

# EXHIBITS

CASE # DCI 2008-00045

CASE NAME: BBR East Water Storage Tank.

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Attach copy of this form to top of packet of exhibits & place exhibits in case file.

ARE THERE ANY BOARD EXHIBITS?  YES  NO

LOCATION OF BOARDS \_\_\_\_\_

If there are any board exhibits, attach another copy of this form to boards for identification purposes.

# EXHIBITS

## APPLICANT

#1 Resume of Patrick Vanese

#2 Location Map.

*Composite* #3 Existing Public Uses (6 Photos)

#4 Aerial Photograph

*Composite* #5 Surrounding Area (6 Photos)

#6 Color Map on Aerial Photo

#7 Aerial with FLVCFCS

#8 Resume of Michael Higgins

#9 \_\_\_\_\_

#10 \_\_\_\_\_

## STAFF

#1 Master Concept Plan

#2 Large Aerial Photograph

*Composite* #3 Small Aerial Photograph

#4 \_\_\_\_\_

#5 \_\_\_\_\_

#6 \_\_\_\_\_

#7 \_\_\_\_\_

#8 \_\_\_\_\_

#9 \_\_\_\_\_

#10 \_\_\_\_\_

## OTHER EXHIBITS

### NAME

#1 \_\_\_\_\_

#2 \_\_\_\_\_

#3 \_\_\_\_\_

#4 \_\_\_\_\_

#5 \_\_\_\_\_

### NAME

#1 \_\_\_\_\_

#2 \_\_\_\_\_

#3 \_\_\_\_\_

#4 \_\_\_\_\_

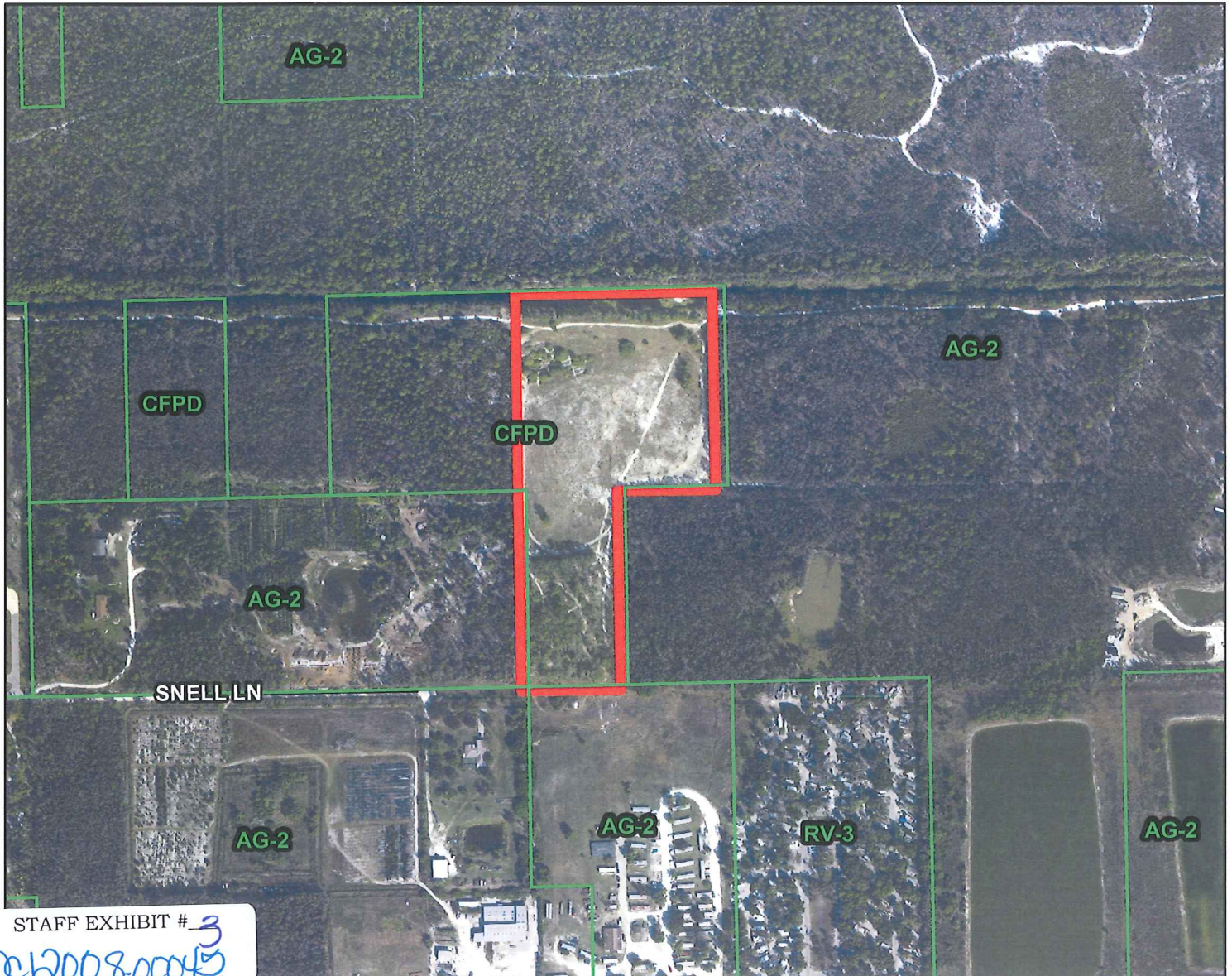
#5 \_\_\_\_\_



This map drawn for visual purposes only.  
Not to be used for official zoning map.

2008 Aerial Photography  
Printed Jan. 2010

BBR East Water Storage  
DCI2008-00045



STAFF EXHIBIT # 3

DCI2008-00045

**MEMORANDUM**  
**FROM THE**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**ZONING DIVISION**

**DATE:** February 26, 2010

**TO:** Mr. Richard Gescheidt  
Lee County Hearing Examiner

**FROM:** Chahram Badamtchian, AICP *CB*  
Senior Planner

**SUBJECT: DCI2008-000045, BBE East Water Storage Tank CFPD**  
**HEX hearing date: February 24, 2010**

In accordance with the Order for Continuance issued by you on February 24, 2010 for the above-styled case, below you will find staff's revised conditions. **It is staff's understanding that the applicant is in agreement will all changes with the exception of Environmental Condition 3 (b).**

A. Conditions:

1. Master Concept Plan/Development Parameters

The development of this project must be consistent with the 2 page Master Concept Plan entitled "BBR East Water Storage Tank," stamped received February 1, 2010, last revised 1/29/2010, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. Uses and Site Development Regulations

The following Limits apply to the project and uses:

a. Schedule of Uses

Accessory Uses and Structures

Essential Service Facilities: **Group I**, Group II Limited to water storage and water treatment facilities, including underground storage (Subject to condition # 10)

**Entrance Gates and Gatehouses**

Excavation, water retention

Fences, walls

Maintenance facility (Accessory and subordinate to water treatment facilities)

LEE COUNTY  
HEARING EXAMINER

2010 FEB 26 PM 12:17

*DCI2008-00045*  
*Staff's Exhibit 4*  
*(post hrg. submittal)*

Parking lot, Accessory, Temporary  
 Signs, in accordance with Chapter 30  
 Storage, indoor only (Accessory and subordinate to water storage and  
treatment facilities)  
 Temporary Uses (limited to construction trailers and storage sheds during  
the development of the site, and temporary uses directly related to  
 the existing permitted uses on the site))

b. Site Development Regulations

Minimum Setbacks	Water Tank	Accessory Structures**
Street (Snell lane):	100 Feet	100 Feet
Side:	100 Feet	30 Feet
Rear:	100 Feet	30 Feet
Preserve:	30 Feet	30 Feet
Maximum Building Height:	Water Tank:	50 Feet
	Accessory Structures:	35 Feet

**\*\*Setbacks for Entrance Gates and Gatehouses, and Essential Services and Group I Essential Service Facilities must comply with Section 34-1748 and Section 34-1613, respectively.**

3. Environmental Conditions

- a) Prior to local development order approval, the applicant must submit copies of the approved South Florida Water Management District (SFWMD) and United States Army Corps of Engineers (US Corps) permit. ~~Any related permit requirements regarding listed species included in the state or federal permits or resulting from direct consultation with the appropriate wildlife agency will be incorporated as a condition of the local development order.~~
- b) Prior to vegetation clearing approval, the property must be surveyed for active/inactive gopher tortoise burrows. If active/inactive burrows are found then buffers, as required by the Land Development Code (LDC) Section 10-474(b) **Florida Fish and Wildlife Conservation Commission (FWCC)**, must be maintained. ~~or~~; if impacts to active gopher tortoise burrows are unavoidable **proposed**, the applicant **should consider** must first seek approval for on-site relocation before pursuing off-site relocation options. **If on-site relocation is not appropriate as per current FWC regulations or guidance**, then off-site relocation is an acceptable mitigation measure. ~~Communication with Florida Fish and Wildlife Conservation Commission (FWC) verifying on-site relocation attempts were made must be provided to the Division of Environmental Sciences (ES) staff.~~ A copy of the appropriate gopher tortoise relocation permit issued by the FWCC must be submitted to the ES staff prior to excavation and moving of any gopher tortoises. Any gopher tortoises and commensal species found during burrow excavation must be moved to preserves containing suitable gopher tortoise habitat as approved by the FWCC and the appropriate gopher tortoise management plan meeting the requirements of Land Development Code (LDC) Section 10-474 must be submitted for ES staff review and approval.

- c) Prior to vegetation clearing approval, the property must be surveyed for the presence of Big Cypress fox squirrel. If any structures are located, the nests must be monitored for **up to** 5 days to determine if the nests are being utilized by Big Cypress fox squirrel and in nesting activities are taking place. If the nests are deemed to be active, a 125 foot natural vegetated buffer must remain undisturbed around the nest tree until nesting activities have been deemed complete by the FWC **or ES staff**. Once the nests have been deemed inactive, any request for removal of the nest tree must be coordinated with FWCC and ES staff and the appropriate FWCC permit provided. In addition, if Big Cypress fox squirrels or evidence there of are documented on the site, a **the** management plan meeting the requirements of LDC Section 10-474 must be submitted for ES staff review and approval.

7. Road Improvement

Bonita Springs Utilities must execute a maintenance covenant with Lee County for the unpaved portion of Snell Lane extending from the end of the paved surface to the subject property's entrance prior to the Development Order approval. **If an MSBU or MSTU or an agreement of the property owners is established to address the maintenance of the unpaved portion of Snell Lane, or if Snell Lane is accepted as a publicly maintained road, then this covenant shall be of no further force and effect.**

10. Underground Storage

~~Any proposed underground water storage facility must be reviewed and approved by Lee County Natural Resources Division in addition to any State and Federal agencies with permitting jurisdiction over such facilities.~~

**The applicant shall submit copies of all State and Federal Agency permit applications for underground water storage facilities, as well as all approved permits issued by said agencies, to the Lee County Natural Resources Division as soon as such documents become available to the applicant.**


11. Buffer

In the event that the ownership of the property to the north-**west** changes and is no longer owned by the owners of the subject property, a type "D" landscape buffer shall be provided on the western property line of the subject property.

CC Neale Montgomery, Esq. Via E-mail  
Patrick Vannasse AICP Via E-mail

**STAFF MEMORANDUM  
FROM  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
DIVISION OF ENVIRONMENTAL SCIENCES**

**Date:** February 26, 2010

**To:** Chahram Badamtchain, Senior Planner  
**From:** Susie Derheimer, Environmental Planner   
**Phone:** (239) 533-8158  
**E-mail:** SDerheimer@leegov.com

**Project:** BBR East Water Storage Tank  
**Case:** DCI2008-00045  
**STRAP:** 32-47-26-00-00001.0020

The site contains habitat that is utilized by the state listed gopher tortoise (*Gopherus polyphemus*) and is within the primary focus area of the state and federally listed Florida panther (*Felis concolor coryi*), the primary range of the state listed Florida black bear, and core foraging area of the state and federally listed woodstork (*Mycteria americana*).

The project is currently under review by the South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) Application No. 090204-11 and United States Army Corps of Engineers (US Corps) application No. SAJ2009-00413.

**LDC Division 8. Protection of Habitat Section 10-475. Off-site mitigation.**

- (a) Off-site mitigation is permitted in lieu of the preservation of occupied habitat buffer areas as required in section 10-474 above to the extent consistent with the requirements of the US Fish and Wildlife Service and the game commission.
- (b) Before development order approval, the applicant must obtain and submit appropriate permits for off-site mitigation.
- (c) A permanent management commitment for the relocation recipient site which is compatible with long-term protected species viability must be ensured by either filing conservation easements for sites under F.S. 704.06 or other formal commitments enforceable by the county.

**LDC Article IV. Wetlands Protection Section 14-293. Permits required.**

- (a) an Environmental Resource Permit (ERP) is required prior to any development that will impact wetlands. The ERP will be issued by either the Florida Department of Environmental Protection (FDEP) or South Florida Water Management District (SFWMD) in accordance with F.S. ch. 373 and F.A.C.. Ch 62.

- (b) The County will not independently review impacts to wetlands resulting from development.
- (c) Prior to receipt of a copy of the appropriate state authorization relating to wetlands, the County may not issue building permits or development orders where development will cause impacts to existing wetlands on the subject property.

**Section 14-294. Site Plan review.**

Lee county will incorporate the terms and conditions of all state authorizations relating to wetlands, including ERP's into any development order, building or other local development permit.

**Section 14-295. Compliance enforcement.**

- (a) Lee County will enforce the provision of any state authorization relating to wetlands, including ERP's issued and incorporated into a local development order or building permit.
- (b) The County will prosecute violations of state permits through the code enforcement process set forth in Chapter 2.

The above referenced land development codes ensure ES staff that the appropriate documentation illustrating compliance with state and federal permit requirements with regards to mitigation can be acquired from the applicant prior to any development order and/or land clearing approvals.

Therefore, ES staff will agree to the following revision to Condition 3.a as proposed in the applicant's 24 hour letter dated February 22, 2010.

**Condition 3.a.**

**Prior to local development order approval, the applicant must submit copies of the approved South Florida Water Management District (SFWMD) and United States Army Corps of Engineers (US Corps) permit. ~~Any related permit requirements regarding listed species included in the state or federal permits or resulting from direct consultation with the appropriate wildlife agency will be incorporated as a condition of the local development order.~~**

ES staff will not agree to any additional language which may be proposed by the applicant which limits which department reviews the ERP and Corps permit. The condition would not be in compliance with the above reference land development codes.

In addition to Lee Plan Policy as documented in ES staff report attachment C, the project site is within the DR/GR land use category, border by Kehl Canal and state owned lands to the north, agriculture lands and large lot residential to the west, east and south. The fire station parcel ±1700 feet to the west has a gopher tortoise preserve and an additional active gopher tortoise burrow is documented on the abutting vacated CFPD parcel to the west. The project site is preserving upland area adjacent to an on-site wetland and the vacated CFPD parcel to the west contains additional upland area. Off-site relocation to an area of different climate, habitat, soil conditions, etc. is extremely stressful to the gopher tortoise. The best interest of the gopher tortoise may be to remain on-site given the population of gopher tortoise in the area and limited development in the DR/GR will ensure reduced intensity. ES staff recommends that this option be consider during the state review process. The condition as written below will ensure that at the time of any development approval ES staff can inquire if the option was consider in the relocation review process.

ES staff will agree to the following revision to Condition 3.b.

**3.b.**

**Prior to vegetation clearing approval, the property must be surveyed for active/inactive gopher tortoise burrows. If active/inactive burrows are found then buffers, as required by the ~~Land Development Code (LDC) Section 10-474(b)~~ Florida Fish and Wildlife Conservation Commission (FWCC), must be maintained; ~~or~~ if impacts to active gopher tortoise burrows are unavoidable proposed, the applicant should consider must first seek approval for on-site relocation before pursuing off-site relocation options. If on-site relocation is not appropriate as per current FWC regulations or guidance, then off-site relocation is an acceptable mitigation measure. Communication with Florida Fish and Wildlife Conservation Commission (FWC) verifying on-site relocation attempts were made must be provided to the Division of Environmental Sciences (ES) staff. A copy of the appropriate gopher tortoise relocation permit issued by the FWCC must be submitted to the ES staff prior to excavation and moving of any gopher tortoises. Any gopher tortoises and commensal species found during burrow excavation must be moved to preserves containing suitable gopher tortoise habitat as approved by the FWCC and the appropriate gopher tortoise management plan meeting the requirements of Land Development Code (LDC) Section 10-474 must be submitted for ES staff review and approval.**



Planning  
 Visualization  
 Civil Engineering  
 Surveying & Mapping

**Patrick Vanasse, AICP**  
 Planning Manager

**Education**

*York University, Toronto, Ontario, Canada / Masters / Environmental Studies / Urban and Regional Planning Concentration/2002*

*Concordia University, Montréal, Quebec / BA / Economics / 1994*

*John Abbott College, Diplome D'Étude Collegiale/ Commerce/ Montréal, Quebec/1991*

**Registration/ License**

*American Institute of Certified Planners (AICP), 2003 –*

*Canadian Institute of Planners (CIP), Provisional Member, 1998 –*

**Boards/ Appointments**

*Lee County Land Development Code Advisory Committee, 2007 –*

*Bonita Springs Chamber of Commerce, Government Advisory Committee 2008-*

**Professional Affiliations**

*American Planners Association, 2001 –*

*Florida Chapter of the American Planners Association, 2001 –*

*Florida Planning and Zoning Association 2007-*

*Lee County Building Industry Association, 2003 –*

**Experience Summary**

Mr. Patrick Vanasse, AICP, has more than 11 years of professional planning experience in South Florida. He has worked on a wide variety of planning projects including: development and redevelopment, comprehensive planning, zoning, community development, and environmental and transportation initiatives. He has a solid understanding of growth management in Florida and has extensive experience developing land development regulations and comprehensive plan policy for local jurisdictions and private entities throughout Southwest Florida. He has a proven track record for improving organizational efficiency, securing strategic alliances and forging cooperative relationships with colleagues, regulatory agencies and local government staff. Mr. Vanasse is an effective communicator with a keen aptitude for analyzing and integrating diverse information.

Mr. Vanasse oversees the Planning Department at RWA and is responsible for providing consulting services to private and public sector clients. Mr. Vanasse is also responsible for business development, client relationships and is part of several business and civic associations in the area. In recent years, Mr. Vanasse and his team have received significant attention for their work on innovative rural plans, community redevelopment plans, and Evaluation and Appraisal Reports (EAR). Mr. Vanasse is committed to developing planning services that provide sustainable solutions, which protect natural resources while being practical, economically feasible and implementable.

**Representative Projects**

**Public Sector Land Use, Zoning & Design**

**Bayshore Gateway Triangle Overlay Revisions; Bayshore Gateway Triangle CRA; Collier County, FL** – Project Planner assisting in developing updates to the Bayshore and Gateway Triangle Mixed Use Overlays for the Bayshore Gateway Triangle Community Redevelopment Agency (CRA) in Collier County. The proposed land development regulations will improve the review and approval processes, remove existing impediments to redevelopment, provide incentives for new investment, and update design standards

**Lee County MPO, Bicycle Pedestrian Master Plan; Lee County, Florida** – Project Manager leading a diverse team of professionals (VHB, Rails to Trails Conservancy and Borelli and Associates) selected to develop a comprehensive Bike/Pred Master Plan for Lee County. The project entails extensive data collection and analysis, public involvement, and development of a needs plan, evaluation matrix and an implementation plan.

**Catalyst Sites; Bayshore Gateway Triangle Community Redevelopment Area; Collier County, FL** –

In charge of design team that developed conceptual site plans for two catalyst projects within the CRA. This highly successful work received wide support from the client, stakeholders and local government staff and has attracted the attention of interested development entities

APPLICANT'S EXHIBIT # 1

*8-24-2010*  
*M.*  
DC 12008-00045



Planning  
Visualization  
Civil Engineering  
Surveying & Mapping

Patrick Vanasse, AICP  
Page 2

*Real Estate Investment Society, Southwest Florida, 2006 –*

*Florida Redevelopment Association (FRA) 2009 –*

### Publications

*V. Leeworthy, P. Vanasse, Economic Contribution of Recreating Visitors to the Florida Keys for the Years 1996-97 and 1997-98, Special Projects Office, National Oceanic and Atmospheric Administration, June 1999.*

***How to Grow in East County; Charlotte County, Florida*** - Overseeing development of a planning guide for Charlotte County's rural and agricultural lands. The resulting planning guide will provide growth management recommendations that seek to provide balance between competing interests and allow future growth and economic development to occur in a sustainable manner that protects natural resources and supports the economic viability of agriculture.

***Immokalee Area Master Plan Update; Collier County, Florida*** – Project Manager leading the team updating the Immokalee Area Master Plan for the Immokalee Community Redevelopment Agency in eastern Collier County. The update will result in amendments to the Collier County Growth Management Plan, a Public Realm Plan and changes to the Collier County land development code in order to fully implement the community vision.

***Rural Area Plan; Highlands County, Florida*** – Project Manager in charge of developing Comprehensive Plan Goals, Objectives and Policies to direct growth in the rural lands while protecting environmentally sensitive habitat, sustaining a viable agricultural industry, directing growth to appropriate areas and in appropriate forms and maintaining rural character. Responsible for developing and introducing the innovative incentive-based Tiered TDR Program that encompasses the sophistication of the Rural Land Stewardship Program while being much simpler to manage and implement.

***Rural and Agricultural Lands Study; Hendry County, Florida*** – Project Manager for the comprehensive study of rural lands and the agricultural industry in Hendry County. Plan included analysis of existing conditions and creation of new comprehensive plan goals, objectives, and policies, and a framework for development in rural areas while protecting agriculture and important natural resources.

***Hendry County Evaluation and Appraisal Report; Hendry County, FL*** – Led team that assisted the Hendry County Community Development Director in developing the county's 2008 EAR. This report was produced as part of RWA's continuing services contract that also requires providing planning, engineering and surveying support services such as application reviews, and comprehensive plan and socio-economic research related to EAR-based amendments.

### *Private Sector Development*

***Pelican Preserve Special Development Area/Development of Regional Impact; City of Fort Myers, FL & Gateway DRI, Lee County FL*** – Responsible for professional planning services associated with obtaining a Comprehensive Plan Amendment from the City of Ft. Myers and Notice of Proposed Change approval from the City, County and the Regional Planning Council. The project entailed removing 417 acres from the Gateway DRI and adding it to the Pelican Preserve DRI. The petitions also included a reduction in some uses and a 500 dwelling unit increase within Pelican Preserve.

**Sabal Bay, Planned Unit Development; Collier County, FL** – Responsible for the rezoning petition to allow the development of a 2,416-acre mixed-use planned development that includes commercial development, hotel uses, a golf course, and a mix of multi-family and single family homes. Worked with consultant team to address complex land-use, drainage, transportation, wildlife and environmental challenges associated with the property.

**Immokalee Road South Rural Village, Mixed-Use Planned Unit Development; Collier County, FL** – Responsible for developing the PUD document and associated land development regulations for the first Rural Village rezone submitted in Collier County. Worked with consultant team to interpret the Rural Fringe Mixed Use (RFMU) section of the Land Development Code in order to develop a master plan and regulations that would incorporate the protection of native vegetation, wildlife corridors, a unified architectural theme, a mix of uses and housing types, an affordable housing component, and compact walkable neighborhoods.

**Bonita Beach Road Residential Planned Development, Comprehensive Plan Amendment; City of Bonita Springs, FL** – Scope of services included preparation, submittal and support of a comprehensive plan amendment that created a new Future Land Use category for two sections of land annexed into the City of Bonita Springs. This new category incorporates innovative design and planning principles as well as extensive protection of environmentally sensitive lands. Approval of this project required extensive cooperation with the City and the Department of Community Affairs.

**Lake Marion, Binding Letter of Interpretation for a Major Modification (BLIM) to a Pre-DRI; Polk County, FL** – Responsible for extensive investigation of vested rights and historical land uses within the 48,000-acre Poinciana Pre-DRI. In charge of representing the land owner before the Department of Community Affairs, and developing arguments and GIS exhibits required to obtain a BLIM from DCA that allows for vested development rights to be maintained and redistributed within the 1,200 acre property owned by the client.

**Bonita 120 RPD & Bonita 30 RPD, Eminent Domain; City of Bonita Springs, FL** – Providing expert witness planning services for eminent domain proceedings relevant to these two projects along Three Oaks Parkway. The Bonita 120 RPD is subject to a right-of-way taking for Three Oaks Parkway, while the Bonita 30 RPD is subject to two takings - a right-of-way taking by Lee County DOT, and a 10-acre taking by FDOT for a water management pond.

#### **Transportation**

**Big Coppitt Key PD&E Study, FDOT District 6; Monroe County, FL** – Facilitated public involvement program for study of roadway improvements on US Highway 1 through Big Coppitt Key, 12 miles outside of Key West. Used community advisory committee and a modified design charrette process to create a community-driven program.

**Lower Matecumbe PD&E Study, FDOT District 6; Monroe County, FL** – Responsible for public involvement and land use elements of a roadway improvement study for five miles of US Highway 1 in Islamorada. Duties included scheduling,

organizing and facilitating meetings, designing and developing the project website, newsletters and press releases.

**Sombrero Beach PD&E Study, FDOT District 6; Monroe County, FL** – Responsible for the management of a public involvement program and landscape design elements for study of roadway improvements on major arterial in Marathon.

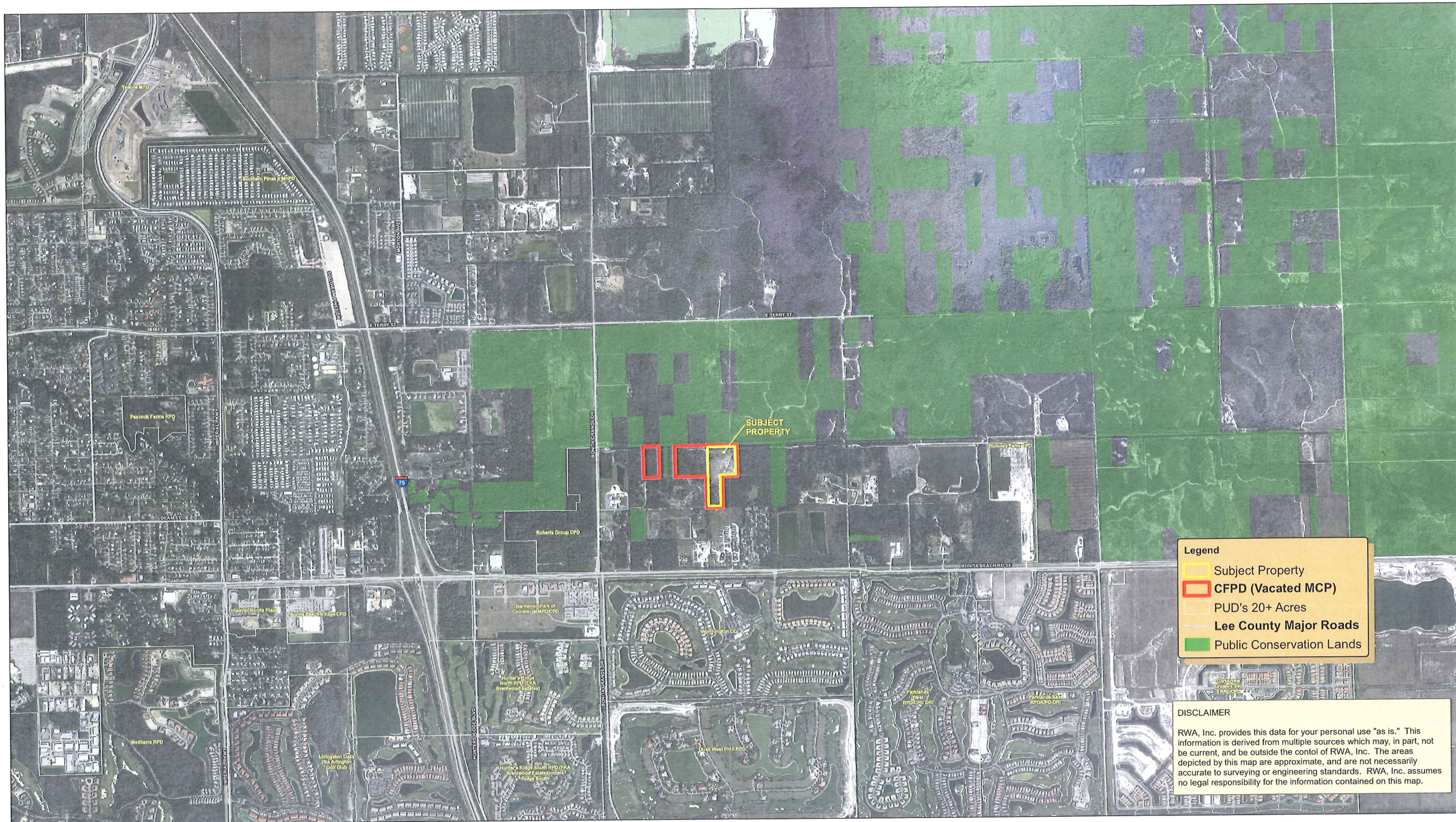
#### *Environmental Planning*

**City of Key West Mooring Field Seagrass Monitoring Project; Monroe County, FL** – Managed seagrass monitoring project at the Key West Mooring Field that investigated potential shading impacts from moored boats. Duties included photographic documentation of monitoring stations over time, and collection of seagrass density and shoot-count data. Involved in project design and implementation of all phases, including the coordination of field monitoring and preparation of reports.

**Electric Transmission Line Replacement Environmental Compliance Monitoring; Monroe County, FL** – Member of team conducting environmental compliance monitoring of new electric tie-line poles being installed in wetland and submerged habitats between Coppitt Key and Key Haven. Duties included confirmation of pre-construction conditions; onsite inspections to assure impacts do not exceed limits established in environmental permits, and long-term monitoring to document post-construction recovery. In charge of field data collection and report generation.

**Smathers Beach Seagrass Mitigation Monitoring; Monroe County, FL** – Member of team conducting field monitoring of seagrass mitigation project for the City of Key West. Roles include plotting and establishing monitoring quadrants, collecting required data, and assisting in preparation of monitoring reports.

**Key West International Airport Mosquito Ditch Improvements, Wetland Mitigation Design and Permitting; Monroe County, FL** – Responsible for environmental permitting, impact minimization, and wetland mitigation. Duties included wetland delineation, ERP application, and development of the wetland mitigation plan.



**Legend**

- Subject Property
- CFPD (Vacated MCP)
- PUD's 20+ Acres
- Lee County Major Roads
- Public Conservation Lands

**DISCLAIMER**

RWA, Inc. provides this data for your personal use "as is." This information is derived from multiple sources which may, in part, not be current, and be outside the control of RWA, Inc. The areas depicted by this map are approximate, and are not necessarily accurate to surveying or engineering standards. RWA, Inc. assumes no legal responsibility for the information contained on this map.

# Bonita Beach Road East Water Storage Tank Regional Aerial



APPLICANT'S EXHIBIT #2  
2-24-2010 by  
DC/2008-00045

# Existing Public Facility Uses in DR/GR:



YMCA Property: Looking South from E. Terry Street



YMCA Property: Looking West-Northwest from Kent Road



Fire Station #4: Looking Southeast from within property line near Bonita Grande Drive



Fire Station #4: Looking Northeast from Snell Lane



Kehl Canal Weir: Looking East from Bonita Grande Drive



Kehl Canal Weir: Looking East-Northeast from Bonita Grande Drive

APPLICANT'S EXHIBIT # 3  
*Composite*  
*2-24-2010-4*  
*DC120086-00045*



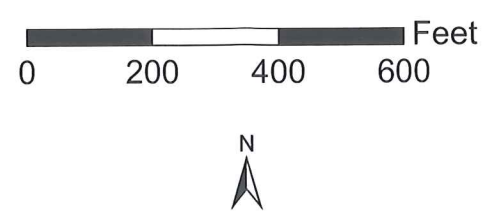
**Legend**

- Subject Property
- CFPD (Vacated MCP)
- Proposed Water tank Location
- Lee County Major Roads

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**Bonita Beach Road East  
Water Storage Tank**  
*Attachment A: Project Reference Map*



**RWA** INC.  
CONSULTING  
• Planning • Visualization  
• Civil Engineering • Surveying & Mapping

Prepared By: rjones  
Printing Date: Feb. 12, 2010  
File: T:\Projects\2008\080097.00.00  
Bonita Beach Rd\Aerial\_Watertank.mxd

APPLICANT'S EXHIBIT # *4*  
*DC12008-00045*  
*2-29-2010*

# Subject Property and Surrounding Area:



**Snell Lane: Looking West from end of improved road**



**Snell Lane: Looking West from end of improved road. Subject Property begins at Power Pole with white transformer**



**East: Looking East along Snell Lane to vacant property. Subject Property is located on left of picture and ends at Power Pole.**



**Southeast: Looking Southeast from SW Property Corner toward mobile home park.**



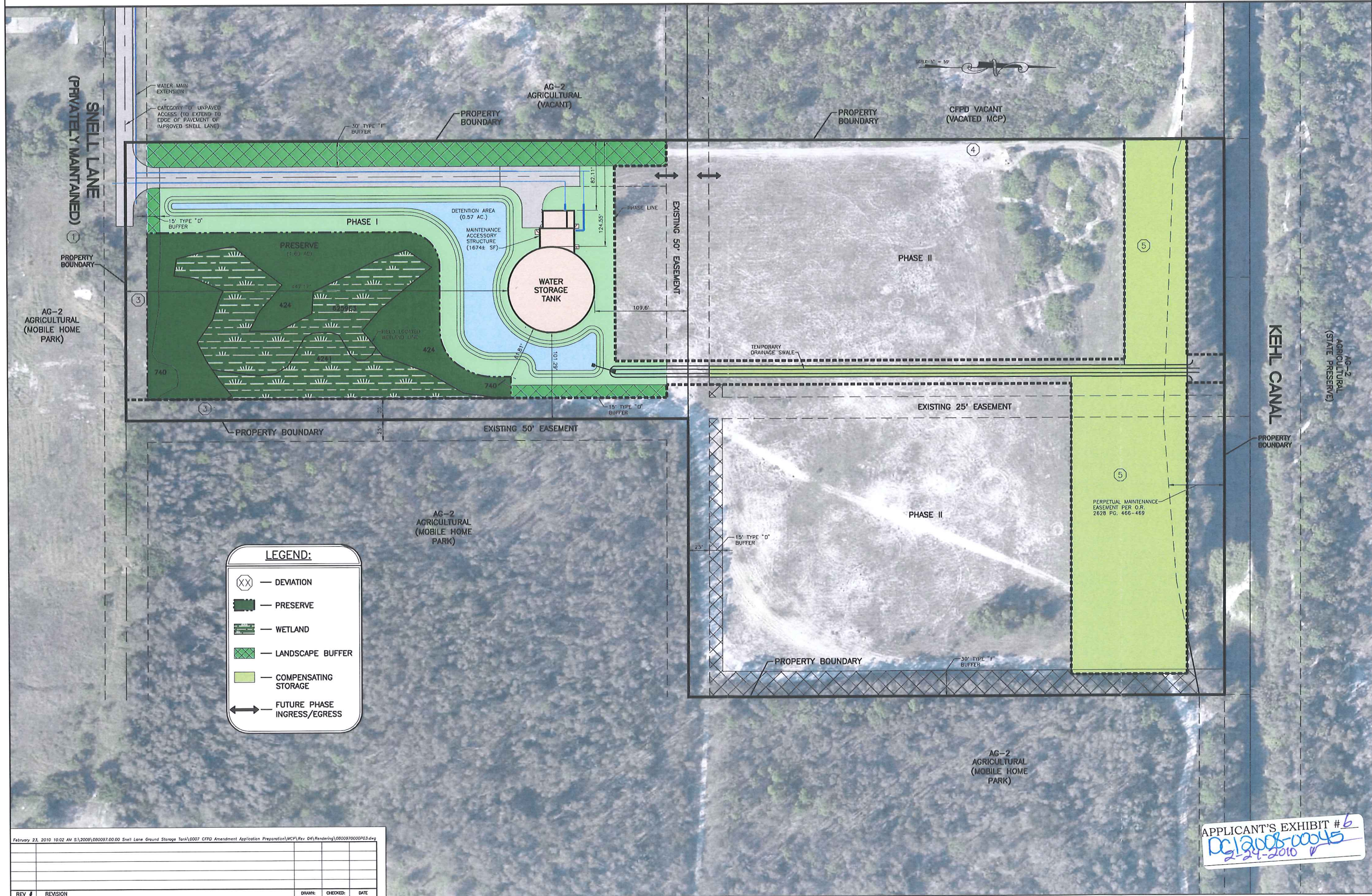
**Existing Single-Family Dwelling to Southwest of Property: Looking South down driveway from Snell Lane.**



**Existing Nursery to West of Property: Looking Northwest from SW Property Corner on Snell Lane.**

DC12008-00045  
8-24-2010 W  
APPLICANT'S EXHIBIT #5  
Sample

# BBR EAST WATER STORAGE TANK MASTER CONCEPT PLAN



**LEGEND:**

- DEVIATION
- PRESERVE
- WETLAND
- LANDSCAPE BUFFER
- COMPENSATING STORAGE
- FUTURE PHASE INGRESS/EGRESS

February 23, 2010 10:02 AM S:\2008\080097.00.00 Snell Lane Ground Storage Tank\007 CFPD Amendment Application Preparation\MCP\Rev 04\Rendering\0800970000P03.dwg

REV #	REVISION	DRAWN	CHECKED	DATE

**PWA INC.**  
**CONSULTING**  
 Planning  
 Visualization  
 Civil Engineering  
 Surveying & Mapping  
 6510 Willow Park Drive, Suite 200, Naples, Florida 34109  
 (239) 597-0575 FAX: (239) 597-0578  
 (239) 278-5224 FAX: (239) 278-5419

**PROJECT:**  
 BBR  
 EAST WATER STORAGE TANK

**CLIENT:**  
 BONITA SPRINGS UTILITIES

**TITLE:**  
 MASTER CONCEPT PLAN

**DATE:** AUGUST, 2008  
**PROJECT NO.:** 050097.00.00  
**FILE NO.:** 0800970000P03  
**SEC.:** 32  
**TWP.:** 47S  
**RGE.:** 26E  
**SCALE:** 1" = 50'  
**DRAWN:** R.M.J.  
**CHECKED:** P.V.  
**SHEET NUMBER:** 3 OF 3

APPLICANT'S EXHIBIT #6  
 DC/2008-00045  
 2-24-2010



SCALE: 1" = 100'



APPLICANT'S EXHIBIT # 7  
 09/29/08-00045  
 09/29-2010

- LEGEND:**
- SFWMD AND COE WETLANDS (1.00 Ac.±)
  - SFWMD "OTHER SURFACE WATERS" AND COE "WATERS OF THE U.S." (0.52 Ac.±)
  - SURVEYED WETLAND LINE
  - GT-1 (A)** APPROXIMATE LOCATION OF GOPHER TORTOISE BURROW (TYP.)
  - ACTIVE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
4221	BRAZILIAN PEPPER, HYDRIC	<0.01 Ac.±	<0.01%
424	MELALEUCA	2.45 Ac.±	17.0%
4241	MELALEUCA, HYDRIC	0.53 Ac.±	3.7%
510	STREAMS AND WATERWAYS	0.52 Ac.±	3.6%
6259 E3	HYDRIC PINE, DISTURBED (50-75% EXOTICS)	0.47 Ac.±	3.3%
740	DISTURBED LAND	9.80 Ac.±	68.2%
743	SPOIL AREAS	0.61 Ac.±	4.2%
<b>TOTAL</b>		<b>14.38 Ac.±</b>	<b>100.0%</b>

**NOTES:**

AERIAL PHOTOGRAPHS PROVIDED BY THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY 2008.

PROPERTY BOUNDARY PER RWA DRAWING No. BNDY.DWG DATED JANUARY 26, 2010.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

SURVEYED WETLAND LINES PER RWA, INC. DRAWING No. 08097.00.00 SUR.DWG DATED AUGUST 5, 2008.

UPLAND/WETLAND LIMITS REVIEWED AND APPROVED BY THE COE ON-SITE FEBRUARY 13, 2009 BY LAURA DIAZ AND BY THE SFWMD MARCH 20, 2009 BY JULIE ARRISON.

J:\2007\07BSU1715\2010\2-15-10 COUNTY ZONING APPROVAL\AERIAL WITH FLUCFCS OVERLAY 2-15-10.DWG TAB: IIX17-C TB Feb 16, 2010 - 11:04AM PLOTTED BY: PAULF

DRAWN BY <b>D.B.</b>	DATE 2/10/10
REVIEWED BY <b>M.M.</b>	DATE 2/10/10
REVISED	DATE

13620 Metropolis Avenue  
Suite 200  
Fort Myers, Florida 33912  
Phone (239) 274-0067  
Fax (239) 274-0069



**BBR EAST WATER STORAGE TANK**  
AERIAL WITH FLUCFCS AND WETLANDS OVERLAY  
AND GOPHER TORTOISE BURROW LOCATION

DRAWING No. 07BSU1715
SHEET No.

# Resume of MICHAEL J. LIGGINS, P.E.

**CURRENT POSITION** Director of Engineering / Assistant Executive Director

**SUMMARY OF QUALIFICATIONS** 15 year's experience in civil and environmental engineering;

- 8 years project management experience in the water & wastewater industry, including 5 years as engineering director
- 5 years experience in project design, permitting and management in private consulting;
- 2 years plan review and project design experience in city government;

Florida registered professional engineer, FL Registration No. 57523;

As director of engineering, I am responsible for planning, design, permitting, and construction administration for the utility's capital improvement plan (CIP). I have supervised the construction of the utility's first reverse-osmosis water-treatment plant, which began operation in spring 2004, and its membrane-bioreactor water reclamation facility, which began operation in spring 2007. In addition to the CIP projects; I oversee the plan review, inspection and turnover of developer contributed infrastructure.

**EDUCATION** University of Central Florida,  
Bachelor of Science, Environmental Engineering, 1997

**EMPLOYMENT HISTORY** **Director of Engineering**, Bonita Springs Utilities, Inc. a not-for-profit cooperative utility company in SW Florida serving water and sewer across its 57 square mile franchise.

2002 to 2005 (Staff Engineer); 2005 to Present (Dir. of Engineering)

**Project Engineer**, WilsonMiller, Inc. a 2001 ENR ranked firm, #1 in multi-unit residential and 385 overall with a staff of over 300 engineers, planners, ecologists and surveyors.

1997 to 2002

**Junior Engineer Assistant**, City of Altamonte Springs, a local municipality encompassing 9 square miles with a 1997 population of 40,000 located north of Orlando.

1994 to 1997

**PROFESSIONAL AFFILIATIONS** American Society of Civil Engineers (ASCE)  
National Society of Professional Engineers (NSPE)  
America Water Works Association (AWWA)  
Water Environmental Federation (WEF)  
Florida Engineering Society (FES)

**AWARDS** Young Engineer of the Year, ASCE 2000  
Young Engineer of the Year, FES 2002-2003

**PUBLISHED PAPERS** "RO System Tackles Brackish Water from Aquifer"  
WaterWorld, November 2004

"Bonita Springs East Water Reclamation Facility Sludge-Drying System Selection Process"

WEF Residuals and Biosolids Management Conference, 2006

"Comparing Membrane Bioreactors (MBRs) and Moving Bed Biofilm Reactors (MBBRs) for Compact Water Reclamation in Florida: Process Selection by Bonita Springs and Pasco County Utilities"

WEFTEC 2009

APPLICANT'S EXHIBIT #8  
DCJ2008-00045  
2-27-2010 [Signature]

# Professional Experience of MICHAEL J. LIGGINS, P.E.



Located in southwest Florida, between Naples and Fort Myers; BSUs assets, in 2008, totaled \$378M, with \$32.4M in revenues and \$30.6M in operating expenses. BSU produced 2.4 billion gallons for its 24,512 water connections (40,137 customers) and treated 1.43 billion gallons for its 21,659 sewer connections (35,596 customers).



*"You have excellent analytical ability and problem solving skills"*

*BSU Review 2005*

I joined BSU in 2002 as staff engineer and became director of engineering in 2005. My responsibilities include master planning, project delivery, review of developer contributed capital and negotiations for property acquisition, property sale, and minor utility acquisition. With a staff of ten, we have accomplished between \$20M and \$40M worth of BSU projects per year, while also reviewing, inspecting and accepting between 10 to 30 miles of developer contributed capital per year.



## REPRESENTATIVE PROJECTS

**Operations Center** – Completed in 2008, BSU's new operations services center serves as headquarters for the utility's field operations staff, putting all those



involved in water distribution and wastewater collection under one roof. The 22,420 square foot building includes administrative offices, a training room that seats 125, shop areas and a 16,000 square foot warehouse. The building is designed to

withstand 170 mph winds and is

equipped to

serve as the utility's emergency operations center. The center will become the master-control facility for the utility's four water and wastewater plants, 3 boosters pump stations and 320 lift stations, ensuring uninterrupted service to the area.

*"Mike involves others in decisions that affect them"*

*BSU,  
360° Review 2009*



# Professional Experience of MICHAEL J. LIGGINS, P.E.



*"Good timing, less gridlock"*

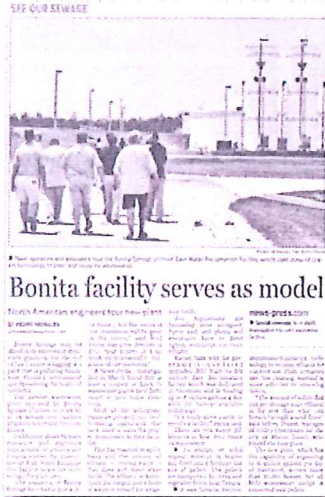
*"At last we see common sense and good planning prevailing from the start of an improvement project on a busy road"*

4/12/2007 Editorial, Bonita Daily News

*"You are a good engineer with excellent problem solving skills... Your involvement in the RO project has resulted in that project being a better project."*

2004 Review, Bonita Springs Utilities

**East Water Reclamation Facility (EWRf)** – Design-Build of a 4 MGD membrane-bioreactor water reclamation facility with an 11 MGD sludge processing and drying facility. Construction commenced in February 2005 and completed in spring 2007. The plant received the Design-Build Institute of America's 2008 National Excellence Award.



**Reverse Osmosis Plant, Phase 1** – Design-Build of: a 6 MGD potable water treatment plant readily expandable to 12 MGD; an 8 well well-field; a 5-mile raw water transmission main; a 3,200-foot deep injection well for brine disposal; and another deep injection well at the water reclamation facility. Responsibilities included the day-to-day coordination of consultant, contractor and utility staff as owner representative during construction.



**Master Planning** - Water Main Master Plan, Force Main Master Plan and Irrigation Master Plan – These projects provided for short and long range (5 year and build-out) projections of capital improvement needs of the utility.



## Professional Experience of MICHAEL J. LIGGINS, P.E.

**WilsonMiller**

### **Las Olas Marina, 1998, Fort Lauderdale, Florida City of Fort Lauderdale**

"The Las Olas facility is conveniently located on the Intracoastal Waterway and only steps from (the) breathtaking and newly revitalized beach. Completely renovated in 1998, the facility features a 52 slip marina designed primarily for large vessels and offers a full array of amenities, including:



- Comfort station with rest rooms, showers, laundromat and small meeting facility
- Water, electric, telephone jacks, Cable TV/HBO
- Vacuum sewage pumpout facilities at each slip
- Convenient dockside parking
- Gated security

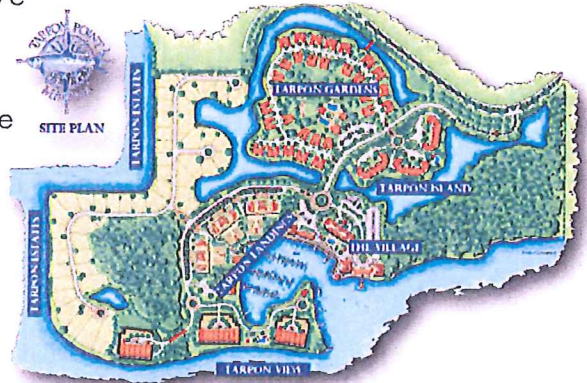
In addition, the complex features two smaller docks, which offer daily boat dockage, and a temporary anchorage area, both of which offer convenient access to Fort Lauderdale Beach."

Source City of Fort Lauderdale

As project engineer during construction, I was responsible for engineering services during construction of the pre-cast, cast-in-place, and floating docks, and marginal walks for this 52-slip luxury yacht marina.

### **Tarpon Point, 2001, Cape Coral, FL, Allette Properties, Inc.**

"A proactive, comprehensive analysis of Tarpon Point's land status, value and potential positioned the property for an optimum ROI in a highly competitive real estate environment." Source: WilsonMiller Engineering support included assistance in the preliminary planning of this 1,000 resident, 148 acre project such as site analysis, master planning, program development and entitlement review.



### **Colonial Elementary, 1998, Lee County, Florida, Lee County School Board**

On behalf of the Lee County School Board, WilsonMiller successfully negotiated, permitted, designed and constructed a remedial mitigation site. According to the Army Corp of Engineers, another consultant firm and the developers improperly filled wetlands. Although these actions were performed prior to the School Board's interest in the land, they were the current occupiers of the land and were required to correct these actions. I served as project engineer for the design, construction plans preparation, and construction management for this 2-acre mitigation site on the existing 19-acre school site.

# Professional Experience of MICHAEL J. LIGGINS, P.E.

## CITY OF ALTAMONTE SPRINGS

*"Your thoroughness, neatness, and attention to detail provides you with valuable tools in the performance of engineering work."*

*1997 Review,  
City of Altamonte  
Springs*

## REPRESENTATIVE PROJECTS

Junior Engineer Assistant – Although the position was initiated as a temporary 3 month intern position, it was renewed upon the recommendations of the City Engineer and Public Works Director's.



I worked in the Public Works Administration Division whose main focus is engineering support to the City and capital improvement projects. I worked under the supervision of three professional engineers. My responsibilities included providing utility availability information, utility locates, obtaining capital improvement photography, reviewing engineering aspects of proposed developments,

reviewing City easements, assisting with compliance reports and FEMA studies. I performed limited facilities design, such as Pond #26 reconstruction and reviewed capital improvements projects designed by others, such as SR436 widening.

***Little Wekiva River Bank Stabilization*** - project engineer for a storm water management pond reconstruction on the banks of an Outstanding Florida Water which received a joint FDEP/SJRWMD PRTF Grant.

***Camino Court Reclaim Water Main Expansion***

***Florida Hospital & Dunkin Donuts Sewer Extension***

***Pond #26 Reconstruction***

***State Road 436 Widening***

***Lake Adelaide Pollution Abatement Program***

# PAVESE LAW FIRM

NEALE MONTGOMERY

Direct dial: (239) 336-6235  
Email: [NealeMontgomery@paveselaw.com](mailto:NealeMontgomery@paveselaw.com)

1833 Hendry Street, Fort Myers, Florida 33901 | P.O. Drawer 1507, Fort Myers, Florida 33902-1507 | (239) 334-2195 | Fax (239) 332-2243

February 26, 2010

Mr. Richard Gescheidt  
Lee County Hearing Examiner  
1500 Monroe St. 2nd Floor  
Ft. Myers, FL 33901  
[waterslm@leegov.com](mailto:waterslm@leegov.com)

LEE COUNTY  
HEARING EXAMINER  
2010 MAR -3 PM 2:21

Re: DCI2008-000045, BBE East Water Storage Tank CFPD  
Hearing Examiner Date: 2/24/2010

Dear Mr. Gescheidt:

The Staff and the Applicant communicated after the hearing and the Applicant appreciates the Staff's time and effort. I think we are very close at this juncture.

I believe the Staff inadvertently left out Essential Services as a permitted use under the schedule of uses in Condition 2.a. I believe Mr. Fredyma pointed this out after the memorandum was issued. I would appreciate if this use could be added to the list of uses.

The staff reworded condition 3.b) after the hearing and the revised version is in the Staff Memorandum. The Applicant can accept the Staff wording if the attached FFWCC "Gopher Tortoise Permitting Guidelines" (April 2008, Revised 2009), as it may be amended, is the guidance referenced by the Staff. The new language acknowledges that the Applicant must comply with the guidance which alleviates a lot of the Applicant's concerns about being subject to competing requirements. The reference to FFWCC guidance should include the "Gopher Tortoise Permitting Guidelines", a portion of which is attached hereto. The Applicant must adhere to the FFWCC requirements as they are the controlling agency.

The Applicant is still concerned about what would be a new Condition 12. The Applicant wants to make sure that the open space that is over and above the county requirement that is being provided as part of the current MCP will count toward the overall open space requirement when BSU seeks future amendments with the MCP. The Applicant does not want to be placed in a position where the Staff submits that the open space cannot count toward future phases because it was "required" for Phase I. The County Staff submitted on the record that the "excess" open space would count toward the overall open space requirements under the County Regulations and the Applicant did not need the condition to protect itself. The Applicant is worried about what will occur in future phases and wants assurances, just as the Staff wants assurances, about what will happen in future phases as reflected in Condition 3.b). There are no gopher tortoises in Phase I so the condition is an effort to obtain assurances now. The Applicant is in exactly the same position.

Applicant's Exhibit 9  
(post hrg. submittal)  
DCI2008-00045

12. Open Space and Indigenous Vegetation

as Open Space and areas of Preserved and Enhanced indigenous plant communities included part of this MCP will contribute to future open space and indigenous vegetation requirements in the event the community facilities planned development is amended or expanded in the future to include additional areas or additional phases.

Your consideration of this matter is greatly appreciated.

Sincerely,



Neale Montgomery

NM/jld

Enclosure

cc: Chahram Badamtchian  
Susie Derheimer  
Mike Liggins  
Mike Myers  
John Fredyma  
Patrick Vanasse

**Appendix 11. Modified Application Requirements, Recipient Site Criteria, and Handling Procedures for 10 or Fewer Burrows Permits**

This permit is available when 10 or fewer burrows will be impacted on a development site. This permit is intended to provide a streamlined, less expensive, and faster option for applicants impacting smaller numbers of tortoises when the gopher tortoises are relocated to suitable on-site and off-site recipient areas. Therefore, the amount of information required for applications is reduced. Applications may be checked by FWC staff, and additional information may be required in situations where submitted information is not clear or does not appear to meet criteria for this permit type.

Such permits usually are issued for smaller properties (such as single-family residential lots), but larger properties may also meet the criteria for this permit when development activities are minimal or only small numbers of burrows are present on the property.

***Gopher Tortoise Burrow Surveys***

In order for applicants to determine if they meet the criteria for this permit, 100% surveys must be conducted over the entire development footprint and submitted as part of the permit application (rather than after issuance of the permit). The 15% survey protocol for donor sites (Appendix 4) does not apply to this permit type. Survey maps listed in Appendix 4 are recommended but not required for these permit applications, unless specifically requested by FWC staff reviewing such applications.

***On-site Recipient Site Criteria***

On-site recipient areas under this permit type do not require separate FWC recipient site permits. Therefore, requirements under certified long-term, short-term, and unprotected sites do not apply. However, recipient sites must be suitable set-aside areas that are not disturbed by construction activities, that provide a safe environment, and that exclude (through temporary fencing or other means) tortoises from development areas until such development activities have been completed. Gopher tortoises need access to the following: 1) sufficient areas of forage (herbaceous and low-growing plants including native broadleaf grasses, legumes [bean/pea family], asters, blackberries and other fruits, prickly pear cactus, and a variety of other non-native grasses, except cogon grass); 2) sandy, well-drained, open (uncanopied), sunny sites for burrows and basking; 3) protection from dogs, cats, other exotic predators, human harassment, and busy roads. Such general conditions must remain after development, outside the built footprint on the site. Small sites typically have gopher tortoises that normally "roam" between adjoining neighboring parcels to forage or burrow, so this should be considered as well. The herbaceous vegetation must be maintained (mowing, burning, etc.), and pesticides/herbicides should not be used in the recipient area. If the recipient area does not appear to meet these requirements, please contact FWC staff or an authorized agent to discuss conservation options that may be available.

Stocking criteria (maximum of 4 per acre, Table 2) do not apply. Under this permit, higher on-site recipient area densities are allowed; up to 5 tortoises may be moved into pens for up to 10 days.

## Education

Virginia Polytechnic  
Institute & State  
University / B.A.  
Urban Affairs &  
Planning / 1997

## Registration / License

Leadership in Energy  
& Environmental  
Design Accredited  
Professional (LEED  
AP), 2009

American Institute of  
Certified Planners  
(AICP), 2001

North Carolina  
Certified Zoning  
Official, 2005

## Professional Societies

American Planning  
Association (APA),  
1998 – present

Florida Planning &  
Zoning Association  
(FPZA), Vice  
President, 2008-  
present

## Experience Summary

Mr. Christopher Scott, AICP has more than nine years of experience as a Certified Planner. Mr. Scott has extensive experience working on public sector planning projects, including development plan reviews, comprehensive planning, codifying land development regulations, as well as grant preparation and administration. He has been certified as a Leadership in Energy and Environmental Design (LEED) Accredited Professional (AP) by the U.S. Green Building Council (USGBC). He has demonstrated the ability to manage complex planning projects involving various stakeholders, with a proven skill at consensus building and conflict resolution. Mr. Scott has extensive knowledge of current planning practices and is effective at tailoring regulations and development policies to the unique characteristics of the local community. Prior to joining RWA, Mr. Scott served as a Planner II for the Town of Knightdale, North Carolina and was a Neighborhood Planner for the City of Charleston, West Virginia. As a Principal Planner for RWA, Mr. Scott is responsible for providing planning services that include project management, rezoning petitions, due diligence reports, comprehensive plan amendments, public facilitation and participation, urban design, and site planning.

## Representative Projects

**Rural and Agricultural Lands Study, Hendry County Government, Hendry County, Florida** – Project Planner for this study related to rural lands and the agricultural industry in Hendry County. Plan included analysis of existing conditions and creation of new comprehensive plan goals, objectives, and policies, and a framework for development in rural areas while protecting agriculture and important natural resources.

**Rural Area Plan, Highlands County Government, Highlands County, Florida** - Project Planner for this study to address protecting the rural character of Highlands County. Analysis of existing mechanisms to protect rural lands, creation of an easily implemented transfer of development rights program, and comprehensive standards for new development were presented.

**Immokalee Area Master Plan Update, Immokalee Community Redevelopment Agency, Immokalee, Florida** – Project Planner involved in update to the Immokalee Area Master Plan for the Immokalee Community Redevelopment Agency in eastern Collier County. The update will result in amendments to the Collier County Growth Management Plan and changes to the Collier County land development code in order to fully implement the community vision.

**Bayshore Gateway Triangle Community Redevelopment Agency Catalyst Projects; Bayshore Gateway Triangle CRA; Collier County, FL** – Project Planner of the conceptual designs for two sites within the Bayshore Gateway Triangle Community Redevelopment Areas. These sites represent two Catalyst Redevelopment Projects aimed at attracting development interests to the CRA and implementing the two distinct visions articulated for the Bayshore and Gateway Triangle areas.

**Hendry County EAR Planning & Support; Hendry County Government; Hendry County, FL** – Project Planner responsible for assisting the Hendry County Planning and Development Department in the development of County's Evaluation and Appraisal Report (EAR) of the 1999 Comprehensive Plan, as part of RWA's Professional Service Contract. The work currently being provided by RWA includes planning studies; research and analysis of the changes in the County's existing; and projected population figures, land area, and the amount of developable land

**Bayshore Gateway Triangle Overlay Revisions; Bayshore Gateway Triangle CRA; Collier County, FL** – Project Planner assisting in developing updates to the Bayshore and Gateway Triangle Mixed Use Overlays for the Bayshore Gateway Triangle Community Redevelopment Agency (CRA) in Collier County. The proposed land development regulations will improve the review and approval processes, remove existing impediments to redevelopment, provide incentives for new investment, and update design standards.

**Plant World – LaBelle, Florida; Alico, Inc.; LaBelle, Florida** – Principal Planner responsible for providing planning consulting services associated with the conceptual site planning of a commercial development or mixed-use project on approximately 50 acres. The property is located within the City of LaBelle along S.R. 80 and West Cowboy Way in Hendry County, Florida.

**Unified Development Ordinance – Town of Knightdale, North Carolina** – Planner responsible for the drafting and adoption of the Town's new Unified Development Ordinance, which utilized New Urbanism standard practices. This project was awarded the North Carolina Chapter of the APA Small Community Award for implementation of the Comprehensive Plan.

**Recapturing the Village: The Kanawha City Neighborhood Revitalization Plan – Charleston, West Virginia** – Planner responsible for assisting in drafting and adoption of this redevelopment plan, which seeks to protect property values, enhance the Quality of Life and maintain a nurturing and prosperous community by recapturing the village-atmosphere envisioned by developers a century ago. Additional work included assistance in establishing and working with the Kanawha City Neighborhood Association.

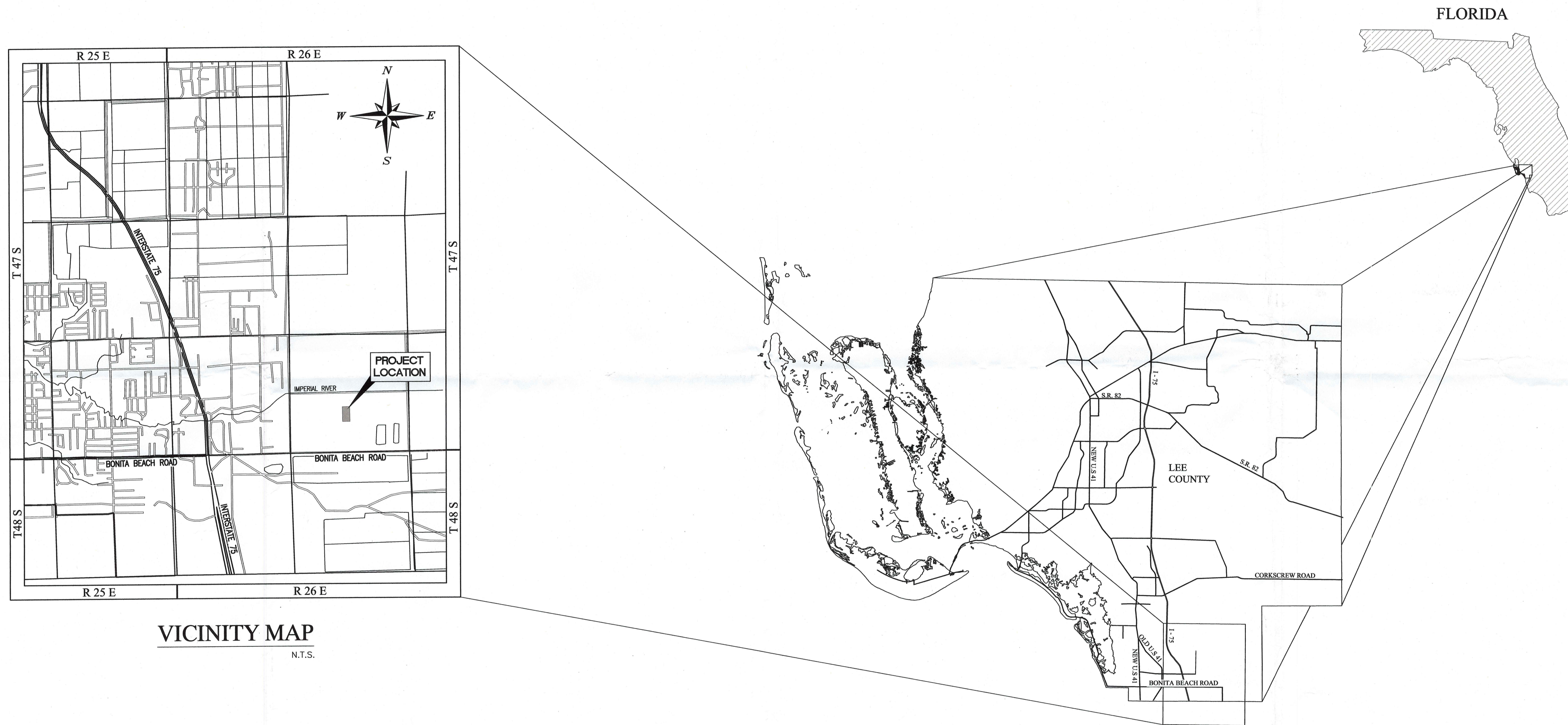
**Vandalia Neighborhood Revitalization Plan –City, State** – Planning Project Manager responsible for drafting plans and presenting them for adoption to the City Council, as well as assisting in establishing the Vandalia Neighborhood Association and attendance at regular meetings.

**Shoppes at Midway – Town of Knightdale, North Carolina** – Primary Plans Reviewer responsible for a 420,000 S.F. regional shopping center developed by Wakefield Development.

**Village Park Commons – Town of Knightdale, North Carolina** – Primary Plans Reviewer responsible for a mixed-use regional shopping center with 435,000 S.F. of commercial and office space and 60 multi-family residential units developed by Wakefield Development.

# BBR EAST WATER STORAGE TANK

SECTION 32, TOWNSHIP 47 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA



VICINITY MAP  
N.T.S.

PREPARED FOR:

**BONITA SPRINGS UTILITIES**  
11860 EAST TERRY STREET  
BONITA SPRINGS, FLORIDA 34135

CONTENTS

- SHEET 1 COVER SHEET
- SHEET 2 GENERAL NOTES & TABLES
- SHEET 3 MASTER CONCEPT PLAN

DCI 2008-00045

**RECEIVED**  
FEB 01 2010  
COMMUNITY DEVELOPMENT

REV #	REVISION	DRAWN	CHECKED	DATE

**RWA** INC.  
CONSULTING  
Planning  
Visualization  
Civil Engineering  
Surveying & Mapping

6610 Willow Park Drive, Suite 200, Naples, Florida 34109  
1542 Carson Street, Fort Myers, Florida 33901

(239) 597-0575 FAX: (239) 597-0578  
(239) 278-5224 FAX: (239) 278-5419

STAFF EXHIBIT #  
00120080005

# BBR EAST WATER STORAGE TANK

## GENERAL NOTES & TABLES

### LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 32.

THENCE N.01°00'38"W. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 32 FOR 1,316.62 FEET, TO THE SOUTHEAST CORNER OF THE EAST HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 32, ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE ALONG THE SOUTH LINE OF THE EAST HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 32 S.89°11'39"W. FOR 327.67 FEET TO THE WEST LINE OF THE EAST HALF (1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4);

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 32 N.00°57'50"W. FOR 1286.02 FEET, TO A POINT ON THE SOUTHERLY BOUNDARY OF A CANAL EASEMENT; THENCE ALONG SAID CANAL EASEMENT N.89°05'23"E. FOR 653.30 FEET, TO A POINT ON THE EAST LINE OF THE WEST HALF (1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 32;

THENCE ALONG THE EAST LINE OF THE WEST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 32;

THENCE ALONG THE SOUTH LINE OF THE WEST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 32 S.89°08'43"W. FOR 327.18 FEET, TO THE SOUTHWEST CORNER OF THE WEST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 32;

THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 32, S.01°00'38"E. FOR 658.31 FEET, TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN.

CONTAINING 626,273 SQUARE FEET OR 14.4 ACRES, MORE OR LESS.

### GENERAL NOTES:

1. THE MASTER CONCEPT PLAN DEPICTS THE PROJECT'S GENERAL CONFIGURATION FOR CONCEPTUAL ZONING REVIEW AND APPROVAL. THE FINAL PRESERVE AND PUBLIC FACILITY TRACTS ALONG WITH THE PROJECT'S OPEN SPACE, SURFACE WATER MANAGEMENT SYSTEMS, STRUCTURES, AND OTHER FUNCTIONAL ELEMENTS WILL BE DETERMINED AT THE TIME OF DEVELOPMENT ORDER PERMITTING.
2. PARKING WILL BE PROVIDED IN ACCORDANCE WITH LDC CHAPTER 34, DIVISION 26. THE DEVELOPMENT WILL BE AN UNMANNED ESSENTIAL SERVICE FACILITY AND WILL NOT REQUIRE OFF-STREET PARKING SPACES PURSUANT TO SECTION 34-202(4)G.
3. THE SUBJECT PROPERTY DOES NOT CONTAIN ANY HISTORICAL OR ARCHAEOLOGICAL SITES.
4. IF THE CFPD IS EXPANDED TO INCLUDE ADDITIONAL ACREAGE IN THE FUTURE, THEN AN AMENDED MCP MUST BE APPROVED AND THE OPEN SPACE AND INDIGENOUS PRESERVATION AREAS INCLUDED AS PART OF THIS MCP WILL CONTRIBUTE TO FUTURE OPEN SPACE AND INDIGENOUS PRESERVATION REQUIREMENTS.
5. REQUIRED BUFFERS FOR EACH PHASE WILL BE PROVIDED AT TIME OF DEVELOPMENT ORDER FOR THE PHASE IN WHICH IT IS LOCATED.

### SCHEDULE OF USES:

ACCESSORY USES AND STRUCTURES  
 ESSENTIAL SERVICE FACILITIES: GROUP II (LIMITED TO ABOVE GROUND WATER STORAGE AND WATER TREATMENT FACILITIES, INCLUDING UNDERGROUND STORAGE)  
 EXCAVATION, WATER RETENTION  
 FENCES, WALLS  
 MAINTENANCE FACILITY (ACCESSORY AND SUBORDINATE TO WATER STORAGE AND TREATMENT FACILITIES)  
 PARKING LOT, ACCESSORY  
 SIGNS, IN ACCORDANCE WITH CHAPTER 30  
 STORAGE, INDOOR ONLY (ACCESSORY AND SUBORDINATE TO WATER STORAGE AND TREATMENT FACILITIES)  
 TEMPORARY USES (LIMITED TO CONSTRUCTION TRAILERS AND STORAGE SHEDS DURING THE DEVELOPMENT OF THE SITE, AND TEMPORARY USES DIRECTLY RELATED TO THE EXISTING PERMITTED USES ON THE SITE)

### SITE DATA:

GROSS ACREAGE: 14.38 ACRES +/-  
 STRAP #: 32-47-26-00-00001.0020

FUTURE LAND USE: DR/GR, WETLANDS  
 EXISTING ZONING: CFPD  
 EXISTING USE: VACANT  
 PROPOSED ZONING: CFPD  
 FLOODZONE: X  
 FIRM (DATE): 12071C 0678F (8/28/08)

### SITE DEVELOPMENT REGULATIONS:

#### WATER TANK MINIMUM SETBACKS:

STREET (SNELL LN): 100 FEET  
 SIDES: 100 FEET  
 REAR: 100 FEET  
 PRESERVE: 30 FEET

#### ACCESSORY STRUCTURES MINIMUM SETBACKS:

STREET (SNELL LN): 100 FEET  
 SIDES: 30 FEET  
 REAR: 30 FEET  
 PRESERVE: 30 FEET

#### BUILDING SEPARATION AND HEIGHT:

ACCESSORY STRUCTURES TO WATER TANK: 0 FEET  
 MAXIMUM HEIGHT (WATER TANK): 50 FEET  
 MAXIMUM HEIGHT (OTHER STRUCTURES): 35 FEET

NOTE: STREET, SIDE, AND REAR SETBACKS ARE MEASURED FROM THE CFPD BOUNDARY.

### OPEN SPACE CALCULATIONS:

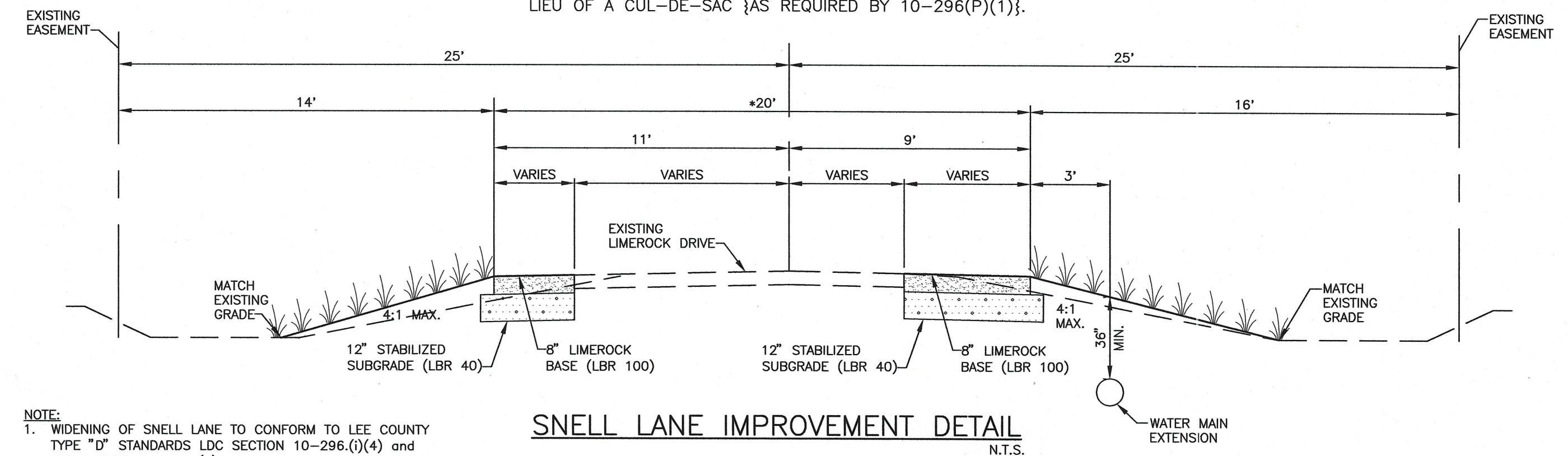
TOTAL ACREAGE: 14.38 ACRES  
 LESS PUBLIC EASEMENTS: 1.45 ACRES  
 PROJECT ACREAGE: 12.93 ACRES  
 OPEN SPACE REQUIRED (30%): 3.88 ACRES  
 OPEN SPACE PROVIDED: 4.30 ACRES

EXISTING INDIGENOUS VEGETATION: 0.47 ACRES  
 PRESERVED INDIGENOUS VEGETATION: 0.47 ACRES

OPEN SPACE CALCULATION TABLE	
DESCRIPTION	ACRES
Buffers	1.00
Compensating Storage	1.70
Preserve	1.60
Melaleuca, 424	0.77
Melaleuca, Hydric, 4241	0.28
Disturbed Land, 740	0.08
Hydric Pine, Disturbed (50-75%), 6259E3	0.47
<b>TOTAL:</b>	<b>4.30</b>

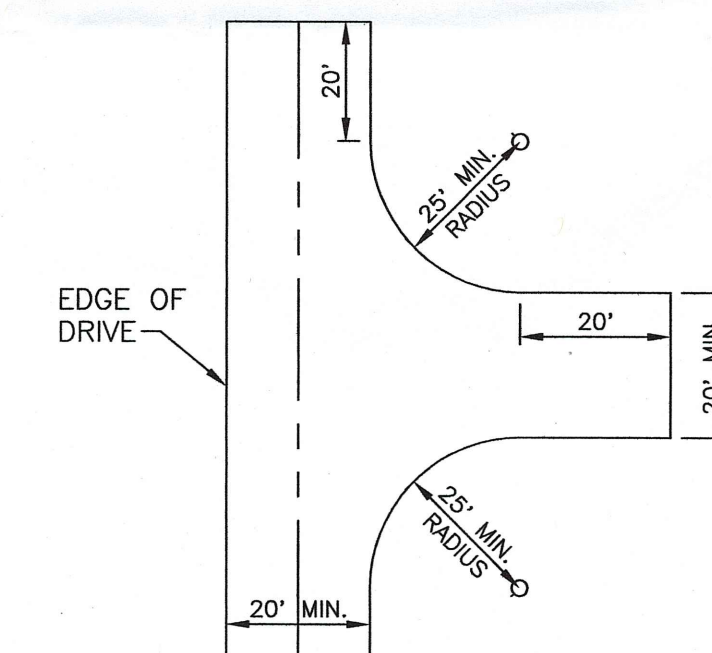
### DEVIATIONS:

- ① DEVIATION FROM LDC SECTION 10-291(2) WHICH REQUIRES THAT ALL DEVELOPMENTS HAVE ACCESS TO A PUBLIC OR PRIVATE STREET DESIGNED, CONSTRUCTED AND IMPROVED TO MEET THE STANDARDS OF SECTION 10-296, TO ALLOW FOR ACCESS TO THE SITE FROM THE END OF THE PAVED PORTION OF SNELL LANE AS AN UNPAVED CATEGORY D ROAD WITH ALTERNATIVE CROSS SECTION AS ILLUSTRATED ON THE MCP AND WITH A T-TURN AROUND IN LIEU OF A CUL-DE-SAC {AS REQUIRED BY 10-296(F)(1)}.



- NOTE:
1. WIDENING OF SNELL LANE TO CONFORM TO LEE COUNTY TYPE "D" STANDARDS LDC SECTION 10-296.(1)(4) and LDC SECTION 10-710.(6)
  2. ALL AREAS DISTURBED DUE TO CONSTRUCTION ACTIVITIES TO BE STABILIZED AND SODDED IMMEDIATELY UPON COMPLETION OF CONSTRUCTION.

### SNELL LANE IMPROVEMENT DETAIL



### TYPICAL T-TURN AROUND

- ② DEVIATION FROM LDC SECTION 10-261 WHICH REQUIRES THAT ALL NEW MULTIFAMILY RESIDENTIAL DEVELOPMENTS, COMMERCIAL BUSINESSES, AND INDUSTRIAL USES PROVIDE SUFFICIENT ON-SITE SPACE FOR THE PLACEMENT OF GARBAGE CONTAINERS OR RECEPTACLES, AND SUFFICIENT SPACE FOR RECYCLABLE MATERIALS COLLECTION CONTAINERS TO ALLOW THE UNMANNED COMMUNITY FACILITY TO BE CONSTRUCTED WITHOUT ON-SITE REFUSE COLLECTION.
- ③ DEVIATION FROM LDC SECTION 10-416(D)(1) WHICH REQUIRES BUFFERS ALONG THE ENTIRE PERIMETER OF THE PROPOSED DEVELOPMENT TO ALLOW PRESERVE AREAS WITH ENHANCED PLANTINGS TO SATISFY THE BUFFER REQUIREMENT.
- ④ DEVIATION FROM LDC SECTION 10-416(D)(1) WHICH REQUIRES BUFFERS ALONG THE ENTIRE PERIMETER OF THE PROPOSED DEVELOPMENT TO ELIMINATE THE REQUIRED BUFFER ADJACENT TO PROPERTY UNDER COMMON OWNERSHIP ALONG THOSE PORTIONS OF THE WESTERN PROPERTY BOUNDARY.
- ⑤ DEVIATION FROM LDC SECTION 10-416(D)(1), (3) AND (4) WHICH REQUIRES A TYPE C OR TYPE F BUFFER ALONG THE NORTHERN PROPERTY LINE OF THE PROPOSED DEVELOPMENT TO ALLOW FOR AN ALTERNATIVE LANDSCAPE PLAN ALONG THE NORTHERN PROPERTY LINE ADJACENT TO THE KEHL CANAL EASEMENT.

DCI 2008-00045

RECEIVED  
 FEB 01 2010  
 COMMUNITY DEVELOPMENT

REV #	REVISION	DRAWN	CHECKED	DATE

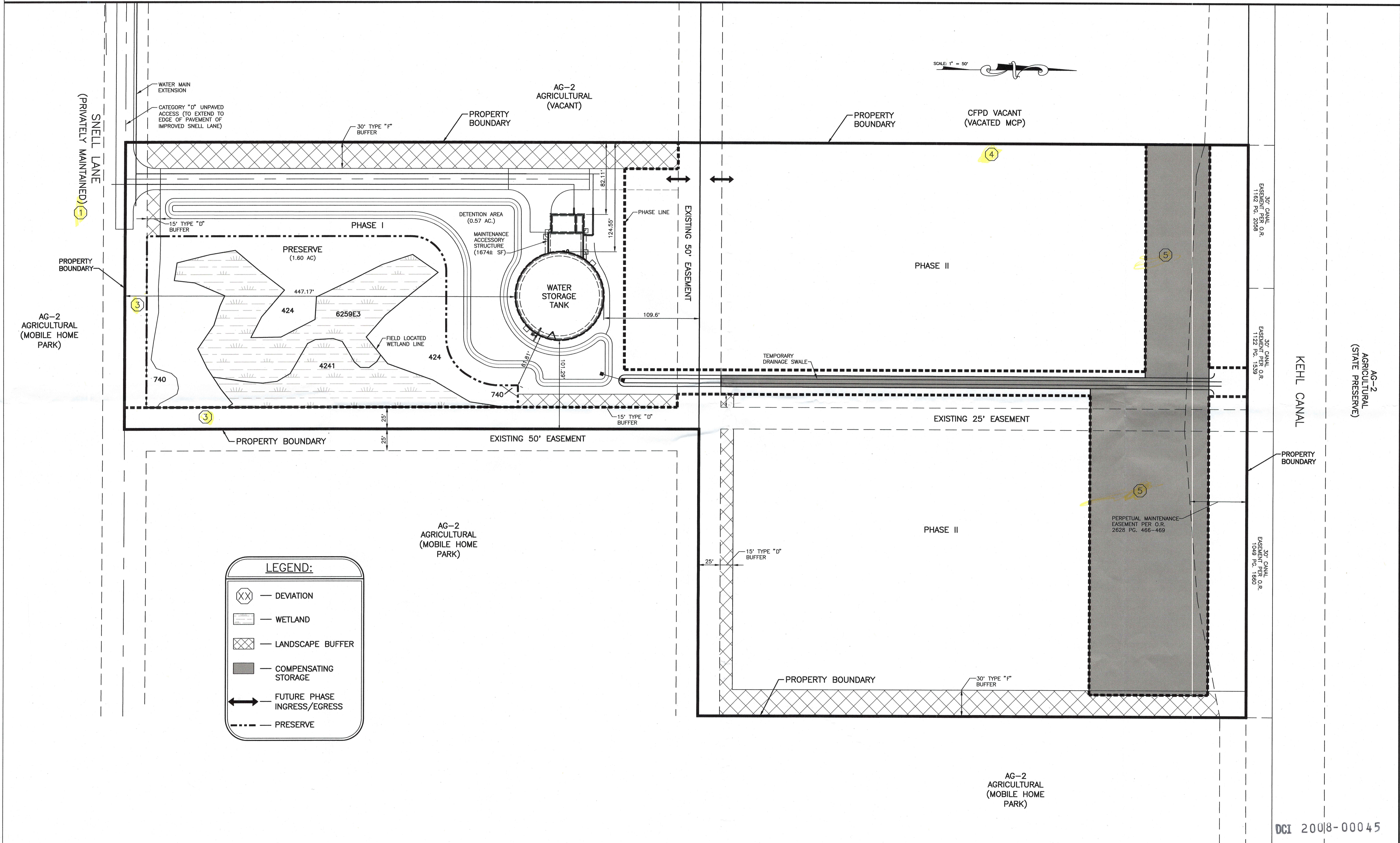
INC. **PIWA** CONSULTING  
 Planning Visualization Surveying & Mapping  
 6610 Willow Park Drive, Suite 200, Naples, Florida 34109  
 (239) 597-0575 FAX: (239) 597-0578  
 (239) 278-5224 FAX: (239) 278-5419

PROJECT: **BBR EAST WATER STORAGE TANK**

CLIENT: **BONITA SPRINGS UTILITIES**  
 TITLE: **GENERAL NOTES & TABLES**

SEC: 32 TWP: 47S RGE: 26E  
 SCALE: 1" = 50'  
 DRAWN: R.M.J.  
 CHECKED: P.V.  
 DATE: AUGUST, 2008  
 PROJECT NO.: 08009700.00  
 FILE NO.: 0800970000P02  
 SHEET NUMBER: 2 OF 3

# BBR EAST WATER STORAGE TANK MASTER CONCEPT PLAN



**LEGEND:**

- (XX) — DEVIATION
- [Hatched Box] — WETLAND
- [Cross-hatched Box] — LANDSCAPE BUFFER
- [Solid Grey Box] — COMPENSATING STORAGE
- [Arrow] — FUTURE PHASE INGRESS/EGRESS
- [Dashed Line] — PRESERVE

February 1, 2010 8:12 AM S:\2008\08\297\00\00 Snell Lane Ground Storage Tank\007\_CFPD Amendment Application Preparation\MCP\Rev 04\080097000P03.dwg

REV #	REVISION	DRAWN	CHECKED	DATE

DCI 2008-00045

**RECEIVED**  
FEB 01 2010  
COMMUNITY DEVELOPMENT

**RWA CONSULTING INC.**  
Planning  
Visualization  
Civil Engineering & Mapping  
Surveying & Mapping  
(239) 597-0575 FAX: (239) 597-0578  
6610 Willow Park Drive, Suite 200, Naples, Florida 34109  
1542 Carson Street, Fort Myers, Florida 33901

**PROJECT:** BBR EAST WATER STORAGE TANK

**CLIENT:** BONITA SPRINGS UTILITIES

**TITLE:** MASTER CONCEPT PLAN

**SEC. TWP. RGE:** 32 47S 26E

**SCALE:** 1" = 50'

**DRAWN:** R.M.J.

**CHECKED:** P.V.

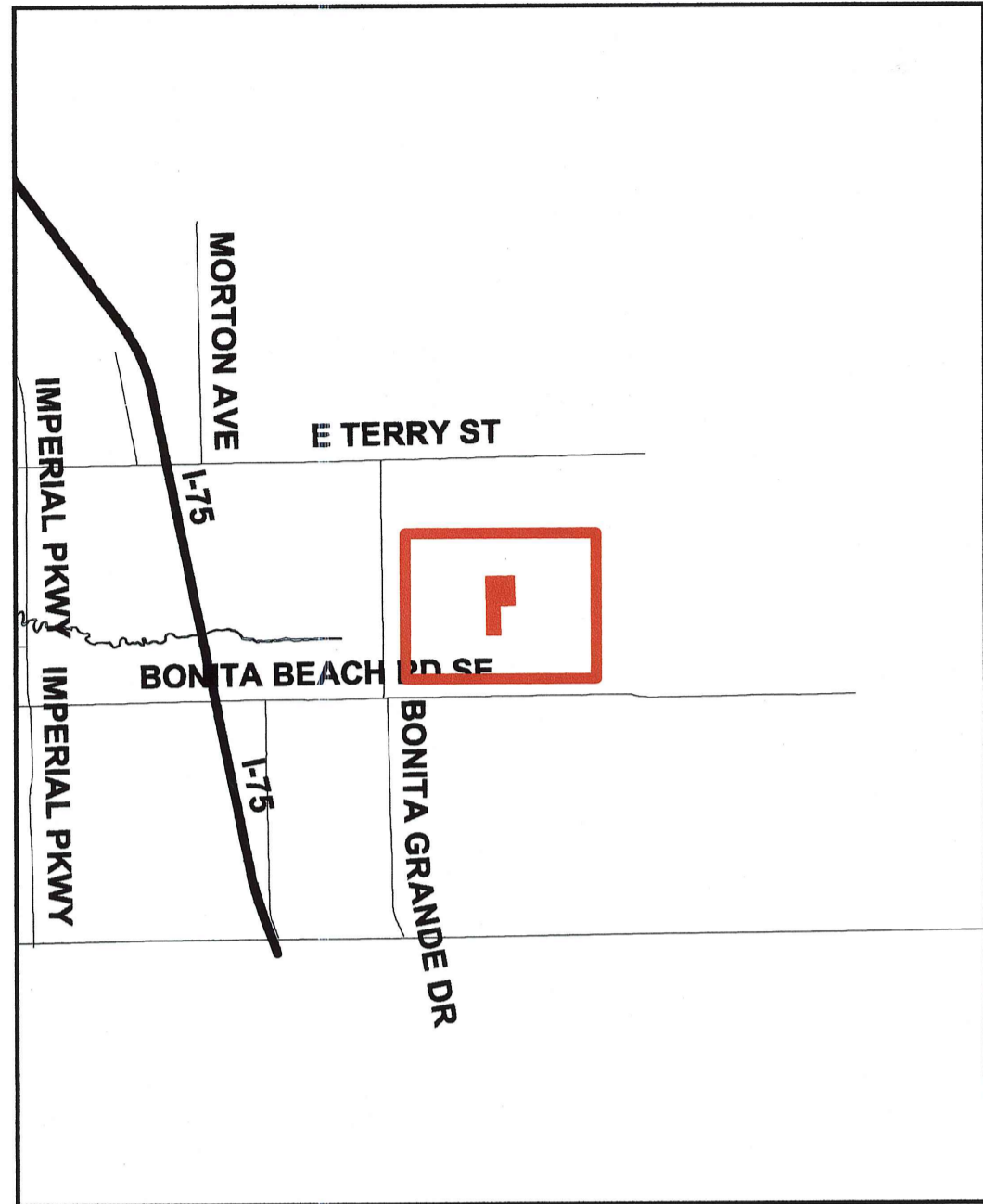
**DATE:** AUGUST, 2008

**PROJECT NO.:** 080057.00.00

**FILE NO.:** 080057000P03

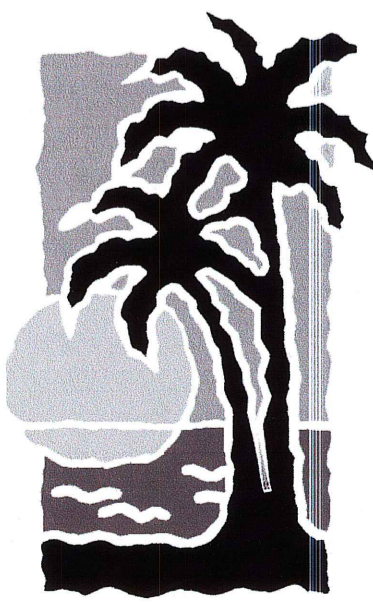
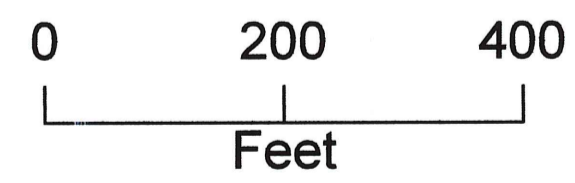
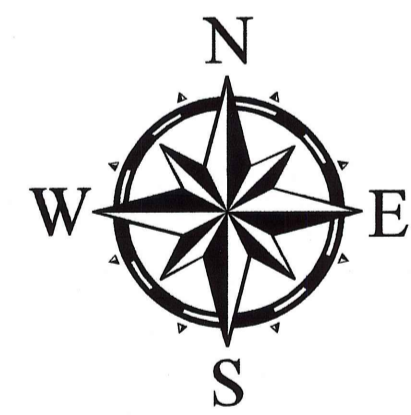
**SHEET NUMBER:** 3 OF 3

**BBR East Water Storage  
DCI2008-00045**



**Legend**

- Subject Property
- Lee County Zoning



This map drawn for visual purposes only.  
Not to be used for official zoning map.

Prepared by:  
Lee County DCD  
Mapped: Jan. 2010  
2008 Aerial Photograph

