

# Estero Development Report

Volume 8, Number 1

Edited by ECCL--the Estero Council of Community Leaders

**For More Information about Estero  
...see [www.esterofl.org](http://www.esterofl.org)**

This Report is available on the Estero Fire Rescue website at [www.esterofire.org](http://www.esterofire.org)  
and the Estero Community website at [www.esterofl.org](http://www.esterofl.org)

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

Date	Time	Event	Location
Thursday, May 8 <sup>th</sup>	9 a.m.	Joint Lee County and South Florida Water Management District South Lee County Water Study report	Bonita Springs City Hall, 9101 Bonita Beach Road
Friday, May 9 <sup>th</sup>	1:30 p.m.	Lee County MPO Meeting. For detailed information see <a href="http://www.mpo-swfl.org/agendas.shtml">http://www.mpo-swfl.org/agendas.shtml</a> about one week before the meeting.	1926 Victoria Street in downtown Ft. Myers
Tuesday, May 13 <sup>th</sup>	5 p.m.	Monthly Meeting of the Estero Fire Rescue District. For further information see <a href="http://esterofire.org/">http://esterofire.org/</a>	Estero Community Park, located on the south side of Corkscrew Road midway between Sandy Lane and River Ranch
Wednesday, May 14 <sup>th</sup>	1 p.m.	Southwest Florida Expressway Authority Meeting. This meeting is open to the public. For further information on this meeting see <a href="http://swfea.net/SWFEA_Home/index.html">http://swfea.net/SWFEA_Home/index.html</a>	Bonita Springs City Hall, 9101 Bonita Beach Road
Wednesday, May 14 <sup>th</sup>	1:30 p.m.	DR/GR Steering Committee Meeting. This group is monitoring the DR/GR policy and planning process. Open to Public. For further information see <a href="http://www.lee-county.com/dcd/ComprehensivePlanning/SELeeCounty.htm">http://www.lee-county.com/dcd/ComprehensivePlanning/SELeeCounty.htm</a>	Lee County Community Development Building, 1500 Monroe St., Conference Room 1B, in downtown FT. Myers
Wednesday, May 14 <sup>th</sup>	5 p.m.	Estero Design Review Committee review of the following projects: See the full agenda at <a href="http://esterofl.org/edrc/agenda.asp">http://esterofl.org/edrc/agenda.asp</a> .	Estero Community Park, located on the south side of Corkscrew Road midway between Sandy Lane and River Ranch
Friday, May 16 <sup>th</sup>	1 p.m.	Estero Council of Community Leaders Monthly Meeting ...Open to the Public...for the full agenda see <a href="http://esterofl.org/eccl/minutes/">http://esterofl.org/eccl/minutes/</a>	Estero Community Park, located on the south side of Corkscrew Road midway between Sandy Lane and River Ranch
Monday, May 19 <sup>th</sup>	6 p.m.	Estero Community Planning Panel meeting See the full agenda at: <a href="http://esterofl.org/ecpp/ecpp_meetings.htm">http://esterofl.org/ecpp/ecpp_meetings.htm</a>	Estero Community Park, located on the south side of Corkscrew Road midway between Sandy Lane and River Ranch
Thursday, May 22 <sup>nd</sup>	9 a.m.	FGCU Program "Greenprint ...A Vision for Southwest Florida". To register call 590-1095	Student Union Ballroom at FGCU
Wednesday, May 28 <sup>th</sup>	1:30 p.m.	DR/GR Steering Committee Meeting. Open to public. This group is monitoring the DR/GR policy and planning process. For further information: <a href="http://www.lee-county.com/dcd/ComprehensivePlanning/SELeeCounty.htm">http://www.lee-county.com/dcd/ComprehensivePlanning/SELeeCounty.htm</a>	Lee County Community Development Building, 1500 Monroe St., Conference Room 1B, in downtown FT. Myers
Wednesday, May 28 <sup>th</sup>	4:00 p.m.	ARTS ESTERO monthly meeting is open to the public. View the web site at <a href="http://www.artsestero.org">http://www.artsestero.org</a>	Estero Community Park, located on the south side of Corkscrew Road midway between Sandy Lane and River Ranch

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### Estero Community Website

From January through March about 24,800 persons visited this site to learn about Estero. During the same period in 2007 only about 18,650 visited the site, thus our website traffic increased by 33% year to year.

On the peak day this year 557 persons visited the site up from 298 in 2007.

The community groups sponsoring the site are:

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

[www.esterofl.org](http://www.esterofl.org)

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**The Estero Community Improvement Foundation (ECIF) would like to thank the Copperleaf Foundation for the generous \$2,500 grant that it recently approved for the ECIF and its Estero High School Landscaping project.**

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### Public Participation in DR/GR Planning Sessions

In September 2007, Lee County Commissioners adopted an Action Plan to study land use alternatives in the Southeast Lee Density Reduction/Groundwater Resource (DR/GR) area. As part of that plan, Dover, Kohl & Partners has been hired to gather input from property owners, local citizens and others; to use this input to develop land use scenarios for the Southeast Lee DR/GR; and to recommend Lee County Comprehensive Plan and Land Development Code changes to the Board of County

Commissioners for their approval.

The consultants were in Lee County from April 16<sup>th</sup> through the 24<sup>th</sup> to learn how the public as well as the landowners want the 83,000 acre DR/GR to develop in the future. During this period the consultants met with the DR/GR advisory committee, small groups with particular interests and knowledge and a large five hour workshop (“Charette”) attended by about 100 Lee County residents etc. who took the time to participate.

Kevin Hill of the Corkscrew Road Rural Community summarized this session as follows:

“Today’s DR/GR planning workshop went very well. There were around 75-100 people there including residents, environmental groups and agencies, county staff, engineering & planning firms, and consultants, general public, etc. Attendees were divided randomly into 10 groups. Each group was given a large map of the DR/GR and tasked with placing colored stickers on the map. Each sticker color represented one of three different land-uses: mining, conservation, and higher density residential. Each group was given different percentages of the three colors – some groups were more heavily weighted toward mining, and some toward conservation. At the end of the exercise, a spokesperson from each group presented the map and highlighted the ideas and solutions that the group considered.

The results showed surprising similarities between the 10 different tables even though each group worked on the exercise independently. Specifically, there was common line of thinking in terms of conserving connections & corridors between important habitats and between surface water flow-ways. Although not unanimous, there was also considerable agreement on the notion of restricting mining activities to the established Alico mining corridor, and encouraging expansion of existing mining developments as opposed to distributing new mining activities in new areas throughout the DR/GR. There was also general agreement on the idea of transferring allowable residential density from inside the DR/GR to areas outside areas that need the higher density development such as Bonita, Lehigh, etc.” (the underlines were added for emphasis.)

Throughout their stay the consultant’s created many maps of the area depicting several alternative development scenarios. Their contract with the County requires them to develop three alternatives for presentation to the BOCC for their consideration and amendment or approval, probably in June. During the final two steps in this week long process the consultants reviewed several scenarios with the advisory committee, amended the scenarios to account for the committee’s comments and then present them to the public on the last day of their 8 day visit.

To learn more about the Southeast Lee DR/GR study, go to: [http://www.lee-county.com/dcd/CommunityPlans/SELC\\_DRGR/subcommittee.htm](http://www.lee-county.com/dcd/CommunityPlans/SELC_DRGR/subcommittee.htm)

To view the consultant’s “Work in Process” presentation that summarizes what they learned during their week in Lee County go to the bottom of the following webpage... [http://www.lee-county.com/dcd/CommunityPlans/SELC\\_DRGR/DoverKohl.htm](http://www.lee-county.com/dcd/CommunityPlans/SELC_DRGR/DoverKohl.htm) .

### **I-75 Culvert Study Content Gets County and Water District Approval**

On February 14<sup>th</sup> the South Florida Water Management District (SFWMD) agreed to undertake a comprehensive study, with Lee County as an equal partner, which will update the 1998 South Lee County Watershed Plan. This will allow all interested parties, including the City of Bonita Springs, to decide:

- the best way to handle flood waters in our area,
- if any and how many culverts should be installed under I-75 just east of The Brooks, and
- where and how the water should be directed to reduce flood dangers throughout South Lee County in a way that enhances the environment and water quality entering Estero Bay.

During the last two and one-half months the County and SFWMD staffs have worked with the Estero and Bonita Springs communities to develop a scope of work for the study acceptable to all parties. The Estero Community, the City of Bonita Springs and The Conservancy insisted that there be at least three opportunities for public input during the study. This provision has been added to the scope of work. That scope of work has now been completed and the BOCC and the SFWMD staff have approved it. The District has contracted with Boyle Engineering to complete the study and the County and the District had their first meeting with the consultant yesterday.

The consultant's first task is to gather all the existing information needed and determine what else will be needed to complete the study.

The only one major deadline that has been set is the drop dead completion date. The contractor is required, as per the permit issued to FDOT by the SFWMD, to have the study completed within 15 months from the permit issuance (Feb. 08). That means the study must be completed by May 09. We continue to be concerned about completing this work prior to this deadline, are seeking a copy of the detailed study schedule and will be monitoring its progress very closely.

One other date has been set and that is for a kickoff meeting with the interested parties to explain the project. That meeting is scheduled for Thursday, May 8, at 9 A.M. in Bonita Springs.

For further information on this issue see the article in the January edition at [http://esterofl.org/eccl/EDR/estero\\_development\\_report\\_january\\_2008.htm#Does Estero Really Need](http://esterofl.org/eccl/EDR/estero_development_report_january_2008.htm#Does_Estero_Really_Need) .

### **Mining Industry Effort to Preempt County Control Over Aggregate Mining Defeated In Florida Senate**

Although the Florida legislature will not adjourn until Friday, May 2<sup>nd</sup>, it looks like the mining industry's all-out effort to shift decision-making regarding mining permitting and regulation from the Counties to the State has been prevented by the Senate Environmental Preservation and Conservation Committee's rejection of SB 774 and SB 2406 on April 17<sup>th</sup>.

Our thanks go out to Committee Chairman Burt Saunders and to Senators Dockery Justice and Rush who provided the votes that killed these bad bills. Senate rules prevent the substance of bills that have been defeated in Committee from being considered as floor amendments to other bills that will be considered on the Senate floor. We are told that Senate President Ken Pruitt is going to make sure this rule is strongly enforced this year. As we go to press the miner's House bill, PCB ENVC 08-13, has not been

approved by the Committee nor been voted on the House floor. Should this bill pass the House this week it will probably not be considered by the Senate.

Had this legislation become law all of the County's DR/GR planning and the \$1.4 million that is paying for it would probably be have been negated.

In addition to the Senator Saunders and the members of his committee, Lee County Commissioners Frank Mann and Tammy Hall and County staff and lobbyists worked diligently in Tallahassee to produce this result. In addition, ECCL and 16 other organizations jointly communicated our concern about the adverse impact of this legislation to the sponsors, the committees, the legislative leaders and the Governor. In addition ECCL in cooperation with The Brooks Concerned Citizens initiated five broad-based email campaigns in different phases of the legislative session using the following website

<http://www.brooksconcernedcitizens.com/default.aspx?p=MembersDefault> .

In little over one month over 1,700 people registered on the site to send emails to these decision-makers. From 200 to nearly 700 people sent emails to each of the key decision-makers in each campaign. In the process over 20,000 emails were sent to our State leaders on the mining preemption issue in less than 40 days.

### **Hearing Examiner Decides Against Zoning for the Proposed Estero Group Mine**

On April 4<sup>th</sup> Lee County's Chief Hearing Examiner recommended that the Board of County Commissioners deny the Estero Group mine zoning application, without prejudice. This decision, if upheld by the BOCC, will allow the applicant to once again seek rezoning for this property within one year. As you may recall the Estero Group mine application seeks to rezone a 318 acre parcel along the north side of Corkscrew Road about 7 miles east of I-75 for development as a fill dirt mine operation.

The Summary of the Hearing Examiner Recommendation states that after careful review the Hearing Examiner concluded that (underlines added for emphasis):

"1) Lee County's and Applicant's expert witnesses could not state - with certainty that the conditions proposed throughout the hearing would adequately protect the County's water quantity or quality, wildlife, or other natural resources in the DR/GR area, as intended by Policy 1.4.5. and Goals 10, 107, 114, 115 and 117; and

2) The residents of the DR/GR area will be adversely affected by the mining operation - even as conditioned by Staff and Applicant, particularly by the increased amount of mining related truck traffic on Corkscrew Road, a narrow rural arterial, which provides the only access to their homes.

The Hearing Examiner's greatest concerns in this case stem from the uncertainty of Staff's and Applicant's experts that the conditions were adequate to protect the DR/GR lands and functions. First, she is concerned that any approval of this request may "lock" Lee County into a development pattern that may prove to be inconsistent and incompatible with the intent of the DR/GR - i.e., zoning by the "domino effect."

Second, she is concerned that, with all the unknowns about this area and this request, the approval of this mining operation could have unpredictable and irrevocable long-term or

future impacts on the DR/GR functions, which could jeopardize the County's future water supply.

Lastly, the Lee Plan and the Land Development Code require all these issues to be reviewed and addressed during the zoning stage, so that Staff can determine and ensure consistency with the Lee Plan and compatibility with other uses. Once the request has been approved and moves forward for development orders/permits, changes in the existing circumstances or changes in the proposed conditions of approval will not be reviewed again for consistency with the intent of the Lee Plan nor for compatibility with the other uses in this area. In addition, in that instance, neither the BOCC nor the public will have a chance to review the new conditions or changed circumstances to determine if the project should still be approved."

The BOCC is expected to consider this case in early June. All fifty-one (51) Estero residents who testified before the Hearing Examiner are entitled to testify at the BOCC Hearing.

### **Palm Beach County Approves Two New Mines Containing 11,000 Acres in the Everglades Agricultural Area Just South of Lake Okeechobee**

On April 24<sup>th</sup> the Palm Beach County Board approved two large mining applications in the sugar cane farming area south of Lake Okeechobee. They are:

- The South Bay Quarry contains 3,773 acres and will be mined by Rinker Materials at a rate of 100 acres per year for over 30 years, and
- The Lake Harbor Quarry contains 7,351 acres and will be mined by Florida Rock Industries at a rate of 100 acres per year for over 70 years. This land is owned by U.S. Sugar. That firm has already obtained a \$13 million state subsidy to upgrade their rail line in order to carry the rock to market.

According to the Palm Beach Post both of these firms are major contributors to local, State and Federal office-holders. Florida Rock Industries has contributed at least \$524,000 in Florida campaign contributions since 1995 and its public action committee (PAC) has contributed almost \$150,000 to Federal races since 1998. Rinker has donated over \$311,000 to candidates in federal races over the last 10 years and over \$664,000 in state races since 1995.

A third application for the 533 acre Bergeron mine expansion was postponed until May 22<sup>nd</sup>.

In May, 2006 the Palm Beach County Commission approved another 4,000 acre mine for Stewart Mining Industries.

#### **Opposition to The Palm Beach Mines**

All these mine applications have been opposed by a large coalition of environmental groups that have unsuccessfully raised objections about the mines' impact upon the area's underground water supplies and their impact upon ongoing Everglades restoration efforts.

#### **How Large Are These Mines?**

The 15,000 acres of mines approved by the Palm Beach County Board over the last two years is enormous. These mines will be able to produce almost 4 times the total output of all DR/GR mines during the last 25 years according to Dover, Kohl & Partners, Lee County's DR/GR planning consultants. They estimate that about 4,000 acres of DR/GR lands have been mined during the last quarter century. In addition they estimate that all of Lee County's permitted DR/GR mines have another 4,000 acres of permitted, available aggregate resources to be mined over the next decade or two, depending on the market demand for this material.

While we are opposed to these mines because of their location, these large mines will be able to efficiently supply the eastern part of the southwest Florida aggregate market as future development inevitably moves inland, including the Babcock Ranch development and its highway needs. The Babcock Ranch is about 65 miles from the 7,351 acre Lake Harbor Quarry site.

### **Increasing Estero's Voter Participation**

If Estero is to maintain the support of the Board of County Commissioners (BOCC), the community must register and vote intensively in the August 26<sup>th</sup> Republican Primary election and later in the November 4<sup>th</sup> General Election.

Persons interested in voting in these Florida elections, especially "Snowbirds", need to register to vote between now and July 28<sup>th</sup>.

In September 2007 the Supervisor of Elections removed 5,200 Estero voters from the election rolls. In spite of that action Estero's total registered vote has regained all but 333 of those voters. The total registered voters in all precincts containing some Estero territory have fallen from 21,632 to 21,299 since the last General Election in November 2006.

Part of the reason this gap has been closed is because of registration growth in some of our newest, expanding communities like Bella Terra, Belle Lago, The Reserve at Estero and Osprey Cove. The precincts in which these communities are located have grown by about 700 voters since November, 2006 while all other Estero precincts have declined by over 1,000 voters

Thus much registration work needs to be done in order for Estero to vote in the County Commission races as actively as we have in the past.

The following section describes how Estero's unregistered voters can register to vote in Florida later this year. You need not be in Florida to register and once registered you may vote by absentee ballot without returning to Florida.

### **How to Register to Vote in Florida**

Any person at least 18 years of age, who is a citizen of the United States and a permanent resident of Florida and of the County where he or she wishes to register, is eligible to register with the Supervisor of Elections. Once registered, if you vote at least once every four years, your registration is active and permanent.

### **The Easiest Way to Register**

A voter registration application may be obtained at the following website...  
<http://election.dos.state.fl.us/RegToVote/webappform.pdf> . Just print a copy of the form, complete it and mail it to:

Lee County Supervisor of Elections  
P.O Box 2545  
Fort Myers, Florida 33902

### Other Ways to Register

Registration forms may be obtained and completed at the Lee County Supervisor of Elections satellite office at 24951 Old US 41 Suite 10, Bonita Springs. This office is open from 8:30 AM to 5:00 PM Monday through Friday. It is located on the east side of Old 41 about two blocks south of the US 41/Old 41 intersection...just north of the railroad tracks.

Registration forms can also be obtained at public libraries, Chambers of Commerce, the Department of Motor Vehicles and AAA Motor Club sites throughout the county.

For information on registration, absentee voting etc. call (239) 533-8683.

### Estero's Housing Permits Stall in March

During March only 3 housing units, all single family homes, with a value of \$1.04 million were permitted in Estero. The first quarter of 2008 continues the downward trend in new housing construction in Estero that began in the spring of 2006, two years ago.

[Housing units permitted](#) during 2007 were by far the lowest in the 9 years that the County's system has tracked Estero's permits. It would appear that 2008 will be much lower than that minimum performance

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 the first three months of 2008 compare with the prior eight years:

Year	Annual Total Housing Units	Building Value of Units	Average Building Value Per Unit	Percentage of Single Family Units
2000	506	\$68,142,696	\$134,669	41%
2001	584	88,114,145	150,880	43
2002	292	55,956,255	191,631	60
2003	532	77,905,904	146,440	32
2004	371	74,011,015	199,491	73
2005	883	168,168,623	190,451	38
2006	569	119,676,682	210,328	15
2007	218	56,648,641	259,856	33
2008	40	13,791,205	344,780	90

Not only are the 2008 total housing units far below all prior years, they equal only 14% of the quantity permitted 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 33% from the prior high set last year and over two and one-half times the average building value in 2000.

### Permitted Commercial Building Values Continue Slow Growth

First quarter building permits of all types continued at a very slow pace. The value of [commercial buildings](#) permitted in Estero during the quarter totaled \$18.8 million.

Year	Year to Date	Annual Total
2000	\$6,493,092	\$77,250,835
2001	12,714,570	44,116,526
2002	2,377,297	23,135,139
2003	3,348,635	23,234,725
2004	2,556,018	60,859,820
2005	7,209,706	111,037,977
2006	68,428,727	184,709,240
2007	49,358,941	157,614,045
2008	18,837,360	?

As the right hand column of the above table indicates Estero commercial development started to expand rapidly in 2004, peaking 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. Thus far 2008 is running ahead of 2005. While it has slowed considerably Estero's commercial growth is far from over.

During the first quarter the major projects that contributed to the year to date totals are:

- \$10.19 million for the Hyatt Garden Hotel at Coconut Point
- \$2.22 million in the [Coconut Point Town Center](#);
- \$2.94 million for [Miromar Outlets](#) expansion
- \$1.06 million for Lee County Utilities
- \$217,000 in the Estero Ridge Shopping Center
- \$176,000 in Estero Town Commons
- \$155,000 in the [Brooks Town Center](#) (retail) at Coconut Road and Three Oaks Parkway
- \$129,000 in the [International Design Center](#)

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