

Estero Development Report

Volume 8, Number 12, Issued May 2009

Edited by the Estero Council of Community Leaders (ECCL)

**For More Information about Estero
...see www.esterofl.org**

This Report is available on the Estero Community website at:
<http://esterofl.org/eccl/EDR/>

May Opportunities for Citizen Participation In Protecting Estero's Quality of Life

Date	Time	Event	Location
Monday, May 4 th	9:30 a.m.	Board of County Commissioners Hearing on the Bella Terra Rezoning Proposal	Board Chambers, 2 nd Floor, 2110 Main Street in downtown Ft. Myers
Tuesday, May 12 th	5 p.m.	Monthly Meeting of the Estero Fire Rescue District. For further information see http://esterofire.org/	Estero Fire Rescue Headquarters... Three Oaks Parkway south of Corkscrew
Wednesday, May 13 th	5 p.m.	Estero Design Review Committee review of the following projects: See the full agenda at http://esterofl.org/edrc/agenda.asp .	Estero Community Park
Friday, May 15 th	9 a.m.	Lee County Metropolitan Planning Organization (MPO) Meeting...For the agenda see http://www.mpo-swfl.org/agendas.shtml	Regional Planning Building, 1926 Victoria Street in downtown Ft. Myers
Friday, May 15 th	1 p.m.	Estero Council of Community Leaders (ECCL) meeting. See the full agenda at: http://esterofl.org/eccl/minutes/index.htm	Estero Community Park
Monday, May 18 th	6 p.m.	Estero Community Planning Panel meeting. See the full agenda at http://esterofl.org/ecpp/ecpp_meetings.htm	Estero Community Park
Thursday, May 21 st	2 p.m.	Southwest Florida Watershed Council Meeting. For more information see http://www.swfwc.org/	Lee County Visitors Bureau 3 rd floor Conference Room, 12800 University Drive in Ft Myers
Wednesday, May 27 th	9:30 a.m.	First day of the RCH Mine Hearing by the Lee County Hearing Examiner	2 nd Floor Hearing Room, Community Development Building, 1500 Monroe Street in downtown Ft Myers

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Estero Community Website

From January through March about 22,500 persons visited this site to learn about Estero.

The community groups sponsoring the site are:

Estero Community Planning Panel (ECP)
Estero Civic Association (ECA)
Estero Design Review Committee (EDRC)
Estero Council of Community Leaders (ECCL)
Greater Estero Cultural Arts Council (Arts Estero)

www.esterofl.org

Forthcoming Public Hearing on the Resource Conservation Holdings (RCH) Mine

A recent court decision has ordered Lee County to schedule a public hearing to consider rezoning and [mining permits](#) for the proposed Resource Conservation Holdings Mine. The request is to rezone 1,365 acres on Corkscrew Road to mine lime rock to a depth of 110 feet with blasting. Because of the court order, the application must be reviewed under the old mining rules rather than the more stringent Chapter 12 rules adopted by the County last September.

Ownership of the RCH Mine project includes Ascot Development which is also developing Midtown Estero, as well as Youngquist Brothers Excavating which operates an active rock mine on Alico Road.

The site is located on Corkscrew Road east of Flint Pen Strand and is immediately adjacent to the Southwest Florida International Airport Mitigation Park, the South Florida Water Management District Corkscrew mitigation bank, and an established rural residential cluster on Burgundy Farms Road. The recent County initiated DR/GR planning study identified the project site as environmentally sensitive and categorized it as a Priority 1 and Priority 2 Restoration area. The site is outside of the Primary and Secondary Preferred Mining Area as identified by the Dover Kohl and the DR/GR Steering Committee.

If this latest attempt to industrialize Corkscrew Road is approved, the decision would:

- establish a new development pattern and set a precedent for seven other rock mine applications pending on Corkscrew Road
- result in permanent adverse impacts to hydrology, surface water flow, and natural systems function of wetland and aquatic resources of regional importance
- adversely impact endangered and threatened species including the Florida Panther and Woodstork
- result in unacceptable impacts to community character and public safety by potentially adding as many as 2,000 dump truck trips per day to Corkscrew Road

The Public Hearing is scheduled to begin at 9 AM on May 27th, 2009 at the Community Development Building on Monroe Street in downtown Ft. Myers.

In a parallel but separate action, the County has begun a legal challenge of the proposed mine's consumptive water use permit on grounds that it would adversely affect the recent Corkscrew municipal well field expansion. This wellfield, along with the others in the DR/GR, supplies about 80% of the County's water supply. Several wells installed as part of that expansion last year are immediately adjacent to the RCH Mine project site.

Late Stage Report on the South Lee County Watershed Plan Update

On April 22, 2009, the South Florida Water Management District ("SFWMD") hosted a public meeting to report on the progress of the update of the [South Lee County Watershed Plan](#). This is the study to determine if five additional culverts need to be constructed under I-75 where Half Way Creek ("HWC") enters the Brooks at Copperleaf. The final report is due to be published by May 15, 2009.

At a prior meeting in March, the engineering study team had indicated that HWC could not accept additional water without flooding in communities along HWC. During this April 22 meeting, the engineering team outlined the corrective actions which would be required to direct more water into HWC. The report was silent, however, on how many, if any, additional culverts could or should be constructed under I-75. In questions after the formal presentation, the engineer in charge of the study said that up to two or three culverts could be constructed under I-75 (not five) to accept up to 630 cfs during flood conditions, but they could be opened only after the corrective actions recommended in the report are completed. The Director of the SFWMD who is responsible for the issuance of permits, confirmed that SFWMD would require that any culverts that were constructed would be "blocked" (with bricks or concrete plugs) until the corrective actions are completed.

An important point was made at the meeting. The model runs indicated that even if the corrective actions were completed and all five culverts were constructed, it would have virtually NO impact on reducing flood water levels in the Bonita Springs communities that have historically flooded (and flooded again during Tropical Storm Fay in August of 2008). Because of the substantial costs to implement the recommended corrective actions, with no benefit to Bonita Springs flooding, it raises the question as to whether it is cost justified to construct any of the culverts under I-75.

A summary of the recommended corrective actions are listed below:

- Clean out the overgrown vegetation in the HWC flowway West of Via Coconut Pointe Road to US41 and also to the West of US 41. An alternative West of US41 would be to dig a trench just to the South of Fountain Lakes, but this alternative could have environmental disadvantages for Estero Bay.
- Raise the wooden walkway on the West side of US 41 which goes over HWC next to the US41 culverts.
- Connect the "water amenity" lake to the South of Rapallo to the main HWC channel to improve the flow between Via Coconut Pointe Rd. and Via Villagio Rd. which connects Rapallo to the mall.

- Increase the flow in the ditch which runs along the East side of 3 Oaks Parkway between the gates at Williams Rd and the Estero River South Branch (“ER SB”). This would involve substantial cost and time. It would require removing the “V notch weir” near the North end of the ditch, increasing the capacity of the gates at Williams Rd, and increasing the capacity of the ditch itself. At present the V notch weir permits the ditch to act as a settling reservoir for polluted storm water from 3 Oaks Parkway. However, the weir also prevents the ditch from acting as an escape for flood waters rising in HWC, which was its original design role. Therefore, if the V notch weir is removed to re-establish its flood control role, a new replacement settling reservoir will need to be constructed, probably in the median on 3 Oaks Parkway.
- Other recommended actions were to clean out overgrown vegetation in the south branch of the Estero River (ER SB) and increase the capacity of the Sanctuary Bridge in Corkscrew Woodlands and the Country Creek Lane bridge in The Villages of Country Creek by raising those bridges.
- Annual inspection and maintenance programs were recommended for all the areas where clean outs are required.
- A North South channel was recommended to be dredged on the East side of I-75 to permit better flow to HWC and the ER SB. Several large culverts under I-75 already exist north of HWC. These culverts are under utilized during flood conditions. This new channel would require a control structure to assure that dry season water in the Edison Farms wetlands would not be impacted.
- On the Estero River North Branch, it was recommended that the bridge at River Ford Road should be replaced.

Although there is capacity to send more flood water down Spring Creek (which is under utilized), this was deemed too expensive and could involve purchasing additional land or homes, so no action on this improvement was recommended in the report. Only limited benefit from increasing flow down Spring Creek was projected by the model, but it did provide more improvement than increased flow down HWC or the south branch of the Estero River (ER SB).

The possibility of building a large reservoir to the east of I-75, involving an elevated berm from Corkscrew Road to Bonita Beach Road, was rejected as too expensive and not practical due to the probable major “leakage” below the berm in the porous limestone in this area. However, if this project could be made to work, it is the only action which could dramatically reduce flooding in the historically flooding communities of Bonita Springs.

One other possibility to help the Bonita Springs flood areas was the possibility of directing flood water further to the South to drain to the Cocohatchie River. Even 200 cfs to 300 cfs in that direction would help. It would not eliminate the flooding but could reduce the duration of a flood by up to 63 hours, based upon model simulation runs. The southern “border condition” for the model was Bonita Beach Road, so the engineers determined that they would need more information and an expanded scope of investigation to determine if the residents along the route to the Cocohatchie could accept that additional water, or more, without themselves being flooded. This could be a follow up study.

A more detailed summary report of the study can be found on the Brooks Concerned Citizens web site at

The DR/GR Planning Process Will Soon Crank Up Again

As reported in January, Dover Kohl, the County's primary [DR/GR planning](#) consultant and their subcontractors have been working on several research studies and a sizeable group of Comprehensive Plan (Comp Plan) amendments. It is the Comp Plan amendments that will provide the first clear indication of the County's overall intentions regarding the future of the DR/GR.

Expectations are that the draft Comp Plan amendments will become available to the Board and public about the middle of May. The first step in the Comp Plan approval process is their consideration by the County's Land Planning Agency in early June. The second step is BOCC consideration and approval, now scheduled for August or September. Once the BOCC approves the Comp Plan changes they will be forwarded to the State Department of Community Affairs (DCA) for their review and comment. Final approval by the BOCC will occur only after the County and DCA have reached agreement on the provisions of the Comp Plan.

Background

During 2009 Dover Kohl and its six subcontractors will be performing the following projects for Lee County:

- Transfer of Development Rights (TDR) Program Report
- "Environmental Resource Permits" (ERP) Feasibility Report...likely add-on
- Best Farming Practices Report
- Reclamation Standards Report
- Acquisition and Restoration Strategy Report
- Innovative Mining Approaches Report
- Lee Plan Future Land Use Map Changes
- Lee Plan Text Changes Report
- Lee Plan Amendment Data and Analysis Report
- Land Development Code Change Report

All of these projects were started during January except for the Land Development Code Changes which cannot be started until many of the Reports become available and the BOCC has adopted the recommendations contained in them that it deems appropriate.

During the year Dover Kohl is committed by contract to participate in five public meetings to discuss their finding and respond to questions by the BOCC and the public.

South Lee County Hospital Committee Update

In December 2008 the [South Lee County Hospital Committee](#) wrote Lee Memorial and NCH asking them to tell the committee in writing what it might do to assist each system to establish a Free-standing Emergency Department in our area as soon as possible as a forerunner of our eventually obtaining a full service hospital. During February and March the Committee's leaders and the members of its Needs Assessment Sub-

committee met with the leaders of each system and asked them for a written statement of their intentions. A detailed discussion of those meetings and position statements may be found below.

On April 13th the leaders of the South Lee County Hospital Committee wrote the following to Dr. C.B. Rebsamen, Chief Medical Officer of Lee Memorial Health System:

“Thank you for taking the initiative that has resulted in Lee Memorial Board approval of your proposal to acquire the NCHS share of the Bonita Community Health Joint Venture and the authorization of up to \$500,000 this year for planning, design and architecture expenses and the inclusion of \$4 million in your FY 2010 capital budget in order to proceed with development of a free-standing emergency room in the Bonita/Estero area.

The Committee greatly appreciates your responsiveness to this urgent community need. We are committed to working with you to achieve the Committee’s short term goal, the establishment of a 24/7 Free-standing Emergency Department in south Lee County by your target date of January 2011.”

On that same day the leaders wrote to following to Dr. Allen Weiss, President and CEO of the NCH Healthcare System:

“We are disappointed that your position statement does not address our 24/7 free standing ER needs. We urge you to reconsider our need for a 24/7 free standing ER and advise us if you are willing to commit to its development as a milestone leading ultimately to a medical surgical hospital in South Lee County.

We appreciate your stated commitment to continue to serve the healthcare needs of the Bonita/Estero area and look forward to working with you whether or not you are able to serve our Freestanding Emergency needs. Please keep us informed as you continue to develop your plans for serving the south Lee County community.”

The Board of the Bonita Community Health Center, consisting of representatives of the two systems, is scheduled to take up this issue when they meet on May 1, 2009.

The Hospital System’s Responses

On March 4th Bonita Springs Mayor Ben Nelson, ECCL Chair Don Eslick and the members of the Committee’s Needs Assessment Sub-committee met with the leadership of Naples Community Hospital (NCH) System to discuss their plans for a Free-standing Emergency Department and eventually a hospital in south Lee County. Dr. Alan Weiss and his staff focused their attention upon how to make the Bonita Community Health Center (BCHC) profitable for both owners, NCH and Lee Memorial. They had no specific recommendations regarding a 24/7 Free-standing Emergency Department. As a result the Committee members asked NCH to develop a written proposal addressing this need.

On March 19th the Lee Memorial Health System (LMHS) Board of Directors approved two motions in order to implement their commitment to provide Free-standing Emergency Services to south Lee County. They are:

1. “Administration is directed to extend an offer to the Naples Community Health System to purchase the NCHS share in the Bonita Community Health Center Joint Venture for the sum of one dollar. If the offer is accepted, LMHS will

assume 100% of the bond obligations on this facility". This transaction would add \$28.5 million of bond debt obligation to their balance sheet.

2. "Administration is directed to include up to \$4 million in capital in the FY'10 capital budget for the purpose of developing a Free-standing Emergency Room in the Bonita/Estero market and is authorized to spend not more than \$500,000 in FY2009 to allow legal, planning, design, and architecture work to proceed immediately." The analysis provided to the Board by Lee Memorial staff shows that the system would experience an estimated "net incremental gain" of about \$2 million in the first year and \$2.6 million in the fifth year.

LMHS's project summary for this facility further state:

- "Absent any unknown regulatory delay, it would be reasonable to target opening of this facility by January 2011".
- "Although Bonita Community Health Center would be the preferred location for the free-standing emergency room, LMHS has identified two other possible sites that are centrally located in the Bonita/Estero area. All of these locations are compatible with the target opening date", and
- "Negotiations are currently underway with NCHS toward this goal and LMHS leaders are optimistic that a satisfactory resolution will be achieved. Regardless of the outcome of this negotiation, however, the free-standing emergency room would not be delayed."

On March 30th NCH provided the South Lee County Hospital Committee with a position statement which states in part the following:

"In the event that LMHS continues to disagree with NCH's position to seek a way to continue the BCHC joint venture and proceeds to dissolve the partnership, NCH intends to continue its role as the healthcare provider of choice for the Bonita/Estero residents.

To that end, our plans could include establishing an outpatient facility in the community that will provide office space for NCH staff physicians, as well as ancillary services including imaging, wound care, rehab, pain management, a same day surgery center and an urgent care facility. In the context of contingency planning, we have commenced a formal feasibility study to evaluate short and long-range potential health services".

Creating a Local Healthcare Forum

On Saturday, April 11th the Bonita Banner announced its plans for creating a "[comprehensive healthcare information](#)" forum in each Saturday's edition. The following Saturday they continued this initiative with an article about the South Lee County Hospital Committee and its activities to date. In its third healthcare section on Saturday, April 25th it published articles about the status of a new College of Health Professions building at FGCU and Lee Memorial's cancer care credentials. In addition it published the first weekly column by NCH CEO Allen Weiss. It is expected that they will also carry a weekly column from Lee Memorial as well.

Background

On March 11th the members of the South Lee County Hospital Committee's Public Relations sub-committee met with Chad Gillis, the editor of the Bonita Banner to discuss the development of a Health Care section within the Banner. Mr. Gillis liked the idea and is planning on adding a section to the Banner's website (<http://www.naplesnews.com/news/banner/>) and to add a Healthcare section in each Saturday edition.

He will work with the committee to obtain content for each week's edition. Each of the hospital systems serving the area will be requested to submit content to the Banner website on a weekly basis. All other local healthcare providers will be asked to post material on the website as well. The Committee hopes that this section will become "the place" that all south Lee County residents, both old and new, can find reliable and useful information on all locally available healthcare services.

Red Sox Spring Training Site

On Wednesday, April 29, the Lee County Commissioners unanimously voted for Watermen-Pinnacle on Daniels Parkway as the primary site for the new [Boston Red Sox spring training stadium](#). University Highlands, located next to Alico Arena, was voted as the secondary site in case problems arise in negotiation with the first site.

On April 20th about 1,000 Estero and south Lee County residents participated in a Town Hall Forum on Red Sox site selection sponsored by Lee County Chairman Ray Judah. A high proportion of those attending wore red shirts and spoke out in opposition to siting the Red Sox on the 4,000 Edison Farms site located east of I-75 in the DR/GR. This turnout probably had some influence on the final decision by the BOCC.

The Estero Council of Community Leaders (ECCL) and many other community and environmental organizations were pleased that the BOCC did not choose the Edison Farms site in spite of the owners continually increasing their contributions to Lee County in order to enhance their chance for selection in spite of the long term costs to the area in water supply and quality, the degradation of the wetlands that enhance our aquifers and the cleanliness of the water flowing into Estero Bay and the habitat needed to protect many endangered plants, birds and animals.

Estero's Housing Permits Continue Very Slow Growth

During March only 5 single family homes with a building value of \$1.35 million were permitted in Estero. This slowdown in construction of new homes should continue to help reduce the inventory of unsold new homes constructed in Estero during 2005 when 2,833 units were permitted.

[Housing units permitted](#) during the first three months of 2009 are comparable to 2008 and far lower than all other years during the 10 years that the County's system has tracked Estero permits. This result reflects the declining trend that began in early 2006, three years ago. The County permitting information used in this report may be found at <http://www.lee-county.com/dcd/Reports/EsteroReports.htm>

The following table shows how 2009 compares with the prior nine years:

Year	Annual Total Housing Units	Building Value of Units	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

Not only are the 2009 total housing units far below all prior years, they equal only 12% of the quantity during 2002, the season immediately following the tragedy of 9/11/2001.

On the other hand the average building value, excluding the land beneath it, continues to increase, up dramatically from all prior years and nearly triple (189% above) the average in 2000. Some of this increase is due to the increase in the single family share of the permitted units.

Permitted Commercial Building Values Continue Slow Increase in March

First quarter Estero building permits of all types continued at a very slow pace. The value of [commercial buildings](#) permitted in Estero during these three months totaled \$4.6 million.

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	?

As the above table indicates Estero commercial development started to expand rapidly in 2004 and peaked in 2006 with a total of \$184.7 million. (All figures are exclusive of the underlying land). Nonetheless, 2007 was still Estero's second highest commercial development year, far ahead of the third place year, 2005, with \$111 million.

From January through March the major projects that contributed to the year to date total are:

\$2.38 million in the [Coconut Point Town Center](#);
\$800,000 for a new bank in the Coconut Trace Center
\$619,000 for Villages of Country Creek Water Storage System
\$328,300 for [Miromar Outlets](#) expansion
\$104,800 for Estero Park Commons

REMINDER: The building values understate the cost of each residence or commercial building because it excludes the value of the underlying land.