

# Estero Development Report

Volume 9, Number 8, Issued March 2010

Edited by the Estero Council of Community Leaders (ECCL)

## For More Information about Estero

...see [www.esterofl.org](http://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
Wednesday, March 3rd	11 a.m.	BOCC Final Hearing on adoption of the DR/GR Comp Plan	Board Chambers, 2 <sup>nd</sup> Floor, Old County Court House, 2120 Main Street in downtown Ft. Myers
Thursday, March 4 <sup>th</sup>	9 a.m.	BOCC Final Hearing on adoption of the DR/GR Comp Plan	Board Chambers, 2 <sup>nd</sup> Floor, Old County Court House, 2120 Main Street in downtown Ft. Myers
Tuesday, March 9th	5:00 p.m.	First Estero Fire Rescue District Meeting For further information see <a href="http://esterofire.org/">http://esterofire.org/</a>	Estero Fire Rescue Headquarters... Three Oaks Parkway south of Corkscrew
Wednesday, March 10th	5 p.m.	Estero Design Review Committee meeting. See the full agenda at <a href="http://esterofl.org/edrc/agenda.asp">http://esterofl.org/edrc/agenda.asp</a> .	Estero Community Park
Monday, March 15 <sup>th</sup>	6 p.m.	Estero Community Planning Panel. For the agenda see... <a href="http://esterofl.org/ecpp/ecpp_meetings.htm">http://esterofl.org/ecpp/ecpp_meetings.htm</a>	Estero Community Park
Friday, March 19th	9 a.m.	Joint Lee and Collier County Metropolitan Planning Organization (MPO) Meeting...For the agenda see <a href="http://www.mpo-swfl.org/agendas.shtml">http://www.mpo-swfl.org/agendas.shtml</a>	Regional Planning Commission Building, 1926 Victoria Street in downtown Ft. Myers
Friday, March 19th	9 a.m.	Estero Council of Community Leaders (ECCL) Meeting...for the agenda see... <a href="http://esterofl.org/eccl/agenda.asp">http://esterofl.org/eccl/agenda.asp</a>	Estero Community Park
Saturday, March 27 <sup>th</sup>	Noon to 5 p.m.	Estero Festival of the Arts 2010	Estero Community Park

### Index

Page	Subject
1	Calendar
2	Estero Community Website
2	South Lee County Hospital Committee Update
3	Economic Development Major Topic of Joint Bonita Springs/Estero Meeting
4	Coconut Crossing Clean-up Underway
4	Lee County Board (BOCC) to Finalize DR/GR Comprehensive Plan Amendment on March 3 <sup>rd</sup> or 4 <sup>th</sup>
7	Estero's Housing Permits Continue Slow Pace
8	Permitted Commercial Building Increases Very Slowly

**Estero Community Website**  
**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)

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**South Lee County Hospital Committee Update**

On February 18<sup>th</sup> the fourteen member Freestanding Emergency Department Steering Committee met for the first time. The Steering Committee approved the following mission statement:

“Develop a plan and recommendations for a freestanding emergency department in the Bonita/Estero community”.

In pursuit of this outcome the Steering Committee will

- Identify gaps in emergency services provided to the community,
- Complete a five year projection of patient visits, revenues and expenses,
- Complete a capital budget and identify funding requirements, and
- Develop recommendations for next steps towards the development of a Freestanding ED.

During March the Steering Committee is planning to visit two existing Florida Freestanding Emergency Departments and begin work on the other tasks necessary to complete a final report by no later than July.

**Committee History and Background**

On January 29<sup>th</sup> representatives of the Committee met with the Bonita Community Health Center (BCHC) Board to discuss how the owners of this facility would begin to implement a Freestanding ER on the BCHC property. About a week prior to the meeting Suzanne Bradach, Acting Executive Director of the Center, provided the Committee with a Memorandum of Understanding (MOU) between the two hospital systems, NCH and Lee Memorial, that contains their “plan that provides the framework for the development of a freestanding ER” to serve the area.

The plan provides our Committee with three members on a broad based Committee, called the “Freestanding Emergency Department Steering Committee”, that would, over a period of about 6 months, do the research needed to address all the questions that must be answered prior to obtaining the approval of the project by the Boards of the two hospital systems.

The Hospital Committee is hopeful that the timetable proposed by the two Hospital Systems can be shortened so that it could be presented to the community prior to the end of the “season”.

On January 15 the Committee met with Kim Dickerson, the executive that manages the Lee County EMS system, to learn about their operations and how they interact with the Hospital systems while serving south Lee County. Mrs. Dickerson provided the Committee with detailed information about all the patients that have been transported by EMS to all area hospitals over the last two years.

The EMS data indicates that the system received nearly 8,300 emergency calls from residents of the Bonita Springs and Estero Fire District area during 2008 and 2009. Over half of those that we transported by ambulance were sent to the NCH's North Naples Hospital on Immokalee Road. About 80% of these patients were Bonita residents. While nearly 1,000 Estero residents went to NCH's North Naples Hospital about 600 Estero residents were admitted to each of Lee Memorial Health Park and Lee's Gulf Coast Hospital.

Early in October the Hospital Committee received a response from the Bonita Community Health Center (BCHC) inviting the leaders of the Committee to meet with the BCHC Board as had been requested by the Committee (see below). This discussion is now scheduled for the next BCHC Board meeting in late January 2010.

In the meantime the South Lee County Hospital Committee, which consist of about 40 volunteers... many with strong health care backgrounds, has begun to plan and implement a community awareness and support program to demonstrate its unwavering commitment to obtaining a 24/7 Freestanding ER for the area as soon as possible. Thus far 37 community organizations have endorsed the Committee's efforts. The following are some of the prominent community organizations that have endorsed the Committee's efforts: The Bonita Springs and Estero Fire Districts; the City of Bonita Springs; the ECCL; Senior and Retired Physicians Association of Lee County; three civic and community service organizations; eight businesses and 22 residential community boards.

Anyone who would like to participate, recruit other local organizations or make suggestions to the committee may do so by calling or emailing Co-chairman Don Eslick at 273-9493 or [doneslick@comcast.net](mailto:doneslick@comcast.net) .

Earlier this year the prospects for a 24/7 Free-standing Emergency Department in the Bonita Community Health Center (BCHC) looked very bright. We were told that throughout the summer Lee Memorial and NCH, the co-owners of this facility, would discuss how this commitment could be implemented while retaining the existing shared ownership arrangement.

Unfortunately in late August the Hospital Committee learned that Lee Memorial and NCH had decided that their first priority had to be to work on making BCHC profitable and that the Emergency facility had to be placed on the "back burner". Upon learning of this decision the leaders of the Hospital Committee decided to send a letter to the Chairmen of the two systems seeking a meeting with the BCHC Board to learn first hand what the intentions of the Board are regarding the south Lee County community being served by a 24/7 Freestanding ER in the BCHC.

### **Economic Development Major Topic of Joint Bonita Springs/Estero Meeting**

On February 26<sup>th</sup> the Bonita City Council and the leadership of Estero's Civic Organizations met to discuss issues of common interest. About half of the three hour session was devoted to

exploring ways that the two communities could work together to encourage business development and job growth in south Lee County. Christine Ross, Executive Director of the Bonita Chamber of Commerce, led the group in a discussion of what our area needs in order to achieve sustainable economic development.

The Joint Committee discussed the progress of the South Lee County Hospital Committee, the progress that the County and the City have made regarding their respective DR/GR areas, the separate efforts regarding updated south County water studies and their implications for flooding in the area.

Finally the Joint Committee discussed the recent Town Hall meeting on Estero governance. The representative of Vote Estero, the advocates for incorporation in Estero, stated that they planned to ask the Lee County Board to approve placing a non-binding incorporation referenda on the November General Election ballot. Their plan would be to use the Estero Fire District boundaries for this vote in spite of the fact that most of the residents of rural Estero have indicated that they do not want to be incorporated and the residents in the Estero community planning area north of Estero Parkway would like to be included in Estero should it become a city. Vote Estero has not yet consulted with the Lee County Supervisor of Elections who administers such elections.

### **Coconut Crossing Clean-up Underway**

Coconut Crossing, a large development located on 46 acres on the northwest corner of Coconut and US 41, was originally zoned in 2003. The site was cleared several years ago and much of the underground utilities and internal roads installed. Since then the developer working with the County completed the required intersection improvements to the western approach to US 41 on Coconut Road.

Unfortunately the site contains many unsightly mounds along with significant quantities of construction materials. As a result the ECCL contacted the County Development Service Department urging them to get the developer to clean up the site and provide a landscaped buffer around the site.

The county responded by visiting the property and found evidence that there is considerable “fly dumping” on the site thus the need to install barriers to prevent unapproved access to the site. Since then the County staff has viewed the site on a number of occasions and has developed a list of code violations and is using that information to force action by the developer.

During the final week of February the developer started to clean up the site with one small piece of equipment. Little progress has been made at the time of this edition.

Zoning on the property requires a landscaped buffer to be installed around the perimeter of the site by October 2011. The community will continue to work with the County and the developer to implement this important improvement as soon as possible.

The Zoning and the existing site preparation Development Order (DO) also require a landscaped buffer along the western boundary of the site which has not yet been installed. In addition there is another pending Development Order for the property. The County has indicated that this DO will not be approved until the western landscape buffer has been installed.

## **Lee County Board (BOCC) to Finalize the DR/GR Comprehensive Plan Amendment on March 3<sup>rd</sup> or 4<sup>th</sup>**

On Wednesday, March 3<sup>rd</sup> and Thursday, March 4<sup>th</sup> the BOCC will hold a Hearing on the Comprehensive Plan changes that they will consider for approval, including the DR/GR changes. The agenda for that meeting places the DR/GR changes last on the agenda because it is the most controversial change under consideration during this cycle. We urge all of our supporters to be prepared to attend and testify on both days inasmuch as much of the agenda may proceed quickly. Your participation is crucial because there will be lots of representation and pressure from DR/GR landowners and miners.

As before the ECCL and the coalition of groups we have joined are supportive of the County staff and their consultants except for their recommendations for Rural Communities along Corkscrew Road and on the Edison Farms site. The location of the Rural Community on the Edison Farms site, which is dictated by the extensive wetlands on the property, is not served by existing roads and would require large expenditures of public funds in order to serve a small population of residents in this rural community. We believe the owners of this site should receive a substantial Transfers of Development Rights for preserving and/or restoring this site consistent with its Tier 1 restoration designation rather than having a Rural Community located there.

### **Next Steps**

The timeline after the BOCC action this week are:

- Affected parties (presumably land owners and rock mining interests) will have 60 days after adoption to challenge the changes through a formal administrative hearing process.
- Depending on the initial success of the Transfer of Development Rights (TDR) program, there is likely to be legal challenges by some large landowners under the Bert Harris Private Property Rights Act.

There are several parts of the DR/GR Comprehensive Plan that will require the OCC to adopt amendments to the Lee County Land Development Code (LDC). These will include the County Board approval of a Transfer of Development Rights (TDR) program that will authorize the transfer of development rights on major DR/GR properties ("sending areas") to other parts of the County, called "receiving areas". The sellers of those development rights would still be able to farm, conserve, rehabilitate or sell those lands after being compensated for the residential development rights that they have sold.

### **Background**

On January 15<sup>th</sup> the Florida Department of Community Affairs (DCA) completed their review of the DR/GR Comprehensive Plan amendments and transmitted them to Lee County.

In general DCA's comments and recommendations were quite limited given the scope of the County's Plan changes. They had only seven objections, most of which would strengthen, rather than weaken, the environmental protections included in the plan. In addition they recommend that the Edison Farms property not be the site of a rural residential community..."Use the TDR program to transfer development from properties along Corkscrew Road and the Edison Farms tract to more appropriate locations in the Mixed-Use Communities along State Road 82."

Not only does DCA agree with plans to keep all limerock mining in the Alico Road corridor they suggested that the process for expanding the Future Limerock Mine area be made more open to public input.

On Thursday, February 4th the County Community Development Department conducted a stakeholders meeting beginning at 10 a.m. to discuss some of the LDC changes, primarily dealing with the proposed Transfer of Development Rights (TDR) program being developed by the County's consultants. On February 16th, after the regular Board meeting, the BOCC received a presentation on the proposed LDC changes.

On October 28<sup>th</sup> the BOCC voted to transmit the proposed [DR/GR Comp Plan Amendments](#) to the Department of Community Affairs (DCA) in Tallahassee for their review. The amendment package approved by the Board contains only a few changes to the recommendations of Lee County staff which the ECCL and our coalition of civic and environmental groups strongly support.

The Future Limerock Mining overlay included in the amendment was the most controversial and important provision, and fortunately this map, that concentrates mining in the Alico Road industrial corridor, was improved intact. As approved the Future Limerock Mining Overlay does not include any of the eight pending Corkscrew Road limerock mining rezoning applications. Thus, if the State does not seek to change the Mining Overlay and the courts uphold the plan change, none of these property owners will be able to apply to mine their land until 2030. The plan also contains many provisions for conserving and/or restoring many of these lands so that they can play a major role in restoring the area's flowways, recharging our future water supply, preventing flooding along our rivers and streams and improving the water quality in these streams and in Estero Bay.

This unanimous vote brings us one step closer to a master plan for the DR/GR which provides a balance to conflicting land uses in this rural area – providing adequate space and separation for rock mining, rural residential, agriculture, habitat, and water conservation uses.

We wouldn't be where we are in this effort without the help of some key civic and conservation groups including the Estero Council of Community Leaders, the Conservancy of SW Florida, the National and Florida Wildlife Federations, the Corkscrew Rural Community, Audubon of Florida, the Brooks Concerned Citizens and the Responsible Growth Management Coalition.

On September 24<sup>th</sup> the Lee County Board of County Commissioners heard a presentation by staff followed by public testimony concerning major proposed changes in the Comprehensive Plan for the 83,000 acre Density Reduction/Groundwater Resource (DR/GR) area just east of I-75 in Estero. Over a dozen representatives of Estero civic and community associations and region-wide environmental and growth management groups testified in support of the staff recommendations. A copy of this coalition's joint statement may be viewed at <http://esterofl.org/new/DRGR%20Joint%20Position%20Statement%20for%20BCC%20Transmittal%209-17-09%20Full%20Version.pdf> .

On May 20<sup>th</sup> Lee County released the "Proposed Lee Plan Amendments for Southeast Lee County...Planning for the Density Reduction/ Groundwater Resource Area (DR/GR)" and posted it on their website at [http://www3.leegov.com/dcd/CommunityPlans/SELCDRGR/CPA2008-06/Proposed-Lee-Plan-Amendments-for-Southeast-Lee-County\\_May2009.pdf](http://www3.leegov.com/dcd/CommunityPlans/SELCDRGR/CPA2008-06/Proposed-Lee-Plan-Amendments-for-Southeast-Lee-County_May2009.pdf) . This 72 page document details Dover Kohl & Partners, the County DR/GR planning consultants, recommendations for updating the County's Comprehensive Plan for the DR/GR. This extensive

document, if approved by the BOCC and the Florida Department of Community Affairs (DCA), would provide the legal framework for concentrating mining in the Alico Road industrial corridor; DR/GR locations where residential development should be clustered; locations where agriculture should be encouraged and where and how the natural resources and ecology of the DR/GR should be preserved. Since then there have been numerous reports and staff analyses that have provided further in-depth support for this new plan for the DR/GR area. They can be found at the following website...

<http://www3.leegov.com/dcd/ComprehensivePlanning/SeLeeCounty.htm>

### **Estero's Housing Permits Continue Slow Pace**

During January 15 single family homes and 4 duplex units with a building value of \$3.3 million were permitted in Estero. This continued slowdown in construction of new homes should help reduce the inventory of unsold new homes constructed in Estero during 2005 when 2,833 units were permitted.

[Housing units permitted](#) during 2010 are higher than 2008 and 2009 but lower than all other year during the 11 years that the County has tracked Estero permits. The number of housing units permitted in Estero remains near rock bottom. The County permit information used in this report may be found at <http://www.lee-county.com/dcd/Reports/EsteroReports.htm>

The following table shows how 2010 compares with the prior ten 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>
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
2010	19	3,325,793	175,042	79

Not only are the 2009 total housing units far below all prior years, they equal only 23% of the quantity during 2002, the season immediately following the tragedy of 9/11/2001.

## Permitted Commercial Building Increases Very Slowly

During January 2010 Estero building permits of all types continued at a very slow pace. The value of [commercial buildings](#) permitted in Estero during January totaled only \$331,000, the smallest total since 2004.

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	9,752,556
2010	331,365	?

As the above table indicates Estero's 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). 2007 was Estero's second highest commercial development year, far ahead of the third place year, 2005, with \$111 million. Since then commercial development in Estero has declined sharply and this year it has almost come to a stop, down 70% from last year (2009) and well below all other years on record except 2004.

Thus far this year the major projects that contributed to the commercial permitting total are:

\$137,880 in the [Coconut Point Town Center](#);  
 \$10,000 in the Estero Ridge development

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