



# Estero Development Report

Volume 14, Number 4, Issued May 2015  
 Produced by the Estero Council of Community Leaders (ECCL)  
 For more on Estero, visit <http://www.EsteroToday.com>

## May/June Opportunities for Citizen Participation at Meetings to Protect Estero's Quality of Life

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### Upcoming Meetings

Wed., May 20 <sup>th</sup> , 1:30 pm	<b>Village of Estero Council Workshop</b>	Estero Fire Rescue Three Oaks Parkway
Wed., May 20 <sup>th</sup> , 6:30 pm	<b>Village of Estero Council Mtg.</b>	Estero Fire Rescue Three Oaks Parkway
Wed., May 27 <sup>th</sup> , 5:30 pm	<b>Design and Review Meeting</b>	Estero Community Park 9200 Corkscrew Palms Blvd.
Fri., May 29 <sup>th</sup> , 10:00 am	<b>Village of Estero Council Mtg.</b>	Estero Fire Rescue Three Oaks Parkway
Wed., June 3, 10:00 am	<b>Village of Estero Council Mtg.</b>	Estero Fire Rescue Three Oaks Parkway
Wed., June 10 <sup>th</sup> , 5:30 pm	<b>Design and Review Meeting</b>	Estero Community Park 9200 Corkscrew Palms Blvd.
Fri., June 12, 10:00 am	<b>Village of Estero Council Workshop</b>	Estero Fire Rescue Three Oaks Parkway
Tues., June 16, 5:30 pm	<b>Planning and Zoning Mtg.</b>	Estero Community Park 9200 Corkscrew Palms Blvd.

Wed., June 17, 6:30 pm	<b>Village of Estero Council Meeting</b>	Estero Fire Rescue Three Oaks Parkway
Fri., June 19, 9:00 am	<b>Lee County MPO</b>	Cape Coral City Council Chambers, 1015 Cultural Park Blvd., Cape Cora
Wed., June 24, 10:00 am	<b>Village of Estero Council Workshop</b>	Estero Fire Rescue Three Oaks Parkway

## **Estero Moves Quickly on Land Use Planning**

Under the leadership of Councilman Howard Levitan the Estero Village Council has taken eight major actions to establish its land use planning and approval process in less than two months.

### **Contract with Village Center and Healthcare Village Planners**

On April 17<sup>th</sup>, just 30 days after taking office, the Village Council approved a contract with the planning firms of Bill Spikowski and Seth Harry, to continue the community planning initiative that the ECCL, ECPP and EDRC started over two years ago. This initiative has evaluated market trends and various methods to sustain Estero's enviable quality of life and competitiveness during the period when the remaining vacant tracts are being developed.

The planning effort authorized by this contract will consist of the following:

- Create a clear and robust regulatory framework that accommodates and encourages new market preferences for compact, walkable, transit-ready mixed-use development authorized through the comprehensive plan and additions to the land development code.
- This program will be implemented in two steps. By mid-July it will provide the Village Council with interim amendments to the comprehensive plan and land development code that will provide the framework for the regulatory plan that will expand and refine the proposed mixed-use regulatory framework for adoption by April 2016, one year from the signing of the contract.
- The preliminary concept is to allow higher residential densities and a greater mix of uses in traditional mixed-use patterns (city blocks and a network of walkable streets).
- Prepare supporting standards such as block sizes, street connectivity, and building types for use in the new mixed-use code when needed to supplement existing adopted standards.
- Prepare an overlay map that could be used to identify the areas where new mixed-use planning standards would apply, such as the proposed Village Center and the Healthcare Village

- Prepare a second map that could be used to identify additional areas where the new standards might be available.
- Prepare conceptual regulating plans for areas where the new mixed-use standards would apply. The regulating plans would be created with input from affected landowners and the public.
- Participate in up to seven public meetings or public hearings to present the maps, policies and interim code changes.
- Receive direction from the Planning and Zoning Board and the Village Council after they receive input from the public and landowners.
- Draft interim comprehensive plan policies that summarize in general terms how the new framework would be implemented and applied.
- Prepare a technical memorandum that includes the new maps and policies and supporting material to serve as data and analysis for the state review process for the interim comprehensive plan amendments.
- Review the relevant sections of the County land development regulations inherited by the Village to identify any provisions that may conflict with or hinder preliminary implementation of walkable mixed-use development while the new regulatory framework is being completed and adopted.
- Draft any needed interim land development code changes and put them into ordinance format for review by legal counsel for the Village.

### **Contract with Special Land Use Counsel**

On April 17<sup>th</sup>, 30 days from their first meeting, the Village Council hired Nancy Stroud of the Lewis, Stroud and Deutsch law firm to provide the Village with legal service related to the implementation of the planning initiative described above and to serve the Village as Special Counsel on other land use matters.

Ms. Stroud has a master's degree in regional planning in addition to her law degree, both from the University of North Carolina. She graduated *cum laude* from Indiana University, where she was Phi Beta Kappa. Ms Stroud has been an attorney since 1978. She is also a member of the American Institute of Certified Planners (AICP).

Prior to opening her own firm, she led the local government land use department of a Fort Lauderdale firm that provided representation as municipal attorneys for eighteen municipalities in the south Florida region.

Ms. Stroud has special expertise in growth management, community development and constitutional issues related to zoning and planning. She regularly represents local governments as special counsel for land use issues, including special projects such as writing land development regulations, reviewing large development proposals, and comprehensive planning. She is well experienced in quasi-judicial hearing procedures and regularly represents elected bodies and planning boards, or local government staff, in quasi-judicial proceedings.

Ms. Stroud will assist the Village's planning consultants by reviewing each of their work products with regard to potential legal issues such as vested rights, property rights, and legal defensibility. In addition Ms. Stroud will attend all public workshops to gain insight into public concerns related to legal issues and to address any emerging legal issues.

Ms. Stroud will also consult with Council regarding the code amendment process, the state review and adoption process and other legal planning procedures.

As the Village's Special Counsel on land use matters Ms Stroud will represent the Village Council at quasi-judicial hearings, assist Village staff at quasi-judicial hearings when she is not representing the Village Council, drafting needed ordinances, resolutions, and development orders, prepare legal research and memoranda on specific land use topics, attend and participate in public workshops, hearings and meetings and review and analyze development proposals for legal issues in coordination with Village staff/consultants.

### **Invoke Zoning in Progress for the Area Encompassed By the Village Center and the Healthcare Village**

On April 17<sup>th</sup> the Village Council adopted a resolution invoking "zoning in progress" for the Village Center area and on April 24<sup>th</sup> they adopted "zoning in progress" for the Healthcare Village area.

Under "zoning in progress" any application for development approval for property located in the Village Center or Healthcare Village shall be reviewed to determine if it complies with the principles of compact, walkable, transit supportive, mixed use development, with an emphasis on employment, housing, recreational and civic uses and the community's comprehensive plan.

The final approval of any such development application may be temporarily stayed until the adoption of land development regulations that implement the principles of the Harry-Spikowski Report. The plan for these areas is expected to be completed about April 2016, one year after it was authorized by the Village Council.

### **Establish a Planning and Zoning Board (PZB) and a Design Review Board (DRB)**

On April 17<sup>th</sup> the Village Council approved an ordinance creating a Planning and Zoning Board (PZB) and a Design Review Board (DRB) for the Village. This legislation established the size, composition and qualifications that will be required for members of each body.

The provisions of the ordinance were based upon research performed by the ECCL over the last year and the comparable experience the community has had over the last 12 years with the County advisory roles performed by the Estero Community Planning Panel (ECP) and the Estero Design Review Committee (EDRC).

The early adoption of this ordinance was facilitated by the ECCL hiring Nancy Stroud to prepare a draft ordinance for the Village after the Village had been approved by the voters of Estero but before the Council was formed and able to contract for this work.

### **Interview over 40 candidates for the PZB and DRB**

After considerable publicity about the Village's plans for the creation of the PZB and the DRB and Village Council discussions about how to screen the applicants for these two boards over 40 persons, many with considerable land use board and other relevant experience, applied for these positions and were interviewed by the Village Council on April 10<sup>th</sup> and 17<sup>th</sup>.

### **Appoint the Members and Chairs of the PZB and DRB**

At their next Village Council meeting the Council selected all 7 members of the Planning and Zoning Board and 6 of the 8 members authorized for the Design Review Board. They did not fill the remaining DRB seats inasmuch as no architects licensed to practice in Florida had applied as required by the statute establishing the Committee even though the existing appointments included two architects not currently licensed in Florida. The Village is still searching for architects licensed to practice in Florida. These architects do not have to live in Estero inasmuch as only four of the eight members of the DRB must be Estero residents and the existing appointees have fulfilled that requirement.

### **Hold PZB and DRB organizational meetings**

On May 5<sup>th</sup> the PZB held its first meeting to learn about the sunshine law and to learn about the Florida legal requirements for Planning and Zoning. On the following day the DRB met to get organized and to be briefed on the sunshine law and the procedures they must follow under Florida law.

### **Approve Creation of a Development Services Director Position**

At its May 8<sup>th</sup> Workshop the Village Council enthusiastically endorsed the suggestion that the Village contract with a qualified professional planner to assist the PZB and DRB in its planning, zoning and design review responsibilities and to coordinate with Lee County on permitting matters.

In addition the Council will study financing this responsibility by imposing application fees to help pay for the cost of reviewing the different kinds of development applications.

During the last two years the following developments have reduced the available developable vacant land by nearly 300 acres so that Estero now has only about 700 acres, or 4% of its total land area, remaining to be developed

Several parcels on major commercial arterials have been down zoned to residential use:

- **Tidewater:** 127 acres will soon be used for a 387 senior housing unit development just north of Germaine Arena where site preparation has just gotten underway.
- **Springs at Estero:** construction is now underway on 260 rental housing units on 8 acres on land just east of Germaine Arena.
- **Courtyards of Estero:** this rental housing development has recently pulled a permit to build 104 units on 9 acres on the north side of Corkscrew Road just west of I-75
- **Estero Place:** 102 single family housing units are now under construction on 48 acres on the southwest corner of Three Oaks Parkway and Corkscrew Road.
- **American House:** site work has just begun on 194 senior living units on 9 acres in the south end of Coconut Point just south of the future 172,000 square foot Lee Memorial healthcare "Destination of Distinction"

- **Autumn Leaves:** a 54 bed, 36,000 square foot assisted living facility is under construction on 4 acres on the west side of US 41 across from the Coconut Point regional shopping center.

Commercial development in Estero has been surging these last two years as well, consuming even more of the Village's limited vacant land.

Some of the commercial developments now underway are:

- **Hertz World Headquarters:** construction is well underway on the Hertz's 250,000 square foot Global Headquarters, the parking deck that supports it and an auto sales and leasing center on 34 acres at the north end of Coconut Point.
- **Wal-mart Supercenter:** construction is also well along on a 180,000 square foot shopping center on 33 acres located on the northeast corner of US 41 and Estero Parkway.
- **Coconut Point Honda:** site preparation is underway on Lee County's third Honda dealership on a 6 acre parcel located on the west side of US 41 across from Hertz's Global Headquarters.
- **RaceTrac Service Station:** site preparation is underway for this facility on 2 acres just south of the Honda Dealership
- **Culver's Restaurant:** Estero' Culver's restaurant was completed late last year on 2 acres on the north side of Corkscrew Road just west of I-75.
- **Discovery Day Academy:** this early childhood education center is under construction on 2 acres just south of the Elks Club on the western leg of Coconut Road.
- **Smaller Restaurants and Offices:** First Watch and Pollo Tropical restaurants, Mattress Firm, Aspen Dental and space for one more tenant have recently been completed on about 3 acres in the Coconut Trace development across US 41 from the Coconut Point Shopping Center.

Estero may not have a lot of land for development but the vacant lands it has is critical to its success.

Almost all of Estero's remaining vacant lands are in its two commercial corridors...along US 41 and along Corkscrew Road. The majority of the property is located within two strategic locations:

- the Village Center which surrounds the intersection of Corkscrew Road and US 41, and
- the Healthcare Village which surrounds the intersection of Coconut Road and US 41.

The community's plan for the Village Center is to provide incentives for the development of a high density, walkable, transit friendly, mixed use traditional neighborhood that becomes the civic center of the community building on the 65 acre Estero Community Park, the underutilized wide railroad corridor, the Estero River, the 200 acre Koreshan State Site (including the recently acquired Boomer property), the Old Estero historic area and the large lake created when US 41 was constructed.

The community's plan for the Healthcare Village is to build upon Lee Memorial's plans for a 33 acre, 172,000 square foot, \$140 million patient centric, integrated, technology supported, coordinated care facility that will provide south Lee County with a broad array of healthcare services that include health, wellness and interventional treatment along with a freestanding emergency department, disease management and diagnostic and rehab services. As noted above the 194 unit American House senior living community and the 54 bed Autumn Leaves assisted living development are just getting underway in the Healthcare Village.

The Estero community has used a variety of professionals over the last 2 years to help the community plan how these important land should be developed in order to satisfy the community's unmet needs. Architect and planner Seth Harry has guided the effort since late 2012.

In early 2013 Peloton Research Partners studied the Estero and southwest Florida real estate market and how it had changed as a result of the recession. This research confirmed that Estero was substantially over zoned for retail development. Because 60% of all retail sales by Estero retailers were being sold to non-Estero residents, Peloton estimated that it would take 10 years for the area's population growth to require another one million square foot of retail space in Estero, far below the amount authorized by the existing zoning. Peloton also found that Estero was quite lacking in rental and senior housing. A finding that is now quickly being remedied.

After a couple of workshops with the landowners in the Village Center and the Healthcare Village, the community and its consultants conducted three workshops in the fall of 2014 to see if the Estero community agreed with the results of the planning effort up to that time. About 300 Estero residents attended these sessions and were virtually unanimously supportive.

Detailed reports on all of these planning efforts were shared with all the candidates for Estero's initial Village Council during the campaign. In general they were all supportive of the plans as approved by the public. As a result the consensus opinion is that the Village Council will soon be following up on these plans.

We are confident that Estero will complete its build out over the next several years in a way that will make our residents and southwest Florida proud.

### **March Residential Building Permits Include the Courtyards at Estero**

In March, 2015, permits for one hundred eighty-six (186) units in multi-unit buildings and sixteen (16) permits for single family homes were issued in the new Village of Estero. The dollar value of the permits was \$24,032,233. This represents the largest monthly dollar value since 2007.

Included in this month's multi-unit permits were one hundred thirty-six (136) rental units in seventeen buildings at the Courtyards at Estero on Corkscrew near I-75. Also included were fifty (50) single-family units in Copper Oaks on Three Oaks opposite the Villages of Country Creek.

Of March's sixteen (16) single-family home permits, twelve (12) were issued for Pebble Pointe on the east end of Coconut Rd. Ultimately, ninety single-family homes are expected at Pebble Pointe. Also in March, five (5) permits were issued for a new single-family community in the Colony.

The table below compares 2015 year-to-date figures with those of the previous 15 years.

Year	Year-to-Date Housing Units	Building Value	Average Building Value Per Unit	Percentage of Single Family Units
2000	506	\$68,142,696	\$134,669	41%
2001	584	88,114,145	150,880	42
2002	292	55,956,255	191,631	60
2003	532	77,905,904	146,440	32
2004	371	74,011,015	199,491	73
2005	883	168,168,623	190,451	37
2006	569	119,676,682	210,328	15
2007	218	56,648,641	259,856	33
2008	40	13,791,205	344,780	90
2009	36	14,016,521	389,348	78
2010	58	11,319,925	195,171	79
2011	36	5,837,350	162,149	78
2012	64	9,885,403	156,459	84
2013	98	17,537,359	178,953	100
2014	106	15,979,517	150,754	72
2015	484	46,549,016	122,379	8

Source: Lee County Permit Reports for the “Village of Estero”; See <http://www.leegov.com/gov/dept/dcd/Reports/Pages/reports.aspx>. Click on “Building Permits” below the caption “Select the report type;” then click on the “Monthly” time period; then click on the drop down box for “Select the Area;” and click on “Village of Estero;” and finally click on “Building Permits: Residential.” (Note: These access instructions have been revised to access the new Lee County reports for the incorporated Village of Estero.)

### March Commercial Building Permits Include Coconut Point Honda

The value of commercial permits in the new Village of Estero in March, 2015 totaled \$8,636,127 (excluding permits for Copper Oaks and Marriott). Included in the total is \$3.4 million for Coconut Point Honda on Rt. 41, as well as \$3.5 million for an infrastructure project on Via Coconut.

The table below compares 2015 year-to-date figures with those of the previous 15 years.

Year	Year-to-Date	Annual Total
2000	\$6,493,092	\$77,250,835
2001	12,714,570	44,116,526
2002	2,377,297	23,135,139
2003	3,348,635	23,234,725
2004	2,556,018	60,859,820
2005	7,209,706	111,037,977
2006	68,428,727	184,709,240
2007	49,358,941	157,614,045
2008	18,837,360	39,261,677
2009	4,575,618	9,752,556
2010	411,276	9,322,546
2011	3,877,089	11,717,593
2012	3,204,340	11,879,291
2013	1,972,724	14,656,213
2014	2,327,177	139,285,611
2015	60,224,935	N/A

Source: Lee County Permit Reports for the “Village of Estero”; See <http://www.leegov.com/gov/dept/dcd/Reports/Pages/reports.aspx>. Click on “Building Permits” below the caption “Select the report type;” then click on the “Monthly” time period; then click on the drop down box for “Select the Area;” and click on “Village of Estero;” and finally click on “Building Permits: Commercial.” (Note: These access instructions have been revised to access the new Lee County reports for the incorporated Village of Estero.)

Note: The building values above understate the cost of each residential and commercial building because they exclude the value of the underlying land.

Source: Lee County Permit Reports for the “Village of Estero”; See <http://www.leegov.com/gov/dept/dcd/Reports/Pages/reports.aspx>. Click on “Building Permits” below the caption “Select the report type;” then click on the “Monthly” time period; then click on the drop down box for “Select the Area;” and click on “Village of Estero;” and finally click on “Building Permits: Commercial.” (Note: These access instructions have been revised this month to access the new Lee County reports for the incorporated Village of Estero.)

### **Estero’s Single Family Home Sales Continued to Increase in April; Year to Date Sales Up 50%**

In April, 2015, the Multiple Listing Service (MLS) recorded sixty-nine (69) single-family home sales in the Village of Estero. This figure is about 50% more than the monthly average in the first quarter this year and for the month of April, 2014. On a year-to-date basis, sales are up over 50% from the comparable period of 2014.

In April, only one home was a “distressed sale,” i.e., short-sale listing or bank owned property, in which case the bank received less than their loan amount. April’s inventory of unsold homes includes only twenty-four (24), or 6%, which are expected to be distressed sales. Six percent is near the lowest percent since the ECCL began tracking this figure in 2012 when distressed sales consistently accounted for 10-15% of Estero’s sales.

Sales figures so far this year and for the last two years are shown in the following table:

<b>Period</b>	<b>Sold in 2013</b>	<b>Sold in 2014</b>	<b>Sold in 2015</b>	<b>Inc (Dec)</b>	<b>Inc (Dec) %</b>
<b>Jan</b>	20	29	34	5	17
<b>Feb</b>	25	33	35	2	3
<b>Mar</b>	39	25	65	40	160
<b>Qtr 1</b>	84	87	134	47	54
<b>Apr</b>	49	47	69	22	47
<b>May</b>	48	49			
<b>June</b>	46	51			
<b>Qtr 2</b>	143	147			
<b>July</b>	38	33			
<b>Aug</b>	32	31			
<b>Sept</b>	27	33			
<b>Qtr 3</b>	97	97			
<b>Oct</b>	48	38			
<b>Nov</b>	27	35			
<b>Dec</b>	49	43			
<b>Qtr 4</b>	124	116			
<b>Year-to-Date</b>	133	134	203	69	51

As of April 30, 2015, there were 390 listings of currently active unsold homes, reduced slightly from last month. The 390 active listings include one hundred thirty-eight (138) pending sales, once again reduced slightly from last month.

The 390 listings in inventory this April represents 9 months’ supply of unsold homes, down from a 10 months’ supply a year ago and last month, and significantly less than the 15 months’ level two years ago.

Note: Figures include homes in the new Village of Estero (excluding homes in the Estero portion of Pelican Landing, which are not separately shown in the MLS). Also not included are figures for multi-family homes.

***Thanks to Joe Pavich, Sr. of Realty World in Estero for continuing to provide the ECCL with the MLS figures for the new Village of Estero.***