

**City of Bonita Springs  
City Council Zoning Hearing for  
Monday, October 17, 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 Steven Slachta led in the Pledge of Allegiance.

**III. ROLL CALL**

Mayor Simmons and all City Council Members were present with Councilwoman Amy Quaremba entering at 9:05 A.M., and with the exception of Councilman Greg DeWitt.

**IV. PD16-31764-BOS, Imperial Bonita Plaza CPD, District 6**

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BY GBR PROPERTIES, INC., TO AMEND THE IMPERIAL BONITA PLAZA COMMERCIAL PLANNED DEVELOPMENT (CPD); TO MODIFY A PORTION OF THE MASTER CONCEPT PLAN; LOCATED AT 28100 IMPERIAL PARKWAY AND 11601/611BONITA BEACH ROAD SW, BONITA SPRINGS, FLORIDA; ON 7.70 +/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

9:01:15 AM City Attorney Vance read the title block of the Zoning Ordinance and tendered expert witnesses.

9:02:11 AM Ms. Genson discussed the background of the zoning case. She discussed various ways to enhance transportation access to the property and staff's attempts to notify the residents affected by this change. She referenced the Chapter 4 requirements and conditions relating to tree replanting. She discussed 9 findings that staff looked for when they determined their recommendation. She referenced the surrounding property, future land use, zoning, and current uses of the property that was in an analysis compiled in the staff report. She also stated that staff did not find any compatibility issues.

9:16:24 AM Councilman Fred Forbes suggested that the meeting be postponed in order to have McMahon and Associates review the proposal and make suggestions. He expressed his desire to make sure the proposal was consistent with the Bonita Springs Vision.

Councilman Forbes entered a motion to continue the hearing in order to have McMahon and Associates and Toole Design Group review the proposal; Councilman O'Flinn seconded the motion.

9:21:47 AM Councilman Forbes asked whether the case would need to be reheard if it were to be continued. City Attorney Vance explained there would be a summary for Councilman Greg DeWitt but the entire presentation would not need to be heard.

[9:23:15 AM](#) Mike Kirby, Community Development, discussed environmental aspects of the proposal. He explained that there were 11 trees that were on the property and 9 trees had to be replaced. He also explained that this did not reduce the amount of open space for the area.

[9:25:13 AM](#) Stuart Smith, Community Development, discussed the traffic on Bonita Beach Road. He also stated that staff coordinated with Lee County Department of Transportation so that the Land Development Ordinance could be reviewed for impacts to Imperial Parkway.

[9:28:27 AM](#) Ms. Genson discussed the conditions for approval. She addressed the landscape buffering and engineering water quality standards. She explained that case was found compatible with the surrounding area. Oak Creek was determined to be a natural buffer. She discussed the findings based on the 9 criteria previously discussed.

[9:33:05 AM](#) Councilwoman Quaremba wanted to know what the Public Works Department discussed with staff regarding the proposal. Ms. Genson stated that staff worked with Public Works on maintaining the aesthetics of the median landscaping. Councilwoman Quaremba also asked about the residents on Butler Drive and the affect this change may have on them. Ms. Genson stated that there were notices that were sent to the affected residents and an ad that was posted in the newspaper.

[9:35:55 AM](#) Councilman O'Flinn referenced page 6 regarding a median cut that allowed access to Butler Drive.

[9:42:02 AM](#) Mr. Smith displayed the storm water management area and showed an access off of Imperial Parkway. Councilman O'Flinn asked where the new storm water management area would be placed. Mr. Smith explained that there would not be any additional water management areas.

[9:48:46 AM](#) Ms. Genson responded to Councilman Gibson's question by stating that the Land Development Code provided for a 660 ft separation on arterials but also allowed for a deviation process that allowed the applicant to petition for staff to review administratively, and if certain criteria were met then staff would be able to issue a deviation.

[9:50:08 AM](#) Councilman Forbes mentioned that McMahon and Associates studied the impact of the proposal.

[9:51:13 AM](#) City Attorney Vance clarified the motion entered by Councilman Forbes to continue the hearing for 1 month to allow Toole Design Group and McMahon and Associates to review and provide comments related to consistency with the Bonita Beach Visioning Study.

Councilman O'Flinn amended the motion and included special reference to preserve the access for residents on Butler Drive.

Councilman Forbes modified his motion to reflect Councilman O'Flinn's amendment and requested to have McMahon and Associates and Toole Design Group meet with the residents of the affected area to discuss the impact.

[9:53:47 AM](#) Councilwoman Quaremba suggested leaving the process to the applicant.

[9:54:48 AM](#) Councilman O'Flinn suggested to keep the access.

9:55:36 AM John Dulmer, Community Development, stated that there was a conflict with both medians and the turning lanes remaining open. The necessity for the turning lane to have a certain distance meant that there would not be enough space or time for cars to slow their speed and turn.

9:58:03 AM City Attorney Vance stated that Lee County had jurisdiction over the roadway.

10:00:48 AM Ms. Genson stated that an amendment was required because of the change in access and its effect on Butler Drive. There needed to be a hearing to allow residents of the area to make public comments.

PUBLIC COMMENT:

10:02:43 AM Rick Steinmeyer, resident of Bonita Springs, asked whether the applicant would pay for the changes that were proposed.

10:03:58 AM Richard Shanahan, owner of South West Florida Performing Arts Center building and parking lot, discussed the Bonita Beach Road proposal.

The motion carried unanimously

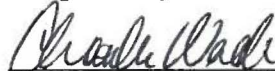
V. APPROVAL OF THE MINUTES: August 15, 2016 and September 19, 2016

Councilman Slachta entered a motion to approve the minutes as presented; Councilman O’Flinn seconded; and the motion carried unanimously.

VI. ADJOURNMENT


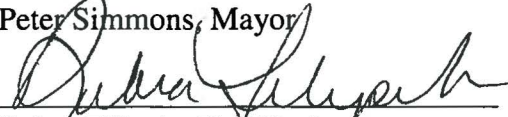
There being no further items to discuss, the meeting adjourned at 10:07 A.M.

Respectfully submitted,

  
Charlen Wade, Deputy City Clerk

APPROVED:  
CITY COUNCIL ZONING BOARD

Date: 11/17/16  
AUTHENTICATED:

  
Peter Simmons, Mayor  
  
Debra Filipek, City Clerk