

Minutes from the North Captiva Community Meeting of December 13, 2011

A informational meeting was held on December 13, 2011 to present the proposal for the North Captiva Marina and answer questions, as required by Policy 25.1.1 of the Lee Plan pertaining to North Captiva. The meeting was held at Mango's restaurant at the North Captiva Island Club building, and approximately 25 residents were in attendance (sign up sheet attached). The meeting commenced shortly after 2:00pm, and was opened by Bryan Brillhart, manager of the Club and the proposed marina, who explained the purpose of the meeting and introduced the consultant team. In attendance were Mike Roeder, director of Zoning and Land Use Planning at Knott Ebelini Hart, who is the planner responsible for the rezoning application, and Manny Garcia of Southwest Engineering, who is the civil engineer responsible for the site improvements and the development order. In addition, Hans Wilson will be handling all of the environmental permitting, and he would be responding to any questions in writing as a follow up to the meeting.

To begin, Mike Roeder explained that the proposed marina would actually have to receive four separate levels of approval: the County zoning change, federal and state environmental permits, a County development order for the site improvements, and finally a building permit for the dry storage facility. He then gave a brief description of the proposed project and the zoning process which was the main focus of the meeting. There are three parcels involved, and the main request on the two vacant parcels is for a dry storage building that will accommodate 72 boats, and a new wet slip basin that will accommodate 27 boats. However, the existing parcel already has slips for 15 boats, so the new basin will actually increase the number of wet slips by 12. The third element of the zoning request is the building we are meeting in, which is being added because it will provide the necessary restrooms and office space for the marina.

It was explained that the request was for Commercial Planned Development zoning, or CPD for short, and the main element of this type of zoning was that there was a very specific site plan that was part of the approval, and the resolution typically would contain conditions that have to be complied with as well. In this way, the Community should know exactly what to expect if the zoning is approved. It was also explained that the existing zoning for all three parcels was commercial. The North Captiva Island Club building and the vacant parcel that was to be excavated for the new basin are zoned C-1, which is a fairly intense commercial category. This category was created in 1978 as a carryover zoning category, and it means that these two parcels have been zoned commercial at least since 1978. The third parcel is already zoned CPD, which was approved in 2004 for a development to be known as Grady's Lodge, a fifteen unit fishing cottage development with a restaurant, bar, swimming pool, and outdoor consumption of alcohol part of the approval. It was a bit controversial when approved, and if this new CPD plan is approved, it would completely replace that existing CPD. However, the approval for Grady's Lodge has just been extended by Lee County until December of 2015, and this extension was requested because the current Master Concept Plan approval would have otherwise lapsed this December. In addition, the previous zoning for the Grady's Lodge property was also C-1, which means it had commercial zoning for at least the last 31 years.

The zoning application was submitted to the County in the middle of October, and about one

month ago a lengthy “sufficiency letter” was received from the County which requested additional information. This is the standard procedure for Planned Development Zoning requests, and the applicant hopes to submit its response before the end of the year. Only when the application is deemed “sufficient” does the County schedule the first public hearing before the Hearing Examiner. If this application were to be found sufficient in January, then it is possible that the Hearing Examiner public hearing could be scheduled as early as March, although there is no predicting this schedule. Whenever the public hearing is scheduled, there will be notice mailed to all owners within 500 feet, signs posted on the property, and ads in the newspaper. In addition, the Civic Association would be notified by the applicant as well.

There were many questions from the residents in attendance, and they will be grouped in these minutes by subject matter, rather than chronologically, in order to limit some repetitive issues. Applicant responses to questions will be shown in parentheses.

One major issue related to the size and appearance of the dry storage building, especially as it might affect the most immediately adjacent houses. It was asked whether the building could be redesigned to somehow reduce the height, at least on the south side where it was closest to a single family house across Rum Road. (The rendering of the proposed building showed a 14,640 sq. ft. structure of 35' in height, with cupolas in each corner which extended beyond that roofline. The height limit on North Captiva under County regulations is 35' above base flood elevation, which in this location is 12', so that a new building cannot exceed 47' NAVD. There is an exception to this height limit allowed for in Section 43-2174(a)(1) architectural features like cupolas. However, this building, with a base elevation of 5', a building height of 35', and an additional 6' for the cupolas, would still be under the 47' height even with the cupolas. It would be a community decision if they would prefer a plainer building that eliminated this architectural enhancement. As to the size, the building is already very small for a dry storage building, and probably less than what the ultimate demand for dry storage on the island will be.)

The primary method for buffering this building from adjacent properties will be existing vegetation and new landscaping. The applicant is committed to preserving as many of the existing trees on site as possible, and relocating others where practical. In addition, the County development code has extensive requirement for landscaping and perimeter buffering. Beyond that, as part of the CPD zoning approval, the County can impose additional conditions on the site plan to insure that the landscape buffer will adequately shield the building from neighboring properties, which will also be separated by the existing Rum Road.

Another concern was the potential noise that would emanate from the dry storage activity, especially from the fork lift that would be moving the boats. There was a question of whether an electric powered fork lift could be utilized. Bryan Brillhart said that he had investigated this, and electric fork lifts were very expensive and difficult to find. However, he had located a reconditioned propane powered fork lift with a “residential” noise reduction package that should address this concern. In response to another question, Bryan confirmed that the forklift would never leave the property. (The beeping noise that occurs when the forklift is in reverse is a federal OSHA requirement and cannot be avoided).

Another issue with the dry storage building was the impacts from boat repair and boat maintenance activities, and how the grey water generated by these activities would be handled. Bryan Brillhart confirmed that there will be no heavy boat repairs allowed at the facility, only routine minor maintenance and tasks like upgrading electronics. Any runoff from the maintenance and boat washing area will be captured, pre-treated, and then diverted to the water retention facility to the rear of the building. Several people inquired about the DEP "Clean Marina" guidelines, and the applicant committed to seek that designation. (Hans Wilson has confirmed that a "Marina Management Plan" will be a requirement of the DEP permit, and this will incorporate most of the recommendations of the Clean Marina program.) In response to a question about fire hazards in the building, it was stated that the facility would have to be outfitted with sprinklers.

There was considerable interest in who would be the likely users of the marina. Bryan Brillhart confirmed that only people who owned property on the island would be eligible to either purchase a slip in the dry storage building, or reserve a wet slip space. He said that there were approximately 300 homes on the island that did not have water access, and another 300 lots yet to be developed that did not have a place to keep a boat. Since one of the primary attractions of living on North Captiva is access to water and boating, this lack of marina space is a serious problem. Someone asked if the marina would increase traffic to the island, Bryan said that to the extent it facilitated the sale of undeveloped lots, it would increase traffic, but it would also increase property values. It would not increase "day-tripper" traffic because the marina would not be available to them. The general public would still be able to visit the restaurant and ship's store, and there were a limited amount of existing wet slips that were available to these boaters. Someone asked what would happen if the project did not succeed. Bryan said that all of the existing boat slips on the island were full, and he had no doubt that over time all of the slips would be spoken for, given the unmet demand. He said there is a small amount of debt on the project and he was not going anywhere.

There were several environmental questions related to the wet slip marina, such as whether the property was part of the Charlotte Harbor Aquatic Preserve? No. Would the docks encroach into the 50' wide navigation easement? No. What would be the depth of the proposed maintenance dredging? 5'. What would be done with the dredge spoil? Too soon to know for sure, but some discussion with the island road committee. Would siltation be controlled? Yes. Would access be continued for the Island Girl? Yes. Would there be gas sales? Probably. There were other questions relating to the state and federal permits which will be expanded upon in a follow up with additional info from Hans Wilson, the environmental consultant.

Manny Garcia went over the site plan details, and explained how the grey water and water management system would work together. He described the County's landscaping and buffering requirements, as well as the location of the main public access point from Rum Road. In response to a question about the flooding on Rum Road, he said that the requirement that the runoff would have to be contained on site, would actually help alleviate the flooding to a certain extent. The site plan was still subject to some revision based on the comments from the County and the reviewing agencies, but the final plan will provide definitive answers to most of the questions.

