

REAL ESTATE INVESTMENT SOCIETY

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BOARDROOM REPORT

News from recent REIS board meetings

Luncheon Programs:

The Legislative Review is planned for the June 14th luncheon. Jeff Kottkamp, former Lieutenant Governor and Legislator, will review new legislation and the implications for Florida's economy. Sponsored by [Realtor® Association of Greater Fort Myers and the Beach, Inc.](#)

News-Press Publisher Mei-Mei Chan will be the guest speaker at the July 12th luncheon, sponsored by [Grandbridge Real Estate Capital](#). The August 9th luncheon will feature a presentation by Lee Memorial Health System on its role in business and real estate.

REIS welcomes suggestions for programs from members. Please convey your ideas to [Kim Donnelly](#), (239) 768-4522. Sponsorships for future luncheons are available and [Jim Garinger](#) has all the details: (239) 418-0300.

Educational Workshop:

The September 22 half-day workshop will focus on strategies and solutions for challenging properties in today's market. The workshop will address government response to the market, legal concerns with challenged properties, and practical solutions. Anyone interested in sponsoring or participating in the workshop should contact Education Chair [Amanda Brock](#), (239) 344-1269.

Gala Social Event:

The REIS annual party will be at The Edison restaurant on November 17. To reserve prime sponsorship positions or contribute to the silent auction to benefit the REIS Scholarship Foundation, contact Event Chair Robin Mixon Contact [Robin](#) at (239) 334-6870 or 872-3273.

Horizon Council:

Keith Arnold, government lobbyist and former legislator, reviewed the state's financial condition. The Council recommended Lee County reduce Road Impact Fees. Council members have formed task forces to implement economic development strategies.

SHOULD LEE REDUCE IMPACT FEES?

The Lee County Board of County Commissioners holds a **public hearing at 5pm on Tuesday, June 14** in Commission Chambers to receive comments and consider reducing road impact fees. Everyone in the real estate or development industry is encouraged to attend. The recent Road Impact Fee Update report recommends fees be reduced 27% on average based on lower road construction costs and reduced travel demand. The report and draft ordinance, including a schedule of fees for different property types may be reviewed at <http://www3.lee.gov/dcd>.

The Lee County Executive Regulatory Oversight Committee recommends approving the proposed reductions, noting that greater reductions would be better. The Lee County Land Development Code Advisory Committee also recommends adopting the reductions.

The Horizon Council recommends approving proposed reductions and additional fee discounts for the next 2 years. They further recommend the same review and action for the School Impact Fee ordinance.

The Local Planning Agency (LPA) recommends approval of proposed reductions plus consideration of additional 50% reduction for the next 2 years.

If adopted, the ordinance would become effective when filed with the Secretary of State. Many other counties and municipalities on the Gulf Coast have reduced impact fees in the past few years to encourage construction and stimulate economic growth.

NETWORKING AND FUN

The Annual Mixer of REIS, AIA, CCC, CSI, and USGBC members will be 5:30 - 7:30, July 13th, at Royal Palm Yacht Club in Fort Myers. This popular event features exhibits, hors d'oeuvres, cash bar, and a great opportunity to develop valuable contacts. \$25 for members of participating organizations. Details and registration available from Lee BIA, info@bia.net.



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GOVERNMENT LAND ACQUISITIONS

During the recent real estate market slump, Lee County government has emerged as a major land buyer, acquiring property for roads, utilities, parks, and conservation. A recent audit by the Clerk of Court challenges the appraisal process and prices being paid for many of the properties, which are now being reviewed by County Commissioners and staff. The audit report is online at the Clerk's [website](#).

NEW ADA DESIGN STANDARDS

New American Disability Act (ADA) standards for access were adopted in 2010, became effective in March 2011, and compliance is required by March 2012. The design and construction regulations affect most types of commercial construction, particularly properties often used by the public. A guide to the rules is online at the [ADA website](#).

LEE PLAN AMENDMENT HEARING

Lee County Commissioners will consider transmitting regular amendments to the Lee Plan for state approval during a public hearing Monday, June 13 at 9:30 a.m. in Commission Chambers, 2120 Main St., Fort Myers. The amendments include the North Olga and Alva community plans, amendments to the Captiva Island Community Plan regarding height restrictions, and clarifications to the Caloosahatchee Shores community plan. Details at www.lee.gov/dcd/PlanAmendments/PA2010-2011/RA2010-2011.htm

REIS MEMBERSHIPS AVAILABLE

A limited number of REIS memberships are now available. Members receive preferred rates on luncheons and workshops, invitations to member-only social events, special bulletins, and are listed in the membership directory with direct links to their websites. Annual membership is \$125 and an application is on the bottom of the home page at www.reis-swfl.org.

SCHOLARSHIP FOUNDATION

REIS Scholarship Foundation provides opportunity for tax deductible contributions. Details at [REIS website](#).

GROWTH MANAGEMENT REFORMS

Florida has recently adopted legislation that drastically changes Growth Management procedures. The new laws become effective July 15. REIS Governor Amanda Brock, attorney with Henderson Franklin law firm, provides the following summary of some of the major provisions.

- Eliminates the state concurrency mandate relating to transportation, schools and parks (though local governments may retain their local concurrency requirements);
- Increases certain development of regional impact ("DRI") thresholds (including office and commercial uses) and eliminates other uses from DRI review (including motel/hotel and industrial uses);
- Provides a four-year extension to commencement, phase, build-out and expiration dates of DRIs regardless of any prior extensions;
- Grants a two-year permit extension to any permit that was eligible under Senate Bill 360 but ineligible under Senate Bill 1752;
- Provides a new two-year extension for certain permits with expiration dates falling between January 1, 2012 and January 1, 2014;
- Removes the limitation of only twice-per-year comprehensive plan amendment cycles;
- Allows for expedited review of most comprehensive plan amendments, with some exceptions;
- Adjusts standards of review for challenged amendments - if the Department of Community Affairs ("DCA") challenges a local government's in-compliance determination, the local government's determination is presumptively correct; the DCA can only overcome this presumption by a preponderance of the evidence standard; and
- If a third party challenges a local government's in-compliance finding, DCA cannot intervene in the action, and the local government's determination must be upheld if it satisfies the more relaxed fairly debatable standard.

Implementation of the changes will be interesting and the REIS REPORT will track and report the progress.

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