MINUTES REPORT
LOCAL PLANNING AGENCY
APRIL 27, 2026

MEMBERS PRESENT:

Dustin Gardner
Dawn Russell
Jennifer Sapen
Don Schrotenboer (Vice Chair)
Stan Stouder (Chair)
Vincent Colaluca (Non-Voting School Board Member)

MEMBERS ABSENT:

Henry Zuba

STAFF PRESENT:

Joe Adams, Asst. Cty. Atty.
Nathan Beals, Utilities
Kate Burgess, Principal Planner, Planning
Brandon Dunn, Planning Manager
Lindsey Karczewski, Planning
Ohdet Kleinmann, Utilities
Janet Miller, DCD Admin.
Brian Roberts, Development Services Manager
Anthony Rodriguez, Zoning Manager

REPRESENTATIVES

CPA 2024-00016 Caloosa 80

Neale Montgomery, Esq., Pavese Law Firm
Alexis Crespo, AICP, RVi Planning & Landscape Architecture
Chris Kennedy, Kimley-Horn
Jackie Larocque, P.E., ATWELL
David Brown, P.G., RESPEC
Ted Treesh, TR Transportation

Land Development Code Amendments – Item 5A – Existing Aggregate Mines

Tina Ekblad from Sage Entitlements, representing Titan America and Seagate Mine
Tracy Hayden, Representing Titan America
Matt Price, CEO of Seagate Development Group, Representing Seagate Mine

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. 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 – February 23, 2026

Mr. Schrotenboer made a motion to approve the February 23, 2026 meeting minutes with the two corrections on Page 10 of 11, outlined by Ms. Miller in her e-mail of 4/24/2026. The motion was seconded by Ms. Russell. The Chair called the motion, and it passed 5-0.

Agenda Item 4 – Lee Plan Amendment

A. **CPA2024-00016 Caloosa 80 – Map Amendment**
Amend Lee Plan Map 1-A, Future Land use Map, to redesignate 92.71 acres of the subject property from Rural to Sub-Outlying Suburban, add the full 192.3-acre site into Maps 4-A and 4-B, Lee County Utilities Future Water and Sewer Service Areas, and update Table 1(b). The property is generally located to the east of Bateman Road and to the south of Palm Beach Boulevard (SR 80).

Pat Neal from Neal Communities, Neale Montgomery, Esq. from Pavese Law Firm, Alexis Crespo, AICP from RVi Planning & Landscape Architecture, Chris Kennedy from Kimley-Horn, Jackie Larocque, P.E., from ATWELL, David Brown, P.G. from RESPEC, and Ted Treesh from TR Transportation, gave an overview of the project along with a PowerPoint Presentation and were available for questions.

Mr. Stouder referred to Table 4 on Page 36 of the PowerPoint presentation under the "*Transportation*" section and asked for confirmation that Table 4 indicates there will be 845 additional trips per day as a result of this development.

Mr. Treesh stated that was correct. He noted that in their analysis they use peak hour because that is the highest category.

There were no further questions of staff, so the Chair opened this item to staff.

Ms. Burgess reviewed the staff report and recommendations along with a PowerPoint presentation.

Mr. Schrotenboer referred to Page 6 of the staff report where it states, "*The overall characteristics of the portion of the property the applicant wants to amend the Future Land Use* ***are not inconsistent*** *with the Sub-Outlying Suburban.*" He also noted that during staff's presentation, Ms. Burgess used the phrase "***generally consistent***." To him, these were not definitive terms, which is a concern since this Board's role is to find the amendment consistent with the Lee Plan.

Ms. Burgess stated that it has been found to be consistent with what is in the Lee Plan. Unless there are specific items that are called out, staff's standard terminology is that it is "***not inconsistent***" or it is "***consistent***." If it is "***consistent***," it means it has met all the things that are called out. If it is "***not inconsistent***," it means it meets all the things that are there, but it is not a specific item or characteristic that is required to be met. Due to Mr. Schrotenboer's comment, Ms. Burgess clarified that the proposal is consistent with Goal 27.

Ms. Russell asked if the community meetings were well attended. Other than connectivity, she asked if there were other major concerns.

Ms. Crespo stated that rather than schedule separate community meetings, they opted to attend the Alva, Inc. meetings to provide their updates since they are well attended. She stated they are allowed to publish a notice and attend any scheduled meeting. The main consternation seemed to be the lot sizes in the zoning. She noted that it is clear on the density that this is not necessarily increasing density when taken together with the zoning. Regarding the clustering, the public wanted to see 1-acre lots.

Mr. Gardner asked for clarity on the actual unit count because there are multiple units listed in the materials such as 690, 746, 721, 794, etc.

Ms. Crespo stated that the 690 quoted is the MPD unit request, which is tied to the zoning. She admitted there were some discrepancies between the numbers she noted versus staff. Out of the 192 acres, 100 of those acres are in Urban Community. This equates to 600 units (6 units per acre). The balance of 92 is Rural, so the number is 692 and represents what is allowed today for the Future Land Use Map. She noted that there are other nuances that can impact these densities such as wetland/preservation provisions. Looking at the map colors, the densities are 692. She then stated that if you take the 92 acres and take it to 2-units per acre, that would be another 184 units. This means it would equate to 784 units at peak development. She believed staff would agree with her that the maximum allowed under the Future Land Use Map change is around 790 units. That being said, it is their intent to develop 690 units through the zoning, even though the map amendment allows them to go up to 790 units.

Ms. Sapen asked for clarification that today this Board is to only consider the requested change, which is a 92 unit increase. In other words, the only change is the Future Land Use change.

Ms. Crespo stated that was correct.

Mr. Stouder noted that heretofore there has been no Outlying Suburban in this part of the Future Land Use Map. He asked if staff knew why that might be.

Ms. Burgess noted one reason might be because this particular future land use category is newer than many of the others in this area of the county.

Mr. Dunn stated that was correct. The Sub-Outlying Suburban category is a newer category than Outlying Suburban. Those categories did not exist and there has not been any that have transitioned to that area. This is the first request staff has received.

Mr. Stouder referred to Page 2 of the staff report and noted there seemed to be several attempts made regarding this property in 2009 and 2022. The case was withdrawn after a Board Hearing that took place on May 22, 2024. He asked for specifics on that.

Ms. Crespo stated that Neal Communities is very active in Lee County and have done a lot of work in Northeast Lee County. The current property owners are in later stages of their careers, and this project is a large undertaking as a developer. Mr. Neal approached them after the Board hearing and told them he felt it would be a great Neal Communities project. The current owners decided not to go through with developing an RV resort and went under contract with Neal Communities.

Mr. Stouder asked Mr. Neal if he concurred with Ms. Crespo's statements.

Mr. Neal stated he agreed with her statements.

Mr. Stouder referred back to the 845 daily trips and asked for staff's position on impact fees as it relates to road improvements needed to maintain a level of safety not a level of service.

Mr. Dunn stated that regarding impact fees, staff follows the direction of the Board of County Commissioners on how they want to handle/implement impact fees. Regarding the 845 daily trip increase, it is based on the worst case scenario meaning if they were to build all 790 units within the limits that are currently allowed under today's future land use category. However, what was discussed today during the applicant's presentation is that they will not be building 790 units. They will be constructing/building within the limits that are currently allowed under today's future land use category, which means it may not be realistic to expect the 845 daily trips.

Mr. Stouder stated that although it is outside of this Board's purview, he felt it was a lot of trips. He was certain that offsite improvements, etc. would be of great concern for people that navigate that stretch of road.

The LPA had no further questions, so Mr. Stouder opened this item to public comment.

Denise Eberle (opposed)
Ashley Randolph (opposed) – Represented the Brown Family Trust
Holly Schwartz (opposed)
Debbie Erwin (opposed)

The major concerns by the attendees were: 1) This amendment moves density into a Rural area that was planned to remain low density. In doing so, it introduces Suburban development patterns deeper into a Rural community; 2) Spreading density outward results in not protecting Rural character and not maintaining a clear boundary between Urban and Rural; 3) this change will create pressure for additional conversions in between and making it harder to defend remaining Rural areas from the same argument; 3) the outcome is having the character of the community change incrementally through decisions that seem isolated; 4) the LPA is being asked to approve this shift today without knowing what will ultimately be built; 5) approving this amendment sets a precedent that Rural land can absorb that shift and it will eventually be used again with other developments; 6) The proposal increases intensity of a Rural community; 6) There are concerns that this development would violate the Endangered Species Act and cause irreparable harm to a variety of endangered wildlife populations and altering the Rural landscape of the neighborhood; 7) In addition to concerns over the protected gopher tortoise and wood stork, there is evidence of this land being an active breeding habitat for the endangered Florida Panther including a siting by Florida Fish and Wildlife on their public map in 2025 where they made a siting on the east side of Bateman Road; 8) This development will cause habitat fragmentation and the urban development will lead to an increase in vehicular collisions, which is the leading cause of death for the endangered Florida Panther; 9) Developing something of this scale within a vital, active ecosystem, and breeding habitat will create barriers that restrict movement and isolate populations even further; 10) Regarding the utility expansion, the County should not be approving utilities in an area that is not within the boundary of the future service area recognized by the county and which is not contiguous to the existing boundary; 11) approving these utilities causes "*leapfrog*" development; 12) the Board of County Commissioners directed staff to prepare amendments to the Lee Plan for the Southeast Lee County Community Planning Area to manage growth and encourage development that protects the county's natural resources. The Alva community is asking for that same consideration; 13) "*Leap frogging*" an entire rural area for the approval of utilities will result in the harmful cumulative impact for the very last Rural areas of Lee County; 14) Concern was expressed regarding the presentation on the irrigation supplementation where the stormwater ponds would be used in the event that there is a drought and the sandstone aquifer will be tapped for that irrigation. It was noted that this area is where the residents have their wells, which run low at times. This will worsen if the density is added to the area and the stormwater ponds and sandstone aquifers are used; and 15) the community prefers to have a Trailer Park in lieu of having a development handled by Neal Communities, which they felt caused damage in Sarasota and Manatee Counties; 16) The property only constitutes 417 trailer park slots as opposed to 600 to 800 units crammed into their area.

No other members of the public wished to comment, so the public portion segment was closed.

The applicant's representatives asked if they could respond to some of the public comments. The LPA agreed.

Ms. Montgomery referred to comments made by the public regarding impacts on the sandstone aquifer. She noted that the purpose of having central water and sewer is to not impact existing legal users. If you have 1-acre lots with well and septic tanks, it will have an impact on existing users. She noted that David Brown indicated it would not be impactful. Regarding protected species, Mr. Kennedy is an ecologist. This project will have to go through a series of permitting and they will not be allowed to have adverse impacts on any listed species.

Ms. Sapen referred to the concern about "*leap frogging*" in relation to the service map and asked if staff had any concerns with that.

Ms. Burgess stated there are other instances in the County in which the service areas "*leapfrog*." She noted it is common throughout the county.

Ms. Sapen asked for confirmation that if it was not "*leapfrogged*" and the land in between was added to the map, that the residents would have to connect.

Ms. Burgess stated that was correct.

Ms. Sapen asked for confirmation that by "*leapfrogging*," it allows the community to remain as is.

Ms. Burgess stated that was correct.

Mr. Schrotenboer referred to comments made about the Florida Panther and asked if this is a primary or secondary habitat and if there are any telemetry points being identified on the property as part of their preliminary studies.

Mr. Kennedy stated it is a secondary habitat. His team has not observed any utilization on the site but will continue to perform wildlife surveys throughout the process. To date, they have not observed any utilization.

Mr. Schrotenboer asked if clustering is allowed in the Rural land use category.

Ms. Burgess stated it is allowed. She noted there are some allowances for clustering and indigenous upland habit restoration that allows some bonus density. She stated the applicant was referring to Lee Plan Policy 5.1.10 which specifically addresses when two future land use categories exist within one property. In order to spread the units out evenly across those, it has to be in a Suburban or Urban area. Because the Rural category is considered a non-urban area, that portion of the property would have to meet the Rural density or Rural allowances.

Mr. Schrotenboer asked for clarification that they could cluster the 92 units that are currently allowed under Rural, but they would not be allowed to spread any of the additional density from Urban.

Ms. Burgess stated that was correct.

Ms. Russell referred to the public comment about the irrigation coming from the sandstone aquifer and asked whether that would impact the adjacent residents.

Mr. Brown stated they performed groundwater flow modeling on the proposed irrigation system. It was determined that there will be no adverse impacts offsite and that there will be minimal drawdown on existing wells. He reiterated that half of the irrigation is made up of stormwater, which greatly reduces the amount of groundwater that will be used.

Mr. Schrotenboer asked if it was mentioned at any of the community meetings the issue of development having the propensity of flooding offsite to neighboring properties. He asked if flooding was addressed as part of the water management program.

Ms. Larocque stated flooding would be addressed during the Stormwater Management Permit when they prepare their ERP. She reiterated that they will not be allowed to adversely impact anyone offsite. The stormwater will be kept onsite and slowly discharge, which is allowed per all the rules and regulations.

Mr. Stouder stated that changing the Comp Plan to Sub-Outlying Suburban, while it is not an increase in density in District One, it is a dramatic increase of 100% on the 92 acres, which he found to be in conflict with Goal 27, Goal 28, and their attendant policies as well as Policy 1.1.11. He did feel that the expansion of the utilities map and utility providers is consistent with the Lee Plan and he is supportive of FGUA yielding to Lee County Utilities. However, he did not feel the increase or the change in the Lee Plan to Sub-Outlying Suburban or the density incursion, even though it is not over the maximum in the overall district, to be inconsistent with the Lee Plan. He read the verbiage in Goal 27, which is "*Maintain, enhance, and support the heritage and rural character, natural resources, and agricultural lands. Alva and North Olga will work cooperatively toward this goal through the objectives and policies that follow, and through their individual community plans*." He did not find it consistent with Goal 27 to double the density on 92 acres. He also read into the record verbiage for Goal 28, which is "*Support and enhance the unique rural, historic, agricultural character and natural environment and resources of the Alva Community Plan area, including the rural village and surrounding area.*" He noted that surrounding the subject property is existing Rural or Conservation, so he did not feel the proposal was consistent with Goal 28 either. Mr. Stouder referred to Page 3 of the staff report where it states, *"…no acreage to the Sub-Outlying Suburban future land use category for residential development.*" He noted that on Page 5 of the staff report under Policy 1.1.11, there is language that discourages the encroachment into these existing Rural land use map areas. Although he understood that 600 units are allowed in the Urban category, he could not find it to be consistent with the Lee Plan to change the 92 acres to Sub-Outlying Suburban.

Mr. Schrotenboer stated that the ability to cluster the density in the way that this project is proposing by having two urban categories provides tremendous ecological and water management benefits. He felt those benefits outweigh the potential inconsistencies mentioned by Mr. Stouder. He stated that if development is going to take place, this is the better plan by being able to cluster, increase the open space significantly from what is currently called for, as well as the ecological benefits that have been discussed in the application and in today's discussion.

Mr. Stouder stated he did not have an issue if they want to put 600 units on the Urban piece. He felt the adjustment to the market will cause the benefit of open space and groundwater to be harvested in the existing Urban usage without needing to spread nor multiply by 100% onto the 92 acres. He could not find the current proposal to be consistent with the Lee Plan.

Mr. Schrotenboer made a motion to recommend transmittal of CPA2024-00016 (Caloosa 80). The motion was seconded by Ms. Sapen. The Chair called the motion, and it passed 3-2. Mr. Stouder and Mr. Gardner were opposed.

B. <u>CPA2026-00003 2026 Cleanup Amendments - Text Amendment</u>

Amend the Lee Plan to update policies 2.1.3, 6.1.2, 11.2.1, 25.8.4, Chapter XIII, and the Glossary of the Lee Plan. These amendments remove out-of-date policies, improve consistency, reflect current conditions and practices, and other general cleanup items.

Ms. Karczewski reviewed the staff report and recommendations.

Mr. Stouder referred to Page 5 of the staff report under Policy 25.8.4 where there is mention of the interconnectivity of Lehigh. He asked what would take place in instances where a neighbor will not grant the applicant an easement that they need.

Mr. Dunn stated that is something that happens occasionally, so staff felt this change allowed for more flexibility if that instance should occur in the future.

Mr. Roberts stated that the standard practice is to try to get a cross access easement on the property that is redeveloping, then at some point in the future, if the property that is adjacent redevelops, they can get a cross access easement when it redevelops, which allows us to establish a completed access. However, there are times this does not work out, so staff wanted to have more flexibility.

Mr. Schrotenboer made a motion to recommend transmittal of CPA2026-00003 (Cleanup Amendments), which includes amending Lee Plan Policies 2.1.3, 6.1.2, 11.2.1, and 25.8.4, Chapter XIII, and the Glossary. The motion was seconded by Ms. Russell. The Chair called the motion, and it passed 5-0.

<u>Agenda Item 5 – Land Development Code Amendments</u>

A. <u>Administrative Amendments to Existing Aggregate Mines</u>

Mr. Dunn gave an overview of the amendments.

Mr. Stouder asked what requests staff would be able to approve on their own without it going through a public hearing.

Mr. Dunn stated that conditions are placed on mines that generally address timing, which is a big issue. This amendment would not allow changes to the Master Concept Plan (areas shown as preservation and conservation or the extensive mine footprint). Staff would be approving general conditions that address hours of operation or the extension of the expiration of the mine.

Mr. Stouder asked legal counsel if they had any concerns with staff being able to administratively approve the expiration of the mines permit.

Mr. Adams stated he did not have any concerns with it. There are typical applications that staff receives and approves. This amendment only relates to the procedural burden of having to go through the public hearing process. This amendment is part of an effort to streamline our regulations.

Mr. Stouder stated that overall mining has been a contentious issue in this county. He believed that extending the expiration date would possibly be met with negative responses from the public.

Mr. Schrotenboer felt a more sensitive issue for the public might be staff being able to administratively approve adjustments to the hours of operation for mines.

Ms. Jennifer asked how staff reviews the administrative criteria for hours of operation.

Mr. Roberts stated there was a dewatering amendment because there was dewatering that was prohibited for a mine. When it comes to older mines, there has been language in there that prohibited blasting because blasting was part of the Land Development Code. However, it is not part of the Land Development Code anymore. This amendment targets issues like that. Hours of operation are wide to where it mainly prohibits activity on Sundays and Federal holidays. The amendment is aimed more towards things that may not have an internal impact versus things that are going to impact the public.

Mr. Rodriguez concurred with Mr. Roberts' statements. He noted there are opportunities to go through that administrative review process to mitigate through conditions offsite impacts referenced by Mr. Roberts. Rather than go through the lengthy procedural process mentioned by Mr. Adams to get to the same end result, there is an opportunity to cut some of that out to allow staff to use the technical expertise they have in-house to work with applicants to get to where they are trying to go in a way that protects the public. At the end of the day, that is the goal.

Mr. Stouder stated he was in favor of the concept, but not sure of the implementation.

The LPA had no further questions, so Mr. Stouder opened this item to the public. Public comment was received from:

Ms. Tina Ekblad from Sage Entitlements referred to questions about hours of operation. This is referring to existing mines. In Chapter 12-121, there is a very specific definition that a mine has to have an industrial planned development approval prior to 2008. What has been seen in those approvals is the hours of operation are actually segmented. For instance, they have hours of operation for trucking and when that queuing can happen. There are hours of operation for the administrative office. There are hours of operation for the actual processing and the rock crushing and then the actual excavation. This means there are different conditions that applicants can agree to in order to address those offsite impacts that have the potential to occur. When applicants request flexibility in those hours, they may choose to only alter the hours for one function. For instance, the office staff might need to be onsite early to get things ready. They are not in favor of creating an ADHOC bucket that everyone has to fit in. Currently, they cannot amend the conditions at all without going through a public hearing and you cannot amend broadbrush conditions for existing mines. There is very specific criteria of dewatering. This amendment expands opportunities for the existing mines to put an application in with their best justification and then for Community Development staff to review it and either determine it fits within the administrative requirements or not. If it does not fit the requirements, the mine will be required to move forth with a public hearing application. The Director always has the ability to say cumulatively that there is too much impact and require a public hearing. With regard to her comments for today, she referred to amendments to the Lee Plan Under Ordinance 19-13 that took place in 2019. These amendments resulted in a substantive change to Goal 10 related to extraction and it also limited extraction to the Southeast Lee County Planning Community and amended Goal 33 and its attendant policies. Since that time, the SE Lee County Planning Community has seen a lot of development (significant residential and mixed use development). As a result, there is not a large contiguous piece of property left for new mining. The increase in development is increasing the demand for the materials, which in turn increases the flexibility that is needed on the existing mines to meet that demand. She thanked Community Development staff for bringing this forward and she was in support of the amendments.

Ms. Tracy Hayden from Titan America stated she was in support of Agenda Item 5.A. to amend Section 12 of the Land Development Code.

Mr. Matthew Price, CEO of Seagate Development Group, stated he was also in favor of these amendments. Mr. Price referred to a comment made earlier by Mr. Stouder and agreed that the mining operations are not always seen in a favorable light. As a result, getting another mine approved in Lee County is nearly impossible with the public pushback. When he went into the mining business, they tried to look at how they could use the existing mines, so he met with some of the other mine owners to see what some of the issues were. One of the issues is the time it takes to get things done. There are a lot of roads to build in Lee County in a short time frame. Many of the road costs are coming back extraordinarily higher than originally budgeted for. This will only get worse if the aggregate cannot get out of the ground. Mr. Price explained that what he would like to use this for with regards to his specific case, deals with the hours of operation. However, only dealing with their drag line, which does not have an impact on the outside world as it is only internal. It entails bringing the rock out of the ground and then putting it to the side. It does not involve sending trucks out. Normally, they would have to go through the same process as someone who had something that would create significant issues for neighbors. He felt staff has the best interest of the community in place. When there are small opportunities to use an existing mine and put regulations in place that will not take two years to get to a solution, could ultimately help the public.

No other members of the public wished to comment, so the public portion segment was closed.

Ms. Russell made a motion to find Agenda Item 5A (Administrative Amendments to Existing Aggregate Mines) to be consistent with the Lee Plan. The motion was seconded by Mr. Gardner. The Chair called the motion, and it passed 5-0.

B. <u>Shipping Container Use and Stacking</u>

Mr. Rodriguez gave an overview of the amendments.

Mr. Stouder asked for confirmation that "*Industrial General*" can amount to "*Heavy Industrial*."

Mr. Rodriguez stated that was correct. In terms of when you compare the schedule of uses for "*Light Industrial*" and "*General Industrial*," "*General Industrial*" allows for more heavy duty kind of manufacturing type uses than "*Light Industrial*."

Mr. Stouder asked about Open Storage.

Mr. Rodriguez stated Open Storage is permitted in all of these districts.

Ms. Sapen referred to Page 1 (a)(3) where it says, "*The use is approved on a temporary basis in accordance with Sections 34-3044 and 34-3050.*" She believed the first section was correct, but she believed the second one is in reference to RV Recreational vehicles. Ms. Sapen stated it would cause her some concern if it was related to RV development.

Mr. Rodriguez stated he believed it related to temporary construction trailers, but he would double check that and correct the cross reference if needed.

Ms. Russell referred to instances where there is industrial adjacent to residential. In an instance like that, she asked if there would be further regulation or restrictions for the stacking if there are residential units in close proximity to that entitled zone area.

Mr. Rodriguez explained that part of these amendments include an amendment to Section 34-2443 on Page 2, which entails specific setbacks for specific uses. Generally speaking, more intense type manufacturing uses have a 660-foot setback from a residential use. In terms of the open storage type use and the stacking of containers, staff is proposing a 100-foot setback from a residential property and also bearing in mind that buffering and screening requirements will still govern in these scenarios.

Mr. Stouder stated he felt these amendments were highly consistent and very functional.

The LPA had no further comments, so Mr. Stouder opened this item to the public. No members of the public wished to comment, so the public portion segment was closed.

Mr. Schrotenboer made a motion to find Agenda Item 5.B. (Shipping Container Use and Stacking) to be consistent with the Lee Plan. The motion was seconded by Ms. Russell. The Chair called the motion, and it passed 5-0.

C. <u>Architctural Standards</u>

Mr. Roberts gave an overview of the amendments.

Ms. Sapen referred to (e) (1) on Page 10 regarding Blank Wall Areas. Since the purpose of this section is to avoid large blank wall areas and it lists different ways to accomplish that, she did not agree with getting rid of the verbiage "*avoid large blank wall areas…*" She felt it was harmful to get rid of the intent of that section. She suggested adding some language to the end of Item f. on Page 11 that says, *"Any alternative treatment or combination of the above elements that the Development Services Director finds meets the intent of this section* ***<u>that reduces blank wall areas</u>****."* To her, it brings back the intent, which is the purpose of the entire section.

Mr. Roberts stated there was an effort by staff to remove a lot of the intent language and only put in the requirements. The reason for this is that there was a lot of language that was included that were not requirements and it led to confusion on the consultant side as well as the staff side. However, staff will look into this further and take Ms. Sapen's comment into consideration.

Ms. Sapen understood staff's efforts as described by Mr. Roberts, but felt in this instance, it would be helpful from a consultant's standpoint to understand what staff is trying to accomplish, especially since there are no pictures.

Mr. Schrotenboer asked how that type of verbiage was put in the regulations originally if it was not necessary.

Mr. Roberts stated that at that time there might have been a drive to give a lot of reasons why all the design treatments were necessary because it is not a cheap process on a building. He noted that many of these features add a lot of cost, which has impacted redevelopment and smaller developments especially in Lehigh Acres. The original language may have been a way to sell it, but staff feels a lesser requirement should be in place for smaller commercial development to give them a chance.

Mr. Schrotenboer asked for confirmation that these amendments would not prohibit someone from adding all of these features.

Mr. Roberts stated that was correct. It will come down to how much money they want to spend.

The LPA had no further questions/comments, so Mr. Stouder opened this item to the public. No members of the public wished to comment, so the public portion segment was closed.

Ms. Sapen made a motion to find Agenda Item 5.C. (Architectural Standards) consistent with the Lee Plan. The motion was seconded by Mr. Gardner. The Chair called the motion, and it passed 5-0.

D. General Update and Correction

Mr. Roberts gave an overview of the amendments.

Mr. Stouder asked if the language specifies a specific fixture model related to foot candles.

Mr. Roberts stated there are no specific fixture models. The language just lists a foot candle limit. It is measured in foot candles at the property line and it depends on the modeling and the fixture that the developer is proposing. They generate a model out of the files in a photometric plan that is submitted at the development order phase.

Mr. Stouder asked if Bonita Springs specifies a model if someone is developing open storage in their area.

Mr. Roberts stated there is a model. It is a photometric plan.

Mr. Stouder asked how someone obtains that model, especially if it is superseded by a different product. It could impact someone who is about to get their final certificate of completion, but their plan is off by a model number. He was glad that the model information is not listed in the verbiage. He asked for confirmation that the entry ways and sidewalks will be allowed to have driver illumination for safety.

Mr. Roberts stated that would be allowed for safety. He noted this was an issue of concern when staff was making changes to the lighting code to bring it into Chapter 10. The development community was interested in a brighter and safer sidewalk adjacent to their side and the entrance.

The LPA had no further questions/comments, so Mr. Stouder opened this item to public comment. No members of the public wished to comment, so the public portion segment was closed.

Mr. Gardner made a motion to find Agenda Item 5.D. (General Update and Correction) to be consistent with the Lee Plan. The motion was seconded by Mr. Schrotenboer. The Chair called the motion, and it passed 5-0.

Agenda Item 6 – Other Business

Mr. Stouder asked if staff had impending cases for May.

Mr. Dunn felt staff would not have any cases ready for the May meeting but noted there were several amendments moving through the process that will likely be on the June agenda.

Agenda Item 7 – Adjournment

The meeting adjourned at 11:00 a.m.