

**MINUTES REPORT  
LOCAL PLANNING AGENCY  
February 22, 2010**

**MEMBERS PRESENT:**

Noel Andress  
Cindy Butler  
Carie Call

Wayne Daltry (Chair)  
Jim Green (Vice Chair)  
Mitch Hutchcraft  
Ron Inge

**STAFF PRESENT:**

Peter Blackwell, Planner  
Donna Marie Collins, Chief Asst. Cty. Atty.  
Brandon Dunn, Development Services

Dave Loveland, DOT  
Janet Miller, Recording Secretary  
Matt Noble, Planning  
Paul O'Connor, Planning Director

**Agenda Item 1 – Call to Order, Certificate of Affidavit of Publication**

Mr. Andress called the meeting to order at 8:30 a.m. in the Board Chambers of the Old Lee County Courthouse, 2120 Main Street, Fort Myers, FL. Ms. Collins, Chief Assistant County Attorney, certified that the affidavit of publication was legally sufficient as to form and content and entered it into the record.

**Agenda Item 2 – Pledge of Allegiance**

**Agenda Item 3 – Public Forum** - None

**Agenda Item 3 - Election of Officers**

**Nominations for Chair**

**Mr. Green made a motion to nominate Wayne Daltry as Chair, seconded by Ms. Call.** Mr. Green stated that although he realized it was counter to tradition, he believed the LPA had a significant opportunity to have the benefit of Mr. Daltry's chairmanship since he has a long history of smart growth and has shown a significant interest in the citizens of Lee County and for what is best for everyone's quality of life.

**Mr. Hutchcraft made a motion to nominate Ron Inge as Chair** in order to be consistent with the format used by the LPA for a long time where the Vice Chair moves up to Chair. He noted that Mr. Inge had been a long standing member of the LPA, **seconded by Mr. Andress.**

Ms. Butler stated that Mr. Inge and Mr. Daltry would both make a good Chairman, but Mr. Inge had served in the capacity of Chair in the past. She preferred to give someone else an opportunity who has been on the LPA for a while. **She made a motion to nominate Mr. Green as Chair. The motion failed for lack of a second.**

The motions were called to question.

**Those in favor of Mr. Inge as Chair were Mr. Address, Mr. Hutchcraft, and Mr. Inge. The motion failed 3-4. Ms. Butler, Ms. Call, Mr. Green, and Mr. Daltry were opposed.**

**Those in favor of Mr. Daltry as Chair were Ms. Call, Ms. Butler, Mr. Green, and Mr. Daltry. The motion passed 4-3. Mr. Inge, Mr. Address, Mr. Hutchcraft were opposed.**

Mr. Green expressed his thanks and gratitude to Mr. Address who served as Chair for the last year and, in his opinion, did a phenomenal job.

At this point, Mr. Daltry chaired the meeting.

### **Nominations for Vice Chair**

**Mr. Address made a motion to nominate Mitch Hutchcraft as Vice Chair, seconded by Mr. Inge.**

**Ms. Call made a motion to nominate Jim Green as Vice Chair, seconded by Ms. Butler.**

The motions were called to question.

**Those in favor of Mr. Hutchcraft as Vice Chair were Mr. Inge, Mr. Address, and Mr. Hutchcraft. The motion failed 3-4. Ms. Butler, Ms. Call, Mr. Green, and Mr. Daltry were opposed.**

**Those in favor of Mr. Green as Vice Chair were Ms. Butler, Ms. Call, Mr. Green, and Mr. Daltry. The motion passed 4-3. Mr. Inge, Mr. Address, and Mr. Hutchcraft were opposed.**

### **Agenda Item 4 – Approval of Minutes – January 25, 2010**

**Mr. Inge made a motion to approve the January 25, 2010 meeting minutes, seconded by Mr. Address. There being no further discussion, the motion passed 7-0.**

### **Agenda Item 5 – 2009 Lee Plan Special Amendment Cycle**

#### **A. CPA2009-02 North Olga Community Plan**

Staff clarified that today the LPA and members of the public would be hearing a presentation as an introduction, but no vote would be requested or taken.

Mr. Brandon Dunn gave some background information on this item and stated that staff would have a staff report within a couple of months with their recommendations. He introduced Alexis Crespo with Ensite Consulting.

Ms. Crespo stated she was the consultant for the North Olga Planning Panel and noted all seven members of the panel were present at today's proceedings as well as Shellie Johnson who is the Planning Director at Ensite. Ms. Crespo gave a PowerPoint presentation outlining the Vision Statement, North Olga Community boundary, information about the Panel, grant information, community features, panel/community outreach meetings, stakeholder interviews, status of the plan since December 2009, and sufficiency comments. She requested more time to undergo the sufficiency response process in order to meet staff's concerns and bring back a final and complete product for the LPA to vote on.

General questions and answers ensued regarding the boundaries, economic assumptions for the North Olga plan such as population growth, and the reason a new group is needed for the North Olga community when an Alva Community Plan is in place with an existing community group.

Mr. Daltry asked if anyone from the public wished to comment on this item. Public input was received from: Jerry Murphy (Murphy Planning Consultant for Alva, Inc.), Bill Redfern, Ruby Daniels (President of Alva, Inc.), Steven Brodtkin (President of the Concerned Citizens of the Bayshore Community), Karen Kamener (Bayshore Resident, representing the Concerned Citizens of Bayshore), and Debbie Jackow.

The public comment portion was closed.

Ms. Crespo referred to concerns brought up by speakers and noted Ensite and the North Olga Community Planning Panel intend to address those concerns since a plan has not been finalized yet. The plan will address all issues mentioned at today's meeting, such as density, supporting the rural character, and commercialization. She also clarified that The North Olga Association, is a separate entity from the North Olga Community Planning panel and this community planning effort and that they have 60-70 signatures of people supporting this panel's identity and this community plan.

Mr. Green noted there was a historical difference between North Olga and the community of Alva. When this item comes back to the LPA, he hoped the document would clearly note the historical aspects of North Olga, how they are different from the historical aspects of Alva, and how the community can benefit from those historical aspects/differences. He also wanted to see this proposal be part of the Alva Community Plan just as Olga is part of the Fort Myers Shores plan. If that was not possible, he hoped the plan could be fully embraced by Alva, which he felt was possible if density and additional commercial would not be in the plan as was indicated at today's meeting.

Mr. Andress stated he had not seen or heard anything today that would justify a whole new plan for Olga. If it is staying rural in character, then any other differences between the two areas could be incorporated in the existing Alva Plan rather than having two plans.

Mr. Hutchcraft applauded the public for their participation in grass roots planning and did not see anything right or wrong with Olga and Alva not having the same approach. He felt all communities should be allowed to have the opportunity to go through the process and present something to the LPA to evaluate. He referred to comments made against urban sprawl, but noted that “urban sprawl” is a reality that will need to be recognized. Low density single uses that are homogenously spread across the land is by definition “urban sprawl.” He felt it was the County’s obligation to consider anything that provides an opportunity to more effectively and efficiently place the right uses in the right location and preserve character and natural resources. Mr. Hutchcraft discussed how House Bill 697 and TMDL standards would affect community and policy planning. Another area of concern was the preservation of agriculture. Although the community does not tend to want anything to change in the agricultural areas because they want to preserve it, this ends up economically bankrupting the vast majority of agricultural providers. Over 70% of agricultural operations require a second source of income to maintain the viability of their uses. If other uses are not allowed for agricultural owners, then those agricultural areas will end up being destroyed.

Mr. Inge referred to comments or fears from the public that this proposal will be just like North River Village, but with a different name. Mr. Inge noted he had not heard anything from the consultant to indicate this would be the case. He also referred to a comment by one of the speakers that a certain number of the planning panel is comprised of large landowners in the area. He hoped this was the case since these policy decisions affect their property. If it is not the case, he encouraged the panel to invite more members who are large landowners. He also referred to comments on commercial nodes and intensification of uses, but noted it remained to be seen since a complete plan has not been presented. There are times commercial nodes make sense when you want to eliminate or reduce trip traffic. He encouraged the public to refrain from presupposing that this plan will not address the needs of the community and asked that they give the applicant the benefit of the doubt.

Ms. Butler noted she read staff’s comments in the sufficiency letter and felt they brought up some good concerns. Although it seems there are some big issues that need to be addressed, it seemed to her that the applicant was willing to address them. She also agreed with Mr. Green’s comment that it might be a good idea to have one plan instead of two, so she hoped that might be something staff could evaluate.

Mr. Daltry stated that the scale of the project did not concern him, but items of importance are why people are where they are, what the intent is, the importance of resource management and urban management. Mr. Daltry stated he would be evaluating these issues with each community planning panel that comes forward with a product. With each proposal, the LPA will need to understand the nature of the community and the nature of the county’s needs. These issues constantly change based upon the way people know each other, travel, and work.

This item was closed.

#### **B. CPA2009-09 Destination Resort Mixed Use Water Dependent Overlay**

Mr. Dunn gave an overview of his staff report.

Mr. Hutchcraft referred to Policy 31.7.4 on page 5 where it states “*At a minimum, one bus stop will be provided along Main Street to Lee Tran standards or better.*” He asked if that was one bus stop collectively because it could be interpreted to mean that any proposed development that came in would be required to provide a bus stop. He felt this language should be clarified.

Mr. Dunn clarified it would be one bus stop in the red area/project area and that staff would clarify the language to make that more clear.

No members of the public were present, so the public portion was closed.

**Mr. Address made a motion to recommend transmittal of CPA2009-09, seconded by Mr. Inge. There being no further discussion, the motion passed 7-0.**

### **Agenda Item 7 - Other Business**

#### **RFQ**

Per Mr. Daltry’s request, Mr. O’Connor gave an update on the RFQ. The RFQ is finalized and was sent out. Staff is waiting on responses. Staff will identify which ones will go through an interview process and they will be ranked. This item is scheduled on the Board of County Commission agenda for Tuesday, March 16, 2010 along with the rankings.

It was asked whether House Bill 697, 9J5, and LPA requirements would be considered in the process.

Mr. O’Connor noted that once a contract is negotiated, staff would get into the specificity of what needs to get done.

#### **Economic Assumptions**

Mr. Daltry noted the economic assumptions that governed in 2003 are not the reality of 2010. He asked if this could be a topic of discussion at a future meeting as to what the likely economic assumptions will be that govern the planning process for the next 5, 10, 20, or 25 years.

Mr. O’Connor stated it could be scheduled on a future agenda and that he would discuss it further with Mr. Daltry beforehand.

#### **Update Density Calculations**

Mr. Daltry asked for a status on CPA2008-18 Update Density Calculations.

Mr. O’Connor explained the staff person handling that amendment no longer works with the County. This amendment will be handled as part of this cycle of amendments (2009-2010 cycle) and would be reviewed by the LPA at a future meeting.

### **Lobby Log**

Mr. Daltry asked if the LPA were required to submit lobby logs.

Ms. Collins stated the LPA is required to submit lobby logs. She stated that at a future meeting she would provide updated packets to all LPA members and give a 15 minute overview of what is expected, how to complete the forms, and have a question/answer segment.

### **Parking**

Mr. Daltry stated the LPA should be allowed to park at the DCD building for the LPA meetings and that he wanted this to be a request from the LPA to the Commissioners. The LPA was in agreement.

### **LPA Procedures**

Mr. Daltry stated that at future LPA meetings, he would like to plan on having a break every 90 minutes. In addition, if a meeting lasts past 1:00, then he wants to break for lunch at 11:30. The LPA and staff also discussed other matters of protocol such as how long to allow the public to speak, using the time clock, having people announce their name and who they are representing when they come up to the podium, and filling out blue cards.

### **Agenda Item 7 – Adjournment**

The meeting adjourned at 10:20 a.m.