

Local Planning Agency
Thursday, March 5, 2015
9:00 A.M.
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, Florida 34135
MINUTES

I. CALL TO ORDER.

Chairman Henry Bird called the meeting to order at 9:00 A.M.

II. ROLL CALL.

Chairman Bird and all Board Members were in attendance, except for Board Member Fred Forbes.

III. APPOINTMENT OF A VICE-CHAIR.

9:01:51 AM Chairman Bird motioned the appointment of Carolyn Gallagher as Vice-Chair; Board Member Sam Vincent seconded; and the motion carried unanimously.

IV. REVIEW OF THE FOLLOWING ORDINANCES FOR CONSISTENCY WITH THE CITY OF BONITA SPRINGS COMPREHENSIVE PLAN:

AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTIONS 4-866, 4-868 AND 4-869 TO REVISE THE EXHIBITS AND THE USES PERMITTED IN THE OLD U.S. 41 REDEVELOPMENT OVERLAY DISTRICT; ALLOWING A CONVERSION FACTOR FOR MIXED USE PROJECTS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING A PORTION OF THE CITY OF BONITA SPRINGS COMPREHENSIVE PLAN, AS ADOPTED BY ORDINANCE NO. 02-16, AS AMENDED, SO AS TO AMEND THE FUTURE LAND USE MAP TO EXPAND THE OLD 41 REDEVELOPMENT OVERLAY BY 4.10 + ACRES, FOR THAT SMALL SCALE DEVELOPMENT AMENDMENT KNOWN AS "OLD 41 REDEVELOPMENT PROJECT AREA", CPA15-19563BOS, LOCATED IN SECTION 35, TOWNSHIP 47 SOUTH, RANGE 25 EAST, PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9:03:07 AM City Attorney Vance began by addressing both ordinances, explaining that Comprehensive Plan Ordinance is being postponed, explaining that Shangri-La reached out to the City yesterday with

concerns they have, and since they are a primary property owner on Industrial Street, the Ordinance will not be scheduled yet. Staff also has additional text changes they want to make.

With respect to the zoning ordinance, would also include the Industrial Street overlay language in it. It also revises the town center map.

9:04:06 AM Jackie Genson, Community Development, began by first addressing the history of the Comprehensive Plan Ordinance. The intent is to expand the area to include the property up to the railroad right-of-way, north of Bonita Beach Road, and south of Oak Creek. As part of the mixed use, they wanted to allow some loft apartment type uses. Overall, the first amendment is a map amendment to expand that area, however, they want to be able to retain the underlying residential density, which right now has an Industrial land use classification that allows 1.2 FAR, and for ten units per acre for multi-family. However, in the current overlay, the industrial sub-areas are silent on if residential uses are allowed. They want to propose some text changes that would allow Staff to implement the vision they share with City Council for this Industrial Mixed Use Overlay, which will include a map amendment and some small text changes.

9:06:45 AM Board Member Rex Sims asked if in the mixed use and industrial, if there is a requirement that a certain designated portion be used as industrial. Ms. Genson stated that currently, in the Comprehensive Plan, under the Industrial land use category, it states that if you want residential you could only have it as part of a mixed use planned development, at a maximum of 20% can be residential.

9:08:18 AM Board Member Gallagher stressed the need to have enough parking for all the uses anticipated. Ms. Genson stated parking would be addressed in the zoning ordinance.

9:09:24 AM Michael Roy, owner of property at 27820 Industrial Street, questioned how this will affect his business. He has been at his location for 47 years, as have other businesses in the area. It's an industrial area that includes mechanic shops. He owns a fabricating shop. He asked how they envision having loft apartments there with people coming and going and dining, with all this industrial stuff going on around them. Ms. Genson explained that a portion of the expanded area would fall within the Bonita Beach Road Corridor, with the other portion falling into the industrial art sub-district. They would allow existing businesses to continue as they are operating now. If their use is not allowed anymore by right, it becomes legal non-conforming and they would only be allowed to continue based on the non-conforming section. Discussion followed.

9:37:57 AM Board Member Bob Thinnies stated this is a unique area, and if they start looking at a more specialized industrial manufacturing use, i.e., the iron works, there is an issue in this area with traffic generation, as they don't want a lot of trips coming into and out of

this area simply because of the way the network is designed and operating right now. He feels they are on the right track in looking at specialized light industrial, where someone for example, might manufacture a widget for example and sell it retail downtown. He would not like to see a lot of high traffic generation numbers coming out of this area. He feels light manufacturing would be adequate and probably fit very well.

9:39:15 AM Board Member Gallagher referred to the use of light industrial and asked if it would be better to change furniture manufacturing to manufacturing, or call it light manufacturing - footnote 9. Mr. Sweet stated he would rather be more specific with more types than more general. Board Member Gallagher explained that her suggestion was to just call it "light manufacturing" instead of "furniture manufacturing." Mr. Sweet explained that it's a good location for specific uses, and that it will be a mix of uses that one would not associate with each other, but by doing that it will keep the traffic within the realm versus leaving it the way that it is. Chairman Board asked that today's comments be incorporated and addressed for the Board's next meeting.

9:41:08 AM Board Member Colapietro referred to the shared parking factor on page 6 of the Zoning Ordinance, to which has an issue with the formula. He feels it's flawed and has no meaning. He addressed a problem that occurred that involved his property. Board Member Sims agreed that it needs more clarification.

9:43:50 AM Board Member Colapietro referred next to the table on page 12, and suggested the heading on the first page of the table be on every page. Ms. Genson stated they can do that for review purposes, however, when it is codified by Municode they will not leave it that way.

9:49:03 AM Board Member Sims referred to page 4 depicting the map of the redevelopment area, and stated that there's no provision for the beer truck, which comes three times a week. It's not specified anywhere if there's any requirement for any kind of loading and/or unloading zone. City Attorney Vance stated that's in the state statues under the uniform Traffic Control as far as parking, loading and unloading. Ms. Genson explained that as sites redevelop and buildings are located closer to the front, and they establish alleys in the back that is where the loading zones and trash receptacles will be. There will also hopefully be a plan for shared containers, which is where the service areas will be - in the back of the buildings, away from the street.

9:49:47 AM Board Member Gallagher referred to the tables, particularly the one on donated goods on page 13, and footnote (8)f. on page 18 which states "all monetary proceeds resulting from the sale of said merchandise must be used in accordance with the organization's charitable purpose to benefit persons residing in Southwest Florida." She feels this should go further, and not limit it to benefiting "persons" specifically, but to benefit nature, i.e., the Audubon Society, or the environment. City Attorney Vance suggested "benefiting

causes." Board Member Gallagher suggested changing it to a charitable purpose to benefit Southwest Florida. City Attorney Vance to revise as suggested.

A short break was taken.

10:02:51 AM City Attorney Vance addressed revisions to be made to the Ordinance as a result of today's meeting. They will address furniture manufacturing, which is something Staff sees as having a downtown nature and character. She also suggested they discuss the conversion to ensure the Board is comfortable with that. She asked the Board to go over the permitted uses, and Staff will work on the table to accommodate other uses. The Old 41 Redevelopment Area Master Plan residential density range, to which below they will add a new section 3, which is an intensity/density conversion factor that would be limited to areas 6a. and 6.b. Ms. Genson addressed the timeline for the Ordinance, explaining that it will be scheduled for a first reading on April 1, 2015 and between the first and second reading there will be another LPA meeting, and then to City Council for adoption on April 15, 2015.

Per Board Member Sims addressing the formula, a brief discussion was held on parking.

V. PUBLIC COMMENTS:

10:18:22 AM Deborah Maclean expressed her excitement as she feels very close to Old 41 taking off. She further addressed 5th Avenue in Naples as it relates to parking, and feels the issue of parking will resolve itself.

VI. NEXT MEETING. Thursday, April 9, 2015

Board consensus for the next meeting to be scheduled for April 9, 2015.

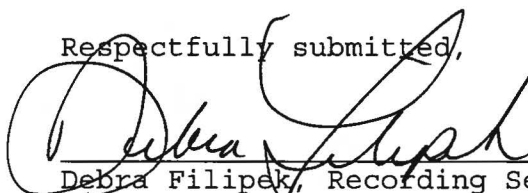
VI. APPROVAL OF MINUTES: 02/05/15

10:20:33 AM Board Member Colapietro addressed a typographical error to be corrected, and motioned approval of the minutes; Board Member Thinnis seconded; and the motion carried unanimously.

VII. ADJOURNMENT.


There being no further items to discuss, the meeting adjourned at 10:20 A.M.

Respectfully submitted,

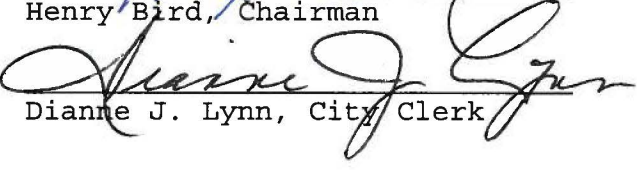

Debra Filipek, Recording Secretary

APPROVED:
LOCAL PLANNING AGENCY:

Date: _____
AUTHENTICATED: _____



Henry Bird, Chairman



Dianne J. Lynn, City Clerk