

Estero Development Report
 Volume 10, Number 5, Issued December 2010
 Produced by the Estero Council of Community Leaders (ECCL)
For More Information about Estero
 ...see www.esterofl.org

**January Opportunities for Citizen Participation
 in Protecting Estero's Quality of Life**

Date	Time	Event	Location
Thursday, January 6 th	4:30 to 6:30 p.m.	Florida Department of Transportation (FDOT) Public Forum on Widening US41 North of Corkscrew Road	Estero Community Park
Tuesday, January 11 th	6:00 p.m.	Estero Fire Rescue Meeting	Estero Fire Rescue Headquarters
Wednesday, January 12 th	5 p.m.	Estero Design Review Committee (EDRC)	Estero Community Park
Friday, January 14 th	9 a.m.	Estero Council of Community Leaders (ECCL) Guest Speaker Commissioner John Manning	Estero Community Park
Thursday, January 20 th	9 a.m.	Troyer Brothers Mine Hearing before the Lee County Hearing Examiner	2 nd Floor Hearing Room, 1500 Monroe Street in downtown Ft Myers
Friday, January 21st	9:00 a.m.	Metropolitan Planning Organization (MPO)	Regional Planning Commission, 1926 Victoria in downtown Ft Myers
Monday, January 24 th	6 p.m.	Estero Community Planning Panel (ECP)	Estero Community Park
Tuesday, January 25 th	9 a.m.	Troyer Brothers Mine Hearing before the Lee County Hearing Examiner	2 nd Floor Hearing Room, 1500 Monroe Street in downtown Ft Myers
Wednesday, January 26 th	9 a.m.	Troyer Brothers Mine Hearing before the Lee County Hearing Examiner	2 nd Floor Hearing Room, 1500 Monroe Street in downtown Ft Myers
	6:00 p.m.	Joint Fire Rescue Meeting on Bonita, Estero and San Carlos District Consolidation	Estero Fire Rescue Headquarters

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Estero Community Website
The community groups sponsoring the site are:
Estero Community Planning Panel (ECP)
Estero Community Association (ECA)
Estero Design Review Committee (EDRC)
Estero Council of Community Leaders (ECCL)

Florida Department of Transportation (FDOT)
Public Information Program on the
Widening of US 41 from Corkscrew Road to San Carlos Park

On Thursday, January 6th from 4:30 to 6:30 p.m. FDOT will sponsor a Public Information Program at the Estero Community Park on the widening of US 41 from Corkscrew Road to San Carlos Park. The public is invited to attend.

The FDOT project team will be available to discuss the project in detail and to answer all your questions about how the project will impact your community or business.

The contract for the project has been awarded to Russell Engineering. Russell is a Fort Lauderdale based highway construction firm founded in 1956

Construction is expected to begin about January 15th.

The Bonita Community Health Center (BCHC) Extends Its Hours

On December 6th the leadership of the Bonita Community Health Center (BCHC) notified the South Lee County Hospital Committee that their Board had approved longer hours for the BCHC Walk-in Clinic starting in early January 2011. This was one of the recommendations of the Steering Committee, that included 3 community representatives, set up by the BCHC Board.

At that time BCHC indicated that they were planning to open the Center each weekday morning at 7 a.m. and asked the Committee to suggest when they should close in the evening and how those hours should vary from "season" to "summer". In response to that request the Committee surveyed the members of the South Lee County Hospital Committee, several community service organizations and Estero's residential communities. Many responses were obtained and summarized and reported to BCHC in a short period so that the new policy could be implemented in early January.

As a result of this effort BCHC announced on December 22nd that they would increase their hours to 7 a.m. to 7 p.m. from Monday through Friday and continue to be open on Saturday from 8 a.m. to 1 p.m. and on Sunday from 8 a.m. to noon commencing Monday, January 17th. This represents a increase of 3 hours per day from Monday through Friday. If the community responds favorably to this change, the policy will continue throughout the entire year, season and summer.

Background

On September 16th the Freestanding Emergency Department Steering Committee created by NCH and Lee Memorial Health Systems met for its final meeting. The meeting commenced with a discussion of the financial projections for the 24/7 Freestanding EDR for the next five years.

During the many months that the Steering Committee met the financial analysis changed from modifying the Bonita Community Health Center (BCHC) to construction of a new facility on adjacent property owned by the Lee Memorial Health System. The estimated cost of this new facility is \$11.2 million. As a result the estimated annual cost of operating the ER includes about \$550,000 in interest cost (at 5%) and \$700,000 in non-cash depreciation cost. The combination of these two costs represents \$6.2 million out of a total estimated five year loss of \$8.6 million. The estimated cash flow of the project during the five years is a net outflow of \$5 million, over half of which is the cost of financing the facility.

At present Lee Memorial and NCH Health Systems provide virtually all the Emergency health care of the Bonita /Estero community. As a result in the short run all Emergency Health Care service provided by the proposed 24/7 ER causes other Lee Memorial/ NCH Emergency facilities to lose business and revenue. As a result the financial analysis provided to the Committee estimated this loss at about \$15.5 million during the first five years that the facility is in operation. This creates a great short term disincentive for the two systems to pursue a new Free-standing ER in the Bonita/Estero community. The analysis did not look at the long term needs for additional Emergency Health Care capacity over the next decade and beyond, especially in areas like Bonita/Estero that are remotely located from the existing ER facilities.

In conclusion the two health care systems agreed to take the financial analysis to their leadership to see what might be done to address the needs of the south Lee County communities. They spoke about extending the hours of the BCHC but did not commit to a specific plan for a Free-standing ER nor a hospital for the area, although the representatives of the community indicated that specific plans would be necessary for the community to help finance the construction of a 24/7 Free-standing ER.

The community members involved in the Steering Committee effort are disappointed that, due to various circumstances, the creation of a hospital in our immediate area has been delayed for a while. We are assessing our options but may find ourselves in a position of redefining our goal from being concerned about when the hospital happens... to being sure that plans are in place to make sure that it will definitely happen as soon as possible.

Troyer Brothers Mine Battle Continues On January 20th

With hearings on December 7th, 8th, and 9th the Troyer Brothers Mine hearing now has gone on for six days. During the first six days of public hearing we've had excellent support by the public with more than 65 residents from Estero, rural Corkscrew and Lehigh speaking in opposition to this project. However the attorney for the applicant has resisted allowing some factual testimony by several public and expert witnesses, especially as it relates to evidence questioning the need for additional rock mines in Lee County.

However, if we are to continue our past successes it is essential that we have as many residents as possible speak in person at the public hearing so that they can testify when the County Board hears the case. As has been done in prior cases, the last hour or so of each hearing day is set aside for public comment.

The Hearing has been scheduled for three more days, January 20th, 25th and 26th. The hearing takes place at the Hearing Examiner's Meeting Room – 2nd Floor, 1500 Monroe Street in downtown Ft. Myers. Some of these dates may be cancelled if they are not needed to finalize the case. Thus we would urge those of you who have not testified to set aside some time on the afternoon of January 20th to travel to downtown Ft. Myers to testify. You may find some talking points at the following webpage... <http://esterofl.org/Issues/mining.htm>

Lee County Staff has issued a recommendation of DENIAL of the Troyer Brothers Mine application, finding it inconsistent with the Lee Plan, incompatible with surrounding uses, failing to protect natural and environmental resources, and failing to meet traffic standards.

Background

On November 17th a Lee County Hearing Examiner began consideration of another Corkscrew Road mining application; the third application to proceed through the County's rezoning process in the last 3 years. This project is called "Troyer Brothers Excavation" and would rezone 1,803 acres from Agriculture District (AG-2) to Mine Excavation Planned Development (MEPD) to allow mining activities including administrative offices and rock crushing operations. A 110 foot maximum mine depth is proposed with a mine duration is 35 years. In addition blasting and dewatering are proposed. At over 1,800 acres, this is the largest mine yet proposed for the DR/GR area.

**Over 50 Estero residents testified against each of the last two Corkscrew Road mines
...we look forward to your support once again.**

This is the first mine application to be heard using the revised Lee County Mining Code adopted by the BOCC on September 9, 2008.

In June 2010 the Board of County Commissioners (BOCC) voted unanimously to deny zoning for the 1,365 acre RCH mine on east Corkscrew Road after 22 days of Hearing by a County Hearing Examiner who recommended approval of the mine. This mine would have produced an

average of 3,000 round-trip truck trips per day for the next 30 years. As a result of a court order this mine was heard under the old, far less stringent County mining regulations.

On June 16, 2008 the BOCC voted unanimously to deny zoning for the 318 acre Estero Group mine located about 7 miles east of I-75 on Corkscrew Road after a then record 17 days of Hearings before a Lee County Hearing Examiner.

As in the RCH Mine case the lawyers for Troyer Brothers have asked to have someone other than Lee County's Chief Hearing Examiner Diana Parker hear the case. In the RCH Case Judge Parker agreed to step aside and the case was assigned to an Assistant Hearing Examiner with no experience in such matters.

This time Lee County raised objections to this motion and a hearing was scheduled for November 2nd. Hearing Examiner Diana Parker denied the applicant's motion that she recuse (remove) herself, however she left the door open by saying that the applicant could restate their motion at the time of the hearing "should she be the Examiner assigned to the case". As of now, she has not made that assignment.

Unlike the recent RCH mine hearing which proceeded by Court order, the Troyer Brothers application has met the County's sufficiency requirements under the new Chapter 12 Mining standards of the Land Development Code adopted by the BOCC in late 2008. These guidelines are quite stringent in terms of water modeling and monitoring.

The proposed Troyer Mine is located outside of the "Preferred Mining Area" overlay map which is part of the pending DR/GR Comp Plan Amendment. But because of the pending status, it will not be considered by the HEX in this case.

The Troyer Mine property has an existing unpaved access road entrance on Corkscrew Road; however the applicant is not proposing use of this entrance for dump trucks "at this time".

December Progress on the Renewal of the Estero Community Plan

It has been ten years since the Estero Community launched its community planning effort, eight years since the existing Plan was adopted by the County Board and five years since the Board last updated the Estero Chapter of the County Land Development Code.

Since then the Estero Community Planning Panel (ECP) has been intensively involved with the zoning of a large number of developments that include most of the land along the US 41 and Corkscrew Road commercial corridors. In addition the Estero Design Review Committee (EDRC) has influenced the architecture, site plan, landscape and appearance of scores of projects located in these developments.

Meanwhile Estero has tripled in population and property used for commercial purposes has increased fourfold from less than 1,000,000 square feet to 4,500,000 square feet in spite of the sluggish market that has persisted for the last four years.

This economic slowdown presents the ECPP and the community with an outstanding opportunity to reevaluate and update our Community Plan and the Land Development Code provisions specific to Estero.

ECPP/EDRC Planning and Priority Setting Meeting

On December 20th the members of the ECPP and EDRC met to discuss the Dicken's Report on the Community Planning Workshop along with members of the public and County Planning staff. Under the leadership of Kathy Ebaugh of the Lee County Community Development Department, the Joint Committee and the public discussed the 13 major community planning areas that the participants at the Community Workshop identified as in need of change. The discussion resulted in five areas being designated as High Priority areas, three as Medium Priority and five as Low Priority.

The Joint Committee further identified the key elements and features within each area that need to be addressed; how difficult it will be to make each change; how long it will take to implement each change and what organization(s) should be responsible for addressing the needs of each area.

These factors often had an influence on the priority assigned to an area by the Joint Committee. If an area is very difficult, will take a long time or is very expensive it may be assigned a lower priority even though it would greatly benefit the community.

The five High Priority areas identified by the Joint Committee are as follows:

- What architectural style or styles should be required by the community? How should those styles be defined and where should they be permitted within the Estero Community Planning area?
- What changes are needed in the existing sign standards? How should administration of the Estero sign ordinance be changed?
- How can Estero be made more pedestrian and biker friendly? Where are the existing bike/ped deficiencies and what needs to be done to remedy these deficiencies? How can Estero's attractions be made more pedestrian and bicycle accessible?
- How can the Estero River and Estero Bay be made more accessible to the public, no matter their mode of transportation...on foot, biking and by boat? How can golf course ponds and retention ponds be made more accessible?
- How can Estero's relationship with Florida Gulf Coast University (FGCU) be improved and broadened to the benefit of both the community and the University? How should the Estero community reach out to the University? How should a continuing liaison between Estero and FGCU be established?

The Medium Priority areas identified by the Joint Committee are as follows:

- How can the Community Plan be amended to encourage the development of a historical district east of US41 between Corkscrew Road and Broadway, especially including the Highlands Avenue area? How can the older commercial developments that were built before the Community Plan was adopted be improved so that they are compatible with the surrounding developments as they are built in conformance with the plan? What incentives should be developed to help achieve these objectives?
- How can the connectivity of each mode of transportation be improved within each development and between adjacent developments along our major roadways?
- How can Estero's parks and preserve areas be made more accessible and connected to one another and to the River and Bay? Are there additional properties that need to be developed as park and recreation areas in order to better link the system of parks and open space?

The Low Priority areas identified by the Joint Committee are as follows:

- How should the Community Plan be amended to provide for gateway features at the major roadway entrances to Estero? How many and where should these gateway features be located? What theme should guide the features and elements included the gateways?
- What kind of mass transit facilities does Estero need ... rail, bus rapid transit, local transit connecting various shopping venues, water ferries etc? Where should they be located? How can they be made accessible for pedestrians, bikers and drivers?
- How can Estero attract more businesses to occupy its undeveloped commercially zoned land? How can Estero diversify its economy so that it is less reliant on tourism and retail?
- Should the Community Plan be amended in order to provide for a town center? If so, where should it be located and what should it include?
- Should the Estero Community Planning boundaries be changed? If so where should they be changed?

The Dicken's Report on the Community Planning Workshop will soon be added to the ECPP website at... <http://esterofl.org/ecpp/index.htm>

Next Steps

Lee County has budgeted \$150,000 for community planning grants during the present fiscal year which began on October 1, 2010. County Planner Ebaugh indicated that the ECPP should convert the above outline of changes into a Work Plan to be submitted to the County in order to obtain a community planning grant of up to \$50,000. That grant and an equal amount of local matching funds will be needed in order for the ECPP to employ the professional assistance necessary to prepare amendments to the Community Plan and Land Development Code that incorporate the changes that the community decides it wants the County Board to approve.

“Village with a Vision/2011”

The original “Village With A Vision” was developed in 2003 to better inform all Estero residents, both full time and “snowbirds” about the history and recently adopted Estero Community Plan. At that time many new residents did not know they lived in Estero because they were served by the Bonita Springs Post Office and because the community was growing rapidly and most residents were newly arrived.

During 2003-05 the program was presented over 30 times to a cumulative audience of 3,000. Since then another 20,000 persons have settled in Estero at least part of the year.

Estero’s all volunteer community organizations, the Estero Council of Community Leaders (ECCL), the Estero Community Planning Panel (ECP) and the Estero Design Review Committee (EDRC) are seeking an opportunity to present a new, updated version to all Estero residential community and service organizations during the upcoming “season”.

“Village with a Vision/2011” opens with an information-packed 40-minute Power Point presentation that graphically portrays:

- How the community’s tremendous growth was managed during the last decade through widespread citizen participation, and
- The challenges that the community and its volunteers must deal with during the coming decade, and
- How all Estero residents can participate in this all volunteer undertaking.

A question & answer period with a panel of community leaders follows the presentation.

The program focuses on the Community Plan and how its provisions impact Estero’s commercial development and enhance the community’s appearance and how our infrastructure and emerging community needs are satisfied as the community grows.

The Naples Daily News has editorially hailed Estero as, “The little engine that could,” in recognition of its citizen-initiated Community Plan. The Plan has been honored as best in the state by the Florida Planning & Zoning Association. The Village with a Vision program has been universally hailed as a modern model of America’s traditional “town hall” meetings - an example of community self-determination in deciding its future.

We encourage you to ask your community board to select a time and date for a meeting in your community and email that information to Don Eslick, ECCL Chairman, at doneslick@comcast.net.

A draft of the Village with a Vision/2011 power point presentation can be viewed on Estero’s website at <http://esterofl.org/new/>.

The Long Range Transportation (2035) Plan Adopted by the MPO

If a road project is not in the Long Range Transportation Plan (LRTP) it cannot be built. When Federal legislation was approved to allocate \$10 million to the Coconut Road/I-75 Interchange it could not be built until the project was added to the LRTP. The Estero community rose up and defeated that road by successfully fighting for years to keep it out of the LRTP.

Every five years the Lee Metropolitan Planning Organization (MPO) is required to update the LRTP and extend it for at least the next 20 years, this time through 2035. In Lee County transportation planning is performed by the MPO, a panel of 17 members consisting of public officials from Lee County (all 5 Commissioners) and the five Lee County municipalities.

The planning process consists of two steps:

- Step one, the “Needs Plan”, involves projecting the demographic and development changes that will occur during the planning period and the transportation needs that they require.
- The second step, the “Fiscally Feasible Plan”, requires estimation of transportation revenues from all sources, local, state and Federal and how they should be allocated to the needed facilities.

The 2035 Needs Plan

On October 22nd the MPO adopted a 2035 Needs Plan that is consistent with Estero’s needs. It contains the following Estero projects:

- Corkscrew Road six laning from Three Oaks Parkway to Ben Hill Griffin
- The Corkscrew Road/I-75 Interchange widening and reconstruction
- Three Oaks Parkway six laning from Coconut Road to Estero Parkway
- Sandy Lane from Corkscrew Road to Estero Parkway, a new two lane road
- Via Coconut Point from the south end of Coconut Point to Old 41 in Bonita Springs, a new four lane segment.

In addition the Needs Plan removes two projects that Estero has long opposed:

- The Coconut Road/I-75 Interchange and its associated approaches, and
- County Road 951 (CR951), a four lane roadway that would run parallel to I-75 through the environmentally sensitive Density Reduction/Groundwater Resource (DR/GR) area on the east side of I-75.

Removing CR951 from the Needs Plan was one of three controversial decisions that the MPO decided in approving the Needs Plan. In the end the MPO voted 12 to 2 in favor of removing CR951 after a concerted effort by the City of Bonita Springs to keep it in the Needs Plan.

Eliminating CR951 accomplishes several community goals:

- lowers the cost of the 4,000 acre Edison Farms acquisition and restoration;
- preserves wetlands that store and clean rains that flow from the middle of the state through the DR/GR and into our rivers and streams and ultimately into Estero Bay
- reduces the threat of flooding for Estero,

- increases the region's water supply, and
- preserves Estero Bay as a tourist attraction.

The 2035 Financially Feasible Plan

On December 8th the MPO adopted the 2035 Financially Feasible Plan and denied all attempts to amend the 2035 Needs Plan. The proposed Financially Feasible Plan contains far fewer projects than the Needs Plan inasmuch as only \$2.1 billion is estimated to be available between now and 2035 while the cost of the Needs Plan are estimated to total \$6.4 billion.

As a result none of the new Estero road projects listed above are funded in the approved 2035 Financially Feasible Plan. However MPO staff recommended that funding of the Corkscrew/I-75 Interchange reconstruction be considered at the Joint Collier/Lee County MPO meeting in March, 2011 when the Regional Priority list for the State Intermodal System Discretionary Funds is updated. Since the Corkscrew Interchange is part of this state system it should be financed with State and Federal funds, not local funds.

Funding for Corkscrew/I-75 will probably be added to this list and accelerated as a result of FDOT's unexpected announcement that the County will be receiving over \$600 million of these funds during the coming year. The ECCL will continue to pursue funding for this important project because it must be built before Corkscrew Road can be six-laned from Ben Hill Griffin to Three Oaks Parkway.

The 2035 Plan will now be forwarded to FDOT and the Federal Highway Administration for their approval.

Earlier Discussion

On November 19th the MPO heard the staff recommendations and took public input regarding the 2035 Financially Feasible Plan. At this meeting the ECCL urged the MPO and FDOT to reevaluate the underlying demographic and development projections that were used as the basis for failing to fund the Corkscrew/I-75 Interchange and the widening of Corkscrew Road surrounding this interchange. The testimony pointed out that Estero has about 7.5 million square feet of unbuilt commercially zoned land that will be served by this interchange, mostly before 2035.

MPO and FDOT staff pointed out that the Corkscrew/I-75 Interchange is part of the State's Strategic Intermodal System (SIS) and therefore must compete statewide for Federal and State funding.

Commissioner Manning asked the MPO staff to continue the consideration of these projects until the December 8th meeting when a final decision will be made on the Financially Feasible Plan by the MPO. Continued pressure from the community may result in some seed money being provided for these projects and/or their being added to the priority list for future economic stimulus or other unbudgeted funds.

On October 26th the MPO presented the draft Financially Feasible Plan at a Public Hearing in the Three Oaks Banquet Center in Estero. In recent years the primary sources of transportation funding have declined significantly. Federal and State fuel taxes started to shrink even before the economy became soft due to the impact of high fuel prices and expanded use of more fuel

efficient vehicles. In Florida most County and municipal transportation funds come from road impact fees. In Lee County these funds are down about 90% in recent years due to the decline in the real estate market.

Estero’s Housing Permits Continue Extremely Slow Pace

During November, eleven single family homes with a building value of only \$2.5 million were permitted in Estero. Most of the permits this month were for lesser-priced homes in The Reserve of Estero. At least the slowdown in new home construction is helping to reduce the inventory of unsold new homes constructed in Estero during 2005 when 2,833 units were permitted.

Housing units permitted on a year-to date basis during 2010 are up modestly over the two prior years, but the figure remains far below the comparable figures for 2000-2006 and equals only 12% of the figure during 2002, the season immediately following the tragedy of 9/11/2001. In addition, the average building value, exclusive of land, has fallen precipitously this year to compete with the lower priced homes on the market.

Of the 141 single family homes (building value of only \$26 M) permitted so far this year, 60% of the permits have been issued to Lennar’s Bella Terra, on Corkscrew, east of I-75. The two Toll Brothers’ developments (Belle Lago and The Reserve of Estero) on Estero Parkway have contributed another 28% of the total.

The following table shows how the first eleven months of 2010 compares with the same period of the prior ten years:

Year	Annual Total Housing Units	Building Value of Units	Average Building Value Per Unit	Percentage of Single Family Units
2000	1,956	\$274,917,477	\$140,551	42%
2001	2,070	318,309,650	153,773	47
2002	1,418	265,574,765	187,288	50
2003	1,365	219,137,397	160,540	46
2004	1,485	328,019,837	220,889	62
2005	2,699	600,971,677	222,665	47
2006	1,268	330,712,219	260,814	39
2007	428	121,212,530	283,207	37
2008	144	49,233,767	341,901	81
2009	150	45,948,311	306,322	77
2010	177	36,167,371	204,335	80

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

Estero’s Permitted Commercial Building Values Remain Low

During November, permits totaling \$1.6M were issued for Estero commercial buildings. This included investments in the new Chase bank in the Corkscrew Village Shopping Center,

remodeling at Coconut Point and the Meadows of Estero. Although \$1.6M is low by historical standards, at least it is the second best month in the last 21 months.

As shown below, Estero's commercial development started to expand rapidly in 2004 and peaked in 2006 with a total of \$184.7 million (excluding the land values). Since then, total commercial investment in Estero has fallen precipitously. For the first eleven months year-to-date, the value of [commercial buildings](#) permitted in Estero totaled only \$8.8 M, the smallest year-to-date total on record.

Year	Year to Date	Annual Total
2000	\$76,434,302	\$77,250,835
2001	37,087,252	44,116,526
2002	23,095,139	23,135,139
2003	19,057,328	23,234,725
2004	59,806,230	60,859,820
2005	82,721,406	111,037,977
2006	180,995,072	184,709,240
2007	155,487,478	157,614,045
2008	38,765,644	39,261,677
2009	9,545,879	9,752,556
2010	8,836,508	?

Through November, the major projects that have been permitted in 2010 are:

- \$4,147,000 in the [Coconut Point Town Center](#)
- \$1,875,000 for [Miramar Outlets](#) expansion
- \$1,200,000 for the Lee County Corkscrew Road wellfield
- \$909,000 for [Meadows of Estero](#)
- \$800,000 for a new bank in the [Coconut Trace Center](#)
- \$619,000 for [Villages of Country Creek Water Storage System](#)
- \$500,000 for the new Chase Bank on Tamiami
- \$400,000 for [Wildcat Run Country Club](#)
- \$258,000 for remodeling [Bonita Health Center](#)
- \$248,000 for Hyatt Equities
- \$202,000 for The [Brooks Town Center](#)
- \$128,000 for [Corkscrew Palms](#)
- \$104,800 for [Estero Park Commons](#)

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

