFORE THE COUNCIL.
 04:19:14 IT'S THREE BEFORE US.
 04:19:17 >>Tammy Duran: NO, IT'S FIVE.
 04:19:20 >>Nancy Stroud: FIVE FOR HERE.

 04:19:21 >>Mary Gibbs: IT'S THREE FOR INFORMATION MEETINGS AND FIVE
 04:19:24 FOR PUBLIC HEARING.
 04:19:25 >>Nancy Stroud: OKAY.
 04:19:26 THAT'S WHY IT'S CONFUSING.
 04:19:28 THREE FOR PUBLIC INFORMATION MEETINGS AND FIVE FOR THE
 04:19:31 HEARING.
 04:19:31 AND THE CLERK WILL TIME IT.
 04:19:33 YOU'LL SEE THE TIMER UP ON THE WALL.
 04:19:42 >>Anthony Gargano: YOU HAVE TO SIGN IN TO BE ABLE TO SPEAK.
 04:19:44 >>Nancy Stroud: YES.
 04:19:45 BEFORE THE PUBLIC SPEAKS, THEY SIGN A CARD IDENTIFYING WHO
 04:19:48 THEY ARE AND WHAT THEY WANT SPEAK ON SO WE CAN BE
 04:19:51 EXPEDITIOUS IN THE HEARING.
 04:19:54 >>Anthony Gargano: THEY ALSO NEED TO BE PART OF THE GROUP
 04:19:56 THAT'S SWORN.
 04:19:57 >>Nancy Stroud: YES.
 04:19:58 YES.
 04:19:59 WE ALWAYS ASK THE PUBLIC TO BE SWORN TOO IF THEY ARE

04:20:03 PLANNING TO MAKE ANY COMMENTS.
 04:20:05 FORMAL RULES OF EVIDENCE DON'T APPLY, BUT FUNDAMENTAL DUE
 04:20:11 PROCESS IS REQUIRED.
 04:20:12 THEN A WRITTEN DECISION ISSUES FOR THE APPLICANT.
 04:20:20 ANY DECISION HAS TO BE SUPPORTED BY COMPETENT SUBSTANTIAL
 04:20:25 EVIDENCE IN THE RECORD OF THE PROCEEDINGS.
 04:20:26 COMPETENT SUBSTANTIAL EVIDENCE IS EVIDENCE THAT IS FACT

 04:20:32 BASED AND WHAT A REASONABLE MIND WOULD CONSIDER TO BE
 04:20:36 TRUTHFUL AND IS RELEVANT TO THE APPLICATION.
 04:20:43 YOU'LL SEE THAT THE PROCESS, THE QUASI-JUDICIAL PROCESS HAS
 04:20:56 A CADENCE OF ITS OWN.
 04:20:59 ONCE YOU GO THROUGH A COUPLE IT BECOMES VERY FAMILIAR, I
 04:21:02 HOPE.
 04:21:03 AND YOU HAVE SOME DISCRETION ABOUT WHETHER YOU WANT TO ALLOW
 04:21:10 LONGER PUBLIC COMMENT.
 04:21:14 WHETHER YOU WANT TO ALLOW THE APPLICANT TO HAVE A LONGER
 04:21:18 PERIOD OF TIME.
 04:21:21 AGAIN, IT'S QUASI-JUDICIAL, SO IT DOESN'T HAVE TO BE STRICT
 04:21:27 PROCEDURES.
 04:21:28 WE TEND TO HAVE PRETTY STANDARD PROCEDURES, I THINK, FOR ALL
 04:21:32 THE APPLICATIONS.
 04:21:33 THAT'S YOUR PLANNING 101.
 04:21:40 IT'S REALLY JUST A COUPLE OF HIGHLIGHTS.
 04:21:44 HOPEFULLY YOU'LL SEE THEM IN PRACTICE TONIGHT AND GET VERY
 04:21:48 FAMILIAR WITH THEM.
 04:21:48 BUT IF YOU EVER HAVE ANY QUESTIONS, IF YOU HAVE ANY
 04:21:52 QUESTIONS ABOUT WHETHER YOU MIGHT HAVE A CONFLICT OF
 04:21:54 INTEREST, IT'S ALWAYS GOOD TO TALK TO ME BEFORE THE MEETING
 04:21:57 AND EXPLAIN WHAT THE SITUATION IS BECAUSE CONFLICTS CAN BE
 04:22:04 VERY FACT BASED AND I'LL HAVE TO ASK SOME QUESTIONS AND
 04:22:07 FIGURE OUT WHAT YOUR INTEREST IS BEFORE I CAN ADVISE YOU.
 04:22:10 THAT'S ALWAYS GOOD.

 04:22:12 PLEASE FEEL FREE TO ASK ME ANY QUESTIONS.
 04:22:21 SIR.
 04:22:23 >> SO IN REVIEWING THE PACKET FOR TONIGHT AND YOU ALSO MADE
 04:22:27 REFERENCE TO SOME OF THESE, IS THE ESTERO COMPREHENSIVE PLAN
 04:22:34 ONE DOCUMENT, THE URBAN COMMERCIAL LAND USE ANOTHER
 04:22:38 DOCUMENT, THE VILLAGE LAND DEVELOPMENT CODE ANOTHER DOCUMENT
 04:22:43 THAT WE ARE USING IN MAKING THE DECISIONS?
 04:22:49 >>Nancy Stroud: YES.
 04:22:49 THE COMPREHENSIVE PLAN IS -- I DON'T THINK I BROUGHT MINE
 04:22:54 TODAY.
 04:22:54 >>Mary Gibbs: I DIDN'T EITHER.
 04:22:57 >>Nancy Stroud: IT'S ON THE WEB AND THERE ARE WRITTEN
 04:23:02 VERSIONS.
 04:23:04 YES, ON THE VILLAGE SITE.

04:23:05 SO ARE THE LAND DEVELOPMENT REGULATIONS.
 04:23:10 THEY ARE ALL PUT TOGETHER UNDER ONE CHAPTER IN THE VILLAGE
 04:23:14 CODE.
 04:23:17 I HAVE BOTH OF THEM ON MY DESK.
 04:23:20 I DON'T ALWAYS BRING THEM TO THE MEETING, AND THEN THE
 04:23:23 ZONING MAP, WHICH IS A GRAPHIC DEPICTION OF THE VARIOUS
 04:23:27 ZONING DISTRICTS.
 04:23:30 THOSE ARE THE THREE BASIC DOCUMENTS.
 04:23:35 >>Mary Gibbs: IF I CAN ADD, NANCY, ALSO, SO WHEN WE DO A
 04:23:40 STAFF REPORT FOR YOU, LIKE FOR A ZONING CASE, FOR EXAMPLE,
 04:23:43 THE ONE WE HAVE TONIGHT, WE WILL -- WHEN THE STAFF REVIEWS

 04:23:46 IT, WE WILL LOOK AT THE COMPREHENSIVE PLAN TO SEE IF THE
 04:23:49 REQUEST IS CONSISTENT.
 04:23:51 WE'LL LOOK AT THE LAND DEVELOPMENT CODE TO SEE IF IT MEETS
 04:23:54 THE LAND DEVELOPMENT CODE REGULATIONS.
 04:23:56 SO WE DO AN ANALYSIS AND EACH OF THE STAFF REPORTS FOR
 04:24:00 ZONING THAT WILL EXPLAIN THAT TO YOU AND WE PUT EXCERPTS IN.
 04:24:04 THE STAFF REPORT WILL SAY HERE IS WHY IT IS CONSISTENT WITH
 04:24:07 THE COMPREHENSIVE PLAN OR HERE ARE POLICIES.
 04:24:09 YOU MENTIONED URBAN COMMERCIAL.
 04:24:11 THAT IS A LAND USE CATEGORY IN THE COMPREHENSIVE PLAN AND
 04:24:14 ZONING.
 04:24:15 SO WE WILL REFER TO THAT SO THAT YOU DON'T HAVE TO BE
 04:24:20 FLIPPING BACK AND FORTH THROUGH YOUR COMPREHENSIVE PLAN AND
 04:24:22 YOUR LAND DEVELOPMENT CODE EVERY TIME YOU GET SOMETHING, WE
 04:24:25 TRY TO MAKE IT EASIER SO YOU DON'T HAVE TO DO AN INDEPENDENT
 04:24:29 REVIEW.
 04:24:29 WE CAN PROVIDE THE INFORMATION FOR YOU.
 04:24:31 BUT IF YOU DO HAVE INSOMNIA ANY NIGHT, I HIGHLIGHT RECOMMEND
 04:24:36 YOU CAN PULL UP THE LAND DEVELOPMENT CODE AND JUST START
 04:24:39 READING SOME SECTIONS AND YOU'LL PROBABLY GO TO SLEEP VERY
 04:24:42 SOON.
 04:24:44 >>Nancy Stroud: IT'S DIFFERENT WITH THE COMPREHENSIVE PLAN.
 04:24:46 THAT IS A VERY GRAPHIC-LADEN DOCUMENT, AND IT HAS SOME
 04:24:55 STANDARD STUFF THAT EVERYONE HAS TO ADOPT IN FLORIDA, BUT IT
 04:25:00 ALSO IN THE VILLAGE HAS SOME EXTRA THINGS LIKE DESIGN

 04:25:08 GUIDELINES BECAUSE THE VILLAGE IS VERY CONCERNED ABOUT THE
 04:25:12 AESTHETICS AND HOW THE CONNECTIVITY OF COMMUNITY AND
 04:25:22 GREENSPACE AND ALL THE GOOD THINGS THAT MAKE A COMMUNITY A
 04:25:26 VERY RESTRICTIVE AND WORKABLE COMMUNITY.
 04:25:29 AND THAT'S ONE THING, IF YOU DON'T READ ANYTHING IN THE
 04:25:32 COMPREHENSIVE PLAN, I WOULD READ THAT, BECAUSE THAT'S PRETTY
 04:25:35 INTERESTING.
 04:25:37 >>Mary Gibbs: THAT IS THE COMMUNITY DESIGN SUBELEMENT AND IT
 04:25:39 DOES HAVE A LOT OF INTERESTING PHOTOS, PICTURES, EXAMPLES OF
 04:25:43 PLACEMAKING AND THAT IS VERY USEFUL.

04:25:54 >>Anthony Gargano: MARY TOUCHED ON THE STAFF REPORT.
 04:25:56 YOU'LL FIND THE STAFF REPORT RECOMMENDATION REALLY, REALLY
 04:26:03 HELPFUL BECAUSE THEY DO THAT FOR EACH OF THE CASES.
 04:26:10 >>Nancy Stroud: NOW, WHEN THE MEETING BEGINS, I WANT TO ALSO
 04:26:12 REMIND PEOPLE TO GET CLOSER TO YOUR MICROPHONES BECAUSE
 04:26:16 ALTHOUGH THIS MEETING ISN'T BEING RECORDED, THE BOARD
 04:26:19 MEETING WILL BE RECORDED AND THE CLERK NEEDS TO BE ABLE TO
 04:26:25 HEAR YOU TO MAKE SURE THE MINUTES ARE GOOD AND EVERYBODY
 04:26:28 ELSE NEEDS TO HEAR US TOO.
 04:26:34 >>Jim Wallace: SOMETHING THAT ALWAYS QUESTIONED ME AND MAYBE
 04:26:36 YOU GUYS CAN ANSWER IT.
 04:26:38 WE HAVE DIFFERENT COMMUNITIES THAT DO DIFFERENT THINGS.
 04:26:41 IF WE LOOK LIKE THE ONE ON BROADWAY, THE NEW ONE DOWNTOWN
 04:26:45 ESTERO, WHERE STREET SCAPING AND HUMAN SCALE AND EVERYTHING
 04:26:48 ELSE IS SO IMPORTANT.

 04:26:53 HOW DO WE -- YOU KNOW, YOU GET A FEELING WHETHER THEY HAVE
 04:26:57 DONE IT APPROPRIATELY OR NOT, WHETHER ENOUGH OF IT OR NOT.
 04:27:01 IS IT TO HUMAN SCALE?
 04:27:04 IT'S VERY INTERPRETIVE.
 04:27:06 THE QUESTION I ALWAYS HAVE IS, HAVE THEY DONE ENOUGH?
 04:27:09 IS THERE MORE THEY SHOULD DO?
 04:27:11 HOW DO WE JUDGE THE DIFFERENCE IN WHAT'S NEEDED IN A PURELY
 04:27:18 RESIDENTIAL COMMUNITY VERSUS A MIXED USE OR SOMETHING LIKE
 04:27:20 WOODFIELD WHERE THEY HAVE NOW EMBRACED THE IDEA OF THE
 04:27:24 STREETScape AND THE HUMAN SCALE AND DRAMATICALLY IMPROVED
 04:27:28 THEIR PLAN, HOW DO WE JUDGE, OR IS IT JUST JUDGMENTAL?
 04:27:38 >>Kristin Jeannin: HOW DO WE COMMENT IN A LEGAL WAY?
 04:27:41 >>Nancy Stroud: RIGHT.
 04:27:42 SO I WOULD NEVER SAY AS YOUR ATTORNEY THAT IT IS JUST
 04:27:45 JUDGMENTAL BECAUSE THE COURTS WON'T ACCEPT THAT.
 04:27:48 THE COURTS NEED CRITERIA.
 04:27:51 AND WE HAVE CRITERIA IN THE COMPREHENSIVE PLAN, AS WE WERE
 04:27:55 JUST DESCRIBING, THERE IS A LOT OF WORK THAT'S GONE INTO
 04:27:59 TRYING TO DESCRIBE WHAT PLACEMAKING LOOKS LIKE.
 04:28:02 WHAT ELEMENTS HAVE TO COME INTO A PLAN TO MAKE IT ATTRACTIVE
 04:28:06 AND WORKABLE.
 04:28:08 AND THEN THE OTHER WAY WE DO THAT AND THE COURTS ACCEPT THIS
 04:28:11 ALSO, IS THAT WE HAVE EXPERTS ON THE BOARD.
 04:28:17 THE COURTS RECOGNIZE LIKE IN HISTORIC PRESERVATION WORK,
 04:28:21 HISTORIC PRESERVATION BOARDS, YOU HAVE EXPERTS, AND YOU CAN

 04:28:25 RELY ON THOSE EXPERTS.
 04:28:27 IT'S NOT JUST ANYBODY WHO LIKES A CERTAIN THING.
 04:28:31 IT'S PEOPLE WHO HAVE EXPERIENCE AND BACKGROUND AND TRAINING
 04:28:37 IN THE VARIOUS COMPONENTS THAT GO UP TO PLACE MAKING.
 04:28:41 >>Jim Wallace: WHEN ONE DEVELOPER EMBRACES THE IDEA, IT'S
 04:28:44 REALLY EASY FOR US.

04:28:45 WHEN YOU HAVE THE DEVELOPER WHO IS PERHAPS REPRESENTED BY A
 04:28:48 LAND USE ATTORNEY AND SAYS WE DON'T HAVE TO DO THAT, WE
 04:28:51 DON'T HAVE TO GO THE EXTRA STEP AND WE TRY TO SAY, WELL, IN
 04:28:55 ESTERO YOU DO.
 04:28:57 I HAVE DEVELOPER FRIENDS WHO SAY, WHOO, WE KNOW WHEN WE GO
 04:29:00 TO ESTERO.
 04:29:02 IT'S TOUGH.
 04:29:03 THAT'S MAYBE A GOOD THING.
 04:29:04 WHAT DO WE DO, NANCY, SORRY TO EAT UP YOUR TIME HERE, BUT
 04:29:09 WHAT DO WE DO WHEN WE HAVE A WOODFIELD WHO SAYS I'LL EMBRACE
 04:29:12 IT AND PERHAPS DOWNTOWN ESTERO THAT SAYS WE THINK WE'VE DONE
 04:29:17 ENOUGH?
 04:29:18 >>Nancy Stroud: SEE, THAT IS THE ART OF BEING IN A
 04:29:21 DECISION-MAKING ROLE.
 04:29:23 HOPEFULLY YOU'LL TAKE ADVICE FROM YOUR STAFF, WHICH MAY HAVE
 04:29:28 SOME EXPERIENCE IN HOW FAR YOU CAN GO OR HOW TO DO CERTAIN
 04:29:35 THINGS WITHOUT GETTING INTO TROUBLE.
 04:29:37 BUT A LOT OF IT IS JUST, YOU KNOW, YOUR GOOD SENSE ON THE
 04:29:44 WAY YOU WORK TOGETHER TO ESTABLISH EXPECTATIONS.

 04:29:50 I COME FROM A COMMUNITY LIKE ESTERO THAT IS KNOWN IN
 04:29:56 SOUTHEAST FLORIDA AS ONE OF THOSE COMMUNITIES THAT
 04:29:59 DEVELOPERS JUST -- AND THEY KNOW THEY'LL HAVE TO WORK TO GET
 04:30:02 THE APPROVAL.
 04:30:03 BUT THEN YOU COME INTO THE COMMUNITY AND YOU SAY, WE KNOW
 04:30:08 WE'RE IN THIS CITY.
 04:30:10 WE LEFT THE OTHER CITY BECAUSE ALL OF A SUDDEN EVERYTHING
 04:30:12 LOOKS WAY DIFFERENT AND WAY BETTER, AND THAT'S KIND OF THE
 04:30:18 ART OF DOING IT.
 04:30:20 AND I THINK SORT OF THE FUN OF DOING THE WORK.
 04:30:22 >>Jim Wallace: KRISTIN HAD A VERY GOOD POINT.
 04:30:25 WHAT CAN WE -- YOU'VE ALWAYS CAUTIONED ME OR OFTEN CAUTIONED
 04:30:32 ME, WHAT DO WE DO WHEN -- OR WHAT CAN WE DO LEGALLY WHEN
 04:30:38 SOMEONE SAYS WE THINK WE'VE DONE ENOUGH?
 04:30:41 >>Nancy Stroud: RIGHT.
 04:30:42 WELL, YOU MISSED THE PART OF THE ORIENTATION THAT TALKS
 04:30:45 ABOUT A RELATIVELY NEW LAW ABOUT GOVERNMENTAL EXACTIONS
 04:30:54 WHICH GIVES APPLICANTS A CAUSE OF ACTION IF THEY THINK THAT
 04:30:58 A CONDITION TO AN APPROVAL IS NOT PROPORTIONATE TO THE
 04:31:03 IMPACT, IS NOT RELATED TO WHAT THE IMPACT IS.
 04:31:13 YOU DO HAVE TO BE SOMEWHAT CAUTIOUS.
 04:31:18 YOU CAN'T GO CRAZY.
 04:31:19 IT'S ALSO TRUE THAT SOME DEVELOPERS ARE MORE WILLING TO --
 04:31:28 >>Jim Wallace: MY QUESTION REALLY IS, CAN WE DENY IT?
 04:31:32 >>Nancy Stroud: WELL, IT DEPENDS ON THE CIRCUMSTANCE.

 04:31:38 IT'S RARE, I THINK, THAT YOU CAN DENY IT UNLESS IT'S FAIRLY
 04:31:43 CLEAR THAT THEY ARE NOT MEETING THE CRITERIA.

04:31:46 AND I WOULD ALWAYS CAUTION YOU ABOUT THAT.
 04:31:49 BUT IT'S ALSO TRUE THAT I THINK THE VILLAGE HAS A GOOD
 04:31:59 HISTORY OF HAVING DEVELOPERS WHO WANT TO DO THE RIGHT THING,
 04:32:05 WHO RECOGNIZE THE ECONOMIC VALUE OF HAVING A REALLY GOOD
 04:32:13 PROJECT AND THE SOCIAL ACCEPTANCE OF THAT.
 04:32:17 >>Jim Wallace: THANK YOU.
 04:32:19 >>Nancy Stroud: THAT'S ONE OF THE GREAT THINGS ABOUT ESTERO.
 04:32:22 >>James Tatoes: I WANT TO MAKE A COMMENT ON THAT.
 04:32:24 I THINK THAT WHEN THAT REPUTATION IS OUT ON THE STREET,
 04:32:29 SUBLIMINALLY IT CREATES THE PARTICIPANT TO PREPARE HARDER.
 04:32:36 GOOD THING.
 04:32:40 >>Nancy Stroud: WELCOME TO THE BOARD TO OUR NEW MEMBERS,
 04:32:42 HOPE IT IS A REALLY GOOD EXPERIENCE FOR YOU.
 04:32:47 >>Kristin Jeannin: THANK YOU SO MUCH, NANCY.
 04:32:51 >>Mary Gibbs: MAY WE TAKE A ONE-MINUTE BREAK SO I CAN LOOK
 04:32:55 OUTSIDE AND SEE IF THERE ARE ANY OTHER APPLICANTS COMING IN
 04:32:57 FOR THE MEETING?
 04:32:59 >>Anthony Gargano: OKAY.
 04:33:05 I'M NOW GOING TO CALL TO ORDER --
 04:37:00 [SOUNDING GAVEL]
 04:37:00 -- THE PLANNING ZONING BOARD MEETING.
 04:37:03 WOULD YOU ALL PLEASE RISE FOR THE PLEDGE OF ALLEGIANCE.
 04:37:10 [PLEDGE OF ALLEGIANCE]

 04:37:31 >>Kristin Jeannin: HERE.
 04:37:33 >> BOARD MEMBER JONES IS ABSENT TODAY.
 04:37:34 BOARD MEMBER PAIVANDY.
 04:37:40 >>Al Paivandy: HERE.
 04:37:42 >> BOARD MEMBER SHEELEY IS ABSENT.
 04:37:43 BOARD MEMBER TATOLES?
 04:37:44 >>James Tatoes: HERE.
 04:37:46 >>Jim Wallace: HERE.
 04:37:48 >>Dan Williams: HERE.
 04:37:51 >>Scotty Wood: HERE.
 04:37:53 >>Anthony Gargano: HERE.
 04:37:55 >>Tammy Duran: OUR ATTORNEY NANCY STROUD IS IN CHAMBERS
 04:38:01 TODAY.
 04:38:01 >>Anthony Gargano: I WOULD LIKE A MOTION FOR APPROVAL OF THE
 04:38:03 AGENDA?
 04:38:03 >>James Tatoes: I'LL MAKE THE MOTION.
 04:38:05 >>Kristin Jeannin: SECOND.
 04:38:06 >>Anthony Gargano: ALL IN FAVOR?
 04:38:09 >> AYE.
 04:38:12 >>Anthony Gargano: THE AYES HAVE IT.
 04:38:13 MOTION PASSED.
 04:38:14 I'LL TURN THE MEETING OVER TO MARY NOW FOR SOME
 04:38:17 INTRODUCTIONS.
 04:38:18 >>Mary Gibbs: ALL RIGHT.

04:38:19 SO THIS IS THE FIRST MEETING WITH OUR NEW BOARD, SO WELCOME

04:38:24 TO THE NEW MEMBERS, ALTHOUGH WE JUST HAD AN HOUR-LONG KIND
 04:38:29 OF INTRODUCTION AND ORIENTATION FOR THE NEW MEMBERS.
 04:38:32 AL PAIVANDY AND DAN WILLIAMS, AL AND DAN, DO YOU WANT TO SAY
 04:38:38 A LITTLE QUICK SOMETHING ABOUT YOURSELF?
 04:38:41 INTO THE MICROPHONE.
 04:38:48 >>Al Paivandy: AS SHE PRONOUNCED IT, AL PAIVANDY.
 04:38:53 I RESIDE HERE IN ESTERO.
 04:38:55 I'M AN ARCHITECT WORKING AND SHOULD PROBABLY BE RETIRED BUT
 04:39:03 I LOVE MY JOB REALLY WELL.
 04:39:05 VOLUNTEERED TO DO THIS AND I'M VERY HAPPY ABOUT IT.
 04:39:10 RIGHT NOW THE TRAINING THAT NANCY GAVE WAS VERY INFORMATIVE.
 04:39:15 I EVEN THOUGHT ABOUT QUITTING RIGHT AWAY.
 04:39:20 [LAUGHTER]
 04:39:20 THANK YOU ALL FOR BEING HERE.
 04:39:24 >>Mary Gibbs: DAN, WOULD YOU LIKE TO?
 04:39:26 >>Dan Williams: DAN WILLIAMS.
 04:39:27 I AM A FULL-TIME RESIDENT HERE IN ESTERO AND LIVED HERE
 04:39:31 THREE AND A HALF YEARS.
 04:39:35 USED TO LIVE IN LIBERTY, MISSOURI.
 04:39:36 ANY OF YOU TO KANSAS CITY, IT'S JUST NORTH OF KANSAS CITY.
 04:39:40 AND I WAS ON THE PLANNING AND ZONING BOARD THERE FOR SEVERAL
 04:39:43 YEARS AND REALLY ENJOYED IT AND FELT IT WAS A WORTHWHILE
 04:39:46 THING TO CONTRIBUTE YOUR TIME FOR, AND THAT'S WHY I MADE THE
 04:39:52 DECISION TO BECOME APPOINTED ON THIS BOARD.
 04:39:54 >>Mary Gibbs: OKAY.

04:39:55 I ALSO WANTED TO MENTION THAT AT THE LAST COUNCIL MEETING,
 04:40:01 THE COUNCIL REAPPOINTED JIM TATOOLLES, SO YOU'RE ON FOR A FEW
 04:40:06 MORE YEARS.
 04:40:08 MIKE SHEELEY WHO IS ON VACATION TONIGHT.
 04:40:10 AND SCOTTY WOOD WHO IS ON ZOOM.
 04:40:12 WE CAN'T SEE HIM.
 04:40:13 AND BOARD MEMBER JONES WHO IS SICK TONIGHT.
 04:40:16 AND ALSO APPOINTED ANTHONY GARGANO AS THE CHAIR.
 04:40:28 AS NANCY EXPLAINED, THE COUNCIL DECIDES WHO TO APPOINT AS
 04:40:30 THE CHAIR, BUT YOU ALL GET TO VOTE ON THE VICE-CHAIR.
 04:40:32 WE HAVE SELECTION OF THE VICE-CHAIR ON THE AGENDA TONIGHT IF
 04:40:37 SOMEONE WOULD LIKE TO MAKE A MOTION.
 04:40:40 >>Anthony Gargano: FIRST OF ALL, I WOULD LIKE TO THANK THE
 04:40:43 VILLAGE COUNCIL FOR THEIR CONFIDENCE IN MAKING THE
 04:40:45 APPOINTMENT TO ME IN THIS SEAT, BUT I WOULD LIKE TO
 04:40:50 RECOGNIZE SCOTTY WOOD AND APPLAUD SCOTTY FOR HIS NINE YEARS
 04:40:56 OF JUST INCREDIBLE SERVICE TO THIS BOARD, TO THE VILLAGE IN
 04:41:03 HIS ROLE AS THE PREVIOUS BOARD CHAIRMAN.
 04:41:06 HAVING SAID THAT, I WOULD LIKE TO NOMINATE SCOTTY FOR THE
 04:41:13 POSITION OF VICE-CHAIR OF THE BOARD.

04:41:15 CAN I HAVE A SECOND ON THAT?
 04:41:19 >>Kristin Jeannin: I'LL SECOND.
 04:41:21 >>Anthony Gargano: MOTION MADE AND SECONDED.
 04:41:24 DO WE HAVE ANY OTHER NOMINATIONS TO BE MADE?
 04:41:26 OKAY.

 04:41:32 I'LL CLOSE THE NOMINATIONS AND REQUEST A MOTION THAT SCOTTY
 04:41:38 WOOD BE DECLARED THE VICE-CHAIR OF THE BOARD BY ACCLAMATION
 04:41:43 OF THE BOARD.
 04:41:45 >> SO MOVED.
 04:41:46 >> SECOND.
 04:41:50 >>Anthony Gargano: ALL IN FAVOR?
 04:41:51 AYE.
 04:41:52 CONGRATULATIONS, SCOTTY.
 04:41:53 YOU DON'T GET AWAY THAT EASILY.
 04:41:57 >>Mary Gibbs: YOU CAN RUN, BUT YOU CAN'T HIDE.
 04:42:04 >>Anthony Gargano: WOULD YOU LIKE TO SAY SOMETHING, SCOTTY?
 04:42:07 >>Scotty Wood: NO.
 04:42:08 JUST THANK YOU FOR THE NINE YEARS THAT I'VE BEEN ABLE TO
 04:42:12 SERVE.
 04:42:13 I CAN THOROUGHLY SAY THAT I'VE ENJOYED JUST ABOUT EVERY
 04:42:17 MOMENT OF IT WITH THOSE OF YOU WHO HAVE ALREADY SERVED ON
 04:42:21 THE BOARD WITH AND FOR YOU TWO NEW ONES, AL AND DAN,
 04:42:25 WELCOME.
 04:42:26 WE'RE GLAD TO HAVE YOU.
 04:42:29 >>Anthony Gargano: THANK YOU, SCOTTY.
 04:42:30 I'D ASK FOR A MOTION FOR APPROVAL OF THE CONSENT AGENDA.
 04:42:41 >>James Tatoes: I'LL MAKE THAT MOTION.
 04:42:43 >>Kristin Jeannin: I'LL SECOND.
 04:42:43 >>Anthony Gargano: ALL IN FAVOR?
 04:42:45 >> AYE.

 04:42:46 >>Anthony Gargano: IT'S APPROVED.
 04:42:47 NEXT I NEED A MOTION FOR APPROVAL OF THE MINUTES OF OUR
 04:42:50 APRIL 9 MEETING.
 04:42:51 DON'T BE BASHFUL.
 04:42:55 MOTION, PLEASE.
 04:42:59 >> SO MOVED.
 04:43:00 >>Kristin Jeannin: SECOND.
 04:43:01 >>Anthony Gargano: ALL IN FAVOR?
 04:43:03 >> AYE.
 04:43:05 >>Anthony Gargano: THE MINUTES ARE APPROVED.
 04:43:06 LADIES AND GENTLEMEN, TONIGHT WE HAVE SOME PUBLIC HEARINGS
 04:43:13 IN ADDITION TO PUBLIC INFORMATION MEETINGS.
 04:43:15 IN THE CASE OF PUBLIC HEARING, THIS BOARD SITS IN A
 04:43:24 QUASI-JUDICIAL SITUATION.
 04:43:28 IN THESE MATTERS, IF YOU INTEND TO PROVIDE TESTIMONY WITH
 04:43:35 ANY OF THE APPLICATIONS, YOU MUST BE SWORN IN BY THE BOARD

04:43:38 ATTORNEY AND YOU SHOULD ALSO FILL OUT A PUBLIC SPEAKER'S
 04:43:42 CARD AND GIVE IT TO THE DEPUTY VILLAGE CLERK BEFORE THE ITEM
 04:43:46 IS CALLED.
 04:43:47 IN GENERAL ON EACH APPLICATION, WE WILL FIRST HEAR AN
 04:43:50 INTRODUCTION FROM THE VILLAGE COMMUNITY DEVELOPMENT
 04:43:52 DIRECTOR, AND THEN A PRESENTATION FROM THE APPLICANT.
 04:43:55 THE DIRECTOR MAY THEN MAKE A PRESENTATION.
 04:44:00 AFTER THIS, I WILL ALLOW ANYONE FROM THE AUDIENCE WHO HAS
 04:44:02 BEEN SWORN TO PROVIDE TESTIMONY.

 04:44:06 PLEASE BE CONCISE IN YOUR COMMENTS.
 04:44:11 YOU'RE LIMITED TO FIVE MINUTES OF SPEAKING, PLEASE.
 04:44:13 AND IT WILL BE ON A TIMER THAT YOU'LL SEE ON THE CLOCK.
 04:44:18 THE APPLICANT HAS THE RIGHT TO CROSS-EXAMINE ANY WITNESS AND
 04:44:22 PROVIDE REBUTTAL.
 04:44:24 CROSS-EXAMINATION, WITNESSES, INCLUDING THE PUBLIC, MAY BE
 04:44:29 SUBJECT TO CROSS-EXAMINATION.
 04:44:31 THE PUBLIC WILL NOT BE PERMITTED TO CROSS-EXAMINE WITNESSES,
 04:44:35 BUT THE PUBLIC MAY REQUEST THE BOARD TO DIRECT QUESTIONS ON
 04:44:40 THEIR BEHALF TO EITHER THE STAFF OR THE APPLICANT.
 04:44:42 PERSONS WHO HAVE BEEN DETERMINED BY THE BOARD TO BE
 04:44:45 INTERESTED PARTIES MAY CROSS-EXAMINE WITNESSES.
 04:44:49 IF A PERSON REPRESENTS AN ORGANIZATION, EVIDENCE OF THEIR
 04:44:53 AUTHORITY TO SPEAK FOR THAT ORGANIZATION MUST BE PROVIDED.
 04:44:57 IN ADDITION, BEFORE THE PRESENTATION ON THE APPLICATION
 04:45:00 BEGINS, ANY WRITTEN COMMUNICATIONS THAT HAVE BEEN RECEIVED
 04:45:04 ON THE QUASI-JUDICIAL MATTER WILL BE PLACED INTO THE PUBLIC
 04:45:07 RECORD.
 04:45:07 I WILL ALSO ASK EACH BOARD MEMBER TO DISCLOSE ANY EX PARTE
 04:45:13 COMMUNICATIONS REGARDING THE PARTICULAR APPLICATION BEFORE
 04:45:15 IT IS HEARD.
 04:45:16 AND ANY BOARD MEMBER THAT HAS A CONFLICT OF INTEREST
 04:45:19 REGARDING THE APPLICATION MUST DECLARE THAT CONFLICT AND
 04:45:24 WILL NOT BE ALLOWED TO PARTICIPATE IN THE DISCUSSION OR VOTE
 04:45:27 ON THE APPLICATION.

 04:45:28 SO WILL ALL THOSE WHO INTEND TO TESTIFY IN THE HEARING
 04:45:35 TONIGHT PLEASE STAND AND RAISE YOUR RIGHT HAND, OUR BOARD
 04:45:39 ATTORNEY WILL SWEAR YOU IN.
 04:45:45 >>Nancy Stroud: THAT INCLUDES ANY PUBLIC WHO ARE GOING TO BE
 04:45:47 MAKING COMMENT DURING THE PUBLIC HEARING.
 04:45:50 >>Anthony Gargano: IF YOU ARE GOING TO BE MAKING COMMENTS,
 04:45:53 EVEN MEMBERS OF THE PUBLIC, IF YOU FILLED IN A CARD, YOU
 04:45:55 NEED TO BE SWORN.
 04:45:59 >>Nancy Stroud: DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY
 04:46:01 YOU WILL GIVE TONIGHT WILL BE THE TRUTH, THE WHOLE TRUTH,
 04:46:04 AND NOTHING BUT THE TRUTH?
 04:46:05 THANK YOU.

04:46:07 >>Anthony Gargano: I'M GOING TO ASK IF ANY OF THE BOARD
 04:46:11 MEMBERS HAVE HAD EX PARTE COMMUNICATIONS ON ANY OF THE
 04:46:16 PUBLIC HEARING MATTERS THAT WE'LL BE HAVING THIS EVENING.
 04:46:19 >> NO.
 04:46:20 >> NO.
 04:46:20 >> NO.
 04:46:21 >> NO.
 04:46:21 >>Anthony Gargano: ANY CONFLICTS OF INTEREST?
 04:46:23 >> NO.
 04:46:24 >> NO.
 04:46:24 >>Scotty Wood: NO.
 04:46:26 >>Anthony Gargano: THANK YOU.
 04:46:26 TAMMY, WE HAVE WRITTEN COMMUNICATIONS.

 04:46:34 I KNOW I RECEIVED OR I'VE SEEN SOME OF THE E-MAILS.
 04:46:39 ARE THEY A PART OF THE PUBLIC RECORD?
 04:46:42 >>Tammy Duran: YES.
 04:46:43 WE HAD SOME THAT MARY WILL GO OVER WHEN SHE -- NO.
 04:46:48 >>Mary Gibbs: I DON'T HAVE COPIES.
 04:46:49 CAN YOU GIVE ME YOUR COPIES?
 04:46:52 >>Tammy Duran: YES.
 04:46:56 >>Anthony Gargano: WE WILL TAKE CARE OF THAT AND MAKE SURE
 04:46:58 THEY ARE PART OF THE PUBLIC RECORD.
 04:47:00 THANK YOU.
 04:47:00 ON THAT NOTE, AS SCOTTY USED TO SAY, MARY, WHY DON'T YOU TEE
 04:47:08 OFF THE FIRST ONE.
 04:47:16 >>Mary Gibbs: BETTER PRACTICE MY SWING.
 04:47:19 NOW THAT WE CLOSED THE DRIVING RANGE, IT'S NOT VERY GOOD.
 04:47:22 THE FIRST CASE WE HAVE IS SHADOW WOOD COMMUNITY ASSOCIATION.
 04:47:26 AND THIS IS THE GUARDHOUSE REMODEL ON COCONUT ROAD.
 04:47:31 SOME OF YOU REMEMBER THIS FROM LAST MONTH, BUT SOME OF YOU
 04:47:34 WON'T REMEMBER BECAUSE YOU WEREN'T HERE LAST MONTH.
 04:47:36 LAST MONTH WE HAD THE PUBLIC INFORMATION MEETING, WHICH WAS
 04:47:39 THE INITIAL MEETING WHERE THEY ARE DESCRIBING WHAT THEY ARE
 04:47:42 DOING AT THE GUARDHOUSE.
 04:47:44 THEY ARE REMODELING THE GUARDHOUSE.
 04:47:47 THEY ARE RAISING IT A LITTLE BIT BECAUSE THE -- BECAUSE OF
 04:47:51 FIRE TRUCKS AND MODERNIZING IT A LITTLE BIT TO MATCH THE
 04:47:55 CLUBHOUSE.

 04:47:56 THE CLUBHOUSE HAD ALREADY BEEN REMODELED BEFORE.
 04:48:00 HAD A NEW PAINT SCHEME.
 04:48:01 SO WHEN WE WERE TALKING ABOUT THAT LAST MONTH WITH THE
 04:48:04 REVISIONS, THE DISCUSSION THAT CAME UP WAS THAT -- WAS THE
 04:48:08 GUARDHOUSE A LITTLE BIT TOO WHITE BECAUSE WE DON'T ENCOURAGE
 04:48:13 PRIMARILY WHITE BUILDINGS.
 04:48:15 THEY DID WANT TO MATCH THE CLUBHOUSE AND THEN I THINK THE
 04:48:19 BOARD MEMBER SAID, THE ARCHITECT SHOULD COME BACK WITH

04:48:23 REVISIONS THAT JUST SHOW US SOME SAMPLES OF A COUPLE OF
 04:48:27 DIFFERENT COLOR SCHEMES WHERE WE MIX UP THE COLORS.
 04:48:30 THERE WERE A COUPLE OF COMMENTS FROM I THINK ARCHITECT MIKE
 04:48:32 SHEELEY WHO -- BOARD MEMBER WHO SAID HE THOUGHT THE COLOR
 04:48:38 WAS OKAY BECAUSE THEY HAD WINDOWS AND OTHER MATERIALS TO
 04:48:40 KIND OF BREAK UP THE DESIGN OF THE BUILDING.
 04:48:42 BUT I KNOW THE ARCHITECT IS HERE TONIGHT THAT WANTS TO SHOW
 04:48:45 YOU A COUPLE OF DIFFERENT COLOR SCHEMES THAT HE HAS.
 04:48:48 IF YOU DON'T HAVE ANY QUESTIONS OF ME, I WILL TURN IT OVER
 04:48:52 TO THE ARCHITECT, ADRIAN KARAPICI.
 04:49:43 >> GOOD AFTERNOON, EVERYONE.
 04:49:53 CAN YOU HEAR ME OKAY?
 04:49:54 THANK YOU, MARY, FOR THE INTRODUCTION.
 04:49:57 MY NAME IS ADRIAN KARAPICI.
 04:49:59 I AM THE ARCHITECT FOR THE GATEHOUSE REMODEL PROJECT FOR THE
 04:50:03 SHADOW WOOD COMMUNITY ASSOCIATION.
 04:50:06 I'M NOT SURE IF YOU HAVE SEEN THE ELECTRONIC VERSION OF THE

 04:50:12 SUBMITTAL, BUT I DID BRING SOME COLOR SAMPLES HERE WITH ME
 04:50:17 TONIGHT, WHICH ARE THE ACTUAL COLORS THAT WE GOT FROM
 04:50:24 SHERWIN WILLIAMS.
 04:50:27 WE'RE SHOWING A TRIM COLOR.
 04:50:28 WE'RE SHOWING A WALL COLOR.
 04:50:30 AND THEN THE WINDOW COLOR.
 04:50:31 IN ADDITION, I BROUGHT IN A ROOF TILE SAMPLE FOR YOU TO SEE.
 04:50:37 AS MARY MENTIONED, WE'RE TRYING TO MATCH THE ARCHITECTURAL
 04:50:44 STYLE THAT HAS BEEN ALREADY ESTABLISHED WITH THE CLUBHOUSE
 04:50:47 AND OTHER COMMON BUILDING AREAS FOR A FEW YEARS NOW.
 04:50:52 SO WE'RE TRYING TO MATCH THE CAMPUS LOOK THROUGHOUT THE
 04:50:56 ENTIRE COMMUNITY.
 04:50:57 THE ARCHITECTURAL RENDERINGS ARE HERE.
 04:51:04 WE PUT TOGETHER THREE OPTIONS.
 04:51:06 IT'S A VARIATION OF HOW WE TREAT THE COLUMNS, HOW DO WE
 04:51:13 TREAT THE BEAMS AND HOW WE TREAT THE BRACKETS.
 04:51:17 BETWEEN THE THREE OPTIONS, I THINK WE'RE WITHIN THE
 04:51:20 GUIDELINES THAT WE RECEIVED FROM THE FIRST MEETING LAST
 04:51:25 MONTH, AND WE'RE HERE TO ASK FOR YOUR APPROVAL TONIGHT.
 04:51:28 I'D BE HAPPY TO ANSWER ANY QUESTIONS YOU HAVE.
 04:51:32 >>Kristin Jeannin: DID YOU WANT OUR OPINION ON THESE THREE
 04:51:34 OPTIONS OR IS IT THAT WE NEED TO APPROVE ALL THREE OR ARE
 04:51:40 THEY ALL POSSIBILITIES?
 04:51:42 >>Adrian Karapici: I'M NOT SURE, BUT IT APPEARED THAT LAST
 04:51:45 TIME AROUND WE WERE ASKED TO COME UP WITH OPTIONS.

 04:51:48 I'M ASSUMING, YES.
 04:51:54 >>Nancy Stroud: REALLY SHOULD BE A BOARD DECISION ON ONE
 04:51:56 OPTION.
 04:51:58 >>Kristin Jeannin: I GUESS YOU NEED TO TELL US WHICH ONE IS

04:52:01 YOUR PREFERRED OPTION.
 04:52:02 >>Adrian Karapici: THIS IS THE OPTION.
 04:52:03 THE COLOR OPTION IS HERE ON THE BOTTOM.
 04:52:07 SO WE HAVE EACH COLOR PAINT IDENTIFIED.
 04:52:12 THE ONLY DIFFERENCE IS IN ONE OPTION, THE COLUMN ARE PAINTED
 04:52:17 WHITE AND THEN THE BEAM PAINTED THE WALL COLOR.
 04:52:19 IN ANOTHER OPTION, THE COLOR AND BEAMS ARE PAINTED THE TRIM
 04:52:22 COLOR AND THEN THE WALL IS PAINTED THE WALL COLOR.
 04:52:25 SO WE WOULD PREFER THE COLUMN IN WHITE AND BEAM WHITE AND
 04:52:29 THE WALL THE WALL COLOR.
 04:52:33 THAT WOULD BE OPTION ONE.
 04:52:34 I'M SORRY -- YEAH, OPTION ONE.
 04:52:39 >>Jim Wallace: I REMEMBER AT THE LAST MEETING WE ASKED FOR
 04:52:42 -- THE DISCUSSION WAS TYPICALLY WE HAVE MORE OF THE ACCENT
 04:52:47 COLOR TYPICALLY UP TO 20% OF THE BUILDING SURFACE IS THE
 04:52:50 ACCENT COLOR, AND THIS IS -- WHITE WITH TRIM ON YOUR
 04:52:56 SHUTTERS IS THE ACCENT COLOR AND THAT APPEARS TO BE THE ONLY
 04:53:00 CHANGE.
 04:53:00 I'M LOOKING FOR -- I'M LOOKING HARD FOR THE DIFFERENCE
 04:53:06 BETWEEN THE THREE.
 04:53:08 I'M HAVING A DIFFICULT TIME FINDING THEM.

 04:53:10 THIS THING IS LIKE THE RAFTERS AND THINGS LIKE THAT THAT ARE
 04:53:15 OFTEN DONE IN THE ACCENT COLOR ARE NOT.
 04:53:17 THEY ARE DONE IN THE BODY COLOR HERE.
 04:53:19 I GUESS MY EXPECTATION WAS THAT WE WOULD SEE MORE CHANGE.
 04:53:24 THIS LOOKS LIKE WHAT YOU PRESENTED A MONTH AGO.
 04:53:27 >>Adrian Karapici: WELL, BECAUSE THE TRIM COLOR AND THE WALL
 04:53:33 COLOR ARE CLOSE ENOUGH, THE RENDERING IS HARD TO READ.
 04:53:39 SO WHAT WE HAVE DONE, WE HAVE PUT KEY NOTES IDENTIFYING
 04:53:43 COLORS BY NUMBERS ON THIS LAYOUT.
 04:53:45 SO THIS DIAGRAM HAS A RED TAG WITH ALL THE COLORS IDENTIFIED
 04:53:50 BY NUMBER ON ALL THE ELEMENTS.
 04:53:52 >>Jim Wallace: I'M TRYING TO UNDERSTAND.
 04:53:54 PLEASE EXPLAIN THE DIFFERENCE BETWEEN THE THREE.
 04:53:56 I'M NOT QUITE SEEING THEM.
 04:53:57 >>Adrian Karapici: NUMBER THREE IS THE WINDOW COLOR.
 04:54:02 THE WINDOW FRAME COLOR.
 04:54:05 >>Jim Wallace: THAT'S THE ONLY DIFFERENCE?
 04:54:07 >>Adrian Karapici: THAT'S THE ONLY DIFFERENCE.
 04:54:08 WINDOW FRAME, YES.
 04:54:11 WHICH ALSO COINCIDES WITH THE ROOF TILE COLOR THAT I HAVE
 04:54:16 WITH ME.
 04:54:19 >>Mary Gibbs: IF I MAY ADD SOMETHING, I BELIEVE THEY TONED
 04:54:22 DOWN THE WHITE FROM LAST MONTH BECAUSE THE WHITE WAS A
 04:54:25 LITTLE BIT BRIGHT WHITE.
 04:54:27 I THINK ADRIAN HAS TONED DOWN THE WHITE A FEW SHADES.

04:54:32 >>Kristin Jeannin: CAN YOU PASS AROUND THE BOARD WITH THE
 04:54:34 BIGGER COLORS, PLEASE?
 04:54:35 THANK YOU.
 04:54:37 >>Jim Wallace: AS ALWAYS, THE REPRODUCTION OF THE PEARLY
 04:54:40 WHITE LOOKS PINK.
 04:54:43 >>Kristin Jeannin: THE OTHER SIDE HAS THE SAMPLES ON IT,
 04:54:46 RIGHT?
 04:54:50 >>Jim Wallace: IT'S QUITE DIFFERENT.
 04:54:51 THE TRIM -- OH, THAT'S THE WALLS.
 04:54:54 THERE IS THE WALL COLOR HERE.
 04:54:59 AND THEN YOUR TRIM IS REALLY MORE OF A NAVAJO WHITE THING.
 04:55:05 I SEE IT.
 04:55:05 THANK YOU.
 04:55:13 >>Kristin Jeannin: THE ROOF TILE IS LIKE A CHARCOAL.
 04:55:16 >>Adrian Karapici: YES.
 04:55:17 YES, THAT'S CORRECT.
 04:55:28 >>Kristin Jeannin: IS THERE ANYTHING ELSE THAT'S PART OF
 04:55:30 YOUR PRESENTATION?
 04:55:33 >>Adrian Karapici: NO, THAT'S IT.
 04:55:35 >>Anthony Gargano: I HAVE A QUESTION.
 04:55:37 OBVIOUSLY, IT'S NOT PART OF THIS APPLICATION, BUT I'M
 04:55:40 CURIOUS WHAT IS THE PLAN FOR THE OTHER GATEHOUSE.
 04:55:44 >>Adrian Karapici: THAT'S IN THE PLANS FOR THE NEXT PHASE.
 04:55:47 WE'RE TRYING TO MINIMIZE THE MEMBER DISRUPTION AND
 04:55:52 DISTURBING THEM LESS.

 04:55:54 ONCE WE COMPLETE ONE, WE'RE PROBABLY GOING TO JUMP INTO THE
 04:55:57 OTHER ONE AFTER THE COMPLETION OF THE FIRST ONE.
 04:56:00 >>Anthony Gargano: SO THERE WILL BE AN APPLICATION FOR THAT
 04:56:03 GATEHOUSE TO FOLLOW THIS ARCHITECTURE.
 04:56:05 >>Adrian Karapici: IF IT'S IN THE VILLAGE OF ESTERO, YES.
 04:56:16 >>Jim Wallace: THESE ARE THE COLORS YOU'RE ASKING US TO
 04:56:18 APPROVE, THAT WALL COLOR.
 04:56:21 >>Adrian Karapici: YES, SIR.
 04:56:21 >>Kristin Jeannin: YOUR PREFERENCE IS OPTION ONE BUT YOU
 04:56:23 BROUGHT THE OTHERS IN CASE WE DON'T LIKE OPTION ONE.
 04:56:26 >>Adrian Karapici: THAT'S CORRECT.
 04:56:38 >>Anthony Gargano: OKAY.
 04:56:39 ANY OTHER QUESTIONS BY MEMBERS OF THE BOARD?
 04:56:43 >>Dan Williams: OBSERVATION, IF I MAY, AND I WAS NOT A
 04:56:46 MEMBER WHEN THIS WAS BROUGHT PREVIOUSLY, BUT IT LOOKS TO ME
 04:56:49 LIKE IF THE MAIN CONCERN WERE THE WALLS, THAT THAT IS NOT A
 04:56:52 PURE WHITE COLOR ANYMORE, THE SHITAKE, IF I'M PRONOUNCING
 04:57:00 THAT CORRECTLY.
 04:57:01 JUST AN OBSERVATION.
 04:57:04 >>Adrian Karapici: THANK YOU.
 04:57:04 ANY OTHER QUESTIONS?
 04:57:07 >>Anthony Gargano: I'LL OPEN IT TO MEMBERS OF THE PUBLIC.

04:57:11 >>Tammy Duran: WE DON'T HAVE ANYONE.
 04:57:13 >>Mary Gibbs: WE DID NOT HAVE ANY E-COMMENTS ON THIS EITHER.
 04:57:16 >>Anthony Gargano: I'LL CLOSE THE PUBLIC PORTION.

 04:57:18 IF THERE ARE NO OTHER COMMENTS BY MEMBERS OF THE BOARD, I'LL
 04:57:24 ENTERTAIN A MOTION FOR APPROVAL.
 04:57:25 OR DENIAL.
 04:57:31 >> SO MOVE.
 04:57:33 >>Anthony Gargano: MOTION FOR APPROVAL?
 04:57:34 SECOND?
 04:57:36 >> YES.
 04:57:36 >>Anthony Gargano: ALL IN FAVOR?
 04:57:39 >> AYE.
 04:57:41 >>Mary Gibbs: WE DO A ROLL CALL.
 04:57:42 >>Anthony Gargano: SORRY.
 04:57:43 WE NEED A ROLL CALL VOTE.
 04:57:45 >>Tammy Duran: WHAT ARE WE APPROVING, OPTION ONE?
 04:57:48 >> YES.
 04:57:49 >>Mary Gibbs: I DIDN'T GET WHO SECONDED THAT.
 04:57:52 IT WAS TOO FAST.
 04:57:56 >> I THOUGHT IT WAS THE SECOND OPTION.
 04:58:01 >>Kristin Jeannin: DO YOU WANT TO BRING THE BOARD UP AGAIN
 04:58:03 FOR JIM?
 04:58:12 >>Adrian Karapici: IT'S THE SAME COLORS ALL THE WAY AROUND.
 04:58:14 THE ONLY DIFFERENCE IS HOW YOU TREAT THE COLUMNS AND THE
 04:58:17 BEAMS VERSUS THE WALLS.
 04:58:38 >>Jim Wallace: OKAY.
 04:58:39 THANK YOU.
 04:58:39 >>Anthony Gargano: ARE WE GOOD?

 04:58:41 >>Mary Gibbs: NO.
 04:58:42 MAY I CLARIFY THE MOTION.
 04:58:43 I WANT TO MAKE SURE I UNDERSTAND.
 04:58:44 I HEARD THE MOTION TO APPROVE OPTION 1 MADE BY BOARD MEMBER
 04:58:49 WILLIAMS, BUT I DON'T KNOW WHO SECONDED THAT.
 04:58:51 WHO SECONDED THE MOTION?
 04:58:55 >>Anthony Gargano: JIM WALLACE WAS THE SECOND.
 04:59:00 >>Mary Gibbs: TAMMY, IS THAT WHAT YOU HAVE?
 04:59:02 >>Tammy Duran: YES.
 04:59:03 >>Mary Gibbs: OPTION ONE, CORRECT.
 04:59:05 WE'LL DO ROLL CALL.
 04:59:09 >>Anthony Gargano: ROLL CALL VOTE, TAMMY, PLEASE.
 04:59:11 >>Kristin Jeannin: YES.
 04:59:15 >>Al Paivandy: YES.
 04:59:17 >>James Tatooles: YES.
 04:59:19 >>Jim Wallace: YES.
 04:59:21 >>Dan Williams: YES.
 04:59:23 >>Scotty Wood: YES.

04:59:25 >>Anthony Gargano: YES.
 04:59:27 THANK YOU.
 04:59:31 >>Adrian Karapici: THANK YOU SO MUCH.
 04:59:32 HAVE A GOOD EVENING.
 04:59:38 >>Anthony Gargano: WE WILL NOW MOVE TO THE PICKLEBALL STAGE
 04:59:43 OF THE MEETING.
 04:59:52 >>Mary Gibbs: IT JUST WOULDN'T BE A PLANNING AND ZONING

 04:59:55 MEETING IF WE DIDN'T HAVE A PICKLEBALL CASE ON, CORRECT?
 04:59:58 WE HAVE TWO TONIGHT.
 05:00:00 >>Anthony Gargano: TONIGHT WE ARE BLESSED WITH TWO.
 05:00:04 >>Mary Gibbs: AND THIS FIRST CASE IS WILDCAT RUN PICKLEBALL.
 05:00:08 IT'S A LIMITED DEVELOPMENT ORDER.
 05:00:10 AGAIN, SOME OF YOU SAW THIS LAST MONTH WHEN IT CAME IN FOR
 05:00:13 THE INFORMATION MEETING.
 05:00:15 THEY ARE TAKING ONE OF THE TENNIS COURTS AND RENOVATING THAT
 05:00:17 INTO FOUR PICKLEBALL COURTS.
 05:00:19 WE TALKED ABOUT IT A LITTLE BIT LAST MONTH, BUT FOR THE
 05:00:22 BENEFIT OF THOSE OF YOU WHO ARE NEW, THE APPLICANT WILL
 05:00:27 EXPLAIN IT A LITTLE BIT MORE.
 05:00:28 WE ARE RECOMMENDING APPROVAL.
 05:00:30 WE HAVE CONDITIONS IN OUR STAFF REPORT TO ADDRESS SOME OF
 05:00:36 THE ISSUES THAT WE COMMONLY HAVE WITH PICKLEBALL, WHICH IS
 05:00:39 WHAT DO YOU DO WITH THE NOISE?
 05:00:40 THIS CASE WITH WILDCAT RUN, THE CLOSEST HOMES ARE ABOUT A
 05:00:45 LITTLE LESS THAN 500 FEET AWAY.
 05:00:47 THE APPLICANT WILL EXPLAIN THEY HAVE DONE A PRELIMINARY
 05:00:52 SOUND STUDY.
 05:00:53 THEY CAN DO A SOUND STUDY AFTER CONSTRUCTION.
 05:00:55 THEY WILL OUTFIT OR CONSTRUCT IT IN A WAY THAT IF THEY HAVE
 05:00:59 TO DO THE ACOUSTIC MATERIALS, THEY CAN LATER.
 05:01:05 WE HAVE RECOMMENDED AGAIN APPROVAL WITH CONDITIONS THAT
 05:01:08 LIMIT THEIR HOURS OF OPERATION TO WHAT THEY HAVE ASKED FOR.

 05:01:11 THEY ARE NOT PROPOSING ANY NIGHT LIGHTING OR PLAY AT NIGHT.
 05:01:15 SO I'M GOING TO LET THE APPLICANT EXPLAIN THAT A LITTLE BIT
 05:01:20 AND I WOULD SAY WE DID GET ONE E-COMMENT ON THIS.
 05:01:24 COMMENT YOU WERE SENT SAID THEY ARE IN FAVOR OF THE
 05:01:28 PICKLEBALL BUT THEY WANT THE WILDCAT RUN TO BE MINDFUL OF
 05:01:30 THE NOISE FROM LAWN MOWERS IN THE MORNING AND THOSE KIND OF
 05:01:35 GOLF COURSE THINGS.
 05:01:35 IF YOU DON'T HAVE ANY QUESTIONS FOR ME, I'LL TURN IT OVER TO
 05:01:40 TYLER BONNOUGH.
 05:01:42 COME ON UP.
 05:01:53 >>Tyler Bonnough: HI THERE.
 05:01:54 GOOD EVENING, EVERYONE.
 05:01:55 MY NAME IS TYLER BONNOUGH.
 05:01:56 I AM A CIVIL ENGINEER FOR HOLE MONTES A BOWMAN COMPANY HERE

05:02:01 PRESENTING ON BEHALF OF WILDCAT.
 05:02:04 AS MARY MENTIONED, WE DID OUR PUBLIC INFORMATION MEETING
 05:02:08 LAST MONTH.
 05:02:08 THIS IS GOING TO BE A KIND OF RECAP TO WHAT IT IS FOR SOME
 05:02:13 OF THOSE THAT DID NOT GET OUR FULL PRESENTATION.
 05:02:15 WE ARE REQUESTING THE CONVERSION OF ONE TENNIS COURT, ONE OF
 05:02:20 FIVE, INTO FOUR PICKLEBALL COURTS.
 05:02:23 RIGHT NOW WILDCAT RUN IS OFF OF CORKSCREW ON THE SOUTH SIDE
 05:02:28 WITH THE CLUBHOUSE IN THE CENTER OF THE COMMUNITY SURROUNDED
 05:02:32 BY THE GOLF COURSE AND RESIDENTS.
 05:02:35 HERE IS A ZOOM-IN OF THE ACTUAL CLUBHOUSE LOCATION AND THE

 05:02:40 FIVE COURTS.
 05:02:41 WE WILL BE RENOVATING THE FIFTH COURT FURTHEST ON THE EAST.
 05:02:47 HERE IS A DEPICTION OF CURRENT CONDITIONS AND THE
 05:02:51 RENOVATIONS.
 05:02:53 SO RIGHT NOW WE'RE JUST GOING TO DO, LIKE I SAID, THE FIFTH
 05:02:56 TENNIS COURT, SOME SURROUNDING GOLF CART ACCESS WAYS AND A
 05:03:02 FEW LANDSCAPING IMPROVEMENTS TO ACCOMMODATE THE FOUR COURTS.
 05:03:06 THERE IS AN ALREADY APPROVED SEPARATE LDO FOR THE PARKING
 05:03:12 EXPANSION FOR THE CLUBHOUSE, PARKING EXPANSION WILL COVER
 05:03:17 THE ACCOMMODATION REQUIREMENTS FOR THE INCREASED DEMAND AND
 05:03:20 THE ADDITIONAL COURTS FROM A PARKING STANDPOINT.
 05:03:23 THE ONLY DEPICTION DIFFERENCE BETWEEN THIS ONE AND OUR
 05:03:30 MEETING THAT WE DID LAST MONTH WAS WE'VE ADDED SOME YELLOW
 05:03:34 HIGHLIGHTING AROUND THREE OUT OF THE FOUR SIDES FOR
 05:03:39 POTENTIAL SOUND BARRIER NOISE CONTROL MEASUREMENTS.
 05:03:45 >>Jim Wallace: I'M SORRY?
 05:03:46 >>Tyler Bonnough: NOISE BARRIERS FOR THE POTENTIAL OF THEM.
 05:03:48 THOSE WOULD BE THE LOCATIONS THAT REFLECT IN OUR PRELIMINARY
 05:03:53 SOUND STUDY.
 05:03:54 AS MARY MENTIONED, WE DID HAVE PSM DO A PRELIMINARY SOUND
 05:04:01 STUDY FOR THE PICKLEBALL COURTS TO SIMULATE WHAT KIND OF
 05:04:04 NOISE WOULD BE GENERATED FROM THE PICKLEBALL COURTS
 05:04:08 THEMSELVES AS INDICATED IN THE VILLAGE ORDINANCE.
 05:04:15 RESIDENTIAL MEASUREMENTS ARE LIMITED TO 66 DECIBELS BETWEEN
 05:04:20 THE HOURS OF 7 AND 10 ON STANDARD.

 05:04:22 I ALSO LOOKED IT UP, AND IT'S ALSO REITERATED IN THE LAND
 05:04:27 DEVELOPMENT CODE SECTION 12-95.
 05:04:30 IT STATES THE SAME 66 REQUIREMENT.
 05:04:33 AS MARY MENTIONED, OUR NEAREST RESIDENT TO THE PICKLEBALL
 05:04:39 COURT LOCATIONS IS JUST UNDER 500 FEET IN THE WEST
 05:04:43 DIRECTION.
 05:04:44 WE'RE A LITTLE OVER 500 FEET IN THE EAST DIRECTION.
 05:04:47 WITH NO SOUND MEASUREMENTS, PSM DID A PRELIMINARY STUDY, AND
 05:04:54 WE SHOWED THE WESTERN DIRECTION HERE AT A 59 AS THE HIGHEST
 05:05:01 SOUND RATING WITH THE NEAREST RESIDENT, WHICH IS LESS THAN

05:05:08 THE 66 REQUIREMENT.
 05:05:10 THE NEXT SHOWS KIND OF A COLOR CODED SECTION OF WHERE THE
 05:05:16 SOUND IS DISTRIBUTED AND WHICH WAY RECEIVES IT THE MOST.
 05:05:20 THE WESTERN REGION RECEIVES IT MORE SO BECAUSE THE GOLF
 05:05:23 COURSE ON THE RIGHT IS BUILT UP.
 05:05:26 IT'S ACTUALLY FIVE TO SIX FEET HIGHER THAN IT IS IN THE
 05:05:29 WESTERN DIRECTION, WHICH CREATES QUITE THE BARRIER AS THIS
 05:05:33 DEPICTION REALLY DEMONSTRATES.
 05:05:36 WITH THE NOISE MEASUREMENTS AND WHAT'S ANTICIPATED AND
 05:05:41 THROUGHOUT HISTORY AND SO FORTH, PSM DID A PRELIMINARY STUDY
 05:05:46 WITH THE SAID BARRIERS IN THE THREE DIRECTIONS.
 05:05:49 AS SHOWN HERE, WE HAVE THE DEPICTION AND THE RESULTS FROM IF
 05:05:54 THE BARRIERS WERE ADDED.
 05:05:58 AS YOU CAN SEE HERE IN THE WESTERN DIRECTION, WE ARE REDUCED
 05:06:01 DOWN TO ABOUT 44 DECIBELS AND NOT AS MUCH OF A CHANGE, BUT

 05:06:05 DOWN TO ABOUT 50 ON THE EAST IF THEY WERE IMPLEMENTED.
 05:06:08 AS I STATED, IN BOTH CONDITIONS AND SCENARIOS, WE ARE STILL
 05:06:15 LESS THAN THE 66 REQUIREMENT AS A MAXIMUM FOR RESIDENTIAL
 05:06:20 USES.
 05:06:20 AND WE ARE SEEKING APPROVAL FOR THIS.
 05:06:23 I THINK BASED ON OUR LAST DISCUSSION LAST MONTH, THERE WAS
 05:06:31 ONE QUESTION ABOUT IF THE COURTS WERE PLAYED SIMULTANEOUSLY
 05:06:38 AFTER A LITTLE BIT FURTHER DISCUSSION WITH PSM THEY DID
 05:06:42 REITERATE AND GO INTO DETAIL WITH THE PRELIMINARY REPORT
 05:06:47 WHICH WE CAN PROVIDE.
 05:06:48 THEY STATED THAT PICKLEBALL IS IN PROGRESS SIMULTANEOUSLY
 05:06:52 WILL NOT CREATE LOUDER IMPACTS.
 05:06:54 THEY WILL ONLY CREATE MORE IMPACTS.
 05:06:56 >>Jim Wallace: THE QUESTION WE HAD LAST TIME WAS WHAT IS THE
 05:07:00 CUMULATIVE IMPACT OF FOUR COURTS AT THE SAME TIME.
 05:07:04 >> CORRECT.
 05:07:04 >>Jim Wallace: DID YOU MEASURE THAT?
 05:07:07 >>Tyler Bonnough: YES.
 05:07:07 BASED ON THEIR REPORT, IT SAYS IT DOESN'T CREATE LOUDER.
 05:07:10 IT JUST CREATES MORE.
 05:07:11 >>Jim Wallace: YOU DON'T GET INCREASED DECIBEL LEVELS,
 05:07:15 HIGHER DECIBEL LEVELS WHEN YOU HAVE FOUR COURTS?
 05:07:18 >>Tyler Bonnough: CORRECT.
 05:07:19 BASED ON THEIR REPORT, YES.
 05:07:21 >>Jim Wallace: I'VE HEARD OTHERWISE FROM OTHER EXPERTS THAT

 05:07:24 THERE IS A CUMULATIVE EFFECT.
 05:07:26 WHEN WE HAD, I THINK THE BROOKS PEOPLE WERE HERE.
 05:07:30 THEY PROPOSED 16 COURTS AND THEY AGREED THERE WOULD BE AN
 05:07:33 IMPACT OF HAVING 16 COURTS AT THE SAME TIME.
 05:07:36 MAYBE THERE IS A DIFFERENCE BETWEEN 16 AND 4, I DON'T KNOW.
 05:07:39 OBVIOUSLY THE TWO EXPERTS DISAGREE WITH ONE ANOTHER.

05:07:44 >>Tyler Bonnough: CORRECT.
 05:07:48 PSM'S REPORT.
 05:07:49 >>Al Paivandy: WAS THE MEASUREMENT WITH THE POTENTIAL
 05:07:55 LANDSCAPE?
 05:07:55 >>Tyler Bonnough: YES, ALL THE LANDSCAPING AND SO FORTH
 05:07:58 THAT'S IN PLACE NOW WILL BE PLACED IN-KIND.
 05:08:01 THERE ARE A FEW TREES THAT ARE IN THE WAY THAT WOULD GET
 05:08:04 RELOCATED.
 05:08:05 YES, THERE IS LANDSCAPING ON THE EAST, NORTH, AND SOUTH
 05:08:08 SIDES OF THE COURTS.
 05:08:14 >>Al Paivandy: BY THE YELLOW HIGHLIGHT.
 05:08:17 >>Kristin Jeannin: THE YELLOW HIGHLIGHT IS THE POTENTIAL
 05:08:19 BARRIER.
 05:08:20 >>Tyler Bonnough: CORRECT.
 05:08:21 THE YELLOW IS ON THREE SIDES.
 05:08:22 WE'VE GOT THE NORTH --
 05:08:24 >>Al Paivandy: ARE YOU PLANNING TO ADD THAT OR POTENTIALLY
 05:08:27 YOU MAY BE ADDING THAT?
 05:08:29 >>Tyler Bonnough: THIS IS JUST A PRELIMINARY STUDY.

 05:08:31 OUR PRELIMINARY STUDY SHOWS THAT WE MEET THE MAXIMUM SOUND
 05:08:35 ORDINANCE LEVELS.
 05:08:37 WE'VE ADDED THEM AND CAN PERFORM A POST-DEVELOPMENT SOUND
 05:08:43 STUDY TO FOLLOW UP TO ENSURE THAT WE ARE WITHIN THOSE LIMITS
 05:08:47 ON LIVE STUDIES AND SO FORTH.
 05:08:50 IF WE'RE NOT, THEN WE'RE OPEN TO ADDING THEM SO THAT WE ARE.
 05:08:55 >>Al Paivandy: THE NUMBER OF TREES THAT ARE BEING REMOVED IS
 05:08:59 NOT ANYWHERE NEAR THE NUMBER OF TREES THAT ARE BEING ADDED.
 05:09:04 >>Tyler Bonnough: SO WE PROVIDED IN THE DEVELOPMENT ORDER AN
 05:09:06 ACTUAL LANDSCAPE PLAN THAT SHOWS REPLACING IN-KIND.
 05:09:11 WHAT I HAVE SHOWN IS MORE OF THE SITE CIVIL, BUT -- WE'RE
 05:09:17 EXPAND BEING 15 TO 20 FEET TO ACCOMMODATE FOR THE COURTS,
 05:09:20 AND YOU CAN KIND OF SEE IN THE SHADOWS HERE, THERE ARE A FEW
 05:09:23 TREES THAT WILL GET REPLACED AND RELOCATED OUT IN THIS OPEN
 05:09:26 SPACE HERE NEXT TO THE CART PATHS.
 05:09:31 >>Al Paivandy: SORRY TO BE ASKING SO MANY QUESTIONS.
 05:09:33 I WASN'T HERE FOR THE FIRST TIME.
 05:09:35 YOU ALSO ADDING THE PARKING LOT, RIGHT?
 05:09:38 >>Tyler Bonnough: THE PARKING LOT IS COVERED UNDER A
 05:09:40 SEPARATE DEVELOPMENT ORDER THAT'S ALREADY APPROVED, BUT THEY
 05:09:42 WILL GO HAND IN HAND.
 05:09:44 THE PARKING LOT IS CURRENT UNDER CONSTRUCTION BASED ON THAT
 05:09:48 APPROVAL AND WE'RE GOING TO PIGGYBACK SORT OF BASED ON THE
 05:09:52 REQUIREMENTS.
 05:09:52 >>Al Paivandy: SO IF YOU'RE ADDING THE PARKING LOT NOW

 05:09:56 YOU'RE ADDING THIS, DOES THAT ADD TO THE IMPERVIOUS AREA AT
 05:09:59 ALL?

05:10:00 DO YOU NEED MORE --
 05:10:02 >>Tyler Bonnough: NO, NOT FROM A STORMWATER STANDPOINT.
 05:10:05 SO THE CLUBHOUSE IS COVERED UNDER THE FIRST HALF INCH OF
 05:10:08 WATER QUALITY TREATMENT, WHICH IS ALREADY EXISTING.
 05:10:14 ADDING MORE IMPERVIOUS DOESN'T CHANGE THAT REQUIREMENT.
 05:10:18 IT'S MORE OF A PRETREATMENT, AND THEN ALL THAT RUNOFF GOES
 05:10:19 INTO THE GOLF COURSE LAKES AS A MASTER SYSTEM.
 05:10:22 >>Al Paivandy: YOU ALREADY HAVE THAT RESERVOIR FOR
 05:10:24 RECEIVING.
 05:10:24 >>Tyler Bonnough: CORRECT.
 05:10:25 NOT IMPACTING ANY DRAINAGE BASINS.
 05:10:32 >>Dan Williams: I HAVE A QUESTION OF STAFF.
 05:10:33 SO IF I UNDERSTOOD WHAT YOU SAID CORRECTLY, THAT YOU'RE
 05:10:39 WILLING TO RECEIVE APPROVAL CONTINGENT UPON A SECOND SOUND
 05:10:47 STUDY AND IF THAT SECOND STUDY SHOWS THAT YOU'RE NOT KEEPING
 05:10:55 WITHIN THE APPROVED PARAMETERS OF 66 DECIBELS OR LESS, THEN
 05:11:00 YOU WOULD PUT UP ADDITIONAL BARRIERS.
 05:11:03 DID I RESTATE THAT CORRECTLY?
 05:11:05 >>Tyler Bonnough: CORRECT.
 05:11:07 >>Dan Williams: STAFF, ARE YOU COMFORTABLE WITH THAT?
 05:11:09 >>Mary Gibbs: YES.
 05:11:10 WE ACTUALLY -- I WAS GOING TO TAKE OVER THE CONDITIONS THAT
 05:11:12 THE STAFF RECOMMENDED, BUT LET ME EXPLAIN A LITTLE BIT

 05:11:16 BECAUSE PICKLEBALL HAS BEEN A LITTLE BIT OF A WORK IN
 05:11:21 PROGRESS.
 05:11:21 WE'VE HAD SOME CASES WHERE WE PUT CONDITIONS ON IT.
 05:11:25 WE SORT OF HONE THE CONDITIONS AS WE LEARN MORE ABOUT
 05:11:28 PICKLEBALL.
 05:11:28 SO WHEN WE LOOKED AT WILDCAT RUN AND THEN LOOKED AT THE
 05:11:32 BROOKS, WHICH IS COMING UP TONIGHT ALSO, WE TOOK A LOOK AT
 05:11:35 ALL THE CONDITIONS WE HAVE PLACED ON OTHER CASES.
 05:11:38 I THINK PELICAN SOUND, RIVERWOODS PLANTATION AND SOME OF
 05:11:41 THEM.
 05:11:41 WHAT WE WERE RECOMMENDING AND OUR STAFF REPORT FOR
 05:11:47 CONDITIONS IS THAT WE LIMIT THE HOURS OF OPERATION FROM DAWN
 05:11:50 TO DUSK, WHICH IS WHAT THEY HAVE ASKED FOR, AND THAT WE PUT
 05:11:54 SUBJECT TO INSTALLATION OF SCREENING, IF NECESSARY, BASED ON
 05:11:57 A POST-DEVELOPMENT SOUND STUDY.
 05:11:59 WE ALSO SAID THEY MUST CONFORM TO THE NOISE LEVELS
 05:12:04 ESTABLISHED BY OUR NOISE ORDINANCE, WHICH IS THE 66
 05:12:07 DECIBELS.
 05:12:08 AND THEN WE HAVE A CONDITION THAT WE'VE USED ON OTHER CASES
 05:12:11 WHERE WE SAID IF IT'S DETERMINED THAT THERE IS A LEGITIMATE
 05:12:14 DOCUMENTED COMPLAINTS RECEIVED, THAT CREATES AN ADVERSE
 05:12:18 IMPACT, THEN THEY HAVE TO DO REMEDIATION WITHIN 90 DAYS AND
 05:12:22 THEY WOULD NEED TO NOTIFY US AND THE REMEDIATION COULD
 05:12:27 INCLUDE THE ACOUSTIC MAT, IT COULD INCLUDE CHANGING THE

05:12:32 TYPES OF PADDLES AND BALLS, REDUCED HOURS OF PLAY.

05:12:36 WE LEAVE IT A LITTLE OPEN-ENDED FOR APPLICANTS TO DECIDE HOW
 05:12:40 THEY WANT TO ADDRESS THE MITIGATION AND NOT REALLY DICTATE
 05:12:42 WHAT THEY HAVE TO DO.
 05:12:45 THOSE ARE BASED ON SOME OTHER CASES.
 05:12:48 THEY DID SAY THEY HAVE DESIGNED IT SO THEY COULD PUT THE
 05:12:51 ACOUSTI-MAT UP.
 05:12:53 A LOT OF TIMES PEOPLE DON'T WANT TO DO THE ACOUSTI-MAT
 05:12:55 BECAUSE IT GETS HOT IN THE SUMMER.
 05:12:58 IN THIS CASE, AND IN THESE CASES, WE ALSO LOOK AT THE
 05:13:01 DISTANCE FROM HOMES BECAUSE I THINK ON RIVERWOODS
 05:13:04 PLANTATION, THERE WERE SOME THAT WERE CLOSER, MAYBE TWO OR
 05:13:07 THREE HUNDRED FEET.
 05:13:08 SO WE WANT TO BE MINDFUL IF IT'S VERY CLOSE TO HOMES, WE
 05:13:12 MIGHT WANT TO IMPOSE ADDITIONAL CONDITIONS.
 05:13:14 IN THIS CASE, IT'S 500 FEET, BUT YOU DO HAVE A LAKE, SO YOU
 05:13:17 WANT TO BE MINDFUL OF THAT.
 05:13:19 THESE ARE THE CONDITIONS WE'RE RECOMMENDING.
 05:13:21 AGAIN, IF YOU FEEL LIKE THEY ARE GOING TO COMPLY AND THEY
 05:13:26 DON'T NEED TO DO THE POST-SOUND STUDY, YOU CAN MAKE CHANGES
 05:13:30 OR REVISIONS TO WHAT THE STAFF RECOMMENDS.
 05:13:32 IT'S UP TO YOU ALL.
 05:13:34 BUT WE'RE TRYING TO LOOK AT EVERYTHING WE'VE DONE IN THE
 05:13:37 PAST AND LOOK AT THE INDIVIDUAL CIRCUMSTANCES OF EACH ONE OF
 05:13:41 THESE PICKLEBALL CASES.
 05:13:43 THAT'S PROBABLY A VERY LONG-WINDED ANSWER THAT SAID NOTHING.

05:13:49 >>Jim Wallace: MARY, GUESS ADDRESS TO YOU AS WELL AND THE
 05:13:51 ASSOCIATION, WHAT I CAN'T UNDERSTAND IN ALL THESE PICKLEBALL
 05:13:56 CASES IS THAT IT IS THE HOMEOWNERS ASSOCIATION WHO ARE
 05:13:59 MAKING THE APPLICATION VERY TYPICALLY OR THE CLUBHOUSE OR
 05:14:01 THE CLUB OR WHATEVER IT IS.
 05:14:03 IT'S THE RESIDENCES THEMSELVES MAKING THE APPLICATION.
 05:14:05 66 DECIBELS IS NOT QUIET NO MATTER WHAT.
 05:14:11 AND IT'S FROM DUSK -- FROM DAWN TILL DUSK.
 05:14:14 I DON'T UNDERSTAND WHY AN ASSOCIATION REPRESENTS ITS
 05:14:19 HOMEOWNERS, ANY ASSOCIATION, DOESN'T AUTOMATICALLY PUT IN
 05:14:23 THE NOISE ABATEMENT SCREENING SO THAT IT BRINGS IT DOWN TO
 05:14:27 40 OR WHATEVER IT IS, WHICH IS CONVERSATION LEVEL.
 05:14:31 IT'S NO DIFFERENT THAN TWO PEOPLE TALKING IN THE PARKING
 05:14:35 LOT.
 05:14:35 IT'S VERY SMALL INCREMENTAL COST AGAINST THE BENEFIT
 05:14:39 RECEIVED BY THE RESIDENTS AND OVERALL COST OF CONSTRUCTION.
 05:14:42 I DON'T UNDERSTAND WHY IT'S LET'S GO PART WAY AND SEE IF
 05:14:46 THERE IS A PROBLEM.
 05:14:46 IF THERE IS A PROBLEM, WE'LL TRY TO SOLVE IT.
 05:14:49 IT JUST DOESN'T MAKE ANY SENSE TO ME.

05:14:51 I UNDERSTAND IT IS THE LDC AND YOU CAN DO WHATEVER YOU WANT,
 05:14:54 BUT IT JUST DOESN'T SEEM TO MAKE A WHOLE LOT OF SENSE TO ME
 05:14:58 THAT 66, PARTICULARLY WHEN YOU'VE GOT FOUR COURTS OR 16
 05:15:03 COURTS, HOWEVER MANY COURTS, IT'S NOISE WHEN IT'S HAPPENING
 05:15:06 FOR FIVE, SIX, OR SEVEN HOURS.

 05:15:08 IT'S NOT QUIET CONVERSATION.
 05:15:11 I DON'T UNDERSTAND WHY THE ASSOCIATION, BECAUSE THEY ARE THE
 05:15:15 APPLICANT AND THEY ARE ALSO EITHER THE VICTIM OR BENEFICIARY
 05:15:19 OF THE NOISE, I DON'T UNDERSTAND WHY THEY DON'T JUST
 05:15:22 VOLUNTARILY PUT THE NOISE ABATEMENT SCREENING ON.
 05:15:26 MAYBE YOU CAN EXPLAIN THAT TO ME.
 05:15:28 >>Tyler Bonnough: MY ONLY RESPONSE TO THAT WOULD BE A MATTER
 05:15:31 OF, AS MARY SAID, IT'S KIND OF A LEARNING CURVE.
 05:15:36 THEY WANT TO HAVE THE FLEXIBILITY IN ORDER TO ACCOMMODATE
 05:15:39 THE RESIDENTS IN THE BEST MANNER.
 05:15:42 IT'S A MATTER OF IF THEY SPEND THE EFFORT TO PUT IN THE MATS
 05:15:47 AND THEN IT GETS HOT, THEN THE RESIDENTS ARE COMPLAINING
 05:15:51 ABOUT THE HEAT, WHEREAS WE COULD CHANGE SOMETHING AS SIMPLE
 05:15:54 AS THE PADDLES OR THE BALLS TO WHERE WE'RE NOT LIMITING THE
 05:15:58 AIRFLOW.
 05:15:59 WE CAN LIMIT THAT.
 05:16:00 IT'S A MATTER OF LEARNING AND KEEPING THE FLEXIBILITY TO
 05:16:02 ADJUST AS NEEDED.
 05:16:07 >>Jim Wallace: I'M SORT OF GLAD THE AUTO INDUSTRY DOESN'T
 05:16:09 THINK ABOUT THAT.
 05:16:10 PUT A LOT OF BRAKES IF ONLY PEOPLE DON'T GET HURT.
 05:16:14 DOESN'T MAKE SENSE THAT YOU DO THE CORRECTION AFTER IF
 05:16:17 ENOUGH PEOPLE COMPLAIN.
 05:16:19 DOESN'T QUITE MAKE SENSE TO ME.
 05:16:27 >>Anthony Gargano: JIM, THANKS FOR THE EDITORIAL COMMENTS.

 05:16:29 >>Jim Wallace: I DON'T LIVE NEAR ANY ONE OF THOSE.
 05:16:32 I GUESS I WOULDN'T BE A VICTIM.
 05:16:35 >>Anthony Gargano: I THINK AS MARY SAYS, THIS WHOLE AREA OF
 05:16:40 PICKLEBALL IS A LEARNING PROCESS.
 05:16:44 I THINK PROVIDING THE FLEXIBILITY SO THAT THE APPLICANT CAN
 05:16:51 MAKE THE BEST DECISION FOR ITS RESIDENTS WITH REGARD TO
 05:16:56 NOISE ABATEMENT IS PROBABLY A REASONABLE APPROACH AT THIS
 05:17:02 POINT.
 05:17:02 ANY OTHER COMMENTS OR QUESTIONS BY MEMBERS OF THE BOARD?
 05:17:07 >>Dan Williams: I HAVE ONE IF I MAY, AGAIN, FROM AN
 05:17:10 EDUCATION STANDPOINT, UNDER POINT 4 IT SAYS, IF IT IS
 05:17:13 DETERMINED BASED ON LEGITIMATE DOCUMENTED COMPLAINTS
 05:17:17 RECEIVED FROM ADJACENT PROPERTY OWNERS.
 05:17:19 SO HOW MANY COMPLAINTS HAVE TO OCCUR BEFORE SOME ACTION IS
 05:17:23 TAKEN?
 05:17:23 IF IT'S ONE PERSON, KEEP STATUS QUO, BUT IF TWO PEOPLE,

05:17:28 BRING IT UP, THEN SOMETHING IS DONE.
 05:17:30 I'M JUST ASKING THIS FROM AN EDUCATION STANDPOINT.
 05:17:32 >>Mary Gibbs: I THINK YOU ASKED THE QUESTION WE TALKED ABOUT
 05:17:35 A FEW MONTHS AGO WHEN WE DID RIVERWOODS PLANTATION AND
 05:17:38 CRAFTED THAT CONDITION BECAUSE WE INITIALLY HAD, IF ANY
 05:17:43 COMPLAINTS, BOARD MEMBER SAID, WAIT A MINUTE, WHAT IF ONE
 05:17:46 PERSON COMPLAINS IS THAT GOING TO MAKE PEOPLE INSTALL
 05:17:49 ACOUSTI-MAT.
 05:17:50 WE SAID LEGITIMATE DOCUMENTED.

 05:17:52 THERE IS A JUDGMENT CALL FROM STAFF TO SEE HOW MANY PEOPLE
 05:17:56 COMPLAIN.
 05:17:57 BUT IT WOULDN'T BE ONE OR TWO PEOPLE.
 05:17:59 IT WOULD HAVE TO BE MORE THAN THAT.
 05:18:00 >>Dan Williams: THANK YOU.
 05:18:06 >>Al Paivandy: IN THE FUTURE, IF THERE IS A PROBLEM AND IF
 05:18:08 THE BOARD APPROVES THIS, WHO DOES THE TESTING?
 05:18:11 THE SOUND TESTING?
 05:18:13 >>Tyler Bonnough: WE HIRED PSM TO DO THE SOUND TESTING FOR
 05:18:17 US.
 05:18:17 WE'LL FOLLOW UP.
 05:18:19 WE WERE SATISFIED WITH OUR EXPERIENCE WITH THEM.
 05:18:21 SO WE WOULD USE THEM AGAIN TO DO THE POST-DEVELOPMENT
 05:18:24 TESTING TOO.
 05:18:25 >>Al Paivandy: IS THAT AN INDEPENDENT FIRM?
 05:18:27 >>Tyler Bonnough: YES.
 05:18:32 >>Anthony Gargano: TAMMY, ANY CARDS OR MARY ANY CARDS?
 05:18:34 I WANT TO OPEN IT TO THE PUBLIC NOW.
 05:18:37 >>Tammy Duran: NO, I DON'T HAVE ANYTHING.
 05:18:42 >>Anthony Gargano: I HAVE TO SAY THIS IS A RECORD.
 05:18:43 I THINK THIS IS THE FIRST TIME EVER IN A PICKLEBALL CASE
 05:18:46 THAT WE HAVEN'T HAD COMMENTS FROM THE PUBLIC.
 05:18:50 >>Mary Gibbs: ARE YOU SURE YOU DON'T WANT TO ASK IF THERE
 05:18:52 ARE ANY COMMENTS?
 05:18:54 >>Anthony Gargano: I'LL CLOSE THE PUBLIC PORTION.

 05:18:57 ANY OTHER COMMENTS OR QUESTIONS BY BOARD MEMBERS?
 05:19:02 >>James Tatooles: I THINK IN RESPONSE TO WHAT YOUR QUERY
 05:19:05 WAS, THE FACT THAT NOBODY IS HERE COMPLAINING GIVES YOU AN
 05:19:09 IDEA OF WHETHER OR NOT THIS IS THAT SERIOUS OF A MATTER.
 05:19:15 >>Anthony Gargano: ALL RIGHT.
 05:19:16 I'LL ENTERTAIN A MOTION.
 05:19:20 >>Kristin Jeannin: I'LL MAKE A MOTION TO APPROVE WITH THE
 05:19:22 STAFF STIPULATIONS.
 05:19:26 >>SECOND.
 05:19:26 >>Anthony Gargano: MOTION HAS BEEN MADE AND SECONDED.
 05:19:28 ANY DISCUSSION ON THE MOTION?
 05:19:31 ALL IN FAVOR OF THE MOTION -- I'M SORRY -- I'LL GET THIS

05:19:37 RIGHT.
 05:19:38 >>Tammy Duran: BOARD MEMBER JEANNIN?
 05:19:44 >>Kristin Jeannin: YES.
 05:19:51 >>Tammy Duran: BOARD MEMBER PAIVANDY.
 05:19:54 >>Al Paivandy: YES.
 05:19:57 >>James Tatooles: YES.
 05:19:59 >>Jim Wallace: YES.
 05:20:02 >>Dan Williams: YES.
 05:20:04 >>Scotty Wood: YES.
 05:20:07 >>Anthony Gargano: YES.
 05:20:08 THANK YOU.
 05:20:14 >>Tyler Bonnough: THANK YOU.
 05:20:15 >>Anthony Gargano: PICKLEBALL PHASE TWO.

 05:20:44 >>Mary Gibbs: MOVING RIGHT ALONG TO OUR NEXT PICKLEBALL
 05:20:48 CASE.
 05:20:48 THE COMMONS CLUB AT THE BROOKS.
 05:20:50 AGAIN, THE NEW MEMBERS WEREN'T PRIVY TO OUR INFORMATION
 05:20:57 MEETING LAST MONTH.
 05:20:58 WE'LL TRY TO EXPLAIN IT A LITTLE BIT.
 05:21:02 THIS IS A CASE WHERE THE BROOKS -- THE PROPERTY WAS ALREADY
 05:21:07 APPROVED FOR PICKLEBALL, 16 COURTS.
 05:21:09 THEY ARE REDUCING THE NUMBER OF COURTS TO 11.
 05:21:12 THE APPLICANT IS GOING TO EXPLAIN THE FEW CHANGES THEY HAVE
 05:21:18 MADE, LANDSCAPING, LIGHTING, CONSTRUCTION PHASING AND THE
 05:21:21 OWNERSHIP ALSO CHANGED.
 05:21:23 SO THERE ARE SEVERAL THINGS THAT HAVE CHANGED SINCE THE
 05:21:28 INITIAL APPROVAL.
 05:21:29 WE DID GET, I HAVE TO SAY BEFORE THE PUBLIC INFORMATION
 05:21:32 MEETING, ABOUT 200 E-COMMENTS THAT WERE IN FAVOR.
 05:21:36 NOT A RECORD.
 05:21:38 WE'VE HAD MORE, BUT A VERY LARGE AMOUNT OF PEOPLE IN FAVOR.
 05:21:40 AND WE WERE HAPPY THEY DIDN'T ALL COME AND WANT TO TALK ALL
 05:21:45 AT THE SAME TIME, WHICH WOULD TAKE A LITTLE WHILE.
 05:21:48 BUT THERE ARE A FEW CHANGES HERE THAT ARE A LITTLE BIT
 05:21:53 DIFFERENT SINCE THEY ARE REMOVING SOME OF THE COURT, THEY
 05:21:56 HAD A PRIOR CONDITION ABOUT ACOUSTI-MAT AND THEY DON'T WANT
 05:22:01 TO DO THE ACOUSTI-MAT NOW BECAUSE THEY ARE RE-- THEY ARE
 05:22:05 MOVING THE COURTS FROM WHERE THEY WERE BEFORE.

 05:22:07 THEY WERE CLOSER TO THE NEIGHBORS.
 05:22:09 I'LL LET THE APPLICANT EXPLAIN THAT AND WE'LL SEE IF YOU
 05:22:12 HAVE ANY QUESTIONS.
 05:22:13 I THINK JAMES McCORD WILL BE STARTING IT OFF FOR THE
 05:22:21 APPLICANT.
 05:22:23 >> GOOD EVENING.
 05:22:24 JAMES McCORD, RWA, DIRECTOR OF LANDSCAPE ARCHITECTURE.
 05:22:29 GOOD TO SEE YOU AGAIN.

05:22:30 WELCOME TO THE NEW BOARD MEMBERS.
 05:22:31 [INAUDIBLE]
 05:22:41 [MICROPHONE NOT WORKING]
 05:23:09 [INAUDIBLE]
 05:24:08 [INAUDIBLE]
 05:25:11 >>Mary Gibbs: WOULDN'T BE A MEETING IF WE DIDN'T HAVE A
 05:25:14 LITTLE BIT OF TECHNICAL DIFFICULTIES.
 05:25:22 >> I THOUGHT SHE WAS GOING TO SAY THIS IS THE TIME THE
 05:25:24 CHAIRMAN DOES A LITTLE SONG AND DANCE.
 05:25:27 >>Mary Gibbs: YES, BUT WE MIGHT TURN YOUR MICROPHONE OFF FOR
 05:25:29 THAT.
 05:26:33 >> DO WE NEED TO REPEAT WHAT I SAID FOR THE RECORD AND THE
 05:26:36 RECORDING?
 05:26:36 >>Mary Gibbs: NO, I DON'T THINK SO.
 05:26:39 >> OKAY, GOOD.
 05:26:40 WE'RE ASKING FOR REDUCTION FROM 16 COURTS TO 11.
 05:26:43 THEN YOU CAN KIND OF SEE THAT IS THE PROPOSED -- THIS IS THE

 05:26:46 ORIGINAL, AND THIS IS WHAT WE'RE ASKING FOR, LIKE MOVING
 05:26:49 THESE COURTS CLOSEST TO THE RESIDENTIAL THAT'S UP IN HERE.
 05:26:55 WE'RE GETTING RID OF THOSE COURTS.
 05:26:57 AND THEN THE SHADE STRUCTURE WOULD BE MOVED HERE AND THEN
 05:27:01 THERE ARE A COUPLE OF SMALLER SHADE STRUCTURES THAT ARE
 05:27:04 ON-SITE -- I'LL SHOW YOU.
 05:27:06 A COUPLE OF SLIDES DOWN IT WILL SHOW WHERE THEY ARE LOCATED
 05:27:08 AND EASIER TO SEE.
 05:27:09 SO HERE ARE THE SHADE STRUCTURES TALKING ABOUT, TALKING
 05:27:13 ABOUT RELOCATING.
 05:27:14 YOU CAN KIND OF SEE WHAT -- THIS WAS PROPOSED.
 05:27:17 THESE WERE ALL NEW.
 05:27:18 WE LOOKED AT THEM, THE VIABILITY AND NOW WE'RE JUST BUILDING
 05:27:22 ONE BIG LARGE STRUCTURE AND RELOCATING THE TWO SMALL ONES,
 05:27:25 SO WE'RE, IF YOU WILL, RECYCLING.
 05:27:28 SO THE PROPOSED SITE PLAN OR THE APPROVED AMENDMENT THAT WE
 05:27:35 HAD OR THE APPROVED PLAN WE HAD HAD THREE PHASES.
 05:27:38 WE'RE REDUCING THAT TO TWO BECAUSE WE'RE REDUCING THE
 05:27:41 COURTS.
 05:27:42 THIS IS THE THREE PHASES APPROVED.
 05:27:45 WE'LL HAVE -- THIS IS PHASE ONE AND THEN THAT WILL BE PHASE
 05:27:48 TWO, JUST FOUR MORE COURTS.
 05:27:52 AND THE LANDSCAPE AND LIGHTING, AGAIN, SINCE WE'RE REDUCING
 05:27:57 EVERYTHING, THE LANDSCAPE REQUIREMENTS ARE REDUCED A LITTLE
 05:27:59 BIT.

 05:27:59 WE'RE ALSO REDUCING THE NUMBER OF LIGHTS.
 05:28:02 FEW MORE LESS TREES THAT ARE REQUIRED, BUT WE'RE NOT REALLY
 05:28:08 LOSING BECAUSE WE'RE NOT HAVING TO TAKE OUT AS MUCH PLANT
 05:28:11 MATERIAL TO BUILD THE OTHER COURTS THAT WE'RE REDUCING.

05:28:14 WE'RE DROPPING THE NUMBER OF LIGHT FIXTURES FROM 42 TO 33.
 05:28:20 WE'RE ADDING INTERNAL LOUVRES TO REDUCE THE BUG RATING
 05:28:25 BECAUSE MOST OF YOUR SPORTS FIXTURES CANNOT MEET THE BUG
 05:28:27 RATING THAT THE VILLAGE OF ESTERO REQUIRES.
 05:28:31 THIS BRINGS IT DOWN TO CLOSE TO COMPLIANCE OR AS CLOSE AS
 05:28:37 POSSIBLE, BUT WE'RE TALKING NEGLIGIBLE AMOUNT.
 05:28:39 IT'S A 3 AND IT DROPS DOWN ACCORDING TO THE MANUFACTURER
 05:28:44 CONSIDERABLY.
 05:28:45 UNFORTUNATELY, THEY DON'T HAVE IT LISTED AS A SPEC WITH THE
 05:28:47 LOUVRES ON IT.
 05:28:49 WHAT THE LOUVRES DO, IT BLOCKS THE LIGHTS FROM SHOOTING
 05:28:55 BACKWARDS.
 05:28:55 STILL KEEPS THE FRONT ROW -- BACK ROW SO YOU HAVE PROPER
 05:28:59 PLACE.
 05:29:00 THROWS THE LIGHT ON THE MIDDLE OF THE COURT AND NOT OFF THE
 05:29:03 BACKS.
 05:29:04 THAT'S THE PROPOSED SITE PLAN THAT WE'RE ASKING FOR TO BE
 05:29:10 APPROVED.
 05:29:15 AGAIN, NOT MANY TIMES COME TO REDUCE.
 05:29:17 REDUCING INTENSITY, LOWERING IMPERVIOUS SURFACES AND ALSO
 05:29:21 STAYING CONSISTENT WITH THE LDC AND WE'RE GOING TO ASK FOR

 05:29:25 YOUR RECOMMENDATION FOR APPROVAL.
 05:29:27 IF YOU HAVE ANY QUESTIONS, I'M HERE AND THE OWNER IS HERE AS
 05:29:29 WELL.
 05:29:32 >>Jim Wallace: ONE OF THE QUESTIONS THAT CAME UP AT ONE OF
 05:29:36 THE MEETINGS WAS THE NOISE LEVELS IN SPRING RUN TO THE
 05:29:40 SOUTH, AND I KNOW THERE WAS TALK OF HOW YOU WERE GOING TO
 05:29:44 MITIGATE THAT AND I DON'T REMEMBER EXACTLY WHAT IT WAS WHERE
 05:29:50 THERE WERE A COUPLE OF PEOPLE THAT LIVED IN SPRING RUN THAT
 05:29:52 SPOKE, RESIDENTS.
 05:29:53 I DON'T KNOW IF THEY ARE HERE TODAY OR NOT.
 05:29:55 >> YEAH, THERE WAS A GENTLEMAN SPEAKING, AGAINST FOUR LANES
 05:30:00 OF TRAFFIC.
 05:30:01 WHAT WE'RE DOING IS WE'RE BUILDING IT, SO IF THE NOISE IS A
 05:30:04 PROBLEM, WHICH, AGAIN, WE'RE REDUCING THE NUMBER, SO THE
 05:30:08 NOISE IS DROPPING.
 05:30:10 WE ARE GOING TO HAVE THE COURTS BUILT ACCORDINGLY.
 05:30:14 IF WE HAVE TO ADD THE ABATEMENT, WE'LL ADD THE ABATEMENT.
 05:30:17 IT'S JUST IT ADDS SO MUCH HEAT TO THE COURTS AND TO THE
 05:30:22 PLAYERS, THAT'S ONE REASON WHY PEOPLE DON'T LIKE TO UTILIZE
 05:30:28 IT.
 05:30:29 >>Jim Wallace: I GUESS I'M PLAYING PLANNER HERE.
 05:30:31 WE HAVE PREVAILING EAST AND WEST WINDS HERE.
 05:30:34 YOU HAVE ALL THE VEGETATION, ALL THE CONSERVATION AREA TO
 05:30:38 THE NORTH, SO THE AREA REALLY THAT YOU HAVE TO GUARD AGAINST
 05:30:43 IS THE SOUTH AREA.

05:30:44 IS THERE ANY REASON WHY YOU WOULDN'T PUT THE ABATEMENT
 05:30:48 FENCING ON THE SOUTH SIDE AND LEAVE THE OTHER THREE SIDES
 05:30:51 OPEN SO YOU GET THE EAST-WEST VENTILATION FROM THE
 05:30:55 PREVAILING EAST-WEST WINDS?
 05:30:57 >> TO ANSWER YOUR QUESTION ABOUT NOISE DOWN HERE, THERE IS
 05:31:01 AN EXISTING BUFFER HERE.
 05:31:05 THIS IS PRETTY WELL LANDSCAPED.
 05:31:07 WHEN YOU HAVE PLANT MATERIAL CLOSE TO THE SOURCE OF THE
 05:31:13 NOISE, IT ACTS AS A NOISE ABATEMENT.
 05:31:17 TYPICALLY YOUR PICKLEBALL WILL STAY IN THE 66 AND UNDER
 05:31:21 RANGE, WHICH THEY SAY 50 TO 65 IS THE CONVERSATION LEVEL FOR
 05:31:27 DECIBELS.
 05:31:27 IT'S GOING TO BE MINOR.
 05:31:30 I THINK YOU'RE GOING TO HEAR THE CAR NOISE MORE THAN YOU'LL
 05:31:33 HEAR THE PICKLEBALL NOISE TO BE HONEST WITH YOU.
 05:31:37 >>Anthony Gargano: THOSE COURTS ARE THE SOUTH-FACING COCONUT
 05:31:44 ROAD.
 05:31:45 THOSE COURTS HAVE NOT CHANGED LOCATION.
 05:31:48 >> CORRECT.
 05:31:48 YES, SIR.
 05:31:49 >>Anthony Gargano: WE'RE ONLY REMOVING THE NORTHWESTERN
 05:31:53 COURT.
 05:31:53 >> THE COURTS UP HERE WHICH WERE CLOSER TO ANY RESIDENTIAL
 05:31:56 PROPERTIES.
 05:31:56 YES, SIR.

 05:31:58 >>Anthony Gargano: WE'VE ALREADY APPROVED WHERE THESE COURTS
 05:32:00 ARE.
 05:32:01 >>Jim Wallace: I APPRECIATE THAT.
 05:32:03 I JUST WANT TO BE SURE THE PEOPLE TO THE SOUTH WHO WERE
 05:32:08 CONCERNED WHEN THIS WAS APPROVED ARE STILL GOING TO BE
 05:32:10 HAPPY.
 05:32:12 >> I BELIEVE WE'LL HAVE THE SAME KIND OF CONDITION.
 05:32:16 IF THERE ARE COMPLAINTS --
 05:32:18 >>Jim Wallace: IF THEY ARE NOT HAPPY, THEN YOU WILL SOLVE
 05:32:20 THE PROBLEM.
 05:32:21 >> TAKE CARE OF IT.
 05:32:22 YES, SIR.
 05:32:22 >>Jim Wallace: OKAY.
 05:32:23 AND THAT'S ONE OF THE CONDITIONS.
 05:32:24 >> YES, SIR.
 05:32:25 >>Mary Gibbs: WE HAVE SEVERAL CONDITIONS, AND WE'VE GOT THE
 05:32:28 HOURS OF OPERATION LIMITED TO 7 A.M. TO 9 P.M.
 05:32:32 SO THEY HAD A LITTLE BIT LONGER HOURS OF OPERATION PROPOSED.
 05:32:35 BUT WE DID ALSO HAVE THE SAME CONDITION ABOUT CONFORMING
 05:32:38 WITH THE NOISE LEVELS OF 66 DECIBELS.
 05:32:41 THEN WE HAD THE SAME CONDITION AS WILDCAT, IF IT IS
 05:32:45 DETERMINED BASED ON LEGITIMATE DOCUMENTED COMPLAINTS THAT IT

05:32:48 CREATES AN ADVERSE IMPACT, THEN THEY'VE GOT TO DO THE
 05:32:51 REMEDIATION WITHIN 90 DAYS WHICH COULD BE THE SOUND
 05:32:55 ABATEMENT, ACOUSTI-MAT, PADDLES, REDUCED HOURS OF PLAY, ALL

 05:32:58 THAT.
 05:32:59 WE HAD ONE ADDITIONAL CONDITION THAT WE BROUGHT FORWARD FROM
 05:33:02 WHEN THIS WAS APPROVED THE FIRST TIME AND THEY HAD MORE
 05:33:06 COURTS, BUT WE PUT THIS CONDITION THAT SAID WITHIN 90 DAYS
 05:33:09 OF APPROVAL OF THE AMENDMENT, PROPERTY OWNER MUST SEND A
 05:33:13 LETTER TO EVERY OWNER OF RECORD WITHIN 750 FEET THAT WOULD
 05:33:17 NEED TO INCLUDE A PHONE NUMBER FOR THE BROOKS OR THE COMMONS
 05:33:22 CLUB MANAGEMENT IN THE EVENT THERE WERE COMPLAINTS, THEY
 05:33:26 WOULD HAVE A PHONE NUMBER THAT THEY COULD CALL AND THEY
 05:33:28 WOULD ALSO NEED TO PROVIDE COPIES TO THE VILLAGE SO WE COULD
 05:33:34 MONITOR THE COMPLAINTS.
 05:33:37 >>Jim Wallace: DID WE HAVE THE SAME CONDITION OF THE
 05:33:39 DISTANCE THAT EVERYBODY HAS TO BE MONITORED AFTER OR
 05:33:42 SURVEYED AFTER FOR WHEN WE DID WILDCAT RUN, WHICH WE JUST
 05:33:46 APPROVED?
 05:33:47 >>Mary Gibbs: WE HAD THE CONDITION ABOUT THE LEGITIMATE
 05:33:49 DOCUMENTED COMPLAINTS IN WILDCAT RUN.
 05:33:52 WE DID NOT HAVE SENDING OUT THE LETTERS, BUT THE REASON WE
 05:33:55 DIDN'T IS THE BROOKS COMMON CLUB HAD THIS CONDITION IN THE
 05:33:59 ORIGINAL APPROVAL SO WE CARRIED IT FORWARD.
 05:34:01 >>Jim Wallace: IT IS A REALLY GOOD CONDITION.
 05:34:09 >>Anthony Gargano: ANY OTHER COMMENTS OR QUESTIONS?
 05:34:11 >>Al Paivandy: YES.
 05:34:12 OUT OF MY CURIOSITY, YOU MENTIONED THERE WAS A REUSE OF A
 05:34:17 STRUCTURE.

 05:34:17 >> YEAH, TWO EXISTING SHADE STRUCTURES THAT ARE ON-SITE.
 05:34:20 AND THEY ARE GOING TO BE ABLE TO REUTILIZE THEM IN THE NEW
 05:34:24 PLAN.
 05:34:24 THEY ARE THE TWO LITTLE SMALL STRUCTURES.
 05:34:26 ONE RIGHT HERE AND ONE RIGHT HERE.
 05:34:29 THEY ARE GOING TO BE ABLE TO RELOCATE THEM.
 05:34:31 THE LARGE ONE WILL BE A NEW ONE.
 05:34:34 ORIGINALLY WE HAD SIGNIFICANTLY MORE SHADE STRUCTURES.
 05:34:37 BUT REDUCING THE COURTS, WE DON'T NEED AS MUCH AREA.
 05:34:41 >>Al Paivandy: I SAW THAT ON THE PLANS.
 05:34:44 >> YES, SIR.
 05:34:44 >>Al Paivandy: THANK YOU.
 05:34:45 >>Anthony Gargano: ANY OTHER BOARD MEMBER COMMENTS OR
 05:34:46 QUESTIONS?
 05:34:50 >>James Tatooles: I FIND IT UNIQUE EVERYBODY COMING IN
 05:34:52 ASKING FOR MORE, THAT YOU ARE HAVING A REDUCTION.
 05:34:56 WHAT WAS THE BASIS OF THE REDUCTION?
 05:34:58 >> FROM MY UNDERSTANDING, I'LL HAVE JOE COME UP, BUT I

05:35:02 BELIEVE IT IS BECAUSE OF THE AMOUNT OF DEMAND.
 05:35:04 BECAUSE IN THIS AREA, THEY ARE GOING TO BE BUILDING SOME
 05:35:07 PUBLIC COURTS, AND THEY JUST DON'T WANT TO OVERBUILD, IF YOU
 05:35:11 WILL.
 05:35:13 >> JOE, GENERAL MANAGER OF THE COMMONS CLUB.
 05:35:16 IN ADDITION TO THAT, WHEN IT WAS OWNED BY THE CUDs, IT WAS
 05:35:22 AVAILABLE TO ALL RESIDENTS OF THE BROOKS.

 05:35:24 NOW THAT IT IS OWNED BY THE COMMONS CLUB, WE ONLY HAVE 60%
 05:35:28 OF THE RESIDENTS AS MEMBERS OF THE COMMONS CLUB ACCESS TO
 05:35:30 THE COURTS.
 05:35:31 ON TOP OF THAT, SHADOW WOOD JUST APPROVED SIX INDOOR COURTS,
 05:35:35 SO THE DEMAND FOR PICKLEBALL IN THE BROOKS IS GOING TO GO
 05:35:38 DOWN, NOT UP.
 05:35:39 >>Mary Gibbs: IF I COULD ADD ONE MORE THING, TOO.
 05:35:42 I THINK WHEN IT CAME IN THE FIRST TIME, SOME OF THE COMMONS
 05:35:45 CLUB PEOPLE COMPLAINED ABOUT THE PICKLEBALL COURTS BECAUSE
 05:35:48 IT WAS GOING TO BE DISRUPTIVE TO THE YOGA THAT THEY HAVE AT
 05:35:51 THE LEARNING CENTER.
 05:35:53 SO I THINK THEY -- THAT'S WHY THEY TOOK AWAY THOSE COURTS.
 05:35:57 NOW YOU CAN HAVE PEACEFUL YOGA.
 05:36:02 >>Anthony Gargano: OKAY.
 05:36:03 I'LL OPEN THE PUBLIC PORTION.
 05:36:06 >>Tammy Duran: WE HAVE NO COMMENT.
 05:36:07 >>Anthony Gargano: NO COMMENTS.
 05:36:08 TWO IN A ROW, NO PICKLEBALL COMMENTS.
 05:36:10 >>Mary Gibbs: IT'S A RECORD.
 05:36:13 >>Anthony Gargano: I'LL ENTERTAIN A MOTION.
 05:36:16 >>James Tatooles: I'LL SO MOVE.
 05:36:18 >>Anthony Gargano: MOTION FOR APPROVAL.
 05:36:20 AND THAT'S WITH THE STIPULATIONS.
 05:36:23 >>James Tatooles: ABSOLUTELY.
 05:36:25 >> SECOND.

 05:36:26 >>Anthony Gargano: PROVIDED BY STAFF.
 05:36:26 IT'S BEEN MOVED AND SECONDED.
 05:36:28 TAMMY, CAN WE HAVE A ROLL CALL, PLEASE?
 05:36:32 >>Kristin Jeannin: YES.
 05:36:36 >>Al Paivandy: YES.
 05:36:39 >>James Tatooles: YES.
 05:36:41 >>Jim Wallace: YES.
 05:36:43 >>Dan Williams: YES.
 05:36:44 >>Scotty Wood: YES.
 05:36:48 >>Anthony Gargano: YES.
 05:36:51 >> THANK YOU ALL FOR YOUR TIME AND CONSIDERATION.
 05:36:58 >>Anthony Gargano: NEXT WILL BE A PUBLIC INFORMATION
 05:37:01 MEETING.
 05:37:01 THIS IS FOR UNIVERSITY HIGHLANDS.

05:37:06 MARY.
 05:37:22 >>Mary Gibbs: ALL RIGHT.
 05:37:22 THIS IS THE FUN PART OF THE MEETING BECAUSE YOU DON'T HAVE
 05:37:27 TO WORRY ABOUT THE EX PARTE SWEARING IN AND WE CAN BE A
 05:37:30 LITTLE MORE INFORMAL.
 05:37:33 THE PUBLIC INFORMATION MEETINGS, WE'VE ONLY GOT TWO TONIGHT.
 05:37:36 THE FIRST ONE IS UNIVERSITY HIGHLANDS.
 05:37:40 IF YOU ARE FAMILIAR WITH THE BEN HILL GRIFFIN PARKWAY NORTH
 05:37:45 OF THE EVERBLADES ARENA, THERE IS A SHOPPING AREA, IT'S GOT
 05:37:50 STARBUCKS AND SOME COOKIE SHOP AND RESTAURANTS AND TIDE
 05:37:55 CLEANER.

 05:37:56 LITTLE FURTHER NORTH IN FRONT OF TIDEWATER, THERE IS A
 05:37:59 VACANT SIX-ACRE PIECE OF PROPERTY.
 05:38:01 THIS VACANT PIECE OF PROPERTY IS SOUTH OF THE CUBE SMART OR
 05:38:06 PUBLIC STORAGE MINI-WAREHOUSE OR STORAGE FACILITY.
 05:38:10 WE DON'T CALL THEM MINI-WAREHOUSES ANYMORE.
 05:38:13 THE SIX-ACRE PROPERTY IS OWNED BY JOHN CONROY.
 05:38:17 HE HAS BEEN LOOKING AT VARIOUS USES.
 05:38:20 WHAT THEY ARE PROPOSING TONIGHT IS A PORTION OF THAT
 05:38:23 PROPERTY, THAT'S THE MIDDLE PART OF THE SIX ACRES, FOR
 05:38:28 RETAIL KIND OF TWO BUILDINGS, LITTLE SHOPPING AREA, VERY
 05:38:33 SIMILAR TO WHAT THEY HAVE TO THE SOUTH.
 05:38:34 THEY WILL BE ASKING AGAIN -- AGAIN, THE PUBLIC INFORMATION
 05:38:41 MEETING IS INTERESTING.
 05:38:42 SOMETIMES YOU HAVE AN APPLICATION IN AND SOMETIMES YOU DON'T
 05:38:44 HAVE AN APPLICATION IN BECAUSE IT COULD BE VERY PRELIMINARY.
 05:38:46 THEY COME TO US.
 05:38:49 THE PUBLIC HAS QUESTIONS.
 05:38:51 IF THEY WANT TO GET SOME INPUT ON THEIR PROJECT.
 05:38:54 JOHN CONROY IS HERE TONIGHT TO EXPLAIN A LITTLE BIT MORE
 05:38:58 ABOUT WHAT HIS PLANS ARE.
 05:39:05 >> THANK YOU, MARY. GOOD EVENING, EVERYBODY.
 05:39:07 WELCOME, NEW MEMBERS.
 05:39:09 VERY EXCITING.
 05:39:10 MY NAME IS JOHN CONROY.
 05:39:12 I AM THE OWNER OF THE SOUTH REAL ESTATE GROUP.

 05:39:15 WE OWN THIS PROPERTY.
 05:39:16 WE ALSO OWN THE PARCEL TO THE SOUTH THAT WE DEVELOPED, THE
 05:39:23 CHASE BANK, THE STARBUCKS WHERE THE LEE HEALTH IS.
 05:39:28 THIS IS KIND OF PHASE TWO OF THE ENTIRE PROJECT.
 05:39:32 AGAIN, MY NAME IS JOHN CONROY.
 05:39:36 I ALSO HAVE MICHAEL JORGENSEN HERE FROM SOUTH FLORIDA
 05:39:40 ARCHITECTURE, AND WE ARE ALSO USING PENINSULA ENGINEERING,
 05:39:43 THE SAME ENGINEERING FIRM AS PHASE ONE.
 05:39:46 LUIS WAS GOING TO BE HERE TONIGHT BUT UNFORTUNATELY HE HAD
 05:39:49 TO GO TO THE EAST COAST TO HELP HIS FATHER WITH SOMETHING.

05:39:53 I THINK WE CAN HANDLE ANY OF THE ENGINEERING QUESTIONS IF WE
 05:39:56 HAVE ANY.
 05:39:57 AGAIN, I'VE OUTLINED THE PARCEL HERE.
 05:39:59 6.37-ACRE PARCEL.
 05:40:01 WE HAVE TIDEWATER TO THE WEST.
 05:40:04 THE SELF-STORAGE TO THE NORTH, GRANDEZZA TO THE EAST AND
 05:40:08 THEN THE APARTMENTS TO THE SOUTH.
 05:40:10 DOWN HERE, AGAIN, IS WHERE WE'VE ALREADY DONE 7.6 ACRES OF
 05:40:18 DEVELOPMENT.
 05:40:19 THIS WAS SHOPS AT UNIVERSITY HIGHLANDS PHASE ONE.
 05:40:22 AND NOW WE'RE LOOKING TO MOVE TO PHASE TWO.
 05:40:25 THIS PROPERTY IS PART OF THE TIMBERLAND AND TIBURON MPD AND
 05:40:32 DRI.
 05:40:33 THERE WAS A MINOR DEVELOPMENT ORDER FOR THE PARCEL BACK IN
 05:40:36 2016 TO PARTIALLY FILL AND DO PERIMETER LANDSCAPING FOR THE

 05:40:40 PROPERTY.
 05:40:40 WE ARE SEEKING A DEVELOPMENT ORDER FOR TWO 7800 SQUARE FOOT
 05:40:44 RETAIL BUILDINGS ON THIS PROPERTY.
 05:40:46 THE DEVELOPMENT ORDER HAS ALREADY BEEN SUBMITTED.
 05:40:50 WE'VE ALREADY RECEIVED OUR COMMENTS BACK, AND SO WE ARE
 05:40:53 WORKING ON OUR COMMENTS RIGHT NOW AND SHOULD HAVE OUR SECOND
 05:40:57 SUBMITTAL IN IN THE NEXT WEEK OR TWO.
 05:40:59 HERE IS WHAT WE'RE LOOKING TO DO.
 05:41:03 RIGHT NOW, WHAT WE WOULD LIKE TO DO IS START WITH TWO
 05:41:06 MULTI-TENANT BUILDINGS RIGHT IN THE CENTER OF THE PROPERTY.
 05:41:09 THIS IS THE OVERALL SITE PLAN AND SHOWS THE VEHICULAR ACCESS
 05:41:14 AND CONNECTIVITY.
 05:41:17 IN THE MASTER, IN THE MPD, WE ARE PREDETERMINED THAT ALL OF
 05:41:22 OUR ACCESS HAS TO BE FROM TIBURON WAY.
 05:41:24 PARTICULARLY ON THE SOUTH PART, PHASE ONE, ALL OF OUR ACCESS
 05:41:27 IS FROM THE BACK, HIGHLAND OAKS DRIVE.
 05:41:31 WE ARE NOT ALLOWED TO HAVE ANY ACCESS FROM BEN HILL OR
 05:41:35 TIDEWATER KEY OR THE EVERBLADES PARKWAY NORTH.
 05:41:38 SO YOU'LL SEE HERE WE'VE GOT TWO PROPOSED VEHICULAR ACCESS
 05:41:43 POINTS.
 05:41:44 THIS WOULD SERVICE ALL 6.4 ACRES, SO WE ARE NOT LOOKING TO
 05:41:49 ADD ANY ADDITIONAL VEHICULAR ACCESS POINTS WHEN WE DEVELOP
 05:41:53 THE NORTH PARCEL OR THE SOUTH PARCEL.
 05:41:56 SO THESE WOULD BE THE ONLY TWO FOR THE ENTIRE PROPERTY.
 05:42:00 PARKING AREAS ARE GOING TO BE SHARED BETWEEN THESE TWO

 05:42:03 BUILDINGS.
 05:42:03 AGAIN, A -- THIS IS IN THE BEN HILL GRIFFIN OVERLAY.
 05:42:07 AND SO IN THE BEN HILL GRIFFIN OVERLAY, WE ARE ONLY ALLOWED
 05:42:11 TO HAVE ONE KIND OF DOUBLE ROW OF PARKING THERE BETWEEN BEN
 05:42:15 HILL GRIFFIN AND OUR BUILDING.
 05:42:17 BUILDINGS ARE PUSHED EAST TOWARDS BEN HILL GRIFFIN PARKWAY

05:42:23 AS PREDETERMINED BY THAT OVERLAY.
 05:42:25 AND THE PARKING AREAS WILL BE SHARED PRIMARILY IN THE BACK.
 05:42:31 AGAIN, I'VE KIND OF IDENTIFIED THE ANTICIPATED
 05:42:33 INTERCONNECTION TO THE FUTURE DEVELOPMENT.
 05:42:36 AGAIN, WE'VE GOT THESE TWO MAIN ENTRANCES AND THEN WE WOULD
 05:42:41 LIKELY HAVE AN ENTRANCE HERE AND ACCESS POINT HERE TO THE
 05:42:45 NORTH PARCEL.
 05:42:46 IN THE FUTURE AND ACCESS POINT HERE AND ACCESS POINT HERE TO
 05:42:49 THIS PARCEL IN THE SOUTH.
 05:42:52 AGAIN, WE WOULD HAVE SHARED PARKING THROUGHOUT THE ENTIRE
 05:42:55 PROPERTY LIKE WE HAVE IN PHASE ONE.
 05:42:59 OF COURSE, PEDESTRIAN ACCESS AND CONNECTIVITY IS VERY
 05:43:03 IMPORTANT AS WELL.
 05:43:03 WE WANT THIS TO BE WALKABLE, ESPECIALLY FOR THE TIDEWATER
 05:43:07 RESIDENTS.
 05:43:08 WE ALREADY HAVE AND I APOLOGIZE, I WOULD HAVE HIGHLIGHTED
 05:43:11 THESE AS WELL, BUT OVER HERE AND RIGHT HERE, THERE ARE
 05:43:17 ALREADY TWO SEATING AREAS THAT WERE INSTALLED DURING THE
 05:43:22 2016 DEVELOPMENT ORDER.

 05:43:25 WE HAVE TWO LITTLE ROUNDABOUT SIDEWALK AREAS WITH SEATING
 05:43:29 AREAS HERE.
 05:43:30 BUT WHAT I HAVE HIGHLIGHTED HERE IS KIND OF HOW WE DO
 05:43:34 INTERCONNECTIVITY FROM THAT.
 05:43:36 WE HAVE THE SIDEWALK AROUND BEN HILL.
 05:43:38 WE'RE GOING TO HAVE OBVIOUSLY CONNECTION HERE.
 05:43:40 WE'VE GOT PAVED WALKWAYS AND CROSSWALKS THROUGHOUT.
 05:43:45 WE'VE GOT ANOTHER CONNECTION POINT HERE TO THE SIDEWALK TO
 05:43:48 THE WEST.
 05:43:49 AND THEN I ALSO HIGHLIGHTED THESE TWO AREAS HERE BECAUSE
 05:43:56 IDEALLY, OF COURSE, IT WILL BE TENANT DEPENDENT, BUT WE'VE
 05:44:00 GOT THIS NICE PAVED BREEZEWAY HERE IN THE MIDDLE AND WE'RE
 05:44:04 TRYING TO PUSH RESTAURANTS SO THAT WE CAN HAVE SOME OUTDOOR
 05:44:08 PATIO SPACE THERE, ENJOY THE SOUTH FLORIDA LIVING AND
 05:44:14 WEATHER.
 05:44:14 SO, AGAIN, THE INTENTION HERE IS TO HAVE A NICE BREEZEWAY TO
 05:44:22 REALLY PUSH SOME SHARED PATIO OUTDOOR SPACE FOR TENANTS.
 05:44:25 FOR THE DESIGN, THERE IS A UNIVERSITY HIGHLANDS IMAGE BOOK
 05:44:35 THAT WAS DONE IN 2010.
 05:44:39 14 YEARS AGO, CRAZY.
 05:44:40 AND THAT ACTUALLY WAS FOR THE ENTIRE DRI, THE ENTIRE MPD
 05:44:45 WHICH DID ACTUALLY INCLUDE TIDEWATER, THE SELF-STORAGE.
 05:44:51 BOTH OF THESE APARTMENT COMPLEXES AND BOTH OF THESE
 05:44:55 COMMERCIAL PARCELS.
 05:44:56 THAT IMAGE BOOK WHICH WAS REALLY WHAT EVERYONE WAS PUSHING

 05:45:00 IN 2010, WAS VERY MEDITERRANEAN STYLE HEAVY, AND THAT IS
 05:45:05 WHAT WE DEVELOPED ON THE SOUTH PARCEL.

05:45:08 HOWEVER, MARY AND I EVEN E-MAILED ABOUT THIS A LITTLE BIT
 05:45:11 AND I THINK IT HAD TO DO WITH THE TRANSITION FROM LEE COUNTY
 05:45:15 TO ESTERO, BUT SOMEHOW TIDEWATER, WHICH WAS DEVELOPED AFTER
 05:45:21 THIS IMAGE BOOK, THEIR DESIGN IS VERY DIFFERENT THAN THE
 05:45:26 IMAGE BOOK.
 05:45:27 IT'S VERY OLD FLORIDA, VERY KIND OF BLUES, WHITES.
 05:45:31 AND BECAUSE THIS IS KIND OF THE RETAIL POINT AND ENTRANCE TO
 05:45:35 TIDEWATER, WE WERE REALLY TRYING TO GET SOME OF THOSE
 05:45:39 MEDITERRANEAN ELEMENTS IN THERE, BUT THEN ALSO MAYBE NOT
 05:45:43 LOOK TO CRAZY DIFFERENT THAN WHAT TIDEWATER IS.
 05:45:49 AGAIN, WE TRIED TO BLEND THE TWO STYLES.
 05:45:52 I'LL LET MICHAEL TALK A LITTLE BIT MORE ABOUT HOW WE DID
 05:45:55 THAT.
 05:45:59 YOU'LL SEE THERE IS MEDITERRANEAN BUT ALSO BEING A TOUCH
 05:46:02 MORE MODERN, TIE IN WITH TIDEWATER.
 05:46:05 HERE IS THE FIRST 3D RENDERING.
 05:46:12 WE HAVE A COUPLE OF OTHERS AS WELL.
 05:46:13 BUT WE STOLE KIND OF SOME OF THOSE SHUTTERS FROM TIDEWATER,
 05:46:18 BUT WE STILL HAVE THE BARREL TILE ROOFS ON THE TOWER
 05:46:22 ELEMENTS THAT DO TIE INTO THE MEDITERRANEAN.
 05:46:26 WE'VE GOT SOME STONE WHICH IS A LITTLE TOUGH TO SEE ON THIS,
 05:46:28 BUT WE DO HAVE SAMPLES OF THE STONE THAT MICHAEL BROUGHT.
 05:46:33 THE KIND OF COLORS ARE SIMILAR TO THE SOUTH PARCEL IN THAT

 05:46:39 WE KIND OF HAVE THIS -- I DON'T WANT TO SAY CHOCOLATY, BUT A
 05:46:44 LITTLE BIT LATTE-ISH ALMOST COLORS ON THESE TOWER ELEMENTS,
 05:46:49 WHICH IS SIMILAR TO WHAT WE DID ON THE SOUTH.
 05:46:53 BUT THEN WE WENT A LITTLE BIT LIGHTER AGAIN IN THE MIDDLE TO
 05:46:56 TRY AND TIE IN WITH TIDEWATER.
 05:46:58 WE WOULD REALLY LIKE TO MAKE THIS LOOK LIKE IT CONNECTS WITH
 05:47:01 TIDEWATER AND IT'S NOT JUST THIS 2010 ARCHITECTURE RIGHT IN
 05:47:05 FRONT OF COASTAL FLORIDA.
 05:47:07 WE HAVE A FEW OTHER RENDERINGS HERE AS WELL.
 05:47:14 THAT'S KIND OF BIRD'S-EYE VIEW THERE.
 05:47:20 I WILL GO BACK HERE AND LET MICHAEL, IF YOU'VE GOT ANYTHING
 05:47:25 TO ADD.
 05:47:26 >>Jim Wallace: ASK A QUESTION ON THE SITE PLAN.
 05:47:28 >> YES, OF COURSE.
 05:47:30 I CAN HANDLE THAT FIRST.
 05:47:32 >>Jim Wallace: I SEE WHEN I ENTER INTO THE COMMUNITY OR INTO
 05:47:35 THE SITE THE FIRST THING I SEE ARE THE DUMPSTERS.
 05:47:39 I'M WONDERING WHY YOU WOULD WANT THAT?
 05:47:42 WHY AREN'T THE DUMPSTERS AT THE BACK SIDE OF THE DEVELOPMENT
 05:47:48 RATHER THAN THE FIRST THING I SEE WHEN I DRIVE IN?
 05:47:51 NOT ONLY THAT, NOT JUST WHAT I SEE, WHICH IS MARKETING, BUT
 05:47:57 WHEN THE TRASH TRUCK IS THERE, THEN THAT ENTRY IS NO LONGER
 05:48:01 FUNCTIONAL.
 05:48:03 SO THAT'S MY ONLY COMMENT ON YOUR SITE PLAN.

05:48:06 >>John Conroy: NO.

05:48:07 THAT IS A GOOD POINT.

05:48:08 I THINK THE CHOICE IS YOU CAN EITHER SEE IT ON BEN HILL OR

05:48:13 YOU CAN SEE IT ON -- WHEN YOU COME IN.

05:48:16 THE LOCATION OF THE DUMPSTERS THAT WE DID IN THE FIRST

05:48:21 PHASE, WHICH WAS AGAIN, KIND OF REQUESTED BY THE VILLAGE AND

05:48:26 BY STAFF BECAUSE -- I MEAN, I DON'T KNOW WHERE ELSE WE WOULD

05:48:32 PUT THEM.

05:48:33 >>Jim Wallace: PUT THEM IN THE BACK TWO CORNERS BEN HILL,

05:48:38 HIDE WITH LANDSCAPING AND WOULDN'T SEE FROM BEN HILL.

05:48:41 RIGHT NOW I WOULD BE LOOKING AT DUMPSTERS DOORS.

05:48:44 YOU KNOW WHAT IT LOOKS LIKE, TUESDAY ON PICKUP, LOOKS AWFUL.

05:48:49 EVERYBODY DRIVING IN WILL LOOK AT TRASH DUMPSTERS.

05:48:52 I ALSO GET CONCERNED ABOUT THE DUMPSTER TRUCKS, WHEN THEY

05:48:54 ARE THERE, THEN THAT ENTRANCE IS BLOCKED.

05:48:57 >>John Conroy: UM-HUM.

05:48:59 YEAH.

05:48:59 >>Jim Wallace: JUST A THOUGHT.

05:49:00 >>John Conroy: WE COULD LOOK AT THAT.

05:49:02 I DON'T HATE IT.

05:49:06 WE'VE GOT TO FIGURE OUT WHERE TO -- THAT'S ALWAYS KIND OF

05:49:11 BEEN EITHER PUT IT UP AGAINST BEN HILL AND THEN THAT'S

05:49:14 BLOCKING SIGNAGE FOR THE TENANTS.

05:49:16 IF YOU DID A BIG LANDSCAPING THING, THAT'S KIND OF

05:49:20 BLOCKING --

05:49:24 >>Kristin Jeannin: I AGREE.

05:49:26 >>John Conroy: YOU AGREE WITH WHAT?

05:49:28 >>Kristin Jeannin: I AGREE IT'S PROBABLY BETTER TO NOT SEE

05:49:32 THEM WHEN DRIVING IN AND DO A BETTER JOB OF BUFFERING THEM

05:49:35 FROM BEN HILL.

05:49:37 >>John Conroy: OKAY.

05:49:38 THAT IS A GOOD SUGGESTION.

05:49:41 >>Anthony Gargano: WHAT IS THE FRONT AND WHAT'S THE BACK?

05:49:43 YOUR DEVELOPMENT TO THE SOUTH, THE PROPERTIES -- THE FRONTS

05:49:53 OF THE PROPERTIES FACE BEN HILL GRIFFIN.

05:49:56 >>John Conroy: CORRECT.

05:49:58 YEP.

05:49:58 THAT'S THE SAME WITH THIS.

05:50:00 >>Anthony Gargano: SO THE FRONT OF THE PROPERTY IS FACING

05:50:04 BEN HILL GRIFFIN.

05:50:06 >>John Conroy: YES, SIR.

05:50:06 YES, SIR.

05:50:07 YEP.

05:50:08 YEP.

05:50:09 SO THIS PICTURE HERE WOULD BE KIND OF FROM BEN HILL GRIFFIN.

05:50:14 I THINK THAT BLACK CAR MIGHT ACTUALLY BE ON BEN HILL GRIFFIN

05:50:18 FROM THIS RENDERING.
 05:50:19 YOU SEE THIS CONNECTIVITY POINT WITH THE PEDESTRIAN.
 05:50:26 DO YOU WANT TO SPEAK TO ANY SPECIFIC THINGS?
 05:50:31 >> MICHAEL JORGENSEN, SOUTH FLORIDA ARCHITECTURE.
 05:50:35 SO ON THE BUILDING DESIGN, WE TRIED TO KEEP THE LOW SLOPES

 05:50:42 OF THE DEVELOPMENT JUST NEXT TO US, THE APARTMENT BUILDINGS.
 05:50:45 BUT WE -- INSTEAD OF USING THE METAL SLOPE, WE USED BARREL
 05:50:52 TILE PER VILLAGE PLANNING.
 05:50:54 WE ALSO THREW BACK TO THE COVERED -- WE PUT WOOD TRELLISES
 05:51:01 TO HELP ALLEVIATE AND BREAK UP THE MASSING.
 05:51:05 NOT JUST HAVE THE ENTIRE FRONT CANOPY OR ARCADE JUST ALL
 05:51:09 COVERED.
 05:51:10 THERE'S ALSO WOOD TRELLISES TO CREATE THE BREAKUP OF THE
 05:51:15 FACADE AND GIVE THE ELEVATION WHAT THE VILLAGE IS LOOKING
 05:51:18 FOR AS DEPTH, NOT JUST VERTICAL UNDULATION BUT HORIZONTAL
 05:51:24 PLANE BREAKUP.
 05:51:26 WE HAVE TWO TOWERS ON EITHER END AND TOWER MASSING IN THE
 05:51:30 CENTER WITH ALL THE STOREFRONT ON THE SAME ELEVATIONS.
 05:51:33 HELPS BREAK THE BUILDING MASSING UP.
 05:51:36 THAT'S ALSO TRUE ON THE BACK SIDE.
 05:51:38 FOUR-SIDED ARCHITECTURE.
 05:51:40 TAKEN IT AROUND THE BUILDING, UNDERSTANDING THAT THE
 05:51:43 ENTRANCE TO THE PROJECT IS IN THE REAR TOO.
 05:51:46 PAY SPECIAL ATTENTION TO THE REAR ELEVATION, ALSO THE SIDE
 05:51:49 ELEVATIONS, WE UNDERSTAND EXPOSED TO THE NORTH AND SOUTH
 05:51:53 DEVELOPMENTS WHEN THEY COME IN.
 05:51:54 AS JOHN SAID, WE KEPT THE COLORS NEUTRAL.
 05:51:59 WITH A HINT OF MODERN IN THERE TO HELP BRING THEM UP.
 05:52:03 WE HAVE THOSE HERE.
 05:52:05 WE TRIED TO STAY AWAY FROM THE MAUVE, THE MORE MAUVE PINKISH

 05:52:11 COLORS AND GO WITH MORE NEUTRAL GRAY TONES AND THEN ALSO
 05:52:17 OFFSET WITH A NICE BLUE.
 05:52:19 THAT'S NOT AN OSTENTATIOUS DEEP BLUE --
 05:52:24 >>Jim Wallace: DID YOU SAY GRAY?
 05:52:26 >>Michael Jorgensen: GRAYS.
 05:52:28 TIDEWATER COLORS.
 05:52:30 CHARCOALS.
 05:52:33 THEY DON'T HAVE THE PINK HUE TO THE GRAY.
 05:52:37 MORE FRENCH GRAY OR WARMER GRAY.
 05:52:40 >>Kristin Jeannin: YOU CAN PASS THOSE AROUND.
 05:52:42 I KNOW THIS IS INFORMATION.
 05:52:43 >>Michael Jorgensen: WE ALSO WANTED TO MAKE SURE WE HAD
 05:52:46 NATURAL MATERIALS IN THE STONES.
 05:52:48 THE TWO CENTER FEATURES ALSO HAVE THE STONE.
 05:52:52 >>Kristin Jeannin: IS THAT GOING TO BE LIKE A CLADDING?
 05:52:55 >>Michael Jorgensen: A STONE VENEER.

05:52:57 >>Kristin Jeannin: BROKEN UP STONE OR BIG PIECES OF STONE?
 05:53:00 >>Michael Jorgensen: BIG PIECES OF STONE.
 05:53:03 TILES.
 05:53:03 RIGHT NOW WE HAVE THEM AS ONE BY I WANT TO SAY ONE BY
 05:53:10 EIGHTS.
 05:53:12 YEAH, ABOUT ONE BY EIGHTS.
 05:53:14 SO IT IS A STONE VENEER.
 05:53:17 WE ALSO BROUGHT A LITTLE BIT OF THAT ONTO THE COLUMNS ON THE
 05:53:24 REAR OF THE ELEVATION AND ON THE SIDE ELEVATIONS TO MAKE

 05:53:27 SURE THE MATERIAL WRAPS AROUND.
 05:53:29 SIGNAGE, WE KEPT THE SIGNAGE SPACES SMALL AND INCONSPICUOUS
 05:53:38 AROUND THE TOP.
 05:53:38 WE LOVE OUR BUILDINGS BUT DON'T LIKE THE BIG SIGNS.
 05:53:41 WE WERE CONSCIOUS ON MAKING SURE THE SIGNAGE AREA FITS AND
 05:53:47 APPROPRIATELY SCALED.
 05:53:48 ALSO, WE HAVE THE FLORIDA-STYLE HURRICANE SHUTTERS TO GIVE
 05:53:53 IT THAT FEEL OF ALSO A LITTLE BIT MORE DIMENSIONALITY THAN
 05:53:58 JUST THE TRADITIONAL RETAIL.
 05:54:04 >>Al Paivandy: IF I MAY PULL YOU BACK TO THE SITE PLAN.
 05:54:06 I'M A LITTLE BIT CONFUSED I GUESS.
 05:54:09 THE FRONT OF THE BUILDING IS BEN HILL GRIFFIN.
 05:54:14 >>John Conroy: YES, SIR.
 05:54:15 >>Al Paivandy: DOES THE BACK OF THE BUILDING LOOK LIKE THE
 05:54:17 FRONT OF THE BUILDING?
 05:54:18 >>John Conroy: YES, NOT EXACTLY, BUT IT'S VERY, VERY NICE.
 05:54:21 >>Al Paivandy: SHOPPING CENTER, GO TO THE BACK OF THE
 05:54:26 BUILDING --
 05:54:27 >>Michael Jorgensen: WE UNDERSTOOD WE COULD NOT GET AWAY
 05:54:29 WITH THAT IN THIS APPLICATION, SO WE WRAPPED THE BUILDING --
 05:54:32 WE HAVE THE FOUR SIDES.
 05:54:35 >>John Conroy: I THINK THE ONLY DIFFERENCE IS WE DON'T HAVE
 05:54:40 ALL THE STONE ON THE BACK, BUT YOU'LL SEE THERE ARE THESE
 05:54:42 TWO LITTLE BUMP-OUTS HERE ON THE BACK WHICH MATCH THE TWO
 05:54:46 BUMP-OUTS IN THE FRONT.

 05:54:49 I'M SORRY I DIDN'T PUT A REAR RENDERING ON HERE, BUT IT DOES
 05:54:53 LOOK -- IT LOOKS VERY NICE.
 05:54:55 >>Al Paivandy: HAVING SAID THAT, LET'S SAY THE EMPLOYEES FOR
 05:54:59 THE BUILDING DO ENTER FROM THE BACK --
 05:55:03 >>John Conroy: YES, THERE ARE REAR ENTRANCES, REAR DOORS FOR
 05:55:06 ALL THE TENANTS, YES, SIR.
 05:55:08 THAT IS A REQUIREMENT.
 05:55:09 THAT IS A FIRE, SAFETY AND -- YES.
 05:55:13 THEY ALL HAVE 36-INCH WIDE REAR ENTRANCE TO ALL FOUR TENANT
 05:55:20 SPACES IN EACH BUILDING.
 05:55:22 >>Al Paivandy: THE PEOPLE ENTERING THROUGH THE DOORS WE SAW
 05:55:25 IN THE --

05:55:29 >> MICROPHONE.
 05:55:32 >>John Conroy: NO.
 05:55:32 CUSTOMERS ARE ALL FROM THE FRONT.
 05:55:34 IT'S EXACTLY HOW THE FIRST PHASE IS DONE.
 05:55:39 SO IF YOU WANT TO GO DRIVE THAT AND SEE KIND OF WHAT IT
 05:55:43 LOOKS LIKE, ALL THE STOREFRONTS ARE UP AGAINST BEN HILL.
 05:55:46 THE MAJORITY OF THE SIGN, TENANT SIGNAGE IS ALONG BEN HILL.
 05:55:51 ALL THE CUSTOMERS ENTER FROM THE FRONT FACING BEN HILL.
 05:55:58 >>Kristin Jeannin: THAT CAN'T BE TRUE.
 05:55:59 YOU HAVE A LOT OF PARKING BACK THERE, BUT THE MAJORITY
 05:56:02 MAYBE.
 05:56:02 >>John Conroy: I DON'T THINK ANY CUSTOMERS CAN ENTER FROM
 05:56:04 THE BACK.

 05:56:06 >>Kristin Jeannin: YOU WOULD PARK AND WALK UP TO THE BACK OF
 05:56:08 THE BUILDING.
 05:56:09 YOU HAVE LIKE FOUR ROWS OF PARKING BACK THERE.
 05:56:12 >>John Conroy: I KNOW.
 05:56:13 THEY ARE ALL LOCKED.
 05:56:14 >>Kristin Jeannin: YOU HAVE A CENTER PROMENADE.
 05:56:17 >>John Conroy: CORRECT.
 05:56:21 AGAIN, THE LDC OR BEN HILL GRIFFIN OVERLAY REQUIRES US TO
 05:56:26 HAVE THIS PARKING HERE.
 05:56:27 WE CAN'T HAVE FOUR ROWS OF PARKING IN THE FRONT AND THE
 05:56:30 BUILDING IN THE BACK.
 05:56:31 WE HAVE TO HAVE THE BUILDING UP TOWARDS HERE.
 05:56:33 THAT'S WHY WE HAVE THIS CENTRAL BREEZEWAY.
 05:56:35 WE ALSO HAVE IT ON PHASE ONE AS WELL, SO THAT IF YOU DO PARK
 05:56:39 HERE, YOU EITHER WALK AROUND THE BUILDING HERE OR YOU WALK
 05:56:43 AROUND THE BUILDING THROUGH THE BREEZEWAY.
 05:56:45 ALL CUSTOMERS ENTER --
 05:56:46 >>Anthony Gargano: I WANT TO MAKE THE COMMENT THAT I'VE BEEN
 05:56:48 TO THE PHASE ONE AREA QUITE OFTEN.
 05:56:51 I USE THAT STARBUCKS A LOT.
 05:56:53 WHILE YOU TALK ABOUT A WRAPAROUND, THAT IS CLEARLY -- THE
 05:57:02 TIBURON WAY, IT IS CLEARLY THE BACK OF THE BUILDING.
 05:57:08 >>John Conroy: YES.
 05:57:09 >>Anthony Gargano: THERE'S NO MISTAKING.
 05:57:11 >>John Conroy: CORRECT, YES.

 05:57:12 >>Anthony Gargano: IT DOESN'T LOOK LIKE THE FRONT.
 05:57:15 >>John Conroy: CORRECT.
 05:57:16 >>Jim Wallace: DOES THAT MAKE SENSE FROM A RETAILING POINT
 05:57:18 OF VIEW?
 05:57:18 >>John Conroy: YES.
 05:57:19 >>Jim Wallace: YOU'RE GOING TO COME IN OFF TIBURON AND THE
 05:57:22 FIRST THING YOU SEE IS THE DELIVERY AREA AND THE DUMPSTERS.
 05:57:25 >>John Conroy: THAT IS WHAT IS REQUIRED IN THE VILLAGE ON

05:57:27 THIS PROPERTY.
 05:57:28 >>Jim Wallace: NO SIGNAGE, NOTHING.
 05:57:31 >>John Conroy: YEP.
 05:57:33 >>Kristin Jeannin: YOU'RE DOING THINGS TO --
 05:57:36 >>John Conroy: I THINK THE BACK OF THESE BUILDINGS LOOK
 05:57:38 BETTER THAN THE BACK OF THE FIRST PHASE.
 05:57:45 >>Kristin Jeannin: YOU'VE GOT A LOT OF LANDSCAPING AREAS IT
 05:57:47 LOOKS LIKE ON THE BACK AND THE FRONT.
 05:57:49 >>John Conroy: WE DO.
 05:57:50 >>Kristin Jeannin: I THINK THAT HELPS YOU.
 05:57:52 >>Jim Wallace: -- ON THE BACK OF THE BUILDING.
 05:57:54 >>John Conroy: THAT IS CORRECT.
 05:57:55 >>Jim Wallace: MOST OF THE RETAIL MARKETING EXPOSURE THAT
 05:57:57 I'M GOING TO HAVE WHEN I GO THERE, WHEN I DRIVE IN AND WHEN
 05:58:01 I PARK IS THE UGLY SIDE OF THE BUILDING.
 05:58:06 >>John Conroy: IF ALL THE FRONT --
 05:58:07 >>Jim Wallace: THE LESS ATTRACTIVE SIDE OF THE BUILDING.

 05:58:10 >>John Conroy: PRACTICALLY, YOU'RE GOING TO DRIVE TO THE
 05:58:12 FRONT OF THE BUILDING.
 05:58:13 THE ONLY REASON YOU WOULD PARK IN THE BACK IS IF THERE WAS
 05:58:16 NO PARKING IN THE FRONT, RIGHT?
 05:58:17 BECAUSE YOU CAN'T ENTER THE BACK.
 05:58:20 >>Jim Wallace: SO MANY CUSTOMERS THAT YOU NEED ALL THE
 05:58:23 PARKING.
 05:58:24 >>Kristin Jeannin: YOU WILL IF THERE ARE RESTAURANTS.
 05:58:26 >>John Conroy: YEAH, FOR SURE.
 05:58:27 >>Al Paivandy: I'M SURE YOU'RE AWARE THERE'S MORE THAN TWICE
 05:58:30 AS MUCH IN THE BACK AS IN THE FRONT.
 05:58:33 >>John Conroy: THAT IS REQUIRED BY THE VILLAGE.
 05:58:36 IF I DROVE THE PHASE ONE RIGHT NOW, I COULD PROBABLY FIND A
 05:58:42 PARKING SPOT IN THE FRONT.
 05:58:43 >>Al Paivandy: WHAT ARE YOU DOING WITH THE SIDE LOTS THAT
 05:58:47 YOU'RE PRESERVING?
 05:58:49 >>John Conroy: I DON'T KNOW YET.
 05:58:52 >>Kristin Jeannin: YOU OWN THOSE TOO?
 05:58:54 >>John Conroy: YES, MA'AM.
 05:58:55 >>Jim Wallace: COULDN'T RETAIL FRONTS BE ON THREE SIDES OF
 05:58:58 THE SITE?
 05:58:58 THEY WANT THE BEN HILL GRIFFIN EXPOSURE.
 05:59:03 YOU GET THE PREMIUM FOR THAT.
 05:59:04 >>John Conroy: ALL TENANTS WANT A BACK OF A HOUSE.
 05:59:07 ALMOST ALL TENANTS HAVE A BACK OF HOUSE.

 05:59:09 THEY NEED A BACK DOOR.
 05:59:10 THEY NEED A KITCHEN, THEY NEED A PREP AREA.
 05:59:13 SO THEY ARE GOING TO HAVE THEIR STOREFRONTS ALONG BEN HILL
 05:59:16 TO GET ALL THAT EXPOSURE FROM THE TRAFFIC.

05:59:20 >>Jim Wallace: HOW DO WE GET THERE?
 05:59:22 >>John Conroy: GET WHERE.
 05:59:25 >>Jim Wallace: I SEE THE STOREFRONT, THIS IS GREAT, HOW DO I
 05:59:29 GET THERE?
 05:59:31 IT IS A DESTINATION, I'M FINE.
 05:59:33 JUST LOOKING AT IT -- I SPENT 18 YEARS IN RETAILING.
 05:59:38 SIGNAGE AND ACCESS IS SO CRITICAL, AS YOU KNOW, TO
 05:59:41 RETAILERS.
 05:59:42 I'M NOT TELLING YOU ANYTHING YOU DON'T KNOW.
 05:59:44 IF I SEE SOMETHING, THAT'S GREAT.
 05:59:46 HOW DO I GET THERE.
 05:59:47 >>John Conroy: RIGHT.
 05:59:47 IF DRIVING SOUTH ON BEN HILL AND YOU SEE A STARBUCKS, YOU'LL
 05:59:50 PROBABLY TAKE YOUR NEXT RIGHT AND THEN YOU'RE THERE.
 05:59:53 IT'S WORKING -- FIRST OF ALL -- FIRST OF ALL, THE ACCESS IS
 06:00:03 PREDETERMINED.
 06:00:03 WE HAVE TO HAVE ALL THE ACCESS OFF HIGHLAND OAKS ON THE
 06:00:06 FIRST PHASE.
 06:00:07 HAVE TO HAVE ALL THE ACCESS OFF TIBURON, IN THIS PHASE,
 06:00:11 LITERALLY NOTHING WE CAN DO ABOUT THAT.
 06:00:13 HAVE TO HAVE THE BUILDINGS ORIENTED THE WAY THEY ARE.

 06:00:16 THE BEN HILL GRIFFIN OVERLAY ONLY ALLOWS ONE ROW OF PARKING
 06:00:19 BETWEEN THE BUILDING AND BEN HILL GRIFFIN.
 06:00:21 SO THOSE BUILDINGS HAVE TO BE THERE.
 06:00:25 TO GET THE PARKING THAT WE NEED TO HAVE, NOW, WE'RE A LITTLE
 06:00:29 OVER-PARKED HERE.
 06:00:30 WHEN WE DEVELOP THE NORTH AND SOUTH, IT WILL PROBABLY END
 06:00:33 UP.
 06:00:34 >>Jim Wallace: WHY ARE YOU TAKING THE GREATEST CHALLENGE,
 06:00:37 THE CENTER PARCEL AND DO IT FIRST?
 06:00:39 >>John Conroy: GREAT QUESTION.
 06:00:40 >>Jim Wallace: THIS IS THE BIGGEST CHALLENGE.
 06:00:42 >>John Conroy: THE REASONING IS WE HAVE A LOT OF
 06:00:45 MULTI-TENANT DEMAND THAT'S STILL LEFT OVER FROM PHASE ONE.
 06:00:48 SO WE HAVE DEMAND FOR THE 1500 TO 2,000 SQUARE FOOT.
 06:00:53 SO WE WANT TO TRY AND TAKE CARE OF THAT, FULFILL THAT
 06:00:58 DEMAND, BUT WE DON'T WANT TO GIVE UP KIND OF THE FILLETS OF
 06:01:01 THE HARD CORNERS.
 06:01:03 WE WANT TO SAVE THAT.
 06:01:04 OUR GOAL HERE IS THAT BY DOING THE TWO BUILDINGS IN THE
 06:01:08 MIDDLE, WE'RE GOING TO START ACTIVITY.
 06:01:10 ACTIVITY BREEDS ACTIVITY.
 06:01:11 SO WE CAN GET THIS THING STARTED.
 06:01:13 ALSO WHAT WE'RE GOING TO DO, WHICH IS KIND OF OUTSIDE OF
 06:01:17 DESIGN, BUT WE'RE GOING TO INSTALL ALL THE INFRASTRUCTURE
 06:01:20 FOR THE NORTH AND THE SOUTH TOO.

06:01:22 SO THE UTILITIES WILL BE STUBBED AND READY TO GO, AND THEN
 06:01:25 WE CAN HOPEFULLY GET THE OTHER TENANTS FOR THE NORTH AND
 06:01:30 SOUTH.
 06:01:33 >>Jim Wallace: ARE YOU ALLOWED SIGNAGE ON THE FRONT AND REAR
 06:01:36 OF THE BUILDING?
 06:01:38 >>John Conroy: YES.
 06:01:39 THEY CAN HAVE -- ACTUALLY, A COUPLE OF THEM DO HAVE A SECOND
 06:01:43 SIGN ON THE BACK.
 06:01:44 THE SIGNAGE FOR THAT WOULD GO THROUGH THE STANDARD ESTERO
 06:01:50 APPROVAL, AND THE TENANT HANDLES THAT.
 06:01:53 I GIVE THEM A SPACE TO PUT IT.
 06:01:57 >>Jim Wallace: THE SIGNING ON THE REAR SIDE, THE TIBURON
 06:01:59 SIDE BECOMES MORE WAYFINDING THAN ANYTHING ELSE.
 06:02:03 DRIVING DOWN BEN HILL GRIFFIN, MAKE A RIGHT TURN, NOW WHERE
 06:02:07 IS IT?
 06:02:07 THERE IT IS.
 06:02:08 >>John Conroy: THAT IS A GREAT POINT.
 06:02:10 TENANTS DO -- TENANTS DRIVE SIGNAGE HOW THEY WANT TO DO.
 06:02:15 SOME TENANTS HAVE CHOSEN TO JUST DO THE FRONT.
 06:02:18 SOME TENANTS IF YOU LOOK ON PHASE ONE HAVE CHOSEN TO PUT
 06:02:21 ANOTHER SIGN ON THE BACK PROBABLY FOR THAT EXACT PURPOSE.
 06:02:28 >>Kristin Jeannin: TWO THINGS I REALLY LIKE ABOUT YOUR SITE
 06:02:30 PLAN, IT LOOKS LIKE YOU HAVE A GOOD SIGNIFICANT AMOUNT OF
 06:02:34 FOUNDATION PLANTING IN THE BUILDING ON THE BACK AND SIDES.
 06:02:39 I ALSO LIKE THAT YOU HAVE THE STRIP OF HARD SCAPE ON THE

 06:02:44 FRONT, SO YOU HAVE A STRIP OF HARD SCAPE FOR GETTING OUT OF
 06:02:46 YOUR CAR AND STRIP OF LANDSCAPING AND THEN YOU'VE GOT A NICE
 06:02:49 STRIP FOR WALK ALONG THE SHOPS OR WHATEVER ENDS UP BEING
 06:02:52 THERE.
 06:02:53 I THINK THAT'S REALLY NICELY DONE.
 06:02:55 >>John Conroy: WELL, THANK YOU VERY MUCH.
 06:02:58 >>Dan Williams: I HAVE TWO QUESTIONS.
 06:03:00 WOODEN TRELLISES WITH LANDSCAPING ON THEM OR DID I
 06:03:05 MISUNDERSTAND?
 06:03:06 >> ON TOP.
 06:03:06 NOT WALL TRELLISES.
 06:03:11 >>John Conroy: THEY ARE CANOPY, AS A DESIGN ELEMENT OVER THE
 06:03:15 WINDOWS HERE.
 06:03:18 >>Jim Wallace: BECAUSE IT DOESN'T RAIN IN FLORIDA.
 06:03:22 >>Dan Williams: SECOND QUESTION, ALL DRAINAGE NEEDS HAVE
 06:03:26 BEEN ADDRESSED IN THIS?
 06:03:28 >>John Conroy: YES.
 06:03:29 THERE WAS AN E-COMMENT ON THAT.
 06:03:31 I'LL BE HAPPY TO ANSWER THAT.
 06:03:33 SO THIS ENTIRE DRI 700 SOME ACRES, THIS WAS ALL UNDER WHAT
 06:03:40 IS CALLED THE T&T ASSOCIATION.
 06:03:43 IT HAD ITS OWN STORMWATER MANAGEMENT SYSTEM THAT WE

06:03:46 CONTROLLED, AND THAT ALL THE PEOPLE THAT WERE IN THIS
 06:03:49 ASSOCIATION PAID DUES TO AND MAINTAINED AND EVERYTHING.
 06:03:54 AND WE WOULD TAKE OUR STORMWATER FROM GRANDEZZA AND IT WOULD

 06:03:58 COME IN THROUGH ALL THIS AND IT WOULD RUN AND TIE INTO THE
 06:04:03 TIDEWATER LAKES AND COME HERE.
 06:04:04 IT WAS ALL UNDER ONE UNIVERSAL STORMWATER PLAN.
 06:04:07 WE HAVE ACTUALLY, WE ARE IN THE PROCESS, I THINK WE'RE
 06:04:10 PRETTY CLOSE, RIGHT, MARY?
 06:04:12 WE ARE HANDING OVER THE ENTIRE STORMWATER SYSTEM TO ESTERO.
 06:04:16 ESTERO OBVIOUSLY I KNOW THERE HAVE BEEN STORMWATER
 06:04:21 MANAGEMENT ISSUES, AND SO THIS WAS ACTUALLY THE ONLY
 06:04:25 ASSOCIATION LEFT IN ESTERO THAT ESTERO DID NOT HANDLE.
 06:04:29 SO WE ARE IN THE PROCESS OF TURNING OVER ALL OF THAT
 06:04:32 STORMWATER MANAGEMENT TO THE VILLAGE OF ESTERO SO I THINK
 06:04:36 PRETTY SOON THE VILLAGE WILL HAVE ALL THAT.
 06:04:39 TO ANSWER YOUR QUESTION SPECIFICALLY ON THIS PROPERTY, YES,
 06:04:43 WE ARE ALL CONNECTED.
 06:04:45 THE STORMWATER WE DO HAVE A STORMWATER THAT COMES IN HERE
 06:04:48 RIGHT NOW.
 06:04:49 CAN'T EVEN SEE IT, BUT A LITTLE SWALE THAT RUNS, AND THEN
 06:04:54 THERE IS AN OUTFLOW RIGHT OVER HERE.
 06:04:57 EVERYTHING THAT WE HAVE SUBMITTED FROM AN ENGINEERING AND
 06:05:01 STORMWATER PERSPECTIVE CONSIDERS ANYTHING THAT WOULD COME
 06:05:05 INTO THIS LAND, ANY STORMWATER THAT WOULD TAKE PLACE ON THIS
 06:05:08 LAND AND THEN IT GOES INTO THE OUTFLOW.
 06:05:11 SO, YES, IT IS ONE VERY LARGE STORMWATER MANAGEMENT SYSTEM
 06:05:16 THAT PRETTY SOON HERE THE VILLAGE WILL MAINTAIN JUST LIKE
 06:05:19 THEY DO ALL THE OTHER STORMWATER MANAGEMENT.

 06:05:25 >> THANK YOU.
 06:05:26 >>Al Paivandy: IF I COULD MAKE A COUPLE OF SUGGESTIONS,
 06:05:30 NOTHING BETTER TO DO RIGHT NOW.
 06:05:32 >>John Conroy: ABSOLUTELY.
 06:05:33 THAT'S WHY WE'RE HERE.
 06:05:35 >>Al Paivandy: WOULD IT BE BETTER THAT MAUVE BUILDINGS THAT
 06:05:41 YOU HAVE GOT IN THE CORNERS OF THE BUILDING, FOUR OF THEM IN
 06:05:44 THE FRONT, IF YOU WOULD RAISE THOSE JUST SLIGHTLY HIGHER
 06:05:48 THAN THE ONES IN THE BACK, IF YOUR HEIGHT ALLOWS THAT.
 06:05:54 >>John Conroy: THE TOWER ELEMENTS?
 06:05:56 ARE THEY ALREADY A LITTLE TALLER?
 06:05:59 IT LOOKS LIKE IN THIS IMAGE THAT THIS ONE IS SITTING ON THE
 06:06:03 PARAPET --
 06:06:05 >>Al Paivandy: I LOOKED AT THE ELEVATION.
 06:06:08 IT'S ENOUGH FOR SOMEBODY SITTING ON THE ROOF TO BE ABLE TO
 06:06:13 TELL THERE IS A DIFFERENCE.
 06:06:14 >>John Conroy: WELL, THAT'S WHAT WE WERE GOING FOR.
 06:06:17 >>Al Paivandy: SINCE THEY ARE PARKING IN THE BACK AND CAN'T

06:06:19 GET TO THE ROOF, THAT MAY BE WHAT YOU HAD IN MIND.
 06:06:21 YOU MAY WANT TO LOOK AT IT.
 06:06:25 JUST POINTING IT OUT.
 06:06:27 MIGHT ACCENTUATE THE BUILDING FROM THE BEN HILL GRIFF THAN
 06:06:30 YOU'RE TRYING TO DO IN ADDITION, GIVE IT A LITTLE BIT OF
 06:06:33 VARIATION IN A MONOTONE LEVEL CREATED.
 06:06:39 THE NEXT, I WAS LOOKING STILL AT THE SITE PLAN, EXTREMELY

 06:06:45 AWARE OF BECAUSE OF THE LANDSCAPING, THAT'S GOOD, BUT I
 06:06:51 THINK MAYBE YOU HAVE MORE PARKING LOT THAN YOU NEED FOR THIS
 06:06:55 BUILDING.
 06:06:55 I'M NOT SURE.
 06:06:57 >>Michael Jorgensen: UNTIL WE HAVE TENANTS, WE DON'T KNOW
 06:06:59 THE RESTAURANT DEMAND.
 06:07:00 RIGHT NOW WE HAVE A RESTAURANT IN EACH BUILDING WHICH BRINGS
 06:07:06 THE PARKING --
 06:07:07 >>Al Paivandy: HAVING SAID THAT, JUST LOOKING AT IT, IT
 06:07:09 APPEARS THAT WAY.
 06:07:10 I DIDN'T SIT HERE AND COUNT IT OR FIGURE IT OUT.
 06:07:13 IT MIGHT BE A GOOD IDEA, STILL LIKE GENTLEMAN WAS THINKING,
 06:07:18 WHEN YOU COME IN, SEEING THE TRASH CAN AND AS SOON AS TWO
 06:07:21 TRUCKS COME IN, YOU'RE GOING TO HAVE A HAVOC SINCE IT IS THE
 06:07:26 ONLY ENTRANCE TO THE BUILDING.
 06:07:27 WHAT HAPPENS IF YOU FLIP THOSE TO THE MIDDLE?
 06:07:30 >>John Conroy: YEAH, I CAN TAKE A LOOK AT IT.
 06:07:32 >>Al Paivandy: YOU STILL COULD HAVE YOUR WALKWAY THERE, AND
 06:07:34 IF YOU WANT TO CREATE BARRIER ON EACH SIDE OF THE WALKWAY
 06:07:37 THAT THEY CAN'T SEE THE TRASH CAN, YOU CAN LITERALLY FLIP IT
 06:07:41 TO THE FRONT, GET YOUR PARKING LOTS BACK AND POINT THEM THE
 06:07:46 DIFFERENT DIRECTION THAT EVEN THE TRUCK WOULD NOT BE ABLE TO
 06:07:49 CAUSE ANY PROBLEM.
 06:07:50 >>John Conroy: YEAH, MAYBE WE CAN USE THOSE TO THE MIDDLE SO
 06:07:53 THEY ARE NOT RIGHT AT THE --

 06:07:55 >>Al Paivandy: MAY HELP YOU WITH THE DESIGN.
 06:07:57 AGAIN, DRIVING IN, YOU ALREADY KNOW YOU ARE IN THE BACK OF
 06:08:00 THE BUILDING BECAUSE OF THE UGLY DOORS, DOWNSPOUTS.
 06:08:05 >>John Conroy: THE OTHER THING I THINK I WOULD LIKE TO
 06:08:06 MENTION HERE IS YOU WANT TO DESIGN IT SO THAT YOU DON'T WANT
 06:08:10 GARBAGE TRUCKS DRIVING THROUGH RETAIL CENTERS.
 06:08:13 SO THE NICE THING ABOUT THIS IS THAT YOU'RE GOING TO HAVE
 06:08:16 YOUR GARBAGE TRUCK WOULD COME IN HERE, AGAIN, MAYBE WE CAN
 06:08:19 MOVE THIS ALONG HERE, BUT THE NICE THING IS THIS GARBAGE
 06:08:22 TRUCK COMES IN, BACKS OUT, GOES OVER HERE, GOES IN, BACKS
 06:08:26 OUT AND LEAVES.
 06:08:27 SO THE ENTIRE GARBAGE TRUCK IS JUST GOING THROUGH HERE.
 06:08:31 WE ALSO DEVELOPED THE ESTERO GRANDE WHERE THE TEXAS
 06:08:35 ROADHOUSE AND THE STARBUCKS IS OVER ON ESTERO AND 41, AND MY

06:08:44 POOR LANDSCAPER REPLACES SPRINKLER HEADS ALL THE TIME
 06:08:49 BECAUSE THE TRASH TRUCK LITERALLY HITS THE CURBS ALL THE
 06:08:53 TIME.
 06:08:53 THERE'S ONE SPOT IN PARTICULAR THAT IT HITS ALL THE TIME.
 06:08:57 IT DOES HAVE TO WRAP AROUND THE BUILDING IN THAT ONE.
 06:09:00 ANOTHER THING TO THINK ABOUT, YOU'LL HAVE PEOPLE WALKING,
 06:09:04 PEOPLE PARKING, CARS COMING IN AND OUT.
 06:09:06 SO THE NICE THING ABOUT THIS IS THAT THE TRASH TRUCK IS NOT
 06:09:14 COMING THROUGH THE DEVELOPMENT AT ALL.
 06:09:15 IT IS REALLY DOING AS LITTLE -- HAVING AS LITTLE IMPACT TO
 06:09:20 PARKING OR TRAFFIC OR CUSTOMERS AS POSSIBLE.

06:09:25 >>Jim Wallace: I THINK THAT IS A GOOD SUGGESTION TO MOVE IT
 06:09:27 IN THE MIDDLE EVEN IF YOU HAD TO DO A DOUBLE DUMPSTER.
 06:09:34 >>John Conroy: THIS WALKWAY HERE, IT GOES TO NOTHING.
 06:09:36 I THINK IT'S FOUR, IF ANYONE IS PARKING OVER HERE, BUT --
 06:09:42 >>Al Paivandy: ALL THE WAY IN THE BACK IN THE CENTER.
 06:09:46 >>Jim Wallace: REALLY NICE LANDSCAPING AND IT'S DONE.
 06:09:48 >>John Conroy: YEAH, I DO NOT HATE THAT AT ALL.
 06:09:53 >>James Tatooles: LANDSCAPE ISLAND WHEN YOU LOOK THROUGH THE
 06:09:56 CENTER OF THE TWO BUILDINGS, LANDSCAPING TO HIDE --
 06:10:00 >>John Conroy: YOU'RE SAYING YOUR VIEW CORRIDOR FROM HERE,
 06:10:03 SAY IF YOU ARE RIGHT HERE, LOOKING DOWN AND SEEING LANDSCAPE
 06:10:06 HERE BLOCKING THAT.
 06:10:09 >>James Tatooles: HIDING THE GARBAGE CONTAINERS.
 06:10:12 >>John Conroy: I LOVE IT.
 06:10:13 I'M IN.
 06:10:16 >>Al Paivandy: SOMETHING ELSE, IF THE ARCHITECT OR THE
 06:10:19 ENGINEER DON'T WANT TO DRAW ANYMORE, AND I SOMEHOW
 06:10:24 UNDERSTAND THAT, YOU MAY BE ABLE TO FLIP THEM AT THE SAME
 06:10:29 SPOT.
 06:10:30 >>John Conroy: SAY THAT AGAIN.
 06:10:32 >>Al Paivandy: I APPRECIATE ALL THE COMMENTS REGARDING THE
 06:10:34 TRASH TRUCK.
 06:10:36 YOUR CONCERN FOR THAT IS GREAT.
 06:10:38 BUT IF YOU TURN THE TRASH AREA INSTEAD OF POINTING OUT, MAKE
 06:10:45 IT POINT IN AND PUT ALL THE LANDSCAPE ON THE BACK SIDE OF IT

06:10:49 SO WHEN THEY ARE COMING IN, THEY ARE SEEING THE BEAUTY AND
 06:10:52 THE UGLY IS RIGHT BEHIND IT.
 06:10:54 AND THE TRASH TRUCK IS NOT GOING ANY FURTHER THAN WHERE YOU
 06:10:58 WANTED THEM TO GO.
 06:10:59 DOES THAT MAKE SENSE?
 06:11:02 >>John Conroy: YES, I THINK IT DOES.
 06:11:04 WE CAN TAKE A LOOK AT THAT.
 06:11:09 >>Al Paivandy: HELP YOU MAKE MORE MONEY.
 06:11:13 >>John Conroy: DEFINITELY SOMETHING TO LOOK AT.
 06:11:15 IT MIGHT BE CHEAPER IF I DO THEM ALL IN ONE THING THAN TWO

06:11:18 SEPARATE ONES.
 06:11:19 >>Kristin Jeannin: THE MIDDLE IS A GREAT IDEA.
 06:11:35 >>John Conroy: NEXT TIME WE'LL BE COMING FOR APPROVAL.
 06:11:37 HOPEFULLY NOT.
 06:11:38 ANY OTHER COMMENTS, QUESTIONS?
 06:11:40 >>Anthony Gargano: ANY MORE BOARD COMMENTS?
 06:11:41 >>Mary Gibbs: I HAVE TWO COMMENTS.
 06:11:43 JUST WHEN WE WERE TALKING ABOUT THE BACK OF THE BUILDING
 06:11:49 BEING THE FRONT REMINDED ME OF WHEN THIS BOARD REVIEWED
 06:11:53 STOCK DEVELOPMENT PROJECT, IF YOU REMEMBER RIGHT ON
 06:11:55 CORKSCREW ROAD OVER BY LOWE'S AND THE BOARD SAID REVERSE
 06:12:01 FRONTAGE ROAD BEHIND IT SO WE WANT THE BACKS OF THE
 06:12:04 BUILDINGS TO LOOK GOOD, NOT EXACTLY LIKE THE FRONT BUT THE
 06:12:07 COMMENT WOULD BE MAKE SURE THAT LOOKS GOOD BECAUSE YOU ARE
 06:12:09 GOING TO BE VIEWING IT FROM BOTH SIDES.

 06:12:11 MY SECOND COMMENT RELATES TO THE COLORS.
 06:12:16 I THINK BOARD MEMBER PAIVANDY SAID IT LOOKED A LITTLE
 06:12:19 MONOCHROMATIC.
 06:12:21 I'M LOOKING AT THE TWO KIND OF WHITISH COLORS AND THEY LOOK
 06:12:24 VERY SIMILAR.
 06:12:25 THE COLORS LOOK NICE IN THE SAMPLES.
 06:12:29 IN THE RENDERING IT LOOKS KIND OF PALE.
 06:12:31 YOU MIGHT WANT TO SEE IF THERE'S ANY CONTRAST.
 06:12:34 MIGHT NEED A LITTLE MORE CONTRAST.
 06:12:37 >>Jim Wallace: MARY, ONE OF THE THINGS ON THE STOCK
 06:12:40 DEVELOPMENT ON CORKSCREW THAT WE DID, AND IT WORKED OUT
 06:12:44 REALLY, REALLY WELL, ADDED ABOUT ANOTHER FOUR FEET TO THE
 06:12:47 GREENSPACE.
 06:12:48 SO WE COULD GET MORE VERTICAL LANDSCAPING.
 06:12:53 THOSE DOORS, BACK DOORS THAT YOU NEED FOR ALL THE RETAIL,
 06:12:57 THEY JUST KIND OF GO AWAY.
 06:12:58 JUST FOUR FEET YOU FIND IT SOMEWHERE.
 06:13:02 NOW YOU'VE GOT EIGHT FEET AND NOW YOU CAN PUT PALMS OR OTHER
 06:13:06 THINGS.
 06:13:07 THE BACK IS NOT ATTRACTIVE BUT IT'S COMFORTABLE.
 06:13:13 >>Kristin Jeannin: THEY WENT OVER THERE AND MEASURED IT AND
 06:13:15 PUT IT ON THEIR PLAN THAT WAY.
 06:13:19 >>John Conroy: AWESOME.
 06:13:20 OKAY.
 06:13:20 THANK YOU SO MUCH FOR YOUR TIME.

 06:13:22 I APPRECIATE IT.
 06:13:23 >>Anthony Gargano: LET ME OPEN IT TO THE PUBLIC.
 06:13:25 ANYBODY FROM THE PUBLIC?
 06:13:26 >>Tammy Duran: YES, I HAVE SOMEBODY.
 06:13:27 I HAVE A CARD.
 06:13:29 I HAVE A CARD, MARY.

06:13:30 TERRY.
 06:13:37 >>Anthony Gargano: YOU CAN FILL OUT THE CARD.
 06:13:39 >>Mary Gibbs: DO WE HAVE A CARD FOR SOMEBODY ELSE?
 06:13:43 >>Tammy Duran: YES, TERRY.
 06:13:44 >> TERRY FLANAGAN, GRANDEZZA.
 06:13:49 QUESTION ACTUALLY IS FOR THE DEVELOPER.
 06:13:52 YOU'RE LOOKING AT EIGHT RETAIL UNITS THERE AND TWO MORE OUT
 06:13:58 LOTS, THE NORTH AND THE SOUTH, POTENTIALLY 12 TO 16 RETAIL
 06:14:04 POTENTIAL ACTIVITY.
 06:14:06 WHAT TYPE OF RETAILERS ARE ON THE TARGET LIST TO GO IN THERE
 06:14:10 SO THAT WE KNOW?
 06:14:12 THAT IS AN ADDITIONAL 16 RETAILERS INTO THE SHOPPING AREA
 06:14:17 FROM GRAND OAKS THROUGH MIROMAR AND NORTH.
 06:14:21 THAT'S MY FIRST QUESTION.
 06:14:22 AND THEN WILL THOSE TWO NORTH AND SOUTH LOTS ULTIMATELY HAVE
 06:14:27 DRIVE-THROUGHS ON THEM ON THE OUTSIDE?
 06:14:32 >>John Conroy: SURE.
 06:14:33 I CAN ANSWER BOTH OF THOSE.
 06:14:34 SO IN OUR ZONING DOCUMENTS WE HAVE VERY SPECIFIC ALLOWABLE

 06:14:39 USES FOR ALL OF THESE TENANT SPACES.
 06:14:43 WE'RE NOT GOING TO BUILD MORE THAN THE DEMAND THAT WE HAVE.
 06:14:47 SO WE'RE NOT GOING TO BUILD 16 DIFFERENT SPACES IF THERE IS
 06:14:52 NOT DEMAND FOR 16 DIFFERENT SPACES.
 06:14:54 THE WAY THAT I FORESEE IT RIGHT NOW TODAY ON MAY 14, 2024,
 06:15:00 IS THAT THE NORTH AND THE SOUTH WOULD NOT BE MULTI-TENANT
 06:15:03 SPACES.
 06:15:05 MY VISION FOR THIS WOULD BE POSSIBLY A LARGER SIT-DOWN
 06:15:11 RESTAURANT ON ONE OF THE TWO SIDES.
 06:15:14 DRIVE-THROUGH IS AN ALLOWABLE USE, SO WE CAN DO A
 06:15:17 DRIVE-THROUGH ON EITHER OF THE NORTH OR SOUTH.
 06:15:19 WE ARE NOT PLANNING AND OBVIOUSLY NOT DOING ONE ON EITHER
 06:15:23 THESE TWO BUILDINGS.
 06:15:25 BUT JUST TO GIVE AN IDEA OF KIND OF WHO WE'VE SEEN SOME
 06:15:28 INTEREST SO FAR, SANDWICH SHOPS, FITNESS, NAIL IS ALWAYS
 06:15:35 HIGH DEMAND.
 06:15:36 SO, AGAIN, I THINK IT WOULDN'T VERY SIMILAR USES TO WHAT WE
 06:15:39 DID ON PHASE ONE.
 06:15:41 THAT'S WHY WE'RE DOING MORE MULTI-TENANT SPACE.
 06:15:45 AND ANYTHING THAT WOULD GO IN HERE WOULD BE AN ALLOWABLE USE
 06:15:48 PER THE ZONING DOCUMENTS THAT WE HAVE TO ABIDE BY.
 06:15:53 >>Jim Wallace: THIS WOULD ALL BE SHARED PARKING.
 06:15:55 >>John Conroy: ABSOLUTELY.
 06:15:56 >>Jim Wallace: IT MAKES SENSE FOR YOU AND US IN TERMS OF
 06:15:59 TRAFFIC -- I SAY US, I MEAN THE CITIZENS, IF IT IS SHARED

 06:16:02 PARKING, IF WE GET EVENING USE RESTAURANT WITH DAYTIME USE
 06:16:06 FOR STORES, EVERYBODY FEELS BETTER.

06:16:08 >>John Conroy: THAT WAS ANOTHER THING THAT I WANTED TO POINT
 06:16:11 OUT.
 06:16:11 IS THAT THERE WAS A COMMENT ABOUT MAYBE OVER-PARKING, TOO
 06:16:15 MUCH PARKING ON THIS.
 06:16:19 WE HAD OVER-PARKING ON THE FIRST PHASE AND THEN WE ENDED UP
 06:16:22 GETTING A TWO-STORY LEE HEALTH MEDICAL FACILITY.
 06:16:25 THE ONLY REASON WHY THAT WORKED IS BECAUSE WE HAD SOME EXTRA
 06:16:28 PARKING FROM THE SHARED.
 06:16:29 I DO THINK IT MAKES SENSE AT LEAST RIGHT NOW TO PARK AS MUCH
 06:16:34 AS WE CAN BECAUSE WE DON'T KNOW WHAT THOSE OTHER USES ARE
 06:16:37 AND WHETHER OR NOT WE'RE GOING TO NEED -- FOR EXAMPLE, IF
 06:16:40 YOU DID HAVE A SIT-DOWN RESTAURANT THAT NEEDED MORE PARKING,
 06:16:43 AND SO WE CAN KIND OF GRAB SOME OF THAT PARKING THAT WE'RE
 06:16:47 BUILDING NOW.
 06:16:48 DID THAT ANSWER YOUR TWO QUESTIONS?
 06:16:50 >> ONE LAST QUESTION, WOULD YOU ENTERTAIN CONVERSATIONS WITH
 06:16:54 BOTH TIDEWATER AND GRANDEZZA ABOUT DESIRED TYPES OF
 06:16:58 RETAILERS IN THERE?
 06:17:00 >>John Conroy: OF COURSE.
 06:17:02 WE'RE GOING TO LEASE IT TO WHAT MAKES THE MOST SENSE FOR
 06:17:09 EVERYBODY.
 06:17:10 I'VE DONE LITTLE -- LITTLE BACKSTORY.
 06:17:14 MARY KNOWS THIS.

 06:17:15 WE'VE BEEN WORKING ON THIS SITE -- OWNED IT SINCE 2018.
 06:17:20 WE HAD A COUPLE LITTLE MORE OUT-OF-THE-BOX IDEAS FOR WHAT WE
 06:17:23 COULD DO WITH THIS PARCEL.
 06:17:25 WE HAD A TOWN HALL MEETING AT TIDEWATER.
 06:17:28 MARY AND I SAT THERE FOR ABOUT TWO HOURS LISTENING TO
 06:17:32 RESIDENTS TALK.
 06:17:34 WHAT I KEPT HEARING OVER AND OVER IS, WELL, WE WOULD REALLY
 06:17:37 LIKE MORE OF WHAT YOU DID BEFORE.
 06:17:39 WE TRIED TO TAKE ALL THOSE COMMENTS AND THAT'S WHAT WE'RE
 06:17:43 TRYING TO DO NOW.
 06:17:44 NOTHING OUT OF THE BOX.
 06:17:46 JUST WHAT IS ALLOWED IN OUR EXISTING ZONING DOCUMENTS.
 06:17:51 SO, YES, THAT'S WHAT WE'RE TRYING TO DO.
 06:17:54 I'M HAPPY TO.
 06:17:55 I'VE HAD A NUMBER OF RESIDENTS REACH OUT TO ME VIA E-MAIL,
 06:17:59 PHONE NUMBER.
 06:18:00 I'M HAPPY TO PROVIDE THAT TO ANYBODY WHO WOULD LIKE IT AND
 06:18:03 WOULD ABSOLUTELY.
 06:18:04 IF YOU HAVE A TENANT FOR ME, THAT WOULD BE GREAT.
 06:18:08 >>Anthony Gargano: I'D SAY YOU WERE, AS I RECALL, ONE OF THE
 06:18:13 USES WAS A RESTAURANT FOOD, LIKE A FOOD COURT.
 06:18:16 >>John Conroy: IT WAS AN OUTDOOR FOOD COLLECTION, YES.
 06:18:19 >>Anthony Gargano: AND THERE WAS A LOT OF -- THERE WAS
 06:18:22 RESIDENT INSURRECTION OVER THAT.

06:18:24 I THINK YOU WERE VERY RESPONSIVE.

06:18:26 >>John Conroy: YES, THANK YOU VERY MUCH.

06:18:27 I STILL THINK IT WOULD HAVE BEEN AN AWESOME IDEA AND STILL

06:18:30 THINK THEY WOULD HAVE LOVED IT, BUT THIS IS MORE MAINSTREAM.

06:18:33 >>Tammy Duran: KATHLEEN IS NEXT.

06:18:35 >> I JUST --

06:18:37 >>Anthony Gargano: STATE YOUR NAME AND ADDRESS.

06:18:38 >> KATHLEEN VETNER AND I LIVE AT TIDEWATER RIGHT ON THE

06:18:43 OTHER SIDE OF THE WALL WHERE THEY ARE GOING TO BUILD THIS.

06:18:46 I HAVE A QUESTION ABOUT THAT MIDDLE AREA THAT JOHN HAD SAID

06:18:51 THERE WOULD BE SEATING OUT THERE, LIKE BE AN EXTENSION OF

06:18:54 THE RESTAURANTS.

06:18:57 I WONDERED WOULD THERE BE ANY MUSIC?

06:19:01 WHAT EXACTLY WOULD THAT BE?

06:19:03 OR IS THAT JUST AN IDEA NOW THAT CAN'T BE EXPLAINED

06:19:08 SPECIFICALLY?

06:19:08 I ALSO WAS WONDERING IF THE TOWN WOULD CONSIDER PUTTING NO

06:19:14 PARKING SIGNS ON THAT STREET THAT IS BEHIND TO AVOID ANY

06:19:18 OVER-PARKING THAT WOULD -- THAT WOULD BE VERY CLOSE TO OUR

06:19:22 COMMUNITY JUST ABOUT IN MY BACKYARD.

06:19:24 THOSE ARE MY QUESTIONS.

06:19:29 >>Jim Wallace: IS PARKING ALLOWED MARY ON THAT STREET NOW?

06:19:31 >>Mary Gibbs: NO.

06:19:32 IT IS A REVERSE FRONTAGE ROAD, BUT WE ARE, AS JOHN SAID, THE

06:19:37 VILLAGE IS WORKING TOGETHER WITH I THINK TIDEWATER AND SOME

06:19:40 OF THE ROADS AND THE STORMWATER.

06:19:43 SO WE WOULD -- IF THE PARKING BECAME A PROBLEM, YOU CAN

06:19:47 ALWAYS PUT THE SIGNS UP.

06:19:49 BUT I DON'T ANTICIPATE THAT WE WOULD HAVE A PROBLEM THERE.

06:19:51 BUT WE WOULD ADDRESS IT IF IT BECAME AN ISSUE.

06:19:57 >>John Conroy: YEAH, I CAN ANSWER THE FIRST QUESTION.

06:20:00 AGAIN, IT'S ALL FUTURE TENANT DEPENDENT.

06:20:03 IF WE GET NO RESTAURANTS, THEN NOT EVEN A CAUSE AT ALL OR

06:20:08 CONCERN.

06:20:09 WE ALSO, THE VILLAGE HAS A NOISE ORDINANCE.

06:20:12 SO WE'RE GOING TO HAVE TO ABIDE BY THAT.

06:20:14 ANY TENANT THAT GOES IN THERE WOULD HAVE TO ABIDE BY THAT,

06:20:17 WOULD HAVE TO ABIDE BY NOISE HOURS ALL PART OF THE LAND

06:20:21 DEVELOPMENT CODE.

06:20:22 AGAIN, AT THIS POINT, IT'S ALL BASED ON WHO ENDS UP GOING

06:20:25 THERE, WHICH WE JUST DON'T KNOW AT THIS TIME.

06:20:26 BUT EVEN IF THERE WAS A RESTAURANT THERE, IT'S NOT A HUGE

06:20:31 SPACE, LIKE WE'RE NOT TALKING ABOUT 50 TABLES THAT ARE

06:20:34 OUTSIDE.

06:20:34 IT WOULD PROBABLY BE MAYBE FIVE OR TEN TABLES.

06:20:38 SO IT'S NOT GOING TO BE LIKE HUNDREDS OF PEOPLE JOINING

06:20:41 THERE.
 06:20:41 AGAIN, ANYTHING WOULD HAVE TO BE -- WOULD HAVE TO ABIDE BY
 06:20:48 THE NOISE CODE.
 06:20:49 THAT TIBURON WAY THAT WILL BECOME A ROAD OWNED BY THE
 06:20:53 VILLAGE OF ESTERO.

06:20:53 SO I'M SURE THAT THEY WILL BE ABLE TO TAKE CARE OF THAT.
 06:20:59 I DON'T FORESEE, I'VE NEVER SEEN ANYONE PARK ON HIGHLANDS
 06:21:03 OAK DRIVE ON THE SOUTH SIDE.
 06:21:04 I CAN'T IMAGINE, THAT, A, WE WOULD HAVE AN OVER-PARKING
 06:21:08 ISSUE BECAUSE THE CODE ALREADY REQUIRES A CERTAIN AMOUNT OF
 06:21:11 PARKING THAT IS EVEN MORE THAN PROBABLY WHAT WE NEED.
 06:21:13 AND THEN -- YEAH, I DON'T THINK THAT WILL BE AN ISSUE AT
 06:21:16 ALL.
 06:21:17 PERFECT.
 06:21:18 >> THANK YOU.
 06:21:18 >>Anthony Gargano: ANYONE ELSE FROM THE PUBLIC?
 06:21:20 >>Tammy Duran: NO, I DON'T HAVE ANYONE.
 06:21:23 >>Anthony Gargano: OKAY.
 06:21:24 >>John Conroy: THANK YOU VERY MUCH.
 06:21:25 >>Anthony Gargano: THANK YOU, JOHN.
 06:21:27 NEXT IS THE CELEBREE SCHOOL.
 06:22:14 >>Mary Gibbs: OUR SECOND INFORMATION MEETING FOR TONIGHT IS
 06:22:16 CELEBREE SCHOOL.
 06:22:17 THIS IS ON CORKSCREW ROAD.
 06:22:21 IF YOU KNOW ON CORKSCREW ROAD OVER BY THE LOWE'S SHOPPING
 06:22:26 CENTER, ON THE NORTH SIDE WE HAVE DIFFERENT COMMERCIAL,
 06:22:28 THERE AS GOODWILL BUILDING ON THE NORTH SIDE.
 06:22:32 IF YOU RECALL, GOODWILL CAME IN A WHILE BACK AND IS GOING TO
 06:22:35 RELOCATE ON THE SOUTH SIDE OF THE ROAD.
 06:22:38 SO THE EXISTING GOODWILL WILL BECOME VACANT AND IS PROPOSED

06:22:42 FOR USE BY THE CELEBREE SCHOOL, WHICH IS ACTUALLY KIND OF A
 06:22:46 DAY CARE PRESCHOOL.
 06:22:48 AND THEY ARE PROPOSING TO JUST DO SOME BASIC REMODELING.
 06:22:52 THEY WILL HAVE TO ADD A PLAYGROUND BECAUSE THE DAY CARES
 06:22:56 REQUIRE PLAYGROUND AND THEY'LL JUST BE DOING INTERIOR
 06:23:01 REMODELING AND EXTERIOR FACADE CHANGES.
 06:23:04 I'LL TURN IT OVER TO THE APPLICANT.
 06:23:14 STUART.
 06:23:15 STUART IS GOING TO EXPLAIN THE EXTENT OF THE CHANGES.
 06:23:26 >> HI THERE.
 06:23:27 STUART ROGERS FROM COLLIERS ENGINEERING AND DESIGN AND
 06:23:32 REPRESENTING TODAY THE CELEBREE SCHOOL.
 06:23:34 CELEBREE SCHOOL IS A PRESCHOOL BRAND BASED OUT OF MARYLAND.
 06:23:38 THEY ARE FAIRLY NEW OUTSIDE OF MARYLAND AND ACTUALLY COMING
 06:23:42 INTO SEVERAL COMMUNITIES IN FLORIDA.
 06:23:45 IT'S ONE OF THE HIGHER END PRESCHOOLS, AND THEY -- ONE OF

06:23:53 THE QUESTIONS WE OFTEN GET AND WE START WITH, THIS IS A
 06:23:56 PRESCHOOL.
 06:23:57 SO CHILDREN ARE DROPPED OFF.
 06:24:00 THEY HAVE TO BE -- IT'S NOT LIKE A REGULAR SCHOOL WHERE
 06:24:03 THERE IS A BELL TIME AND EVERYBODY SHOWS UP AT THE SAME
 06:24:05 TIME.
 06:24:06 KIDS ARE DROPPED OFF FROM ABOUT 6 A.M. TO ABOUT 10 A.M. IN
 06:24:09 THE MORNING AS THEIR PARENTS GO TO WORK OR WHATEVER THEY
 06:24:12 HAVE TO DO, THEY HAVE TO PARK.

 06:24:15 THEY HAVE TO GET OUT OF THEIR CAR, WALK THE KID IN FOR
 06:24:17 SECURITY PURPOSES.
 06:24:19 THE SAME WAY WHEN THEY PICK THEM UP AT NIGHT, NOT A QUEUE
 06:24:22 LINE, AGAIN, NOT A BELL TIME.
 06:24:24 THEY GET PICKED UP USUALLY STARTING AROUND 2 IN THE
 06:24:28 AFTERNOON UNTIL THEY CLOSE AT 6 OR 7.
 06:24:30 AGAIN THEY HAVE TO PARK, GO IN, CHECK THE KID OUT BEFORE
 06:24:36 THEY -- SO THERE'S NO QUEUING OR ANY CAR LINES OR ANYTHING
 06:24:39 LIKE THAT.
 06:24:40 THAT'S ALWAYS THE FIRST QUESTION WE GET WITH PRESCHOOLS.
 06:24:43 KIND OF LIKE TO START WITH THAT.
 06:24:45 AS WAS MENTIONED -- FIGURE OUT HOW TO MAKE THIS GO FORWARD.
 06:24:55 AS WAS MENTIONED BY MARY, THE LOCATION IS AT CORKSCREW
 06:25:16 COMMONS AREA RIGHT OFF OF CORKSCREW.
 06:25:19 IF YOU LOOK AT THE AREA THAT IT'S IN, THERE IS A GAS STATION
 06:25:24 TO THE LEFT AND A GAS STATION TO THE RIGHT.
 06:25:27 AND BEHIND IT ACTUALLY IS ANOTHER PRESCHOOL.
 06:25:30 I THINK IT IS A PRIMROSE.
 06:25:32 THERE IS ALSO A HOTEL IN THE BACK.
 06:25:33 SO THAT'S THE AREA.
 06:25:37 EVERYTHING THERE IS CPD COMMERCIAL PLANNING DISTRICT.
 06:25:42 AND IT'S ALSO IN THE TRANSITIONAL MIXED-USE AREA FOR COMP
 06:25:46 PLAN.
 06:25:46 THIS IS A PICTURE OF THE EXISTING SITE.
 06:25:49 A COUPLE OF THINGS I WANT TO POINT OUT, IN THE BACK, THERE

 06:25:52 IS -- YOU CAN EVEN SEE I THINK A TRAILER PARKED BACK THERE.
 06:25:56 THERE IS A LOADING DOCK, WHICH IS AT THE TOP OF THE SCREEN
 06:25:59 ON THE LEFT.
 06:26:00 YOU'LL SEE A TRUCK BACKED IN THERE.
 06:26:02 ALSO, YOU'LL SEE JUST BEHIND THAT, TO THE UPPER LEFT, THERE
 06:26:07 IS A WHITE CAR SITTING THERE.
 06:26:08 THE ORIGINAL PLANNER FOR THE GOODWILL STORE INCLUDED A
 06:26:14 CONNECTION TO THE NEIGHBORING GAS STATION.
 06:26:18 THAT WAS NEVER ACTUALLY BUILT.
 06:26:21 THEY BUILT A LITTLE TURN-OUT THERE AND THEY STOPPED IT.
 06:26:24 IT'S NOT THERE.
 06:26:25 PROBABLY A GOOD IDEA.

06:26:26 TYPICALLY A DAY CARE WOULDN'T WANT TO BE DIRECTLY CONNECTED
 06:26:29 TO A GAS STATION.
 06:26:30 THIS IS THE OLD SITE PLAN.
 06:26:32 I APOLOGIZE, IT'S ORIENTED A LITTLE DIFFERENTLY.
 06:26:36 CORKSCREW IS TO YOUR LEFT.
 06:26:39 YOU'LL SEE THAT ROAD AT THE TOP RIGHT HERE WAS NOT -- THAT
 06:26:45 CONNECTION WAS NEVER MADE.
 06:26:47 IT STOPS LIKE RIGHT HERE.
 06:26:48 AND THEY ARE ACTUALLY USING IT FOR A COUPLE OF PARKING
 06:26:51 PLACES NOW.
 06:26:52 WE'LL USE IT TO RELOCATE THE DUMPSTER.
 06:26:54 HERE IS THE LOADING DOCK, WHICH IS A RAMP DOWN INTO THE
 06:26:59 GROUND SO THAT IT'S DOCK LEVEL HERE.

06:27:02 AND THERE IS A LITTLE CIRCULATION AREA RIGHT HERE.
 06:27:06 DROP-OFF AREA WITH A CANOPY COVER.
 06:27:10 SO OUR PLAN REALLY THE ONLY SITE IMPROVEMENTS REALLY ARE TO
 06:27:14 REMOVE THE DOCK AND REMOVE THIS DRIVE UNDER HERE AND TAKE
 06:27:19 THE DUMPSTER, RELOCATE IT TO THIS LOCATION HERE WHERE YOU
 06:27:24 SAW THAT WHITE CAR PARKED AND THEN ALL OF THIS AREA WOULD
 06:27:28 THEN BECOME THE PLAYGROUND.
 06:27:30 AND WE'VE BEEN VERY SUCCESSFUL WITH PRESCHOOLS.
 06:27:32 WE DO PRESCHOOLS ALL OVER THE U.S. FOR SEVERAL OF THE LARGE
 06:27:37 BRANDS.
 06:27:37 AND ONE OF THE THINGS WE'VE BEEN REAL SUCCESSFUL WITH IS
 06:27:40 TAKING BANKS, BUT MORE OFTEN PHARMACIES LIKE CVSs AND
 06:27:46 GOODWILLS THAT HAVE THE DROP-OFF AREAS.
 06:27:49 GREAT PLAYGROUNDS BECAUSE IT GIVES YOU A SHADED PORTION OF
 06:27:52 THE PLAYGROUND WHICH MOST PLACES DON'T HAVE.
 06:27:54 WE'LL TAKE OUT THE PAVEMENT.
 06:27:55 PUT DOWN TURF AND THAT BECOMES A REALLY GOOD PLAYGROUND.
 06:27:59 THIS IS KIND OF WHAT THE SITE PLAN LOOKS LIKE.
 06:28:02 THE AREA THAT YOU SEE WITH THE KIND OF HATCHING, THIS IS
 06:28:07 WHERE THE PLAYGROUND WILL BE.
 06:28:08 AND THEN THE REST OF THE SITE WILL BE LEFT AS IS.
 06:28:15 IT DOES HAVE ENOUGH PARKING.
 06:28:18 DAY CARES TYPICALLY REQUIRE 35-ISH PARKING PLACES.
 06:28:23 CODE IS ALL OVER THE WORLD THAT WE DO THESE IN USUALLY
 06:28:28 REQUIRE ANYWHERE FROM 30 TO 50.

06:28:30 I THINK THIS IS CLOSE TO 50 AND THIS MEETS THE VILLAGE'S
 06:28:33 CODE FOR PARKING FOR A DAY CARE.
 06:28:35 SO WE'RE RELOCATING THE DUMPSTER, WHICH WAS RIGHT HERE.
 06:28:39 LOCATING IT INTO THAT SPOT.
 06:28:40 IT LOOKS LIKE IT WAS NOW MADE FOR IT.
 06:28:44 THAT WAY IT ALLOWS US TO USE THIS AREA HERE FOR PLAYGROUND.
 06:28:48 THAT WILL BE FENCED IN FOR SECURITY, AND THEY USUALLY PUT
 06:28:53 SOME KIND OF ARTIFICIAL TURF ON THOSE AND USUALLY SOME

06:28:57 PLAYGROUND EQUIPMENT IN THEM.
 06:28:58 THAT'S REALLY THE ONLY CHANGES WE'RE MAKING TO THE EXTERIOR
 06:29:03 OTHER THAN THE FACADE.
 06:29:05 WE'RE STILL WORKING ON THIS A LITTLE BIT.
 06:29:07 THIS IS THE CURRENT LOOK OF THE GOODWILL STORE.
 06:29:14 ALL THESE DAY CARES THEY HAVE THEIR COLOR BRANDING, SO THEY
 06:29:18 WANT TO MAKE IT THEIR COLOR.
 06:29:20 THE ARCHITECT GAVE US THIS TO USE AS THEIR PROPOSED COLOR
 06:29:26 SCHEME.
 06:29:26 THEY ALWAYS PUT THE GREEN AND THE BLUE.
 06:29:31 WE MET WITH STAFF AND THEY SAID THERE'S PROBABLY TOO MUCH
 06:29:34 WHITE HERE.
 06:29:35 SO WE'RE GOING TO WORK ON THAT A LITTLE BIT AND FIGURE OUT
 06:29:37 HOW TO TAKE CARE OF THAT.
 06:29:39 BUT WE STILL WANT TO CARRY THE GREEN AND THE BLUE AND THE
 06:29:42 WHITE TO SOME DEGREE BECAUSE THAT'S KIND OF THE BRANDING OF
 06:29:46 THE SCHOOL.

 06:29:46 BASICALLY WE'RE NOT CHANGING ANYTHING ON THE OUTSIDE, BUT
 06:29:49 SOME OF THESE ELEMENTS HERE, ACTUALLY, THERE IS A LITTLE
 06:29:52 STONE ELEMENT AND WE PUT IT OVER TO THE SIDE SO YOU CAN SEE
 06:29:55 IT.
 06:29:55 THERE IS A LITTLE STONE ELEMENT THEY RUN ACROSS THE BOTTOM.
 06:29:58 YOU'LL SEE THAT IN THOSE AREAS RIGHT THERE ALONG THE BOTTOM
 06:30:02 WHICH ADDS A LITTLE TEXTURE AND A LITTLE BIT DIFFERENT
 06:30:05 COLOR.
 06:30:06 WE'LL PROBABLY PICK INSTEAD OF THAT WHITE, SOMETHING THAT
 06:30:08 WORKS OFF OF THAT STONE COLOR A LITTLE BIT.
 06:30:11 SO BEFORE WE COME BACK WITH A FINAL PLAN, WE'LL DEFINITELY
 06:30:16 WORK ON THAT COLOR.
 06:30:17 THAT'S REALLY ALL THERE IS TO IT EXCEPT IF YOU HAVE ANY
 06:30:22 QUESTIONS.
 06:30:23 >>Anthony Gargano: WOULD YOU GO BACK TO THE SITE PLAN?
 06:30:34 >>Stuart Rogers: THIS ONE OR THE OTHER ONE?
 06:30:36 >>Anthony Gargano: LEAVE THIS ONE UP.
 06:30:38 CAN YOU TRACE WHAT THE TRAFFIC FLOW WOULD BE LIKE, WHERE THE
 06:30:42 DROP-OFF, PICKUP POINTS WOULD BE?
 06:30:45 >>Stuart Rogers: THEY WILL COME IN AND THEY WILL PARK AND
 06:30:48 THEN THEY WILL WALK IN AND DROP THE KID OFF OR PICK THEM UP.
 06:30:51 SO THERE IS NO QUEUE LINE.
 06:30:54 THERE IS AN ENTRANCE IN THE BACK HERE OFF OF THIS CORKSCREW
 06:30:57 COMMONS ROAD.
 06:30:58 THERE IS THE ROAD BACK HERE AND THERE'S ALSO A TURN-IN OFF

 06:31:01 OF THE CORKSCREW CROSSINGS ROAD HERE.
 06:31:05 TWO ENTRY AND EXITS HERE AND HERE.
 06:31:07 AND THEY'LL COME IN AND THEY'LL PARK.
 06:31:09 TYPICALLY THE SCHOOLS REQUIRE THEIR EMPLOYEES TO PARK IN

06:31:12 THESE BACK ROWS HERE, AND THEY'LL HAVE ALL THE FRONT PARKING
 06:31:17 AVAILABLE FOR PARENTS WHEN THEY COME TO PICK UP.
 06:31:21 >>Jim Wallace: HOW MANY STUDENTS?
 06:31:23 >>Stuart Rogers: I CAN'T REMEMBER THE EXACT NUMBER ON THIS
 06:31:25 ONE, THEY ARE USUALLY 160 TO 200.
 06:31:30 >>Jim Wallace: 160?
 06:31:31 AND THEY ARE ARRIVING --
 06:31:36 >>Stuart Rogers: THEY TYPICALLY OPEN EITHER 6 OR 7 IN THE
 06:31:38 MORNING.
 06:31:39 IT'S REALLY BASED ON WHAT TIME MOM OR DAD GOES TO WORK.
 06:31:43 WHATEVER TIME THEY GO TO WORK, THEY DROP THE KID.
 06:31:46 BETWEEN 6 AND 9 IN THE MORNING THEY ARE DROPPED OFF,
 06:31:49 SOMETIMES EVEN 10.
 06:31:51 >>Jim Wallace: THAT MEANS YOU HAVE A STUDENT EVERY 20
 06:31:53 SECONDS.
 06:31:53 >>Stuart Rogers: NO, NOT EVERY 20 SECONDS.
 06:31:56 >>Jim Wallace: THAT'S WHAT IT ADDS UP TO.
 06:31:58 >>Stuart Rogers: TYPICALLY THE PEAK IS BETWEEN 7:30 AND 9 IS
 06:32:02 THE PEAK.
 06:32:03 BUT SOME DROPPED OFF BEFORE THAT AND AFTER THAT.
 06:32:06 >>Jim Wallace: I HAVE THE SAME CONCERNS THAT PERHAPS TONY

 06:32:09 HAS AND THAT IS STACKING, BECAUSE ALL THE PARENTS HAVE TO BE
 06:32:12 THERE BECAUSE THEY ALL HAVE TO BE AT WORK AT A PARTICULAR
 06:32:16 TIME.
 06:32:17 YOU CERTAINLY WOULDN'T WANT THE STACKING TO BE HAPPENING ON
 06:32:21 CORKSCREW CROSSING BOULEVARD.
 06:32:22 >>Stuart Rogers: WE'LL DO A TRAFFIC STUDY TO DEMONSTRATE
 06:32:24 THAT.
 06:32:25 WE REALLY DON'T HAVE STACKING PROBLEMS.
 06:32:27 WE DO HUNDREDS OF THESE ALL OVER THE COUNTRY AND WE REALLY
 06:32:30 DON'T HAVE STACKING PROBLEMS.
 06:32:31 USUALLY PEOPLE COMING IN AND GOING.
 06:32:33 >>Jim Wallace: I UNDERSTAND THAT.
 06:32:34 BUT NOT ALL THE SITES ARE LIKE THIS.
 06:32:36 IF PEOPLE WERE COMING FROM THE BACK FROM THE NORTH, I WOULD
 06:32:40 AGREE WITH YOU THAT STACKING COULD END UP BEING IN THE
 06:32:44 CORNER, WHICH COULD BE AN ISSUE, BUT YOU SURE WOULDN'T WANT
 06:32:47 IT TO BE STACKING ON -- OFF OF CORKSCREW ROAD HERE.
 06:32:50 >>Stuart Rogers: STAFF HAS ASKED US TO DO A TRAFFIC STUDY TO
 06:32:54 DEMONSTRATE.
 06:32:54 SO PEOPLE COMING OFF OF CORKSCREW, THEY WOULD COME IN HERE
 06:32:57 AND THEN COME UP HERE.
 06:32:58 AND THEY COME IN HERE.
 06:32:59 OBVIOUSLY YOU DON'T WANT THE STACKING IN HERE TO AFFECT.
 06:33:03 THIS IS AN INTERIOR ROAD IN THE SHOPPING CENTER, BUT YOU
 06:33:07 CERTAINLY WOULDN'T WANT IT TO AFFECT THE ROAD OUT HERE,

06:33:11 CORKSCREW.
 06:33:12 WE DO HAVE A TRAFFIC ENGINEER WHO IS GOING TO WORK ON A
 06:33:15 TRAFFIC STUDY FOR US.
 06:33:17 >>Jim Wallace: HAVEN'T DONE THAT AT THIS POINT?
 06:33:20 >>Stuart Rogers: THIS IS VERY PRELIMINARY.
 06:33:22 WE ALREADY TALKED ABOUT THINGS WE'VE DONE IN THE PAST WHERE
 06:33:24 THERE HAVE BEEN CONCERNS.
 06:33:27 SOMETIMES WE EVEN THOUGHT ABOUT ON THIS ONE, MAKING PEOPLE
 06:33:30 COME IN THIS WAY AND GO OUT THIS WAY LIKE THIS.
 06:33:33 MAKING ALL THAT ONE WAY IN THE MORNING AND THEY REGULATE
 06:33:37 THAT BY PUTTING CONES ACROSS HERE AND REGULATE THE TRAFFIC
 06:33:40 SO EVERYBODY HAS TO COME IN AND THEN GO OUT THIS WAY.
 06:33:43 THAT WAY YOU HAVE NOBODY TRYING TO MAKE THIS LEFT.
 06:33:47 >>Jim Wallace: CORKSCREW CROSSING, IF YOU HAD GOING NORTH NO
 06:33:51 TURN LEFT, THEN WOULD YOU FOR THE EVERYBODY WHERE YOU HAVE
 06:33:54 THE OPPORTUNITY TO DO A LITTLE MORE STACKING.
 06:33:57 THEN YOU'D STILL END UP ON CORKSCREW COMMONS ON THE NORTH
 06:34:00 SIDE, THE EAST-WEST SIDE OF IT, THEY WOULD BE STACKING ON
 06:34:03 THE NORTH SIDE OF THE ROAD.
 06:34:05 >>Stuart Rogers: AND THERE IS NOTHING UP THERE.
 06:34:06 >>Jim Wallace: BUT NOT A LOT OF TRAFFIC THERE.
 06:34:09 >>Stuart Rogers: IF THEY STACKED HERE --
 06:34:11 >>Jim Wallace: BIG CONCERN.
 06:34:12 >>Stuart Rogers: WE TALKED TO THE TRAFFIC ENGINEER ABOUT
 06:34:14 THAT AND THAT IS AN OPTION.

 06:34:16 IF THE STUDY SHOWS IT IS NEEDED, WE CAN PUT A NO LEFT TURN
 06:34:20 SIGN HERE.
 06:34:21 >>Jim Wallace: ONLY OTHER COMMENT, LIME GREEN, IT IS A HARD
 06:34:25 COLOR TO DIGEST.
 06:34:26 WE WENT THROUGH THAT WITH EXTRA SPACE STORAGE AND DENIED IT.
 06:34:29 >>Kristin Jeannin: THERE'S GOT TO BE A BETTER WAY WITH
 06:34:32 BRANDING THAT WILL FIT WITH THE VILLAGE.
 06:34:35 IT'S NOT JUST THAT, THOUGH, THAT BLUE ON THAT FACADE, THEY
 06:34:38 ARE NOT NATURAL COLORS THAT WE REQUIRE.
 06:34:42 WE REQUIRE EARTH TONE COLORS.
 06:34:45 IT'S NOT TO SAY THAT WE WOULDN'T -- YOU WOULDN'T BE ABLE TO
 06:34:48 USE THOSE COLORS AT ALL.
 06:34:49 >>Stuart Rogers: THERE'S ALREADY BLUE ON THIS BUILDING.
 06:34:52 JOAN JEAN THAT'S ON THE WINDOWS, THOUGH.
 06:34:58 >>Stuart Rogers: THE AWNINGS.
 06:34:59 >>Kristin Jeannin: YEAH, A LITTLE BIT.
 06:35:01 >>Stuart Rogers: WE'LL WORK WITH STAFF ON THAT.
 06:35:03 >>Kristin Jeannin: YOU MIGHT WANT TO WORK ON IT A LOT.
 06:35:08 [LAUGHTER]
 06:35:09 >> EXTRA SPACE STORAGE CAME IN.
 06:35:10 THEIR CORPORATE --
 06:35:11 >>Stuart Rogers: WE DO EXTRA SPACE.

06:35:12 I DO KNOW THAT.
 06:35:14 >>Jim Wallace: WE DENIED IT AND THEY DECIDED THERE WERE
 06:35:18 OTHER WAYS THEY COULD COMMUNICATE.

 06:35:19 >>Stuart Rogers: SURE.
 06:35:20 ABSOLUTELY.
 06:35:21 THE ARCHITECTS ARE IN OUR COMPANY, IN MY OFFICE, ACTUALLY,
 06:35:26 THAT DID THIS.
 06:35:28 I ALREADY HAD A CONVERSATION THAT THEY'LL HAVE TO WORK VERY
 06:35:31 CLOSELY WITH STAFF ON JUST REWORKING THE COLOR SCHEMES TILL
 06:35:35 STAFF THINKS YOU WILL BE HAPPY BEFORE WE COME BACK.
 06:35:38 I DON'T WANT TO BE UP HERE ARGUING ABOUT COLORS WHEN TRYING
 06:35:41 TO GET FINAL APPROVAL.
 06:35:46 >>Dan Williams: YOU MENTIONED THAT IT MEETS THE REQUIREMENTS
 06:35:48 OF ESTERO AS FAR AS NUMBER OF PARKING SPACES.
 06:35:51 >>Stuart Rogers: YES.
 06:35:51 >>Dan Williams: THERE ARE REQUIREMENTS SPECIFICALLY TO HOW
 06:35:54 WIDE THOSE SPACES NEED TO BE?
 06:35:56 THE REASON I ASK, I DROVE OVER THERE THIS AFTERNOON AND IT
 06:36:00 WAS VERY BUSY.
 06:36:02 AND THERE WERE A LOT OF SUVs AND SOME BIG TRUCKS.
 06:36:06 I TRIED TO IMAGINE A PARENT GETTING OUT OF THEIR CAR AND IF
 06:36:09 THE KID HAS GOT ANY LIFE SUPPORT EQUIPMENT THAT THEY NEED TO
 06:36:13 TAKE IN TO THE DAY CARE, IT WOULD BE VERY DIFFICULT WITHOUT
 06:36:16 BANGING THE DOOR ON THE CAR NEXT TO THEM.
 06:36:19 ARE THERE WIDTH REQUIREMENTS?
 06:36:21 >>Stuart Rogers: THERE ARE WIDTH REQUIREMENTS.
 06:36:22 I DON'T KNOW WHAT THEY ARE HERE.
 06:36:24 WE DID CHECK THEM AND THEY DO MEET YOUR WIDTH REQUIREMENTS.

 06:36:28 >>Jim Wallace: WE'RE TALKING ABOUT LITTLE KIDS.
 06:36:31 WANT TO BE SURE THAT EVERYBODY IS 100% SAFE.
 06:36:34 >>Stuart Rogers: WE HAVE A CROSSWALK ACROSS HERE SO THAT THE
 06:36:37 PEOPLE COMING FROM THIS BACK SECTION, THERE IS A WALK RIGHT
 06:36:41 THROUGH HERE.
 06:36:42 THEY ARE NOT WALKING OUT IN THE STREET, IN THE PARKING AISLE
 06:36:45 TO GET AROUND A BUILDING, TO GET -- WE, OBVIOUSLY, THESE
 06:36:50 GUYS, THIS IS WHAT THEY DO.
 06:36:51 THEY ARE VERY SAFETY CONSCIOUS ABOUT HOW SECURE, LIKE EVEN
 06:36:56 THE WALKS THAT TAKE YOU BACK TO THE PLAYGROUND.
 06:36:59 THEY ARE ALL FENCED FOR SECURITY.
 06:37:01 SO THERE'S NO WAY A KID CAN GET OUT AND GO WANDERING THROUGH
 06:37:04 THE PARKING LOT OR ANYWHERE.
 06:37:06 SO, YEAH, THAT IS DEFINITELY A CONCERN.
 06:37:08 >>Kristin Jeannin: IN THIS SCHOOL SYSTEM, THIS BRAND OF
 06:37:13 SCHOOL, PARENTS HAVE TO WALK IN AND CHECK IN --
 06:37:17 >>Stuart Rogers: THEY HAVE TO WALK IN AND CHECK THEM IN.
 06:37:19 THEY HAVE TO WALK IN AND CHECK THEM OUT.

06:37:22 THEY DON'T MEET THEM AT THE CURB OR ANYTHING.
 06:37:23 THEY HAVE TO COME IN.
 06:37:27 >>Al Paivandy: EVERYBODY IS WORRIED ABOUT THE PARKING.
 06:37:28 >>Stuart Rogers: I HEAR THAT.
 06:37:30 >>Al Paivandy: LET ME SEE IF I CAN ADD TO IT.
 06:37:32 USUALLY FOR THE KINDERGARTEN OR SMALLER, THE NUMBER OF
 06:37:40 EMPLOYEES OR ATTENDEES GO MUCH HIGHER.

06:37:44 IT APPEARS ON THE BACK SIDE THAT YOU SAY THE EMPLOYEES ARE
 06:37:47 GOING TO PARK.
 06:37:48 ONLY 10 OR 11 PARKING.
 06:37:50 I'M QUITE SURE THAT'S NOT NEAR ENOUGH.
 06:37:53 >>Stuart Rogers: IT'S VERY INTERESTING AND WE'LL SHOW THIS
 06:37:55 IN THE STUDY, BECAUSE THE PARKING IS VERY INTERESTING.
 06:38:00 IT'S NOT INTUITIVE.
 06:38:05 BETWEEN SIX AND NOON, YOU'RE GATHERING STUDENTS, LET'S SAY
 06:38:09 UNTIL 10 OR 11, YOU'RE GATHERING STUDENTS.
 06:38:12 AND STARTING AT 2 YOU START LOSING STUDENTS, SO YOUR PEAK
 06:38:16 AMOUNT OF STUDENTS ARE THERE BETWEEN SAY 10 AND 2.
 06:38:19 THAT'S WHEN YOU HAVE THE PEAK AMOUNT OF TEACHERS.
 06:38:21 BECAUSE AT 6 YOU HAVE LIKE A COUPLE OF TEACHERS THERE.
 06:38:26 THAT'S WHEN ALL THE PEOPLE -- WHEN THERE ARE PEAK PARENTS
 06:38:32 LIKE 7:30 TO NINE, THERE'S NOT PEAK TEACHERS.
 06:38:36 NOT PEAK TEACHERS UNTIL 11ISH.
 06:38:38 THE MIDDLE OF THE DAY, ANOTHER SHIFT OF TEACHERS THAT COME
 06:38:40 IN BECAUSE THAT'S WHEN THE NUMBER OF STUDENTS ARE HEAVIEST.
 06:38:44 >>Jim Wallace: HOW MANY TEACHERS ARE YOU TALKING ABOUT?
 06:38:47 >>Stuart Rogers: THE WHOLE STAFF, I DON'T EXACTLY
 06:38:49 CELEBREE'S, BUT USUALLY 15 TO 20.
 06:38:52 >>Jim Wallace: WHEN CHANGING SHIFTS, 30 TO 40 --
 06:38:54 >>Stuart Rogers: YOU HAVE FULL-TIME PEOPLE USUALLY THAT ARE
 06:38:56 THERE FROM THE BEGINNING UNTIL THE END AND THEN PART-TIME
 06:38:59 PEOPLE WHO COME IN IN JUST THE MIDDLE OF THE DAY.

06:39:01 YOU HAVE SAY TEN THERE AND THEN 15 THERE AND THEN 10 THERE
 06:39:06 AGAIN AT THE END OF THE DAY.
 06:39:07 WHEN THE PARENTS ARE COMING IN AT THE PEAK TIMES IS WHEN THE
 06:39:11 TEACHERS ARE NOT AT PEAK.
 06:39:13 >>Jim Wallace: WHERE ARE THE STAFF PARKING?
 06:39:15 I'M TRYING TO UNDERSTAND IF YOU HAVE 30, 40 PEOPLE ON STAFF
 06:39:19 --
 06:39:20 >>Stuart Rogers: 15 TO 20.
 06:39:21 >>Jim Wallace: THERE ISN'T ANY PARKING AVAILABLE FOR ANYONE
 06:39:24 ELSE.
 06:39:25 >>Stuart Rogers: 15 TO 20 BUT THAT'S ONLY IN THE MIDDLE OF
 06:39:27 THE DAY.
 06:39:28 BEGINNING OF THE DAY ONLY ABOUT TEN.
 06:39:29 END OF THE DAY ABOUT TEN.

06:39:31 THAT'S WHEN THE PEAK PARENTS COME IN.
 06:39:33 >>Jim Wallace: I THINK YOU NEED SOME HARD NUMBERS.
 06:39:35 I CERTAINLY COULD NOT SUPPORT THIS WHEN YOU COME BACK UNLESS
 06:39:41 YOU CAN TELL US AT WHAT TIMES YOU'RE GOING TO HAVE WHAT KIND
 06:39:45 OF STAFF AND WHAT KIND OF KIDS.
 06:39:47 BECAUSE I THINK PARKING -- I AGREE, IT IS AN ENORMOUS ISSUE
 06:39:50 HERE.
 06:39:51 KID SAFETY IS.
 06:39:53 LIFE SAFETY IS FIRST, EVERYTHING ELSE IS SECONDARY.
 06:39:55 >>Stuart Rogers: ALL THE BRANDS USUALLY HAVE A STANDARD OF
 06:39:59 35 TO 40 AS WHAT THEY NEED TO OPERATE SAFELY.

 06:40:03 YOUR CODE IS ACTUALLY MORE THAN THAT.
 06:40:04 IT'S 50.
 06:40:05 WE'LL MAKE SURE OUR PARKING STUDY DEMONSTRATES THAT IT
 06:40:09 WORKS.
 06:40:10 >>Jim Wallace: I'M CONCERNED ALL THE PARKING SPACES WILL BE
 06:40:12 CONSUMED BY THE STAFF AND WON'T BE --
 06:40:15 >>Stuart Rogers: THERE'S 50 THERE.
 06:40:17 AT MOST 20 STAFF AT THE PEAK.
 06:40:19 STILL BE 30 SPOTS FOR PARENTS.
 06:40:22 >>Jim Wallace: WITH ALL DUE RESPECT YOU JUST SAID THERE WAS
 06:40:24 25 OR 30 AND SOME PEOPLE THAT COME IN WHEN YOU'RE CHANGING
 06:40:28 SHIFT, YOU HAVE PEOPLE THERE, NEW PEOPLE THERE, NOW TWO CARS
 06:40:31 IN THE PARKING LOT.
 06:40:32 >>Stuart Rogers: AT PEAK THERE'S 15 TO 20.
 06:40:35 I DON'T KNOW THE EXACT NUMBER FOR CELEBREE, SOMEWHERE IN
 06:40:38 THAT NEIGHBORHOOD.
 06:40:39 15 TO 20 PEOPLE THAT WORK THERE AT PEAK IN THE MIDDLE OF THE
 06:40:42 DAY FROM SAY 10 TO 2.
 06:40:46 BEGINNING OF THE DAY AND END OF THE DAY, NOT THAT MANY.
 06:40:49 AT MOST, 15 TO 20 IN THE MIDDLE OF THE DAY WHEN YOU DON'T
 06:40:52 HAVE PEAK PARENT TRAFFIC.
 06:40:54 PEAK PARENT TRAFFIC, 10 TO 12 EMPLOYEES THERE AT THE MOST.
 06:41:00 >>Jim Wallace: -- MATRIX THAT SHOWS US THIS.
 06:41:03 >>Stuart Rogers: WE'LL MAKE SURE THE PARKING STUDY SHOWS
 06:41:06 THAT.

 06:41:06 YOUR CODE ALREADY SAYS WE HAVE ENOUGH BASED ON -- AND WE
 06:41:10 DON'T HAVE PROBLEMS PARKING AT ANY OF THESE.
 06:41:12 I LOOKED AT AERIAL PICTURES OF PRIMROSE, WHICH IS BEHIND IT.
 06:41:16 JUST GOOGLE -- THERE'S NEVER MORE THAN 15 OR 20 CARS IN THAT
 06:41:22 PARKING LOT.
 06:41:22 >>Jim Wallace: I'M SURE BOTH OF US AGREE YOU DON'T WANT TO
 06:41:28 BUILD SOMETHING THAT MEETS CODE BUT DOESN'T MEET THE
 06:41:32 COMMONSENSE SAFETY THAT WE WOULD ALL HOLD FOR OUR CHILDREN.
 06:41:36 >>Stuart Rogers: SURE, YEP.
 06:41:40 >>Al Paivandy: THAT WAS ONLY ONE OF MY PROBLEM.

06:41:43 IF I JUST CONTINUE WITH THAT, PERSONALLY I DON'T THINK YOU
 06:41:45 HAVE ENOUGH PARKING FOR YOUR EMPLOYEES OR ATTENDEES ANYWAY,
 06:41:50 HAVING WORKED ON SOME OF THESE DAY CARE CENTERS.
 06:41:53 THE NEXT THING IS, IF YOU HAD TO DROP OFF ACTUALLY THE
 06:41:57 PROCESS WOULD GO SMOOTHER.
 06:41:59 BUT WHEN YOU HAVE TO PARK AND YOU'RE ACROSS THE PARKING LOT
 06:42:02 TO PARK AND THEN GO DROP OFF YOUR KIDS OR SOME PEOPLE LIKE
 06:42:06 TO BACK UP, AT THE TIME THEY ALL WANT TO LEAVE AND ALL WANT
 06:42:14 TO COME IN AND PARK, I THINK YOU'RE LOOKING FOR EITHER AN
 06:42:19 ACCIDENT CONSTANTLY IN THAT PARKING LOT OR NOT BEING ABLE TO
 06:42:23 GET IN OR GET OUT THE WAY IT IS DESIGNED RIGHT NOW.
 06:42:25 SO I WISH YOU LUCK.
 06:42:30 >>Stuart Rogers: WE'LL DO A PARKING STUDY AND DEMONSTRATE
 06:42:33 IT'S NOT GOING TO BE AN ISSUE.
 06:42:38 >>Anthony Gargano: WHEN YOU COME BACK, YOU CAN SEE THE

 06:42:41 PARKING AND THE CIRCULATION, TRAFFIC FLOW IS OF UTMOST
 06:42:54 IMPORTANCE.
 06:42:54 >>Stuart Rogers: THAT'S GOOD FEEDBACK.
 06:42:56 MAKE SURE THE TRAFFIC ENGINEER ADDRESSES THAT.
 06:42:58 I FEEL COMFORTABLE BECAUSE WE'VE DONE HUNDREDS OF THESE AND
 06:43:01 VERY SIMILAR AND THIS HAS MORE PARKING THAN MOST.
 06:43:03 >>Jim Wallace: I REMEMBER THE ONE ON SANDY LANE THAT WE HAD
 06:43:07 HERE BEFORE US, THEY HAD MORE PARKING, FEWER STUDENTS AND
 06:43:13 THEY AGREE THAT IT MIGHT BE AN ISSUE.
 06:43:15 FEWER STUDENTS, MORE PARKING SPACES, AND THEY FELT WHEN WE
 06:43:19 BROUGHT IT UP THAT MAYBE THEY NEEDED TO WORK ON THE PARKING
 06:43:22 A LITTLE.
 06:43:22 WHAT YOU'RE PROPOSING IS EVEN MORE STRINGENT THAN WHAT WE
 06:43:27 SAW THEN.
 06:43:30 >>Anthony Gargano: I THINK YOU HAVE THE MESSAGE.
 06:43:32 >>Stuart Rogers: I'VE GOT THE MESSAGE CLEAR.
 06:43:34 WE'LL DEFINITELY WORK ON THAT BEFORE WE COME BACK.
 06:43:37 APPRECIATE YOUR INPUT.
 06:43:38 >>James Tatoes: ESPECIALLY WHEN YOU HAVE TO PARK, TAKE
 06:43:40 CARE OF THE KID --
 06:43:42 >>Nancy Stroud: DID YOU OPEN TO THE PUBLIC?
 06:43:47 >>Anthony Gargano: NO, I DID NOT.
 06:43:48 ANYONE FROM THE PUBLIC --
 06:43:52 >>Tammy Duran: WE DON'T HAVE ANY CARDS.
 06:43:58 >>Mary Gibbs: WE DID GET AN E-COMMENT THAT WAS IN FAVOR.

 06:44:03 >>Anthony Gargano: ALL RIGHT.
 06:44:03 THANK YOU.
 06:44:04 I THINK AT THIS POINT --
 06:44:08 >>Mary Gibbs: DO WE WANT TO TAKE A SHORT BREAK?
 06:44:10 I'M ASKING BECAUSE I THINK THIS NEXT CASE IS PROBABLY GOING
 06:44:13 TO TAKE AN HOUR JUST TO GO THROUGH THE ZONING.

06:44:18 >>Anthony Gargano: 15-MINUTE BREAK.
 06:44:20 OKAY.
 06:44:28 WE'LL BE BACK.
 06:44:29 [RECESS]
 07:09:38 >>Anthony Gargano: THANK YOU ALL.
 07:09:39 WE'LL RECONVENE.
 07:09:45 >>Nancy Stroud: MR. CHAIR --
 07:09:47 >>Anthony Gargano: NEXT UP, WE'RE BACK INTO THE
 07:09:49 QUASI-JUDICIAL.
 07:09:51 I WANT TO ENSURE THAT EVERYBODY WHO IS GOING TO SPEAK HAS
 07:09:54 ALREADY BEEN SWORN.
 07:09:58 >>Nancy Stroud: FOR THOSE WHO HAVE NOT BEEN SWORN YET AND
 07:10:01 WHO ARE GOING TO GIVE TESTIMONY THIS EVENING, PLEASE STAND
 07:10:04 AND RAISE YOUR RIGHT HANDS TO TAKE THE OATH.
 07:10:07 DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU WILL GIVE
 07:10:11 TONIGHT IS THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE
 07:10:14 TRUTH?
 07:10:14 THANK YOU.
 07:10:17 >>Anthony Gargano: THANK YOU.

 07:10:18 MARY, DO YOU WANT TO KICK THIS ONE OFF?
 07:10:27 >>Mary Gibbs: WE ALREADY DID -- EARLIER THE APPLICANT WASN'T
 07:10:32 HERE BUT WE ALREADY DID THE EX PARTE CONVERSATION AND THE
 07:10:36 CONFLICTS OF INTEREST IN GENERAL.
 07:10:38 JUST LETTING THE APPLICANT KNOW.
 07:10:41 TONIGHT, WE'RE HERE FOR A ZONING AMENDMENT.
 07:10:44 AND THIS IS AFFECTIONATELY KNOWN AS THE OLD POST OFFICE
 07:10:48 PROPERTY ON BROADWAY EAST.
 07:10:50 IT IS A ONE-ACRE SITE AND IT WAS ACTUALLY THE SITE OF THE
 07:10:54 FEDERAL POST OFFICE BEFORE IT MOVED OVER TO THREE OAKS.
 07:10:58 SOME OF YOU MIGHT REMEMBER THIS AND THEN SOME OF YOU WHO
 07:11:02 WERE ON THE BOARD IN 2020 MAY REMEMBER WHEN WE REZONED THIS,
 07:11:07 IT WAS ACTUALLY ZONED AGRICULTURE BECAUSE THE FEDERAL
 07:11:10 GOVERNMENT DOESN'T HAVE TO ADHERE TO ZONING REGULATIONS.
 07:11:13 SO IT WAS NEVER REZONED EVEN THOUGH IT WAS THE POST OFFICE,
 07:11:17 IT WAS ZONED AGRICULTURE.
 07:11:18 IN 2020 THE APPLICANT CAME IN AND REZONED IT TO COMMERCIAL
 07:11:22 PLANNED DEVELOPMENT FOR A VARIETY OF COMMERCIAL USES.
 07:11:25 AND AT THE TIME, WE THOUGHT THAT IT WAS GOING TO BE USED AS
 07:11:28 A LANDSCAPE BUSINESS, BUT THAT DIDN'T COME TO FRUITION.
 07:11:35 OVER THE YEARS, IT'S BEEN FOR SALE, AND THERE'S BEEN A
 07:11:38 VARIETY OF PEOPLE THAT HAVE COME IN AND WANTED TO DO CERTAIN
 07:11:41 USES.
 07:11:41 WHEN IT WAS REZONED IN 2020, ONE OF THE CONDITIONS WAS IT
 07:11:45 HAD TO HAVE THE ARCHITECTURAL PATTERN BOOK AND YOU HAD TO

 07:11:48 COMPLY WITH -- YOU HAD TO BASICALLY UPGRADE THE SITE BECAUSE
 07:11:52 THE BUILDING IS NOT PRETTY IF YOU'VE DRIVEN BY IT.

07:11:55 IT'S REALLY NOT PRETTY.
 07:11:57 OVER THE YEARS, WE'LL CAME IN AND WANTED TO USE IT BUT
 07:12:02 DIDN'T WANT TO UPGRADE IT.
 07:12:04 IT WAS A DIFFICULT SITE BECAUSE OF THE BUILDING EXISTING.
 07:12:08 RECENTLY WAS PURCHASED BY THE PRUITT FAMILY WHO ARE I THINK
 07:12:12 ACCOUNTANTS, AND THEY ARE PLANNING TO USE IT AS AN OFFICE.
 07:12:17 BECAUSE THE URGENCIES ARE CHANGING FROM WHAT WAS APPROVED
 07:12:22 AND THE SITE PLAN IS A LITTLE BIT DIFFERENT THAN WHAT WAS
 07:12:25 APPROVED, THERE ARE DEVIATIONS APPROVED, THERE ARE A LITTLE
 07:12:28 BIT OF CHANGES, WE TOLD THE APPLICANT THEY HAVE TO COME BACK
 07:12:31 AND DO A ZONING AMENDMENT.
 07:12:32 WHEN THEY ORIGINALLY GOT IT APPROVED, IT WAS APPROVED FOR A
 07:12:37 LIST OF COMMERCIAL USES.
 07:12:38 THE APPLICANT HAS SCALED THAT BACK QUITE SUBSTANTIALLY.
 07:12:42 THEY WORKED ON THE PATTERN BOOK, I THINK WHEN THEY CAME TO
 07:12:45 THE PUBLIC INFORMATION MEETING, YOU ALL HAD SUGGESTIONS
 07:12:47 ABOUT HOW THEY COULD IMPROVE IT.
 07:12:50 THEY ALSO HAVE WORKED WITH THE NEIGHBOR TO THE EAST WHO
 07:12:52 LIVES IN THE HOUSE THAT LOOKS LIKE THE OLD SCHOOLHOUSE, MR.
 07:12:55 NOBLE.
 07:12:56 THEY WORKED WITH HIM ON THE LANDSCAPING ON THE EAST SIDE.
 07:13:00 SO I FEEL THEY HAVE DEFINITELY ADDRESSED ALL THE ISSUES THAT
 07:13:04 YOU ALL HAVE BROUGHT UP BEFORE.

 07:13:06 SO THE STAFF IS RECOMMENDING APPROVAL WITH CONDITIONS.
 07:13:09 WE ATTACHED A DRAFT ORDINANCE.
 07:13:11 THIS WILL HAVE TO GO TO COUNCIL, SO YOU ALL MAKE A
 07:13:14 RECOMMENDATION ON IT AND THEN THE COUNCIL MAKES THE DECISION
 07:13:17 AT A PUBLIC HEARING.
 07:13:17 BUT IF YOU DON'T HAVE ANY QUESTIONS FOR ME, I KNOW THE
 07:13:22 APPLICANT HAS A PowerPoint AND THEY WANT TO GO INTO SOME
 07:13:25 DETAIL ABOUT THEIR CHANGES.
 07:13:27 VERONICA MARTIN WILL BE THE FIRST SPEAKER.
 07:13:31 >>Anthony Gargano: THANK YOU, MARY.
 07:13:38 >>Veronica Martin: GOOD EVENING.
 07:13:39 I'M VERONICA MARTIN, SENIOR PLANNER WITH TDM CONSULTING.
 07:13:43 I AM REPRESENTING THE APPLICANT, THE PRUITT FAMILY REAL
 07:13:46 ESTATE HOLDINGS, LLC.
 07:13:48 I AM PART OF THE TEAM PRESENTING THE AMENDMENT TO THE
 07:13:52 COMMERCIAL PLANNED DEVELOPMENT ZONING CASE.
 07:13:55 THE OTHER TEAM MEMBERS HERE WITH ME TONIGHT ARE DEAN MARTIN
 07:13:59 P.E. WITH TDM CONSULTING.
 07:14:02 HE IS HERE TO DISCUSS TRAFFIC, SURFACE WATER MANAGEMENT AND
 07:14:06 UTILITIES, AND THEN DAVID MOORE, THE ARCHITECT, WILL BE
 07:14:12 PRESENTING THE ARCHITECTURAL PLANS AND ELEVATIONS.
 07:14:15 OUR LANDSCAPE ARCHITECT COULDN'T MAKE IT TONIGHT, SO I WILL
 07:14:19 ALSO BE PRESENTING THE LANDSCAPE PLANS.
 07:14:22 I DO WANT TO GIVE A FULL PRESENTATION BECAUSE I DO KNOW THAT

07:14:30 SOME OF YOU WERE HERE IN 2020 WHEN WE FIRST REZONED THIS

07:14:36 PROPERTY TO THE COMMERCIAL PLANNED DEVELOPMENT.

07:14:39 SOME OF YOU WERE HERE IN FEBRUARY OF THIS YEAR WHEN WE DID

07:14:42 THE PUBLIC INFORMATION MEETING, AND THEN AGAIN SOME OF YOU

07:14:45 ARE BRAND-NEW AND HAVE NEVER SEEN THIS PROJECT BEFORE.

07:14:47 SO THIS PROPERTY IS LOCATED AT 8111 BROADWAY EAST.

07:14:53 IT'S ON THE EAST SIDE OF SOUTH TAMiami TRAIL.

07:14:58 IT'S NEXT TO THE BROADWAY SHOPPES AND JUST NORTH OF THE

07:15:02 ESTERO UNITED METHODIST CHURCH.

07:15:04 AS MARY SAID, THIS PROPERTY IS KNOWN AS THE OLD ESTERO POST

07:15:08 OFFICE.

07:15:08 THE FUTURE LAND USE OF THIS SITE IS URBAN COMMERCIAL, AS

07:15:15 SHOWN IN ORANGE.

07:15:17 ALL THE SURROUNDING PROPERTIES ALSO IN THE URBAN COMMERCIAL

07:15:20 FUTURE LAND USE.

07:15:22 AGAIN, THE SITE IS ZONED COMMERCIAL PLANNED DEVELOPMENT.

07:15:27 WHILE THE PROPERTIES TO THE WEST AND NORTH ARE ZONED

07:15:30 COMMUNITY COMMERCIAL, THE PROPERTY TO THE EAST IS ZONED

07:15:36 AGRICULTURAL AND DEVELOPED A SINGLE-FAMILY RESIDENCE AND THE

07:15:39 ESTERO UNITED METHODIST CHURCH TO THE SOUTH IS ZONED

07:15:42 COMMUNITY FACILITIES PLANNED DEVELOPMENT.

07:15:44 THIS SLIDE SHOWS YOU WHAT THE EXISTING BUILDING LOOKS LIKE

07:15:52 AND WHAT THE PROPOSED BUILDING CAN LOOK LIKE IF THE REZONING

07:15:57 AND THE ZONING AMENDMENT IS APPROVED.

07:15:59 WITH THE ARCHITECTURAL ENHANCEMENTS.

07:16:04 AS MARY SAID, THE POST OFFICE WAS BUILT IN 1983 AND AS A

07:16:10 FEDERAL FACILITY, IT DID NOT HAVE TO COMPLY WITH PROPERTY

07:16:14 DEVELOPMENT REGULATIONS, INCLUDING SETBACKS, BUFFERS,

07:16:19 BUILDING HEIGHT, COMMERCIAL DESIGN STANDARDS, PARKING,

07:16:23 THINGS LIKE THAT.

07:16:23 THE PREVIOUS PROPERTY OWNER DID REZONE FROM AGRICULTURAL TO

07:16:30 COMMERCIAL PLANNED DEVELOPMENT, AND IT DID INCLUDE A WIDE

07:16:34 VARIETY OF USES.

07:16:36 THE CURRENT PROPERTY OWNERS INTEND TO REDEVELOP THIS

07:16:40 PROPERTY FOR OFFICE USE.

07:16:42 THE PROPOSED AMENDMENT INCLUDES MINOR CHANGES TO THE MASTER

07:16:46 CONCEPT PLAN, REVISIONS TO THE ARCHITECTURAL ELEVATIONS AND

07:16:51 LANDSCAPE PLANS AS SHOWN IN THE REVISED PATTERN BOOK.

07:16:55 A REDUCTION TO THE SCHEDULE OF USES, AND VERY MINOR CHANGES

07:16:58 TO THE SCHEDULE OF DEVIATIONS.

07:17:00 THE CHANGES TO THE MASTER CONCEPT PLAN INCLUDE A REVISED

07:17:07 BUILDING FOOTPRINT BECAUSE THE ARCHITECTURAL FACADE IS

07:17:11 SLIGHTLY LARGER THAN THE PREVIOUS PLAN.

07:17:14 IT INCLUDES A REVISED BUFFER TO THE EAST, WHICH NOW INCLUDES

07:17:18 A PROPOSED 8-FOOT HIGH SOLID WALL, THE ENTIRE LENGTH OF THE

07:17:22 EAST PROPERTY LINE.

07:17:24 REMOVAL OF THE SECURITY GATE AND OVERFLOW PARKING AREA.
 07:17:28 THE EXISTING ASPHALT FOR THE OVERFLOW PARKING WHICH WAS
 07:17:33 LOCATED ALONG THE NORTH OF THE SITE WILL BE REMOVED AND
 07:17:37 BECOME ADDITIONAL OPEN SPACE WHICH YOU'LL SEE AGAIN ON THE
 07:17:41 LANDSCAPE PLANS.

07:17:42 THE PERMITTED USES HAVE BEEN REDUCED TO A FRACTION OF WHAT
 07:17:50 WAS PREVIOUSLY PERMITTED.
 07:17:52 WE DID GET RID OF MORE -- SOME OF THE MORE INTENSIVE USES
 07:17:56 SUCH AS RESTAURANT, OPEN STORAGE, CONTRACTORS AND BUILDERS,
 07:18:00 LAWN AND GARDEN SUPPLY, WAREHOUSE, THINGS LIKE THAT.
 07:18:04 AGAIN, THE PRINCIPAL USE IS PRIMARILY OFFICE.
 07:18:09 WE DID REQUEST 6 DEVIATIONS WITH THIS PROJECT.
 07:18:13 ALL 6 WERE PREVIOUSLY APPROVED.
 07:18:15 WE DO HAVE A COUPLE OF MINOR REVISIONS TO SOME OF THOSE
 07:18:20 DEVIATIONS.
 07:18:22 DEVIATION NUMBER 1 WAS ORIGINALLY APPROVED FOR A 16-FOOT
 07:18:27 BUILDING SETBACK ALONG THE EAST PROPERTY LINE.
 07:18:30 WE'RE AMENDING THAT REQUEST TO PERMIT A 14.5-FOOT BUILDING
 07:18:35 SETBACK AND THAT IS TO ALLOW ROOM FOR THE ARCHITECTURAL
 07:18:38 FACADE TO BE BUILT.
 07:18:41 AND THAT WILL BE EXPLAINED IN FURTHER DETAIL WHEN MR. MOORE
 07:18:46 DOES HIS ARCHITECTURAL PRESENTATION.
 07:18:47 DEVIATION NUMBER 2 WAS JUST A CHANGE TO THE CODE SECTION
 07:18:56 NUMBER.
 07:18:57 DEVIATION NUMBER 3 PROPOSED A 14.5-FOOT WIDE BUFFER INSTEAD
 07:19:04 OF THE 16-FOOT WIDE BUFFER THAT WAS PREVIOUSLY APPROVED.
 07:19:08 DEVIATION NUMBER 4 REQUIRES A CROSS-ACCESS BETWEEN ADJOINING
 07:19:16 COMMERCIAL DEVELOPMENTS.
 07:19:19 WE DID PROPOSE A PEDESTRIAN INTERCONNECT MIDPOINT ON THE
 07:19:26 MASTER CONCEPT PLAN IN THE PREVIOUS APPROVAL, HOWEVER, WE

07:19:30 COULD NOT MAKE THAT CONNECTION ADA COMPLIANT BECAUSE THEY
 07:19:35 WERE STAIRS.
 07:19:37 IN THIS CASE, WE ARE PROVIDING AN ADA COMPLIANT PEDESTRIAN
 07:19:42 ACCESS ON OUR SUBJECT PROPERTY ALONG BROADWAY, WHICH YOU CAN
 07:19:47 SEE AND I WILL GO BACK TO THE MASTER CONCEPT PLAN.
 07:19:50 YOU CAN SEE ALONG BROADWAY.
 07:19:54 RIGHT BEHIND THE BUFFER.
 07:19:55 IT'S ADA COMPLIANT AND IT WILL GO ACROSS OUR SITE AND
 07:20:01 CONNECT TO THE PROPERTY TO THE WEST, WHICH IS THE BROADWAY
 07:20:04 SHOPPES.
 07:20:04 AND THAT WILL LEAD TO THE PEDESTRIAN ACCESS THAT GOES ALONG
 07:20:09 U.S. 41.
 07:20:10 AND THEN THE ONLY CHANGE TO DEVIATION NUMBER 6 WAS THE LAND
 07:20:20 DEVELOPMENT CODE SECTION NUMBER.
 07:20:21 AT THIS POINT, I'M GOING TO TURN THIS OVER TO DEAN MARTIN,
 07:20:30 THE PE.

07:20:32 HE IS GOING TO TALK ABOUT TRAFFIC.
 07:20:52 >> GOOD EVENING.
 07:20:53 I'M DEAN MARTIN WITH TDM CONSULTING.
 07:20:57 I WANTED TO TALK A LITTLE BIT ABOUT TRAFFIC.
 07:20:59 FOR ZONING I HAVE TO DO A TRAFFIC STUDY BASED ON THE MOST
 07:21:02 INTENSE USE, WHICH IN THIS CASE IS MEDICAL-DENTAL OFFICE.
 07:21:07 AS YOU CAN SEE ON THE SCREEN, OUR PEAK HOUR TRIP IS 16 FOR
 07:21:16 BOTH A.M. AND P.M.
 07:21:17 WHICH IS NOT ENOUGH TO TRIP TURN LANE THRESHOLDS ON

 07:21:24 BROADWAY.
 07:21:25 U.S. 41 AT BROADWAY IS A LIGHTED INTERSECTION AND OPERATES
 07:21:28 AT A LEVEL OF SERVICE C.
 07:21:30 THE PROJECT WILL NOT DEGRADE THAT LEVEL OF SERVICE.
 07:21:33 WHILE I'M UP HERE, I WANT TO TALK ABOUT SURFACE WATER
 07:21:41 MANAGEMENT AS WELL.
 07:21:42 THIS SLIDE HAS AN ENVIRONMENTAL RESOURCES PERMIT FROM THE
 07:21:59 WATER MANAGEMENT DISTRICT EVEN THOUGH IT IS AN ACRE IN SIZE.
 07:22:02 IT WAS RECEIVED BACK IN 2009 BY A PREVIOUS ENGINEER.
 07:22:07 BECAUSE THE SITE APPARENTLY HAD SOME MINOR FLOODING BACK IN
 07:22:11 2009.
 07:22:13 OF COURSE, WE'LL BE APPLYING FOR AN ERP LETTER MODIFICATION
 07:22:18 FOR THIS PROJECT.
 07:22:19 WE ARE TAKING AWAY, AS VERONICA SAID, ABOUT 500 SQUARE FEET
 07:22:23 OF IMPERVIOUS SURFACES IN THE BACK WHICH WILL HELP US WITH
 07:22:26 OUR STORMWATER MANAGEMENT IN TERMS OF SOIL STORAGE.
 07:22:30 AS DESIGNED PREVIOUSLY, THE STORMWATER RUNOFF FROM THE
 07:22:33 BUILDING AND THE MAJORITY OF THE SITE FLOWS TOWARDS THE WEST
 07:22:36 PROPERTY LINE.
 07:22:37 WHERE THERE IS A SWALE ADJACENT TO THE PARKING LOT.
 07:22:41 THE SWALE IS UNDULATING VERTICAL WITH SEVERAL CATCH BASINS
 07:22:45 PLACED AT THE SWALE'S HIGH POINTS.
 07:22:47 CATCH BASINS CONNECT TO THE CULVERTS WHICH DIRECT ALL THE
 07:22:51 STORMWATER TO THE NORTHWEST OF THE PROPERTY WHERE THE WET
 07:22:54 DETENTION AREA IS.

 07:22:55 THERE IS ALSO A CONTROL STRUCTURE ALREADY.
 07:22:59 WE'RE NOT PLANNING ON MODIFYING ANY CONTROL STRUCTURES OR
 07:23:02 ANY OF THE PIPES.
 07:23:04 IT SEEMS TO FUNCTION WELL AS IT IS.
 07:23:06 WE'LL BE GETTING AN ERP LETTER MOD AS I SAID.
 07:23:10 THIS SLIDE JUST SHOWS WHERE THE WATER GOES WHEN IT LEAVES
 07:23:23 THE SITE.
 07:23:25 THE STORMWATER FLOWS ALONG BROADWAY, TRAVELS EAST OF THE
 07:23:28 CULVERTS UNDER BROADWAY AT THE RAILROAD TRACKS AND THEN
 07:23:31 FLOWS SOUTH TO THE RIVER AND INTO ESTERO BAY.
 07:23:34 EXISTING UTILITIES.
 07:23:41 LEE COUNTY UTILITIES OWNS A 10-INCH POTABLE WATER MAIN ON

07:23:46 THE SOUTH SIDE OF BROADWAY.
 07:23:48 WE ARE PLANNING ON TAPPING INTO THAT WATER MAIN TO BRING
 07:23:53 ACROSS A FIRE HYDRANT FOR FIRE PROTECTION.
 07:23:57 WE DO NOT PLAN ON SPRINKLING THE BUILDING, HOWEVER.
 07:23:59 WE'RE ALSO GOING TO USE THE EXISTING SEPTIC SYSTEM, WHICH IS
 07:24:02 IN THE NORTHEAST PORTION OF THE SITE.
 07:24:07 IT WAS LAST TESTED BACK IN -- INSPECTED IN 2019, AND DURING
 07:24:12 THE D.O. PROCESS, IF NEEDED WE'LL INSPECT IT AGAIN TO MAKE
 07:24:17 SURE EVERYTHING IS STILL FUNCTIONING.
 07:24:18 THAT WAS ALL I HAD UNLESS THERE WERE ANY QUESTIONS.
 07:24:27 >>Jim Wallace: I ONLY HAVE ONE QUESTION, IF YOU CAN GO BACK
 07:24:30 TO YOUR SITE PLAN.
 07:24:31 ON THE SITE PLAN, I NOTICED IMMEDIATELY SOUTH OF THE

 07:24:38 BUILDING YOU HAVE PARKING.
 07:24:42 I GUESS I WOULD HAVE A CONCERN WHETHER OR NOT YOU'RE GOING
 07:24:44 TO HAVE A CONFLICT BETWEEN PEOPLE BACKING OUT OF THAT
 07:24:48 PARKING SPACE AND PEOPLE ENTERING INTO BECAUSE THERE'S NO
 07:24:51 DECELERATION LANE OR ANYTHING HERE ON BROADWAY.
 07:24:54 SOMEBODY TURNING IN AND SOMEBODY BACKING OUT THAT SPACE,
 07:24:58 WOULD IT NOT BE BETTER TO TAKE THAT AREA OF PARKING
 07:25:02 IMMEDIATELY -- I KNOW YOU DON'T WANT TO GIVE UP SPACES, BUT
 07:25:05 TAKE THAT SPACE THAT'S IMMEDIATELY SOUTH OF THE BUILDING AND
 07:25:09 PUT IT ON THE SOUTHWEST CORNER?
 07:25:14 MEDIAN ISLAND, THE LANDSCAPE MEDIAN.
 07:25:21 IF YOU JUST TOOK THAT WHOLE DRIVEWAY AND MOVED IT NORTH, AT
 07:25:25 LEAST YOU GET THE CARS OFF BROADWAY AND INTO YOUR SITE
 07:25:30 WITHOUT ANY CONFLICT.
 07:25:39 >>Dean Martin: ARE YOU TALKING ABOUT THE SPACES RIGHT IN
 07:25:42 FRONT OF THE BUILDING?
 07:25:47 >>Jim Wallace: ON THE SOUTH SIDE OF THE BUILDING, COULD YOU
 07:25:49 NOT SHIFT THEM TO THE SOUTHEAST SIDE OF THE PARKING LOT AND
 07:25:53 THEN HAVE A LONGER DRIVE, A CLEARER ROAD FOR PEOPLE TO ENTER
 07:25:59 IN ON THE SITE WITHOUT CREATING ANY KIND OF CONFLICT WITH
 07:26:04 BROADWAY?
 07:26:04 I'M CONCERNED SOMEBODY BACKING OUT OF THERE AND SOMEBODY
 07:26:08 COMING IN AND -- THERE'S JUST NO STACKING AT ALL.
 07:26:13 THERE'S NOTHING.
 07:26:17 >>Veronica Martin: EXCUSE ME.

 07:26:19 THAT'S ACTUALLY WHERE THE HANDICAPPED PARKING SPACES ARE
 07:26:22 LOCATED.
 07:26:23 ALL OF THE PARKING ON THIS SITE HAS ALREADY BEEN
 07:26:26 PREDETERMINED.
 07:26:26 WE'RE TRYING TO WORK WITH WHAT'S EXISTING TO THE BEST OF OUR
 07:26:31 ABILITY.
 07:26:32 WE DID REMOVE THE NEAREST DRIVEWAY.
 07:26:38 THIS PROPERTY ORIGINALLY HAD TWO DRIVEWAYS.

07:26:41 AND BECAUSE OF THAT, WE DID REMOVE THE ONE THAT WAS CLOSEST
 07:26:44 TO U.S. 41.
 07:26:46 WE KEPT THE ONE THAT IS SHOWN ON THE MASTER CONCEPT PLAN
 07:26:50 RIGHT NOW.
 07:26:50 SO WE JUST HAVE THE ONE DRIVEWAY.
 07:26:52 AGAIN, WE HAVE THE HANDICAP PARKING THAT WAS RIGHT IN FRONT.
 07:26:56 THAT IS THE CLOSEST TO THE MAIN ENTRANCE, WHICH IS WHAT'S
 07:27:00 REQUIRED FOR --
 07:27:02 >>Jim Wallace: ENTRANCE ON THE SOUTH SIDE OF THE BUILDING.
 07:27:04 >>Veronica Martin: YES, SIR.
 07:27:05 PER ADA REQUIREMENTS WE'RE SUPPOSED TO HAVE OUR ADA HANDICAP
 07:27:10 PARKING AS CLOSE TO THE MAIN ENTRANCE AS POSSIBLE.
 07:27:12 SO THAT'S WHERE THAT IS LOCATED.
 07:27:14 >>Jim Wallace: ADA COULD BE IMMEDIATELY ON THE WEST SIDE OF
 07:27:17 THE BUILDING AND IT IS A SHORT TEN-FOOT WALK TO YOUR FRONT
 07:27:21 ENTRANCE.
 07:27:22 I'M JUST THINKING ABOUT IF THERE WAS -- IF THIS -- WHATEVER

 07:27:31 YOU WANT TO CALL IT, THE TURN-IN OR THE RADIUS HERE BECAME
 07:27:38 MORE OF A -- THE PARKING WAS SHIFTED DOWN, I JUST THINK
 07:27:42 THERE IS A CONFLICT THERE.
 07:27:43 THAT'S ALL.
 07:27:44 WITHOUT YOU HAVING TO REPAVE, JUST ENLARGE THAT LANDSCAPE
 07:27:49 AREA AND MOVE THAT PARKING SO THAT IT'S ON THE SOUTHEAST
 07:27:53 SIDE AND YOU DON'T HAVE A CONFLICT AT THE ENTRY.
 07:27:57 >>Veronica Martin: WE CAN CERTAINLY TAKE THAT INTO
 07:27:59 CONSIDERATION.
 07:28:00 WE'RE STILL HERE AT THE ZONING PHASE.
 07:28:03 WE HAVE NOT GONE THROUGH THE DEVELOPMENT ORDER PERMIT FOR
 07:28:07 THIS PROJECT WITH THIS PROPOSAL AT THIS TIME.
 07:28:11 I DO BELIEVE THAT THE TRAFFIC IMPACT STUDY WITH THE REDUCED
 07:28:18 SCHEDULE OF USES WILL IMPACT THE TURNING MOVEMENTS AND THE
 07:28:26 NUMBER OF VEHICULAR TRIPS IN THE A.M. AND PEAK P.M. HOURS.
 07:28:31 >>Jim Wallace: YOU UNDERSTAND WHAT I'M PROPOSING.
 07:28:33 >>Veronica Martin: YES, I DO.
 07:28:34 >>Jim Wallace: VERY SIMPLE CHANGE, BUT IT MIGHT ADD MORE
 07:28:37 SAFETY TO THE PARKING LOT.
 07:28:39 >>Veronica Martin: I UNDERSTAND.
 07:28:40 THANK YOU FOR YOUR INPUT.
 07:28:46 >>Dean Martin: ANY OTHER QUESTIONS FOR THAT?
 07:28:48 ANYBODY ELSE?
 07:28:49 SPEAK NOW OR FOREVER HOLD YOUR PIECE.
 07:28:55 >>Mary Gibbs: DEAN, IS THE ARCHITECT GOING TO SPEAK?

 07:28:58 >>Dean Martin: YES, I THINK COMING UP NEXT.
 07:29:02 >>Mary Gibbs: ARE YOU GOING TO INTRODUCE THE PRUITTS?
 07:29:06 >> I'LL LET DAVID DO THAT.
 07:29:09 >>Mary Gibbs: JUST WONDERING WHO ARE THE MYSTERY GUESTS IN

07:29:11 THE BACK ARE.
 07:29:14 >> VERONICA HAS THIS FIGURED OUT.
 07:29:16 SHE IS A GOOD SPOKESPERSON.
 07:29:18 JUST SO YOU KNOW, THIS IS -- IN THE MIDDLE, WESLEY AND
 07:29:27 MITCHELL.
 07:29:27 THEY ARE ESTERO RESIDENTS.
 07:29:28 ACTUALLY WHEN YOU LEAVE THE OFFICE, IF YOU CROSS 41 AND
 07:29:35 DRIVE TO THE END, EXPERIENCE THE WHOLE IRMA AND IAN.
 07:29:47 ONE THING JUST TO KNOW, TALKING ABOUT THE DRAINAGE AND
 07:29:52 THINGS, AFTER IAN OR MAYBE BECAUSE FORTUNATELY WE WERE ON
 07:29:55 THE RIGHT SIDE OF 41, THERE WAS NO FLOODING ON THE PROPERTY.
 07:29:58 SO THE BUILDING DIDN'T FLOOD.
 07:30:00 THERE MAY HAVE BEEN STANDING WATER BUT NOTHING GOT INTO THE
 07:30:04 BUILDING.
 07:30:04 AM I CORRECT?
 07:30:05 YEAH.
 07:30:06 MOST OF YOU PROBABLY ARE FAMILIAR WITH THE EXISTING POST
 07:30:34 OFFICE.
 07:30:35 IT IS TRULY A METAL BUILDING.
 07:30:37 METAL SIDE WALL PANELS, METAL ROOF, ONE AND 12 SLOPE ROOF.
 07:30:44 IT IS AS INDUSTRIAL AS YOU COULD BUILD A BUILDING.

 07:30:47 OUR CHALLENGES WERE TO BE ABLE TO SALVAGE THAT STRUCTURE
 07:30:53 AND, AGAIN, CREATE AND MEET A LOT OF THE ARCHITECTURAL
 07:30:57 STANDARDS AND DESIGN INTENTS OF THE VILLAGE OF ESTERO.
 07:31:01 SO THAT WAS OUR UPPER ELEVATION WAS GETTING SOME DIFFERENT
 07:31:05 ROOF PLAIN CHANGES, GETTING THE TILE ROOF.
 07:31:09 I KNOW ONE OF THE THINGS MARY HAD ASKED SINCE SOMETIMES THE
 07:31:16 RENDERINGS AND THE COLORS DON'T ALL COME THROUGH AS WELL,
 07:31:20 WAS IF I WOULD BRING SOME SAMPLES OF THE ACTUAL COLORS.
 07:31:26 THAT WAS ACTUALLY ONE OF THE CRITERIA, ONE OF THE THINGS
 07:31:41 BROUGHT UP IN THE LAST MEETING WAS ABOUT THE COLORS.
 07:31:44 WE HAD GONE WITH MORE OF THE STILL KIND OF EARTH TONES BUT
 07:31:51 MORE IN THE -- YOU ACTUALLY SAW SOME OF THE OTHER COLORS WE
 07:31:57 HAD LAST TIME ALREADY TODAY.
 07:31:59 AND SO IN THAT MEETING IT WAS DISCUSSED, COULD WE LOOK AT
 07:32:05 GETTING MORE INTO THE COLORS THAT YOU SEE TODAY.
 07:32:08 SO THAT WAS ONE OF THE CHANGES WE DID MAKE.
 07:32:12 WHEN THEY TALKED ABOUT THE SETBACK, MENTIONED THAT WE WERE
 07:32:16 REQUESTING A DEVIATION BEING INCREASED TO 14.5 FEET.
 07:32:19 THE REASON FOR THAT WAS THAT THE ACTUAL EXISTING BUILDING
 07:32:24 SETBACK IS ESSENTIALLY 16 FEET.
 07:32:28 WELL, WE HAVE TO DEVELOP A NEW FACADE ON ALL SIDES OF THIS
 07:32:32 BUILDING, WHICH MEANS WE HAVE TO COME UP WITH A METHOD TO
 07:32:35 DEVELOP A STRUCTURE TO WRAP THE BUILDING, WHICH WE'RE GOING
 07:32:40 TO DO IN METAL STUDS.
 07:32:42 WE'VE TALKED WITH SEVERAL SUBCONTRACTORS.

07:32:46 WE HAVE A PLAN.
 07:32:46 TO DO THAT, WE HAD TO ADD ADDITIONAL STRUCTURE, FRAMING TO
 07:32:49 THE OUTSIDE OF WHAT YOU SEE NOW WITH THE METAL PANELS.
 07:32:54 TO DO THAT, THE ORIGINAL DEVIATION WOULD NOT HAVE ALLOWED
 07:32:58 THAT.
 07:33:00 AS A MATTER OF FACT, THE ORIGINAL DEVIATION AND WHAT WAS
 07:33:04 PROPOSED AT THAT TIME, THEY COULDN'T HAVE DONE WHAT WAS
 07:33:07 ACTUALLY APPROVED BECAUSE THERE WAS NO WAY TO EXPAND THE
 07:33:10 BUILDING TO DO THE ELEVATIONS THAT THEY PRESENTED AT THAT
 07:33:13 TIME.
 07:33:14 SO WE'RE JUST TRYING TO CORRECT KIND OF A SHORTSIGHTEDNESS
 07:33:18 IN THAT.
 07:33:19 SO ONE OF THE ISSUES THAT WAS DISCUSSED QUITE A BIT AND IN
 07:33:31 THE PREVIOUS HEARINGS AND MEETINGS AND THEN AGAIN THROUGH
 07:33:35 OURS WAS THE EAST SIDE OF THE BUILDING IS CURRENTLY AGAINST
 07:33:40 THE RESIDENTIAL PROPERTY.
 07:33:42 EVEN THOUGH IT IS FUTURE LAND USE IS URBAN COMMERCIAL, AT
 07:33:46 THE MOMENT IT IS RESIDENTIAL, AND THAT'S WHAT WE HAVE TO
 07:33:50 ADDRESS AS THE CURRENT USE, NOT A FUTURE ANTICIPATED USE.
 07:33:53 IN THE PREVIOUS AMENDMENT OR THE ZONING RESOLUTION, THEY HAD
 07:34:02 PROPOSED NO WINDOWS ON THE EAST FACADE OF THE BUILDING AND
 07:34:07 USING KIND OF THE BUILDING WALL AS PART OF THE EIGHT-FOOT
 07:34:11 FENCE THAT WAS REQUIRED BETWEEN COMMERCIAL AND RESIDENTIAL.
 07:34:15 THEY DID AGREE TO THAT BEFORE TALKING WITH THE PRUITTS IN
 07:34:22 BEING OFFICE SPACE, IT REALLY IS KIND OF CRITICAL TO HAVE

 07:34:26 GOOD OFFICE SPACE IS TO BE ABLE TO HAVE DAYLIGHTING GET INTO
 07:34:30 YOUR SPACE.
 07:34:31 SO WE DISCUSSED HIGH WINDOWS.
 07:34:35 WE DID SOME STUDIES WITH VIEW ANGLES TO MAKE SURE THAT THE
 07:34:40 ADJOINING NEIGHBOR WOULD NOT FEEL LIKE PEOPLE WERE JUST
 07:34:43 SPYING ON THEM THROUGH THE WINDOWS AND LOOKING INTO HIS
 07:34:48 PROPERTY.
 07:34:49 ULTIMATELY WHAT WE CAME UP WITH WAS THEY DECIDED TO GO AHEAD
 07:34:54 AND VERONICA WILL TALK A LITTLE MORE ABOUT THE LANDSCAPING,
 07:34:59 THE LANDSCAPE ARCHITECT KIND OF DID A STUDY AND ANALYSIS OF
 07:35:03 THE EXISTING TREES AND PINES THAT ARE ON THAT EAST SIDE.
 07:35:09 MOST OF THEM, A LOT OF THEM HAVE ACTUALLY DIED SINCE THIS
 07:35:12 PREVIOUS ZONING.
 07:35:16 THEY ARE VERY CLOSE TO THE BUILDING SO THEY ARE VERY
 07:35:19 DETRIMENTAL FROM LIFE SAFETY AND BUILDING SAFETY STANDPOINT.
 07:35:22 SO WHAT WAS DECIDED IS WE WOULD COME IN, THE ACTUAL ADJACENT
 07:35:27 OWNER WAS ACTUALLY NOT -- DIDN'T LIKE THE TREES.
 07:35:31 DIDN'T LIKE THEM OVERHANGING ON THE PROPERTY.
 07:35:34 THERE WERE SOME OAKS THAT ARE NOT THE PRETTIEST OAKS I'VE
 07:35:40 SEEN.
 07:35:41 MOST OF THEM ARE LEANING OR THE GROWTH IS AWAY FROM OUR
 07:35:43 BUILDING BUT OVER HIS PROPERTY EVEN THOUGH THEY SIT ON OUR

07:35:47 PROPERTY.
 07:35:48 SO IN ALL THE DISCUSSIONS, IT WAS DECIDED THAT -- OR OUR
 07:35:52 PROPOSAL IS TO JUST RELANDSCAPE THAT WHOLE EAST SIDE WITH

 07:35:57 ALL NEW VEGETATION AND DO AN EIGHT-FOOT WALL WHICH WOULD
 07:36:01 ALLOW THE PRUITTS THEN TO HAVE THE WINDOWS BELOW THE WALL.
 07:36:06 WOULD EXTEND A LITTLE ABOVE IT, 8 FEET, THE HEIGHT ABOVE,
 07:36:11 YOU WON'T BE ABLE TO SEE DOWN INTO THE PROPERTY.
 07:36:13 THE ADJOINING NEIGHBOR HAS BEEN TALKED TO WITH THE PRUITTS
 07:36:17 AND I BELIEVE MARY CAME IN AND TALKED WITH YOU AND SAID HE
 07:36:20 WAS HAPPY WITH THIS KIND OF RESOLUTION OF HIM MAINTAINING
 07:36:25 HIS PRIVACY AND OUR ABILITY TO STILL HAVE LIGHT AND GET SOME
 07:36:28 DAYLIGHTING IN, EVEN THOUGH THE SPACE ON OUR SIDE OF THE
 07:36:31 WALL WILL BE FAIRLY NARROW.
 07:36:33 IT WILL BE -- SOMEBODY EQUATED IT TO LIKE YOU GO TO THE
 07:36:37 DENTIST OFFICE AND THEY HAVE THE WINDOW AND A WALL OUT THERE
 07:36:41 TO GIVE YOU SOME PRIVACY, BUT IT'S FOUR FEET AWAY.
 07:36:44 THIS IS GENERALLY NOW FROM THE RESIDENTIAL PROPERTY SHOWING
 07:36:54 THAT SAME ELEVATION WITH THE WALL CONTINUOUS AND NEW PINE
 07:37:00 TREES, NEW UNDERGROWTH.
 07:37:05 HE'S GOING TO DO A LITTLE HEAVIER BUFFER SCHEME HERE TO
 07:37:09 BUFFER THAT EAST SIDE OF THE BUILDING.
 07:37:12 AND WE WENT -- WE'RE PROPOSING A KIND OF WALL THERE THAT
 07:37:15 LOOKS A LITTLE LESS GATED COMMUNITY LOOK FROM THE STANDPOINT
 07:37:23 OF ITS NEXT TO THIS GENTLEMAN'S HOME, SO WE DID SOMETHING A
 07:37:28 LITTLE LOWER SCALE AS FAR AS THE MORE OF A LAP SIDING LOOK
 07:37:34 INSTEAD OF DOING A SOLID BLOCK WALL.
 07:37:37 WE'RE WRAPPING ON THE NORTH SIDE OF THE BUILDING, WE ARE
 07:37:45 BRINGING THE ARCHITECTURAL ELEMENTS AROUND THE CORNERS.

 07:37:49 THERE IS AN EXISTING AWNING THAT THEY WANT TO KEEP ON THE
 07:37:52 BACK OF THE BUILDING.
 07:37:53 WE ARE GOING TO COVER AND STUCCO AND FINISH THE SIDING ON
 07:37:59 THAT SIDE AND PAINT IT TO ALL MATCH THE BUILDING.
 07:38:03 FROM THE NORTH SIDE, WHICH YOU REALLY DON'T GET A VIEW OF,
 07:38:08 WE WOULD STILL HAVE THE KIND OF PEAK FROM THE OLD BUILDING.
 07:38:12 THESE ARE AGAIN THE CHORES I PRESENTED TO YOU.
 07:38:17 WE ARE GOING TO DO AWNINGS OVER AROUND THE PERIMETER, THE
 07:38:24 CORBEL.
 07:38:25 THE CEMENT TILE IS A BLEND.
 07:38:28 THE PICTURE PROBABLY DOES A PRETTY GOOD JOB OF SHOWING HOW
 07:38:31 IT'S GOING TO LOOK.
 07:38:32 I HAVE SAMPLES IF ANYBODY WANTED TO SEE THEM.
 07:38:34 BUT TO SHOW YOU A SAMPLE OF THAT PARTICULAR CEILING WITH A
 07:38:38 SAMPLE, THEY SENT ME SIX DIFFERENT TILES ALL PART OF THE
 07:38:42 SAME COLOR MIX.
 07:38:43 I HAVE FOUR OF THEM HERE IF YOU ACTUALLY WANT TO SEE.
 07:38:49 ANYBODY WANT TO SEE THE TILE OR ALL GOOD?

07:38:51 THEY ARE GOING TO HAVE IN THAT GREENSPACE IN THE FRONT A LOW
 07:39:02 SCALE, ONLY ABOUT SIX FEET HIGH, THEY ARE ACTUALLY NOT SURE
 07:39:06 -- THE PREVIOUS ZONING HAD A MONUMENT SIGN.
 07:39:10 THE PRUITTS AREN'T SURE 100% THAT THEY WANT TO DO IT.
 07:39:15 THEY FEEL PROBABLY THE NAME ON THE BUILDING ITSELF IS
 07:39:18 ADEQUATE.
 07:39:18 BUT KEEPING WITH THE PREVIOUS ZONING, WE WENT AHEAD AND

 07:39:23 REDESIGNED IT TO MATCH THE ARCHITECTURE.
 07:39:27 DUMPSTER ENCLOSURE IS BACK TOWARD THE BACK OF THE BUILDING.
 07:39:32 >>Jim Wallace: THE DUMPSTER ENCLOSURE IS WOOD GATES?
 07:39:35 IS THAT WHAT IT IS?
 07:39:38 >> NO.
 07:39:39 THIS WOULD BE METAL, LIKE A METAL CORRUGATED PANEL FRAME AND
 07:39:43 THEN PAINTED.
 07:39:44 A COUPLE OF THE REQUIREMENTS FOR THE SITE DEVELOPMENT IS
 07:39:50 PROVIDING A BIKE RACK AND A BENCH AND SEATING AREA.
 07:39:57 SO RIGHT UP BY THE FRONT OF THE BUILDING, THERE IS A
 07:40:00 LANDSCAPE AREA.
 07:40:02 EXTENSION OFF OF THE SIDEWALK FOR THE BENCH.
 07:40:05 THE RENDERING AND STUFF FOR PURPOSES OF BEING ABLE TO SEE
 07:40:10 THE BUILDING, WE ACTUALLY DIDN'T SHOW ALL THE LANDSCAPING
 07:40:13 THAT THE LANDSCAPER HAS PLANNED IN THAT FRONT CORNER OF THE
 07:40:16 BUILDING BECAUSE PRETTY MUCH THEN WE WOULDN'T HAVE SEEN THE
 07:40:21 BUILDING.
 07:40:21 NOT IN THIS COLOR, BUT THIS IS THE STYLE FENCE THAT WE'RE
 07:40:30 TALKING ABOUT.
 07:40:30 IT WILL BE DOWN ALONG HIS PROPERTY, A LITTLE MORE
 07:40:34 RESIDENTIAL CHARACTER FOR THE ADJOINING PROPERTY OWNER.
 07:40:37 I WENT AHEAD -- WE HAD DONE THIS GRAPHIC BEFORE BECAUSE WHEN
 07:40:45 WE WERE ASKING FOR THE WINDOWS, WE WERE NOT DOING THE WALL.
 07:40:48 IN THIS CASE, I WENT AHEAD AND JUST AMENDED IT JUST SO THAT
 07:40:52 WE COULD SHOW WE ARE CONSCIOUS OF THE NEIGHBOR AND TRYING TO

 07:40:56 BE A GOOD NEIGHBOR.
 07:40:57 NOW WITH THE 8-FOOT WALL, YOU CAN SEE IF YOU ARE A SIX-FOOT
 07:41:02 TALL PERSON STANDING INSIDE WHERE THE WALL ELEVATION WILL BE
 07:41:05 ABOUT A FOOT BELOW THE FLOOR SLAB, YOU CAN'T EVEN SEE THE
 07:41:10 BUILDING NEXT DOOR.
 07:41:13 SO THERE'S LITTLE POSSIBILITY HE'S GOING TO HAVE TO WORRY.
 07:41:16 AGAIN, HE SHARED THAT HE'S HAPPY WITH THE CHANGES.
 07:41:19 ONE OF THE COMMENTS THAT WAS MADE LAST TIME WITH OUR
 07:41:36 ELEVATIONS, WE HAD DONE COLOR ON THE ELEVATIONS THE LAST
 07:41:39 TIME WE WERE HERE, BUT WE HAD GIVEN NO SHADE OR SHADOW
 07:41:43 REALLY TO THAT ELEVATION.
 07:41:44 SO IT WAS VERY DIFFICULT WITH THE FLAT ELEVATIONS TO GET A
 07:41:47 FEEL FOR THE RELIEF AND DEPTH THAT WAS ON THESE FACADES.
 07:41:53 KIND OF FELT THAT IT WAS HARD TO TELL IT WASN'T ONE FLAT

07:41:57 FACADE.
 07:41:57 ON OUR ELEVATIONS WE HAD TO CHANGE SHADOW AND THEN ALSO A
 07:42:02 RENDERING DONE SO YOU COULD SEE THE DIFFERENT RELIEFS THAT
 07:42:06 OCCUR ALONG THE BUILDING.
 07:42:07 THERE ARE ABOUT THREE DIFFERENT PLANES THAT OCCUR ALONG THE
 07:42:14 FACADES TO BREAK UP THAT DISTANCE.
 07:42:17 THIS IS THE VIEW I WAS TALKING ABOUT WHERE THE BENCH IS.
 07:42:22 THERE ARE LIKE THREE MORE PALMS IN THAT LANDSCAPE AREA
 07:42:26 THERE.
 07:42:27 THIS VIEW ACTUALLY WOULD BE ALL VEGETATED.
 07:42:30 THEY MENTIONED THAT THE DRIVEWAY TO THE WEST HAS BEEN

 07:42:36 REMOVED.
 07:42:38 WE ALSO REMOVED SOME PAVEMENT THAT WAS ON THAT FRONT SIDE.
 07:42:45 TO THE WEST OF THE ENTRY DRIVEWAY THERE IS NOW AN ENLARGED
 07:42:49 LANDSCAPE AREA AND A SIGNIFICANT AMOUNT OF LANDSCAPE IS
 07:42:53 BEING ADDED THERE IN FRONT OF THE BUILDING BETWEEN THE
 07:42:55 STREET AND OUR PARKING AREA.
 07:42:57 AS YOU KNOW FROM BEING THERE, IT DOESN'T EXIST NOW.
 07:43:02 THIS IS THE PRELIMINARY FLOOR PLAN THAT WE'RE PROPOSING.
 07:43:13 THE PRUITTS AND THEIR ACCOUNTING FIRM WOULD BE TAKING UP
 07:43:16 ESSENTIALLY ABOUT HALF OF THE -- LOWER HALF OF THIS PLAN.
 07:43:20 IT WILL BE THEIR OFFICES.
 07:43:21 THE OTHER HALF OF IT WILL BE EITHER FOR -- IT COULD BE ONE
 07:43:26 TENANT OR COULD BE MULTIPLE TENANTS, BUT IT WILL BE OFFICE
 07:43:29 SPACE THAT THEY WILL LEASE OUT.
 07:43:33 ACTUALLY, THEIR HOPE WOULD BE THEY CONTINUE TO GROW AND
 07:43:37 EVENTUALLY TAKE OVER THE WHOLE SPACE.
 07:43:39 THESE ARE JUST -- WE HAD TO PROVIDE THE ARCHITECT
 07:43:49 ELEVATIONS.
 07:43:50 THIS IS JUST --
 07:44:00 QUESTIONS ABOUT THE ARCHITECTURE, THE COLORS?
 07:44:03 VERONICA WILL SHARE MORE ABOUT THE LANDSCAPING.
 07:44:07 >>AI Paivandy: YOU MENTIONED YOU'RE GOING TO KEEP THE
 07:44:10 STRUCTURE OF THE EXISTING BUILDING.
 07:44:13 >> CORRECT.
 07:44:13 >>AI Paivandy: HOW MUCH OF THE STRUCTURE?

 07:44:15 >> THE EXISTING STRUCTURE AND BUILDING FOOTPRINT ALL
 07:44:17 REMAINS.
 07:44:18 WE'LL BE DOING AN EXPANDED FOOTING AROUND THE PERIMETER AND
 07:44:23 ADDING METAL STUDS THAT WILL GO UP ON THE OUTSIDE AND
 07:44:26 BASICALLY COMPLETELY WRAP THAT EXISTING BUILDING AND THEN
 07:44:30 WE'LL SHEATH AND STUCCO.
 07:44:32 >>AI Paivandy: WILL THE METAL LINER REMAIN ON THE BUILDING?
 07:44:35 >> YES.
 07:44:36 >>AI Paivandy: IS IT IN GOOD CONDITION THAT YOU WOULD BE
 07:44:38 ABLE TO DO THAT?

07:44:40 >> PHYSICALLY IN GOOD CONDITION.
 07:44:41 AESTHETICALLY, IT'S FADED.
 07:44:43 IT'S NOT RUSTED.
 07:44:44 EVEN THROUGH IAN, THE PANELS HELD UP, ROOF HELD UP.
 07:44:49 STRUCTURALLY THE BUILDING HAS DONE WELL.
 07:44:54 >>Jim Wallace: YOU'RE KEEPING THE BUILDING FOR ECONOMICS.
 07:44:57 >> YES.
 07:44:59 THE INSIDE IS PRIMARILY EMPTY AS IT IS.
 07:45:02 BEING A POST OFFICE, IT WAS PRETTY MUCH OPEN.
 07:45:05 FEW SPACES, EXISTING SMALL BATHROOMS, BREAK ROOM AND THINGS
 07:45:09 ON THE BACK SIDE.
 07:45:10 >>Jim Wallace: MAKES SENSE FINANCIALLY TO KEEP THE EXISTING
 07:45:12 STRUCTURE.
 07:45:13 MY MINDSET WOULD BE TEAR IT ALL DOWN AND PUT A BUNCH OF
 07:45:17 TRUSSES AND YOU'RE DONE.

 07:45:18 YOU'RE SAYING IT MAKES SENSE TO KEEP THE EXISTING BUILDING.
 07:45:21 >> YEAH.
 07:45:22 WE LOOKED AT IT WITH CONTRACTORS AND THINGS.
 07:45:25 >>Al Paivandy: WHEN WAS THE ORIGINAL BUILDING BUILT?
 07:45:29 >> '83.
 07:45:31 THE EARLY '80s.
 07:45:33 EARLY 1980s.
 07:45:34 >>Al Paivandy: ARE YOU GOING TO BE DOING ANYTHING TO THE
 07:45:37 BUILDING TO WITHSTAND THE NEW WIND LOADS?
 07:45:41 >> WE HAD THE STRUCTURE ENGINEER LOOK AT THE FOUNDATION.
 07:45:44 WE HAD SOME OF THE OLD DRAWINGS OF IT.
 07:45:46 IT APPEARS THAT THE STRUCTURE IS ADEQUATE FOR OUR NEW --
 07:45:49 WITH THE NEW FACADE AND HOW WE CONNECT IT, THAT WILL HAVE TO
 07:45:53 MEET ALL THE WIND LOADS.
 07:45:56 >>Al Paivandy: I NOTICED THERE ARE A LOT OF NEW WINDOWS
 07:46:00 BEING PUT IN.
 07:46:02 >> CORRECT.
 07:46:03 THOSE WILL ALL BE -- THEY WILL BE IMPACT AND INSULATED.
 07:46:07 SO THEY'LL HAVE HIGH ENERGY EFFICIENCY BUT ALSO IMPACT SO
 07:46:11 THEY WON'T HAVE TO GO THROUGH SHUTTERS AND -- ROLL-DOWN
 07:46:16 SHUTTERS OR HURRICANE PANELS.
 07:46:20 >>Al Paivandy: I UNDERSTAND.
 07:46:20 THE REASON I'M ASKING, THE BUILDING WAS BUILT IN THE '80s
 07:46:25 AND WIND LOAD THAT WAS THERE FOR EVERYTHING ABOVE THE
 07:46:28 GROUND, EVEN IF THE FOUNDATION IS GOOD, THE METAL LINER HAS

 07:46:32 HORIZONTAL GIRTS IN IT, CALLED GIRT, I BELIEVE.
 07:46:40 WORK WITH THE GIRTS AND CUT THE WINDOWS OUT AND MEET THE NEW
 07:46:44 WIND LOAD, I DON'T KNOW IF HE WOULD BE RIGHT.
 07:46:48 >> THE WINDOWS ACTUALLY WILL NOT BE INSTALLED INTO -- WE'LL
 07:46:54 PROBABLY HAVE TO ADJUST SOME OF THE GIRTS.
 07:46:57 THAT IS CORRECT.

07:46:58 THE WINDOWS THEMSELVES WOULD BE INSTALLED INTO OUR METAL
 07:47:01 STRUCTURE THAT WE'RE ADDING.
 07:47:03 THE LOAD, THOUGH, IN TALKING WITH THE ENGINEER WILL BE
 07:47:07 TRANSFERRED TO THOSE GIRTS AND THEN INTO THE STEEL BUILDING
 07:47:11 FRAME.
 07:47:12 THE STRUCTURAL ENGINEER WE'RE USING HAS DONE A LOT OF METAL
 07:47:16 BUILDINGS AND RENOVATIONS.
 07:47:17 LOOKING AT THE FOUNDATION PLAN THAT WE HAVE, HE FEELS THAT
 07:47:20 WE CAN COMFORTABLY ADDRESS THE WIND LOADS.
 07:47:25 IT IS SOMETHING WE ARE PREPARED TO DEAL WITH.
 07:47:27 >>Al Paivandy: I UNDERSTAND.
 07:47:29 I WON'T QUESTION YOU IN THAT REGARD.
 07:47:31 JUST BE AWARE WITH THE ON TOP AND GIRTS IN THE MIDDLE, IF
 07:47:35 YOU TRANSFER THE LOAD, THE ORIGINAL BUILDING CAN'T STAND IT,
 07:47:39 HAVE TO ADD STRUCTURAL ELEMENTS WITH CHANGING THE GIRTS AND
 07:47:45 CUTTING THEM UP BECAUSE IT IS A PREENGINEERED METAL
 07:47:48 BUILDING, HE WILL HAVE SOME FUN IN ADDITION TO A LOT OF THE
 07:47:53 CONSTRUCTION THAT NEEDS TO BE DONE.
 07:47:55 >> RIGHT.

 07:47:57 >>Al Paivandy: WITH WHAT YOU'RE ADDING -- 8, 9, 10 INCHES
 07:48:05 THICK WITH THE EXISTING TAPERED COLUMNS BECAUSE THEY ARE
 07:48:11 PROTRUDING INTO EVERY ONE OF THE ROOMS.
 07:48:14 >> RIGHT.
 07:48:14 THE EXISTING COLUMNS ARE TAPERED.
 07:48:16 ACTUALLY, I TAKE THAT BACK.
 07:48:19 I THINK THE CURRENT ONES ARE STRAIGHT COLUMNS BUT
 07:48:21 PREENGINEERED.
 07:48:23 THEY DO PROJECT INTO THE ROOMS.
 07:48:25 >>Al Paivandy: THEY WOULD BE TAPERED IF THEY ARE PROJECTING
 07:48:28 TO THE ROOMS.
 07:48:29 METAL BUILDING I -- I USED TO WORK FOR A METAL BUILDING.
 07:48:35 THEY ARE EIGHT INCH BY 8-INCH COLUMN.
 07:48:37 TAPERED TWO AND A HALF FEET ON TOP.
 07:48:39 THE ONLY REASON I'M BRINGING ALL THAT TO YOU, IF YOU LOOK AT
 07:48:43 THE COST OF UNDOING THE WIND LOAD OF EXISTING BUILDING TO
 07:48:47 TRANSFER IT ELSEWHERE, YOU MAY WANT TO LOOK AT THE COST ONE
 07:48:52 MORE TIME.
 07:48:53 THAT'S JUST A SUGGESTION FOR YOU.
 07:48:56 NOTHING TO DO WITH ANYTHING ELSE.
 07:48:58 IF YOU'RE GOING TO PUT THAT MUCH METAL STRUCTURE ON THE
 07:49:01 OUTSIDE AND CONNECT IT TO THE EXISTING AND DEPENDING ON WHAT
 07:49:07 THE BUILDING WAS BUILT FOR AND HOW MANY GIRTS YOU HAVE IN
 07:49:11 IT, YOU MAY HAVE MORE PROBLEMS.
 07:49:15 >>Jim Wallace: I BROUGHT THAT UP THE LAST TIME THEY

 07:49:17 PRESENTED HERE.
 07:49:18 >>Al Paivandy: I UNDERSTAND.

07:49:19 I JUST HAPPENED TO HAVE DONE A LOT OF THEM.
 07:49:23 >> THANK YOU.
 07:49:30 >>Jim Wallace: RULE OF REMODEL, TAKE YOUR COST AND ADD 20%
 07:49:33 AND PROBABLY SHORT.
 07:49:39 >>Al Paivandy: NOT THE BEST OF THE BENEFIT UNLESS THE
 07:49:41 CONTRACTOR WORKS FOR YOU.
 07:49:44 [INAUDIBLE]
 07:49:47 WHICH IS NICE FOR THEM.
 07:50:03 >>Veronica Martin: BEFORE I GET STARTED WITH THE LANDSCAPE
 07:50:06 PLANS, MAY I ADDRESS MR. WALLACE DIRECTLY, PLEASE?
 07:50:11 >>Anthony Gargano: SURE.
 07:50:12 >>Veronica Martin: MR. WALLACE, I DIDN'T MEAN TO BE SO
 07:50:15 INFLEXIBLE REGARDING THE PARKING SITUATION --
 07:50:22 >>Jim Wallace: NO, NO.
 07:50:23 JUST THROW OUT AN IDEA.
 07:50:24 >>Veronica Martin: I WANTED TO KIND OF EXPLAIN.
 07:50:27 MY MOTHER HAS MOBILITY ISSUES AND SHE JUST SPENT TWO MONTHS
 07:50:33 WITH ME.
 07:50:34 SO I'M VERY, VERY FIERCE WHEN IT COMES TO ADA COMPLIANCE AND
 07:50:39 THAT KIND OF CAME ACROSS IN MY RESPONSE TO YOU.
 07:50:43 I APOLOGIZE FOR THAT.
 07:50:44 >>Jim Wallace: NO, NOT AT ALL.
 07:50:49 >>Veronica Martin: AGAIN, I'M HERE ON BEHALF OF THE

 07:50:51 LANDSCAPE ARCHITECT TO DISCUSS THE LANDSCAPE PLANS.
 07:50:57 THE REVISED LANDSCAPE PLAN SHOWS THE NEW BUFFER ALONG THE
 07:51:00 EAST PROPERTY LINE WITH THE EIGHT-FOOT HIGH WALL THAT WILL
 07:51:05 BE THE ENTIRE LENGTH OF THE PROPERTY.
 07:51:09 IN ADDITION, THE GENERAL TREES HAVE BEEN RELOCATED TO THE
 07:51:13 NEW OPEN SPACE AREA BETWEEN THE DETENTION AREA TO THE
 07:51:18 NORTHWEST OF THIS SITE AND THE SEPTIC DRAIN FIELD TO THE
 07:51:24 NORTHEAST AREA OF THE SITE.
 07:51:25 THE BUFFER REQUIREMENTS FOR THIS SITE INCLUDE A
 07:51:31 FIVE-FOOT-WIDE TYPE A BUFFER ALONG THE NORTH PROPERTY LINE,
 07:51:35 WHICH IS FOUR TREES PER 100 LINEAR FEET.
 07:51:39 A 20-FOOT WIDE TYPE D BUFFER ALONG THE SOUTH PROPERTY LINE,
 07:51:46 WHICH IS FIVE TREES PER 100 LINEAR FEET AND A DOUBLE
 07:51:49 STAGGERED HEDGEROW.
 07:51:51 AND LIKE DAVID SAID, WE DID HAVE TO REMOVE ASPHALT AT THAT
 07:51:56 LOCATION TO BE ABLE TO PROVIDE THAT 20-FOOT WIDE BUFFER.
 07:51:59 THE WEST PROPERTY LINE, AGAIN, IS A FIVE-FOOT WIDE TYPE A
 07:52:05 BUFFER FOR TREES PER 100 LINEAR FEET.
 07:52:09 EAST BUFFER ASKED FOR DEVIATION TO PERMIT A 14.5-FOOT WIDE
 07:52:14 TYPE C BUFFER.
 07:52:16 THE VEGETATION REQUIRED IS 10 TREES AND 30 SHRUBS PER 100
 07:52:21 LINEAR FEET PLUS AN 8-FOOT HIGH BUFFER WALL.
 07:52:25 THIS IS THE COLOR RENDERED LANDSCAPE PLAN AND PLANT
 07:52:35 SCHEDULE.

07:52:35 IT GIVES YOU A BETTER IDEA OF WHAT THE BUILDING ASPHALT AND

07:52:39 OPEN SPACE VEGETATIVE AREAS LOOK LIKE.

07:52:42 THE PLANT SCHEDULE GIVES YOU THE NUMBER OF TREES AND

07:52:45 PROPOSED SHRUBS FOR THIS SITE.

07:52:48 THERE ARE 74 CANOPY TREES PROPOSED PLUS THE EXISTING --

07:52:54 THREE EXISTING WEST INDIAN MAHOGANY TREES TO BE PRESERVED

07:52:58 ON-SITE AND 494 SHRUBS ARE PROPOSED PLUS CLIMBING VINES AND

07:53:07 SOD.

07:53:08 THE NEXT SLIDE BASICALLY SHOWS THE PLANT LIST IN GRAPHIC

07:53:17 REPRESENTATION OF THE TREES, SHRUBS, GRASSES, AND VINES

07:53:21 PROPOSED.

07:53:21 THIS IS THE EXISTING TREE EXHIBIT AND OPEN SPACE DIAGRAM.

07:53:30 THE LANDSCAPE ARCHITECT DID UPDATE THE EXISTING TREE EXHIBIT

07:53:34 AFTER HURRICANE IAN.

07:53:36 ONLY THREE OF THE EXISTING TREES, THE WEST INDIAN MAHOGANY

07:53:42 ARE IN GOOD ENOUGH CONDITION TO BE PRESERVED ON-SITE.

07:53:45 THE OTHER TREES EITHER HAVE BEEN OVER-PRUNED OR ARE IN SUCH

07:53:51 POOR CONDITION THAT THEY NEED TO BE REMOVED AND REPLACED

07:53:54 WITH HEALTHY SPECIES.

07:53:56 WITH THE REMOVAL OF THE ASPHALT ALONG THE NORTH PROPERTY

07:54:01 LINE, THE OPEN SPACE FOR THE DEVELOPMENT HAS INCREASED, AND

07:54:06 IT DOES EXCEED THE MINIMUM 20% OPEN SPACE REQUIREMENT.

07:54:11 WE'RE AT ALMOST 40% WITH THAT REMOVAL.

07:54:13 THE LANDSCAPE ELEVATIONS ARE CONCEPTUAL DRAWINGS OF WHAT

07:54:22 EACH ELEVATION WOULD LOOK LIKE ONCE THE TREES HAVE MATURED.

07:54:25 THE NORTH, SOUTH, AND WEST BUFFERS ARE CODE COMPLIANT.

07:54:30 THE SOUTH PROPERTY LINE IS WHAT MOST PEOPLE WILL SEE WHEN

07:54:34 THEY ARE DRIVING BY THIS SITE.

07:54:36 THE EAST ELEVATION IS WHERE WE HAVE MADE THE MOST

07:54:38 IMPROVEMENTS.

07:54:40 WE DID COORDINATE WITH THE ABUTTING PROPERTY OWNER TO

07:54:43 PROVIDE A PLAN THAT DOES COMPLY WITH THE LAND DEVELOPMENT

07:54:47 CODE TO THE MAXIMUM EXTENT POSSIBLE AND ALSO GIVES MR. NOBLE

07:54:51 THE SCREENING AND PRIVACY THAT HE WANTS AND DESERVES.

07:54:54 THE APPLICANT IS PROPOSING AN EIGHT-FOOT HIGH SOLID OPAQUE

07:54:59 WALL TO BE LOCATED AT TEN FEET FROM THE EAST PROPERTY LINE.

07:55:02 ALL BUFFER VEGETATION WILL BE LOCATED ON THE RESIDENTIAL

07:55:07 SIDE OF THE WALL.

07:55:08 A TOTAL OF 31 CANOPY TREES AND 93 SHRUBS ARE PROPOSED WITHIN

07:55:13 THE BUFFER, INCLUDING THE SOUTHERN SLASH PINE, DAHOON HOLLY

07:55:19 AND SILVER SAW PALMETTO.

07:55:21 THE SLASH PINES ARE TALL AND FULL CANOPY TREES WHEREAS THE

07:55:27 DAHOON HOLLY ARE MORE OF A MID-STORY TREE THAT IS MORE

07:55:30 CONICAL IN SHAPE.

07:55:32 AND THE SILVER SAW PALMETTO CREATES A VERY DENSE UNDERSTORY.

07:55:35 ALL ARE NATIVE SPECIES AND CAN BE EASILY MAINTAINED.

07:55:42 THAT DOES COMPLETE OUR PRESENTATION THIS EVENING, AND WE CAN
 07:55:45 ANSWER ANY ADDITIONAL QUESTIONS YOU MAY HAVE.
 07:55:52 >>Anthony Gargano: ANY OTHER COMMENTS OR QUESTIONS BY
 07:55:54 MEMBERS OF THE BOARD?
 07:55:58 >>Kristin Jeannin: PRETTY IMPRESSIVE AMOUNT OF VEGETATION.

07:56:01 >>Veronica Martin: YES.
 07:56:02 WE WERE VERY HAPPY TO BE ABLE TO REMOVE SOME OF THE ASPHALT
 07:56:05 BECAUSE PREVIOUSLY ALL THOSE GENERAL TREES WERE LOCATED NEAR
 07:56:09 THE DETENTION AREA AND THEY WERE ALL CYPRESS TREES.
 07:56:17 >>James Tatooles: THE ONLY COMMENT I HAVE IS HOW HARD IT HAS
 07:56:23 TO BE TO MAKE IT ECONOMICALLY VIABLE.
 07:56:27 >>Veronica Martin: I HAVE BEEN WITH THIS PROJECT SINCE 2019,
 07:56:31 SO I'M ACTUALLY VERY INVESTED IN SEEING THIS BUILT AND
 07:56:36 COMPLETED.
 07:56:37 SO I'M HOPING THAT -- AND I'M VERY THRILLED THAT THE PRUITTS
 07:56:41 HAVE BOUGHT THIS BUILDING AND INTEND TO OCCUPY THE SPACE.
 07:56:46 AND I HOPE IT MOVES FORWARD.
 07:56:52 >>Jim Wallace: THE ONLY COMMENT I HAVE IS I FIND THE COLOR
 07:56:55 IS A LITTLE YELLOW, LITTLE SUNLIGHT YELLOW.
 07:57:00 MAYBE IT WAS INTENDED TO BE.
 07:57:01 IT'S NOT REALLY SOFT.
 07:57:05 >>Kristin Jeannin: IT'S VIBRANT.
 07:57:07 >>Jim Wallace: MAYBE THAT'S WHAT YOU WANT.
 07:57:09 >>Kristin Jeannin: I WAS TRYING TO SIT HERE AND DECIDE IF I
 07:57:11 WAS OPPOSED TO IT OR NOT.
 07:57:13 >>Veronica Martin: SO FUNNY BECAUSE WHEN WE WERE HERE FOR
 07:57:15 THE P.I.M., I BELIEVE IT WAS MIKE SHEELEY WHO SAID THE
 07:57:18 COLORS WERE DULL.
 07:57:22 >>Kristin Jeannin: I THINK YOU MIGHT HAVE GONE A LITTLE TOO
 07:57:24 -- I CAN'T REALLY SAY I'M OPPOSED TO IT EITHER.

07:57:27 KIND OF MORE LIKE SOME OF THE OTHER COMMENTS, LIKE IT IS A
 07:57:30 LITTLE CAUTIONARY.
 07:57:31 ARE YOU SURE THIS IS WHAT YOU WANT?
 07:57:35 >>Veronica Martin: AS YOU KNOW, IN THE FLORIDA SUN, THE
 07:57:38 COLORS WILL FADE.
 07:57:39 >>Kristin Jeannin: THIS IS ONE OF THE RARE CASES, TOO, WHERE
 07:57:42 I FEEL LIKE YOUR RENDERINGS LOOK BETTER THAN THE ACTUAL
 07:57:45 COLORS WE'RE SEEING IN FRONT OF US.
 07:57:47 >>Jim Wallace: THEY ARE CREAMIER.
 07:57:49 >>Kristin Jeannin: THAT'S MY OPINION.
 07:57:52 >>James Tatooles: I HAVE TO GO ALONG WITH YOU.
 07:57:54 I THINK A BROWN BUILDING IS NOT REALLY APPEALING TO ME.
 07:58:00 >>Al Paivandy: IS THAT A RAMP ON THE BACK SIDE OF THE
 07:58:08 BUILDING?
 07:58:09 >>Veronica Martin: THERE WAS A LOADING DOCK ON THE BACK SIDE
 07:58:12 AND THEY ARE GOING TO CONVERT IT INTO A PATIO FOR THE

07:58:16 EMPLOYEES.
 07:58:16 >>Al Paivandy: THERE APPEARS TO BE A WALKWAY OR A RAMP WITH
 07:58:20 HANDRAIL ON BOTH SIDES?
 07:58:28 >>Mary Gibbs: YOU HAVE TO COME BACK UP, DAVID.
 07:58:34 >> YOU'RE CORRECT.
 07:58:35 BASICALLY PART OF THE ACCESSIBILITY REQUIREMENTS, ALL THE
 07:58:39 REQUIRED MEANS OF EGRESS OF THE BUILDING HAVE TO BE
 07:58:41 ACCESSIBLE.
 07:58:42 SO WE HAVE, WHEN YOU COME OUT THE FRONT OF THE BUILDING, OUR

 07:58:46 SIDEWALK, THE GRADE IS HIGHER IN THAT AREA.
 07:58:48 WHEN YOU GO OUT THE BACK WHERE THE PATIO AREA IS, IT IS
 07:58:51 ACTUALLY ELEVATED ABOUT 12 INCHES OR SO ABOVE THE ACTUAL
 07:58:56 PAVEMENT.
 07:58:57 SO WE'RE HAVING A HANDICAP RAMP WITH HANDRAILS SO WHEN YOU
 07:59:00 GO OUT THE BACK DOOR, YOU CAN GET DOWN TO THE PARKING LOT
 07:59:03 LEVEL.
 07:59:05 >>Al Paivandy: I DIDN'T SEE ANY STEPS SO I ASSUME EVERYBODY
 07:59:07 WILL HAVE TO USE THE RAMP.
 07:59:10 >> THAT'S CORRECT THE WAY WE HAVE IT SET UP, YES.
 07:59:12 >>Jim Wallace: WHAT IS WITH THE FIRE LANE?
 07:59:14 WHAT IS THAT?
 07:59:15 ON THE CIVIL DRAWING I SAW FIRE LANE.
 07:59:21 NO PARKING, NO VEGETATION.
 07:59:23 I WAS TRYING TO UNDERSTAND WHAT IT IS.
 07:59:24 >>Veronica Martin: LET ME GO BACK TO -- SO WHEN WE WENT
 07:59:30 THROUGH THE ORIGINAL PLAN DEVELOPMENT AND DEVELOPMENT ORDER
 07:59:36 FOR THIS SITE, WE HAD TO PROVIDE A T TURNAROUND FOR FIRE
 07:59:41 TRUCK ACCESS.
 07:59:42 SO THAT'S WHAT YOU'RE SEEING.
 07:59:43 A FIRE TRUCK CAN ENTER THE SITE, MAKE A T TURN AROUND AND
 07:59:49 EXIT IN A FORWARD MANNER.
 07:59:53 >>Jim Wallace: GOT IT.
 07:59:54 UNDERSTAND.
 07:59:54 >>Anthony Gargano: DO WE HAVE ANY COMMENTS IN THE PUBLIC

 07:59:57 PORTION?
 07:59:59 >>Mary Gibbs: WE HAVE NO E-COMMENTS.
 08:00:00 AS VERONICA SAID, THERE'S ONLY ONE NEIGHBOR NEARBY.
 08:00:03 I REACHED OUT TO HIM AFTER SHE DID TO MAKE SURE HE WAS OKAY
 08:00:07 WITH WHAT THEY WERE DOING AND HE WAS.
 08:00:09 HE DOESN'T USUALLY COME TO THE MEETINGS BECAUSE HE'S KIND OF
 08:00:12 HARD OF HEARING.
 08:00:16 >>Anthony Gargano: WE'LL CLOSE THE PUBLIC PORTION.
 08:00:18 NOW WE'RE BACK TO THE BOARD.
 08:00:22 >>Dan Williams: A LONG AGENDA TONIGHT AND I APOLOGIZE.
 08:00:25 I GOT THIS CONFUSED WITH ANOTHER PROJECT.
 08:00:27 BUT ORIGINALLY YOU'RE GOING TO BE ON SEPTIC BUT THEN HOOK UP

08:00:31 TO SEWER LATER?
 08:00:32 IS MY MEMORY CORRECT OR INCORRECT?
 08:00:34 >>Mary Gibbs: CAN I EXPLAIN THAT, I THINK.
 08:00:36 THEY HAVE A SEPTIC TANK, AND WHEN THIS CAME TO ZONING THE
 08:00:41 FIRST TIME, WE PUT A CONDITION IN THAT SAID THEY NEED TO
 08:00:45 HOOK UP TO SEWER AS SOON AS AVAILABLE.
 08:00:47 THERE'S NO CONNECTION CLOSE ENOUGH.
 08:00:49 IN THE MEANTIME, HOWEVER, THE VILLAGE IS DOING SOME SEPTIC
 08:00:54 TO SEWER PROJECTS AND THIS IS IN ONE OF THE AREAS THAT THERE
 08:00:58 WILL BE SEWER.
 08:00:59 BUT PROBABLY WON'T BE FOR TWO TO THREE YEARS.
 08:01:04 WE HAVE IN THE APPROVAL THAT SAID AS SOON AS THAT'S
 08:01:07 AVAILABLE THEY'LL HAVE TO HOOK UP.

 08:01:08 IN THE MEANTIME, THEY CAN USE THE SEPTIC TANK AND THEY MAY
 08:01:11 HAVE TO CHECK AND MAKE SURE IT'S FUNCTIONING.
 08:01:15 BUT THEY ARE PROBABLY FROM THEIR OFFICE FLOW IT'S NOT REALLY
 08:01:19 THAT MUCH.
 08:01:21 IF THEY WERE DOING A RESTAURANT OR SOMETHING, THAT WOULD BE
 08:01:23 A DIFFERENT STORY.
 08:01:24 HAVE THAT COVERED BY THE CONDITION.
 08:01:29 >>Anthony Gargano: JIM, ANYTHING ELSE?
 08:01:32 >>Scotty Wood: THIS IS SCOTTY.
 08:01:33 I HAVE SOMETHING ELSE.
 08:01:34 I WANT TO DROP BACK FROM THE FOREST AND THE TREES AND LOOK
 08:01:44 BACK AT THE BIG PICTURE.
 08:01:46 AND TO DO THAT, I WOULD ASK THAT THE APPLICANT PUT UP THE
 08:01:51 VERY FIRST SLIDE THAT SHOWS THE OLD BUILDING AND THE
 08:01:56 PROPOSED BUILDING.
 08:01:57 THERE IT IS.
 08:02:12 THANK YOU.
 08:02:12 I JUST WANT TO MAKE AN OBSERVATION THAT WE ARE TAKING A VERY
 08:02:21 UGLY STRUCTURE THAT IS AS FAR AWAY FROM ESTERO'S
 08:02:28 ARCHITECTURE AND DESIGN GUIDELINES AS YOU CAN THINK OF AND
 08:02:31 REPLACING IT WITH SOMETHING THAT IS ESSENTIALLY COMPLIANT.
 08:02:37 BUT I HAVE A QUESTION FOR NANCY, IF SHE'S THERE.
 08:02:42 NANCY, I'M CONCERNED THAT WHILE I SUPPORT THIS PROJECT
 08:02:48 PHILOSOPHICALLY, THE QUESTION IS, WITH ALL OF THE DEVIATIONS
 08:02:54 THAT WE ARE -- THAT THE APPLICANT IS PROPOSING, ARE WE IN

 08:03:00 ANY KIND OF TROUBLE?
 08:03:01 REMEMBERING THAT THE FEDERAL GOVERNMENT IS EXEMPT FROM MANY
 08:03:06 OF THESE LOCAL REGULATIONS.
 08:03:08 THAT'S MY QUESTION.
 08:03:15 >>Nancy Stroud: SCOTTY, I DON'T BELIEVE THAT WE ARE IN
 08:03:17 TROUBLE.
 08:03:18 THE DEVIATIONS ARE RELATIVELY MINOR.
 08:03:21 AND THERE'S NO LIMIT OF DEVIATIONS IN OUR CODE.

08:03:27 SO THE DEVIATIONS NEED TO IMPROVE THE PROJECT, AND I THINK
 08:03:34 THAT'S WITHIN THE REASONABLE DECISION MAKING OF THE BOARD.
 08:03:39 >>Mary Gibbs: MAY I ADD ON TO THAT, TOO, SCOTTY?
 08:03:42 THE DEVIATIONS ARE NEEDED BECAUSE THE POST OFFICE DIDN'T
 08:03:47 MEET THE SETBACKS, SO THEY JUST DON'T COMPLY.
 08:03:52 SO THESE DEVIATIONS ARE NEEDED.
 08:03:54 THERE ARE ONLY SIX THAT WERE PREVIOUSLY APPROVED.
 08:03:57 WE'VE HAD PROJECTS BEFORE THAT ACTUALLY REQUESTED 19
 08:04:00 DEVIATIONS.
 08:04:01 AND THOSE HAVE BEEN APPROVED TOO.
 08:04:03 SO I THINK THE 6 IS A PRETTY REASONABLE NUMBER.
 08:04:08 I DON'T REALLY HAVE ANY ISSUES WITH ANY OF THE DEVIATIONS.
 08:04:11 >>Scotty Wood: THANK YOU.
 08:04:18 >>Anthony Gargano: OKAY.
 08:04:18 >>Mary Gibbs: MAY I MAKE A COMMENT, THOUGH?
 08:04:21 I HEARD A COUPLE OF YOU TALKING ABOUT THE COLORS, NOT TO
 08:04:25 OPEN A SORE SUBJECT.

 08:04:27 I THINK WHEN IT CAME TO THE PUBLIC INFORMATION MEETING
 08:04:30 BEFORE THERE WERE SOME COMMENTS MADE THAT THE BUILDING
 08:04:33 LOOKED A LITTLE BIT BLAND BECAUSE IT WAS A LITTLE
 08:04:35 MONOCHROMATIC.
 08:04:37 NOW THEY SPICED IT UP AND MADE IT TOO YELLOWY, IF SOME OF
 08:04:40 YOU THINK THAT THE COLORS NEED TO BE TONED DOWN.
 08:04:44 I DON'T KNOW IF ALL OF YOU DO, BUT IF YOU THINK THE COLOR
 08:04:47 SHOULD BE TONED DOWN, YOU MAY WANT TO ADD THAT INTO A
 08:04:50 RECOMMENDATION BECAUSE THIS WILL GO TO COUNCIL.
 08:04:54 THIS ISN'T DECIDED HERE TONIGHT.
 08:04:56 >>Jim Wallace: THIS IS A ZONING MEETING, NOT D.O.
 08:04:59 >>Mary Gibbs: YES, BUT THE PATTERN BOOK IS ADOPTED AS PART
 08:05:02 OF THE ZONING AND THE COLORS ARE IN THE PATTERN BOOK.
 08:05:06 >>Jim Wallace: I THINK THE COLORS IN THE VISUALS ARE GREAT.
 08:05:10 I FIND THE ACTUAL COLORS THAT I SAW --
 08:05:16 >>Kristin Jeannin: THEY ARE VERY DIFFERENT ON OUR SCREEN.
 08:05:17 >>Jim Wallace: WHAT I LOOK AT HERE, IT IS WARM AND VERY
 08:05:20 ACCEPTABLE.
 08:05:21 WHEN I SEE THE ACTUAL COLOR SAMPLES, I GO, WHOA.
 08:05:27 >>Mary Gibbs: JUST DEPENDS ON WHAT THE MAJORITY OF YOU WANT
 08:05:29 TO DO.
 08:05:30 IF YOU DO WANT THEM TO RELOOK AT AND MAKE IT MORE LIKE THE
 08:05:34 RENDERING, I THINK THEY HAVE TIME TO DO THAT BEFORE IT GOES
 08:05:37 TO COUNCIL, UNLESS THEY ARE TOTALLY INVESTED IN THE COLORS.
 08:05:48 >> ACTUALLY, YOU CAN SEE THE PRUITTS ALL GOING --

 08:05:54 UNFORTUNATELY HE'S NOT HERE TO DEFEND HIMSELF.
 08:05:56 I'LL PICK ON MIKE.
 08:05:57 I EVEN ACTUALLY ASKED MIKE AFTER THE MEETING, WHAT COLORS DO
 08:06:01 YOU THINK?

08:06:01 HE GOES, BECAUSE MIKE ACTUALLY HAD DONE THE PREVIOUS -- HE
 08:06:05 WAS THE ARCHITECT FOR THE PREVIOUS TIME THIS CAME BEFORE
 08:06:08 YOU.
 08:06:08 HE GOES, LOOK AT THE COLORS I USED.
 08:06:11 THEY WOULDN'T LET ME DO THE ORANGES THAT HE HAD ON HIS.
 08:06:16 NO LIME GREEN.
 08:06:19 BUT MY ONLY QUESTION IS, I HEAR WHAT YOU'RE SAYING.
 08:06:24 I THINK THAT PRETTY MUCH THE DARKER COLOR AND THE LIGHT
 08:06:26 COLOR ON THERE, I DON'T THINK THOSE ARE THE ONES YOU HAVE
 08:06:30 ANY ISSUE WITH.
 08:06:32 >>Kristin Jeannin: I DON'T LOVE THIS EITHER.
 08:06:35 I THINK THAT THE RECOMMENDATION I WOULD MAKE IS TO TRY TO
 08:06:40 GET WHAT WE'RE SEEING ON THE SCREENS AND NOT THIS.
 08:06:44 >>Al Paivandy: ON THE SCREEN THE CONTRAST BETWEEN YOUR
 08:06:47 COLORS IS A LOT MORE THAN WHAT IS HERE.
 08:06:50 MY APOLOGY, BUT THIS IS I THINK UGLY COMES TO MIND.
 08:06:56 >>Mary Gibbs: THE EXISTING BUILDING IS UGLY.
 08:06:58 THE EXISTING BUILDING IS UGLY.
 08:07:01 THAT IS UNANIMOUS.
 08:07:02 >>Al Paivandy: IF YOU LOOK AT THE BUILDING, YOU SEE ALL THE
 08:07:04 TRIM THAT PUT IN BROWN.

 08:07:06 IF IT'S GOING TO BE THIS COLOR, IT JUST WOULD NOT DO.
 08:07:12 >> WE CAN COME BACK.
 08:07:13 THEY ARE MORE THAN OPEN TO DO THAT.
 08:07:17 THEY EVEN COMMENTED THEY ACTUALLY, LIKE YOU, LIKE THE
 08:07:20 RENDERING COLORS BETTER.
 08:07:22 >>Al Paivandy: WE ALL LIKE THE RENDERING OBVIOUSLY BETTER.
 08:07:25 WHO BROUGHT THESE?
 08:07:28 >> IT'S MY FAULT.
 08:07:32 >>Mary Gibbs: IT WAS MIKE'S FAULT.
 08:07:37 >>Nancy Stroud: THERE'S BROAD AGREEMENT, YOU HAVE MADE A
 08:07:41 MOTION TO ACCEPT STAFF RECOMMENDATION BUT INCLUDING A
 08:07:46 RECOMMENDATION THAT THE COLOR PALETTE BE MORE SIMILAR TO THE
 08:07:53 RENDERING THAN THE SAMPLES, THAT WOULD DO IT.
 08:08:01 >>Mary Gibbs: WHAT I THINK WOULD HAPPEN NEXT IS THIS GOES TO
 08:08:04 COUNCIL FOR THEIR FINAL DECISION.
 08:08:07 BUT REMEMBER, THE DEVELOPMENT ORDER STILL HAS TO COME BACK
 08:08:11 TO YOU ALL.
 08:08:11 THE DEVELOPMENT ORDER WILL HAVE THE ARCHITECTURAL ELEVATIONS
 08:08:14 SO YOU'LL SEE IT AGAIN.
 08:08:16 >>Al Paivandy: THE LIGHTER COLOR IN THE BACKGROUND WOULD
 08:08:18 REALLY ACCENTUATE THE NICE GREENERY YOU HAVE PUT AROUND THE
 08:08:23 PLACE.
 08:08:23 I THINK IT WOULD BE QUITE NICE IN THAT AREA.
 08:08:34 >>Anthony Gargano: OKAY.
 08:08:36 HOW DO WE PUT THAT IN THE FORM OF A MOTION?

08:08:41 >>Mary Gibbs: I THINK NANCY JUST SAID IT BETTER.
 08:08:44 >>Nancy Stroud: I SUGGEST THAT THE MOTION BE TO APPROVE THE
 08:08:48 STAFF RECOMMENDATION WITH ADDITIONAL RECOMMENDATION THAT THE
 08:08:56 COLOR PALETTE BE SIMILAR TO THE RENDERING --
 08:09:08 >>Jim Wallace: THE BROWN NEEDS TO BE DARKER AND THE --
 08:09:11 >>Nancy Stroud: YOU DON'T NEED TO GO INTO THAT DETAIL, BUT
 08:09:14 MAKE IT SIMILAR TO THE RENDERING.
 08:09:18 >>Kristin Jeannin: SO MOVED.
 08:09:20 >> SECOND.
 08:09:22 >>Anthony Gargano: WE HAVE A MOTION.
 08:09:28 ANY DISCUSSION ON THE MOTION?
 08:09:30 OKAY.
 08:09:32 CAN WE HAVE A ROLL CALL VOTE, TAMMY, PLEASE?
 08:09:37 >>Kristin Jeannin: YES.
 08:09:41 >>Al Paivandy: YES.
 08:09:44 >>James Tatooles: YES.
 08:09:46 >>Jim Wallace: YES.
 08:09:47 >>Dan Williams: YES.
 08:09:49 >>Scotty Wood: YES.
 08:09:59 >>Anthony Gargano: YES.
 08:10:00 THANK YOU.
 08:10:10 >>Tammy Duran: MARY, I JUST HAVE TO SAY SOMETHING.
 08:10:13 WAIT, BEFORE YOU GUYS ADJOURN --
 08:10:23 >>Mary Gibbs: WAIT, WAIT.
 08:10:24 >>Tammy Duran: BEFORE YOU ADJOURN, CAROL WANTED ME TO REMIND

 08:10:28 EVERYBODY THAT YOUR FORMS ARE DUE JULY 1st AND WE CAN'T
 08:10:31 TAKE THE PAPER APPLICATION.
 08:10:32 IT HAS TO BE DONE ONLINE.
 08:10:34 SO IF YOU'RE HAVING ANY ISSUES FILING YOUR FINANCIAL
 08:10:36 STATEMENTS, YOU CAN CALL HER AND SHE'LL WALK YOU THROUGH IT.
 08:10:40 BUT WE CAN'T ACCEPT IT ANYMORE.
 08:10:42 IT HAS TO GO THROUGH ONLINE.
 08:10:48 >> FINANCIAL DISCLOSURES.
 08:10:51 >>Anthony Gargano: NOW I'LL ENTERTAIN THAT MOTION.
 08:10:56 >>Mary Gibbs: WAIT, WAIT.
 08:10:57 NOT SO FAST.
 08:10:58 QUICK QUESTION.
 08:11:01 WE'RE LOOKING AT THE AGENDAS COMING UP FOR SUMMER.
 08:11:04 SO WE'RE WONDERING IF ANYBODY HAS ANY PLANNED VACATIONS
 08:11:07 WHERE THEY MIGHT MISS THE NEXT MEETING.
 08:11:09 WE HAVE A MEETING JUNE 11, JULY 9, AND AUGUST 13.
 08:11:13 IS ANYBODY PLANNING TO BE GONE?
 08:11:18 JUNE 11, JULY 9, AUGUST 13.
 08:11:23 >>Jim Wallace: I'M GONE IN AUGUST.
 08:11:24 I'M GONE NEXT WEEK.
 08:11:28 >>Mary Gibbs: I DON'T CARE ABOUT NEXT WEEK.
 08:11:31 >>Al Paivandy: ALL OF MINE IS UNPLANNED.

08:11:33 WHEN MY WIFE SAYS WE'RE GOING, I GO.
 08:11:39 >>Mary Gibbs: NOBODY ELSE HAS ANYTHING, SO WE SHOULD BE GOOD
 08:11:42 WITH QUORUMS.

08:11:43 >>Anthony Gargano: THERE IS A POSSIBILITY I MIGHT MISS JULY
 08:11:47 9.
 08:11:51 >>Mary Gibbs: SCOTTY?
 08:11:52 I THOUGHT I HEARD SCOTTY.
 08:11:55 I THINK WE CAN ADJOURN.
 08:12:03 >>Dan Williams: CAN I ASK ONE QUESTION FIRST?
 08:12:05 THE REASON I WAS ASKING THE QUESTION ABOUT THE SEPTIC VERSUS
 08:12:11 THE SEWERS, THEY ARE REQUIRED TO TIE INTO THE SEWER WHEN
 08:12:17 IT'S AVAILABLE, YES?
 08:12:19 >>Mary Gibbs: IN THE CONDITION, YES, THEY WILL HAVE TO.
 08:12:21 >>Dan Williams: AND THERE IS A COST TO THAT.
 08:12:24 >>Mary Gibbs: YES.
 08:12:25 >>Dan Williams: WAS IT EVER CONSIDERED TO HAVE THEM PAY THE
 08:12:28 COST UP FRONT SO THAT WHEN IT WAS AVAILABLE IT WOULD BE DONE
 08:12:34 AT THAT TIME?
 08:12:36 >>Mary Gibbs: WELL, THE UTILITIES ARE PROVIDED BY LEE COUNTY
 08:12:40 UTILITIES, NOT THE VILLAGE.
 08:12:42 SO IT'S DONE, AND I THINK THE COUNTY GETS LIKE A HALF
 08:12:47 DEPOSIT PART UP FRONT, AND PART OF IT WHEN YOU CONNECT.
 08:12:51 BUT WE ARE TRYING TO GET GRANTS.
 08:12:55 WE'RE TRYING TO GET SOME COMMUNITY DEVELOPMENT GRANTS FROM
 08:12:57 THE HURRICANE SO WE CAN HELP PEOPLE WITH THE SEPTIC TO
 08:13:01 SEWER.
 08:13:01 GOT A FEW DIFFERENT AREAS WE'RE PLANNING IT, AND WE PUT IN
 08:13:05 FOR SEVERAL GRANTS BECAUSE WE KNOW IT'S EXPENSIVE SO WE'RE

08:13:09 HOPING TO GET GRANTS TO OFFSET THE COST.
 08:13:11 >>Al Paivandy: THEY ARE NOT ON WELL, ARE THEY?
 08:13:14 >>Mary Gibbs: THEY HAVE A SEPTIC TANK.
 08:13:17 >>Al Paivandy: NOT ON WELL FOR WATER, ARE THEY?
 08:13:20 >>Jim Wallace: BY THE WAY THIS MAY BE --
 08:13:23 >>Mary Gibbs: I DON'T REMEMBER.
 08:13:24 >>Jim Wallace: I CANNOT FIND ON YOUR WEBSITE YOUR IMPACT
 08:13:27 FEES FOR 2024.
 08:13:30 I ONLY CAN GET 2022.
 08:13:33 >>Mary Gibbs: THAT IS THE LATEST.
 08:13:34 IMPACT FEES, 2022 IS THE LATEST.
 08:13:37 WE HAVE NOT CHANGED THEM.
 08:13:39 AND THE STATE LEGISLATURE, THERE ARE MORE RESTRICTIONS ON
 08:13:47 HOW OFTEN YOU CAN UPDATE THEM.
 08:13:49 >>Jim Wallace: I THOUGHT I JUST HAD OLD DATA.
 08:13:52 >>Anthony Gargano: OKAY, MOTION TO ADJOURN.
 08:13:56 >>James Tatooles: I MADE IT.
 08:13:57 >> SECOND.

08:13:58 >> THIRD.

08:13:59 >>Anthony Gargano: WE'RE ADJOURNED.

DISCLAIMER:

THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME
CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE
ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE
PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2024 - 04

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPOINTING MEMBERS TO THE VILLAGE OF ESTERO PLANNING ZONING AND DESIGN BOARD; ESTABLISHING TERMS OF THE MEMBERS; APPOINTING A CHAIR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Land Development Code adopted by the Council on January 27, 2021 established a Planning, Zoning and Design Board in lieu of two separate boards; and

WHEREAS, four members' terms expire on April 30, 2024; and

WHEREAS, there are two vacant positions on the Board; and

WHEREAS, the Village Council has advertised and received applications from individuals desiring to be appointed to the Planning, Zoning and Design Board, as well as from existing members of the Board.

NOW, THEREFORE, be it resolved by the Village Council of the Village of Estero, Florida:

SECTION ONE. The following individuals are hereby appointed to the Village of Estero Planning, Zoning and Design Board with terms as indicated:

BOARD MEMBER

TERM

- | | |
|------------------------------|----------------------|
| 1. Al Paivandy | 5/1/2024 - 4/30/2025 |
| 2. James E Tatooles | 5/1/2024 - 4/30/2025 |
| 3. Leonard E Scotty Wood III | 5/1/2024 - 4/30/2025 |
| 4. Dan Williams | 5/1/2024 - 4/30/2027 |
| 5. Anthony Gargano | 5/1/2024 - 4/30/2027 |
| 6. Michael Sheeley | 5/1/2024 - 4/30/2027 |

SECTION TWO. The Council appoints Anthony Gargano Chair of Village of Estero Planning, Zoning and Design Board.

SECTION THREE. This Resolution shall take effect immediately upon adoption.

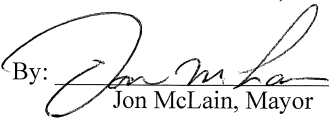
ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this 3rd day of April, 2024.

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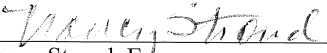
Attest:


Carol Sacco, Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: 
Jon McLain, Mayor

Reviewed for legal sufficiency:

By: 
Nancy Stroud, Esq.,
Village Land Use Attorney

VILLAGE OF ESTERO, FLORIDA

ORDINANCE NO. 2022 - 09

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, AMENDING
SECTION 2-302C.2. OF THE VILLAGE LAND
DEVELOPMENT CODE TO CHANGE MEMBERSHIP
QUALIFICATIONS OF THE PLANNING ZONING
AND DESIGN BOARD; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN
EFFECTIVE DATE.

WHEREAS, the Village of Estero adopted its Land Development Code on January 27, 2021 to establish the Village Planning Zoning and Design Review Board ("PZDB"); and

WHEREAS, the PZDB has recommended that the membership qualifications of the PZDB should be adjusted to provide certain designated seats for professionals to serve on the Board in the interest of encouraging service by volunteer professionals and thus the continued use of professional expertise for the benefit of the Village; and

WHEREAS, the PZDB also recommends that the Village and the PZDB have a strong public interest in balancing the ability of volunteer professionals to practice their profession in the Village with the reduction of potential conflicts of interest, real or perceived, on the part of such professionals; and

WHEREAS, the PZDB recommends that the adjustment of membership qualifications should also be accompanied by restrictions on the practice of professional members of the PZDB beyond what is required by Florida law; and

WHEREAS, the Village PZDB, as the Local Planning Agency and in a duly noticed public hearing on July 12, 2022, considered the proposed changes and recommended that the proposed changes are consistent with the Village of Estero Comprehensive Plan; and

WHEREAS, the Village Council on September 21, 2022 held a duly advertised first reading of the proposed changes; and

WHEREAS, the Village Council on October 19, 2022 at a duly advertised public hearing considered the proposed changes, the recommendations of the PZDB and the comments of the public.

NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero, Florida:

Section 1. Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed as being true, and the same are hereby incorporated as a part of this Ordinance.

Ordinance No. 2022-09

Section 2. Amending Sec. 2-302C. Membership.

Section 2-302C of the Village Land Development Code is hereby amended in regard to the Planning Zoning and Design Board to state as follows:

Sec. 2-302C. Membership.

1. The PZDB shall have not less than seven nor more than nine members appointed by the Village Council by affirmative vote of a majority of the full Village Council membership. An additional non-voting, *ex officio* representative of the Lee County School Board may also serve on the PZDB in accordance with state law. The School Board shall notify the Village Clerk in writing within 10 days of the appointment or removal of any member.
2. At least a majority of the members of the PZDB appointed by the Village Council shall be residents of the Village. All other members shall either (i) own a business in the Village, (ii) own property in the Village, or (iii) work in the Village. The members of the Board shall include at least one member ("designated member") from the following Florida state-registered professions: (i) civil engineering, (ii) architecture, and (iii) landscape architecture. Other members shall have diverse backgrounds, and, wherever possible, prior experience in land use, planning, zoning, legal matters, environmental matters or building and development. Each member shall be sympathetic to municipal development consonant with the comprehensive plan and with the health, safety, and welfare of its residents. No Board member shall hold any other public office, appointive or elective. A designated member shall be permitted to represent a client at a Public Information Meeting, but shall not represent a client before the Board, participate in discussion or vote on the client's application at any other meeting. Notwithstanding, other members of the designated member's firm may represent the firm client before the Board at any meeting.

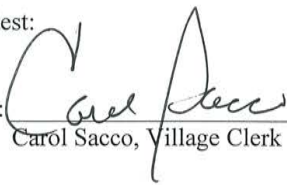
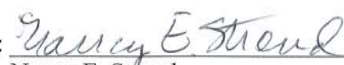
Section 3. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. Effective Date. This ordinance shall take effect immediately upon adoption.

PASSED on first reading this 21st day of September, 2022.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this 19th day of October, 2022.

Ordinance No. 2022-09

97 Attest: 
 98
 99
 100 By: 
 101 Carol Sacco, Village Clerk
 102
 103
 104 Reviewed for legal sufficiency:
 105
 106 By: 
 107 Nancy E. Stroud,
 108 Village Land Use Attorney
 109
 110
 111
 112 Vote: AYE NAY
 113
 114 Mayor Errington X
 115 Vice Mayor McLain X
 116 Councilmember Boesch X
 117 Councilmember Fiesel X
 118 Councilmember Ribble X
 119 Councilmember Ward X
 120 Councilmember Wilson X

Ordinance No. 2022-09

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

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY COUNTY	☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION:
MY POSITION IS: ☐ ELECTIVE ☐ 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, _____, hereby disclose that on _____, 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, _____;
- ☐ 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:

Date Filed

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.

VILLAGE OF ESTERO
PLANNING, ZONING AND DESIGN BOARD

RULES OF PROCEDURE

May 4, 2021

The following Rules of Procedure shall control the proceedings of the Village of Estero Planning, Zoning and Design Board.

TABLE OF CONTENTS

SECTION ONE: PURPOSE AND AUTHORITY.....2

SECTION TWO: MEMBERSHIP AND OFFICERS2

SECTION THREE: MEETINGS4

SECTION FOUR: REGULAR MEETING AGENDA ORDER10

SECTION FIVE: CONDUCT OF PUBLIC HEARINGS.....11

SECTION SIX: PUBLIC INFORMATION MEETINGS.....17

SECTION SEVEN: AMENDMENTS18

SECTION EIGHT: EFFECTIVE DATE.....19

SECTION ONE. PURPOSE AND AUTHORITY

- 1.1 Purpose. The purpose of these Rules is to provide for the orderly conduct of the business of the Village of Estero Planning, Zoning and Design Board (the Board). These Rules are intended to ensure a reasonable and consistent process for the Board to consider, hear and act upon certain matters under its authority, to promote the orderly and efficient conduct of public proceedings convened to decide matters before the Board, and to ensure the fair and impartial treatment of each person who appears before the Board.
- 1.2 Authority. These Rules are adopted pursuant to the authority of the Village of Estero Land Development Code, as may be amended from time to time (the “LDC”), Section 2-302.A.10.

SECTION TWO. MEMBERSHIP AND OFFICERS

- 2.1 The number, qualifications and appointment of members, their terms of office and the filling of vacancies shall be in accordance with the LDC. These Rules provide additional details regarding membership and officers.
- 2.2 All members shall hold membership until their successors are appointed, and all officers shall hold office until their successors are elected.
- 2.3 Officers shall be Chairman and Vice-Chairman. At the option of the Village Council, Co-Chairs may be appointed instead of a Chairman and Vice-Chairman. Co-Chairs, if appointed, shall each share equally the powers and duties of the Chairman set forth herein. The Co-Chairs at the first meeting following appointment shall establish a yearly schedule for the designated chairman for each meeting, and shall coordinate during the year with the Village Manager in the event

that deviations from the schedule for a particular meeting may be needed.

2.3.1. The Chairman, or the designated Co-Chair, shall preside at all meetings of the Board, shall decide all points of order or procedure at such meeting, and may appoint members to any committee of the Board. The Chairman, or the designated Co-Chair present at the meeting, shall sign all resolutions of the Board with respect to such meeting. The Chairman, and each Co-Chair, shall have the right to debate and vote on any issue before the Board, except as prohibited by law. The Chairman, or each Co-Chair, shall be the primary contact(s) with the Village Manager and Board staff on matters of administration and Village support to the Board. The Chairman, or each Co-Chair, shall be the chief spokesperson(s) for the Board, unless another member shall be delegated by the Board to speak for the Board or on any specific Board matters.

2.3.2 Unless the Village Council appoints Co-Chairs, a Vice-Chairman shall be elected by a majority vote of the Board whose office will run concurrent with the Chairman's office. The Vice-Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman. In the absence of both the Chairman and the Vice-Chairman, or both Co-Chairs, and when a quorum is present, an interim Chairman shall be appointed from the members present in the alphabetical order of the members' last names.

2.4. A Clerk shall be appointed by the Village Manager to take minutes of all meetings, and shall attest to all resolutions of the Board. The Clerk shall provide the minutes to the Board with the agenda at the next regularly scheduled meeting, or as soon

after as reasonably possible. The Clerk shall administer oaths as necessary. The Clerk shall provide to attendees and collect Request to Speak cards during any meeting at which public comment may be heard, and provide them to the Chairman or delegated Co-Chair. The Clerk is not a member of the Board, does not count for a quorum of the Board, and may not vote.

- 2.5 Members shall conduct themselves according to the standards of ethical conduct required by the Florida Code of Ethics for Public Officers and Employees, Sections 112.311-112.326, Florida Statutes, as may be amended from time to time.

SECTION THREE. MEETINGS

- 3.1 Regular meetings shall be held by the Board on the second Tuesday of each month, at the Village Hall Council Chambers. A second meeting during a month may be scheduled by the Village Manager or his or her designee, on the fourth Tuesday of a given month at the foregoing time and place, when the Village Manager deems it necessary to conduct the business of the Board. The Board by vote may cancel or reschedule any such meetings as required by exigency of the Board. Notice of any change shall be promptly posted at the regular meeting place, at the Village administrative offices, and on the Village website.
- 3.2 Special meetings are meetings in addition to regular meetings, which are called for a particular purpose or purposes, or to consider applications or matters that may need more time than is normally available at the regular meeting. Only business relating to such purpose(s) may be discussed or transacted. A special meeting of the Board may be called by the Chairman or by consent of a majority of the members of the Board. A designated Co-Chair shall be considered the Chairman

for purposes of all remaining sections of these Rules.

- 3.3 All meetings of the Board shall be noticed at least seven (7) days' prior to the meeting. Notice shall be posted on the Village website, at the regular meeting place, and at the Village administrative offices. The agenda for each meeting along with website links to materials referenced in the agenda shall be posted with the notice. The notice shall include the day, time, place of the meeting and shall include the following language:

"If a person decides to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

- 3.4 All meetings shall have an imposed curfew of 9:00 p.m. to be printed in the agenda. If public hearings are before the Board, the public input portion of the public hearing then in progress before the Board must be completed if possible. If not, then it must be completed at the time the hearing is resumed at a later date. When public input is completed, or if no public hearing is occurring, the Board may then take either of two actions:

1. PROCEED AT THE MEETING

Upon a majority vote of the Board, the meeting may proceed as prescribed in the approved motion.

2. CONTINUE THE MEETING

The Board will continue the meeting to a certain future time and date not to

exceed thirty (30) calendar days.

- 3.5 Meetings of Board Committees shall be called by the Committee Chairman as may be required to conduct the business assigned to a specific committee. All such meetings shall be scheduled so as not to interfere with regular or special meetings, and shall be held at a time and place which will not discourage attendance by the public. At least seven (7) days' notice and the nature or purpose of the committee meeting shall be provided to members, the Board, the Village Manager, and the public.
- 3.6 The presence of a majority of the full membership of the Board shall constitute a quorum. The Chairman may wait up to thirty (30) minutes after the scheduled meeting time for a quorum to be present. A majority vote of the members of the Board present and constituting a quorum shall be necessary to decide any item of business requiring action by the Board. If a quorum of the Board is physically present at the Meeting, the remaining members of the Board may attend the meeting by electronic means, may fully participate in the meeting, and shall vote on all matters to come before the Board, except as otherwise provided by law.
- 3.7 All business shall be conducted in the same order as it appears on the agenda, except that by majority consent the Chairman may alter the order of items to be considered.
- 3.8 Consent Agenda. The Board may consider items on a Consent Agenda that do not require public hearings as may initially be determined by the Village Manager or the Manager's designee. A Board member at the meeting at the time the agenda is approved may request that any item on the Consent Agenda be removed and placed on the regular agenda. The Board shall vote on the removal of any consent item

agenda.

- 3.9 All persons who wish to address the Board on matters scheduled for a public hearing shall complete a “Request to Speak” form, on which each person shall list his or her name, home address, and the item on which that person wishes to speak. The Chairman may waive this requirement for members of the Village government or other Village Boards in an effort to save time. Any person who addresses the Board on a public hearing item shall verbally provide his or her name and any organization that the person represents, for the record. The Chairman may take measures to limit the presentation of information that is unrelated to the item or repetitive in nature, while giving due consideration of the importance of public input. Public comments shall be limited to five (5) minutes per speaker, unless the Chairman, or the Board by majority consent, allows a different time limit. The Board shall apply consistent time limits to all recognized to speak.

At each meeting, there shall be a period of time reserved for general public comment near the end of the meeting, which is in addition to the opportunity for the public to speak regarding an item for a public hearing. Each speaker shall complete a speaker form, identify himself or herself, and shall be limited to a time period as provided above in regard to public hearings.

- 3.10 Parliamentary procedure in a meeting of the Board is informal. However, if required to keep order, the Chairman may apply Robert's Revised Rules of Order to resolve any parliamentary issue not covered by these Rules.

3.10.1. MOTIONS

Actions by or decisions of the Board shall be determined by motions duly

moved and seconded and carried by a majority of the members present; provided, however, in the event a supermajority voting requirement is set forth in the Village Code of Ordinances or otherwise by law, said supermajority voting requirement shall control.

3.10.2. DEBATE AND DECORUM

The member whose motion brought a subject before the Board is entitled to open and close the debate, but not until every Board member wishing to speak has spoken. The Chairman cannot, however, avail himself or herself of this privilege after debate has been closed. Merely asking a question or making a suggestion is not considered as speaking. In debate a member must confine himself or herself to the question before the Board and avoid personalities.

If two-thirds (2/3) of the Board wish to close the debate they can do so by motion ordering either "the previous question" or "the closing of debate at a certain time." These motions require a two-thirds (2/3) vote, as they suspend fundamental right of every member to have every question fully discussed before it is finally disposed of.

3.10.3. VOTING

All members shall vote on all questions, unless that member has a conflict of interest as defined in Section 112.3143, Florida Statutes, as may be amended from time to time. No one can vote or participate in debate or discussion on an item at public hearing or a question or a proposal in which that member, or that member's family or business associate, has a direct or

indirect pecuniary interest. A member that has represented a party on an item before the Board shall not vote on that item. In either case, the member shall file a "Conflict of Interest" form available from the Clerk. The customary method of taking a vote for decisions on applications for development approval or recommendations to the Village Council shall be by roll call (yeas and nays). Other votes may be taken by show of hands or voice or by general consent.

A member has the right to change his or her vote up to the time the vote is formally announced. After that, he or she can make the change only by permission of the Board, which may be given by general consent; that is, by no members objecting when the Chairman inquires if anyone objects. If objection is made, a motion may be made to grant the permission, which motion is undebatable.

3.10.4. YEAS AND NAYS OR ROLL CALL

When a vote is to be taken by yeas and nays the Chairman puts the question in a form similar to this: "As many as are in favor of the question will, as their names are called, answer yes (or yea); those opposed will answer no (or nay)." The Chairman shall then direct the Clerk to call the roll. The Clerk shall call the roll, and each member as his or her name is called, shall answer yes or no.

A motion to approve, when defeated by a voice or a roll call vote, shall be considered as a motion to deny which was approved by a voice or roll call vote. A motion to deny, when defeated by a voice or a roll call vote,

shall not be considered as a motion to approve. In this instance there must be placed before the Board a motion to approve. On a tie vote the motion fails.

3.10.5 RECESS

The Chairman may call a recess for a reasonable time. If there is an objection, the Chairman is obliged to call for a motion which must be seconded to determine the result by a majority vote. This is not debatable, but is amendable as to time. The length of time of the recess and the time the meetings will be reconvened must be announced before recessing.

SECTION FOUR. REGULAR MEETING AGENDA ORDER

4.1 The standard form agenda which delineates the order of business to come before the Board during regular meetings shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Business
 - a. Consent Agenda
 - b. Public Information Meeting(s)
 - c. Public Hearing(s)
 - d. Workshop(s)
6. Public Input
7. Board Communications
 - a. Committee Reports
 - b. Chairman's Report
 - c. Member Reports and Comments
 - d. New Business
8. Adjournment

SECTION FIVE. CONDUCT OF PUBLIC HEARINGS

Public hearings on applications for the Board's recommendation or approval as authorized by the LDC will be conducted as quasi-judicial hearings, except for recommendations for legislative amendments to either the Comprehensive Plan or the LDC. The order of conduct shall be as follows:

- 5.1 The Chairman or his designee shall announce the public hearing by reading the application number, stating the significant purpose of the hearing and identifying the applicant.
- 5.2 In the case of a quasi-judicial hearing, the Clerk or the Village Land Use Attorney shall administer the oath to the Village staff members and to those persons who intend to participate in the hearing.
- 5.3 In the case of a quasi-judicial hearing, the Board members shall disclose any ex-parte communications. Any member who has a conflict of interest shall declare the conflict.
- 5.4 In the case of a quasi-judicial hearing, the Chairman shall declare the rules under which the hearing will be conducted, which generally shall be as follows:
 - 5.4.1 The Chairman shall then introduce the staff representative from the Village who will present an overview and introduction to the case under consideration.
 - 5.4.2 The Applicant (if any) may present such relevant material, evidence and statements as the Applicant deems would be of assistance to the Board. With respect to hearings on applications for Development Orders, the electronic copy of the plan under consideration shall be available for public

view, unless the Chairman determines that the plan approval is for a minimal change that does not require electronic view, in which case paper materials sufficient to represent the matter under review shall be available for public view.

All required plans, pattern books, materials, reports, presentations, and the like, including, without limitation, expert testimony in the form of written reports and affidavits, to be submitted into evidence by the Applicant as a part of its presentation shall be provided to the Village Staff at least ten (10) days prior to the date scheduled for the public hearing. Such documents shall be distributed by the Staff to members of the Board along with the meeting agenda no later than seven (7) days prior to such public hearing date. No such documents shall be allowed into evidence without a vote of the Board, unless distributed within such time limits. If expert testimony on behalf of the Applicant is submitted in written form by report or affidavit as a part of its presentation, the author of such written materials shall be present at the public hearing for questions of the Board or cross-examination. For rezoning applications, the Applicant shall also provide to the Village Staff, at least eight (8) days prior to the date scheduled for the public hearing, a letter generally summarizing the issues on which it agrees with the Staff Report and stating all of the issues that in its opinion remain unresolved between the Applicant and the Village Staff concerning the Application (the "8-Day Letter").

5.4.3 During the Applicant's presentation in a quasi-judicial proceeding, only

members of the Board shall ask questions and, unless allowed by the Chairman, Board questions shall be held until the Applicant has completed its presentation. The Applicant's presentation shall be limited in time to one (1) hour in total, not to include any questions by the Board or other parties or cross-examination by the Village Staff or Land Use Counsel. The Chairman may extend such time period where fairness dictates.

- 5.4.4 After the Applicant's presentation, the Chairman shall then introduce the staff representative from the Village who will present relevant material, evidence and statements as the staff representative deems would be of assistance to the Board.

The staff shall have prepared a comprehensive report (the "Staff Report"), based upon material facts available to him or her, at least ten (10) days prior to the date scheduled for the hearing, which Staff Report shall be distributed to the Applicant and the Board along with the notice, the agenda for the meeting and the Applicant's 8-Day Letter, at least seven (7) days prior to such public hearing date.

All public input (by mail or electronic means) received by the Staff as of 12:00 p.m. noon on the Monday prior to the hearing shall be distributed to the Board by 5:00 pm on the Monday prior to the public hearing. All such public input once distributed shall be deemed to be part of the record in such public hearing. No public input by mail or electronic means shall be presented by the Staff to the Board if received after such time and date.

As part of the Staff presentation, the staff shall present a

recommendation to the Board, and summarize differences, if any, between the Applicant's proposal and the staff recommendations. The staff may dispute the Applicant's description of the issues in the Applicant's 8-Day Letter.

- 5.4.5 After the staff's presentation, the Chairman shall open up the public hearing for presentation by the public to the Board. During such presentations in a quasi-judicial hearing, only members of the Board shall ask questions.
- 5.4.6 Any individual who presents written or oral testimony on behalf of a civic association, homeowners association, civic entity, or other organization must state for the record at the outset of his or her presentation whether the organization has authorized the substance of the testimony. The Chairman may allow persons who represent such organizations additional time for presentation.
- 5.4.7 After the Applicant, staff, and all persons have made their presentations in a quasi-judicial hearing, the Board shall determine, based on the laws of the State of Florida, which persons, if any, in addition to the Applicant and the Village staff, have standing and shall be considered parties in the matter. All such parties or their counsel shall be permitted to cross-examine participants in the hearing, including the staff and the Applicant, in the order of their appearance at the hearing. Anyone who testifies at a quasi-judicial hearing shall remain until the conclusion of the hearing in order to be available for cross examination.
- 5.4.8 Each speaker will give his or her name, address and shall disclose any

relationship he or she may have with the subject matter under consideration.

Each speaker shall be limited to five (5) minutes unless the Board shall waive or vary such requirement.

5.4.9 Order and decorum shall prevail and be enforced by the Chairman. The hearing shall not be allowed to be conducted as a debate or a political forum.

5.4.10 Any person may be represented by an attorney or other spokesman. No person serving as a member of the Board may represent a person as an Applicant before the Board, and such member of the Board shall be required to step down from the dais during any such hearing, and may not participate in discussion as a Board member on the item for which the Board member represented a party, nor may the Board member vote upon such item. In such case, the Board member also must file a conflict of interest form with the Board Clerk.

5.4.11 Should provisions of the Charter, Ordinances of the Village or other law delineate matters which shall be considered in reaching a decision, the presentation to the Board and the deliberations of the Board shall be reasonably restricted to such considerations.

5.4.12 The Applicant (if any) may, after public testimony and before the close of the quasi-judicial hearing, present a brief rebuttal with a time limit to be determined by the Board.

5.4.13 At any time after convening a hearing, the Board may recess the hearing and continue it to another date, place and time. Any Board member may move to continue a hearing. A motion to recess the hearing and continue it

at another time must be approved by a vote of a majority of the members of the Board present and voting. If the date, time and place of a continued hearing are not announced during the hearing that is continued, the date, time and place of the rescheduled hearing must be noticed as for the original hearing.

- 5.5 The Chairman shall close the public hearing and then open the floor for Board member discussion, motions, debate and vote for its decision or its report and recommendation to the Village Council, as applicable. Any motion to approve an Application with conditions must specify the conditions to which the approval is subject.
- 5.6 At the discretion of the Chairman, with the consent of a majority of the other Board Members who are present, the Applicant or members of the public or staff, or any or all of them, may be requested or permitted to comment further upon the matter being considered.
- 5.7 In making its recommendation or decision, the Board shall consider the evidence in the record, the public's input and any recommendations of the Village staff. The Chairman, with the advice of the Board attorney, may rule on any objections to admission of any irrelevant or immaterial evidence, but the public hearing need not conform strictly to the rules of evidence or procedure that govern judicial proceedings. On all decisions made in a 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 in regard to the criterion or criteria that are not met.

- 5.8 The Board's decision on matters for which it is the final decision maker shall be embodied in a Resolution. A Resolution is considered rendered when signed by the Chairman and attested by the Clerk.
- 5.9 Action of the Board may be reconsidered at the same meeting or the very next meeting only upon motion by a Board member who voted on the prevailing side of the question and with a concurrence of a majority of those present. Adoption of a motion to reconsider shall rescind the action reconsidered. A motion to reconsider, whenever made, shall not be considered unless at least the same number of Board members is present as participated in the vote under consideration, or upon affirmative vote of the majority of the membership of the Board.

SECTION SIX. PUBLIC INFORMATION MEETINGS

- 6.1 Public information meetings held pursuant to LDC Section 2-401 shall be held whenever possible during a regular meeting. No quorum shall be necessary for the conduct of a public information meeting.
- 6.2 The party whose proposed project is the subject of a public information meeting shall be responsible for the submission of relevant documents and other information to the Village Clerk so that the documents and information may be included in the agenda for the meeting. Documents and information shall include digital copies that may be electronically displayed at the public information meeting.
- 6.3 Representatives are encouraged to present proposed projects at a conceptual stage to provide the public with sufficient information to anticipate issues related to the proposal. The scheduling of a public information meeting shall be at the discretion of the Village Director of Community Development. Any questions by Board

members regarding the proposed project shall not bind the Board or any member of the Board to approve or disapprove the project when it is considered by the Board in a quasi-judicial hearing; it being understood that any questions are preliminary and that the nature of the discussion is that of information gathering and not a decision making discussion.

- 6.4 The order of presentation at a public information meeting shall be as follows:
 - 6.4.1 The Village Director of Community Development shall present a brief overview of the proposal;
 - 6.4.2 The representative for the proposed project shall present information to the public and the Board regarding the proposal;
 - 6.4.3 The Board members may ask questions of the representative;
 - 6.4.4 Members of the public may speak, including asking questions, for a period of three (3) minutes each, or for a time as allowed in the discretion of the Chairman; and
 - 6.4.5 The Board may further discuss the proposal and ask questions as appropriate.

SECTION 7. AMENDMENTS

These Rules of Procedure may be amended at any regular meeting of the Board by and affirmative vote of a majority plus one (1) of the total number of members serving at that time. An amendment, having been adopted, goes into effect immediately upon its adoption, unless the motion to adopt specifies a time for its going into effect.

SECTION 8. EFFECTIVE DATE

These Rules of Procedure shall become effective on May 11, 2021.



PLANNING ZONING & DESIGN BOARD

2024 MEETING SCHEDULE

2nd Tuesday of every month, 4:30 p.m.

January	1/09/2024
February	2/13/2024
March	3/12/2024
April	4/09/2024
May	5/14/2024
June	6/11/2024
July	7/09/2024
August	8/13/2024
September	9/10/2024
October	10/08/2024
November	11/12/2024
December	12/10/2024

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SECTION 5-7. - ARCHITECTURAL, FORM, AND DESIGN STANDARDS

5-701. - Purpose.

- A. The purpose of these architectural, form, and design standards is to complement, enhance, and enrich the urban fabric of the Village by contributing to a sense of place, the economy, and the vitality of the Village.
- B. The goal for future land use in the comprehensive plan is to ensure development provides distinct urban form and aesthetic design, recognizing the influence that architecture has upon the sense of place. To implement this goal, development shall have architectural features and patterns that provide visual interest from the perspective of the pedestrian, reduce building mass, recognize local character, and respond to site conditions. The purpose of this section is to provide standards to accomplish this goal by:
 - 1. Defining the architectural vernaculars for the Village.
 - 2. Establishing placemaking standards for all mixed-use development.
 - 3. Defining standards for the design of a site in the context of its surroundings.
 - 4. Establishing form standards for the design of a site so it is consistent and harmonious within the community identity by incorporating views, pedestrian orientation (including CPTED principles), climate responsiveness, complementary design transitions, and human scale elements.

5-702. - Applicability.

- A. **General.** Unless otherwise expressly stated to the contrary in this section, the following shall comply with the standards of this section:
 - 1. All exterior façades of buildings shall be treated as primary façades and employ the architectural, site, and landscaping design elements outlined herein, including colors and materials, to provide a unified architectural theme.
 - 2. All new, redevelopment, renovation, or change in use of commercial, light industrial, multi-family, institutional, religious, public, and mixed-use development or projects.
 - A. *Renovation and Redevelopment.* In the case of additions or renovations to, or redevelopment of, an existing building, where the cumulative increase in total floor building area exceeds 30 percent of the square footage of the existing building being enlarged or renovated, the provisions of this section shall apply. Where there are inherent problems retrofitting existing buildings, the Director may waive some or all requirements if other equivalent enhancements are provided.
- B.

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Change of Use. Where there are inherent problems retrofitting existing buildings when there is a change in use, the Director may waive some or all requirements if other equivalent enhancements are provided.

3. Provisions apply at time of development order, limited development order, building permit, or zoning action, as applicable.
 4. Compliance with the standards set forth in this section shall be demonstrated on the drawings or site development plans submitted in conjunction with an application for development order approval or with a building permit application if a development order is not required. This will not prevent simultaneous applications for a development order and building permit on the same parcel. However, the development order approval shall precede the building permit approval.
- B. **Review.** Compliance with the standards in this section shall be demonstrated on the pattern book, drawings, or site development plans submitted in conjunction with an application.

5-703. - Architectural Styles and Characteristics.

A. **Primary Architectural Styles.** Mediterranean Revival and Florida Vernacular styles are designated as the Village's primary architectural styles. The application of these styles is dependent on the context of the intended development.

1. *Mediterranean Revival.* The Mediterranean Revival architectural style includes these sub-styles within the Village as further described in Sec. 5-703.A.1.E: Mission Revival, Italian Renaissance Revival, Italian Countryside, Spanish Revival, and Spanish Colonial.
 - A. The Mediterranean Revival style is articulated with varied massing and architectural features. Towers, balconies, loggias, porticos, chimneys, trellises, and exterior staircases are assembled to form picturesque buildings. The result is buildings that are rich in shade and shadow, with multiple building volumes and setbacks, and varied building heights.
 - B. Building composition is typically asymmetrical. Base, middle, and top are defined by moldings, changes in window pattern and size, and cornice lines. Arcades and loggias are also commonly used to reinforce the base, middle, and/or top of the building.
 - C. The Mediterranean Revival building is typified as asymmetrical and eclectic. Columns, posts, wooden and masonry balustrades, and brackets are contributing elements of the style. It is common to have multiple building volumes and varied interior and exterior spaces. Building massing tends to be irregular with a variety of shapes and heights; however, the appearance of solidary and permanence is critical.
 - D. Mediterranean Revival Style architecture includes the key characteristics identified in Table 5-703.A.1.D: Mediterranean Revival Style Characteristics. See also Figure 5-703.A.1.D: Mediterranean Revival Defining Elements.

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TABLE 5-703.A.1.D: MEDITERRANEAN REVIVAL STYLE CHARACTERISTICS

Roof shape	Hipped, gabled, or a combination of both.
Roof slope	Roof slopes are shallow and are sloped between 3:12 and 6:12.
Roofing materials	Barrel tile, Spanish "S" tile, or flat concrete tile.
Roof overhangs	Vary from deep to having no overhang at all. When deep overhangs exist, they are supported by sizable wooden brackets. Roofs without overhangs are finished with a molded cornice.
Exterior	Walls are stucco and colored with richness, variety, and multiple methods of application. Window and door surrounds are minimal and are made of stucco or stone.
Brackets, balconies, porches, shutters, and other elements	Usually wood, wood-look alternative or iron.
Openings, windows shape/structure	Arched, vertical, and/or square proportions. Occasional round, oval, or ornamental window used as a façade accent. Windows have divided lights and are commonly double-hung, single-hung, or casement.
Door position	Recessed, casting deep shadows revealing the thickness and solidity of the structure.

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External spaces	The attached porch, balconies, and courtyards are a common element. Loggias, a porch not attached but located within the volume of the building, are very common and may even serve as outside circulation between rooms.
Ornamentation	Columns, posts, wooden and masonry balustrades, brackets, arched openings, arcades, and towers are all very common elements.

Figure 5-703.A.1.D: Mediterranean Revival Defining Elements



E. The Mediterranean Revival architectural style includes these sub-styles within the Village:

1. Mission Revival: The Mission Revival style includes mission-shaped dormers and/or roof parapet; wide, overhanging eaves with exposed rafter beams; red-tiled roof; stucco walls; and arched windows or doors on the ground level.



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Italian Renaissance Revival: The Italian Renaissance Revival style includes low-pitched, hipped roofs, often with ceramic tiles; rooflines with wide, overhanging eaves with large, decorative brackets under the roofline; doors and windows are often framed with round arches, primarily on the first floor, sometimes in the form of an Italian loggia, or covered patio; the entryway will often be framed with classical columns with occasional pediments and the façade is usually symmetrical.



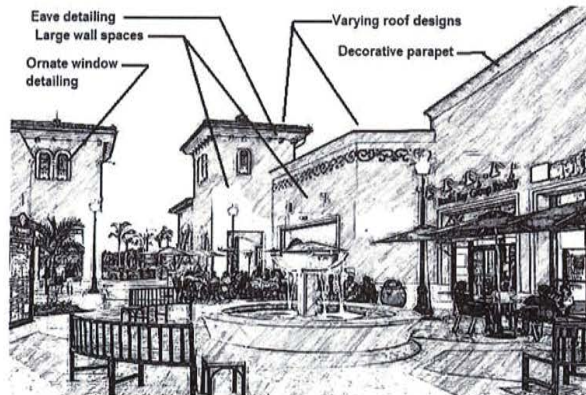
Decorative corbels

Ornate balustrades

Vertical elements

Arched details

3. Italian Countryside: The Italian Countryside style includes two or three stories, rarely one story; low-pitched roof, decorative parapet, widely overhanging eaves; large, decorative brackets under an ornamental cornice; tall, narrow windows commonly arched or curved above; an occasional square cupola or tower (campanile); and elaborate wrap-around porch (or smaller entry porch) with decorative Italianate double columns.



4. Spanish Revival: The Spanish Revival style includes red clay barrel tile or Spanish tile; wrought iron work, including balconies; stucco exterior finishes; paneled doors; decorative vents and rondels; arcades; and low-pitched, usually gable roofs with little

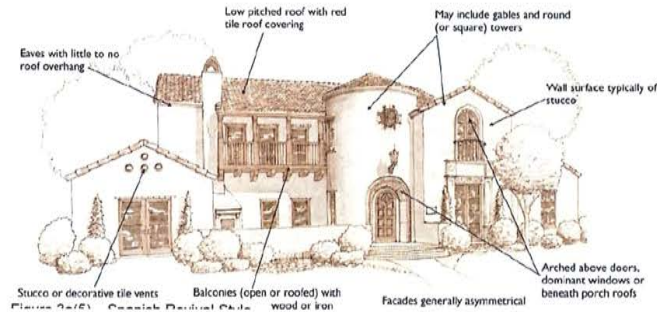
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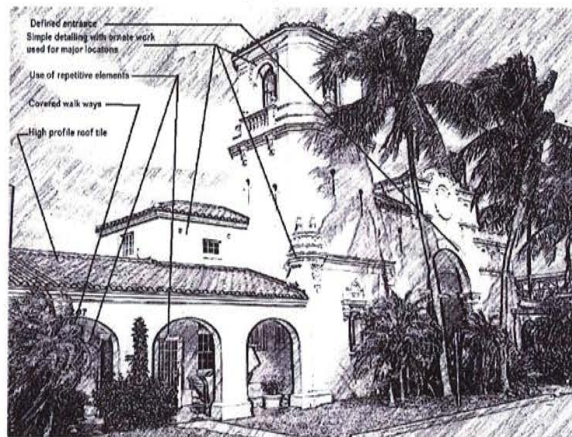
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or no eave overhang. Detailing includes plaster and terra cotta highlighting of arches, columns, window surrounds, cornices, and parapets; and wrought iron grilles with façades that are generally asymmetrical.



5. Spanish Colonial: The Spanish Colonial style includes defined entrances; simple detailing with ornate work used for major locations; use of repetitive elements; covered walkways; and high profile roof tile.



2. *Florida Vernacular*. The Florida Vernacular architectural style includes these sub-styles within the Village as further described in Sec. 5-703.A.2.D: Florida Plantation, Florida Key West or Cracker, and Historic Koreshan.

- A. The Florida Vernacular style of architecture is native to the region. It is most typically constructed with a wooden frame and finished with wood or wood-look alternative siding. Stucco and fiber cement siding are also used.
- B. Florida Vernacular features porches as integral to the style and prominent on the front façades. Porches extend along a large percentage of the ground floor elevations, often wrapping the corners to continue at some length alongside façades.
- C. Florida Vernacular Style architecture includes the key characteristics identified in Table 5-703.A.2.C: Florida Vernacular Style Characteristics. See also Figure 5-703.A.2.C: Florida Vernacular Defining Elements.

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6/38

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Estero, FL Land Development Code

TABLE 5-703.A.2.C: FLORIDA VERNACULAR STYLE CHARACTERISTICS

Roof shape	Gabled
Roof slope	Between 6:12 and 12:12
Roofing materials	Standing seam or "V" crimp metal, asphalt shingles, wooden or wood-look alternative shakes.
Roof overhangs	Deep, between two and four feet, with exposed rafter tails. Fascias on the gabled ends are deeper than those exposed along the eaves.
Exterior	Horizontal wood or wood-look alternative lap-siding, vertical board and batten, or wood or wood-look alternative shingles. Siding typically exposes four to six inches to the weather, which is terminated with corner boards at building edges. Stucco finishes are also appropriate, though less common. Modern day building materials also include fiber cement siding. Brackets, balconies, porches, shutters, and other elements are usually wood, wood-look alternative or iron.
Openings, windows, and doors	Vertically proportioned with wooden surrounds and sills. Horizontally proportioned openings are made of a grouping of vertical windows. Windows are usually double-hung with no light divisions in the top or bottom sash.
External spaces	Porch roofs are supported by posts positioned to create vertical or square openings between them. Porches are typically quite deep (at least eight feet), creating outdoor rooms. The porch roof may have a different slope than that of the primary building; however, detailing and overhang depths should be consistent.

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Estero, FL Land Development Code

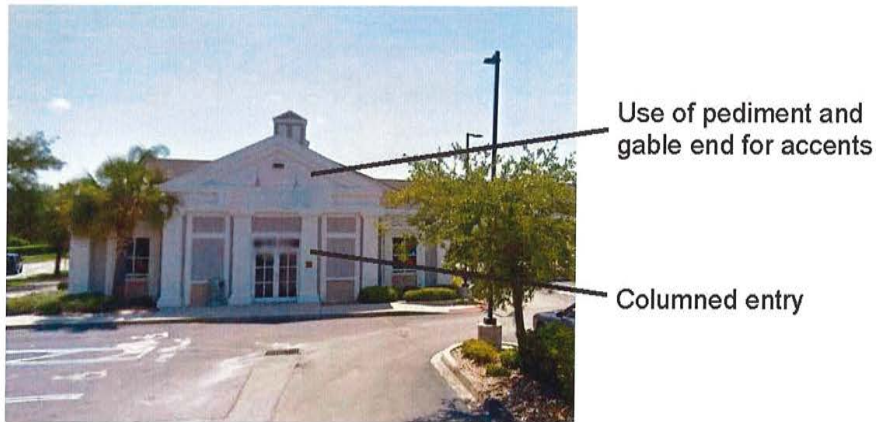
Base	Frequently has a raised, continuous base. Historically, the raised base protected the building from potential flooding, provided a measure of privacy for residences, and concealed a crawl space that allowed for ventilation.
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5-703.A.2.C: Florida Vernacular Defining Elements



D. The Florida Vernacular architectural style includes these sub-styles within the Village:

1. Florida Plantation: The Florida Plantation style includes the use of pediment and gable end for accents and columned entry.



2. Florida Key West or Cracker: The Florida Key West or Cracker style includes a foundation of wood or wood-look alternative posts, limestone, brick, or concrete piers; horizontal weatherboard or clapboard as the primary exterior material; a low-

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8/38

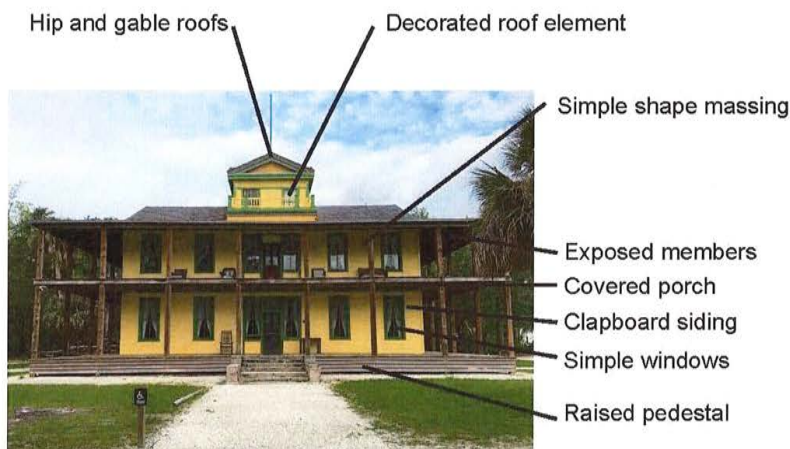
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Estero, FL Land Development Code

pitched gable roof, with wood or wood-look alternative shingles or pressed metal shingles; full façade wrap-around porch; louvered vents, doors, and window shutters; and centrally placed main entrance with transom light above.



3. Historic Koreshan: The Historic Koreshan style includes simple shape massing; hip and gable roofs; covered porches; exposed members; decorative roof elements; and clapboard siding.



B. **Alternative Styles.** To provide for flexibility and stimulate creative project designs while fostering compatibility with surrounding developments, the following alternative architectural styles may be proposed and be determined appropriate in the Village in accordance with the criteria in this section.

1. **Prairie:** The Prairie style includes low-pitched hipped or flat roof; broad overhanging eaves; strong horizontal lines; clerestory windows arranged in horizontal bands; wide use of natural materials, especially stone and wood or wood-look alternative with strong horizontal lines; and restrained ornamentation such as friezes around windows and doors, or as bands under the eaves.

4/3/24, 2:38 PM

Estero, FL Land Development Code



2. Iconic: Civic buildings and public gathering places require important sites to reinforce the community identity. Buildings that are used for civic purposes and that are adjacent to public gathering places require distinctive form, because their role is different from that of other buildings and places that constitute the fabric of the community. Such buildings may be evaluated to allow iconic architecture as an alternative style.
3. An applicant may propose Prairie or Iconic architecture as an alternative architectural style, subject to approval through the design review process as part of the review of the development application. Approval of a proposed alternative architectural style shall be based upon the following findings:
 - A. The plan and architectural style for the proposed development is in conformity with good taste, good design, and in general contributes to the image of the Village as a place of beauty, spaciousness, harmony, taste, fitness, and high quality.
 - B. The plan and architectural style for the proposed development is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the existing and evolving Village environment to materially depreciate in appearance and value.
 - C. The plan and architectural style for the proposed development conforms with the standards of this LDC and other applicable ordinances, particularly with respect to the location and appearance of the buildings and structures proposed in the development.
 - D.

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10/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

The plan and architectural style for the proposed development is compatible with the existing and any proposed surrounding development, and is consistent with the comprehensive plan.

- E. The building is constructed with material that is sufficient and of such high technical quality to allow for continuing renovation and adaptive reuse well beyond the expiration of initial planned use or cost recovery.
- F. The building is designed to share some of the design characteristics of neighboring buildings or public spaces where applicable.

5-704. - Historic Preservation Regulations.

- A. A certificate of appropriateness shall be approved in accordance with Sec. 2-504, Historic Preservation Certificate of Appropriateness, prior to modification of any structures designated by the Village or Lee County prior to Village incorporation as historically significant to assist in the continued preservation of the structure and the appropriate, compatible, and sensitive development of new construction and additions to the structure.
- B. The certificate of appropriateness shall be decided based upon the criteria listed in the U.S. Secretary of the Interior's Standards for Rehabilitation, 36 CFR 67 (1983).

5-705. - Site Contextual Standards.

A. Purpose and Intent.

- 1. The purpose of these site contextual standards is to ensure the site design of development supports an image that is attractive and consistent with the desired community identity. This is achieved by providing for architectural and site design treatments that will enhance the visual appearance of development in the Village, while providing for design flexibility.
- 2. These site contextual standards are intended to stimulate creative project designs, while fostering compatibility with surrounding development, and create an integral distinct community image?one that will enhance, unify, and harmonize development throughout the Village.

B. Views.

- 1. To the maximum extent practicable, development shall be designed to maximize the preservation of natural features, trees, tree masses, and sites which have historical significance, scenic views, or similar assets.
- 2. To the maximum extent practicable, buildings and open space on sites shall be located to maximize the potential for terminating vistas, so that views from vantage points of approaching roads are completed by an intentionally placed building, structure, or grand open space feature such as a fountain, gazebo, pergola, signature tree, or natural habitat.

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11/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

Mixed-Use Development Design Standards. At the time of planned development, development order, or limited development order review, as appropriate, the plans for an integrated horizontal mixed-use development or a vertical mixed-use development shall demonstrate compliance with the following standards:

1. *Placemaking*

- A. The placemaking standards in Table 5-705.C.1: Placemaking Standards, in a way that is context driven.

TABLE 5-705.C.1: PLACEMAKING STANDARDS

Placemaking Amenity	Basic requirement for integrated horizontal or vertical mixed-use development sites
Mix-of-use ratio	No more than a maximum of 80 percent of the gross habitable floor area shall be dedicated to either a residential or nonresidential use to achieve a mix of residential and non-residential uses. (A clubhouse (with dining and recreational opportunities) and maintenance facilities are not considered nonresidential for the purposes of this subsection.) Waiver: The Director may waive this ratio requirement if it is demonstrated that the proposed development site has a mix of residential and non-residential uses that can be reached within a ¼-mile walk of the subject site via continuous pedestrian facilities.

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12/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

Housing choices	The development shall include a mix of at least two distinctly different housing types. Housing types include detached houses including two-family dwellings, apartment houses, cottages and side-yard houses, row houses, live-work buildings, courtyard buildings, or mixed-use buildings. No more than 80 percent of dwelling units may be comprised of a single housing type. Waiver: The Director may waive this ratio requirement if it is demonstrated that the overall size of the mixed-use development is less than five acres and consequently cannot reasonably support two different types of housing types, and the project complies with the mix of use ratio above.
Gathering place	The site's open space shall include a gathering place, which shall be a minimum of ten percent of the project site. Gathering places include outdoor spaces such as plazas, parks, and farmers' markets; cultural venues such as theaters and museums; civic spaces that include meeting rooms; businesses such as restaurants, coffee shops, and fitness centers; places of worship, social institutions; and amenities adjoining sidewalks and trails such as benches, exercise stations, and gazebos. The gathering place shall be visible and easily accessible from a public road, and shall be clearly located and designed so that it can be used by both occupants and the public. Accessibility to the public shall be provided through an access easement or other equivalent means. (Non-residential uses meant for use by residents of the project and only accessible to the public by rent, lease, or membership (uses such as meeting rooms, banquet halls, fitness centers, or golf courses) do not qualify as gathering space).

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13/38

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Estero, FL Land Development Code

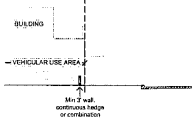
Multimodal and integrated Mobility	Development, to the maximum extent practicable, shall be served by an integrated system of sidewalks, roads, accessways, and other facilities designed to provide for multiple travel modes (vehicular, transit, bicycle, and pedestrian), as appropriate to the development's size, character, relationship to surrounding development and development patterns, and existing and planned community transportation systems.
Connectivity	The internal road circulation system shall be well connected and integrated, with an appropriate classification of roads, sidewalk on both sides of the road, and street trees. Where site conditions are appropriate, a block layout is encouraged. Cross-access between the development and those on adjoining parcels shall be established, where appropriate. Roads shall be designed to integrate with and connect to existing roads external to the site, and where appropriate, provide for future extension of the development's road network to provide the maximum number of interconnections and points of ingress and egress.
Roads	Roads shall not end in dead ends, cul-de-sacs, hammerheads, or other forms that do not connect with other roads, except in instances where connections are not reasonably feasible. Where appropriate, alleys shall be designed to absorb parking and service loads. To the maximum extent practicable, the outer faces of blocks shall be pedestrian in nature with sidewalks a minimum of six feet wide on both sides of streets, street trees, and pedestrian level lighting. Traffic calming features shall be used, where appropriate, in the design of streets and driveways. Features may include roundabouts or rotaries, rumble strips, chicanes, speed tables, raised crosswalks, etc.

about:blank

14/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

Parking		A minimum of 50 percent of the off-street parking shall be placed to the side of buildings or behind the buildings, subject to the landscape requirements of <u>Sec. 5-409</u> , Landscaping of Parking Areas, and Vehicular Access.
Transit	Where LeeTran provides or plans to provide service, the development shall include a transit stop or shelter in the project design, subject to LeeTran approval. Where LeeTran does not provide service, space shall be dedicated for a transit stop or shelter to be developed in the future.	
Community identity	A gateway monument shall be provided at the primary vehicular entrance or entrances to the project.	
Community heritage	The development shall, to the maximum extent practicable: (1) Preserve an historic structure or landmark that is located on the site, and preserve any specimen trees; or (2) Include educational signage, a monument, or a statue that memorializes the Village's history or culture. Waiver: The Director may waive this requirement if it is demonstrated that the site has no existing features to preserve, or no potential to include a feature, that relate to the heritage of the Village.	
Arts, culture and creativity	The development shall include public art displayed in a prominent location, such as a plaza or civic space.	

about:blank

15/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

Environmental feature	The development shall include one of the following on the site: (1) Green infrastructure, such as rain gardens, roadside bioswales, etc.; (2) A nature trail that is accessible to the public; or (3) Environmental educational signage. Waiver: The Director may waive this requirement if it is demonstrated that the site has no existing environmental features, nor the potential to include a feature that relates to green infrastructure or environmental protection.
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- B. The development shall establish connections to off-site placemaking amenities that can be reached with a ¼-mile walk of the subject site by continuous pedestrian facilities, or programmatic or physical connections in a way that establishes continuity between the places.
2. *Additional Mixed-Use Development Standards.* The following additional mixed-use development standards also apply to all mixed-use development in any District, to the extent set forth herein:
- A. *General Criteria.* Wherever the standards and forms governing mixed-use development under this Code do not provide either a clear solution to an issue of interpretation or make a specific determination regarding an issue arising during the development approval process, the following general criteria shall be deemed to be guiding principles which shall be applied. The goal of such a process shall be to provide consistent standards to apply in order to be achieve the goals for mixed-use development as set forth in the Comprehensive Plan.
- 1. *Accessibility.* Public space shall be designed to be walkable and accessible to the users of the development and be part of an integrated system of sidewalks, pedestrianways, bikeways, civic spaces, and similar features, and designed to be easily accessed by pedestrians. Accessibility shall be based on the primacy of the human scale over the automobile.
 - 2. *Streets.* Streets shall be provided that are part of a connected, continuous street network which is designed to encourage and support mixed-use development. Where the mixed-use development is of the size to support a mixture of different types of development character and neighborhoods, different types of streets which connect the different neighborhoods and other types of development shall be used (to

about:blank

16/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

minimize the traffic load and the need for increased capacity on any one street). To the maximum extent feasible, streets shall not end in dead ends, cul-de-sacs, hammerheads, or other forms which do not connect with other streets.

3. *Street Design.* Where a new set of streets is developed, or the existing street system is modified, to the maximum extent feasible, ensuring the distances between street intersections and the general street design shall support traffic calming, and slow traffic at intersections to allow pedestrians to cross streets quickly. In addition, establishing a general street design that enhances walkability and pedestrian connections as well as street connections. Where appropriate, landscaped medians, narrower street width, and two-way streets are encouraged to achieve these criteria. On-street parking, where appropriate and feasible, is encouraged, to protect pedestrians from the actual and perceived danger of moving traffic.
4. *Lots and Blocks.* Where the mixed-use development is of sufficient size that it is appropriate to establish a network of local streets within the development, a variety of blocks should be designed, along with lots within those blocks. The variation in the size and dimensions of blocks and lots should be designed to support walkability, and strong pedestrian connections through the use of sidewalks, pedestrianways, bikeways, trails, street trees, the use of open space, and alleys (where appropriate). The outside of the blocks, which should be bordered by sidewalks, streets, and street trees, should form a part of the public space and should be defined by the types and varieties of streets within the development. Where appropriate, alleys should be used for parking and service loads, allowing the outer faces of blocks to become more intensely pedestrian in nature. The variety of widths and depths of individual lots within the blocks should determine the range of building types and densities that will eventually establish the intended mixed-use development fabric.
5. *The Visual Edge.* The sidewalks, setbacks, building façades, and other characteristics of the visual edge of a street that is publicly accessible to the mixed-use development is also important in establishing the character of the mixed-use development. The height of the buildings, setbacks, and projections along the street define the enclosure of the street. The maximum width and height of buildings define a building's mass, while the architectural features of the building, especially the interrelationship of the design and the public space will ultimately determine the vitality of the street. So too are the characteristics of built form and landscape design which are deemed to be mutually dependent. All these factors should be considered in the design of the buildings and their relationship to the visual edge of a street.

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about:blank

17/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

Architecture. Architectural variety of buildings in the mixed-use development, and unique approaches to design and structure are valued and should be considered in the design of the buildings within the development. Also important are the adjacent buildings and public spaces. They shall be considered in the design of the buildings, and where appropriate, the design of the buildings within the mixed-use development should share some of the characteristics of its neighbors to create a cohesive framework.

7. *Quality of Buildings.* Buildings within a mixed-use development are like permanent fixtures in the landscape of the Village. They should be constructed with sufficient material and high technical quality to allow for their continuing renovation and adaptive reuse well beyond the expiration of their initial planned use or cost recovery. Building design and construction are encouraged to be cognizant of southwest Florida's unique climate, and ecologically sensitive in their use of materials, particularly recyclables, and with respect to their energy demands.

B. *Pattern Books Specific to Mixed-Use Development.* In addition to the requirements of Sec. 5-702.D.3, the Pattern Book prepared should also include the following:

1. *Illustrative Site Plan.* An illustrative site plan, that includes the following additional information:
 - (a) The location, shape, and size of proposed detention and retention areas.
 - (b) The location and size of development tracts, labeled with approximate acreages and with proposed uses.
 - (c) The location and cross-sections of streets, sidewalks, and off-street facilities for walking or biking.
 - (d) The configuration and phasing of all connecting streets. This should also include the streets behind/between outparcels and other planned local streets, along with all access points from adjoining streets, as shown on the development plan with cross-sections for each.
 - (e) A three-dimensional diagram or rendering that shows the scale and massing of buildings proposed in each development tract.
 - (f) The location and size of common parking areas.
 - (g) The location and approximate size of lots.
 - (h) The landscaped areas and buffers, preserved areas, open spaces, civic spaces, gathering places, natural and cultural resources, and community facilities, where applicable.
2. *Façade Detailing.* Typical façade detailing for all sides of all buildings.
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about:blank

18/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

Pad Sites or Outparcels Developed Separately. Where pad sites or outparcels are to be developed separately, a plan with detailed examples, figures, or photographs that indicates what unifying themes will be common to those sites (architecture, signage, landscaping, etc.).

4. *Tracts, Blocks, or Parcels Controlled for Security.* For tracts, blocks, or parcels where access would be controlled for security, a plan diagram that shows what land would have controlled access, the proposed method and extent of access control along with the features thereof, and architectural elevations that depict the appearance of the controlled area from the outside of such parcel. The access plan diagram shall also show the layout of the vehicular, pedestrian, and bicycle network, the proposed operation of the access control features, and the proposed locations of sidewalks, trails, bicycle paths, drives, streets, fencing, gates, and walls, and their role in the security for such areas.

3. *Crime Prevention Through Environmental Design (CPTED).* The CPTED standards in Table 5-705.C.1.B: CPTED Standards (illustrated in the following figures):

TABLE 5-705.C.1.B: CPTED STANDARDS	
Standard	Description
Natural Surveillance	To the maximum extent practicable, design and orient buildings, windows, entrances and exits, vehicular use areas (parking areas), walkways, landscape trees and shrubs, fences and walls, signage, and any other physical obstructions to allow visibility from public or common areas.
	To the maximum extent practicable, position balconies to overlook public or common areas.
	Where walls or landscaping are adjacent to the public right-of-way, minimize the creation of blind spots or hiding places that provide opportunities for concealment.
	Position lighting to provide visibility of common areas along public rights-of-way, parking lots, walkways, entrances, and exits.

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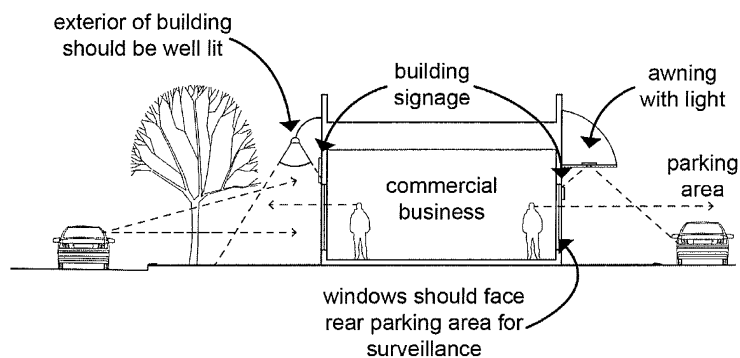
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Estero, FL Land Development Code

Natural Access Control	Orient entrances in prominent locations for safe and convenient pedestrian access.
	Use distinctive pavement, lighting, and landscaping to clearly guide the public to and from entrances and exits.
	Place fences, walls, or landscaping in locations that discourage or prevent public access to non-monitored, dark, or private areas.
Territorial Reinforcement	Use distinctive fences, pavement treatment, signage, gateway treatment, and landscaping to indicate and define ownership of property and distinguish public and private spaces.

Figure 5-705.C.1.B-1: CPTED Natural Surveillance Design Elements



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20/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

Figure 5-705.C.1.B-2: CPTED: Natural Access Control



Figure 5-705.C.1.B-3: CPTED: Territorial Reinforcement



4. *Climate Responsiveness.* The following climate responsiveness standards:
- A. The size, shape, and orientation of a lot and the siting of buildings shall be designed to provide development logically related to trees, topography, solar orientation, and natural features.
 - B. Building design and layout shall optimize solar orientation, to the maximum extent practicable. Larger roof overhangs shall provide shade. Porches and glazing adjustments shall provide for filtering sunlight.

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21/38

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Estero, FL Land Development Code

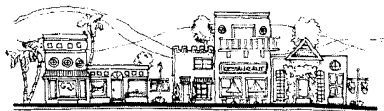
- C. To the maximum extent practical, public open space, recreation areas, plazas, and courtyards shall be located to take advantage of solar orientation, provide protection from prevailing wind, and to take advantage of summer shade and winter sunshine.
- D. Along roads, awnings or arcades shall protect pedestrians from natural elements. Awnings and similar overhangs may encroach in rights-of-way as long as a minimum six-foot width of clear sidewalk is maintained and a minimum clear distance of nine feet above the sidewalk is maintained.
- E. The building design and construction shall be cognizant of southwest Florida's unique climate and be ecologically sensitive in use of materials, particularly recyclables, and be respectful of energy demands.

5-706. - Building Design Standards.

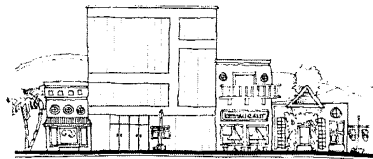
- A. **Purpose and Intent.** The purpose of the building design standards is to supplement other development standards in the LDC with specific building design standards. The intent is to:
 - 1. Stimulate creative project designs;
 - 2. Create and maintain a positive ambiance and strong community image and identity in the Village by enhancing the visual appearance of development; and
 - 3. Provide for design flexibility.
- B. **Complementary Design Transitions.** Development shall be designed to relate to adjacent structures in a complementary manner. Transitions from adjoining development to the subject site shall be provided by incorporating:
 - 1. Building massing that relates to the existing adjacent building heights that are in compliance with the requirements of the LDC.
 - 2. Patterns of roof structures, colors, cornices, and other architectural elements that relate to adjacent buildings that are in compliance with the requirements of the LDC. See Figure 5-706.B: Building Transition.

Figure 5-706.B: Building Transition

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C. Building Entries and Façades.

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22/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

1. The main entrance of the structure shall be oriented toward the public right-of-way on which the structure fronts. On a corner lot or site, the main entrance may be oriented to either the road or the corner.
2. For compliance with building design standards, exterior façades of out-parcel buildings shall be treated as primary façades and employ architectural, site, and landscaping design elements that are common to the theme used in the main development on site, including colors and materials associated with the main building. The purpose of this requirement is to assure a unified architectural theme and site planning between out-parcels and the main buildings on site, enhance visual impact of the buildings, and provide for safe and convenient vehicular and pedestrian access and movement on site.
3. For compliance with building design standards, all sides of a building are subject to architectural design elements.
4. Overhead doors facing a public right-of-way are prohibited.
5. Blank wall areas shall be interrupted with an opening or relief work including one or more of the following:
 - A. Recessed or clearly defined entryways (a minimum of six feet applies to recessing of entryways);
 - B. Varying rooflines, pitches, and shapes;
 - C. Dormers, balconies, and staircases;
 - D. Transparent window or door areas or display windows that provide visibility into the building interior. (No reflective or darkly tinted glass may be used at ground level);
 - E. Overhangs, awnings, and marquees;
 - F. Building ornamentation and varying building materials, colors, decorative tiles, edifice detail such as trellises, false windows, or recessed panels reminiscent of window, door, or colonnade openings and wall murals;
 - G. Shrubs or vines trained to grow upright on wire or trellises next to blank walls;
 - H. Architectural features such as cornices, articulated roof parapets, porticos, towers, or other details that alter the building height;
 - I. Application of a contrasting base that is a minimum one-foot high and extends along the entire front of the building and at least ten feet along the sides of the building.
6. *Horizontal Plane Offsets*
 - A. For buildings with a gross ground floor area up to 10,000 square feet, horizontal wall planes shall be interrupted with an offset dimension of at least eight inches to change the horizontal plane at the following maximum intervals: every 40 linear feet for façades facing roads or providing primary entrances, and every 75 linear feet for all other façades.

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23/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

- B. For buildings with a gross ground floor area between 10,000 and 35,000 square feet, horizontal wall planes shall be interrupted with an offset dimension of at least 16 inches to change the horizontal plane at the following maximum intervals: every 75 linear feet for façades facing roads or providing primary entrances, and every 100 linear feet for all other façades.
- C. For buildings with a gross ground floor area over 35,000 square feet, horizontal wall planes shall be interrupted with an offset dimension of at least two feet to change the horizontal plane at the following maximum intervals: every 100 linear feet for façades facing roads or providing primary entrances, and every 150 linear feet for all other façades.

D. Exterior Building Color.

- 1. Exterior building colors shall be neutral, warm earth tones or subdued pastels. White or gray are prohibited as a predominant color. Where applicable, brightly colored trims, cornices, or columns may be used to create a special effect or setting. However, these contrasts shall create a harmonious impact, complementing the principal structure as well as existing surrounding building structures.
- 2. Brighter colors can be utilized to create focal points of interest in locations including on doors, windows, and architectural details.
- 3. Buildings shall not exceed three colors on one architectural detail in composite.
- 4. Contrasting accent colors of any wall, awning, or other feature shall be limited to no more than ten percent of the total area for any single façade.

E. Exterior Building Materials.

- 1. Exterior building materials contribute significantly to the visual impact of a building on the community. They shall be well-designed and integrated into a comprehensive design style for the project. The following exterior building materials cannot be used on more than ten percent of the building façade area:
 - A. Corrugated or reflective metal panels;
 - B. Tile (prohibition does not apply to roofs);
 - C. Smooth, scored, or rib-faced concrete block;
 - D. Any translucent material, other than glass; or
 - E. Any combination of the above.
- 2. Building trim and accent areas, consistent with the overall building, are limited to ten percent of the affected wall area, with a maximum trim width of 24 inches.

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24/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

Roof Treatments. Variations in roof lines shall be used to reduce the massing of buildings and to add visual interest. Roof features and materials shall be in scale with the building's mass and complement the character of adjoining and/or adjacent buildings and neighborhoods. The following standards identify appropriate roof treatments and features:

1. The roof edge and/or parapet shall have a vertical change from the dominant roof condition, in two locations. At least one such change shall be located on a primary façade.
2. Roofs shall be designed to also meet three or more of the following requirements:
 - A. Parapets used to conceal rooftop equipment and flat roofs.
 - B. Three or more roof slope planes per primary façade.
 - C. Sloping roofs, which do not exceed the average height of the supporting walls, that have an average slope equal to or greater than 4V:12H but not greater than 12V:12H.
 - D. Additional vertical roof changes with a minimum change in elevation of two feet (flat roofs shall have a minimum of two changes).
 - E. Three-dimensional cornice treatments which are a minimum of ten inches in height with a minimum of three reliefs.
3. The following roof types and materials are prohibited:
 - A. Roofs utilizing less than or equal to a 2V:12H pitch unless utilizing full parapet coverage or mansard;
 - B. Mansard roofs, except roofs with a minimum vertical distance of eight feet and an angle between 45 and 70 degrees from horizontal; and
 - C. Asphalt shingles, unless utilized in Old Florida style architecture.

G. Windows.

1. Windows shall not appear to be false or applied.
2. Along roads, 60 percent of the nonresidential ground floor façade shall be designed with windows to provide some visual interest for pedestrians and to support the crime prevention principle of eyes on the street.

H. Awnings.

1. Awnings and similar overhangs may encroach in rights-of-way as long as a minimum six-foot width of clear sidewalk is maintained and a minimum clear distance of nine feet above the sidewalk is maintained.
2. The design, materials, and color of the awnings shall complement the architecture of the building and not obscure its features.
3. Materials shall be durable and weather resistant. Plastic or shiny materials are prohibited. Fabric awnings shall not turn corners and shall be associated with a window, group of windows, or other openings. Fabric awnings shall not exceed 14 inches beyond a window or

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25/38

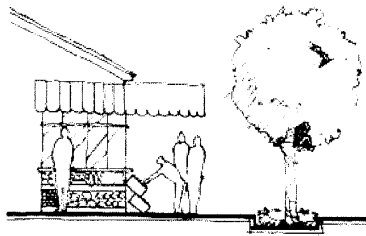
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Estero, FL Land Development Code

door in the horizontal direction and three feet in the vertical direction. Fabric awnings are prohibited as roof structures.

4. Awnings shall be consistent with the visual scale of the building.
5. Awnings shall be placed at the top of openings. The awning shape shall correspond with the shape at the top of the opening. Flat canopies are discouraged except in circumstances where it is accompanied by a valance. See Figure 5-706.H.5: Awning Placement.

Figure 5-706.H.5: Awning Placement



I. Columns, Posts, and Piers.

1. Aesthetic details are encouraged to be created using columns, posts, piers, or pillars, where appropriate.
2. Columns may be either round or square.
3. All columns shall include a capital and a base.
4. Column, post, and pier materials shall be durable and weather resistant, and limited to the following:
 - A. Wood or wood alternatives;
 - B. Stone or faux stone materials;
 - C. Stucco;
 - D. Precast; or
 - E. Any combination of the above.

J. Lighting.

1. Building entryways shall be lighted at the pedestrian level, with features such as lighted bollards or doorway lighting.
2. Light fixtures shall complement the overall development.
3. Light poles and fixtures should complement the architecture of the development. Except for pedestrian light fixtures, all outdoor light fixtures shall be fully shielded.
4. Lighting plans shall be coordinated with landscape plans to identify and eliminate potential conflicts with required landscaping.
- 5.

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26/38

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Estero, FL Land Development Code

No light poles shall be located in parking area islands that contain required landscaping.

6. The following lighting designs are prohibited with the exception that temporary seasonal lighting during the months of November and December is excluded from these prohibitions:
 - A. Buildings, awnings, roofs, windows, doors and other elements may not be outlined with light.
 - B. Exposed neon or LED tubing.
 - C. Backlit awnings.

5-707. - Supplemental Design Standards for Specific Uses.

- A. **Purpose.** Supplemental design standards for specific uses are implemented to ensure compatibility and minimization of visual intrusion by intense land uses on the Village's less intense land uses.
- B. **Parking Garages.**
 1. Sixty (60) percent of the primary façade of a parking garage shall incorporate the following:
 - A. Transparent windows, with clear or lightly tinted glass, where pedestrian-oriented businesses are located along the façade of the parking structure;
 - B. Display windows;
 - C. Decorative metal grille-work or similar detailing, which provides texture and partially or fully covers the parking structure openings; or
 - D. Vertical trellis or other landscaping or pedestrian plaza area.
 2. Where a proposed parking garage is located on a parcel adjacent to or abutting an existing taller residential development, all exposed parking spaces on the top level of the garage shall provide additional design treatments to obscure view of the spaces from residential use. Design treatments may include, but are not limited to, a combination of landscaped trellises, opaque covers, and permanent landscaping. In addition, surfaces of exposed parking aisles and drives shall be comprised of specialty pavers or colored stamped concrete having a nonreflective matte surface.
- C. **Rooftop Mechanical Equipment and Other Utilities.** Rooftop mechanical equipment shall be shielded from view at ground level by parapet or similar architectural features.
- D. **Automobile Service Station and Convenience Food and Beverage Stores.**
 1. The high levels of traffic, glare, and intensity of activity associated with automobile service stations and convenience food and beverage stores are incompatible with surrounding uses. Therefore, in the interest of protecting the health, safety, and general welfare of the public, all automobile service stations and convenience food and beverage stores shall comply with the following standards.

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27/38

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Estero, FL Land Development Code

- A. Minimum lot frontage: 150 feet of frontage on a vehicular right-of-way.
 - B. Minimum lot depth: 180 feet.
 - C. Minimum lot or parcel area: 30,000 square feet.
 - D. There shall be a minimum distance of 500 feet between the nearest points on any lot or parcel of land to be occupied by automobile service stations, and any lot or parcel for such use already occupied by an automobile service station, or for which a building permit has been issued, unless waived by the Director in accordance with subsection 11 below.
2. All automobile service station and convenience food and beverage store structures shall comply with the following minimum setbacks.
 - A. Front yard: 50 feet.
 - B. Side yard: 40 feet.
 - C. Rear yard: 40 feet.
 3. Landscaping buffers shall comply with Sec. 5-412.C.3, Automobile Service Stations and Convenience Food and Beverage Store Selling Gas.
 4. An eight-foot high enclosed trash area shall be integrated within the design of the service station or convenience food and beverage store.
 5. Motor vehicle fuel storage tanks shall be located below grade.
 6. *Canopies.*
 - A. Flat roof canopies are prohibited. Roofs shall have at least two slopes on the long sides and a roof detail change a minimum of every 50 feet.
 - B. Canopies shall be consistent with the architectural design and features of the principal structure.
 - C. Canopy lighting shall comply with Sec. 5-605.E, Canopy.
 7. *Colors on Buildings and Canopies.* The color of all structures on site shall be of soft earth tones or pastels. Canopies shall be of one color, consistent with the predominant color of the principal structure, if a canopy is utilized in building design. Color accent banding on fuel pump canopy structures and all other structures is prohibited.
 8. Outside display or storage of products is prohibited.
 9. Each automobile service station shall provide the necessary infrastructure and pre-wiring to provide the capability for generator service in case of emergencies.
 10. No automobile service station shall have an entrance or exit for vehicles within 200 feet, along the same side of a street, as a school, public playground, child care center, church, hospital, or public library.
 - 11.

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28/38

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Estero, FL Land Development Code

The Director may grant a waiver of part or all of the minimum separation requirements set forth in subsection 1.D above if it is demonstrated by the applicant that the site proposed for development is separated from another automobile service station by natural or manmade boundaries, structures, or other features that offset or limit the necessity for such minimum distance requirements. The Director's decision to waive part or all of the distance requirements shall be based, in part, upon whether or not the nature and type of natural or manmade boundary, structure, or other feature lying between the proposed establishment and an existing automobile service station lessens the impact of the proposed automobile service station. Such boundary, structure, or other feature may include, but is not limited to, lakes, marshes, nondevelopable wetlands, designated preserve areas, canals, or a minimum of a four-lane arterial or collector right-of-way.

E. Fast Food Restaurants and Car Washes.

1. All stand-alone or accessory fast-food restaurants and car washes shall comply with the following standards.
 - A. Minimum lot frontage: 150 feet of frontage on a vehicular right-of-way.
 - B. Minimum lot depth: 150 feet.
 - C. Minimum lot or parcel area: 25,000 square feet.
2. All structures shall comply with the following minimum setbacks.
 - A. Front yard: 50 feet.
 - B. Side yard: 15 feet.
 - C. Rear yard: 20 feet.
3. *Canopies.*
 - A. Flat-roof canopies are prohibited. Canopies shall be consistent with the architectural design and features of the principal structure.
 - B. Canopy lighting shall comply with the requirements of Sec. 5-605.E, Canopy.
 - C. Canopies shall be of one color, consistent with the predominant color of the principal structure.
4. *Accent Banding.* Color accent banding on all structures, including canopies, is prohibited.

F. Big Box Commercial.

1. *Applicability.* Big box commercial means a single-use retailer with gross ground floor area of more than 50,000 square feet, or a multi-use development with gross ground floor area of more than 100,000 square feet, excluding outparcel development.
2. *Location.*
 - A. Big box commercial is prohibited adjacent to residentially developed property or a zoning district that allows residential uses.

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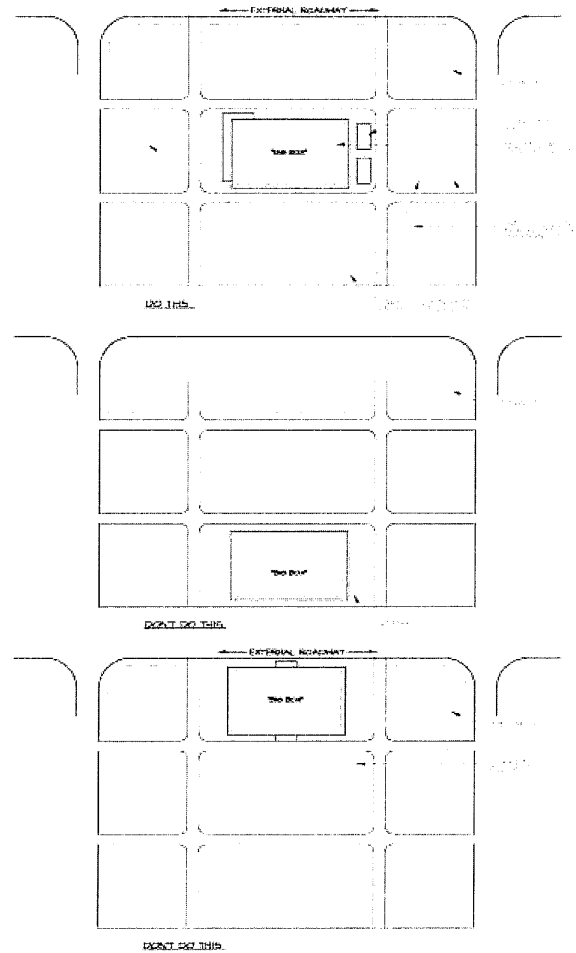
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- B. To the extent possible, big box commercial buildings shall be placed in a location that will satisfy functional needs while providing and being aesthetically pleasing for the community, the site, and the developer/retailer. See Figure 5-707.F.2: Big Box Placement Example.

Figure 5-707.F.2: Big Box Placement Example



3. Big Box Commercial Liner Buildings.

- A. Big box commercial buildings shall provide liner buildings along all primary façades and on a minimum of two sides of the building. See Figure 5-707.F.3: Liner Building Example.

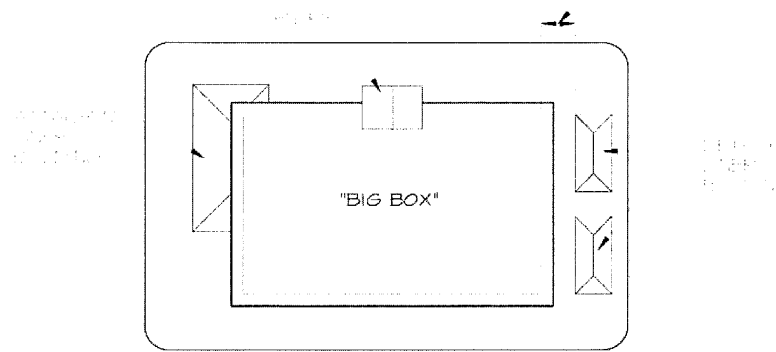
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Figure 5-707.F.3: Liner Building Example



- B. The purpose of liner buildings is to break the big box commercial building down into smaller massing elements and conceal any blank walls or façades of the large retail structure while creating scale and architectural character.
 - C. Liner buildings may be placed on any side of the building, but shall be placed along all walls of big box commercial buildings that face public rights-of-way (see Figure 5-707.F.3: Liner Building Example). Liner buildings shall be utilized on a minimum of two sides of each building larger than 50,000 square feet.
 - D. Liner buildings shall cover a minimum of 40 percent of the primary building façade.
 - E. The roof height of a liner structure shall be at least five feet lower or higher than the roof of the related big box commercial building.
 - F. A liner building shall be designed to be complementary to the approved design standards for the project and shall include along its façade a minimum of 15 percent and a maximum of 75 percent glazing.
 - G. Liner buildings may be used by a separate tenant or may be integrated for use by the associated big box user.
4. *Big Box Commercial Outparcels.*
- A. Outparcels shall be placed to frame commercial road corridors, creating grand boulevards.
 - B. Projects that exceed 50,000 square feet of retail floor area shall provide a berm or an outparcel pad along collector and arterial roads, with the majority of the parking located behind the building or berm. The berm shall be an average of four feet high and 30 feet wide for 75 percent of the public right-of-way that does not possess an outparcel pad. The berm shall have a minimum of ten trees per 100 linear feet, with a double hedge row. All plantings shall meet standard sizes as required in Section 5-4, Landscape Standards.
 - C.

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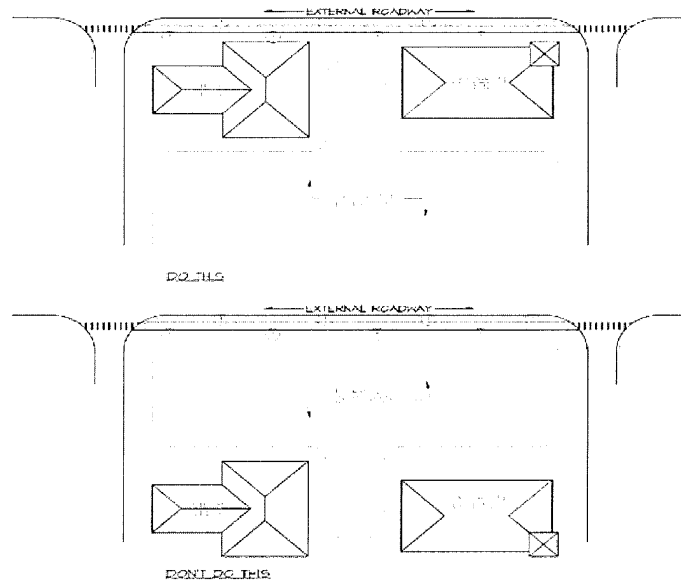
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Outparcels may be developed along internal access drive locations provided the majority of the parking is not placed along arterial or collector roadways. See Figure 5-707.F: Outparcel Placement Example.

Figure 5-707.F.4: Outparcel Placement Example



5. Big Box Commercial Access.

- A. To the maximum extent practicable, access to, from, and within the big box commercial project shall be designed to create:
 1. A safe and memorable environment for vehicular and pedestrian access to and from the site;
 2. A minimal number of curb cuts on the major arterial roads by providing shared access to adjacent properties; and
 3. Convenient, safe, and attractive access around the project for vehicular and pedestrian movement.
- B. Internal access drives/roads to the property shall be developed at minimum intervals of 250 feet and maximum intervals of 1,400 feet in length, creating internal blocks for parking and buildings.
- C. Internal access shall be developed to encourage and support roads with sidewalks and trees, with an average tree separation of 30 feet and a 15-foot wide planting strip with a combination of plants and grass along the road/parking/building edge. The planting in these areas shall not contain more than 30 percent grass.
- D. Internal lanes shall be no less than ten feet in width for each lane.

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32/38

4/3/24, 2:38 PM

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- E. Street and sidewalk accesses shall be provided up to adjacent properties for future connectivity where not prohibited. The developer may provide an easement agreement in-lieu of the physical interconnection when no development is planned on an adjacent parcel.
 - F. Landscaped pedestrian sidewalks shall be provided along the sides of large buildings with adjacent parking lots.
 - G. All roads shall terminate at other roads, future roads, or a parking area. Cul-de-sacs or dead-end roads are to be avoided, to the maximum extent practicable.
 - H. After 700 linear feet of roadway, five degrees (in plan) deflection or a landscaped median strip (minimum ten feet by 18 feet) shall be designed into the road for traffic calming purposes.
 - I. On-street parking is encouraged on internal access roads where a "main street" type of development is desired. For the purposes of this subsection, "main street development" is defined as development where sidewalks and buildings or public spaces (excluding parking lots) are planned for the majority of both sides of the road.
 - J. Internal road medians are encouraged. Median widths shall be a minimum of six feet and a maximum of 15 feet in width.
 - K. Sidewalks (minimum five feet wide) shall be constructed on at least one side of all internal road or vehicular access areas (exclusive of parking lanes). In the alternative, walkways may be developed through the landscaped median areas, to facilitate access from the sidewalks along the rights-of way, provided the medians are increased by five feet to accommodate the walkway.
 - L. Sidewalks along buildings shall be a minimum of eight feet in width, excluding landscaping.
 - M. Each building shall be interconnected via a pedestrian pathway.
 - N. Development shall be coordinated with LeeTran where transit access is to be provided to the area.
6. *Big Box Commercial Parking.*
- A. The site shall be developed to create attractive parking areas that provide convenient and safe multimodal movement of vehicular, public transportation, bicycles, and pedestrian traffic.
 - B. Parking areas shall be developed into parking pods that do not exceed 120 parking spaces, have a maximum of four entry/exit points, and are separated by a continuous double row hedge and large canopy trees at 30 feet on center.
 - C.

about:blank

33/38

4/3/24, 2:38 PM

Estero, FL Land Development Code

Parking areas shall provide landscaped islands in accordance with Sec. 5-409, Landscaping of Parking Areas, and Vehicular Access.

- D. Parking shall be distributed on three sides of the big box retail building and away from loading areas. Peak and employee parking areas shall be located on the sides of the building.
 - E. All parking areas shall be interconnected.
 - F. As an alternative to the parking pod set forth in this subsection, parking areas shall have a Type D buffer separating every four rows of parking, provided the big box building is screened by an outparcel buffer.
 - G. The number of parking spaces developed as part of the big box development may not exceed the number of spaces required by Sec. 5-204.B.1, Minimum Number of Off-Street Parking Spaces, unless the increase complies with one of the following:
 - 1. Up to a 20 percent increase in parking spaces may be granted by the Director if:
 - (a) Parking pods are used for all parking on the project site; or
 - (b) All landscaping trees are increased to a minimum of 14 feet, 65-gallon, with a six-foot spread with a four-inch caliper at the time of planting.
 - 2. A parking space increase over 20 percent may be granted by the Director if the number of required trees is increased by 25 percent.
7. *Big Box Commercial Open Space.*
- A. To the extent possible, big box commercial development shall be designed to manage open space for public benefit through combining a portion of the required open space into a usable component of the retail center.
 - B. A minimum of ten percent of the required open space shall be aggregated together into a usable format called "open space squares." Retail is encouraged to develop around these squares, when possible.
 - C. Open space squares shall be a minimum of 30 feet and a maximum of 65 feet wide.
 - D. Open space squares shall be integrated into the site plan as either passive or active spaces.
 - E. Open space squares may be interconnected to form a series of usable spaces for the project.
 - F. Open space squares shall be counted towards open space requirements.
8. *Big Box Commercial Service and Loading Areas.*
- A. To the maximum extent practicable, loading areas shall be designed to diminish both the visual and noise pollution that these facilities can create.
 - B.

about:blank

34/38

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Estero, FL Land Development Code

Loading areas shall either be located out of view from all public roads, or adequately screened.

- C. When a loading area is facing a public right-of-way, a ten-foot high architecturally screened wall shall be provided on a four-foot berm located within a 25-foot landscaped buffer. Berm and wall breaks are required every 200 feet in order to diminish the height and length of the wall and berm.

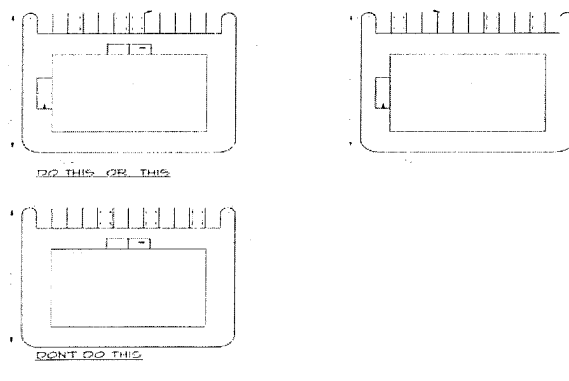
9. *Big Box Commercial Shopping Cart Storage.*

- A. To the extent possible, shopping cart storage shall be concealed from public view.
- B. Storage of carts shall be behind a wall or landscaped area with 80 percent opaqueness at planting.
- C. Temporary cart storage in the parking area shall be between two landscaped islands with a double row hedge and two trees.

10. *Big Box Commercial Building Design.*

- A. To the extent possible, big box projects shall be designed to create buildings that respect the area in which they are located and create a place that is attractive and flexible over time.
- B. *Unified Massing, Details, and Material.* All buildings within the big box project shall be developed with similar design treatment to create unity among the elements and buildings. This may include, but is not limited to, exterior materials, roof pitches and treatments, colors, proportions, ornamentation, and trim in accord with the design standards for the development.
- C. If the primary entry does not face a public right-of-way, then additional design elements shall be added to create the appearance of a public entry. See Figure 5-707.F.10.C: Entry Placement Diagram.

Figure 5-707.F.10.C: Entry Placement Diagram



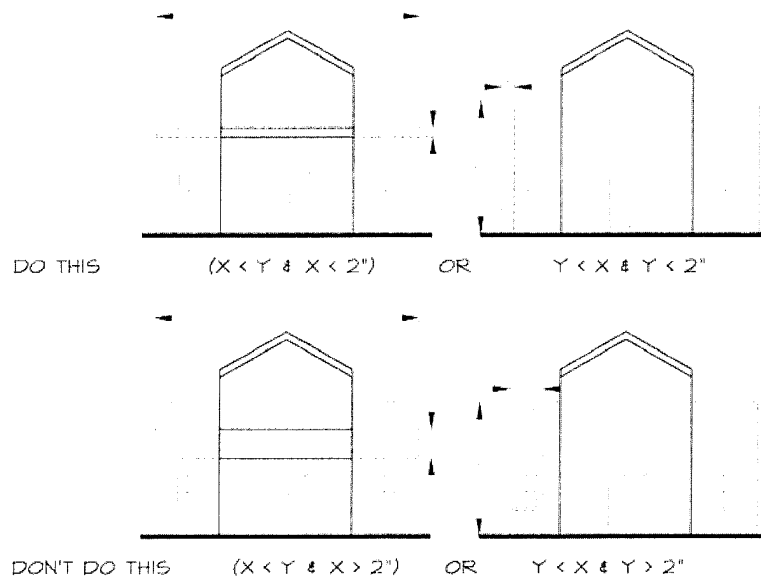
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11. *Big Box Commercial Building Façade.*

- A. The treatment of the front façade shall be continued, in its major features, around all sides of the building. Features shall be carried for a minimum of 15 percent of the nonprimary façade and be attached to the primary façade.
- B. Individual or individual looking exterior façades shall be faced with no more than four cladding materials. These cladding materials shall be combined on the façade in a horizontal manner only (i.e., base of building: one material; middle area: another material; and the top portion: a third type of material).
- C. Metal sided buildings are not permitted except as an accent material that does not exceed ten percent of the building façade.
- D. The ground floor of all building façades facing a public right-of-way shall be detailed and glazed as storefronts.
- E. Storefronts shall have glazed areas equal to at least 15 percent and not more than 75 percent of the ground level portion of the façade when facing a public right-of-way.
- F. Primary and secondary colors on the exterior of buildings shall be restricted to a minimum of two inches for their shortest dimension. See Figure 5-707.F.11.G: Primary and Secondary Accent Colors Diagram.
- G. Outdoor sales areas shall be designed with similar details, colors, and materials used in the primary façades of the building to which the outdoor sales area is attached.

Figure 5-707.F.11.G: Primary and Secondary Accent Colors Diagram



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36/38

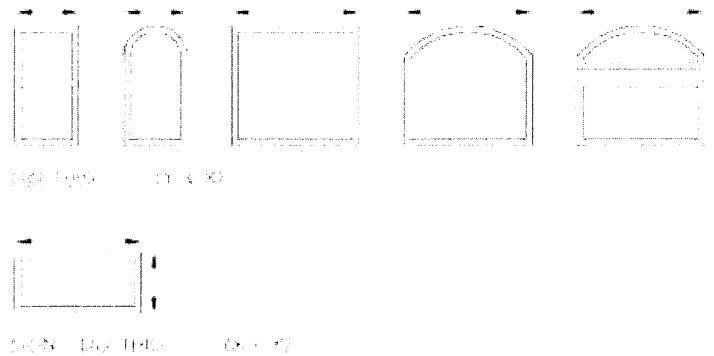
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12. *Big Box Commercial Windows, Doors, and Other Openings.*

- A. *Openings.* Windows, doors, arcades, and other openings in the façade shall be squared or vertical in proportion. Arched windows may be approved by the Director as a window or door type if they are square or vertical in their overall proportions. See Figure 5-707.F.12.A: Window Proportions.

Figure 5-707.F.12.A: Window Proportions



B. *Windows and Doors.*

1. "Non-motorized" sliding glass doors and sliding windows are prohibited at ground level.
2. Glass may only be clear or lightly tinted.
3. Shutters shall be sized and shaped to match the opening to which they are attached.

C. *Awnings.*

1. Awnings shall not have a bottom soffit panel or be backlit.
2. Awnings shall be sized to match the window or door openings to which they correspond, and shall not extend more than two feet on either side of the opening.
3. Awnings shall not be used at the corner of buildings to transition from one façade to the next.

13. *Big Box Commercial Roofs.*

- A. *Pitched Roof.* All roofs shall be pitched between 30 degrees and 8:12 (unless flat). Ancillary roof structures may be flat or pitched between 30 degrees and 12:12.
- B. *Flat Roof.* Flat roofs shall have a full parapet at the perimeter of the roof. The parapet shall not be less than 24 inches or exceed 15 feet in height. The height will be measured from the deck of the flat roof to the highest point of the parapet, with the exception of non-habitable architectural elements.

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37/38

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- C. *Roof Changes.* Roof changes shall occur at a minimum of one per 15,000 square feet, with a minimum of three for any building.
- 14. *Big Box Commercial Walls and Fences.*
 - A. Walls and fences shall be designed to be complementary to the main façade elements of the building.
 - B. Fences, when not associated within a landscaped double row hedge, shall be solid.
 - C. Wall runs shall not exceed 100 feet in length without a horizontal change of three feet.
- 15. *Big Box Commercial Service Areas.* Service function areas, including rooftop or ground equipment and dumpster areas, shall be fully screened and out of public view from ground level.

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38/38



UPDATE ON DEVELOPMENT PROJECTS

VILLAGE COUNCIL WORKSHOP

JANUARY 24, 2024

AGENDA

- **PROJECTS UNDER CONSTRUCTION & RECENTLY COMPLETED PROJECTS**
 - **NEW BUSINESSES & REMODELS**
 - **FUTURE PROJECTS**
 - **WHATEVER HAPPENED TO...?**
 - **SUMMARY**
-



PROJECTS UNDER CONSTRUCTION & RECENTLY COMPLETED



3

THESE PROJECTS HAVE BEEN REVIEWED BY:

PLANNING ZONING & DESIGN BOARD

- Development Orders
- Monument Signs
- Rezoning (Recommendations to Council)

VILLAGE COUNCIL

- Rezoning (Decision)
 - Plats
-

RIVERCREEK ON CORKSCREW ROAD EAST OF WILDCAT RUN

(FORMERLY KNOWN AS
CORKSCREW CROSSING)

FRONT ENTRANCE
COMPLETED



RIVERCREEK



GL Homes – 554 residential sites on 400-acres with a 200 acre preserve area.

Developer financial contribution to Village for Environmental Mitigation



RIVERCREEK

345 HOMES SOLD TO
DATE

CONSTRUCTION
STARTED ON
CLUBHOUSE AND
RECREATION SITE.



ESTERO CROSSINGS

43-Acres located on Corkscrew Road west of I-75



View from Corkscrew Road looking south



Mixed Use Planned Development

- Stock Development
- 300 Multi-Family Residential Units
- Corsa
- 60,000 sq. ft. Commercial along
Corkscrew Road
- 15,546 sq. ft. included on 1st floor
of building #6 (Vertical Mixed-Use)



OUTDOOR SEATING



CORSA ESTERO CROSSINGS RESIDENTIAL



ESTERO CROSSINGS BUILDING #6

Residential Building with 1st Floor Commercial
Coming Soon

- My Salon
- Ivybrook Academy
- And more...





OAK & STONE RESTAURANT

NOW OPEN!!!!

PROVIDING
INDOOR &
OUTDOOR
SEATING



13



OAK & STONE – NOW OPEN!

50 KINDS OF DRAFT BEER!

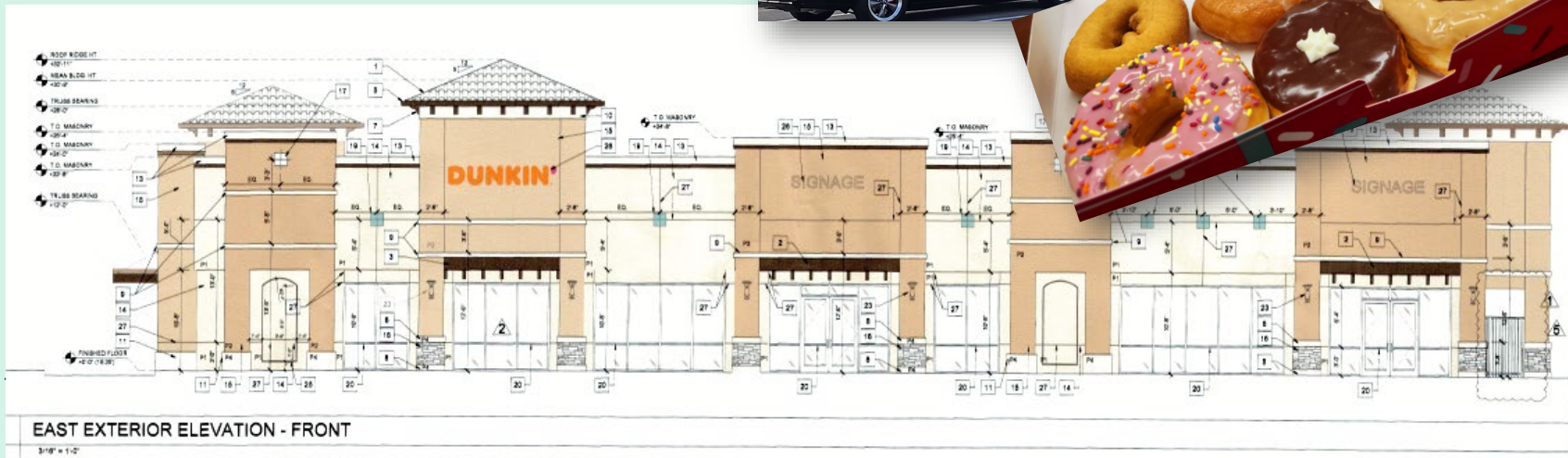
ORANGETHEORY & RESTORE HYPER WELLNESS



CHIP COOKIE

ESTERO CROSSINGS

Last commercial building
along Corkscrew Road



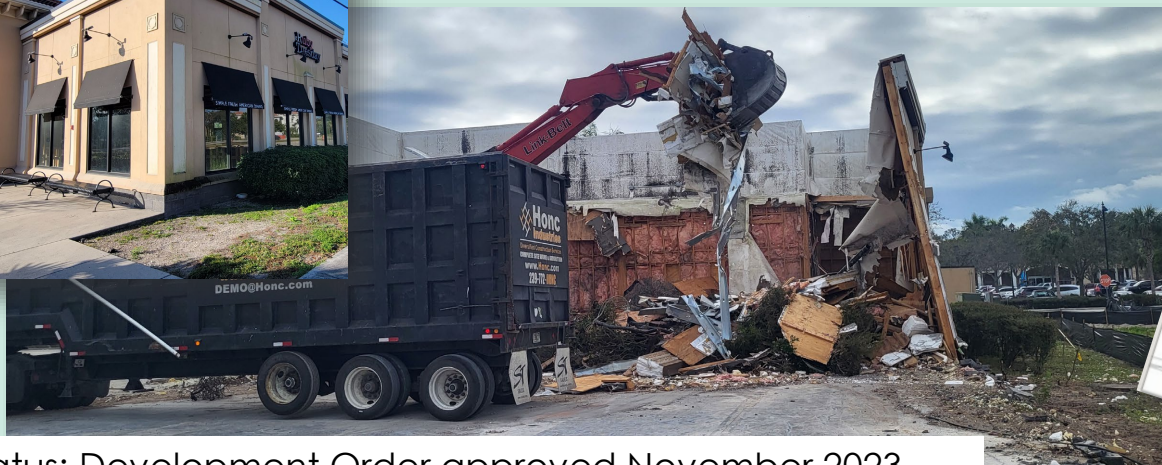
WAWA (FORMER RUBY TUESDAY)

Corkscrew Road (Lowe's Plaza)

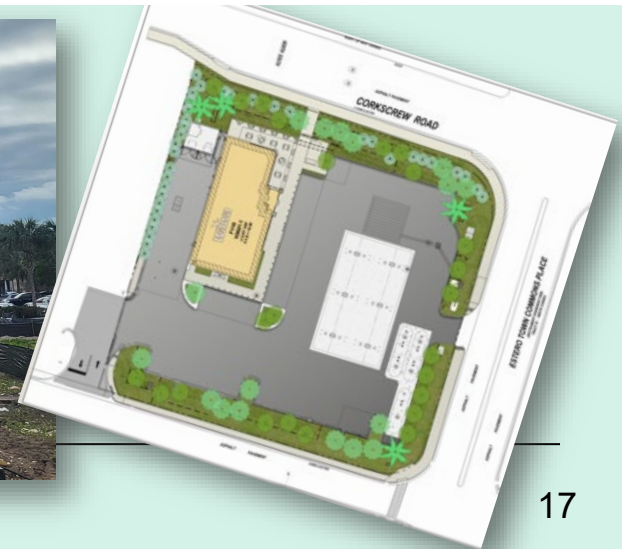
DEMOLITION COMPLETED



* Proportionate share of traffic signal paid



Status: Development Order approved November 2023
Building Permit under review



EYEBUILD

FORMERLY GINSBERG EYE

East of Village Hall on Corkscrew Road



14,952 ± Sq. Ft. building



Consistent *Architectural Theme* in office park

THE SHOPPES AT UNIVERSITY HIGHLANDS

BEN HILL GRIFFIN
PARKWAY NORTH OF
MIROMAR OUTLETS
MALL



19



LEE HEALTH



20,820 sq. ft. Comprehensive Care Center

Providing family medicine, imaging, lab services & adult rehabilitation

- Architecture is consistent with Lee Health design and shopping plaza



THREE60 WINE

COMING SOON

Three60 Wine at the Shoppes University Highlands

SPRING RUN CLUBHOUSE LOCATED OFF COCONUT ROAD

Expansion of Clubhouse, Outdoor Bar/Dining,
Pool Restroom & Bocce Ball Court



Residential Project

MILAN VILLAS 10-ACRE SITE

Located on Three Oaks Parkway
and Williams Road

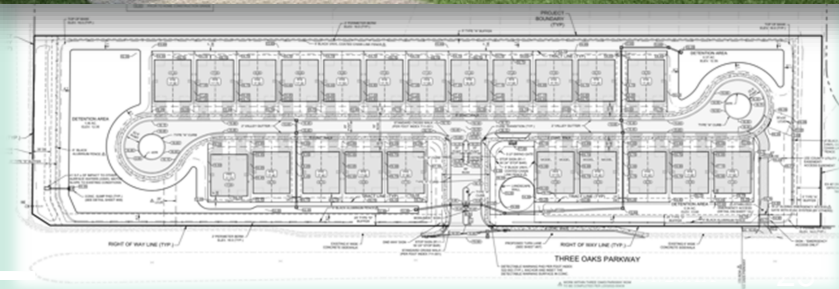


Rezoned from Commercial to Residential



DR Horton

44 Single-Family
Attached Homes



WEST BAY CLUB – THE ISLAND



West of US 41 – end of Williams Road



Fill process scheduled to start in May

High Rise Building

Approved Zoning
& Development
Order

Status: Erosion control fencing installed

24

DOWNTOWN ESTERO MIXED USE PROJECT

Status: New owner - Land clearing under way



US 41 & Broadway



- **310 DWELLING UNITS**
- **COMMERCIAL PARCEL ALONG US 41**
- **10 TOWNHOMES NOW UNDER REVIEW**

VILLAGE OF ESTERO IDENTIFICATION SIGNS

THREE OAKS PARKWAY S
BOUNDARY



1 of 3 CONSTRUCTED

26



NEW BUSINESSES AND REMODELS

27

PROJECTS REVIEWED BY PZDB

- Exterior Renovation
- Monument Signs
- Repaint Permits (Change in Color Schemes)

PROJECTS REVIEWED BY STAFF

- Interior Remodels
 - New Business – Use Permits
 - Wall Signs
 - Repaint Permits (Similar Colors)
-

TRENDS



2023 Gas Station
Gourmet

2024 Health & Wellness



MEDICAL REJUVENATION

Corkscrew Palms on Corkscrew Road

**VITAMIN IV
THERAPY and more**



REHABILITATIVE MEDICINE

Galleria on Corkscrew Road

FACE FOUNDRIE

LOCATED IN COCONUT POINT MALL



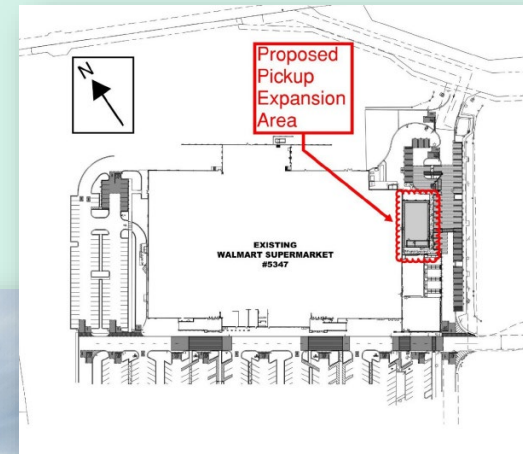
EDISON EYE CARE

LOCATED IN THE SHOPPES AT UNIVERSITY HIGHLANDS

WALMART EXPANSION

NE CORNER OF US 41 AND ESTERO PARKWAY

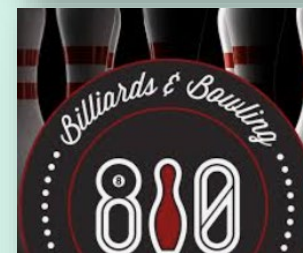
- 5,800 sq. ft. addition to south side of building
- Development Order under review

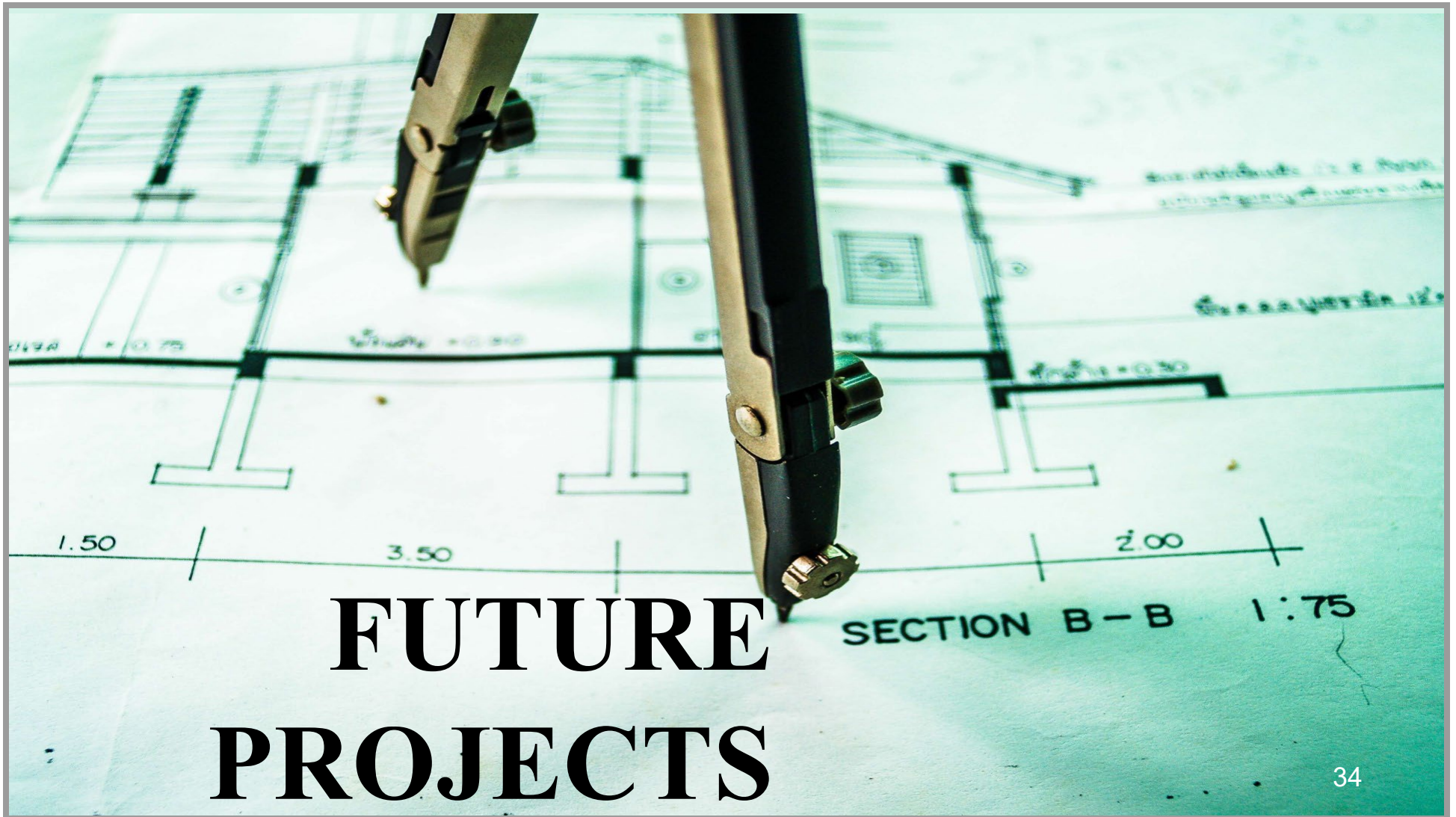


Commercial Remodel

810 BILLIARDS MIROMAR OUTLETS formerly Neiman Marcus “Last Call”

- Renovation Building permit issued
- Currently completing the interior demolition
- Billiards, Bowling, Ax Throwing, Golf, and Food and Drinks













FRONT ELEVATION

REAR ELEVATION

DINING ELEVATION

DRIVE THRU ELEVATION

EXTERIOR DESIGN - CONCEPT V10



MAIN ENTRY ELEVATION: Scale 3/32" = 1'-0"

- BUILDING BODY: SW 7516 Kestrel White
- CLAY TILE ROOFING: Boral Barcelona 900 New Southern Blend
- TOWER BODY: SW 9601 Diverse Beige
- DECORATIVE CORNICE: SW 7006 Extra White
- BUILDING BODY: SW 7516 Kestrel White
- AWNING: Vanguard 2909 Rust
- BUILDING INSET: SW 9601 Symmetry
- TRIM: SW 7006 Extra White
- BUILDING WAINSCOT: SW 9601 Diverse Beige

10-acre site on US 41 in front of Rapallo

STATUS: Building Permits under review for Miller's Ale House & McDonalds

MARKETPLACE PROJECT

Miller's Ale House, McDonalds, Starbucks & Retail Stores

HILTON GARDEN INN

2.16 ACRE PARCEL SOUTHEAST FROM



Development Order Approved for 70,800 square feet - 115 room, 5-story hotel

ABBIATI DENTAL OFFICE BUILDING

US 41 & Fountain Lakes Boulevard



Development Order approved for 10,000 Sq. Ft. dental/medical and 1,950 sq. ft. general office



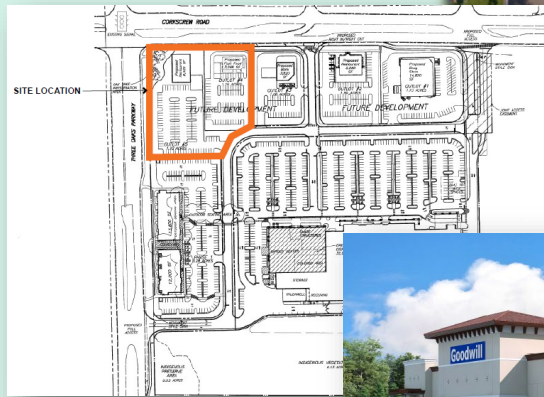
37



RELOCATING TO SE Corner of Corkscrew Road & Three Oaks Parkway

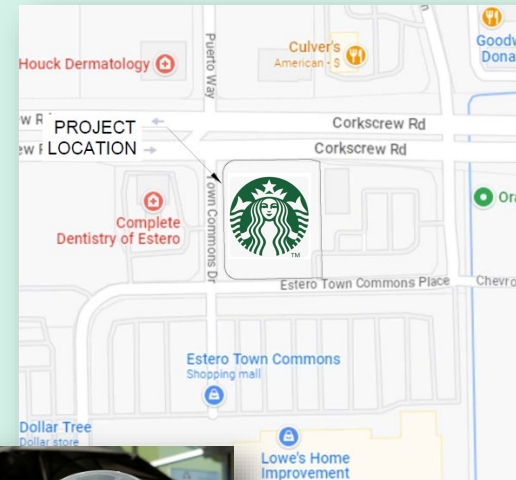
GOODWILL INDUSTRIES

- Development Order approved by PZDB
- Replat under review – goes to Council
- Applicant paid proportionate share of traffic signal
- Small preserve in NW corner
- Heritage Tree Preservation



STARBUCKS

1.5-acre Parcel on Corkscrew Road
(LOWE'S PLAZA ADJACENT TO WAWA)



Status: Development Order
submitted January 2024

COMING SOON CULVER'S AT COCONUT POINT

LOCATED AT US 41 & PELICAN COLONY BOULEVARD ON US 41



- Development Order Approved
- Building Permit approved January 2024



40

PROPOSED DAY CARES & PRE-SCHOOLS

GODDARD SCHOOL

SE Corner of Quente Way & Three Oaks Parkway

2-STORY 14,190 SQ. FT.

EARLY DEVELOPMENT SCHOOL

STATUS: Both held PIMs at PZDB – Coastal Palms Academy submitted
Development Order January 17, 2024



EAST ELEVATION



SW Corner of Corkscrew Road & River Ranch Road

COASTAL PALMS ACADEMY

3.84-ACRES

14,700± SQ. FT. DAYCARE/PRE-SCHOOL

41

HOME2 SUITES 4- STORY, 111 ROOM HOTEL

STATUS: PIM held at PZDB December 2023 – No applications



2.37-acres at Coconut Point Mall between the cinema and Via Coconut



WOODFIELD

40-ACRES NW CORNER OF US 41 & COCONUT ROAD

Rezoning to Estero Planned Development approved July 5, 2023



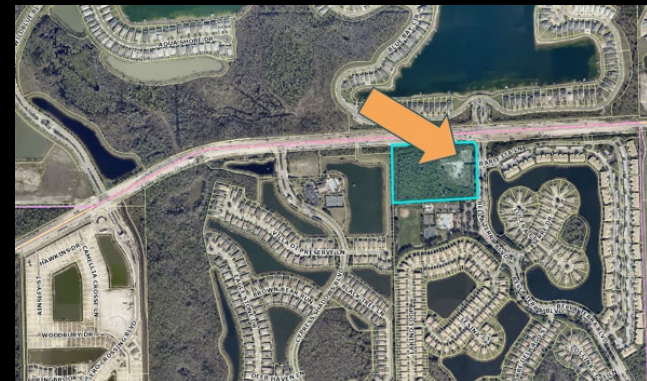
- 42,000 sq. ft. of office, including medical office
- 62,000 sq. ft. of retail
- 20,000 sq. ft. of dining
- Civic space
- 260-room hotel
- 596 residential units

WOODFIELD — MIXED-USE DEVELOPMENT

STATUS: Development Order for 1st phase submitted January 2024



175-Foot-Tall Monopole



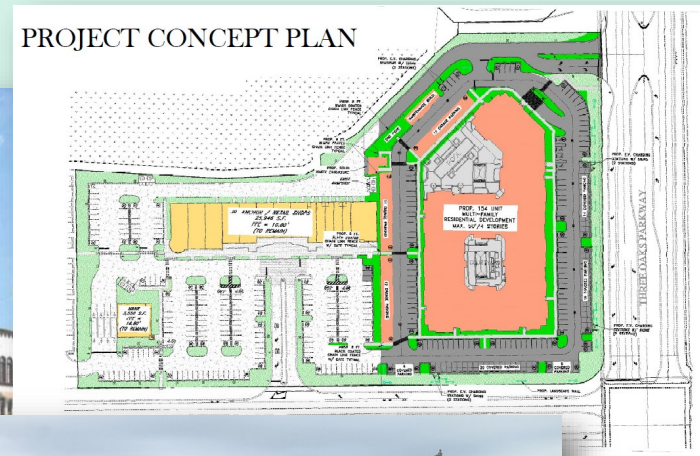
Status: Zoning Amendment under review - Balloon test conducted January 2024

BELLA TERRA CELL TOWER PROPERTY OWNED BY BELLA TERRA



COCONUT POINT RESIDENCES AT BROOKS TOWN CENTER

Status: Building Permit submitted December 2023



Demolish Winn Dixie
Construct 154 Unit Multi-family Building

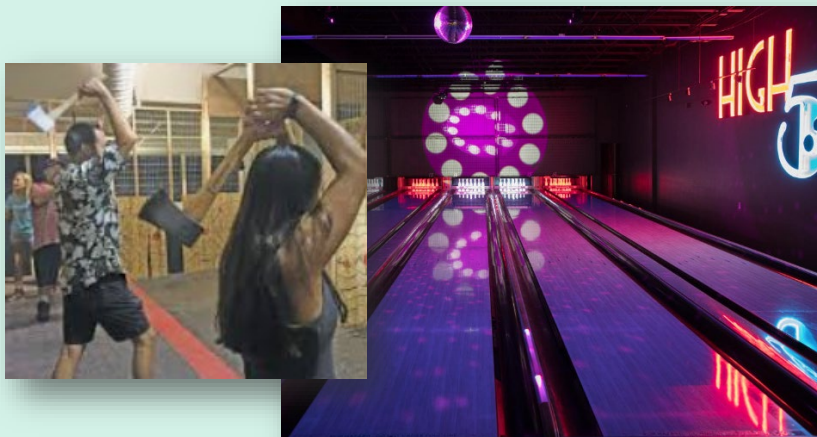
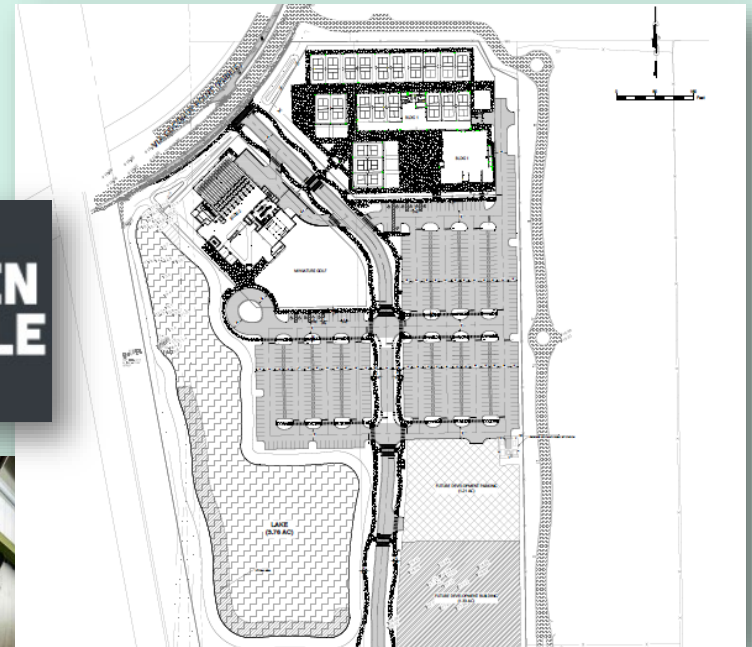
VILLAGE PROPERTY

HIGH5

20± Acres north side of Williams Road,
east of Via Coconut Point & railroad
ROW

- Rezoning Approved
- Development Order in process

CHICKEN
N PICKLE



47



PHOENIX SITE PLAZA DEL SOL CPD

North of Corkscrew Road
Currently Zoned for Assisted Living Facility



PROPOSED ZONING AMENDMENT

- Change in site plan for Parcel G East
- Change in use from Assisted Living Facility to:
 - Mix of Self Storage, Commercial and Hotel
 - Zoning Amendment submitted January 17, 2024





Status: Zoning Amendment PIM held December 2023

COLONNADE

NE Corner of Corkscrew Road & Sandy Lane

21 Acre Site under contract – Toll Brothers
Approved as a Continuing Care Facility
New Proposal for 171 Townhomes

PAVICH OFFICE BUILDING

On Corkscrew Road - West of Via Coconut



- **Council approved Rezoning**
- **9,000 sq. ft. building**
- **Applicant has withdrawn Development Order August 2023, due to economy**



51

GENOVA SINGLE-FAMILY

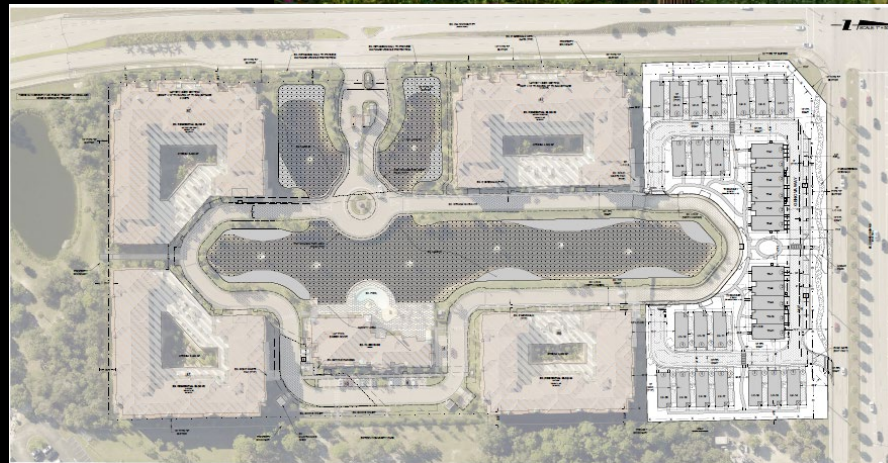
CORNER OF CORKSCREW ROAD & VIA COCONUT

31 ATTACHED VILLAS & TOWNHOMES

ZONING AMENDMENT APPROVED

DEVELOPMENT ORDER APPLICATION
SUBMITTED NOVEMBER 2023

FINAL PHASE





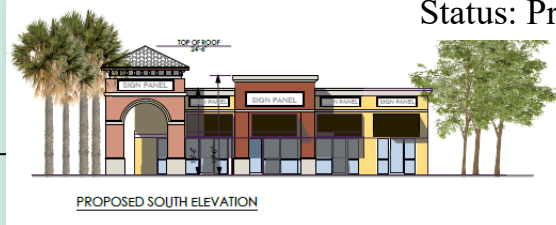
OLD POST OFFICE

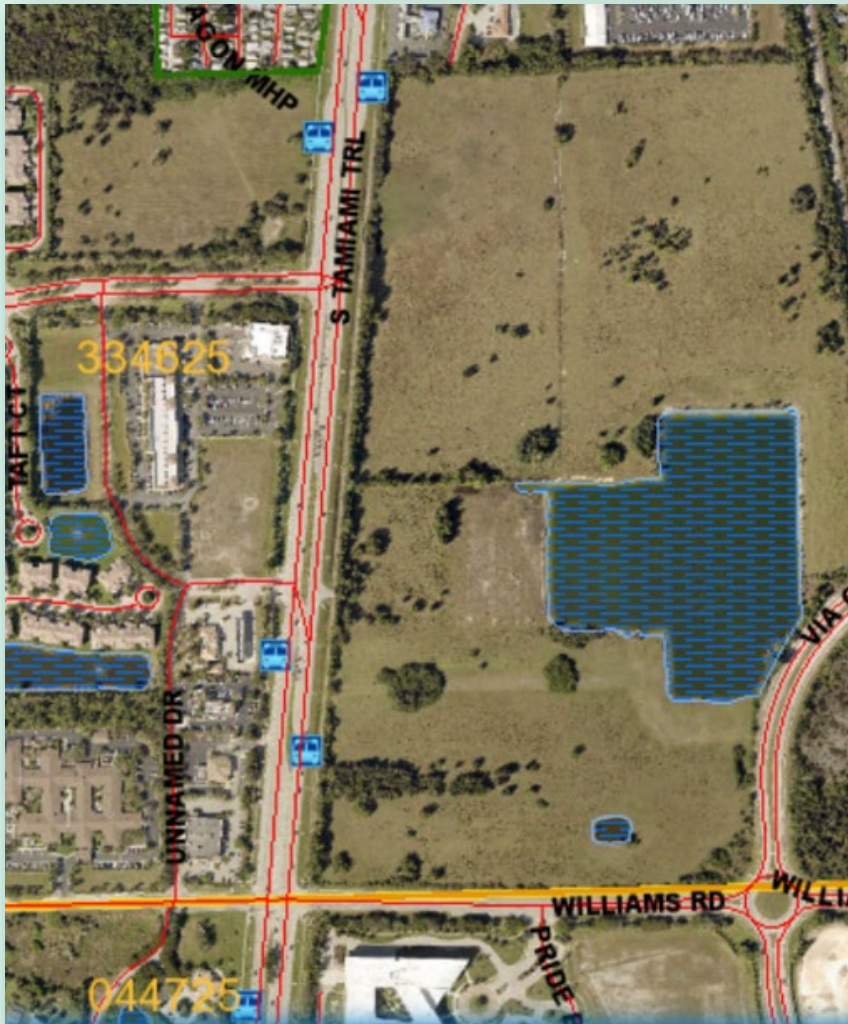
8111 BROADWAY E.

- Rezoned from AG to Commercial Planned Development
- Development Order approved for redevelopment of 4,800 sq. ft. building



Status: Property Recently Sold-Applicant has submitted revisions to plan





NORTH POINT - HCA

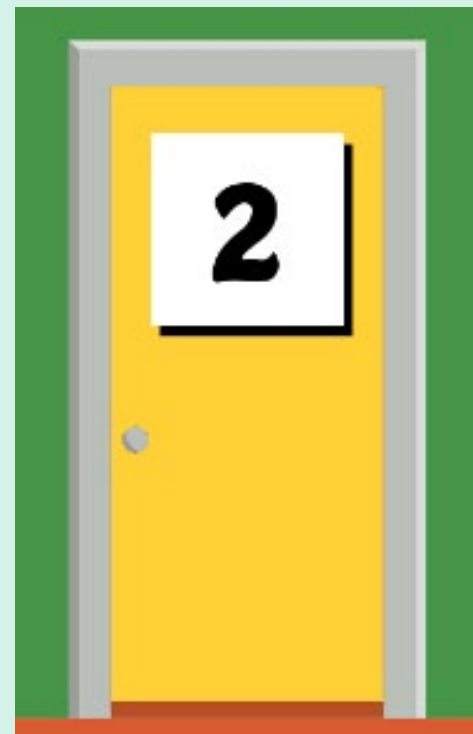
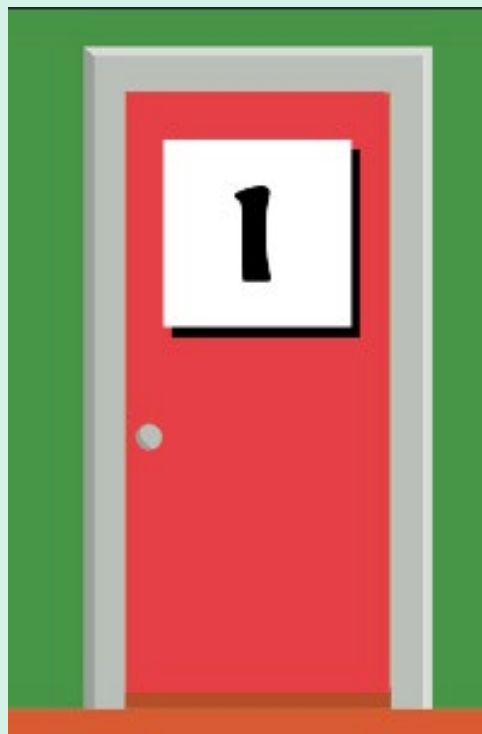
- ± 100-acres
- NE corner of US 41 & Williams Rd.
- Mixed Use – Village Center Land Use
- No application submitted

?

55

POP QUIZ ?

56



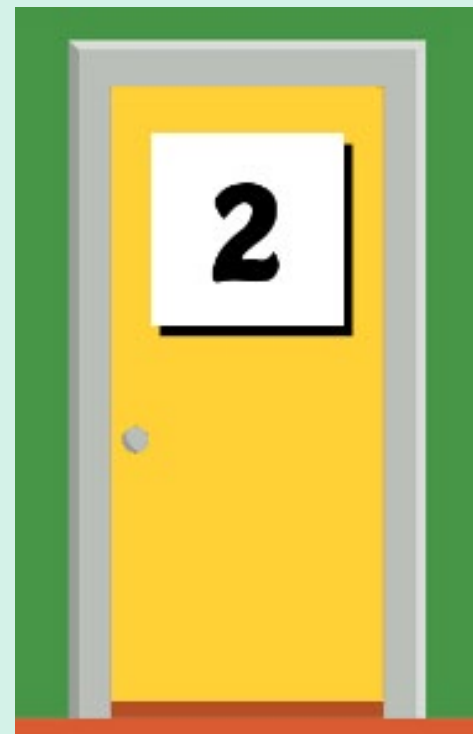
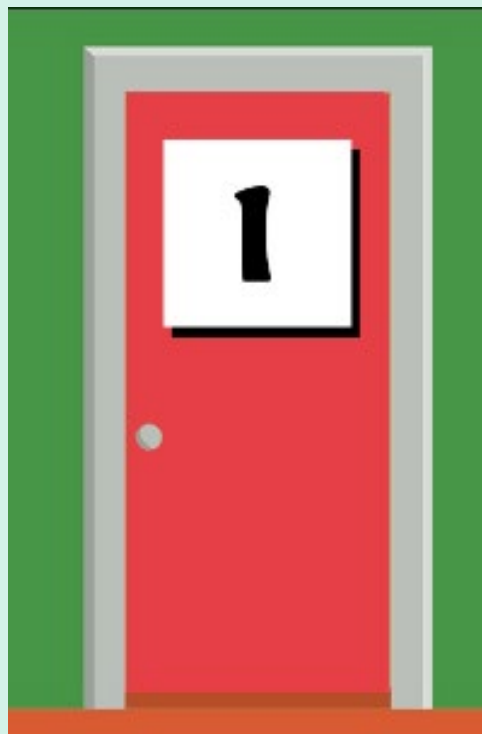


Estero Location



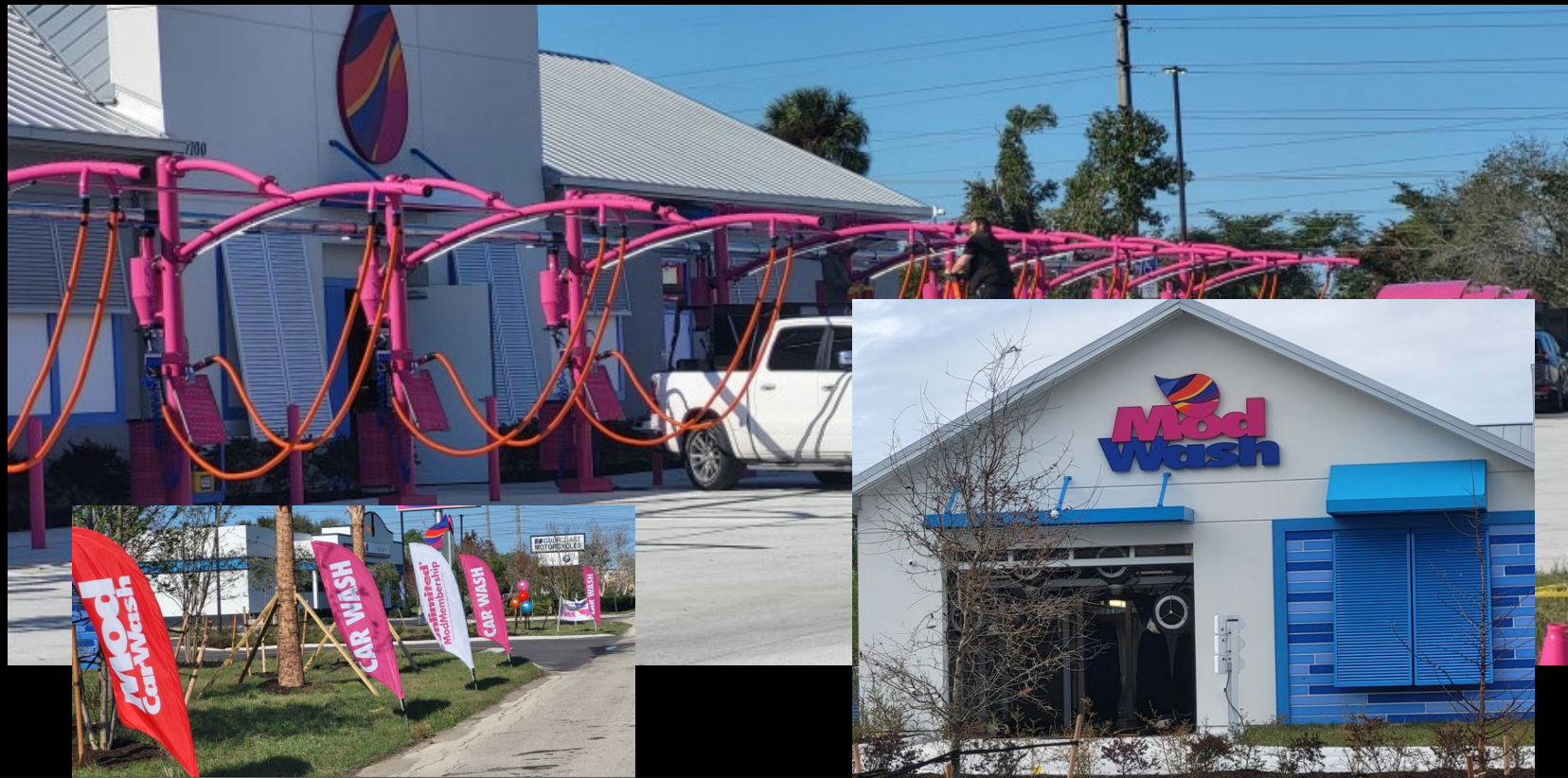
Not in Estero

59



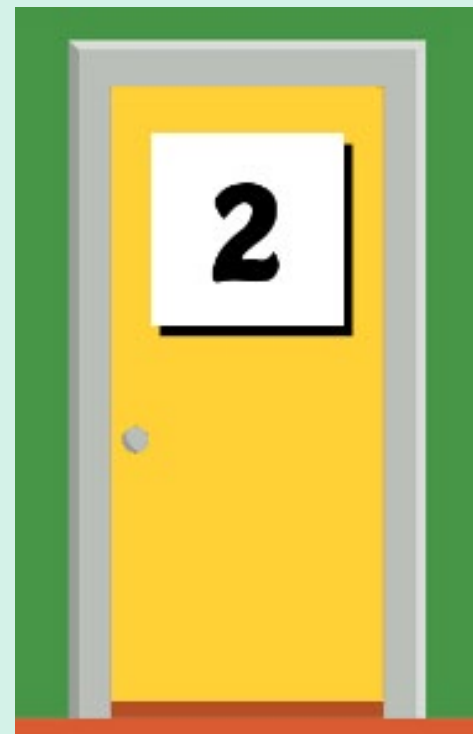
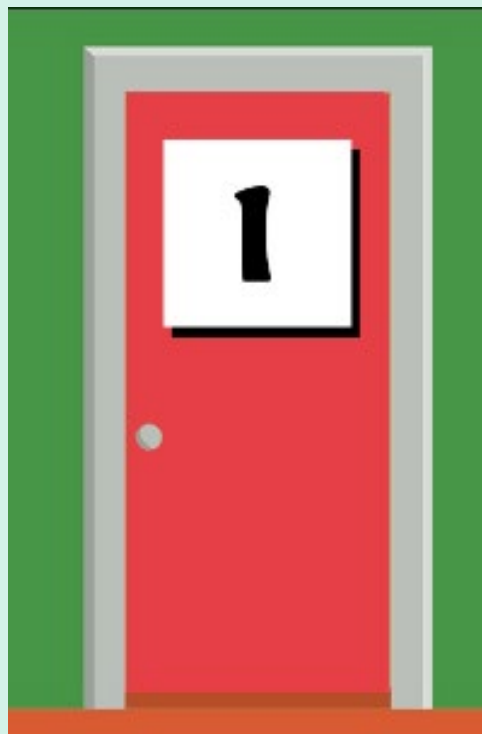


Estero Location



Not in Estero

62



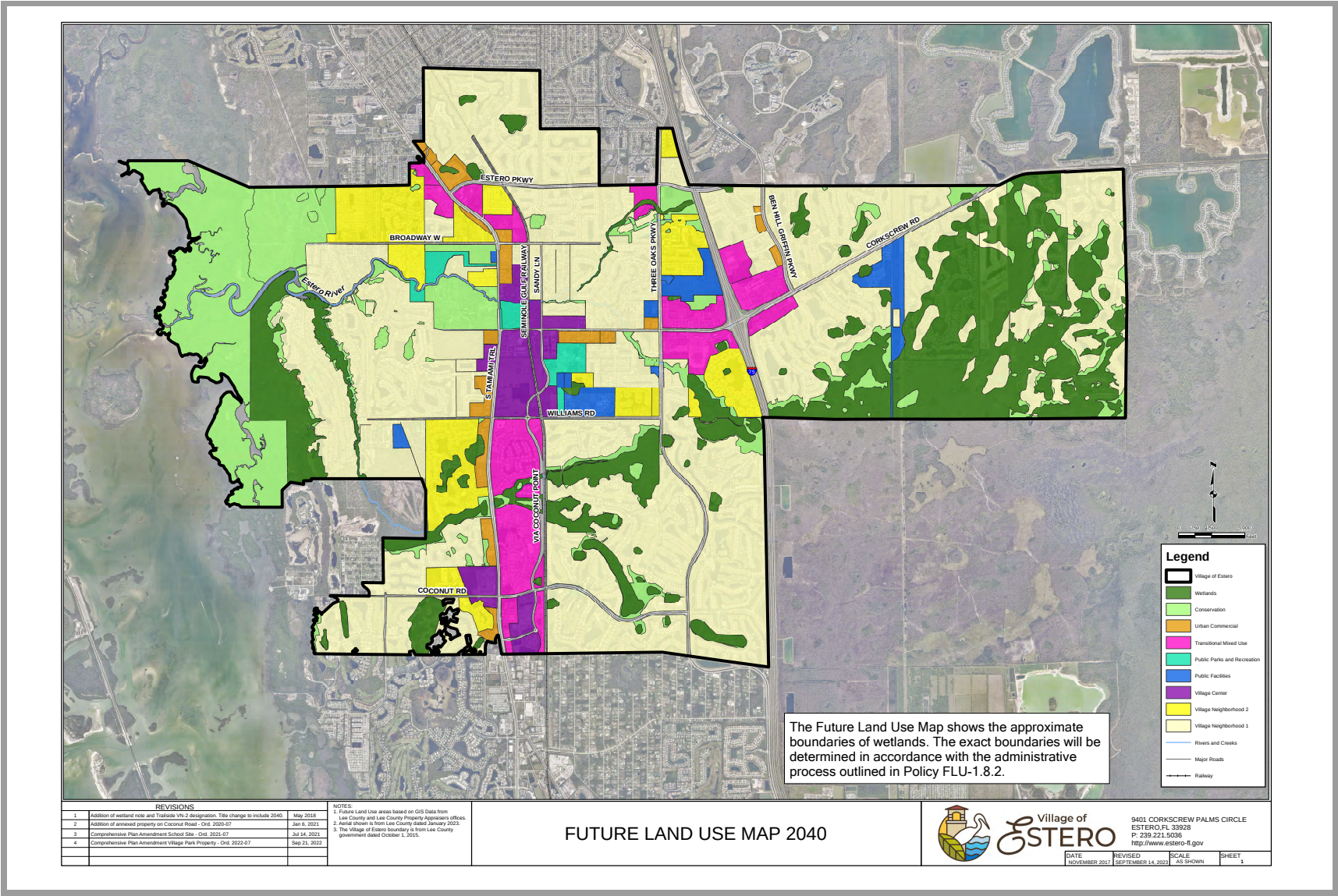


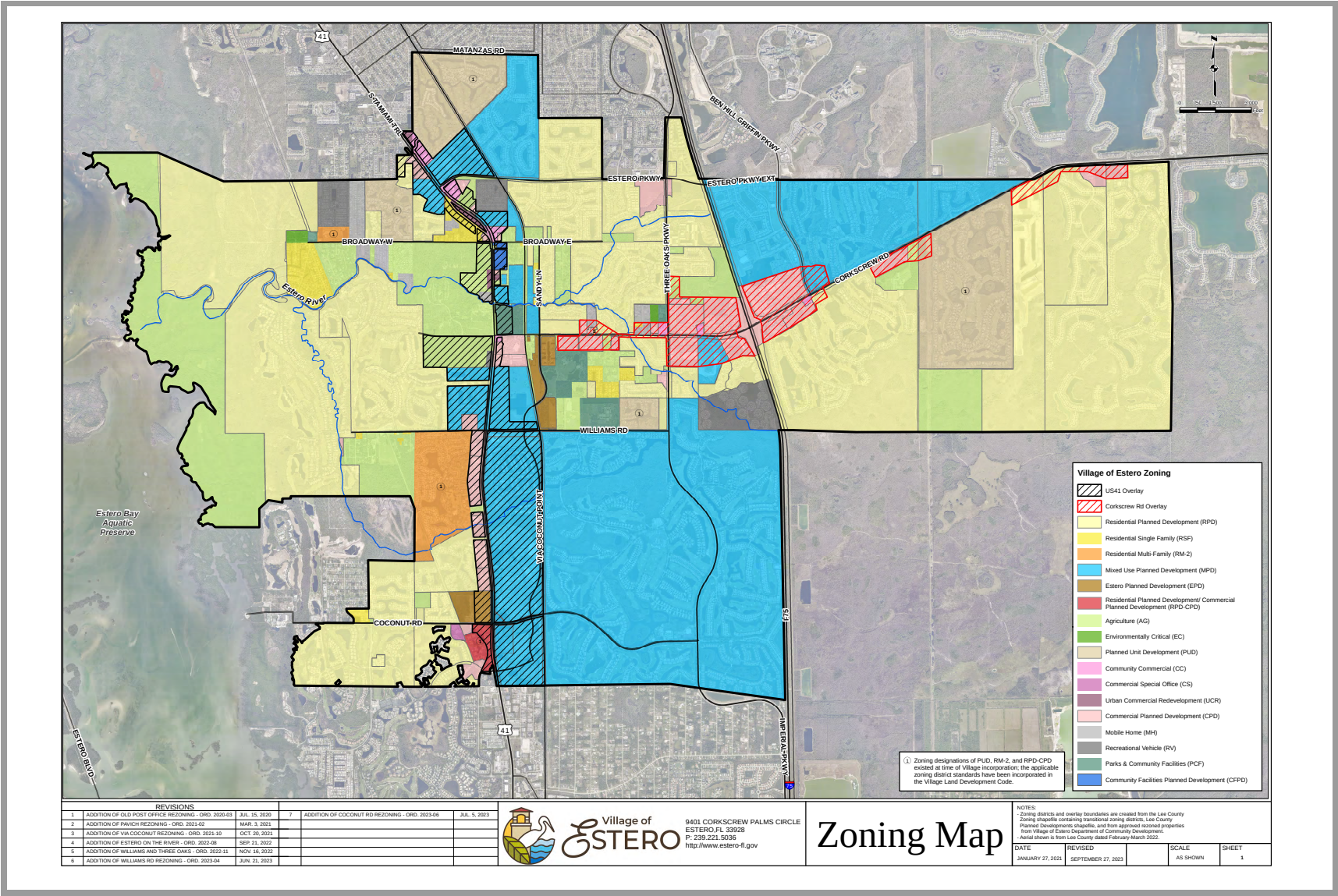


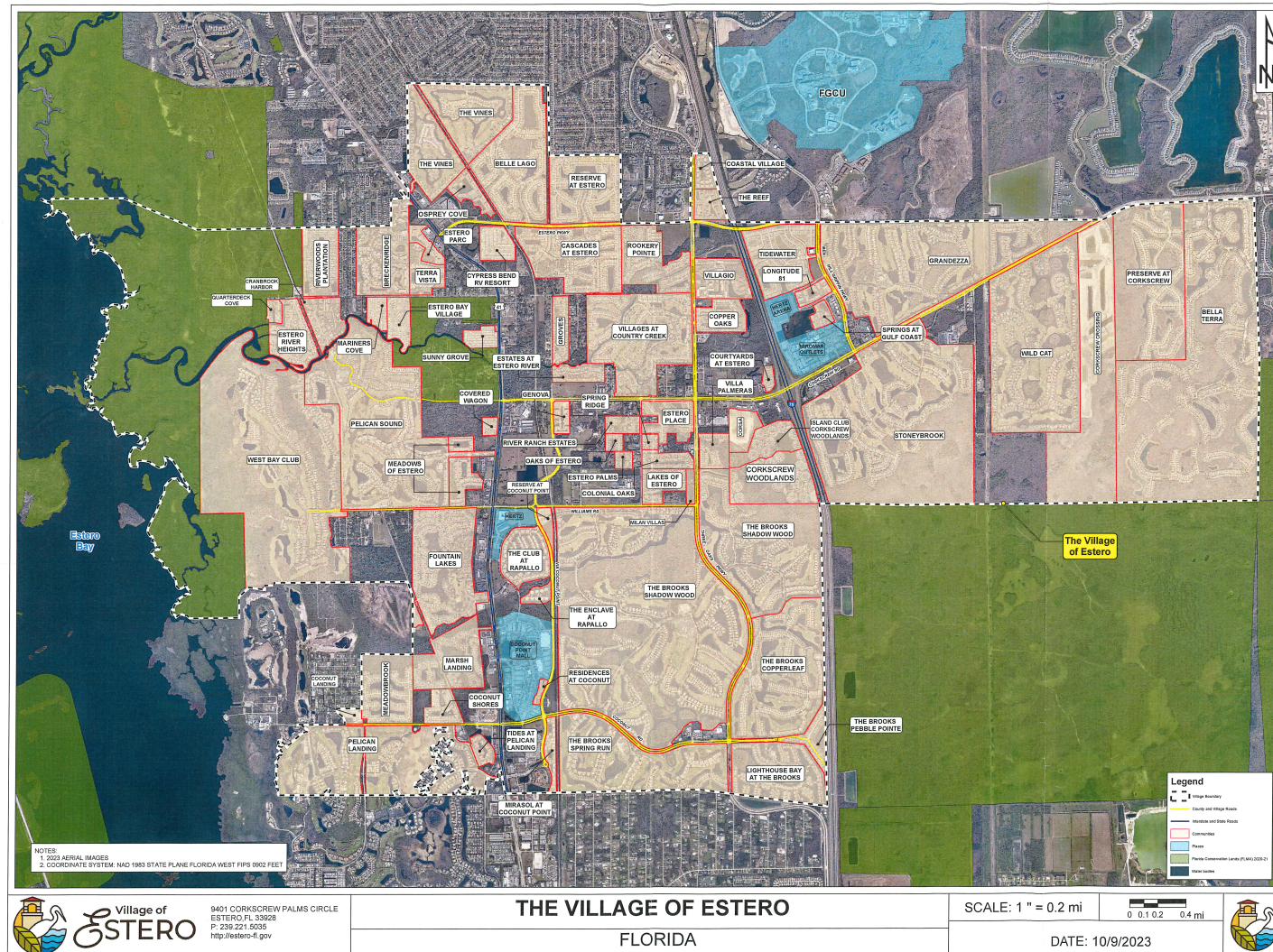
Conclusion

Village Code and Review by PZDB:

- Makes a Significant Difference
- Results in High Quality Projects
- Retains Village Character







Village of Estero PZDB Orientation

Estero Planning Zoning and Design Board
May 14, 2024

Ethics

Voting Conflicts of Interest Section 112.3143, Fla. Stat

Cannot vote if it would inure to your special private gain or loss, or similarly affects your client, your relative, or your business associate

"Special private gain or loss" = economic benefit or harm

Rule of thumb regarding "special" gain or loss: Are you a member of a large group, i.e. homeowner association? If your financial interest represents less than 10% of the group, it is not "special" and no conflict is necessary to disclose

Ethics

- - Per the Rules of Procedure, a Board member must disclose the conflict of interest prior to discussion on the item, step down from the dais, not participate in discussion, and not vote.
 - The Board member must also file a conflict of interest form (Form 8B) with the Village Clerk within 15 days after the vote. The Form will be incorporated in the minutes.

Ethics

- Section 112.313(7)(a), Florida Statutes prohibits a public officer from representing a client in matters that are before a board where he is a member because it may interfere with the full and faithful discharge of his public duties.
- An exception exists where Boards have designated professional members as required by ordinance. The designated members on the PZDB are state registered 1) civil engineers, 2) architects and 3) landscape architects
- A designated member may represent a client at a Public Information Meeting, but no other meeting

Powers and Duties of the PZDB

- Act as the Local Planning Agency per the Florida Community Planning Act:
 - “Be the agency responsible for the preparation of the comprehensive plan or plan amendment and shall make recommendations to the governing body regarding the adoption or amendment of such plan.”
 - “Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the governing body such changes in the comprehensive plan as may from time to time be required.”
 - “Review proposed land development regulations, land development codes, or amendments thereto, and make recommendations to the governing body as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof.”

Powers and Duties of the PZDB

Make decisions regarding certain land development applications:

- Development Orders (Site Plans)
- Deviations relating to the height of building and structures (unless part of a rezoning application which the Council then decides)
- Variances (unless a part of a rezoning application)
- Special Exceptions
- Minor planned development amendment

An appeal can be made of the PZDB decision within 30 days to the Village Council by an “aggrieved party,” or the Village Manager. The Council may also decide to take jurisdiction of the matter.

Powers and Duties of the PZDB

- Make recommendations to the Village Council regarding
 - Comprehensive plan amendments
 - LDR amendments, including rezoning
 - Planned development and amendments
 - Vacation of easements and right of ways associated with rezonings
 - Deviations to be heard by the Council
 - Flood variances

Rules of Procedure

- The Board has adopted procedures for the conduct of business and meetings, conduct of public hearings, and conduct of public information meetings
- The Rules of Procedure supplement the procedures adopted in the LDRs
- Selected topics:
 - The Council appoints the Chairperson; the Board selects the Vice Chairperson
 - A quorum necessary to conduct business is four persons, including the designated architect
 - Meetings have a curfew of 9:00 pm unless extended by vote of the Board

Rules of Procedure

- At least 7 days' notice of PZDB meetings are required, including the agenda
- Majority vote of a quorum is necessary to decide any item of business.
- If a physical quorum is in attendance, other members may participate by electronic means (zoom)
- Every member in attendance must vote, unless that member has a conflict of interest
- Public Information Meeting is required for all applications. No decisions are made at the PIM, but Board members may ask questions of a preliminary nature, not binding when the application is heard at a quasi-judicial hearing.

Florida Law – Selected Topics

- The Community Planning Act of 2011 governs planning and land development regulation in Florida. It reformed earlier state planning legislation that originated in various forms since 1975
 - Each county and municipality in the state must adopt a comprehensive plan that meets criteria in the statute and is reviewed by the state for compliance with the statute. Plan amendments also are reviewed.
 - Land development regulations (LDRs) must be adopted to implement the plan, including certain types of LDRs.
 - All development permits and LDRs must be consistent with the comprehensive plan
 - If challenged in court, inconsistencies are subject to “strict scrutiny” by the court, i.e. no deference to local government

Florida Law – Selected Topics

Bert J. Harris, Jr., Private Property Rights Protection Act, Section 70.001, Florida Statutes

- ... regulations or other government actions may “**inordinately burden**,” restrict, or limit private property rights, without amounting to a taking, and create a claim for **damages** in such cases
- **Inordinate burden:** Government action that has “directly restricted or limited the use of real property such that the property owner is permanently unable to attain:
 - (1) the reasonable, investment-backed expectation for the existing use of the real property,” or
 - (2) “a vested right to a specific use of the real property with respect to the real property as a whole,” or
 - (3) “that the property owner is left with existing or vested uses that are unreasonable such that the property owner bears permanently a disproportionate share of a burden imposed for the good of the public, which in fairness should be borne by the public at large.”

Florida Law – Selected Topics

- Governmental Exactions, Section 70.45, Florida Statutes
 - “In addition to other remedies available in law or equity, a property owner may bring an action in a court of competent jurisdiction under this section to declare a prohibited exaction invalid and recover damages caused by a prohibited exaction. Such action may be brought by a property owner at the property owner’s discretion when a prohibited exaction is actually imposed or when it is required in writing as a final condition of approval for the requested use of real property. The right to bring an action under this section may not be waived. This section does not apply to impact fees adopted under s. 163.31801 or non-ad valorem assessments as defined in s. 197.3632.”
 - “Prohibited exaction” means any condition imposed by a governmental entity on a property owner’s proposed use of real property that lacks an essential nexus to a legitimate public purpose and is not roughly proportionate to the impacts of the proposed use that the governmental entity seeks to avoid, minimize, or mitigate.”

Florida Law – Selected Topics

- Developments of Regional Impact, Section 380.06, Florida Statutes
- DRIs are large, planned developments that beginning in the 1970s were approved under by statutory procedures involving state and regional administrative review processes, and a local government development order (usually with a rezoning and sometimes a comprehensive plan amendment). The process for approval under current statute only requires local government review and approval.
- The Village has a number of approved and built DRIs, which have obtained “vested rights” to complete development according to their approvals. Local government is restricted from changing plans and regulations that interfere with the vested rights.

Quasi-Judicial proceedings

- All rezoning hearings, and the decisions by the PZDB on site-specific applications are heard by the PZDB in a quasi-judicial proceeding. These include Development Orders , Deviations relating to the height of building and structures, Variances, and Special Exceptions
- Florida caselaw requires quasi-judicial proceedings to be conducted in order to ensure that due process is provided to applicants for site-specific zoning decisions
- Procedures are in Section 5 of the Rules of Procedure

Quasi-Judicial proceedings

- Minimum requirements for quasi-judicial proceedings:
 - 1. An impartial decision-maker (ex parte disclosures)
 - 2. All fact witnesses to be sworn and testimony under oath
 - 3. Proponents (applicants), staff and interested parties have full opportunity to present evidence and argument, including expert witnesses
 - 4. Witnesses may be cross-examined by the parties
 - 5. Public testimony and comment is allowed
 - 6. Formal rules of evidence do not apply, but fundamental due process is required
 - 6. A written decision supported by competent, substantial evidence in the record of the proceedings

Planning Zoning and Design Board

Questions?

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
April 9, 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, Barry Jones, James Tatooles, Jim Wallace, and Kristin Jeannin.

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 March 12, 2024, meeting minutes.

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

- 6. PUBLIC INFORMATION MEETINGS**

(a) Estero Family Health Center - Addition (DOS2023-E011) (District 3)
19701 S. Tamiami Trail, located east on US 41, north of the Vines entrance.

Applicant is seeking approval of a ± 4,153 square foot addition to the north side of the existing health center, with parking improvements.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Joshua J. Jennings P.E, Weiler Engineering Corporation

James J. Henley, Burt Hill/Pollock Krieg

Public Comment

None.

Board Questions or Comments

Board Members Wallace, Sheeley, Jeannin, and Jones

(b) Coconut Trace Planned Development Amendment (District 1)

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

Applicant is seeking a zoning amendment to allow a 122 – room hotel on Tract F. Currently a hotel is only allowed on Tracts A and D.

Board Member Sheeley recused himself and sat in the audience.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Jeremie Chastain, AICP, Hole Montes, A Bowman Company

Christie Patterson, InterMountain Hotels

Board Questions or Comments

Board Members Wallace, Jones, and Jeannin.

Public Comment

Artom Neshman, Rapallo

(c) Wildcat Run Pickleball– Limited Development Order (LDO 2024-E002) (District 7)

20300 Country Club Drive, south of Corkscrew Drive and immediately east of RiverCreek

Applicant is seeking to renovate 1 of the 5 existing tennis courts into new pickleball courts. These courts are south of the clubhouse in the center of the development.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Tyler P. Bonnough, PE, Hole Montes, A BOWMAN Company

Board Questions or Comments

Board Members Wallace, Jones, Jeannin, and Chairman Wood

Public Comment

None.

- (d) The Brooks Commons Club – Pickleball Expansion (Amendment to LDO2022-E051)
(District 6)

The Commons Club is located at 9920 Coconut Road and the courts are west of the club along Coconut Road.

Applicant is seeking to revise the original plan presented to the board January 10, 2023. Revised plans reduce pickleball courts from 16 to 11, relocate the open-air shade structure, change landscaping and lighting, and adjust the project's construction phasing.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Joe Archazki, General Manager of The Commons Club at the Brooks
James McCord, Director of Landscape Architecture

Board Questions or Comments

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

Public Comment

In Person

Andrew Bregman, MD, Shadow Wood
Art Spader, Spring Run

eComments

Joanne Apesos, Shadow Wood
Kimberly Green, Copperleaf
Lynda Langford, Shadow Wood
Rosemary Bustard, Spring Run
Roberta Aiani, Spring Run
Pam Bulson, Copperleaf
Kathy Magnanenzi, Spring Run
Angelo DiBernardo, Lighthouse Bay
Stacy Schulz, Shadow Wood
John Newcome, Shadow Wood
Philip Hoffman, Shadow Wood
Debbie Gotsch, Spring Run
Vickie Whiteley, Copperleaf
Robert Chieffo, Lighthouse Bay
Susan Stasyshan, Lighthouse Bay

Richrd Stasyshan, Lighthouse Bay
Andrea Gauvreau, Brooks
Paul Nativi, Shadow Wood
Carol Nativi, Shadow Wood
Leslie Mason, Lighthouse Bay
Elizabeth Lucke, Shadow Wood
Pamela Gatz, Shadow Wood
Barbara Schafer, Spring Run
Virginia Hupfer, Shadow Wood
Donald Geysel, Spring Run
Ed Pieper, Brooks
Elizabeth Skorupa, Spring Run
Moir Phillips, Lighthouse Bay
Marlene Gillespie, Lighthouse Bay
Kimberly Ruggiero, Spring Run
Bart Ruggiero, Spring Run
Sharon and Gregory Charlesworth, Shadow Wood
Marilyn Tazalla, Shadow Wood
Elaine Porter, Spring Run
Joanne Edwards, Shadow Run
Cathy Paulus, Shadow Run
Greg Paulus, Shadow Run
Gregory Peterson, Copperleaf
Gregory Tazalla, Brooks
Michael Dau, Brooks
James Roedel, Lighthouse Bay
Susan Roedel, Lighthouse Bay
Carol Ebaugh, Lighthouse Bay
Carolyn Tichacek, Brooks
Wendy and Sam Johnson, Shadow Wood
David Daniel, Spring Run
Mary Daniel, Spring Run
Chris Leonard, Shadow Run
Phil Brewer, Spring Run
Linda Thompson, Spring Run
Pam Baker, Copperleaf
Julie Vanderheyden, Brooks
Thomas Szott, Shadow Wood
Brian Obarski, Brooks
Cilla Harrington, Shadow Wood
Jill Bauer, Shadow Wood
Stephen England, Shadow Wood
Diane Silca, Copperleaf
Craig Korkoian, Spring Run
Christine Korkoian, Spring Run
James Ruffner, Copperleaf
Walter Young, Shadow Wood

Kathleen Davenport, Shadow Wood
Robert Ozment, Shadow Wood
Paul Schwartz, Copperleaf
Lisa Robinson, Spring Run
Marianne McNerney, Shadow Wood
Vicki Foreman, Spring Run
William Hession, Lighthouse Bay
Jan Golden, Shadow Wood
Joe Spadaro, Lighthouse Bay
Jim Pollitt, Brooks
Steven Thompson, Spring Run
Mary Hawkins, Shadow Wood
Ann Koppe, Shadow Wood
Gary Renaud, Shadow Wood
Richard Roessner, Shadow Wood
Joanne Roessner, Shadow Wood
Sandra Teaberry, Shadow Wood
Scott Thomas, Shadow Wood
Don Bulson, Copperleaf
William Brightly, Shadow Wood
Margaret Newcome, Shadow Wood
Ron Trotter, Brooks
Douglas Thompson, Lighthouse Bay
Kevin Bidlack, Spring Run
Suzanne Bidlack, Spring Run
Claire Batista, Copperleaf
Candy Trotter, Brooks
Cathy Radler, Copperleaf
Debie Pomorski, Copperleaf
Ron Siemers, Copperleaf
Daniel Seik, Copperleaf
Todd Robertson, Spring Run
Lori Allen, Copperleaf
Randee Stypulkowski, Hidden Lakes
Eileen Seik, Copperleaf
Nichol Morrison, Brooks
Timothy Haller, Spring Run
Leslie Bruce, Spring Run
Helene Hargest, Copperleaf
Nancy Kelly, Copperleaf
Laurie Brightly, Shadow Wood
Tom Rollins, Shadow Wood
Kristin Lieberman, Shadow Wood
Steven Jungerwirth, Shadow Wood
Stephen Ritchie, Shadow Wood
Holly Ritchie, Shadow Wood
Robin Sousa Jolin, Copperleaf

Sena Drawer, Lighthouse Bay
Robert Lieberman, Shadow Wood
Lori Drumtra, Lighthouse Bay
Tom Buuck, Shadow Wood
Betsy Kenniston, Copperleaf
Judee Malis, Shadow Wood
Maryann Stinton, Lighthouse Bay
Glenda Fahey, Shadow Wood
Kathleen Schwartz, Copperleaf
Laurie West, Shadow Wood
Gary Klie, Shadow Wood
Gordon Crowther, Shadow Wood
Mark Pomorski, Copperleaf
Robert V. Parkins Jr., Spring Run
Louis Aiani, Spring Run
Michelle Nash, Shadow Run
George Nash, Shadow Run
Jean Hughes, Spring Run
Stacey Murphy, Spring Run
Cynthia Clemence, Shadow Wood
Nick Bellino, Spring Run
Maria Jorge, Lighthouse Bay
Nancy Licciardi, Copperleaf
Cathy Catanzarite, Shadow Wood
Barbara Pieper, Brooks
Jack and Sherry Hammerstrom, Spring Run
Scott Glasrud, Shadow Wood
David Fisher, Shadow Wood
Paul Horgan, Lighthouse Bay
Sue Martau, Copperleaf
Marilyn Kack, Commons Club
Peter Schwartz, Lighthouse Bay
Rosemary Scaravaglione, Lighthouse Bay
Christine Schwartz, Lighthouse Bay
John Schmitt, Copperleaf
Margaret Larsen, Shadow Wood
Robert M Ilg, Shadow Wood
James Tarabori, Shadow Wood
Renee Guarascio, Lighthouse Bay
Herbert Guarascio, Lighthouse Bay
Jeffrey Hipchen, Brooks
William McBain, Shadow Wood
Diane McBain, Brooks
Ellen Schutter, Lighthouse Bay
Russ Larko, Shadow Wood
Tim Glandon, Shadow Wood
Ian Sutherland, Shadow Wood

Peter Bourjaily, Lighthouse Bay
Ken Smith, Shadow Wood
Joseph Archazki, Brooks
John Larsen, Shadow Wood
Tom McBride, Shadow Wood
Stephen A Frayne, Shadow Wood
Michael Ryan, Spring Run
Mary Brennan, Brooks
Daniela DeSantis, Shadow Wood
Alyson Brown, Brooks
Gary Stenke, Lighthouse Bay
Melinda Wilcox, Shadow Wood
William and Roberta Anderson, Copperleaf
Loretta Gallagher, Spring Run
Ronald Dommer, Lighthouse Bay
Kathy Rose, Copperleaf
Mark Nielsen, Shadow Wood
Lee Nidetz, Commons Club
Elaine Crosson, Spring Run
Richard Cobb, Spring Run
Sylvie Lucki, Shadow Wood
Helene Diederich, Copperleaf
David Huttenlocher, Shadow Wood
Jeffrey Boyle, Copperleaf
James O'Brien, Spring Run
Sandra O'Brien, Spring Run
Edward Franklin, Brooks
Katherine Larko, Brooks
Kim Huttenlocher, Shadow Wood
Bruce Kasold, Shadow Wood
Andrew Bregman, Shadow Wood
Anthony Tutino, Shadow Wood
Randy and Susan Kemnitz, Shadow Wood
Irwin Frank, Shadow Wood
Monika and Matt Hellstern, Shadow Wood
Paula Smith, Shadow Wood
Greg Watts, Brooks
Stephanie Watts, Brooks
Terry Ebaugh, Lighthouse Bay
Nancy Cerbone, Copperleaf
Stuart Malis, Shadow Wood
Joseph Alfenito, Shadow Wood
Renie Al Melicor, Lighthouse Bay
David Garner, Lighthouse Bay
Richard Onson, Shadow Wood

Recess at 5:55 pm and Convene 6:06 pm.

- (e) Shadow Wood Community Association - Coconut Road Guardhouse Remodel (LDO2024-E008) (District 6) The guardhouse is located at the entrance to Shadow Wood on Oakwilde Boulevard, north of Coconut Road, and east of Via Coconut Point.

Applicant seeks to remodel the existing guardhouse, changing the appearance and increasing the height and roof overhang.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Adrian Karapici, AM Design Group

Board Questions or Comments

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

Public Comment

None.

- (f) 9000 Williams Road Development Order (District 4)

The property is located on the north side of Williams Road and east of Via Coconut and the railroad right of way, including the Golf Coast Driving Range.

Village owned ±19 acres recently rezoned to Estero Planned Development (EPD)

Proposed Development Order for a recreational and sports entertainment facility.

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Presentation/Information by

Michael Comparato, Vieste

Board Questions or Comments

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

Public Comment

None.

7. PUBLIC INPUT

None.

8. BOARD COMMUNICATIONS

(a) Next meeting – May 14, 2024

Staff Presentation/Comments

Mary Gibbs, Community Development Director

Nancy Stroud, Land Use Attorney

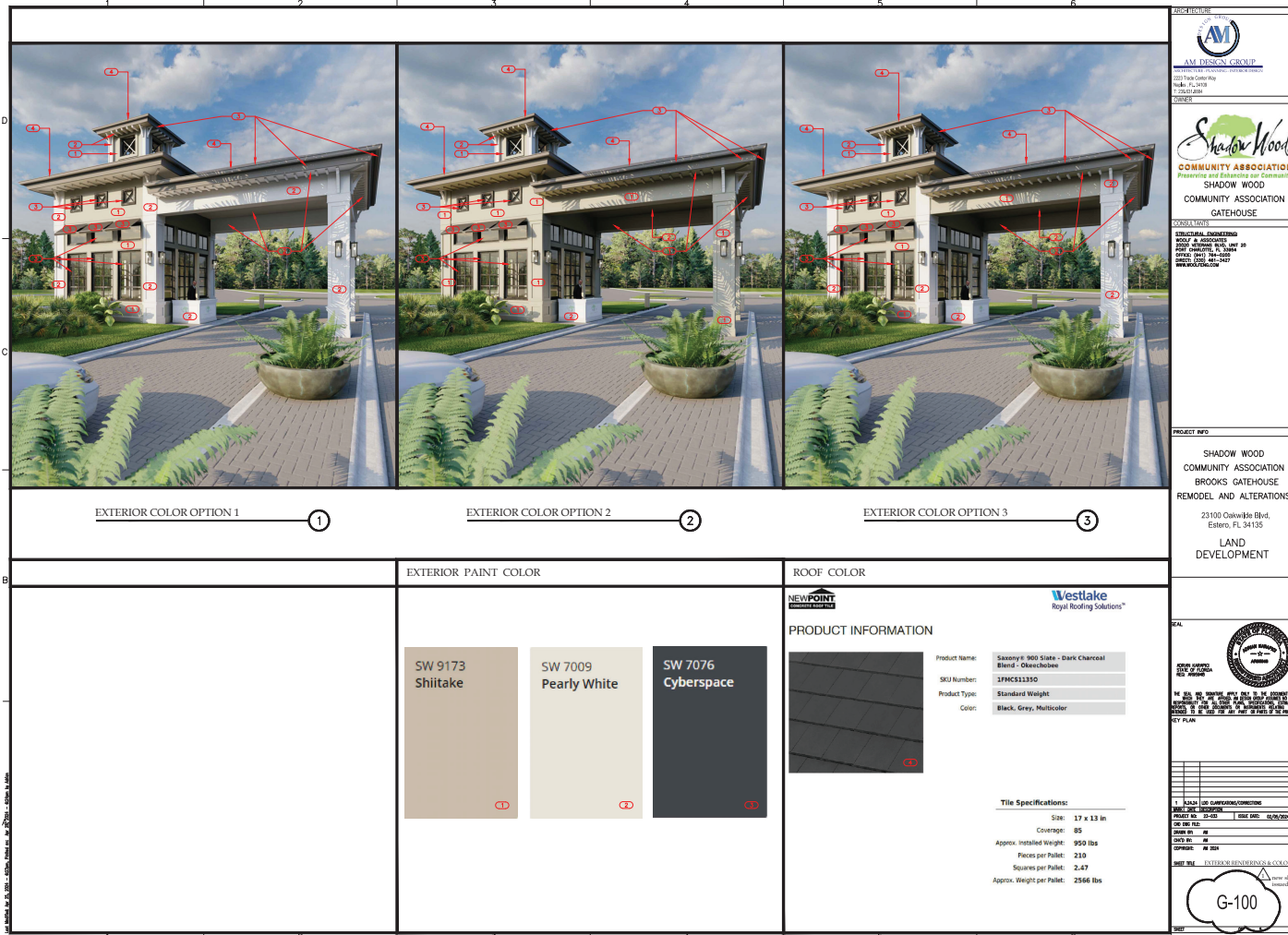
Board Questions or Comments

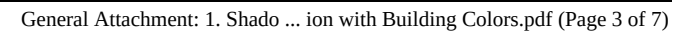
Board Members Tatooles, Jeannin, Wallace, Sheeley, Vice Chairman Gargano,
and Chairman Wood

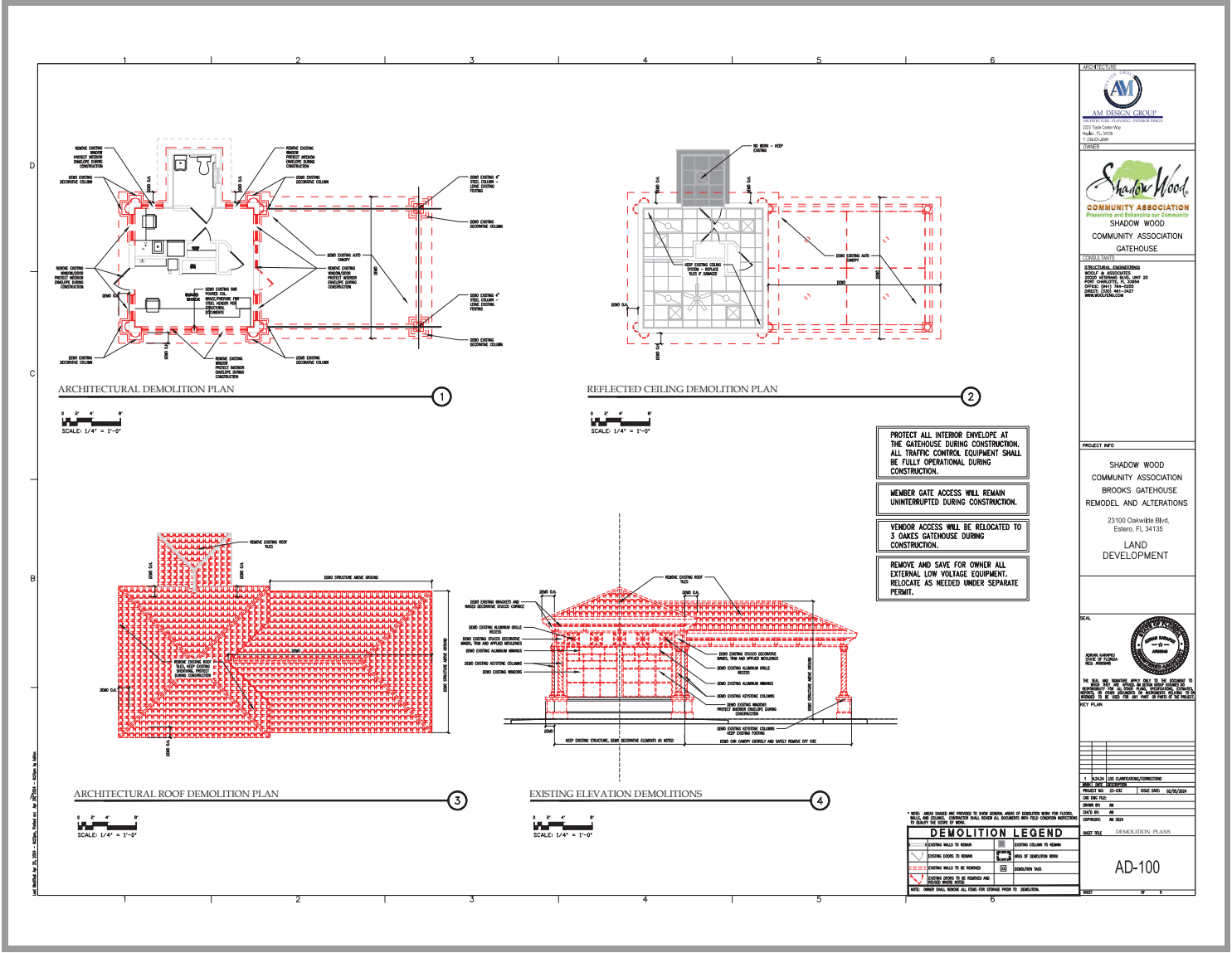
9. ADJOURNMENT: 6:52 pm.

Tammy Duran
Deputy Village Clerk

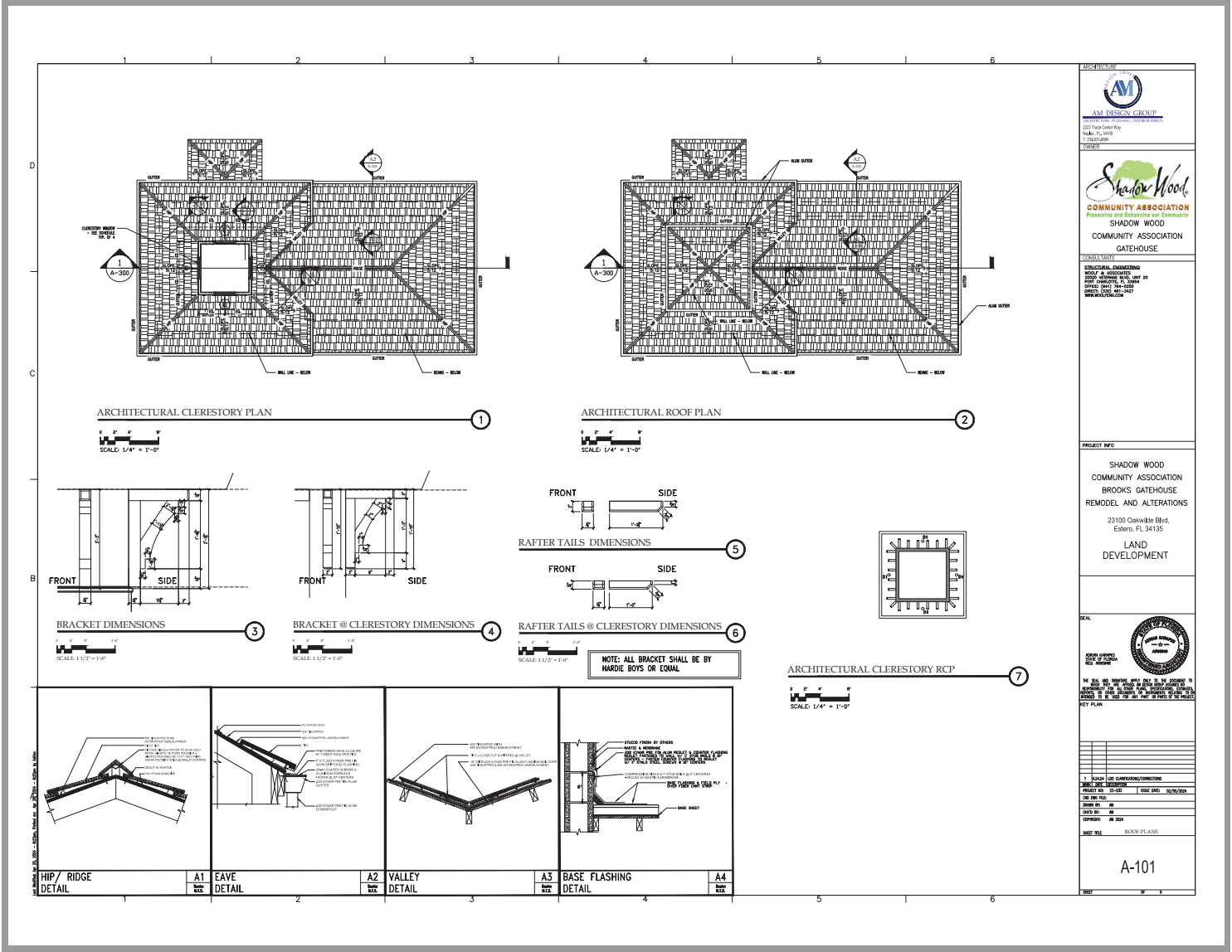
General Attachment: 1. Shado ... ion with Building Colors.pdf (Page 1 of 7)













Planning, Zoning and Design Board
Staff Report

Project Name
Wildcat Run Country Club – Pickleball Courts
CASE NUMBER
LDO2024-E002
MEETING DATE
May 14, 2024
REQUEST
Seeking to renovate one existing tennis court into 4 pickleball courts with associated site & landscape modifications
APPLICANT
Wildcat Run Country Club Association Inc.
LOCATION
20300 Country Club Drive
PROPERTY SIZE
7.52 Acres
ZONING
Wildcat Run Planned Unit Development (PUD)
PUBLIC INFORMATION MEETING DATE
April 9, 2024

Staff Recommendation

Staff recommends approval of the Limited Development Order with the conditions in this staff report.

Background

The Applicant is requesting to expand one of their existing tennis courts into 4 pickleball courts, including relocation of a cart path, fencing, drainage, and landscaping. A separate Development Order for the parking lot expansion is being developed concurrently.

The closest adjoining residential receiving land is 497 feet away. Due to the location of the closest residential receiving land, the Applicant proposes to conduct a sound study after the construction of the courts and if noise levels exceeding maximum or community tolerance is experienced, supplemental measurements can be implemented.

Project Summary

Time of play will be limited to dawn to dusk. No lighting is proposed. The Applicant has provided a plan for an Acoustic Mat/Sound Barrier that will be installed if needed based upon the post development sound study results.

Transportation

This is an existing gated community and is not expected to generate increased traffic.

Stormwater

This project is being incorporated into the existing drainage system by use of yard drains with minimal impact on drainage and water quality.

Lighting

No lighting is proposed for the pickleball and the existing tennis court lighting will be disconnected at the proposed pickleball courts.

Landscaping and Buffers

The Applicant is proposing to remove 16 palms, 1 tree and shrubs and ground covers. They are proposing to install 3 palms and 46 pitch apple.

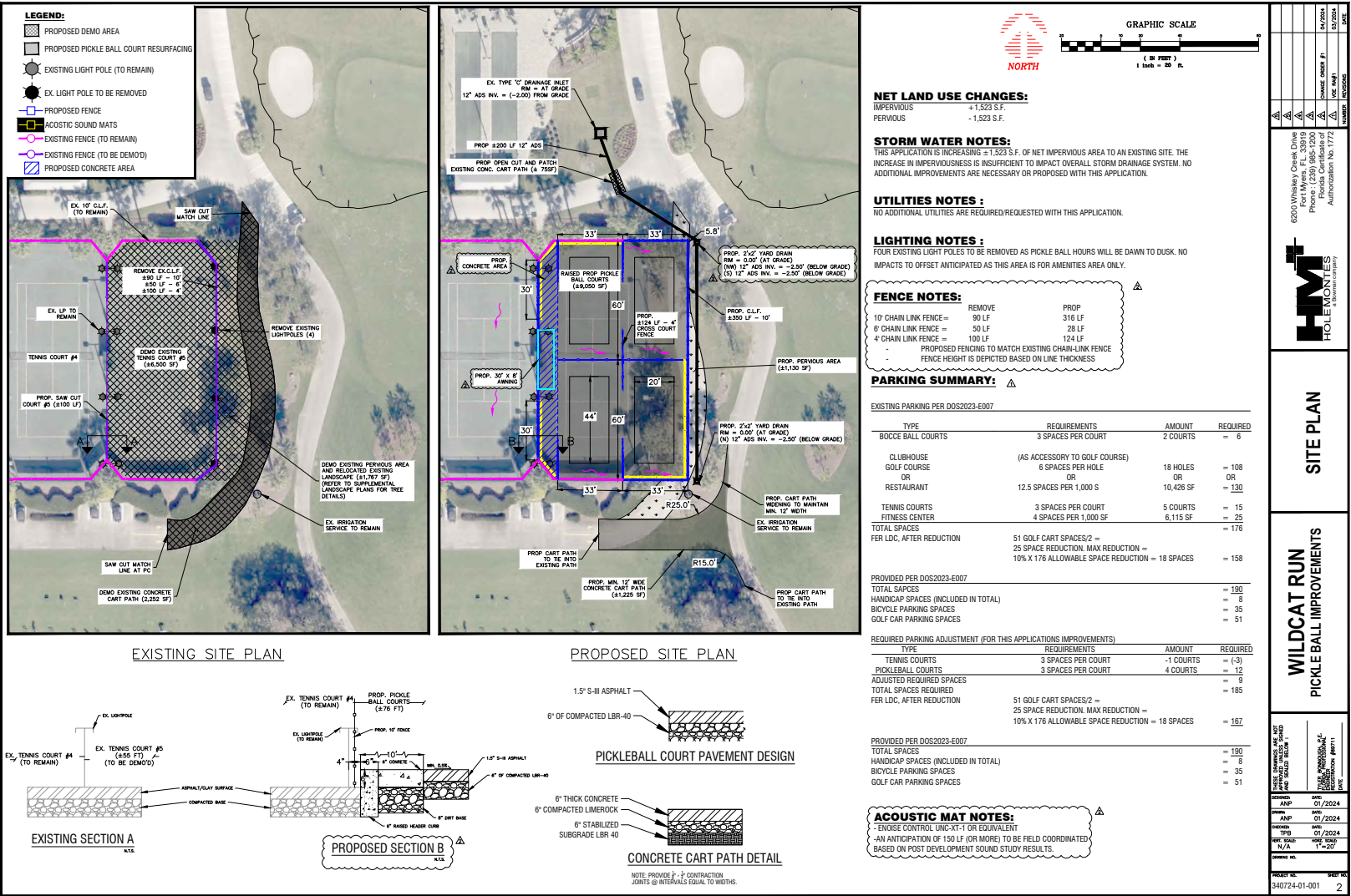
Pickleball Conditions

Staff recommends the following conditions:

1. Hours of operation for pickleball are limited to play from dawn to dusk.
2. Subject to installation of solid vinyl screens, if necessary, based on post-development sound study.
3. Project site shall conform with the noise levels as established by noise ordinance of daytime – residential of 66 dB when measured at or within the real property line of the receiving land use.
4. If it is determined that based on legitimate documented complaints received from adjacent property owners that the noise created by the pickleball play creates an adverse impact, remediation of the impact must be accomplished within 90 days of the written determination

from the Village. Noise may be mitigated through the placement of sound absorbing materials on the fencing, types or use of paddles and balls, reduced hours of play, and/or other modifications as approved by the Village.

[illegible]





Wildcat Run Golf & Country Club

Pickleball Renovation (LDO2024-E002)

Planning Zoning & Design Board
Meeting
May 14th, 2024



Presented For:
**Wildcat Run
Golf & Country Club**



Presented By:
**Hole Montes,
a Bowman Company**

Wildcat Run Golf & Country Club:

20301 Country Club Drive
Estero, Florida 33928

Kathleen Fitzgerald

President
kfitz123@comcast.net

Hole Montes, a Bowman Company:

6200 Whiskey Creek Drive
Fort Myers, Florida 33919

TYLER P. BONNOUGH, P.E.

Senior Project Engineer
Tbonnough@bowman.com
T: 239.985.1200 | F: 239.985.1259



Overview

Request:

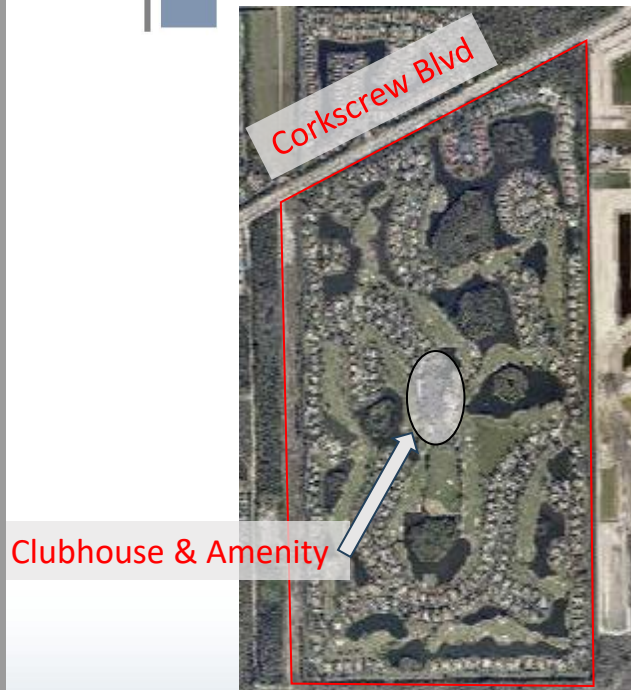
- **Limited Development Order (LDO2024-E002)**
- **A single-phase renovation of an existing Tennis Court into 4 Pickleball Courts**

Background:

- **There are 5 existing Tennis Courts**
 - **Only 1 Court will be converted, whereas the other 4 courts will remain as Tennis Courts.**
- **As a private community, this is a community drive request due to the high demand for the growing sport**



Project Location



Clubhouse & Amenity Area

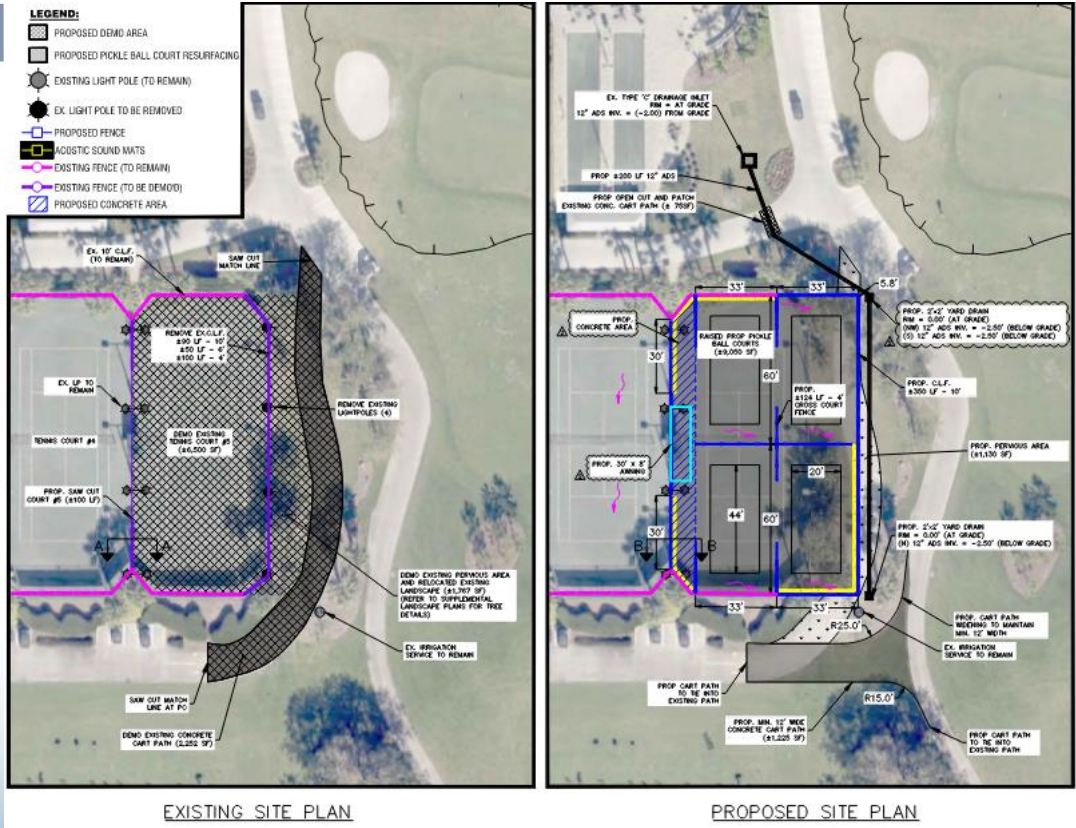


Existing Clubhouse

Existing Tennis Courts (5)



Design Plans



PARKING SUMMARY:

EXISTING PARKING PER DOS2023-E007

TYPE	REQUIREMENTS	AMOUNT	REQUIRED
BOCCE BALL COURTS	3 SPACES PER COURT	2 COURTS	= 6
CLUBHOUSE	(AS ACCESSORY TO GOLF COURSE)		
GOLF COURSE	6 SPACES PER HOLE	18 HOLES	= 108
OR		OR	OR
RESTAURANT	12.5 SPACES PER 1,000 S	10,426 SF	= 130
TENNIS COURTS	3 SPACES PER COURT	5 COURTS	= 15
FITNESS CENTER	4 SPACES PER 1,000 SF	6,115 SF	= 25
TOTAL SPACES			= 176
PER LDC, AFTER REDUCTION	51 GOLF CART SPACES/2 = 25 SPACE REDUCTION. MAX REDUCTION = 10% X 176 ALLOWABLE SPACE REDUCTION = 18 SPACES		= 158

PROVIDED PER DOS2023-E007

TOTAL SPACES	= 190
HANDICAP SPACES (INCLUDED IN TOTAL)	= 8
BICYCLE PARKING SPACES	= 35
GOLF CAR PARKING SPACES	= 51

REQUIRED PARKING ADJUSTMENT (FOR THIS APPLICATIONS IMPROVEMENTS)

TYPE	REQUIREMENTS	AMOUNT	REQUIRED
TENNIS COURTS	3 SPACES PER COURT	-1 COURTS	= (-3)
PICKLEBALL COURTS	3 SPACES PER COURT	4 COURTS	= 12
ADJUSTED REQUIRED SPACES			= 9
TOTAL SPACES REQUIRED			= 185
PER LDC, AFTER REDUCTION	51 GOLF CART SPACES/2 = 25 SPACE REDUCTION. MAX REDUCTION = 10% X 176 ALLOWABLE SPACE REDUCTION = 18 SPACES		= 167

PROVIDED PER DOS2023-E007

TOTAL SPACES	= 190
HANDICAP SPACES (INCLUDED IN TOTAL)	= 8
BICYCLE PARKING SPACES	= 35
GOLF CAR PARKING SPACES	= 51





Preliminary Sound Study

Ordinance 2019-2020: Sound levels by Receiving Land Use

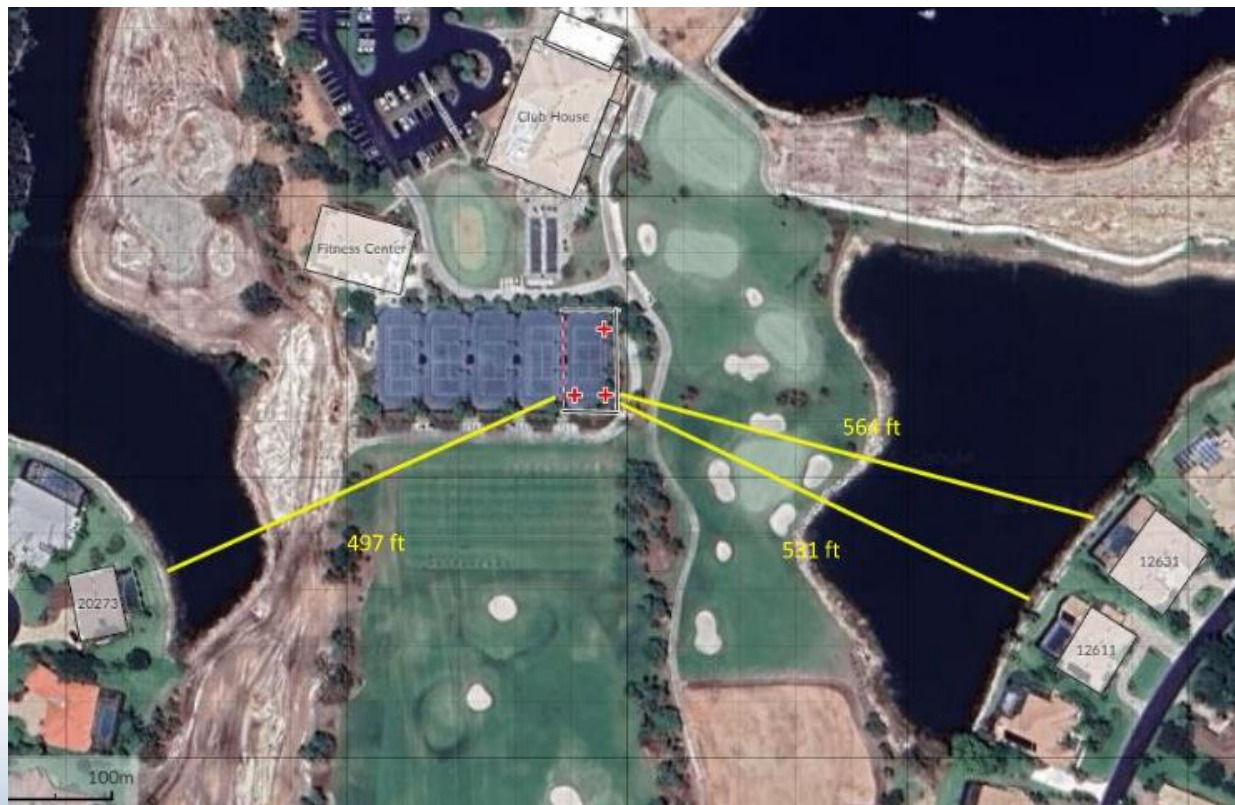
- **Residential 7:00am – 10:00 pm : 66 dBA**
 - **Impulsive Noise: 76 dBA**

Preliminary Sound Study:

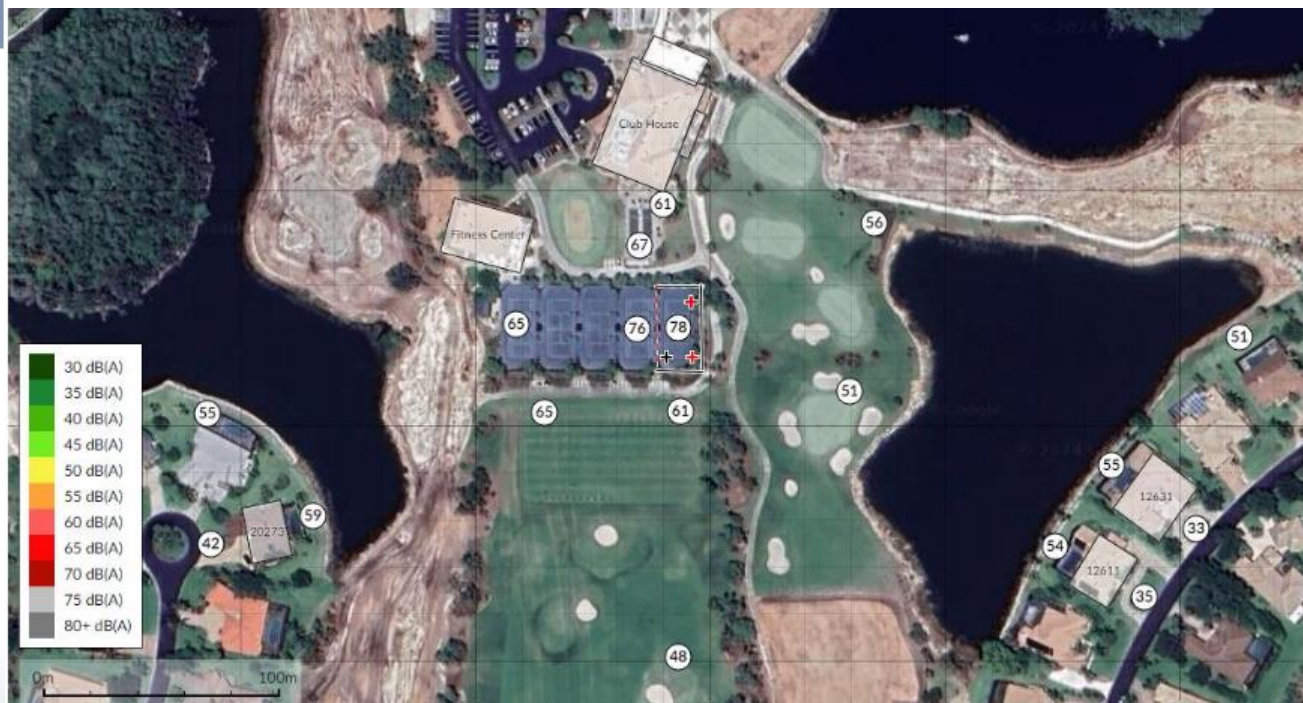
- **PSM Consulting LLC – Est. 2022; Barry Wyerman, PhD, PE**
 - **Specialized in Pickleball Noise Mitigation**



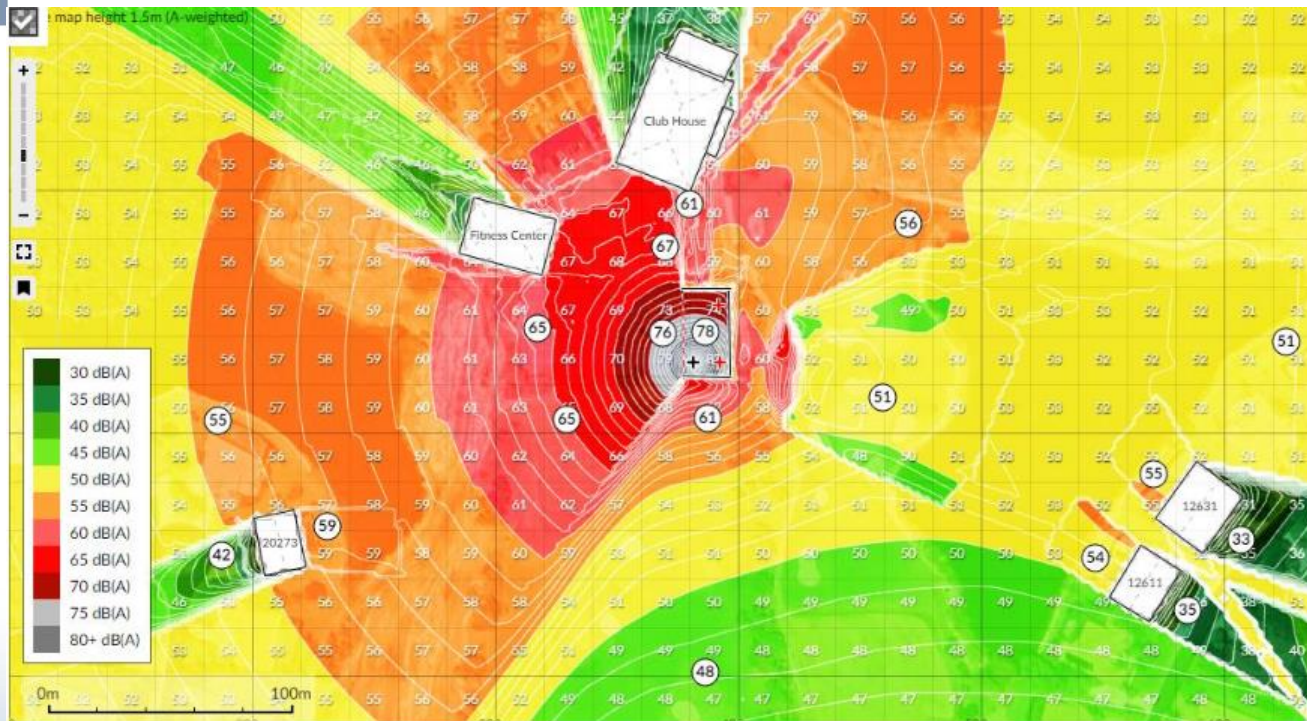
Court Distances to Residential Homes



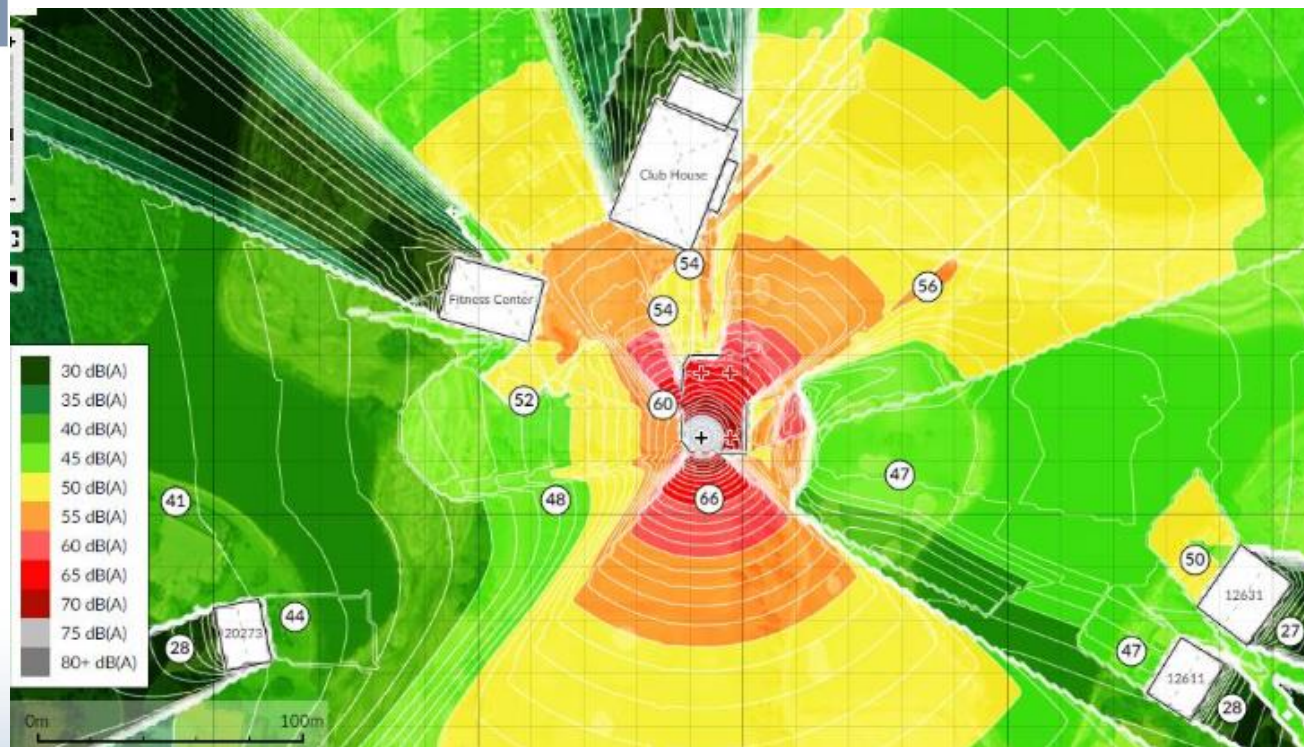
Sound Study Results



Sound Study Results



Sound Study Results – Modified



Preliminary Sound Study Results

Sound Study Results:

- **Distance from residential homes has proven to be the benefiting factor**
- **The southwest direction proven to be the most at risk but within Ordinance levels at 59 dBA.**

Recommendations:

- **Since Noise Levels are within tolerance we request approval for these courts.**
- **A secondary sound study can be accommodated to ensure adequacy of noise levels. If live noise levels are measured or community intolerance is experienced, supplemental measurements can be implemented.**
 - **i.e. barriers, equipment deadening measurements, ect.**





QUESTIONS?





THANK YOU!





Planning, Zoning and Design Board
Staff Report

Project Name
The Brooks Commons Club Pickleball Expansion - Amendment
CASE NUMBER
LDO2022-E051
MEETING DATE
May 14, 2024
REQUEST
Applicant is seeking to amend the original plan presented to the Planning, Zoning, and Design Board on January 10 th , 2023. Originally approved for 16 courts but have not been constructed. The amendment is to revise the plans to reduce pickleball courts from 16 to 11, relocate the open-air shade structure, change landscaping and lighting, and adjust construction phasing.
APPLICANT
The Commons Club at the Brooks
LOCATION
9920/9938 Coconut Road
PROPERTY SIZE
3.73 Acres
ZONING
The Brooks of Bonita Springs Mixed-Use Planned Development (MPD)
PUBLIC INFORMATION MEETING DATES
April 9, 2024

Staff Recommendation

Staff recommends approval of the Limited Development Order with the conditions in this staff report.

Background

Applicant is requesting a development order for the construction of eleven (11) pickleball courts on two phases with 7 courts closest to Coconut Road and 4 courts to the north. The proposal includes associated landscaping, site lighting, shade structures, parking lot, and fencing. The Applicant

previously requested and was approved for sixteen (16) pickleball courts in three phases. The previous proposal included landscaping on the east and north sides of the courts, and Acoustifence™ or equivalent, be installed along the eastern fence. The new proposal will have less impervious coverage and is assumed to have less disturbance but the Acoustifence™ has been removed.

The closest adjoining residential receiving land is 480± feet away. The applicant conducted a sound study with the initial approval.

Project Summary

Lighting is proposed with hours of play from 7:00 a.m. to 9:00 p.m.

Stormwater

This project is being incorporated into the existing drainage system by use of yard drains with dry detention for water quality.

Lighting

The lighting proposed exceeds the B-U-G requirements of 1-0-1. The applicant contends that these standards apply to parking lot lighting. The applicant has provided information from LSI, the official lighting partner of USA Pickleball, that court lighting should not be subject to these standards as there must be adequate lighting to see the ball and for safety reasons for players. The Land Development Code addresses outdoor recreational uses such as tennis courts with maximum illumination of foot candles.

The applicant is reducing the glare and will install internal louvers to comply.

Landscaping and Buffers

The Applicant is proposing to install required trees and shrubs for the parking lot, maintain the existing front buffer and install 9 sabal palms generally north and west of the proposed pickleball courts in phase 1 and 4 sabal palms as general trees for phase 2.

Pickleball Conditions

Staff recommends the following conditions:

1. Hours of operation for pickleball are limited to play from 7:00 a.m. to 9:00 p.m.
2. Project site shall conform with the noise levels as established by noise ordinance of daytime – residential of 66 dB when measured at or within the real property line of the receiving land use.
3. If it is determined that based on legitimate documented complaints received from adjacent property owners that the noise created by the pickleball play creates an adverse impact,

remediation of the impact must be accomplished within 90 days of the written determination from the Village. Noise may be mitigated through the placement of sound absorbing materials on the fencing, types or use of paddles and balls, reduced hours of play, and/or other modifications as approved by the Village.

4. Within 30 days of approval of the amendment, the property owner must send a letter to every owner of record within 750 feet of the pickleball facility area. The letter must include a telephone number for **The Brooks Commons Club** management to be used to register a complaint in the event homeowners are disturbed by noise related to the pickleball play or facility. If the contact information changes in the future, a new letter must be sent out in accordance with this condition. A copy of said letter will be provided to the Village of Estero Director of Community Development for inclusion in the official file for this case. All complaints received by the owner shall be submitted to the Community Development Director regarding noise from pickleball play or facility operations.



May 6, 2024

Ms. Sandy Larson, PE
Village of Estero Staff Review
9401 Corkscrew Palms Circle
Estero, FL 33928

**Subject: The Commons Club at the Brooks Pickleball Facility Expansion
Amendment 1: LDO2022-E051- Submittal #2**

Dear Ms. Larson:

Please accept this letter in response to your insufficiency letter dated March 28, 2024, for the above subject project. This letter outlines responses to each comment including stipulations. Please find the following list of information and materials that are being submitted:

Three (3) Collated Sets of the following items:

00. Response to Comments Letter
01. Revised Lighting Plans
02. SFWMD permit

The following items are also being submitted:

1. \$100 check for resubmittal fee
2. One (1) CD of the submittal package

In reply to your review comments, we offer the following responses in **bold**:

Reviewed By: Sandy Larsen, P.E.

Email: larsen@estero-fl.gov Phone Number: (239) 319-2838

5-6 Exterior Lighting Standards

Please provide documentation that the luminaires that include LED light sources shall comply with the following Illuminating Engineering Society of North America (IES) standards: [5-604E]

- a. The Correlated Color Temperature (CCT) shall not exceed 3,000 K;
- b. Backlight (B) shall not exceed 1;
- c. Uplight (U) shall be 0; and
- d. Glare (G) shall not exceed 1.

K:\2022\220002.00.02 The Commons Club -Pickleball Redesign\04 VOE LDO Amendment\Working Docs, Submittal #2\00 Response to Comments Letter.docx
Page 1

6610 Willow Park Drive Suite 200 Naples, FL 34109 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com



COMMENT: Label A and B exceed the CCT of 3,000K and BUG rating of 1-0-1 (or the previously approved 1-0-2 for the courts).

Response: The pickleball authority suggest 5000K, and we have adjusted to be 3000K per Village of Estero Code.

COMMENT: Label D and E. Provide documentation that these meet the BUG rating of 1-0-1. (This may be included but the lumens of 5824 may have been mislabeled.)

Response: The current fixture being proposed, has a BUG rating of 3-0-2. This is the lowest BUG rating offered in a sports court luminaire that is sanctioned by the USA Pickleball authority. We are adding the integral louver accessory, which will reduce the backlighting of all LEDs. However, there is no official BUG rating provided for this feature being installed in their luminaires. It will be significantly below the 3.0 rating according to the manufacturer.

RWA has been in conversation with Village of Estero staff, and the code does not meet the light requirement for safe play by the sanctioning body of USA Pickleball. RWA was instructed by staff to best meet criteria while providing for safe play. RWA has utilized every available method to better meet the intent of the Village of Estero lighting code, while providing a safe play environment. We are using the lowest light producing fixture and BUG rated, with an internal louver to be more BUG compliant. We ask that the Village of Estero accepts this lighting solution.

STIPULATION: Prior to final inspection for a certificate of compliance pursuant to §5-604, site verified foot candle readings must be provided demonstrating that the outdoor lighting, as installed, conforms with the proposed photometrics and the letter of substantial compliance provided by a registered professional engineer must include a certification that the outdoor lighting is in compliance with this code. Please be reminded that at the time of inspection for issuance of a Certification of Compliance, initial illumination may not exceed 0.5 foot candles as measured at the property line, or 0.0 foot candles measured at 10 feet from the property line onto adjacent residentially zoned property or use.

Response: Acknowledged.

Stormwater System Required.

All stormwater management systems shall be designed in accordance with SFWMD requirements and provide for the attenuation/retention of stormwater from the site. [7-206A]

COMMENT: Provide a copy of the approved Environmental Resource Permit by the South Florida Water Management District (SFWMD) permit application number. Please provide the revised required treatment volume and the treatment volume provided and show on plans.

Response: No additional treatment volume was required for the 16-court addition since it was demonstrated the original SFWMD permit for the project included additional impervious area that was never constructed. The treatment provided is provided in the adjacent lakes. Page 4 of 18 of the SFWMD permit states "No changes to the stormwater management (SWM) system are proposed with this project".

Miscellaneous Comments:

COMMENT: Will the reduction of courts from 16 to 11 be a permanent reduction for the site?

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Page 2

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www.consult-rwa.com



Response: Yes, the reduction in courts is permanent.

COMMENT: By removing the north four courts and the acoustifence previously on the north and east of those courts, how is it anticipated to affect the noise from the proposed revised pickleball courts? Has the sound assessment report been updated to the new configuration? Please submit.

Response: Comment previously addressed with the previous LDO on January 20, 2023. We would like to request the sound stipulation from the last approval be utilized.

STIPULATION: If it is determined that based on legitimate documented complaints received from adjacent property owners that the noise or light created by the pickleball play creates an adverse impact, remediation of the impact must be accomplished within 90 days of the written determination from the Village. Noise or light levels may be mitigated through the placement of noise absorbing materials on the fencing, lighting modifications,

COMMENT: At the prior hearing, several residents near the lake complained about potential noise that would be exacerbated over the lake. Have you reached out to those neighbors? Please explain how the reconfiguration would affect those residents.

Response: We are not aware of any recent complaints from residents.

Miscellaneous Stipulations:

1. Prior to issuance of a Certificate of Compliance, all disturbed areas resulting from this project must be restored to the original condition or better.

Response: Acknowledged.

2. Prior to issuance of a Certificate of Compliance, all erosion control measures/materials must be removed from the site.

Response: Acknowledged.

3. Streets, parking lots and accessways located within the limits of construction, must remain free of excavated material and debris at all times during construction operations.

Response: Acknowledged.

4. Trees and shrubs that are damaged by construction operations must be replaced in kind, and in accordance with the Village Land Development Code.

Response: Acknowledged.

5. All mechanical equipment is required to be landscaped so as to shield from public view.

Response: Acknowledged.

6. Disturbed existing fencing to be replaced in like-kind.

Response: Acknowledged.



We trust the enclosed information is sufficient for your review and approval. Should you have any questions or require more information, please contact our office at (239) 597-0575.

Sincerely,
RWA, Inc.

A handwritten signature in blue ink, appearing to read "M. Pappas", written over a light blue horizontal line.

Michael C. Pappas, PE
Director of Engineering

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Page 4

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www.consult-rwa.com

LIMITED DEVELOPMENT ORDER LANDSCAPE AND LIGHTING PHOTOMETRIC PLANS FOR:

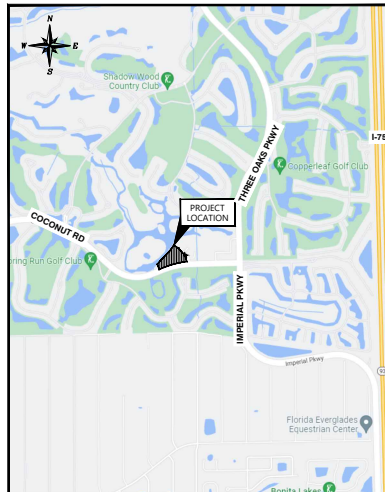
THE COMMONS CLUB AT THE BROOKS PICKLEBALL FACILITY EXPANSION

PART OF SECTION 10, TOWNSHIP 47S, RANGE 25E,
ESTERO, FLORIDA

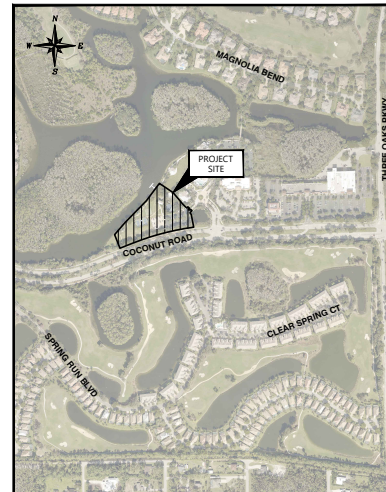
PREPARED FOR/OWNED BY:
THE COMMONS CLUB AT THE BROOKS
9920 COCONUT RD.
ESTERO, FLORIDA 34135
(239) 949-3804

SHEET INDEX

Sheet Number	Sheet Title
01	COVER SHEET
02	PHOTOMETRIC PLAN
03	AREA LIGHTS SPECIFICATIONS
04	COURT LIGHTS SPECIFICATIONS
05	LIGHTING NOTES & DETAILS
06	MASTER LANDSCAPE PLAN
07	PHASE 1 PLANTING PLAN
08	PHASE 2 PLANTING PLAN
09	STATUTORY NOTES & CALCULATIONS
10	LANDSCAPE INSTALLATION DETAILS
11	LANDSCAPE INSTALLATION DETAILS
12	CONCEPTUAL IRRIGATION PLAN



PROJECT LOCATION



PROJECT SITE

REVISIONS			
No.	DATE	DESCRIPTION	APPROVED
Δ	01/17/24	CHANGED CLIENT AND REVISED COURT CONSTRUCTION	JMM
Δ	05/06/24	PER VILLAGE OF ESTERO COMMENTS	JMM



RWA
ENGINEERING

6210 Milliken Park Drive
Suite 200
Naples, FL 34109

18800 University Drive
Suite 175
Fort Myers, FL 33907

15023 S West Village Place
Unit 104
Venice, FL 33593

Office (239) 997-0275
Fax (239) 997-0578
www.rwa-engineering.com

Florida Certificate of
Authorization
No. 7663 - 18 6952

LANDSCAPE ARCHITECT'S SEAL



JAMES M. MCCORD, RLA
FLORIDA - C.E. # 14,888
MEMBER - AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS

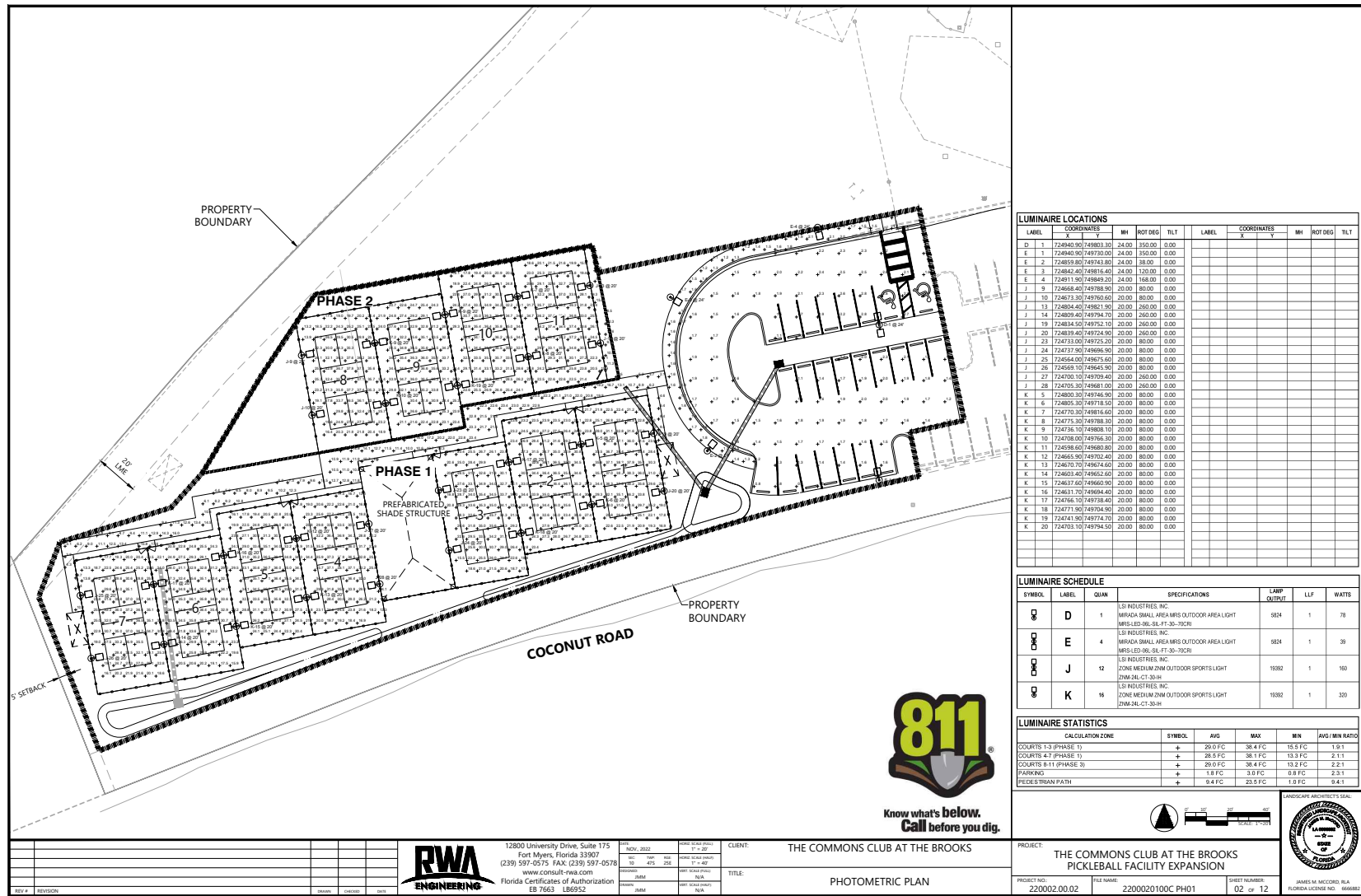
DATE

PROJECT NO.

NOV., 2022

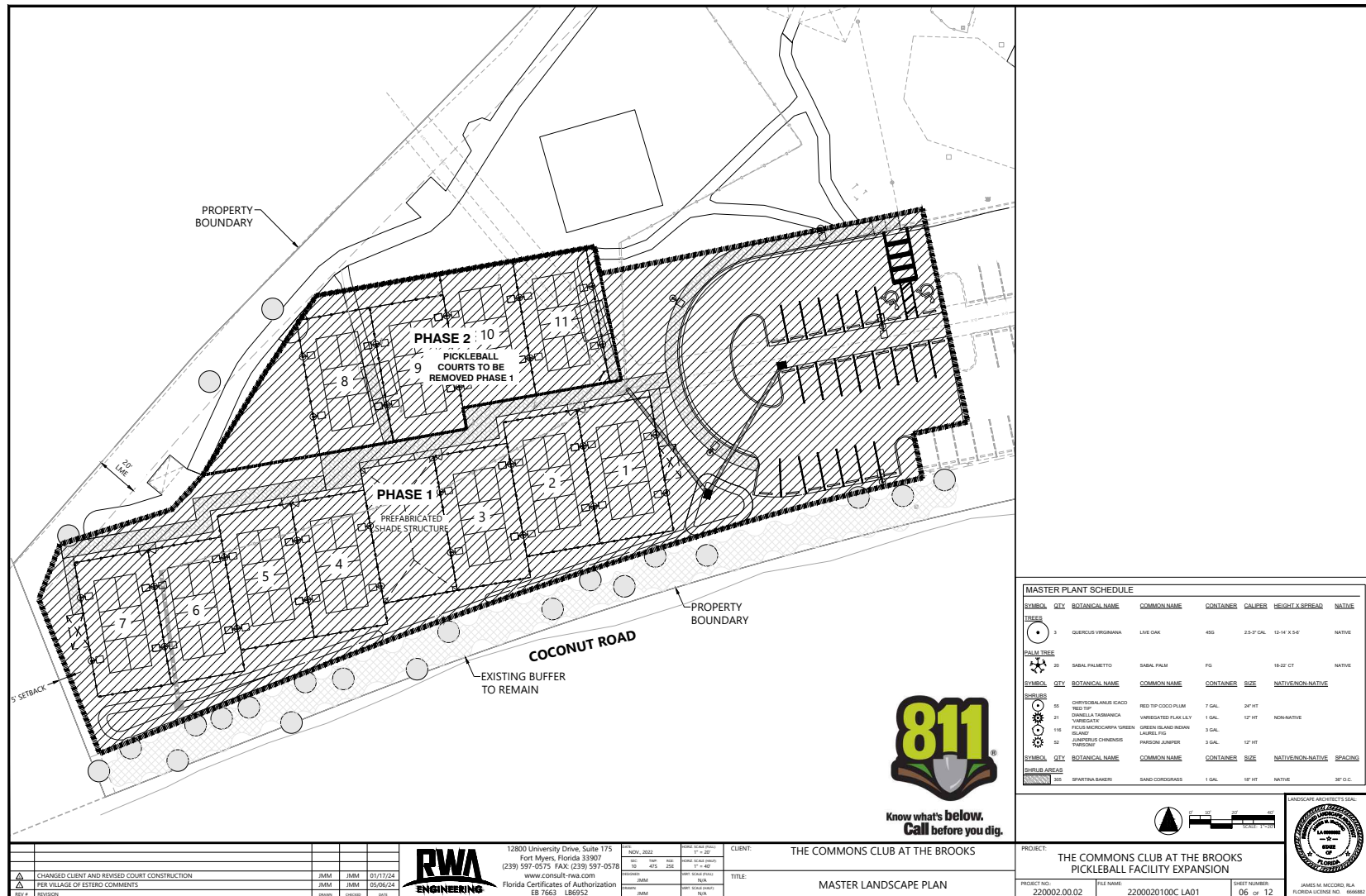
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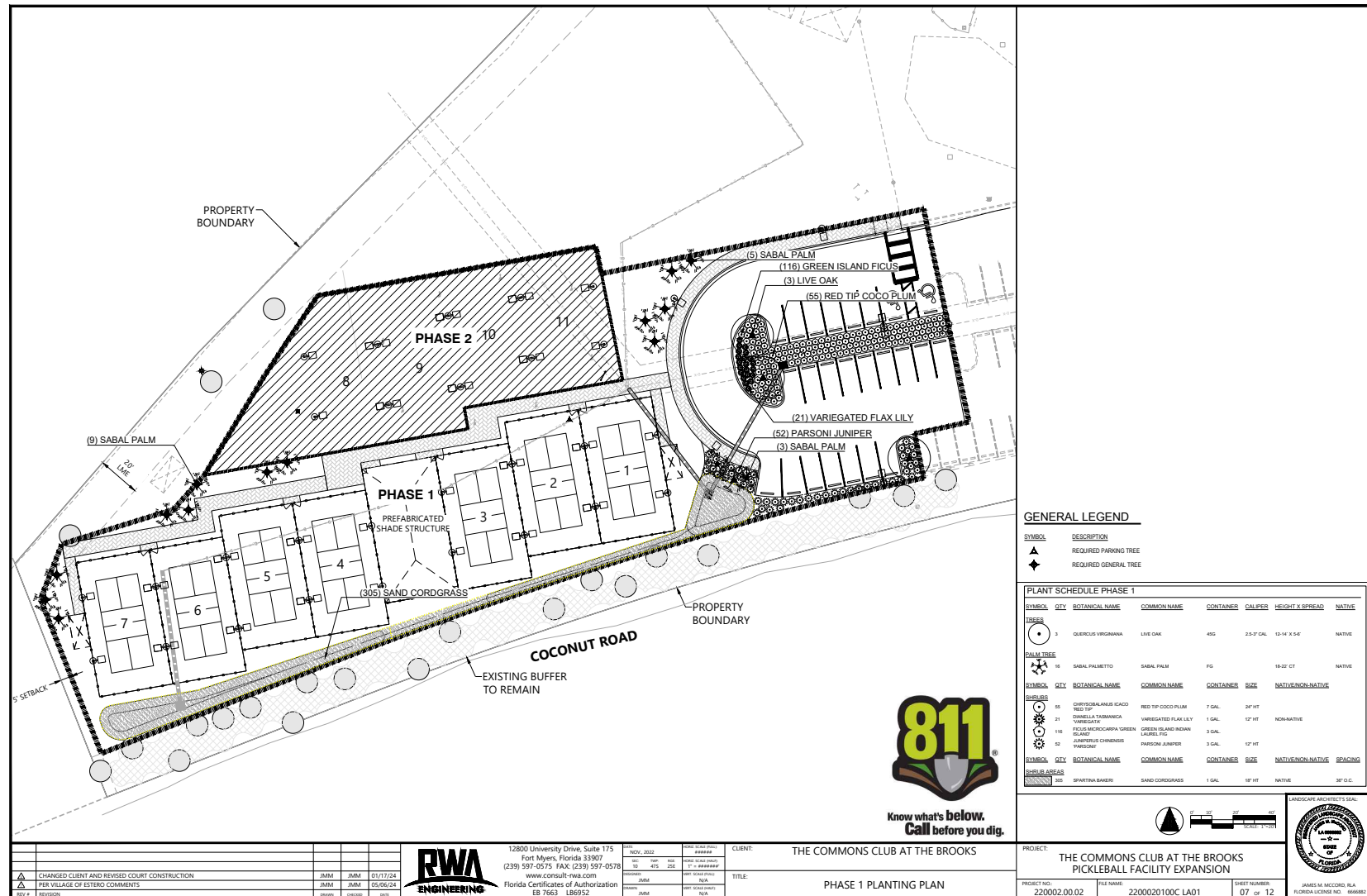
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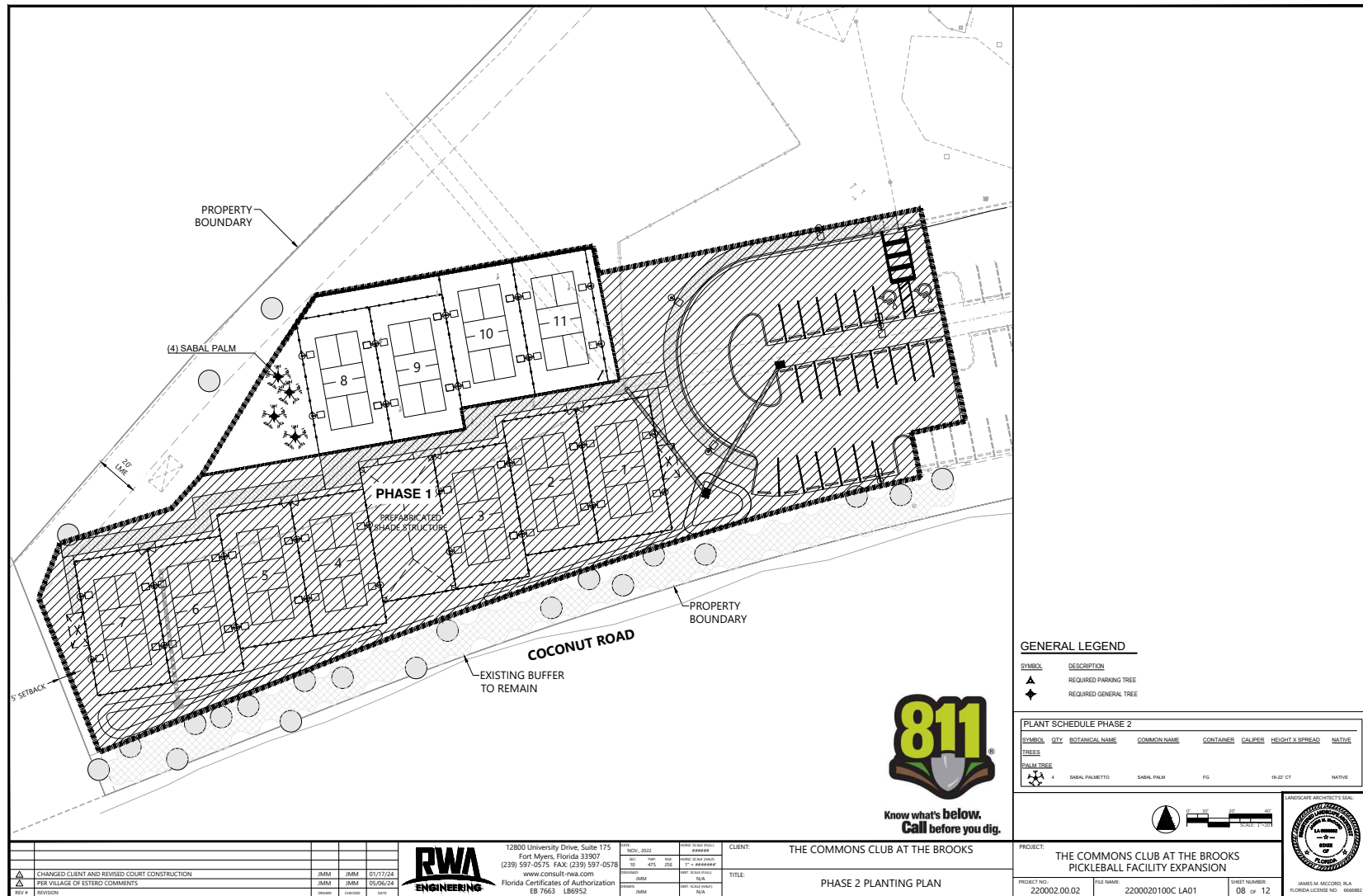


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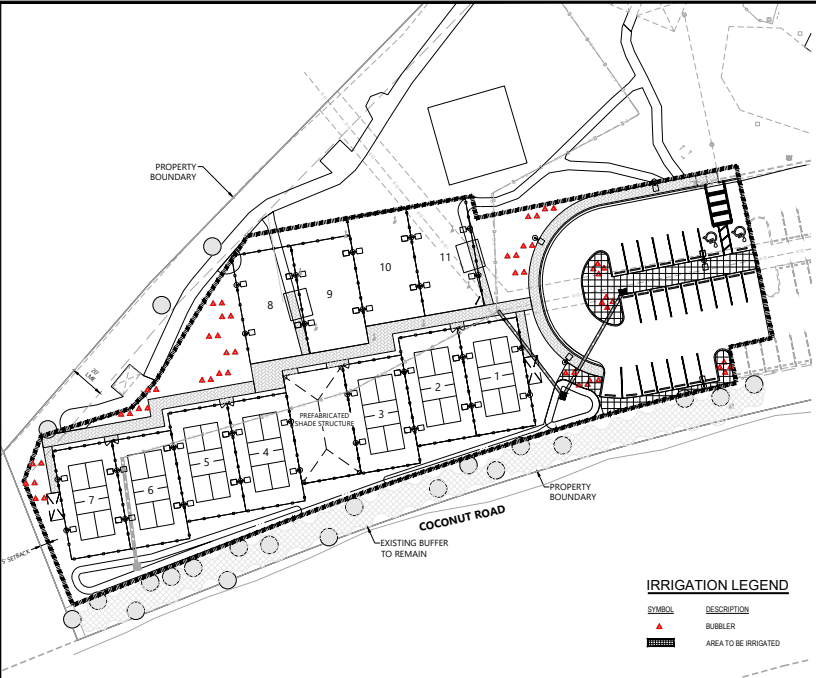






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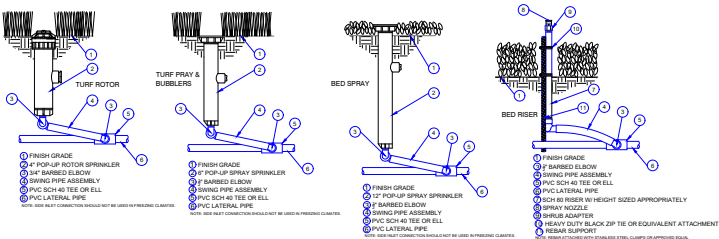


- IRRIGATION SYSTEM REQUIREMENTS:**
1. LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC IRRIGATION SYSTEM TO IMPROVE THE SURVIVABILITY OF THE REQUIRED LANDSCAPING.
 2. SPRINKLER HEADS IRRIGATING LAWNS OR OTHER HIGH WATER DEMAND AREAS SHALL BE ZONED SEPARATELY FROM THOSE IRRIGATING TREES, SHRUBBERY, GROUND COVER, FLOWERS, OR OTHER REDUCED WATER REQUIREMENT AREAS.
 3. AUTOMATICALLY CONTROLLED IRRIGATION SYSTEMS SHALL BE OPERATED BY AN IRRIGATION CONTROLLER THAT IS CAPABLE OF WATERING "HIGH WATER" REQUIREMENT AREAS AT DIFFERENT FREQUENCIES AND DURATION THAN "LOW WATER" REQUIREMENT AREAS. LANDSCAPING SHALL BE WATERED ON AN AS-NEEDED BASIS ONLY.
 4. IRRIGATION SYSTEMS SHALL BE DESIGNED FOR THE ZONING OF HIGH AND LOW WATER USE AREAS.
 5. HEADS SHALL BE DESIGNED FOR HEAD-TO-HEAD COVERAGE.
 6. THESE REQUIREMENTS MAY BE ADJUSTED FOR RETENTION AREAS.
 7. THE IRRIGATION SYSTEM SHALL BE IN ACCORDANCE WITH THE FIS STANDARDS AND SPECIFICATIONS FOR TURF AND LANDSCAPE IRRIGATION SYSTEMS.
 8. IRRIGATION SYSTEMS UTILIZING WELL WATER SHALL BE DESIGNED AND MAINTAINED IN A MANNER WHICH ELIMINATES STAINING OF THE BUILDING, WALKS, WALLS, AND OTHER SITE IMPROVEMENTS.
 9. ALL SYSTEMS SHALL BE DESIGNED TO ELIMINATE THE APPLICATION OF WATER TO IMPERVIOUS AREAS.
 10. IRRIGATION SYSTEMS, OTHER THAN DRIP OR SOAKER HOSE SYSTEMS, SHALL BE OPERATED BETWEEN THE HOURS OF MIDNIGHT AND 10:00 A.M., UNLESS THE OPERATION OF MULTIPLE ZONES REQUIRES ADDITIONAL TIME.
 11. SFWMD OR OTHER UTILITY COMPANY WATER USE RESTRICTIONS SHALL SUPERSEDE THESE REQUIREMENTS.
 12. THERE ARE NO OPERATIONAL REQUIREMENTS FOR IRRIGATION SYSTEMS UTILIZING EFFLUENT.
 13. ALL NEW RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENTS SHALL BE IRRIGATED BY THE USE OF AN AUTOMATIC IRRIGATION SYSTEM WITH CONTROLLER SET TO APPLY WATER IN A MANNER CONSISTENT WITH THIS SECTION.
 14. MOISTURE DETECTION DEVICES SHALL BE INSTALLED IN ALL AUTOMATIC SPRINKLER SYSTEMS TO OVERRIDE THE SPRINKLER ACTIVATION MECHANISM DURING PERIODS OF INCREASED RAINFALL.
 15. WHERE EXISTING IRRIGATION SYSTEMS ARE MODIFIED REQUIRING THE ACQUISITION OF A PERMIT, AUTOMATIC ACTIVATION SYSTEMS AND OVERRIDING MOISTURE DETECTION DEVICES SHALL BE INSTALLED IN COMPLIANCE WITH THIS SECTION.

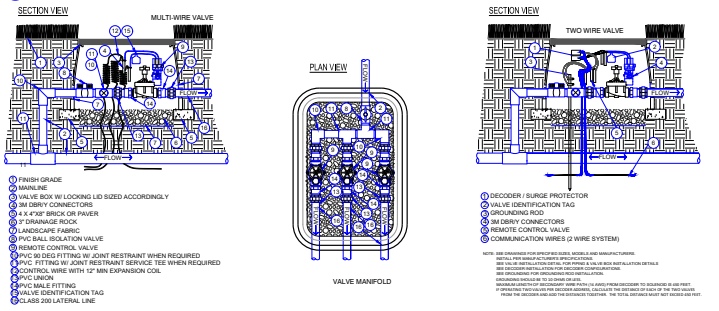
POST-INSTALLATION LANDSCAPE CERTIFICATE OF COMPLIANCE:

16. ALL PROJECTS WHICH REQUIRE THE SUBMISSION OF LANDSCAPE PLANS BY A REGISTERED LANDSCAPE ARCHITECT MUST BE INSPECTED AND CERTIFIED THAT THE LANDSCAPING AND IRRIGATION SYSTEMS MEET OR EXCEED THE LANDSCAPE AND IRRIGATION PLANS APPROVED BY THE COUNTY AS PART OF THE DEVELOPMENT ORDER REVIEW PROCESS.

17. PROOF OF CERTIFICATION SHALL BE PROVIDED ON A FORM APPROVED BY THE COUNTY MANAGER OR HIS DESIGNEE AND MUST BE SUBMITTED TO THE ENGINEERING SERVICES DEPARTMENT DIRECTOR PRIOR TO THE REQUEST FOR COUNTY INSPECTION. THIS REGULATION APPLIES TO PROJECTS SUBMITTED AFTER JUNE 16, 2005.



2 IRRIGATION HEAD INSTALLATION NTS



3 CONTROL VALVE INSTALLATION NTS



CHANGED CLIENT AND REVISED COURT CONSTRUCTION	JMM	JMM	01/17/24
PER VILLAGE OF ESTERO COMMENTS	JMM	JMM	05/06/24
REVISIONS			



12800 University Drive, Suite 175
Fort Myers, Florida 33907
(239) 597-0575 FAX (239) 597-0578
www.consult-rwa.com
Florida Certificates of Authorization
EB 7563 LB0525

NOV. 2022	DATE OF LAST REVISION	APPROVED BY	CLIENT
NOV. 2022	NOV. 2022	JMM	THE COMMONS CLUB AT THE BROOKS

TITLE: CONCEPTUAL IRRIGATION PLAN

PROJECT: THE COMMONS CLUB AT THE BROOKS PICKLEBALL FACILITY EXPANSION	PROJECT NO: 2200002.00.02	FILE NAME: 22000020100C LA01	SHEET NUMBER: 12 of 12
LANDSCAPE ARCHITECT'S SEAL			SHANE M. MCCORD, RLA FLORIDA LICENSE NO. 6666802



South Florida Water Management District
Individual Environmental Resource Permit No. 36-108519-P
Date Issued: April 20, 2023

Permittee: Brooks Of Bonita Springs Community Development District
Brooks Of Bonita Springs II Community Development District

Project: The Commons At The Brooks - Pickleball & Parking Expansion

Application No. 221117-36621

Location: Lee County, See Exhibit 1

Your application for an Individual Environmental Resource Permit is approved. This action is taken based on Chapter 373, Part IV, of Florida Statutes (F.S.) and the rules in Chapter 62-330, Florida Administrative Code (F.A.C.). Unless otherwise stated, this permit constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. Please read this entire agency action thoroughly and understand its contents.

This permit is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- The attached General Conditions for Environmental Resource Permits.
- The attached Special Conditions.
- All referenced Exhibits.

All documents are available online through the District's ePermitting site at www.sfwmd.gov/ePermitting.

If you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

The District does not publish notices of action. If you wish to limit the time within which a person may request an administrative hearing regarding this action, you are encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Legal requirements and instructions for publishing a notice of agency action, as well as a noticing format that can be used, are available upon request. If you publish a notice of agency action, please send a copy of the affidavit of publication provided by the newspaper to the District's West Palm Beach office for retention in this file.

If you have any questions regarding your permit or need any other information, please call us at 1-800-432-2045 or email epermits@sfwmd.gov.

A handwritten signature in blue ink, appearing to read "Gary R. Priest".

Gary R. Priest, P.E.
Engineering Section Administrator, Environmental Resource Bureau

Permittees:

Brooks Of Bonita Springs Community Development District
C/O Wrathell Hunt and Associates LLC
2300 Glades Road, Suite 410W
Boca Raton, FL 33431

Brooks Of Bonita Springs II Community Development District
C/O Wrathell Hunt and Associates LLC
2300 Glades Road, Suite 410W
Boca Raton, FL 33431

Permit No: 36-108519-P, Page 2 of 18

**South Florida Water Management District
Individual Environmental Resource Permit No. 36-108519-P**

Date Issued:	April 20, 2023	Expiration Date:	April 20, 2028
Project Name:	The Commons At The Brooks - Pickleball & Parking Expansion		
Permittees:	Brooks Of Bonita Springs Community Development District C/O Wrathell Hunt and Associates LLC 2300 Glades Road, Suite 410W Boca Raton, FL 33431 Brooks Of Bonita Springs II Community Development District C/O Wrathell Hunt and Associates LLC 2300 Glades Road, Suite 410W Boca Raton, FL 33431		
Operating Entity:	Brooks Of Bonita Springs Community Development District C/O Wrathell Hunt and Associates LLC 2300 Glades Road, Suite 410W Boca Raton, FL 33431 Brooks Of Bonita Springs II Community Development District C/O Wrathell Hunt and Associates LLC 2300 Glades Road, Suite 410W Boca Raton, FL 33431		
Location:	Lee County		
Permit Acres:	3.73 acres		
Project Land Use:	Residential		
Special Drainage District:	N/A		
Water Body Classification:	CLASS III		
FDEP Water Body ID:	3258D4		
Conservation Easement to District:	No		
Sovereign Submerged Lands:	No		

Project Summary

This Environmental Resource Permit (ERP) authorizes Construction and Operation of a stormwater management (SWM) system serving a residential development known as The Commons At the Brooks-Pickleball & Parking Expansion.

Permit No: 36-108519-P, Page 3 of 18

This permit authorizes the replacement of existing ball courts with new pickle-ball courts, open air structures and a parking lot. No changes to the stormwater management (SWM) system are proposed with this project.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C.

Site Description

The project is located on Coconut Road between U.S. 41 and the Three Oaks Parkway, Lee County, FL. A location map is included as Exhibit 1.0.

For information on wetland and surface water impacts, please see the Wetlands and Other Surface Water section of this permit.

Background

This project lies within the master system permitted under ERP No. 36-00288-S and was certified complete on August 16, 2003.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the stormwater management system will be the responsibility of the Brooks Of Bonita Springs Community Development District and Brooks Of Bonita Springs II Community Development District. Upon conveyance or division of ownership or control of the property or the system, the permittee must notify the Agency in writing within 30 days, and the new owner must request transfer of the permit.

Permit No: 36-108519-P, Page 4 of 18

Engineering Evaluation:**Land Use**

Refer to the Engineering Evaluation Table for the project's land use breakdown.

SWM System Design Parameters

As authorized under Permit No. 36-00288-S, the existing SWM system provides the required water quality treatment and pretreatment volumes and attenuation for the project area.

Certification, Operation, and Maintenance

Pursuant to Chapter 62-330.310, F.A.C., Individual Permits will not be converted from the construction phase to the operation phase until construction completion certification of the project is submitted to and accepted by the District. This includes compliance with all permit conditions, except for any long term maintenance and monitoring requirements. It is suggested that the permittee retain the services of an appropriate professional registered in the State of Florida for periodic observation of construction of the project.

For projects permitted with an operating entity that is different from the permittee, it should be noted that until the construction completion certification is accepted by the District and the permit is transferred to an acceptable operating entity pursuant to Sections 12.1 - 12.3, ERP AH Vol. I and Section 62-330.310, F.A.C., the permittee is liable for operation and maintenance in compliance with the terms and conditions of this permit.

In accordance with Section 373.416(2), F.S., unless revoked or abandoned, all SWM systems and works permitted under Part IV of Chapter 373, F.S., must be operated and maintained in perpetuity.

The efficiency of SWM systems, dams, impoundments, and most other project components will decrease over time without periodic maintenance. The operation and maintenance entity must perform periodic inspections to identify if there are any deficiencies in structural integrity, degradation due to insufficient maintenance, or improper operation of projects that may endanger public health, safety, or welfare, or the water resources. If deficiencies are found, the operation and maintenance entity is responsible for correcting the deficiencies in a timely manner to prevent compromises to flood protection and water quality. See Section 12.4, ERP AH Vol. I for Minimum Operation and Maintenance Standards.

Notable project components requiring routine inspection and maintenance may include but are not limited to:

- Side slopes for stormwater lakes and ponds – maintain side slopes no steeper than 4:1 (horizontal:vertical) to a depth of 2.0 feet below the control elevation and nurtured or planted from 2.0 feet below to 1.0 feet above the control elevation pursuant to Section 5.4.2, ERP AH Vol. II.
- Conveyance pipes, conveyance structures and discharge structures – all pipes and structures must be inspected for structural integrity and be maintained clear of trash, sediment and vegetative debris.
- Exfiltration trenches – all pipes and structures must be inspected for structural integrity and be maintained clear of trash, sediment and vegetative debris.
- Swales – maintain the permitted cross-section and vegetative cover.
- Underground storage facilities – all facilities must be inspected for structural integrity and be maintained clear of trash, sediment and vegetative debris.
- Pumps – float switches should be inspected and any obstructions removed to ensure proper operation; intake and discharge pipes should be maintained clear of trash, sediment and vegetative debris; motors

Permit No: 36-108519-P, Page 5 of 18

should be maintained to ensure proper operation.

Permit No: 36-108519-P, Page 6 of 18

Engineering Evaluation Tables:**Land Use**

Basin	Land Type	Area (ac)	% of Total Basin
Site	Building Coverage	0.02	0.54
	Impervious	2.07	55.50
	Pervious	1.64	43.97
	Total:	3.73	100%

Permit No: 36-108519-P, Page 7 of 18

Environmental Evaluation:

Wetlands and Other Surface Waters

There are no wetlands or other surface waters located within the project site or affected by this project.

Fish, Wildlife, and Listed Species

The project site does not contain significant habitat for wetland-dependent endangered or threatened wildlife species, or species of special concern. No wetland-dependent endangered or threatened species or species of special concern were observed onsite. Submitted information indicates that potential use of the site by such species is minimal.

This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if, in the future, endangered or threatened species or species of special concern are discovered on the site.

Permit No: 36-108519-P, Page 8 of 18

Related Concerns:

Water Use Permit Status

The applicant has indicated that groundwater will be used as a source for irrigation water for the project. Water Use Permit No. 36-00282-W is currently active at the project site.

The applicant has indicated that dewatering is not required for construction of this project.

This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation.

Historical/ Archeological Resources

No information has been received that indicates the presence of archaeological or historical resources on the project site or indicating that the project will have any effect upon significant historic properties listed, or eligible for listing in the National Register of Historic Places.

This permit does not release the permittee from complying with any other agencies requirements in the event that historical and/or archaeological resources are found on the site.

Permit No: 36-108519-P, Page 9 of 18

General Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex- "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or
 - b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the

Permit No: 36-108519-P, Page 10 of 18

County in which the activity is located.

b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

Permit No: 36-108519-P, Page 11 of 18

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

Permit No: 36-108519-P, Page 12 of 18

Special Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. The construction authorization for this permit shall expire on the date shown on page 2.
2. Operation and maintenance of the SWM system shall be the responsibility of the Brooks Of Bonita Springs Community Development District and Brooks Of Bonita Springs II Community Development District. The permittee shall notify the Agency in writing within 30 days of any conveyance or division of ownership or control of the property of the system, and the new owner must request transfer of the permit in accordance with Rule 62-330.340, F.A.C.
3. Prior to initiating construction activities associated with this ERP, the permittee is required to hold a pre-construction meeting with field representatives, consultants, contractors, District Environmental Resource Bureau (ERB) staff, and any other local government entities as necessary. The purpose of the pre-construction meeting is to discuss construction methods, sequencing, best management practices, identify work areas, staking and roping of preserves where applicable, and to facilitate coordination and assistance amongst relevant parties. To schedule a pre-construction meeting, please contact ERB staff from the Fort Myers Service Center at (239) 338-2929 or via e-mail at: precon@sfwmd.gov. When sending a request for a pre-construction meeting, please include the application number, permit number, and contact name and phone number.
4. This permit does not authorize the permittee to cause any adverse impact to or "take" of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or permittee associated with this project. Please refer to Chapter 68A-27, F.A.C. for definitions of "take" and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a "take" permit cannot be issued. Requests for further information or review can be sent to: FWCConservationPlanningServices@MyFWC.com.

Permit No: 36-108519-P, Page 13 of 18

Project Work Schedule for Permit No. 36-108519-P

The following activities are requirements of this Permit and shall be completed in accordance with the Project Work Schedule below. Please refer to General Conditions, Special Conditions and/or Specific Conditions for more information. Any deviation from these time frames will require prior approval from the District's Environmental Resources Bureau and may require a modification to this permit. Such requests must be made in writing and shall include: (1) reason for the change, (2) proposed start/finish and/or completion dates, and (3) progress report on the status of the project.

Condition No.	Date Added	Description (Application Number)	Due Date	Date Satisfied
GC 4	04/20/2023	Construction Commencement Notice	Prior to Construction	
GC 6	04/20/2023	Submit Certification	30 Days After Construction Completion	
GC 7	04/20/2023	Submit Operation Transfer Request	Within 30 days of Certification	
SC 3	04/20/2023	Pre-Construction Meeting	Prior to Construction	

GC = General Condition

SC = Special Condition

Permit No: 36-108519-P, Page 14 of 18

Distribution List

Michael Pappas, RWA, Inc

Audubon of Florida

Div of Recreation and Park - District 4

US Army Corps of Engineers - Permit Section

Permit No: 36-108519-P, Page 15 of 18

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website at <http://my.sfwmd.gov/ePermitting> and searching under this application number 221117-36621.

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 2.0 Plans](#)

[Exhibit No. 2.1 SWM Report](#)

Permit No: 36-108519-P, Page 16 of 18

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

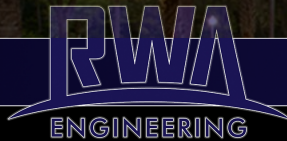
RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.

THE COMMONS CLUB at The Brooks

**Amendment to the
Approved Pickleball Facility Expansion
(LDO2022-E051)**

**Planning Zoning & Design Board
Public Hearing
May 14th, 2024**



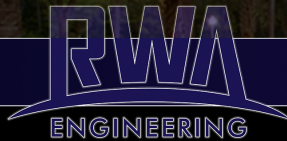
ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



Today's Presentation Will Address:



- Site's Location & Context
- Approved Site Plan
- Proposed Revisions
- Discussion

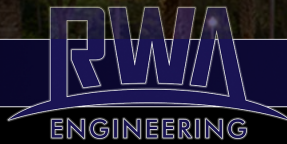
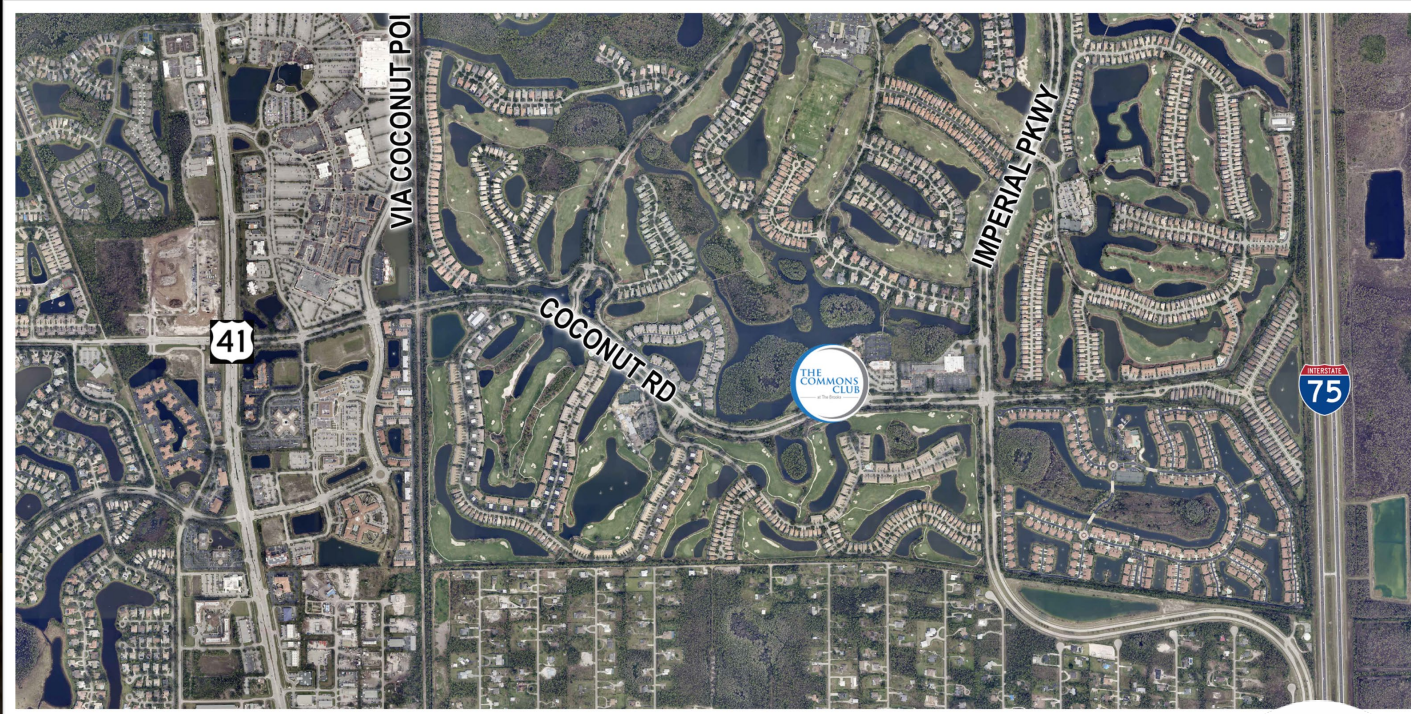


PRESENTATION OVERVIEW

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



Site's Location & Context

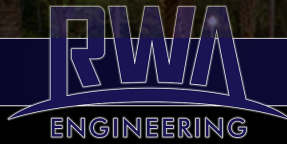


SITE LOCATION MAP

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Site's Location & Context

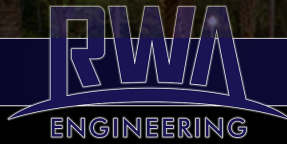
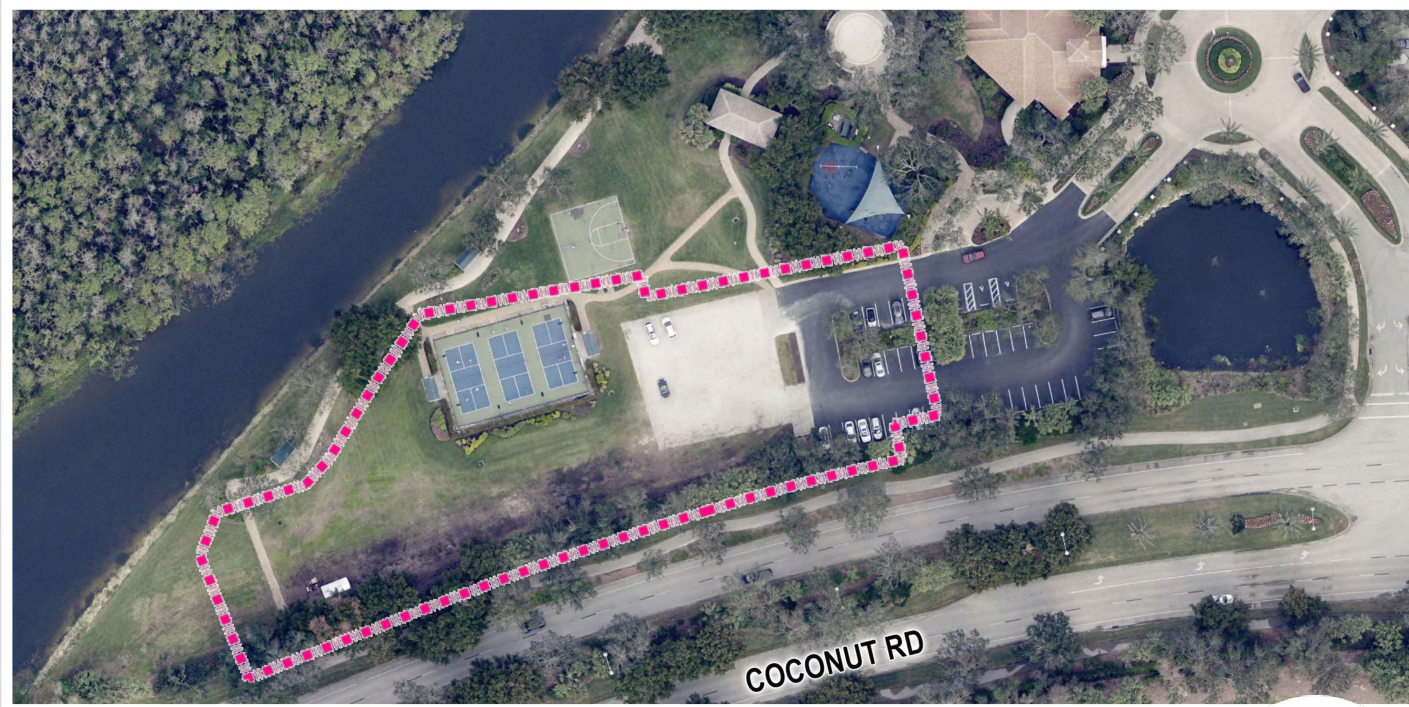


THE COMMONS CLUB AT THE BROOKS SITE

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Site's Location & Context



PROPOSED PROJECT BOUNDARY

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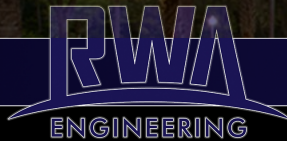


Proposed Site Revisions

APPROVED



- Project Name & Ownership Change
- Court Reduction
- Relocate Proposed Open-Air Structure & Existing Court Shade Structures
- Amend Phasing Plan
- Revise Landscape & Lighting Plans



PROPOSED AMENDMENT TO LDO2022-E051

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



Proposed Site Revisions

APPROVED



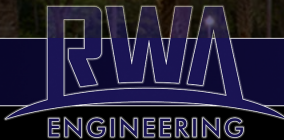
- **Project Name & Ownership Change**

- Court Reduction

- Relocate Proposed Open-Air Structure & Existing Court Shade Structures

- Amend Phasing Plan

- Revise Landscape & Lighting Plans



PROPOSED AMENDMENT TO LDO2022-E051

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES

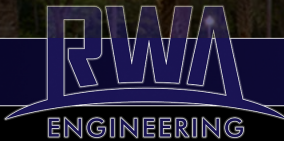


Proposed Site Revisions

PROPOSED



- Project Name Change
- **From:**
The Commons at the Brooks -- Pickleball and Parking Expansion
- **To:**
The Commons Club at the Brooks Pickleball Facility Expansion



PROJECT NAME CHANGE

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES

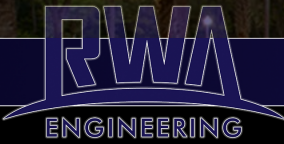


Proposed Site Revisions

PROPOSED



- Ownership Change
- **From:**
Brooks of Bonita Springs, CDD
- **To:**
The Commons Club at the Brooks, Inc.



OWNERSHIP CHANGE

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES

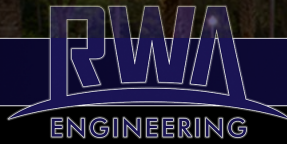


Proposed Site Revisions

APPROVED



- Project Name & Ownership Change
- **Court Reduction**
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PROPOSED AMENDMENT TO LDO2022-E051

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



Proposed Site Revisions

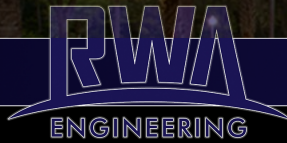
APPROVED



PROPOSED



- 16 COURTS APPROVED
- 11 COURTS PROPOSED
- 5 COURT REDUCTION (35% REDUCTION)



COURT REDUCTION

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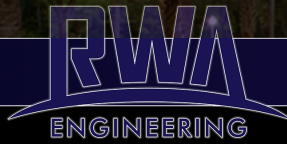


Proposed Site Revisions

APPROVED



- Project Name & Ownership Change
- Court Reduction
- **Relocate Proposed Open-Air Structure & Existing Court Shade Structures**
- Amend Phasing Plan
- **Revise Landscape & Lighting Plans**



PROPOSED AMENDMENT TO LDO2022-E051

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



Proposed Site Revisions

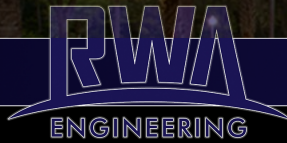
APPROVED



PROPOSED



- 5 STRUCTURES APPROVED
- REDUCTION TO 3
- REUSING 2 EXISTING STRUCTURES



SHADE STRUCTURES REDUCTION & RELOCATION

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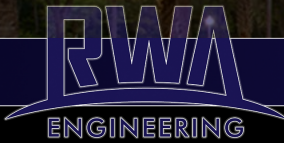


Proposed Site Revisions

APPROVED



- Project Name & Ownership Change
- Court Reduction
- Relocate Proposed Open-Air Structure & Existing Court Shade Structures
- Amend Phasing Plan
- Revise Landscape & Lighting Plans



PROPOSED AMENDMENT TO LDO2022-E051

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Proposed Site Revisions

APPROVED



PROPOSED



- 3 PHASES APPROVED
- REDUCING TO 2



PROPOSED PHASE 1

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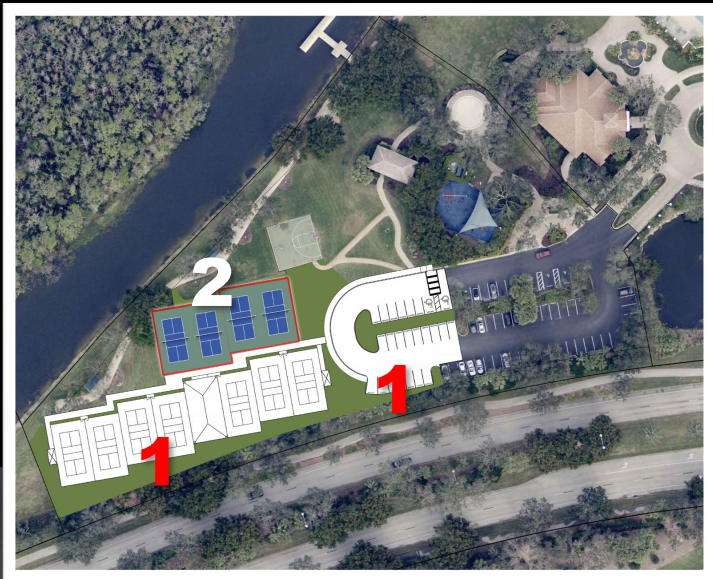


Proposed Site Revisions

APPROVED



PROPOSED



- 3 PHASES APPROVED
- REDUCING TO 2



PROPOSED PHASE 2

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES

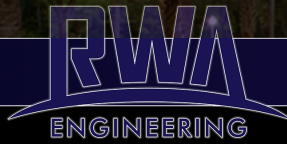


Proposed Site Revisions

APPROVED



- Project Name & Ownership Change
- Court Reduction
- Relocate Proposed Open-Air Structure & Existing Court Shade Structures
- Amend Phasing Plan
- **Revise Landscape & Lighting Plans**



PROPOSED AMENDMENT TO LDO2022-E051

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



Proposed Site Revisions

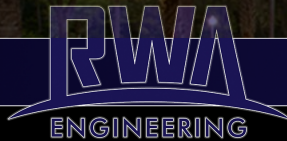
APPROVED



PROPOSED



- REDUCED REQUIREMENTS
- LESS DISTURBANCE
- LESS IMPERVIOUS



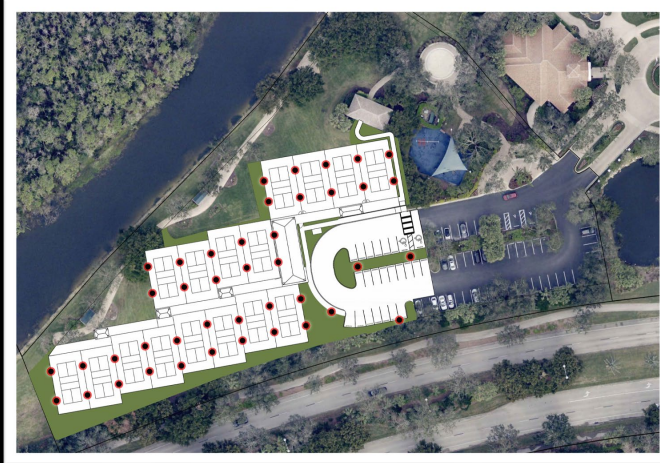
LANDSCAPE REVISIONS

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



Proposed Site Revisions

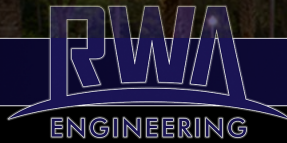
APPROVED



PROPOSED



- REDUCED FROM 42 TO 33 FIXTURES
- ADD INTERNAL LOUVERS TO REDUCE BUG RATING



LIGHTING REVISIONS

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



Proposed Site Plan



PROPOSED AMENDMENT TO LDO2022-E051

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



Amendment Justification



- Reduction in Intensity & Site Impacts
- Lowering Impervious Surface Area
- Consistent with LDC



PROPOSED AMENDMENT TO LDO2022-E051

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES

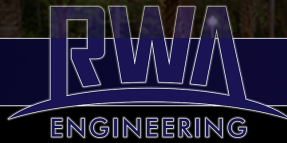


Amendment Justification



- Reduction in Intensity & Site Impacts
- Lowering Impervious Surface Area
- Consistent with LDC

We Ask for Your Recommendation of Approval for the Proposed Changes to LDO2022-E051 as Presented.



PROPOSED AMENDMENT TO LDO2022-E051

ENGINEERING ♦ SURVEYING ♦ LANDSCAPE ARCHITECTURE ♦ CONSTRUCTION SERVICES



QUESTIONS?



THANK YOU FOR YOUR TIME & CONSIDERATION

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PROPERTY IDENTIFICATION

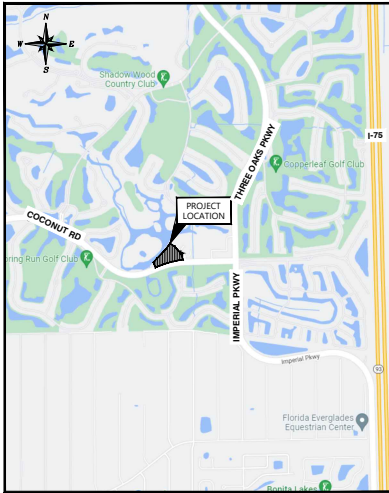
STRAP: 10-47-25-E3-42120.1982

LIMITED DEVELOPMENT ORDER AMENDMENT PLANS FOR ^Δ

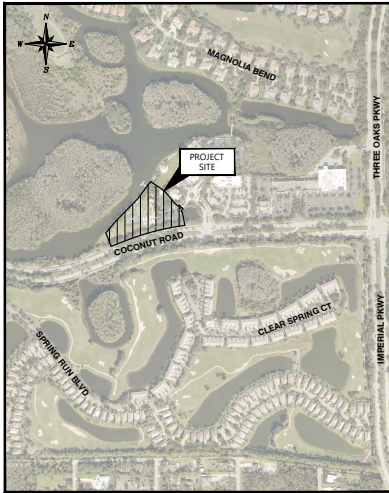
THE COMMONS CLUB AT THE BROOKS PICKLEBALL FACILITY EXPANSION

PART OF SECTION 10, TOWNSHIP 47S, RANGE 25E,
LEE, FLORIDA

PREPARED FOR/OWNED BY:
THE COMMONS CLUB AT THE BROOKS, INC.
9920 COCONUT RD.
ESTERO, FLORIDA 34135 ^Δ
(239) 949 - 3804



PROJECT LOCATION
N.T.S.



PROJECT SITE
N.T.S.

ELEVATIONS BASED ON NORTH AMERICAN
VERTICAL DATUM NAVD83. CONVERSION FROM
NAVD83 TO NAVD83 NAVD83 +1.21=NAVD83.

SHEET INDEX

Sheet Number	Sheet Title
01	COVER SHEET
02	GENERAL NOTES
03	EXISTING CONDITIONS AND DEMO PLAN
04	MASTER SITE PLAN
05	PHASE 1 CONSTRUCTION
06	PHASE 2 CONSTRUCTION
07	PAVING, GRADING & DRAINAGE DETAILS
08	EROSION CONTROL PLAN

REVISIONS

No.	DATE	DESCRIPTION	APPROVED
Δ	01/20/23	REVISED PER SPWMMD & VDE COMMENTS	MCP
Δ	04/17/23	REVISED PER VDE COMMENTS	MCP
Δ	05/08/23	REVISED COURT FENCING	MCP
Δ	05/04/23	REVISED PER PZDSB STIPULATIONS AND CLIENT	MCP
Δ	07/07/23	REVISED PER CLIENT	MCP
Δ	11/17/24	CHANGED CLIENT AND REVISED COURT CONSTRUCTION	MCP



**RWA
ENGINEERING**

6610 Willow Park Drive
Suite 200
Naples, FL 34109

12800 University Drive
Suite 175
Fort Myers, FL 33907

15500 S West Village Pkwy
Unit A5
Venice, FL 34283

Office (239) 997-0075
Fax (239) 997-0078
www.rwa-engineering.com

Florida Certificate of
Authorization
EB 7663 LB 6952

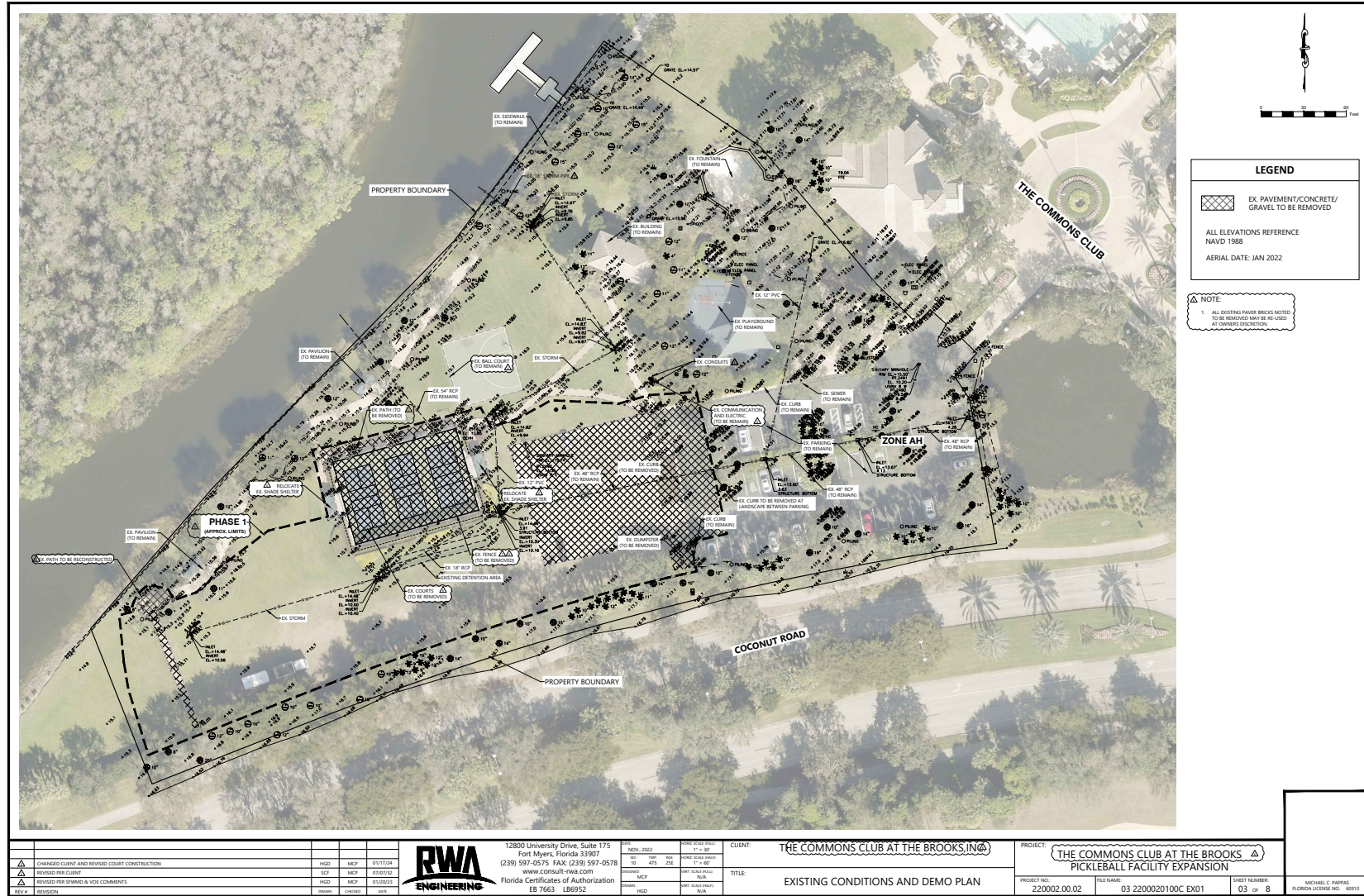
PROOWNER'S SEAL:

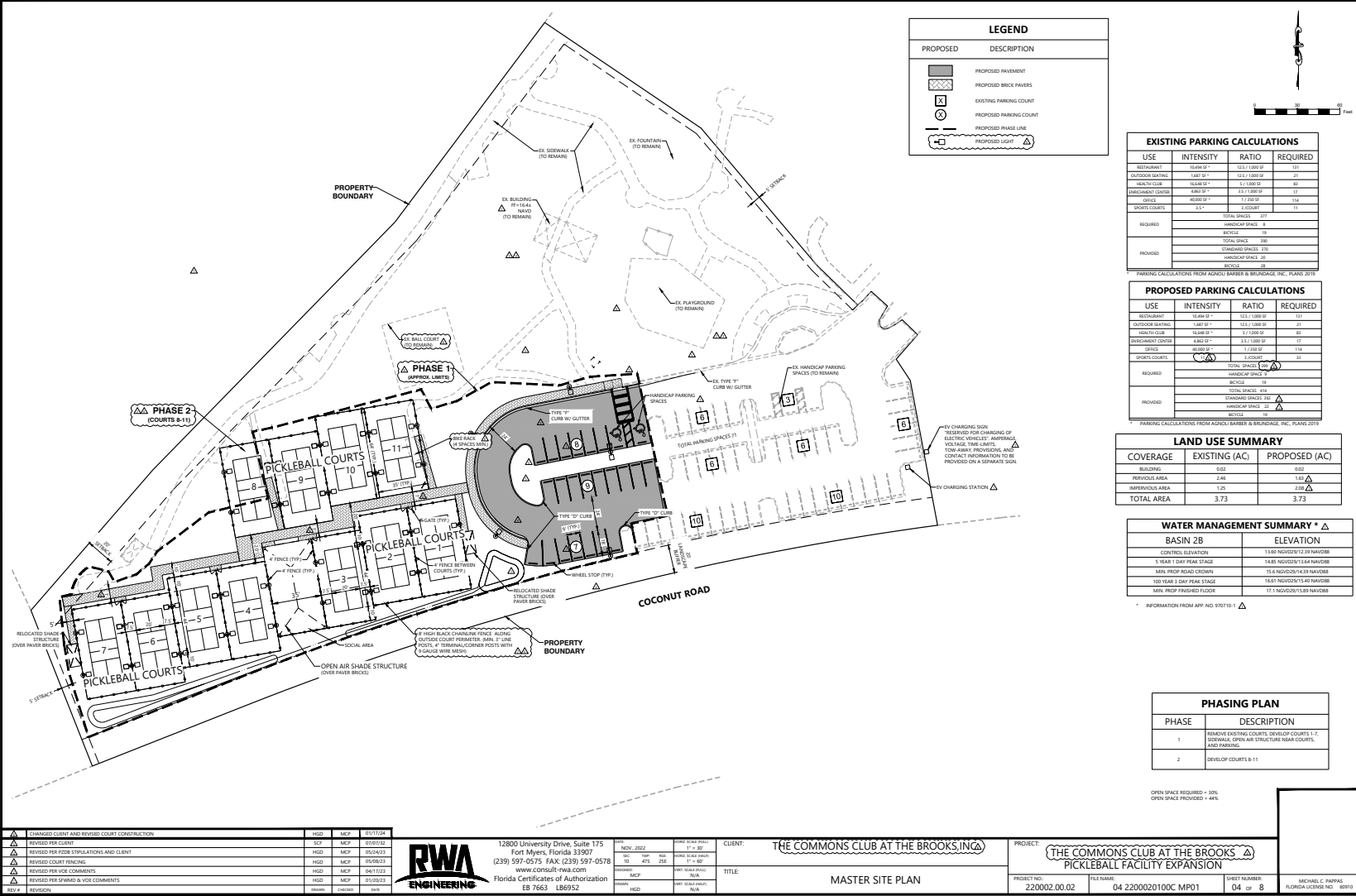
MICHAEL C. PARRISH, STATE OF FLORIDA
LICENSED PROFESSIONAL ENGINEER
STATE OF FLORIDA BUSINESS
CERTIFICATE NO. 18-000000

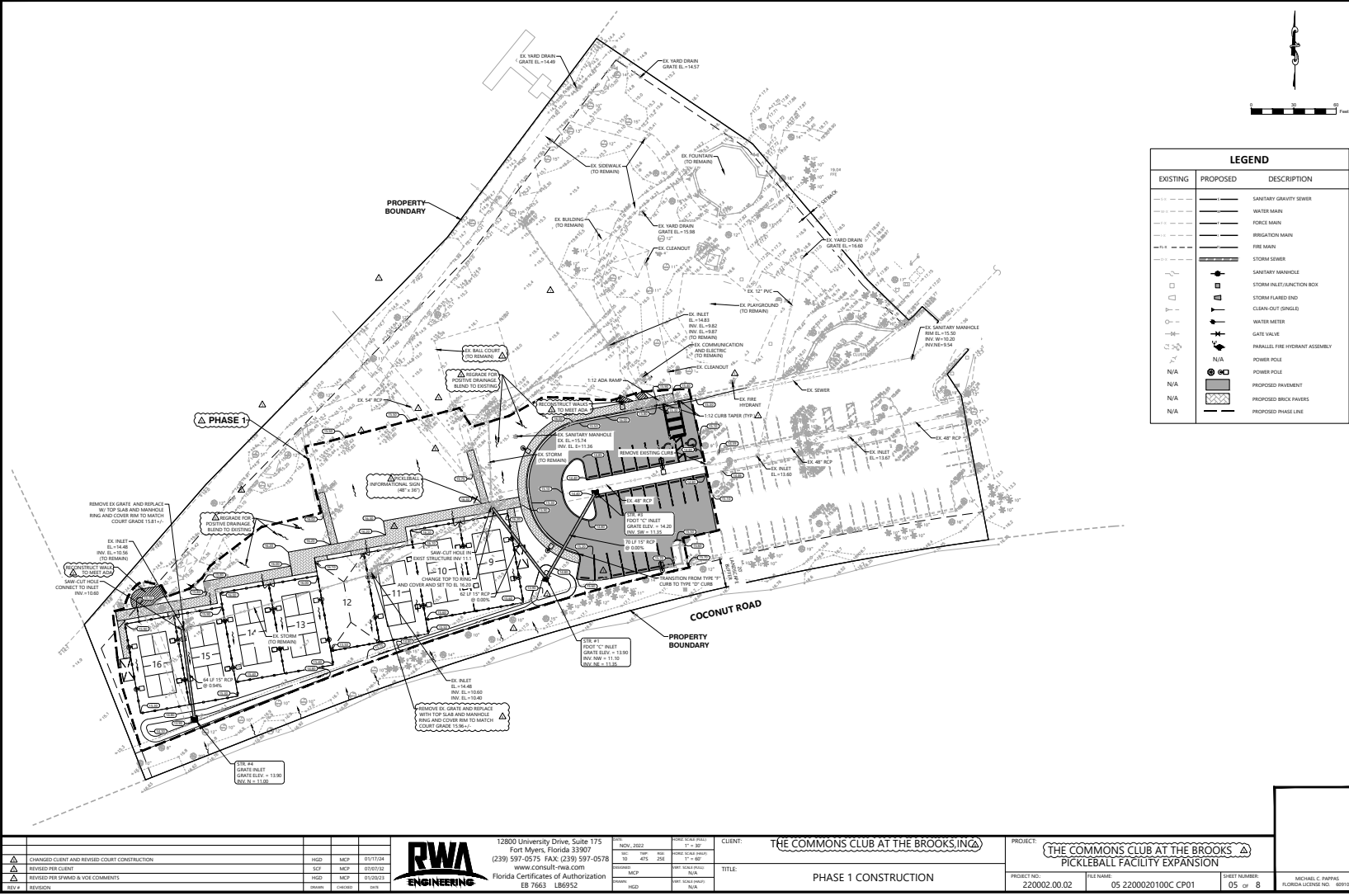
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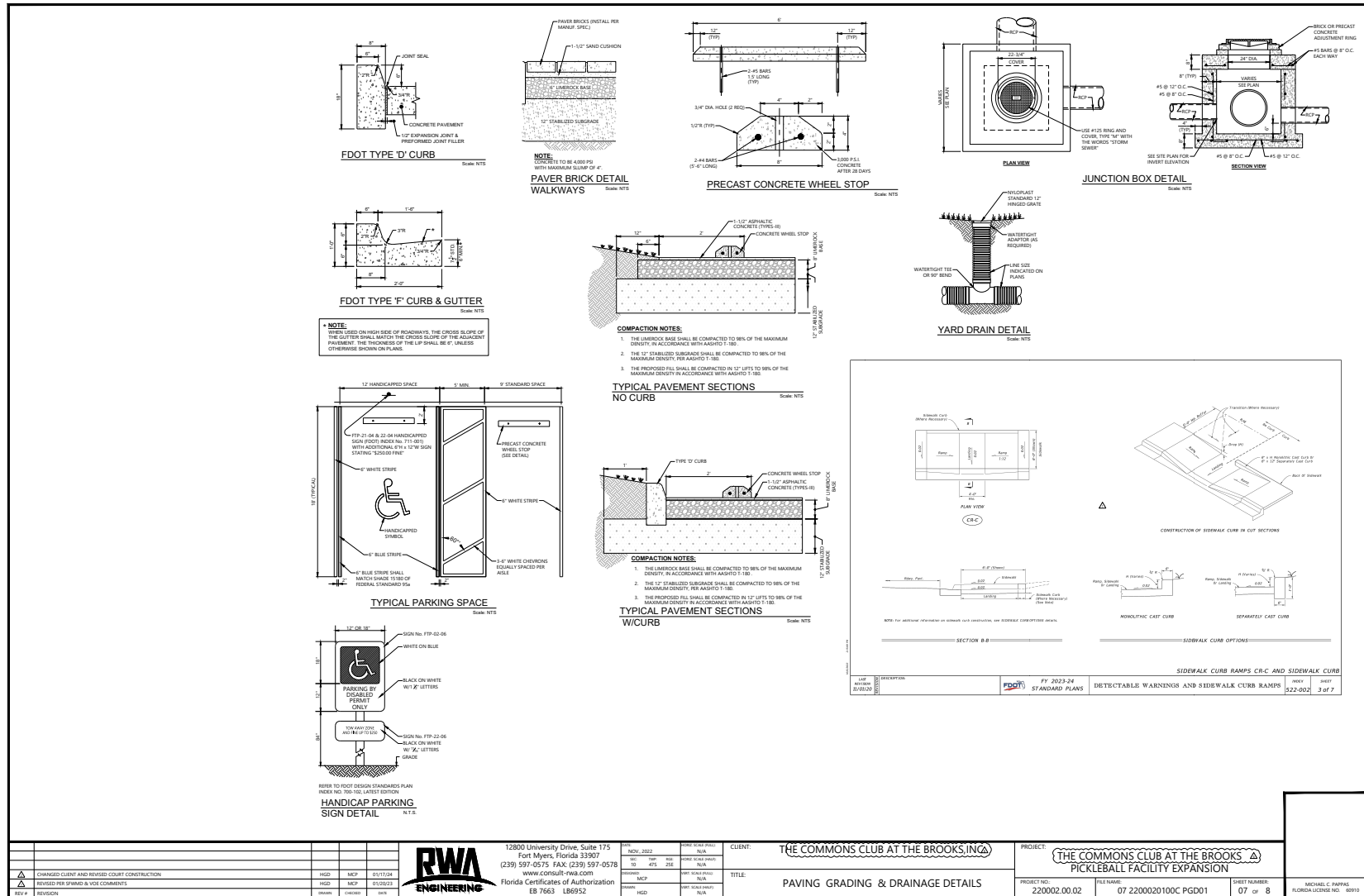
PROJECT NO.: 220002.00.02

SHEET NO.: 01 OF 8









GENERAL NOTES:

- PRIOR TO COMMENCEMENT OF CONSTRUCTION, ACTIVITY APPROVED EROSION CONTROL MEASURES SHALL BE IN PLACE TO PREVENT SOIL EROSION AND SEDIMENT TRANSPORT TO OFF-SITE AREAS. THE CONTRACTOR SHALL MAINTAIN THESE DEVICES THROUGHOUT THE DURATION OF CONSTRUCTION. ALL DEVICES SHALL REMAIN IN PLACE UNTIL THE SURROUNDING AREAS ARE ESTABLISHED.
- THE FOLLOWING MINIMUM REQUIREMENTS ARE RECOMMENDED: REFERENCE FEDERAL DEVELOPMENT MANUAL, TIER 1, 2015, 2015, 2015.
- THESE BEST MANAGEMENT PRACTICES (BMPs) ARE TYPICAL OF REQUIREMENTS FOR SOIL EROSION CONTROL. NO LOCAL REQUIREMENTS THAT MAY NOT CONSTITUTE COMPLETE REQUIREMENTS FOR COMPLIANCE WITH REGULATORY AGENCIES AND SPECIFIC APPLICABLE STANDARDS SHALL BE USED.

BMP 101 TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
BMP 102 SYNTHETIC SOCK BARRIER
BMP 103 SILT FENCE
BMP 104 TRENCH INLET DRAIN PROTECTION

PROPER PLACEMENT OF SYNTHETIC SOCK BARRIER IN A DRAINAGE WAY

Scale: NTS

PROPER PLACEMENT OF A FILTER BARRIER IN A DRAINAGE WAY

Scale: NTS

FLOATING TURBIDITY BARRIERS

Scale: NTS

DOUBLE ROW STAKED SILT FENCE

Scale: NTS

CONSTRUCTION OF A FILTER BARRIER

- SET THE STAKES
- EXCAVATE A 4" x 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES
- STAKE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH
- BACKFILL AND COMPACT THE EXCAVATED SOIL

Scale: NTS

CONSTRUCTION OF A SYNTHETIC SOCK BARRIER

- EXCAVATE THE TRENCH
- PLACE AND STAKE SYNTHETIC SOCKS
- BACKFILL AND COMPACT THE EXCAVATED SOIL

Scale: NTS

SEDIMENTATION / EROSION CONTROL DETAIL

Scale: NTS

TEMPORARY SYNTHETIC SOCK SEDIMENT BARRIER (TYPICAL FOR ALL GRATE INLETS)

Scale: NTS

CONSTRUCTION OF A FILTER BARRIER

Scale: NTS

CONSTRUCTION OF A SYNTHETIC SOCK BARRIER

Scale: NTS

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

Scale: NTS

SILT FENCE LOCATION - PLAN VIEW

Scale: 1" = 80'

CONSTRUCTION NOTES:

- A SYNTHETIC FILTER SOCK SHALL BE A PHOTODEGRADABLE OR BIODEGRADABLE MESH NETTING MATERIAL PROVIDING A MINIMUM OF 100% OPENING SIZE UP TO A TEMPERATURE RANGE OF 0°F TO 180°F.
- THE MESH WITHIN THE FILTER SOCK SHALL CONTAIN COMPOSTED MATERIAL SUITABLE FOR REMOVING SOLIDS AND SOLUBLE POLLUTANTS FROM STORMWATER RUNOFF.
- SOCKS ARE AVAILABLE IN 8 INCH, 12 INCH, 18 INCH, AND 24 INCH DIAMETERS FOR A VARIETY OF APPLICATIONS AND MAY BE STAKED FOR INCREASED STORAGE CAPACITY.
- A MINIMUM OF 1 FOOT OVERLAP IS REQUIRED WHEN JOINING TWO FILTER SOCKS TOGETHER. TWO SOCKS MUST BE SEWN THROUGH BOTH ADJOINING ENDS.
- POSTS SHALL BE SPACED A MAXIMUM OF 10 FEET APART AT THE BARRIER LOCATION AND BURIED SECRETLY INTO THE GROUND A MINIMUM OF 8 INCHES IN CLAY SOILS OR 12 INCHES FOR SAND SOILS FOR USE ON PAVED AREAS. HEAVY CONCRETE SOCKS SHALL BE USED BEHIND THE FILTER SOCKS FOR STABILIZATION.
- A MINIMUM OF 1 FOOT OVERLAP IS REQUIRED WHEN JOINING TWO FILTER SOCKS TOGETHER. TWO SOCKS MUST BE SEWN THROUGH BOTH ADJOINING ENDS.
- FILTER SOCKS SHALL BE THROWN OR CUT OPEN WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UPLINE AREA IS PERMANENTLY STABILIZED.

CONSTRUCTION NOTES:

- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT PREVENTS TRACING OR FLOWING OF SEDIMENT INTO PUBLIC RIGHT-OF-WAY.
- WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTERING ONTO PUBLIC RIGHT-OF-WAY.
- WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CURED STONE THAT DRAIN INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN, UNDER THE CONTRACTOR'S SUPERVISION.

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CON



**APPLICATION FOR PUBLIC INFORMATION MEETING
PLANNING ZONING AND DESIGN BOARD
VILLAGE OF ESTERO**

REQUEST IS FOR: Public Information Meeting pursuant to LDC Section 2-401

1. Applicant/Project Name: SREG University Highlands II, LLC
2. Address: _____
3. Strap Number: 26-416-25-E2-3500F.D04D
4. Application Number: DOS 2024 - E005

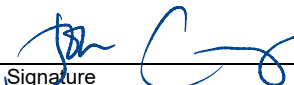
5. Type of Application (check appropriate type(s)):

- | | |
|---|--|
| ☐ Comprehensive Plan Amendment | ☐ Planned Development Zoning |
| ☐ Planned Development - Amendment or Final Plan Approval | ☐ Variance |
| ☐ Conventional Rezoning | ☐ Special Exception |
| ☐ Bar Special Permit | ☒ Development Orders |

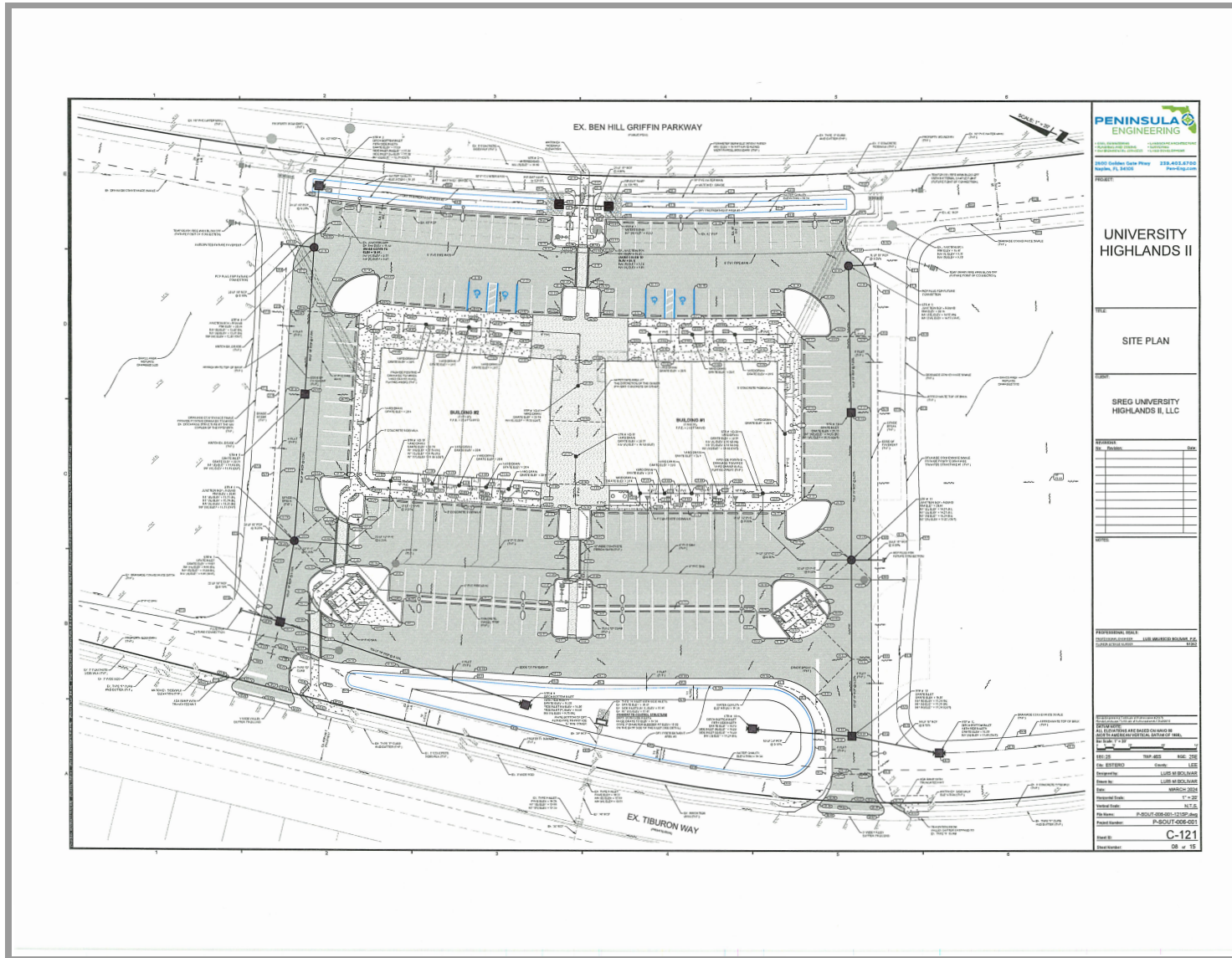
6. Project Description (Brief description of project and need for application.)

Construction of two retail buildings totaling
15,600 sq ft, along with parking and
infrastructure for the property.

7. Application shall be accompanied by an electronic copy of the site plans drawn to scale, illustrating a detailed overview of the project. The plans shall define what is being requested and the deviation or change from the permitted and/or existing conditions.


Signature
John Conroy
Print Name

4/9/2024
Date









Shoppes at University Highlands II - Planning, Zoning & Design Board

Public Information Meeting

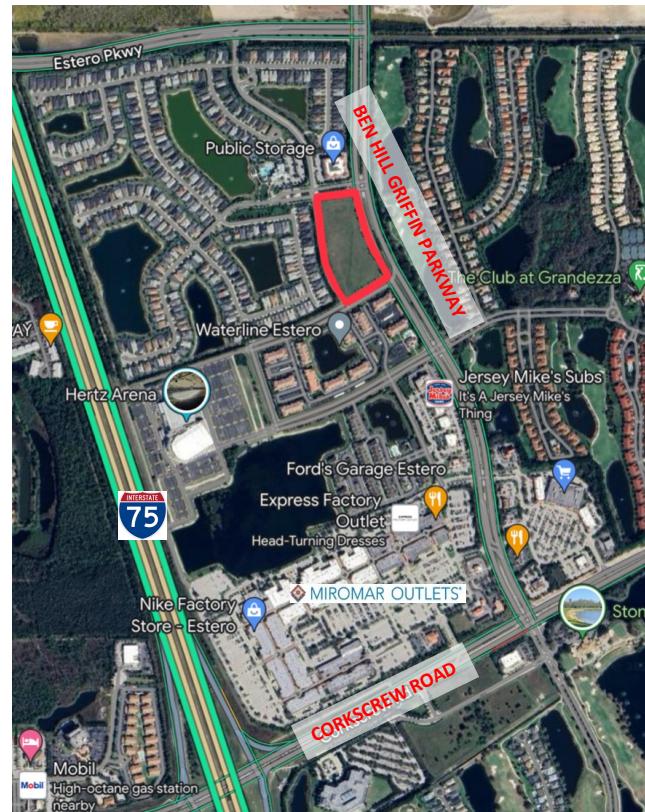


May 14, 2024



Project Team

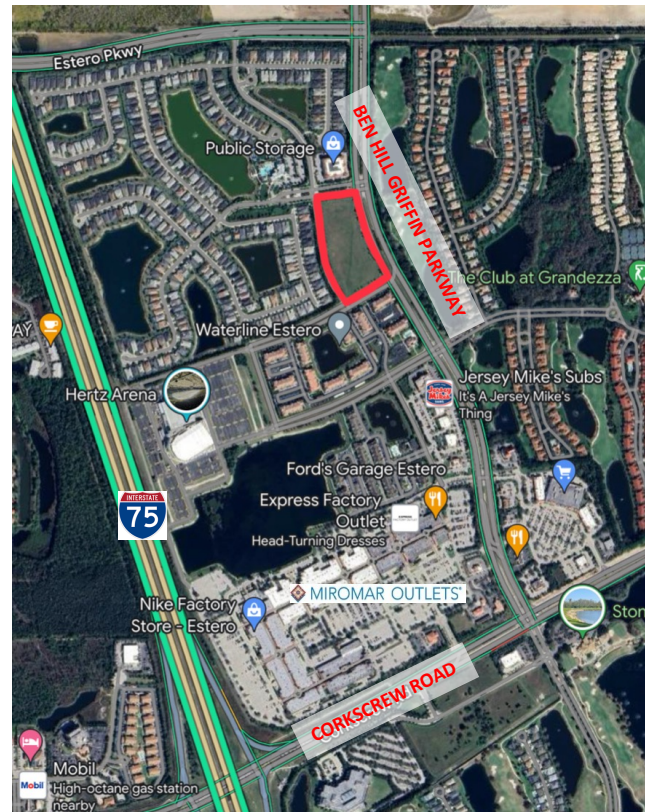
- **South Real Estate Group**
 - John Conroy
- **South Florida Architecture**
 - Michael Jorgensen
- **Peninsula Engineering**
 - Luis Bolivar
 - Steve Sammons





Project Site Information and Existing Conditions

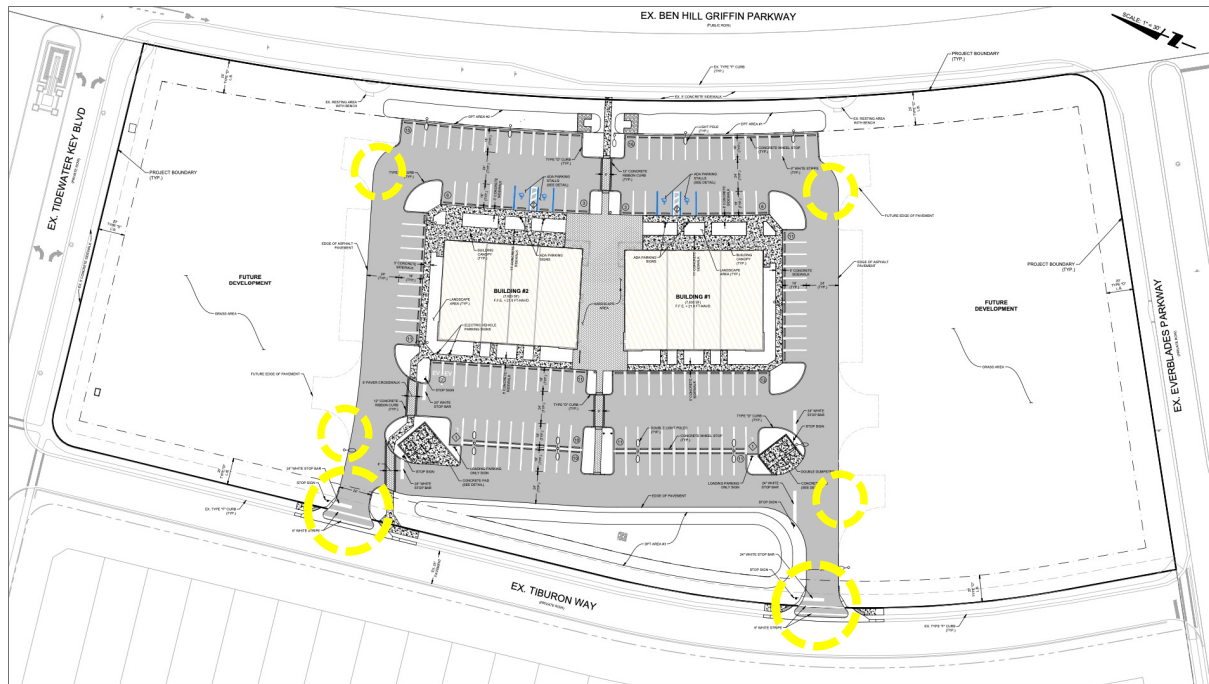
- Parcel Area - 6.37 acres
- Part of Timberland and Tiburon MPD and DRI (Resolution No. Z-10-031)
- DOS 2016-E009
 - Minor DO for partial fill and perimeter landscaping for the property
- Seeking Development Order for two, 7,800 sf retail buildings





Vehicular Access and Connectivity

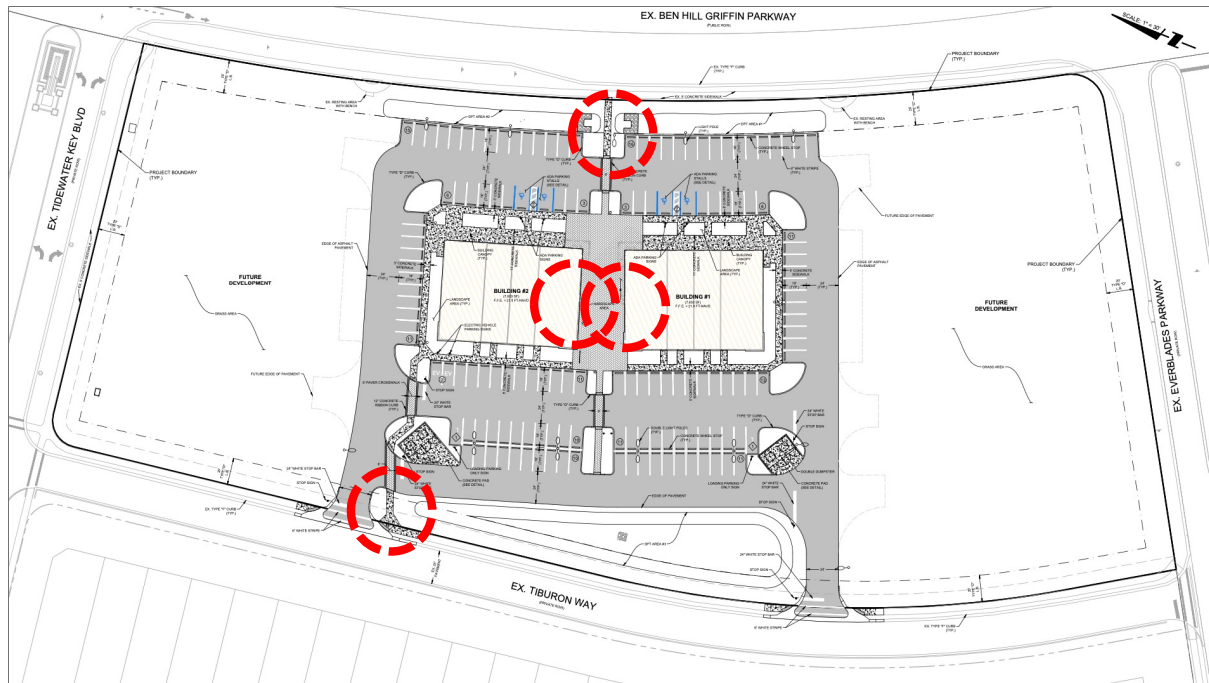
- Two Accesses to site from Tiburon Way
- Parking Areas shared between two buildings
- Anticipated interconnection to future development





Pedestrian Access and Connectivity

- Pedestrian connection to Ben Hill Griffin and Tiburon Way
- Paved crosswalks and 'breezeway' between buildings
- Patio space for restaurants (future tenant dependent)





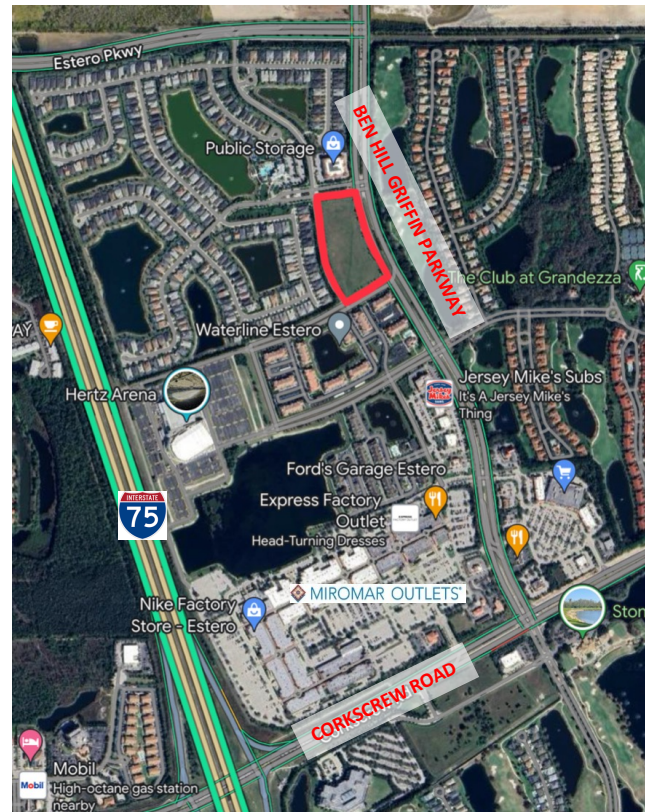
Design Concept

➤ University Highlands Image Book (2010)

- Covers Tidewater, Waterline, Public Storage and commercial parcels
- Mediterranean style
- What we developed on southern parcel

➤ Tidewater Community

- Old Florida
- Coastal
- We tried to blend the two styles
- Connect with Tidewater





PENINSULA
ENGINEERING



Colored Renderings

S° SOUTH
REAL ESTATE GROUP







Questions / Comments





**APPLICATION FOR PUBLIC INFORMATION MEETING
PLANNING ZONING AND DESIGN BOARD
VILLAGE OF ESTERO**

REQUEST IS FOR: Public Information Meeting pursuant to LDC Section 2-401

1. Applicant/Project Name: _____
2. Address: _____
3. Strap Number: _____
4. Application Number: _____

5. Type of Application (check appropriate type(s)):

- | | |
|---|---|
| ☐ Comprehensive Plan Amendment | ☐ Planned Development Zoning |
| ☐ Planned Development - Amendment or Final Plan Approval | ☐ Variance |
| ☐ Conventional Rezoning | ☐ Special Exception |
| ☐ Bar Special Permit | ☐ Development Orders |

6. Project Description (Brief description of project and need for application.)

7. Application shall be accompanied by an electronic copy of the site plans drawn to scale, illustrating a detailed overview of the project. The plans shall define what is being requested and the deviation or change from the permitted and/or existing conditions.

Signature

Date

Print Name

Village of Estero | 9401 Corkscrew Palms Circle | Estero, FL 33928 | Phone: 239.221.5035 | Fax: 239.494.5343 | www.Estero-fl.gov

Updated 11/17/2021



Celebree Schools

10351 Corkscrew Commons Dr.
Estero, FL 33928

Planning Zoning and Design Board
May 14, 2024

Accelerating success.



Location Map



Project Information

STRAP Number: 35-46-25-E1-30000.0090

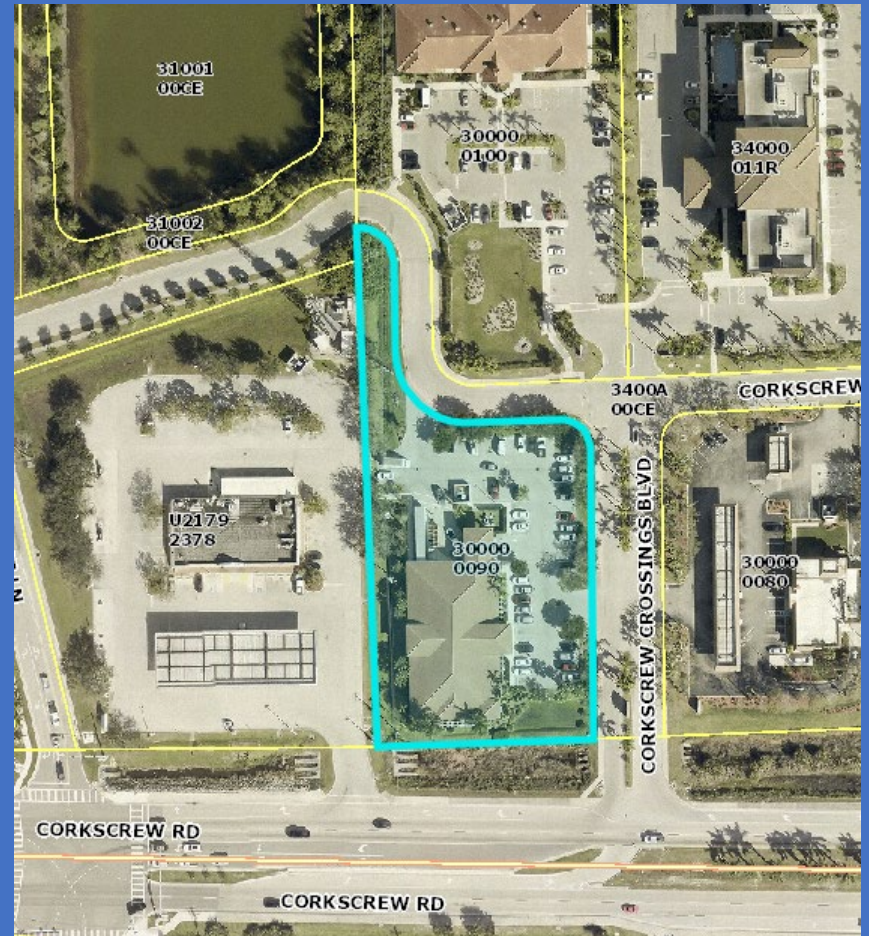
Address: 10351 Corkscrew Commons Drive

Project Acreage: 1.54

Zoning: PD

Future Land Use: Transitional Mixed-Use

Proposed Request: The project will include a change of use from retail to daycare. The exterior modification will be changing the color scheme of the building to make the daycare and remove the loading zone and replace it with approx. 4,600 SF playground. Majority of the changes will be on the interior to create the individual classrooms.



Zoning

Exiting: CPD (Corkscrew Rd. Overlay)

Proposed: CPD (Corkscrew Rd. Overlay)

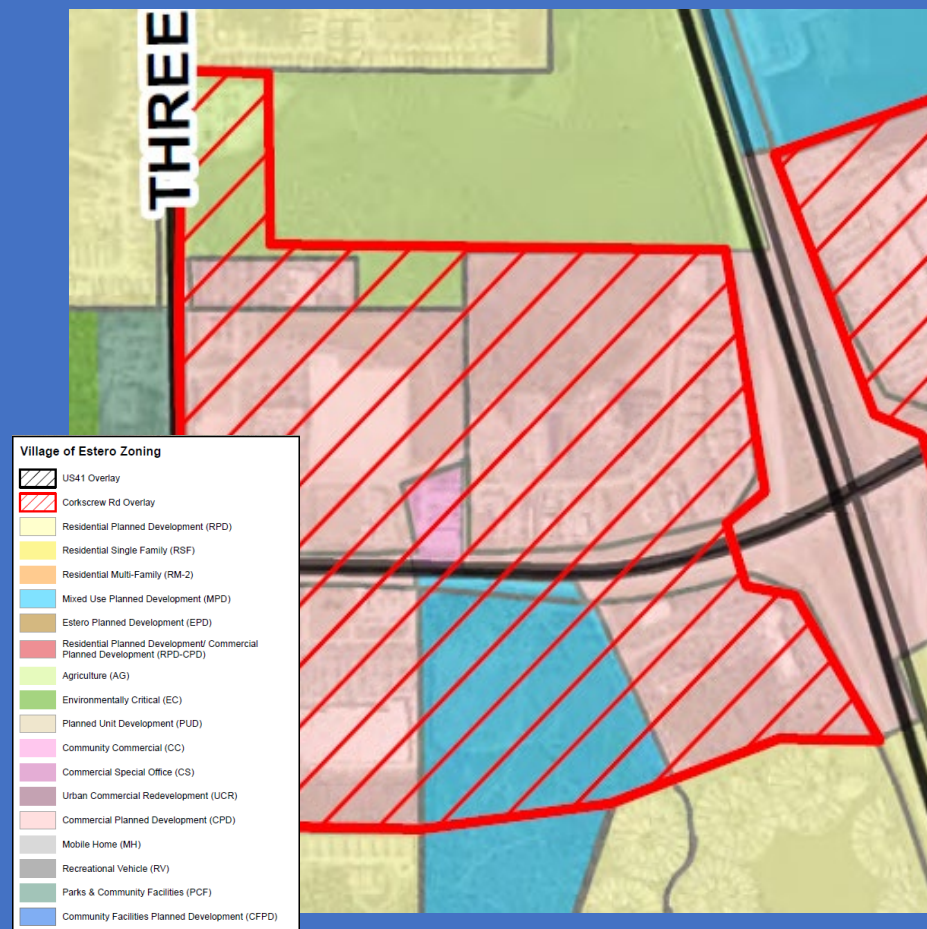
Surrounding Zoning:

North: CPD (Commercial Planned Dev.)

South: MPUD (Mixed-Use Planned Dev.)

West: CG (Community Commercial)

East: CPD (Commercial Planned Dev.)



Future Land Use

FLU-1.2.8 TRANSITIONAL MIXED USE. Transitional Mixed Use areas are characterized by primarily existing or emerging developments where the Village's largest and most intense commercial and multifamily residential developments are or will be concentrated..... Transitional Mixed Use areas are generally the north Estero area near intersections of US 41 with Broadway and Estero Parkway, Coconut Point DRI, and the four quadrants of the I-75 and Corkscrew Road interchange. These areas are located in close proximity to: public transit routes; education facilities; recreation opportunities; and existing residential, shopping and employment centers and are generally accessible to the surrounding neighborhoods, serving as focal points or community centers where activity is concentrated.





Existing Conditions

ZONING INFORMATION: (AS PROVIDED)

SOURCE:
ZONING VERIFICATION LETTER (ZVL2023-E009) FROM THE VILLAGE OF ESTERO DATED 11/3/2023.
CURRENT ZONING CLASSIFICATION:
THE SURVEYED PROPERTY IS WITHIN TRACT A OF THE ESTERO INTERSTATE COMMERCE PARK, ZONED COMMERCIAL PLANNED DEVELOPMENT (CPD) BY LEE COUNTY RESOLUTION NO. Z-00-006 (ENCLOSED WITH THE ZVL)

SETBACK REQUIREMENTS:
PER SECTION B.2.B OF LEE COUNTY RESOLUTION NO. Z-00-006

MINIMUM SETBACKS:

STREET: VARIABLE ACCORDING TO THE FUNCTIONAL CLASSIFICATION OF THE STREET OR ROAD (SECTION 34-2191, LEE COUNTY LAND DEVELOPMENT CODE, ET SEQ.)

SIDE: 15-FEET

REAR: 20-FEET

WATER BODY: 25-FEET

PER SECTION 3-803.E AND TABLE 3-803.E
AS TO THE CORKSCREW ROAD OVERLAY DISTRICT, VILLAGE OF ESTERO:
MINIMUM/MAXIMUM STREET SETBACK: 0-FEET/25-FEET
MINIMUM SIDE YARD SETBACK: 0-FEET / N/A
MINIMUM/MAXIMUM REAR YARD SETBACK: 25-FEET / N/A
MINIMUM/MAXIMUM WATERBODY SETBACK: 25-FEET / N/A

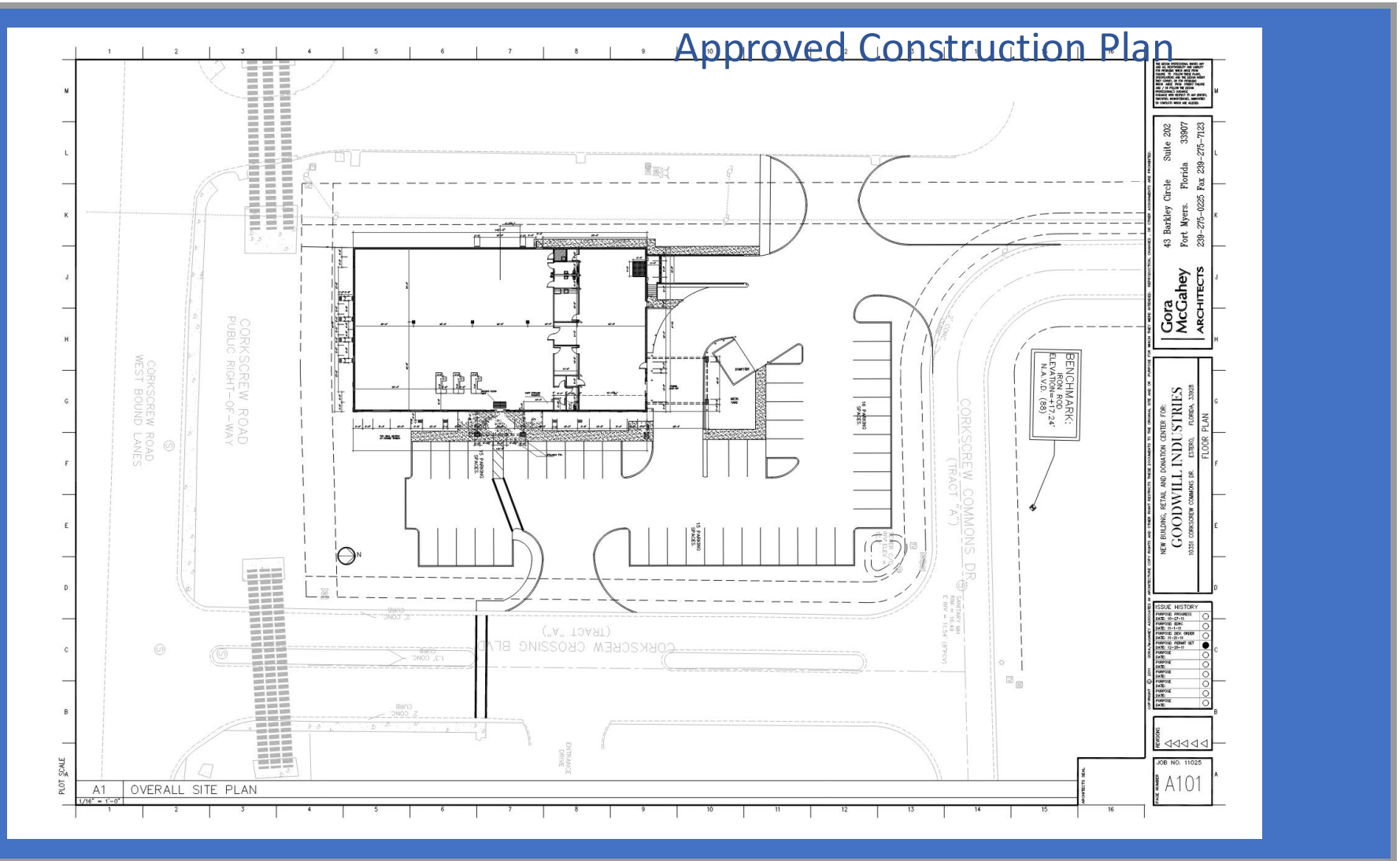
HEIGHT AND FLOOR SPACE AREA RESTRICTIONS PER SECTION B.2.B OF LEE COUNTY RESOLUTION NO. Z-00-006

MAXIMUM LOT COVERAGE: 45%
MAXIMUM BUILDING HEIGHT: 35-FEET IN TRACT A
MINIMUM BUILDING SEPARATION: MINIMUM BUILDING SEPARATION IS THE GREATER OF EITHER THE MINIMUM REQUIRED SETBACKS OR THE SUM OF THE HEIGHT OF THE BUILDINGS

TRACTS A & B:
MAXIMUM GROSS FLOOR AREA OF 140,000 SQUARE FEET.

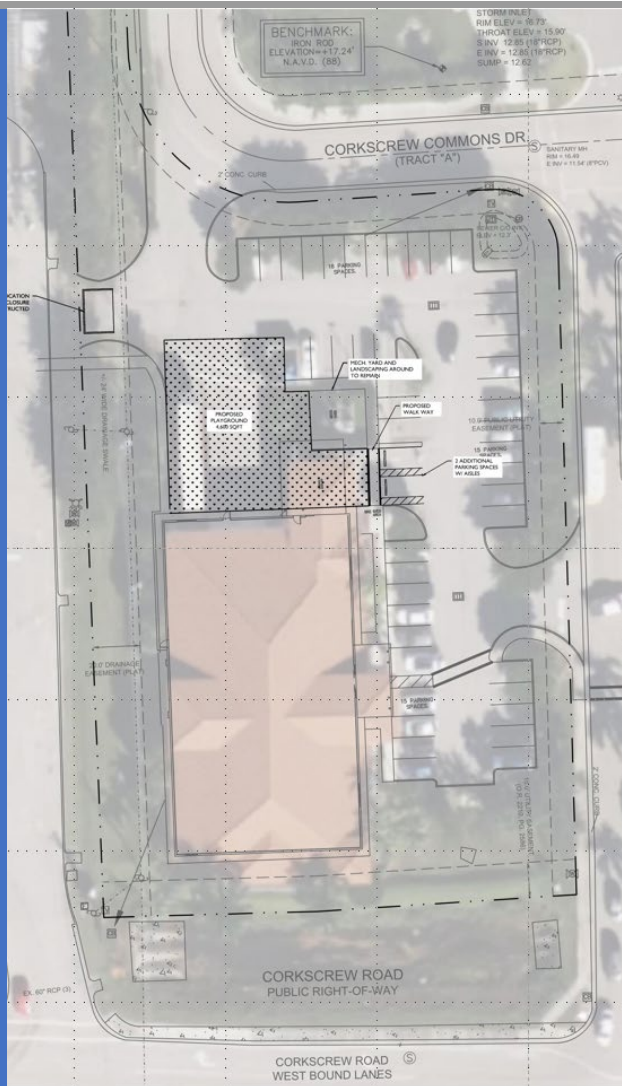
PARKING REQUIREMENTS:
LEE COUNTY ZONING RESOLUTION NO. Z-00-006, CONDITION 8, RESTRICTING PARKING WITHIN 50-FEET OF CORKSCREW ROAD.

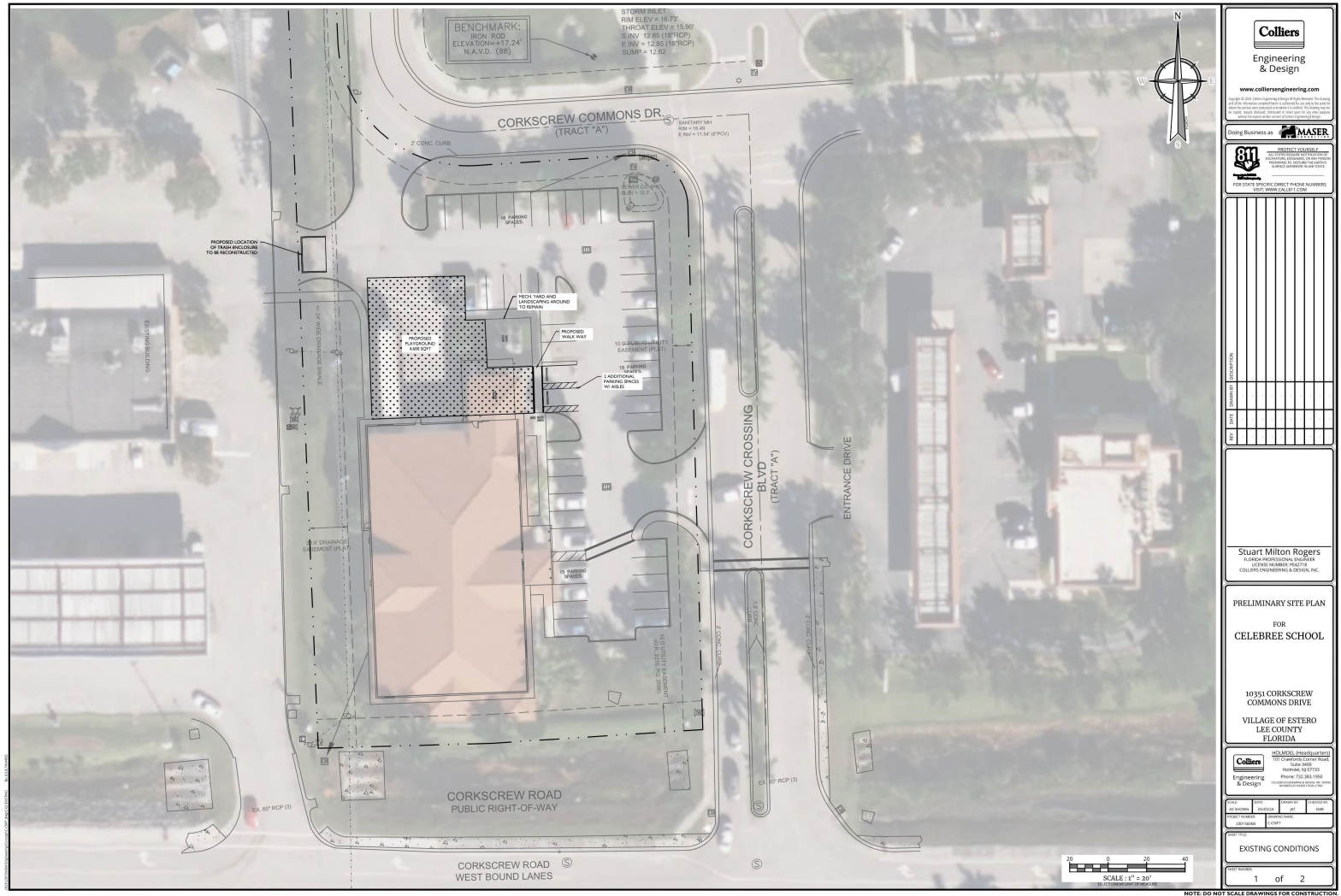
PARKING REQUIREMENTS FOR A DAY CARE CENTER ARE:
(A) TWO (2) SPACES PER EMPLOYEE AND ONE (1) SPACE PER 800 SF, WHICHEVER IS GREATER, PURSUANT TO SECTION 5-204.B.1, VILLAGE OF ESTERO LAND DEVELOPMENT CODE;
AND
(B) ONE (1) SPACE PER 20 CHILDREN PURSUANT TO SECTION 4-216.3.C, VILLAGE OF ESTERO LAND DEVELOPMENT CODE.



Proposed Project

The project will include a change of use from retail to daycare. The exterior modification will be changing the color scheme of the building to make the daycare and remove the loading zone and replace it with approx. 4,600 SF playground. Majority of the changes will be on the interior to create the individual classrooms.





Existing Exterior



Proposed Exterior



Questions?



Stuart Rogers

Site/Civil Department Manager
813-582-4651
Stuart.Rogers@collierseng.com

What sets us apart is not what we do, but how we do it. Our people are passionate, take personal responsibility and focus on what's right for our clients, people and communities. We attract and develop industry leaders, empowering them to think and act differently to drive exceptional results. At Colliers Engineering & Design, we accelerate success.



**8111 BROADWAY E. (Old Post Office)
Commercial Planned Development Amendment
Zoning Staff Report**

PROJECT NAME:	8111 Broadway E. (Old Post Office)
CASE TYPE:	Planned Development Amendment
CASE NUMBER:	DCI2024-E001
PLANNING ZONING & DESIGN BOARD:	May 14, 2024

REQUEST

The applicant is requesting an amendment to the Commercial Planned Development zoning for the one-acre site at 8111 Broadway E., for the old United States Post Office site. The property is located east of the Broadway Shoppes and north of Estero United Methodist Church.

The amendment includes minor changes to the Master Concept Plan, revisions to the Pattern Book architectural elevations and changes to some of the approved deviations and uses.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

APPLICATION SUMMARY

Applicant

Pruitt Family Real Estate Holdings, LLC

Authorized Agent

Veronica Martin, TDM Consulting, Inc.

Location

8111 Broadway East, east of the Broadway Shoppes center and north of Estero United Methodist Church. The STRAP number is 28-46-25-E2-U1923.2494.

ZONING

Commercial Planned Development

LAND USE CATEGORY

Urban Commercial

SIZE OF PROPERTY

1+ acres

SURROUNDING ZONING

North – Broadway Shoppes zoned Community Commercial (CC).

East – a single-family residence zoned Agricultural (AG-2).

South – Broadway East, then Estero United Methodist Church zoned Community Facilities Planned Development (CFPD).

West – Broadway Shoppes zoned Community Commercial (CC).

PUBLIC INFORMATION MEETING

February 13, 2024

PROJECT HISTORY

The subject property is zoned AG (Agriculture) and was developed with a U.S. Post Office facility in 1983. The Post Office relocated to its current location on Three Oaks Parkway and the existing building is vacant. In 2020, the property was rezoned from AG to Commercial Planned Development (Ordinance 2020-03), but the building has remained vacant.

STAFF ANALYSIS

The applicant is requesting an amendment to the Commercial Planned Development zoning, to modify the Master Concept Plan, architectural elevations, approved uses, conditions, and deviations.

MASTER CONCEPT PLAN

The Master Concept Plan (MCP) depicts a 4,800 square foot building and onsite parking lot. The site plan depicts one vehicular access point from Broadway East. The applicant has agreed to close the existing access point nearer to the intersection of U.S. 41 and Broadway East. The existing building is located in the southeast portion of the site with parking in the western and northern portions of the site.

A pedestrian connection is proposed along the frontage of Broadway to connect to the existing sidewalk to the west and along U.S. 41.

May 14, 2024

DCI2024-E001

Page 2 of 9

An ADA accessible sidewalk is provided along Broadway East. This sidewalk is proposed on the subject site (rather than the adjacent right-of-way) and will require the recording of an easement prior to the issuance of the Development Order Certificate of Compliance. A pedestrian access point is also provided at the project vehicular access point at Broadway East consistent with LDC Section 33-362(1).

Proposed Uses

The proposed use is an office development. This amendment eliminates some of the more intensive uses that were approved in 2020 including outdoor display and broadcast studio. There is a condition in the approved zoning that limits hours of operation from 7:00 a.m. to 10:00 p.m. Monday through Saturday, and 8:00 a.m. to 6:00 p.m. Sunday.

The proposed uses are consistent with the land use category, and the property meets the commercial site location standards of the Plan.

Pattern Book

The applicant submitted a new Pattern Book. The Pattern Book includes building elevations of all four façades depicting an architectural style of "Italian Countryside", proposed colors and materials, a monument sign, dumpster details and landscape elevations. The applicant is proposing to add a façade on the existing building. The Pattern Book has been revised since the Public Information Meeting with more colors, based on comments received at that Planning Zoning and Design Board meeting.

With regard to landscaping, a Buffer Type D is required along Broadway E which will be 20' wide with 5 trees per 100 feet and a double hedgerow. The eastern buffer, adjacent to the single-family home, requires a Type C Buffer, however a deviation is requested which includes two components of the buffer: width (20' wide to 14.5' wide); and for the 8-foot solid opaque wall which is proposed to be PVC material. The wall is now proposed to extend the entire length of the east property line to shield the adjacent residence from the commercial development.

A bench is shown as an amenity for the proposed offices.

Environmental Issues

- The property has been cleared, filled, and developed in the past and is currently vacant.
- There are no wetlands on the site.
- The existing pine trees on the east side of the site are proposed to be replaced with healthier trees.
- There are no native vegetative communities or critical habitat that could support listed species.
- There are no imperiled (listed) species on the site and no potential since there is no critical habitat.
- There are no heritage trees on the site.
- There are no floodways designated on the site.
- The site falls within the Flood Zone X. The property is not within the Special Flood Hazard Area.
- Landscape buffers include a 20-foot-wide Type D buffer on Broadway, 5-foot-wide buffers on the west and north abutting commercial property, and an 8-foot-high wall and new landscaping

including pine trees, dahoon holly and palmetto along the east property line adjacent to the single-family home.

Transportation Issues

The applicant has provided a Traffic Impact Statement (TIS). The TIS is based on the assumption that the proposed project will be completed in 2024. The TIS assumed that the project will consist of a single use from the proposed Schedule of Uses that generates the most traffic: medical office. Thus, the analysis represents the worst-case scenario from a traffic-generating basis. The TIS points out the following:

Access to the proposed development will be provided by one (1) existing full-access driveway connection to Broadway East. It is worth noting that a second existing full-access driveway connection to Broadway East will be removed during this re-development.

The proposed medical office will generate approximately 98 vehicle trips per day. Peak hour trips would be 12 in the morning and peak hour according to the applicant's analysis.

The TIS provides that Level of Service Standard of C is maintained on U.S. 41. Staff has reviewed this TIS and concurs that the proposal will not cause the level of service on U.S. 41 to be exceeded. Village staff has also concluded that the proposal will not cause the level of service to be exceeded on Broadway East. Right and left turn lanes on Broadway East are not warranted.

In addition, Village staff notes that Lee Tran bus service is available in the area, specifically Route 140 along U.S. 41. There is a bus stop located in front of Estero United Methodist Church on U.S. 41 about 630 feet from the subject site.

Utilities

The property is located in the Lee County Utilities franchise service areas for both potable water and wastewater services. Water is currently available but wastewater lines are approximately 800 feet away.

The property is located in the Village's Broadway Avenue East Utility Expansion Project. The project is currently in the design phase. It may be 2 to 3 years before connection is available. In the meantime, there is a septic system on site and the applicant intends to use the existing septic system until such a time as sanitary sewer lines are located along Broadway E.

There is a zoning condition that requires the property to connect to sewer service when it is available and that yearly inspections of the septic system be performed similar to a condition the Council approved for the Estero United Methodist Church.

Fire

Estero Fire Rescue has reviewed the request and has the below comments. The applicant has modified the Master Concept Plan to show fire access and a T-turnaround.

Site must comply with 2021 NFPA 1 Ch 18, Eighth Edition (Florida Changes) for Fire Department Access as per the following codes.

18.2.3.2.1.2 When required by the authority having jurisdiction, road(s) or parking lots providing access to the main entrance door(s) shall be considered access roads and shall comply with the requirements of 18.2.3.5.

18.2.3.5.4. Dead Ends. Dead-end fire apparatus access roads in excess of 10 ft (46m) in length shall be provided with approved provisions for the fire apparatus to turn around.

Or the entire building must have an approved Fire Sprinkler System installed and the Fire Department Access requirements will be waived.

Comprehensive Plan Considerations

The subject site is designated Urban Commercial in the Village's Comprehensive Plan. The proposed uses are consistent with the designation as long as other Plan Policies are complied with.

Comprehensive Plan Policies-

FLU-1.10.3 *Encourage commercial developments within the Village of Estero to provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including, but not limited to, bike paths and pedestrian accessways. Connections to existing residential neighborhoods will be encouraged and will not be precluded by the commercial development's design.*

A pedestrian interconnect will be provided, but the topography does not lend itself to a vehicle interconnection.

TRA-1.2.4 *During the review of comprehensive plan amendments, rezonings, zoning amendments, and development order applications, applicants must provide an evaluation addressing potential for addition of new interconnections between communities, creation of pedestrian and vehicular interconnection, and addition of new connections to the surrounding road network.*

The applicant has improved access by eliminating one of the two access points onto Broadway East.

INF-1.4.5 *No development order for new development, or change in use or intensity in an approved development order will be issued unless sanitary sewer service is available at the minimum acceptable level of service within ¼ mile of the development, or surety is given that it will be installed prior to occupancy.*

Sanitary sewer service is not currently available within ¼ mile of the site. A condition of approval would require the applicant to connect to sanitary sewer when it becomes available.

Deviations

The applicant is proposing minor revisions to three of the six approved deviations, specifically Deviations 1, 3 and 5.

- (1) **A Deviation from LDC Section 3-705.C Intensity and Dimensional Standards, which requires a 20-foot building setback to the east property line to permit a 14.5-foot building setback to the east property line.**

This deviation was previously approved for 16 feet, and is now requested at 14.5 feet to accommodate an architectural “wrap” of the building.

The applicant has provided that the property was developed in 1983 and that the existing structure was constructed approximately 16.10 feet from the east property line. The applicant provides it is not practical or logical to move the building to comply with the minimum setback requirement. The applicant submits that “doing so would create problems with the parking lot, drive aisles, sidewalks...and...create a multitude of problems with the building.” The applicant provides that this is not the result of actions taken by the applicant/property owner as the Post Office was constructed and not required to comply with the zoning.

Staff recommends **Approval** of Revised Deviation #1 to 14.5 feet.

- (2) **A Deviation from LDC Section 3-705.C. Intensity and Dimensional Standards, which requires that parking or internal roads or drives be located in this case a minimum of 20 feet from the east property line to permit the existing driveway and parking lot to be 15 feet from the east property line.**

There is no change to this deviation except to the Land Development Code section number.

The applicant provides that the driveway and parking lot are located only 15 feet from the east property line. The applicant has agreed to remove the western access point to Broadway East, nearest to the U.S. 41 intersection, “to allow for longer queuing at the intersection and better traffic circulation on Broadway East.” The applicant submits it would require a major redesign of the site to move the driveway and parking area five feet to the west and would decrease the connection separation distance to U.S. 41.

Staff agrees that the Deviation is warranted to provide the maximum connection separation distance to U.S. 41 and that the proposed buffer with wall will address compatibility with the adjacent single-family residence.

Staff recommend **Approval** of Revised Deviation #2.

- (3) **A Deviation from LDC Section 5.406.B.3. Buffer Types, which requires a Type C buffer to be a minimum of 20 feet wide with 10 trees and 30 shrubs per 100 linear feet with an 8-foot-high solid wall to permit a 14.5-foot-wide Type C buffer along the east property line with the wall located 10 feet from the property line, and to permit the “wall” to be made of PVC or similar material.**

This deviation was previously approved for 15 feet, and is now requested at 14.5 feet.

The applicant provides that “it isn’t possible to comply with the 20-foot minimum buffer width along the entire east property line due to the location of the existing building, parking lot, driveway, and easements. The application notes that there is a 10-foot-wide FPL easement parallel to the buffer easement and that there are underground utilities located in the FPL easement. The application also notes that there is an existing septic tank and drainfield near the northeast corner of the property. The applicant is proposing a 14.5-foot-wide buffer with an 8-foot-high wall located 10 feet from the east property line. The applicant maintains this is necessary “so as not to negatively impact the underground utilities in the FPL easement or the septic and drainfield”. The applicant submits that the proposed buffer permits a 10-foot-wide planting area as well as an additional 5 feet “of green open space” that meets the intent of the code to shield and buffer the adjacent property from “any negative impacts associated with the proposed commercial development”.

The existing buffer is in poor condition and will be replaced with new trees and materials. The deviation would allow the wall to be constructed of PVC material which has smaller footers to minimize tree root problems. The landscaping will be on the residential side of the wall.

Staff concurs that the existing site conditions warrant approval of the requested Deviation and will result in a uniform buffer on the east property line.

Staff recommends **Approval** of Revised Deviation #3.

- (4) **A Deviation from LDC Section 5.304.B.3 Cross-Access Between Adjoining Developments, which requires that adjacent commercial uses must provide interconnections for automobile, bicycle, and pedestrian traffic and that all adjacent parking lots must connect, to permit that the subject site not provide a vehicular interconnection or shared access to the adjacent property to the north and west.**

When this was approved in 2020, a pedestrian interconnection with stairs was required. This is proposed to be removed because it cannot be made ADA compliant.

In addition, a vehicular interconnect with the Broadway Shoppes would be physically difficult given the existing site conditions and differences in topography. The interconnect would have the potential to negatively affect the already developed onsite stormwater system and would result in through traffic on to a site that was designed as an onsite traffic aisle. An interconnect would also place additional traffic closer to the Broadway East/U.S. 41 intersection while there is a planned and approved interconnection that would result in traffic from the Broadway Shoppes gaining access onto Broadway East further east.

The applicant also maintains that providing a vehicular interconnect to the adjacent commercial property is a safety issue. The Broadway Shoppes project has one right-in/right-out driveway on U.S. 41. The applicant notes that “providing an interconnect with the adjacent property effectively turns the parking lot of the subject property into a street, funneling southbound traffic through the site onto Broadway”. The application notes this would drastically change the Traffic Impact Statement as the existing 43,056 square feet of commercial uses from the Shoppes could result in an average of one car per minute using this access point creating a safety hazard with cars backing out of spaces in the subject site’s parking stalls.

Staff recommends **Approval** of Deviation #4.

- (5) **A Deviation from LDC Section 5-506. Appearance, which requires that all fences and fence walls on each property be of uniform materials, design, and color to permit both the existing chain link fence and proposed buffer wall ~~and gate~~ to be of different materials, design, and color than the existing chain link fence.**

The proposed change to the already approved deviation would eliminate two words: and gate. The applicant is removing the chain link fence and gate separating the building from the rear parking area and dumpster.

Staff recommends **Approval** of Deviation #5.

- (6) **A Deviation from LDC Section 5-304.A.1.A., Connection Separation, which requires a connection separation distance of 330 feet on Collector roads to permit a connection separation distance of 265± feet to the nearest residential driveway to the east and 298± feet to U.S. 41 to the west.**

This is an approved deviation and only the Land Development Code section number is being updated.

The application provides that there is an existing access point located 265 feet to the east for the adjacent single-family residence. The applicant is proposing to remove the western access point to Broadway East but still will not be able to meet the 330-foot minimum separation distance for a collector road. Staff agrees it is not possible to meet the requirement on the subject property, but removing the second access is an improvement.

Staff recommends **Approval** of Revised Deviation #6.

FINDINGS OF FACT

Staff has presented findings of fact below, if the Planning, Zoning and Design Board wishes to recommend approval to the Council.

The request:

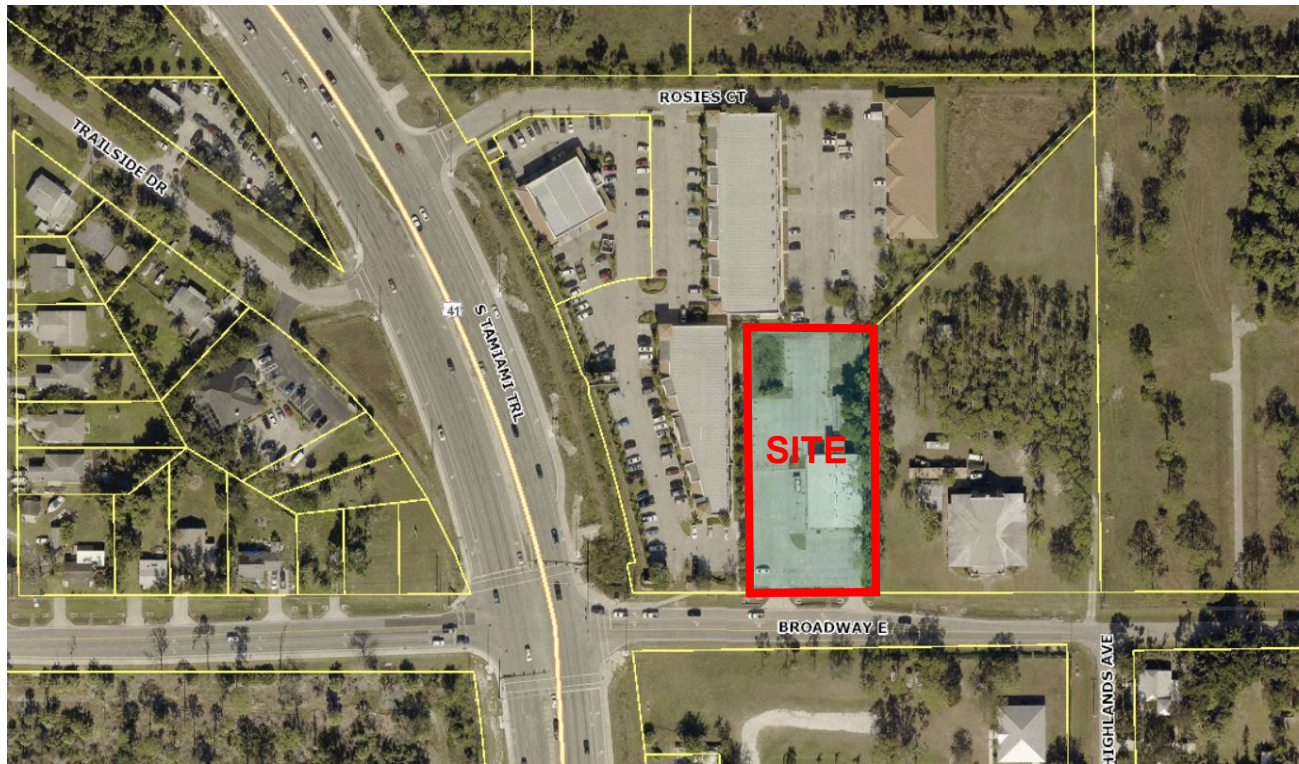
- 1. Is consistent with the Comprehensive Plan;**
The request complies with the Comprehensive Plan and is consistent with the urban Commercial Land use designation.
- 2. Is not in conflict with any portion of the LDC;**
The proposed amendment requests the approval of uses within an existing building. The request is not in conflict with the Land Development Code.
- 3. Addresses a demonstrated community need;**
The proposed development would address a need to upgrade and utilize an older building that has become an eyesore.
- 4. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;**
The subject property is already zoned as CPD, and the proposed amendment requests fewer uses than already approved. With the proposed condition it would be compatible with the surrounding area.

5. **Would result in a logical an orderly development pattern;**
The proposed amendment is for the reuse of an existing building.
6. **Would not adversely affect the property values in the area;**
The proposed amendment should positively impact property values in the area.
7. **Would result in development that is adequately served by public facilities (road, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities);**
The project will eliminate one access to Broadway East. The property is within the Estero Fire District and fire/EMS service is available. A condition has been imposed to require sewer service when available.
8. **Would not result in significantly adverse impacts on the natural environment including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, environmentally critical areas, and the natural functioning of the environment;**
The property has previously been cleared and is developed.
9. **Is compatible with existing or planned uses in the surrounding uses;**
The proposed amendment to the CPD, as conditioned, will not have any negative impact on surrounding uses.

ATTACHMENTS

- A. Area Location Map
- B. Staff Recommended Revised Ordinance Conditions
- C. Applicant's Proposed Schedule of Uses and Other Information

8111 BROADWAY E.
AREA LOCATION MAP



**VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2024-07**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, APPROVING WITH
CONDITIONS AN AMENDMENT TO THE
COMMERCIAL PLANNED DEVELOPMENT FOR
PROPERTY LOCATED AT 8111 BROADWAY EAST,
EAST OF U.S. 41 AND NORTH OF ESTERO UNITED
METHODIST CHURCH CONSISTING OF
APPROXIMATELY 1 ACRE; PROVIDING FOR
CONFLICTS; PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, PRUITT FAMILY REAL ESTATE HOLDINGS LLC, represented by
Veronica Martin, TDM Consulting, Inc. (the “Applicant”), filed an application to amend the
Commercial Planned Development (CPD) zoning for a property located at 8111 Broadway
East, known as the **Old Post Office**, Estero, FL, consisting of approximately 1.07 acres (the
“Property”); and

WHEREAS, the Property STRAP number is 28-46-25-E2-U1923.2494, and the
Property is legally described in Exhibit A attached hereto; and

WHEREAS, the case number is DCI2024-E001; and

WHEREAS, the property was rezoned from Agriculture to Commercial Planned
Development by Ordinance 2020-03; and

WHEREAS, the Applicant desires to make changes to the Master Concept Plan,
deviations, permitted uses, architecture, and landscaping; and

WHEREAS, a noticed Public Information Meeting was held on February 13, 2024 at
the Planning Zoning and Design Board; and

WHEREAS, at a duly noticed public hearing held on May 14, 2024, the Planning
Zoning and Design Board recommended _____ of the request, including
deviations; and

WHEREAS, a duly noticed first reading was held before the Village Council on
_____, 2024; and

WHEREAS, a duly noticed second reading and public hearing was held before the
Village Council on _____, 2024, at which time the Village Council gave
consideration to the evidence presented by the Applicant and the Village staff, the
recommendations of the Planning Zoning and Design Board and the comments of the public.

Zoning Ordinance No. 2024-07
Case No. DCI 2024-E001
Old Post Office, 8111 Broadway East

Page 1 of 8

NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero, Florida, the Village Council approves the amendment to the zoning, subject to the following conditions and deviations.

Section 1. Conditions.

1. This Ordinance supersedes Ordinance 2020-03 which is hereby null and void.

2. Master Concept Plan

Development of this project must be consistent with the Master Concept Plan (MCP) titled "8111 Broadway East", dated "Revised February 15, 2024" and stamped "Received April 16, 2024" except as modified by the conditions below.

3. Development Parameters

Development is permitted at a maximum as follows:

- 4,800 square feet of commercial use

4. Maximum Building Height

35 feet (including architectural features)

5. Impact Fees

Any new use will pay the appropriate impact fees at building permit issuance.

6. Uses and Site Development Regulations

The following uses and setbacks apply to the project:

a. Schedule of Uses

Principal Uses

Banks and Financial Institutions (No Drive-Thru)
 Drugstore, Pharmacy
 Medical or Dental Lab
 Office, General Business
 Office, Medical
 Outpatient Care Facilities
 Personal Services, Groups I and II
 Retail Sales, Groups I and II
 Utility, Minor

- 93 Accessory Uses
 94
 95 Accessory Uses/Recreation Facilities – Decks and other similar facilities
 96 Automated Teller Machine (ATM)
 97 Bike Parking Rack
 98 Electric Vehicle (EV) Level 1 or 2 Charging Station
 99 Fences/Walls
 100
 101 b. Building Setback Requirements
 102
 103 Front/Street (South) – 25 Feet
 104 Rear (North) – 20 Feet
 105 Side (East) – 14.5 Feet
 106 Side (West) – 20 Feet
 107
 108 7. No Blasting
 109
 110 No development blasting is permitted as part of this project.
 111
 112 8. Utilities - Sewer
 113
 114 This development must connect to sanitary sewer service as soon as service is
 115 available as required by the Village Land Development Code. The owner or assign
 116 of the property will be subject to any special assessment district or similar
 117 mechanism for provision of central sewer identified by the Village or sewer
 118 provider.
 119
 120 Annual septic tank inspections must be conducted and submitted to the Village
 121 Community Development Director to ensure that the septic system is functioning
 122 properly.
 123
 124 9. Pattern Book
 125
 126 The development must be consistent with the Pattern Book “Pruitt Professional
 127 Office Building” date stamped “Received, April 16, 2024”.
 128
 129 10. Sidewalk & Pedestrian Connections
 130
 131 Sidewalks and pedestrian connections must be provided consistent with the Pattern
 132 Book and Land Development Code.
 133
 134 Prior to issuance of the Development Order Certificate of Compliance an executed
 135 public easement shall be submitted for the sidewalk on Broadway East.
 136
 137

138 11. Buffers

139
140 As part of local development order approval, the development order plans must
141 demonstrate buffering consistent with the Master Concept Plan, the Land
142 Development Code, and the Pattern Book. As part of local development order
143 approval, all required buffer plantings must be 100% native vegetation.

144
145 12. Vehicular/Pedestrian Impacts

146
147 Approval of this zoning request does not address mitigation of the project's
148 vehicular or pedestrian traffic impacts. Additional conditions consistent with the
149 LDC may be required to obtain a local development order.

150
151 13. Concurrency

152
153 Approval of this rezoning does not constitute a finding that the proposed project
154 meets the concurrency requirements set forth in the Land Development Code and
155 the Comprehensive Plan. The developer is required to demonstrate compliance with
156 all mandatory concurrency requirements prior to issuance of a local development
157 order.

158
159 14. Solid Waste Management

160
161 As part of any local development order approval for vertical development, the
162 development order plans must include facilities in compliance with LDC Section
163 10-261 and Solid Waste Ordinance #11-27 for the pick-up/disposal of solid waste
164 and recyclables. The minimum area required for and specific locations of these
165 facilities, as well as the architectural and design features, will be reviewed at the
166 time of local development order application.

167
168 15. Land Development Code (LDC)

169
170 Where the Village LDC is referenced in these conditions of approval for
171 implementation of the condition at the time of development order issuance, the
172 LDC in effect at the time of the local development order shall be applicable.

173
174 **Section 3. Deviations.**

- 175
176 1. A Deviation from LDC Section 3-705.C. Intensity and Dimensional Standards,
177 which requires a 20-foot building setback to the east property line to permit a
178 14.5-foot building setback to the east property line.

179
180 Deviation 1 is approved.

- 182 2. A Deviation from LDC Section 3-705.C. Intensity and Dimensional Standards,
183 which requires that parking or internal roads or drives be located in this case a
184 minimum of 20 feet from the east property line to permit the existing driveway and
185 parking lot to be 15 feet from the east property line.

186
187 Deviation 2 is approved.

- 188
189 3. A Deviation from LDC Section 5-406.B.3. Buffer Types, which requires a Type C
190 buffer to be a minimum of 20 feet wide with 10 trees and 30 shrubs per 100 linear
191 feet with an 8-foot-high solid wall to permit a 14.5-foot-wide Type C buffer along
192 the east property line with the wall located 10 feet from the property line, and to
193 permit the “wall” to be made of PVC or similar material.

194
195 Deviation 3 is approved.

- 196
197 4. A Deviation from LDC Section 5-304.B.3 Cross-Access Between Adjoining
198 Developments, which requires that adjacent commercial uses must provide
199 interconnections for automobile, bicycle, and pedestrian traffic and that all adjacent
200 parking lots must connect to permit that the subject site not provide a vehicular
201 interconnection or shared access to the adjacent property to the north and west.

202
203 Deviation 4 is approved.

- 204
205 5. A Deviation from LDC Section 5-506 Appearance, which requires that all fences
206 and fence walls on each property be of uniform materials, design, and color to
207 permit both the existing chain link fence and proposed buffer wall to be of different
208 materials, design, and color than the existing chain link fence.

209
210 Deviation 5 is approved.

- 211
212 6. A Deviation from LDC Section 5-405A.1.A., Connection Separation, which
213 requires a connection separation distance of 330 feet on Collector roads to permit a
214 connection separation distance of 265± feet to the nearest residential driveway to
215 the east and 298± feet to U.S. 41 to the west.

216
217 Deviation 6 is approved.

218
219 **Section 4. Findings and Conclusions.**

220
221 Based upon an analysis of the application and the standards for approval in the Land
222 Development Code, and the conditions of approval, the Council finds and concludes as
223 follows:

- 226 **1. Is consistent with the Comprehensive Plan;**
 227
 228 *The request complies with the Comprehensive Plan and is consistent with the*
 229 *Urban Commercial Land Use designation.*
 230
 231 **2. Is not in conflict with any portion of the LDC;**
 232
 233 *The proposed amendment requests the approval of uses within an existing building.*
 234 *The request is not in conflict with the Land Development Code.*
 235
 236 **3. Addresses a demonstrated community need;**
 237
 238 *The proposed development would address a need to upgrade and utilize an older*
 239 *building that has become an eyesore.*
 240
 241 **4. Is compatible with existing and proposed uses surrounding the subject land,**
 242 **and is the appropriate zoning district for the land;**
 243
 244 *The subject property is already zoned as CPD, and the proposed amendment*
 245 *requests fewer uses than already approved. With the proposed condition it would*
 246 *be compatible with the surrounding area.*
 247
 248 **5. Would result in a logical an orderly development pattern;**
 249
 250 *The proposed amendment is for the reuse of an existing building.*
 251
 252 **6. Would not adversely affect the property values in the area;**
 253
 254 *The proposed amendment should positively impact property values in the area.*
 255
 256 **7. Would result in development that is adequately served by public facilities**
 257 **(road, potable water, wastewater, solid waste, storm water, schools, parks,**
 258 **police, and fire and emergency medical facilities);**
 259
 260 *The project will eliminate one roadway access to Broadway East. The property is*
 261 *within the Estero Fire District and fire/EMS service is available. A condition has*
 262 *been imposed to require sewer service when available.*
 263
 264 **8. Would not result in significantly adverse impacts on the natural environment**
 265 **including, but not limited to, water, air, noise, storm water management,**
 266 **wildlife, vegetation, wetlands, environmentally critical areas, and the natural**
 267 **functioning of the environment;**
 268
 269 *The property has previously been cleared and is developed.*
 270

9. Is compatible with existing or planned uses in the surrounding uses;

The proposed amendment to the CPD, as conditioned, will not have any negative impact on surrounding uses.

Section 5. Exhibits.

The following exhibits are attached to this Ordinance and incorporated by reference:

- Exhibit A Legal Description
- Exhibit B Master Concept Plan titled “8111 Broadway East Master Concept Plan, Revised February 15, 2024” and stamped “Received April 16, 2024”
- Exhibit C Pattern Book titled “Pruitt Professional Office Building” date stamped “Received, April 16, 2024”

Section 6. Severability.

Should any section, paragraph, sentence, clause, phrase, or other part of this Ordinance subsequent to its effective date be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part so declared to be invalid.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon adoption.

PASSED on first reading this 5th day of June, 2024.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida on second reading this 19th day of June, 2024.

Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____ By: _____
Carol Sacco, Village Clerk Jon McLain, Mayor

Reviewed for legal sufficiency:

By: _____
Nancy E. Stroud, Village Land Use Attorney

316	Vote:	AYE	NAY
317			
318	Mayor McLain	_____	_____
319	Vice Mayor Ribble	_____	_____
320	Councilmember Fiesel	_____	_____
321	Councilmember Fayhee	_____	_____
322	Councilmember Lopez	_____	_____
323	Councilmember Ward	_____	_____
324	Councilmember Zalucki	_____	_____



1520 Royal Palm Square Blvd, Suite 100
Fort Myers, FL 33919
Phone: 239-433-4231
www.tdmcivilengineering.com
Certificate of Authorization # 29086

8111 Broadway E.
Proposed Schedule of Uses
Revised 2-8-2024

PRINCIPAL USES

Banks and Financial Institutions (No Drive-Thru)
~~Broadcast Studio, Commercial Radio and Television~~
Drugstore, Pharmacy
~~Laundry or Dry Cleaning Services~~
Medical or Dental Lab
Office, General Business
Office, Medical
Outpatient Care Facilities
Personal Services, Groups I and II
~~Restaurant, Standard (No Outdoor Seating)~~
Retail Sales, Groups I and II
Utility, Minor

ACCESSORY USES

Accessory Uses/Recreation Facilities – Decks and other similar facilities
Automated Teller Machine (ATM)
Bike Parking Rack
Electric Vehicle (EV) Level 1 or 2 Charging Station
Fences/Walls
~~Outdoor Display of Merchandise (as Accessory to a Retail Sales Use)~~

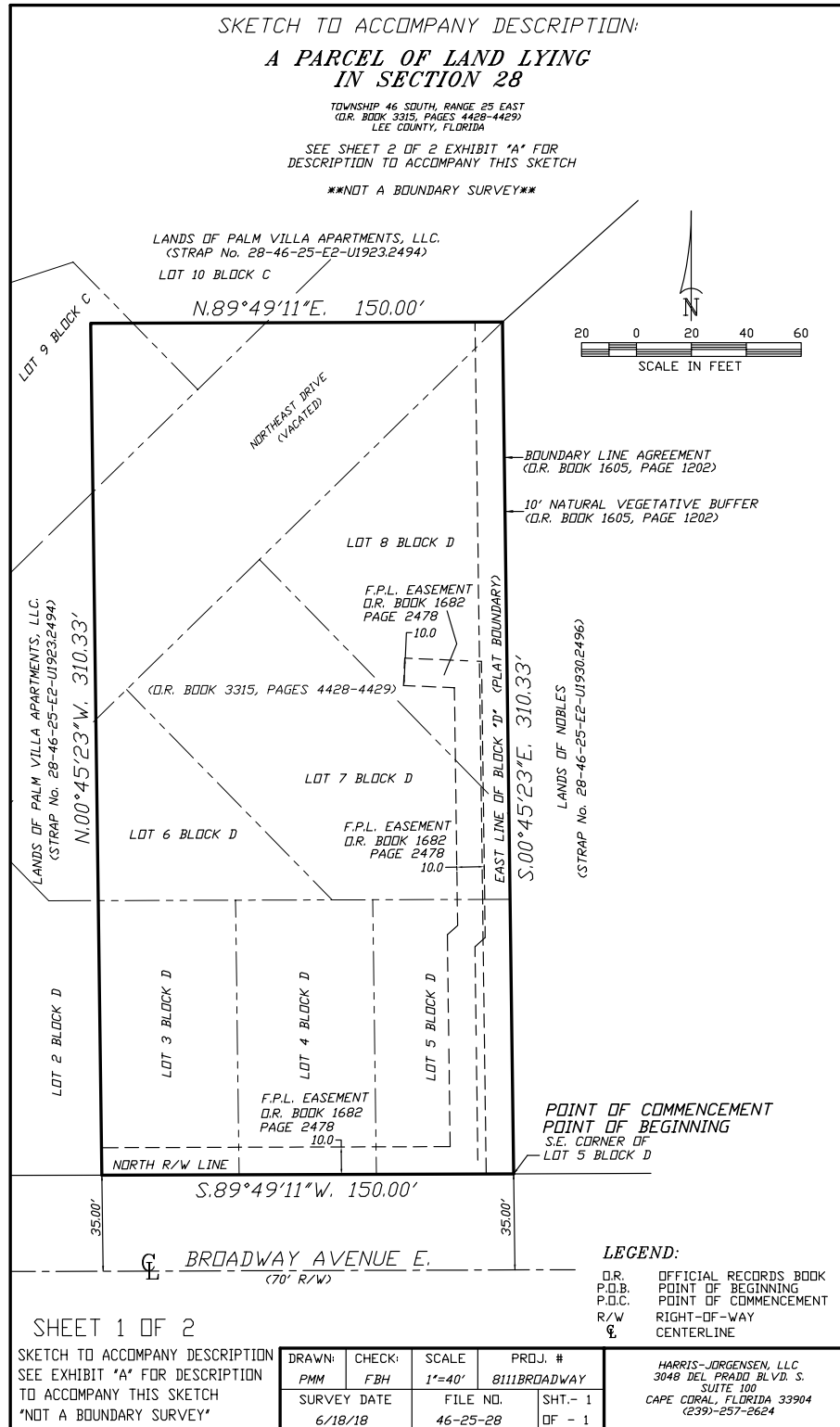


EXHIBIT "A"

DESCRIPTION TO ACCOMPANY SKETCH

**A PARCEL OF LAND LYING
IN SECTION 28**

TOWNSHIP 46 SOUTH, RANGE 25 EAST

LEE COUNTY, FLORIDA

SEE SHEET 1 OF 2 FOR SKETCH TO ACCOMPANY THIS DESCRIPTION

****NOT A BOUNDARY SURVEY****

DESCRIPTION: (PER HARRIS-JORGENSEN, LLC)

A TRACT OR PARCEL OF LAND LYING IN BLOCKS D AND C AND ADJOINING VACATED STREET OF TRAIL ACRES, ACCORDING TO A PLAT RECORDED IN PLAT BOOK 7, PAGE 46 OF THE LAND RECORDS OF LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL OF LAND IS DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF SAID BLOCK D, THENCE RUN S.89°49'11"W. ALONG THE NORTH RIGHT-OF-WAY LINE OF BROADWAY AVENUE E. (70 FEET WIDE) FOR 150.00 FEET; THENCE RUN N.00°45'23"W. FOR 310.33 FEET; THENCE RUN N.89°49'11"E. FOR 150.00 FEET; THENCE RUN S.00°45'23"E. TO THE AFORESAID SOUTHEAST CORNER BLOCK D, ALONG THE NORTH RIGHT OF WAY LINE OF BROADWAY AVENUE E. FOR 310.33 FEET TO THE POINT OF BEGINNING.

CONTAINING: 46,485.32 SQ. FT OR 1.06 ACRES, MORE OR LESS.

PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
LS6515 - STATE OF FLORIDA
09/11/2018

NOTE:

THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.

SHEET 2 OF 2

HARRIS-JORGENSEN, LLC
3048 DEL PRADO BLVD. S.
SUITE 100
CAPE CORAL, FLORIDA 33904
(239)-257-2624

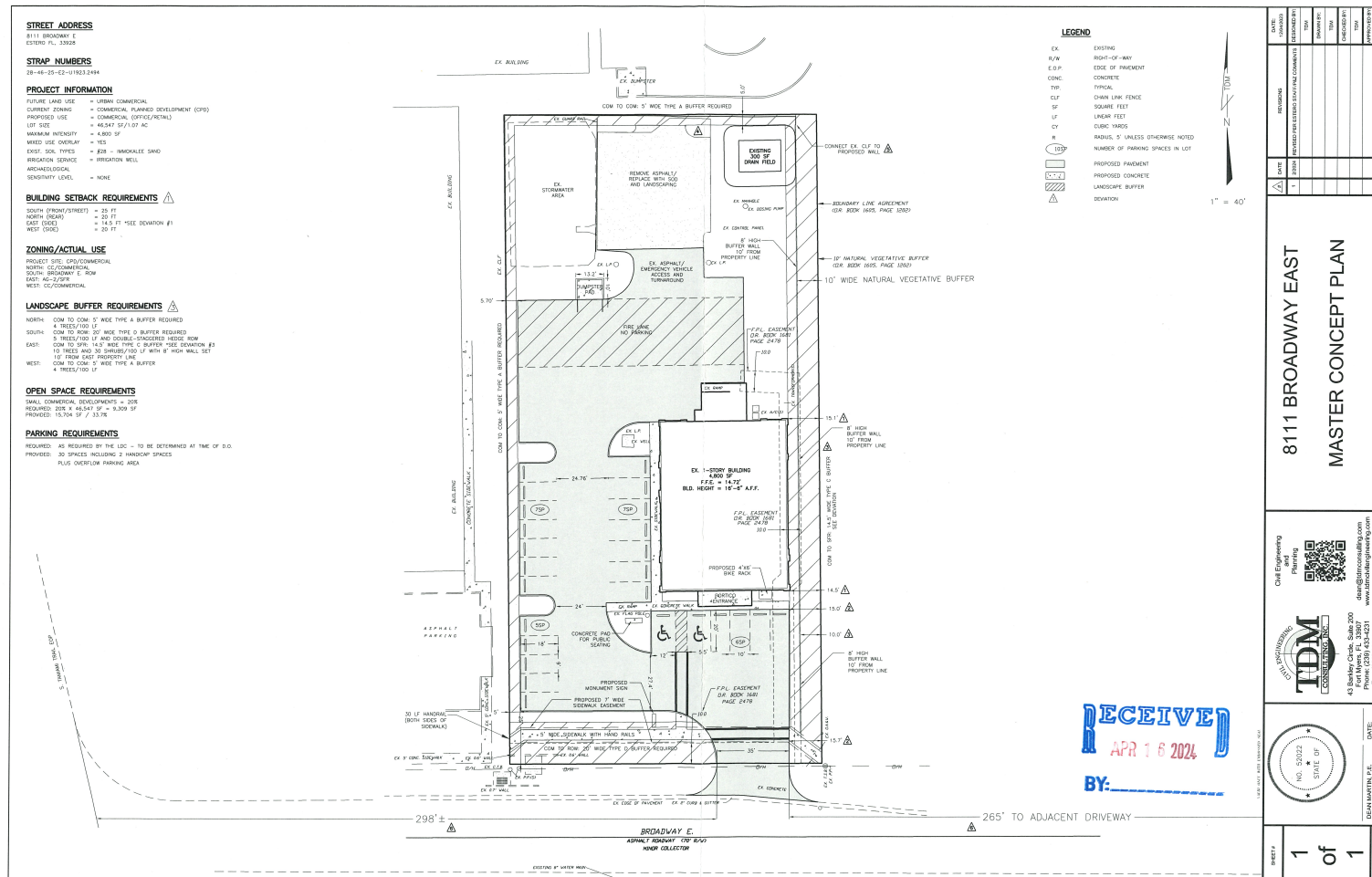


Exhibit C

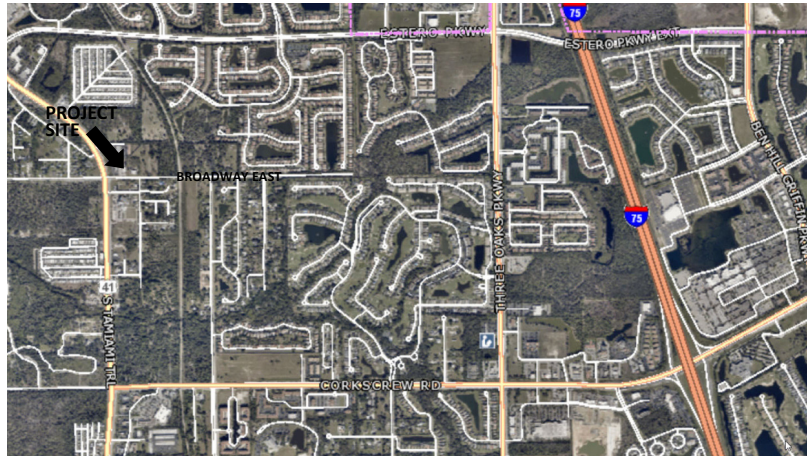


A PATTERN BOOK FOR:
PRUITT PROFESSIONAL OFFICE BUILDING
(FORMERLY THE OLD ESTERO POST OFFICE BUILDING)

8111 BROADWAY EAST
VILLAGE OF ESTERO, FLORIDA

MSA
MOORE & SPENCE ARCHITECTS, P.A.

RECEIVED
April 16, 2024



OVERALL VICINITY MAP



ENLARGED VICINITY MAP

PATTERN BOOK INDEX

ARCHITECTURAL ELEMENTS (MOORE & SPENCE ARCHITECTS, P.A.)

- A1 INDEX, VICINITY MAPS
- A2 SOUTH EXISTING PHOTO, PROPOSED ELEVATION
- A3 PROPOSED RENDERING
- A4 SOUTH PROPOSED FULL ELEVATION W/LANDSCAPING
- A5 SOUTH EXISTING ELEVATION, PROPOSED ELEVATION
- A6 EAST EXISTING ELEVATION, PROPOSED ELEVATION
- A7 EAST PROPOSED ELEVATION W/BUFFER WALL –LANDSCAPING
- A8 WEST EXISTING ELEVATION, PROPOSED ELEVATION
- A9 NORTH EXISTING ELEVATION, PROPOSED ELEVATION
- A10 MONUMENT SIGN AND DUMPSTER ELEVATIONS
- A11 MATERIALS AND COLORS
- A12 SITE AMENITIES 1 — PEDESTRIAN BENCH—BICYLCE RACK
- A13 SITE AMENITIES 2 — BUFFER WALL
- A14 LINE OF SITE GRAPHIC WITH BUFFER WALL
- A15 LAND DEVELOPMENT CODE COMPLIANCE

SITE ELEMENTS (TDM CONSULTING, INC.)

MASTER CONCEPT PLAN 9SITE, ZONING, AND PARKING)

LANDSCAPING ELEMENTS (LANDESCO)

- L1.0 LANDSCAPE PLAN
- L2.1 RENDERED SITE PLAN
- L2.2 LANDSCAPE ELEVATION

MSA
MOORE & SPENCE ARCHITECTS, P.A.

A1



PROPOSED SOUTH ELEVATION (STREET VIEW)



EXISTING SOUTH ELEVATION (STREET VIEW)

MSA
MOORE & SPENCE ARCHITECTS, A2



PROPOSED RENDERING (SOUTH AND WEST ELEVATIONS)

MSA
MOORE & SPENCE ARCHITECTS, A3

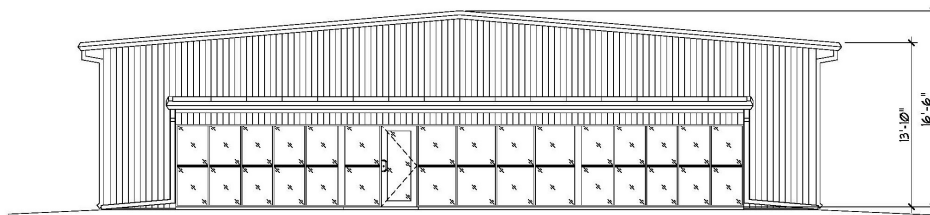


PROPOSED SOUTH ELEVATION (STREET VIEW - FULL PROPERTY WIDTH)

MSA
MOORE & SPENCE ARCHITECTS, A4

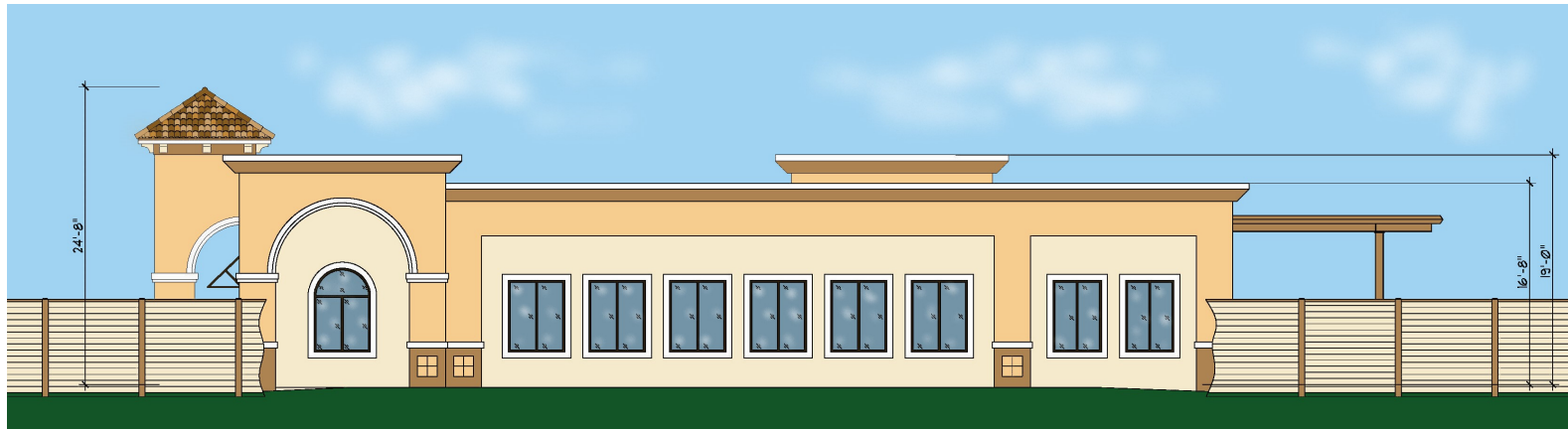


PROPOSED SOUTH ELEVATION (STREET VIEW)

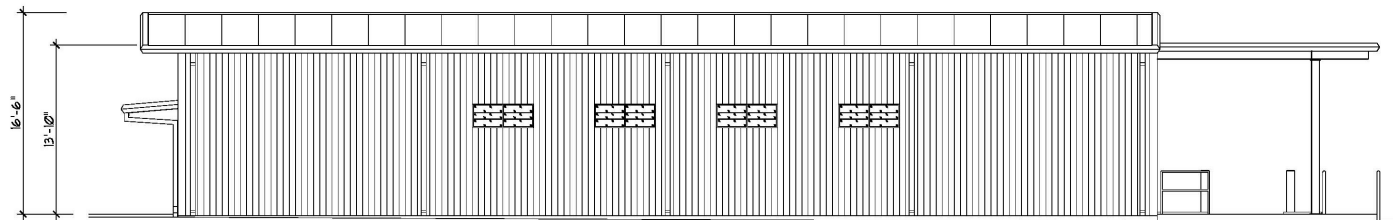


EXISTING SOUTH ELEVATION (STREET VIEW)

MSA
MOORE & SPENCE ARCHITECTS, P.A. A5



PROPOSED EAST ELEVATION



EXISTING EAST ELEVATION

MSA
MOORE & SPENCE ARCHITECTS, P.A.

A6

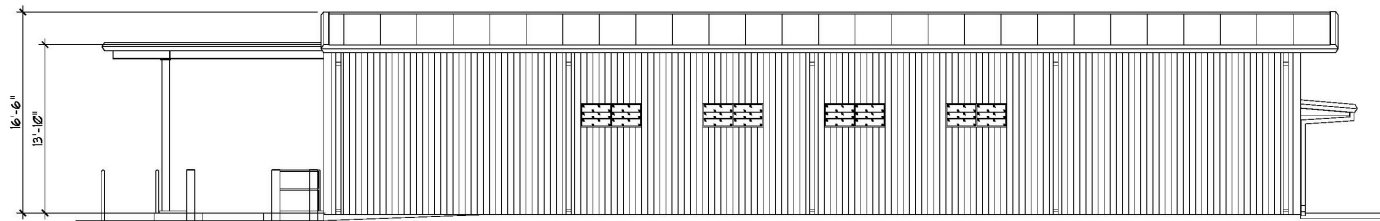


PROPOSED EAST ELEVATION
(WITH WALL and LANDSCAPE BUFFER)

MSA
MOORE & SPENCE ARCHITECTS, P.A. **A7**



PROPOSED WEST ELEVATION



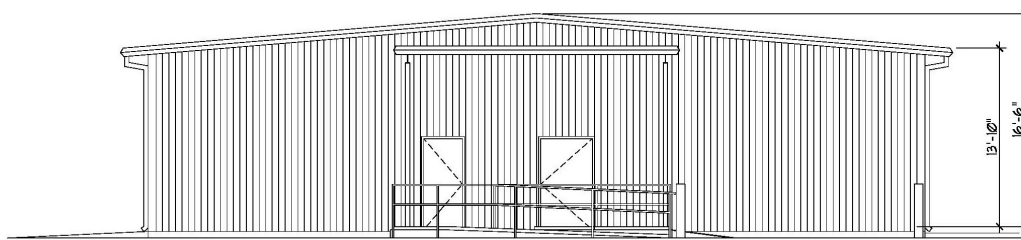
EXISTING WEST ELEVATION

MSA
MOORE & SPENCE ARCHITECTS, P.A.

A8



PROPOSED NORTH ELEVATION

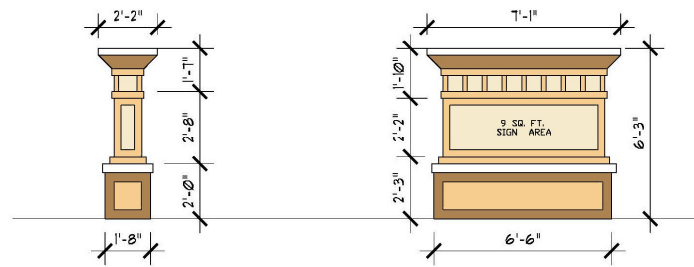


EXISTING NORTH ELEVATION

MSA
MOORE & SPENCE ARCHITECTS, P.A.

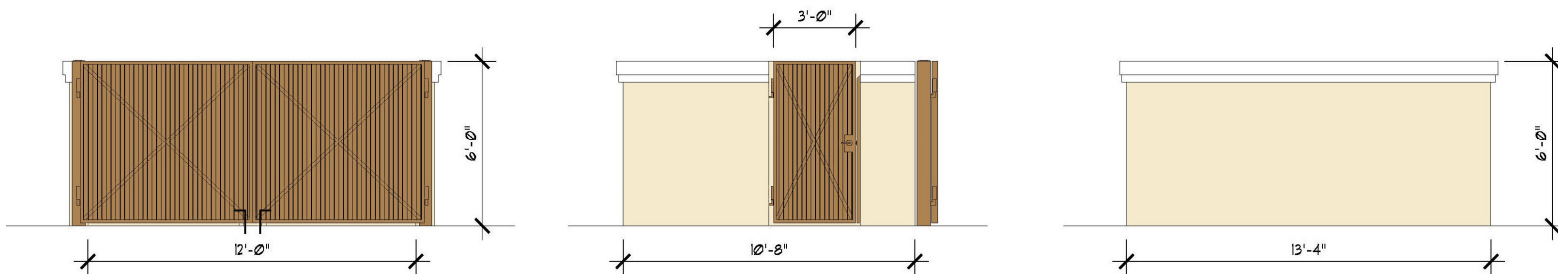
A9

MONUMENT SIGN & DUMPSTER ENCLOSURE



SIGN STREET VIEW

SIGN SIDE VIEW



DUMPSTER FRONT VIEW

DUMPSTER SIDE VIEW

DUMPSTER REAR VIEW

MSA
MOORE & SPENCE ARCHITECTS, P.A. **A10**



CEMENT TILE
EAGLE—CAPISTRANO
3773 WALNUT CREEK BLEND
TAN-ORANGE-DARK BROWN



METAL AWNING
COLOR: SW6131 CHAMOIS



CORBEL BRACKET
(HIGH DENSITY EPS FOAM WITH TRIMSTONE
COATING)

SW 6667
Afterglow

Interior / Exterior
Location Number: 132-C2

ENTRY FEATURE-COLUMNS
AFTER GLOW
SW6667

SW 7561
Lemon Meringue

Interior
Location Number: 295-C1

MAIN BODY
LEMON MERINGUE
SW7561

SW 6131
Chamois

Interior / Exterior
Location Number: 140-C6

COLUMN BASE—ACCENT TRIM
CHAMOIS
SW6131

MATERIALS AND COLORS

MSA
MOORE & SPENCE ARCHITECTS, A11

Heritage Bench



Contemporary Comfort

Model PB6-HER

Made with nine 2" x 4" recycled plastic resinwood slats and powder-coated, heavy duty cast aluminum frames, these Heritage Benches are the industry standard for architectural design. The under structure is braced with length and width supports. The recycled plastic resinwood slats are available in an array of color options. Powder-Coated cast aluminum frames are available in black and green. Hardware is stainless steel.

Dimensions

6' Bench - 72-1/2" L x 22"W x 30"H

Slat Color Options



cedar

Frame Color Options



green

PEDESTRIAN BENCH

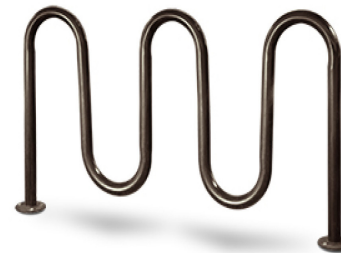
SITE AMENITIES 1

Contemporary Loop Bike Rack



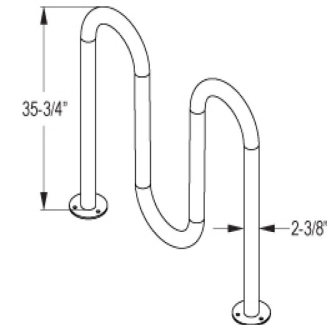
The Standard of Bike Parking

The durable frames of these contemporary loop bike racks are constructed from a 2-3/8" O.D. pipe. Making them incredibly well-suited for continued exposure to environmental conditions.



Model 5805SM | Video

These bike racks provide safe economical bicycle parking that allows the use of high security U-Locks to secure the bike frame. The racks are offered in the variety of powder-coated as shown.



Dimensions

Model 5803 - 3'-3"W x 36"H*

Standard Powder-Coat Colors



BICYCLE RACK

MSA
MOORE & SPENCE ARCHITECTS, A12



BUFFER WALL—EAST PROPERTY LINE

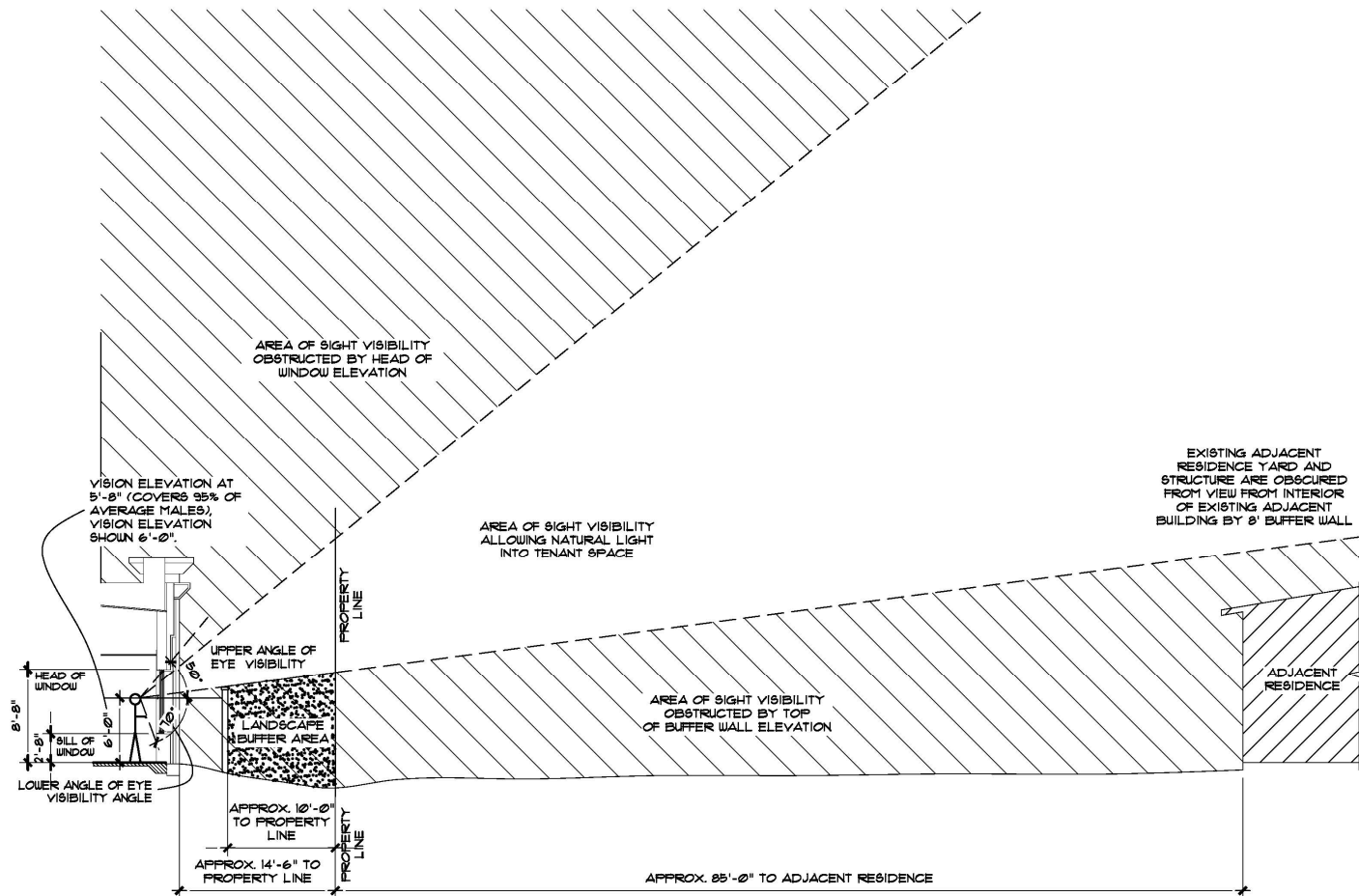
Post and Cap Rail - SW6131 Chamois
Main Fence - SW7562 Lemon Meringue

SW 6131
Chamois
Interior / Exterior
Location Number: 140-C6

SW 7561
Lemon Meringue
Interior
Location Number: 295-C1

SITE AMENITIES 2

MSA
MOORE & SPENCE ARCHITECTS, A13



PROPOSED EAST WINDOWS
LINE OF SIGHT GRAPHIC

MSA
MOORE & SPENCE ARCHITECTS, A14

LAND DEVELOPMENT CODE COMPLIANCE

CHAPTER 5 — SITE DEVELOPMENT STANDARDS

SECTION 5-7.-ARCHITECTURAL, FORM, AND DESIGN STANDARDS.

5-703.-ARCHITECTURAL STYLES AND CHARACTERISTICS.

PRIMARY ARCHITECTURAL STYLE - ITALIAN COUNTRYSIDE
PITCHED ROOF, DECORATIVE PARAPETS, OVERHANGING EAVES, DECORATIVE
BRACKETS, CURVED WINDOWS, ENTRY PORCH, VARYING ROOF DESIGNS.

5-706.-BUILDING DESIGN STANDARDS.

- THE BUILDING MASSING IS CONSISTANT WITH THE BUILDINGS LOCATED ADJACENT
ON THE EAST AND WEST SIDE OF THE BUILDING.
- THE MAIN ENTRY IS ORIENTED TOWARD THE PUBLIC RIGHT-OF-WAY.
- ALL FACADES OF THE BUILDING FEATURE ARCHITECTURAL DESIGN ELEMENTS.
- BLANK WALLS ARE INTERRUPTED WITH VARYING ROOF LINES, TRANSPARENT WINDOWS, AWNINGS, VARYING
COLOR PATTERNS, ARTICULATED PARAPET, ENTRY TOWER,
- BUILDING FACADES HAVE OFFSET DIMENSIONS OF AT LEAST 8".
- BUILDING COLORS ARE WARM EARTH TONES.
- BUILDING COLOR PALETTE UTILIZES THREE COLORS.
- THE ROOF TREATMENTS INCLUDE PARAPETS, VERTICAL ROOF CHANGES, THREE DIMENSIONAL CORNICE.
- WINDOWS ALONG STREET FAÇADE EXCEED 60% OF THE LINEAR STREET FRONTAGE.
- AWNINGS ARE PROVIDED ON THE EAST AND WEST FACADES.
- SQUARE COLUMNS ARE USED AT THE COVERED BUILDING ENTRY PORTICO.
- THE MAIN BUILDING ENTRYWAY AND THE SECONDARY MEANS OF EGRESS SHALL HAVE DOORWAY LIGHTING
TO COMPLEMENT THE BUILDING DESIGN.
- PARKING LOT SITE LIGHTING SHALL BE PROVIDED AND BE COORDINATED WITH THE LANDSCAPING PLANS.

MSA
MOORE & SPENCE ARCHITECTS, A15



DCI2024-E001 8111 BROADWAY E.

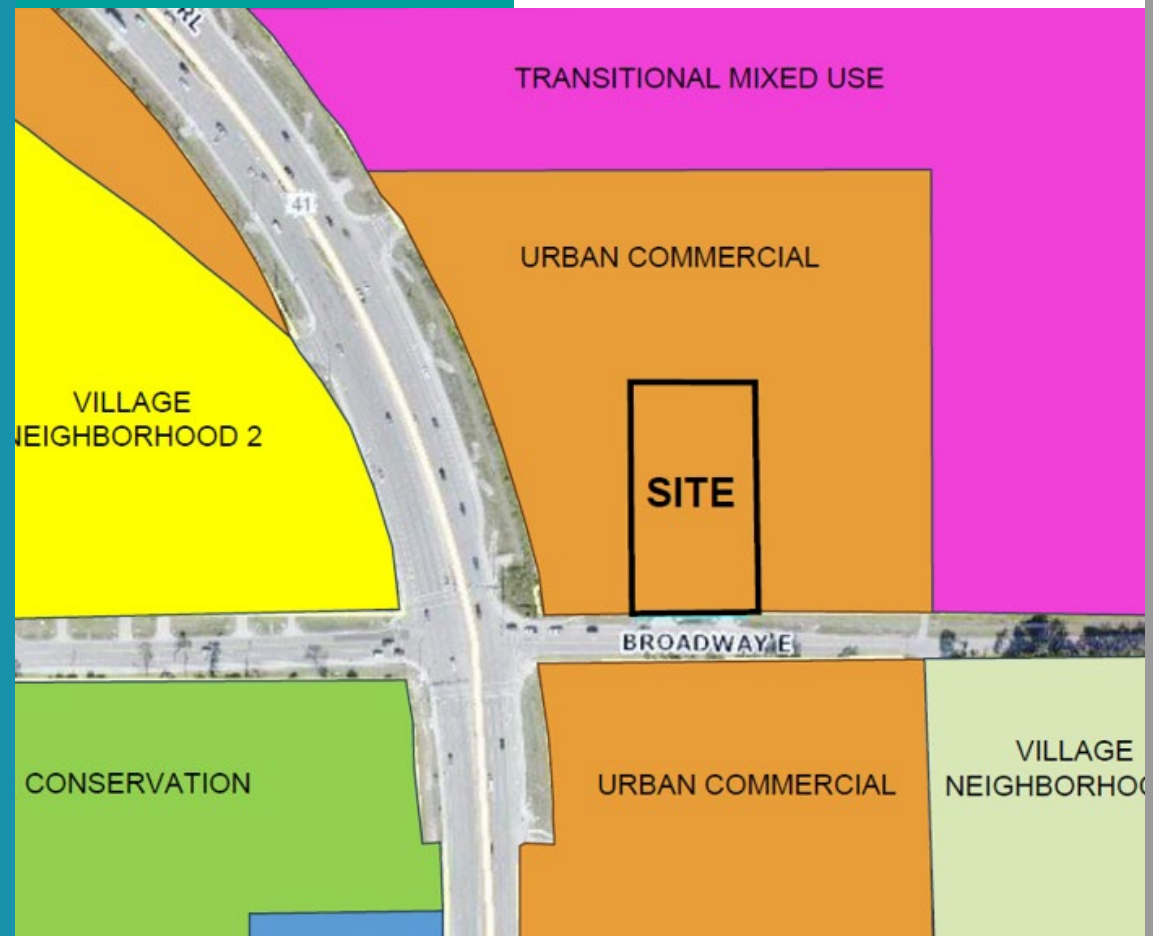
Planning, Zoning & Design Review Board – May 14, 2024

Area Location Map

8111 Broadway E, Estero



Future Land Use Map



Surrounding Zoning & Existing Uses Map



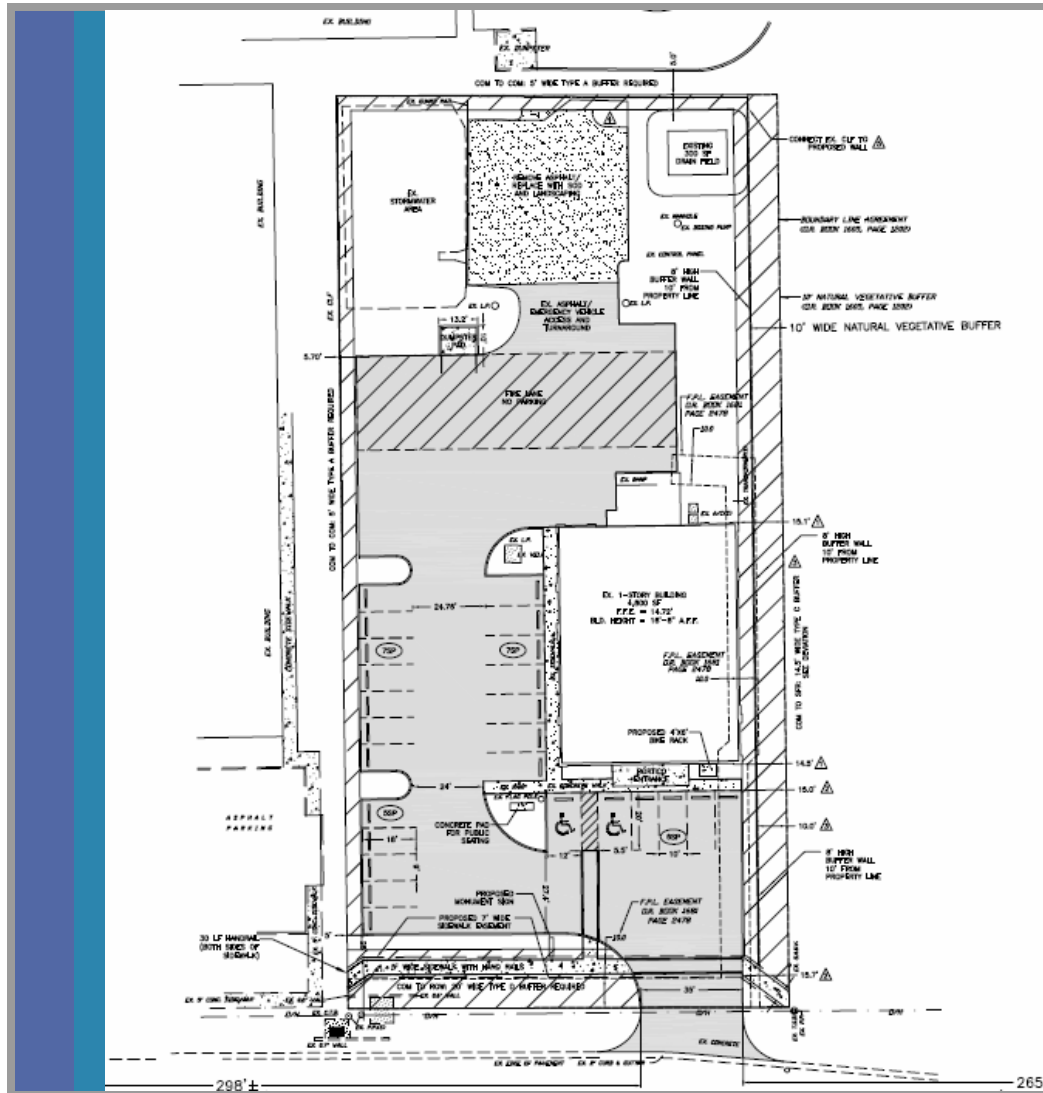
8111 BROADWAY E



EXISTING BUILDING

PROPOSED BUILDING





Master Concept Plan

PRINCIPAL USES

Banks & Financial Institutions (No Drive-Thru)
 Broadcast Studio, Commercial Radio and Television
 Drugstore, Pharmacy
 Medical or Dental Lab
 Office, General Business
 Office, Medical
 Outpatient Care Facilities
 Personal Services, Groups I and II
 Retail Sales, Groups I and II
 Utility, Minor

ACCESSORY USES

Accessory Uses/Recreation Facilities – Decks & similar facilities
 Automated Teller Machine (ATM)
 Bike Parking Rack
 Electric Vehicle (EV) Level 1 or 2 Charging Station
 Fences/Walls
 Outdoor Display of Merchandise (Accessory to Retail Use Only)

SCHEDULE OF DEVIATIONS

1. A Deviation from LDC Section 3-705.C Intensity and Dimensional Standards, which requires a 20-foot building setback to the east property line to permit a 14.5 foot building setback from the East property line.

This deviation was previously approved for 16 feet and is now requested at 14.5 feet to accommodate an architectural “wrap” of the building.

2. A Deviation from LDC Section 3-705.C Intensity and Dimensional Standards, which requires that parking or internal roads or drives be located a minimum of 20 feet from the east property line to permit the existing driveway and parking lot to be located 15 feet from the East property line.

There is no change to this deviation except to the Land Development Code section number.

3. A Deviation from LDC Section 5-406.B.3 Buffer Types, which requires a Type C buffer to be a minimum of 20 feet wide with 10 trees and 30 shrubs per 100 linear feet with an 8-foot high solid wall to permit a 14.5 foot wide Type C buffer along the East property line with the wall located 10 feet from the property line, and to permit the “wall” to be made of PVC or similar material.

This deviation was previously approved for 15 feet and is now requested for 14.5 feet.

SCHEDULE OF DEVIATIONS

4. A Deviation from LDC Section 5-304.B.3 Cross-Access Between Adjoining Developments, which requires that adjacent commercial uses must provide interconnections for automobile, bicycle, and pedestrian traffic and that all adjacent parking lots must connect, to permit that the subject property not provide a vehicular interconnect or shared access to the adjacent property to the north and west.

When this was approved in 2020 a pedestrian interconnection with stairs was required. This is proposed to be removed because it cannot be made ADA compliant.

5. A Deviation from LDC Section 5-506 Appearance, which requires that all fences and fence walls on each property be of uniform materials, design, and color to permit both the existing chain link fence and proposed buffer wall to be of different materials, design and color than the existing chain link fence.

The proposed change to the already approved deviation would eliminate two words: and gate. The applicant is removing the chain link fence and gate separating the building from the rear parking area and dumpster.

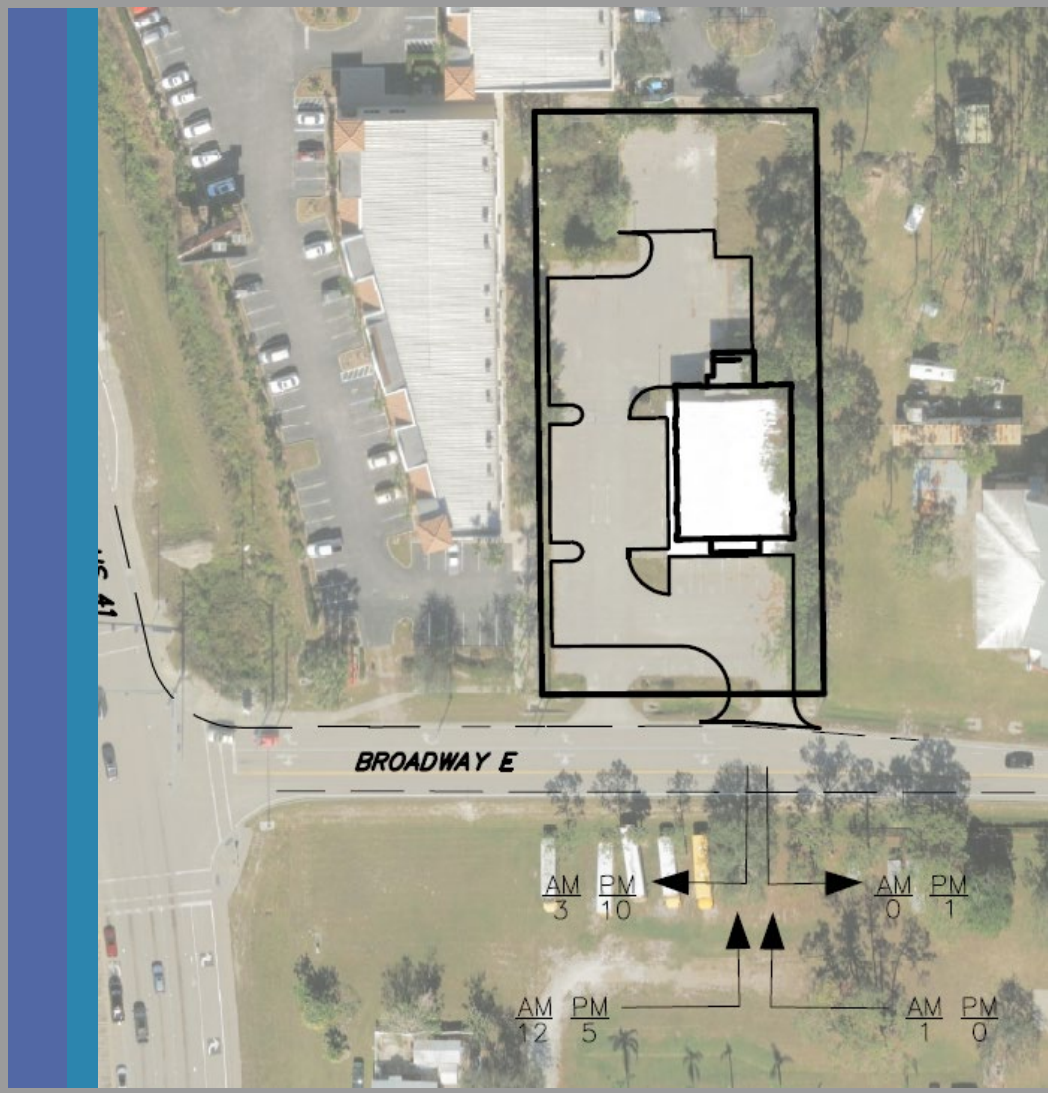
6. A Deviation from LDC Section 5-304.A.1.A Connection Separation, which requires a connection separation distance of 330 feet on Collector Roads to permit a connection separation distance of 265± feet to the nearest residential driveway to the east and 298± feet to U.S. 41 to the west.

This is an approved deviation and only the Land Development Code section number is being updated.



TRAFFIC IMPACT ANALYSIS





PEAK A.M. & PEAK P.M. TRAFFIC DISTRIBUTION

Table 1. Raw Trip Generation – Potential Medical-Dental Office Building (LUC 720)

4,800 Square Feet of Gross Floor Area:

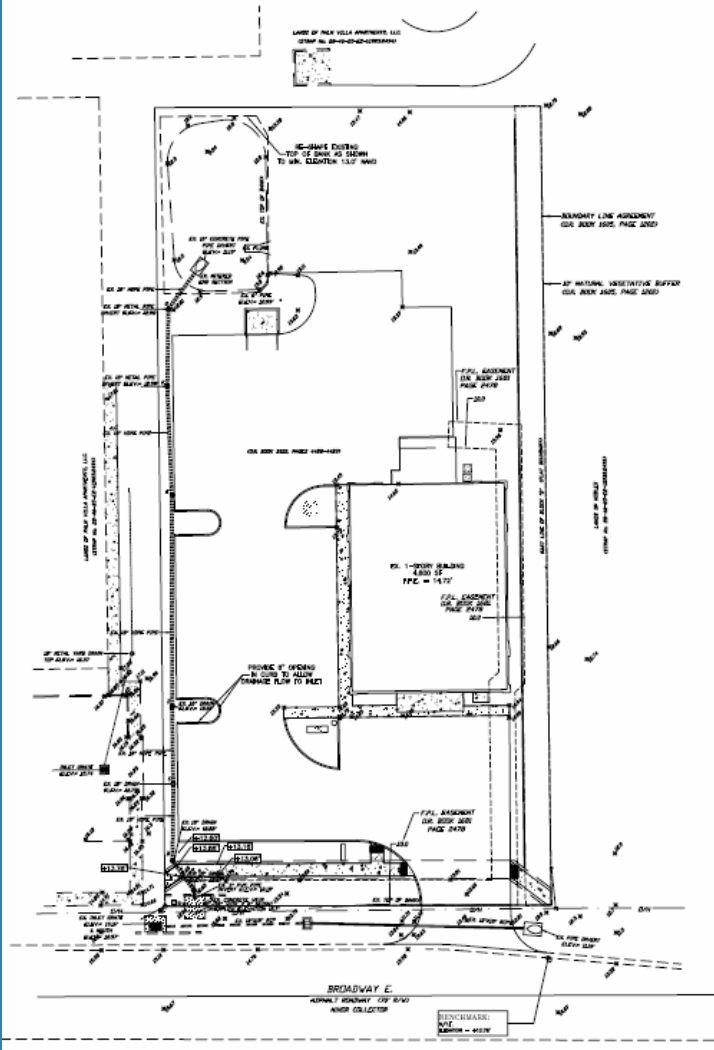
- A. Daily Average Vehicle Trip Ends, Weekday
 $T = 42.97 (4,800) - 108.01 = 98$ (49 entering, 49 exiting)
- B. A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
 $Ln (T) = 0.90 Ln (4,800) + 1.34 = 16$ (13 entering, 3 exiting)
- C. P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
 $T = 4.07 (4,800) - 3.17 = 16$ (5 entering, 11 exiting)

Source: TDM, 2023



SURFACE WATER MANAGEMENT





Paving, Grading & Drainage Plan



Stormwater Drainage

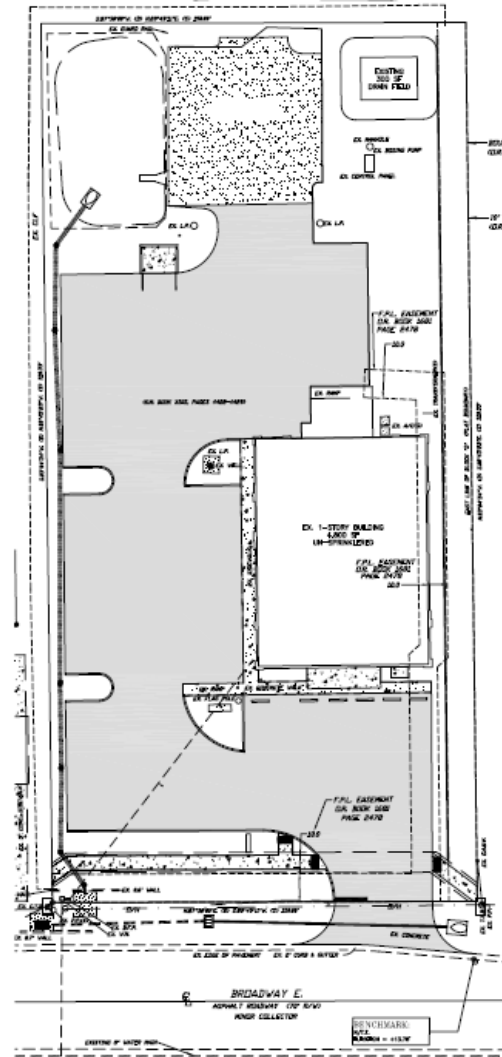
Stormwater flows from site to existing drainage swale along Broadway, travels east to culvert under Broadway at railroad tracks, flowing south to the Estero River and on to Estero Bay.



UTILITIES



Existing Utilities



Potable water along Broadway E.
Ex. Septic & Drain Field in NE corner of property.

Development does not meet threshold for Mandatory connection to sanitary sewer.

1. Max of 4,800 sf gross floor area;
2. Generates less than 5,000 gpd;
3. Is not located adjacent to or within 50' of a connection point;
4. Does not consist of more than 5 lots located less than 1/4 mile from a point of connection; and
5. Central sewer lines will not be available within 90 days of issuance of a D.O.



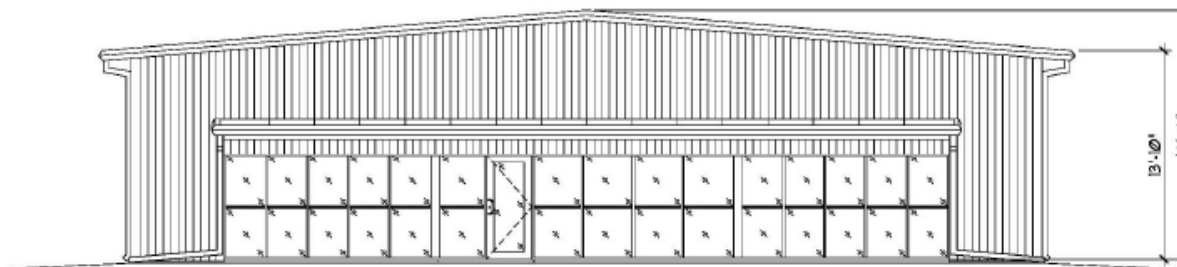
ARCHITECTURAL PLANS



8111 BROADWAY E. South Elevation



PROPOSED SOUTH ELEVATION (STREET VIEW)

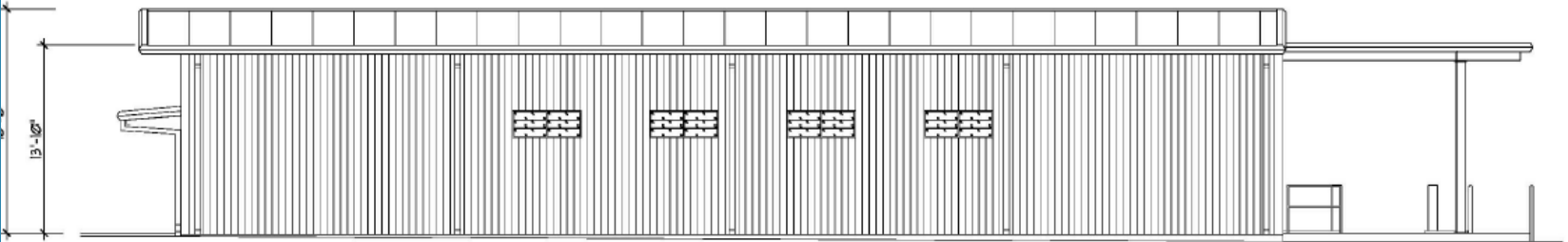


EXISTING SOUTH ELEVATION (STREET VIEW)

8111 BROADWAY E.
East Elevation



PROPOSED EAST ELEVATION



EXISTING EAST ELEVATION



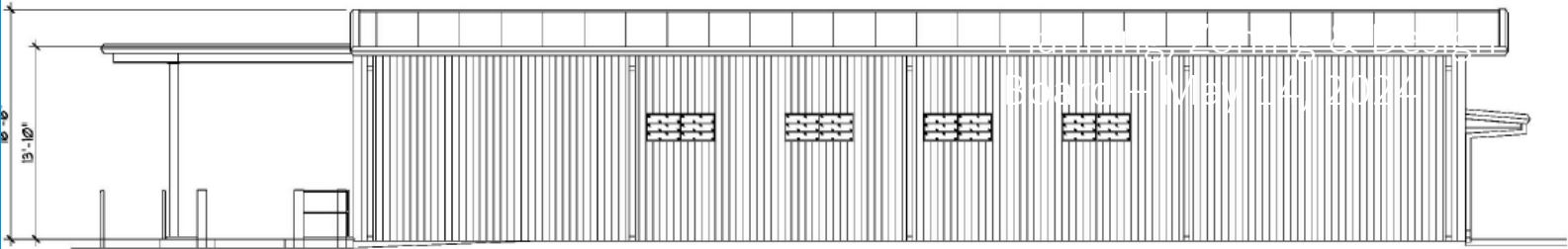
PROPOSED EAST ELEVATION
(WITH WALL and LANDSCAPE BUFFER)

8111 BROADWAY E.
East Elevation with 8' high wall & Landscape Buffer

8111 BROADWAY E.
West Elevation

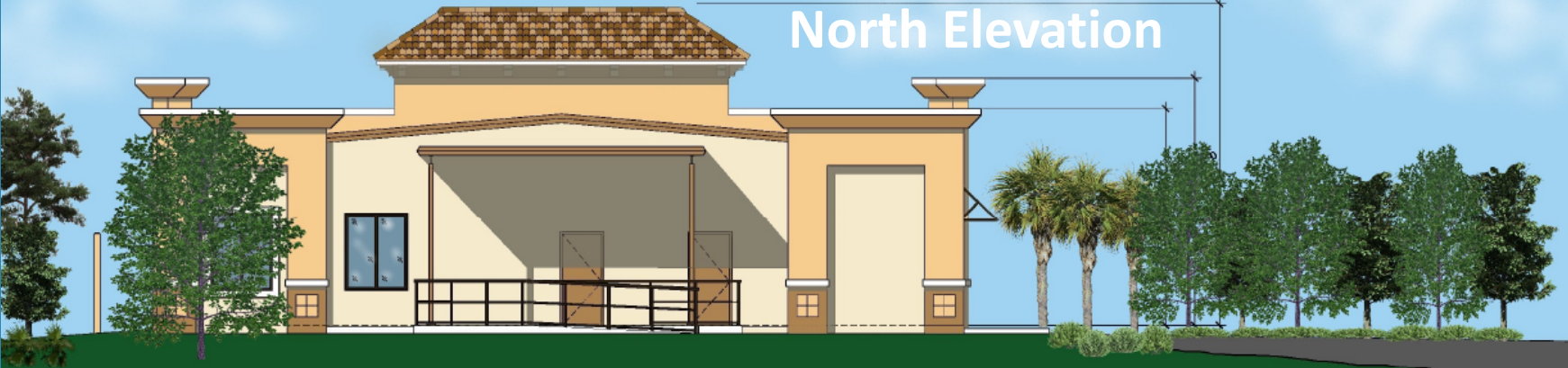


PROPOSED WEST ELEVATION

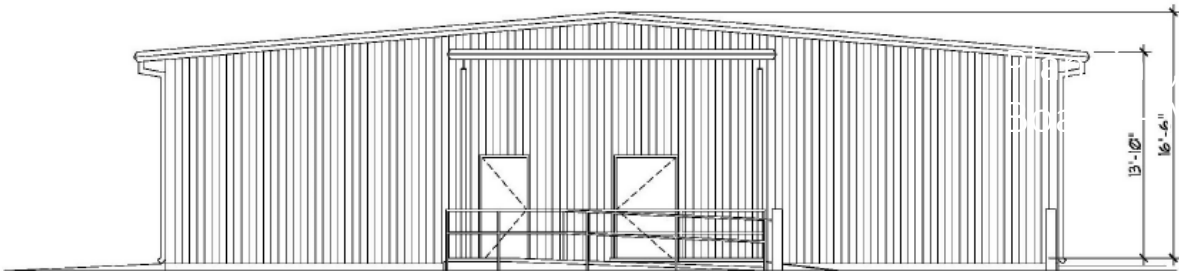


EXISTING WEST ELEVATION

8111 BROADWAY E.
North Elevation



PROPOSED NORTH ELEVATION



EXISTING NORTH ELEVATION

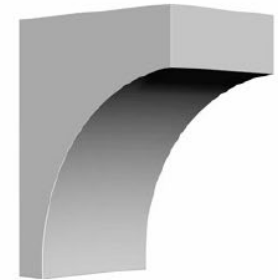
MATERIALS AND COLORS



CEMENT TILE
EAGLE—CAPISTRANO
3773 WALNUT CREEK BLEND
TAN-ORANGE-DARK BROWN



METAL AWNING
COLOR: SW6131 CHAMOIS



CORBEL BRACKET
(HIGH DENSITY EPS FOAM WITH TRIMSTONE
COATING)

SW 6667

Afterglow

Interior / Exterior

Location Number: 132-C2

SW 7561

Lemon Meringue

Interior

Location Number: 295-C1

SW 6131

Chamois

Interior / Exterior

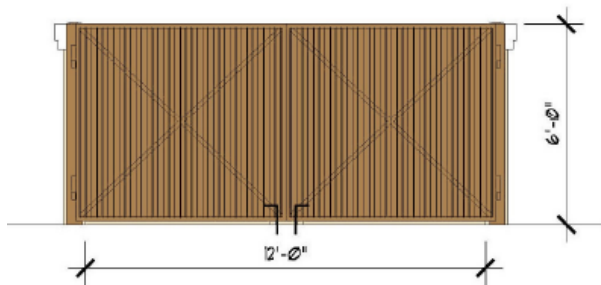
Location Number: 140-C6

ENTRY FEATURE-COLUMNS
AFTER GLOW
SW6667

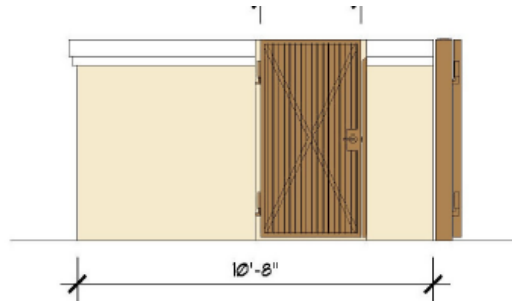
MAIN BODY
LEMON MERINGUE
SW7561

COLUMN BASE—ACCENT TRIM
CHAMOIS
SW6131

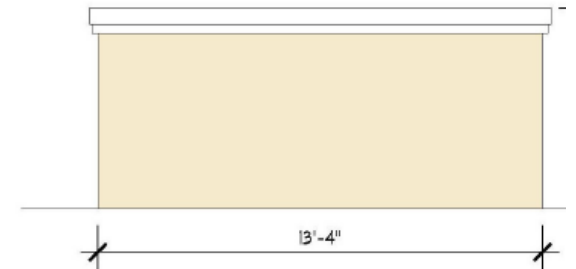
MONUMENT SIGN & DUMPSTER ENCLOSURE



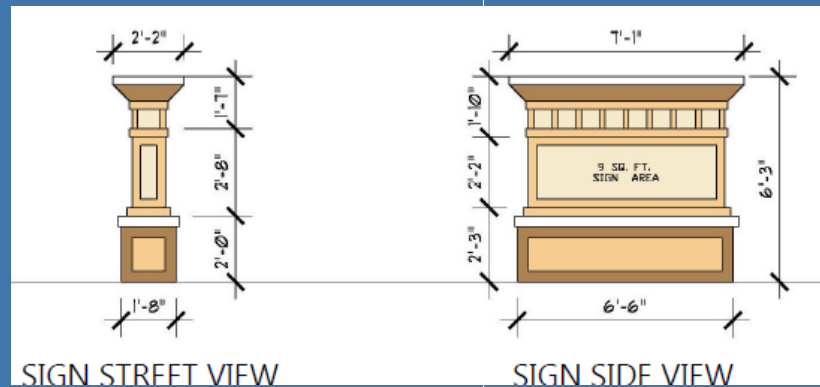
DUMPSTER FRONT VIEW



DUMPSTER SIDE VIEW



DUMPSTER REAR VIEW



SIGN STREET VIEW

SIGN SIDE VIEW

SITE AMENITIES

Heritage Bench



Contemporary Comfort

Model PB6-HER

Made with nine 2" x 4" recycled plastic resinwood slats and powder-coated, heavy duty cast aluminum frames, these Heritage Benches are the industry standard for architectural design. The under structure is braced with length and width supports. The recycled plastic resinwood slats are available in an array of color options. Powder-Coated cast aluminum frames are available in black and green. Hardware is stainless steel.

Dimensions

6' Bench - 72-12"L x 22"W x 30"H

Slat Color Options



cedar

Frame Color Options



green

PEDESTRIAN BENCH

Contemporary Loop Bike Rack



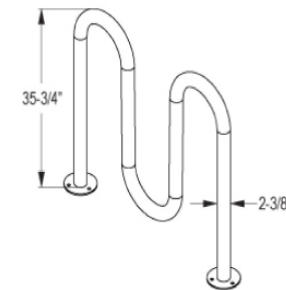
The Standard of Bike Parking

The durable frames of these contemporary loop bike racks are constructed from a 2-3/8" O.D. pipe. Making them incredibly well-suited for continued exposure to environmental conditions.



Model 5805SM | Video

These bike racks provide safe economical bicycle parking that allows the use of high security U-Locks to secure the bike frame. The racks are offered in the variety of powder-coated as shown.



Dimensions

Model 5803 - 3'-3"W x 36"H*

Standard Powder-Coat Colors



green

BICYCLE RACK

**BUFFER WALL -
EAST PROPERTY LINE**



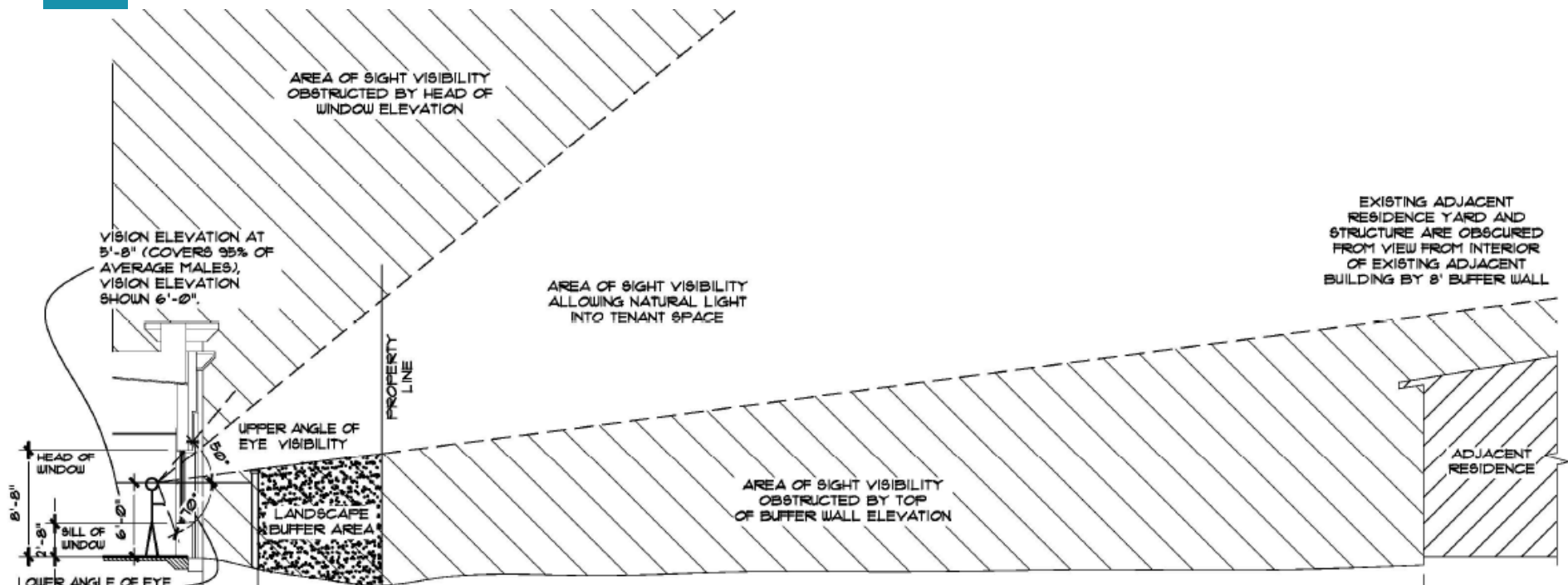
BUFFER WALL—EAST PROPERTY LINE

Post and Cap Rail - SW6131 Chamois
Main Fence - SW7562 Lemon Meringue

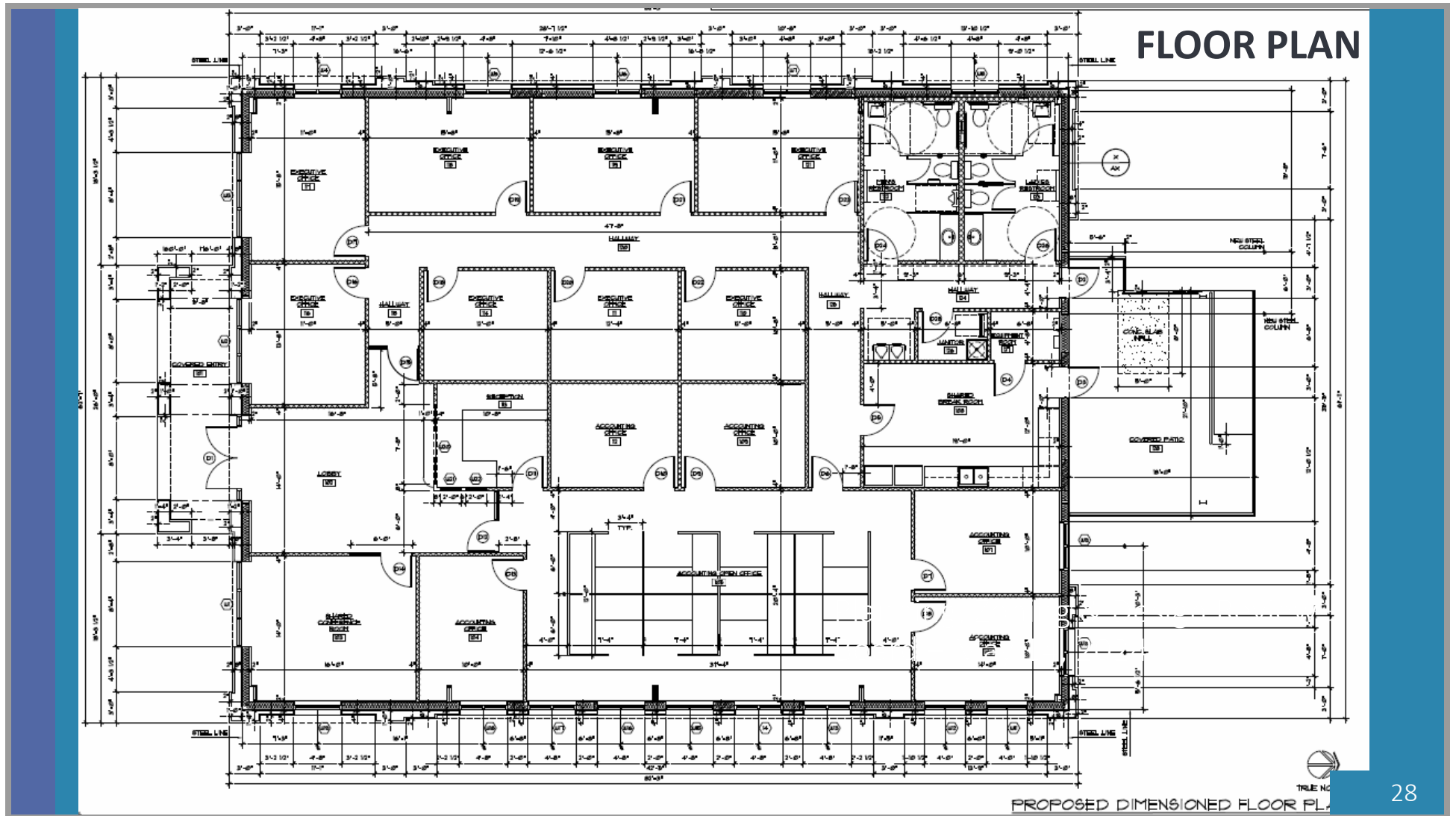
SW 6131
Chamois
Interior / Exterior
Location Number: 140-C6

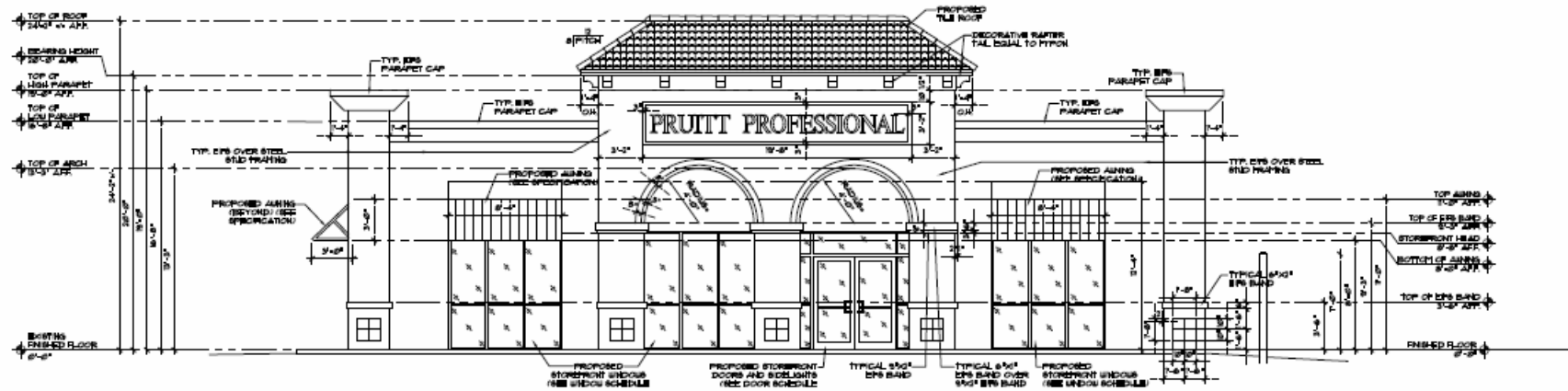
SW 7561
Lemon Meringue
Interior
Location Number: 295-C1

PROPOSED EAST WINDOWS LINE OF SIGHT GRAPHIC

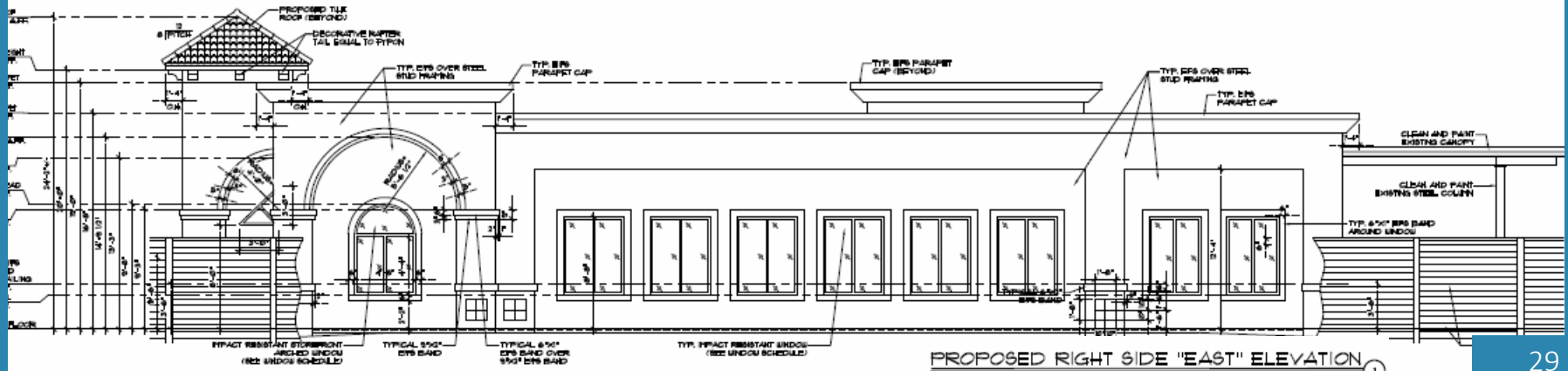




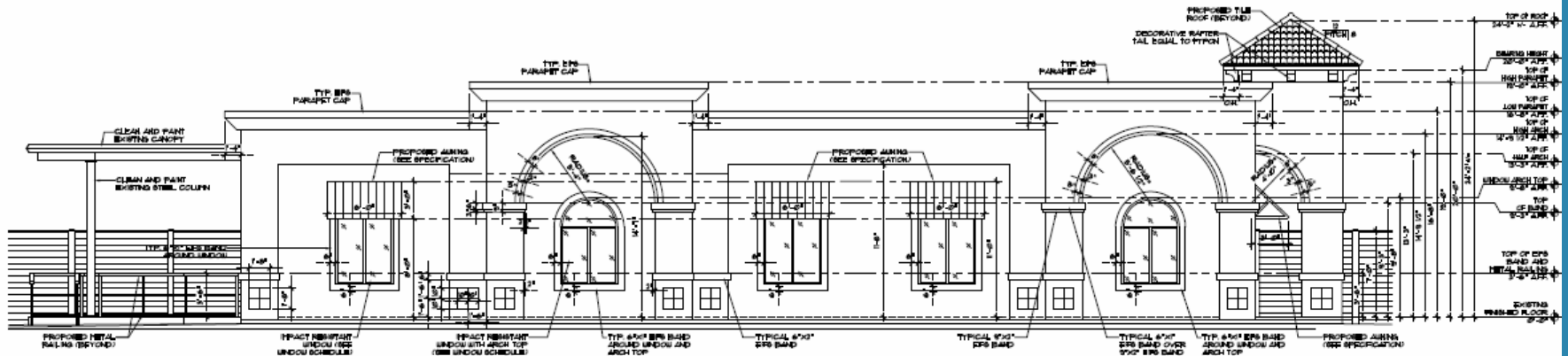




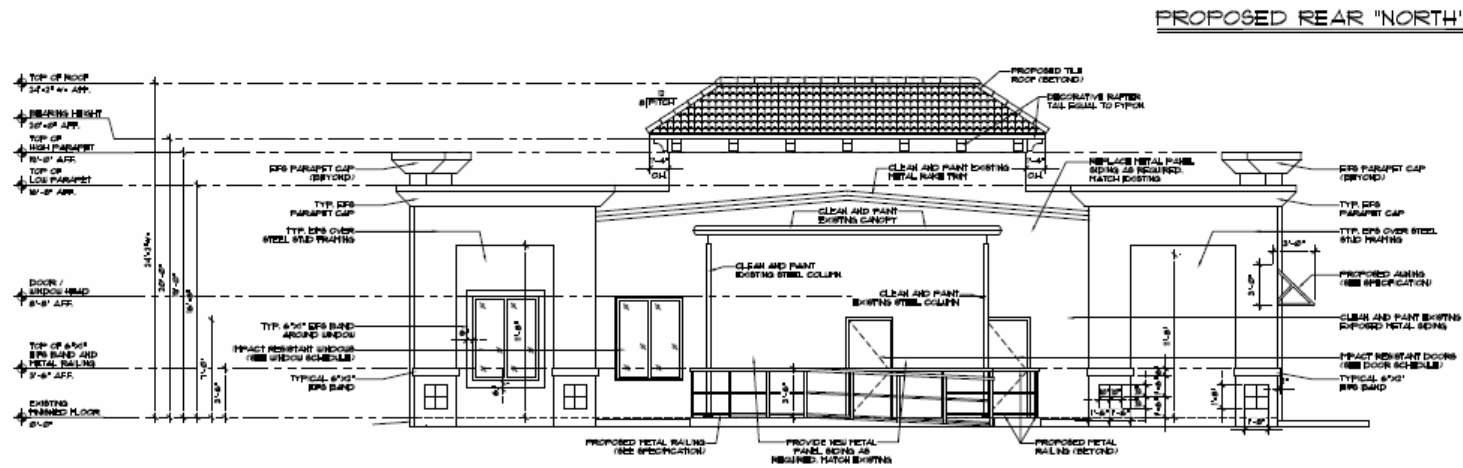
PROPOSED FRONT "SOUTH" ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED RIGHT SIDE "EAST" ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED LEFT SIDE "WEST" ELEVATION
SCALE: 1/4" = 1'-0"

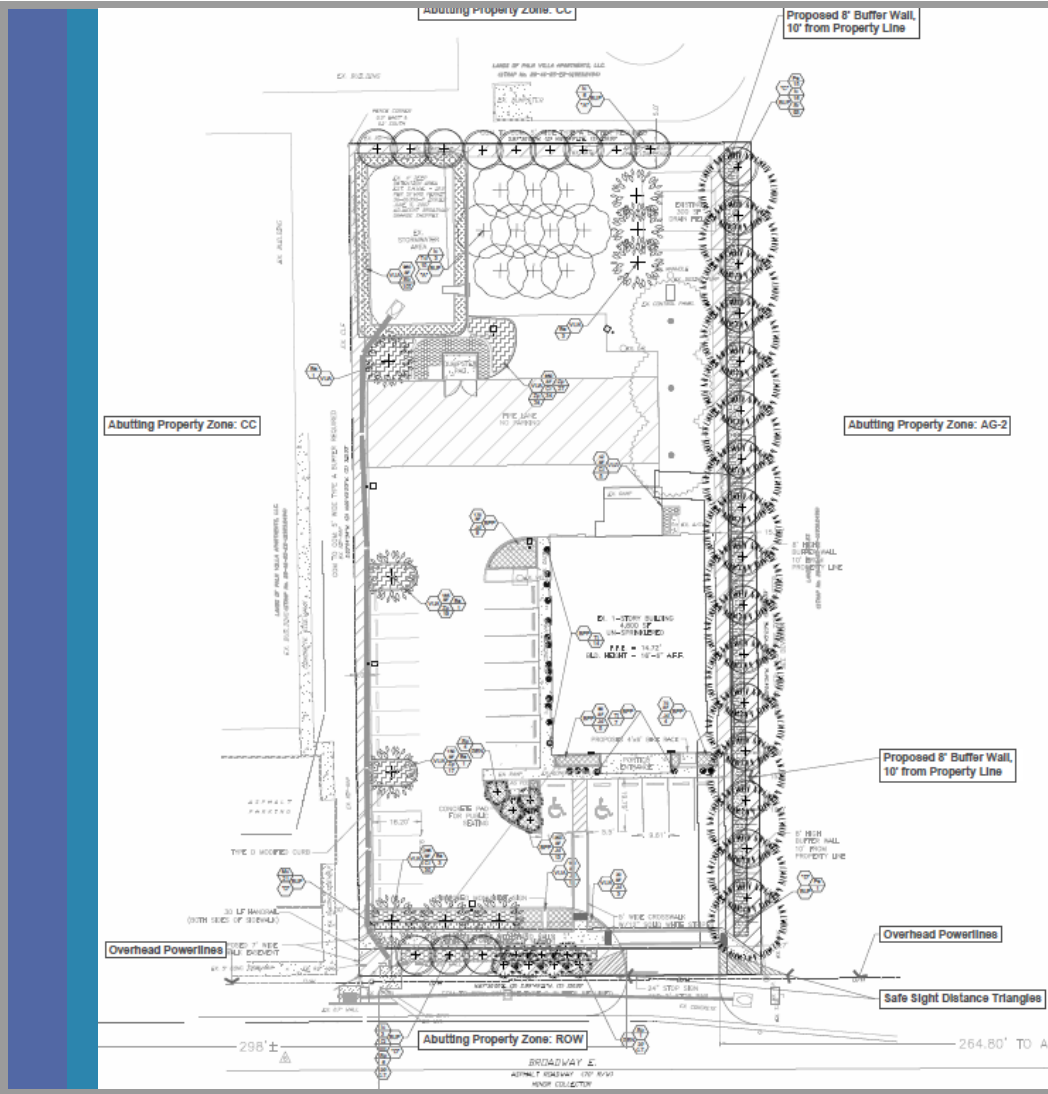


PROPOSED REAR "NORTH" ELEVATION
SCALE: 1/4" = 1'-0"



LANDSCAPE PLANS

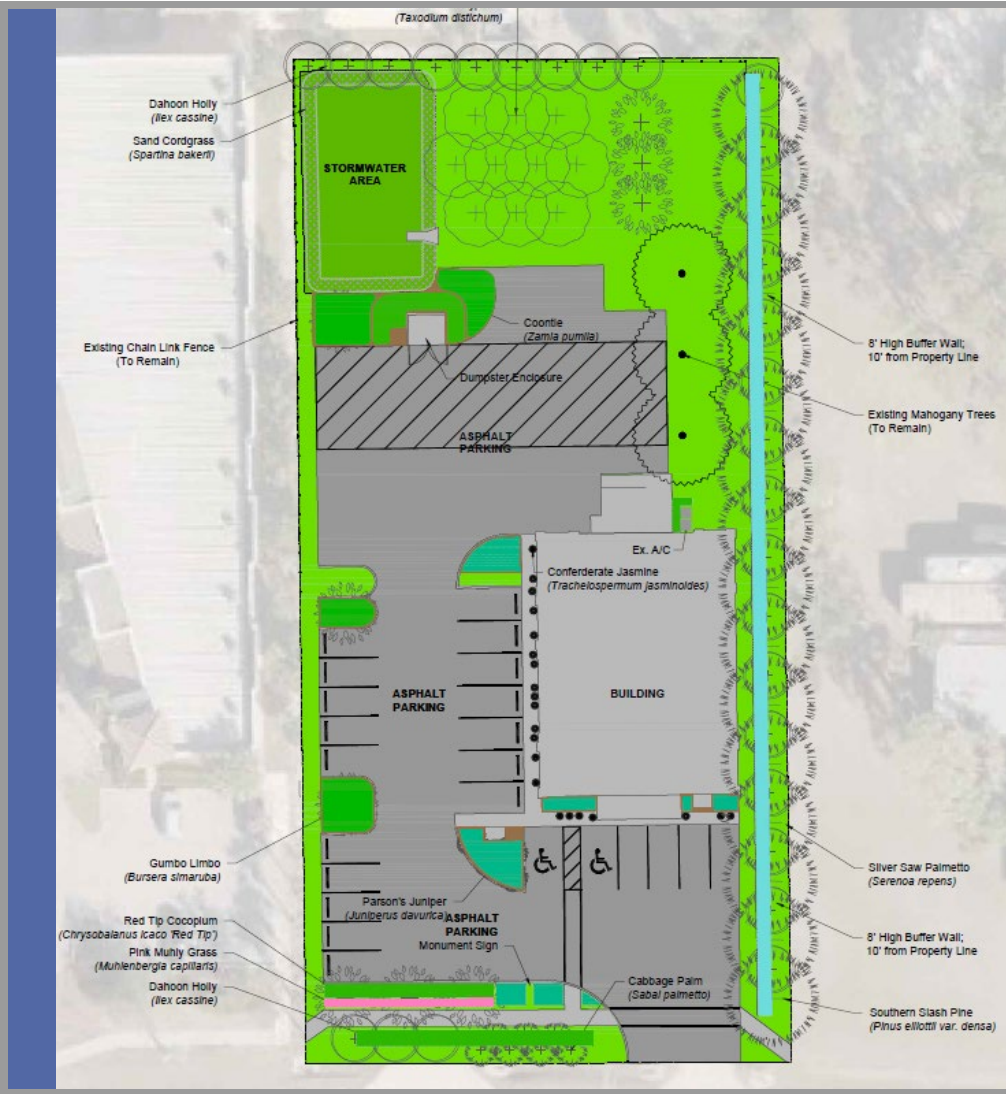




Landscape Plan

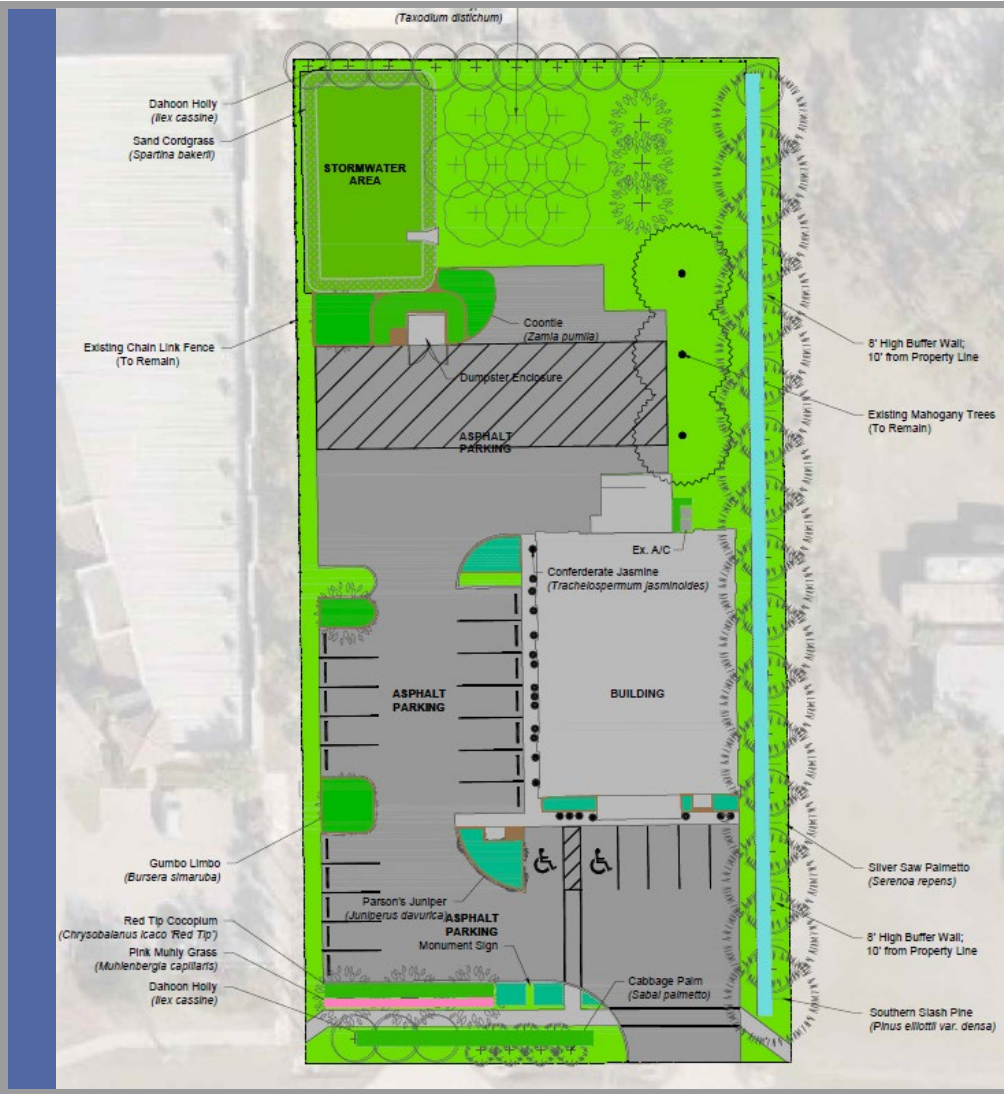
VILLAGE OF ESTERO LANDSCAPE REQUIREMENTS

	Required:	Provided:
Commercial Development abutting the following uses:		
North Property Boundary: COM <---> COM Type 'A' Buffer (5' min. width; 4 Trees / 100 LF)		
▶ 150.00 LF = 6 Trees 150 / 100 = 1.50 x 4 = 6.00 Trees	6	6
East Property Boundary: COM <---> SFR Type 'C' Buffer (20' min. width; 10 Trees + 30 Shrubs / 100 LF)		
▶ 310.33 LF = 31 Trees + 93 Shrubs 310 / 100 = 3.10 x 10 = 31.00 Trees 310 / 100 = 3.10 x 30 = 93.00 Trees	31 93	31 93
South Property Boundary: COM <---> ROW Type 'D' Buffer (20' min. width; 5 Trees + 66 Shrubs / 100 LF)		
▶ 115.00 LF = 8 Trees + 99 Shrubs (Entrance Drive Reduction: 150 - 35 LF = 115 LF) 115 / 100 = 1.15 x 5 = 5.75 Trees 115 / 100 = 1.15 x 66 = 75.90 Trees	6 76	6 76
West Property Boundary: COM <---> COM Type 'A' Buffer (5' min. width; 4 Trees / 100 LF)		
▶ 310.33 LF = 13 Trees 310 / 100 = 3.10 x 4 = 12.40 Trees	13	13
Open Space Calculations: Commercial		
20% of development area must be provided as open space		
▶ Open Space: 46,547 SF x 0.20 = 9,309.40 SF	9,309 SF	11,497 SF



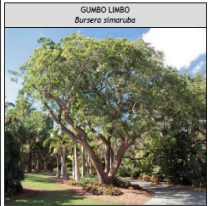
Color Rendered Landscape Plan

PLANT SCHEDULE						
KEY	SYMBOL	QTY	SPECIES	PLANT TYPE	CATEGORY	NATIVE STATUS
PROPOSED TREES						
Bs		9	Gumbo Limbo, <i>Bursera simaruba</i>	CANOPY	VUA	YES
lc		28	Dahoon Holly, <i>Ilex cassine</i>	CANOPY	BUF	YES
Pe		16	Southern Slash Pine, <i>Pinus elliottii</i> var. <i>densa</i>	CANOPY	BUF	YES
Sp		6	Cabbage Palm, <i>Sabal palmetto</i>	CANOPY	BUF (3:1)	YES
		5			GEN	
Td		10	Bald Cypress, <i>Taxodium distichum</i>	CANOPY	BUF	YES
PROTECTED CREDIT TREES						
Sm		3	WEST INDIAN MAHOGANY, <i>Swietenia mahagoni</i>	CANOPY	GEN (1:5)	YES
TOTAL TREES		77	REVIEW PURPOSES ONLY: 85 = 68 + (6 @ 3:1) + (3 @ 1:5) [+6 Tree Credits]			
PROPOSED SHRUBS						
Ci		55	Red Tip Cocoplum, <i>Chrysobalanus icaco</i> 'Red Tip'	SHRUB	BUF	YES
		69			VUA	
Jd		31	Parson's Juniper, <i>Juniperus davurica</i> 'Parsonii'	SHRUB	BPP	YES
		21			VUA	
Mc		21	Muhly Grass, <i>Muhlenbergia capillaris</i>	GRASS	VUA	YES
Sb		107	Sand Cordgrass, <i>Spartina bakerii</i>	GRASS	VUA	YES
Sr		93	Silver Saw Palmetto, <i>Serenoa repens</i>	SHRUB	BUF	YES
Zp		97	Coontie, <i>Zamia pumila</i>	SHRUB	VUA	YES
TOTAL SHRUBS		494				
PROPOSED CLIMBING VINES						
TJ		21	Confederate Jasmine, <i>Trachelospermum jasminoides</i>	VINE	GEN	NO
---		---	Floratam Grass, <i>Stenotaphrum secundatum</i> 'Floratam'	LAWN	THROUGHOUT	YES



Plant List

TREES



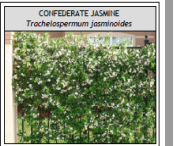
SHRUBS

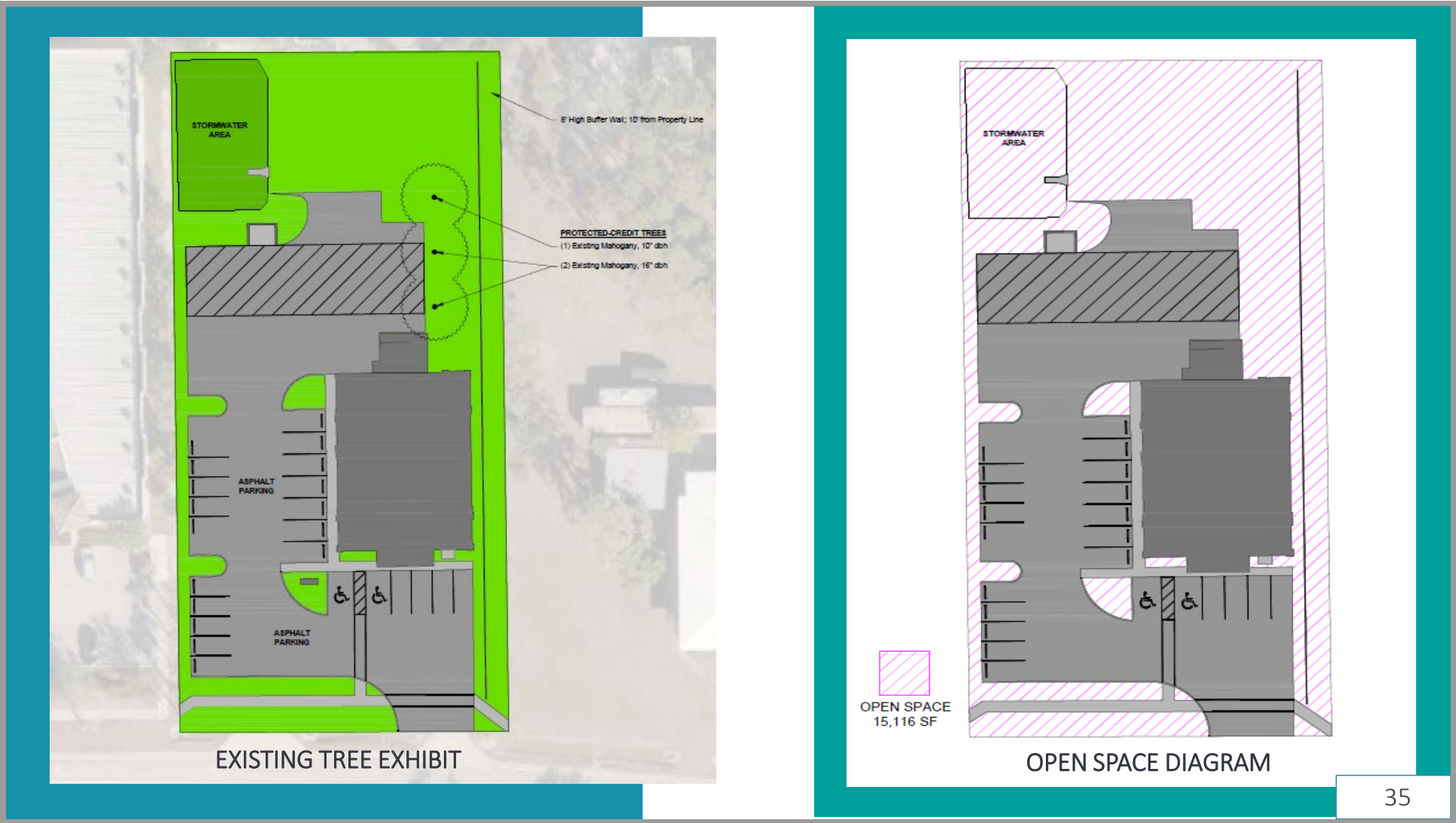


GRASSES



VINES





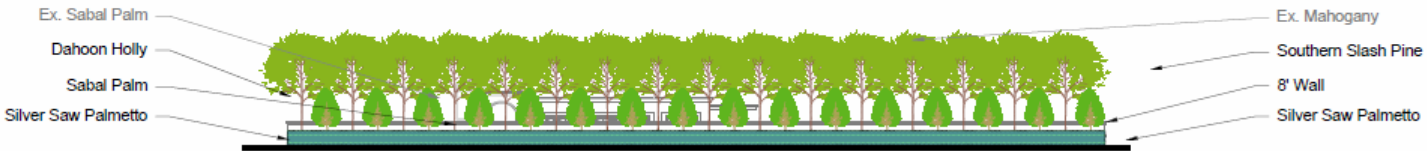
SOUTH



NORTH



EAST



WEST





QUESTIONS

