

**Estero Development Report**  
 Volume 11, Number 8, Issued April 2012  
 Produced by the Estero Council of Community Leaders (ECCL)  
**For More Information about Estero**  
 ...see [www.esterofl.org](http://www.esterofl.org)

**May Opportunities for Citizen Participation  
 That will Protect Estero's Quality of Life**

<b>Date</b>	<b>Time</b>	<b>Event</b>	<b>Location</b>
Tuesday, May 1st	9 a.m.	Board of County Commissioners Meeting...Conservation 20/20 Program Continuance	Commission Chambers, 2 <sup>nd</sup> Floor, Old County Courthouse, 2120 Main Street in downtown Ft. Myers
Tuesday, May 8th	5:00 p.m.	Estero Fire Rescue Monthly Board Meeting	District Headquarters on Three Oaks just south of Corkscrew
Wednesday, May 9th	5 p.m.	Estero Design Review Committee (EDRC) meeting	Estero Community Park
Friday, May 11th	10 a.m.	ECCL Regular Monthly Meeting...Darla Letourneau, BikeWalkLee will be our speaker	Estero Community Park
Friday, May 11th	1:30 p.m.	Lee County MPO (Transportation Planning) meeting	Cape Coral City Council Chambers, 1015 Cultural Park Blvd, Cape Coral
Monday, May 21st	6 p.m.	Estero Community Planning Panel (ECP) Meeting	Estero Community Park

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**Estero Community Website ([www.esterofl.org](http://www.esterofl.org))**  
**The community groups sponsoring the site are:**  
 Estero Community Planning Panel (ECP)  
 Estero Design Review Committee (EDRC)  
 Estero Council of Community Leaders (ECCL)  
 Estero Community Association (ECA)

## **Corkscrew Woods Seeks Comprehensive Plan Amendment**

On April 23, the Lee County Local Planning Agency (LPA) voted to recommend that the Board of County Commissioners approve a Comprehensive Plan amendment for the Cameratta Properties, Inc.'s proposed Corkscrew Woods development.

Corkscrew Woods is located in the DR/GR, just east of the Bella Terra community on the south side of East Corkscrew Road. As a former mining site, this property for many years has had a vested right to develop 254 residential units. Cameratta Properties wants to increase the number of units up to 800 single family homes, an increase of about 550 units.

After the Estero Community and The Conservancy of Southwest Florida raised concerns about removing the property from the DR/GR, Representatives of Cameratta Properties worked with Lee County staff to draft a proposed Comprehensive Plan amendment to establish an "improved residential communities' overlay" within the DR/GR that apply to Corkscrew Woods and would create a system for Cameratta to pay for the additional density. This would employ a proposed new TDR (transfer of development rights) program that would apply to the property while ensuring that the rezoning of the property includes several important environmental improvements the developer has agreed to implement.

Under the staff proposal approved by the LPA Cameratta Properties would agree to pay \$8,500 per unit for some of the additional units approved for the site. If this TDR option applies to 150 units the developer would pay the County approximately \$1.2 million. According to the approved proposal these funds could be used as seed money for starting the DR/GR TDR program or building a panther underpass on Corkscrew Road.

Corkscrew Woods would be the first proposed Comp Plan amendment since the new DR/GR Comp Plan become law, after an extensive state review after it was challenged by several Corkscrew Road landowners who would like to mine their property.

The basic idea behind this program is that a development within the DR/GR that seeks to increase its density must do so by purchasing development rights from other DR/GR lands that are needed for the restoration of the flowways. For example, a farmer in the DR/BR who is farming 4,000 acres could sell the residential development rights on that land (presently authorized at 1 unit per 10 acres except for wetlands that are authorized at 1 unit per 20 acres), or about 400 units and continue to farm that land.

This proposed Comp Plan amendment will go before the Board of County Commissioners sometime this summer or fall.

## **County Prepares for Trial over Midtowne Estero Zoning**

On April 10, the Lee Board of County Commissioners (BOCC) voted to allocate funds to hire expert witnesses in order to prepare for an upcoming trial with Estero Place LLC, the would-be developers of Midtowne Estero. The Midtowne Estero development is located on the southwest corner of Three Oaks and Corkscrew Road.

The owners of Midtowne Estero are claiming a temporary taking of their property rights when their zoning application was denied in 2008 and later approved in January 2010. They claim their property was in an economically frozen state, unable to be developed, sold or refinanced.

A recently completed court-ordered mediation resulted in Estero Place LLC requesting a settlement of \$2.25 million. The commission declined this proposal.

Back in 2008, Estero Place LLC applied to rezone their property to include a 140,000 square foot big box store on their site. Members of the Estero Council of Community Leaders, Estero Planning Panel, the Brooks Concerned Citizens, Estero Fire and Rescue, and many others spoke in opposition to changing the zoning to allow for a big box store at that location. The BOCC voted unanimously to deny this application after hearing community concerns about traffic circulation around this intersection.

In January 2010, the BOCC reviewed the zoning for this property for a fourth time and voted to limit the maximum size of any commercial building in the development to 100,000 square feet.

## **April Transportation Committee Report**

### **Road Watch Advisory**

The Florida Department of Transportation (FDOT) issued a Road Watch Advisory on April 29 regarding the 6-laning of US 41 from Corkscrew Road to San Carlos Boulevard.

The two northbound lanes, from County Road to San Carlos Boulevard, will shift to the recently constructed lanes on the east side of US 41. County Road is next to the Estero Fire Rescue Station located between Corkscrew Road and Broadway

The southbound traffic will continue to use the two lanes currently in use. While the median is under construction, drivers can make U-turns and left turns only at Corkscrew Road, County Road, Broadway Avenue, Vintage Parkway/Breckenridge Drive, Hickory Drive and San Carlos Boulevard.

Crews are constructing lanes in the median in preparation for the fall 2012 traffic shift. At that time, the two southbound travel lanes will use the new lanes in the median while crews construct the new southbound lanes on the west side of US 41.

Broadway Avenue East is expected to open to traffic by May 5.

### **US 41/Sweetwater Ranch Full Signalization**

A “roundtable” meeting is scheduled on Friday, June 25, with the Florida Department of Transportation (FDOT) to discuss a fully operational traffic light at US 41 and Sweetwater Ranch. While a time has not yet been set, the meeting will be held at the Estero Fire Rescue Administrative offices.

State Senator Benacquisto, FDOT personnel, the Estero Fire Chief, ECCL Transportation Committee members and one representative from each of the affected communities will take part in this discussion. The meeting will also be open to the public.

## **Continuation of Conservation 20/20 Program Returns to BOCC Agenda on May 1st**

On April 17, members of the Estero Council of Community Leaders, Brooks Concerned Citizens, Conservancy of Southwest Florida and a number of others went before the Lee Board of County Commissioners (BOCC) to speak in favor of retaining the Conservation 20/20 Program.

The Program, which is overseen by the Lee County Division of County Lands and Lee County Department of Parks & Recreation, has been under fire recently. The County Clerk of Courts Office has stated that the county has paid too much for some of their land acquisitions, suggested that some of the Conservation 20/20 monies be used for other purposes and that the Program should be put up for a referendum to determine if the voters still want the program.

The BOCC heard from more than 40 members of the public, and then Karen Maguire, Division of County Lands, responded to the Internal Auditor's (IA) recommendations. One of the IA's recommendations suggested appraising properties as only vacant land with no consideration of its future development potential. Staff did not agree with this recommendation as it would put a cap on all properties at a zoning of AG-2 and rural land use. Maguire pointed out that this would lead to a loss of "willing sellers" and the County would lose its ability to acquire environmentally sensitive lands. The Conservation 20/20 program has always dealt with landowners who volunteer their property for possible acquisition.

Maguire also pointed out that the current acquisition staff consists of 2 FTE (Full Time Equivalent) licensed appraisers, 2 FTE licensed brokers, 5 FTE license salespersons and 6 FTE are certified by the International Right of Way Association, the recognized professional association for those involved with governmental real estate. Certification requires at least 5 years of experience in this specialized field with over 240 hours of course work with examinations and continuing education updates. Each employee averages 18 years of experience in governmental real estate.

The meeting lasted nearly four hours. The commission instructed the staff to add to the agenda for Tuesday, May 1, another discussion of the Program, including some of the recommendations made during public comment.

The Estero Council of Community Leaders joined the Conservancy of Southwest Florida, a number of environmental groups and other Estero community representatives signing a letter to the BOCC in support of the Conservation 20/20 program along with some suggestions for enhancing the program in the future.

The 20/20 Program was initiated in 1996 when a majority of voters in Lee County voted to increase property taxes by up to 0.5 mils to fund the purchase of environmentally sensitive lands. Since that time, over 24,469 acres of lands have been purchased, including a portion of the CREW Lands and the Six Mile Cypress Slough Preserve. Conservation 20/20 has ranked Edison Farms as one of its most desirable potential purchases.

## **BOCC Debates Impact Fees**

On Tuesday April 10 the Board of County Commissioners took up the issue of adjusting the county's impact fee schedule. The Board of County Commissioners (BOCC) has the authority to adopt impact fees for a wide variety of capital purposes. The Lee plan requires impact fee be reviewed regularly and updated as necessary. The Board approved a contract last year with Duncan and Associates, Inc. to review and update the existing Impact Fee Schedule.

This year the consultants (Ducan Associates) recommended that the majority of impact fees be reduced and the county staff thus recommended those reductions to the Board of County Commissioners.

However this year a major effort was made by the building and business community to gain BOCC approval for establishing a two year suspension of all impact fees. The building industry claimed that this two year suspension would be a great help to the industry and would create many jobs.

The opponents to the suspension (including the ECCL) claimed that there was no evidence that suspending the impact fees would stimulate new residential or commercial building. During the recession the County's impact fee revenue has fallen precipitously thus sharply curtailing County infrastructure spending. Although a moratorium is not likely to induce more building it would add to the County's fiscal problems.

In addition the opponents claimed that it would create an unfair competitive advantage for new business and home owners compared to existing business and home owners who had to pay the impact fees.

At the BOCC meeting there were many people from the building and real estate industry and a number of people who spoke against the two years suspension, including four from the ECCL. After a great number of speakers the Board of County Commissioner voted unanimously to:

- accept the consultant's report,
- accept the recommendations of staff (with some minor adjustments).

There was no vote on the suspension ---It appeared that there was very little support for this proposal from the commissioners.

## **DR/GR Comp Plan and Mining Litigation Update**

Ralf Brookes, the attorney who has been representing the ECCL, The Brooks Concerned Citizens (BCC), the Conservancy and the Corkscrew Rural residents, reported to the members of the ECCL at their April 11<sup>th</sup> ECCL meeting.

### **DR/GR Comp Plan Legal Challenge**

The Florida Department of Economic Opportunity recently agreed with an Administrative Law Judge's decision that Lee County's Comprehensive Plan meets the state's standards of protecting our water resources in the DR/GR by confining all mining to the Alico Road corridor. With this decision all of the provisions of the DR/GR Plan become law.

As a result of this decision the pending Corkscrew Road mine applications, primarily for the 5,000 acre FFD application and the 6,000 acre Old Corkscrew Plantation application have been placed in reserve until all of the limerock in the Future Limerock Mine Overlay along Alico Road has been produced or the Overlay has been amended.

Brookes stated that the administrative law judge, in making his decision, had noted that:

- Mines adversely affect wildlife because they replace wetlands with open mine pits. A panther must go around a pit; it cannot go through it. Also, there are no living plants near mine pits, which are vital to wildlife.

### **Lost Grove Mine**

Regarding the Lost Grove Mine, Brookes pointed out that people planning on testifying before the Collier County Board of Commissioners should talk about how the mine would personally affect them and/or their neighborhoods. They should also refer to the USGA study which forecast how much rock will be needed in the future and that lime rock use has declined due to the economy. There is no date set for this hearing.

Mines affect neighbors due to the blasting and heavy truck traffic, as well as replacing natural landscapes with industrial landscapes.

Brookes pointed out that berms around a mine are a benefit to the miners as the berms allow them to operate behind closed doors. There is too little oversight once a mine has been approved, as there are only a handful of inspectors available.

### **Proposal to Change the Lee Board of County Commissioners**

A petition is currently being circulated for a proposed Lee County charter amendment to be placed on the ballot this November. The petition is requesting a change in the composition of the Board of County Commissioners (BOCC). The Brooks Concerned Citizens believe that this proposed change is not needed and if passed will reduce Estero's access to and influence on the Lee County Commissioners.

With the current makeup of the BOCC, all Lee County voters cast ballots for all five of the commissioners. While each Commissioner must reside in one of the five geographic district issues, they are responsible to all Lee County voters and are thereby held accountable for decisions affecting all of Lee County. All Commissioners run at large and are politically responsible to all Lee County residents and voters.

Currently we have access to each commissioner and they recognize the importance of Estero because of our high level of voter participation and solid support for candidates that support Estero's needs.

The petitioners are proposing an increase in the size of the BOCC from five to seven members. Under the proposal five commissioners would be elected by district and therefore be politically accountable only to the residents of their district.

The remaining two commissioners would be elected at large by all of the voters in Lee County. This means that if the proposed charter amendment passes we would vote for only three commissioners rather than all five as we do currently. This amendment, if passed, would also add an estimated \$500,000 to the Lee County budget in order to pay for the salary and benefits of two additional commissioners, their offices and staff. ECCL's leadership believes this proposal would not benefit the Estero community today.

### **Lee County Commissioners Consider Bonita Springs Ambulance Proposal Again**

As previously reported, on October 25, 2011, the Lee County Board of County Commissioners (BOCC) heard from proponents and opponents of the Bonita Springs Fire and Rescue Service (BSFD) proposal to assume responsibility from Lee County [Emergency Medical Services](#) (EMS) for patient emergency ambulance transportation from Bonita Springs to area hospitals. Lee County EMS is opposed to this proposal. Originally, the parties agreed to jointly retain a hearing examiner and a forensic auditor to evaluate the divergent positions and cost estimates. In subsequent meetings, that approach was abandoned.

On April 10, the BOCC reconsidered this issue and voted 3-2 against granting the BSFD request to transport. However, the law now requires another public hearing. The public will have another opportunity to appear before the BOCC on May 22 at which time a final resolution is expected.

The ECCL has not taken a position on this matter at this time because we believe that the proposal if implemented would not significantly affect Estero residents, and we believe that both positions have merit.

### **Continued Progress at Bonita Springs Estero Economic Development Council**

The Bonita Springs Estero Economic Development Council ("Council") recently celebrated its first year in operation by holding its first Annual Meeting of investors. The meeting was held at Shaw Development...a local manufacturer that has been successful at expanding its business into foreign markets. Attendees participated in a tour of Shaw's factory operation.

Council Chair Rich Mancini and Executive Director Christine Ross outlined the Council's activities and accomplishments in its first year. Attendance included Ben Nelson, Bonita Springs' mayor, Lee County Commissioner Ray Judah, and other supporters from the City and Lee County's Economic Development Department. Investors were well represented, including the ECCL. A number of potential investors also participated in the meeting which allowed them to better understand the Council's mission and its successes over the past year.

The successes include creation of the web site, [www.BonitaEDC.com](http://www.BonitaEDC.com), which includes a wealth of information on the local area. And the Council is now regularly receiving calls and following up on leads from interested businesses considering relocation. In addition, a close working relationship has been achieved with the Director of Development Services in Bonita Springs. This has helped to streamline the permitting process with the City, Bonita Springs Fire and Rescue, and Bonita Springs Utilities, thereby facilitating business growth.

On April 4, the Bonita Springs City Council approved additional Council funding of \$10,500, which matched new investments from local businesses. New investors include Estero businesses: the Bonita Community Health Center and Ted Todd Insurance.

On April 24, the Council issued a press release urging voters to speak before the Lee County Board of Commissioners on May 22. At that time, the Commissioners will decide whether to call for a special referendum election in November to allow Lee County voters to vote whether to allow slot machines at the Naples-Fort Myers Greyhound Track. The release points out that should the voters approve the slots, “the owners of the dog track have indicated they will invest \$80 - \$100 million in improving the current facility.” This would mean hundreds of construction and long term jobs and would benefit the local economy year-round.

Over the next several months, Council representatives will be interviewing a number of local businesses to see what can be done to assist the businesses to grow and make Bonita/Estero even more business-friendly.

### **Estero’s March Housing Permits Slow but Quarterly Permits Highest in Last Five Years**

During March, fourteen [single family homes](#) with a building value of \$1.4 million were permitted in Estero. This number is less than each of the first two months of the year and about the same as March a year ago. But, on the strength of higher permits in January and February this year, the quarterly figures, shown in the table below, are about 70% ahead of last year’s first quarter.

All of the March permits were issued to Lennar’s Bella Terra on Corkscrew Rd.

The following table compares March year-to-date figures with those of the prior twelve years:

<b>Year</b>	<b>Annual Total Housing Units</b>	<b>Building Value of Units</b>	<b>Average Building Value Per Unit</b>	<b>Percentage of Single Family Units</b>
<b>2000</b>	506	\$68,142,696	\$134,669	41%
<b>2001</b>	584	88,114,145	150,880	42
<b>2002</b>	292	55,956,255	191,631	60
<b>2003</b>	532	77,905,904	146,440	32
<b>2004</b>	371	74,011,015	199,491	73
<b>2005</b>	883	168,168,623	190,451	37
<b>2006</b>	569	119,676,682	210,328	15
<b>2007</b>	218	56,648,641	259,856	33
<b>2008</b>	40	13,791,205	344,780	90
<b>2009</b>	36	14,016,521	389,348	78
<b>2010</b>	58	11,319,925	195,171	79
<b>2011</b>	36	5,837,350	162,149	78
<b>2012</b>	62	9,689,103	156,276	84

**Estero's March Commercial Permits Includes  
A Large Investment by Goodwill Industries**

During March, permits totaling \$ 1.3 million were issued for Estero's [commercial buildings](#). This includes a \$ 1.0 million investment by Goodwill Industries in the Corkscrew Commons development on the north side of Corkscrew just west of I-75. The year-to-date total, shown in the table below, slightly exceeds the first quarter of 2011 despite a \$ 2.1 million investment for Cayo de Estero in January, 2011.

As shown in the following table, Estero's commercial development peaked in 2006 with a total of \$185 million. Since then, total commercial investment in Estero has fallen precipitously and has remained especially low for the last five years.

<b>Year</b>	<b>Year to Date</b>	<b>Annual Total</b>
<b>2000</b>	\$6,493,092	\$77,250,835
<b>2001</b>	12,714,570	44,116,526
<b>2002</b>	2,377,297	23,135,139
<b>2003</b>	3,348,635	23,234,725
<b>2004</b>	2,556,018	60,859,820
<b>2005</b>	7,209,706	111,037,977
<b>2006</b>	68,428,727	184,709,240
<b>2007</b>	49,358,941	157,614,045
<b>2008</b>	18,837,360	39,261,677
<b>2009</b>	4,575,618	9,752,556
<b>2010</b>	411,276	9,322,546
<b>2011</b>	3,877,089	11,717,593
<b>2012</b>	3,982,640	?

There have been two major projects permitted so far in 2012: \$1.0 million for some remodeling within Coconut Point and the \$1.0 million for Goodwill Industries.

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

The County permit information used in this report may be found at <http://www.lee-county.com/dcd/Reports/EsteroReports.htm>

**April Estero Single Family Home Sales Decline;  
Year to Date Sales Off 11%**

Multiple Listing Service (MLS) figures indicate that twenty-nine single family homes in Estero were sold in April. As shown below, this represents a 42 % decrease from a year ago. For the year-to-date, sales are down 11 %. After January's strong start, the last three months have

shown negative comparisons with the equivalent months in 2011. Over the next month, the ECCL will be working with Joe Pavich, Sr. to better understand this trend.

<b>Period</b>	<b>Sold in 2011</b>	<b>Sold in 2012</b>	<b>Inc (Dec)</b>	<b>Inc (Dec) %</b>
<b>Jan</b>	23	58	35	152%
<b>Feb</b>	45	21	(24)	-53
<b>Mar</b>	39	32	(7)	-18
<b>Qtr 1</b>	107	111	4	4
<b>Apr</b>	<b>50</b>	<b>29</b>	<b>(21)</b>	<b>-42</b>
<b>YTD</b>	<b>157</b>	<b>140</b>	<b>(17)</b>	<b>-11</b>
<b>May</b>	27			
<b>June</b>	28			
<b>Qtr 2</b>	105			
<b>YTD</b>	212			
<b>July</b>	26			
<b>Aug</b>	31			
<b>Sept</b>	24			
<b>Qtr 3</b>	81			
<b>YTD</b>	293			
<b>Oct</b>	16			
<b>Nov</b>	21			
<b>Dec</b>	24			
<b>Qtr 4</b>	61			
<b>Year</b>	354			

As of April 30, 2012, there were 384 listings of currently active unsold homes in Estero. This is 10 % more than at the beginning of the year, but is down 38 units (9%) since the end of March. This month's decline is attributable to some snow birds that take their units off the market when they leave to go north.

Of the 384 active listings, about 18% represent "distressed sales," i.e., short-sale listings or bank owned properties which, in each case, the bank is expected to receive less than its loan amount. This percent is unchanged from the end of last month.

Based on sales in the recent past, the 384 active listings represent an eleven month supply of unsold homes, down from a twelve month supply at December 31, 2011. A six month supply typically indicates a good market. Comparable figures are not available as of last April. Thanks again to Joe Pavich, Sr. of Realty World in Estero for compiling these figures for the ECCL.

Note: These amounts include most of Estero, but do not include the Estero portion of Pelican Landing, which is not separately listed in the MLS. Also, none of the above amounts include listings of multi-family homes.