

**City of Bonita Springs
City Council Zoning Hearing
Monday, August 15, 2016
9:00 A.M.
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135
MINUTES**

I. CALL TO ORDER

Mayor Peter Simmons called the meeting to order at 9:00 AM

II. PLEDGE OF ALLEGIANCE

Councilman Steve Slachta led in the Pledge of Allegiance.

III. ROLL CALL

Mayor Simmons and all City Council Members were present except for Councilman Fred Forbes.

IV.

A. VAR16-28958-BOS, Forester Drive Setback Variance, District 3

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BY GREGORY AND MARGO FARAGO FOR 5' REDUCTION FOR A STREET SETBACK AND A 13' REDUCTION TO THE WATER-BODY SETBACK FOR A SINGLE FAMILY HOME, PURSUANT TO 4-1893 AND 4-1894(b) OF THE LAND DEVELOPMENT CODE; LOCATED AT 27844 FORESTER DRIVE, BONITA SPRINGS, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

9:03:15 AM City Attorney Vance read the title block of the zoning ordinance into the record. Mike Fiigon, Community Development, provided the background. He also provided an aerial view of the parcel and changes to the application.

Councilman Slachta entered a motion to approve the zoning ordinance addressed; Councilman Peter O'Flinn seconded; the motion carried unanimously. **ADOPTED ZONING ORDINANCE NO. 16-03.**

B. PD16-27068-BOS, Bonita Beach Road Commercial Planned Development (CPD) for Cyrus Bonita, LLC, District 5

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BY CYRUS BONITA, LLC, TO REZONE FROM THE CC (COMMUNITY COMMERCIAL) ZONING DISTRICT TO COMMERCIAL PLANNED DEVELOPMENT (CPD), PROVIDING FOR A TEMPORARY COMMERCIAL PARKING LOT, A 60-ROOM HOTEL/MOTEL WITH ACCESSORY USES; IN ADDITION TO THE OTHER PERMITTED CC USES; ON 0.65± ACRES; LOCATED AT 9790 BONITA BEACH ROAD, BONITA SPRINGS, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

[9:11:23 AM](#) City Attorney Vance read the title block of the case and swore in expert witnesses. Alexis Crespo, Waldrop Engineering, provided the background information and modifications made to the request. She provided a visual of the subject property and explained that the applicant requested for the hotel use to be included in the list of uses. She explained that they are limiting the unit count and preventing access to the site from Bonita Beach Road. The height is consistent with the vision of the Bonita Beach Road corridor and the deviation being sought is for a reduction in the height buffer. The reduction would be supplemented with more foliage and thicker shrubs.

[9:20:09 AM](#) Councilwoman Amy Quaremba asked about the height of the structure and the landscape buffer. City Attorney Vance stated that the impact fees would be determined once the ordinance passes.

[9:22:47 AM](#) Councilman Greg DeWitt asked about the timeline of the project. Ms. Crespo explained that once an architect was under contract then it would take approximately 2 years to break ground.

[9:24:36 AM](#) Jay Sweet, Community Development, provided staff recommendations for the project. He discussed the original proposal and allowed use.

[9:29:34 AM](#) Mr. Sweet explained that state statute gives the ability to provide a proportional fair share fund.

[9:33:55 AM](#) Councilman O'Flinn asked about the Zoning Board's decision. Mr. Sweet explained that the Zoning Board recommended to deny the request and the major issue presented to staff was the temporary parking lot. City Attorney Vance provided the difference between denying with prejudice and without prejudice.

[9:40:21 AM](#) Councilman Mike Gibson asked about the 52 room revision and suggested a slightly larger buffer alternative. Ms. Crespo explained that the requested reduction in the width of the buffer is for fire services to have access to the property.

[9:42:47 AM](#) Councilwoman Quaremba wanted clarification on the buffering sides.

PUBLIC COMMENTS:

[9:43:49 AM](#) Salvatore Tambascio, resident of the Citadel, commended the applicant for modifying their application to accommodate resident concerns. He expressed his concern with the parking lot request.

[9:45:34 AM](#) Joanne Crastie, resident of the Citadel, asked about other uses that are being requested. Ms. Crespo explained that accessory uses for the hotel would be for the benefit for the hotel and provided an example of a café or administrative office. Ms. Crastie expressed her displeasure with the idea that there may be an outdoor bar area.

[9:48:41 AM](#) City Attorney Vance explained that the underlying zoning was CC the Commercial District. Mr. Sweet elaborated that the original area was larger than what was presently being discussed. He stated that the current zoning did not fit the property. He also explained that the allowance of outdoor alcohol required special exception by the City Council and the use needed to be viable.

[9:52:11 AM](#) City Attorney Vance explained that there was a draft ordinance and provided the recommendations that were made. She explained that if there was a denial there needed to be findings of fact.

Councilman O'Flinn entered a motion for denial without prejudice and explained that the basis for his decision was because of the Zoning Board's recommendation of denial.

Councilwoman Quaremba seconded the motion;

9:56:58 AM Councilman Gibson explained his views on the parking structure and the views of the zoning board.

9:57:54 AM Councilwoman Quaremba stated that she was not in favor of allowing a parking lot to be placed on the property but would like for the Zoning Board to review the request again and for the applicant to provide more detail as to what they were planning to do.

9:58:35 AM Councilman DeWitt expressed his views on the request.

10:00:09 AM Councilman O'Flinn asked whether a parking lot was a permitted primary use on Bonita Beach Road. Mr. Dulmer explained that the parking lot would be considered a temporary use. He recommended that if there were a decision for a parking lot then it should have a time constraint.

10:02:20 AM Mr. Sweet stated that a parking lot is allowed under the existing zoning.

The motion failed for lack of votes 2-4 (Mayor Simmons and Council Members DeWitt, Slachta, and Gibson opposed)

Councilman Gibson entered a motion for approval with a time limit of 3 years for the parking lot; Councilman DeWitt seconded; the motion carried 4-2 (Council Members Quaremba and O'Flinn opposed) **ADOPTED ZONING ORDINANCE NO. 16-04**

V. ADJOURNMENT

There being no further items to discuss, the meeting ended at 10:05AM

Respectfully submitted,



Charlen Wade, Deputy City Clerk/ HR Assistant

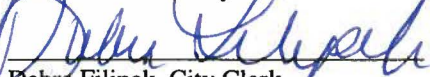
APPROVED:
ZONING BOARD

Date: 10/17/14

AUTHENTICATED:



Peter Simmons, Mayor



Debra Filipek, City Clerk