

**City of Bonita Springs
City Council Zoning Hearing
Monday, June 15, 2015
9:00 A.M.
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135
MINUTES**

I. CALL TO ORDER:

Deputy Mayor Steve McIntosh called the meeting to order at 9:00 A.M.

II. PLEDGE OF ALLEGIANCE:

At the request of Deputy Mayor McIntosh, Council Member Steve Slachta led in the Pledge of Allegiance.

III. ROLL CALL

PRESENT:

Steve McIntosh, Deputy Mayor
Steve Slachta
Bill Lonkart
Mike Gibson
Peter Simmons

ABSENT:

Ben L. Nelson, Jr., Mayor
Janet Martin

IV. VAR15-19939-BOS, 27795 Hickory Blvd Setback Variance, District

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BY VICTOR AND VALERIE ZABAVSKY TO GRANT VARIANCES TO REDUCE STREET AND WATERBODY SETBACKS FOR A SINGLE-FAMILY HOME; ON LAND LOCATED AT 27795 HICKORY BLVD, BONITA SPRINGS, FLORIDA, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Audrey Vance read the title block of the Zoning Ordinance into the record, stating that she has reviewed the Affidavit of Publication which she found to be legally sufficient.

9:03:47 AM Jackie Genson, Community Development, next presented a brief overview of the request.

Council Member Slachta motioned approval of the Zoning Ordinance; Council Member Bill Lonkart seconded; and the motion carried unanimously. **ADOPTED ZONING ORDINANCE NO. 15-**

A. PD14-13460-BOS, Bonita Springs Car Wash CPD, District 5

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO REZONE 1.07± ACRES OF LAND FROM COMMERCIAL (C-1A) TO COMMERCIAL PLANNED DEVELOPMENT (CPD) TO ALLOW A CAR WASH FACILITY; ON LAND LOCATED AT 27731 S. TAMIAMI TRAIL., BONITA SPRINGS, FL 34134; PROVIDING FOR AN EFFECTIVE DATE.

9:05:50 AM City Attorney Vance read the title block of the Ordinance into the record.

9:06:07 AM Ms. Genson next presented the case via a PowerPoint presentation (in Clerk's file). Ms. Genson began by explaining that Staff did recommend denial of the application because of the proposed use and aesthetics.

9:20:37 AM Audrey Vance, City Attorney, read the title block of the Zoning Ordinance into the record. She has reviewed the Affidavit of Publication, which she found to be legally sufficient.

9:24:53 AM Attorney Neale Montgomery next presented the Applicant's case. She began by responding to concerns raised. Enhanced landscaping and enhanced architecture, which she expanded on. What they are proposed is a shared driveway, which was approved by FDOT. They have their ERP as signed off by the SFWMD. There were several representatives of the Applicant in attendance to address traffic, landscaping, buffering, site design, etc.

9:29:20 AM Ramone Acevedo next addressed the proposed architecture (PowerPoint presentation in Clerk's file) for the facility, which will depict a more modern style. He addressed the process and meetings held with their various representatives and City Staff. The building is 6,200 square foot building with modern architecture. He addressed plans for both the north and south elevations, as well as the east and west building elevations. The Zoning Board has indicated that they liked the architecture.

Scott Windham next addressed landscape architecture and design. The site will utilize royal palms, cabbage palms, shrubs and plantings. The property will utilize various vegetation, including Bulnesia trees, Muhly grass, Fire bush etc. The east side is the area closest to the residential. Council Member Mike Gibson asked if they can utilize more buffering in the back side to help with noise. Mr. Windham responded, that because there is a detention pond and FPL easement inclusive of plantings along the detention pond. During development orders stage they can perhaps replace the Muhly site with trees, i.e., cocoa palms, seagrape, etc. There is also a double hedge along U.S. 41.

9:51:48 AM John Wodjak, with Delisi Fitzgerald, addressed noise via a PowerPoint presentation (in Clerk's file).

9:57:17 AM Josh Philpott next addressed the planning aspects of the project, including the Land Development Code, zoning, consistency with the Comprehensive Plan, compatibility, etc. He also addressed the surrounding uses and uses the current zoning allows, i.e., massage parlors, restaurants with outdoor seating, package stores, and pool halls. A shared access agreement has been recorded.

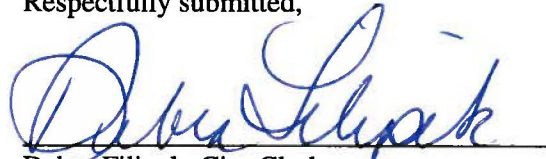
10:21:51 AM Discussion was held on continuing the meeting due to Council Member Peter Simmons having to leave the meeting at 10:30 A.M. City Attorney Vance suggested continuing the case to City Council's meeting of July 1, 2015, at which time there will be a date selected. A brief discussion followed and City Attorney Vance clarified the motion, which is to continue the case to City Council's July 1, 2015 meeting for purposes of determining a date. Discussion was held on the amount of time it would take to complete the presentation. Council consensus to hold the hearing on July 1, 2015.

10:23:32 AM Council Member Simmons motioned to continue to July 1, 2015; Council Member Slachta seconded; and the motion carried unanimously.

V. ADJOURNMENT


There being no further cases to discuss, the meeting adjourned at 10:26 A.M.

Respectfully submitted,


Debra Filipek, City Clerk

APPROVED:
BONITA SPRINGS CITY COUNCIL:

Date: 7/17/15

AUTHENTICATED:


Steve McIntosh, Deputy Mayor