

On Fri, Aug 26, 2022 at 8:48 PM Richard Alpher <richalpher66@comcast.net> wrote:

Dear Sarasota County Commissioners (copy to Planner of the day and copy to Brett Harrington):

INTRODUCTION AND BACKGROUND

I am a former Sarasota County Planning Commissioner (PC). In 2002 I was among 9 PCs who researched, debated, listened to input from citizens including developers and builders, etc. to eventually recommend to the BCC a voluntary alternative overlay to the then current CPA. It then went on to the BCC which eventually accepted the recommendation from PC. It became known as "Sarasota 2050" (2050) a plan and **vision** to accommodate a level of continued growth and economic development while preserving environmentally sensitive lands and open space. It was widely hailed and noted by many individuals and organizations (such as the American Planning Association) because of its unique vision. I believe the first development built using the 2050 vision was Grand Palm by builder/developer Pat Neal. Although that proposal went through numerous years of discussion and "turmoil" (my word) it finally came to fruition as a 2050 development of about 2,000 homes; although there were modifications to [2050.by](#) the BCC. My wife and I visited there during its building phase (not to buy) and it did embody some of the vision I and others had in voting for 2050. It included some residences starting under \$200,000.

Another type of 2050 development to eventually be built was the "Hi Hat Ranch" project where over a 20 -30 year period 30,000 homes were to be built on 10,000 acres. After again much debate and turmoil between the owners of the property and the County it was agreed that there would be a general master plan for the 10,000 acres but approval of individual projects would be in phases; the owners agreed to include many concepts in 2050 such as 15% attainable housing. The phased development and approvals would be similar to the phased approval of projects within Palmer Ranch; which has a master development order but individual projects go before the PC and BCC for approval as they come up. Commissioner Detert stated at the time that getting approval of Hi Hat projects in phases comparable to PR made sense because it is hard to predict the future. In terms of the future I would have to agree with Ms. Detert's view. By the way, the individual home projects in PR adhere to the principles of continued growth and economic development while preserving the environment. We have lived on PR since 1998 and moved to *The Isles* there in 2006 where we now live.

COMPREHENSIVE PLAN AMENDMENT 2022 B

First, I fully support Acting Planning Commissioner Chair Justin Taylor's eloquent and correct reasons for opposing the CPA. He cared about the residents and he cared about the vision to retain the rural heritage, agricultural meaning, and way of life far east of I-75. I could not state it as well. He listened obviously carefully to the individuals that testified. Planning Commissioner Pember's long comments regarding why he was voting for the CPA on the other hand took some thought to follow and did not address any of the residents concerns and just basically kicked the matter down the road where it could be discussed again and again so to speak. The comments were neither helpful nor enlightening. **Second**, I knew Rex Jensen years ago - this is the first time we have seen each other or communicated in a very long time until after the PC meeting recently. He is a lawyer having graduated from a distinguished law school, University of

Michigan. I do appreciate that Lakewood Ranch is a great place with lots of amenities, and is one of the top sellers of homes in master planned communities in the US. But, it's not everyone's "cup of tea". In Sarasota County we have Palmer Ranch where Nancy and I live. It is our "cup of tea". It is not unknown so to speak and has won numerous awards in the past (including from the Sarasota Garden Club) for its environment and storm water management. Hugh Culverhouse, Jr. is the current "owner" of PR. To me he is principled, honorable and charitable person as Mr. Jensen is and who like Hugh has been a good steward of the land. **Third**, despite the correct, legally and otherwise, content of the Myakka Community Club (MCC) attorney, Richard Grosso, letter to the PC, neither Mr. Jensen nor any of his staff commented on it. To me, it was right on point. This could be taken reasonably to mean that he could not comment on it because it was correct in all aspects. **Fourth**, I fully support the comments by Becky Ayech in behalf of the MCC in her comments to the BCC: 8/16 (status and history of Old Miakka - I thought that history told the story of something that we as a community and County, and politicians, should not impact adversely; 8/20 compatibility; 8/21 Old Miakka Neighborhood Plan (OMNP); 8/22 environmental impacts; 8/24 transportation; and, 8/26.

Fifth, I concur with attorney Richard Grosso's 15 page letter of 8/13 (all of you have a copy) wherein he expands his legal, regulatory and practical analysis of the proposed CPA. I actually researched some of the issues he brought up and found them legally correct and correct in regulatory interpretation. WITH RESPECT TO HIS DISCUSSION OF PROPERTY RIGHTS I CHECKED THE CASES CITED AND ALSO GOOGLED ADDITIONAL CASES. MY LAY PERSON'S READING OF THOSE CASES INDICATES HE WAS CORRECT. Also denial of this CPA would not run afoul of the "taking" provision of the 5th Amendment. Courts in Florida also have generally been very conservative in interpretation of the Bert C. Harris, Jr. so-called "law". It is unclear if the changes/additions to that law (in 2021?) would have any effect in regard to this matter. **Sixth**, and this was covered in Mr. Grosso's statements to the PC at the 8/4 hearing, County senior planner Brett Harrington's characterization of the OMNP (I mentioned above) before the PC is ludicrous. He seemed to state that the OMNP is of no consequence (my summary words) in relation to this CPA. Then, he seemed to state the CPA is based on the OMNP. Perhaps I am reading intent into his testimony more than what he actually said. **Seventh**, I fully and absolutely concur with the guest editorial of 8/14 in the Herald Tribune which was titled "Old Miakka needs support in fight to save rural heritage". (You also have a copy of the editorial). I followed and read everyone of Carrie Seidman's columns over the years when she was a regular editorial writer at the H-T. Carrie suggested postponing the BCC hearing on the CPA until after the election. I agree with that but do not believe these commissioners would do that. We will have 2 new commissioners but I am not prescient enough to know what difference that 2 "new" BCC members would make. It is clear to me that the majority of these BCC members, from their comments when SMR came before them in February proposing it, favor this new CPA. Commissioner Moran even praised Rex Jensen as a "visionary" in regard to the plan. There is no vision to be seen here from SMR - as Carrie Seidman said in her editorial the CPA "represents a dramatic and contradictory departure from" Sarasota 2050. The whole editorial and especially the paragraph containing the quote deserves reading over and over. It sums everything up perfectly. **Eighth**, by use of transfer of development rights the total homes that could be built would be up to 8,000!! That's sickening to even contemplate.

VISION AND FINDINGS AND RECOMMENDATIONS

So, what "vision" are we talking about Mr. Moran especially and BCC. Certainly I had a vision that what I was doing in 2002 was something that would help preserve our heritage (rural heritage, agricultural and environmental, etc,) east of I-75. I know that most members of the BCC then had that vision. Most members of the PC did also. But had we all been prescient we/I should have known this time would come. It's here now! Economics and politics rule of course, above anything else; but some temper that concern for others so to speak. I heard Mr. Jensen talk about his reasons for the CPA at the PC. There was nothing in his statement or that of the SMR people there that addressed the concerns of the residents from "out there " east. Those residents testified convincingly and accurately. And what vision did SMR have. The vision (I am calling it that facetiously - not a direct quote a paraphrase): *Lake wood Ranch is running out of room to build; we need land to build more houses; creating a hamlet under 2050 would not work (1,600 houses maximum), etc.* **Commissioner Moran is that a vision?** You can call it that but it's just a developer who needs more land to build a suburban type development and wrongfully using Sarasota 2050 to accomplish that by proposing a so-called Village Transition Zone (transition from what to what?) to be made a part of 2050. It completely destroyed my vision and to me, approving that CPA **as is** makes a mockery of what I and others did; and renders it meaningless; and being prescient dooms a way of life it is intruding upon!! That sums up SMR's vision, and being "visionary". The vision is making money. [Making money is fine, just balance it with an overall concern with those already there.] At least SMR was honest about that - there is no part of that vision which attempts to somehow serve the neighbors interests also and preserve at least some of 2050.

I OPPOSE THIS PLAN **AS IT NOW STANDS** FOR ALL THE REASONS CITED ABOVE AND INCLUDING THE REASONS PRESENTED BY RESIDENTS AT THE HEARING who will be adversely affected by this CPA if it goes into effect. I RECOMMEND THAT SMR MEET WITH THE MCC AND RESIDENTS INCLUDING THE RESIDENTS OF THE LARGE LOT HOME DEVELOPMENT THAT NOW EXIT THERE AS WELL AS HAVE A MEANINGFUL NEIGHBORHOOD MEETING TO DISCUSS ALL THE ISSUES. (I believe numerous residents testified from Bern Creek - do not recall if I correctly remembered that name.).

Regards, Richard Alpher, 5839 Benevento Drive, Sarasota County, FL 34238