

**Local Planning Agency  
Thursday, May 11, 2017  
9:00 A.M.  
Bonita Springs City Hall  
9101 Bonita Beach Road  
Bonita Springs, Florida 34135  
MINUTES**

I. CALL TO ORDER.

Chairman Sam Vincent called the meeting to order at 9:00 A.M.

II. ROLL CALL.

Chairman Vincent and all Board Members were in attendance except for Board Member Meg Jacobson.

III. REVIEW OF THE FOLLOWING ORDINANCE FOR CONSISTENCY WITH THE CITY OF BONITA SPRINGS COMPREHENSIVE PLAN:

- A. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTION 4-303, DURATION OF RIGHTS CONFERRED BY ADOPTED MASTER CONCEPT PLAN, CLARIFYING THE INTENT THAT COMMUNITY DEVELOPMENT DIRECTOR MAY OBTAIN ADDITIONAL INFORMATION DURING APPLICATIONS FOR REINSTATEMENTS AND EXTENSIONS OF MASTER CONCEPT PLANS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE.

9:02:13 AM City Attorney Audrey Vance addressed items A. and B. concurrently, reading the title blocks into the record and addressing the intent as it relates to Master Concept Plans.

9:10:32 AM Board Member Gallagher questioned why this did not include anything about endangered species. She also addressed item (4) and questioned if intensity/density included height. Mr. Dulmer responded no, as it relates to the number of units requested. A reinstatement is asking to renew what was previously there.

PUBLIC COMMENT: No public comments were made.

9:14:32 AM Board Member Sims entered a motion finding items A. and B., to be consistent with the City of Bonita Springs Comprehensive Plan; Board Member Henry Bird seconded; and the motion carried unanimously.

- B. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTION 4-303, DURATION OF RIGHTS CONFERRED BY ADOPTED MASTER CONCEPT PLAN, PROHIBITING APPLICATIONS OF REINSTATEMENT OF EXPIRED MASTER CONCEPT PLANS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE.

Addressed above.

PUBLIC COMMENT:

Comments included above.

- C. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; DECLARING A TEMPORARY MORATORIUM RELATED TO THE BONITA BEACH ROAD VISIONING STUDY AND QUADRANT STUDY IN THE COMPREHENSIVE PLAN AMENDMENT APPROVED MAY 3, 2017 AS ORDINANCE NO. 17-06; ESTABLISHING A MORATORIUM ON THE PROCESSING OF ANY ZONING OR OTHER COMMUNITY DEVELOPMENT APPLICATIONS WITHIN THE BONITA BEACH ROAD QUADRANT MAP OR BONITA BEACH ROAD CORRIDOR AREA (NETWORK ZONE MAP); PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

9:15:17 AM City Attorney Vance read the title block of the Ordinance into the record. The term of the moratorium is for one year or until such time Ordinance 17-06 goes into effect.

9:28:14 AM Board Member Sims asked if a developer working on a project would have an effect on his financial package. Mr. Dulmer stated that he did not know. Discussion followed.

9:30:08 AM Sam Vincent Map A.2., and asked when it will be defined. He also questioned financial impacts to the various zones. Mr. Dulmer stated he didn't see a concern as to the zones themselves, but rather with the design. Discussion followed.

PUBLIC COMMENT:

9:42:56 AM Mike Maurer representing Bernwood, furnished a PowerPoint presentation (copy in Clerk's file). He addressed property under contract at this time and concerns that if the moratorium goes into effect, which would result in a financial burden. He is here to ask that the Bernwood Park of Commerce be exempt from the moratorium. Discussion followed, with Mr. Dulmer suggesting a motion on the moratorium and a second motion to exclude this property from the moratorium.

10:08:47 AM Board Member Henry Bird should motion to allow this project to move forward. Chairman Vincent stated he was not sure if the Board has all the details of the plan to know if they are going in the right direction with this vision - what are they asking of

the developers. He does not know the details of the vision study and, therefore, finds it difficult to make a decision on the moratorium.

10:24:26 AM John McGarvey was in attendance to speak opposed to the moratorium as it relates to his property, which he addressed.

10:34:09 AM Mr. Stouter was in attendance to also oppose the moratorium.

10:42:52 AM Board Member Sims addressed a concern and that there is not a link - motion that there's no direct connection between Comprehensive Plan and this ordinance, as they agree city has authority to impose a moratorium. Also to exempt the Bernwood property; Board Member Henry Bird seconded.

Discussion followed.

11:04:26 AM Board Member Sims motioned that there is no direct connection between the Comprehensive Plan and the moratorium Ordinance. The Board has determined that the City has the authority to impose the moratorium; Board Member Henry Bird seconded; and the motion carried unanimously.

11:05:10 AM Board Member Sims next motioned to provide an exemption for the Bernwood property; Board Member Colapietro seconded; and the motion carried unanimously.

IV. DOWNTOWN RIGHT-OF-WAY CONCEPTUAL CROSS SECTIONS. FOR DISCUSSION PURPOSES ONLY.

11:15:39 AM Jay Sweet, Community Development, furnished a PowerPoint presentation on the various cross sections. Discussion followed.

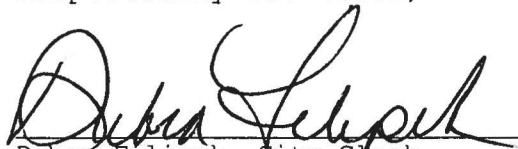
V. NEXT MEETING: June 8, 2017, 9:00 A.M.

VI. APPROVAL OF MINUTES: April 13, 2017

VII. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 12:06 P.M.

Respectfully submitted,

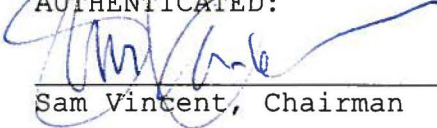
  
Debra Filipek, City Clerk

APPROVED:

LOCAL PLANNING AGENCY:

Date; 10.12.17

AUTHENTICATED:

  
Sam Vincent, Chairman