

**MINUTES REPORT
LOCAL PLANNING AGENCY
OCTOBER 27, 2025**

MEMBERS PRESENT:

Ray Blacksmith	Don Schrotenboer (Vice Chair)
Dustin Gardner	Stan Stouder (Chair)
Dawn Russell	Henry Zuba
Jennifer Sapen	

STAFF PRESENT:

Joe Adams, Asst. Cty. Atty.	Lindsey Karczewski, Planning
Nathan Beals, Utilities	Janet Miller, Recording Secretary
Kate Burgess, Principal Planner, Planning	John Podczerwinsky, DOT
Brandon Dunn, Planning Manager	

APPLICANT'S REPRESENTATIVES

Richard Akin, Land Use Attorney, Henderson, Franklin, Starnes & Holt, P.A.
Yury Bykau, Transportation Engineer, TR Transportation Consultants, Inc.
Paul Owen, Ecologist, Owen Environmental Consulting, LLC
Lindsey Rodriguez, Senior Planner, Morris-Depew Associates, Inc.
Ben Smith, Director of Planning, Morris-Depew Associates, Inc.
Ryan Shute, PE, Project Engineer, Morris-Depew Associates, Inc.

Agenda Item 1 – Call to Order, Review of Affidavit of Publication/Pledge of Allegiance

Mr. Stouder, Chair, called the meeting to order at 9:00 a.m.

Mr. Joe Adams, Assistant County Attorney, certified that the affidavit of publication for today's meeting was properly advertised.

Agenda Item 2 – Public Forum- None

Agenda Item 3 – Approval of Minutes – August 25, 2025

Mr. Blacksmith made a motion to approve the August 25, 2025 meeting minutes. The motion was seconded by Mr. Zuba. The Chair called the motion, and it passed 6-0. Ms. Russell was absent during this motion.

Agenda Item 4 – Lee Plan Amendments

A. CPA2024-00017 SR31 Civic 10 – Map Amendment

Amend Lee Plan Map 1-A, the Future Land Use Map, to change the future land use category of the subject property from Rural to Outlying Suburban, and amend Map 4-A, Lee County Utilities Future Water Service Areas, to include the subject property. The property is located on the west side of SR 31, directly north of the Lee County Civic Center.

Ms. Russell arrived during this portion of the meeting.

Richard Akin from Henderson, Franklin, Starnes & Holt, P.A., Ben Smith from Morris-Depew & Associates, Yury Bykau from TR Transportation Consultants, Inc. and Paul Owen from Owen Environmental Consulting, LLC gave an overview of the project along with a PowerPoint Presentation.

Mr. Blacksmith asked if utilities were currently available in front of the site, close by, or would they be extending utilities to the site.

Mr. Smith stated that utilities would need to be extended to the site.

Mr. Blacksmith asked if the property owner or county would be paying for the extension of utilities.

Mr. Smith stated that the property owner is waiting to see if other property owners would be willing to share in the cost of that extension. If not, the property owner will extend them at their own cost. With all of the expansion happening in the area and recent changes, the property owner prefers to wait before spending significant resources to extend it.

Mr. Zuba asked for an update on the code violations for this site.

Mr. Akin stated that conversations have taken place with the County Attorney's office. There are some approved permits for special exceptions to allow truck parking and other items on the property. Part of this application will help to clean up the existing violations. The code violations are not set for hearing yet.

Mr. Zuba asked if the code violations would be cleared up before this goes to the Board of County Commissioners.

Mr. Akin stated they would not be cleared up before this application goes before the Board of County Commissioners, but they have been working with staff to get to a place where this issue is not getting scheduled before the Hearing Examiner. Therefore, it is not officially abated but they are getting closer to that point. It is in a limbo status because of the request for the additional uses through the CPD process.

Mr. Zuba stated that in the staff report it is noted that the property is adjacent to or approximate to the DR/GR area, but he did not see it on the applicant's map in the PowerPoint presentation.

Mr. Akin stated the DR/GR area is located to the north and east of this property. He showed on the map approximately where it is located. He noted that the DR/GR requires compliance with several policies and studies/modeling is required as well. However, the subject property is not within that future land use area, so they do not need to comply with the DR/GR requirements.

Mr. Gardner referred to the earlier comment that there were no attendees at the community meeting. Being that this particular corridor has very active community involvement, he was surprised there were no attendees. He asked if there would be additional community meetings or if this would be going directly to the Board of County Commissioners.

Mr. Smith stated that prior to launching this comprehensive plan amendment application, representatives for this client reached out to several of the board members and discussed with them that this application would be forthcoming and what they were requesting. At that time, the concerns raised by the board members was that they did not want a dense residential project on this property. However, they were told that this application did not include a residential component. Mr. Smith felt this might be one of the reasons there was not much interest in the scheduled workshop. He noted the meeting was property

advertised and was held at the fire station off of Bayshore Road. If members of the public become interested at a later time, then he and other representatives will be happy to discuss the project further with them and hear their concerns.

Mr. Akin noted that for other projects he has been handling, he has attended various planning community meetings that the community holds on their own. At one of them, he was asked about this project. They were told there is no residential planned for this site. No further questions were asked. Mr. Akin stated it was his experience that when members of this community find something objectionable, they know how to show up and object. The fact that there has been no interest indicated to him that they must not have any objections. He noted that when this goes to the Board of County Commissioners for transmittal and adoption, there will be more opportunities for the public to be involved and make public comment.

Mr. Zuba referred back to the retail and commercial uses. He asked if Mr. Bykau could define how much traffic those types of uses would generate.

Mr. Bykau stated that in the worst-case traffic scenario, they are assuming there would be approximately 100,000 square feet of commercial uses which consists of basically medical office and general office uses. This would generate approximately 1,780 trips, which is not too high. They are not proposing any intense commercial retail uses and are not allowed to, which is why it will not be a high traffic generator.

Mr. Zuba asked for confirmation that the existing road network would be able to handle the anticipated traffic that these uses will create.

Mr. Bykau stated in a short-range analysis the road network would be able to accommodate it because there are improvements that are forthcoming to this area.

Ms. Sopen stated that if someone is exiting this site heading north on SR31, it looks as if there is a directional there. It seemed someone exiting the site would need to take Old 31 to get up to Old Bayshore Road. She felt there would be a lot of traffic coming from Babcock to this site. Because of that, she asked what the timing was for that traffic light.

Mr. Bykau stated the traffic light is being done as part of the widening project which is anticipated to be completed in 2027.

The LPA had no further questions, so the Chair opened this item to staff for their presentation.

Ms. Burgess gave an overview of the staff report and recommendations along with a PowerPoint presentation.

Mr. Blacksmith asked if the applicant would be able to pull a building permit without utilities at the site.

Ms. Burgess stated they would be required to show compliance with the Objective 4.1 thresholds. Once they exceed those thresholds, they would have to connect to water and sewer.

Mr. Blacksmith asked for confirmation that this would not require the county to extend utilities to this site.

Ms. Burgess stated that was correct. This would not be required of the county.

Mr. Gardner asked if the county had any other plans for extending utilities outside of this project.

Ms. Burgess stated she did not know of any county-initiated expansion but noted there is some private expansion that, from her understanding, is likely to occur around this site.

Mr. Gardner asked where all the sewer tie in points are located.

Ms. Burgess believed the closest one is on Bayshore Road just past Bayshore Ranch.

The LPA had no further questions, so the Chair opened this item to members of the public. No members of the public were present, so the public comment portion was closed.

Mr. Stouder stated he agreed with staff's evaluation and believed the request is complicit with the objectives and goals. He felt the proposal made good sense in light of what is taking place in this area. He stated it deals with the present with anticipation of the future. Mr. Stouder stated he also liked the fact that it has limited residential, bonus densities are not allowed, and industrial uses are not allowed. In addition, it is adjacent to the Civic Center and roadwork expansions are forthcoming. Therefore, he was in favor of the application and felt it was compliant with the objectives and goals.

Mr. Blacksmith, Mr. Gardner, and Mr. Zuba concurred with Mr. Stouder's comments and had nothing further to add.

Mr. Schrottenboer stated he was also in support of Mr. Stouder's comments and felt the applicant and staff did a great job in their evaluation of all the concurrent policies.

Ms. Russell agreed as well and felt the proximity of the site and availability of services makes it different from the surrounding rural properties.

Ms. Sopen felt it was a good proposal and that the applicant is just preparing for the future.

Mr. Schrottenboer made a motion to recommend transmittal of CPA2024-00017 (SR31 Civic 10 – Map Amendment). The motion was seconded by Mr. Blacksmith. The motion was called and passed 7-0.

Agenda Item 5 – Other Business - None

Agenda Item 6 – Adjournment

Mr. Dunn stated that, as is the custom each year, the November and December meetings are combined to where there is no November meeting, and the December meeting date is scheduled earlier than usual due to the holidays. The next Local Planning Agency meeting is scheduled for Monday, December 8, 2025, at 9:00 a.m. in the Administration East Building, Room 118, 2201 Second Street, Fort Myers, FL 33901.

Mr. Dunn stated that he was uncertain whether there would be a comprehensive plan amendment scheduled for that meeting date, but there will be three separate land development code amendments scheduled for the December meeting.

The meeting adjourned at 9:43 a.m.