Estero Development Report

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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/

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

Date	Time	Event	Location
Tuesday,	5 p.m. Monthly Meeting of the Estero Fire Rescue District.		Estero Fire Rescue
March 10th		For further information see http://esterofire.org/	Headquarters Three Oaks Parkway south of Corkscrew
Wednesday, March 11th	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, March 13th	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, March 16 th	9:30 a.m.	Board of County Commissioners Final Review of rezoning the LeeComm Commercial Planned Development located at 19976 US 41	Council Chambers, 2 nd Floor, 2110 Main Street in downtown Ft. Myers
Monday, March 16 th	6 p.m.	Estero Community Planning Panel meeting. See the full agenda at http://esterofl.org/ecpp/ecpp_meetings.htm	Estero Community Park
Tuesday, March 17 th	9:30 a.m.	BOCC review of Red Sox Screening Committee site recommendations for further negotiation	Board Chambers, 2 nd Floor, 2110 Main Street in downtown Ft. Myers
Thursday, March 19 th	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
Friday, March 20 th	9 a.m.	Joint Lee – Collier County Metropolitan Planning Organization (MPO) MeetingFor the agenda see http://www.mpo-swfl.org/agendas.shtml	Bonita Springs City Hall
Tuesday, March 24 th	9:30 a.m.	BOCC Review of Special Magistrate Recommendations on the Midtowne Estero development located at Three Oaks and Corkscrew	Commissioner's Chambers, 2 nd floor, 2110 Main Street in downtown Ft. Myers
Saturday, March 28 th	11 a.m. to 6 p.m.	Arts Estero 2009, an Estero Community Celebration with stage performances, artist exhibits and food vendors and more	Estero Community Park

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Estero Community Website

During 2008 about 82,000 persons visited this site to learn about Estero.

The community groups sponsoring the site are:

Estero Community Planning Panel (ECPP)
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

Estero – Village with a Vision Volunteer For Two Hours on March 28th at the "Arts Estero 2009" Gala Contact Bev MacNellis – beverlyann@comcast.net

A sense of community is what is happening in Estero on March 28th. "Arts Estero 2009" this season will be held at the Estero Community Park in an effort to bring our community of Estero together. Not one age group but all age groups, not one community volunteer group but several, not one non-profit organization but many, the amateur and the professional will gather at the park to celebrate Estero.

There will be many things for our diverse community to enjoy. From the Gulf Coast Symphony to the Pinewoods Elementary 4th grade "Recorders" performing on stage to entertain and celebrate the arts as part of full day of entertainment on stage. There will be vendors of all kinds including food from local restaurants, arts and crafts. There will be displays including the new Bookmobile, Pinewoods' Classroom on Wheels (COW), FGCU and Estero Art League, Inc. art and demonstrations. Bring the kids to make and take art sponsored by the Lee County Alliance for the Arts.

This year ECCL is working with the Estero Community Improvement Foundation, Inc., the Estero Art League, Inc., Estero Historical Society, Inc., Friends of South County Regional Library, Inc., Brooks Concerned Citizens, Gulf Coast Symphony Orchestra, Inc., Greater Estero Cultural Arts Council, Inc. and Estero Community Planning Panel and many others who will be a part of this day's celebration.

Bev MacNellis of Marsh Landing is chairing the event along with an advisory committee consisting of representatives of many organizations with commitments to Estero. The goal of the Committee is to establish this event as Estero's premier, annual family community event. An annual event for the whole family, singles, young and old.

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"Feeling Good About Estero!"

In order to make this annual event Estero's premier community event the committee is seeking support from all community organizations, residential communities, businesses and individual volunteers. The committee is seeking more sponsors, advertisers, small financial contributors, performers, artists, arts and crafts participants and volunteers for projects prior to the event and workers on the day of the event. To learn more about how you can help and to sign up or contribute see the following webpage http://esterofl.org/new/arts-estero-2009.htm or call Bev MacNellis at 498-0678 or email her at Beverlyann@comcast.net.

If you are a people watcher and don't want to or can't walk much, bring your lawn chair and sit and enjoy the continuous live entertainment on and off stage. Entertainment includes the Breckenridge Singers, The Brooks Brothers, Mud Bone, a professional jazz group, the Estero River Cloggers of Florida, Pinewoods 4th grade "Recorders", and more. The Gulf Coast Symphony Orchestra, conducted by Maestro Andrew Kurtz, will bring the day's event to a close with a full program beginning at 4:00 PM.

No coolers or pets will be allowed in the park at the event.

Red Sox Spring Training Site

On February 25th and 26th the County's Red Sox Screening Committee interviewed the nine remaining applicants and concluded the review by selecting four sites for further review and negotiation. All four members of the screening committee, three county staffers and one Red Sox executive, voted to continue the University Highlands site located just north of Germain Arena, the Edison Farms site, just east of I-75 adjacent to The Brooks, appeared to be favored by 2 or 3 of the committee members while the Waterman site, on Daniels Parkway about 1.5 miles east of I-75, and the Galvano site, on Alico Road over one mile east of I-75, each received two votes.

Prior to this meeting The Conservancy, the Responsible Growth Management Coalition, the Florida Wildlife Federation and the Brooks Concerned Citizens announced their opposition to the Edison Farms site. Some of these groups have further indicated that they are prepared to oppose permitting this project should it receive approval by the BOCC, potentially jeopardizing the stadium being available by the December 1, 2012 deadline in the County's contract with the Red Sox.

On March 17th the screening committee will seek BOCC approval to begin negotiation with these four applicants.

The two remaining **Estero sites** are:

<u>University Highlands Ltd. Partnership</u>...this 210 acre site, owned by Nassif Development of Naples, is located immediately north of Germaine Arena between I-75 and Ben Hill Griffin Parkway. It will soon be bordered on the north by the Estero Parkway Flyover. The Grandezza community is located immediately across Ben Hill Griffin from this site. The site offers an opportunity for the Red Sox stadium to share parking with neighboring Germain Arena. This could be significant because the contract requires the development

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to provide 4,000 parking spaces. The county transportation staff has indicated that the Red Sox facility could be entered from either Ben Hill Griffin and from Estero Parkway. Edison Farms...the owner of this site has been trying hard for many years to gain development approval for his 4,000, mostly wetland, acres east of I-75 adjacent to The Brooks. Their initiatives include the Coconut I-75 Interchange earmark; Water District approval of a four mile ditch along the western and southern boundaries of the property and Water District pressure on FDOT to install five large culverts under I-75 without proof that they were needed.

Edison Farms is offering free land to the County for the Red Sox site and has promoted the idea of an FGCU football field and a National Swimming Center Corporation Swim USA facility for training of Olympic and other swimmers could also be on the site. This landowner is offering the County 80 acres free of charge with another 1,200 acres being conserved. The site is only accessible if the County builds a road from Corkscrew Road south to the property, a distance of about 2 miles and would cost about \$30 million. The County owns some, but not all, of the right-of-way for this road inasmuch as it is the planned route for the controversial and expensive CR 951, a road that has not been found fiscally feasible and has been included in the County's long-range 2030 plan with tolling as the likely funding source.

Background

On January 22nd the Lee County Red Sox Advisory Committee met to narrow the list of proposed Red Sox spring training sites. The Committee reduced the number of sites from 13 to 9.

Also during January the ECCL Committee on the Red Sox site met with representatives of the Edison Farms and the University Highlands sites to learn more about those proposals.

On December 9, 2008 Lee County signed a 30 year lease with the Boston Red Sox for a Spring Training facility in south Lee County.

On November 1, 2008 Lee County and the Boston Red Sox signed a 29 page agreement committing the County to provide the Red Sox a new spring training ballpark and training facility (Project Site) in south Lee County by a "target date" of December 1, 2011 "but in no event later than December 1, 2012 (Outside Date)."The agreement specifies a 30 year lease commitment, an 80 acre site for the Red Sox and contains a detailed description of the 9,999 seat facility plus capacity for another 2,000 fans.

Midtowne Estero Rezoning Hearing on March 24th

On September 15, 2008 the BOCC <u>voted unanimously to deny, without prejudice,</u> Ascot Development's application to rezone the Midtowne Estero development, located on the southwest corner of Three Oaks and Corkscrew. The "without prejudice" language permits the developer to immediately initiate an effort to have a Special Magistrate resolve the dispute between the County and the Developer.

This rezoning application would have dramatically changed the zoning on the property by:

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- Increasing the amount of commercial on the property <u>from 90,000 square feet to about 300,000 square feet including a 140,000 "Big Box" store</u>, and
 - Reducing the number of housing units from 234 to 92 units.

In the fall of 2008 the Developer filed the necessary appeal in a timely manner so that it could trigger the Special Master Dispute Resolution Process contesting the BOCC's rejection of their rezoning effort. Inasmuch as the Developer and the community had not reached an agreement when the Dispute Resolution process reached a decision point the Developer introduced a proposal that exceeded the 90 square feet of commercial development that had been the basis of all the discussions with the community. The community had an opportunity to provide input but was not a party to the dispute. As a result all negotiations were between County staff and the Developer.

The Consent Recommendation

On February, 20th Special Magistrate Simon Harrison issued his Consent Recommendation that will be considered by the BOCC on March 24, 2009. That recommendation would permit the Developer to construct 179,999 square feet of retail commercial and 20,000 square feet for office use along with 92 residential units. Thus the community's and the BOCC's objection to an increase from 90,000 square feet of commercial to 300,000 square feet including a big box, would be adjusted to 200,000 square feet of commercial or about 2/3rds of what the Developer was originally seeking and more than double the existing zoning if the Special Magistrate's recommendation is accepted by the BOCC on March 14th.

The Special Magistrate's recommendations would require the Developer to provide some improvements to the River Ranch entrance to the property but does not address the concerns of the community about traffic circulation around the intersection of Corkscrew Road and Three Oaks Parkway, in spite of the added 110,000 square feet of commercial and the exclusively right-out exits on both of these roads. In addition it does not require the Developer to pay for any additional traffic signals on Three Oaks Parkway.

The Special Magistrate also provides the authority for the Developer to construct three drive-through out-parcels, only one of which can be a fast food enterprise. He further recommends a maximum of two fast food restaurants in the complex. Drive throughs along Corkscrew Road require a deviation from the overlay zoning provisions in Estero LDC because of the community's effort to have all the buildings constructed up close to the Corkscrew Road.

If you want to learn more about these recommendations please attend the ECCL meeting at 1 p.m. on March 13th at the Estero Community Park and be prepared to attend the BOCC meeting in their Board Room on March 24th.

Background

In late September Ascot met with representatives of the ECCL, many of whom had testified against the big box, to propose an amendment to the existing zoning that would retain the existing 90,000 square feet of commercial and 234 housing units. The

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suggestion would change the 9 acre commercial parcel from a single parcel into several outlots wrapping around the Three Oaks/Corkscrew corner.

On October 3, 2008 representatives of ECCL and the Brooks Concerned Citizens (BCC) joined Ascot in a meeting with Lee County Zoning staff. The purpose of the meeting was to determine if County staff would consider making this change "administratively". Administrative approval of the change would permit the developer to rezone the property without the change being reviewed by a Hearing Examiner and final approval by the BOCC, thus saving the developer considerable time and money. Ascot agreed to present the proposal to the ECCL on October 17th and the ECPP on October 20th. The residents of Estero attending these meeting made the same points as were made at the earlier meetings.

In addition representatives of the Estero Fire Rescue Department sought a commitment from Ascot to pay for an emergency traffic signal in front of their Three Oaks station if a full median and signal could not be installed between Midtowne Estero and Lowe's Three Oaks entrance. The developer's agreed to pay half the cost of an emergency signal and to join the community and Fire Department at a meeting with county staff regarding the issue.

Airplane Noise and Pollution Status Report

The Joint ECCL/Brooks Concerned Citizens Airplane Noise Committee has been able to locate a community member who has a good relationship with the new US Secretary of Transportation Ray LaHood. As a result Secretary LaHood has directed the FAA to meet with a small group of active committee members who are either airline industry professionals or representatives of their community or the Cities of Bonita Springs and Ft. Myers Beach. This meeting is expected to be scheduled for late March to be followed by a large community-wide meeting in early April. We want to publicly thank Secretary LaHood for his help in establishing direct contact with appropriate high level FAA officials.

Residents can learn about all approaching flights, their altitude and ground speed by going to the following website... http://flightaware.com/live/airport/KRSW.

If you wish to help on any of these areas or have ideas for the committee please volunteer through the following website http://esterofl.org/new/#Act on Airport Noise .

Background

On October 1, 2008 the Federal Aviation Agency (FAA) implemented a permanent change to the arrival and departure paths for commercial aircraft arriving and departing from the Southwest Florida International Airport (SWFIA) from cities in the northeast. As a result over 100 flights per day instead of reaching southwest Florida from over the Gulf of Mexico and approaching the Southwest Florida International Airport's runway from the west, they are now being directed down the middle of the state past the airport and over densely populated sections of Estero, Bonita Springs and Fort Myers Beach before completing the same final approach path.

Fortunately the Brooks Concerned Citizens (BCC) became aware of the problem early and started to work on it even before it happened. During that period they have:

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- Put together a small committee of dedicated professionals from the airline industry (retired commercial pilots, airport administrators and others) who have put together some alternatives that would be much better for the community than what is now in place.
- Met with airport officials, contacted our Lee County Commissioners and our Federal congressional delegation, as well as local FAA staff. The local airport authority does not have authority over the routes, and cannot make the needed changes.
- Became convinced that our strategy needs to be to get the FAA to change or modify this policy by putting pressure on our elected Federal delegation and the FAA officials. The County Commissioners, who also cannot make the changes, are committed to supporting our efforts and will soon be taking up a resolution to that effect.
- Have coordinated with some of the leaders in Ft. Myers Beach, who are also affected by this change, in order to broaden the coalition in support of a change in these routes.

On January 7th the leaders of Estero's community organizations met with the City Council of Bonita Springs and discussed this issue with them. They responded enthusiastically and agreed to take up the issue at their next City Council meeting. The Bonita Springs City Council has now gone on record as seeking a change in these routes as well.

On January 14th the BCC and the ECCL met with Bob Ball, the administrator of the Southwest Florida International Airport, his staff and Lee County Commissioner Ray Judah to discuss the issue and to obtain their recommendations for remedying the situation. The Airport Authority states that they were not informed about the changes until shortly before they were implemented and indicated that they told the FAA that it should not be done without some public hearings that would provide them with valuable community input.

In anticipation of the meeting the Airport Authority and Commissioner Judah had contacted U. S. Representative Connie Mack's office, our member of the U. S. House and a member of the Aviation Subcommittee of the House Transportation Committee. Mack's office had not been aware of the impact of the change upon the residents of south Lee County until that call.

Since October 1st the BCC and the ECCL has been contacted by hundreds of Estero residents expressing concerns about the impact of the planes upon their ability to live here in peace and quiet, with air pollution concerns and concerns about the impact these flights will have on the value of their property.

South Lee County Hospital Committee Update

On February 25th Bonita Springs Mayor Ben Nelson, Don Eslick and the members of the Needs Assessment Committee met with the leadership of Lee Memorial Healthcare Systems to discuss their plans for a Free-standing Emergency Department and

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eventually a hospital in south Lee County. The group thought the meeting was very productive and looks forward to a meeting with the leaders on the Naples Community Health (NCH) system, now scheduled for March 4th. It is expected that the full Hospital Committee will meet during March or early April to discuss its options before some of the members travel north for the summer.

Background

On January 7th the ECCL and the Bonita Springs City Council met for their semiannual meeting. The agenda included the first discussion by the City Council of the South Lee County Hospital Committee co-chaired by Mayor Ben Nelson and Don Eslick, Chairman of the ECCL. The representatives of both communities agreed with Mayor Nelson when he said that this issue alone warranted the two communities working together on issues of regional significance.

On January 15th the Committee met to discuss and approve the Report of the Needs Assessment sub-committee, chaired by Dave Shellenbarger. A copy of this report may be viewed at http://esterofl.org/EsteroLife/healthcare/FinalReport1-22-09.pdf. The report has been transmitted to Southwest Florida's three medical systems.... Lee Memorial, NCH and Physicians Regional ...for them to review before meeting with the Mayor Nelson, Don Eslick and the members of the Needs Assessment committee. In addition the Committee's Public Relations sub-committee is developing and implementing a community awareness program. More information on the Hospital Committee and local emergency care facilities and services may be obtained at http://esterofl.org/EsteroLife/healthcare/index.htm.

Fire District Merger Study Update

During February the districts' consultants have continued their study of the three systems and will be reporting their progress to the three districts and each of their advisory committees in the middle of March. In this way the community can have some input on the conduct of the study.

Background

On January 22nd three representatives of Tridata Division of the Systems Planning Corporation met with the ten person committee of community leaders selected by the Fire District Board for continuing input. The Fire District has indicated that the names of the committee members will be posted on the District's website... http://esterofire.org/...but they have not been posted yet. Among the groups represented on the committee are: the ECPP, the ECCL, the Brooks Concerned Citizens and the Estero Chamber of Commerce.

On January 13th the Estero Fire District held a Town Hall Meeting to discuss the Fire District Consolidation Study of the merger prospects of the Bonita Springs, Estero and San Carlos Park Fire Districts. The meeting opened with a presentation by Fire Chief Scott Vanderbrook outlining the procedures that the Districts' consultant will follow and the opportunities for public input throughout the course of the study. This presentation was followed by a question and answer period for the 20 or so Estero community residents in attendance. The Estero Fire District was the only district involved in the Consolidation Study to sponsor this kind of community briefing.

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During the later months of 2008 Tridata gathered much information about the three districts. During their January visit they met with each district to meet the key officials, discuss information gaps and to view firsthand the districts and the properties contained therein. During the next couple of months Tridata will developing agency evaluations on each of the three districts. They will return to the area then for meetings with the districts and the citizens committee to determine the critical issues and to assess the consensus process. For more information on this important issue please visit the fire district web site (see address above).

During August, 2008 each of the three Fire District Board's approved the contract with System Planning Corporation, Tridata Division. The study is expected to be completed in about six months, or about mid-2009.

On June 17, 2008 the three Fire District Boards, Bonita Springs, Estero and San Carlos Park, voted to approve a contract with System Planning Corporation, Tridata Division to evaluate the merger of the three districts. During July each of the three Fire District Boards voted to approve funding their share of the cost of this consulting contract. Each district will pay \$40,162.

The Widening of US 41 and the Federal Economic Recovery Program

On February 20th the Lee County Metropolitan Planning Organization (MPO) approved a list of Economic Recovery projects to be forwarded to the State office of the Florida Department of Transportation (FDOT) and on to the Federal Government. This time the widening of US 41 from Corkscrew to San Carlos Park was included and ranked number three on the list. While Lee County is not likely to obtain enough money for the three top tier projects to be financed from these funds, any projects financed in this way will increase the opportunity for US 41 to be widened sooner rather than later. This project is currently budgeted in FDOT's Works Program for the 2010-11 fiscal year which will start in July 2010.

Background

On December 19th the MPO approved a list of transportation projects to be forwarded by the Florida Department of Transportation (FDOT) to the Federal government for possible inclusion in the infrastructure component of the Economic Recovery program proposed by the Obama transition committee. The ECCL urged the MPO to add the widening of US 41 between Corkscrew Road and San Carlos Park to this list. FDOT opposed this recommendation because all of the right-of-way for the road is not in hand due to their inability to acquire the necessary detention pond in the vicinity of US 41 and Broadway. They indicated that this project may be added later in 2009 when a pond site has been acquired. County Commissioner Frank Mann spoke in favor of the project being added as soon as possible.

Estero's Housing Permits Continue Very Slow Growth

During January only 8 housing units with a building value of \$3.6 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.

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Housing units permitted during the last year are by far the lowest in the 10 years that the County's system has tracked Estero's permits. This result reflects the declining trend that began in early 2006, nearly 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	77	\$11,813,625	\$153,424	61%
2001	146	25,310,064	173,257	51
2002	83	15,451,353	186,161	52
2003	109	20,384,062	187,010	63
2004	153	25,552,428	167,009	80
2005	176	41,429,210	235,393	51
2006	75	16,961,195	223,949	27
2007	59	14,077,487	238,601	24
2008	9	2,688,186	298,687	56
2009	8	3,563,005	445,376	50

Not only are the 2009 total housing units far below all prior years but 2008, they equal only 10% 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 almost triple (190% above) the average in 2000, in spite of a slight decline in the share of more expensive single family homes.

Permitted Commercial Building Values Continue Slow Increase in January

January building permits of all types continued at a very slow pace. The value of <u>commercial buildings</u> permitted in Estero during January totaled \$1.1 million.

Year	Year to Date	Annual Total
2000	\$5,015,801	\$77,250,835
2001	2,295,968	44,116,526
2002	818,116	23,135,139
2003	804,159	23,234,725
2004	128,760	60,859,820
2005	2,523,640	111,037,977
2006	13,414,883	184,709.240
2007	18,391,724	157,614,045
2008	3,028,264	39,261,677
2009	1,122,922	?

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

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underlying land). Nonetheless, 2007 was still Estero's second highest commercial development year, far ahead of the third place year, 2005, with \$111 million.

During January the major projects that contributed to the year to date total are:

\$619,000 for Villages of Country Creek Water Storage System \$283,322 million for Miromar Outlets expansion \$94,800 for Estero Park Commons \$60,000 million in the Coconut Point Town Center;

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

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