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GIS Tracking Sheet

Case No.: DCI 2002-00018

Intake Date: May 13, 2002

Project Name: The Villages of Bonita North MPD

STRAP Number(s): 22-47-25 B1-00002.4000

Planner Name: Chip Block Ext. 8371

LEGAL DESCRIPTION VERIFICATION and **INITIAL GIS MAPPING**

Date: 5/29/02 **INTAKE:** DCI 02018

LEGAL SUFFICIENT ☑ YES ☐ NO Initials: gm

If not, give brief explanation:

Need state plane coordinates; status of ditch

10/22/02 - response does not provide answer to question of title
- updated checklist

MAP UPDATE following **FINAL ACTION**

Date: 11 JULY 03 ☒ BONITA SPRINGS

☐ Hearing Examiner Decision ☐ Board of County Commissioner's Resolution

☐ Administrative Approval ☐ Blue Sheet

Zoning Notes: DCI2002-00018, BS ORD# 03-18, 23 JUNE 03, ~~CC OF BS APRVS~~ APRVD TO REZ FM AG-2 TO MPD; CONDS & DEVS.

MAP UPDATED ☐ YES ☐ NO Initials: [illegible]

If not, give brief explanation: ZONE: MPD: 000874 Created

S:\WRITERS\Murphyge\gistracking.wpd

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 22, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WESTERLYMOST CORNER OF TRACT "W" OF THE VILLAGES OF BONITA, AS RECORDED IN PLAT BOOK 59 AT PAGES 1 THROUGH 8 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING A POINT ON THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 887 (OLD S. 41) A 100 FOOT WIDE RIGHT OF WAY; THENCE N.45°30'58"W., ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 1,612.24 FEET TO BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE EAST; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1,010.00 FEET, THROUGH A CENTRAL ANGLE OF 14°32'17", SUBTENED BY A CHORD OF 255.59 FEET AT A BEARING OF N.38°14'50"W., FOR AN ARC LENGTH OF 256.27 FEET TO THE END OF SAID CURVE; THENCE N.30°58'41"W., ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 868.33 FEET; THENCE N.44°32'20"E., A DISTANCE OF 670.10 FEET; THENCE N.30°59'20"W., A DISTANCE OF 670.73 FEET; THENCE N.44°32'29"E., A DISTANCE OF 233.35 FEET; THENCE S.45°29'28"E., A DISTANCE OF 3,410.17 FEET TO THE NORTHERLYMOST CORNER OF VILLAGES OF BONITA – UNIT TWO, AS RECORDED IN PLAT BOOK 62 AT PAGES 73 THROUGH 75 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.46°53'19"W., ALONG THE NORTHERLY LINE OF SAID VILLAGES OF BONITA – UNIT TWO, A DISTANCE OF 652.81 FEET TO THE NORTHERLYMOST CORNER OF SAID TRACT "W"; THENCE CONTINUE S.46°53'19"W., ALONG THE NORTHERLY LINE OF SAID TRACT "W", A DISTANCE OF 668.87 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 84.849 ACRES, MORE OR LESS.

Applicant's Legal Checked
by GM 5/29/02

NOTES

1. *BEARINGS SHOWN HEREON REFER TO THE NORTHERLY LINE OF THE VILLAGES OF BONITA, AS RECORDED IN PLAT BOOK 59 AT PAGES 1 THROUGH 8, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS BEING S 46°53'19" W.*
2. *THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND OR RESTRICTIONS OF RECORD.*
3. *DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.*

DCI 2002-00018

RECEIVED
MAY 13 2002
ZONING COUNTER

1-2-02
SIGNED

Eric V. Sandoval

ERIC V. SANDOVAL, P.S.M. #5223
STATE OF FLORIDA

DRAWN BY: KJC	
CREW CHIEF: RM	
JOB CODE: VBN	
SCALE: 1" = 400'	

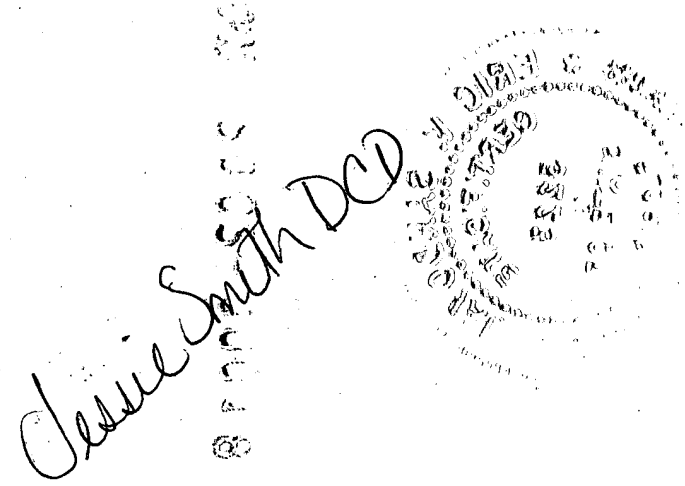
Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (941) 947-1144 FAX : (941) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

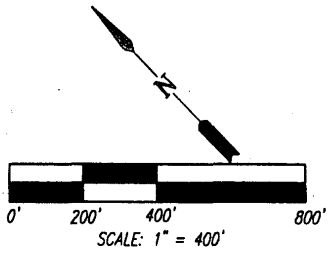
LEGAL DESCRIPTION

VILLAGES OF BONITA–NORTH

SECTION 22, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

DATE: JANUARY, 2002 | DRAWING NUMBER: B-2245


Jessie Smith DCD



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	1010.00'	14°32'17"	256.27'	128.83'	255.59'	N 38°14'50" W

SAN CARLOS ESTATES
(UNRECORDED SUBDIVISION)

THE NORTHERLYMOST CORNER OF VILLAGES OF BONITA - UNIT TWO, PLAT BOOK 62, PAGES 73-75, LEE COUNTY, FLORIDA.

S 45°29'28" E 3410.17'

N 44°32'29" E 233.35'

N 30°59'20" W 670.73'

UNPLATTED

RECEIVED
MAY 13 2002
ZONING COUNTER

84.849 ACRES, MORE OR LESS

THE NORTHERLYMOST CORNER OF TRACT "W" OF THE VILLAGES OF BONITA PLAT BOOK 59, PAGES 1-8, LEE COUNTY, FLORIDA.

1321.68'
652.81'
VILLAGES OF BONITA-UNIT TWO PLAT BOOK 62, PAGES 73-75,

N 44°32'20" E 670.10'

POINT OF BEGINNING
THE WESTERLYMOST CORNER OF TRACT "W" THE VILLAGES OF BONITA PLAT BOOK 59, PAGES 1-8, LEE COUNTY, FLORIDA.

S 46°53'19" W 668.87'

THE VILLAGES OF BONITA PLAT BOOK 59, PAGES 1-8,

DCI 2002-00018

N 30°58'41" W 868.33'

C.R. 887 (S.R. 45) OLD U.S. 41

BERNWOOD BUSINESS PARK, UNIT II
PLAT BOOK 64, PAGES 34 -36

C1

N 45°30'58" W 1612.24'

100' RIGHT OF WAY 100.00

EASTERLY RIGHT OF WAY LINE
WESTERLY RIGHT OF WAY LINE

BERNWOOD BUSINESS PARK, UNIT III
PLAT BOOK 63, PAGES 95 -97

NOT A SURVEY

DRAWN BY: KJG	
CREW CHIEF: RM	
JOB CODE: VBN	
SCALE: 1" = 400'	

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

VILLAGES OF BONITA-NORTH

SECTION 22, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

DATE: JANUARY, 2002 | DRAWING NUMBER: B-2245

Jessie Smith
DCD

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 03-18

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY OLD 41 MPD F/K/A THE VILLAGES OF BONITA TO REZONE FROM AGRICULTURE DISTRICT (AG-2) TO MIXED USE PLANNED DEVELOPMENT (MPD); ON LAND LOCATED AT 25701 OLD U.S. 41 ROAD, BONITA SPRINGS, FLORIDA (STRAP NO. 22-47-25-B1-00002.4000) ON 84.85 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Old 41 MPD f/k/a The Villages of Bonita North MPD has filed an application for rezoning 84.85 ± acres from Agricultural District (AG-2) to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 16.65 acres of business park use consisting of 195,000 square feet of gross floor area; and 63.69 acres of residential use consisting of a maximum of 396 dwelling units. The proposed maximum building height within the project is 45 feet (3 stories).

WHEREAS, the subject property is located at 25701 Old U.S. 41 Road, Bonita Springs, Florida, and is described more particularly as:

"See Exhibit A"

WHEREAS, a Public Hearing was advertised and heard on May 2, 2003 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case No. DCI 2002-00018 who gave full consideration to the evidence available and recommended approval; and gave full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The April 15, 2003 Revised Staff Report prepared by Lee County Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bonita Springs, Lee County, Florida:

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the rezoning of 84.85 ± acres from Agriculture District (AG-2) to Mixed Use Planned Development (MPD) with the following conditions and deviations:

CONDITIONS

1. The development of this project must be consistent with the approved Master Concept Plan, Pages 1 through 4 of 7 entitled "The Villages of Bonita North MPD," stamped received APR 01, 2002, except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development.

   The developer must commit to one of the two Master Concept Plan optional plans, at the time of local development order for that area labeled, "Business Park" on MCP "A" and Multiple-Family on MCP "B" consisting of approximately 15.65± acres. Any change in the development from one of these optional plans will have to be achieved as an amendment of the planned development that must be heard through the public hearing process, except as specifically conditioned herein.

2. The development is limited to the following intensities of development, depending on the Optional plan chosen for development.

   Under Master Concept Plan "A", a maximum of 50,000 square feet is permitted within the commercial tract, 195,000 square feet is permitted within the business park site, and 396 dwelling units is permitted in the residential tract.

   Under Master Concept Plan "B", a maximum of 50,000 square feet is permitted within the commercial tract and 490 dwelling units are permitted in the residential tract.

   The developer must choose between using Master Concept Plan "A" or "B" at the time of local development order approval for that area labeled, "Business Park" on MCP "A" and Multiple-Family on MCP "B" consisting of approximately 15.65± acres. Once chosen, the developer must complete the development of the project substantially consistent with the chosen Plan. Any change-sought must be approved as an amendment of this planned development.

3. The following are the permitted uses within each of the proposed development areas for this planned development (these uses replace those originally depicted on Page 5 of 7 of the proposed Master Concept Plan):

<u>Business Park (limited to Master Concept Plan "A")</u>

ACCESSORY USES AND STRUCTURES (LDC §§34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC §34-934)

ANIMALS: Clinic or kennel (LDC §34-1321 et seq.)(kennels must be contained within an enclosed building)
Control center (including Humane Society)
ATM (automatic teller machine)
AUTO REPAIR AND SERVICE (LDC §34-622(c)(2)), Groups I and II 34-1351
BROADCAST STUDIO, COMMERCIAL RADIO & TELEVISION (LDC §34-1441 et seq.)
BUSINESS SERVICES (LDC §34-622(c)(5)):Groups I and II
CARETAKER'S RESIDENCE
CLEANING AND MAINTENANCE SERVICES (LDC §34-622(c)(7))
COMMUNICATION TOWERS (Permitted only by Special Exception)
100 feet or less in height (LDC §34-1441)
More than 100 feet in height (LDC §34-1441 et seq.)
COMMUNITY RESIDENTIAL HOME
COMPUTER AND DATA PROCESSING SERVICES
CONTRACTORS AND BUILDERS (LDC §34-622(c)(9)), All groups (LDC §§34-1352, 34-3001 et seq.)
DAY CARE CENTER, CHILD, ADULT
EMERGENCY MEDICAL SERVICE (ambulance station)
EMERGENCY OPERATIONS CENTER
ENTRANCE GATES AND GATEHOUSE (LDC §34-1741 et seq.)
ESSENTIAL SERVICES (LDC §§34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC §34-622(c)(13)):Group I (LDC §§34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FREIGHT AND CARGO HANDLING ESTABLISHMENTS (LDC §34-622(c)(17))
GASOLINE DISPENSING SYSTEM, SPECIAL
LAUNDRY OR DRY CLEANING (LDC §34-622(c)(24)): Group I
LAWN AND GARDEN SUPPLY STORES (LDC §34-2081)
MANUFACTURING of:
Apparel products (LDC §34-622(c)(1))
Boats
Electrical machinery and equipment (LDC §34-622(c)(11))
Fabricated metal products (LDC §34-622(c)(14)): Group I
Food and kindred products (LDC §34-622(c)(15)): Group II and III
Furniture and fixtures (LDC §34-622(c)(18))
Leather products (LDC §34-622(c)(25)): Group II
Lumber and wood products (LDC §34-622(c)(26)): Groups II and IV
Machinery (LDC §34-622(c)(27)), Groups I and II
Measuring, analyzing and controlling instruments (LDC §34-622(c)(28))
Novelties, jewelry, toys and signs (LDC §34-622(c)(29)), Groups I, II, and III
Paper and allied products (LDC §34-622(c)(31)) Groups II and III
Rubber and plastic products (LDC §34-622(c)(44)): Group II
MASS TRANSIT DEPOT or MAINTENANCE FACILITY (government facility)
MINI-WAREHOUSE
MOTION PICTURE PRODUCTION STUDIO

NONSTORE RETAILERS (LDC §34-622(c)(30)), Groups I, II, and III
PARCEL AND EXPRESS SERVICES
PACKAGE STORE (LDC §34-1261 et seq.)
PAINT, GLASS AND WALLPAPER
PARKS (LDC §34-622(c)(32)): Groups I or II
PARK TRAILERS
PARKING LOT: Accessory
PERSONAL SERVICES (§34-622(c)(33)): Groups II(limited to health club or spa), III
PHOTOFINISHING LABORATORY
PLACE OF WORSHIP (LDC §34-2051 et seq.)
POLICE OR SHERIFF'S STATION
POST OFFICE
PRINTING AND PUBLISHING (LDC §34-622(c)(36))
PROCESSING AND WAREHOUSING
RELIGIOUS FACILITIES (LDC §34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC §34-622(c)(39)): Groups II, III, and IV (LDC §34-1201 et seq., 34-1352, and 34-3001 et seq.)
REPAIR SHOPS (§34-622(c)(40)): Groups I, II, III, and IV
RESEARCH & DEVELOPMENT LABORATORIES (LDC §34-622(c)(41)): Groups II & IV
RESTAURANTS (LDC §34-622(c)(43)): Groups I and II
RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises
SCHOOLS: Commercial (LDC §34-622(c)(45)) (LDC §34-2381)
SELF-SERVICE FUEL PUMP STATION
SIGNS in accordance with chapter 30
SOCIAL SERVICES (LDC §34-622(c)(46)): Group II
STORAGE:
    Indoor only, (LDC §34-3001 et seq.)
    Storage, open, (LDC §34-3001 et seq.)
STUDIOS (LDC §34-622(c)(49))
TRANSPORTATION SERVICES (LDC §34-622(c)(53)): Group II
WAREHOUSE:
    Mini-warehouse
    Private
    Public
    Cold storage only
WHOLESALE ESTABLISHMENTS (LDC §34-622(c)(56)): Groups III and IV

<u>Commercial (Plans A or B)</u>

ACCESSORY USES AND STRUCTURES (LDC §§34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC §34-934)
ANIMALS: Clinic or kennel (LDC §34-1321 et seq.)

ATM (automatic teller machine)
AUTO PARTS STORE - with or without installation facilities
AUTOMOBILE SERVICE STATION
AUTO REPAIR AND SERVICE (LDC §34-622(c)(2)), Group I 34-1351
BAIT AND TACKLE SHOP
BANKS AND FINANCIAL ESTABLISHMENTS (LDC §34-622(c)(3)): Group I
BOATS: Boat parts store
BROADCAST STUDIO, COMMERCIAL RADIO & TELEVISION (§34-1441 et seq.)
BUSINESS SERVICES (LDC §34-622(c)(5)): Groups I and II
CAR WASH
CLEANING AND MAINTENANCE SERVICES (LDC §34-622(c)(7))
CLOTHING STORES, general (LDC §34-622(c)(8))
CLUBS:
- Commercial
- Fraternal
- Membership organization (LDC §34-2111)
- Private (LDC §34-2111)

CONSUMPTION ON PREMISES (LDC §34-1261 et seq.)(in conjunction with a restaurant only)
CONTRACTORS AND BUILDERS (LDC §34-622(c)(9)), Group I (LDC §§34-1352, 34-3001 et seq.)
CONVENIENCE FOOD AND BEVERAGE STORE
CULTURAL FACILITIES (LDC §34-622(c)(10))
DAY CARE CENTER, CHILD, ADULT
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE
DRUGSTORE, PHARMACY
ESSENTIAL SERVICES (LDC §§34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC §34-622(c)(13)): Group I (LDC §§34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC §34-1651)
FACTORY OUTLETS (point of manufacture only)
FOOD STORES (LDC §34-622(c)(16)): Groups I and II
FUNERAL HOME AND MORTUARY (with or without a crematory)
HARDWARE STORE
HOBBY, TOY AND GAME SHOPS (LDC §34-622(c)(21))
HOTEL/MOTEL (LDC §34-1801 et seq.) (Limited to 160 rooms)
HOUSEHOLD & OFFICE FURNISHINGS (LDC §34-622(c)(22)), Groups I and II
LAUNDRY OR DRY CLEANING (LDC §34-622(c)(24)): Group I
LAWN AND GARDEN SUPPLY STORES (LDC §34-2081)
MEDICAL OFFICE
PACKAGE STORE (LDC §34-1261 et seq.)
PAINT, GLASS AND WALLPAPER
PARKING LOT: Accessory
PERSONAL SERVICES (LDC §34-622(c)(33)): Groups I, II, III, IV
PET SERVICES

PET SHOP
PHARMACY
PLACE OF WORSHIP (LDC Section 34-2051 et seq.)
PLANT NURSERY (LDC Section 34-2081)
POLICE OR SHERIFF'S STATION
RECREATIONAL FACILITIES: Commercial (LDC §34-622(c)(38)), Groups I & IV
RELIGIOUS FACILITIES (LDC §34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC §34-622(c)(39)): Groups I, II, and III (LDC §34-1201 et seq., 34-1352, and 34-3001 et seq.)
REPAIR SHOPS (§34-622(c)(40)): Groups I and II
RESTAURANTS (LDC §34-622(c)(43)): Groups I, II, and III
SIGNS in accordance with chapter 30
SPECIALTY RETAIL SHOPS (LDC §34-622(c)(47)): All Groups
USED MERCHANDISE STORES (LDC §34-622(c)(54)): Groups I and II

Residential (Plans A or B)

ACCESSORY USES AND STRUCTURES (LDC §§34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC §34-934)
DWELLING UNIT:
- Single-family
- Duplex
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

ENTRANCE GATES AND GATEHOUSE (LDC §34-1741 et seq.)
ESSENTIAL SERVICES (LDC §§34-1611 et seq., and 34-1741 et seq.)
EXCAVATION: Water retention (LDC §34-1651)
MODELS: Model home (LDC §34-1951 et seq.)
- Model unit (LDC §34-1951 et seq.)

PARKS (LDC §34-622(c)(32)): Group I
PARKING LOT: Accessory
REAL ESTATE SALES OFFICE, (LDC §§34-1951 et seq., and 34-3021)(limited to sales of lots, homes or units within the development, except as may be permitted in section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.)
RECREATIONAL FACILITIES:
- Personal (subject to Note (1) of LDC §34-934)
- Private, On-Site (subject to Note (1) of LDC §34-934)

RELIGIOUS FACILITIES (LDC §34-2051 et seq.)
RESIDENTIAL ACCESSORY USES (LDC §34-622(c)(42)) (§34-1171 et seq.)
SIGNS in accordance with chapter 30

4. Except as specified by the conditions herein, the approved Property Development Regulations are as follow:

Minimum Lot Area and Dimensions

Use	Area (sq. ft.)	Width	Depth
Single Family	4,500	45'	100'
Zero Lot Line	4,500	45'	100'
Two Family Attached	4,500	45'	100'
Duplex	7,000	70'	100'
Townhouse	2,500	25'	100'
Multiple Family	10,000	100'	100'
Commercial	20,000	100'	100'
Business Park (MCP "A" Only)	20,000	100'	100'

Minimum Setbacks

Use	Front	Corner	Side	Rear	Water	Bldg. Separation
Single Family	20'	15'	5'	15'	20'	10'
Zero Lot Line	20'	15'	0'/5'	15'	20'	5'
Two Family Attached	20'	15'	0'/5'	15'	20'	10'
Duplex	20'	15'	5'	15'	20'	10'
Townhouse	20'	15'	0'/5'	15'	20'	10'
Multiple Family	20'	15'	10'	15'	20'	20'
Commercial	20'	15'	10'	15'	25'	20'
Business Park (MCP "A" Only)	20'	15'	10'	15'	25'	20'

Maximum Building Height

Single Family	35 feet	2 story
Zero Lot Line	35 feet	2 story
Two Family Attached	35 feet	2 story
Duplex	35 feet	2 story
Townhouse	35 feet	2 story
Multiple Family	45 feet	3 story
Commercial	35 feet	2 story
Business Park (MCP "A" Only)	35 feet	2 story

* Maximum residential lot coverage is 60%
  Maximum commercial and business park lot coverage is 40%

* Multiple maximum height shall be 3-stories, except where noted on the MCP.

All residential units still must comply with all local building code requirements at the time of permitting.

5. Prior to local development order approval:

   (a). the landscape plans must delineate the required open space as detailed on the Master Concept Plan; and

   (b) a minimum of 10% open space must be provided within each tract, lot or parcel; and

   (c) a minimum of 40% common open space must be provided within the residential tract which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access.

6. Prior to local development order approval, the property must be resurveyed specifically for gopher tortoises. If any gopher tortoise burrows are located then a management plan must be submitted for review and approval by the Division of Environmental Sciences staff.

7. No excess excavated material may be removed from the site unless the developer can demonstrate to the Director of Community Development that the material to be removed: 1) is unsuitable material that cannot be used onsite and 2) the material must be excavated to meet the minimum requirements to provide a water management system on the site. The purpose of this condition is to prohibit the voluntary creation of excess fill material for use offsite.

8. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City of Bonita Springs LDC may be required to obtain a local development order.

9. The Division of Natural Resources and City staff must review the proposed storm water management plan for this development. There are two outfalls for the San Carlos Estates Water Control District in the area, however, only one of the outfall ditches abuts the Old 41 MPD property along its southeasterly property line.

   This development will also be required to obtain a surface water management permit from the South Florida Water management District. Part of the review criteria for SFWMD permitting is to study the land use of

off site areas which drain through, onto and from the development. This would include the San Carlos Estates Water Control District. The construction of this development will be designed so as to not have a negative impact on the outfall for the San Carlos Estates Water Control District.

It is not the intent of this zoning condition to create any legal rights for any third party.

10. The access points indicated on the Master Concept Plan are subject to any future operational decision by the City of Bonita Springs to install a traffic light, and create, modify, or remove a median opening. If installation of a traffic signal is deemed to be appropriate by the City at either of these locations, a proportionate share of the full cost of the traffic signal improvement will be the responsibility of the developer.

11. If the Level of Service for Old US 41 between Rosemary and new US 41 exceeds the requirements of Transportation Element, Policy 1.1.3, the development shall be subject to the City of Bonita Springs Transportation Concurrency Management Plan, Florida Statutes §163.3180, and Rule 9J-5.0055 (3) (c) (2), F.A.C.

DEVIATIONS

Deviation 1 is approved, requesting relief from LDC Section 10-296, Table 4(7)(c) which requires that the wearing surface for roads be one inch asphaltic concrete of FDOT Type S-III; to concrete interlocking pavers, provided the alternative cross-section is structurally equivalent to the flexible pavement cross-section specified by the LDC, and the alternative pavement cross-section is not within any public right-of-way.

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, City of Bonita Springs makes the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning to MPD by demonstrating compliance with the Comprehensive Plan.

2. The requested MPD zoning is compatible with existing or planned uses in the surrounding area

3. As conditioned, approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities. The

site will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Comp Plan, are available and adequate to serve the proposed land use.

5. As conditioned the concept plan and other applicable regulations provides sufficient safeguards to the public interest.

SECTION TWO: EFFECTIVE DATE

This ordinance shall take effect thirty (30) days from the date of adoption.

DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 23rd day of June, 2003.

AUTHENTICATION:

Vice Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Arend	Aye	Piper	Aye
Edsall	Abstain	Wagner	Aye
Nelson	Aye	Warfield	Aye
Pass	Absent		

Date filed with City Clerk: 6-24-03

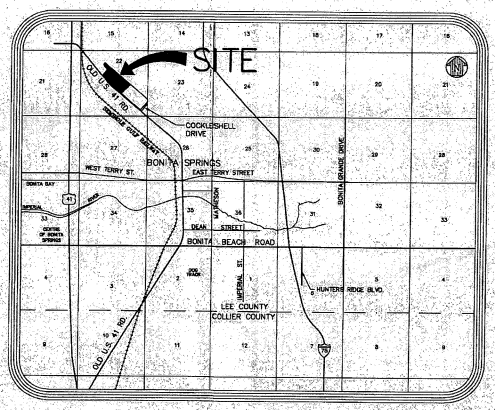
OLD 41 MPD

LOCATED IN SECTION 22, TOWNSHIP 47S, RANGE 25E,
BONITA SPRINGS, LEE COUNTY,
FLORIDA

OWNER

EDWARD J. MCARDLE, TRUSTEE
C/O OAKBROOK PROPERTIES, INC.
24880 BURNT PINE DRIVE, SUITE B
BONITA SPRINGS, FL 34135
(239) 992-5529

PREPARED BY
Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (239) 947-1144 FAX : (239) 947-0375
ENGINEERING CERTIFICATE OF AUTHORIZATION EB 000651
SURVEYING CERTIFICATE OF AUTHORIZATION LB 000651



LOCATION MAP

INDEX OF DRAWINGS

DWG. No.	DESCRIPTION
1	COVER SHEET AND INDEX OF DRAWINGS
2	MASTER CONCEPT PLAN 'A' (EXHIBIT II-B-2, II-F-3, IV-F)
3	MASTER CONCEPT PLAN 'B' (EXHIBIT II-B-2, II-F-3, IV-F)
4	GENERAL NOTES
5	SCHEDULE OF USES
6	SOILS MAP
7	AERIAL PHOTOGRAPH

RECEIVED
APR 01 2003
ZONING COUNTER

APPROVED
Master Concept Plan
DCI 2002-00018
Site Plan # 03-018 Page 1 of 4
Subject to conditions in Ordinance 03-018
Case # DCI2002-00018
CITY OF BONITA SPRINGS

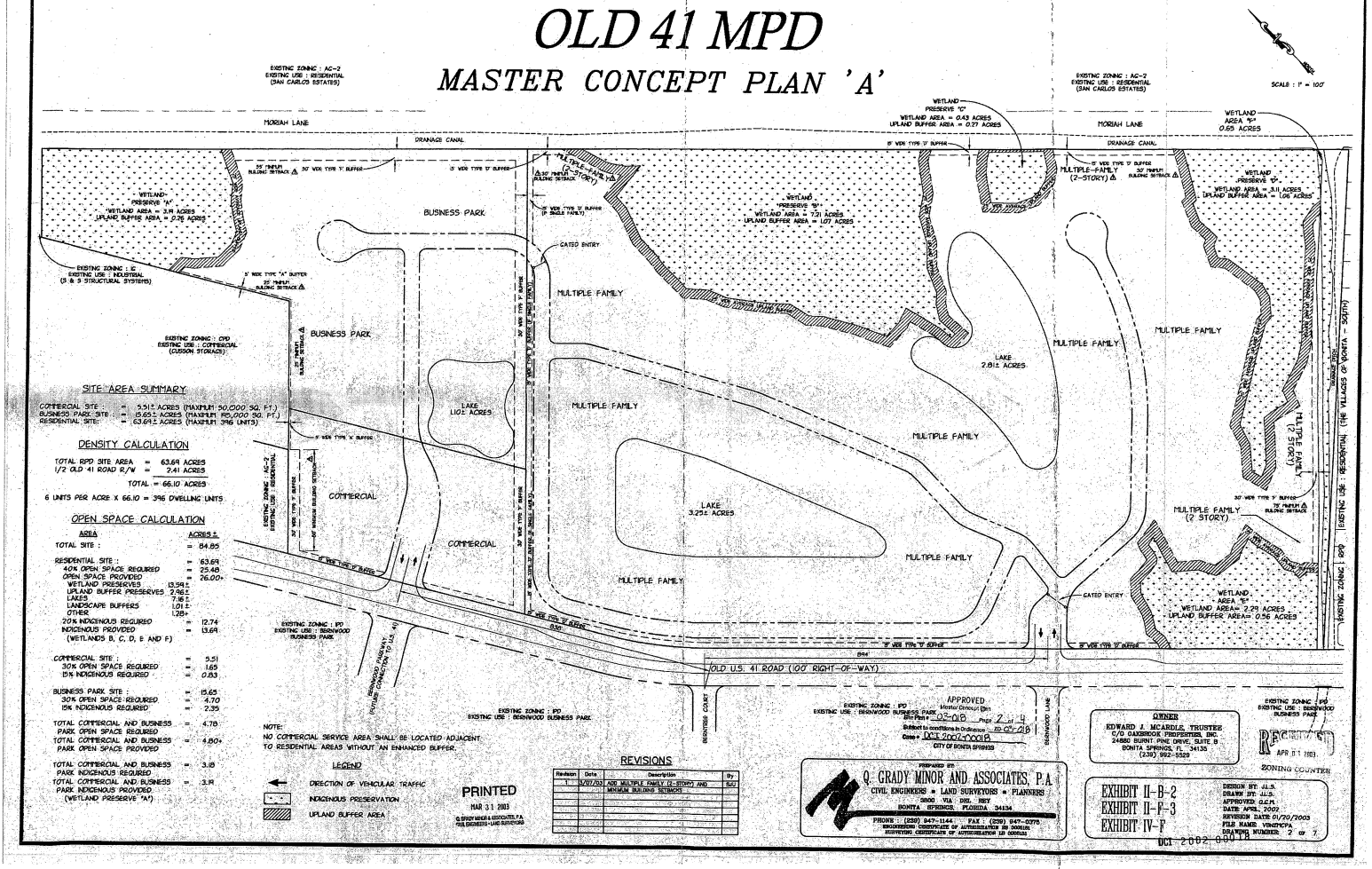
PRINTED
MAR 31 2003
Q. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS

EXHIBIT II-B

DESIGN BY: JLS.
DRAWN BY: JLS.
APPROVED: Q.G.M.
DATE: APRIL, 2002
REVISION DATE:
FILE NAME: VENICOV
DRAWING NUMBER: 1 OF 7

OLD 41 MPD

MASTER CONCEPT PLAN 'A'



SITE AREA SUMMARY

COMMERCIAL SITE : = 5.51± ACRES (MAXIMUM 50,000 SQ. FT.)
BUSINESS PARK SITE : = 15.65± ACRES (MAXIMUM 165,000 SQ. FT.)
RESIDENTIAL SITE: = 63.69± ACRES (MAXIMUM 396 UNITS)

DENSITY CALCULATION

TOTAL RPD SITE AREA = 63.69 ACRES
1/2 OLD 41 ROAD R/W = 2.41 ACRES
TOTAL = 66.10 ACRES

6 UNITS PER ACRE X 66.10 = 396 DWELLING UNITS

OPEN SPACE CALCULATION

AREA		ACRES ±
TOTAL SITE :	=	84.85
RESIDENTIAL SITE :	=	63.69
40% OPEN SPACE REQUIRED	=	25.48
OPEN SPACE PROVIDED	=	26.00+
WETLAND PRESERVES	13.58±	
UPLAND BUFFER PRESERVES	2.46±	
LAKES	7.16±	
LANDSCAPE BUFFERS	1.01±	
OTHER	1.25+	
20% INDIGENOUS REQUIRED	=	12.74
INDIGENOUS PROVIDED (WETLANDS B, C, D, E AND F)	=	13.64
COMMERCIAL SITE :	=	5.51
30% OPEN SPACE REQUIRED	=	1.65
15% INDIGENOUS REQUIRED	=	0.83
BUSINESS PARK SITE :	=	15.65
30% OPEN SPACE REQUIRED	=	4.70
15% INDIGENOUS REQUIRED	=	2.35
TOTAL COMMERCIAL AND BUSINESS PARK OPEN SPACE REQUIRED	=	4.78
TOTAL COMMERCIAL AND BUSINESS PARK OPEN SPACE PROVIDED	=	4.80+
TOTAL COMMERCIAL AND BUSINESS PARK INDIGENOUS REQUIRED	=	3.18
TOTAL COMMERCIAL AND BUSINESS PARK INDIGENOUS PROVIDED (WETLAND PRESERVE "A")	=	3.91

NOTE:
NO COMMERCIAL SERVICE AREA SHALL BE LOCATED ADJACENT TO RESIDENTIAL AREAS WITHOUT AN ENHANCED BUFFER.

LEGEND

- DIRECTION OF VEHICULAR TRAFFIC
- INDIGENOUS PRESERVATION
- UPLAND BUFFER AREA

PRINTED
MAR 31 2003
Q. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS

REVISIONS

Revision	Date	Description	By
1	3/07/03	ADD MULTIPLE FAMILY (2-STORY) AND MINIMUM BUILDING SETBACKS	SJV

APPROVED
Mentor Dinopoulos Date
Site Plan # 03-019 Page 2 of 4
Subject to conditions in Ordinance # ZD 03-2B
Case # DCI2002-00018
CITY OF BONITA SPRINGS

PREPARED BY:
Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (239) 947-1144 FAX : (239) 947-0375
ENGINEERING CERTIFICATE OF AUTHORIZATION EB 0000291
SURVEYING CERTIFICATE OF AUTHORIZATION LB 0000291

OWNER
EDWARD J. MCARDLE, TRUSTEE
C/O OAKBROOK PROPERTIES, INC.
24860 BURNT PINE DRIVE, SUITE B
BONITA SPRINGS, FL 34135
(239) 992-5529

RECEIVED
APR 01 2003
ZONING COUNTER

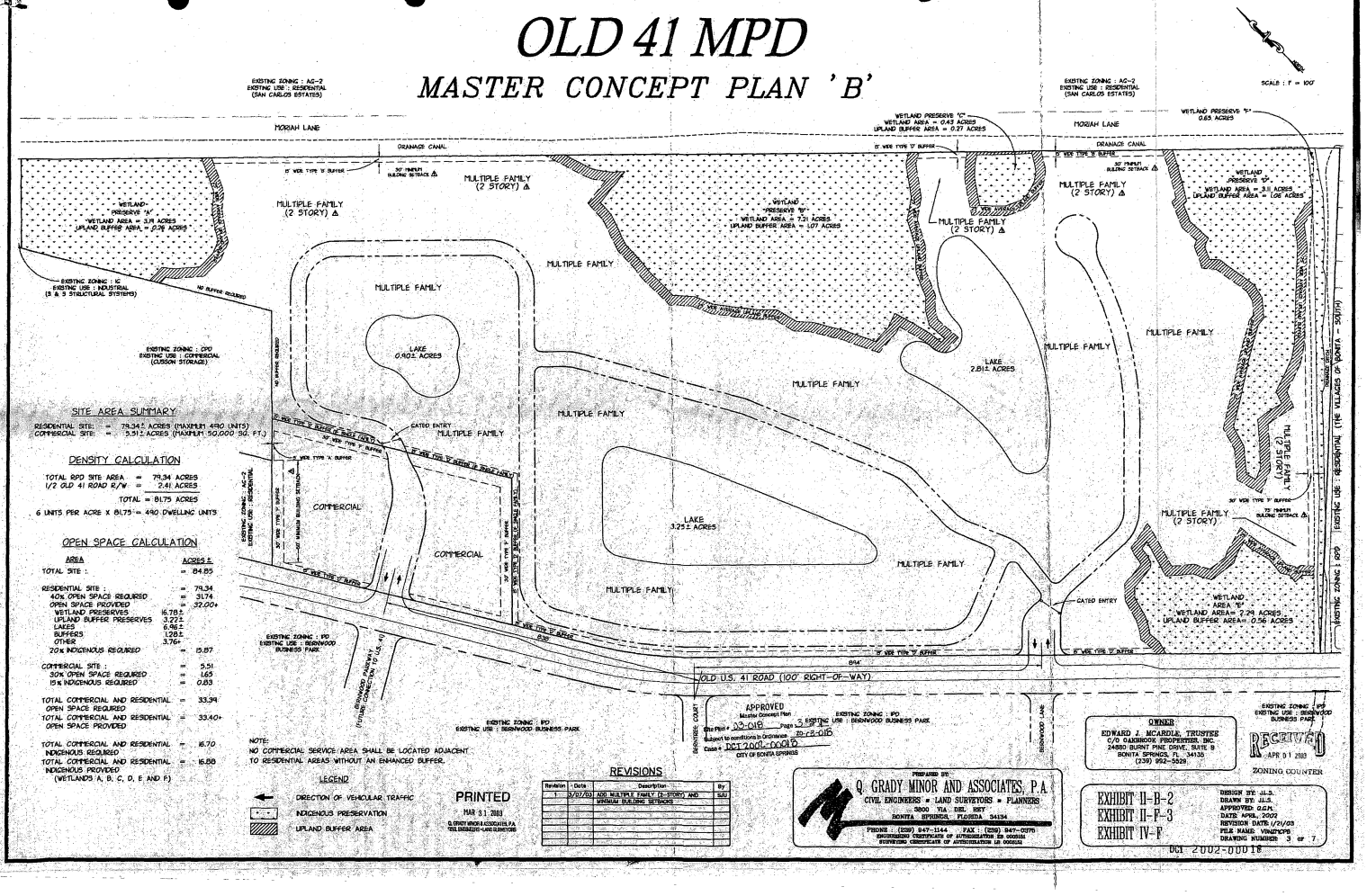
EXHIBIT II-B-2
EXHIBIT II-F-3
EXHIBIT IV-F

DESIGN BY: JLS
DRAWN BY: JLS
APPROVED: QGM
DATE: APRIL, 2002
REVISION DATE: 01/20/2003
FILE NAME: VENDETA
DRAWING NUMBER: 2 OF 7

DCI 2002-00018

OLD 41 MPD

MASTER CONCEPT PLAN 'B'



SITE AREA SUMMARY

RESIDENTIAL SITE: = 79.34± ACRES (MAXIMUM 490 UNITS)
COMMERCIAL SITE = 5.51± ACRES (MAXIMUM 50,000 SQ. FT.)

DENSITY CALCULATION

TOTAL RPD SITE AREA = 79.34 ACRES
1/2 OLD 41 ROAD R/W = 2.41 ACRES
TOTAL = 81.75 ACRES

6 UNITS PER ACRE X 81.75 = 490 DWELLING UNITS

OPEN SPACE CALCULATION

AREA		ACRES ±
TOTAL SITE :		= 84.85
RESIDENTIAL SITE :		= 79.34
40% OPEN SPACE REQUIRED		= 31.74
OPEN SPACE PROVIDED		= 32.00+
WETLAND PRESERVES	16.78±	
UPLAND BUFFER PRESERVES	3.22±	
LAKES	6.96±	
BUFFERS	1.28±	
OTHER	3.76+	
20% INDIGENOUS REQUIRED		= 15.87
COMMERCIAL SITE :		= 5.51
30% OPEN SPACE REQUIRED		= 1.65
15% INDIGENOUS REQUIRED		= 0.83
TOTAL COMMERCIAL AND RESIDENTIAL OPEN SPACE REQUIRED		= 33.39
TOTAL COMMERCIAL AND RESIDENTIAL OPEN SPACE PROVIDED		= 33.40+
TOTAL COMMERCIAL AND RESIDENTIAL INDIGENOUS REQUIRED		= 16.70
TOTAL COMMERCIAL AND RESIDENTIAL INDIGENOUS PROVIDED (WETLANDS A, B, C, D, E AND F)		= 16.88

NOTE:
NO COMMERCIAL SERVICE AREA SHALL BE LOCATED ADJACENT TO RESIDENTIAL AREAS WITHOUT AN ENHANCED BUFFER.

LEGEND

- DIRECTION OF VEHICULAR TRAFFIC
- INDIGENOUS PRESERVATION
- UPLAND BUFFER AREA

PRINTED
MAR 31 2003
Q. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS - LAND SURVEYORS

REVISIONS

Revision	Date	Description	By
1	3/07/03	ADD MULTIPLE FAMILY (2-STORY) AND MINIMUM BUILDING SETBACKS	SAU

APPROVED
Master Concept Plan
Site Plan # 03-018 Page 3 of 5
Subject to conditions in Ordinance 20-03-018
Case # DCT 2002-00018
CITY OF BONITA SPRINGS

PREPARED BY:
Q. GRADY MINOR AND ASSOCIATES, P.A.
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3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (239) 947-1144 FAX : (239) 947-0375
ENGINEERING CERTIFICATE OF AUTHORIZATION EB 0000151
SURVEYING CERTIFICATE OF AUTHORIZATION LB 0000151

OWNER
EDWARD J. MCARDLE, TRUSTEE
C/O OAKBROOK PROPERTIES, INC.
24880 BURNT PINE DRIVE, SUITE B
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(239) 992-5529

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APR 01 2003
ZONING COUNTER

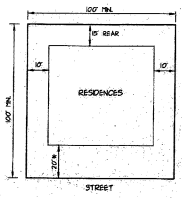
EXHIBIT II-B-2
EXHIBIT II-F-3
EXHIBIT IV-F

DESIGN BY: JL.S.
DRAWN BY: JL.S.
APPROVED: Q.G.M.
DATE: APRIL, 2002
REVISION DATE: 1/21/03
FILE NAME: VINZ1CP8
DRAWING NUMBER: 3 of 7

DCT 2002-00018

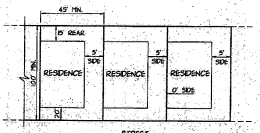
OLD 41 MPD

GENERAL NOTES

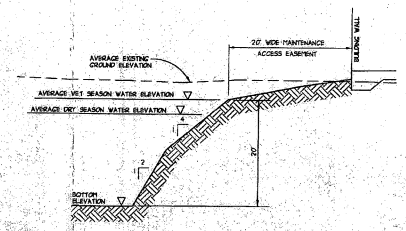


MULTIPLE FAMILY

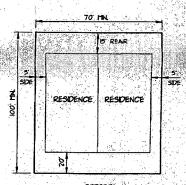
* 15' TO SIDE LOADED GARAGE



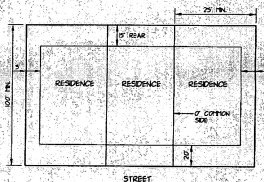
ZERO LOT LINE



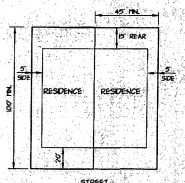
TYPICAL LAKE SECTION



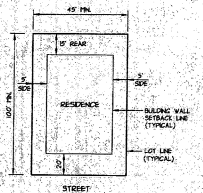
DUPLEX



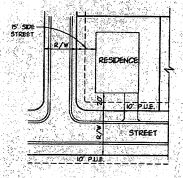
TOWNHOUSE



TWO FAMILY ATTACHED



SINGLE FAMILY



RESIDENTIAL STREET SETBACK

PROPERTY DEVELOPMENT REGULATIONS

MINIMUM LOT AREA AND DIMENSIONS

USE	AREA (SQ.FT.)	WIDTH	DEPTH
SINGLE FAMILY	4,500	45'	100'
ZERO LOT LINE	4,500	45'	100'
TWO-FAMILY ATTACHED	4,500	45'	100'
DUPLEX	7,000	70'	100'
TOWNHOUSE	2,500	25'	100'
MULTIPLE FAMILY	10,000	100'	100'
COMMERCIAL	20,000	100'	100'
BUSINESS PARK (MOP 'A' ONLY)	20,000	100'	100'

MINIMUM SETBACKS

USE	FRONT	CORNER	SIDE	REAR	WATER	BLDG. SEPARATION
SINGLE FAMILY	20'	15'	5'	15'	20'	10'
ZERO LOT LINE	20'	15'	0'/5'	15'	20'	5'
TWO-FAMILY ATTACHED	20'	15'	0'/5'	15'	20'	10'
DUPLEX	20'	15'	5'	15'	20'	10'
TOWNHOUSE	15'	15'	0'/5'	15'	20'	10'
MULTIPLE FAMILY	20'	15'	10'	15'	20'	20'
COMMERCIAL	20'	15'	15'	15'	25'	20'
BUSINESS PARK (MOP 'A' ONLY)	20'	15'	10'	15'	25'	20'

MAXIMUM BUILDING HEIGHT

SINGLE FAMILY	35 FEET, 2 STORY
ZERO LOT LINE	35 FEET, 2 STORY
TWO-FAMILY ATTACHED	35 FEET, 2 STORY
DUPLEX	35 FEET, 2 STORY
TOWNHOUSE	35 FEET, 2 STORY
MULTIPLE FAMILY	45 FEET, 3 STORY
COMMERCIAL	35 FEET, 2 STORY
BUSINESS PARK (MOP 'A' ONLY)	35 FEET, 2 STORY

* MAXIMUM RESIDENTIAL LOT COVERAGE IS 45%. MAXIMUM COMMERCIAL AND BUSINESS PARK LOT COVERAGE IS 40%.
* MULTIPLE MAXIMUM HEIGHT SHALL BE 3-STORIES, EXCEPT WHERE NOTED ON THE MCP.

SCHEDULE OF DEVIATIONS

⚠ FROM THE REQUIREMENT THAT THE WEARING SURFACE ROADS BE ONE INCH ASPHALTIC CONCRETE OF FDOT TYPE S-III (SECTION 10-2.4), TABLE 4, (7) (C)) TO PERMIT CONCRETE INTERLOCKING PAVERS.

SITE DEVELOPMENT NOTES

1.) ANY DESIGNATED MULTIPLE FAMILY TRACT MAY BE DEVELOPED WITH ANY OTHER RESIDENTIAL PRODUCT TYPE.

2.) LEE TRAN BUS ROUTE SERVES OLD U.S. 41 ROAD AS ONE-A-SIDE SERVICE ONLY AND DOES NOT HAVE A DEDICATED STOP.

3.) A MINIMUM SET BACK OF 60' SHALL APPLY TO THE SOUTH PROPERTY LINE.

APPROVED
Master Concept Plan
Site Plan # 03-010 Page 4 of 4
Subject to conditions in Ordinance 03-03-018
Case # DCI 2003-00019
CITY OF BONITA SPRINGS

RECEIVED
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ZONING COUNTER

OWNER
EDWARD J. MCARDLE TRUSTEE
C/O OAKBROOK PROPERTIES, INC.
24850 BURNT PINE DRIVE, SUITE B
BONITA SPRINGS, FL. 34135
(239) 992-5529

PREPARED BY:
Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
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PHONE : (239) 947-1144 FAX : (239) 947-0375
ENGINEERING CERTIFICATE OF AUTHORIZATION EB 000651
SURVEYING CERTIFICATE OF AUTHORIZATION LB 000651

EXHIBIT II-B-2
EXHIBIT II-F-3
EXHIBIT IV-F

DESIGN BY: J.L.S.
DRAWN BY: J.L.S.
APPROVED: D.G.M.
DATE: APRIL 2002
REVISION DATE: 2/05/2003
FILE NAME: VSNOMPS
DRAWING NUMBER: 4 OF 7

PRINTED
MAR 31 2003
Q. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS

DCI 2002-00018

City of Bonita Springs
City Council Zoning Hearing
Monday, June 23, 2003
9:00 am
Bonita Springs Utilities' Board Room
11860 East Terry Street
Bonita Springs, Florida 34135
MINUTES

I. CALL TO ORDER.

Vice Mayor Jay Arend called the meeting to order at 9:00 A.M. There were approximately 12 members of the public in attendance.

II. PLEDGE OF ALLEGIANCE.

The Vice Mayor led in the pledge of allegiance.

III. ROLL CALL.

All Council Members were in attendance. Mayor Paul Pass was not in attendance.

IV. SECOND READING:

A. Bonita Springs Utilities SEZ2002-00022

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A SPECIAL EXCEPTION REQUEST BY BONITA SPRINGS UTILITIES, INC., FOR A COMMUNICATION TOWER IN EXCESS OF 100 FEET; ON LAND LOCATED AT 11860 EAST TERRY STREET, BONITA SPRINGS, FLORIDA (STRAP NO. 36-47-25-B2-00009.0020) ON 6.00 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Audrey Vance stated she has reviewed the Affidavit of Publication for all three cases, which she found to be legally sufficient. This involved a second reading of this Ordinance.

Chip Block, Development Services Division, addressed City Council. He stated that both Staff and the Zoning Board have recommended approval of the request with conditions, which the Applicant agrees with. He explained that the only issue at the Zoning Board level regarded the length of time the Special Exception would be valid (Condition f.). It's set to expire on June 1, 2013 to address and review changes in technology.

Pat Jennings, Director of Engineering for Bonita Springs Utilities, provided a brief overview of the request, of which the intent is to replace two existing towers with one 120-foot-tall monopole type tower. The proposed antenna is to be located in an area where it will never have to be relocated. Even though they would prefer to not have a time limit on their Special Exception, they agree to the condition, which reflects the expiration date.

Council Member John Warfield questioned the necessity of the Condition placing a time limit on the Special Exception. The City Attorney responded. She stated that she felt 10 years was a little short, and would recommend lengthening it.

Council Member Robert Wagner questioned lighting requirements for towers less than 150 feet in height. Mr. Block explained that lights were not required in this instance. Mr. Jennings explained that the

existing towers on the site are the same height and are not lighted.

Council Member Ben Nelson questioned the distance the proposed tower would be located from the FPL transmission lines. Mr. Jennings stated it would be 97 feet from the property line.

Council Member David Piper motioned approval of the Ordinance; Council Member Wayne Edsall seconded.

The Vice Mayor addressed Condition b. of the Ordinance, regarding the Shared Use Agreement, and Condition d., which requires the Applicant to furnish Community Development with an annual update of data for all its antennas. Mr. Block responded. He further agreed to provide the City Attorney with a copy of the Agreement.

The motion carried unanimously. Adopted Zoning Ordinance No. 03-17.

B. Old 41 MPD fka The Villages of Bonita North MPD DCI2002-00018

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY OLD 41 MPD F/K/A THE VILLAGES OF BONITA TO REZONE FROM AGRICULTURE DISTRICT (AG-2) TO MIXED USE PLANNED DEVELOPMENT (MPD); ON LAND LOCATED AT 25701 OLD U.S. 41 ROAD, BONITA SPRINGS, FLORIDA (STRAP NO. 22-47-25-B1-00002.4000) ON 84.85± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney read the title block of the Ordinance.

Chip Block, Development Services Division, addressed the case, which involved a request to allow a Mixed Use Planned Development consisting of both commercial and residential development. He next addressed briefly issues relating to density, stormwater drainage, access, transportation, etc. Both Staff and the Zoning Board have recommended approval with conditions.

Neale Montgomery, representing the Applicant, stated they concur with the Ordinance as written.

Vice Mayor Arend addressed Condition 2.

Council Member Piper questioned whether the language addressing stormwater management for the site has been deemed sufficient by Staff. Mr. Block assured him it has, as Staff from the Division of Natural Resources Management met with City Staff to develop the language (reflected in Condition 9. of the Ordinance).

Council Member Wagner motioned approval of the Ordinance; Council Member Nelson seconded.

Council Member Edsall stated he would abstain from voting due to a business relationship he had with the Applicant.

The motion carried 5-1 (Council Member Edsall abstaining from the vote). Adopted Zoning Ordinance No. 03-18.

C. Corkscrew Growers Section Three DCI2003-00005

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY CORKSCREW GROWERS SECTION THREE; TO AMEND ITS RESIDENTIAL PLANNED DEVELOPMENT (RPD) AND COMMERCIAL PLANNED DEVELOPMENT (CPD); TO ALLOW THE DEVELOPMENT OF A MIXED USED RESIDENTIAL PROJECT

CONSISTING OF A MAXIMUM OF 1,999 DWELLING UNITS WITH A PROPOSED MAXIMUM BUILDING HEIGHT OF 50 FEET (3 STORIES) AND UP TO 30,000 SQUARE FEET OF INTERNAL COMMERCIAL AND RECREATIONAL FLOOR AREA, ON LAND LOCATED AT 15501 BONITA BEACH ROAD, S.E., BONITA SPRINGS, FLORIDA (STRAP NO. 03-48-26-B1-00001.0000) ON 648.80 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney read the title block of the Ordinance.

Chip Block, Development Services Division, addressed the request, which is to amend the existing Residential Planned Development (RPD) and Commercial Planned Development (CPD) to RPD. The intent is to move the commercial area and place it interior to the site for use by the residents. Both Staff and the Zoning Board have recommended approval of the request.

Attorney Russell Schropp, representing the Applicant, stated Brian Farrar, with The Ronto Group, and Bob Mulhere, the engineer for the project, were also in attendance. He stated that the intent is to modify an existing planned development on a parcel of land that was the first property to be annexed into the City. He stated that the request was part of the annexation agreement - to modify the zoning of the site. Proposed density would be at 3.1 dwelling units per acre, which is half the density allowed for the site. The major amenity involves the interconnected lake system. It is a pedestrian oriented non-golf community portraying the town center concept of development. The project will consist of restaurants, a bakery, a gas station, and recreational amenities via a design intended to reduce outside trip generation. The on-site lake system will retain stormwater. The Applicant concurs with the Staff Report and the Zoning Board's recommendation of approval.

Council Member Wagner addressed water quality and connections between the various waterways. Mr. Mulhere responded. He stated that the proposed bridges would be utilized for pedestrian and bike traffic.

Council Member Edsall questioned the type of signage to be utilized, which Mr. Farrar responded would be in accordance with the guidelines for signage. The development will also include a perimeter wall for security.

Tape 1 Side 2

Council Member Warfield addressed waterway maintenance, which Mr. Mulhere stated would subsequently be handled by the homeowner's association.

Council Member Piper questioned lake depth and water quality issues. Mr. Farrar stated lakes were allowed a 20-foot-depth. Discussion ensued.

Council Member Edsall motioned approval of the Ordinance; Council Member Nelson seconded; and the motion carried unanimously. Adopted Zoning Ordinance No. 03-19.

V. ADJOURNMENT.

There being no further cases to discuss, the meeting adjourned at 9:39 A.M.

Respectfully submitted,

Debra Muchler, Recording Secretary

APPROVED:

BONITA SPRINGS CITY COUNCIL:

Date: 7-3-03

AUTHENTICATED:

Jay Arend, Vice Mayor, District 2

Dianne J. Lynn, City Clerk

DCI2002-00018

City of Bonita Springs
Board for Land Use Hearings & Adjustments
And Zoning Board of Appeals
Friday, March 7, 2003
Bonita Springs Utilities' Board Room
11860 East Terry Street
Bonita Springs, FL 34135
MINUTES

I. CALL TO ORDER.

Chairman Norris called the meeting to order at 10:00 A.M.

II. INVOCATION

Board Member Incerpi furnished the invocation.

III. PLEDGE OF ALLEGIANCE

Chairman Norris led in the pledge of allegiance.

IV. ROLL CALL.

All Board Members were in attendance.

Chairman Norris introduced the newest member of the Board, Chris Bielski.

V. PUBLIC HEARINGS:

A. 9:00 AM CASE NO. DCI2002-00018 – **CASE CONTINUED**

CASE NAME:	The Villages of Bonita
REQUEST:	Rezone 84.85 acres from Agriculture District AG-2 to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 15.65 acres of business park use consisting of 195,000 square feet of gross floor area; and 63.69 acres of residential use consisting of a maximum of 396 dwelling units. The proposed maximum building height within the project is 45 feet (3 stories).
LOCATION:	25701 Old 41 Road, Bonita Springs, Florida.
STRAP NO.	22-47-25-B1-00002.4000
SIZE OF PROPERTY:	84.85 acres
STAFF REPORT:	Direct inquiries to Chip Block, AICP, Senior Planner, at 479-8371, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

B. 10:00 AM CASE NO. DCI2001-00056

CASE NAME: Bonita Villas

REQUEST: Rezone 1.5 acres from Two-Family Conservation (TFC-2) to Residential Planned Development (RPD) to allow 8 dwelling units to be constructed in 4 two-family attached buildings. The buildings will not exceed 35 feet in height (3 stories over parking).

LOCATION: 26691 Hickory Boulevard, Bonita Springs, Florida.

STRAP NO. 30-47-25-B4-00023.0000

SIZE OF PROPERTY: 1.5 acres

STAFF REPORT: Direct inquiries to Chip Block, AICP, Principal Planner, at 479-8371, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

The City Attorney introduced the case, read the request into the record, and placed all witnesses under oath. The case was remanded from July to allow the Applicant to amend/revise their request to pursue a less intense development plan for the site.

Chris Bielski, next reported ex parte communications she had regarding the case, which included a site visit and discussions with several residents in the area. She also wrote a letter that appeared in the Bonita Banner. She also is a resident of Little Hickory Island.

Board Members Pete Pastore, Robert Incerpi, Wes Norris, and Frank Howe also reported ex parte communications.

Chip Block, Development Services Division, presented the Staff Report. Staff's primary area of opposition with the Applicant's previous plan regarded the Conservation/Coastal Management Element of the City's Comprehensive Plan. Referring to the March 6, 2003 memorandum from Kim Trebatoski, an Environmental Planner with Lee County, he explained that Staff, per this memorandum, was now able to recommend approval of the Applicant's request, as conditioned therein.

Amanda Glenn, a pre-school student, stated that she wants to save the land for the animals. Lori Glenn, her mother, present on behalf of the pre-school and the Presbyterian Church, read into the record a letter dated March 6, 2003, written on behalf of the Glenn family, addressing concerns regarding infrastructure, air quality, water, etc.

Matt Uhle, representing the Applicant, provided the history of the case. The subject site consists of an irregularly shaped 1.52-acre parcel located east of Hickory Boulevard, currently zoned TFC-2 (Two Family Conservation). The TFC-2 zoning category permits the development of single-family and duplex units at a density of 11.6 dwelling units per acre. The subject property is also located in the Suburban land use category of the Comprehensive Plan, which permits residential development of up to 6 dwelling units per acre. The City of Bonita Springs Comprehensive Plan designates the site as being located within the Medium Density Single Family/Duplex Residential land use category with a maximum density of 11.6 dwelling units per gross acre.

Mr. Uhle next expanded on the zoning and uses in the surrounding area. The area to the north consists primarily of single-family homes on properties zoned RS-1 (Residential Single-Family) and TFC-2, which the City's Comprehensive Plan mirrors. All properties to the south are zoned TFC-2 and includes a mixture of single-family and duplex units. Property to the west is zoned RS-1 (Single Family Residential) and is developed with a few illegal non-conforming duplexes. He next addressed the zoning history of the site, which dates back to the 1980's. The Applicant's amended plan significantly differs from the plan presented in September, which involved eight dwelling units. The amended plan is for the development of five single-family residential units, which entails a decrease in density from the 11.6 dwelling units per acre, as allowed in the Suburban land use category, to 3.3 dwelling units per acre. This amended plan also removes the condominium aspect to allow the development of conventional single-family uses. Additionally, the Applicant has addressed the concern regarding buffering along the north side of the site, which the Applicant has agreed to do in accordance with Staff's recommendation for a modified buffer plan. The location of the road has also been changed to minimize the impacts to residents to the north. Overall, the revised plan significantly differs from the plan previously reviewed. The only remaining issues involved environmental concerns of Staff, all of which have been agreed upon by Staff and the Applicant, therefore, Staff was now recommending approval of the request.

James Ink, also representing the Applicant, referred to an aerial photograph of the site to address the Applicant's revised plan in relation to density, setbacks, etc. No mangroves would be impacted. They have also worked with the Fire Department on emergency vehicle access, which the Fire Department has agreed to sign off at development order stage. Buffering on the south side of the site consists of natural mangroves. The Applicant is proposing a landscaped wall with landscaping on the north side to protect residents.

He next addressed the eight deviations requested by the Applicant. Deviations 1, 2 and 5 relate directly to the 25-foot waterway/vegetative buffer. The Applicant has agreed not to trim and/or alter the mangroves on the north side. He has also agreed to provide a seven-foot-wide buffer, inclusive of double plantings (shrubs and trees). The Applicant has also agreed to limited trimming of the mangroves to allow top trimming only (a 50% reduction per the State requirements). The Applicant has also agreed to a stormwater berm/collection area, setting forth a design that provides for excellent water quality, discharging into the bay (in excess of State standards). Overall, issues regarding mangrove trimming, stormwater, and landscaping, all of which were of a concern in the original proposal, have all been satisfied.

Deviation 3 deviates from the turn around requirements by providing a three-point turn around which the fire department has concurred with. Deviation 4 is a request to allow concrete brick pavers. Staff has approved this deviation. Deviation 6 addresses separation along roads, which Staff has also approved. Deviation 7 addresses buffering along the wall on the north side, with standard mangroves on the south side.

Tape 1 Side 2

Chairman Norris questioned the type of development that would be allowed per the current zoning of the site. Mr. Ink responded there was the potential for two units, which could entail one duplex and perhaps two single-family units. Each site is allowed 50% impervious surface. The City Attorney addressed the plat approval process.

Hans Wilson, also representing the Applicant, addressed Deviation 8, which is to allow a dock on the north side of the property for Lots 1 and 2, both of which are segregated from the roadway. This is consistent with previous approvals. The entire perimeter of the shoreline would be placed in a conservation easement with limited mangrove trimming. It also would prevent future docks. Water depth

and navigational access was considered for placement of all docks.

Mr. Wilson next expanded on what currently existed within the 25-foot buffer area and impacts to the surrounding aquatic environment. The subject property currently involves a filled upland parcel (artificially filled) with a steep embankment. The site was filled as part of a maintenance dredging project undertaken by the County with a 30-foot mangrove width. The Applicant's proposal will result in the north side of the peninsula becoming very dense in terms of vegetation. The completion of understory on the site will result in a solid wall of vegetation along the entire fringe. He reiterated that dock locations for the site were based on adequate water depth to allow for safe harborage.

If approved as currently conditioned, the site will contain significantly more vegetation than that which now exists. Discussion on dock facilities ensued. It made more sense to put the dock on north side because of the shorter distance and deeper water. The Applicant is proposing three docks to serve the five lots.

Mike Roeder, also representing the Applicant, addressed the request in relation to consistency with the Comprehensive Plan, noting that the Applicant's revised plan to allow the development of five single-family dwelling units on the subject property is more consistent and compatible than the previous plan which was to allow eight dwelling units on the site. The subject 7,500 square feet lots allow for the development of both single-family and duplex units. There do exist duplex units in the vicinity of the site. The subject site is an infill parcel that meets all of the criteria of the Lee Plan. The issues at the previous hearing regarded compatibility and density. He referred to his submittal to the Board to address density, which was depicted as follows:

Property	Distance from Subject Property	Total Area of Residential Lots	Number of Dwelling Units	Sq. Feet of Land Per Dwelling Unit
South Side	375' – 1320'	130,972	13	10,074
North Side	375' – 1320'			
	Hickory Blvd.	109,685	17	6,452
	Bay Side	211,113	23	9,179
North/South	375'	242,972	28	8,678
	TOTAL	694,742	81	8,577
Subject Property		65,340	5	13,065
	Difference			4488 or 52%

The Suburban land use category allows up to six dwelling units per acre. The Applicant's original plan was to allow 5.3 dwelling units per acre. The City of Bonita Springs Comprehensive Plan designates the property as being located within the Medium Density Single Family/Duplex Residential land use category, which allows between six and 11.3 dwelling units per acre. The revised plan would allow a density well below that allowed in this land use category. The subject property consists of 13,065 square feet of land per each dwelling unit, which is more consistent and compatible than the previous request. Discussion ensued.

Board Member Pescosolido questioned whether the 65,340 figure reflected within the table included right-of-way. Mr. Roeder responded, "yes." Board Member Pescosolido stated that he felt it should not have been calculated in.

Mr. Uhle referred next to Staff's alternate conditions, which the Applicant agrees to, with a few exceptions. He suggested Condition 3, under Maximum Building Height, include a reference to Section 34-2174, which applies to Bonita. The City Attorney suggested it reflect Section 34-2175(1). Mr. Uhle also suggested Condition 5 be deleted (if Deviation 8 is approved, since it would no longer be necessary). He next referred to Condition 7 and suggested the last sentence be deleted since it involves a provision that is not in the City's Comprehensive Plan. The Applicant concurs with the conditions as suggested by Ms. Trebatoski in her March 6th memorandum to Mr. Block.

Mr. Uhle next addressed the proposed single-family units proposed for the site and decreased density. The project is not dense and is compatible with the area. Environmental impacts have been addressed through discussions with Environmental Staff. Also, Mr.Wilson indicated that approval would result in more native vegetation on the site than that which exists today. Infrastructure is not addressed in the Staff Report, however, he would note for the record that the site does have access to public water and sewer. The Level of Service for Hickory Boulevard is "C." The proposal will not result in additional traffic concerns for Hickory Boulevard. The only objection remaining regards an increase in density from two units. The Applicant believes that the development of units on the site would be inconsistent with the area. They are here to ask for approval with the inclusion of the alternative conditions as recommended by Staff.

Mr. Block was next to address the Zoning Board. He referred to the Staff Report and expanded on Staff's recommendation of denial reflected therein, addressing the areas where their recommendation has changed to allow approval of the request for a rezoning from TFC-2 to RPD (Residential Planned Development). He first addressed Staff's revisions to page 2 of the Staff Report, under Findings and Conclusions. Staff has since reviewed the request under the City's Comprehensive Plan and has found it to now be consistent with Policies 1.1.2 and 1.1.7 of the Future Land Use Element of the Comprehensive Plan. The Applicant's revised plan does not exceed the maximum density allowed in the Medium Density Single Family/Duplex Residential land use category of 11.6. Its density is now 3.3 dwelling units per acre.

The County's Environmental Staff has reversed their findings relating to the Conservation/Coastal Management Element of the City's Comprehensive Plan, finding the request to now be compatible with Objective 4.1 and Policies 7.2.7 and 7.2.9. Staff also took into consideration the neighborhood surrounding the subject property and has found that the area within ¼ mile to the north and south of the site involved the common element of single family residential uses. Staff's analysis also included a review of the roadways. Their transportation analysis indicates that although the proposed development will generate traffic, the traffic on Hickory Boulevard will remain at a LOS (Level of Service) "C," which is acceptable.

He next addressed the Conditions reflected in the Staff Report, agreeing with the revisions suggested by the City Attorney. They also agree that Condition 5 is no longer necessary and to removing the second sentence of Condition 7 as suggested by the Applicant.

He referred next to Deviation 8, which is required to be approved to allow the dock on the north side of the property. Staff continues to recommend denial of this deviation because it involves an accessory docking facility.

He next addressed uses that could presently be developed on the site. Under the TFC–2 zoning district, a 7,500 square foot lot can support a duplex. There is the possibility that the Applicant can develop two "over-under" duplexes for a total of four dwelling units. The current TFC-2 zoning of the site is consistent with the City's Comprehensive Plan. However, denial of the request would not deny the Applicant reasonable use of his property.

Board Member Bielski questioned whether the Property Development Regulations were consistent with the setback regulations for the surrounding area. Mr. Block responded that the 7.5 foot setback is consistent with the current TFC-2 zoning district. The units would be required to be sprinklered. Staff reviewed the requested setbacks with other County Staff and the Fire Marshall to see if the requested setbacks were acceptable and address the public health, safety, and welfare. Discussion ensued on the requirements relating to deviations and variances in relation to planned development zoning districts.

Tape 2 Side 2

Pam Houck, Development Services Division, clarified that the RS-1 side setback of 7.5 feet was the side setback for a typical 75-foot-wide lot. Many of the lots in the vicinity of the subject property were only 50 feet wide, and therefore, would qualify for a reduced setback of a lot of record. Overall, there are five-foot setbacks in lieu of the 7.5-foot setback.

Board Member Pescosolido questioned whether Mr. Block would agree that this involved infill development. Mr. Block stated yes. He further explained. Board Member Pescosolido addressed emergency vehicle access for the site, which Mr. Block stated the Fire Department did not have a problem with.

Kim Trebatoski, of Lee County's Environmental Sciences Division, addressed the request and Staff's reasoning for their previous recommendation of denial. The Applicant's revised plan includes limitations on mangrove trimming. It also includes replanting standards equivalent to restoration standards. The Applicant's revised plan would result in an 86% natural waterway buffer restoration and the creation of a salt marsh detention area. The previous plan did not include commitments to limit mangrove trimming or the inclusion of additional native plantings. It also included more roadway coverage within the natural waterway buffer area.

The current dock regulations allow each single-family home to have two motorized boat slips and a dock. The Applicant's revised plan, however, would reduce that to one motorized boat slip per home. If the property was to be developed under the current TFC-2 zoning, the Applicant would not have to limit mangrove trimming, nor would the Applicant be required to restore the native plant communities within the natural waterway buffer, as they are proposing. Additionally, homes would be allowed to be built right up to the fringe, with no water treatment, etc. Each single-family dwelling unit might also be allowed individual docks with two motorized boat slips. The planned development process allows for development that will improve the site, which the Applicant's proposal does environmentally. None of the environmental conditions recommended by Staff would be required of the Applicant via a conventional rezoning. Overall, the Applicant is giving up rights that every other homeowner in the area has.

Environmental Staff would also recommend the inclusion of an additional condition to require a conservation easement be dedicated to the State and the City, for the vegetative areas over the natural right-of-way buffer for purposes of ensuring a long term commitment for trimming, boat access, etc. She further explained the process involved. Policy 7.2.7of the City's Comprehensive Plan provides the ability

to require conservation easements. All concerns regarding Comprehensive Plan Objective 4.1. and Policy 7.2.9 have been addressed as they pertain to mangrove trimming and restoration.

Board Member Bielski questioned whether a 25-foot setback for structures would be allowed in the TFC-2 zoning district. Ms. Trebatoski stated that Environmental Staff does not review single-family structures. Board Member Bielski further addressed mangrove trimming. Ms. Trebatoski responded that the Applicant was essentially committing to doing only 50% of the trimming allowed per the Department of Environmental Protection. She stated that single-family homes all along Bonita beach were allowed to trim their entire shoreline. The homeowners of each unit would be responsible for maintenance. Board Member Bielski addressed erosion, which the City Attorney stated would be addressed via the buildback provisions and the State.

Tape 3 Side 1

Ms. Trebatoski stated that item (4) of her March 6, 2003, memorandum to Mr. Block, may have to be deleted depending on the Board's decision regarding the dock on the north side of the property.

Mr. Block stated that should the Board follow Staff's recommendation, the Maximum Lot Coverage depicted on page 7 of the Staff Report may have to be revised to reflect 45% (instead of 50%), or a deviation would be required to allow the 50% percent. If Applicant is willing to agree to 45%, Staff's recommendation can stand as is.

Public Comments:

Diane Cloutier, a resident of McLaughlin Boulevard, spoke in opposition to the development plan proposed by the Applicant for reasons relating to traffic and density. She wants the property to remain zoned TFC-2.

Katherine Sapp, another resident in the area, also spoke against the request. She is concerned with Outstanding Florida Waters and access by the fire department into the site.

Rick Steinmeyer, also a resident of Hickory Boulevard, spoke in opposition to the request.

Barney Willens, a resident of Bay Road, spoke opposed to the request for reasons relating to quality of life and additional congestion on Hickory Boulevard. He is here to urge the Board to deny the request.

Keith Copeland, a resident one-quarter mile from the subject property, expressed concerns regarding the safety of bicyclists and increased traffic problems.

Ruth Jacob, also a resident of Little Hickory Island, spoke against the request. She is concerned about the trimming of mangroves.

Hugh Jacob, former president of Bonita Beach Improvement Association (B.B.I.A.), also spoke against the request.

Robert Hitt, a resident of Hickory Boulevard, urged the Board to deny the request.

Tape 3 Side 2

Bob Eccles, a resident of McLaughlin Boulevard, expressed quality of life concerns for residents

in the area. He is against approval of the request.

John Klostermann, also a resident of Hickory Boulevard, urged the Board deny the request, which he feels will result in an increase to density and traffic. He also feels it will affect the residential nature of the area. The Bonita Beach Improvement Association urges denial of the request.

Micheal Sharp expressed the need for consideration to be given to the waterway buffer on the north side of the site. He also is against the request for reasons relating to increased traffic.

Carey Hitt, owner of property directly to the north, is concerned with the proposed dock facilities and the proposed increase in density.

Joleen Chrestensen, a resident of Hickory Boulevard, also spoke against the request because of increased density.

Peggy Peterson, representative for her mother, Verna Peterson, spoke against the rezoning because of traffic. Also because the ingress/egress of the subject property is directly across from her driveway (Lot 13), which will result in headlights shining into her windows every night. It will also be difficult to leave her property. She would like the current zoning to remain.

John Roth, a resident McLaughlin Boulevard, spoke in opposition to the request because the site includes a big nesting area for pelicans along its south side. He was also present as representative for the McNarney's, who wrote a letter, which he read into the record. They are against any change in the zoning of the site.

Micki Gillespie, another resident of McLaughlin Boulevard, asked that the Board deny the request because of concerns regarding safety. He is concerned that the site would not have a stop sign at its entrance, which involves a private road.

Jan Bachrach stated that she is against the development of five units on the site and additional noise that would result.

Mr. Uhle responded to concerns raised by the public relating to traffic, fire safety, environmental sensitivity, homeowners' association, existing zoning, parking, mangrove trimming, ownership, buffering and environmental impacts, signage, and building heights. The Applicant would agree to a Maximum Lot Coverage of 45% as addressed by Staff. They are, however, reluctant to agree to the Conservation Easement since easements are typically applied to preserve areas, which the subject area is not. It is a water management area. They would prefer to stay with the existing language. He concluded by stating that the Board must weigh the additional one unit in relation to the benefits the Applicant is proposing environmentally.

Tape 4 Side 1

Board Member Pescosolido spoke in support of the project because of the positive environmental improvements. He cannot support the dock on the north side of the property.

Board Member McKenzie also spoke in support of the Applicant's request.

Board Member Howe also spoke in support of the Applicant's request, which he feels is consistent with the City of Bonita Springs Comprehensive Plan. He also feels the proposed density is compatible with the area.

Board Member Bielski expressed concerns with density and feels allowing RPD zoning for the site is a trade off for allowing environmental concessions. She is against the request.

Board Member Pastore agreed with Board Member Bielski. He also is against approval of the request.

Board Member Incerpi also spoke in opposition to the request.

Chairman Norris stated he would prefer to see the easements in writing and feels density is not a big concern. He supports the request, which he believes will environmentally enhance the area.

Board Member Pescosolido motioned to approve the Applicant's request, as revised by Staff; Board Member McKenzie seconded.

A discussion regarding revisions to Staff's Findings and Conclusions ensued. All policies reflected therein would now be deemed consistent. Further discussion was held regarding revisions to the conditions, with the addition of Condition 8 as reflected in Ms. Trebatoski's memorandum of March 6, 2003 to Chip Block, modifying her memorandum to require a Conservation Easement, and approval of Deviations 1 through 7.

Discussion followed on Deviation 8, with the Board opting to delete this deviation to allow a dock facility on the north side of the site. The City Attorney stated that meant that Condition 5 would remain.

The motion carried 4-3 (Board Members Incerpi, Pastore, and Bielski dissenting).

PARTICIPANTS:

1) Jan Bachrach, 26749 McLaughlin Blvd., Bonita Springs, FL 34134
2) Eloise Bills, 26627 Hickory Blvd., Bonita Springs, FL 34134
3) Joleen Chrestensen, 26676 Hickory Blvd., Bonita Springs, FL 34134
4) Diane Cloutier, 26791 McLaughlin Blvd., Bonita Springs 34134
5) Keith Copeland, 26870 McLaughlin Blvd., Bonita Springs 34134
6) Roger Crews, 26301 Hickory Blvd., Bonita Springs, FL 34134
7) Nancy M. Donovan, 26644 Hickory Blvd., Bonita Springs, FL 34134
8) Bob Eccles, 26767 McLaughlin Blvd., Bonita Springs 34134
9) Micki Gillespie, 26750 McLaughlin Blvd., Bonita Springs 34134
10) Lori Glenn, 27277 Arroyal Rd., Bonita Springs, FL 34135
11) Amanda Glenn, 27277 Arroyal Rd., Bonita Springs, FL 34135
12) William Herbst, 26692 Hickory Blvd., Bonita Springs, FL 34134
13) Pepi Herbst, 26692 Hickory Blvd., Bonita Springs, FL 34134
14) Carey C. Hitt, 26671 Hickory Blvd., Bonita Springs, FL 34134
15) Robert A. Hitt, 26671 Hickory Blvd., Bonita Springs, FL 34134
16) Thomas J. Hunt, 26792 McLaughlin Blvd., Bonita Springs 34134
17) Ruth Jacob, 26603 Bay Rd., Bonita Springs, FL 34134
18) Hugh Jacob, 26603 Bay Rd., Bonita Springs, FL 34134
19) John Klosterman, 25825 Hickory Blvd., Bonita Springs, FL 34134
20) Dawn Koncikowski, 26436 Hickory Blvd., Bonita Springs, FL 34134
21) Christopher Langen, Esq., Sandville Inc., 112 S. Hibiscus Dr., Miami Beach, FL 33139 (Applicant)

22) Paul J. Lindstrom, 26659 Hickory Blvd., Bonita Springs, FL 34134
23) Judith A. McNarny, 26743 McLaughlin Blvd., Bonita Springs 34134
24) Christel M. Morris, 26894 McLaughlin Blvd., Bonita Springs 34134
25) Peggy J. Peterson, 26684 Hickory Blvd., Bonita Springs, FL 34134
26) V.M. Peterson, 26684 Hickory Blvd., Bonita Springs, FL 34134
27) Jerry Randgaard, 26924 McLaughlin Blvd., Bonita Springs 34134
28) Jenny Randgaard, 26924 McLaughlin Blvd., Bonita Springs 34134
29) John Roth, 26737 McLaughlin Blvd., Bonita Springs 34134
30) Charlene Roth, 26737 McLaughlin Blvd., Bonita Springs 34134
31) Heike Ruelle, 6005 Cajeput Ln., Bonita Springs, FL 34134
32) Quinn Ruelle, 6005 Cajeput Ln., Bonita Springs, FL 34134
33) Katherine Sapp, 26651 SW Bay Rd., Bonita Springs, FL 34134
34) Donald Schappacher, 27632 Hickory Blvd., Bonita Springs, FL 34134
35) Michael Sharp, 27773 Forester Dr., Bonita Springs, FL 34134
36) Rick G. Steinmeyer, 26236 Hickory Blvd., Bonita Springs, FL 34134
37) John Van Page, 6004 Cajeput Ln., Bonita Springs, FL 34134
38) Barney Willens, 26429 Bay Rd., Bonita Springs, FL 34134

AGENTS:
39) Markus A. Frankel, Frankel Benyaoun Architects, Inc., 1177 Kane Concourse, Bay Harbor Island, FL 33154
40) James Ink PE, James Ink & Associates, LLP, 2041 W. First St., Ft. Myers, FL 33901
41) Matthew Uhle, Humphrey & Knott PA, 1625 Hendry St., Ft. Myers, FL 33901
42) Hans Wilson, P.E., Hans Wilson & Associates, Inc., 1938 Hill Ave., Ft. Myers, FL 33901

C. 1:00 PM CASE NO. DCI2002-00024 – **CASE CONTINUED**

CASE NAME: Tesone RPD

REQUEST: Rezone 513 acres from Agriculture District (AG-2), Residential Planned Development (RPD), Mobile Home Planned Development (MHPD), and Commercial Planned Development (CPD) to Mixed Use Planned Development (MPD) to allow for the development of a mixed Residential and Commercial project consisting of a maximum of 1,400 residential dwelling units and 90,000 square feet of gross commercial floor area. The proposed maximum building height is 45 feet.

LOCATION: The subject property is located West of I75, East of Old US41, North of Terry Street, and East of Shangrila Lane

STRAP NO. 23-47-25-B3-00002.0040

SIZE OF PROPERTY: 513± acres

STAFF REPORT: Direct inquiries to Chip Block, AICP, Senior Planner, at 479-8371, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

VI. APPROVAL OF MINUTES: 02/07/03

Board Member Pastore motioned approval of the minutes; Board Member Incerpi seconded; and the motion carried unanimously.

VII. ADJOURNMENT

There being no further cases to discuss, the meeting adjourned at 2:55 P.M.

Respectfully submitted,

Debra Muchler, Recording Secretary

APPROVED:
ZONING BOARD

Date: 4-4-03
AUTHENTICATED:

Wesley Norris, Chairman

Dianne J. Lynn, City Clerk

City of Bonita Springs
Board for Land Use Hearings & Adjustments
And Zoning Board of Appeals
Friday, May 2, 2003
Bonita Springs Utilities' Board Room
11860 East Terry Street
Bonita Springs, FL 34135
MINUTES

I. CALL TO ORDER.

Vice Chairman Frank Howe called the meeting to order at 9:03 A.M. There were approximately 12 members of the public in attendance.

II. INVOCATION

The Vice Chair furnished the invocation.

III. PLEDGE OF ALLEGIANCE

The Vice Chair led in the pledge of allegiance.

IV. ROLL CALL.

All Board Members were in attendance except for Chairman Wes Norris, and with Board Member Incerpi entering the meeting at 9:58 A.M.

The Vice Chair began by welcoming aboard the Board's newest appointed member, Mr. James Brandreth.

V. PUBLIC HEARINGS:

A. 9:00 a.m. CASE NO. SEZ2002-00022

CASE NAME: Bonita Springs Utilities Communication Tower Replacement.

REQUEST: Special exception for communication tower in the Agricultural (AG-2) zoning district in excess of 50 feet and in excess of 100 feet under the interim tower ordinance.

LOCATION: 11860 East Terry Street, Bonita Springs, FL 34135 (West of I-75 overpass on South Side of East Terry Street).

STRAP NO. 36-47-25-B2-00009.0020 and 36-47-25-B2-

00010.0000

SIZE OF PROPERTY: 16 Acres

STAFF REPORT: Direct inquiries to Jerry Murphy, Planner, at 479-8372, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

City Attorney Audrey Vance introduced the case, read the request into the record, and placed all witnesses under oath.

Pat Jennings, Director of Engineering for Bonita Springs Utilities (BSU), addressed the request made by Bonita Springs Utilities, which is to allow one 120-foot-tall monopole tower on the site (100-feet-tall with a 20-foot antenna), in accordance with the current regulations. The new tower will encompass all of the antennas from the two existing towers on the site, one of which is 120-feet-tall and the other 80-feet-tall. Both existing towers are lattice-type towers with guy wires. The intent is to remove and demolish the two existing towers and replace them with the one monopole type tower. The reason for the request is because the two existing towers are interfering with the expansion of the water treatment facility on the site.

BSU needs the tower for communication purposes for their wireless network, communications with their 260 lift stations, and emergency communications for Lee County. All of these communications are essential to their operations. They have reviewed the Staff Report and do not object to the conditions reflected therein. He next referred to Exhibit "C" of the Staff Report to show the location of the existing towers on the site, which are adjacent to their engineering building on their property. The second tower is located adjacent to the existing water treatment facility. The proposed tower will be located 97 feet from the property line, adjacent to their filter site.

Board Member Pescosolido questioned coverage distance. Mr. Jennings stated it would cover their entire 56-square-mile service area. It would also receive telemetry from the lift stations as far away as Hickory Boulevard. Board Member Pescosolido questioned the reason for a 120-foot-tall tower. Mr. Jennings stated that they try to keep the antennas on the lift stations as short as possible so they don't interfere with the neighbors. Anything less than 120 feet would require them to retrofit all of those towers with larger antennas of approximately 20 to 25 feet, which they don't feel would be appropriate – to have lift stations in neighborhoods with antennas that high. Also, the people who designed the tower informed them that was the height they would need.

Jerry Murphy, with Development Services Division, tendered the Staff Report. Staff concurs with the Applicant and have recommended approval of their request with conditions. He stated he was present to answer any questions the Board may have.

Board Member Chris Bielski requested a clarification on Condition F. of the Staff Report, which indicates that the Special Exception will expire June 1, 2013 (10 years). Mr. Murphy stated that telecommunication towers were uses that involved very quick evolving technology. The intent is to trigger a review of the facilities to ensure conformance with that evolving technology.

Board Member James Brandreth questioned the use of strobe lights, which Mr. Murphy stated would not be required in this instance. Mosquito control and/or the port authority require strobe lights. They are also required if the tower exceeds 150 feet in height.

Board Member Pastore questioned co-location. Mr. Murphy stated that co-location would be prohibited by providers of wireless services. The Applicant has no desire for co-location activities on their facility, but can opt to if they so choose at a later date.

Board Member Pescosolido addressed concerns he had regarding the 10-year limit on the Special Exception. Mr. Murphy stated that the Special Exception limitation was due to advancements in the technology. He further explained. Board Member Pescosolido voiced his reluctance to approving the requested Special Exception with such a limitation. He would prefer to see this condition removed.

Joe Papp, a resident in the area, read into the record a letter he wrote (in Clerk's file) in support of the request. He would encourage an even higher tower on the site to "stem the tide on the proliferation of communication towers here in Bonita Springs."

Board Member Bielski asked for a further clarification regarding the 10-year limitation. Mr. Murphy stated that upon expiration of the Special Exception, the Applicant would be required to apply to extend the Special Exception.

Vice Chairman Howe spoke in favor of the 10-year limitation.

Board Member Pescosolido asked Mr. Jennings to comment on BSU's feeling toward co-location. Mr. Jennings stated that BSU does not want co-location for security reasons. It lessens the security factor of their facility, i.e., the water tower, etc.

Board Member Bielski stated that BSU may voluntarily want to review the new technology. Mr. Jennings stated that they do not object to the limitation, which they see as reasonable. Board Member Bielski stated that she feels BSU's concerns regarding security and co-location are valid.

Board Member Pastore motioned to uphold Staff's recommendation of approval, as conditioned; Board Member Bielski seconded; and the motion carried 4-2-1 (Board Members Incerpi and Norris absent; and Board Member Pescosolido dissenting due to his objection to Condition f.).

PARTICIPANTS:

1. Pat Jennings, II, P.E., Bonita Springs Utilities, Inc., 11650 East Terry Street, Bonita Springs, FL 34135 (Applicant).
2. John Papp, 10821 Halfmoon Shoal Road, #202, Bonita Springs, FL 34135 (read letter in support of request. Copy in Clerk's file).

B. 9:30 a.m. CASE NO. DCI2002-00018

CASE NAME: Old 41 MPD fka The Villages of Bonita North MPD

REQUEST: Rezone 84.85 acres from Agriculture District AG-2 to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 15.65 acres of

business park use consisting of 195,000 square feet of gross floor area; and 63.69 acres of residential use consisting of a maximum of 396 dwelling units. The proposed maximum building height within the project is 45 feet (3 stories).

LOCATION: 25701 Old 41 Road, on the east side of Old 41 Road, approximately 3/4 mile south of the intersection of Old 41 Road and US 41 (S.R. 45) Bonita Springs, immediately north of the Villages of Bonita RPD.

STRAP NO. 22-47-25-B1-00002.4000

SIZE OF PROPERTY: 16.19 Acres

STAFF REPORT: Direct inquiries to Chip Block, AICP, Senior Planner, at 479-8371, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

Assistant City Attorney, Kimberly Lewis, introduced the case, read the request into the record, and placed all witnesses under oath. Also in attendance were Grady Minor and Wayne Arnold, with Q. Grady Minor and Associates; Ted Treesh, with Metro Transportation; and Kit Kraft, with Boylan Environmental Services.

Neale Montgomery, representing the Applicant, stated that the Applicant concurs with Staff's recommendation of approval, as conditioned, but with a few revisions. She next referred to a submittal she furnished to the Board reflecting the Applicant's requested revisions to Staff's recommended conditions, titled "REVISED CONDITIONS OLD 41 MPD DCI2002-00018" (copy in Clerk's file), which she expanded on. She next addressed the surrounding zonings and land uses (reflected on page one of the Staff Report under "Existing Zoning & Land Use"). Staff has indicated that the challenge associated with this request involved consistency with the diverse uses/neighbors surrounding the site, which the Applicant believes they have done.

Wayne Arnold, also representing the Applicant, referred to the aerial photograph to show the location of the 85-acre site, which he stated was north of the Villages of Bonita project and across the street from the Bernwood Industrial Park. The site is currently undeveloped and consists of wetlands the Applicant intends to preserve. The request is for approval of a Mixed Use Planned Development (MPD), inclusive of two alternative site plans – one depicting a business park labeled as Master Concept Plan (MCP) "A," and the other with the proposed business park area developed residentially instead, labeled Master Concept Plan "B." MCP "A" depicts the business park in the northeast portion of the site, consisting of 65 acres of residential uses, a 15.5-acres business park, and approximately five acres of general commercial uses.

MCP "B" replaces the business park with residential type development as an alternative. Conditions 1 and 2 address commitment to one of the plans. Both MCPs include a limit to two story-building heights for any development that occurs on the southern boundary of the site, and along the northeast property line, near San Carlos Estates. Referring to the aerial photograph, specifically the area of the site near the drainage ditch

of San Carlos Estates, there will be only residential development. The Applicant's request is consistent with the City of Bonita Springs Comprehensive Plan regarding the number and mix of uses. It also includes a restriction that requires a minimum 75-foot building setback near the Villages of Bonita development, and a 30-foot setback from the northern property line. There will also be a 100-foot setback from the nearest residential uses.

He stated that the Applicant concurs with Staff regarding the Schedule of Uses. They would, however, like to add the use "Health Club or Spa," or "Physical Fitness Facilities."

Tape 1 Side 2

The Applicant's revised Condition 3. would act to replace the Development Standards table reflected in the Staff Report. Per this Condition, the Applicant is requesting to revise the 45% maximum residential lot coverage to 60%. Conditions 1. and 2. of the Staff Report requires the Applicant to choose either MCP "A" or "B" at time of Development Order (DO). He then addressed concerns the Applicant has with these conditions which the Applicant's revised conditions address. The Applicant would further request that Condition 8 be deleted, which states, "No blasting activities are permitted as part of this planned development."

He stated that blasting activities are regulated by the State Fire Marshall, and that the Applicant has encountered a layer of rock they would like to be able to drill on the southern portion of the site. If they aren't allowed to blast, they will have to use bulldozers and headache balls, which they would prefer not to have to do. It's a matter of economics and convenience.

Additionally, the Applicant has rewritten Condition 10 without changing its intent. Condition 10 addresses Stormwater Management for the site. This condition requires the Lee County Division of Natural Resources Management (DNRM) to review the Applicant's proposed plan. He next expanded on the two drainage outfalls in the San Carlos Drainage District, one of which abuts the site. Because of the size of this outfall, the Applicant will be required to obtain permits from the South Florida Water Management District. The Applicant is requesting that Staff's condition be revised as depicted in the Applicant's revised conditions submittal, which is reflected as follows:

> The division of Natural Resources and City Staff must review the proposed ~~the~~ storm water management plan for this ~~project~~ development. ~~Given the existence of~~ There are two outfalls for the San Carlos Drainage District in the area, however, only one of the outfall ditches abuts the Old 41 MPD property along its southeasterly property line., ~~it must be assured that there are no expected negative impacts on the outfalls for that drainage district caused by this project.~~
>
> This development will also be required to obtain a surface water management permit from the South Florida Water Management District. Part of the review criteria for SFWMD permitting is to study the land use of off site areas which drain through, onto and from the development. This would include the San Carlos Drainage District. The construction of this development will not have a negative impact on the outfall for the San Carlos Drainage District.
>
> It is not the intent of this zoning condition to create any legal rights for any third party.

Board Member Robert Incerpi entered the meeting at that time. It was 9:58 A.M.

Ms. Montgomery next referred to Condition 12 and stated that the Applicant's concern with this

condition regards the two Levels of Service (LOS) for Old US 41. If this condition remains as written, the project can be approved, but it will never receive a Development Order (DO). The Applicant's revised condition states:

> 12. Development approvals for this Development are subject to the City of Bonita Springs Transportation Concurrency Management Plan.

She next referred to the letter from the City Attorney dated April 29, 2003, addressing Condition 12., which she stated was not clear. She feels the need to meet with the City Attorney to further address the issue. Ted Treesh, the Applicant's Traffic Engineer, concurs with Andy Getch, of Lee County Department of Transportation (LCDOT) with respect to his recommendation for a condition that would require the Applicant to meet the concurrency requirements.

The City Attorney referred to Condition 12. and stated that Bonita Beach Road and Terry Street involves a constrained area. She stated she was not comfortable with Ms. Montgomery's suggested condition and suggested a modification to indicate that the LOS exceeds the requirements of Policy 1.1.6., which would allow a reduced peak hour LOS in the event of certain things. She further explained, stating that she felt it needed for this condition to be addressed by a Transportation Engineer.

Chip Block, Development Services Division stated that the revised Staff Report is dated April 15, 2003. Staff has recommended approval of the Applicant's request (with conditions). He next addressed Staff's recommended conditions in comparison to the Applicant's revised conditions, which Staff does not object to. Staff agrees with the Applicant's revised Condition 3., to allow a 50% maximum residential lot coverage, which Staff feels would not affect open space on the site in any way. The Applicant's revised Condition 10. just acknowledges the fact that the Applicant has to obtain approval from the SFWMD. He also agrees that the language depicted in Condition 12. may not be the best and suggested the Board allow Staff's language to remain with an acknowledgment indicating that better language may be worked out prior to the City Council meeting. Furthermore, he disagrees with Mr. Minor regarding blasting (Condition 8.). He explained that the regulations turned over to the State pertain to commercial mining operations, and not commercial mining operations for purposes of development. The City has a blasting ordinance in effect for site development, and as such, blasting would be regulated by local regulations. Staff included this Condition because of issues concerning other legislative bodies. If the Board is satisfied with the blasting requirements, Condition 8. can be deleted.

Condition 2. addresses the number of dwelling units on the site. MCP "A" reflects a total of 382 dwelling units, and MCP "B" reflects 476 dwelling units. Per Condition 2 of the Applicant's revised conditions, the Applicant is requesting 396 for MCP "A" and 490 for MCP "B." He explained that the acreage calculations included the right-of-way of Old 41 Road, which allows them that many dwelling units (they are entitled up to 10 dwelling units per acre). Subsections a. and b. of Policy 1.1.8 on page 9 of the Staff Report addresses this further.

He concluded by addressing the Applicant's revised Conditions. Staff agrees with their revised Conditions 1., 2., and 3. Condition 5. would remain. The Applicant would like Condition 8. deleted regarding blasting, which he would agree to, which would allow the City's blasting ordinance to regulate blasting activities on the site. Staff also does not object to Condition 10., upon acceptance by Bradley Vance, of DNRM. Lastly, he would suggest language for Condition 12. be agreed upon between now and the City Council meeting. Staff also not does object to the inclusion of "Health Club and/or Spa," or "Physical Fitness Facility" use as part of the Schedule of Uses.

Board Member Pescosolido addressed a procedural concern he had and requested that all changes and/or revisions to the Staff Report be furnished to Staff within a reasonable time frame to allow Staff to review the changes prior to the Zoning Board meeting of the case. Mr. Block stated it could be addressed as part of the process.

Tape 2 Side 1

Board Member Brandreth referred to the total acreage of the site, and asked whether the total acreage was measured from the center of the road right-of-way. Mr. Block responded.

Board Member Bielski requested a clarification on Condition 8 regarding blasting. Mr. Block responded that deletion of Condition 8 would require the Applicant to abide by the City's Blasting Ordinance.

Board Member Bielski further addressed Condition 10, expressing concerns in that she felt removal of Staff's language would weaken this condition. Mr. Block responded. The language reflected in the second paragraph of this condition would act to protect everything upstream. He further explained.

Board Member Pastore addressed density and open space calculations in relation to the actual developable area of the site. Mr. Block responded. Applicant is at six dwelling units per acre, which is permissible. Board Member Pastore questioned affordable housing for the site. Mr. Block stated that from a density standpoint there would not be affordable housing. Zoning does not address affordable housing unless the calculations require affordable housing to be included, which in this instance they do not. Density was based on gross density. Discussion ensued.

Board Member Pescosolido addressed the conversion of multi-family housing to single-family and asked whether that would limit the uses in the commercial area, inclusive of additional buffering. Mr. Block referred to MCP "B" involving the business park, which includes a buffer around the commercial area in accordance with the requirements of the Land Development Code for commercial buffering adjacent to residential uses. The site will be adequately buffered.

Ms. Montgomery next provided rebuttal. She asked Mr. Minor to expand on the issue of blasting. Mr. Minor stated that they would still request the condition be deleted to allow them to apply for a blasting permit. He further explained.

Board Member Bielski echoed comments made by Board Member Pescosolido regarding the Applicant's proposed revisions, specifically to Condition 12 and the basing of a decision on a condition that is yet to have its language written. Condition 10, which addresses Stormwater for the site, also concerns her.

The City Attorney stated that she would handle Conditions 10 and 12 in the same manner. She will meet with Bradley Vance, of DNRM, and with Ms. Montgomery, Mr. Treesh, and Mr. Block to work out language for Condition 12.

Board Member Pastore requested the Applicant specify the number of duplexes proposed for the site. Mr. Block stated that was something the Applicant may not be able or willing to do.

Board Member Pescosolido stated he is satisfied with the Applicant's proposal, which he feels is compatible and consistent with the Comprehensive Plan.

Board Member Brandreth addressed buffering, specifically the 75-foot setback on the southern edge

of the property. He asked if arrangements have been made for vegetative boundaries in this area. Mr. Arnold responded that there would be a 30-foot-wide Type "F" buffer adjacent to the drainage ditch. Kim Trebatoski, Environmental Sciences Staff, stated that the Type "F" buffer would include 10 trees per every 100 linear feet, as well as 66 48-inch shrubs. It's the heaviest planting buffer that exists.

Board Member Pescosolido motioned approval of the request, as revised to remove Condition 8 regarding blasting activities, to include "Health Club/Spa" uses in Condition 3, and with the development of language for Conditions 10. and 12.; Board Member Incerpi seconded; and the motion carried unanimously.

PARTICIPANTS:

1. Neale Montgomery, Esq., Pavese, Haverfield, Dalton, Harrison & Jensen, L.L.P., P.O. Drawer 1507, Ft. Myers, FL 33902-1507 (Agent).
2. Q. Grady Minor and Wayne Arnold, Q. Grady Minor & Associates, P.A., 3800 Via Del Rey, Bonita Springs, FL 34134 (Agent).
3. Edward J. McArdle, Trustee, c/o Ronald C. Dillon, Oakbrook Properties, 24880 Burnt Pine Drive, Suite 8, Bonita Springs, FL 34135 (Property Owner).
4. Ted Treesh, Metro Transportation, Inc., 12651 McGregor Blvd., Suite 4-403, Ft. Myers, FL 33919 (Agent).
5. Kit Kraft, Boylan Environmental Consultants, Inc., 11000 Metro Parkway, Suite 4, Ft. Myers, FL 33912 (Agent).
6. Fred J. Mosser, 9380 Lake Abby Lane, Bonita Springs, FL 34135

C. 10:30 a.m. CASE NO. DCI2003-00005

CASE NAME:	Corkscrew Growers Section Three
REQUEST:	Rezone 648.8 acres from Residential Planned Development (RPD) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) to allow the development of a mixed use residential project consisting of a maximum of 1,999 dwelling units with a proposed maximum building height of 50 feet (3 stories) and up to 30,000 square feet of internal commercial and recreational floor area.
LOCATION:	15501 Bonita Beach Road SE, Bonita Springs, FL 34135 (Approximately 2. 5 miles east of I-75 along the south right-of-way of Bonita Beach Road, within the City of Bonita Springs.
STRAP NO.	03-48-26-B1-00001.0000
SIZE OF PROPERTY:	648.8 Acres

STAFF REPORT: Direct inquiries to Chip Block, AICP, Senior Planner, at 479-8371, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

Tape 2 Side 2

Assistant City Attorney Kimberly Lewis introduced the case, read the request into the record and placed all witnesses under oath. Russ Schropp, Attorney for the Applicant, introduced Bob Mulhere and Ted Treesh, also present on behalf of the Applicant. The Assistant City Attorney next tendered Mr. Mulhere as an expert witness after which the Board accepted him as such. Mr. Mulhere next entered a copy of his resume' into the file.

Mr. Schropp next addressed the request, which involves a 648-acre site of the Section 3 Corkscrew Growers RPD (Residential Planned Development). The request is to rezone the property from RPD and Commercial Planned Development (CPD) to RPD to allow a mixed-use residential project consisting of a maximum of 1,999 dwelling units and up to 30,000 square feet of internal commercial and recreational floor area. The site is located 2.5 miles east of I-75 on the south side of Bonita Beach Road. Density proposed for the project is 3.1 dwelling units per acre.

Mr. Schropp stated that the subject property was annexed into the City in September 2002. The Annexation Agreement placed the site in the Moderate Density/Mixed use land use category of the Comprehensive Plan. At that time the Agreement contemplated the Applicant following up with a revised zoning application, which was filed shortly after the annexation was complete by the time the City of Bonita Springs Comprehensive Plan was accepted. The 3.1 dwelling units per acre is half of the density permitted per the City's Comprehensive Plan.

The Applicant essentially agrees with the Staff Report, with one revision regarding Condition 4., which addresses the lakes within the project. He stated that this condition was an attempt to address littoral guidelines and aesthetics for water quality purposes. The Applicant has worked with specific planting plans in concurrence with Kim Trebatoski and Rick Joyce of Lee County's Environmental Division for littoral shelves and other plantings along lake shelves. The Applicant's proposed revised language for condition 4., which states:

> Prior to the first local development order for the project the developer will submit a Landscape Design Manual acceptable to Environmental Services Staff that incorporates the landscape design and littoral shelves shown on the drawings attached as Exhibit ___.

The Applicant is requesting that their language be substituted for Condition 4. of the Staff Report. He next referred to their landscape plan for the project (dated April 30, 2003; in Clerk's file) as prepared by Stephen Trudnak, Landscape Architecture and Land Planning, to which Ms. Trebatoski has a few minor revisions to the palette. Staff was furnished with a drawing a few days earlier, which Staff accepted.

Mr. Mulhere spoke next and provided an overview of the project by addressing several reduced photographs of the project. The site involves cleared agricultural land. To the north is AG-2 vacant property; to the east is an RPD outside the City limits; to the south is the Mirasol PUD (Planned Unit Development); and to the west is the Parklands development.

The Applicant's proposed development plan depicts neo traditional design elements, i.e., a gas station, car wash, restaurant, a fitness facility, bike paths and pedestrian walkways, a post office, bank, etc. It

will also include additional plantings in common areas, i.e., where the lake and upland areas meet. The clock tower will be the focal point of the project and will be able to be seen from all portions of the project. He further explained.

Chip Block, Development Services Division, introduced Kim Trebatoski, with Lee County Environmental Sciences. Staff has recommended approval of the Applicant's request with conditions. The Applicant has also requested several deviations. The Applicant does not have a problem with those deviations that Staff has recommended be denied, most of which involve items that are to be addressed at development order stage.

He next referred to pages 9 through 13 of the Staff Report to address several policies of the Comprehensive Plan relating to density. A maximum of nine dwelling units per acre is permitted, six of which involves the standard housing, and three for affordable housing (for a total of 9 dwelling units per acre). The proposal depicts commercial development in the center of the site to support the development. Staff has found the request to be consistent with the City of Bonita Springs Comprehensive Plan. Approval would not result in adverse impacts to the roadway, which will remain at its current Level of Service (LOS). Overall, Staff has recommended approval of the request, with a finding of consistency with the Comprehensive Plan.

Board Member Pescosolido reiterated his concern regarding the submission of modifications/amendments to Staff sooner to allow them to review it prior to the zoning board meeting. He also suggested the Master Concept Plan be enlarged for easier reading. He next addressed the Applicant's revisions to Condition 4.; and Deviation 1, which have been approved to allow up to 75 units on a private accessway; roadway width; and Deviation 8 regarding parking. Mr. Block responded. Deviation 1 involves those areas on the plan that appear as the larger "T" shaped. Road width will comply with City standards, and Deviation 4 addresses parallel guest parking.

ape 3 Side 1

Board Member Pescosolido further addressed installation of the vertical bulkhead, which Mr. Block stated would be done as part of the development order process. Bulkheading would occur in and around the town center area only. He further explained.

Ms. Trebatoski next addressed Condition 4. and the Applicant's proposed revision to this condition. Referring to the reduced layout of the site, she stated that Staff's concern regarded the lake design meeting the requirements of the Land Development Code and the long-term quality of the lake because of the amount of turf grass. Subsequent to the Staff Report, she and Mr. Joyce met with the Applicant to further discuss Staff's concerns and the Applicant suggested a planting plan, which Staff agreed to which would ease the development review process. The Applicant then hired Stephen Trudnak to design the planting plan. Staff's concerns regarded the common areas. The planting plan prepared by Mr. Trudnak incorporates trees, shrubs, and littoral plants. The intent is to reduce the amount of turf grass along the lake. Staff believes this plan satisfies their concerns. The list furnished to her today, however, needs a minor change to require 100% native plantings for purposes of reducing the need for fertilizer. She addressed additional revisions that needed to be made to the plan. Overall, she would recommend approval of the planting plan.

Board Member Pescosolido questioned whether the Applicant's revision to Condition 4. was acceptable to Staff. Ms. Trebatoski responded, "yes." Discussion on the shoreline slope ensued. The shoreline slope would involve a 6:1 slope instead of the 4:1 slope in the area where the shoreline meanders. Board Member Pescosolido further addressed long-term water quality and maintenance and water runoff. Ms. Trebatoski responded the intent in reducing the turf grass was to address all those concerns. Discussion

ensued. The City Attorney addressed permitting and water monitoring, which she stated would occur throughout the life of the project.

Board Member Bielski referred to Attachment "F" of the Staff Report, which involves the letter from the Lee County Department of Transportation (LCDOT). Her packet appeared to be missing 2 pages of the letter. Mr. Block responded that he has the entire report as prepared by Andy Getch of LCDOT, noting that LCDOT has not recommended any conditions, but have addressed the analysis they conducted and anticipated road improvements, etc.

Board Member Bielski further addressed density and the total number of permitted units for the site. Mr. Block stated that it involved gross residential density. The Applicant was going from 649 to 1,999 dwelling units at a density of 3.1 dwelling units per acre. He also referred to a letter from Daniel Trescott (letter in Clerk's file) with the Regional Planning Council who addressed aggregation of Section 3.

Board Member Incerpi addressed emergency vehicle access and asked whether the site had an area for emergency helicopter services. Mr. Mulhere responded, "yes." It would be located in the town center area. There would also be deed restrictions to encourage guests to park in the town center area of the site. Board Member Incerpi spoke in support of the proposal, which he feels involves a very well laid out plan.

Tape 2 Side 2

Board Member James Brandreth questioned vehicle safety in the turn around areas in relation to the distance from the road to the water's edge. He also expressed concerns regarding safety in the cul-de-sac areas of the site. Mr. Block responded.

Board Member Bielski referred to the Applicant's 11" by 17" photographs of the development, stating that she feels the project involved a well-planned development. She also addressed parking and impacts of these developments with respect to parking, parks, etc. – issues that need to be addressed in the future.

Vice Chairman Frank Howe commended the Applicant on their development plans.

Board Member Pastore motioned approval of the request; Board Member Incerpi seconded.

Board Member Pescosolido stated that the approval should include the revision to Condition 4. to require 100% native vegetation. Mr. Block stated that the blank in this condition should be filled in as Exhibit "B."

The motion carried unanimously.

PARTICIPANTS:

1. Corkscrew Growers, Inc., c/o Rodney Harvey, 7373 Vanderbilt Beach Road Extension, Naples, FL 34119 (Property Owner).
2. Robert Mulhere, AICP, RWA, inc., 3050 N. Horsehoe Drive, Suite 270, Naples, FL 34104 (Agent).
3. Russell Schropp, Esq., Henderson, Franklin, Starnes & Holt, P.A., 1715 Monroe Street, Ft. Myers, FL 33901 (Agent).
4. Brian Farrar, Ronto Group, 3185 Horsehoe Drive South, Naples, FL 34104 (Agent).
5. Ted Treesh, Metro Transportation Group, 12651 McGregor Boulevard, Suite 4-403, Ft. Myers, FL

33919 (Agent).

6. Stephen Trudnak, 3876 Bonita Beach Road, Bonita Springs, FL 34134 (Agent).

ADDITIONAL ITEMS:

A discussion was held regarding the Board's July meeting date due to the Independence Day Holiday. The Board consensus was to schedule the July meeting for the 25th at 9:00 A.M., at Bonita Springs Utilities.

VI. APPROVAL OF MINUTES: 03/21/03 and 04/04/03

Board Member Incerpi motioned approval of the minutes of March 21, 2003; Board Member Pescosolido seconded; and the motion carried unanimously.

Board Member Chris Bielski motioned approval of the minutes of April 4, 2003; Board Member Pescosolido seconded; and the motion carried unanimously. (Board Member Howe excused from the vote).

VII. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 12:34 P.M.

Respectfully submitted,

Debra Muchler, Recording Secretary

APPROVED:
ZONING BOARD

Date: 6/6/03
AUTHENTICATED:

Frank Howe, Vice Chairman

Dianne J. Lynn, City Clerk

REVISED STAFF REPORT
For City of Bonita Springs

TYPE OF CASE: PLANNED DEVELOPMENT/DCI

CASE NUMBER: DCI2002-00018

ZONING BOARD DATE: (Original date March 7, 2003) CONTINUED to May 2, 2003

I. APPLICATION SUMMARY:

Applicant: Old 41 MPD fkaThe Villages of Bonita North MPD

Request: Rezone 84.85 acres from Agriculture District AG-2 to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 15.65 acres of business park use consisting of 195,000 square feet of gross floor area; and 63.69 acres of residential use consisting of a maximum of 396 dwelling units. The proposed maximum building height within the project is 45 feet (3 stories).

Location: The subject property is located at 25701 Old 41 Road (on the East side of Old 41 Road, approximately 3/4 miles South of the intersection of Old 41 Road and U.S. 41 (S.R. 45), immediately North of the Villages of Bonita RPD), in S22-T47S-R25E, City of Bonita Springs, FL.

Comprehensive Plan Designation: Medium Density Multi-Family Residential and General Commercial

Surrounding Land Use:

	Existing Zoning & Land Use	Future Land Use Map
North:	CPD, recreational vehicle storage (Cusson), and IG concrete plant operation	General Commercial and Industrial
East:	AG-2, single family homes and vacant parcels (San Carlos Estates)	Low Density Single Family Residential
South:	RPD, mixed residential project (Village of Bonita)	Medium Density Multiple Family Residential
West:	IPD, Bernwood Business Park	Industrial

Size of Property: 84.85± acres

II. RECOMMENDATION:

Staff recommends **APPROVAL** of the Applicant's request for rezoning from Agriculture District, AG-2 to Mixed Use Planned Development (MPD) with the following conditions:

CONDITIONS

1. The development of this project must be consistent with the approved Master Concept Plan, Pages 1 through 4 of 7 entitled "The Villages of Bonita North MPD," stamped received APR 01, 2003, except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development.

   The developer must commit to one of the two Master Concept Plan optional plans, at the time of local development order. Any change in the development from one of these optional plans will have to be achieved as an amendment of the planned development that must be heard through the public hearing process, except as specifically conditioned herein.

2. The development is limited to the following intensities of development, depending on the Optional plan chosen for development:

   Under Master Concept Plan "A", a maximum of 50,000 square feet is permitted within the commercial tract, 195,000 square feet is permitted within the business park site, and 396 dwelling units is permitted in the residential tract.

   Under Master Concept Plan "B", a maximum of 50,000 square feet is permitted within the commercial tract and 490 dwelling units is permitted in the residential tract.

   The developer must choose between using Master Concept Plan "A" or "B" prior to local development order approval. Once chosen, the developer must complete the development of the project substantially consistent with the chosen Plan. Any change sought must be approved as an amendment of this planned development.

3. The following are the permitted uses within each of the proposed development areas for this planned development (these uses replace those originally depicted on Page 5 of 7 of the proposed Master Concept Plan):

   Business Park (limited to Master Concept Plan "A")

   ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
   ADMINISTRATIVE OFFICES (subject to Note (1) of LDC Section 34-934)
   ANIMALS: Clinic or kennel (LDC Section 34-1321 et seq.)(kennels must be contained within an enclosed building)
   Control center (including Humane Society)
   ATM (automatic teller machine)
   AUTO REPAIR AND SERVICE (LDC Section 34-622(c)(2)), Groups I and II 34-1351
   BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION (LDC Section 34-1441 et seq.)

BUSINESS SERVICES (LDC Section 34-622(c)(5)):Groups I and II
CARETAKER'S RESIDENCE
CLEANING AND MAINTENANCE SERVICES (LDC Section 34-622(c)(7))
COMMUNICATION TOWERS (Permitted only by Special Exception)
    100 feet or less in height (LDC Section 34-1441)
    More than 100 feet in height (LDC Section 34-1441 et seq.)
COMMUNITY RESIDENTIAL HOME
COMPUTER AND DATA PROCESSING SERVICES
CONTRACTORS AND BUILDERS (LDC Section 34-622(c)(9)), All groups (LDC Sections 34-1352, 34-3001 et seq.)
DAY CARE CENTER, CHILD, ADULT
EMERGENCY MEDICAL SERVICE (ambulance station)
EMERGENCY OPERATIONS CENTER
ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)):Group I (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FREIGHT AND CARGO HANDLING ESTABLISHMENTS (LDC Section 34-622(c)(17))
GASOLINE DISPENSING SYSTEM, SPECIAL
LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)): Group I
LAWN AND GARDEN SUPPLY STORES (LDC Section 34-2081)
MANUFACTURING of:
    Apparel products (LDC Section 34-622(c)(1))
    Boats
    Electrical machinery and equipment (LDC Section 34-622(c)(11))
    Fabricated metal products (LDC Section 34-622(c)(14)): Group I
    Food and kindred products (LDC Section 34-622(c)(15)): Group II and III
    Furniture and fixtures (LDC Section 34-622(c)(18))
    Leather products (LDC Section 34-622(c)(25)): Group II
    Lumber and wood products (LDC Section 34-622(c)(26)): Groups II and IV
    Machinery (LDC Section 34-622(c)(27)), Groups I and II
    Measuring, analyzing and controlling instruments (LDC Section 34-622(c)(28))
    Novelties, jewelry, toys and signs (LDC Section 34-622(c)(29)), Groups I, II, and III
    Paper and allied products (LDC Section 34-622(c)(31)) Groups II and III
    Rubber and plastic products (LDC Section 34-622(c)(44)): Group II
MASS TRANSIT DEPOT or MAINTENANCE FACILITY (government facility)
MINI-WAREHOUSE
MOTION PICTURE PRODUCTION STUDIO
NONSTORE RETAILERS (LDC Section 34-622(c)(30)), Groups I, II, and III
PARCEL AND EXPRESS SERVICES
PACKAGE STORE (LDC Section 34-1261 et seq.)
PAINT, GLASS AND WALLPAPER
PARKS (LDC Section 34-622(c)(32)): Groups I or II
PARK TRAILERS
PARKING LOT: Accessory
PERSONAL SERVICES (LDC Section 34-622(c)(33)): Group III
PHOTOFINISHING LABORATORY
PLACE OF WORSHIP (LDC Section 34-2051 et seq.)
POLICE OR SHERIFF'S STATION

POST OFFICE
PRINTING AND PUBLISHING (LDC Section 34-622(c)(36))
PROCESSING AND WAREHOUSING
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39)): Groups II, III, and IV (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.)
REPAIR SHOPS (34-622(c)(40)): Groups I, II, III, and IV
RESEARCH AND DEVELOPMENT LABORATORIES (LDC Section 34-622(c)(41)): Groups II and IV
RESTAURANTS (LDC Section 34-622(c)(43)): Groups I and II
RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises
SCHOOLS: Commercial (LDC Section 34-622(c)(45)) (LDC Section 34-2381)
SELF-SERVICE FUEL PUMP STATION
SIGNS in accordance with chapter 30
SOCIAL SERVICES (LDC Section 34-622(c)(46)): Group II
STORAGE:
- Indoor only, (LDC Section 34-3001 et seq.)
- Storage, open, (LDC Section 34-3001 et seq.)

STUDIOS (LDC Section 34-622(c)(49))
TRANSPORTATION SERVICES (LDC Section 34-622(c)(53)): Group II
WAREHOUSE:
- Mini-warehouse
- Private
- Public
- Cold storage only

WHOLESALE ESTABLISHMENTS (LDC Section 34-622(c)(56)): Groups III and IV

Commercial (Plans A or B)

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC Section 34-934)
ANIMALS: Clinic or kennel (LDC Section 34-1321 et seq.)
ATM (automatic teller machine)
AUTO PARTS STORE - with or without installation facilities
AUTOMOBILE SERVICE STATION
AUTO REPAIR AND SERVICE (LDC Section 34-622(c)(2)), Group I 34-1351
BAIT AND TACKLE SHOP
BANKS AND FINANCIAL ESTABLISHMENTS (LDC Section 34-622(c)(3)): Group I
BOATS: Boat parts store
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION (LDC Section 34-1441 et seq.)
BUSINESS SERVICES (LDC Section 34-622(c)(5)): Groups I and II
CAR WASH
CLEANING AND MAINTENANCE SERVICES (LDC Section 34-622(c)(7))
CLOTHING STORES, general (LDC Section 34-622(c)(8))
CLUBS:
- Commercial
- Fraternal
- Membership organization (LDC Section 34-2111)

Private (LDC Section 34-2111)
CONSUMPTION ON PREMISES (LDC Section 34-1261 et seq.)(in conjunction with a restaurant only)
CONTRACTORS AND BUILDERS (LDC Section 34-622(c)(9)), Group I (LDC Sections 34-1352, 34-3001 et seq.)
CONVENIENCE FOOD AND BEVERAGE STORE
CULTURAL FACILITIES (LDC Section 34-622(c)(10))
DAY CARE CENTER, CHILD, ADULT
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE
DRUGSTORE, PHARMACY
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FACTORY OUTLETS (point of manufacture only)
FOOD STORES (LDC Section 34-622(c)(16)): Groups I and II
FUNERAL HOME AND MORTUARY (with or without a crematory)
HARDWARE STORE
HOBBY, TOY AND GAME SHOPS (LDC Section 34-622(c)(21))
HOTEL/MOTEL (LDC Section 34-1801 et seq.) (Limited to 160 rooms)
HOUSEHOLD AND OFFICE FURNISHINGS (LDC Section 34-622(c)(22)), Groups I and II
LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)): Group I
LAWN AND GARDEN SUPPLY STORES (LDC Section 34-2081)
MEDICAL OFFICE
PACKAGE STORE (LDC Section 34-1261 et seq.)
PAINT, GLASS AND WALLPAPER
PARKING LOT: Accessory
PERSONAL SERVICES (LDC Section 34-622(c)(33)): Groups I, II, III, IV
PET SERVICES
PET SHOP
PHARMACY
PLACE OF WORSHIP (LDC Section 34-2051 et seq.)
PLANT NURSERY (LDC Section 34-2081)
POLICE OR SHERIFF'S STATION
RECREATIONAL FACILITIES: Commercial (LDC Section 34-622(c)(38)), Groups I and IV
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39)): Groups I, II, and III (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.)
REPAIR SHOPS (34-622(c)(40)): Groups I and II
RESTAURANTS (LDC Section 34-622(c)(43)): Groups I, II, and III
SIGNS in accordance with chapter 30
SPECIALTY RETAIL SHOPS (LDC Section 34-622(c)(47)): All Groups
USED MERCHANDISE STORES (LDC Section 34-622(c)(54)): Groups I and II

Residential (Plans A or B)

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC Section 34-934)

DWELLING UNIT:
Single-family
Duplex
Two-family attached
Townhouse
Multiple-family building
Zero lot line
ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
MODELS: Model home (LDC Section 34-1951 et seq.)
Model unit (LDC Section 34-1951 et seq.)
PARKS (LDC Section 34-622(c)(32)): Group I
PARKING LOT: Accessory
REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and 34-3021) (limited to sales of lots, homes or units within the development, except as may be permitted in section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.)
RECREATIONAL FACILITIES:
Personal (subject to Note (1) of LDC Section 34-934)
Private, On-Site (subject to Note (1) of LDC Section 34-934)
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
RESIDENTIAL ACCESSORY USES (LDC Section 34-622(c)(42)) (LDC Section 34-1171 et seq.)
SIGNS in accordance with chapter 30

4. Except as specified by the conditions herein, the approved Property Development Regulations are those found on Page 4 of 7 of the approved Master Concept Plan.

   All residential units still must comply with all local building code requirements at the time of permitting.

5. Prior to local development order approval:

   a. the landscape plans must delineate the required open space as detailed on the Master Concept Plan; and

   b. a minimum of 10% open space must be provided within each tract, lot or parcel; and

   c. a minimum of 40% common open space must be provided within the residential tract which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access.

6. Prior to local development order approval, the property must be resurveyed specifically for gopher tortoises. If any gopher tortoise burrows are located then a management

plan must be submitted for review and approval by the Division of Environmental Sciences staff.

7. No excess excavated material may be removed from the site unless the developer can demonstrate to the Director of Community Development that the material to be removed: 1) is unsuitable material that cannot be used onsite and 2) the material must be excavated to meet the minimum requirements to provide a water management system on the site. The purpose of this condition is to prohibit the voluntary creation of excess fill material for use offsite.

8. No blasting activities are permitted as part of this planned development.

9. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City of Bonita Springs LDC may be required to obtain a local development order.

10. The Division of Natural Resources must review the proposed the storm water management plan for this project. Given the existence of two outfalls for the San Carlos Drainage District, it must be assured that there are no expected negative impacts on the outfalls for that drainage district caused by this project.

11. The access points indicated on the Master Concept Plan are subject to any future operational decision by the City of Bonita Springs to install a traffic light, and create, modify, or remove a median opening. If installation of a traffic signal is deemed to be appropriate by the City at either of these locations, a proportionate share of the full cost of the traffic signal improvement will be the responsibility of the developer.

12. If the Level of Service for Old US 41 exceeds the requirements of **Transportation Element, Policy 1.1.3**, no additional development approvals can be obtained until the LOS of Old US 41 is in compliance with this Policy.

DEVIATIONS

Deviation 1 requests relief from LDC Section 10-296, Table 4(7)(c) which requires that the wearing surface for roads be one inch asphaltic concrete of FDOT Type S-III; to concrete interlocking pavers. This deviation is recommended to be **APPROVED provided the alternative cross-section is structurally equivalent to the flexible pavement cross-section specified by the LDC, and the alternative pavement cross-section is not within any public right-of-way.**

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning to MPD by demonstrating compliance with the Comprehensive Plan.

2. The requested MPD zoning is compatible with existing or planned uses in the surrounding area

3. As conditioned, approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities. The site will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Comp Plan, are available and adequate to serve the proposed land use.

5. As conditioned the concept plan and other applicable regulations provides sufficient safeguards to the public interest.

III. BACKGROUND AND ANALYSIS:

Introduction/Synopsis

This requests seeks approval of a rezoning to Mixed Use Planned Development (MPD) to allow for the development of a mixed use commercial and residential development. The applicant provides two separate development plans: Plan A seeks a maximum of 50,000 square feet in the commercial tract, 195,000 square feet in the business park site, and 382 dwelling units in the residential tract AND Plan "B" asks for a maximum of 50,000 square feet in the commercial tract and 476 dwelling units in the residential tract.

Master Concept Plan

The proposed Master Concept Plan has two separate and distinct designs.

Master Concept Plan "A" provides for a mixed use development with a maximum of 396 dwelling units, 195,000 square feet of use within the proposed business park (commercial, office, and light industrial uses), and 50,000 square feet of commercial use. The site design has three development areas. The southernmost is the planned residential portion of the project. This area adjoins The Villages of Bonita project to the south. North of this residential area is the commercial and business park uses. Commercial retail use is planned along Old US 41 with the business park located to the east of this commercial area and immediately adjoining San Carlos Estates.

Master Concept Plan "B" eliminates the business park use and provides for only 490 residential dwelling units and 50,000 square feet of commercial use. The commercial area remains in the same location and the proposed residential development takes up the rest of the land proposed for development.

A consistent development pattern is established within this project limiting impacts on surrounding development with limited building height and number of stories AND the provision of buffers along the common property lines between this project and the existing San Carlos Estates and Villages of Bonita developments.

Comprehensive Plan

The City of Bonita Springs Comprehensive Plan designates the subject property as Medium Density Multi-Family Residential (Policy 1.1.8) and General Commercial (Policy 1.1.14) on the Future Land Use Map.

Policy 1.1.8 - Medium Density Multi-Family Residential *- Intended to accommodate multi-family, modular and manufactured housing, and existing mobile home and recreational vehicle parks up to a maximum density of 10 units per gross acre; group homes and foster care facilities, public schools and other public, semi-public and recreational uses on a limited basis. This land use category is applied primarily to existing properties developed with multi-family or mobile home/recreational vehicle parks located within the Coastal High Hazard Area, or lands formerly afforded a land use designation of Urban Community in the Lee Plan, or properties adjacent to existing or planned major roadways.*

a. *Appropriate residential housing types include conventional and modular constructed single-family and duplex structures, on permanent foundations, cluster housing, zero lot line, townhouses, multi-family structures, and mobile homes or recreational vehicles in existing mobile home or recreational vehicle parks.*

b. *Residential density shall be limited to not more than six units dwelling units per acre. If affordable housing is provided, residential density may be increased by up to four additional dwelling units per acre. This density range is consistent with the density previously afforded under the Urban Community land use designation in the Lee Plan.*

c. *Commercial uses may be appropriate provided they are primarily intended to serve the residents of a mixed use project and are sensitive to nearby residential uses.*

d. *Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves, except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.*

Policy 1.1.14 - General Commercial *- Intended to accommodate a wide range of commercial uses serving the general population of the City. This designation recognizes, but is not specifically limited to, properties that have been developed, have received development approval or have been zoned for commercial use prior to the adoption of the Comprehensive Plan.*

a. *Appropriate uses include a wide range of commercial retail and service uses for residents and visitors; hotels/motels; offices; light industrial uses; schools; recreation;*

public and semi-public uses; multi-family uses up to 10 units per acre; and mixed residential and commercial use in planned developments.

b. If affordable housing is provided, residential density may be increased by up to five additional units per acre.

c. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.

d. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

The proposed uses in this planned development are consistent with the proposed uses in these Comprehensive Plan land use categories. The residential portion of this project on Map "A" is 396 dwelling units on 63.69 acres (6.22 dwelling units per acre) and on Map "B" there are 490 dwelling units on 79.34 acres (6.18 dwelling units per acre). Both densities ~~exceed the density of development in Policy 1.1.8, inconsistent~~ consistent with this Policy. Staff supports the granting of this request provided that the allowed densities do not exceed the permitted densities of the Comprehensive Plan. This limitation is provided for in the recommended zoning actions (Condition 2).

Policy 1.1.2 - Density, Affordable Housing Density Bonus, and Wetlands Transfer of Density

a. While each individual land use category may include a maximum allowable density for residential uses, the actual allowable density for any given property will be stated in the Land Development Code based on, but not necessarily limited to, consideration of the following factors:

1. Compatibility with surrounding existing land uses and future land use patterns;
2. Vehicular access and existing and planned roadway patterns;
3. Availability of public services and facilities; and,
4. Environmental considerations

Staff finds that the mixed use development sought in this application does result in increased densities and intensities next to low density single family residential use. Both Master Concept Plans have been revised to reduce the potential impacts on the adjoining developments by limiting development and intensity and the location of the uses, coupled with the provision of buffers. Staff recognizes that the allowed density to the east is significantly lower than the density sought in this application. But the Comprehensive Plan does permit at least up to 10 units per acre. Staff supports the lower intensity of development along the eastern property line of this project, which is provided for on the proposed Master Concept Plan. This lower intensity is the result of the slightly increased setbacks for multiple family buildings and the height limitation of 2 stories for residential units. These commitments help limit land use and intensity and reduces the impacts on adjacent properties.

Policy 1.1.22 *- In order to minimize incompatibility when commercial, industrial or more intensive land uses share a common boundary with residential land uses, lower intensity uses shall be located adjacent to residential uses and the Land Development Code shall include provisions for buffering in the form of fences, walls, vegetation or spatial buffers to minimize the impacts upon the residential use.*

The revised Master Concept Plan provides for a limitation on the use of the lands adjoining the existing residential developments. The limitation on building height, setback, and provision of buffering addresses the concern of incompatibility and thus is consistent with the Comprehensive Plan.

Policy 1.1.3. (Transportation Element) provides the minimum acceptable level of service for roads. Currently the Comp Plan provides that the maximum permitted level of service on an arterial road is E. Staff analysis of Old US 41 will, by the time of build-out of this project in 2007, be at Level of Service F.

The best method to address this issue is to condition the zoning to prohibit the issuance of development permits within this project if the roads serving this project should fail and not be consistent with this Policy of the Comprehensive Plan. This has been offered in Condition 12. Approval of this rezoning with this Condition is in staff's opinion consistent with the Comprehensive Plan.

Policy 1.1.1 (Housing Element) provides lands within the City are to be designated with a range of densities suitable for all housing types.

Approval of this development, if approved as conditioned, would allow for a variety of housing types meeting this Policy of the Comp Plan, while providing for a density and intensity of development consistent and compatible with the surrounding land uses.

Neighborhood Compatibility

The Villages of Bonita to the south has approved 343 dwelling units on 77.07 acres (density of 4.45 units per acre). The proposed density of this project of not more than 6 dwelling units per acre is consistent with the approved density of this project.

The only other residential use adjoining is to the east in the San Carlos Estates area. This area consists of single family residential homes and vacant tracts. Development in this area is not to exceed more than 1 dwelling unit per 1.3 acres of land. The revised Master Concept Plan has limited intensity along the perimeter of the project, limited building heights, and would establish a buffer that adequately protects the adjoining developments.

Environmental Issues

The complete environmental report is found as Attachment Staff finds the site contains about 62.85 acres of indigenous plant communities. The project proposes open space that meets the requirements of Land Development Code (LDC) Section 10-415. LDC Section 34-

935(g)(1)(a) requires 40% common open space which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access. Additionally, the overall open space for the project may be distributed throughout the project provided each tract, lot or parcel provide a minimum of 10% open space per LDC Section 34-414(c). A Condition has been offered that accomplishes this requirement.

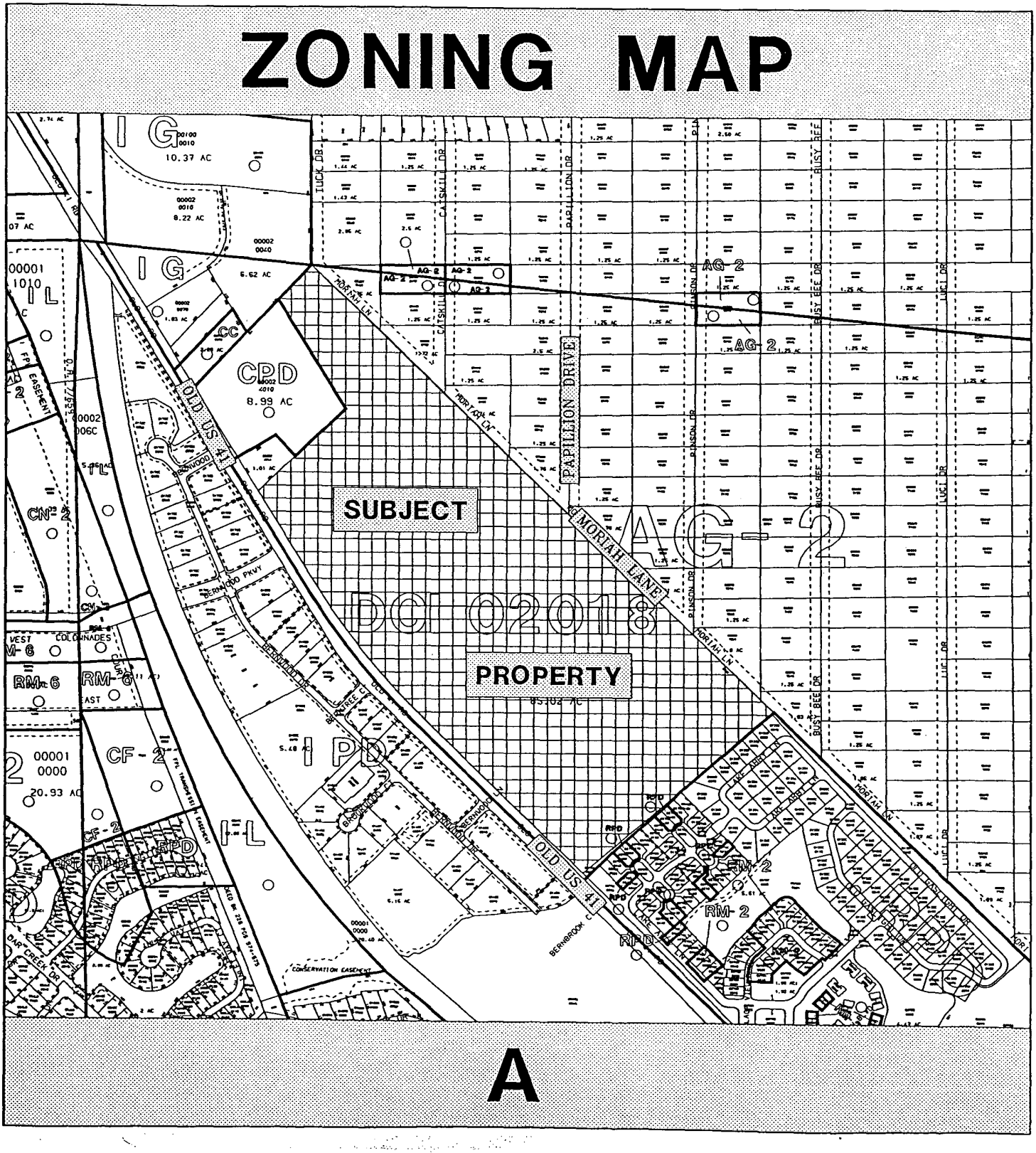
Staff finds that no listed species were observed on the site. There is the possibility gopher tortoises may colonize portions of the property, since potential tortoise burrows were found on the spoil piles adjacent to a ditch. To insure protection of any tortoises or commensal species, a condition has been offered for the site to be resurveyed.

IV. **ATTACHMENTS**:

A. Map of surrounding zoning
B. Applicant's supporting documentation
C. Comments from Environmental Sciences
D. Comments from Development Services
E. Comments from Lee County DOT

cc: Applicant
City Attorney
Zoning File

ZONING MAP


SUBJECT
PROPERTY
DCI02018
AG-2
PAPILLION DRIVE
MORIAH LANE
MORIAH LN
OLD US 41
BERNADOTTE PKWY
BERNBROOK DR
BERNBROOK CT
BERNWOOD DR
BERNWOOD PKWY
BERNWOOD TR
BERNWOOD CT
BERNWOOD CIR
BERNWOOD PL
BERNWOOD TER
BERNWOOD WAY
BERNWOOD LN
BERNWOOD CV
BERNWOOD DRIVE
BERNWOOD PARKWAY
BERNWOOD TRACE
BERNWOOD COURT
BERNWOOD CIRCLE
BERNWOOD PLACE
BERNWOOD TERRACE
BERNWOOD WAY
BERNWOOD LANE
BERNWOOD COVE
BERNWOOD TRAIL

VILLAGES OF BONITA NORTH MPD

CITY OF BONITA SPRINGS COMPREHENSIVE PLAN CONSISTENCY
EXHIBIT II-E-2

The proposed MPD rezoning known as The Villages of Bonita North MPD is consistent with Section 34-145(C)(2)a of the City of Bonita Springs Land Development Code. The zoning change is appropriate given the project's location and proposed mix of land uses. The project is located with lands designated Urban on the City of Bonita Springs. Lands immediately surrounding the subject property are similarly designated on the future land use map and are developing with a variety of urban development including light industrial and mixed residential development at six dwelling units per acre, which is substantially complete. These conditions make the rezoning for the MPD appropriate.

The proposed rezoning is consistent and compatible with surrounding development due to the limitation of proposed uses, proposed buffering and location of access points.

The proposed rezoning has no negative impacts to environmentally sensitive lands. SFWMD jurisdictional wetland determinations have been demonstrated on the master concept plan, and the areas shown as preserves, exceed the indigenous vegetation requirements set forth in section 10 of the Land Development Code.

Infrastructure is immediately available to serve the proposed development and is existing to service surrounding development.

A single deviation from the Land Development Code requirements has been requested and its justification has been included in the application, as required, and its location is shown on the MCP.

Based on the above-described consistency and compatibility of the project with the required findings and considerations for a rezoning, the project is entitled to the proposed MPD. Consistency with specific provisions of the City of Bonita Springs Growth Management Plan is outlined below.

The Villages of Bonita North MPD is located in the Urban Community Land Use designation of the City of Bonita Springs Comprehensive Plan. The project has direct access to Old U.S. 41 Road, which is a Lee County arterial roadway. The Villages of Bonita North MPD is proposed as a Mixed-Use Planned Development, consisting of light industrial (business park), commercial and residential land uses. The Urban Community designation permits densities ranging from 6 dwelling unit/acre to 10 dwelling unit/acre. The proposed residential density is 6 du/acre and is consistent with the permitted density range. The City of Bonita Springs Comprehensive Plan and Land Development Code promote development of mixed-use projects specifically those that include residential, commercial and light industry uses. Objective 4.1 of the City of Bonita Springs Comprehensive Plan promotes creation of mixed-use developments to help reduce impacts on collector of arterial roads. The proposed MPD is consistent with this Plan objective.

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ATTACHMENT B

The residential component of the mixed-use project is consistent with Objectives 2.1 and 2.2 of the City of Bonita Springs Comprehensive Plan. These objectives promote development in locations where they result in contiguous and compact growth patterns, and where infrastructure is available to serve the development. The proposed Villages of Bonita North MPD is contiguous to both existing industrial and residential development. Utilities and roadway infrastructure are in place to serve the proposed development.

The proposed project is also consistent with Objective 5.1 and 5.1.11. The proposed project is being reviewed as a planned development and the site design has addressed buffering, compatibility and protection of environmentally sensitive areas. Further, development standards have been listed on the Master Concept Plan, which are consistent and compatible with existing and future development.

The commercial portion of the MPD is approximately 5.5± acres and is located at the outside of the T-intersection created via the extension of Bernwood Parkway (a.k.a. Signal Road). Policy 6.1.2(11) permits commercial development outside of a T-intersection, where at least one access point is an extension of the intersecting road. Bernwood Parkway is being extended into the Villages of Bonita North MPD; therefore, the commercial is consistent with Policy 6.1.2 of the City of Bonita Springs Comprehensive Plan.

The proposed business park (light industrial) component of the MPD is consistent with the City of Bonita Springs Comprehensive Plan. Policy 7.1.6 of the plan provides that light industrial development may occur in the Urban Community where it is proposed as a planned development. The proposed Villages of Bonita North MPD contains specific land development regulations schedule of uses and a Master Concept Plan, which have been developed to assure compatibility with existing and proposed development, which is consistent with Policy 7.1.8 of the City of Bonita Springs Comprehensive Plan.

TRAFFIC IMPACT STATEMENT

FOR

ZONING SUBMITTAL

VILLAGES OF BONITA NORTH

In The:

CITY OF BONITA SPRINGS

(Project No. 020105)

Prepared by:
METRO TRANSPORTATION GROUP, INC.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
(941) 278-3090

March 27, 2002

RECEIVED
MAR 13 2002
ZONING COUNTER

DCI 2002-00018

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1. PURPOSE OF REPORT

2. SCOPE OF PROJECT

3. TRIP GENERATION

4. TRIP DISTRIBUTION AND AREA OF INFLUENCE

5. FUTURE TRAFFIC CONDITIONS

6. LEVEL OF SERVICE DETERMINATIONS

7. CONCLUSIONS

8. APPENDIX

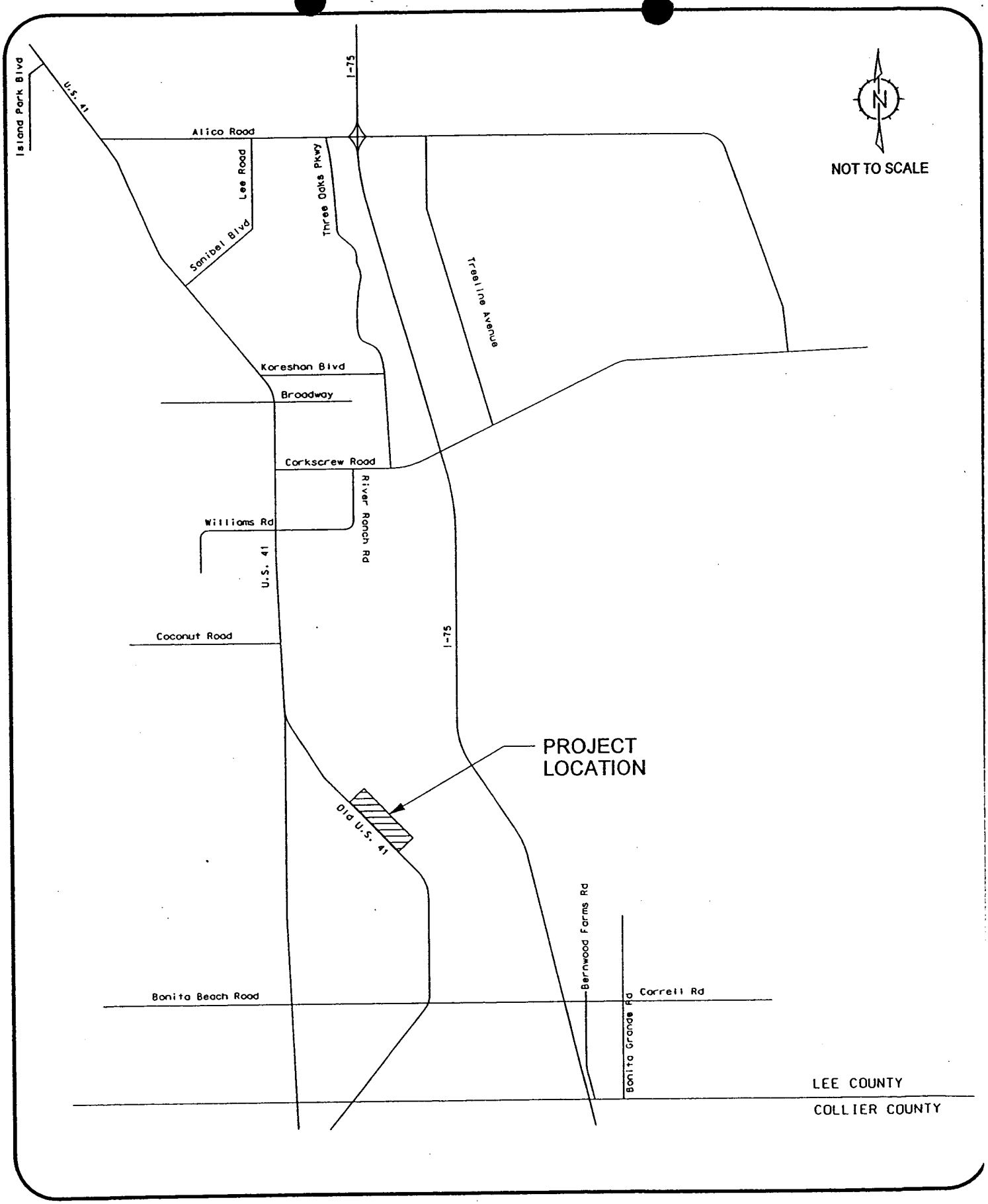
1. PURPOSE OF REPORT

The following report has been prepared in order to fulfill the criteria set forth by the Lee County Department of Community Development for projects seeking approval for zoning. This report has been completed in accordance to the requirements outlined in the Lee County Traffic Impact Statement Guidelines. More specifically, this report investigates the anticipated traffic characteristics of the proposed development in order to establish adverse roadway impacts, if any, associated with the development of approximately 85 acres of property along Old 41 in the City of Bonita Springs.

2. SCOPE OF PROJECT

The subject site is currently vacant. To the south of the subject site is the existing Villages of Bonita residential planned development, to the west the site is bordered by Old 41 and beyond Old 41 is the Bernwood Business Park, to the north is commercial uses and the to east is the San Carlos Estates residential area. This application has two Master Concept Plans. This report will address the impacts to the area roadway system based on the "worst case" analysis in terms of trip generation of the proposed two Master Concept Plans. Master Concept Plan "A" includes multi-family residential units along with a commercial component and a light industrial component. Master Concept Plan "B" includes only multi-family units and commercial retail uses. The site location is shown on **Figure 1**.

Old 41 in front of the subject site is a two lane arterial roadway that extends south from U.S. 41 in Lee County and back to U.S. 41 in Collier County. South of the subject site, Old 41 widens to a four lane divided cross section from Rosemary to the Terry Street intersection. South of Terry Street, Old 41 narrows to a two lane road with a center median for turn lanes. Old 41, from Terry Street to Bonita Beach Road has been designated by the Lee County Board of County Commissioners as a constrained facility. The constrained designation allows for a maximum volume to capacity (v/c) ratio of 1.85 before permits are withheld. Based on the 2001Concurrency Management Report produced by Lee County, Old 41 operates at a maximum v/c ratio of 0.98, which is well below the maximum permitted of 1.85 and even below the theoretical capacity of 1.0.



SITE LOCATION

FIGURE: 1

3. TRIP GENERATION

As previously discussed, there are two Master Concept Plans for the subject parcel. One plan has a mix of multi-family residential, commercial and light industrial and the second lacks the light industrial use. **Table 1** describes the uses that are part of each Master Concept Plan, each prepared by Q. Grady Minor & Associates.

Table 1
Land Uses
Villages of Bonita North

Land Use	Size
MASTER CONCEPT PLAN "A"	
Multi-Family	394 Units
Commercial	50,000 s.f.
Light Industrial	195,000 s.f.
MASTER CONCEPT PLAN "B"	
Multi Family	494 Units
Commercial	50,000 s.f.

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 6th Edition. Land Use Code 230 was used for the multi-family, Land Use Code 820 for the commercial and Land Use Code 110 for the light industrial. The equations for each land use are contained in the Appendix of this report for reference. **Table 2** indicates the number of trips anticipated to be generated by each of the proposed Master Concept Plans.

Table 2
Trip Generation
Villages of Bonita North

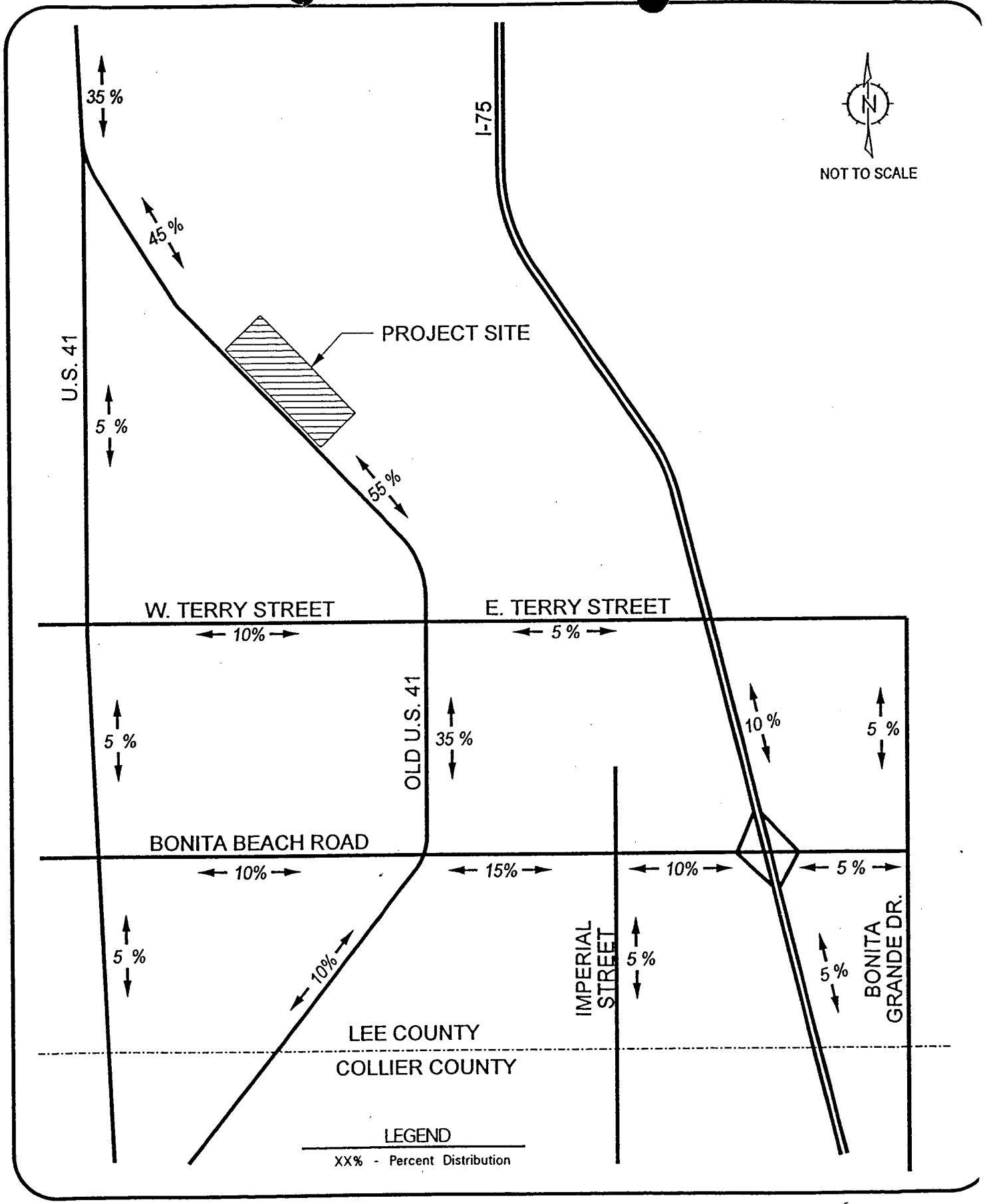
Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Master Concept Plan "A"							
Multi-Family (394 Units)	25	125	150	125	65	190	2,090
Commercial (50,000 s.f.)	65	40	105	190	210	400	4,365
Light Industrial (195,000 s.f.)	125	15	140	15	100	115	1,355
Less Pass-by Traffic from Commercial	-20	-15	-35	-60	-65	-125	-1,310
Total	195	165	360	270	310	580	6,500
Master Concept Plan "B"							
Multi-Family (494 Units)	30	150	180	155	75	230	2,530
Commercial (50,000 s.f.)	65	40	105	190	210	400	4,365
Less Pass-by Traffic from Commercial	-20	-15	-35	-60	-65	-125	-1,310
Total	75	175	250	285	220	505	5,585

As can be seen from Table 2, Master Concept Plan "A" will generate more traffic than Master Concept Plan "B", therefore, the trip generation for Master Concept Plan "A" will be utilized in the remainder of this report.

Based on the anticipated trip generation for the "worst case" shown in Table 2, the development will be classified and analyzed based on the guidelines established for a development generating "more than 300 trip ends" during the peak hour by the Lee County Traffic Impact Statement Guidelines.

4. TRIP DISTRIBUTION AND AREA OF INFLUENCE

Trips generated by the proposed development were assigned to the surrounding infrastructure based on the existing and planned traffic patterns for this area of Lee County. Population, attractions and proximity to area attractions were considered in the distribution assignment. **Figure 2** provides a detail of the project traffic distributions.



PROJECT TRAFFIC DISTRIBUTION

FIGURE: 2

In order to determine which links and intersections were significantly impacted, the peak hour project traffic was compared to the 10% LOS "C" peak hour, peak direction traffic volumes for all links receiving a substantial amount of project traffic. **Table 1A** in the Appendix provides a detail of the resultant impact percentages.

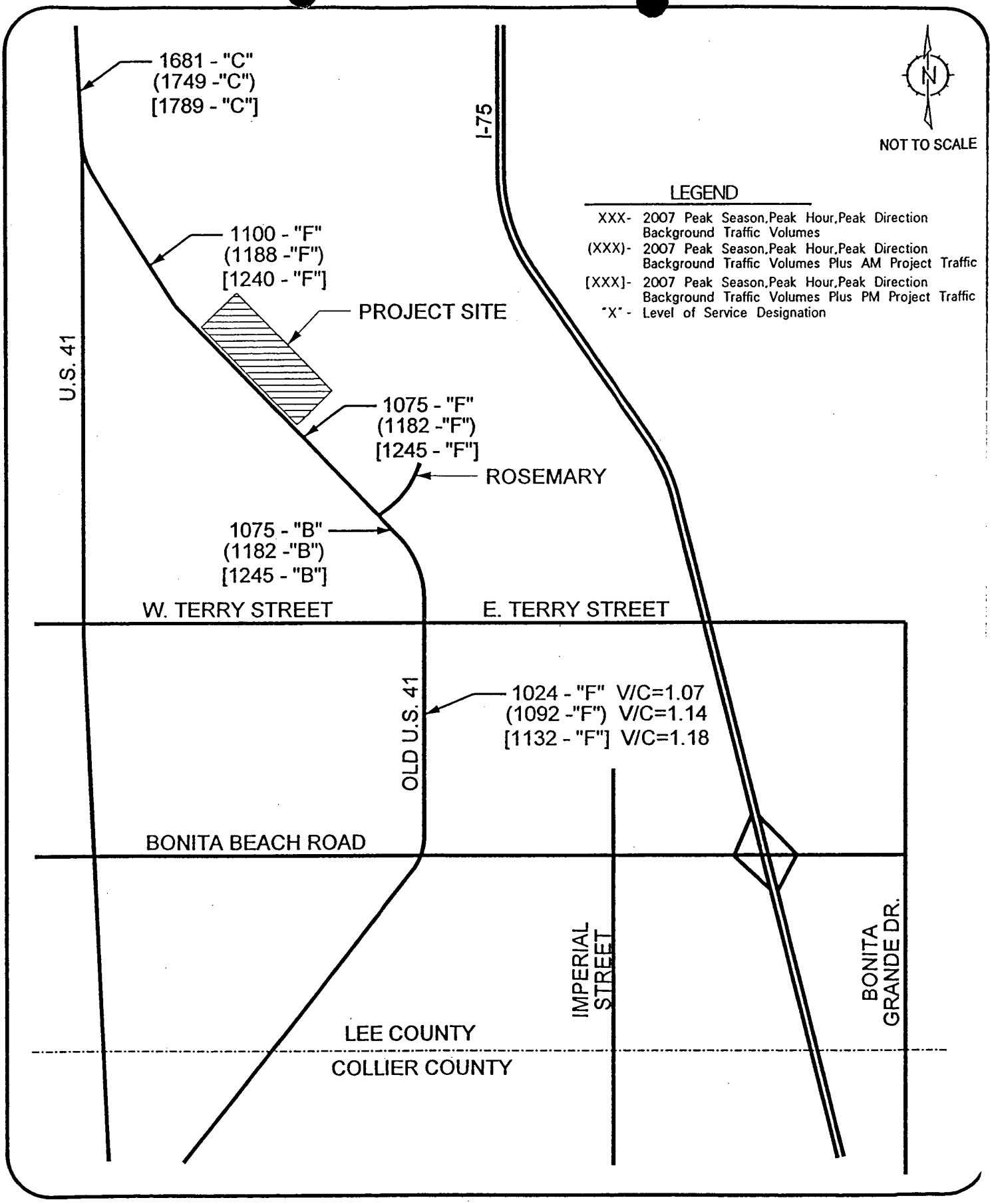
The following links will be significantly impacted based on the 10% impact to LOS "C" threshold volumes:

LINKS	
Old 41	(Bonita Beach Road to U.S. 41)
U.S. 41	(North of Old 41)

5. FUTURE TRAFFIC CONDITIONS

The project is anticipated to be completed by the year 2007. In order to calculate the future background traffic volumes for the year of 2007, an annual growth rate was determined for all links and intersections under study. The compound growth factors used were derived from the information contained in the 2001 Lee County Traffic Count Report. **Table 2A** in the Appendix details the methodology utilized to determine the compound growth rates utilized for each roadway segment.

The project traffic for the AM and PM peak hours were distributed to the surrounding roadway network based on the directions of approach and distributions as previously discussed. **Figure 3** illustrates the future traffic volumes that were determined by combining the background traffic and the project traffic for the year after build-out (see **Table 2A**). The future 2007 peak hour traffic volumes without development traffic and the corresponding levels of service are shown in **Figure 3**



MRO

2007 PROJECTED TRAFFIC CONDITIONS
(ON SIGNIFICANTLY IMPACTED ROAD SEGMENTS)

FIGURE: 3

6. LEVEL OF SERVICE DETERMINATIONS

Figures 3 details the Levels of Service for all links inside the project's area of influence based on the zoning analysis. These Level of Service volumes were derived based on the Lee County Generalized Service Volume tables and are for peak season, peak hour peak direction traffic conditions. Table 2A in the Appendix details the calculated volumes used to determine the Level of Service on the analyzed links. In comparing the links' functional classification and calculated 2007 traffic volumes to the Service Volume Tables, it was determined that all roadways inside the project's area of influence would not be adversely impacted by the proposed development. Adversely impacted is defined as degrading the Level of Service beyond those conditions that would exist if the development traffic were not added to that particular link.

It should be noted that based on the existing 2-lane configuration, Old 41 is projected to operate at LOS "F" in the year 2007 both with and without this project. The Level of Service in this analysis is based on the Generalized Level of Service Tables as provided by Lee County Department of Transportation. Based on the Generalized Level of Service, the Level of Service threshold for Old 41 between Rosemary and U.S. 41 is 960 vehicles in the peak hour, peak direction. The current Concurrency Report, which is updated annually, is what ultimately will determine if a concurrency certificate can be issued for the subject development. The Concurrency Report Level of Service is based on a Route Specific Level of Service threshold. Currently, for Old 41 between Rosemary and U.S. 41, the Level of Service threshold is 1,250 vehicles in the peak hour, peak direction. These route specific thresholds are in the process of being updated by Lee County DOT but it is not anticipated that the current capacity of 1,250 vehicles will change substantially. Therefore, at the time Concurrency is measured for this development, it appears based on Table 2A, that the capacity of Old 41 between Rosemary and U.S. 41 will not be exceeded.

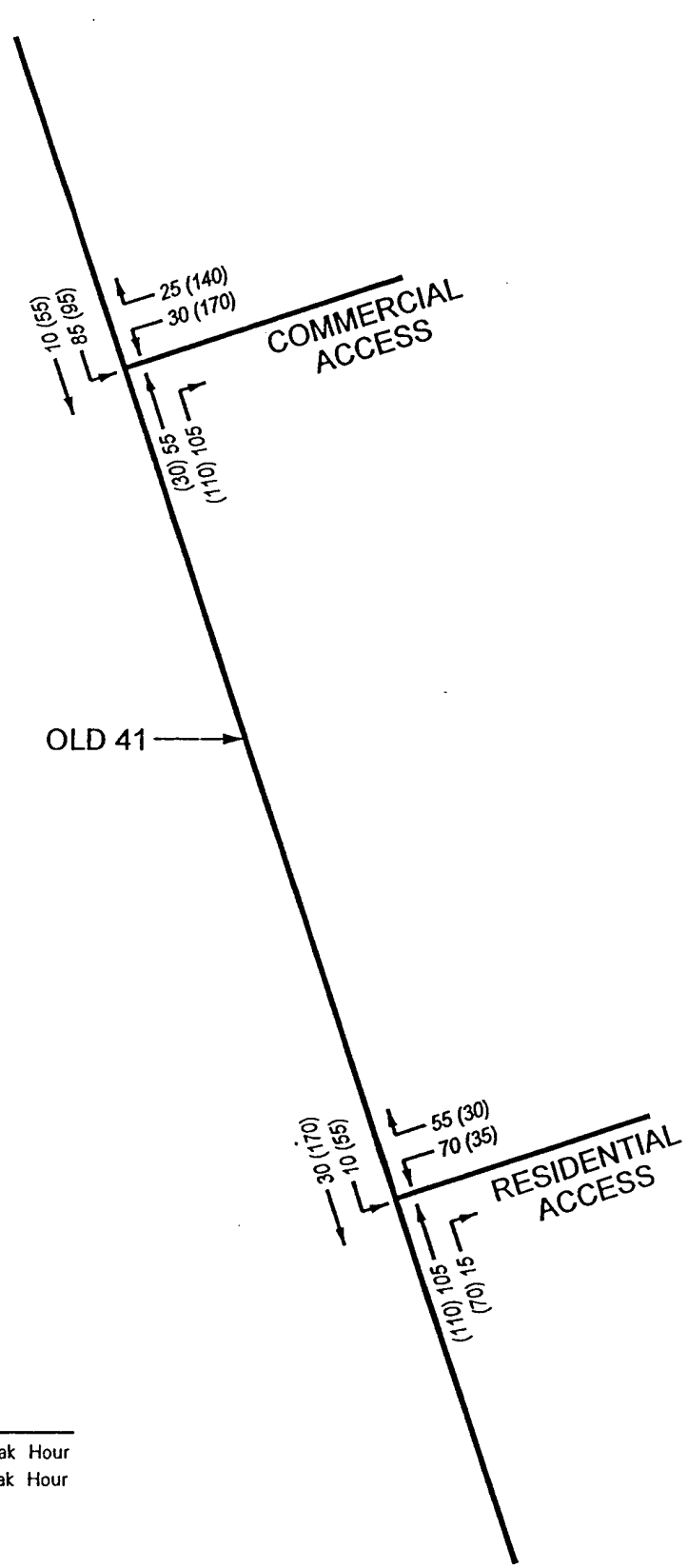
The section of Old 41 south of Terry Street is designated as a constrained facility by the Board of County Commissioners. Based on the analysis, this section is projected to operate at a volume to capacity ratio of 1.18 in the year 2007, which is far below the maximum permitted of 1.85. In addition, the construction of Three Oaks Parkway to the east is anticipated to provide additional relief to the existing north/south routes within the City of Bonita Springs, such as Old 41, U.S. 41 and I-75.

Access to the site is proposed via two intersections along Old 41. The access drives will align with previously constructed access drives serving the Bernwood Business Park on the west side of U.S. 41 and both will permit full turning movements (i.e. left-in/left-out/right-in/right-out). Based on Master Concept Plan "A", the light industrial and commercial development will be located to the north on the site plan, served by the northern site access drive and the residential uses will be located on the south end of the property served by the southern site access drive. An assignment of the development traffic to the two site access drives was completed and is shown on **Figure 4.**

Capacity analyses were completed for the two site access drive intersections with Old 41. Traffic was assumed for the movements into and out of the Bernwood Business Park. It was assumed that these two intersections will remain unsignalized with a two lane Old 41. Based on the capacity analyses, there will be no deficiencies in capacity at these two intersections with the proper turn lanes that will be required at Development Order stage.

In addition, a capacity analysis was completed for the intersection of Old 41 and East/West Terry Street for the weekday P.M. peak hour at build-out. Traffic counts conducted by the Lee County Department of Transportation in 2001 were increased by a growth factor to determine the 2007 background traffic volumes. The results of the capacity analysis for this intersection is included in the Appendix for reference.

Analysis was not completed for the intersection of U.S. 41 and Old 41 to the north due to the fact that this development will not add more than 10% of the current volume traveling through that intersection. Based on the traffic assignment, the proposed development will add approximately 260 total vehicles to this intersection during the peak hour. Based on historical traffic count data at the U.S. 41/Old 41 intersection in Lee County, there was approximately 2,600 vehicles traveling through the intersection during the peak hour in 1997. Based on historical growth patterns presented in the Lee County Traffic Count Report, that volume can be expected to be well in excess of 3,650 vehicles. Therefore, the intersection of U.S. 41 and Old 41 does not require analysis as part of this zoning request.



SITE TRAFFIC ASSIGNMENT
(VILLAGES OF BONITA NORTH MCP PLAN "A")

FIGURE: 4

An additional improvement that was not accounted for in this analysis is the extension of a public road between Old 41 and U.S. 41 in the vicinity of this development. As currently proposed, a public roadway will be extended from Old 41 in the proximity of Bernwood Parkway, which is immediately west of the subject site, to U.S. 41, thus allowing development traffic from the subject site and other nearby developments to access U.S. 41 in a more direct route rather than travel north or south on Old 41. This will indeed have an impact on the Level of Service along Old 41 and will be further defined at the Development Order stage when Concurrency Certificates are issued.

7. CONCLUSION

This report analyzed the impact the development of the worst case land use plan for the Villages of Bonita North. Based on this analysis, Old 41 north of Rosemary Drive will operate at LOS "F" based on the Generalized Level of Service volume thresholds. Based on a preliminary Concurrency analysis, the roadway will operate at LOS "E" at the time of build-out. Concurrency is measured at the time of local Development Order and the Developer will be required to meet all applicable standards with regards to transportation concurrency at that time. The section of Old 41 south of Terry Street will continue to operate at LOS "F" but be well below the maximum permitted volume to capacity ratio as provided in the Lee Plan.

Turn lane improvements will be required at the site access drives on Old 41 and will be determine more definitely at Development Order stage. Other roadway improvements that were not accounted for in this analysis will impact the overall Level of Service on Old 41 adjacent to this site and potentially alter the distribution of development traffic and how it impacts Old 41. Capacity analyses at the two site access drive intersections indicate that any significant delay will be contained to the side street approaches and will not impact the capacity of Old 41 traffic traveling northbound and southbound.

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METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 941-278-3090
FAX 941-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

June 25, 2002

2002-00018
RECEIVED
NOV 12 2002
COMMUNITY DEVELOPMENT

Mr. Wayne Arnold
Q. Grady Minor & Associates
380 Via Del Rey
Bonita Springs, Florida 34134

RE: The Villages of Bonita North
DCI2002-00018

Dear Mr. Arnold:

Metro Transportation Group Inc. (Metro) has reviewed the sufficiency comments issued by the Lee County Department of Community Development and the Department of Transportation regarding the above referenced case. The comments regarding transportation, and our response, is indicated below. The first comments are from the Department of Community Development.

Based on the 2001 Traffic Count Report data the compound growth rate on Bonita Grande Drive north of Bonita Beach Road is 36.28%. The TIS shows 7%. This would make the 2007 peak hour, peak season, peak direction background traffic significantly higher than shown.

Based on the above comment regarding compound growth rate, the level of service on Bonita Grande Drive would be F.

The TIS shows a projected level of service F on Bonita Beach Road west of I-75, on Bonita Grande Drive north of Bonita Beach Road, on Imperial Street south of Bonita Beach Road, on Old 41 north of Bonita Beach Road, on Old 41 from Rosemary to U.S. 41 and on U.S. 41 from Bonita Beach Road to West Terry Street.

The only roadways that are significantly impacted by the proposed project include those highlighted on Table 2A included in the report. Bonita Grande Drive, Imperial Street, and U.S. 41 are not significantly impacted by the proposed development. The City of Bonita Springs is anticipated to have an adopted CIP by the time this project reaches Development Order stage for the widening of Old 41 from Rosemary to U.S. 41 to a 4-lane divided roadway. Thus, the capacity of this roadway would increase to 2,030 peak hour, peak direction vehicles based on the Generalized Level of Service Tables. The

traffic study indicates that the peak hour, peak direction volume on Old 41 once the project is complete would be approximately 1,245 vehicles, significantly less than the available capacity. This will be further addressed at the Development Order stage of the process when concurrency is measured on the adjacent roadways.

Comments from the Department of Transportation include:

> *1) The Master Concept Plan Options "A" and "B" were not included in the submittal package to LDOT.*

Q. Grady Minor to submit Master Concept Plan.

> *2) The 1997 traffic counts at the intersection of U.S. 41/Old 41 are out of date. Unless approved in a methodology meeting, traffic counts should be from within the last 12 months.*

It is agreed that new traffic count data should be used when available. However, the old traffic count was simply used to determine if this intersection should be analyzed under the requirements set forth for traffic impact studies for zoning applications, as approved by the Department of Community Development. The old traffic count was increased by a growth factor based on historical and recent traffic count data near the intersection. Based on the development traffic anticipated to travel through this intersection, the TIS guidelines indicate that the intersection approach volume would need to be less than approximately 2,900 vehicles per hour (project traffic being 10% of the total traffic). Based on the old traffic count data, there were approximately 2,563 vehicles traveling through this intersection in 1997. Based on historical growth trends in the north Bonita Springs area, it is very likely that traffic increased by more than 337 vehicles over a five year period to present day, and would continue to increase to the year 2007, when this project is anticipated to be completed. Therefore, the historical traffic count was only used to present the fact that the development would not add more than 10% to the total intersection volume and thus is not required to be analyzed as part of this zoning analysis.

> *3) What is the basis for the turning movement volumes at the project intersections?*

The turning movement volumes were estimated based on the trip generation of the project, the anticipated distribution shown on Figure 2, and the Master Concept Plan. The Master Concept Plan identifies the northern site access to serve the commercial uses and the southern site access drive to serve the residential uses, as identified on Page 10 of the report.

4) The study does not address the influence of the proposed Signal Road and Three Oaks Parkway extensions.

The study, on Page 9 and 10, does in fact discuss the potential impacts of these two improvements. However, more detailed analysis will be completed at the Development Order stage. It is not anticipated the Three Oaks Parkway extension will have a significant impact on the distribution of development traffic. The Signal Road connection to U.S. 41 will lessen the project's impact on Old 41 between U.S. 41 and the Signal Road connection to the north.

5) The 0.6 percent annual increase of background traffic on Old 41 may not account for added traffic from Bernwood Business Park on Old 41 and other approved development in the area.

The only source of historical traffic growth trends available is the 2001 Lee County Traffic Count report. During the Development Order stage, when Concurrency is identified, other projects which have received D.O. approval will be included in the analysis but are not required at the zoning level of analysis.

6) The Generalized Service Volumes should be the basis for the roadway Level of Service determination.

The Generalized Level of Service Volumes, dated 7/18/00, were utilized as the basis of the Level of Service Analysis and are attached to this letter for reference.

7) What improvements are recommended for Old 41 and both access points onto Old 41 to address the service levels below adopted minimums?

As previously discussed, the City of Bonita Springs is anticipated to have an adopted CIP by the time this project reaches Development Order stage for the widening of Old 41 from Rosemary to U.S. 41 to a 4-lane divided roadway, thus increasing the capacity of the roadway. Improvements at the site access drive intersections are typically identified at local D.O. stage. Left and right turn lanes will most likely be warranted.

If you have any additional questions, please do not hesitate to contact me.

RECEIVED
NOV 12 2002
COMMUNITY DEVELOPMENT

Sincerely,

Ted B. Treesh
Principal/Regional Manager

2002-00018

7/18/00

LEE COUNTY
GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES

URBANIZED AREAS

ARTERIALS

GROUP I (>0.00 TO 1.99 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B	C	D**	E**
2 UNDIV.	--	650	900	960	960
4 DIV.	--	1,410	1,920	2,030	2,030
6 DIV.	--	2,150	2,900	3,040	3,040
8 DIV.	--	2,730	3,560	3,720	3,720

GROUP II (2.00 TO 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	640	880	940
4 DIV.	--	--	1,460	1,890	2,000
6 DIV.	--	--	2,270	2,840	3,000
8 DIV.	--	--	2,850	3,490	3,690

GROUP III (MORE THAN 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C*	D	E
2 UNDIV.	--	--	290	750	910
4 DIV.	--	--	680	1,700	1,930
6 DIV.	--	--	1,060	2,570	2,910
8 DIV.	--	--	1,340	3,180	3,570

FREEWAYS (GROUP 2)

LANES	A	B	C	D	E
4	1,090	1,710	2,570	3,270	3,900
6	1,680	2,630	3,950	5,030	5,990
8	2,290	3,590	5,390	6,860	8,170

COLLECTORS

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	500	800	870
2 DIV.	--	--	520	840	910
4 UNDIV.	--	--	1,080	1,640	1,750
4 DIV.	--	--	1,140	1,720	1,840

CONTROLLED ACCESS FACILITIES ***

LANES	A*	B	C	D**	E**
2 UNDIV.	0	690	930	980	980
4 DIV.	0	1,530	1,980	2,070	2,070
6 DIV.	0	2,340	2,980	3,110	3,110
8 DIV.	0	3,030	3,780	3,930	3,930

* CANNOT BE ACHIEVED.
**VOLUMES ARE COMPARABLE BECAUSE INTERSECTION CAPACITIES ARE REACHED.
*** THE APPLICATION OF THESE SERVICE VOLUMES SHOULD BE APPROVED BY LEE COUNTY DOT.

D:\LOS\DIRCAPA3.WK1

STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES

Date: December 23, 2002

To: Alvin "Chip" Block, Senior Planner
From: Kim Trebatoski; Principal Environmental Planner
Phone: (239) 479-8183
E-mail: trebatkm@leegov.com

Re: The Villages of Bonita RPD
DCI 2002-00018
STRAP 22-47-25-B1-00002.4000

The Division of Environmental Sciences (ES) staff have reviewed the proposed. The following are ES staff findings and recommended conditions:

Vegetation:
A Florida Land Use Cover and Classification Systems (FLUCCS) map was compiled by Boylan Environmental Consultants, Inc. Approximately 62.85 acres of indigenous plant communities are present onsite including the following:

- pine flatwoods (FLUCCS 411; 46.02 acres)
- cypress (FLUCCS 621; 7.10 acres)
- cypress-pine (FLUCCS 624; 8.08 acres)
- freshwater marsh (FLUCCS 641; 1.65 acres)

Open Space and Indigenous Preservation:
An open space table meeting the requirements of the Land Development Code (LDC) Section 10-415 has been included on the Master Concept Plan (MCP). LDC Section 34-935(g)(1)(a) requires 40% common open space which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access. Additionally, the overall open space for the project may be distributed throughout the project provided each tract, lot or parcel provide a minimum of 10% open space per LDC Section 34-414(c).

ES staff recommend the following condition to confirm open space requirements:

Prior to local development order approval: 1. the landscape plans must delineate the required open space as detailed on the Master Concept Plan; and 2. a minimum of 10% open space must be provided within each tract, lot or parcel; and 3. a minimum of 40% common open space must

ATTACHMENT C

be provided within the residential tract which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access.

Protected Species:
A protected species survey for Lee County listed species meeting the requirements of LDC Section 10-473 was submitted by Boylan Environmental Consultants, Inc. No listed species were observed, however, the report noted that "it is possible that a tortoise or tortoises may colonize portions of the property."

ES staff field verified the protected species survey and located potential gopher tortoise burrows on the spoil piles adjacent to the ditch connecting Wetland Preserve "B" and Wetland Area "E" as shown on the MCP. Therefore, ES staff recommend the following condition to insure the protection of any gopher tortoises and commensal species:

Prior to local development order approval, the property must be resurveyed specifically for gopher tortoises. If any gopher tortoise burrows are located then a management plan must be submitted for review and approval by the Division of Environmental Sciences staff.

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: January 31, 2003

TO: Alvin "Chip" Block, AICP
Senior Planner

FROM: Robert G. Rentz, P.E.
Development Review Engineer

RE: **The Villages of Bonita**
Case No. DCI2002-00018

The proposed development consists of a maximum 50,000 square feet of commercial uses, 195,000 square feet of business park uses, and 396 dwelling units. The development is projected to generate 580 net new external trips in the peak hour. The projected build out year is 2006.

Based on the 2001 Traffic Count Report, and the generalized peak hour directional service volumes, issued by the Lee County Department of Transportation, *Old 41 north of Bonita Beach Rd.*, and *Old 41 from Rosemary St. to U.S.41*, will operate at level of service **"F"** in 2007 either without or with the project traffic.

BGR
S:/WRITERS/RENTZRG/DCI200200018SUBSTANTIVETRAFFICCOMMENTS

ATTACHMENT D

LEE COUNTY
SOUTHWEST FLORIDA

LEE COUNTY
RECEIVED
03 FEB 10 AM 11:44
COMM. DEV/
PUB. WKS. CNTR.
SECOND FLOOR

DEPARTMENT OF TRANSPORTATION

Memo

To: Chip Block
Development Services Senior Planner

From: Andrew J. Getch, P.E. AG
LCDOT Senior Engineer

Date: February 7, 2003

Re: Villages of Bonita North MPD
Bonita Springs DCI2002-00018

LCDOT staff has reviewed the Application for Public Hearing for this case. The request to change from CPD to MPD, as we understand it, is to allow a residential, commercial and industrial mix. We have the following comments on the rezoning:

The project has nearly one-half mile of frontage on Old 41 across from Bernwood Business Park. The two proposed entrances align with Bernwood Lane and Bernwood Parkway in the Bernwood Business Park development. The Traffic Impact Statement (TIS) by the applicant's consultant, Metro Transportation Group, identifies potential operational problems both with and without the project. The TIS identified a potential level of service problem on segments of Old 41 in Figure 3. Also, several intersections of Old 41 were identified in the Highway Capacity Software intersection analyses to operate with an average delay determined to be level of service (LOS) "F".

The TIS projected future roadway segment volumes on Old 41 based on use of the historical growth rates in the 2001 Lee County Traffic Report. The 2002 Traffic Count Report data was not available at the time of the study. The existing roadway network was used for the analysis. In the TIS, the two-lane sections of Old 41 from Bonita Beach Road to U.S. 41/ Pelican Landing Parkway are projected to operate at LOS "F" in the year 2007. These specifically are Old 41 from Bonita Beach Road to West Terry Street and from north of Rosemary Drive to U.S. 41. The TIS notes that projection to occur with or without the project. Old 41 from Bonita Beach Road to West Terry Street is constrained to two lanes. The four-lane section of Old 41 from Terry Street to Rosemary Drive is shown to operate at LOS "B".

ATTACHMENT E

The analysis did not include other north-south improvements to the transportation network that will influence the traffic volume on Old 41. These include US 41 6-laning, Imperial Street/Three Oaks Parkway 4-laning, I-75 6-laning and Sandy Lane extension 2-laning in the City of Bonita Springs. US 41 6-laning, Imperial Street 4-laning, Three Oaks Parkway 4-laning, and I-75 6-laning are all in progress and scheduled for completion in Bonita Springs by 2008. Sandy Lane extension is not in the City of Bonita Springs CIP. Lee County has funded a Sandy Lane Extension Corridor Alignment Study; the subject project is not expected to be in the limits of the corridor. Bernwood Parkway will be extended across the Seminole Gulf Railway to connect to Signal Road in the Spring Creek East Development of Regional Impact.

These roadway improvements are likely to change the travel patterns in the project area to shift some of the existing traffic away from Old 41. However, there are a number of developments in progress in the area that are projected to add traffic to Old 41. Analysis with the roadway computer model (Florida Standard Urban Transportation Modeling Structure) could provide an indication of the effects of such a scenario(s). However, the actual increase in traffic may or may not exceed the historic trend projection, depending on the rate of development and timing of roadway improvements.

Four laning of Old 41 from Rosemary Drive north to US 41 would resolve the projected level of service problem.

The TIS also shows intersection LOS failures along Old 41 at project buildout. The projected delays creating the Level of Service problem are primarily due to the estimated vehicles approaching Old 41 to turn left at the intersection. The determination of the need for a traffic signal(s) at these intersections will be based on the operation of Old 41 and signal warrants in the Manual on Uniform Traffic Control Devices. Signal warrants rely on actual traffic conditions and volumes.

Concurrency may be an issue for this project at the time of local development order depending on timing of Old 41 four-laning, other roadway improvements and the rate of development in the area. The following condition is recommended:

The access points indicated on the Master Concept Plan are subject to any future operational decision by the City of Bonita Springs to install a traffic signal, and create, modify, or remove a median opening. If installation of a traffic signal is deemed to be appropriate by the City at either of these locations, a proportionate share of the full cost of the traffic signal improvement will be the responsibility of the developer.

AJG/mlb

cc: Daryl Walk – P.E., City Engineer
Audrey Vance, City Attorney
Zoning File

STAFF REPORT
For City of Bonita Springs

TYPE OF CASE: PLANNED DEVELOPMENT/DCI

CASE NUMBER: DCI2002-00018

ZONING BOARD DATE: March 7, 2003

I. APPLICATION SUMMARY:

Applicant: The Village of Bonita North MPD

Request: Rezone 84.85 acres from Agriculture District AG-2 to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 15.65 acres of business park use consisting of 195,000 square feet of gross floor area; and 63.69 acres of residential use consisting of a maximum of 396 dwelling units. The proposed maximum building height within the project is 45 feet (3 stories).

Location: The subject property is located at 25701 Old 41 Road (on the East side of Old 41 Road, approximately 3/4 miles South of the intersection of Old 41 Road and U.S. 41 (S.R. 45), immediately North of the Villages of Bonita RPD), in S22-T47S-R25E, City of Bonita Springs, FL.

Comprehensive Plan Designation: Medium Density Multi-Family Residential and General Commercial

Surrounding Land Use:

	Existing Zoning & Land Use	Future Land Use Map
North:	CPD, recreational vehicle storage (Cusson), and IG concrete plant operation	General Commercial and Industrial
East:	AG-2, single family homes and vacant parcels (San Carlos Estates)	Low Density Single Family Residential
South:	RPD, mixed residential project (Village of Bonita)	Medium Density Multiple Family Residential
West:	IPD, Bernwood Business Park	Industrial

Size of Property: 84.85± acres

II. RECOMMENDATION:

Staff recommends **DENIAL** of the Applicant's request for rezoning from Agriculture District, AG-2 to Mixed Use Planned Development (MPD).

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has not proven entitlement to the rezoning to MPD by demonstrating compliance with the Comp Plan.

2. The requested MPD zoning is not compatible with existing or planned uses in the surrounding area

3. Approval of the request will place an undue burden upon existing transportation or planned infrastructure facilities. The site will not be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Comp Plan, are not available and adequate to serve the proposed land use.

5. Conditioning the concept plan and other applicable regulations would not provide sufficient safeguards to the public interest.

III. BACKGROUND AND ANALYSIS:

Introduction/Synopsis

This requests seeks approval of a rezoning to Mixed Use Planned Development (MPD) to allow for the development of a mixed use commercial and residential development. The applicant provides two separate development plans: Plan A seeks a maximum of 50,000 square feet in the commercial tract, 195,000 square feet in the business park site, and 382 dwelling units in the residential tract AND Plan "B" asks for a maximum of 50,000 square feet in the commercial tract and 476 dwelling units in the residential tract.

Master Concept Plan

The proposed Master Concept Plan has two separate and distinct designs.

Master Concept Plan "A" provides for a mixed use development with a maximum of 396 dwelling units, 195,000 square feet of use within the proposed business park (commercial, office, and light industrial uses), and 50,000 square feet of commercial use. The site design has three development areas. The southernmost is the planned residential portion of the project. This area adjoins The Villages of Bonita project to the south. North of this residential area is the commercial and business park uses. Commercial retail use is planned along Old US 41 with the business park located to the east of this commercial area and immediately adjoining San Carlos Estates.

Master Concept Plan "B" eliminates the business park use and provides for only 490 residential dwelling units and 50,000 square feet of commercial use. The commercial area remains in the same location and the proposed residential development takes up the rest of the land proposed for development.

Comprehensive Plan

The City of Bonita Springs Comprehensive Plan designates the subject property as Medium Density Multi-Family Residential (Policy 1.1.8) and General Commercial (Policy 1.1.14) on the Future Land Use Map.

Policy 1.1.8 (Future Land Use Element) (Medium Density Multi-Family Residential) indicates this category is to accommodate multi-family, modular and manufactured housing, and existing mobile home and recreational vehicle parks. The maximum density is 10 dwelling units per acre. Residential density is to be limited to 6 dwelling units per acre with a potential increase of up to 4 dwelling units per acre if affordable housing is provided. Maximum allowed building height is 75 feet outside of the islands west of the mainland.

Policy 1.1.14 (Future Land Use Element) (General Commercial) provides that this category is to accommodate a wide range of commercial uses serving the general population of the City. A wide range of uses including commercial retail and services uses, hotels/motels, offices, and light industrial uses are contemplated in this category. Also, uses of recreation, public uses, multi-family use and a mix of residential and commercial uses are included in this category.

The proposed uses in this planned development are consistent with the proposed uses in these Comprehensive Plan land use categories. The residential portion of this project on Map "A" is 396 dwelling units on 63.69 acres (6.22 dwelling units per acre) and on Map "B" there are 490 dwelling units on 79.34 acres (6.18 dwelling units per acre). Both densities exceed the density of development in Policy 1.1.8, inconsistent with this Policy. The applicant provides no indication in their application that affordable housing is being provided for in the project.

Policy 1.1.2 (Future Land Use Element) provides that although each land use category includes a maximum allowable density for residential uses the actual density that might be approved will be stated in the LDC based on compatibility, vehicular access, public services, and environmental issues.

> Staff finds that the mixed use development sought in this application does result in increased densities and intensities next to low density single family residential use. Both Master Concept Plans propose the potential for high density residential uses and light industrial uses next to the adjoining low density single family residential area to the east. Staff finds that the allowed density to the east is significantly lower than the density sought in this application. Staff could support a lower intensity of development along the eastern property line of this project, which is provided for in the conditions if the project is to be approved. This conditioning would be consistent with the development pattern to the south in The Villages of Bonita to the south, where the higher densities were placed to the central and western portions of the site.

Policy 1.1.22 (Future Land Use Element) provides that incompatibility is to be minimized when commercial, industrial, or more intense uses share a common boundary with residential and lower intensity uses. This can be achieved through the use of fences, walls, vegetation, and spatial buffers.

> Staff finds the proposed development, consisting of the potential for 3-story, 45 foot high multi-family buildings and two-story, 35 foot high commercial buildings along the eastern

perimeter of the site, is incompatible with the lower density single family land use and zoning to the east. Staff believes that it is more appropriate to approve less intense uses in this area. Staff finds that the proposed Master Concept Plan is not consistent with this Policy of the Comp Plan. However if the Board finds the project is consistent, conditions have been offered in the recommended zoning actions to bring the project into conformity with the Comp Plan. Both of the proposed Plans provide buffering along the perimeter of the project, and coupled with the proposed conditions related to the intensity of the project and limitation of development on the first 250 feet help in achieving consistency with the Comp Plan and compatibility with the adjoining uses. This action would also be consistent with the development pattern with The Villages of Bonita project to the south, where single family residential was approved adjoining the single family estates to the east.

Policy 1.1.3. (Transportation Element) provides the minimum acceptable level of service for roads. Currently the Comp Plan provides that the maximum permitted level of service on an arterial road is E. Staff analysis of Old US 41 will, by the time of build-out of this project in 2007, be at Level of Service F.

Staff analysis finds (see Attachments D and E) that there are a number of projects that have been permitted that affect Old US 41. The applicant's consultant identifies potential operational problems both with and without this project. A potential level of service (LOS) problem would exist along segments of Old US 41 with a projected LOS of F. This was found by the applicant's traffic consultant and is confirmed by staff analysis. Lee County DOT notes that four laning of Old US 41 from Rosemary Drive to US 41 would resolve this LOS problem. The proposed project with resulting traffic, without the road improvements, would be inconsistent with this Policy of the Comp Plan. In the event that the Board wants to recommend approval of this request, staff includes a recommended condition of the zoning approval to assist in offsetting the impacts.

Policy 1.1.1 (Housing Element) provides lands within the City are to be designated with a range of densities suitable for all housing types.

Approval of this development, if approved as conditioned, would allow for a variety of housing types meeting this Policy of the Comp Plan, while providing for a density and intensity of development consistent and compatible with the surrounding land uses.

Neighborhood Compatibility

The Villages of Bonita to the south has approved 343 dwelling units on 77.07 acres (density of 4.45 units per acre). The proposed density of this project of not more than 6 dwelling units per acre is consistent with the approved density of this project.

The only other residential use adjoining is to the east in the San Carlos Estates area. This area consists of single family residential homes and vacant tracts. Development in this area is not to exceed more than 1 dwelling unit per 1.3 acres of land. Staff finds that there is a potential for incompatibility between the proposed project and this residential area to the east. Staff conditions limited development activity in the recommended zoning actions in the attempt to offset those impacts.

Environmental Issues

The complete environmental report is found as Attachment Staff finds the site contains about 62.85 acres of indigenous plant communities. The project proposes open space that meets the requirements of Land Development Code (LDC) Section 10-415. LDC Section 34-935(g)(1)(a) requires 40% common open space which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access. Additionally, the overall open space for the project may be distributed throughout the project provided each tract, lot or parcel provide a minimum of 10% open space per LDC Section 34-414(c). A Condition has been offered that accomplishes this requirement.

Staff finds that no listed species were observed on the site. There is the possibility gopher tortoises may colonize portions of the property, since potential tortoise burrows were found on the spoil piles adjacent to a ditch. To insure protection of any tortoises or commensal species, a condition has been offered for the site to be resurveyed.

Other

In the event, that the Zoning Board finds this request consistent with the Comp Plan, then staff offers the following conditions and action on the requested deviation:

CONDITIONS

1. The development of this project must be consistent with the approved Master Concept Plan, Pages 1 through 4 of 7 entitled "The Villages of Bonita North MPD," stamped received NOV 12, 2002, except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development.

   The developer must commit to one of the two Master Concept Plan optional plans, at the time of local development order. Any change in the development from one of these optional plans must be considered as an amendment of the planned development that must be heard through the public hearing process, except as specifically conditioned herein.

2. The development is limited to the following intensities of development, depending on the Optional plan chosen for development:

   Under Master Concept Plan "A", a maximum of 50,000 square feet is permitted within the commercial tract, 195,000 square feet is permitted within the business park site, and 382 dwelling units is permitted in the residential tract.

   Under Master Concept Plan "B", a maximum of 50,000 square feet is permitted within the commercial tract and 476 dwelling units is permitted in the residential tract.

The developer must choose between using Master Concept Plan "A" or "B" prior to local development order approval. Once chosen, the developer must complete the development of the project substantially consistent with the chosen Plan. Any change sought must be approved as an amendment of this planned development.

Under both development scenarios, residential units proposed in the first 250 feet of the eastern property boundary line (adjoining the drainage canal) is limited to single family and two-family attached units. Under Master Concept Plan "A" in the business park area use will be limited in the first 250 feet of the eastern property boundary line (adjoining the drainage canal) to professional office land uses. All buildings within the first 250 feet of the eastern property boundary line will be limited to a maximum building height of 35 feet.

3. The following are the permitted uses within each of the proposed development areas for this planned development (these uses replace those originally depicted on Page 5 of 7 of the proposed Master Concept Plan):

Business Park (limited to Master Concept Plan "A")

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC Section 34-934)
ANIMALS: Clinic or kennel (LDC Section 34-1321 et seq.)(kennels must be contained within an enclosed building)
Control center (including Humane Society)
ATM (automatic teller machine)
AUTO REPAIR AND SERVICE (LDC Section 34-622(c)(2)), Groups I and II 34-1351
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION (LDC Section 34-1441 et seq.)
BUSINESS SERVICES (LDC Section 34-622(c)(5)):Groups I and II
CARETAKER'S RESIDENCE
CLEANING AND MAINTENANCE SERVICES (LDC Section 34-622(c)(7))
COMMUNICATION TOWERS (Permitted only by Special Exception)
100 feet or less in height (LDC Section 34-1441)
More than 100 feet in height (LDC Section 34-1441 et seq.)
COMMUNITY RESIDENTIAL HOME
COMPUTER AND DATA PROCESSING SERVICES
CONTRACTORS AND BUILDERS (LDC Section 34-622(c)(9)), All groups (LDC Sections 34-1352, 34-3001 et seq.)
DAY CARE CENTER, CHILD, ADULT
EMERGENCY MEDICAL SERVICE (ambulance station)
EMERGENCY OPERATIONS CENTER
ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)):Group I (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FREIGHT AND CARGO HANDLING ESTABLISHMENTS (LDC Section 34-622(c)(17))
GASOLINE DISPENSING SYSTEM, SPECIAL
LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)): Group I

LAWN AND GARDEN SUPPLY STORES (LDC Section 34-2081)
MANUFACTURING of:
- Apparel products (LDC Section 34-622(c)(1))
- Boats
- Electrical machinery and equipment (LDC Section 34-622(c)(11))
- Fabricated metal products (LDC Section 34-622(c)(14)): Group I
- Food and kindred products (LDC Section 34-622(c)(15)): Group II and III
- Furniture and fixtures (LDC Section 34-622(c)(18))
- Leather products (LDC Section 34-622(c)(25)): Group II
- Lumber and wood products (LDC Section 34-622(c)(26)): Groups II and IV
- Machinery (LDC Section 34-622(c)(27)), Groups I and II
- Measuring, analyzing and controlling instruments (LDC Section 34-622(c)(28))
- Novelties, jewelry, toys and signs (LDC Section 34-622(c)(29)), Groups I, II, and III
- Paper and allied products (LDC Section 34-622(c)(31)) Groups II and III
- Rubber and plastic products (LDC Section 34-622(c)(44)): Group II

MASS TRANSIT DEPOT or MAINTENANCE FACILITY (government facility)
MINI-WAREHOUSE
MOTION PICTURE PRODUCTION STUDIO
NONSTORE RETAILERS (LDC Section 34-622(c)(30)), Groups I, II, and III
PARCEL AND EXPRESS SERVICES
PACKAGE STORE (LDC Section 34-1261 et seq.)
PAINT, GLASS AND WALLPAPER
PARKS (LDC Section 34-622(c)(32)): Groups I or II
PARK TRAILERS
PARKING LOT: Accessory
PERSONAL SERVICES (LDC Section 34-622(c)(33)): Group III
PHOTOFINISHING LABORATORY
PLACE OF WORSHIP (LDC Section 34-2051 et seq.)
POLICE OR SHERIFF'S STATION
POST OFFICE
PRINTING AND PUBLISHING (LDC Section 34-622(c)(36))
PROCESSING AND WAREHOUSING
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39)): Groups II, III, and IV (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.)
REPAIR SHOPS (34-622(c)(40)): Groups I, II, III, and IV
RESEARCH AND DEVELOPMENT LABORATORIES (LDC Section 34-622(c)(41)): Groups II and IV
RESTAURANTS (LDC Section 34-622(c)(43)): Groups I and II
RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises
SCHOOLS: Commercial (LDC Section 34-622(c)(45)) (LDC Section 34-2381)
SELF-SERVICE FUEL PUMP STATION
SIGNS in accordance with chapter 30
SOCIAL SERVICES (LDC Section 34-622(c)(46)): Group II
STORAGE:
- Indoor only, (LDC Section 34-3001 et seq.)
- Storage, open, (LDC Section 34-3001 et seq.)

STUDIOS (LDC Section 34-622(c)(49))

TRANSPORTATION SERVICES (LDC Section 34-622(c)(53)): Group II
WAREHOUSE:
- Mini-warehouse
- Private
- Public
- Cold storage only

WHOLESALE ESTABLISHMENTS (LDC Section 34-622(c)(56)): Groups III and IV

Commercial (Plans A or B)

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC Section 34-934)
ANIMALS: Clinic or kennel (LDC Section 34-1321 et seq.)
ATM (automatic teller machine)
AUTO PARTS STORE - with or without installation facilities
AUTOMOBILE SERVICE STATION
AUTO REPAIR AND SERVICE (LDC Section 34-622(c)(2)), Group I 34-1351
BAIT AND TACKLE SHOP
BANKS AND FINANCIAL ESTABLISHMENTS (LDC Section 34-622(c)(3)): Group I
BOATS: Boat parts store
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION (LDC Section 34-1441 et seq.)
BUSINESS SERVICES (LDC Section 34-622(c)(5)): Groups I and II
CAR WASH
CLEANING AND MAINTENANCE SERVICES (LDC Section 34-622(c)(7))
CLOTHING STORES, general (LDC Section 34-622(c)(8))
CLUBS:
- Commercial
- Fraternal
- Membership organization (LDC Section 34-2111)
- Private (LDC Section 34-2111)

CONSUMPTION ON PREMISES (LDC Section 34-1261 et seq.)(in conjunction with a restaurant only)
CONTRACTORS AND BUILDERS (LDC Section 34-622(c)(9)), Group I (LDC Sections 34-1352, 34-3001 et seq.)
CONVENIENCE FOOD AND BEVERAGE STORE
CULTURAL FACILITIES (LDC Section 34-622(c)(10))
DAY CARE CENTER, CHILD, ADULT
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE
DRUGSTORE, PHARMACY
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FACTORY OUTLETS (point of manufacture only)
FOOD STORES (LDC Section 34-622(c)(16)): Groups I and II
FUNERAL HOME AND MORTUARY (with or without a crematory)
HARDWARE STORE

HOBBY, TOY AND GAME SHOPS (LDC Section 34-622(c)(21))
HOTEL/MOTEL (LDC Section 34-1801 et seq.) (Limited to 160 rooms)
HOUSEHOLD AND OFFICE FURNISHINGS (LDC Section 34-622(c)(22)), Groups I and II
LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)): Group I
LAWN AND GARDEN SUPPLY STORES (LDC Section 34-2081)
MEDICAL OFFICE
PACKAGE STORE (LDC Section 34-1261 et seq.)
PAINT, GLASS AND WALLPAPER
PARKING LOT: Accessory
PERSONAL SERVICES (LDC Section 34-622(c)(33)): Groups I, II, III, IV
PET SERVICES
PET SHOP
PHARMACY
PLACE OF WORSHIP (LDC Section 34-2051 et seq.)
PLANT NURSERY (LDC Section 34-2081)
POLICE OR SHERIFF'S STATION
RECREATIONAL FACILITIES: Commercial (LDC Section 34-622(c)(38)), Groups I and IV
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39)): Groups I, II, and III (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.)
REPAIR SHOPS (34-622(c)(40)): Groups I and II
RESTAURANTS (LDC Section 34-622(c)(43)): Groups I, II, and III
SIGNS in accordance with chapter 30
SPECIALTY RETAIL SHOPS (LDC Section 34-622(c)(47)): All Groups
USED MERCHANDISE STORES (LDC Section 34-622(c)(54)): Groups I and II

Residential (Plans A or B)

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC Section 34-934)
DWELLING UNIT:
- Single-family
- Duplex
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
MODELS: Model home (LDC Section 34-1951 et seq.)
Model unit (LDC Section 34-1951 et seq.)
PARKS (LDC Section 34-622(c)(32)): Group I
PARKING LOT: Accessory
REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and 34-3021) (limited to sales of lots, homes or units within the development, except as may be

permitted in section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.)

RECREATIONAL FACILITIES:

Personal (subject to Note (1) of LDC Section 34-934)

Private, On-Site (subject to Note (1) of LDC Section 34-934)

RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)

RESIDENTIAL ACCESSORY USES (LDC Section 34-622(c)(42)) (LDC Section 34-1171 et seq.)

SIGNS in accordance with chapter 30

4. Except as specified by the conditions herein, the approved Property Development Regulations are those found on Page 4 of 7 of the approved Master Concept Plan.

   All residential units still must comply with all local building code requirements at the time of permitting.

5. Prior to local development order approval:

   a. the landscape plans must delineate the required open space as detailed on the Master Concept Plan; and

   b. a minimum of 10% open space must be provided within each tract, lot or parcel; and

   c. a minimum of 40% common open space must be provided within the residential tract which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access.

6. Prior to local development order approval, the property must be resurveyed specifically for gopher tortoises. If any gopher tortoise burrows are located then a management plan must be submitted for review and approval by the Division of Environmental Sciences staff.

7. No excess excavated material may be removed from the site unless the developer can demonstrate to the Director of Community Development that the material to be removed: 1) is unsuitable material that cannot be used onsite and 2) the material must be excavated to meet the minimum requirements to provide a water management system on the site. The purpose of this condition is to prohibit the voluntary creation of excess fill material for use offsite.

8. No blasting activities are permitted as part of this planned development.

9. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City of Bonita Springs LDC may be required to obtain a local development order.

10. The Division of Natural Resources must review the proposed the storm water management plan for this project. Given the existence of two outfalls for the San Carlos Drainage District, it must be assured that there are no expected negative impacts on the outfalls for that drainage district caused by this project.

11. The access points indicated on the Master Concept Plan are subject to any future operational decision by the City of Bonita Springs to install a traffic light, and create, modify, or remove a median opening. If installation of a traffic signal is deemed to be appropriate by the City at either of these locations, a proportionate share of the full cost of the traffic signal improvement will be the responsibility of the developer.

12. If the Level of Service for Old US 41 exceeds the requirements of **Transportation Element, Policy 1.1.3**, no additional development approvals can be obtained until the LOS of Old US 41 is in compliance with this Policy.

DEVIATIONS

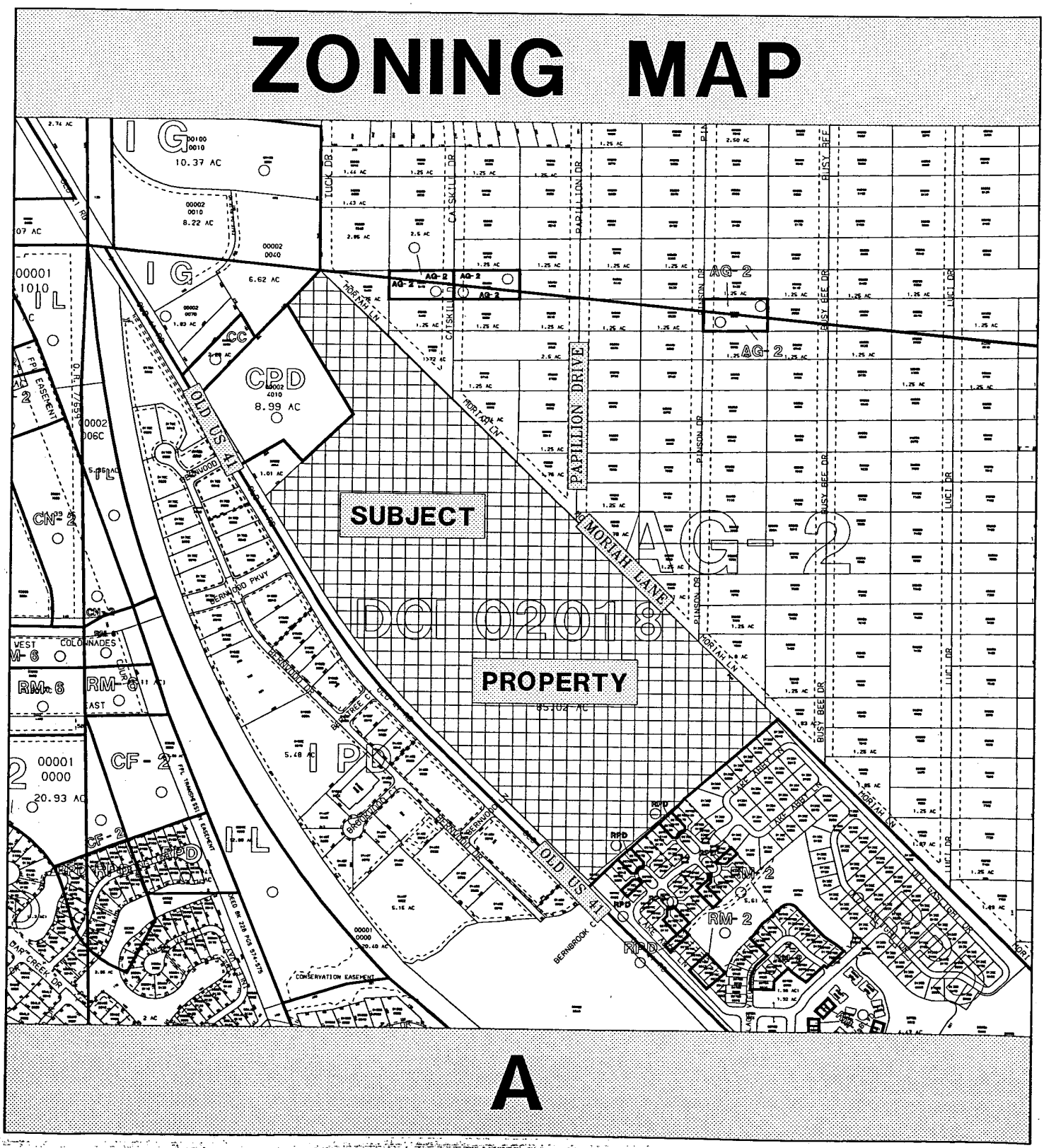
Deviation 1 requests relief from LDC Section 10-296, Table 4(7)(c) which requires that the wearing surface for roads be one inch asphaltic concrete of FDOT Type S-III; to concrete interlocking pavers. This deviation is recommended to be **APPROVED provided the alternative cross-section is structurally equivalent to the flexible pavement cross-section specified by the LDC, and the alternative pavement cross-section is not within the County right-of-way.**

IV. **ATTACHMENTS**:

A. Map of surrounding zoning
B. Applicant's supporting documentation
C. Comments from Environmental Sciences
D. Comments from Development Services
E. Comments from Lee County DOT

cc: Applicant
City Attorney
Zoning File

ZONING MAP



A

DCI 2002-00018

VILLAGES OF BONITA NORTH MPD

CITY OF BONITA SPRINGS COMPREHENSIVE PLAN CONSISTENCY
EXHIBIT II-E-2

The proposed MPD rezoning known as The Villages of Bonita North MPD is consistent with Section 34-145(C)(2)a of the City of Bonita Springs Land Development Code. The zoning change is appropriate given the project's location and proposed mix of land uses. The project is located with lands designated Urban on the City of Bonita Springs. Lands immediately surrounding the subject property are similarly designated on the future land use map and are developing with a variety of urban development including light industrial and mixed residential development at six dwelling units per acre, which is substantially complete. These conditions make the rezoning for the MPD appropriate.

The proposed rezoning is consistent and compatible with surrounding development due to the limitation of proposed uses, proposed buffering and location of access points.

The proposed rezoning has no negative impacts to environmentally sensitive lands. SFWMD jurisdictional wetland determinations have been demonstrated on the master concept plan, and the areas shown as preserves, exceed the indigenous vegetation requirements set forth in section 10 of the Land Development Code.

Infrastructure is immediately available to serve the proposed development and is existing to service surrounding development.

A single deviation from the Land Development Code requirements has been requested and its justification has been included in the application, as required, and its location is shown on the MCP.

Based on the above-described consistency and compatibility of the project with the required findings and considerations for a rezoning, the project is entitled to the proposed MPD. Consistency with specific provisions of the City of Bonita Springs Growth Management Plan is outlined below.

The Villages of Bonita North MPD is located in the Urban Community Land Use designation of the City of Bonita Springs Comprehensive Plan. The project has direct access to Old U.S. 41 Road, which is a Lee County arterial roadway. The Villages of Bonita North MPD is proposed as a Mixed-Use Planned Development, consisting of light industrial (business park), commercial and residential land uses. The Urban Community designation permits densities ranging from 6 dwelling unit/acre to 10 dwelling unit/acre. The proposed residential density is 6 du/acre and is consistent with the permitted density range. The City of Bonita Springs Comprehensive Plan and Land Development Code promote development of mixed-use projects specifically those that include residential, commercial and light industry uses. Objective 4.1 of the City of Bonita Springs Comprehensive Plan promotes creation of mixed-use developments to help reduce impacts on collector of arterial roads. The proposed MPD is consistent with this Plan objective.

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The residential component of the mixed-use project is consistent with Objectives 2.1 and 2.2 of the City of Bonita Springs Comprehensive Plan. These objectives promote development in locations where they result in contiguous and compact growth patterns, and where infrastructure is available to serve the development. The proposed Villages of Bonita North MPD is contiguous to both existing industrial and residential development. Utilities and roadway infrastructure are in place to serve the proposed development.

The proposed project is also consistent with Objective 5.1 and 5.1.11. The proposed project is being reviewed as a planned development and the site design has addressed buffering, compatibility and protection of environmentally sensitive areas. Further, development standards have been listed on the Master Concept Plan, which are consistent and compatible with existing and future development.

The commercial portion of the MPD is approximately 5.5± acres and is located at the outside of the T-intersection created via the extension of Bernwood Parkway (a.k.a. Signal Road). Policy 6.1.2(11) permits commercial development outside of a T-intersection, where at least one access point is an extension of the intersecting road. Bernwood Parkway is being extended into the Villages of Bonita North MPD; therefore, the commercial is consistent with Policy 6.1.2 of the City of Bonita Springs Comprehensive Plan.

The proposed business park (light industrial) component of the MPD is consistent with the City of Bonita Springs Comprehensive Plan. Policy 7.1.6 of the plan provides that light industrial development may occur in the Urban Community where it is proposed as a planned development. The proposed Villages of Bonita North MPD contains specific land development regulations schedule of uses and a Master Concept Plan, which have been developed to assure compatibility with existing and proposed development, which is consistent with Policy 7.1.8 of the City of Bonita Springs Comprehensive Plan.

TRAFFIC IMPACT STATEMENT

FOR

ZONING SUBMITTAL

VILLAGES OF BONITA NORTH

In The:

CITY OF BONITA SPRINGS

(Project No. 020105)

Prepared by:
METRO TRANSPORTATION GROUP, INC.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
(941) 278-3090

March 27, 2002

RECEIVED
MAY 13 2002
ZONING COUNTER

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2. SCOPE OF PROJECT

3. TRIP GENERATION

4. TRIP DISTRIBUTION AND AREA OF INFLUENCE

5. FUTURE TRAFFIC CONDITIONS

6. LEVEL OF SERVICE DETERMINATIONS

7. CONCLUSIONS

8. APPENDIX

DCI 2002-00018

1. PURPOSE OF REPORT

The following report has been prepared in order to fulfill the criteria set forth by the Lee County Department of Community Development for projects seeking approval for zoning. This report has been completed in accordance to the requirements outlined in the Lee County Traffic Impact Statement Guidelines. More specifically, this report investigates the anticipated traffic characteristics of the proposed development in order to establish adverse roadway impacts, if any, associated with the development of approximately 85 acres of property along Old 41 in the City of Bonita Springs.

2. SCOPE OF PROJECT

The subject site is currently vacant. To the south of the subject site is the existing Villages of Bonita residential planned development, to the west the site is bordered by Old 41 and beyond Old 41 is the Bernwood Business Park, to the north is commercial uses and the to east is the San Carlos Estates residential area. This application has two Master Concept Plans. This report will address the impacts to the area roadway system based on the "worst case" analysis in terms of trip generation of the proposed two Master Concept Plans. Master Concept Plan "A" includes multi-family residential units along with a commercial component and a light industrial component. Master Concept Plan "B" includes only multi-family units and commercial retail uses. The site location is shown on **Figure 1**.

Old 41 in front of the subject site is a two lane arterial roadway that extends south from U.S. 41 in Lee County and back to U.S. 41 in Collier County. South of the subject site, Old 41 widens to a four lane divided cross section from Rosemary to the Terry Street intersection. South of Terry Street, Old 41 narrows to a two lane road with a center median for turn lanes. Old 41, from Terry Street to Bonita Beach Road has been designated by the Lee County Board of County Commissioners as a constrained facility. The constrained designation allows for a maximum volume to capacity (v/c) ratio of 1.85 before permits are withheld. Based on the 2001Concurrency Management Report produced by Lee County, Old 41 operates at a maximum v/c ratio of 0.98, which is well below the maximum permitted of 1.85 and even below the theoretical capacity of 1.0.

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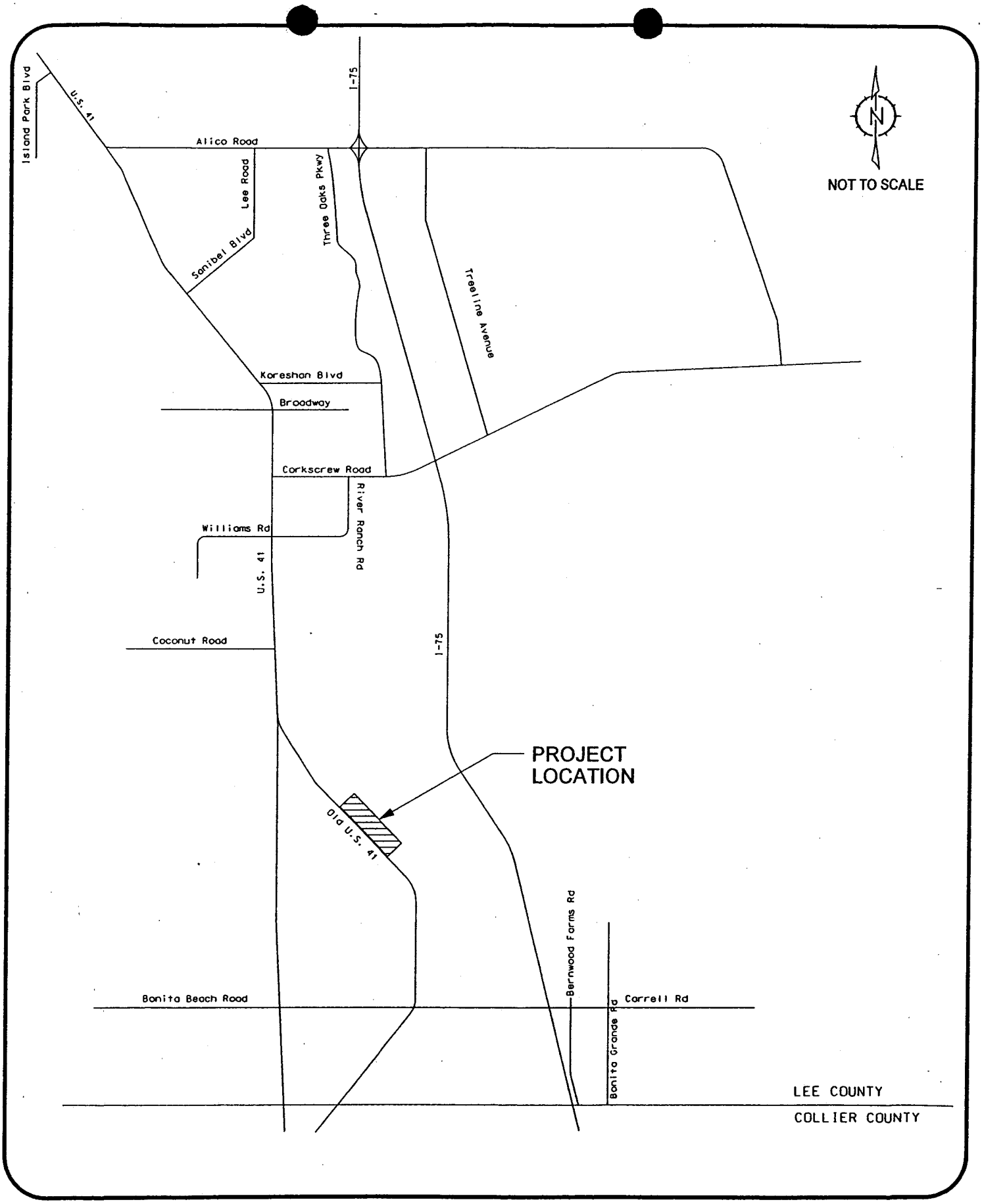

MERO

SITE LOCATION

FIGURE: 1

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3. TRIP GENERATION

As previously discussed, there are two Master Concept Plans for the subject parcel. One plan has a mix of multi-family residential, commercial and light industrial and the second lacks the light industrial use. **Table 1** describes the uses that are part of each Master Concept Plan, each prepared by Q. Grady Minor & Associates.

Table 1
Land Uses
Villages of Bonita North

Land Use	Size
MASTER CONCEPT PLAN "A"	
Multi-Family	394 Units
Commercial	50,000 s.f.
Light Industrial	195,000 s.f.
MASTER CONCEPT PLAN "B"	
Multi Family	494 Units
Commercial	50,000 s.f.

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 6th Edition. Land Use Code 230 was used for the multi-family, Land Use Code 820 for the commercial and Land Use Code 110 for the light industrial. The equations for each land use are contained in the Appendix of this report for reference. **Table 2** indicates the number of trips anticipated to be generated by each of the proposed Master Concept Plans.

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Table 2
Trip Generation
Villages of Bonita North

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Master Concept Plan "A"							
Multi-Family (394 Units)	25	125	150	125	65	190	2,090
Commercial (50,000 s.f.)	65	40	105	190	210	400	4,365
Light Industrial (195,000 s.f.)	125	15	140	15	100	115	1,355
Less Pass-by Traffic from Commercial	-20	-15	-35	-60	-65	-125	-1,310
Total	195	165	360	270	310	580	6,500
Master Concept Plan "B"							
Multi-Family (494 Units)	30	150	180	155	75	230	2,530
Commercial (50,000 s.f.)	65	40	105	190	210	400	4,365
Less Pass-by Traffic from Commercial	-20	-15	-35	-60	-65	-125	-1,310
Total	75	175	250	285	220	505	5,585

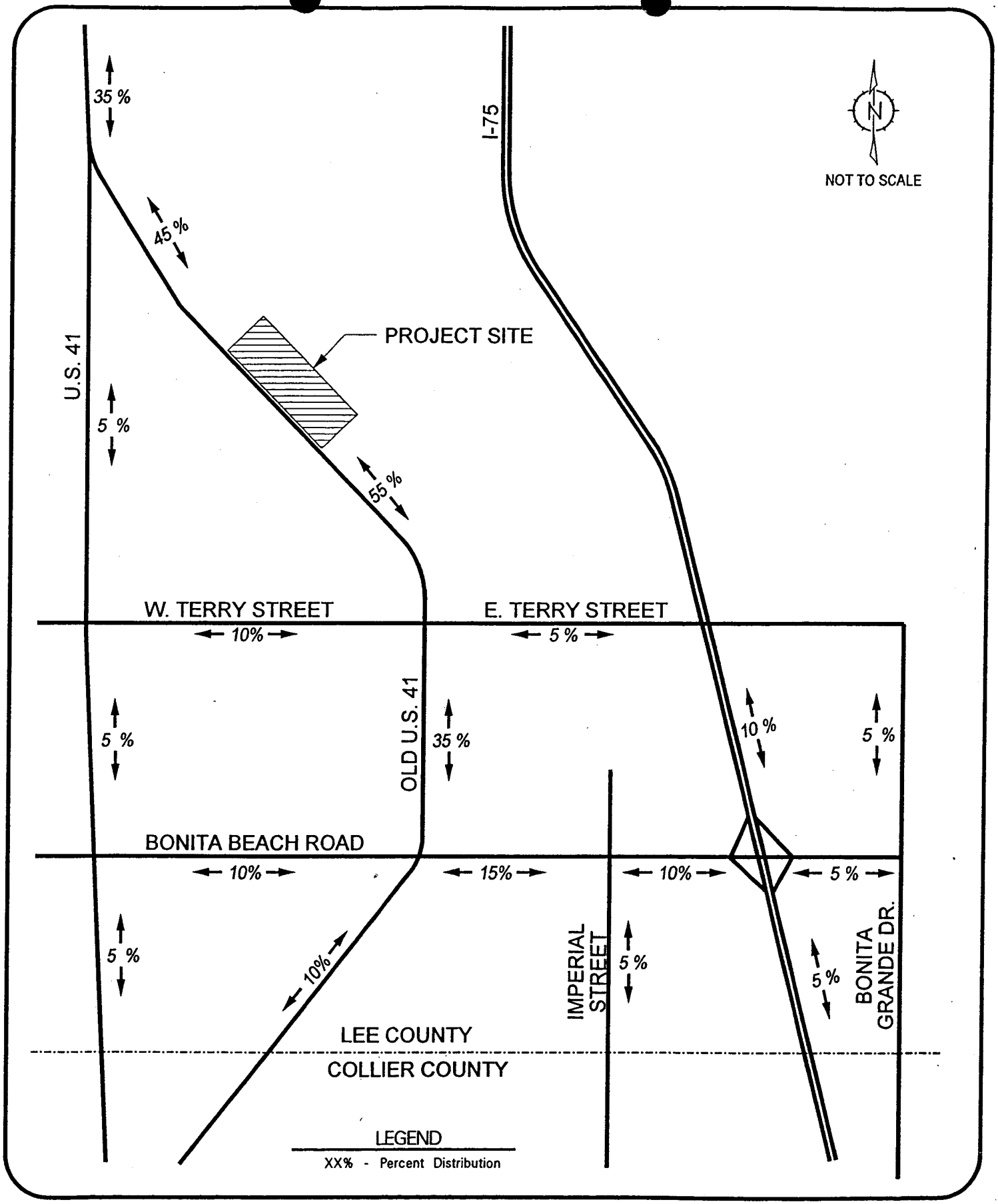
As can be seen from Table 2, Master Concept Plan "A" will generate more traffic than Master Concept Plan "B", therefore, the trip generation for Master Concept Plan "A" will be utilized in the remainder of this report.

Based on the anticipated trip generation for the "worst case" shown in Table 2, the development will be classified and analyzed based on the guidelines established for a development generating "more than 300 trip ends" during the peak hour by the Lee County Traffic Impact Statement Guidelines.

4. TRIP DISTRIBUTION AND AREA OF INFLUENCE

Trips generated by the proposed development were assigned to the surrounding infrastructure based on the existing and planned traffic patterns for this area of Lee County. Population, attractions and proximity to area attractions were considered in the distribution assignment. **Figure 2** provides a detail of the project traffic distributions.

DCI 2002-00018



PROJECT TRAFFIC DISTRIBUTION

FIGURE: 2

DCI 2002-00018

In order to determine which links and intersections were significantly impacted, the peak hour project traffic was compared to the 10% LOS "C" peak hour, peak direction traffic volumes for all links receiving a substantial amount of project traffic. **Table 1A** in the Appendix provides a detail of the resultant impact percentages.

The following links will be significantly impacted based on the 10% impact to LOS "C" threshold volumes:

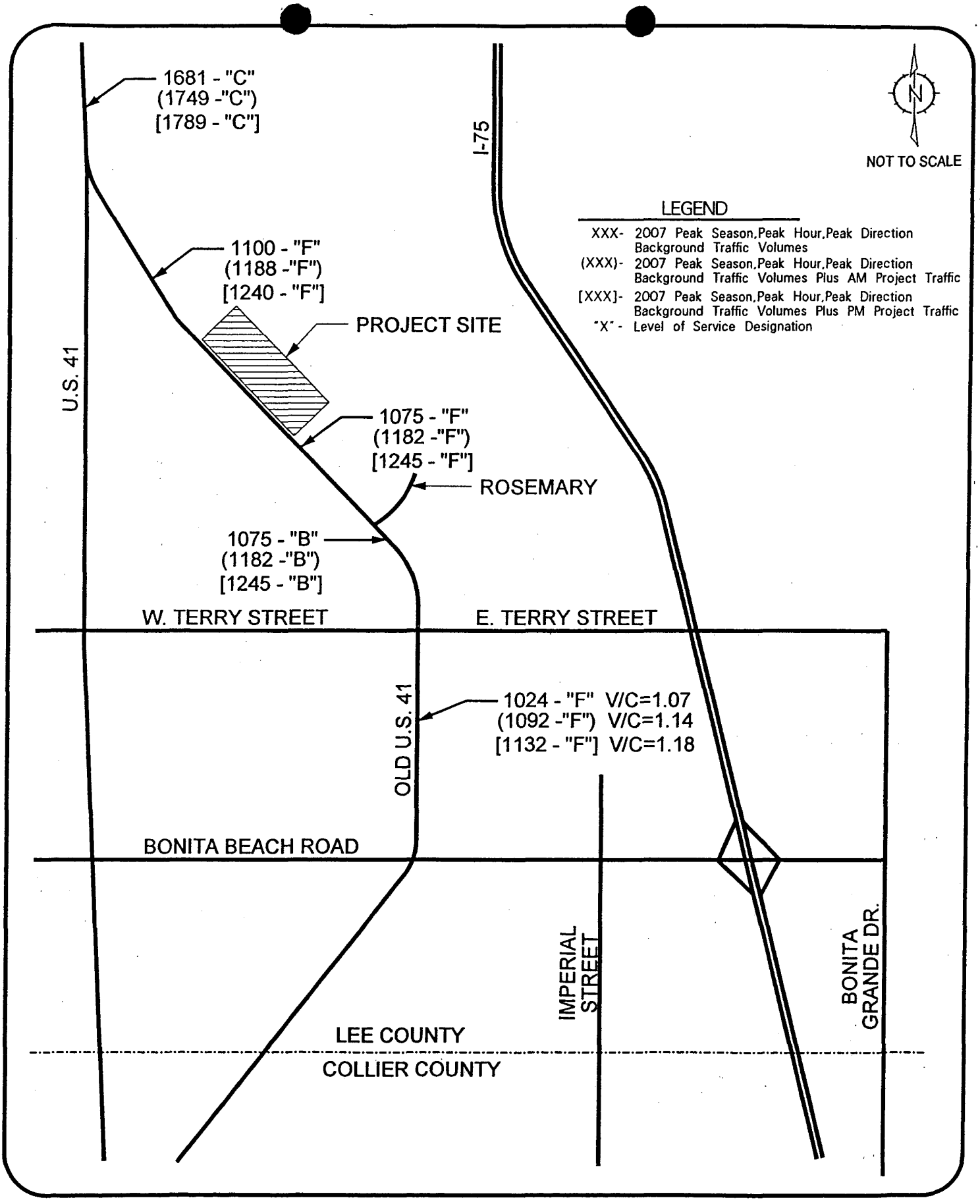
LINKS	
Old 41	(Bonita Beach Road to U.S. 41)
U.S. 41	(North of Old 41)

5. FUTURE TRAFFIC CONDITIONS

The project is anticipated to be completed by the year 2007. In order to calculate the future background traffic volumes for the year of 2007, an annual growth rate was determined for all links and intersections under study. The compound growth factors used were derived from the information contained in the 2001 Lee County Traffic Count Report. **Table 2A** in the Appendix details the methodology utilized to determine the compound growth rates utilized for each roadway segment.

The project traffic for the AM and PM peak hours were distributed to the surrounding roadway network based on the directions of approach and distributions as previously discussed. **Figure 3** illustrates the future traffic volumes that were determined by combining the background traffic and the project traffic for the year after build-out (see **Table 2A**). The future 2007 peak hour traffic volumes without development traffic and the corresponding levels of service are shown in **Figure 3**

DCT 2002-00016



2007 PROJECTED TRAFFIC CONDITIONS
(ON SIGNIFICANTLY IMPACTED ROAD SEGMENTS)

FIGURE: 3

DCI 2002-00019

6. LEVEL OF SERVICE DETERMINATIONS

Figures 3 details the Levels of Service for all links inside the project's area of influence based on the zoning analysis. These Level of Service volumes were derived based on the Lee County Generalized Service Volume tables and are for peak season, peak hour peak direction traffic conditions. Table 2A in the Appendix details the calculated volumes used to determine the Level of Service on the analyzed links. In comparing the links' functional classification and calculated 2007 traffic volumes to the Service Volume Tables, it was determined that all roadways inside the project's area of influence would not be adversely impacted by the proposed development. Adversely impacted is defined as degrading the Level of Service beyond those conditions that would exist if the development traffic were not added to that particular link.

It should be noted that based on the existing 2-lane configuration, Old 41 is projected to operate at LOS "F" in the year 2007 both with and without this project. The Level of Service in this analysis is based on the Generalized Level of Service Tables as provided by Lee County Department of Transportation. Based on the Generalized Level of Service, the Level of Service threshold for Old 41 between Rosemary and U.S. 41 is 960 vehicles in the peak hour, peak direction. The current Concurrency Report, which is updated annually, is what ultimately will determine if a concurrency certificate can be issued for the subject development. The Concurrency Report Level of Service is based on a Route Specific Level of Service threshold. Currently, for Old 41 between Rosemary and U.S. 41, the Level of Service threshold is 1,250 vehicles in the peak hour, peak direction. These route specific thresholds are in the process of being updated by Lee County DOT but it is not anticipated that the current capacity of 1,250 vehicles will change substantially. Therefore, at the time Concurrency is measured for this development, it appears based on Table 2A, that the capacity of Old 41 between Rosemary and U.S. 41 will not be exceeded.

The section of Old 41 south of Terry Street is designated as a constrained facility by the Board of County Commissioners. Based on the analysis, this section is projected to operate at a volume to capacity ratio of 1.18 in the year 2007, which is far below the maximum permitted of 1.85. In addition, the construction of Three Oaks Parkway to the east is anticipated to provide additional relief to the existing north/south routes within the City of Bonita Springs, such as Old 41, U.S. 41 and I-75.

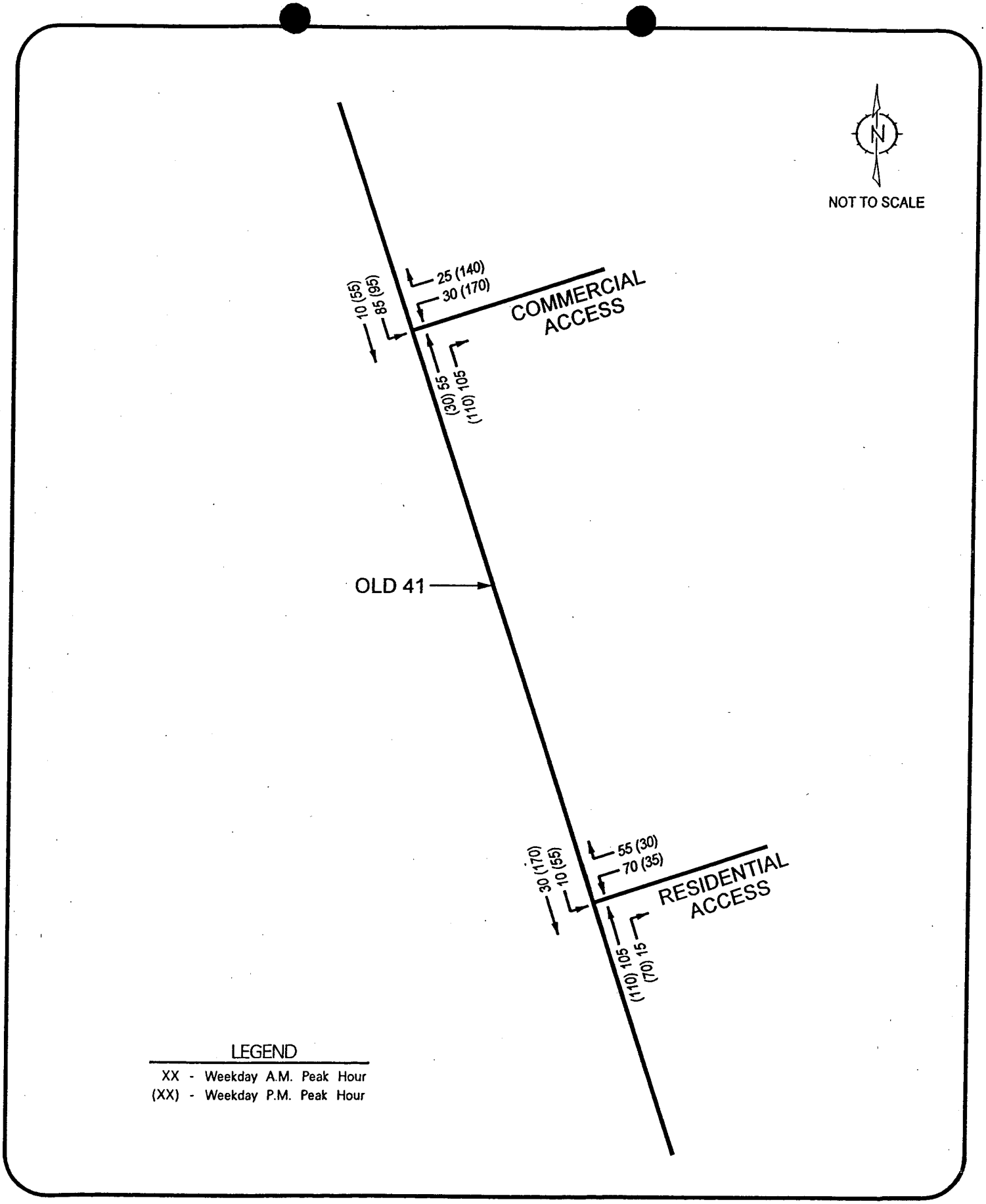
Access to the site is proposed via two intersections along Old 41. The access drives will align with previously constructed access drives serving the Bernwood Business Park on the west side of U.S. 41 and both will permit full turning movements (i.e. left-in/left-out/right-in/right-out). Based on Master Concept Plan "A", the light industrial and commercial development will be located to the north on the site plan, served by the northern site access drive and the residential uses will be located on the south end of the property served by the southern site access drive. An assignment of the development traffic to the two site access drives was completed and is shown on **Figure 4**.

Capacity analyses were completed for the two site access drive intersections with Old 41. Traffic was assumed for the movements into and out of the Bernwood Business Park. It was assumed that these two intersections will remain unsignalized with a two lane Old 41. Based on the capacity analyses, there will be no deficiencies in capacity at these two intersections with the proper turn lanes that will be required at Development Order stage.

In addition, a capacity analysis was completed for the intersection of Old 41 and East/West Terry Street for the weekday P.M. peak hour at build-out. Traffic counts conducted by the Lee County Department of Transportation in 2001 were increased by a growth factor to determine the 2007 background traffic volumes. The results of the capacity analysis for this intersection is included in the Appendix for reference.

Analysis was not completed for the intersection of U.S. 41 and Old 41 to the north due to the fact that this development will not add more than 10% of the current volume traveling through that intersection. Based on the traffic assignment, the proposed development will add approximately 260 total vehicles to this intersection during the peak hour. Based on historical traffic count data at the U.S. 41/Old 41 intersection in Lee County, there was approximately 2,600 vehicles traveling through the intersection during the peak hour in 1997. Based on historical growth patterns presented in the Lee County Traffic Count Report, that volume can be expected to be well in excess of 3,650 vehicles. Therefore, the intersection of U.S. 41 and Old 41 does not require analysis as part of this zoning request.

DCI 2002-00018



SITE TRAFFIC ASSIGNMENT
(VILLAGES OF BONITA NORTH MCP PLAN "A")

FIGURE: 4

DCI 2002-00018

An additional improvement that was not accounted for in this analysis is the extension of a public road between Old 41 and U.S. 41 in the vicinity of this development. As currently proposed, a public roadway will be extended from Old 41 in the proximity of Bernwood Parkway, which is immediately west of the subject site, to U.S. 41, thus allowing development traffic from the subject site and other nearby developments to access U.S. 41 in a more direct route rather than travel north or south on Old 41. This will indeed have an impact on the Level of Service along Old 41 and will be further defined at the Development Order stage when Concurrency Certificates are issued.

7. CONCLUSION

This report analyzed the impact the development of the worst case land use plan for the Villages of Bonita North. Based on this analysis, Old 41 north of Rosemary Drive will operate at LOS "F" based on the Generalized Level of Service volume thresholds. Based on a preliminary Concurrency analysis, the roadway will operate at LOS "E" at the time of build-out. Concurrency is measured at the time of local Development Order and the Developer will be required to meet all applicable standards with regards to transportation concurrency at that time. The section of Old 41 south of Terry Street will continue to operate at LOS "F" but be well below the maximum permitted volume to capacity ratio as provided in the Lee Plan.

Turn lane improvements will be required at the site access drives on Old 41 and will be determine more definitely at Development Order stage. Other roadway improvements that were not accounted for in this analysis will impact the overall Level of Service on Old 41 adjacent to this site and potentially alter the distribution of development traffic and how it impacts Old 41. Capacity analyses at the two site access drive intersections indicate that any significant delay will be contained to the side street approaches and will not impact the capacity of Old 41 traffic traveling northbound and southbound.

\k:\2002\01\05\report.doc

METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 941-278-3090
FAX 941-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

June 25, 2002

DCI 2002-00018
RECEIVED
NOV 12 2002
COMMUNITY DEVELOPMENT

Mr. Wayne Arnold
Q. Grady Minor & Associates
380 Via Del Rey
Bonita Springs, Florida 34134

RE: The Villages of Bonita North
DCI2002-00018

Dear Mr. Arnold:

Metro Transportation Group Inc. (Metro) has reviewed the sufficiency comments issued by the Lee County Department of Community Development and the Department of Transportation regarding the above referenced case. The comments regarding transportation, and our response, is indicated below. The first comments are from the Department of Community Development.

Based on the 2001 Traffic Count Report data the compound growth rate on Bonita Grande Drive north of Bonita Beach Road is 36.28%. The TIS shows 7%. This would make the 2007 peak hour, peak season, peak direction background traffic significantly higher than shown.

Based on the above comment regarding compound growth rate, the level of service on Bonita Grande Drive would be F.

The TIS shows a projected level of service F on Bonita Beach Road west of I-75, on Bonita Grande Drive north of Bonita Beach Road, on Imperial Street south of Bonita Beach Road, on Old 41 north of Bonita Beach Road, on Old 41 from Rosemary to U.S. 41 and on U.S. 41 from Bonita Beach Road to West Terry Street.

The only roadways that are significantly impacted by the proposed project include those highlighted on Table 2A included in the report. Bonita Grande Drive, Imperial Street, and U.S. 41 are not significantly impacted by the proposed development. The City of Bonita Springs is anticipated to have an adopted CIP by the time this project reaches Development Order stage for the widening of Old 41 from Rosemary to U.S. 41 to a 4-lane divided roadway. Thus, the capacity of this roadway would increase to 2,030 peak hour, peak direction vehicles based on the Generalized Level of Service Tables. The

DCI 2002-00018

traffic study indicates that the peak hour, peak direction volume on Old 41 once the project is complete would be approximately 1,245 vehicles, significantly less than the available capacity. This will be further addressed at the Development Order stage of the process when concurrency is measured on the adjacent roadways.

Comments from the Department of Transportation include:

> *1) The Master Concept Plan Options "A" and "B" were not included in the submittal package to LDOT.*

Q. Grady Minor to submit Master Concept Plan.

> *2) The 1997 traffic counts at the intersection of U.S. 41/Old 41 are out of date. Unless approved in a methodology meeting, traffic counts should be from within the last 12 months.*

It is agreed that new traffic count data should be used when available. However, the old traffic count was simply used to determine if this intersection should be analyzed under the requirements set forth for traffic impact studies for zoning applications, as approved by the Department of Community Development. The old traffic count was increased by a growth factor based on historical and recent traffic count data near the intersection. Based on the development traffic anticipated to travel through this intersection, the TIS guidelines indicate that the intersection approach volume would need to be less than approximately 2,900 vehicles per hour (project traffic being 10% of the total traffic). Based on the old traffic count data, there were approximately 2,563 vehicles traveling through this intersection in 1997. Based on historical growth trends in the north Bonita Springs area, it is very likely that traffic increased by more than 337 vehicles over a five year period to present day, and would continue to increase to the year 2007, when this project is anticipated to be completed. Therefore, the historical traffic count was only used to present the fact that the development would not add more than 10% to the total intersection volume and thus is not required to be analyzed as part of this zoning analysis.

> *3) What is the basis for the turning movement volumes at the project intersections*?

The turning movement volumes were estimated based on the trip generation of the project, the anticipated distribution shown on Figure 2, and the Master Concept Plan. The Master Concept Plan identifies the northern site access to serve the commercial uses and the southern site access drive to serve the residential uses, as identified on Page 10 of the report.

4) The study does not address the influence of the proposed Signal Road and Three Oaks Parkway extensions.

The study, on Page 9 and 10, does in fact discuss the potential impacts of these two improvements. However, more detailed analysis will be completed at the Development Order stage. It is not anticipated the Three Oaks Parkway extension will have a significant impact on the distribution of development traffic. The Signal Road connection to U.S. 41 will lessen the project's impact on Old 41 between U.S. 41 and the Signal Road connection to the north.

5) The 0.6 percent annual increase of background traffic on Old 41 may not account for added traffic from Bernwood Business Park on Old 41 and other approved development in the area.

The only source of historical traffic growth trends available is the 2001 Lee County Traffic Count report. During the Development Order stage, when Concurrency is identified, other projects which have received D.O. approval will be included in the analysis but are not required at the zoning level of analysis.

6) The Generalized Service Volumes should be the basis for the roadway Level of Service determination.

The Generalized Level of Service Volumes, dated 7/18/00, were utilized as the basis of the Level of Service Analysis and are attached to this letter for reference.

7) What improvements are recommended for Old 41 and both access points onto Old 41 to address the service levels below adopted minimums?

As previously discussed, the City of Bonita Springs is anticipated to have an adopted CIP by the time this project reaches Development Order stage for the widening of Old 41 from Rosemary to U.S. 41 to a 4-lane divided roadway, thus increasing the capacity of the roadway. Improvements at the site access drive intersections are typically identified at local D.O. stage. Left and right turn lanes will most likely be warranted.

If you have any additional questions, please do not hesitate to contact me.

RECEIVED
NOV 12 2002
COMMUNITY DEVELOPMENT

Sincerely,

Ted B. Treesh
Principal/Regional Manager

2002-00018

7/18/00

LEE COUNTY
GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES

URBANIZED AREAS

ARTERIALS

GROUP I (>0.00 TO 1.99 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B	C	D**	E**
2 UNDIV.	--	650	900	960	960
4 DIV.	--	1,410	1,920	2,030	2,030
6 DIV.	--	2,150	2,900	3,040	3,040
8 DIV.	--	2,730	3,560	3,720	3,720

GROUP II (2.00 TO 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	640	880	940
4 DIV.	--	--	1,460	1,890	2,000
6 DIV.	--	--	2,270	2,840	3,000
8 DIV.	--	--	2,850	3,490	3,690

GROUP III (MORE THAN 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C*	D	E
2 UNDIV.	--	--	290	750	910
4 DIV.	--	--	680	1,700	1,930
6 DIV.	--	--	1,060	2,570	2,910
8 DIV.	--	--	1,340	3,180	3,570

FREEWAYS (GROUP 2)

LANES	A	B	C	D	E
4	1,090	1,710	2,570	3,270	3,900
6	1,680	2,630	3,950	5,030	5,990
8	2,290	3,590	5,390	6,860	8,170

COLLECTORS

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	500	800	870
2 DIV.	--	--	520	840	910
4 UNDIV.	--	--	1,080	1,640	1,750
4 DIV.	--	--	1,140	1,720	1,840

CONTROLLED ACCESS FACILITIES ***

LANES	A*	B	C	D**	E**
2 UNDIV.	0	690	930	980	980
4 DIV.	0	1,530	1,980	2,070	2,070
6 DIV.	0	2,340	2,980	3,110	3,110
8 DIV.	0	3,030	3,780	3,930	3,930

* CANNOT BE ACHIEVED.
**VOLUMES ARE COMPARABLE BECAUSE INTERSECTION CAPACITIES ARE REACHED.
*** THE APPLICATION OF THESE SERVICE VOLUMES SHOULD BE APPROVED BY LEE COUNTY DOT.

D:\LOS\DIRCAPA3.WK1

DCI 2002-00018

STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES

Date: **December 23, 2002**

To: **Alvin "Chip" Block, Senior Planner**
From: **Kim Trebatoski; Principal Environmental Planner**
Phone: (239) 479-8183
E-mail: trebatkm@leegov.com

Re: **The Villages of Bonita RPD**
DCI 2002-00018
STRAP 22-47-25-B1-00002.4000

The Division of Environmental Sciences (ES) staff have reviewed the proposed. The following are ES staff findings and recommended conditions:

Vegetation:
A Florida Land Use Cover and Classification Systems (FLUCCS) map was compiled by Boylan Environmental Consultants, Inc. Approximately 62.85 acres of indigenous plant communities are present onsite including the following:

- pine flatwoods (FLUCCS 411; 46.02 acres)
- cypress (FLUCCS 621; 7.10 acres)
- cypress-pine (FLUCCS 624; 8.08 acres)
- freshwater marsh (FLUCCS 641; 1.65 acres)

Open Space and Indigenous Preservation:
An open space table meeting the requirements of the Land Development Code (LDC) Section 10-415 has been included on the Master Concept Plan (MCP). LDC Section 34-935(g)(1)(a) requires 40% common open space which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access. Additionally, the overall open space for the project may be distributed throughout the project provided each tract, lot or parcel provide a minimum of 10% open space per LDC Section 34-414(c).

ES staff recommend the following condition to confirm open space requirements:

Prior to local development order approval: 1. the landscape plans must delineate the required open space as detailed on the Master Concept Plan; and 2. a minimum of 10% open space must be provided within each tract, lot or parcel; and 3. a minimum of 40% common open space must

ATTACHMENT C DCI 2002-00018

be provided within the residential tract which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access.

Protected Species:
A protected species survey for Lee County listed species meeting the requirements of LDC Section 10-473 was submitted by Boylan Environmental Consultants, Inc. No listed species were observed, however, the report noted that "it is possible that a tortoise or tortoises may colonize portions of the property."

ES staff field verified the protected species survey and located potential gopher tortoise burrows on the spoil piles adjacent to the ditch connecting Wetland Preserve "B" and Wetland Area "E" as shown on the MCP. Therefore, ES staff recommend the following condition to insure the protection of any gopher tortoises and commensal species:

Prior to local development order approval, the property must be resurveyed specifically for gopher tortoises. If any gopher tortoise burrows are located then a management plan must be submitted for review and approval by the Division of Environmental Sciences staff.

DCI 2002-00018

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: January 31, 2003

TO: Alvin "Chip" Block, AICP
Senior Planner

FROM: Robert G. Rentz, P.E.
Development Review Engineer

RE: **The Villages of Bonita**
Case No. DCI2002-00018

The proposed development consists of a maximum 50,000 square feet of commercial uses, 195,000 square feet of business park uses, and 396 dwelling units. The development is projected to generate 580 net new external trips in the peak hour. The projected build out year is 2006.

Based on the 2001 Traffic Count Report, and the generalized peak hour directional service volumes, issued by the Lee County Department of Transportation, *Old 41 north of Bonita Beach Rd.*, and *Old 41 from Rosemary St. to U.S.41*, will operate at level of service **"F"** in 2007 either without or with the project traffic.

BGR
S:/WRITERS/RENTZRG/DCI200200018SUBSTANTIVETRAFFICCOMMENTS

ATTACHMENT D

LEE COUNTY
SOUTHWEST FLORIDA

LEE COUNTY
RECEIVED
03 FEB 10 AM 11:44
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

DEPARTMENT OF TRANSPORTATION

Memo

To: Chip Block
Development Services Senior Planner

From: Andrew J. Getch, P.E. AG
LCDOT Senior Engineer

Date: February 7, 2003

Re: Villages of Bonita North MPD
Bonita Springs DCI2002-00018

LCDOT staff has reviewed the Application for Public Hearing for this case. The request to change from CPD to MPD, as we understand it, is to allow a residential, commercial and industrial mix. We have the following comments on the rezoning:

The project has nearly one-half mile of frontage on Old 41 across from Bernwood Business Park. The two proposed entrances align with Bernwood Lane and Bernwood Parkway in the Bernwood Business Park development. The Traffic Impact Statement (TIS) by the applicant's consultant, Metro Transportation Group, identifies potential operational problems both with and without the project. The TIS identified a potential level of service problem on segments of Old 41 in Figure 3. Also, several intersections of Old 41 were identified in the Highway Capacity Software intersection analyses to operate with an average delay determined to be level of service (LOS) "F".

The TIS projected future roadway segment volumes on Old 41 based on use of the historical growth rates in the 2001 Lee County Traffic Report. The 2002 Traffic Count Report data was not available at the time of the study. The existing roadway network was used for the analysis. In the TIS, the two-lane sections of Old 41 from Bonita Beach Road to U.S. 41/ Pelican Landing Parkway are projected to operate at LOS "F" in the year 2007. These specifically are Old 41 from Bonita Beach Road to West Terry Street and from north of Rosemary Drive to U.S. 41. The TIS notes that projection to occur with or without the project. Old 41 from Bonita Beach Road to West Terry Street is constrained to two lanes. The four-lane section of Old 41 from Terry Street to Rosemary Drive is shown to operate at LOS "B".

ATTACHMENT E

The analysis did not include other north-south improvements to the transportation network that will influence the traffic volume on Old 41. These include US 41 6-laning, Imperial Street/Three Oaks Parkway 4-laning, I-75 6-laning and Sandy Lane extension 2-laning in the City of Bonita Springs. US 41 6-laning, Imperial Street 4-laning, Three Oaks Parkway 4-laning, and I-75 6-laning are all in progress and scheduled for completion in Bonita Springs by 2008. Sandy Lane extension is not in the City of Bonita Springs CIP. Lee County has funded a Sandy Lane Extension Corridor Alignment Study; the subject project is not expected to be in the limits of the corridor. Bernwood Parkway will be extended across the Seminole Gulf Railway to connect to Signal Road in the Spring Creek East Development of Regional Impact.

These roadway improvements are likely to change the travel patterns in the project area to shift some of the existing traffic away from Old 41. However, there are a number of developments in progress in the area that are projected to add traffic to Old 41. Analysis with the roadway computer model (Florida Standard Urban Transportation Modeling Structure) could provide an indication of the effects of such a scenario(s). However, the actual increase in traffic may or may not exceed the historic trend projection, depending on the rate of development and timing of roadway improvements.

Four laning of Old 41 from Rosemary Drive north to US 41 would resolve the projected level of service problem.

The TIS also shows intersection LOS failures along Old 41 at project buildout. The projected delays creating the Level of Service problem are primarily due to the estimated vehicles approaching Old 41 to turn left at the intersection. The determination of the need for a traffic signal(s) at these intersections will be based on the operation of Old 41 and signal warrants in the Manual on Uniform Traffic Control Devices. Signal warrants rely on actual traffic conditions and volumes.

Concurrency may be an issue for this project at the time of local development order depending on timing of Old 41 four-laning, other roadway improvements and the rate of development in the area. The following condition is recommended:

The access points indicated on the Master Concept Plan are subject to any future operational decision by the City of Bonita Springs to install a traffic signal, and create, modify, or remove a median opening. If installation of a traffic signal is deemed to be appropriate by the City at either of these locations, a proportionate share of the full cost of the traffic signal improvement will be the responsibility of the developer.

AJG/mlb

cc: Daryl Walk – P.E., City Engineer
Audrey Vance, City Attorney
Zoning File

INSTRUCTIONS

(Section C.1.c., Lee County Administrative Code AC 2-8)

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of ten (10) days in advance of the Zoning Board of the City of Bonita Springs. This sign will be provided by the Development Services Division in the following manner:

a. Signs for case **#DCI2002-00018** must be posted by **April 18, 2003**
b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
d. The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Development Services Division, and obtain duplicate copies of the sign from the Development Services Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO LEE COUNTY DEVELOPMENT SERVICES DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

(Return the completed Affidavit below to the Development Services Division as indicated in previous paragraph.)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED SHARON UMPENHOUR

WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION REFERENCED BELOW:

Sharon Umpenhour
SIGNATURE OF APPLICANT OR AGENT

SHARON UMPENHOUR
NAME (TYPED OR PRINTED)

3800 VIA DEL REY
ST. OR PO BOX

BONITA SPRINGS, FL 34134
CITY, STATE & ZIP

#DCI2002-00018/Old 41 MPD fka The Villages of Bonita

North MPD/ May 2, 2003
STATE OF FLORIDA
COUNTY OF LEE JMS

The foregoing instrument was sworn to and subscribed before me this 9TH day of APRIL, 2003, by SHARON UMPENHOUR, personally known to me or who produced _____ as identification and who did/did not take an oath.

Kimla K. Oehme
Signature of Notary Public

Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

KIMLA K. OEHME
My Comm Exp. 4/7/05
No. DD 008179
Personally Known ( ) Other I.D.

RECEIVED
APR 15 2003
COMMUNITY DEVELOPMENT

LEE COUNTY

RECEIVED
APR 01 2003
COMMUNITY DEVELOPMENT

APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT

BONITA SPRINGS OR FORT MYERS BEACH ONLY

Applicant's Name: Q. Grady Minor & Associates, P.A.

Project Name: ~~The Villages of Bonita North MPD~~OLD 41 MPD

STRAP Number(s): 22-47-25-B1-00002.4000

Application Form: ✓ **Computer Generated*** _____ **County Printed**

* By signing this application, the applicant affirms that the form has not been altered.

STAFF USE ONLY DCI 2002-00018

Planning Community Bonita Springs *Case Number:* _____

Current Zoning: AG-2 *Date of Application:* 5-13-02

Land Use Classification(s): End Dev. Rural W.C. Wetlands *Fee:* 8700.00

Comp. Plan Density Range: Varies

Date Zoning Board/Planning Agency Public Hearing: _____

Planner in charge: _____

TYPE OF APPLICATION

___ *DRI*	___ *PD - Existing Development*	___ *OPTION 1*
___ *DCI - Major*	___ *PD - Existing Development*	___ *OPTION 2*
___ *DCI - Minor*	___ *PD - Amendment*	

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 479-8585

PART I
APPLICANT\PROPERTY OWNERSHIP INFORMATION

A. Name(s) of applicant(s): **Q. Grady Minor & Associates, P.A.**

Mailing Address: Street: **3800 Via Del Rey**

City: **Bonita Springs** State: **Florida** Zip: **34134**

Phone Number: Area Code: **239** Number: **947-1144** Ext: _____

Fax Number: Area Code: **239** Number: **947-0375**

E-mail: _____

B. Relationship of applicant to property:

_____ Owner _____ Trustee _____ *Option holder* _____ *Lessee* _____ *Contract Purchaser*
✓ *Other (indicate):* **Agent**

If applicant is NOT the owner or the person authorized by the Covenant of Unified Control, submit a ***Notarized Authorization Form*** *from the owner or his authorized representative. Label as Exhibit I-B.*

** If the application is County-initiated, enter the date the action was initiated by the Board: _____*
Attach a copy of the "blue sheet" and a list of all property owners, and their mailing addresses, for all properties within the area described. Names and addresses must be those appearing on the latest tax rolls of Lee County. Label the "blue sheet" as "Exhibit I-B-2" and the list as "Exhibit I-B-3". ***[Sec. 34-202(a)(5)]***

C. Name of owner(s) of property: **Edward J. McArdle, Trustee**

Mailing Address: Street: **C/O Ronald C. Dillon, Oakbrook Properties, 24880 Burnt Pine Dr., Suite 8**

City: **Bonita Springs** State: **Florida** Zip: **34135**

Phone Number: Area Code: **239** Number: **992-5529** Ext: _____

Fax Number: Area Code: _____ Number: _____

D. Date property was acquired by present owner(s): **1981**

E. Is the property subject to a sales contract or sales option? ✓ NO _____ YES

F. Is owner(s) or contract purchaser(s) required to file a disclosure form? _____ NO ✓ YES. If yes, please complete and submit Exhibit I-F (attached).

G. Are there any existing deed restrictions or other covenants on this property which may affect this request? ✓ NO _____ YES. If yes, submit a copy of the deed restrictions or other covenants and a statement explaining how the restrictions may affect the requested action. Label as "Exhibit I-G".

H. Authorized Agent(s): List names of authorized agents (submit additional sheets if necessary).

Name: **Q. Grady Minor & Associates, P.A.**

Address: **3800 Via Del Rey, Bonita Springs, Florida 34134**

Contact Person: **D. Wayne Arnold, AICP**

Phone: **239-947-1144** Fax: **239-947-0375**

E-mail: **warnold@gradyminor.com**

DCI 2002-00018

Name: **Pavese, Haverfield, Da[redacted]n, Harrison**

Address: **1833 Hendry Street, Fort Myers, FL 33901**

Contact Person: **Ms. Neale Montgomery**

Phone: **(239) 334-2195** Fax:

E-mail: **NealeMontgomery@paveselaw.com**

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PART II
GENERAL INFORMATION

A. Request:

1. Rezoning from **AG-2** _____ TO:(check all applicable)

_____ RPD - Residential	✓ _____ MPD - Mixed Use
_____ MHPD - Mobile Home	_____ RVPD - Recreational Vehicle
_____ CPD - Commercial	_____ CFPD - Community Facilities
_____ IPD - Industrial	_____ AOPD - Airport Operations

2. Option Chosen: ✓ _____ Option 1 **[34-373(a)(6)a]** _____ Option 2 **[34-373(a)(6)b]**

3. Other - Provide specific details. _____

B. Legal Description and Boundary Sketch: Is property within a platted subdivision recorded in the official Plat Books of Lee County?

✓ _____ NO. Attach a legible copy of the legal description (label it Exhibit II-B-1.) and Certified sketch of description as set out in chapter 61G 17-6.006 FAC. (labeled Exhibit II-B-2.). **If the legal description is available on computer disc (Word or Word Perfect) please provide a copy at time of application.**

_____ YES. Property is identified as:

Subdivision Name: _____

Plat Book: _____ Page: _____ Unit: _____ Block: _____ Lot: _____

Section: _____ Township: _____ Range: _____ _____

Attach a copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-B-3.

C. Project Street Address: **25701 Old 41 Road** _____

D. General Location Of Property (referenced to major streets): **On the east side of Old 41 Road, approximately ¾ miles south of the intersection of Old 41 Road and U.S. 41 (S.R. 45) Bonita Springs, immediately north of the Villages of Bonita RPD** _____

E. Lee Plan Information

1. Lee Plan Land Use Classification: **Urban Community** _____

2. Are you proposing any Lee Plan amendments which could affect the subject property? ✓ _____ NO _____ YES. If yes, submit a copy of the proposed amendment (labeled as "Exhibit II-E-I") along with a statement as to how the proposed amendment will affect your property (labeled as "Exhibit II-E-2").

F. Drainage, Water Control and Other Environmental Issues

1. Is the property within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s? ✓ _____ NO _____ YES. If yes, specify the minimum elevation required for the first habitable floor). _____ NGVD (MSL)

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2. Are there any environmentally sensitive lands such as, but not limited to: wetlands (as defined in the Lee Plan); flow-ways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1 (2)] or listed species occupied habitat (see Sec. 10-474 of the Land Development Code) on the subject property? _____ NO ✓ _____ YES If yes, delineate these areas on a map or aerial photo and label it Exhibit II-F-1. Also, complete Exhibit II-F-2. attached hereto.

G. Present Use of Property: Is the property vacant? _____ NO ✓ ____ YES

If the property is not vacant, the owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the proposed use of the building or structure(s)will be in compliance with all applicable requirements of the Land Development Code. **[Sec. 34-202(b)(3]**

Briefly describe current use of the property: **Pasture, portions of the site have been previously cleared.**

H. Property Dimensions

1. Width (average if irregular parcel): **3414.18 ±** Feet

2. Depth (average if irregular parcel): **1304.83 ±** Feet

3. Frontage on road or street: **2880.34 ±** Feet on **Old 41 Road**
(Name of street)

4. Total land area: **84.85 ±** Acres ~~or Square Feet~~

I. Land Area Calculations

1. Undevelopable Areas:

a. Freshwater wetland areas **16.19 ±**

b. Other wetland areas _____

c. Submerged land subject to tidal influence: _____

d. Total (a + b + c): **16.19 ±**

2. Remaining developable land (H.4 less I.1.d): **68.66 ±**

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MCP "A"
PART III
PROPOSED DEVELOPMENT

A. Nature of Request

1. Will the development contain living units? _____ NO ✓ _____ YES. If the answer is yes, please indicate the total number of living units proposed, by type:

_____ Single Family	_____ Mobile Homes	_____ Recreational Vehicles
_____ Zero-Lot-Line	_____ Duplex/Two Family	_____ Townhouses
394 Multiple Family	394 TOTAL ALL TYPES	

2. If the development will contain living units, please complete Exhibit III-A-2 (attached) and enter the following information:

   a. PERMITTED total units (from Exhibit III-A-2): 399

   b. PROPOSED total units (from A-1. above): 394

   c. PROPOSED density (from Exhibit III-A-2): 6

3. Will the development contain non-residential areas? _____ NO ✓ _____ YES. If the answer is yes, please indicate the size [gross square footage (gsf) unless indicated otherwise] of each general class of uses below:

   Retail: 50,000 Total gsf

   Offices: _____ Total gsf

   Medical: _____ gsf Non-medical: _____ gsf

   Hotel/Motel: _____ Total units

   Size of units: _____ 0-425 sq. Ft. (number) _____ 426-725 sq. Ft. (number) _____ 726 or more sq. Ft. (number)

   Industrial: 195,000 Total gsf

   Under roof: _____ gsf Not under roof: _____ gsf

   Mines, Quarries, or General Excavation:

   Acres to be excavated: _____

   Other-specify: _____

   Number of Beds (if applicable): _____ OR: _____gsf

4. Building Height

   45' Maximum height of buildings (in feet above grade)

   3 Number of Habitable Floors

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5. Aviation Hazard: Do you propose any structures, lighting, or other features that might affect safe flight conditions? ✓ _____ NO _____ YES. If yes, please submit an explanation and label it Exhibit III-A-5.

B. Facilities

1. Fire District: **Bonita Springs Fire District**

2. Water Supply

   a. Estimated daily consumption of potable water:

      1. Residential units: **220** gpd / **multi-family X 394 units = 86,680 gpd**
      2. Mobile Home units: _____ gpd
      3. Rec. Vehicle units: _____ gpd
      4. Commercial: **0.15** gpd / **sf X 50,000 sf = 7,500 gpd**
      5. Industrial: **0.1** gpd / **sf X 195,000 = 19,500 gpd**

   b. Source of potable water: **Bonita Springs Utilities, Inc.**

   c. Do you have a written agreement from the utility company to serve your project? ✓ NO____ YES. If yes, please submit a copy of the agreement.

   d. Source of Non-potable water: **On site wells**

3. Sanitary Sewer Service

   a. Estimated daily production of wastewater:

      1. Residential units: **220** gpd / **multi-family X 39 units = 86,680 gpd**
      2. Mobile Home units: _____ gpd
      3. Recreational Vehicles: _____ gpd
      4. Commercial: _____ gpd
      5. Industrial: _____ gpd

   b. Is any special effluent anticipated? ✓ NO _____ YES. If yes, please complete Exhibit III-B-3 (attached).

   c. Source of sanitary sewer service: **Bonita Springs Utilities, Inc.**

   d. Do you have a written agreement from the utility company to serve your project? ✓ NO _____ YES. If yes, please submit a copy of the agreement.

   e. Will a private on-site disposal facility be used? ✓ NO _____ YES. If yes, please complete Exhibit III-B-3 (attached).

   f. Are individual sewage disposal systems proposed? ✓ NO _____ YES.

C. Transportation

1. Has this project been exempted from filing a Traffic Impact Statement? ✓ NO _____ YES _____ NOT REQUIRED (Exist. development). If it has been exempted, attach a copy of the exemption and label it Exhibit III-C.

DCI 2002-00018

PART IV
SUBMITTAL REQUIREMENTS

COPIES REQUIRED					Exhibit #	Item
SUB	DRI	DCI	EXIST	MINOR		
✓	12	11	11	11		Completed application **[34-201(b)]**
✓	1	1	1	1		Application Fee [34-202(a)(9)]
✓	2	2	2	2	I-B-1	**Notarized** Authorization Form (if applicable) [34-201(a)(1)]
NA	2	2	2	2	I-B-2	Blue Sheet (If applicable) [34-201(a)(2)]
NA	2	2	2	2	I-B-3	List of Property Owners (If applicable) [34-202(a)(5)]
✓	2	2	2	2	I-B-4	**Notarized** Covenant & doc. Of Unified Control [34-373(a)(3)]
✓	2	2	2	2	I-B-5	Surrounding Property Owners List [34-202(a)(6)]
✓	2	2	2	2	I-B-6	Property Owners Map [34-202(a)(7)]
✓	2	2	2	2	I-F	**Notarized** Disclosure Form (if applicable) [34-201(b)(1)]
NA	2	2	2	2	I-G	Deed Restrictions & Narrative (if applicable) [34-202(b)(2)
✓	12	11	11	11	II-B-1	Legal Description [34-202(a)(1)]
✓	12	11	11	11	II-B-2	Certified sketch of description (if applicable) [34-202(a)(2)]
NA	2	2	2	2	II-B-3	Plat Book Page (if applicable) [34-202(a)(1)]
✓	12	11	11	11	II-D	Area Location Map [34-202(a)(4)]
NA	12	11	11	11	II-E-1	Lee Plan Amendment (if applicable) [34-373(a)(5) & 34-491]
✓	12	11	11	11	II-E-2	Narrative/how prop. complies with Lee Plan, etc. [34-373(a)(5)]
✓	12	11	11	11	II-F-1	Environ. Sensitive Lands map (if app.) [34-373(a)(4)c]
✓	4	4	4	4	II-F-2	Environmental Assessment [34-1573]
✓	12	11	4	4	II-F-3	Exist. zoning & current land use map/photo [34-373(a)(4)a]
✓	12	11	4	4	II-F-4	Soils, vegetation and ground cover maps [34-373(a)(4)b.]
NA	12	11	4	4	II-F-5	Topography map (if available) [34-373(a)(4)b.]
✓	12	11	-	-	III-A-2	Density Calcs (if applicable) [34-373(a)(6)a.3 & (6)b.3 & (7)a.]
NA	12	11	-	-	III-A-5	Aviation Hazard (if applicable) [34-1001 et seq.]
✓	12	11	-	-	III-B-3	Sanitary Sewer Facilities(if applicable) [34-442 (1)n]
✓	4	4	-	4	III-C	Traffic Imp. Statement (if applicable) [34-373(a)(6)a.11 or b.10]
NA	4	4	-	4	III-C	TIS Exemption Form (if applicable) [34-373(a)(6)a.11 or b.10]
NA	12	11	4	4	IV-A	Public transit routes map (if applicable) [34-373(a)(4)d.]
NA	12	11	4	4	IV-C	Existing easements and r-o-w map. [34-373(a)(4)e.]
✓	12	11	11	11	IV-D	Description of proposed development. [34-373(a)(6)]
✓	12	11	11	11	IV-E	Master Concept Plan (Option 1) [34-373(a)(6)a.]
NA	12	11	11	11	IV-F	Master Concept Plan (Option 2) [34-373(a)(6)b.]
✓	1	1	1	1		11 inch by 17 inch copy of the Master Concept Plan
✓	12	11	11	11	IV-G	Schedule of Uses [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)]
NA	12	11	11	11	IV-H	Schedule of Dev. & Justification [34-373(a)(6)a.9 or b.9 & (7)d]
NA	4	4	-	-	IV-I	Surface Water Management Plan [34-373(b)(1)]
NA	4	4	-	-	IV-J	Protected Species Management Plan [34-373(b)(2)]
NA	12	11	11	11	IV-K	Program for phased development (if applicable) [34-373(b)(3)]
NA	12	11	11	11	IV-L	Haz. Mat Emer Plan (if applicable) [34-202(b)(4)]
NA	-	-	4	-	IV-M	Mobile Home Park Rezoning Information [34-373(d)]

DCT

2002-00018

LEE COUNTY PROPERTY APPRAISER

Property Data for Parcel 22-47-25-B1-00002.4000

EXHIBIT "A"

[Next Lower Parcel Number | Next Higher Parcel Number | Display Building Permits on this Parcel | Display Tax Bills on this Parcel]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE. LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2001 ROLL.

Owner of Record	Legal Description	Image of Structure
MCARDLE EDWARD J TR C/O J STEPHEN CRAWFORD 28000 SPANISH WELLS DR BONITA SPRINGS FL 34135	PARL AS DESC IN OR1560/304 LESS OR 1903/ 4709 +2605/383	(Not Presently Available)
Site Address	25701 OLD 41 RD Bonita Springs, FL 34135	

Taxing District	DOR Code
248 - CITY OF BONITA SPRINGS - 015	64 - GRAZING LAND CLASS V

Property Values		Exemptions		Dimensions	
Just	1,707,690	Homestead	0	Measurement Units	AC
Assessed	3,590	Agricultural	1,704,100	Number of Units	85.02
Assessed SOH	3,590	Widow	0	Frontage	0
Taxable	3,590	Widower	0	Depth	0
Building	0	Disability	0	Bedrooms	
Land	3,590	Wholly	0	Bathrooms	
Building Extra Features	0	Energy	0	Total Sq. Ft.	
Land Extra Features	0	SOH Difference	0	Year Built	

Sales Transactions

Sale Price	Date	OR Book/Page	Transaction Type	Vacant/Improved
100	7/5/2001	3454/3875	05	V
0	11/1/1981	1560/298	01	V
0	11/1/1981	1560/304	01	V

Solid Waste (Garbage) Roll Data

Solid Waste District	Roll Type	Category	Unit/Area	Tax Amount
011 - City of Bonita Springs	R - Residential Category		0	0.00

Land Tracts/Land Use

Description	Use Code	Units
Market Value Agricultural	9910	77.27 Acres
Market Value Agricultural	9910	7.75 Acres

Storm Surge Category	Flood Insurance (FIRM)				
	Rate Code	Community	Panel	Version	Date
Category 3	X	125124	0510	D	072098

[View 2001 TRIM Notice]

DU1 2002-00018

LEE COUNTY PROPERTY APPRAISER

Property Data for Parcel 22-47-25-B1-00002.4000

EXHIBIT "A"

[Next Lower Parcel Number | Next Higher Parcel Number | Display Building Permits on this Parcel | Display Tax Bills on this Parcel]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE. LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2001 ROLL.

Owner of Record	Legal Description	Image of Structure
MCARDLE EDWARD J TR C/O J STEPHEN CRAWFORD 28000 SPANISH WELLS DR BONITA SPRINGS FL 34135	PARL AS DESC IN OR1560/304 LESS OR 1903/ 4709 +2605/383	(Not Presently Available)
Site Address	25701 OLD 41 RD Bonita Springs, FL 34135	

Taxing District	DOR Code
248 - CITY OF BONITA SPRINGS - 015	64 - GRAZING LAND CLASS V

Property Values		Exemptions		Dimensions	
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Assessed	3,590	Agricultural	1,704,100	Number of Units	85.02
Assessed SOH	3,590	Widow	0	Frontage	0
Taxable	3,590	Widower	0	Depth	0
Building	0	Disability	0	Bedrooms	
Land	3,590	Wholly	0	Bathrooms	
Building Extra Features	0	Energy	0	Total Sq. Ft.	
Land Extra Features	0	SOH Difference	0	Year Built	

Sales Transactions

Sale Price	Date	OR Book/Page	Transaction Type	Vacant/Improved
100	7/5/2001	3454/3875	05	V
0	11/1/1981	1560/298	01	V
0	11/1/1981	1560/304	01	V

Solid Waste (Garbage) Roll Data

Solid Waste District	Roll Type	Category	Unit/Area	Tax Amount
011 - City of Bonita Springs	R - Residential Category		0	0.00

Land Tracts/Land Use

Description	Use Code	Units
Market Value Agricultural	9910	77.27 Acres
Market Value Agricultural	9910	7.75 Acres

Storm Surge Category	Flood Insurance (FIRM)				
	Rate Code	Community	Panel	Version	Date
Category 3	X	125124	0510	D	072098

[View 2001 TRIM Notice]

2002-00018

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 22-47-25-B1-00002.4000 **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
EDWARD J. McARDLE	100%

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

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(over)

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5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office (if applicable)	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: _____
(Applicant)

D. Wayne Arnold
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 5 day of April, 2002, by D. WAYNE ARNOLD ~~G. Grady Minor~~, who is personally known to me or who has produced _____ as identification. .

(SEAL)

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_____
Signature of Notary Public

Sharon Umpenhour
Printed Name of Notary Public

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MCP "B"
PART III
PROPOSED DEVELOPMENT

A. Nature of Request

1. Will the development contain living units? _____ NO ✓_____ YES. If the answer is yes, please indicate the total number of living units proposed, by type:

_____ Single Family _____ Mobile Homes _____ Recreational Vehicles

_____ Zero-Lot-Line _____ Duplex/Two Family _____ Townhouses

494 Multiple Family **494** TOTAL ALL TYPES

2. If the development will contain living units, please complete Exhibit III-A-2 (attached) and enter the following information:

a. PERMITTED total units (from Exhibit III-A-2): **495**

b. PROPOSED total units (from A-1. above): **494**

c. PROPOSED density (from Exhibit III-A-2): **6**

3. Will the development contain non-residential areas?_____ NO ✓_____ YES. If the answer is yes, please indicate the size [gross square footage (gsf) unless indicated otherwise] of each general class of uses below:

Retail: **50,000** Total gsf

Offices: _____ Total gsf

Medical: _____ gsf Non-medical: _____ gsf

Hotel/Motel: _____ Total units

Size of units: _____ 0-425 sq. Ft. (number) _____ 426-725 sq. Ft. (number) _____ 726 or more sq. Ft. (number)

Industrial: _____ Total gsf

Under roof: _____ gsf Not under roof: _____ gsf

Mines, Quarries, or General Excavation:

Acres to be excavated: _____

Other-specify: _____

Number of Beds (if applicable): _____ OR: _____gsf

4. Building Height

45' Maximum height of buildings (in feet above grade)

3 Number of Habitable Floors

5. Aviation Hazard: Do you propose any structures, lighting, or other features that might affect safe flight conditions? ✓_____ NO _____ YES. If yes, please submit an explanation and label it Exhibit III-A-5.

DCI 2002-00018

B. Facilities

1. Fire District: **Bonita Springs Fire District**

2. Water Supply

   a. Estimated daily consumption of potable water:

      1. Residential units: **220** gpd / **multi-family X 494 units = 106,680 gpd**
      2. Mobile Home units: _____ gpd
      3. Rec. Vehicle units: _____ gpd
      4. Commercial: **0.15** gpd / **sf X 50,000 sf = 7,500 gpd**
      5. Industrial: _____ gpd

   b. Source of potable water: **Bonita Springs Utilities, Inc.**

   c. Do you have a written agreement from the utility company to serve your project? ✓ NO_____ YES. If yes, please submit a copy of the agreement.

   d. Source of Non-potable water: **On site wells**

3. Sanitary Sewer Service

   a. Estimated daily production of wastewater:

      1. Residential units: **220** gpd / **multi-family X 494 units = 106,680 gpd**
      2. Mobile Home units: _____ gpd
      3. Recreational Vehicles: _____ gpd
      4. Commercial: _____ gpd
      5. Industrial: _____ gpd

   b. Is any special effluent anticipated? ✓_____ NO _____ YES. If yes, please complete Exhibit III-B-3 (attached).

   d. Source of sanitary sewer service: **Bonita Springs Utilities, Inc.**

   d. Do you have a written agreement from the utility company to serve your project? ✓_____ NO _____ YES. If yes, please submit a copy of the agreement.

   e. Will a private on-site disposal facility be used? ✓_____ NO _____ YES. If yes, please complete Exhibit III-B-3 (attached).

   f. Are individual sewage disposal systems proposed? ✓_____ NO _____ YES.

C. Transportation

1. Has this project been exempted from filing a Traffic Impact Statement? ✓_____ NO _____ YES _____ NOT REQUIRED (Exist. development). If it has been exempted, attach a copy of the exemption and label it Exhibit III-C.

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VILLAGES OF BONITA NORTH MPD

CITY OF BONITA SPRINGS COMPREHENSIVE PLAN CONSISTENCY
EXHIBIT II-E-2

The Villages of Bonita North MPD is located in the Urban Community Land Use designation of the City of Bonita Springs Comprehensive Plan. The project has direct access to Old U.S. 41 Road, which is a Lee County arterial roadway. The Villages of Bonita North MPD is proposed as a Mixed-Use Planned Development, consisting of light industrial (business park), commercial and residential land uses. The Urban Community designation permits densities ranging from 6 dwelling unit/acre to 10 dwelling unit/acre. The proposed residential density is 6 du/acre and is consistent with the permitted density range. The City of Bonita Springs Comprehensive Plan and Land Development Code promote development of mixed-use projects specifically those that include residential, commercial and light industry uses. Objective 4.1 of the City of Bonita Springs Comprehensive Plan promotes creation of mixed-use developments to help reduce impacts on collector of arterial roads. The proposed MPD is consistent with this Plan objective.

The residential component of the mixed-use project is consistent with Objectives 2.1 and 2.2 of the City of Bonita Springs Comprehensive Plan. These objectives promote development in locations where they result in contiguous and compact growth patterns, and where infrastructure is available to serve the development. The proposed Villages of Bonita North MPD is contiguous to both existing industrial and residential development. Utilities and roadway infrastructure are in place to serve the proposed development.

The proposed project is also consistent with Objective 5.1 and 5.1.11. The proposed project is being reviewed as a planned development and the site design has addressed buffering, compatibility and protection of environmentally sensitive areas. Further, development standards have been listed on the Master Concept Plan, which are consistent and compatible with existing and future development.

The commercial portion of the MPD is approximately 5.5± acres and is located at the outside of the T-intersection created via the extension of Bernwood Parkway (a.k.a. Signal Road). Policy 6.1.2(11) permits commercial development outside of a T-intersection, where at least one access point is an extension of the intersecting road. Bernwood Parkway is being extended into the Villages of Bonita North MPD; therefore, the commercial is consistent with Policy 6.1.2 of the City of Bonita Springs Comprehensive Plan.

The proposed business park (light industrial) component of the MPD is consistent with the City of Bonita Springs Comprehensive Plan. Policy 7.1.6 of the plan provides that light industrial development may occur in the Urban Community where it is proposed as a planned development. The proposed Villages of Bonita North MPD contains specific land development regulations schedule of uses and a Master Concept Plan, which have been developed to assure compatibility with existing and proposed development, which is consistent with Policy 7.1.8 of the City of Bonita Springs Comprehensive Plan.

DCI 2002-00018

EXHIBIT II-F-2
ENVIRONMENTAL ISSUES

A. Topography: Describe the range of surface elevations of the property:

NA

B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Lee Plan), flowways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1.1 (2)] or listed species occupied habitat (see Sec. 10-4730 of the Land Development Code.

There are approximately 16± acres of freshwater wetlands located on the site and they are identified on the MCP & discussed in the Environmental Assessment provided by Boylan environmental.

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Continued

C. **Preservation/Conservation of Natural Features**: Describe how the lands listed in B. above will beprotected by the completed project:

25' wide buffers will be provided around each wetland area.

4. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:

NA

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MCP "A"

EXHIBIT III-A-2

PRELIMINARY DENSITY CALCULATIONS*
(Complete only if living units are proposed).

A. Gross Residential Acres

1. Total land area: **(Includes ½ Old 41 ROW)** **87.26 ±** acres

2. Area to be used for non-residential uses: *(Line A.2.a. plus A.2.b.):* **21.16 ±** acres

   a. R-O-W providing access to non-residential uses: _____ acres

   b. Non-residential use areas: **21.16 ±** acres

3. Gross residential acres (Line A.1 less A.2): **66.10 ±** acres

   a. Uplands areas **52.51 ±** *acres*

   b. Freshwater Wetlands areas **13.59 ±** *acres*

   c. Other Wetland areas _____ *acres*

B. Lee Plan *Land Use Classification:* Urban Community *(If more than one classification, calculations for each classification must be submitted)*

Density Standards (from Lee Plan Table 1)

1. Maximum standard density for Land Use Classification: **6** *units\gross res. acre*

2. Maximum total density for Land Use Classification: **10** *units\gross res. acre*

MAXIMUM PERMITTED DWELLING UNITS

C. Intensive Development, Central Urban, and Urban Community Areas:

1. *Standard density uplands units (A.3.a. times B.1)* **315** *units*

2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) **81** units

3. *Total standard density units (sum of C.1 & C.2)* **396** *units*

4. Max. total density units [A.3.a. times ((B.1 plus 1/2 of (B.2 less B.1))] **420** units

5. Sub-total permitted standard density units:* 396 *Units *(line C.3 or C.4 - whichever is less)*

** *6. BONUS UNITS*

   a. Low-moderate housing density: _____ *units*

   b. TDR units: _____ *units*

   c. **Sub-total (C.6.a plus C.6.b)** _____ units

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7. **Total Permitted Units (C.5. plus C.6.c):** **396** **units** ((may not exceed (A.3.a. times B.2) plus (A.3.b. and A.3.c. times .05)).

* *Subject to staff review and correction.*

** *If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.*

continued

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D. Suburban land use areas

1. *Standard density uplands units (A.3.a. times B.1)* _____ *units*
2. *Standard density freshwater wetlands units (A.3.b. times B.1)* _____ *units*
3. *Total standard density units (sum of D.1 & D.2)* _____ *units*
4. *Maximum upland density (A.3.a. times 8)* _____ *units*
5. ***Total permitted units:*** _____ ***Units*** *(line D.3 or D.4 - whichever is less)*

E. Outlying Suburban Land Use Areas

1. *Standard density uplands units (A.3.a. times B.1)* _____ *units*
2. *Standard density freshwater wetlands units (A.3.b times B.1)* _____ *units*
3. *Total standard density (sum of E.1 & E.2)* _____ *units*
4. *Maximum upland density (A.3.a times 4***)* _____ *units*
5. ***Total permitted units:*** _____ ***units*** *(line E.3 or E.4 - whichever is less)*

F. Open Lands

1. *Total acres of "Open Land"* _____ *acres*
2. *Maximum open land density (F.1 times 0.2****)* _____ *units*
3. ***Total permitted units:*** _____ ***units***

** *If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.*

*** *Outlying suburban land located north of the Caloosahatchee River and east of Interstate-75, north of Pondella Road and south of Pine Island Road (SR 78), and in the Buckingham area (see Goal 19 of the Lee Plan), the maximum upland density is two (2) units per acre plus one (1) for a total of three (3) units per acre.*

**** *One unit per five acres if the PD process is being used to prevent adverse impacts on environmentally sensitive lands (as defined in Policy 77,1,1,4)*

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MCP 'B'

EXHIBIT III-A-2

PRELIMINARY DENSITY CALCULATIONS*

(Complete only if living units are proposed).

A. Gross Residential Acres

1. Total land area: **(Includes ½ Old 41 ROW)** **88.00 ±** acres

2. Area to be used for non-residential uses: *(Line A.2.a. plus A.2.b.):* **5.51 ±** acres

   a. R-O-W providing access to non-residential uses: _____ acres

   b. Non-residential use areas: **5.51 ±** acres

3. Gross residential acres (Line A.1 less A.2): **82.49±** acres

   a. Uplands areas **65.71 ±** *acres*

   b. Freshwater Wetlands areas **16.78 ±** *acres*

   c. Other Wetland areas _____ *acres*

B. Lee Plan *Land Use Classification:* Urban Community *(If more than one classification, calculations for each classification must be submitted)*

Density Standards (from Lee Plan Table 1)

1.Maximum standard density for Land Use Classification: **6** *units\gross res. acre*

2. Maximum total density for Land Use Classification: **10** *units\gross res. acre*

MAXIMUM PERMITTED DWELLING UNITS

C. Intensive Development, Central Urban, and Urban Community Areas:

1. *Standard density uplands units (A.3.a. times B.1)* **394** *units*

2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) **100** units

3. *Total standard density units (sum of C.1 & C.2)* **494** *units*

4. Max. total density units [A.3.a. times ((B.1 plus 1/2 of (B.2 less B.1))] **525** units

5. ***Sub-total permitted standard density units:* 494 *Units*** *(line C.3 or C.4 - whichever is less)*

** 6. *BONUS UNITS*

   a. *Low-moderate housing density:* _____ *units*

   b. *TDR units:* _____ *units*

   c. **Sub-total (C.6.a plus C.6.b)** _____ units

7. **Total Permitted Units (C.5. plus C.6.c):** **494** **units** ((may not exceed (A.3.a. times B.2) plus (A.3.b. and A.3.c. times .05)).

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* *Subject to staff review and correction.*

** *If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.*

continued

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D. Suburban land use areas

1. *Standard density uplands units (A.3.a. times B.1)* _____ *units*
2. *Standard density freshwater wetlands units (A.3.b. times B.1)* _____ *units*
3. *Total standard density units (sum of D.1 & D.2)* _____ *units*
4. *Maximum upland density (A.3.a. times 8)* _____ *units*
5. ***Total permitted units:*** _____ ***Units*** *(line D.3 or D.4 - whichever is less)*

E. Outlying Suburban Land Use Areas

1. *Standard density uplands units (A.3.a. times B.1)* _____ *units*
2. *Standard density freshwater wetlands units (A.3.b times B.1)* _____ *units*
3. *Total standard density (sum of E.1 & E.2)* _____ *units*
4. *Maximum upland density (A.3.a times 4***)* _____ *units*
5. ***Total permitted units:*** _____ ***units*** *(line E.3 or E.4 - whichever is less)*

F. Open Lands

1. *Total acres of "Open Land"* _____ *acres*
2. *Maximum open land density (F.1 times 0.2****)* _____ *units*
3. ***Total permitted units:*** _____ ***units***

** *If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.*

*** *Outlying suburban land located north of the Caloosahatchee River and east of Interstate-75, north of Pondella Road and south of Pine Island Road (SR 78), and in the Buckingham area (see Goal 19 of the Lee Plan), the maximum upland density is two (2) units per acre plus one (1) for a total of three (3) units per acre.*

**** *One unit per five acres if the PD process is being used to prevent adverse impacts on environmentally sensitive lands (as defined in Policy 77,1,1,4)*

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EXHIBIT III-B-3
SANITARY SEWER FACILITIES

A. **Special Effluent**: If special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:

NONE

B. **Private On-site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:

1. Method and degree of treatment:

NA

2. Quality of the effluent:

NA

3. Expected life of the facility:

NA

4. Who will operate and maintain the internal collection and treatment facilities:

NA

5. Receiving bodies or other means of effluent disposal:

NA

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C. **Spray Irrigation:** If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

NA

2. Current water table conditions:

NA

3. Proposed rate of application:

NA

4. Back-up system capacity:

NA

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EXHIBIT IV-A

Lee Trans route 150 is a Dial-A-Ride route providing service anywhere within the city limits of Bonita Springs and connects to San Carlos Park via U.S. 41.

Please see attached map.

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Hours of Service Route 150

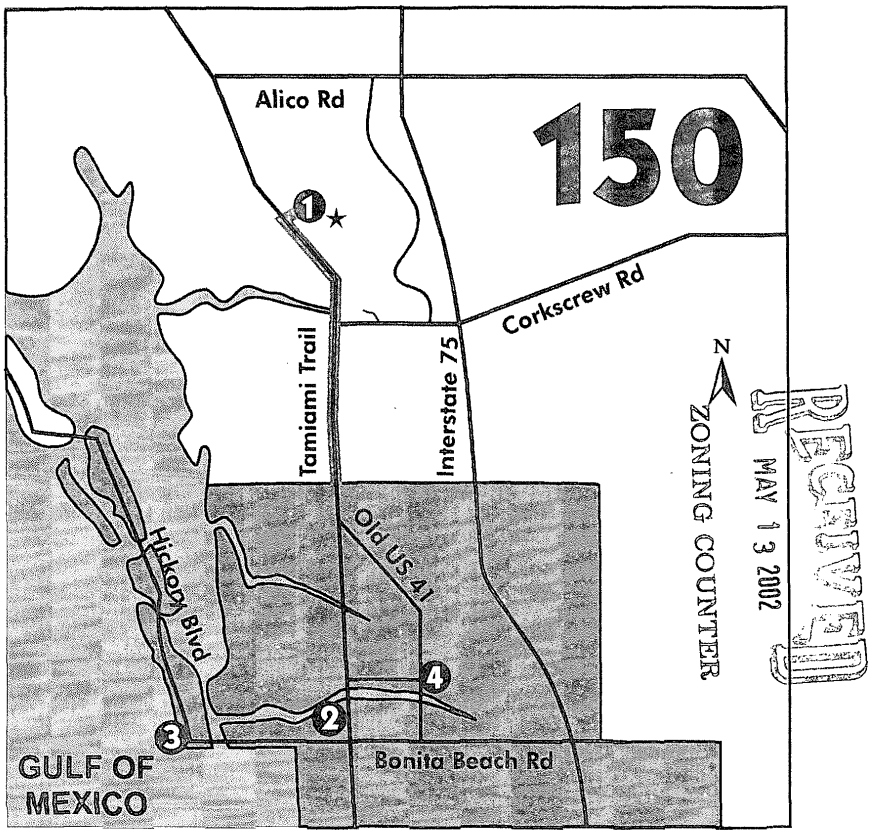
Monday - Friday
5:30am - 9:30 am
3:00pm - 6:30pm

Route 150 Landmarks

1. San Carlos Park
2. Bonita Kmart
3. Bonita Beach
4. Old US 41 & Terry St

★ Transfer Locations

The Route 150 provides service anywhere within the city limits of Bonita Springs and connects to San Carlos Park via US 41. The service area is represented by the shaded area on the map.



Please Note

Fare for Route 150 is $2.00 per trip.

An All Day Pass costs $3.00, and is good for all Routes.

Transfers can be used from the 150 to the Lee Tran fixed route system. However, transfers cannot be used to board the 150 route.

Reservations

Passengers are required to book their reservation at least one (1) business day before their trip. They may book their reservation up to two (2) weeks before their trip. Reservations may be canceled no later than one (1) hour before scheduled pickup time. If LeeTran is not notified of the intended cancellation, the trip will be regarded as a No-Show. See No-Shows section for more info.

Being On Time

The Route 150 is a curb-to-curb service. Passengers are responsible for being ready at the scheduled pick-up time. The best practice is to be at the curb five (5) minutes before the scheduled pick-up time. If passengers are not at the curb at the scheduled pick-up time, they risk missing their trip.

No Shows

A No-Show is defined as either 1). Failure to cancel a trip within one (1) hour of the scheduled pick-up time or 2). Passenger does not board the van/bus for a scheduled trip after the Route 150 vehicle is dispatched to the scheduled pick-up location. In either of the above cases, the driver will call LeeTran for authorization to leave without the passenger. Passengers with multiple No-Shows will risk becoming ineligible for the Route 150 service.

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Bus Riding Tips

- Be at Bus Stop 5 minutes before scheduled time.
- Have exact fare. Drivers cannot make change.
- Unscheduled stops are NOT allowed.
- Violent, disruptive or illegal behavior will not be tolerated. Passengers who are verbally or physically abusive to drivers or other passengers,or are otherwise disruptive, willbe subject to disciplinary action which may lead to suspension of service
- Check the destination sign above the windshield to ensure you are boarding the correct route
- Transfers Good On Next Available Bus Only and Not Valid on Same Route
- Out of courtesy to fellow passengers, smoking, drinking, eating, gambling, littering,and music without headphones are not allowed.
- No Service provided on following days

New Year's Day	Labor Day
Memorial Day	Thanksgiving Day
July 4th	Christmas Day

Bus Pass Outlet Locations

Fort Myers	Lee County Admin Building Monroe & 2nd St.
	Intermodal Transfer Center 2250 Peck St.
	LeeTran Office 10715 East Airport Road
So. Fort Myers	Edison Community College Student Services Building
Cape Coral	City Hall 1015 Cultural Parkway

Route 150 Fare Information

The fare for riding the Route 150 is $2.00 per trip. All Day passes are available for $3.00, and are good on all LeeTran Routes for the whole day on which you purchase it.

If your trip requires a transfer to the Route 140, the regular 15 cent transfer fare applies. However, transfers are not good from the Route 140 to the Route 150. If your trip requires you to make this connection, the $2.00 fare will be required to board the Route 150.

Fare Information For Other LeeTran Routes

Adult Fare	$1.00
Senior Citizen (65 or older with Medicare Card or LeeTran I.D)	$ .50
Disabled Citizen (with Medicare card or Lee Tran I.D.)	$ .50
Pre-School Children (under 42 in.)	Free
Transfers (Good for next available bus only)	$ .15

Passes

All Day Pass	$ 3.00
Adult Monthly Pass	$30.00
Student Monthly Pass	$25.00
Senior/Disabled Monthly Pass	$18.00
Adult Twelve Trip	$10.00
Student Twelve Trip	$ 7.50
Senior Twelve Trip	$ 5.00

150 Bonita Springs Dial-A-Ride

lee tran

Your Ride Is Here.

Call 656-6444 at least 24 hours in advance to schedule trip on Route 150

SERVICING

- City limits of Bonita Springs
- Connecting to San Carlos Park along US 41

CONNECTIONS*

San Carlos Park	140
Connection at Bonita Springs Kmart	Beach Trolley

*- 15 cent transfers good only to Route 140. Transfers are not good from the 140 to Route 150.

Wheelchair accessible buses available on most routes. Call us for details.

MORE INFO 656-6444 www.rideleetran.com

Effective 12/13/01

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Hours of Service
Route 150

Route 150 Landmarks

1.
2.
3.
4.

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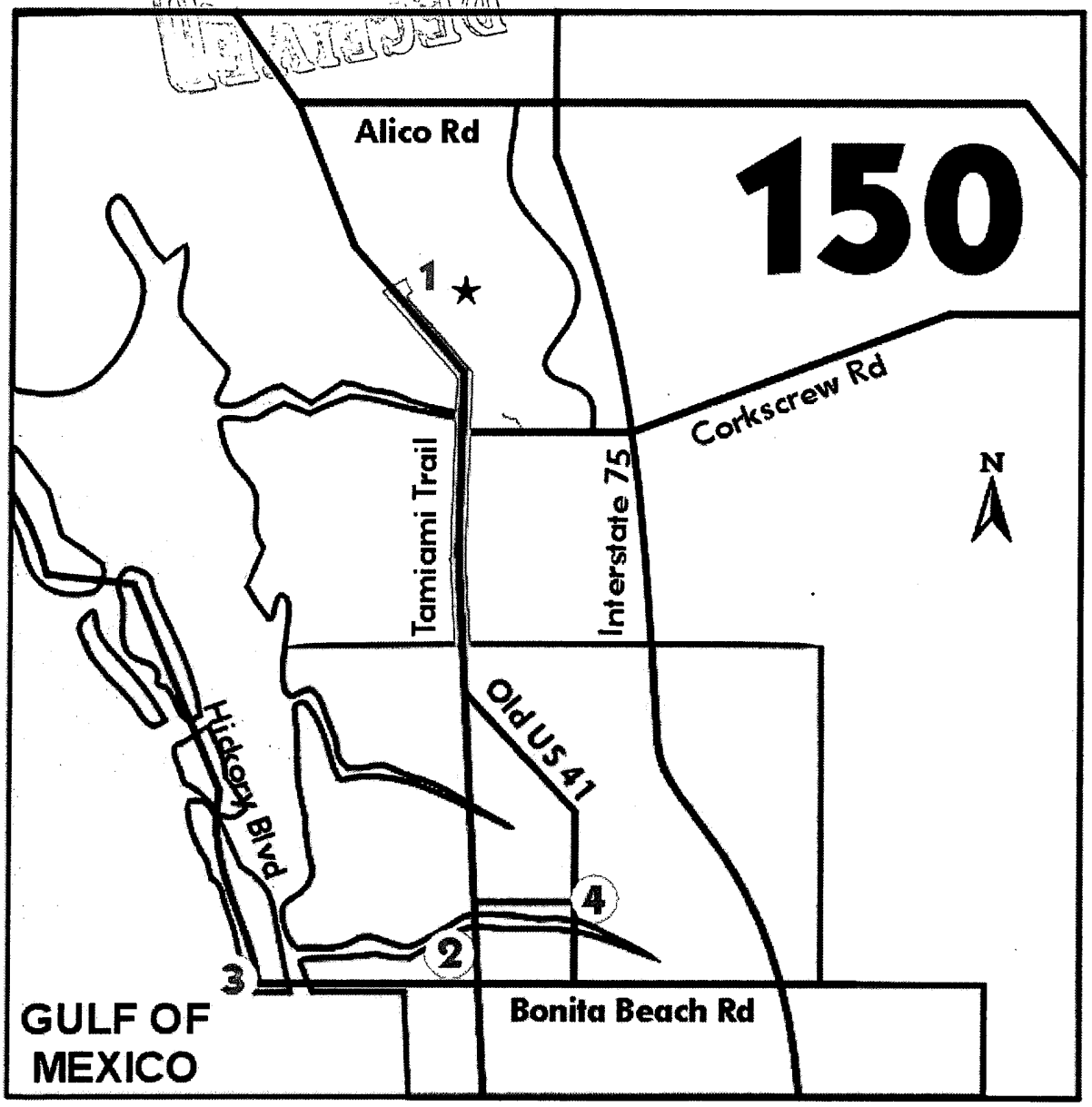

VILLAGES OF BONITA NORTH MPD

EXHIBIT IV-D
PROJECT DESCRIPTION

The proposed Villages North MPD is a mixed-use Master planned community, located on Old U.S. 41 Road, near the intersection of U.S. 41 with Old U.S. 41 Road. The property comprises of 84.85± acres. The property abuts the approved and substantially developed Villages of Bonita RPD to the south, which was amended by Zoning Ordinance No. 01-14, to permit a maximum of 343 dwelling units. The project lies immediately south and east of existing industrial development.

The property owner has submitted this MPD application with two alternative Master Concept Plans. MCP 'A' proposes development of a maximum of 394 units on approximately 66± acres, Business Park (light-industrial) use on approximately 15.5± acres and commercial development on approximately 5.5± acres.

Alternatively, the property owner is requesting a second MCP, MCP 'B', which would eliminate the business park and allow development of residential development of a maximum of 494 residential dwellings on the site and 5.5± acres of commercial.

Both MCP's are included in the plan set provided and provide buffer requirements, site layout, and acreage information for each development alternative.

No deviations from provisions of the City of Bonita Springs Land Development Code have been requested for the project.

The project contains preserve areas along its southern and northeastern boundaries, which will provide appropriate buffers to adjacent properties. The project complies with provisions of the City of Bonita Springs Comprehensive Plan and contains appropriate development standards assuring internal and external project compatibility.

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VILLAGES OF BONITA NORTH

Environmental Assessment and Protected Species Survey

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments

11000 Metro Parkway, Suite 4
Fort Myers, Florida, 33912
Phone:(941) 418-0671 Fax:(941) 418-0672

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February 7, 2002

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INTRODUCTION

An environmental scientists from Boylan Environmental Consultants, Inc conducted a field investigation on the 84.85 acre property on February 1, 4, and 6, 2002. The purpose of the field investigation was to identify the presence of protected species and habitat. The surveys were conducted between 12:30 to 4:00 p.m., 1:30 to 4:30 p.m., and 10:00 to 2:00 p.m., respectively. In addition, the on-site wetlands have been flagged and verified by SFWMD. The wetland limits as shown on the attached map and the wetland FLUCCS acreage represent GPS'ed areas.

The site is located in portions of Section 22, Township 47 South, Range 25 East, in Lee County, Florida. Specifically, it is situated off of old U.S. 41, some distance north of East Terry Street.

METHODOLOGY

In compliance with the Lee County Endangered Species Ordinance No. 89-34, we surveyed the property for protected species. This method is comprised of a several step process. First, vegetation communities or land-uses on the study area are delineated on an aerial photograph using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Next, the FLUCCS codes are cross-referenced with the Lee County Protected Species List. This protected species list names the species which have a probability of occurring in any particular FLUCCS community.

With a list of the potential listed plants and animals, each FLUCCS community is searched in the field for these species. An intensive pedestrian survey is conducted using belt transects as a means of searching for plants and animals. In addition, periodic "stop-look-listen" and quiet stalking methods are conducted for animals. Signs or sightings of these species are then recorded.

In addition, Soil Conservation Service (SCS) soil survey mappings (now the Natural Resource Conservation Service) were reviewed for the presence of hydric soils. The presence of hydric soils may indicate the presence of wetland. These soil mappings are general in nature and were mapped at a scale of 1:24,000. Following is a discussion in regards to on-site conditions of the subject property.

SITE CONDITIONS

The temperature ranged in the low 70's to low 80's with mostly sunny skies during the field investigations. The site was undeveloped, but portions of the uplands have been cleared for pasture. The pastures appear to be periodically maintained. The entire property appears to be used as woodland pasture by cattle. The property also appears to have been hydrologically altered due to the placement of sizeable ditches that border portions of the property. This ditching has contributed to the draining of some of the on-site wetlands.

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The entire northeast side of the property was bounded by a ditch that is part of the San Carlos Estates drainage system. At the south boundary lies the channelized portions of Spring Creek.

The soils on the property have been mapped by the Natural Resources Conservation Service (formerly the Soil Conservation Service) which show that the property is underlain by Hallendale fine sand (code 6; non-hydric), Boca fine sand (code 13; non-hydric), Pineda fine sand (code 26; Hydric), Isles fine sand, depressional (code 39; Hydric), Copeland sandy loam, depressional (code 45; Hydric), Felda fine sand, depressional (code 49; Hydric), and Boca fine sand, slough (code 74; Hydric). The soils series identified as hydric were listed in the Hydric Soils of Florida Handbook (1995) as hydric. See attached map for SCS mappings.

Listed below are the vegetation communities or land-uses identified on the site. Jurisdictional wetland areas were identified on the property. The following descriptions correspond to the mappings on the attached FLUCCS map. See Florida Land Use, Cover and Forms Classification System (Department of Transportation 1985) for definitions.

211 Improved Pasture (approximately 20.74 acres)

This community was dominated by bahia grass.

411 Pine Flatwood (approximately 46.02 acres)

This community was dominated by slash pine with a saw palmetto understory. Melaleuca and wax myrtle were common in the understory. The understory was sparsely vegetated with wire grass due to a relatively dense pine canopy.

500 Water (approximately 0.60 acres)

This land-use type describes a channelized portion of Spring Creek which is situated in the south portion of the property.

621 Cypress (approximately 7.10 acres)

This wetland community was dominated by tall-statured cypress trees. The understory was dominated by myrsine, swamp fern, and saw grass. Brazilian pepper was common on the outer edges of the community as well as scattered in the interior.

624 Cypress-Pine (approximately 8.08 acres)

This wetland community was co-dominated by cypress and slash pine trees with scattered melaleuca trees. The understory was dominated wax myrtle and myrsine shrubs. The herbaceous layer was dominated by wire grass.

641 Freshwater Marsh (approximately 1.65 acres)

This wetland community was dominated by saw grass. Willow shrubs and some melaleuca were also present in this community.

740/310 Disturbed lands/Herbaceous (approximately 0.66 acres)

This classification describes an area adjacent to the channelized portion of Spring Creek, which was disturbed during the process of excavating the ditch. Weedy herbaceous plants and scattered slash pine trees comprise this area.

SPECIES PRESENCE

The various listed species that may occur in the FLUCCS communities have been tabulated on the attached table. During our field survey for protected species on the property, we did not observe any protected species or signs thereof.

We did note the presence of nest-like structures in melaleuca trees, which based on their size appear to have been constructed by gray squirrels. Neither gray squirrels nor Big Cypress fox squirrels were identified during the field investigations.

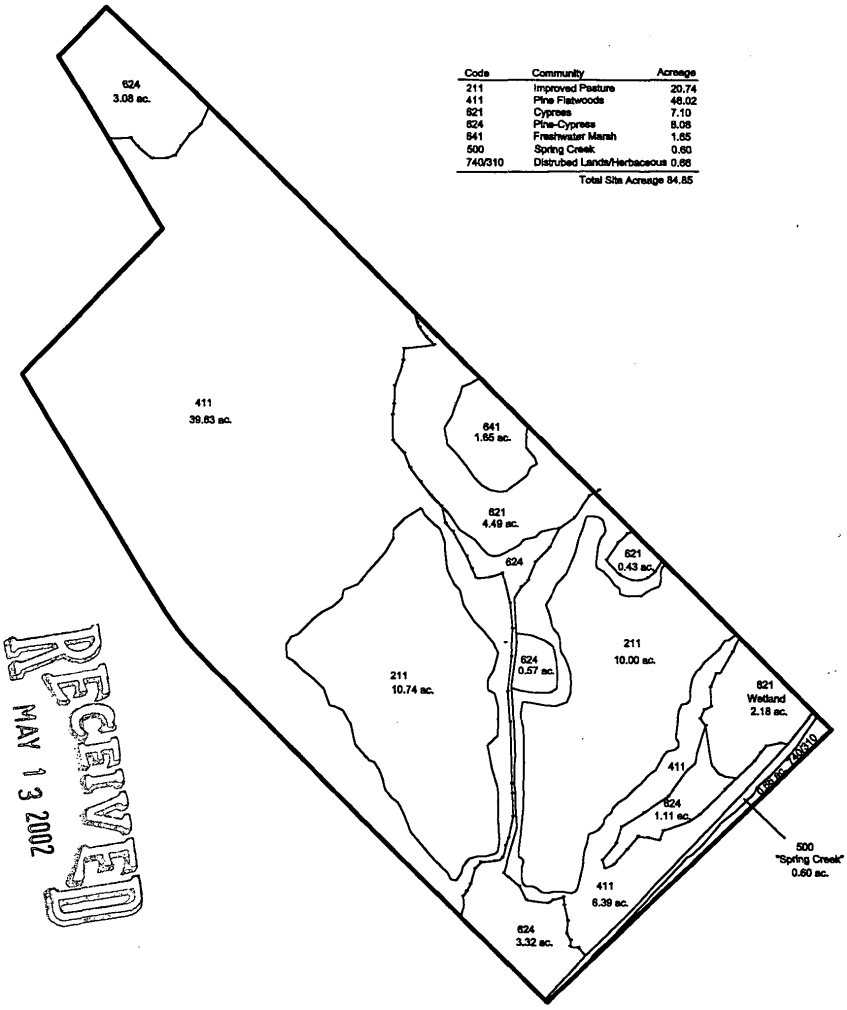
No tortoise burrows were identified. We observed burrows belonging to armadillos, which were not marked in the field. There was no evidence that gopher tortoises were using these burrows. The uplands appear to be marginal in terms of potential suitability for tortoises. This is likely due to the presence of a dense pine canopy resulting in a very sparse herbaceous layer; however, it is possible that a tortoise or tortoises may colonize portions of the property.

No other wading birds or alligators were seen, although it would be expected that wading birds would use the ditches and water bodies on the site.

Table. Protected species list according to FLUCCS category obtained from Lee County with corresponding field survey results.

FLUCCS	Potential Listed Species	% Coverage	Present	Absent	Density	Visibility (ft)
310	Burrowing Owl	95		X		20
	Florida Sandhill Crane	95		X		20
211	Florida Panther	95		X		100+
	Florida Sandhill Crane	95		X		100+
411	Beautiful Pawpaw	90		X		20
	Big Cypress Fox Squirrel	90		X		20
	Eastern Indigo Snake	90		X		20
	Fakahatchee Burmannia	90		X		20
	Florida Black Bear	90		X		20
	Florida Coontie	90		X		20
	Florida Panther	90		X		20
	Gopher Frog	90		X		20
	Gopher Tortoise	90		X		20
	Red-Cockaded Woodpecker	90		X		20
	Satinleaf	90		X		20
	Southeastern American Kestrel	90		X		20
	Twisted Air Plant	90		X		20
500	American Alligator	95		X		20
	Everglades Mink	95		X		20
	Limpkin	95		X		20
	Little Blue Heron	95		X		20
	Reddish Egret	95		X		20
	Roseate Spoonbill	95		X		20
	Snowy Egret	95		X		20
	Tricolored Heron	95		X		20
621	American Alligator	90		X		20
	Everglades Mink	90		X		20
	Florida Black Bear	90		X		20
	Florida Panther	90		X		20
	Gopher Frog	90		X		20
	Limpkin	90		X		30
	Little Blue Heron	90		X		20
	Snowy Egret	90		X		20
	Tricolored Heron	90		X		20
	Wood Stork	90		X		20
624	American Alligator	90		X		20
	Everglades Mink	90		X		20
	Florida Black Bear	90		X		20
	Florida Panther	90		X		20
	Gopher Frog	90		X		20
	Little Blue Heron	90		X		20
	Snowy Egret	90		X		20
	Tricolored Heron	90		X		20
	Wood Stork	90		X		20
641	American Alligator	90		X		20
	Everglades Mink	90		X		20

	Florida Sandhill Crane	90		X		20
	Lilltle Blue Heron	90		X		20
	Limpkin	90		X		20
	Reddish Egret	90		X		20
	Snail Kite	90		X		20
	Snowy Egret	90		X		20
	Tricolored Heron	90		X		20
	Wood Stork	90		X		20
740	Burrowing Owl	95		X		20
	Gopher Tortoise	95		X		20



Code	Community	Acreage
211	Improved Pasture	20.74
411	Pine Flatwoods	46.02
621	Cypress	7.10
624	Pine-Cypress	8.08
641	Freshwater Marsh	1.65
500	Spring Creek	0.60
740/310	Distrubed Lands/Herbaceous	0.66

Total Site Acreage 84.85

No protected species were identified on the property.

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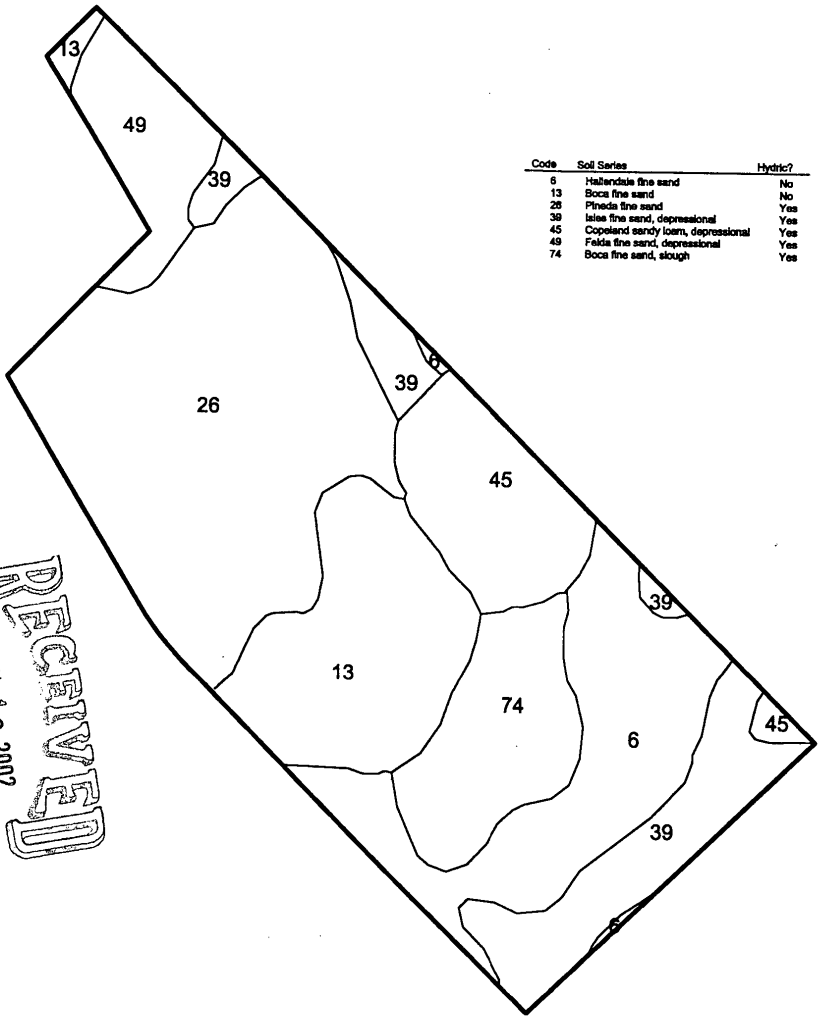
JOB # 10018
SCALE 1"=400'
FILE/Villages Bonita North
DRAWN BY KK
DATE 2-7-02

VILLAGES OF BONITA NORTH

Protected Species Survey Map with FLUCFCS Mappings

COUNTY Lee
SEC 22
TWP 47
RNG 25
REVISIONS

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (941)418-0671



Code	Soil Series	Hydric?
6	Hallendale fine sand	No
13	Boca fine sand	No
26	Pineda fine sand	Yes
39	Ialea fine sand, depressional	Yes
45	Copeland sandy loam, depressional	Yes
49	Felda fine sand, depressional	Yes
74	Boca fine sand, slough	Yes

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JOB # 10018
SCALE 1"=180' 500'
FILE: Bonita North
DRAWN BY KK
DATE 2-7-02

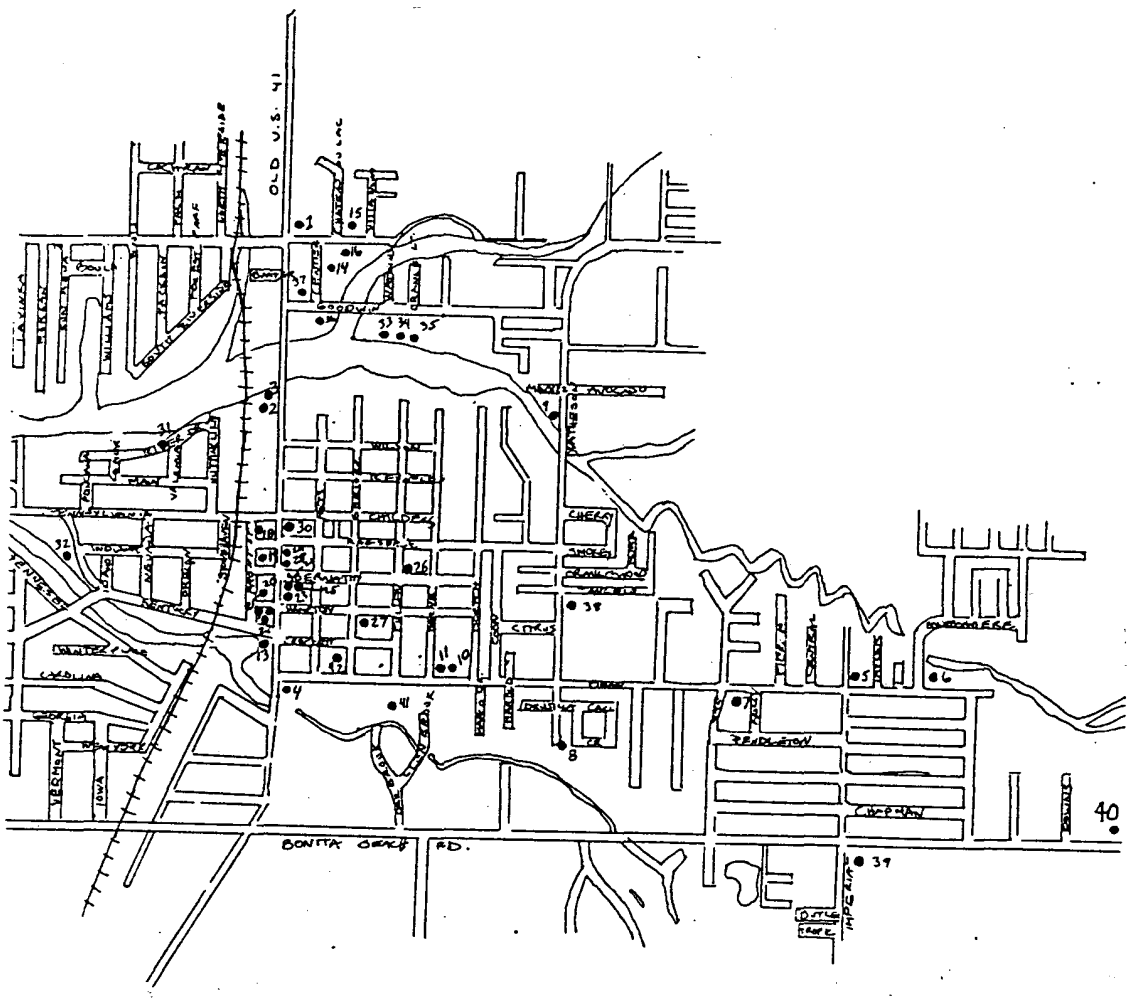
VILLAGES OF BONITA NORTH

NRCS Soil Survey Mappings

COUNTY Lee
SEC. 22
TWP. 47
RNG. 25
REVISIONS

Boylan Environmental Consultants, Inc.
11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (941)418-0671

FIGURE 22. BONITA SPRINGS SITE MAP



RECEIVED
JUL 29 2002
COMMUNITY DEVELOPMENT
DCI 2002.00018

RECEIVED
JUL 29
COMMUNITY DEVELOPMENT
DCI 2002.00018

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 22, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WESTERLYMOST CORNER OF TRACT "M" OF THE VILLAGES OF BONITA, AS RECORDED IN PLAT BOOK 59 AT PAGES 1 THROUGH 8 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING A POINT ON THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 887 (OLD U.S. 41) A 100 FOOT WIDE RIGHT OF WAY; THENCE N.45°30'58"W., ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 1,612.24 FEET TO BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE EAST; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1,010.00 FEET, THROUGH A CENTRAL ANGLE OF 14°32'17", SUBTENDED BY A CHORD OF 255.59 FEET AT A BEARING OF N.38°14'50"W., FOR AN ARC LENGTH OF 256.27 FEET TO THE END OF SAID CURVE; THENCE N.30°58'41"W., ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 888.33 FEET; THENCE N.44°32'20"E., A DISTANCE OF 670.10 FEET; THENCE N.30°58'20"W., A DISTANCE OF 670.73 FEET; THENCE N.44°32'29"E., A DISTANCE OF 233.35 FEET; THENCE S.45°29'28"E., A DISTANCE OF 3,410.17 FEET TO THE NORTHERLYMOST CORNER OF VILLAGES OF BONITA - UNIT TWO, AS RECORDED IN PLAT BOOK 62 AT PAGES 73 THROUGH 78 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.46°53'19"W., ALONG THE NORTHERLY LINE OF SAID VILLAGES OF BONITA - UNIT TWO, A DISTANCE OF 652.81 FEET TO THE NORTHERLYMOST CORNER OF SAID TRACT "M"; THENCE CONTINUE S.46°53'19"W., ALONG THE NORTHERLY LINE OF SAID TRACT "M", A DISTANCE OF 668.87 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 64.849 ACRES, MORE OR LESS.

NOTES

1. BEARINGS SHOWN HEREON REFER TO THE NORTHERLY LINE OF THE VILLAGES OF BONITA, AS RECORDED IN PLAT BOOK 59 AT PAGES 1 THROUGH 8, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS BEING S 45°53'19" E.
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND OR RESTRICTIONS OF RECORD.
3. IMPROVEMENTS OTHER THAN THOSE SHOWN WERE NOT LOCATED.
4. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
5. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
6. ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE AND JURISDICTIONAL WETLANDS, IF ANY, HAVE NOT BEEN SHOWN ON THIS SURVEY.
7. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X HAVING NO BASE FLOOD ELEVATION, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS # 125124 0510 D, DATED JULY 20, 1998.
8. ELEVATIONS REFER TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929. (N.G.V.D. '29)
9. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
10. THE FIELD WORK FOR THIS SURVEY WAS PERFORMED ON 01/09/02.
11. O.R. BOOK 557, PAGES 354 AND 355 ARE DIFFICULT TO READ, OBTAINED INFORMATION FROM THE UNRECORDED SAN CARLOS ESTATES DRAINAGE DISTRICT, PLAT BOOK 1, PAGES 1 THROUGH 3.

CERTIFIED TO:

OAKBROOK PROPERTIES, INC.

7-29-02

SIGNED:

ERIC V. SANDOVAL P.S.M. #5223
STATE OF FLORIDA

CURVE DATA

CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	1010.00'	14°32'17"	256.27'	128.83'	255.59'	N 38°14'50" W

LEGEND

FCM	FOUND 4"x4" CONCRETE MONUMENT
SLM	SET 1/4" IRON ROD WITH CAP, L.B. #5151
SPK	SET PARKER KALON NAIL
BM	BENCHMARK
ESMT	EDGE OF EASEMENT
POB	POINT OF BEGINNING
TOS	TOE OF SLOPE
RCP	REINFORCED CONCRETE PIPE
R	CENTERLINE OF RIGHT OF WAY
C.R.	COUNTY ROAD
S.R.	STATE ROAD
LB	LICENSED BUSINESS
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
NGVD	NATIONAL GEODETIC VERTICAL DATUM
D.O.T.	DEPARTMENT OF TRANSPORTATION
	WOOD POWER POLE

Revision	Date	Description	By
1	4/24/02	ADDED STATE PLANE COORDINATES	KJG

DRAWN BY: KJG
CREW CHIEF: RM
JOB CODE: VBN
SCALE: 1" = 150'

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ▪ LAND SURVEYORS ▪ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (941) 947-1144 FAX : (941) 947-0376
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

BOUNDARY SURVEY

VILLAGES OF BONITA-NORTH

SECTION 22, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

DATE: JANUARY, 2002 DRAWING NUMBER: C-1546

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 22, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WESTERLYMOST CORNER OF TRACT "W" OF THE VILLAGES OF BONITA, AS RECORDED IN PLAT BOOK 59 AT PAGES 1 THROUGH 8 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING A POINT ON THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 887 (OLD U.S. 41) A 100 FOOT WIDE RIGHT OF WAY; THENCE N.45°30'58"W., ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 1,612.24 FEET TO BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE EAST; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1,010.00 FEET, THROUGH A CENTRAL ANGLE OF 14°32'17", SUBTENED BY A CHORD OF 255.59 FEET AT A BEARING OF N.38°14'50"W., FOR AN ARC LENGTH OF 256.27 FEET TO THE END OF SAID CURVE; THENCE N.30°58'41"W., ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 868.33 FEET; THENCE N.44°32'20"E., A DISTANCE OF 670.10 FEET; THENCE N.30°59'20"W., A DISTANCE OF 670.73 FEET; THENCE N.44°32'29"E., A DISTANCE OF 233.35 FEET; THENCE S.45°29'28"E., A DISTANCE OF 3,410.17 FEET TO THE NORTHERLYMOST CORNER OF VILLAGES OF BONITA – UNIT TWO, AS RECORDED IN PLAT BOOK 62 AT PAGES 73 THROUGH 75 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.46°53'19"W., ALONG THE NORTHERLY LINE OF SAID VILLAGES OF BONITA – UNIT TWO, A DISTANCE OF 652.81 FEET TO THE NORTHERLYMOST CORNER OF SAID TRACT "W"; THENCE CONTINUE S.46°53'19"W., ALONG THE NORTHERLY LINE OF SAID TRACT "W", A DISTANCE OF 668.87 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 84.849 ACRES, MORE OR LESS.

NOTES

1. *BEARINGS SHOWN HEREON REFER TO THE NORTHERLY LINE OF THE VILLAGES OF BONITA, AS RECORDED IN PLAT BOOK 59 AT PAGES 1 THROUGH 8, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS BEING S 46°53'19" W.*
2. *THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND OR RESTRICTIONS OF RECORD.*
3. *DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.*

NOV 12 2002

11-8-02

SIGNED _____

ERIC V. SANDOVAL, P.S.M. #5223
STATE OF FLORIDA

DRAWN BY: KJG	
CREW CHIEF: RM	
JOB CODE: VBN	
SCALE: 1" = 400'	

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (941) 947-1144 FAX : (941) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

LEGAL DESCRIPTION

VILLAGES OF BONITA-NORTH

SECTION 22, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

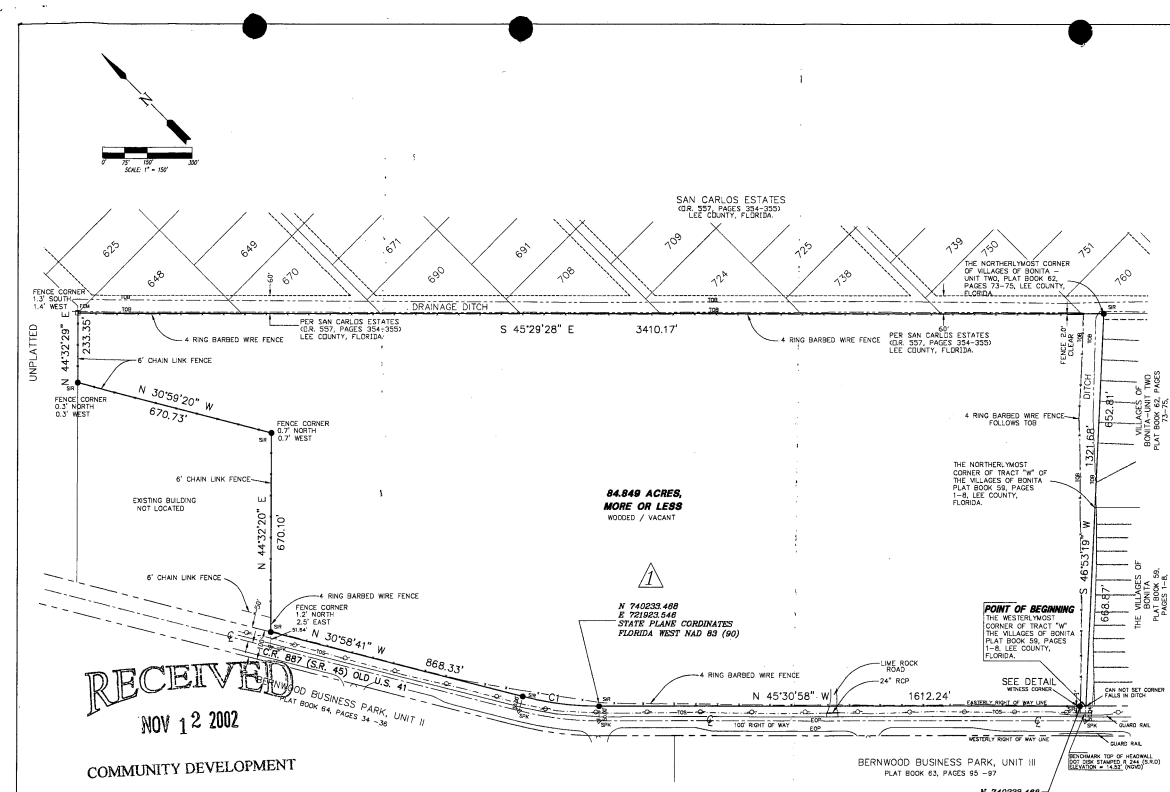
DATE: JANUARY, 2002 | *DRAWING NUMBER: B-2245*

DCI 2002-00018

G:\DWGS\C-DWGS\C-1546.DWG LEGAL 11/08/2002 11:38:25 AM

DCI 2002-00018

DCI 2002-00018



RECEIVED
NOV 12 2002
COMMUNITY DEVELOPMENT

PROPERTY DESCRIPTION

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NOTES

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DCI 2002-00018

CERTIFIED TO:
OAKBROOK PROPERTIES, INC.

11-8-02

SIGNED
ERIC V. SANDOVAL

P.S.M. #5223
STATE OF FLORIDA

CURVE DATA

CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD	CHORD BEARING
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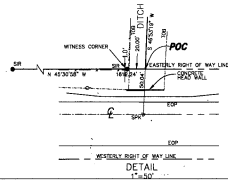
LEGEND

FDM	FOUND 4"X4" CONCRETE MONUMENT
CLB	SET 5/8" IRON ROD WITH CAP, L.B. #5151
SPK	SET PARKER KALON NAIL
BM	BENCHMARK
EOP	EDGE OF PAVEMENT
TOB	TOP OF BANK
TOS	TOE OF SLOPE
RCP	REINFORCED CONCRETE PIPE
℄	CENTERLINE OF RIGHT OF WAY
C.R.	COUNTY ROAD
S.R.	STATE ROAD
LB	LICENSED BUSINESS
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
NGVD	NATIONAL GEODETIC VERTICAL DATUM
D.O.T.	DEPARTMENT OF TRANSPORTATION
○	WOOD POWER POLE



DETAIL
1"=50'

Revision	Date	Description	By
1	6/26/02	ADDED STATE PLANE COORDINATES	JWL

DRAWN BY: KJG
CREW CHIEF: RM
JOB CODE: VBN
SCALE: 1" = 150'

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (941) 947-1144 FAX : (941) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

BOUNDARY SURVEY
VILLAGES OF BONITA-NORTH
SECTION 22, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA
DATE: JANUARY, 2002 | DRAWING NUMBER: C-1546

PART V

AFFIDAVIT

I, **D. Wayne Arnold** certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.

D. Wayne Arnold — 4/5/02

Signature of Owner or Owner-authorized Agent — Date

D. Wayne Arnold, AICP
Typed or printed name and title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 5 day of April 2002, by **D. Wayne Arnold**, who is personally known to me ~~or who has produced _____ as identification.~~

Sharon Umpenhour

Signature of notary public

(SEAL)

Sharon Umpenhour
Commission # DD 076492
Expires Dec. 4, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

Sharon Umpenhour
Printed name of notary public

RECEIVED
MAY 13 2002
ZONING COUNTER

DCI 2002-00018

EXHIBIT I-B-4
COVENANT OF UNIFIED CONTROL

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 25701 Old 41 Road (street address) and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate Q. Grady Minor & Associates, P.A. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

Edward J. McArdle
Owner
Edward J. McArdle, Trustee
Printed Name

STATE OF Illinois)
COUNTY OF Kane)

Sworn to (or affirmed) and subscribed before me this 2nd day of January, 2002
by Edward J. McArdle who is personally known to me or has produced
as identification.

Sonja N. Gallagher
Notary Public

OFFICIAL SEAL
SONJA N GALLAGHER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES:03/31/02

(Name typed, printed or stamped)
(Serial Number, if any)

DCI 2002-00018

RECEIVED
MAY 13 2002
ZONING COUNTER

Jessie Smith
DCD

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as **22-47-25-B1-00002.40000** *and legally described in exhibit A attached hereto.*

The property described herein is the subject of an application for zoning or development. We hereby designate Q. Grady Minor & Associates, P.A. *as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.*

Edward J McArdle

Owner (signature)*

Edward J. McArdle, Trustee
Printed Name

_____
Owner (signature)*

_____
Printed Name

STATE OF Illinois
COUNTY OF Kane

Sworn to (or affirmed) and subscribed before me this 2nd day of January, 2002, by Edward J. McArdle, who is personally known to me or who has produced _____ as identification.

OFFICIAL SEAL
SONJA N GALLAGHER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES:03/31/02
(SEAL)

Sonja N. Gallagher
Notary Public

(Name typed, printed or stamped)

RECEIVED
MAY 13 2002
ZONING COUNTER
DCI 2002-00018

ZDS0103 Rev.04
3/01/97 Y2K 1/03/2000

MEMORANDUM

From The

Department Of

Community Development

Development Services Division

Date: May 21, 2003

To: FILE

FROM: Jessica M. Smith
DCD Administration

RE: Notice of Public Hearing - June 4, 2003
Bonita Springs Council Zoning Hearing (1st reading)

I, Jessica Smith, Internal Services Secretary, Development Services Division, do hereby certify that I have mailed **notices to the participants** in regard to the above referenced meeting, in the attached style, pursuant to the list marked and attached hereto and made a part of the certification.

NOTICE TO PARTICIPANT

CASE NUMBER: DCI2002-00018

NAME: Old 41 MPD fka The Villages of Bonita North MPD

REQUEST: A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY OLD 41 MPD F/K/A THE VILLAGES OF BONITA TO REZONE from Agriculture District (AG-2) to Mixed Use Planned Development (MPD); ON LAND LOCATED AT 25701 Old U.S. 41 Road. BONITA SPRINGS, FLORIDA (STRAP NO. 22-47-25-B1-00002.4000) ON 84.85 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

No public participation will be heard at the first reading. The first reading of the zoning ordinance is a reading of the request and the second reading is the hearing.

Notice is hereby given that on June 4, 2003 the City Council of the City of Bonita Springs will hold a public hearing at 5:30 p.m. for a **FIRST READING** of an ordinance on the referenced matter and to review the Zoning Board for Land Use Hearings recommendation. This hearing will be held in the Bonita Springs Utilities Board Room 11860 East Terry Street Bonita Springs, FL 34135.

A **SECOND READING** on this matter is tentatively scheduled for June 23, 2003 at 9:00 a.m. at the same location.

NO FURTHER NOTICES WILL DISTRIBUTED UNLESS THE SECOND READING DATE IS CHANGED.

The law states that, as a participant, you have the right to appear and address the Council on this case. However, the law strictly limits all testimony before the Council to statements challenging the correctness of findings and conclusions contained in the record, or statements alleging the discovery of relevant new evidence which was not known by the speaker at the time of the Zoning Board for Land Use Hearings and not otherwise disclosed in the record.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Gary A. Price, City Manager at 239-390-1000, at least 48 hours prior to the meeting.

Additional copies of the Zoning Board for Land Use Hearing's recommendation may be obtained or the file reviewed at the Development Services Division, 1500 Monroe St., Ft. Myers, FL. Telephone 479-8585 for additional information.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

U:\200305\DCI20020.001\8\Notice to particpants.wpd

Fred J. Mosser
9380 Lake Abby Lane
Bonita Springs, FL 34135

Neale Montgomery, Esq.
Pavese, Haverfield, Dalton, Harrison & Jensen, L.L.P.
P.O. Drawer 1507
Ft. Myers, FL 33902-1507

Wayne Arnold
Q. Grady Minor & Associates, P.A.
3800 Via Del Rey
Bonita Springs, FL 34134

Edward J. McArdle, Trustee
c/o Ronald C. Dillon, Oakbrook Properties
24880 Burnt Pine Drive, Suite 8
Bonita Springs, FL 34135

Ted Treesh
Metro Transportation, Inc.
12651 McGregor Blvd., Suite 4-403
Ft. Myers, FL 33919

Kit Kraft
Boylan Environmental Consultants, Inc.
11000 Metro Parkway, Suite 4
Ft. Myers, FL 33912

FILE

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

June 3, 2003

D. Wayne Arnold, AICP
Q. Grady Minor & Associates P.A.
3800 Via Del Rey
Bonita Springs, FL 34134

Re: **Agenda Schedule for Old 41 MPD fka The Villages of Bonita North MPD**
Case No. DCI2002-00018

Dear Mr. Arnold:

Your request has been scheduled before the City Council of the City of Bonita Springs for a **SECOND READING** of an ordinance on the referenced matter. Public comment by participants will be taken during this hearing.

DATE & TIME: June 23, 2003, Meeting commences at 9:00 a.m.

LOCATION: Bonita Springs Utilities Board Room
11860 East Terry Street
Bonita Springs, FL 34135

Be advised all exhibits presented to City Council are required to be retained by the City Clerk for the minutes and records. The City encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy, for reproduction purposes.

The first reading is a reading of the request and the second reading is the public hearing.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jessica Smith
Administrative Assistant

cc: Q. Grady Minor & Associates P.A.
Edward J McArdle, Trustee
Chip Block, AICP, Senior Planner
Zoning File

LEE COUNTY
SOUTHWEST FLORIDA

479-8585

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:_____

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
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James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

May 6, 2003

D. Wayne Arnold, AICP
Q. Grady Minor & Associates P.A.
3800 Via Del Rey
Bonita Springs, FL 34134

Re: **Agenda Schedule for Old 41 MPD fka The Villages of Bonita North MPD**
Case No. DCI2002-00018

Dear Mr. Arnold:

Your request has been scheduled before the City Council of the City of Bonita Springs for a **FIRST READING** of an ordinance on the referenced matter. Public comment will not be taken at the First Reading.

DATE & TIME: June 4, 2003 Meeting commences at 5:30 p.m.

LOCATION: Bonita Springs Utilities Board Room
11860 East Terry Street
Bonita Springs, FL 34135

The first reading is a reading of the request and the second reading is the hearing.

A second reading on this matter is tentatively scheduled for June 23, 2003 at 9:00 a.m. at the same location.

Be advised all exhibits presented to City Council are required to be retained by the City Clerk for the minutes and records. The City encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy, for reproduction purposes.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jessica M. Smith
Administrative Assistant

cc: Q. Grady Minor & Associates P.A.
Edward J McArdle, Trustee
Chip Block, AICP, Senior Planner
Zoning File

METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 941-278-3090
FAX 941-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

June 25, 2002

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DCI 2002.00018

Mr. Wayne Arnold
Q. Grady Minor & Associates
380 Via Del Rey
Bonita Springs, Florida 34134

RE: The Villages of Bonita North
DCI2002-00018

Dear Mr. Arnold:

Metro Transportation Group Inc. (Metro) has reviewed the sufficiency comments issued by the Lee County Department of Community Development and the Department of Transportation regarding the above referenced case. The comments regarding transportation, and our response, is indicated below. The first comments are from the Department of Community Development.

Based on the 2001 Traffic Count Report data the compound growth rate on Bonita Grande Drive north of Bonita Beach Road is 36.28%. The TIS shows 7%. This would make the 2007 peak hour, peak season, peak direction background traffic significantly higher than shown.

Based on the above comment regarding compound growth rate, the level of service on Bonita Grande Drive would be F.

The TIS shows a projected level of service F on Bonita Beach Road west of I-75, on Bonita Grande Drive north of Bonita Beach Road, on Imperial Street south of Bonita Beach Road, on Old 41 north of Bonita Beach Road, on Old 41 from Rosemary to U.S. 41 and on U.S. 41 from Bonita Beach Road to West Terry Street.

The only roadways that are significantly impacted by the proposed project include those highlighted on Table 2A included in the report. Bonita Grande Drive, Imperial Street, and U.S. 41 are not significantly impacted by the proposed development. The City of Bonita Springs is anticipated to have an adopted CIP by the time this project reaches Development Order stage for the widening of Old 41 from Rosemary to U.S. 41 to a 4-lane divided roadway. Thus, the capacity of this roadway would increase to 2,030 peak hour, peak direction vehicles based on the Generalized Level of Service Tables. The

traffic study indicates that the peak hour, peak direction volume on Old 41 once the project is complete would be approximately 1,245 vehicles, significantly less than the available capacity. This will be further addressed at the Development Order stage of the process when concurrency is measured on the adjacent roadways.

Comments from the Department of Transportation include:

1) The Master Concept Plan Options "A" and "B" were not included in the submittal package to LDOT.

Q. Grady Minor to submit Master Concept Plan.

2) The 1997 traffic counts at the intersection of U.S. 41/Old 41 are out of date. Unless approved in a methodology meeting, traffic counts should be from within the last 12 months.

It is agreed that new traffic count data should be used when available. However, the old traffic count was simply used to determine if this intersection should be analyzed under the requirements set forth for traffic impact studies for zoning applications, as approved by the Department of Community Development. The old traffic count was increased by a growth factor based on historical and recent traffic count data near the intersection. Based on the development traffic anticipated to travel through this intersection, the TIS guidelines indicate that the intersection approach volume would need to be less than approximately 2,900 vehicles per hour (project traffic being 10% of the total traffic). Based on the old traffic count data, there were approximately 2,563 vehicles traveling through this intersection in 1997. Based on historical growth trends in the north Bonita Springs area, it is very likely that traffic increased by more than 337 vehicles over a five year period to present day, and would continue to increase to the year 2007, when this project is anticipated to be completed. Therefore, the historical traffic count was only used to present the fact that the development would not add more than 10% to the total intersection volume and thus is not required to be analyzed as part of this zoning analysis.

3) What is the basis for the turning movement volumes at the project intersections?

The turning movement volumes were estimated based on the trip generation of the project, the anticipated distribution shown on Figure 2, and the Master Concept Plan. The Master Concept Plan identifies the northern site access to serve the commercial uses and the southern site access drive to serve the residential uses, as identified on Page 10 of the report.

4) The study does not address the influence of the proposed Signal Road and Three Oaks Parkway extensions.

The study, on Page 9 and 10, does in fact discuss the potential impacts of these two improvements. However, more detailed analysis will be completed at the Development Order stage. It is not anticipated the Three Oaks Parkway extension will have a significant impact on the distribution of development traffic. The Signal Road connection to U.S. 41 will lessen the project's impact on Old 41 between U.S. 41 and the Signal Road connection to the north.

5) The 0.6 percent annual increase of background traffic on Old 41 may not account for added traffic from Bernwood Business Park on Old 41 and other approved development in the area.

The only source of historical traffic growth trends available is the 2001 Lee County Traffic Count report. During the Development Order stage, when Concurrency is identified, other projects which have received D.O. approval will be included in the analysis but are not required at the zoning level of analysis.

6) The Generalized Service Volumes should be the basis for the roadway Level of Service determination.

The Generalized Level of Service Volumes, dated 7/18/00, were utilized as the basis of the Level of Service Analysis and are attached to this letter for reference.

7) What improvements are recommended for Old 41 and both access points onto Old 41 to address the service levels below adopted minimums?

As previously discussed, the City of Bonita Springs is anticipated to have an adopted CIP by the time this project reaches Development Order stage for the widening of Old 41 from Rosemary to U.S. 41 to a 4-lane divided roadway, thus increasing the capacity of the roadway. Improvements at the site access drive intersections are typically identified at local D.O. stage. Left and right turn lanes will most likely be warranted.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,

Ted B. Treesh
Principal/Regional Manager

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DCI 2002 00018

7/18/00

LEE COUNTY
GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES

URBANIZED AREAS

ARTERIALS

GROUP I (>0.00 TO 1.99 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B	C	D**	E**
2 UNDIV.	--	650	900	960	960
4 DIV.	--	1,410	1,920	2,030	2,030
6 DIV.	--	2,150	2,900	3,040	3,040
8 DIV.	--	2,730	3,560	3,720	3,720

GROUP II (2.00 TO 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	640	880	940
4 DIV.	--	--	1,460	1,890	2,000
6 DIV.	--	--	2,270	2,840	3,000
8 DIV.	--	--	2,850	3,490	3,690

GROUP III (MORE THAN 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C*	D	E
2 UNDIV.	--	--	290	750	910
4 DIV.	--	--	680	1,700	1,930
6 DIV.	--	--	1,060	2,570	2,910
8 DIV.	--	--	1,340	3,180	3,570

FREEWAYS (GROUP 2)

LANES	A	B	C	D	E
4	1,090	1,710	2,570	3,270	3,900
6	1,680	2,630	3,950	5,030	5,990
8	2,290	3,590	5,390	6,860	8,170

COLLECTORS

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	500	800	870
2 DIV.	--	--	520	840	910
4 UNDIV.	--	--	1,080	1,640	1,750
4 DIV.	--	--	1,140	1,720	1,840

CONTROLLED ACCESS FACILITIES ***

LANES	A*	B	C	D**	E**
2 UNDIV.	0	690	930	980	980
4 DIV.	0	1,530	1,980	2,070	2,070
6 DIV.	0	2,340	2,980	3,110	3,110
8 DIV.	0	3,030	3,780	3,930	3,930

* CANNOT BE ACHIEVED.
**VOLUMES ARE COMPARABLE BECAUSE INTERSECTION CAPACITIES ARE REACHED.
*** THE APPLICATION OF THESE SERVICE VOLUMES SHOULD BE APPROVED BY LEE COUNTY DOT.

D:\LOS\DIRCAPA3.WK1

DCI 2002-00018

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments
11000 Metro Parkway, Suite 4, Fort Myers, Florida, 33912 Phone:(941) 418-0671 Fax:(941) 418-0672

June 4, 2002

Lee County
Department of Community Development

SUBJECT: The Villages of Bonita DCI12002-00018 – PDL Application (Major PD)

In response to Environmental Sufficiency Item #4:

The SFWMD wetland acreage is **16.88** acres. This acreage includes all the wetland areas and Spring Creek.

A revised protected species survey and map with acreages is attached.

A signed Jurisdictional Determination map from SFWMD is attached.

Sincerely,

Boylan Environmental Consultants, Inc.

Kit Kraft

Kit Kraft
Environmental Scientist

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JUL 25
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DCI 2002.00018

VILLAGES OF BONITA NORTH

Environmental Assessment and Protected Species Survey

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments

11000 Metro Parkway, Suite 4
Fort Myers, Florida, 33912
Phone:(941) 418-0671 Fax:(941) 418-0672

February 7, 2002

DCI 2002.00018

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INTRODUCTION

An environmental scientists from Boylan Environmental Consultants, Inc conducted a field investigation on the 84.85 acre property on February 1, 4, and 6, 2002. The purpose of the field investigation was to identify the presence of protected species and habitat. The surveys were conducted between 12:30 to 4:00 p.m., 1:30 to 4:30 p.m., and 10:00 to 2:00 p.m., respectively. In addition, the on-site wetlands have been flagged and verified by SFWMD. The wetland limits as shown on the attached map and the wetland FLUCCS acreage represent GPS'ed areas.

The site is located in portions of Section 22, Township 47 South, Range 25 East, in Lee County, Florida. Specifically, it is situated off of old U.S. 41, some distance north of East Terry Street.

METHODOLOGY

In compliance with the Lee County Endangered Species Ordinance No. 89-34, we surveyed the property for protected species. This method is comprised of a several step process. First, vegetation communities or land-uses on the study area are delineated on an aerial photograph using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Next, the FLUCCS codes are cross-referenced with the Lee County Protected Species List. This protected species list names the species which have a probability of occurring in any particular FLUCCS community.

With a list of the potential listed plants and animals, each FLUCCS community is searched in the field for these species. An intensive pedestrian survey is conducted using belt transects as a means of searching for plants and animals. In addition, periodic "stop-look-listen" and quiet stalking methods are conducted for animals. Signs or sightings of these species are then recorded.

In addition, Soil Conservation Service (SCS) soil survey mappings (now the Natural Resource Conservation Service) were reviewed for the presence of hydric soils. The presence of hydric soils may indicate the presence of wetland. These soil mappings are general in nature and were mapped at a scale of 1:24,000. Following is a discussion in regards to on-site conditions of the subject property.

SITE CONDITIONS

The temperature ranged in the low 70's to low 80's with mostly sunny skies during the field investigations. The site was undeveloped, but portions of the uplands have been cleared for pasture. The pastures appear to be periodically maintained. The entire property appears to be used as woodland pasture by cattle. The property also appears to have been hydrologically altered due to the placement of sizeable ditches that border portions of the property. This ditching has contributed to the draining of some of the on-site wetlands.

DCI 2002-00018

The entire northeast side of the property was bounded by a ditch that is part of the San Carlos Estates drainage system. At the south boundary lies the channelized portions of Spring Creek.

The soils on the property have been mapped by the Natural Resources Conservation Service (formerly the Soil Conservation Service) which show that the property is underlain by Hallendale fine sand (code 6; non-hydric), Boca fine sand (code 13; non-hydric), Pineda fine sand (code 26; Hydric), Isles fine sand, depressional (code 39; Hydric), Copeland sandy loam, depressional (code 45; Hydric), Felda fine sand, depressional (code 49; Hydric), and Boca fine sand, slough (code 74; Hydric). The soils series identified as hydric were listed in the Hydric Soils of Florida Handbook (1995) as hydric. See attached map for SCS mappings.

Listed below are the vegetation communities or land-uses identified on the 84.85 acre site. SFWMD Jurisdictional wetland areas encompasses 16.88 acres, the balance of 67.97 acres was considered as upland. Harry Spotts, SFWMD representative completed his review on January 17, 2002. The following descriptions correspond to the mappings on the attached FLUCCS map. See Florida Land Use, Cover and Forms Classification System (Department of Transportation 1985) for definitions.

211 Improved Pasture (approximately 20.74 acres)

This community was dominated by bahia grass.

400 Upland Cypress-Pine (approximately 0.57 acres)

This non-wetland community was co-dominated by cypress and slash pine trees with scattered melaleuca trees. The understory was dominated wax myrtle and myrsine shrubs. The herbaceous layer was dominated by wire grass, chocolate weed, and poison ivy.

411 Pine Flatwood (approximately 46.00 acres)

This community was dominated by slash pine with a saw palmetto understory. Melaleuca and wax myrtle were common in the understory. The understory was sparsely vegetated with wire grass due to a relatively dense pine canopy.

500 Water (approximately 0.60 acres)

This land-use type describes a channelized portion of Spring Creek which is situated in the south portion of the property.

621 Cypress (approximately 7.12 acres)

This wetland community was dominated by tall-statured cypress trees. The understory was dominated by myrsine, swamp fern, and saw grass. Brazilian pepper was common on the outer edges of the community as well as scattered in the interior.

DCI 2002-00018

624 Cypress-Pine (approximately 7.51 acres)
This wetland community was co-dominated by cypress and slash pine trees with scattered melaleuca trees. The understory was dominated wax myrtle and myrsine shrubs. The herbaceous layer was dominated by wire grass.

641 Freshwater Marsh (approximately 1.65 acres)

This wetland community was dominated by saw grass. Willow shrubs and some melaleuca were also present in this community.

740/310 Disturbed lands/Herbaceous (approximately 0.66 acres)

This classification describes an area adjacent to the channelized portion of Spring Creek, which was disturbed during the process of excavating the ditch. Weedy herbaceous plants and scattered slash pine trees comprise this area.

SPECIES PRESENCE

The various listed species that may occur in the FLUCCS communities have been tabulated on the attached table. During our field survey for protected species on the property, we did not observe any protected species or signs thereof.

We did note the presence of nest-like structures in melaleuca trees, which based on their size appear to have been constructed by gray squirrels. Neither gray squirrels nor Big Cypress fox squirrels were identified during the field investigations.

No tortoise burrows were identified. We observed burrows belonging to armadillos, which were not marked in the field. There was no evidence that gopher tortoises were using these burrows. The uplands appear to be marginal in terms of potential suitability for tortoises. This is likely due to the presence of a dense pine canopy resulting in a very sparse herbaceous layer; however, it is possible that a tortoise or tortoises may colonize portions of the property.

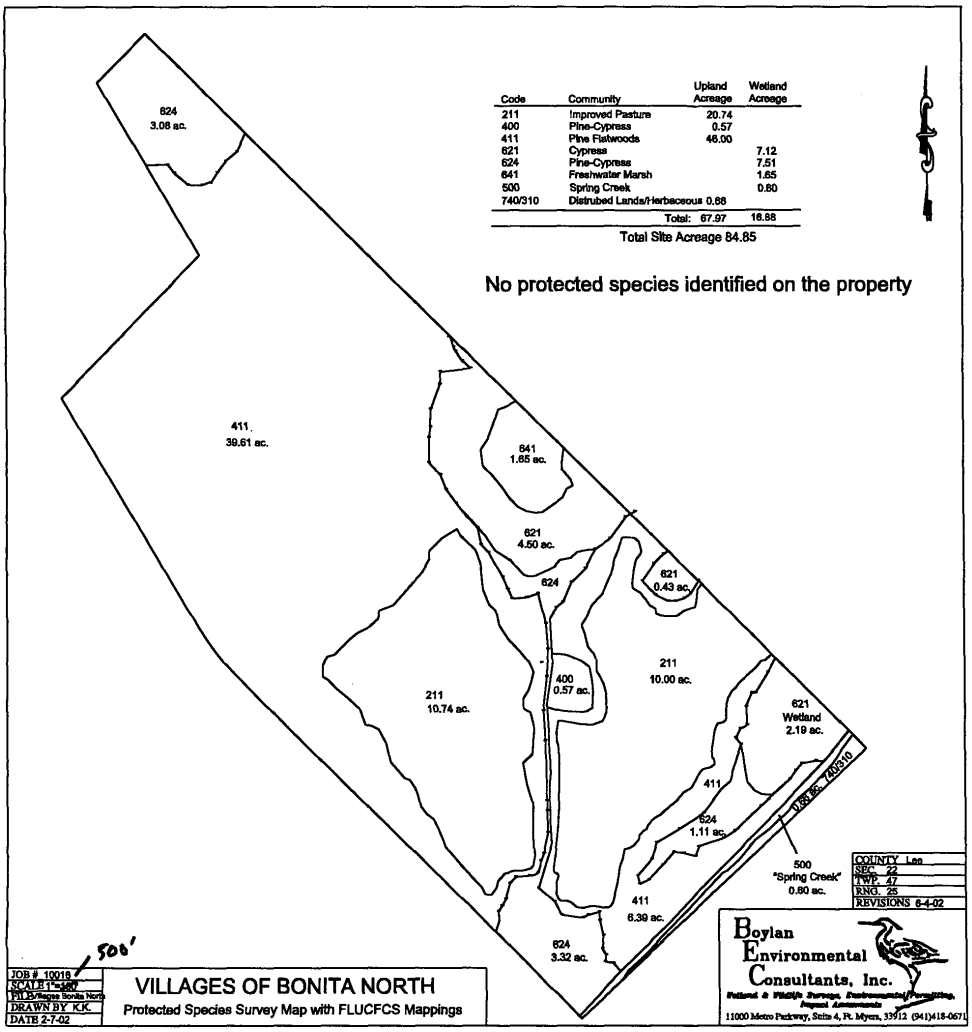
No other wading birds or alligators were seen, although it would be expected that wading birds would use the ditches and water bodies on the site.

Table. Protected species list according to FLUCCS category obtained from Lee County with corresponding field survey results.

FLUCCS	Potential Listed Species	% Coverage	Present	Absent	Density	Visibility (ft)
310	Burrowing Owl	95		X		20
	Florida Sandhill Crane	95		X		20
211	Florida Panther	95		X		100+
	Florida Sandhill Crane	95		X		100+
400	None (see also 624)	90		X		20
411	Beautiful Pawpaw	90		X		20
	Big Cypress Fox Squirrel	90		X		20
	Eastern Indigo Snake	90		X		20
	Fakahatchee Burmannia	90		X		20
	Florida Black Bear	90		X		20
	Florida Coontie	90		X		20
	Florida Panther	90		X		20
	Gopher Frog	90		X		20
	Gopher Tortoise	90		X		20
	Red-Cockaded Woodpecker	90		X		20
	Satinleaf	90		X		20
	Southeastern American Kestrel	90		X		20
	Twisted Air Plant	90		X		20
500	American Alligator	95		X		20
	Everglades Mink	95		X		20
	Limpkin	95		X		20
	Little Blue Heron	95		X		20
	Reddish Egret	95		X		20
	Roseate Spoonbill	95		X		20
	Snowy Egret	95		X		20
	Tricolored Heron	95		X		20
621	American Alligator	90		X		20
	Everglades Mink	90		X		20
	Florida Black Bear	90		X		20
	Florida Panther	90		X		20
	Gopher Frog	90		X		20
	Limpkin	90		X		30
	Little Blue Heron	90		X		20
	Snowy Egret	90		X		20
	Tricolored Heron	90		X		20
	Wood Stork	90		X		20
624	American Alligator	90		X		20
	Everglades Mink	90		X		20
	Florida Black Bear	90		X		20
	Florida Panther	90		X		20
	Gopher Frog	90		X		20
	Little Blue Heron	90		X		20
	Snowy Egret	90		X		20
	Tricolored Heron	90		X		20
	Wood Stork	90		X		20
641	American Alligator	90		X		20

	Everglades Mink	90		X		20
	Florida Sandhill Crane	90		X		20
	Lilltle Blue Heron	90		X		20
	Limpkin	90		X		20
	Reddish Egret	90		X		20
	Snail Kite	90		X		20
	Snowy Egret	90		X		20
	Tricolored Heron	90		X		20
	Wood Stork	90		X		20
740	Burrowing Owl	95		X		20
	Gopher Tortoise	95		X		20

DCI 2002-00018



Code	Community	Upland Acreage	Wetland Acreage
211	Improved Pasture	20.74	
400	Pine-Cypress	0.57	
411	Pine Flatwoods	46.00	
621	Cypress		7.12
624	Pine-Cypress		7.51
641	Freshwater Marsh		1.65
500	Spring Creek		0.60
740/310	Distrubed Lands/Herbaceous	0.66	
	Total:	67.97	16.88

Total Site Acreage 84.85

No protected species identified on the property

JOB #	10018
SCALE	1"=500'
FILE	VillagesBonitaNorth
DRAWN BY	K.K.
DATE	2-7-02

VILLAGES OF BONITA NORTH

Protected Species Survey Map with FLUCFCS Mappings

COUNTY	Lee
SEC.	22
TWP.	47
RNG.	25
REVISIONS	6-4-02

Boylan Environmental Consultants, Inc.

Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments

11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (941)418-0571

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SOUTH FLORIDA WATER MANAGEMENT DISTRICT
3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

Regulation Department

January 17, 2002

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COMMUNITY DEVELOPMENT
DCI 2002.00018

Mr. Kit Kraft
Boylan Environmental Consultants, Inc
11000 Metro parkway, Suite 4
Fort Myers, Florida 33912

Subject: Villages of Bonita North; Informal Jurisdictional Wetland Determination; Lee County, S22 / T47S / R25E

Dear Mr. Kraft:

The District offers the following in response to your request for a determination of the jurisdictional wetland boundaries and other surface waters located within the subject property. Harry Spotts, Staff Environmental Analyst, of the Natural Resource Management Division, conducted a site inspection July of 2001.

The project boundaries shown on the attached aerial define the area that was inspected. Based on the information provided and the results of the site inspection, there are approximately 16.88 acres of wetlands located within project boundaries as defined by Chapter 62-340 F.A.C. The rest of the site consists of 67.97 acres of uplands, which is currently undeveloped with two cleared areas of improved pasture. Approximately 0.60-acres of the wetlands are located within a ditch on the south side of the project and is considered the headwaters of Spring Creek. There are no "other surface waters" within project boundaries. The red cross-hatching on the enclosed aerial photograph identifies the wetlands.

This correspondence is an informal pre-application jurisdictional determination pursuant to Section 373.421(6) and F.A.C. 62-312.040(7). It does not bind the District, its agents or employees, nor does it convey any legal rights, expressed or implied. Persons obtaining this informal pre-application jurisdictional determination are not entitled to rely upon it for purposes of compliance with provision of law or District rules. A binding jurisdictional determination may be obtained by submitting an application to the South Florida Water Management District West Palm Beach office for a formal determination pursuant to Chapter 40E-4.042 F.A.C. or by applying for a permit.

GOVERNING BOARD
Trudi K. Williams, P.E., *Chair*
Lennart E. Lindahl, P.E., *Vice-Chair*
Pamela Brooks-Thomas
Michael Collins
Hugh M. English
Gerardo B. Fernández
Patrick J. Gleason, Ph.D., P.G.
Nicolás J. Gutiérrez, Jr., Esq.
Harkley R. Thornton

EXECUTIVE OFFICE
Henry Dean, *Executive Director*

A file has been set up at the Ft. Myers Service Center office with pre-application materials. If you have any further questions please contact Harry Spotts at (941) 338-2929.

Sincerely,

Karen M. Johnson
Supervising Professional
Ft. Myers Service Center

KMJ/hs - Attachment (Location Map, and Aerial Photograph)

c: USACOE - Ft. Myers
Lee County

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Q. GRADY MINOR & ASSOCIATES, P.A.

Civil Engineers ■ Land Surveyors ■ Planners

Q. GRADY MINOR, P.E.
MARK W. MINOR, P.E.
C. DEAN SMITH, P.E.
DAVID W. SCHMITT, P.E.
MICHAEL J. DELATE, P.E.
NORMAN J. TREBILCOCK, A.I.C.P., P.E.

D. WAYNE ARNOLD, A.I.C.P.
ERIC V. SANDOVAL, P.S.M.
ALAN V. ROSEMAN

December 18, 2002

DCI 2002-00018

Mr. Alvin Block, AICP, Senior Planner
Lee County Zoning Division
Department of Community Development
P.O. Box 398
Fort Myers, FL 33902-0398

RECEIVED
DEC 18 2002
ZONING COUNTER

RE: The Villages of Bonita
DCI2002-00018-PDL Application (Major PD)

Dear Mr. Block:

We are in receipt of your letter dated December 10, 2002 regarding the rezoning request referenced above. You stated that we are tentatively scheduled for public hearing before the Bonita Springs Zoning Board of Adjustments and Appeals on February 7, 2003. We respectfully request that you reschedule this for the March, 2003 hearing. This will allow more time to address comments referred to in your letter dated December 10, 2002.

Thank you for your help with this.

Very truly yours,

Q. Grady Minor, P.E.

QGM:jw

cc: Ronald C. Dillon
Rae Ann Boylan
Neale Montgomery
Ted Treesh

(239) 947-1144 ■ FAX (239) 947-0375 ■ E-Mail: engineering@gradyminor.com
F:\JOB\VILLBONITA\QGM\CB21218L.doc 3800 Via Del Rey ■ Bonita Springs, Florida 34134-7569

Q. GRADY MINOR & ASSOCIATES, P.A.

Civil Engineers ▪ Land Surveyors ▪ Planners

Q. GRADY MINOR, P.E.
MARK W. MINOR, P.E.
C. DEAN SMITH, P.E.
DAVID W. SCHMITT, P.E.
MICHAEL J. DELATE, P.E.
NORMAN J. TREBILCOCK, A.I.C.P., P.E.

D. WAYNE ARNOLD, A.I.C.P.
ERIC V. SANDOVAL, P.S.M.
ALAN V. ROSEMAN

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NOV 12 2002
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November 8, 2002

Mr. Alvin Block, AICP
Senior Planner
Lee County Department of Community Development
P.O. Box 398
Fort Myers, Fl 33902-0398

DCI 2002-00018

Re: The Villages of Bonita North MPD; DCI2002-00018 – PDL Application (Major PD)

Dear Mr. Block:

We have reviewed the Villages of Bonita North MPD zoning sufficiency checklist provided by your office dated August 22, 2002. We have provided a written response to each review comment, revised the Master Concept Plan drawings and are providing additional materials that were requested.

Please continue with your review and let me know when the application is sufficient and scheduled for Public Hearing.

Sincerely,

Sharon Umpenhour

Enclosures

/su

cc: Ron Dillon
File

(239) 947-1144 ▪ FAX (239) 947-0375 ▪ E-Mail: engineering@gradyminor.com
3800 Via Del Rey ▪ Bonita Springs, Florida 34134

Environmental Sciences Planned Development Sufficiency Checklist

5) Please revise the MCP to indicate commercial open space standards for the "Business Park" portion of the proposed project.

The open space standards for Commercial projects has been added for the business park component of the project. Please see revised MCP.

8) Why is the flow-way connecting Preserve "B" and Preserve "E" not incorporated into the project design?

Preserve "B" is bordered on the north by an off-site ditch, which actually cuts off part of the wetland. This ditch was constructed for drainage purposes for the San Carlos Estates. This ditch has served to negatively impact the hydrology of Preserve "B". The center marsh area of this northerly wetland is being colonized by transitional plant species, and appears unusually dry for this type of wetland.

The referenced flowway, which is more accurately described as a ditch was also historically constructed to drain Preserve "B". There are low spoil piles along this ditch. Slash pine, melaleuca and scattered slash pine inhabit the ditch, banks, and adjacent spoil piles. By eliminating or cutting off this ditch, the hydrology of this northerly wetland could be partially restored; however, this northerly wetland would need some outflow for high rainfall events.

Preserve "E", does receive water from Preserve "B" via this ditch. The elimination of the ditch would decrease the water going to Preserve "E". This would be resolved by allowing a stormwater lake to discharge into Preserve "E" thereby replacing water which would normally flow southward from Preserve "B".

9) Please revise the MCP to delineate a Type "A" buffer for the portions of the proposed Business Park abutting existing commercial (CPD).

The MCP has been revised to indicate a Type "A" buffer between the proposed Business Park and the abutting CPD.

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DCI 2002-00018

T.I.S. Checklist

4) Based on the 2001 Traffic Count Report data the compound growth rate on Bonita Grande Drive north of Bonita Beach Road is 36.28%. The TIS shows 7%. This would make the 2007 peak hour, peak season, peak direction background traffic significantly higher than shown.

A letter from Ted Treesh, Metro Engineering has been submitted which addresses the comments raised by staff.

7) Based on the above comment regarding compound growth rate, the level of service on Bonita Grande Drive would be F.

Please see letter from Ted Treesh referenced above.

8) The TIS shows a projected level of service F on Bonita Beach Road west of I-75, on Bonita Grande Drive north of Bonita Beach Road, on Imperial Street south of Bonita Beach Road, on Old 41 north of Bonita Beach Road, on Old 41 from Rosemary to U.S. 41, and on U.S. 41 from Bonita Beach Road to West Terry Street.

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Please see letter from Ted Treesh referenced above.

Legal Requirements Sufficiency Checklist

6c3) The property encompasses 84 ± acres. State Plane Coordinates are required.

The legal description submitted with our 1st sufficiency response on July 29, 2002, did include state plane coordinates. A copy of our survey has been included for your use.

7) The boundary survey and PAGIS indicate a significant drainage feature ("ditch") along the southeastern property line, the majority of which feature appears to be within the subject property. This feature appears to provide drainage to the San Carlos Estates development which carries on through the Bernwood project to the south. The legal status of this feature is unclear from the application. The survey specifically notes:
"2. This property is subject to easements, reservations and or restrictions of record", "9. This survey does not reflect or determine ownership."; and "11. OR Book 557, Pages 354 and 355 are difficult to read, obtained information from the unrecorded San Carlos Estates Drainage District, Plat Book 1, Pages 1 through 3." This final reference is not clear to staff. The applicant should provide sufficient confirmation of ownership in the form of a title opinion or easements and encumbrances report to address the status of this existing drainage feature.

We have spoken with Brad Vance of the County's Stormwater Division and have resolved this question. The ditch is not located within a drainage easement. All property within the boundary is owned by the applicant.

DCI 2002-00018

Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning.

6m) Bonus Density. The applicant indicates that the Division of Planning is looking into the issue raised in the May 30, 2002 correspondence. Until there is a written determination from that Division that this item is now sufficient, this case will remain insufficient.

The density calculations included include ½ of Old U.S. 41 Right-of-way. Use of ½ of the right-of-way for density calculations has been previously utilized and the Villages of Bonita RPD located immediately south of the proposed project was permitted to use ½ the road right-of-way for its density calculations.

9e4) The applicant's response of July 29, 2002 notes that the topographic map has not been completed. This item will remain insufficient until this information has been supplied, as required by this Section.

A topographic exhibit has been included which identifies topographic conditions near the subject property. The source for this data is the Lee County Property Appraisers office, dated November 1981

12d1) The Master Concept Plan does not show the general location, configuration, and approximate dimension of the lots of parcels within this development, required by this section. Please revise the Master Concept Plan to provide this information.

We have revised the MCP to show all residential areas as multiple family. A note has been added that multiple family tracts may be utilized for single family, two-family, duplex or attached product types.

12d2) Please revise this application to provide this information. At this time, there is no information indicating the maximum lot coverage to be allowed for uses within this development.

Maximum lot coverage figure has been added to the MCP.

12d4) Please revise the Master Concept Plan, Schedule of Uses, or both to provide more specificity within this development concerning the locations of the uses. This requirement provides that the use of each lot or parcel is showed keyed to the list of proposed uses. There are uses proposed that would directly conflict and have adverse impacts are proposed that would directly conflict and have adverse impacts are proposed on adjoining parcels. In some instances, the normal buffering requirements of the LDC will be insufficient to protect the adjoining use

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DEVELOPMENT

from these negative impacts. In order to determine both internal and external compatibility, this information is necessary.

All residential tracts have been labeled multiple family. Heights have been restricted in our proposed development regulations, which represent compatibility both internally and externally.

12e3) The proposed Master Concept Plan and Schedule of uses proposes a wide range of dwelling unit types, however Part III of the application for each of the two proposed Master Concept Pans only indicates one dwelling unit type will be developed, Multiple Family residential. It will be necessary to remove all of the other dwelling unit types from the proposed Schedule of Uses. If these other units are also being sought for approval within this planned development, then the applicant must be more specific in Part III of the application and on the Master Concept Plan by providing for the number of dwelling units of each type of dwelling proposed within this planned development.

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The specific unit allocation by dwelling unit type has not been established. For conceptual purposes we have projected that 100% of the units will be multiple family. A note references that a tract may be converted to another product type.

12e4) Please revise Part III of the application and the Master Concept Plan to provide for the number of hotel/motel units sought in this application.

A maximum of 150 hotel/motel units are proposed in this application.

12e5) Please revise Part III of the application and the Master Concept Plan to provide the number beds proposed within the Health Care Facilities proposed in this application.

We have removed Health Care Facilities from the proposed schedule of uses.

12e6) Please revise the Master Concept Plan to provide the amount of commercial and industrial use proposed within this planned development.

The MCP has been revised to include a maximum square feet of commercial and Business Park uses.

12f) Please revise the Master Concept Plan to provide the location of the service areas as required by this section.

The MCP has been revised to add a note regarding the location of service areas.

DCI 2002-00018

12i) Does the applicant propose buffers interior to the site between individual uses, such as multiple family adjoining single family and industrial adjoining commercial uses? If so, please revise the Master Concept Plan to provide for these buffers.

All buffers shall be in compliance with LDC requirements at the time of development order approval.

12j) The Master Concept Plan does not discuss if the project proposes access and facilities to support public transit. Please provide this information.

Please see not on page 4 of the MCP set which references availability of transit facilities.

12k) Does the applicant expect to use development blasting activities as part of the development of this site?

The applicant may require blasting to construct the proposed water management facilities.

12k1) Please advise if the applicant intends to remove or transport take any of the excavated material from the site, in accordance with this section.

No off site removal of material is anticipated in conjunction with development of the site.

13) Please refer to the comments in the TIS checklist of this correspondence.

Also, staff questions if the proposed TIS actually represents the worst case scenario. Although found sufficient in the TIS Checklist this development represents one development idea. However, the development of single family residential is proposed and the number of these dwelling units has not been described. Potentially the development of 394 single-family units (MCP "A") or 494 single-family units (MCP "B") could result in higher trip generation for the residential component.

Additionally, the commercial component includes convenience food and beverage store and fast food restaurant as potential uses. These uses also have a higher trip generation, which could result in added impacts not considered in the TIS.

Please review with the applicant the proposed uses and their intensity as committed to in the application. Then revise the TIS to address the worst case scenario of the development of this site. The current application, if approved,

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DCI 2002-00018

would be expected to be recommended to be conditioned to limit or eliminate all of the proposed residential units with the exception of multiple family uses. In the commercial/industrial portion uses would not be supported which would have higher trip generations or added impacts not analyzed as part of this application.

Please see Ted Treesh correspondence

14 & 14b) The design of the two-family attached unit on the Master Concept Plan is not consistent with the definition of this unit type in the Land Development Code. Please review this and revise as needed to be consistent with the LDC definition.

The detail has been revised appropriately.

Development Review Checklist

1) A Master Concept Plan was not provided. **Revised copies are attached.**

2) I could not determine if deviations were being requested or not. **One deviation is being requested, please refer to page 4 of the MCP set.**

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DCI 2002-00018

Q. GRADY MINOR & ASSOCIATES, P.A.

Civil Engineers ▪ Land Surveyors ▪ Planners

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MARK W. MINOR, P.E.
C. DEAN SMITH, P.E.
DAVID W. SCHMITT, P.E.
MICHAEL J. DELATE, P.E.
NORMAN J. TREBILCOCK, A.I.C.P., P.E.

D. WAYNE ARNOLD, A.I.C.P.
ERIC V. SANDOVAL, P.S.M.
THOMAS CHERNESKY, P.S.M.
ALAN V. ROSEMAN

July 29, 2002

Mr. Alvin Block, AICP
Senior Planner
Lee County Department of Community Development
P.O. Box 398
Fort Myers, Fl 33902-0398

Re: The Villages of Bonita North MPD; DCI2002-00018 – PDL Application (Major PD)

Dear Mr. Block:

We have reviewed the Villages of Bonita North MPD zoning sufficiency checklist provided by your office dated May 30, 2002. We have provided a written response to each review comment, revised the Master Concept Plan drawings and are providing additional materials that were requested. Several of the comments referenced the lack of a MCP in the submittal package. We have spoken with the front counter staff and are unable to determine why the submitted MCP was not distributed for review. We have attached the MCP in 24" x 36" and 11" x 17" sizes with this submittal.

Please continue with your review and let me know when the application is sufficient and scheduled for Public Hearing.

Sincerely,

Sharon Umpenhour

DCI 2002 00018

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Enclosures

/su

cc: Ron Dillon
File

(239) 947-1144 ▪ FAX (239) 947-0375 ▪ E-Mail: engineering@gradyminor.com
3800 Via Del Rey ▪ Bonita Springs, Florida 34134

Environmental Sciences Planned Development Sufficiency Checklist

3) Pending ES staff field verification.

A protected species survey is enclosed in this application submittal.

4) Please clarify the acreage of state jurisdictional wetlands. The application states 16.19 acres. The density calculation sheet for MCP "A" states 13.59 acres. The density calculation sheet for MCP "B" states 16.78 acres. FLUCCS map delineates 16.83 acres of wetlands & 0.60 acres of Spring Creek.

The wetland acreage determined by SFWMD jurisdictional determination is 16.88 acres. A FLUCCS exhibits is enclosed in this submittal.

5) Pending submittal of a MCP.

Please see attached MCP set.

8) Pending submittal of a MCP.

Please see attached MCP set.

9) Pending submittal of a MCP.

Please see attached MCP set.

12) Please clarify the acreage of the project. Application states 84.85 acres, density sheet MCP "A" states 87.26 acres, & density sheet MCP "B" states 88 acres.

The property as legally described is 84.85 acres. For purposes of density calculations, we included ½ of Old 41 ROW. The MCP breaks out this area separately.

Legal Requirements Sufficiency Checklist

6c3) The property encompasses 84 ± acres. State Plane Coordinates are required.

The legal description has been revised to describe it with state plane coordinates.

7) The boundary survey and PAGIS indicate a significant drainage feature ("ditch") along the southeastern property line, the majority of which feature appears to be

DCI 2002-00018

within the subject property. This feature appears to provide drainage to the San Carlos Estates development which carries on through the Bernwood project to the south. The legal status of this feature is unclear from the application. The survey specifically notes:
"2. This property is subject to easements, reservations and or restrictions of record."; "9. This survey does not reflect or determine ownership."; and "11. OR Book 557, Pages 354 and 355 are difficult to read, obtained information from the unrecorded San Carlos Estates Drainage District, Plat Book 1, Pages 1 through 3." This final reference is not clear to staff. The applicant should provide sufficient confirmation of ownership in the form of a title opinion or easements and encumbrances report to address the status of this existing drainage feature.

We have spoken with Brad Vance of the County's Stormwater Division and have resolved this question.

Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning.

6e) Please submit a location map as required by this Section.

The location map is included in the MCP set.

6m) As part of the application, the applicant proposed use of ½ the adjoining right-of-way of the adjoining arterial road toward calculating the number of units allowed within this development. Though this process is used with existing platted subdivisions to determine the consistency of the development with the density of the comprehensive plan, the comprehensive plan does not appear to provide for this method of density calculation. Please demonstrate where in the Comprehensive Plan and in the Land Development Code that this method can be used for a proposed new planned development. You may want to talk to the Division of Planning concerning this matter.

We have spoken with Matt Noble of the Division of Planning. He has verbally indicated that the county is internally determining the applicability of utilizing ½ the ROW for density calculations.

9b) Please submit a map consistent with this Section of the Code.

Please see location map submitted in the MCP set.

9c) Please submit the information required by this Section of the Code.

DCI 2002-00018

The information is included in the attached MCP set.

9e4) Exhibit II-F-2 has not been completely filled out. Please revise this Exhibit describing the topography of the site.

A topographic survey has not been completed for the property; however we have indicated on the form the general topographic conditions of the site.

9e6) Please submit the information required by this Section.

The historic and archeological site map for Bonita Springs has been attached and it indicates that no historic or archeological sites are present in the immediate vicinity of the project.

9e7) Please submit the information required by this Section.

The historic and archeological site map for Bonita Springs has been attached and it indicates that no historic or archeological sites are present in the immediate vicinity of the project.

10) Please submit a discussion concerning how this project is consistent with the decision making guidelines contained in the above cited Sections.

Please see attached Exhibit II-E-2.

11) No graphic illustration of either proposed development discussed in this application has been provided. Please provide the required Master Concept Plan proposed for the development of this site.

Please see attached MCP set.

12) Please refer to the comments in #11 above and also provide the information on the proposed Plans consistent with requirements of this Section and related Sections of the Land Development Code.

Please see attached MCP set.

14) No separate Schedule of Uses, as required by this Section, has been supplied as part of this application. Please provide the required information.

DCI 2002-00018

Please see attached MCP set.

16a) Natural Resources advises that the subject property has two outfall running through adjoining this site for the San Carlos Drainage District. How will these be addressed as part of this development?

We have spoken with Brad Vance of the Division of Natural Resources regarding the outfalls. We have provided a narrative surface water management plan which addresses the concerns.

16c) Is this planned to be a Phased project? If so, please provide the information required by this Section.

At this time no project phasing is proposed.

DCI 2002-00018

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Q. GRADY MINOR & ASSOCIATES, P.A.
Civil Engineers ■ Land Surveyors ■ Planners

LETTER OF TRANSMITTAL

Date: May 20, 2002

Project: The Villages of Bonita North MPD, DCI2002-00018

Location: Old 41 Road, Bonita Springs, Lee County, Florida

TO: Ms. Pam Houck, Director
Lee County Development Services Department
Division of Zoning
P.O. Box 398
Fort Myers, FL 33902-0398

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MAY 20 2002
ZONING COUNTER

Items transmitted via: Hand Delivery

We are sending you the following items:

Check #41005

Remarks: The enclosed check is for underpayment of the above referenced application fee due to the recent increase by Lee County. Please contact me if you have any questions. Thank you.

Signed: _____
Sharon Umpenhour

cc: Ronald C. Dillon

3800 Via Del Rey
Bonita Springs, Florida 34134
(941) 947-1144 ■ Fax (941) 947-0375

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DCI 2002-00018

Q. GRADY MINOR & ASSOCIATES, P.A.

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MARK W. MINOR, P.E.
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DAVID W. SCHMITT, P.E.
MICHAEL J. DELATE, P.E.
NORMAN J. TREBILCOCK, A.I.C.P., P.E.

D. WAYNE ARNOLD, A.I.C.P.
ERIC V. SANDOVAL, P.S.M.
THOMAS CHERNESKY, P.S.M.
ALAN V. ROSEMAN

May 3, 2002

Mr. Peter Eckenrode
Lee County Department of Community Development
Development Services Division
P.O. Box 398
Fort Myers, Fl 33902-0398

Re: MPD Application; Villages of Bonita North Mixed Use Planned Development

Dear Mr. Eckenrode:

Enclosed, please find the completed MPD application for the Villages of Bonita North MPD project. The property is located on the north side of Old U.S. 41 Road in the City of Bonita Springs. The 84±-acre site is located immediately north of the existing Villages of Bonita RPD. Portions of the site have been previously cleared in support of cattle grazing. Jurisdictional wetlands do exist on the site and have been shown as preserve areas on the Master Concept Plan.

The proposed Villages of Bonita MPD is a mixed-use planned development, which will consist of residential, light industrial (business park) and commercial land uses. The Master Concept Plan reflects two development scenarios for the project. Master Concept Plan "A" proposes to develop the parcel with the residential, light industrial, and commercial components. The Master Concept Plan "B" alternative, includes only residential and commercial components of the project, whereby the light industrial is replaced with residential land uses.

The property is designated Urban Community on the Future Land Use Map of the City of Bonita Springs Comprehensive Plan (Lee Plan), and the proposed uses and intensity of development are consistent with the Plan.

Please contact me if there are any questions or comments.

Sincerely,

D. Wayne Arnold, AICP

cc:: Ron Dillon
Neale Montgomery

DCI 2002-00018

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(239) 947-1144 ▪ FAX (239) 947-0375 ▪ E-Mail: engineering@gradyminor.com
3800 Via Del Rey ▪ Bonita Springs, Florida 34134

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MATTHEW J. HERMANSON, P.E.

D. WAYNE ARNOLD, A.I.C.P.
ROBERT "BOB" THINNES, A.I.C.P.
ERIC V. SANDOVAL, P.S.M.
STEVE BURGESS, P.S.M.
MICHAEL L. HARMON, P.S.M.
ALAN V. ROSEMAN

March 25, 2003

Mr. Alvin "Chip" Block, Senior Planner
Lee County Dept. of Community Development
Zoning Division
P.O. Box 398
Fort Myers, FL 33902-0398

RE: Project Name Change
Villages of Bonita North MPD;
DCI 2002-00018

Dear Mr. Block:

I have been advised by our client that there is some confusion arising from the project name, "Villages of Bonita North MPD", with that of the existing Villages of Bonita RPD. In an effort to eliminate any further confusion, we are hereby requesting a formal name change to the MPD zoning application.

The new project name for the MPD zoning application is, "Old 41 MPD". Please forward this project name change to the appropriate Lee County review personnel. Likewise, we will submit revised materials reflecting the name change.

Please contact me if there are any questions.

Sincerely,

D. Wayne Arnold, AICP

DWA:dr

cc: Neale Montgomery
Ronald C. Dillon

DCI 2002-00018

(239) 947-1144 ▪ FAX (239) 947-0375 ▪ E-Mail: engineering@gradyminor.com
3800 Via Del Rey ▪ Bonita Springs, Florida 34134-7569 ▪ EB/LB 0005151

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Civil Engineers • Land Surveyors • Planners

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D. WAYNE ARNOLD, A.I.C.P.
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ERIC V. SANDOVAL, P.S.M
STEVE BURGESS, P.S.M.
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April 1, 2003

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APR 01 2003
ZONING COUNTER

Mr. Alvin "Chip" Block
Senior Planner
Lee County Dept. of Community Development
Zoning Division
P.O. Box 398
Fort Myers, FL 33902-0398

RE: Old 41 MPD f.k.a.Villages of Bonita North MPD – DCI2002-00018

Dear Mr. Block:

Enclosed, please find 11 sets of the revised Master Concept Plan sets for the Old 41 MPD, 1 81/2 by 11 set and 1 original plus 10 copies of page 1 of the application. All references to Villages of Bonita North MPD have been changed to Old 41 MPD.

Please contact me if you have any questions.

Sincerely,

Sharon Umpenhour

cc: Ronald C. Dillon
Neale Montgomery

(239) 947-1144 • FAX (239) 947-0375 • E-Mail: engineering@gradyminor.com
3800 Via Del Rey • Bonita Springs, Florida 34134

Ok per Chip to take 10 Monday Am

Q. GRADY MINOR & ASSOCIATES, P.A.

Civil Engineers ▪ Land Surveyors ▪ Planners

Q. GRADY MINOR, P.E.
MARK W. MINOR, P.E.
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D. WAYNE ARNOLD, A.I.C.P.
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ALAN V. ROSEMAN

DCI 2002-00018

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JAN 24 2003

COMMUNITY DEVELOPMENT

January 23, 2003

Mr. Alvin "Chip" Block
Senior Planner
Lee County Dept. of Community Development
Zoning Division
P.O. Box 398
Fort Myers, FL 33902-0398

RE: Villages of Bonita North MPD – DCI2002-00018

Dear Mr. Block:

Enclosed, please find 10 sets of the revised Master Concept Plan sets for the Villages of Bonita North MPD. As we discussed in our telephone conversation on Friday, January 17, 2003, we have addressed your comment regarding the proposed multiple family housing shown for the residential component of the project. We do not currently have a specific mix of unit types and location within the MPD. We have noted in the MCP set that the multiple family housing can be converted to any other permitted residential dwelling type.

You had requested that we provide additional buffering between the residential tracts and the commercial and business park components of the project in the event that single-family home product ultimately develops on this tract. The MCP plans have been modified to include a 15' wide type "D" buffer along the entire residential tract abutting the commercial and business park tracts. This is in addition to the buffering specified on the commercial and business park tracts.

The remaining outstanding item covers the question from Gerry Murphy regarding the presence of a drainage easement along the southern property line. The property owners have had their real estate attorney research this issue, and they have found no documentation of the presence of a drainage easement in this location.

Please contact either Neale Montgomery or me if you have any questions.

Sincerely,

D. Wayne Arnold, AICP

cc: Ronald C. Dillon
Neale Montgomery

(239) 947-1144 ▪ FAX (239) 947-0375 ▪ E-Mail: engineering@gradyminor.com
3800 Via Del Rey ▪ Bonita Springs, Florida 34134

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VBNZ

MEMORANDUM

FROM THE

DEPARTMENT OF COMMUNITY DEVELOPMENT DEVELOPMENT SERVICES DIVISION

DATE: April 18, 2003

TO: File - **DCI2002-00018**
Old 41 MPD fka The Villages of Bonita North MPD

FROM: Becky Tatlock
Administrative Assistant

RE: Notice of Zoning Board for Land Use Hearings of the City of Bonita Springs
May 2, 2003

I, Becky Tatlock, Secretary, Internal Services, Development Services Division, do hereby certify that I have mailed **REVISED** notices to the **adjacent property owners** on the above referenced date, in the attached style, pursuant to the list marked and attached hereto and made a part of this certification.

Please be advised that this is a revised adjacent property owners notice with the corrected date and time.

NOTICE TO PROPERTY OWNERS WITHIN 375 FEET

CASE NUMBER: DCI2002-00018

CASE NAME: Old 41 MPD fka The Villages of Bonita North MPD

REQUEST: Rezone 84.85 acres from Agriculture District AG-2 to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 15.65 acres of business park use consisting of 195,000 square feet of gross floor area; and 63.69 acres of residential use consisting of a maximum of 396 dwelling units. The proposed maximum building height within the project is 45 feet (3 stories).

LOCATION: The subject property is located at 25701 Old 41 Rd, E side of Old 41 Rd approx 3/4 mile S of the intersection of Old 41 Rd and US 41 (S.R. 45) Bonita Springs, in S22 (Section)-T47 (Township)S-R25 (Range)E, Lee County, Florida.

SIZE OF PROPERTY: 84.85 Acres ±

STAFF REPORT: Direct inquiries to Alvin Block, AICP, Principal Planner, at 239-479-8371, at the Department of Community Development, 1500 Monroe St., Ft Myers, FL 33901.

PROPERTY OWNERS REPRESENTATIVE: MR. D. WAYNE ARNOLD
Q. GRADY MINOR & ASSOCIATES
239- 947-1144

Notice is hereby given that the City of Bonita Springs Zoning Board for Land Use will hold a public hearing at 9:30 am on May 02, 2003, on the above case. The public hearing will be held in the Bonita Springs Utilities Board Room, 11860 East Terry Street, Bonita Springs, FL 34135.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the City Council.

After the Zoning Board for Land Use has made a written recommendation, the case will be scheduled for a public hearing before the City Council of the City of Bonita Springs who will review the recommendation and make a final decision.

If you do not appear before the Zoning Board for Land Use you will not be allowed to appear before the City Council at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Gary A. Price, City Manager, at 239/390-1000 at least 48 hours prior to the hearing.

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

22-47-25-B2-00200.7070
THURLOW BETHANY J + STEVEN L

25399 PAPALLION DR

BONITA SPRINGS FL 34135

22-47-25-B2-00200.7100
GREEN LACEY D + BONITA C

25420 PINSON DR

BONITA SPRINGS FL 34135

22-47-25-B2-00200.7240
PARTIN FREDDY B

P O BOX 366232

BONITA SPRINGS FL 34136

22-47-25-B2-00200.7260
RAUB KATHALEEN A J/T

PO BOX 1110

BONITA SPRINGS FL 34133

22-47-25-B2-00200.7380
GIVLER LEWIS P + NORMA I

2909 BELMAR BLVD

WALL NJ 07719

22-47-25-B2-00200.7400
MORALES CARLOS +

6907 HUDSON AVE

GUTTENBERG NJ 07093

22-47-25-B2-00200.7500
STRIKER JONATHAN S + SHARON M

25525 MORIAH LN

BONITA SPRINGS FL 34135

22-47-25-B2-00200.7520
BENEDICT E E + ESTHER W

7949 ADAMS RD

KIRKVILLE NY 13082

22-47-25-B2-00200.7600
CRAIG ROBERT J + LISA M

1627 RED CEDAR DR

FORT MYERS FL 33907

22-47-25-B2-00200.7680
KENT CHRISTOPHER

430 NE 45TH ST APT B

FT LAUDERDALE FL 33334

22-47-25-B2-00200.7090
HEDRICH NORMAN S + CLEDA

10911 BONITA BEACH RD STE 1011

BONITA SPRINGS FL 34135

22-47-25-B2-00200.7230
PARTIN FREDDY B + JOLENE E

P O BOX 366232

BONITA SPRINGS FL 34136

22-47-25-B2-00200.7250
SIVY JAN +

25460 PINSON DR

BONITA SPRINGS FL 34135

22-47-25-B2-00200.7370
SPEER ALFONS H + THERESA L

25483 PINSON DR

BONITA SPRINGS FL 34135

22-47-25-B2-00200.7390
POTTS SHANNON

13750 DOWNING LN #22

FORT MYERS FL 33919

22-47-25-B2-00200.7490
LUTHERAN CHURCH-MISSOURI SYNOD

ATTN TREASURER'S DEPT
1333 S KIRKWOOD RD
SAINT LOUIS MO 63122

22-47-25-B2-00200.7590
LEE BLAKES + LAURIE B

P O BOX 366344

BONITA SPRINGS FL 34136

22-47-25-B2-00200.7610
CRAWFORD TERESA +

25589 BUSY BEE DR

BONITA SPRINGS FL 34135

22-47-25-B2-0130A.0010
ROBERTS BRUCE G

9381 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B1-00200.6910
CONNORS JOSEPH +

8 WEST AVE

SPRINGFIELD PA 19064

22-47-25-B1-00200.7080
SEIDER J H + ADRIENNE M

4842 W WOODLAWN CT

MILWAUKEE WI 53208

22-47-25-B1-0140G.0010
REILING WILLIAM S

2265 COMO AV

ST PAUL MN 55108

22-47-25-B1-0140G.0020
BONITA BUSINESS VENTURE INC

4438 PINE LAKE RD

BONITA SPRINGS FL 34134

22-47-25-B1-0140G.0030
BUSH WALTER L JR + MARY R
C/O HOVLAND INC
11983 TAMIAMI TRL N STE 100

NAPLES FL 34110

22-47-25-B1-0150D.0010
BERNET JAMES A

6100 ESTERO BLVD
P O BOX 2579
FT MYERS BEACH FL 33932

Christine Bielski *(Bonita Springs)
BBIA
27566 Hickory Blvd
Bonita Springs, FL 34134

Don Sedota *(Bonita Springs)
Spanish Wells Homeowners Assoc.
P.O. Box 219
Bonita Springs, FL 34133

22-47-25-B1-0150E.0030
HOVLAND STEVEN T TR

11983 TAMIAMI TRAIL N STE 1000

NAPLES FL 34110

22-47-25-B1-0150E.0070
NOLAND PROPERTIES INC

400 WACHOVIA BANK BLDG
2700 WASHINGTON AV
NEWPORT NEWS VA 23607

22-47-25-B1-0150F.0010
REILING WILLIAM S

2265 COMO AV

ST PAUL MN 55108

22-47-25-B2-00200.6920
MITCHELL C JOHN + VICTORIA N

25379 PAPILLION DR

Bonita Springs FL 34135

22-47-25-B2-0130A.0020
LOCKE CHARLES H + BARBARA M

P O BOX 367921

BONITA SPRINGS FL 34136

22-47-25-B2-0130A.0030
YDE JAMES J + NANCY S

9385 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130A.0040
KAVULIC STEVEN P + JACQUELINE

9387 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130A.0050
CLARK WILLIAM G + DIANA L

9389 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130A.0070
TOLOSI FRANCIS A JR + JOAN A

9373 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130A.0080
KRZACZYNSKA KATARZYNA A +

9375 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130A.0090
MAZZOCCA TONY

9377 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130A.0100
BRAEKEVELT LESLIE H + SUSANN

4525 BETHUY RD

CASCO MI 48064

22-47-25-B2-0130B.0010
MOSSER MARGARET J

9380 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130B.0020
LEWIS WILLIAM J + FLORENCE E

9382 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130B.0030
CLARK JOHN W + PAULA E

9384 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130B.0040
CAVANAUGH JOSEPH R + ROSEMARIE

9386 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130B.0050
KOVACH DOROTHY M

9388 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130B.0060
KRAUT WILLIAM

3900 N OCEAN DR #4E

LAUDERDALE BY THE SEA FL 33308

22-47-25-B2-0130B.0070
VASSUER WILLIAM J

9392 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B2-0130B.0080
COYNE JOHN T + DORIS

9394 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070A.00CE
VILLAGES OF BONITA MASTER ASSN

24880 BURNT PINE DR STE 8

BONITA SPRINGS FL 34135

22-47-25-B3-0070C.0090
MAGLIOR ANTHONY J + JOYCE M

9320 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0130
CAPPELLI LEONARD + MARIA

9347 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0150
KING ELEANOR

9351 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0170
MELCHIORE JULIE A

9355 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0190
MACDOUGALL HUGH C + BARBARA L

9359 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0140
PFAFF SAMUEL PRICE TR

9349 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0160
DILLON RONALD C

9353 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0180
LEWIS MARY JANE +

9357 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0200
JONES JAMES T + LINDA D

9361 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-007R0.0000
CRAWFORD J STEPHEN

P O BOX 2686

BONITA SPRINGS FL 34133

22-47-25-B3-0130A.0060
GAWRONSKI DANIEL P

9371 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0130B.0090
BORG RAYMOND D + JACQUELINE

9396 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0130C.0010
REED EDWIN P + ETHEL L

9364 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0130C.0020
LARE JOHN JR + NANCY

9366 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B4-0140G.00CE
BERNWOOD BUSINESS PARK
PROPERTY OWNERS ASSOC
P O BOX 2579

FT MYERS BEACH FL 33932

22-47-25-B4-0140H.0010
G + M LLC

3471 BONITA BAY BLVD

BONITA SPRINGS FL 34134

22-47-25-B1-00002.4000
MCARDLE EDWARD J TR
C/O J STEPHEN CRAWFORD
28000 SPANISH WELLS DR

BONITA SPRINGS FL 34135

15-47-25-B4-00002.0040
S + S STRUCTURAL SYSTEMS INC

PO BOX 366098

BONITA SPRINGS FL 34136

15-47-25-B4-00200.6230
QUICKE FLOYD R + DEBRA A

25230 CATSKILL DR

BONITA SPRINGS FL 34135

15-47-25-B4-00200.6470
TAYLOR RICHARD J + LESLIE M

25272 CATSKILL DR

BONITA SPRINGS FL 34135

22-47-25-B1-00002.0070
S + S STRUCTURAL SYSTEMS INC

PO BOX 366098

BONITA SPRINGS FL 34136

22-47-25-B1-00002.401A
CUSSON DAVID + MARTHA

25271 OLD 41 RD

BONITA SPRINGS FL 34135

22-47-25-B1-00200.6490
TOZIER STEVEN

PO BOX 367655

BONITA SPRINGS FL 34135

22-47-25-B1-00200.6680
RUTZKE ROBIN R

106 GARDEN CREST CIR

DEL RIO TX 78840

22-47-25-B1-00200.6710
GOLDBERG CAROL A

P O BOX 366731

BONITA SPRINGS FL 34136

22-47-25-B1-00200.6890
CAIN JAMES R + PATRICIA ANN

25356 PAPILLION DR

BONITA SPRINGS FL 34135

15-47-25-B4-00200.6020
HIGGINSON MARK +

10881 ORANGEWOOD DR

BONITA SPRINGS FL 34135

15-47-25-B4-00200.6240
NORTON DEBBIE S

25231 TUCK DR

BONITA SPRINGS FL 34135

22-47-25-B1-00002.0050
MOOSE LODGE BONITA SPGS #1454

25101 OLD 41 RD

BONITA SPRINGS FL 34135

22-47-25-B1-00002.4010
CUSSON MARGARET T TR

1840 MONTICELLO DR

NAPLES FL 34110

22-47-25-B1-00200.6480
KORORA JOHN M + KATHLEEN

25273 MORIAH LN

BONITA SPRINGS FL 34135

22-47-25-B1-00200.6500
MCKERROW ROBERT W 1/2 +

7935 WEST SUNSET DR

ELMWOOD PARK IL 60707

22-47-25-B1-00200.6700
BOLOGNESE NANCY L

10113 SANDY HOLLOW LN
BOX 14 APT 502
BONITA SPRINGS FL 34135

22-47-25-B1-00200.6720
HENDERSON JEROME A CO-TR +

P O BOX 366731

BONITA SPRINGS FL 34136

22-47-25-B1-00200.6900
SHEPLER KATHRYN E

55 HILL RD

BERKELEY CA 94708

22-47-25-B3-0070C.00CE
VILLAGES OF BONITA MASTER ASSN

24880 BURNT PINE DR STE 8

BONITA SPRINGS FL 34135

22-47-25-B3-0070C.0170
GOLOB EDWARD J JR + DOLORES J

9336 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070C.0190
SIEPIERANSKI FRED W + SANDRA J

9342 LAKE ABBY LANE

BONITA SPRINGS FL 34135

22-47-25-B3-0070C.0270
MENEFEE EDWARD W + IRMALENE B

9358 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0010
PRENTKI ADAM A III

9321 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0030
COSENTINO FRANK G + NANCY M +

9325 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0050
MEDINA ALFONSO + GLORIA

9329 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0070
CORVINO DOLORES M TR

9333 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0090
FERRIS WILLIAM E

9337 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0110
ROLFE LEONARD W + GRACE J

9343 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070C.0100
MAURER DANIEL 1/2 +

9322 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070C.0180
JENKINS FRANCES S

9338 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070C.0200
BROOKS C NANCY +

9344 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070C.0280
HARALSON WANDA M TR

9360 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0020
BITTNER ROBERT W + VICTORIA M

P O BOX 232

FREELAND PA 18227

22-47-25-B3-0070D.0040
LATIN DERRICK J

9327 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0060
OCONNELL SALLY M

9331 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0080
STUMPF RICHARD F + CONCETTA F

9335 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0100
YOUNG BERNICE A TR

9339 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B3-0070D.0120
TROUT GEORGE + DORIS L

9345 LAKE ABBY LN

BONITA SPRINGS FL 34135

22-47-25-B4-0140H.0060
GLOWINIA ROBERT W + JULIE

3520 CANDLEBERRY CT

BONITA SPRINGS FL 34134

22-47-25-B4-0140L.0030
SUNAID OF FLORIDA INC

27875 KINGS KEW

BONITA SPRINGS FL 34134

22-47-25-B4-0140L.0060
LEBRETON ROBERT S + LAURA M

P O BOX 367095

BONITA SPRINGS FL 34136

22-47-25-B4-0140T.0010
BONITA 2001 LLC

10210 PARK VIEW CIR

BLOOMINGTON MN 55431

22-47-25-B4-0140L.0020
BAYS MERE COMPANY LLC

7887 VIZCAYA WAY

NAPLES FL 34108

22-47-25-B4-0140L.0050
SUNAID OF FLORIDA INC

27875 KINGS KEW

BONITA SPRINGS FL 34134

---.

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

714

DATE: February 27, 2003

TO: PROPERTY OWNERS WITHIN 375 FEET

RE: DCI2002-00018 The Villages of Bonita

The above referenced case originally scheduled for Zoning Board hearing on March 7, 2003 at 9:00 a.m., has been CONTINUED .

A Continuance request form was submitted by the applicant on Tuesday, February 25, 2003.

When a *new* hearing date has been established, you will be informed by another notice that will specify the new time and date of the hearing.

Lee County
Department of Community Development
Development Services Division

DCI 2002-00018

NOTICE TO PROPERTY OWNERS WITHIN 375 FEET

CASE NUMBER: DCI2002-00018

CASE NAME: THE VILLAGES OF BONITA

REQUEST: Rezone 84.85 acres from Agriculture District AG-2 to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 15.65 acres of business park use consisting of 195,000 square feet of gross floor area; and 63.69 acres of residential use consisting of a maximum of 396 dwelling units. The proposed maximum building height within the project is 45 feet (3 stories).

LOCATION: The subject property is located at The subject property is located at 25701 Old 41 Road, Bonita Springs, Fla.
, in S22 (Section)-T47 (Township)S-R25 (Range)E, Lee County, Florida.

SIZE OF PROPERTY: 85.00 Acres ±

STAFF REPORT: Direct inquiries to Alvin Block, AICP, Principal Planner, at 239-479-8371, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNERS REPRESENTATIVE: MR. WAYNE ARNOLD
Q. GRADY MINOR & ASSOCIATES
239- 947-1144

CONTINUED

Notice is hereby given that the City of Bonita Springs Zoning Board for Land Use will hold a public hearing at 9:00 am on March 07, 2003, on the above case. The public hearing will be held in the Bonita Springs Utilities Board Room, 11860 East Terry Street, Bonita Springs, FL 34135.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the City Council.

After the Zoning Board for Land Use has made a written recommendation, the case will be scheduled for a public hearing before the City Council of the City of Bonita Springs who will review the recommendation and make a final decision.

If you do not appear before the Zoning Board for Land Use you will not be allowed to appear before the City Council at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Gary A. Price, City Manager, at 239/390-1000 at least 48 hours prior to the hearing.

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Susan Hollingsworth
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Alvin Block, AICP

DATE: 01/24/2003

PROJECT NAME: THE VILLAGES OF BONITA

CASE #: DCI2002-00018

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 02/03/2003

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 01/28/2003

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Susan Hollingsworth
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources

FROM: Alvin Block, AICP

DATE: 04/01/2003

PROJECT NAME: OLD 41 MPD FKA VILLAGES OF BON

CASE #: DCI2002-00018

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 04/11/2003

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 04/03/2003

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Susan Hollingsworth
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
~~Jerry Murphy, Zoning~~

FROM: Alvin Block, AICP

DATE: 04/01/2003

OK as changed.
Thanks,
CJ

PROJECT NAME: OLD 41 MPD FKA VILLAGES OF BON

CASE #: DCI2002-00018

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 04/11/2003

Additional Comments:
DRAFT Please review draft transmittal sheet & return to me ASAP, so I can finalize & distribute
Thanks,
Jamie

cc: DCI planner/working file
DCI Zone File

Distributed by: Jamie Princing

Date: 04/02/2003

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Susan Hollingsworth
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Alvin Block, AICP

DATE: 12/10/2002

PROJECT NAME: THE VILLAGES OF BONITA

CASE #: DCI2002-00018

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 12/20/2002

Additional Comments:
Letter of sufficiency

cc: DCI planner/working file
DCI Zone File

Distributed by: Amy Dillon

Date: 12/10/2002

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Susan Hollingsworth
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Alvin Block, AICP

DATE: 11/12/2002

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: THE VILLAGES OF BONITA

CASE #: DCI2002-00018

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 11/26/2002

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 11/13/2002

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Susan Hollingsworth
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Alvin Block, AICP

DATE: 07/29/2002

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: THE VILLAGES OF BONITA

CASE #: DCI2002-00018

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 08/12/2002

Additional Comments:

[redacted]

)CI) Lee County LDC Section 34-373(d)(1).
ufficiency and Completeness
No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Amy Cafaro

Date: 07/31/2002

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Susan Hollingsworth
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources

FROM: Alvin Block, AICP

DATE: 05/13/2002

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: THE VILLAGES OF BONITA

CASE #: DCI2002-00018

INFORMATION SUMMARY:

NEW SUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 05/27/2002

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).

Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jamie Princing

Date: 05/20/2002

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: March 11, 2003

TO: file

FROM: Billie Jacoby

RE: DCI2002-00018 The Villages of Bonita North

ORIGINAL ZB DATE: FEBRUARY 7, 2003 ZB
DEFERRED TO: MARCH 7, 2003 ZB
CONTINUED TO: MAY 2, 2003 ZB

It was determined that the case be continued to May 2 - instead of the March 7 date requested on the continuance form.

DCI 2002-00018

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

February 5, 2003

D. Wayne Arnold
Q. Grady Minor & Associates
3800 Via Del Rey
Bonita Springs, Fla. 34134

Re: Agenda Schedule for The Villages of Bonita
Case No. DCI2002-00018

Dear Mr. Arnold:

Your zoning request has been scheduled before the Zoning Board for Land Use Hearings of the City of Bonita Springs on March 7, 2003, at 9:00 am. The hearing will be conducted in the Bonita Springs Utilities Board Room, 11860 East Terry Street, Bonita Springs, FL 34135.

Your zoning sign will be ready for pickup any time after 2/10/03, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than 2/21/03, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Amy Jo Dillon

Amy Jo Dillon
Administrative Assistant

cc: Edward J. McArdle, Tr.
Chip Block, AICP, Senior Planner
Zoning File

S:\CASES\aamy dump\applicant letter.wpd

Edward J. McArdle, Trustee
28000 Spanish Wells Drive
Bonita Springs, Fla. 34135

S:\CASES\aamy dump\applicant letter.wpd

DCI 2002-00018

CITY OF BONITA SPRINGS

Paul D. Pass
Mayor

Wayne Edsall
District One

Jay G. Arend
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Robert Wagner
District Three

John C. Warfield
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David Piper, Jr.
District Five

Ben L. Nelson, Jr.
District Six

Gary A. Price
City Manager

Audrey E. Vance
City Attorney

Writer's Direct Dial Number: 239-479-8371

December 10, 2002

MR. WAYNE ARNOLD
Q. GRADY MINOR & ASSOCIATES
3800 VIA DEL REY
BONITA SPRINGS, FL 34134

RECEIVED
DEC 18 2002
ZONING COUNTER

Re: THE VILLAGES OF BONITA
DCI2002-00018 - PDL Application (Major PD)

Dear MR. WAYNE ARNOLD :

The Zoning Division has reviewed the information provided and supplemented for the rezoning request referenced above. The application is now sufficient subject to conditions and the formal request has been drafted from your application as follows:

> Rezone 84.85 acres from Agriculture District AG-2 to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 15.65 acres of business park use consisting of 195,000 square feet of gross floor area; and 63.69 acres of residential use consisting of a maximum of 396 dwelling units. The proposed maximum building height within the project is 45 feet (3 stories).
>
> NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.

Please review this language carefully, and notify me in writing by December 24, 2002 whether or not this wording is satisfactory. Staff's substantive comments, along with the staff report, are being prepared. This request has been tentatively scheduled for public hearing before the Bonita Springs Zoning Board of Adjustments and Appeals on February 7, 2003. However, please note that this is a tentative date that is subject to change and that Lee County will be held harmless for any potential delay in effectuating compliance with the tentative hearing date.

You may schedule or waive a formal pre-hearing conference to discuss substantive issues. Contact me if you have any questions or if you would like to meet informally prior to the public hearings.

DCI 2002-00018
RECEIVED
DEC 18 2002
ZONING COUNTER

The finding of sufficiency is subject to the following condition(s) and/or comment(s):

T.I.S. Checklist

Legal Requirements Sufficiency Checklist

6c) Boundary Survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, FAC, is required for property encompassing 10 or more acres and for all Planned Development applications. [34-202(a)(2)]

See item 7, below.

6d) Confirmation of Ownership. If at any time during the review process the director concludes there is a question regarding ownership of the property, the director may require a title insurance policy, attorney's opinion of title, or ownership and encumbrance report. [34-202(a)(3)]

See item no. 7.

7) Miscellaneous Items.

The boundary survey and PAGIS indicate a significant drainage feature ("ditch") along the southeastern property line, the majority of which feature appears to be within the subject property. This feature appears to provide drainage to the San Carlos Estates development which carries on through the Bernwood project to the south. The legal status of this feature is unclear from the application. The survey specifically notes:
"2. This property is subject to easements, reservations and or restrictions of record."; "9. This survey does not reflect or determine ownership."; and "11. OR Book 557, Pages 354 and 355 are difficult to read, obtained information from the unrecorded San Carlos Estates Drainage District, Plat Book 1, Pages 1 through 3." This final reference is not clear to staff. The applicant should provide sufficient confirmation of ownership in the form of a title opinion or easements and encumbrances report to address the status of this existing drainage feature.

12d1) Parcels/Lots. The general location, configuration, and approximate dimensions of each lot or parcel (including outparcels). [34-373(a)(6)c.]

The proposed Schedule of Uses continues to include various residential dwelling types. The Plan now commits only to one type of unit, multiple family residential. During substantive review of this case staff will determine if it will be recommended to only include multiple family units due to a lack of specificity on the Master Concept Plan and the potential for internal incompatibility and inconsistency with the Comprehensive Plan.

RECEIVED
DEC 18 2002
ZONING COUNTER

12d4) Uses. The proposed use of each lot or parcel (including outparcels) keyed to the list of proposed uses submitted with the application. If the property development regulations for a specific zoning district will be used, reference to the specific district will be sufficient. [34-373(a)(6)c.]

Staff continues to ask the applicant to provide more specificity within this development concerning the locations of the uses. This requirement provides that the use of each lot or pacel should be shown keyed to the list of proposed uses. There continues to be proposed uses that would directly conflict and have adverse impacts on adjoining parcels and internal parcels. This lack of specific information may cause problems for staff to determine the consistency and compatibility of the development within and adjoining the development.

12e3) Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type. [34-373(a)(6)d.iii.]

Part III should still be revised to indicate the proposed development intensity in this project. There have been revisions to this application that are not reflected in this Part of the application form.

12e4) Hotel/Motel. If hotel or motel is proposed, the number of rooms, by size. [34-373(a)(6)d.iv.]

Please refer to the above comment on this same subject.

Sincerely,

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division
For the City of Bonita Springs

Alvin Block

Alvin Block, AICP
Senior Planner

xc: Audrey Vance, City Attorney

copy w/o attachments
Pamela Houck, Division Director
Audrey Vance, City Attorney
DS Reviewer - Susan Hollingsworth
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Billie Jacoby, DCD Admin
DCI Zoning File
DCI Working File

Writer's Direct Dial Number: 239-479-8371

CITY OF BONITA SPRINGS

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Audrey E. Vance
City Attorney

August 22, 2002

MR. WAYNE ARNOLD
Q. GRADY MINOR & ASSOCIATES
3800 VIA DEL REY
BONITA SPRINGS, FL 34134

Re: THE VILLAGES OF BONITA
DCI2002-00018 - PDL Application (Major PD)

Dear MR. WAYNE ARNOLD :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division
For the City of Bonita Springs

Alvin Block

Alvin Block, AICP
Senior Planner

xc: Audrey Vance, City Attorney

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Susan Hollingsworth, Development Review
Zoning/DCI Files

Environmental Sciences Planned Development Sufficiency Checklist

3) Protected Species Management Plan. Protected species preserve areas must be indicated on the Master Concept Plan; a final management plan as required by LDC Section 10-474 is not required until time of local development order. [10-474]

Pending ES staff field verification.

5) Open Space. The percentage of open space must be clearly stated on the Master Concept Plan unless the proposed development consists solely of conventional single family dwelling units on lots of no less than 6,500 square feet. [34-373(a)(6)f.; 34-373(a)(8)iii.]

Please revise the MCP to indicate commercial open space standards for the "Business Park" portion of the proposed project.

8) Design Standards: Environmentally Sensitive Areas. Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)]

Why is the flow-way connecting Preserve "B" and Preserve "E" not incorporated into the project design?

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

Please revise the MCP to delineate a Type 'A' buffer for the portions of the proposed Business Park abutting existing commercial (CPD).

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Kim Trebatoski, Principal Environmental Planner
#239-479-8183; e-mail: trebatkm@leegov.com

T.I.S. Checklist

4) Background Traffic. The TIS must contain 100th highest hour traffic for the current year and for the year following the year in which the project is expected to be completed.

Based on the 2001 Traffic Count Report data the compound growth rate on Bonita Grande Dr. north of Bonita Beach Rd. is 36.28%. The TIS shows 7%. This would make the 2007 peak hour, peak season, peak direction background traffic significantly higher than shown.

7) Level of Service Analysis. The TIS for projects generating more than 100 net new trips during the A.M. or P.M. peak hour of the adjacent street must contain an analysis of the Level of Service for all links within the area of influence.

Based on the above comment regarding compound growth rate, the level of service on Bonita Grande Dr. would be F.

9) Necessary Improvements. When the Level of Service analysis for any project shows that the LOS on links or at any intersection falls below the minimums adopted in THE LEE PLAN, the TIS must contain a recommendation and analysis of the improvements that are needed to meet or exceed the prescribed LOS standard.

The TIS shows a projected level of service F on Bonita Bch. Rd. west of I-75, on Bonita Grande Dr. north of Bonita Bch. Rd., on Imperial St. south of Bonita Bch. Rd., on Old 41 north of Bonita Bch. Rd., on Old 41 from Rosemary to U.S.41, and on U.S.41 from Bonita Bch. Rd. to West Terry St.

Legal Requirements Sufficiency Checklist

6) All applications requiring a public hearing must include the following: [34-202(a)]

See notes, below.

6c) Boundary Survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, FAC, is required for property encompassing 10 or more acres and for all Planned Development applications. [34-202(a)(2)]

See item 7, below.

6c3) If the property encompasses 10 or more acres the survey must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment). [34-202(a)(2)]

The property encompasses 84 +/- acres. State Plane Coordinates are required.

6d) Confirmation of Ownership. If at any time during the review process the director concludes there is a question regarding ownership of the property, the director may require a title insurance policy, attorney's opinion of title, or ownership and encumbrance report. [34-202(a)(3)]

See item no. 7.

7) Miscellaneous Items.

The boundary survey and PAGIS indicate a significant drainage feature ("ditch") along the southeastern property line, the majority of which feature appears to be within the subject property. This feature appears to provide drainage to the San Carlos Estates development which carries on through the Bernwood project to the south. The legal status of this feature is unclear from the application. The survey specifically notes:
"2. This property is subject to easements, reservations and or restrictions of record."; "9. This survey does not reflect or determine ownership."; and "11. OR Book 557, Pages 354 and 355 are difficult to read, obtained information from the unrecorded San Carlos Estates Drainage District, Plat Book 1, Pages 1 through 3." This final reference is not clear to staff. The applicant should provide sufficient confirmation of ownership in the form of a title opinion or easements and encumbrances report to address the status of this existing drainage feature.

LCDOT Sufficiency Checklist

1) Sufficiency Comments.

1) The Master Concept Plan Options "A" and "B" were not included in the submittal package to LCDOT.
2) The 1997 traffic counts at the intersection of U.S. 41/Old 41 are out of date. Unless approved in a methodology meeting, traffic counts should be from within the last 12 months.
3) What is the basis for the turning movement volumes at the project intersections?
4)The study does not address the influence of the proposed Signal Road and Three Oaks Parkway extensions.
5) The 0.6 percent annual increase of background traffic on Old 41 may not account for added traffic from Bernwood Business Park on Old 41 and other approved development in the area.
6) The Generalized Service Volumes should be the basis fot the roadway Level of Service determination.
7) What improvements are recommended for Old 41 and both access points onto Old 41 to address the service levels below adopted minimums?

2) The LCDOT reviewer may be contacted regarding any questions on the LCDOT Checklist.

Andy Getch 479-8510

Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

6) All applications requiring a public hearing must include the following: [34-202(a)]

Please refer to the comments found in the Legal Requirements section of this correspondence.

6m) Bonus Density. When applicable, the number of bonus density units requested, the source of the bonus density units (TDRs, housing density bonus, etc.) and the resulting gross residential density of the proposal must be identified. [34-202(a)(5).]

The applicant indicates that the Division of Planning is looking into the issue raised in the May 30, 2002 correspondence. Until there is a written determination from that Division that this item is now sufficient, this case will remain insufficient.

9) Description of existing conditions. The application for a Planned Development must be accompanied by the following: [34-373(a)(4)]

Please refer to the following.

9a) Survey. A Boundary Survey, prepared by a professional land surveyor, that meets the minimum technical standards as set forth in chapter 61G17-6 FAC, and has been signed and sealed within 1 year and shows the existing conditions on the property to full survey accuracy. [34-373(a)(4)a]

Please refer to the comments found in the Legal Requirements of this checklist.

9e) Other Maps. Maps drawn to the same scale as the Master Concept Plan marked or overprinted to show: [34-373(a)(4)e]

Please refer to the following.

9e4) Topographic Map. A county topographic map (required if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)e.iv.]

The applicant's response of July 29, 2002 notes that the topographic map has not been completed. This item will remin insufficient until this information has been supplied, as required by this Section.

12) Scale of Plans/Required Information. The Master Concept Plan must be clearly legible and drawn at a scale sufficient to adequately show and identify the following information: [34-373(a)(6)]

Please refer to the following comments.

12d1) Parcels/Lots. The general location, configuration, and approximate dimensions of each lot or parcel (including outparcels). [34-373(a)(6)c.]

The Master Concept Plan does not show the general location, configuration, and approximate dimension of the lots or parcels within this development, required by this section. Please revise the Master Concept Plan to provide this information.

12d2) Lot Coverage. The lot coverage for each lot or parcel (including outparcels). [34-373(a)(6)c.]

Please revise this application to provide this information. At this time, there is no information indicating the maximum lot coverage to be allowed for uses within this development.

12d4) Uses. The proposed use of each lot or parcel (including outparcels) keyed to the list of proposed uses submitted with the application. If the property development regulations for a specific zoning district will be used, reference to the specific district will be sufficient. [34-373(a)(6)c.]

Please revise the Master Concept Plan, Schedule of Uses, or both to provide more specificity within this development concerning the locations of the uses. This requirement provides that the use of each lot or pacel is hown keyed to the list of proposed uses. There are uses proposed that would directly conflict and have adverse impacts are proposed on adjoining parcels. In some instances, the normal buffering requirements of the LDC will be insufficient to protect the adjoining use from these negative impacts. In order to determine both internal and external compatibility, this information is necessary.

12e3) Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type. [34-373(a)(6)d.iii.]

The proposed Master Concept Plan and Schedule of Uses proposes a wide range of dwelling unit types, however Part III of the application for each of the two proposed Master Concept Plans only indicates one dwelling unit type will be developed, Multiple Family resdeintial. It will be necessary to remove all of the other dwelling unit types from the proposed Schedule of Uses. If these other units are also being sought for approval within this planned development, then the applicant must be more specific in Part III of the application and on the Master Concept Plan by providing for the number of dwelling units of each type of dwelling proposed within this planned development.

12e4) Hotel/Motel. If hotel or motel is proposed, the number of rooms, by size. [34-373(a)(6)d.iv.]

Please revise Part III of the application and the Master Concept Plan to provide for the number of hotel/motel units sought in this application.

12e5) Health Care. If a health care facility is proposed, the number of beds. [34-373(a)(6)d.v.]

Please revise Part III of the application and the Master Concept Plan to provide the number beds proposed within the Health Care Facilities proposed in this application.

12e6) Commercial/Industrial. If commercial or industrial is proposed, the type(s) and the total floor area of each type. [34-373(a)(6)d.vi.]

Please revise the Master Concept Plan to provide the amount of commercial and industrial use proposed within this planned development.

12f) Service Areas. The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions. [34-373(a)(6)e.]

Please revise the Master Concept Plan to provide the location of the service areas as required by this section.

12i) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)h.]

Does the applicant propose buffers interior to the site between individual uses, such as multuple family adjoining single family and industrial adjoining commercial uses? If so, please revise the Master Concept Plan to provide for these buffers.

12j) Public Transit. Proposed access and facilities for public transit, in accordance with sections 34-411(e) and 10-442. [34-373(a)(6)i.]

The Master Concept Plan does not discuss if the project proposes access and facilities to support public transit. Please provide this information.

12k) Excavations. The general location of excavations for on-site fill and wet retention. [34-373(a)(6)j.]

Does the applicant expect to use development blasting activities as part of the development of this site?

12k1) Removal From The Property. If the applicant proposes to remove excavated material from the property a Planned development for mining and a general mining permit may be required. See 34-329(f)(7). [34-373(a)(6)j.]

Please advise if the applicant intends to remove or transport take any of the excavated material from the site, in accordance with this Section.

13) Traffic Impact Statement. A traffic impact statement must be provided in a format and to the degree of detail required by a form furnished by the county and in conformance with the adopted county administrative code. [34-373(a)(7)]

Please refer to the comments in the TIS Checklist of this correspondence.

Also, staff questions if the proposed TIS actually represents the worst case scenario. Although found sufficient in the TIS Checklist this development represents one development idea. However, the development of single family residential is proposed and the number of these dwelling units has not been described. Potentially the development of 394 single family units (MCP "A") or 494 single family units (MCP "B") could result in higher trip generation for the residential component.

Additionally, the commercial component includes convenience food and beverage store and fast food restaurant as potential uses. These uses also have a higher trip generation which could result in added impacts not considered in the TIS.

Please review with the applicant the proposed uses and their intensity as committed to in the application. Then revise the TIS to address the worst case scenario of the development of this site. The current application, if approved, would be expected to be recommended to be conditioned to limit or eliminate all of the proposed residential units with the exception of multiple family uses. In the commercial/industrial portion uses would not be supported which would have higher trip generations or added impacts not analyzed as part of this application.

14) Schedule of Uses. A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property must be provided including the following: [34-373(a)(8)]

14b) Units by Uses. The number of units (gross square feet for commercial/industrial uses, number of units for residential or motel/hotel uses, number of beds for institutional type uses, etc.) for each proposed use. [34-373(a)(8)ii]

The design of the two-family attached unit on the Master Concept Plan is not consistent with the definitiion of this unit type in the Land Development Code. Please review this and revise as needed to be consistent with the LDC definition.

16) Major Planned Developments. The following information is required for all Major Planned Development Zoning applications except PRFPDs. [34-373(b)]

Please refer to the following.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

If you have any questions concerning this portion of the checklist, please feel free to contact Chip Block at 239-479-8371.

Development Review Checklist

1) General Design Standards. The development has access to existing or proposed roads in accordance with LDC Chapter 10 and as specified in THE LEE PLAN traffic circulation element or the Official Trafficways Map. [34-411(d)(1)]

A Master Concept Plan was not provided.

2) Deviations. The application and Master Concept Plan include a schedule of deviations including detail drawings and written justifications. [34-412(a)]

I could not determine if deviations were being requested or not.

3) Zoning Traffic Impact Statement. A zoning TIS is required. [34-373(a)(7)]

Refer to the comments by Bob Rentz.



Writer's Direct Dial Number: 239-479-8371

CITY OF BONITA SPRINGS

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City Attorney

May 30, 2002

MR. WAYNE ARNOLD
Q. GRADY MINOR & ASSOCIATES
3800 VIA DEL REY
BONITA SPRINGS, FL 34134

Re: THE VILLAGES OF BONITA
DCI2002-00018 - PDL Application (Major PD)

Dear MR. WAYNE ARNOLD :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division
For the City of Bonita Springs

Alvin Block

Alvin Block, AICP
Senior Planner

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Susan Hollingsworth, Development Review
Zoning/DCI Files

Environmental Sciences Planned Development Sufficiency Checklist

3) Protected Species Management Plan. Protected species preserve areas must be indicated on the Master Concept Plan; a final management plan as required by LDC Section 10-474 is not required until time of local development order. [10-474]

Pending ES staff field verification.

4) Environmentally Sensitive Areas. The location, of any state jurisdictional wetlands and surface water, based upon standard environmental data and verified by the South Florida Water Management District staff, must be depicted on an aerial or FLUCCS map unless waived by the director.

Please clarify the acreage of state jurisdictional wetlands. The application states 16.19 acres. The density calculation sheet for MCP "A" states 13.59 acres. The density calculation sheet for MCP "B" states 16.78 acres. FLUCCS map delineates 16.83 acres of wetlands & 0.60 acres of Spring Creek.

Please submit a SFWMD verification of state jurisdictional wetlands.

5) Open Space. The percentage of open space must be clearly stated on the Master Concept Plan unless the proposed development consists solely of conventional single family dwelling units on lots of no less than 6,500 square feet. [34-373(a)(6)f.; 34-373(a)(8)iii.]

Pending submittal of a MCP.

8) Design Standards: Environmentally Sensitive Areas. Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)]

Pending submittal of a MCP.

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

Pending submittal of a MCP.

12) Miscellaneous Items.

Please clarify the acreage of the project. Application states 84.85 acres, density sheet MCP "A" states 87.26 acres, & density sheet MCP "B" states 88 acres.

A copy of the Master Concept Plan was not received please submit.

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Kim Trebatoski, Principal Environmental Planner
#239-479-8183; e-mail: trebatkm@leegov.com

T.I.S. Checklist

4) Background Traffic. The TIS must contain 100th highest hour traffic for the current year and for the year following the year in which the project is expected to be completed.

Based on the 2001 Traffic Count Report data the compound growth rate on Bonita Grande Dr. north of Bonita Beach Rd. is 36.28%. The TIS shows 7%. This would make the 2007 peak hour, peak season, peak direction background traffic significantly higher than shown.

7) Level of Service Analysis. The TIS for projects generating more than 100 net new trips during the A.M. or P.M. peak hour of the adjacent street must contain an analysis of the Level of Service for all links within the area of influence.

Based on the above comment regarding compound growth rate, the level of service on Bonita Grande Dr. would be F.

9) Necessary Improvements. When the Level of Service analysis for any project shows that the LOS on links or at any intersection falls below the minimums adopted in THE LEE PLAN, the TIS must contain a recommendation and analysis of the improvements that are needed to meet or exceed the prescribed LOS standard.

The TIS shows a projected level of service F on Bonita Bch. Rd. west of I-75, on Bonita Grande Dr. north of Bonita Bch. Rd., on Imperial St. south of Bonita Bch. Rd., on Old 41 north of Bonita Bch. Rd., on Old 41 from Rosemary to U.S.41, and on U.S.41 from Bonita Bch. Rd. to West Terry St.

Legal Requirements Sufficiency Checklist

6) All applications requiring a public hearing must include the following: [34-202(a)]

See notes, below.

6c) Boundary Survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, FAC, is required for property encompassing 10 or more acres and for all Planned Development applications. [34-202(a)(2)]

See item 7, below.

6c3) If the property encompasses 10 or more acres the survey must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment). [34-202(a)(2)]

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7) Miscellaneous Items.

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"2. This property is subject to easements, reservations and or restrictions of record."; "9. This survey does not reflect or determine ownership."; and "11. OR Book 557, Pages 354 and 355 are difficult to read, obtained information from the unrecorded San Carlos Estates Drainage District, Plat Book 1, Pages 1 through 3." This final reference is not clear to staff. The applicant should provide sufficient confirmation of ownership in the form of a title opinion or easements and encumbrances report to address the status of this existing drainage feature.

LCDOT Sufficiency Checklist

1) Sufficiency Comments.

1) The Master Concept Plan Options "A" and "B" were not included in the submittal package to LCDOT.
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3) What is the basis for the turning movement volumes at the project intersections?
4)The study does not address the influence of the proposed Signal Road and Three Oaks Parkway extensions.
5) The 0.6 percent annual incrrease of background traffic on Old 41 may not account for added traffic from Bernwood Business Park on Old 41 and other approved development in the area.
6) The Generalized Service Volumes should be the basis fot the roadway Level of Service determination.
7) What improvements are recommended for Old 41 and both access points onto Old 41 to address the service levels below adopted minimums?

2) The LCDOT reviewer may be contacted regarding any questions on the LCDOT Checklist.

Andy Getch 479-8510

Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

6) All applications requiring a public hearing must include the following: [34-202(a)]

Please refer to the comments found in the Legal Requirements section of this correspondence.

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

Please refer to the comments found in the Legal Requirements section of this correspondence.

6b) Certified sketch of description. A certified sketch of description as set out in chapter 61G 17-6.006, Florida Administrative Code, must be provided unless the subject property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plant Books. [34-202(a)(2)]

Please refer to the comments found in the Legal Requirements section of this correspondence.

6c) Boundary Survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, FAC, is required for property encompassing 10 or more acres and for all Planned Development applications. [34-202(a)(2)]

Please refer to the comments found in the Legal Requirements section of this correspondence.

6e) Area location map. A map, at suitable scale, indicating the property described in the legal description. The map must be sufficiently referenced to known major streets or other physical boundaries so as to be clearly identifiable to the general public. [34-202(a)(4)]

Please submit a location map as required by this Section.

6m) Bonus Density. When applicable, the number of bonus density units requested, the source of the bonus density units (TDRs, housing density bonus, etc.) and the resulting gross residential density of the proposal must be identified. [34-202(a)(5).]

As part of the application, the applicant proposed use of 1/2 the adjoining right-of-way of the adjoining arterial road toward calculating the number of units allowed within this development. Though this process is used with existing platted subdivisions to determine the consistency of the development with the density of the comprehensive plan, the comprehensive plan does not appear to provide for this method of density calculation. Please demonstrate where in the Comprehensive Plan and in the Land Development Code that this method can be used for a proposed new planned development. You may want to talk to the Division of Planning concerning this matter.

9) Description of existing conditions. The application for a Planned Development must be accompanied by the following: [34-373(a)(4)]

Please refer to the following.

9a) Survey. A Boundary Survey, prepared by a professional land surveyor, that meets the minimum technical standards as set forth in chapter 61G17-6 FAC, and has been signed and sealed within 1 year and shows the existing conditions on the property to full survey accuracy. [34-373(a)(4)a]

Please refer to the comments found in the Legal Requirements of this checklist.

9b) Map of Roads. A map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on abutting property. [34-373(a)(4)b]

Please submit a map consistent with this Section of the Code.

9c) Zoning and Land Use Map. A map or other depiction of the existing zoning and current land uses (i.e. single family residence, multiple-family building, retail commercial, office building, etc.) surrounding the tract or parcel to a distance of 500 feet. [34-373(a)(4)c.]

Please submit the information required by this Section of the Code.

9e) Other Maps. Maps drawn to the same scale as the Master Concept Plan marked or overprinted to show: [34-373(a)(4)e]

Please refer to the following.

9e4) Topographic Map. A county topographic map (required if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)e.iv.]

Exhibit II-F-2 has not been completely filled out. Please revise this Exhibit describing the topography of the site.

9e6) Archeological/Historic Sites. The nature and location of any known or recorded historical or archeological sites as listed on the Florida Master Site File or the Lee County Historical Site Survey. [34-373(a)(4)g]

Please submit the information required by this Section.

9e7) Archeological Sensitivity. The location of any part of the site which is located within the level 1 or level 2 zones of archeological sensitivity pursuant to LDC chapter 22. [34-373(a)(4)g & 22-106]

Please submit the information required by this Section.

10) Lee Plan Compliance Narrative. A narrative explanation as to how the proposed development complies with the Lee Plan, as well as the guidelines for decision-making embodied in sections 34-145(c)(2)a. and e., and 34-145(d)(3). [34-373(a)(5)]

Please submit a discussion concerning how this project is consistent with the decision making guidelines contained in the above cited Sections.

11) Master Concept Plan. All applications must be accompanied by a graphic illustration (Master Concept Plan) of the proposed development. [34-373(a)(6)]

No graphic illustration of either proposed development discussed in this application has been provided. Please provide the required Master Concept Plan proposed for the development of this site.

12) Scale of Plans/Required Information. The Master Concept Plan must be clearly legible and drawn at a scale sufficient to adequately show and identify the following information: [34-373(a)(6)]

Please refer to the comments in #11 above and also provide the information on the proposed Plans consistent with requirements of this Section and related Sections of the Land Development Code.

13) Traffic Impact Statement. A traffic impact statement must be provided in a format and to the degree of detail required by a form furnished by the county and in conformance with the adopted county administrative code. [34-373(a)(7)]

Please refer to the comments in the TIS Checlist of this correspondence.

14) Schedule of Uses. A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property must be provided including the following: [34-373(a)(8)]

No separate Schedule of Uses, as required by this Section, has been supplied as part of this application. Please provide the required information.

16) Major Planned Developments. The following information is required for all Major Planned Development Zoning applications except PRFPDs. [34-373(b)]

Please refer to the following.

16a) Surface Water Management System Description. A written description of the proposed surface water management system that includes: [34-373(b)(1)]

Natural Resources advises that the subject property has two outfall running through adjoining this site for the San Carlos Drainage District. How will these be addressed as part of this development?

16a6) Flow Way Review. Flow ways are to be reviewed by the Division of Natural Resources. [10-253(1),(2),&(3).]

Please contact Brad Vance of the Division of Natural Resources to discuss the drainage in this area and the outfalls that are found on the subject property.

16c) Phasing Program Description. If the development is to be constructed in phases or if the Traffic Impact Statement utilizes phasing, then a description of the phasing program must be submitted. [34-373(b)(3)]

Is this planned to be a Phased project? If so, please provide the information required by this Section.

19) Miscellaneous Items.

Due to a lack of an available Master Concept Plan, staff reserves the right to go back through and request additional information upon submittal of the required Plan.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

If you have any questions concerning this portion of the checklist, please feel free to contact Chip Block at 239-479-8371.

VARIANCE REPORT -- Parcels Found by Scan

SUBJECT PARCEL: AP:224725:B1:00002:4000 EXPAND HDR: FALSE TRAP CONDOS: TRUE

1) 22-47-25-B1-00002.4000
2) 15-47-25-B2-00200.000A
3) 15-47-25-B4-00002.0040
4) 15-47-25-B4-00200.6020
5) 15-47-25-B4-00200.6230
6) 15-47-25-B4-00200.6240
7) 15-47-25-B4-00200.6470
8) 22-47-25-B1-00002.0050
9) 22-47-25-B1-00002.0070
10) 22-47-25-B1-00002.4010
11) 22-47-25-B1-00002.401A
12) 22-47-25-B1-00200.6480
13) 22-47-25-B1-00200.6490
14) 22-47-25-B1-00200.6500
15) 22-47-25-B1-00200.6680
16) 22-47-25-B1-00200.6700
17) 22-47-25-B1-00200.6710
18) 22-47-25-B1-00200.6720
19) 22-47-25-B1-00200.6890
20) 22-47-25-B1-00200.6900
21) 22-47-25-B1-00200.6910
22) 22-47-25-B1-00200.7080
23) 22-47-25-B1-0140G.0010
24) 22-47-25-B1-0140G.0020
25) 22-47-25-B1-0140G.0030
26) 22-47-25-B1-01500.000A
27) 22-47-25-B1-0150D.0010
28) 22-47-25-B1-0150D.0020
29) 22-47-25-B1-0150D.0030
30) 22-47-25-B1-0150D.0040
31) 22-47-25-B1-0150D.0050
32) 22-47-25-B1-0150D.0060
33) 22-47-25-B1-0150D.0070
34) 22-47-25-B1-0150E.0030
35) 22-47-25-B1-0150E.0070
36) 22-47-25-B1-0150F.0000
37) 22-47-25-B1-0150F.0010
38) 22-47-25-B1-0150F.0020
39) 22-47-25-B2-00200.000A
40) 22-47-25-B2-00200.6920
41) 22-47-25-B2-00200.7070
42) 22-47-25-B2-00200.7090
43) 22-47-25-B2-00200.7100
44) 22-47-25-B2-00200.7230
45) 22-47-25-B2-00200.7240
46) 22-47-25-B2-00200.7250
47) 22-47-25-B2-00200.7260
48) 22-47-25-B2-00200.7370
49) 22-47-25-B2-00200.7380
50) 22-47-25-B2-00200.7390
51) 22-47-25-B2-00200.7400
52) 22-47-25-B2-00200.7490
53) 22-47-25-B2-00200.7500
54) 22-47-25-B2-00200.7510
55) 22-47-25-B2-00200.7520

RECEIVED
MAY 13 2002
ZONING COUNTER

DCI 2002-00018

56) 22-47-25-B2-00200.7590
57) 22-47-25-B2-00200.7600
58) 22-47-25-B2-00200.7610
59) 22-47-25-B2-00200.7680
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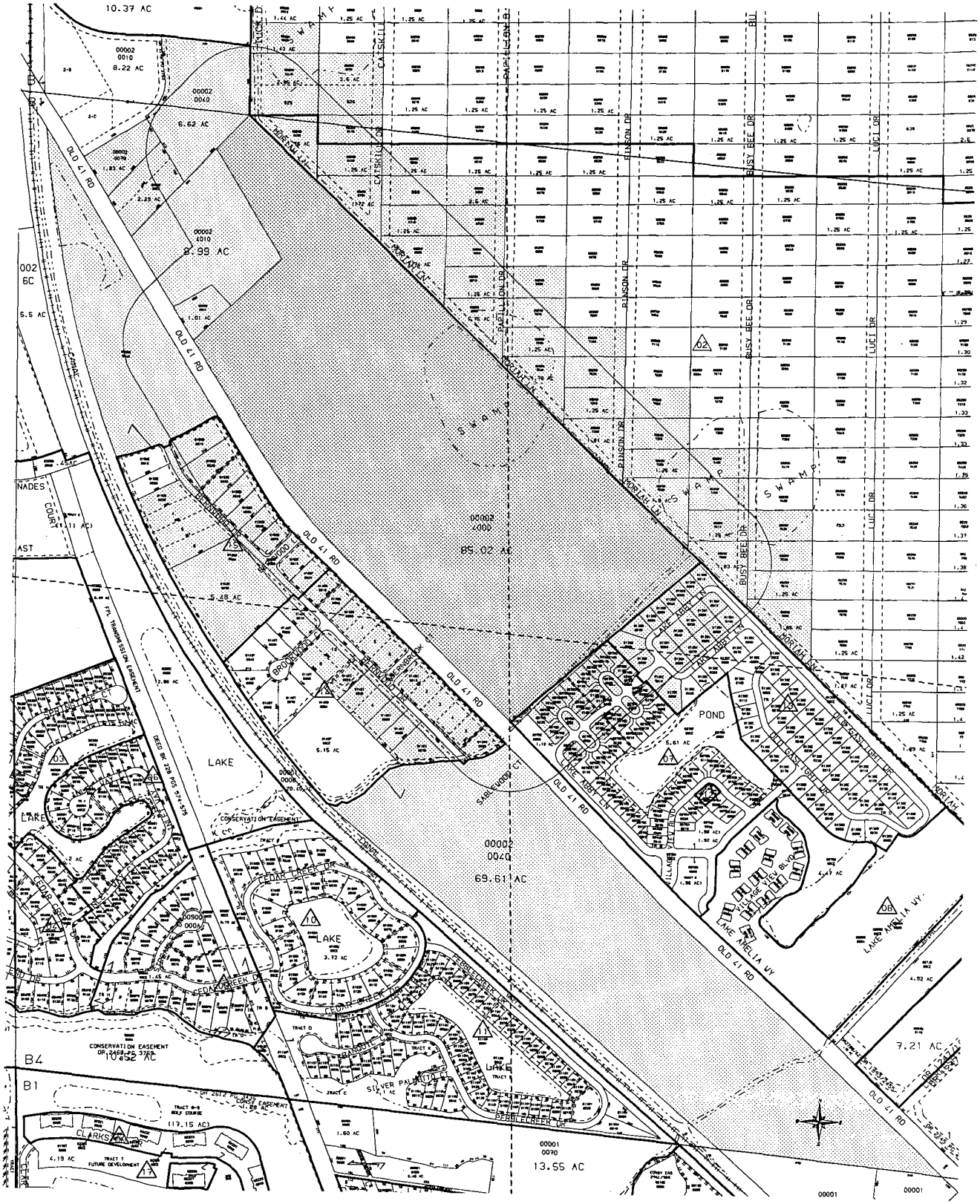
61) 22-47-25-B2-0130A.0020
62) 22-47-25-B2-0130A.0030
63) 22-47-25-B2-0130A.0040
64) 22-47-25-B2-0130A.0050
65) 22-47-25-B2-0130A.0070
66) 22-47-25-B2-0130A.0080
67) 22-47-25-B2-0130A.0090
68) 22-47-25-B2-0130A.0100
69) 22-47-25-B2-0130B.0010
70) 22-47-25-B2-0130B.0020
71) 22-47-25-B2-0130B.0030
72) 22-47-25-B2-0130B.0040
73) 22-47-25-B2-0130B.0050
74) 22-47-25-B2-0130B.0060
75) 22-47-25-B2-0130B.0070
76) 22-47-25-B2-0130B.0080
77) 22-47-25-B3-00002.0040
78) 22-47-25-B3-00700.000A
79) 22-47-25-B3-0070A.00CE
80) 22-47-25-B3-0070C.0090
81) 22-47-25-B3-0070C.00CE
82) 22-47-25-B3-0070C.0100
83) 22-47-25-B3-0070C.0170
84) 22-47-25-B3-0070C.0180
85) 22-47-25-B3-0070C.0190
86) 22-47-25-B3-0070C.0200
87) 22-47-25-B3-0070C.0270
88) 22-47-25-B3-0070C.0280
89) 22-47-25-B3-0070D.0010
90) 22-47-25-B3-0070D.0020
91) 22-47-25-B3-0070D.0030
92) 22-47-25-B3-0070D.0040
93) 22-47-25-B3-0070D.0050
94) 22-47-25-B3-0070D.0060
95) 22-47-25-B3-0070D.0070
96) 22-47-25-B3-0070D.0080
97) 22-47-25-B3-0070D.0090
98) 22-47-25-B3-0070D.0100
99) 22-47-25-B3-0070D.0110
100) 22-47-25-B3-0070D.0120
101) 22-47-25-B3-0070D.0130
102) 22-47-25-B3-0070D.0140
103) 22-47-25-B3-0070D.0150
104) 22-47-25-B3-0070D.0160
105) 22-47-25-B3-0070D.0170
106) 22-47-25-B3-0070D.0180
107) 22-47-25-B3-0070D.0190
108) 22-47-25-B3-0070D.0200
109) 22-47-25-B3-0070I.00CE
110) 22-47-25-B3-007R0.0000
111) 22-47-25-B3-01300.000A
112) 22-47-25-B3-0130A.0060
113) 22-47-25-B3-0130A.00CE
114) 22-47-25-B3-0130B.0090
115) 22-47-25-B3-0130B.00CE

116) 22-47-25-B3-0130C.0010
117) 22-47-25-B3-0130C.0020
118) 22-47-25-B4-01400.000A
119) 22-47-25-B4-0140G.00CE
120) 22-47-25-B4-0140H.0010
121) 22-47-25-B4-0140H.0060
122) 22-47-25-B4-0140I.0020
123) 22-47-25-B4-0140I.0030
124) 22-47-25-B4-0140I.0050
125) 22-47-25-B4-0140I.0060
126) 22-47-25-B4-0140I.0070
127) 22-47-25-B4-0140T.0010

TOTAL STRAPS: 127 (EXPANDED)CONDOS: 0
TOTAL PARCELS : 127



10.37 AC
00002
0010
8.22 AC
00002
0040
6.62 AC
00002
0070
1.83 AC
2.29 AC
00002
0010
8.99 AC
1.01 AC
002
6C
5.5 AC
OLD 41 RD
MORIAH LN
CATSKILL DR
PAPILLION DR
PINSON DR
BUSY BEE DR
LUCI DR
SWAMP
00002
4000
85.02 AC
5.48 AC
NADES
COURT
AST
FPL TRANSMISSION EASEMENT
DEED BK 228 PGS 574-575
LAKE
CONSERVATION EASEMENT
00002
0040
69.61 AC
SABLEWOOD CT
POND
5.61 AC
VILLAGE VIEW BLVD
LAKE AMELIA WY
CEDAR CREEK DR
LAKE
3.73 AC
CONSERVATION EASEMENT
OR 2469 PG 3769
10.52 AC
B4
B1
SILVER PALM
PEBBLECREEK DR
CONSV EASEMENT
(17.15 AC)
CLARKS
4.19 AC
TRACT 7
FUTURE DEVELOPMENT
1.60 AC
00001
0070
13.55 AC
7.21 AC
00001

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(1) ✓ 22-47-25-B1-00002.4000

PARL AS DESC IN OR1560/30 4 LESS OR 1903/ 4709 +260 5/383

********** OWNER **********
MCARDLE EDWARD J TR
C/O J STEPHEN CRAWFORD
28000 SPANISH WELLS DR

BONITA SPRINGS FL 34135

********** SITE **********
25701 OLD 41 RD

Bonita Springs 34135

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(2) 15-47-25-B2-00200.000A

UNREC S/D IN MULTI SECS 1 4 15 + 22 TWP 47 RGE 25 P ER OR 557 PGS 354 + 355

********** OWNER **********
SAN CARLOS ESTATES UNREC

********** SITE **********
0 HDR: SAN CARLOS ES

Bonita Springs 34135

---

(3) ✓ 15-47-25-B4-00002.0040

PARC IN NE1/4 OF SEC 22 + SW1/4 OF SEC 15 DESC OR 2477 PG 2441

********** OWNER **********
S + S STRUCTURAL SYSTEMS INC

PO BOX 366098

BONITA SPRINGS FL 34136

********** SITE **********
25249 OLD 41 RD

Bonita Springs 34135

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(4) ✓ 15-47-25-B4-00200.6020

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 602

********** OWNER **********
HIGGINSON MARK +

10881 ORANGEWOOD DR

BONITA SPRINGS FL 34135

********** SITE **********
25211 TUCK DR

Bonita Springs 34135

****
*** VARIANCE REPORT ***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(5) 15-47-25-B4-00200.6230

SAN CARLOS EST UNREC OR 557 PG 354 TRACT S 623 + 626

********** OWNER **********
QUICKE FLOYD R + DEBRA A

25230 CATSKILL DR

BONITA SPRINGS FL 34135

********** SITE **********
25230 CATSKILL DR

Bonita Springs 34135

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(6) 15-47-25-B4-00200.6240

SAN CARLOS ESTATES UNREC. OR 557 PG 354 TR 624 + 625 OR2373/1100

********** OWNER **********
NORTON DEBBIE S

25231 TUCK DR

BONITA SPRINGS FL 34135

********** SITE **********
25231 TUCK DR

Bonita Springs 34135

---

(7) 15-47-25-B4-00200.6470

SAN CARLOS ESTATES UNREC OR 557 PG 354 TRACT 647

********** OWNER **********
TAYLOR RICHARD J + LESLIE M

25272 CATSKILL DR

BONITA SPRINGS FL 34135

********** SITE **********
25272 CATSKILL DR

Bonita Springs 34135

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(8) 22-47-25-B1-00002.0050

PARC IN NW 1/4 AS DESC IN OR 1813 PG 3394 + OR 2400 PG 3270

********** OWNER **********
MOOSE LODGE BONITA SPGS #1454

25101 OLD 41 RD

BONITA SPRINGS FL 34135

********** SITE **********
25101 OLD 41 RD

Bonita Springs 34135

****
*** VARIANCE REPORT ***
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***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(9) ✓ 22-47-25-B1-00002.0070

PAR IN NE 1/4 OF NE 1/4 OF SEC DESC OR 2477 PG 2441

********** OWNER ********** ********** SITE *********
S + S STRUCTURAL SYSTEMS INC

PO BOX 366098 25061 OLD 41 RD

BONITA SPRINGS FL 34136 Bonita Springs 34135

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(10) ✓ 22-47-25-B1-00002.4010

PARL IN NW 1/4 AS DESC IN OR 1903 PG 4710

********** OWNER ********** ********** SITE *********
CUSSON MARGARET T TR

1840 MONTICELLO DR 25211 OLD 41 RD

NAPLES FL 34110 Bonita Springs 34135

---

(11) ✓ 22-47-25-B1-00002.401A

PARL IN NW 1/4 AS DESC IN OR 1991 PG 4703

********** OWNER ********** ********** SITE *********
CUSSON DAVID + MARTHA

25271 OLD 41 RD 25271 OLD 41 RD

BONITA SPRINGS FL 34135 Bonita Springs 34135

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(12) ✓ 22-47-25-B1-00200.6480

SAN CARLOS ESTATES UNREC OR 557 PG 354 TRACT 648

********** OWNER ********** ********** SITE *********
KORORA JOHN M + KATHLEEN

25273 MORIAH LN 25273 MORIAH LN

BONITA SPRINGS FL 34135 Bonita Springs 34135

****
*** VARIANCE REPORT ***
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***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(13) 22-47-25-B1-00200.6490

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 649

********** OWNER **********
TOZIER STEVEN

PO BOX 367655

BONITA SPRINGS FL 34135

********** SITE *********
25294 CATSKILL DR

Bonita Springs 34135

---

(14) 22-47-25-B1-00200.6500

SAN CARLOS ESTATES UNREC OR 557 PG 354 TRACT 650

********** OWNER **********
MCKERROW ROBERT W 1/2 +

7935 WEST SUNSET DR

ELMWOOD PARK IL 60707

********** SITE *********
25295 CATSKILL DR

Bonita Springs 34135

---

(15) 22-47-25-B1-00200.6680

SAN CARLOS EST UNREC OR 557 PG 354 TRACT S 668 + 669

********** OWNER **********
RUTZKE ROBIN R

106 GARDEN CREST CIR

DEL RIO TX 78840

********** SITE *********
25314 PAPILLION DR

Bonita Springs 34135

---

(16) 22-47-25-B1-00200.6700

SAN CARLOS ESTATES UNREC. OR 557 PG 354 TRACT 670

********** OWNER **********
BOLOGNESE NANCY L

10113 SANDY HOLLOW LN
BOX 14 APT 502
BONITA SPRINGS FL 34135

********** SITE *********
25315 MORIAH LN

Bonita Springs 34135

****
*** VARIANCE REPORT ***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

---

(17) ✓ 22-47-25-B1-00200.6710

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 671

********** OWNER **********
GOLDBERG CAROL A

P O BOX 366731

BONITA SPRINGS FL 34136

********** SITE *********
25335 CATSKILL DR

Bonita Springs 34135

---

(18) ✓ 22-47-25-B1-00200.6720

SAN CARLOS ESTATES UNREC OR 557 PG 354 TRACT 672

********** OWNER **********
HENDERSON JEROME A CO-TR +

P O BOX 366731

BONITA SPRINGS FL 34136

********** SITE *********
25336 PAPILLION DR

Bonita Springs 34135

---

(19) ✓ 22-47-25-B1-00200.6890

SAN CARLOS ESTATES UNREC OR557 PG 354 TR ACT 689

********** OWNER **********
CAIN JAMES R + PATRICIA ANN

25356 PAPILLION DR

BONITA SPRINGS FL 34135

********** SITE *********
25356 PAPILLION DR

Bonita Springs 34135

---

(20) 22-47-25-B1-00200.6900

SAN CARLOS ESTATES UNREC. OR 557 PG 354 TRACT 690

********** OWNER **********
SHEPLER KATHRYN E

55 HILL RD

BERKELEY CA 94708

********** SITE *********
25357 MORIAH LN

Bonita Springs 34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

---

(21) ✓ 22-47-25-B1-00200.6910

SAN CARLOS ESTATES UNREC.
OR 557 PG 354
TRACT 691

********** OWNER **********
CONNORS JOSEPH +

8 WEST AVE

SPRINGFIELD PA 19064

********** SITE **********
25380 PAPILLION DR

Bonita Springs
34135

---

(22) ✓ 22-47-25-B1-00200.7080

SAN CARLOS ESTATES UNREC.
OR 557 PG 354
TRACT 708

********** OWNER **********
SEIDER J H + ADRIENNE M

4842 W WOODLAWN CT

MILWAUKEE WI 53208

********** SITE **********
25398 PAPILLION DR

Bonita Springs
34135

---

(23) ✓ 22-47-25-B1-0140G.0010

BERNWOOD BUSINESS PARK UN
III PB 63 PGS 95-97
BLK G LOT

********** OWNER **********
REILING WILLIAM S

2265 COMO AV

ST PAUL MN 55108

********** SITE **********
25221 BERNWOOD DR

BONITA SPRINGS
34135

---

(24) ✓ 22-47-25-B1-0140G.0020

BERNWOOD BUSINESS PARK UN
III PB 63 PGS 95-97
BLK G LOT

********** OWNER **********
BONITA BUSINESS VENTURE INC

4438 PINE LAKE RD

BONITA SPRINGS FL 34134

********** SITE **********
25231 BERNWOOD DR

BONITA SPRINGS
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(25) 22-47-25-B1-0140G.0030

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97 BLK G LOTS 3 T

********** OWNER **********
BUSH WALTER L JR + MARY R
C/O HOVLAND INC
11983 TAMIAMI TRL N STE 100

NAPLES FL 34110

********** SITE **********
25241 BERNWOOD DR

BONITA SPRINGS 34135

---

(26) 22-47-25-B1-01500.000A

ESC IN PB 64 PGS HDR-BERNOOD BUSINES BONITA SPRINGS 34135 UT17.0

********** OWNER **********
BERNWOOD BUSINESS PARK UN II

********** SITE **********
0 0

OF SEC
OF ST RD 45 + E OF ACL RR AS 34135

---

(27) 22-47-25-B1-0150D.0010

BERNWOOD BUSINESS PARK UNIT II PB 64 PGS 34-36 BLK D LOT

********** OWNER **********
BERNET JAMES A

6100 ESTERO BLVD
P O BOX 2579
FT MYERS BEACH FL 33932

********** SITE **********
25131 BERNWOOD DR

BONITA SPRINGS 34135

---

(28) 22-47-25-B1-0150D.0020

BERNWOOD BUSINESS PARK UNIT II PB 64 PGS 34-36 BLK D LOT

********** OWNER **********
BERNET JAMES A

6100 ESTERO BLVD
P O BOX 2579
FT MYERS BEACH FL 33932

********** SITE **********
25151 BERNWOOD DR

BONITA SPRINGS 34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(29) ✓ 22-47-25-B1-0150D.0030

BERNWOOD BUSINESS PARK UNI
T II PB 64 PGS 34-36
BLK D LOT

********** OWNER ********** ********** SITE **********
BERNET JAMES A

6100 ESTERO BLVD 25161 BERNWOOD DR
P O BOX 2579
FT MYERS BEACH FL 33932 BONITA SPRINGS
34135

---

(30) ✓ 22-47-25-B1-0150D.0040

BERNWOOD BUSINESS PARK UNI
T II PB 64 PGS 34-36
BLK D LOT

********** OWNER ********** ********** SITE **********
BERNET JAMES A

6100 ESTERO BLVD 25171 BERNWOOD DR
P O BOX 2579
FT MYERS BEACH FL 33932 BONITA SPRINGS
34135

---

(31) ✓ 22-47-25-B1-0150D.0050

BERNWOOD BUSINESS PARK UNI
T II PB 64 PGS 34-36
BLK D LOT

********** OWNER ********** ********** SITE **********
BERNET JAMES A

6100 ESTERO BLVD 25181 BERNWOOD DR
P O BOX 2579
FT MYERS BEACH FL 33932 BONITA SPRINGS
34135

---

(32) 22-47-25-B1-0150D.0060

BERNWOOD BUSINESS PARK UNI
T II PB 64 PGS 34-36
BLK D LOT

********** OWNER ********** ********** SITE **********
BERNET JAMES A

6100 ESTERO BLVD 25191 BERNWOOD DR
P O BOX 2579
FT MYERS BEACH FL 33932 BONITA SPRINGS
34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

---

(33) ✓ 22-47-25-B1-0150D.0070

BERNWOOD BUSINESS PARK UNI
T II PB 64 PGS 34-36
BLK D LOT

********** OWNER **********
BERNET JAMES A

6100 ESTERO BLVD
P O BOX 2579
FT MYERS BEACH FL 33932

********** SITE **********
25199 BERNWOOD DR
BONITA SPRINGS
34135

---

(34) ✓ 22-47-25-B1-0150E.0030

BERNWOOD BUSINESS PARK UNI
T II PB 64 PGS 34-36
BLK E LOT

********** OWNER **********
HOVLAND STEVEN T TR

11983 TAMIAMI TRAIL N STE 1000
NAPLES FL 34110

********** SITE **********
25150 BERNWOOD DR
BONITA SPRINGS
34135

---

(35) ✓ 22-47-25-B1-0150E.0070

BERNWOOD BUSINESS PARK UNI
T II PB 64 PGS 34-36
BLK E LOT

********** OWNER **********
NOLAND PROPERTIES INC

400 WACHOVIA BANK BLDG
2700 WASHINGTON AV
NEWPORT NEWS VA 23607

********** SITE **********
25190 BERNWOOD DR
BONITA SPRINGS
34135

---

(36) ✓ 22-47-25-B1-0150F.0000

BERNWOOD BUSINESS PARK UNI
T II PB 64 PGS 34-36
TRACT F

********** OWNER **********
BERNET JAMES A

6100 ESTERO BLVD
P O BOX 2579
FT MYERS BEACH FL 33932

********** SITE **********
RIGHT OF WAY
BONITA SPRINGS
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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37 ✓ 22-47-25-B1-0150F.0010

BERNWOOD BUSINESS PARK UNI T II PB 64 PGS 34-36
BLK F LOT

********** OWNER **********
REILING WILLIAM S

2265 COMO AV

ST PAUL MN 55108

********** SITE **********
25205 BERNWOOD DR

BONITA SPRINGS
34135

---

38 ✓ 22-47-25-B1-0150F.0020

BERNWOOD BUSINESS PARK UNI T II PB 64 PGS 34-36
BLK F LOT

********** OWNER **********
REILING WILLIAM S

2265 COMO AV

ST PAUL MN 55108

********** SITE **********
25211 BERNWOOD DR

BONITA SPRINGS
34135

---

39 22-47-25-B2-00200.000A

UNREC S/D IN MULTI SECS 1 4 15 + 22 TWP 47 RGE 25 P ER OR 557 PGS 354 + 355

********** OWNER **********
SAN CARLOS ESTATES UNREC

********** SITE **********
0 HDR: SAN CARLOS ES

Bonita Springs
33923

---

40 22-47-25-B2-00200.6920 ✓

SAN CARLOS EST UNREC OR 5 57 PG 354 TRACT 692

********** OWNER **********
MITCHELL C JOHN + VICTORIA N

25379 PAPILLION DR

Bonita Springs FL 34135

********** SITE **********
25379 PAPILLION DR

Bonita Springs
34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(41) 22-47-25-B2-00200.7070

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 707

********** OWNER ********** ********** SITE *********

THURLOW BETHANY J + STEVEN L

25399 PAPALLION DR 25399 PAPILLION DR

BONITA SPRINGS FL 34135 Bonita Springs 34135

---

(42) 22-47-25-B2-00200.7090

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 709

********** OWNER ********** ********** SITE *********

HEDRICH NORMAN S + CLEDA

10911 BONITA BEACH RD STE 1011 25421 PAPILLION DR

BONITA SPRINGS FL 34135 Bonita Springs 34135

---

(43) 22-47-25-B2-00200.7100

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 710

********** OWNER ********** ********** SITE *********

GREEN LACEY D + BONITA C

25420 PINSON DR 25420 PINSON DR

BONITA SPRINGS FL 34135 Bonita Springs 34135

---

(44) 22-47-25-B2-00200.7230

SAN CARLOS ESTATES UNREC OR 557 PG 354 TRACT 723

********** OWNER ********** ********** SITE *********

PARTIN FREDDY B + JOLENE E

P O BOX 366232 25440 PINSON DR

BONITA SPRINGS FL 34136 Bonita Springs 34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(45) 22-47-25-B2-00200.7240

SAN CARLOS ESTATES UNREC.
OR 557 PG 354
TRACT 724

********** OWNER **********
PARTIN FREDDY B

P O BOX 366232

BONITA SPRINGS FL 34136

********** SITE *********
25441 MORIAH LN

Bonita Springs
34135

---

(46) 22-47-25-B2-00200.7250

SAN CARLOS ESTATES UNREC.
OR 557 PG 354
TRACT 725

********** OWNER **********
SIVY JAN +

25460 PINSON DR

BONITA SPRINGS FL 34135

********** SITE *********
25460 PINSON DR

Bonita Springs
34135

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(47) 22-47-25-B2-00200.7260

SAN CARLOS ESTATES UNREC
OR 557 PG 354 TRACT 726

********** OWNER **********
RAUB KATHALEEN A J/T

PO BOX 1110

BONITA SPRINGS FL 34133

********** SITE *********
25461 PINSON DR

Bonita Springs
34135

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(48) 22-47-25-B2-00200.7370

SAN CARLOS EST UNREC OR 5
57 PG 354 TRACT 737

********** OWNER **********
SPEER ALFONS H + THERESA L

25483 PINSON DR

BONITA SPRINGS FL 34135

********** SITE *********
25483 PINSON DR

Bonita Springs
34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(49) 22-47-25-B2-00200.7380

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 738

********** OWNER **********
GIVLER LEWIS P + NORMA I

2909 BELMAR BLVD

WALL NJ 07719

********** SITE **********
25482 PINSON DR

Bonita Springs 34135

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(50) 22-47-25-B2-00200.7390

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 739

********** OWNER **********
POTTS SHANNON

13750 DOWNING LN #22

FORT MYERS FL 33919

********** SITE **********
25505 PINSON DR

Bonita Springs 34135

---

(51) 22-47-25-B2-00200.7400

SAN CARLOS EST UNREC OR 557 PG 354 TRACT 740

********** OWNER **********
MORALES CARLOS +

6907 HUDSON AVE

GUTTENBERG NJ 07093

********** SITE **********
25504 BUSY BEE DR

Bonita Springs 34135

---

(52) 22-47-25-B2-00200.7490

SAN CARLOS ESTATES UNREC OR 557 PG 354 TRACT 749

********** OWNER **********
LUTHERAN CHURCH-MISSOURI SYNOD

ATTN TREASURER'S DEPT
1333 S KIRKWOOD RD
SAINT LOUIS MO 63122

********** SITE **********
25526 BUSY BEE DR

Bonita Springs 34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

22-47-25-B2-00200.7500

(53) ✓

SAN CARLOS ESTATES UNREC
OR 557 PG 354 T
RACT 750

********** OWNER ********** ********** SITE *********

STRIKER JONATHAN S + SHARON M

25525 MORIAH LN 25525 MORIAH LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

22-47-25-B2-00200.7510

(54) ✓

SAN CARLOS ESTATES UNREC.
OR 557 PG 354
TRACT 751

********** OWNER ********** ********** SITE *********

BENEDICT E E + ESTHER W

7949 ADAMS RD 25546 BUSY BEE DR

KIRKVILLE NY 13082 Bonita Springs
34135

---

(55) ✓

22-47-25-B2-00200.7520

SAN CARLOS ESTATES UNREC
OR 557 PG 354 T
RACT 752

********** OWNER ********** ********** SITE *********

BENEDICT E E + ESTHER W

7949 ADAMS RD 25547 BUSY BEE DR

KIRKVILLE NY 13082 Bonita Springs
34135

---

(56) ✓

22-47-25-B2-00200.7590

SAN CARLOS ESTATES UNREC
OR 557 PG 334 T
RACT 759

********** OWNER ********** ********** SITE *********

LEE BLAKES + LAURIE B

P O BOX 366344 OBOR

BONITA SPRINGS FL 34136
00000

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(57) ✓ 22-47-25-B2-00200.7600

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 760

********** OWNER **********
CRAIG ROBERT J + LISA M

1627 RED CEDAR DR

FORT MYERS FL 33907

********** SITE *********
25566 BUSY BEE DR

Bonita Springs 34135

---

(58) ✓ 22-47-25-B2-00200.7610

SAN CARLOS ESTATES UNREC OR 557 PG 354 T RACT 761

********** OWNER **********
CRAWFORD TERESA +

25589 BUSY BEE DR

BONITA SPRINGS FL 34135

********** SITE *********
25589 BUSY BEE DR

Bonita Springs 34135

---

(59) ✓ 22-47-25-B2-00200.7680

SAN CARLOS ESTATES UNREC OR 557 PG 354 TRACT 768

********** OWNER **********
KENT CHRISTOPHER

430 NE 45TH ST APT B

FT LAUDERDALE FL 33334

********** SITE *********
25607 MORIAH LN

Bonita Springs 34135

---

(60) ✓ 22-47-25-B2-0130A.0010

VILLAGES OF BONITA UNIT TWO PB 62 PGS 73-75 BLK A LOT

********** OWNER **********
ROBERTS BRUCE G

9381 LAKE ABBY LN

BONITA SPRINGS FL 34135

********** SITE *********
9381 LAKE ABBY LN

Bonita Springs 34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(61) 22-47-25-B2-0130A.0020

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK A LOT

********** OWNER ********** ********** SITE *********
LOCKE CHARLES H + BARBARA M

P O BOX 367921 9383 LAKE ABBY LN

BONITA SPRINGS FL 34136 Bonita Springs
34135

---

(62) 22-47-25-B2-0130A.0030

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK A LOT

********** OWNER ********** ********** SITE *********
YDE JAMES J + NANCY S

9385 LAKE ABBY LN 9385 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(63) 22-47-25-B2-0130A.0040

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK A LOT

********** OWNER ********** ********** SITE *********
KAVULIC STEVEN P + JACQUELINE

9387 LAKE ABBY LN 9387 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(64) 22-47-25-B2-0130A.0050

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK A LOT

********** OWNER ********** ********** SITE *********
CLARK WILLIAM G + DIANA L

9389 LAKE ABBY LN 9389 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(65) 22-47-25-B2-0130A.0070

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK A LOT

********** OWNER ********** ********** SITE **********

TOLOSI FRANCIS A JR + JOAN A

9373 LAKE ABBY LN 9373 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(66) 22-47-25-B2-0130A.0080

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK A LOT

********** OWNER ********** ********** SITE **********

KRZACZYNSKA KATARZYNA A +

9375 LAKE ABBY LN 9375 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(67) 22-47-25-B2-0130A.0090

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK A LOT

********** OWNER ********** ********** SITE **********

MAZZOCCA TONY

9377 LAKE ABBY LN 9377 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(68) 22-47-25-B2-0130A.0100

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK A LOT 1

********** OWNER ********** ********** SITE **********

BRAEKEVELT LESLIE H + SUSANN

4525 BETHUY RD 9379 LAKE ABBY LN

CASCO MI 48064 Bonita Springs
34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(69) 22-47-25-B2-0130B.0010

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK B LOT

********** OWNER ********** ********** SITE *********
MOSSER MARGARET J

9380 LAKE ABBY LN 9380 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(70) 22-47-25-B2-0130B.0020

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK B LOT

********** OWNER ********** ********** SITE *********
LEWIS WILLIAM J + FLORENCE E

9382 LAKE ABBY LN 9382 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(71) 22-47-25-B2-0130B.0030

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK B LOT

********** OWNER ********** ********** SITE *********
CLARK JOHN W + PAULA E

9384 LAKE ABBY LN 9384 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(72) 22-47-25-B2-0130B.0040

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK B LOT

********** OWNER ********** ********** SITE *********
CAVANAUGH JOSEPH R + ROSEMARIE

9386 LAKE ABBY LN 9386 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(73) 22-47-25-B2-0130B.0050

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK B LOT

********** OWNER ********** ********** SITE **********

KOVACH DOROTHY M

9388 LAKE ABBY LN 9388 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(74) 22-47-25-B2-0130B.0060

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK B LOT

********** OWNER ********** ********** SITE **********

KRAUT WILLIAM

3900 N OCEAN DR #4E 9390 LAKE ABBY LN

LAUDERDALE BY THE SE FL 33308 Bonita Springs
34135

---

(75) 22-47-25-B2-0130B.0070

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK B LOT

********** OWNER ********** ********** SITE **********

VASSUER WILLIAM J

9392 LAKE ABBY LN 9392 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

(76) 22-47-25-B2-0130B.0080

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK B LOT

********** OWNER ********** ********** SITE **********

COYNE JOHN T + DORIS

9394 LAKE ABBY LN 9394 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(77) ✓ 22-47-25-B3-00002.0040

PT OF SEC W OF ST RD 45 + E OF ACL RR R/W LES SUBD

********** OWNER **********
BERNET JAMES A

6100 ESTERO BLVD
P O BOX 2579
FT MYERS BEACH FL 33932

********** SITE **********
25600 OLD 41 RD
Bonita Springs 34135

---

(78) ✓ 22-47-25-B3-00700.000A

D LOC IN E1/2 OF S 1/2 SE 22-47-25 PB 59 PGS 1-8
HD
R: VLGS OF BON 0

********** OWNER **********
VILLAGES OF BONITA

********** SITE **********
34135 Bonita Springs

S L 84.0

---

(79) ✓ 22-47-25-B3-0070A.00CE

VILLAGES OF BONITA TRACT A PB 59 PGS 1-8

********** OWNER **********
VILLAGES OF BONITA MASTER ASSN

24880 BURNT PINE DR STE 8

BONITA SPRINGS FL 34135

********** SITE **********
0 R/W

Bonita Springs 34135

---

(80) ✓ 22-47-25-B3-0070C.0090

VILLAGES OF BONITA BLK C LT 9 PB 59 PGS 1-8

********** OWNER **********
MAGLIOR ANTHONY J + JOYCE M

9320 LAKE ABBY LN

BONITA SPRINGS FL 34135

********** SITE **********
9320 LAKE ABBY LN

Bonita Springs 34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(81) 22-47-25-B3-0070C.00CE

VILLAGES OF BONITA TRS C B K M P Q T U PB 59 PGS 1 -8

********** OWNER **********
VILLAGES OF BONITA MASTER ASSN

24880 BURNT PINE DR STE 8

BONITA SPRINGS FL 34135

********** SITE *********
0 RESERVED

Bonita Springs 34135

---

(82) 22-47-25-B3-0070C.0100

VILLAGES OF BONITA BLK C LT 10 PB 59 PGS 1-8

********** OWNER **********
MAURER DANIEL 1/2 +

9322 LAKE ABBY LN

BONITA SPRINGS FL 34135

********** SITE *********
9322 LAKE ABBY LN

Bonita Springs 34135

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(83) 22-47-25-B3-0070C.0170

VILLAGES OF BONITA BLK C LT 17 PB 59 PGS 1-8

********** OWNER **********
GOLOB EDWARD J JR + DOLORES J

9336 LAKE ABBY LN

BONITA SPRINGS FL 34135

********** SITE *********
9336 LAKE ABBY LN

Bonita Springs 34135

---

(84) 22-47-25-B3-0070C.0180

VILLAGES OF BONITA BLK C LT 18 PB 59 PGS 1-8

********** OWNER **********
JENKINS FRANCES S

9338 LAKE ABBY LN

BONITA SPRINGS FL 34135

********** SITE *********
9338 LAKE ABBY LN

Bonita Springs 34135

VARIANCE REPORT

Prepared By
LEE COUNTY PROPERTY APPRAISER
Kenneth M. Wilkinson

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(85) 22-47-25-B3-0070C.0190

VILLAGES OF BONITA BLK C
LT 19 PB 59 PGS 1-8

********** OWNER **********
SIEPIERANSKI FRED W + SANDRA J

9342 LAKE ABBY LANE

BONITA SPRINGS FL 34135

********** SITE *********
9342 LAKE ABBY LN

Bonita Springs
34135

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(86) 22-47-25-B3-0070C.0200

VILLAGES OF BONITA BLK C
LT 20 PB 59 PGS 1-8

********** OWNER **********
BROOKS C NANCY +

9344 LAKE ABBY LN

BONITA SPRINGS FL 34135

********** SITE *********
9344 LAKE ABBY LN

Bonita Springs
34135

---

(87) 22-47-25-B3-0070C.0270

VILLAGES OF BONITA BLK C
LT 27 LESS THE NRTHLY 2.17
TOGETHER WITH THE NTHRLY

********** OWNER **********
MENEFEE EDWARD W + IRMALENE B

9358 LAKE ABBY LN

BONITA SPRINGS FL 34135

********** SITE *********
9358 LAKE ABBY LN

Bonita Springs
34135

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(88) 22-47-25-B3-0070C.0280

VILLAGES OF BONITA BLK C
LT 28 TOGETHER WITH NRTHLY
2.17 FT OF LOT 27 PB 59

********** OWNER **********
HARALSON WANDA M TR

9360 LAKE ABBY LN

BONITA SPRINGS FL 34135

********** SITE *********
9360 LAKE ABBY LN

Bonita Springs
34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(89) 22-47-25-B3-0070D.0010

VILLAGES OF BONITA BLK D
LT 1 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
PRENTKI ADAM A III

9321 LAKE ABBY LN 9321 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(90) 22-47-25-B3-0070D.0020

VILLAGES OF BONITA BLK D
LT 2 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
BITTNER ROBERT W + VICTORIA M

P O BOX 232 9323 LAKE ABBY LN

FREELAND PA 18227 Bonita Springs
34135

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(91) 22-47-25-B3-0070D.0030

VILLAGES OF BONITA BLK D
LT 3 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
COSENTINO FRANK G + NANCY M +

9325 LAKE ABBY LN 9325 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(92) 22-47-25-B3-0070D.0040

VILLAGES OF BONITA BLK D
LT 4 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
LATIN DERRICK J

9327 LAKE ABBY LN 9327 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(93) 22-47-25-B3-0070D.0050

VILLAGES OF BONITA BLK D
LT 5 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
MEDINA ALFONSO + GLORIA

9329 LAKE ABBY LN 9329 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(94) 22-47-25-B3-0070D.0060

VILLAGES OF BONITA BLK D
LT 6 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
OCONNELL SALLY M

9331 LAKE ABBY LN 9331 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(95) 22-47-25-B3-0070D.0070

VILLAGES OF BONITA BLK D
LT 7 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
CORVINO DOLORES M TR

9333 LAKE ABBY LN 9333 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(96) 22-47-25-B3-0070D.0080

VILLAGES OF BONITA BLK D
LT 8 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
STUMPF RICHARD F + CONCETTA F

9335 LAKE ABBY LN 9335 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

22-47-25-B3-0070D.0090

(97) ✓

VILLAGES OF BONITA BLK D
LT 9 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
FERRIS WILLIAM E

9337 LAKE ABBY LN 9337 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(98) ✓ 22-47-25-B3-0070D.0100

VILLAGES OF BONITA BLK D
LT 10 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
YOUNG BERNICE A TR

9339 LAKE ABBY LN 9339 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(99) ✓ 22-47-25-B3-0070D.0110

VILLAGES OF BONITA BLK D
LT 11 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
ROLFE LEONARD W + GRACE J

9343 LAKE ABBY LN 9343 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(100) ✓ 22-47-25-B3-0070D.0120

VILLAGES OF BONITA BLK D
LT 12 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
TROUT GEORGE + DORIS L

9345 LAKE ABBY LN 9345 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

22-47-25-B3-0070D.0130

(101) ✓

VILLAGES OF BONITA BLK D
LT 13 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
CAPPELLI LEONARD + MARIA

9347 LAKE ABBY LN 9347 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(102) ✓ 22-47-25-B3-0070D.0140

VILLAGES OF BONITA BLK D
LT 14 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
PFAFF SAMUEL PRICE TR

9349 LAKE ABBY LN 9349 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(103) ✓ 22-47-25-B3-0070D.0150

VILLAGES OF BONITA BLK D
LT 15 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
KING ELEANOR

9351 LAKE ABBY LN 9351 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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(104) ✓ 22-47-25-B3-0070D.0160

VILLAGES OF BONITA BLK D
LT 16 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
DILLON RONALD C

9353 LAKE ABBY LN 9353 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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105 22-47-25-B3-0070D.0170

VILLAGES OF BONITA BLK D
LT 17 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
MELCHIORE JULIE A

9355 LAKE ABBY LN 9355 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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106 22-47-25-B3-0070D.0180

VILLAGES OF BONITA BLK D
LT 18 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
LEWIS MARY JANE +

9357 LAKE ABBY LN 9357 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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107 22-47-25-B3-0070D.0190

VILLAGES OF BONITA BLK D
LT 19 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
MACDOUGALL HUGH C + BARBARA L

9359 LAKE ABBY LN 9359 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

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108 22-47-25-B3-0070D.0200

VILLAGES OF BONITA BLK D
LT 20 PB 59 PGS 1-8

********** OWNER ********** ********** SITE *********
JONES JAMES T + LINDA D

9361 LAKE ABBY LN 9361 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(109) 22-47-25-B3-0070I.00CE

VILLAGES OF BONITA TRS I+ W WATER MGMT/CONSERV PB 5 9 PGS 1-8

********** OWNER ********** ********** SITE **********

VILLAGES OF BONITA MASTER ASSN

24880 BURNT PINE DR STE 8 0 DITCH

BONITA SPRINGS FL 34135 Bonita Springs 34135

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(110) 22-47-25-B3-007R0.0000

VILLAGES OF BONITA TRS R S N O PARK/UTILITY PB 59 PGS 1-8

********** OWNER ********** ********** SITE **********

CRAWFORD J STEPHEN

P O BOX 2686 0 GREEN SPACE

BONITA SPRINGS FL 34133 Bonita Springs 34135

---

(111) 22-47-25-B3-01300.000A

AND ALL OF X VILHdr: VILLAGES OF BON Bonita Springs 34135 LT75.0

********** OWNER ********** ********** SITE **********

VILLAGES OF BONITA U-2

0 0

OF SEC REPLT OF PT OF TRS A F G H V 34135

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(112) 22-47-25-B3-0130A.0060

VILLAGES OF BONITA UNIT TWO PB 62 PGS 73-75 BLK A LOT

********** OWNER ********** ********** SITE **********

GAWRONSKI DANIEL P

9371 LAKE ABBY LN 9371 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs 34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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113 22-47-25-B3-0130A.00CE

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
TRACT A

********** OWNER ********** ********** SITE *********
VILLAGES OF BONITA MASTER ASOC

24880 BURNT PINE DR ROAD R/W

BONITA SPRINGS FL 34135 Bonita Springs
34135

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114 22-47-25-B3-0130B.0090

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK B LOT

********** OWNER ********** ********** SITE *********
BORG RAYMOND D + JACQUELINE

9396 LAKE ABBY LN 9396 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

---

115 22-47-25-B3-0130B.00CE

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
TRACT B

********** OWNER ********** ********** SITE *********
VILLAGES OF BONITA MASTER ASOC

24880 BURNT PINE DR STE 8 RESERVED

BONITA SPRINGS FL 34135 Bonita Springs
34135

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116 22-47-25-B3-0130C.0010

VILLAGES OF BONITA UNIT TW
O PB 62 PGS 73-75
BLK C LOT

********** OWNER ********** ********** SITE *********
REED EDWIN P + ETHEL L

9364 LAKE ABBY LN 9364 LAKE ABBY LN

BONITA SPRINGS FL 34135 Bonita Springs
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(117)

22-47-25-B3-0130C.0020

VILLAGES OF BONITA UNIT TW O PB 62 PGS 73-75
BLK C LOT

********** OWNER **********
LARE JOHN JR + NANCY

9366 LAKE ABBY LN

BONITA SPRINGS FL 34135

********** SITE *********
9366 LAKE ABBY LN

Bonita Springs
34135

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(118)

22-47-25-B4-01400.000A

SC IN PB 63 PGS 9HDR:BERNOOD BUS BONITA SPRINGS 34135
LT30.0

********** OWNER **********
BERNWOOD BUSINESS PARK UN III

********** SITE *********
0 0

W OF ST
RD 45 AND E OF ACL RR R/W AS D
34135

---

(119)

22-47-25-B4-0140G.00CE

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97
TRACT G

********** OWNER **********
BERNWOOD BUSINESS PARK
PROPERTY OWNERS ASSOC
P O BOX 2579

FT MYERS BEACH FL 33932

********** SITE *********
RESERVED

BONITA SPRINGS
34135

---

(120)

22-47-25-B4-0140H.0010

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97
BLK H LOTS 1 T

********** OWNER **********
G + M LLC

3471 BONITA BAY BLVD

BONITA SPRINGS FL 34134

********** SITE *********
25321 BERNWOOD DR

BONITA SPRINGS
34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(121) ✓22-47-25-B4-0140H.0060

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97
BLK H LOT

********** OWNER **********
GLOWINIA ROBERT W + JULIE

3520 CANDLEBERRY CT

BONITA SPRINGS FL 34134

********** SITE **********
25351 BERNWOOD DR

BONITA SPRINGS
34135

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(122) ✓22-47-25-B4-0140I.0020

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97
BLK I LOT

********** OWNER **********
BAYS MERE COMPANY LLC

7887 VIZCAYA WAY

NAPLES FL 34108

********** SITE **********
25270 BERNWOOD DR

BONITA SPRINGS
34135

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(123) ✓22-47-25-B4-0140I.0030

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97
BLK I LOTS

********** OWNER **********
SUNAID OF FLORIDA INC

27875 KINGS KEW

BONITA SPRINGS FL 34134

********** SITE **********
25300 BERNWOOD DR

BONITA SPRINGS
34135

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(124) ✓22-47-25-B4-0140I.0050

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97
BLK I LOT

********** OWNER **********
SUNAID OF FLORIDA INC

27875 KINGS KEW

BONITA SPRINGS FL 34134

********** SITE **********
25320 BERNWOOD DR

BONITA SPRINGS
34135

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 08JAN02
SUBJECT PROPERTY : 22-47-25-B1-00002.4000
VARIANCE DISTANCE : 375(ft)
PARCELS AFFECTED : 127

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(125)

22-47-25-B4-0140I.0060

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97
BLK I LOT

********** OWNER ********** ********** SITE *********

LEBRETON ROBERT S + LAURA M

P O BOX 367095 25330 BERNWOOD DR

BONITA SPRINGS FL 34136 BONITA SPRINGS
34135

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(126)

22-47-25-B4-0140I.0070

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97
BLK I LOT

********** OWNER ********** ********** SITE *********

BERNET JAMES A

6100 ESTERO BLVD 25340 BERNWOOD DR
P O BOX 2579
FT MYERS BEACH FL 33932 BONITA SPRINGS
34135

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(127)

22-47-25-B4-0140T.0010

BERNWOOD BUSINESS PARK UN III PB 63 PGS 95-97
BLK T LOT

********** OWNER ********** ********** SITE *********

BONITA 2001 LLC

10210 PARK VIEW CIR 9201 BROOKWOOD CT

BLOOMINGTON MN 55431 BONITA SPRINGS
34135

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*** END OF REPORT ***
****

1

File

APPLICATION FOR REQUEST FOR CONTINUANCE, DEFERRAL, WITHDRAWAL, OR REHEARING

REQUEST FOR: (refer to back of sheet for special notes)

__X__ CONTINUANCE ___ DEFERRAL ___ WITHDRAWAL

___ REHEARING ___ WITHDRAWAL OF ADMINISTRATIVE APPEAL

If a DEFERRAL OR CONTINUANCE is requested, please indicate:

Length of time requested: **April 4, 2003 Bonita Zoning Board Hearing**

From: __X__ **Bonita Zoning Board** ___ BOCC

1 Date of Scheduled Hearing: **March 7, 2003**

2 Hearing/Application Name: **The Villages of Bonita North MPD**

3 Tracking/Hearing/Application Number: **DCI2002-00018**

4 Date Decision was Rendered: _____

5 Type of Application (Check One):

__X__ Rezoning Special Exception ___ Variance ___ Other

6. Reason for request (If rehearing is requested, see Special Notes on Back):

Applicant wishes to meet with staff to review the scope of the project and discuss staff's suggestions regarding location of permitted uses.

Signature of applicant or authorized agent

February 25, 2003

Date

Neale Montgomery

Name (typed or printed legibly)

RECEIVED
FEB 25 2003
COMMUNITY DEVELOPMENT

P.O. Drawer 1507, Ft. Myers, FL 33902-1507

Address

STATE OF FLORIDA
COUNTY OF LEE

DCI 2002-00018

The foregoing instrument was acknowledged before me this 25th day of February 2003 by Neale Montgomery who is personally known to me or who produced _____ as identification.

OFFICIAL NOTARY SEAL
TINA L BOONE
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC853012
MY COMMISSION EXP. JULY 8,2003

Tina L. Boone

Signature of Notary Public

Tina L. Boone

Printed Name of Notary Public

FEE $ $_____ _____

RECEIPT NUMBER: _____

DATE PAID: _____

INTAKE BY: _____

ZDS0108 Rev. 02
3/01/97 Y2K 1/03/2000

DCI 2002-00018

RECEIVED
DEC 18 2002
ZONING COUNTER

LEE COUNTY

APPLICATION FOR REQUEST FOR CONTINUANCE, DEFERRAL, WITHDRAWAL, OR REHEARING

REQUEST FOR: (refer to back of sheet for special notes)

__X__ CONTINUANCE __✓__ DEFERRAL _____ WITHDRAWAL
_____ REHEARING _____ WITHDRAWAL OF ADMINISTRATIVE APPEAL

If a DEFERRAL OR CONTINUANCE is requested, please indicate:

Length of time requested: 30 Days

From: _____ Hearing Examiner _____ BOCC __✓__ Bonita Springs Zoning Board

1. Date of Scheduled Hearing: February 7, 2003
2. Hearing/Application Name: Villages of Bonita
3. Tracking/Hearing/Application Number: DCI2002-00018
4. Date Decision was Rendered: 12/10/02
5. Type of Application (Check one)

   __✓__ Rezoning ____ Special Exception ____ Variance ____ Other

6. Reason for request (If rehearing is requested, see Special Notes on back):

   Additional time to address comments reffered to in the sufficiency letter from City of Bonita Springs dated December 10, 2002.

Signature of Applicant of authorized agent Date: 12/18/02

Q. Grady Minor and Associates, P.A.
Name (typed or printed legibly)

3800 Via Del Rey, Bonita Springs, Florida 34134
Address:

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 18TH day of DECEMBER 2002 by Q GRADY MINOR who is personally known to me or who produced _____ as identification.

(SEAL)

Sharon Umpenhour
Commission # DD 076492
Expires Dec. 4, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

Signature of Notary Public

SHARON UMPENHOUR
Printed Name of Notary Pubic

FEE $_____
DATE PAID _____

RECEIPT NUMBER _____
INTAKE BY: _____

ZDS0108 Rev. 02

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 03-18

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY OLD 41 MPD F/K/A THE VILLAGES OF BONITA TO REZONE FROM AGRICULTURE DISTRICT (AG-2) TO MIXED USE PLANNED DEVELOPMENT (MPD); ON LAND LOCATED AT 25701 OLD U.S. 41 ROAD, BONITA SPRINGS, FLORIDA (STRAP NO. 22-47-25-B1-00002.4000) ON 84.85 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Old 41 MPD f/k/a The Villages of Bonita North MPD has filed an application for rezoning 84.85 ± acres from Agricultural District (AG-2) to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 16.65 acres of business park use consisting of 195,000 square feet of gross floor area; and 63.69 acres of residential use consisting of a maximum of 396 dwelling units. The proposed maximum building height within the project is 45 feet (3 stories).

WHEREAS, the subject property is located at 25701 Old U.S. 41 Road, Bonita Springs, Florida, and is described more particularly as:

"See Exhibit A"

WHEREAS, a Public Hearing was advertised and heard on May 2, 2003 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case No. DCI 2002-00018 who gave full consideration to the evidence available and recommended approval; and gave full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The April 15, 2003 Revised Staff Report prepared by Lee County Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bonita Springs, Lee County, Florida:

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the rezoning of 84.85 ± acres from Agriculture District (AG-2) to Mixed Use Planned Development (MPD) with the following conditions and deviations:

CONDITIONS

1. The development of this project must be consistent with the approved Master Concept Plan, Pages 1 through 4 of 7 entitled "The Villages of Bonita North MPD," stamped received APR 01, 2002, except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development.

   The developer must commit to one of the two Master Concept Plan optional plans, at the time of local development order for that area labeled, "Business Park" on MCP "A" and Multiple-Family on MCP "B" consisting of approximately 15.65± acres. Any change in the development from one of these optional plans will have to be achieved as an amendment of the planned development that must be heard through the public hearing process, except as specifically conditioned herein.

2. The development is limited to the following intensities of development, depending on the Optional plan chosen for development.

   Under Master Concept Plan "A", a maximum of 50,000 square feet is permitted within the commercial tract, 195,000 square feet is permitted within the business park site, and 396 dwelling units is permitted in the residential tract.

   Under Master Concept Plan "B", a maximum of 50,000 square feet is permitted within the commercial tract and 490 dwelling units are permitted in the residential tract.

   The developer must choose between using Master Concept Plan "A" or "B" at the time of local development order approval for that area labeled, "Business Park" on MCP "A" and Multiple-Family on MCP "B" consisting of approximately 15.65± acres. Once chosen, the developer must complete the development of the project substantially consistent with the chosen Plan. Any change-sought must be approved as an amendment of this planned development.

3. The following are the permitted uses within each of the proposed development areas for this planned development (these uses replace those originally depicted on Page 5 of 7 of the proposed Master Concept Plan):

<u>Business Park (limited to Master Concept Plan "A")</u>

ACCESSORY USES AND STRUCTURES (LDC §§34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC §34-934)

ANIMALS: Clinic or kennel (LDC §34-1321 et seq.)(kennels must be contained within an enclosed building)
Control center (including Humane Society)
ATM (automatic teller machine)
AUTO REPAIR AND SERVICE (LDC §34-622(c)(2)), Groups I and II 34-1351
BROADCAST STUDIO, COMMERCIAL RADIO & TELEVISION (LDC §34-1441 et seq.)
BUSINESS SERVICES (LDC §34-622(c)(5)):Groups I and II
CARETAKER'S RESIDENCE
CLEANING AND MAINTENANCE SERVICES (LDC §34-622(c)(7))
COMMUNICATION TOWERS (Permitted only by Special Exception)
100 feet or less in height (LDC §34-1441)
More than 100 feet in height (LDC §34-1441 et seq.)
COMMUNITY RESIDENTIAL HOME
COMPUTER AND DATA PROCESSING SERVICES
CONTRACTORS AND BUILDERS (LDC §34-622(c)(9)), All groups (LDC §§34-1352, 34-3001 et seq.)
DAY CARE CENTER, CHILD, ADULT
EMERGENCY MEDICAL SERVICE (ambulance station)
EMERGENCY OPERATIONS CENTER
ENTRANCE GATES AND GATEHOUSE (LDC §34-1741 et seq.)
ESSENTIAL SERVICES (LDC §§34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC §34-622(c)(13)):Group I (LDC §§34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FREIGHT AND CARGO HANDLING ESTABLISHMENTS (LDC §34-622(c)(17))
GASOLINE DISPENSING SYSTEM, SPECIAL
LAUNDRY OR DRY CLEANING (LDC §34-622(c)(24)): Group I
LAWN AND GARDEN SUPPLY STORES (LDC §34-2081)
MANUFACTURING of:
Apparel products (LDC §34-622(c)(1))
Boats
Electrical machinery and equipment (LDC §34-622(c)(11))
Fabricated metal products (LDC §34-622(c)(14)): Group I
Food and kindred products (LDC §34-622(c)(15)): Group II and III
Furniture and fixtures (LDC §34-622(c)(18))
Leather products (LDC §34-622(c)(25)): Group II
Lumber and wood products (LDC §34-622(c)(26)): Groups II and IV
Machinery (LDC §34-622(c)(27)), Groups I and II
Measuring, analyzing and controlling instruments (LDC §34-622(c)(28))
Novelties, jewelry, toys and signs (LDC §34-622(c)(29)), Groups I, II, and III
Paper and allied products (LDC §34-622(c)(31)) Groups II and III
Rubber and plastic products (LDC §34-622(c)(44)): Group II
MASS TRANSIT DEPOT or MAINTENANCE FACILITY (government facility)
MINI-WAREHOUSE
MOTION PICTURE PRODUCTION STUDIO

NONSTORE RETAILERS (LDC §34-622(c)(30)), Groups I, II, and III
PARCEL AND EXPRESS SERVICES
PACKAGE STORE (LDC §34-1261 et seq.)
PAINT, GLASS AND WALLPAPER
PARKS (LDC §34-622(c)(32)): Groups I or II
PARK TRAILERS
PARKING LOT: Accessory
PERSONAL SERVICES (§34-622(c)(33)): Groups II(limited to health club or spa), III
PHOTOFINISHING LABORATORY
PLACE OF WORSHIP (LDC §34-2051 et seq.)
POLICE OR SHERIFF'S STATION
POST OFFICE
PRINTING AND PUBLISHING (LDC §34-622(c)(36))
PROCESSING AND WAREHOUSING
RELIGIOUS FACILITIES (LDC §34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC §34-622(c)(39)): Groups II, III, and IV (LDC §34-1201 et seq., 34-1352, and 34-3001 et seq.)
REPAIR SHOPS (§34-622(c)(40)): Groups I, II, III, and IV
RESEARCH & DEVELOPMENT LABORATORIES (LDC §34-622(c)(41)): Groups II & IV
RESTAURANTS (LDC §34-622(c)(43)): Groups I and II
RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises
SCHOOLS: Commercial (LDC §34-622(c)(45)) (LDC §34-2381)
SELF-SERVICE FUEL PUMP STATION
SIGNS in accordance with chapter 30
SOCIAL SERVICES (LDC §34-622(c)(46)): Group II
STORAGE:
    Indoor only, (LDC §34-3001 et seq.)
    Storage, open, (LDC §34-3001 et seq.)
STUDIOS (LDC §34-622(c)(49))
TRANSPORTATION SERVICES (LDC §34-622(c)(53)): Group II
WAREHOUSE:
    Mini-warehouse
    Private
    Public
    Cold storage only
WHOLESALE ESTABLISHMENTS (LDC §34-622(c)(56)): Groups III and IV

Commercial (Plans A or B)

ACCESSORY USES AND STRUCTURES (LDC §§34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC §34-934)
ANIMALS: Clinic or kennel (LDC §34-1321 et seq.)

ATM (automatic teller machine)
AUTO PARTS STORE - with or without installation facilities
AUTOMOBILE SERVICE STATION
AUTO REPAIR AND SERVICE (LDC §34-622(c)(2)), Group I 34-1351
BAIT AND TACKLE SHOP
BANKS AND FINANCIAL ESTABLISHMENTS (LDC §34-622(c)(3)): Group I
BOATS: Boat parts store
BROADCAST STUDIO, COMMERCIAL RADIO & TELEVISION (§34-1441 et seq.)
BUSINESS SERVICES (LDC §34-622(c)(5)): Groups I and II
CAR WASH
CLEANING AND MAINTENANCE SERVICES (LDC §34-622(c)(7))
CLOTHING STORES, general (LDC §34-622(c)(8))
CLUBS:
- Commercial
- Fraternal
- Membership organization (LDC §34-2111)
- Private (LDC §34-2111)

CONSUMPTION ON PREMISES (LDC §34-1261 et seq.)(in conjunction with a restaurant only)
CONTRACTORS AND BUILDERS (LDC §34-622(c)(9)), Group I (LDC §§34-1352, 34-3001 et seq.)
CONVENIENCE FOOD AND BEVERAGE STORE
CULTURAL FACILITIES (LDC §34-622(c)(10))
DAY CARE CENTER, CHILD, ADULT
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE
DRUGSTORE, PHARMACY
ESSENTIAL SERVICES (LDC §§34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC §34-622(c)(13)): Group I (LDC §§34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC §34-1651)
FACTORY OUTLETS (point of manufacture only)
FOOD STORES (LDC §34-622(c)(16)): Groups I and II
FUNERAL HOME AND MORTUARY (with or without a crematory)
HARDWARE STORE
HOBBY, TOY AND GAME SHOPS (LDC §34-622(c)(21))
HOTEL/MOTEL (LDC §34-1801 et seq.) (Limited to 160 rooms)
HOUSEHOLD & OFFICE FURNISHINGS (LDC §34-622(c)(22)), Groups I and II
LAUNDRY OR DRY CLEANING (LDC §34-622(c)(24)): Group I
LAWN AND GARDEN SUPPLY STORES (LDC §34-2081)
MEDICAL OFFICE
PACKAGE STORE (LDC §34-1261 et seq.)
PAINT, GLASS AND WALLPAPER
PARKING LOT: Accessory
PERSONAL SERVICES (LDC §34-622(c)(33)): Groups I, II, III, IV
PET SERVICES

PET SHOP
PHARMACY
PLACE OF WORSHIP (LDC Section 34-2051 et seq.)
PLANT NURSERY (LDC Section 34-2081)
POLICE OR SHERIFF'S STATION
RECREATIONAL FACILITIES: Commercial (LDC §34-622(c)(38)), Groups I & IV
RELIGIOUS FACILITIES (LDC §34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC §34-622(c)(39)): Groups I, II, and III (LDC §34-1201 et seq., 34-1352, and 34-3001 et seq.)
REPAIR SHOPS (§34-622(c)(40)): Groups I and II
RESTAURANTS (LDC §34-622(c)(43)): Groups I, II, and III
SIGNS in accordance with chapter 30
SPECIALTY RETAIL SHOPS (LDC §34-622(c)(47)): All Groups
USED MERCHANDISE STORES (LDC §34-622(c)(54)): Groups I and II

Residential (Plans A or B)

ACCESSORY USES AND STRUCTURES (LDC §§34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES (subject to Note (1) of LDC §34-934)
DWELLING UNIT:
- Single-family
- Duplex
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

ENTRANCE GATES AND GATEHOUSE (LDC §34-1741 et seq.)
ESSENTIAL SERVICES (LDC §§34-1611 et seq., and 34-1741 et seq.)
EXCAVATION: Water retention (LDC §34-1651)
MODELS: Model home (LDC §34-1951 et seq.)
- Model unit (LDC §34-1951 et seq.)

PARKS (LDC §34-622(c)(32)): Group I
PARKING LOT: Accessory
REAL ESTATE SALES OFFICE, (LDC §§34-1951 et seq., and 34-3021)(limited to sales of lots, homes or units within the development, except as may be permitted in section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.)
RECREATIONAL FACILITIES:
- Personal (subject to Note (1) of LDC §34-934)
- Private, On-Site (subject to Note (1) of LDC §34-934)

RELIGIOUS FACILITIES (LDC §34-2051 et seq.)
RESIDENTIAL ACCESSORY USES (LDC §34-622(c)(42)) (§34-1171 et seq.)
SIGNS in accordance with chapter 30

4. Except as specified by the conditions herein, the approved Property Development Regulations are as follow:

Minimum Lot Area and Dimensions

Use	Area (sq. ft.)	Width	Depth
Single Family	4,500	45'	100'
Zero Lot Line	4,500	45'	100'
Two Family Attached	4,500	45'	100'
Duplex	7,000	70'	100'
Townhouse	2,500	25'	100'
Multiple Family	10,000	100'	100'
Commercial	20,000	100'	100'
Business Park (MCP "A" Only)	20,000	100'	100'

Minimum Setbacks

Use	Front	Corner	Side	Rear	Water	Bldg. Separation
Single Family	20'	15'	5'	15'	20'	10'
Zero Lot Line	20'	15'	0'/5'	15'	20'	5'
Two Family Attached	20'	15'	0'/5'	15'	20'	10'
Duplex	20'	15'	5'	15'	20'	10'
Townhouse	20'	15'	0'/5'	15'	20'	10'
Multiple Family	20'	15'	10'	15'	20'	20'
Commercial	20'	15'	10'	15'	25'	20'
Business Park (MCP "A" Only)	20'	15'	10'	15'	25'	20'

Maximum Building Height

Single Family	35 feet	2 story
Zero Lot Line	35 feet	2 story
Two Family Attached	35 feet	2 story
Duplex	35 feet	2 story
Townhouse	35 feet	2 story
Multiple Family	45 feet	3 story
Commercial	35 feet	2 story
Business Park (MCP "A" Only)	35 feet	2 story

* Maximum residential lot coverage is 60%
  Maximum commercial and business park lot coverage is 40%

* Multiple maximum height shall be 3-stories, except where noted on the MCP.

All residential units still must comply with all local building code requirements at the time of permitting.

5. Prior to local development order approval:

   (a). the landscape plans must delineate the required open space as detailed on the Master Concept Plan; and

   (b) a minimum of 10% open space must be provided within each tract, lot or parcel; and

   (c) a minimum of 40% common open space must be provided within the residential tract which may be reduced to 30% common open space when the remaining 10% is distributed as private open space to individual dwelling units having immediate private ground floor access.

6. Prior to local development order approval, the property must be resurveyed specifically for gopher tortoises. If any gopher tortoise burrows are located then a management plan must be submitted for review and approval by the Division of Environmental Sciences staff.

7. No excess excavated material may be removed from the site unless the developer can demonstrate to the Director of Community Development that the material to be removed: 1) is unsuitable material that cannot be used onsite and 2) the material must be excavated to meet the minimum requirements to provide a water management system on the site. The purpose of this condition is to prohibit the voluntary creation of excess fill material for use offsite.

8. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City of Bonita Springs LDC may be required to obtain a local development order.

9. The Division of Natural Resources and City staff must review the proposed storm water management plan for this development. There are two outfalls for the San Carlos Estates Water Control District in the area, however, only one of the outfall ditches abuts the Old 41 MPD property along its southeasterly property line.

   This development will also be required to obtain a surface water management permit from the South Florida Water management District. Part of the review criteria for SFWMD permitting is to study the land use of

off site areas which drain through, onto and from the development. This would include the San Carlos Estates Water Control District. The construction of this development will be designed so as to not have a negative impact on the outfall for the San Carlos Estates Water Control District.

It is not the intent of this zoning condition to create any legal rights for any third party.

10. The access points indicated on the Master Concept Plan are subject to any future operational decision by the City of Bonita Springs to install a traffic light, and create, modify, or remove a median opening. If installation of a traffic signal is deemed to be appropriate by the City at either of these locations, a proportionate share of the full cost of the traffic signal improvement will be the responsibility of the developer.

11. If the Level of Service for Old US 41 between Rosemary and new US 41 exceeds the requirements of Transportation Element, Policy 1.1.3, the development shall be subject to the City of Bonita Springs Transportation Concurrency Management Plan, Florida Statutes §163.3180, and Rule 9J-5.0055 (3) (c) (2), F.A.C.

DEVIATIONS

Deviation 1 is approved, requesting relief from LDC Section 10-296, Table 4(7)(c) which requires that the wearing surface for roads be one inch asphaltic concrete of FDOT Type S-III; to concrete interlocking pavers, provided the alternative cross-section is structurally equivalent to the flexible pavement cross-section specified by the LDC, and the alternative pavement cross-section is not within any public right-of-way.

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, City of Bonita Springs makes the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning to MPD by demonstrating compliance with the Comprehensive Plan.

2. The requested MPD zoning is compatible with existing or planned uses in the surrounding area

3. As conditioned, approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities. The

site will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Comp Plan, are available and adequate to serve the proposed land use.

5. As conditioned the concept plan and other applicable regulations provides sufficient safeguards to the public interest.

SECTION TWO: EFFECTIVE DATE

This ordinance shall take effect thirty (30) days from the date of adoption.

DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 23rd day of June, 2003.

AUTHENTICATION:

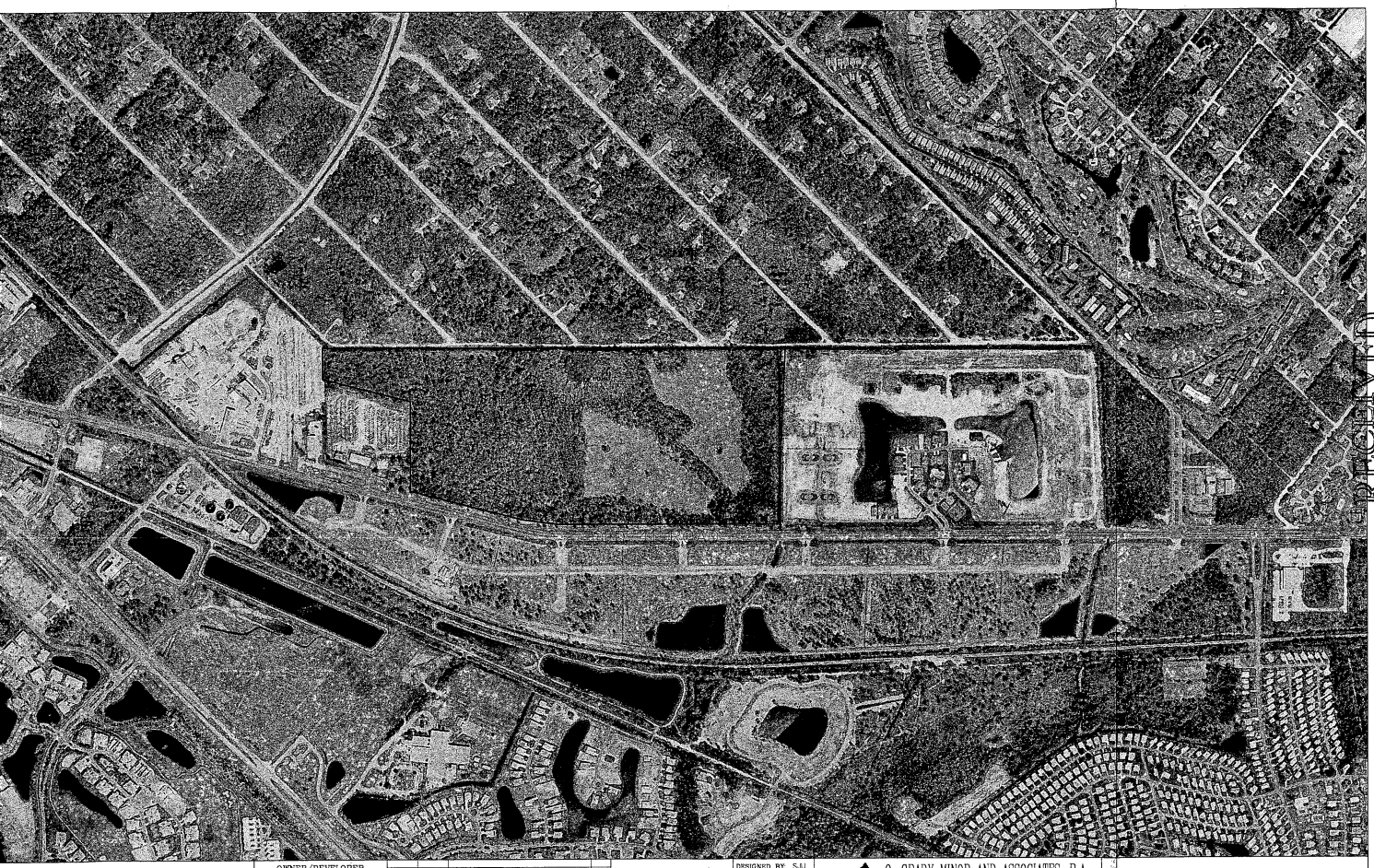
_____ _____
Mayor City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Arend	Aye	Piper	Aye
Edsall	Abstain	Wagner	Aye
Nelson	Aye	Warfield	Aye
Pass	Absent		

Date filed with City Clerk: _____



NOTE: AERIAL IS TO AN APPROXIMATE SCALE OF 1" = 300'
NOTE: AERIAL FLOWN DATE: FEBRUARY, 1998

OWNER/DEVELOPER

Revision	Date	Description	By

DESIGNED BY: SJU
DRAWN BY: SJU
APPROVED: QGM
JOB CODE: VBNZ
SCALE 1" = 300'

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ▪ LAND SURVEYORS ▪ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (941) 947-1144 FAX : (941) 947-0376 :
ENGINEERING CERTIFICATE OF AUTHORIZATION EB 0005(B)
SURVEYING CERTIFICATE OF AUTHORIZATION LB 0005(B)

THE VILLAGES OF BONITA NORTH

DATE:	FILE NAME:	DRAWING NUMBER
DECEMBER 2001	AERIAL	1 OF 1

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