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GIS Tracking Sheet

Case No.: DCI2004-00071

Intake Date: 10-20-04

Project Name: East Bonita Active Adult RPD

STRAP Number(s): 01-48-26-B1.00001.0000, 02-48-26-B2-00001.1000

Planner Name: Chip Ext. 8371

LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date: 1/14/05 ArcGIS INTAKE: DC104071

LEGAL SUFFICIENT ☑ YES ☐ NO Initials: LGM

If not, give brief explanation:

MAP UPDATE following FINAL ACTION

Date: 15AUG05

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

☐ Administrative Approval ☐ Blue Sheet

Zoning Notes: DCI2004-00071, BS ORD # 05-11, 25JULY05, REZONE 294.85 ACRES FROM RPD TO RPD TO PERMIT THE DEVELOPMENT OF UP TO 799 RESIDENTIAL DWELLING UNITS; CONDS.

MAP UPDATED ☑ YES ☐ NO Initials: [illegible]

If not, give brief explanation: CREATED RPD: 501187

S:\WRITERS\Murphyge\gistracking.wpd

EXHIBIT II-B-1
LEGAL DESCRIPTION **DCI 2004-00071**

A PORTION OF SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

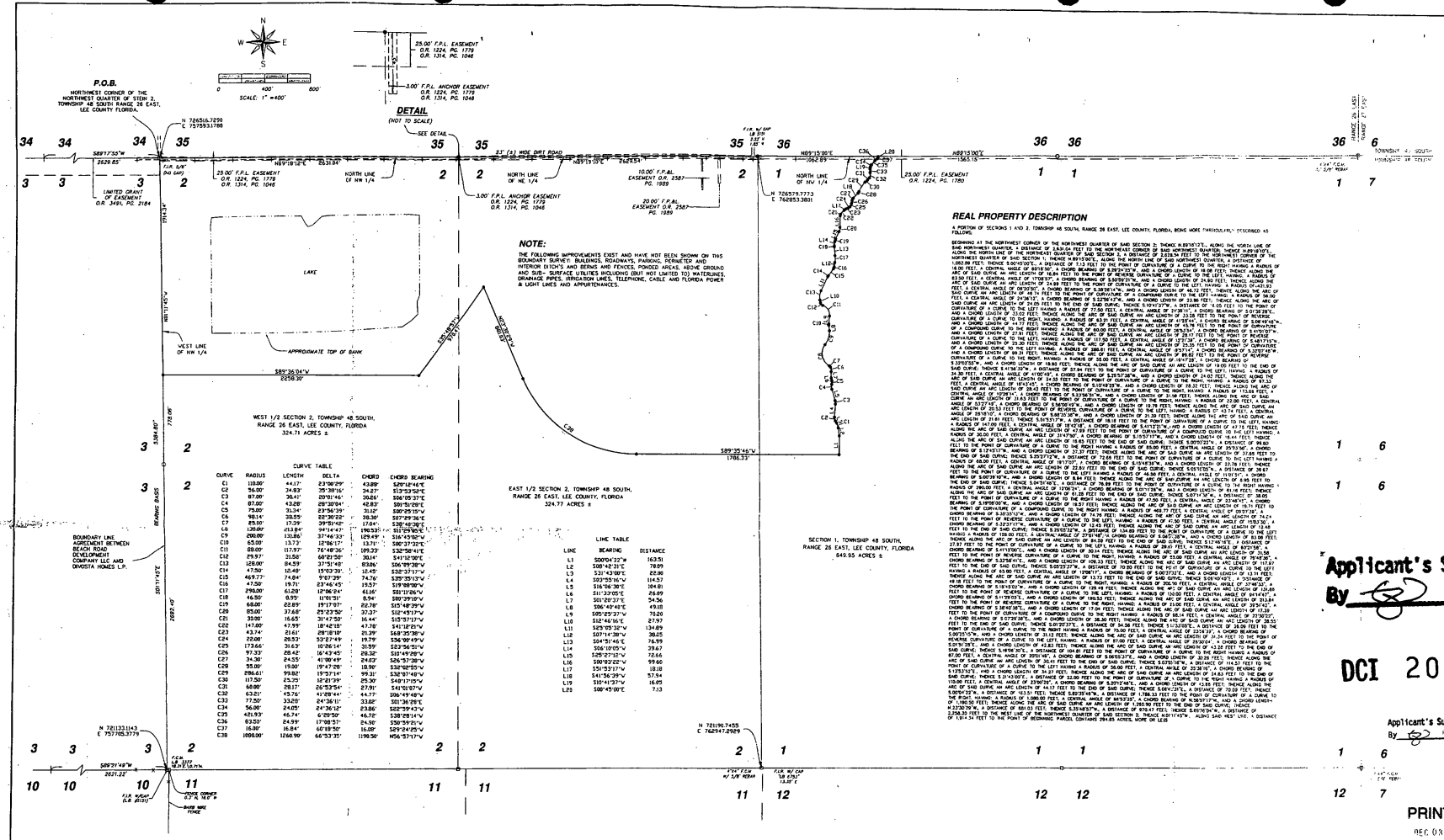
BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.89°18'12"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2,631.04 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N.89°19'10"E., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 2,629.54 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE N.89°15'00"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,062.89 FEET; THENCE S.00°45'00"E., A DISTANCE OF 7.13 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 60°18'50", A CHORD BEARING OF S.29°24'25"W., AND A CHORD LENGTH OF 16.08 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 83.50 FEET, A CENTRAL ANGLE OF 17°08'57", A CHORD BEARING OF S.50°59'21"W., AND A CHORD LENGTH OF 24.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 421.93 FEET, A CENTRAL ANGLE OF 06°20'50", A CHORD BEARING OF S.38°28'14"W., AND A CHORD LENGTH OF 46.72 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 46.74 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 24°36'12", A CHORD BEARING OF S.22°59'43"W., AND A CHORD LENGTH OF 23.86 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.05 FEET TO THE END OF SAID CURVE; THENCE S.10°41'37"W., A DISTANCE OF 16.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 77.50 FEET, A CENTRAL ANGLE OF 24°36'11", A CHORD BEARING OF S.01°36'28"E., AND A CHORD LENGTH OF 33.02 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 33.28 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 63.21 FEET, A CENTRAL ANGLE OF 41°28'44", A CHORD BEARING OF S.06°49'48"W., AND A CHORD LENGTH OF 44.77 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 45.76 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 26°53'54", A CHORD BEARING OF S.41°01'07"W., AND A CHORD LENGTH OF 27.91 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.17 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 117.50 FEET, A CENTRAL ANGLE OF 12°21'39", A CHORD BEARING OF S.48°17'15"W., AND A CHORD LENGTH OF 25.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 25.35 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 286.61 FEET, A CENTRAL ANGLE OF 19°57'14", A CHORD BEARING OF S.32°07'48"W., AND A CHORD LENGTH OF 99.31 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 99.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 19°47'28", A CHORD BEARING OF S.32°02'55"W., AND A CHORD LENGTH OF 18.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.00 FEET TO THE END OF SAID CURVE; THENCE S.41°56'39"W., A DISTANCE OF 57.94 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 34.30 FEET, A CENTRAL ANGLE OF 41°00'49", A CHORD BEARING OF S.26°57'38"W., AND A CHORD LENGTH OF 24.03 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.55 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 97.33 FEET, A CENTRAL ANGLE OF 16°43'45", A CHORD BEARING OF S.10°49'28"W., AND A CHORD LENGTH OF 28.32 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.42 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 173.66 FEET, A CENTRAL ANGLE OF 10°26'14", A CHORD BEARING OF S.23°56'51"W., AND A CHORD LENGTH OF 31.59 FEET; THENCE ALONG

THE ARC OF SAID CURVE AN ARC LENGTH OF 31.63 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 22.00 FEET, A CENTRAL ANGLE OF 53°27'49", A CHORD BEARING OF S.56°00'49"W., AND A CHORD LENGTH OF 19.79 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 20.53 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 43.74 FEET, A CENTRAL ANGLE OF 28°18'10", A CHORD BEARING OF S.68°35'38"W., AND A CHORD LENGTH OF 21.39 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 21.61 FEET; THENCE S.51°53'17"W., A DISTANCE OF 18.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 147.00 FEET, A CENTRAL ANGLE OF 18°42'18", A CHORD BEARING OF S.41°12'21"W., AND A CHORD LENGTH OF 47.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 47.99 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 31°47'50", A CHORD BEARING OF S.15°57'17"W., AND A CHORD LENGTH OF 16.44 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.65 FEET TO THE END OF SAID CURVE; THENCE S.00°03'22"W., A DISTANCE OF 99.60 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 25°23'50", A CHORD BEARING OF S.12°45'17"W., AND A CHORD LENGTH OF 37.37 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 37.68 FEET TO THE END OF SAID CURVE; THENCE S.25°27'12"W., A DISTANCE OF 72.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 68.00 FEET, A CENTRAL ANGLE OF 19°17'07", A CHORD BEARING OF S.15°48'39"W., AND A CHORD LENGTH OF 22.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 22.89 FEET TO THE END OF SAID CURVE; THENCE S.06°10'05"W., A DISTANCE OF 39.67 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 46.50 FEET, A CENTRAL ANGLE OF 11°01'51", A CHORD BEARING OF S.00°39'10"W., AND A CHORD LENGTH OF 8.94 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 8.95 FEET TO THE END OF SAID CURVE; THENCE S.04°51'46"E., A DISTANCE OF 76.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 290.00 FEET, A CENTRAL ANGLE OF 12°06'24", A CHORD BEARING OF S.01°11'26"W., AND A CHORD LENGTH OF 61.16 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 61.28 FEET TO THE END OF SAID CURVE; THENCE S.07°14'38"W., A DISTANCE OF 38.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 23°46'45", A CHORD BEARING OF S.19°08'00"W., AND A CHORD LENGTH OF 19.57 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.71 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 469.77 FEET, A CENTRAL ANGLE OF 09°07'39", A CHORD BEARING OF S.35°35'13"W., AND A CHORD LENGTH OF 74.76 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 74.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 15°03'30", A CHORD BEARING OF S.32°37'17"W., AND A CHORD LENGTH OF 12.45 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 12.48 FEET TO THE END OF SAID CURVE; THENCE S.25°05'32"W., A DISTANCE OF 134.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 128.00 FEET, A CENTRAL ANGLE OF 37°51'48", A CHORD BEARING OF S.06°09'38"W., AND A CHORD LENGTH OF 83.06 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 84.59 FEET TO THE END OF SAID CURVE; THENCE S.12°46'16"E., A DISTANCE OF 27.97 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 29.97 FEET, A CENTRAL ANGLE OF 60°21'58", A CHORD BEARING OF S.41°12'00"E., AND A CHORD LENGTH OF 30.14 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.58 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 88.00 FEET, A CENTRAL ANGLE OF 76°48'36", A CHORD BEARING OF S.32°58'41"E., AND A CHORD LENGTH OF 109.33 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 117.97 FEET TO THE END OF SAID CURVE; THENCE S.05°25'37"W., A DISTANCE OF 70.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 12°06'17", A CHORD BEARING OF S.00°37'32"E., AND A CHORD LENGTH OF 13.71 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 13.73 FEET TO THE END OF SAID CURVE; THENCE S.06°40'40"E., A DISTANCE OF 49.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 37°46'33", A CHORD BEARING OF S.16°45'02"W., AND A CHORD LENGTH OF 129.49 FEET; THENCE ALONG THE ARC OF SAID

CURVE AN ARC LENGTH OF 131.86 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 94°14'47", A CHORD BEARING OF S.11°29'05"E., AND A CHORD LENGTH OF 190.53 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 213.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 39°51'42", A CHORD BEARING OF S.38°40'38"E., AND A CHORD LENGTH OF 17.04 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 17.39 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 98.14 FEET, A CENTRAL ANGLE OF 22°30'22", A CHORD BEARING OF S.07°29'36"E., AND A CHORD LENGTH OF 38.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 38.55 FEET TO THE END OF SAID CURVE; THENCE S.01°20'37"E., A DISTANCE OF 54.56 FEET; THENCE S.11°33'05"E., A DISTANCE OF 26.09 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 23°56'39", A CHORD BEARING OF S.00°25'15"W., AND A CHORD LENGTH OF 31.12 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.34 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 28°30'04", A CHORD BEARING OF S.01°51'28"E., AND A CHORD LENGTH OF 42.83 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 43.28 FEET TO THE END OF SAID CURVE; THENCE S.16°06'30"E., A DISTANCE OF 104.81 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 20°01'46", A CHORD BEARING OF S.06°05'37"E., AND A CHORD LENGTH OF 30.26 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 30.41 FEET TO THE END OF SAID CURVE; THENCE S.03°55'16"W., A DISTANCE OF 114.57 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 35°38'16", A CHORD BEARING OF S.13°53'52"E., AND A CHORD LENGTH OF 34.27 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 34.83 FEET TO THE END OF SAID CURVE; THENCE S.31°43'00"E., A DISTANCE OF 22.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 23°00'29", A CHORD BEARING OF S.20°12'46"E., AND A CHORD LENGTH OF 43.88 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 44.17 FEET TO THE END OF SAID CURVE; THENCE S.08°42'31"E., A DISTANCE OF 70.09 FEET; THENCE S.00°04'22"W., A DISTANCE OF 163.51 FEET; THENCE S.89°35'46"W., A DISTANCE OF 1,786.33 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1,080.00 FEET, A CENTRAL ANGLE OF 66°53'35", A CHORD BEARING OF N.56°57'17"W., AND A CHORD LENGTH OF 1,190.50 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,260.90 FEET TO THE END OF SAID CURVE; THENCE N.23°30'29"W., A DISTANCE OF 881.03 FEET; THENCE S.35°48'57"W., A DISTANCE OF 970.47 FEET; THENCE S.89°36'04"W., A DISTANCE OF 2,258.30 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.01°11'45"W., ALONG SAID WEST LINE, A DISTANCE OF 1,914.34 FEET TO THE **POINT OF BEGINNING**. PARCEL CONTAINS 294.85 ACRES,

Applicant's Legal Checked
by _____ 1/14/2005

RECEIVED
OCT 20 2004
ZONING
DCI 2004-00071



NOTE:

THE FOLLOWING IMPROVEMENTS EXIST AND HAVE NOT BEEN SHOWN ON THIS BOUNDARY SURVEY: BUILDINGS, ROADWAYS, PARKING, PERIMETER AND INTERIOR DITCHES AND BERMS AND FENCES, PONDED AREAS, ABOVE GROUND AND SUB- SURFACE UTILITIES INCLUDING (BUT NOT LIMITED TO) WATERLINES, DRAINAGE PIPES, IRRIGATION LINES, TELEPHONE, CABLE AND FLORIDA POWER & LIGHT LINES AND APPURTENANCES.

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING
C1	110.00'	44.17'	23°00'29"	43.88'	S29°16'46"E
C2	56.00'	34.93'	35°39'16"	34.37'	S13°53'52"E
C3	87.00'	30.41'	20°01'46"	30.26'	S06°09'37"E
C4	87.00'	43.28'	28°30'04"	42.83'	S01°51'05"E
C5	75.00'	31.34'	23°56'39"	31.12'	S00°25'15"E
C6	98.14'	39.55'	23°05'22"	39.30'	S07°29'36"E
C7	85.00'	17.29'	39°51'42"	17.04'	S38°48'28"E
C8	1,300.69'	213.84'	9°41'47"	196.53'	S51°29'58"E
C9	200.00'	133.86'	37°46'33"	129.49'	S16°43'52"E
C10	65.00'	13.73'	12°06'17"	13.71'	S06°37'32"E
C11	89.00'	117.97'	76°48'36"	109.33'	S32°58'41"E
C12	29.97'	21.58'	60°21'50"	20.61'	S41°12'09"E
C13	128.00'	84.59'	37°51'48"	83.06'	S06°09'38"W
C14	47.50'	12.48'	15°03'39"	12.45'	S38°23'37"W
C15	469.77'	74.84'	9°07'29"	74.76'	S35°35'13"W
C16	47.50'	19.71'	23°46'45"	19.57'	S19°18'59"W
C17	290.00'	61.28'	12°06'24"	61.16'	S01°11'05"W
C18	46.50'	0.95'	1°10'31"	0.94'	S00°29'19"W
C19	68.00'	22.89'	19°17'07"	22.78'	S10°48'29"W
C20	85.00'	37.48'	25°23'50"	37.37'	S12°45'17"W
C21	39.00'	16.65'	21°47'50"	16.44'	S15°13'21"W
C22	147.00'	47.99'	18°42'18"	47.78'	S41°12'25"W
C23	43.00'	21.61'	28°48'10"	21.39'	S68°35'38"W
C24	20.66'	20.53'	53°27'49"	19.79'	S36°49'49"W
C25	173.66'	31.63'	10°26'14"	31.59'	S23°56'51"W
C26	97.33'	28.42'	16°43'45"	28.32'	S18°49'59"W
C27	34.30'	24.55'	41°00'49"	24.02'	S26°57'38"W
C28	55.00'	19.00'	19°47'28"	18.90'	S32°02'55"W
C29	286.61'	99.82'	19°57'14"	99.31'	S32°07'48"W
C30	117.50'	25.75'	12°21'39"	25.30'	S49°17'15"W
C31	68.66'	28.17'	26°53'54"	27.91'	S41°10'57"W
C32	63.21'	45.76'	41°28'44"	44.77'	S06°49'48"W
C33	77.50'	33.28'	24°36'11"	33.02'	S01°36'29"E
C34	56.06'	24.05'	24°36'12"	23.86'	S22°59'43"W
C35	421.93'	46.74'	6°20'50"	46.72'	S38°28'14"W
C36	63.50'	24.99'	22°33'07"	24.82'	S50°59'51"W
C37	16.00'	16.84'	60°18'50"	16.08'	S29°24'25"W
C38	1800.00'	1266.99'	66°53'35"	1196.50'	N56°57'17"W

LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°04'22"W	163.51
L2	S08°42'31"E	78.89
L3	S31°43'08"E	82.88
L4	S03°55'16"W	114.57
L5	S16°56'30"E	104.81
L6	S41°33'05"E	26.09
L7	S01°20'37"E	54.56
L8	S06°40'40"E	49.18
L9	S05°25'37"W	70.20
L10	S12°46'16"E	27.97
L11	S25°09'32"W	134.89
L12	S07°14'38"W	38.05
L13	S04°51'46"E	76.59
L14	S06°18'05"W	29.67
L15	S25°27'12"W	72.66
L16	S00°02'22"W	99.66
L17	S51°53'17"W	18.18
L18	S41°56'39"W	57.94
L19	S10°41'37"W	16.05
L20	S08°45'09"E	7.13

REAL PROPERTY DESCRIPTION

A PORTION OF SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.89°51'17"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2,631.04 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 2; THENCE S.89°19'10"E., ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 2,629.51 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE N.89°15'05"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,062.89 FEET; THENCE S.00°45'00"E., A DISTANCE OF 7.13 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 18.00 FEET, A CENTRAL ANGLE OF 80°10'36", A CHORD BEARING OF S.39°24'23"W., AND A CHORD LENGTH OF 18.08 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 25.18 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 83.50 FEET, A CENTRAL ANGLE OF 11°02'16", A CHORD BEARING OF S.58°59'31"W., AND A CHORD LENGTH OF 24.85 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.05 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 43.50 FEET, A CENTRAL ANGLE OF 24°36'12", A CHORD BEARING OF S.52°59'37"W., AND A CHORD LENGTH OF 18.54 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 18.68 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 68.66 FEET, A CENTRAL ANGLE OF 26°53'54", A CHORD BEARING OF S.41°10'57"W., AND A CHORD LENGTH OF 31.91 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 32.23 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 63.21 FEET, A CENTRAL ANGLE OF 41°28'44", A CHORD BEARING OF S.06°49'48"W., AND A CHORD LENGTH OF 44.77 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 45.76 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 77.50 FEET, A CENTRAL ANGLE OF 24°36'11", A CHORD BEARING OF S.01°36'29"E., AND A CHORD LENGTH OF 33.02 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 33.28 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 56.06 FEET, A CENTRAL ANGLE OF 24°36'12", A CHORD BEARING OF S.22°59'43"W., AND A CHORD LENGTH OF 23.86 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.05 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 421.93 FEET, A CENTRAL ANGLE OF 6°20'50", A CHORD BEARING OF S.38°28'14"W., AND A CHORD LENGTH OF 46.72 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 46.74 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 63.50 FEET, A CENTRAL ANGLE OF 22°33'07", A CHORD BEARING OF S.50°59'51"W., AND A CHORD LENGTH OF 24.82 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.99 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 60°18'50", A CHORD BEARING OF S.29°24'25"W., AND A CHORD LENGTH OF 16.08 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,800.00 FEET, A CENTRAL ANGLE OF 66°53'35", A CHORD BEARING OF N.56°57'17"W., AND A CHORD LENGTH OF 1,196.50 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,266.99 FEET TO THE POINT OF TANGENCY; THENCE N.89°35'46"W., A DISTANCE OF 1,786.33 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,800.00 FEET, A CENTRAL ANGLE OF 14°57'39", A CHORD BEARING OF S.82°55'24"W., AND A CHORD LENGTH OF 468.61 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,260.90 FEET TO THE END OF SAID CURVE; THENCE N.23°30'39"W., A DISTANCE OF 591.03 FEET; THENCE N.23°49'37"E., A DISTANCE OF 972.47 FEET; THENCE S.89°50'34"W., A DISTANCE OF 2,258.35 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2; THENCE N.01°17'45"W., ALONG SAID WEST LINE, A DISTANCE OF 1,911.34 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 284.85 ACRES, MORE OR LESS.

LEGEND

F.C.M. ☐	FOUND 4"X4" CONCRETE MONUMENT
F.I.R. ○	FOUND 5/8" IRON ROD
S.I.R. ●	SET 5/8" IRON ROD L.B. #6753
O.R.	OFFICIAL RECORD
SEC.	SECTION
TWP.	TOWNSHIP
RNG.	RANGE
F.P.L.	FLORIDA POWER & LIGHT
L.B.	LICENSED BUSINESS
F.A.C.	FLORIDA ADMINISTRATIVE CODE
W/	WITH
NAD	NORTH AMERICAN DATUM
⌀	WOOD POWER POLE

NOTE:

ALL OF THE PROPERTY SURVEYED IS:

SUBJECT TO "COVENANT OF UNIFIED CONTROL" RECORDED IN O.R. BOOK 3731, PAGE 3268 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

BENEFITED BY "GRANT OF EASEMENT" RECORDED IN O.R. BOOK 3416, PAGE 2241 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

NOTES:

1.) BEARINGS REFER TO THE WEST LINE OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA AS BEING N 01°17'45" W.

2.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

3.) THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

4.) ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE AND JURISDICTIONAL WETLANDS, IF ANY, HAVE NOT BEEN SHOWN ON THIS SURVEY.

5.) TOTAL AREA OF PROPERTY IS 284.85 ACRES

6.) COORDINATES SHOWN HEREON REFER TO STATE PLANE COORDINATES FOR THE FLORIDA WEST ZONE, NAD 83 1999 ADJUSTMENT.

CERTIFIED TO:

THE RONTO GROUP, INC.
RUDEN, McCLOSKY, SMITH, SCHUSTER & RUSSELL, P.A.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY OF THE HEREON DESCRIBED PROPERTY WAS SURVEYED UNDER MY RESPONSIBLE CHARGE ON 09/14/04. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, F.A.C. PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

STEPHEN E. BERY, STATE OF FLORIDA, (L.S. #5298)
BBLS SURVEYORS & MAPPERS INC. (LB #6753)

REVISED: ADDED STATE PLANE COORDINATES 12/01/04

DATE: 09/14/04	**BOUNDARY SURVEY (ACTIVE ADULT PARCEL)**
FIELD BOOK AND PAGE: GPS 306/15	**A PORTION OF SECTIONS 1 & 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA**
DRAWN BY: SEB-BJD	
APPROVED: SEB	
SCALE: 1" =400'	

BBLS SURVEYORS & MAPPERS INC.
1502-A RAIL HEAD BLVD.
NAPLES, FLORIDA 34110 (239) 597-1315

Applicant's Survey Checked By 1/14/2005

DCI 2004-00071

Applicant's Survey Checked By 1/14/2005

PRINTED
DEC 03 2004
BBLS SURVEYORS & MAPPERS, INC.

RECEIVED JAN 03 2005
COMMUNITY DEVELOPMENT

DCI 2004-00071

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 05 - 11

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY ROCKPOINT/RONTO NAPLES, LLC IN REFERENCE TO EAST BONITA ACTIVE ADULT RPD; APPROVING A REQUEST BY ROCKPOINT/RONTO NAPLES, LLC TO REZONE A 294.85 ACRE PARCEL FROM RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO PERMIT THE DEVELOPMENT OF UP TO 799 RESIDENTIAL DWELLING UNITS CONSISTING OF SINGLE FAMILY AND MULTIPLE FAMILY UNITS AND UP TO 50,000 SQUARE FEET OF AMENITY USES; ON LAND LOCATED AT 16350, 16750, AND 17001 BONITA BEACH ROAD, SOUTHEAST, BONITA SPRINGS, FLORIDA 34135 (STRAP NOS. 01-48-26-B1-00001.0000; 02-48-26-B1-00001.0000; 02-48-26-B2-00001.1000), ON 294.85 +/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, has filed an application for rezoning 294.85 +/- acres from Residential Planned Development (RPD) to Residential Planned Development (RPD) to permit the development of up to 799 residential dwelling units consisting of single family and multiple family units and up to 50,000 square feet of amenity uses; and,

WHEREAS, the subject properties is located at 16350, 16750 and 17001 Bonita Beach Road, Bonita Springs, Florida, and is described more particularly as:

"See Exhibit A"

WHEREAS, a Public Hearing was advertised and heard on June 3, 2005 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case DCI 2004-00071 who gave full consideration to the evidence available and recommended approval (7-0); 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 May 17, 2005 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 from Residential Planned Development (RPD) to Residential Planned Development (RPD) with the following conditions and deviations:

Conditions

1. The development of this project must be consistent with the four-page Master Concept Plan (MCP) entitled "East Bonita Active Adult," stamped received JAN 04, 2005, except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. General Note 1 (found on Page 2 of the MCP) has no force or effect as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

   The approved development intensities allows for the development of a maximum of 799 dwelling units (limited to 500 single family and 299 multiple family dwelling units) and 50,000 square feet of commercial and recreational floor area. However, the unit types may be converted from multi family to single family (or single family to multi-family) at the rate of one single family unit for every two multi-family units converted or two multi-family units for each single family unit converted (i.e., conversion ratio is two multi-family units equals one single family unit), but in no event shall more than 799 total units be constructed within this development. For the purposes of this project "single family" is defined as a single family unit AND "multiple family" is defined as zero lot line, duplex, multiple family, townhouse, and two family attached dwelling units.

2. The following limits apply to the project and uses:

   a. Schedule of Uses (Any Note referenced below is taken from LDC Section 34-934)

RESIDENTIAL TRACTS:

Accessory uses and structures: Note (1), 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., 34-3106
Administrative offices: Note (1)
Agricultural uses and agricultural accessory uses - See Condition 7 and Master Concept Plan General Note 14
Clubs: Country
Private (34-2111 et seq.)
Consumption on premises (34-1261 et seq.) - limited to use of a CLUB
Dwelling unit: Duplex (Note 29) - limited to tracts marked as "M"
Single-family (Note 29) - limited to tracts marked as "S" & "SC"
Multiple-family building (Note 28) - limited to tracts marked as "M" & "SC"
Two-family attached (Note 28) - limited to tracts marked as "M"
Townhouse (Note 28) - limited to tracts marked as "M" & "S/C"
Zero lot line (Note 28) - limited to tracts marked as "M"
Essential services (Note 1, 34-1611, 34-1741)

Essential service facilities (34-622(c)(13)): Group I (Note 1, 34-1611, 34-1741, 34-2141)
Excavation: Water retention (34-1651)
Fences, walls (Note1, 34-1741)
Food and beverage service, limited (Note 1) - limited to use of a CLUB
Health Club or Spa - limited to use of a CLUB
Home occupation (Notes 1 and 31, 34-1771)
Models: (34-1951 et seq.)
Model home
Model unit
Parking lot: Accessory
Recreation facilities:
Personal (Note 1)
Private--On-site (Note 1)
Signs in accordance with Land Development Code
Temporary uses (Note 1, 34-3041 et seq.) - limited to temporary sales office, and construction trailer and staging area

AMENITY CENTER TRACTS:

Accessory uses and structures: Note (1), 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., 34-3106
Administrative offices: Note (1)
Agricultural uses and agricultural accessory uses - See Condition 7 and Master Concept Plan General Note 14
Banks and financial establishments (34-622(c)(3)): Group I
Business services (34-622(c)(5)): Group I - limited solely to travel agencies
Cleaning and maintenance services (34-622(c)(7))
Clubs: Country
Private (34-2111 et seq.)
Convenience food and beverage store - limited to a total of 8 pumps
Consumption on premises (34-1261 et seq.) - limited to use of a CLUB
Essential services (Note 1, 34-1611, 34-1741)
Essential service facilities (34-622(c)(13)): Group I (Note 1, 34-1611, 34-1741, 34-2141)
Fences, walls (Note1, 34-1741)
Food and beverage service, limited (Note 1) - limited to use of a CLUB
Food stores (34-622(c)(16)): Group I, excluding supermarkets
Health Club or Spa - limited to use of a CLUB
Laundry or dry cleaning (34-622(c)(24)): Group I
Parking lot: Accessory
Personal services (34-622(c)(33)): Group I (34-3021) - limited to ATM, barber shop, beauty shop, clothing alterations and repair including dress makers, seamstress, and tailors
Group II - limited beauty spas, health clubs or spas, and massage establishments
Recreation facilities:
Personal (Note 1)
Private--On-site (Note 1)
Rental or leasing establishment (34-622(c)(39)): Group II (34-1201 et seq., 34-1352, 34-3001 et seq.) - limited to movies, video tapes, and similar home entertainment

Restaurants (34-622(c)(43)): Groups I, II, and III - limited to residents of the development and their guests
Signs in accordance with Land Development Code
Specialty retail shops (34-622(c)(47)): Group I - limited to bookstore and newsstands
Temporary uses (Note 1, 34-3041 et seq.) - limited to temporary sales office, and construction trailer and staging area

PUBLIC FACILITIES TRACT:

Accessory uses and structures: Note (1), 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., 34-3106
Administrative offices: Note (1)
Agricultural uses and agricultural accessory uses - See Condition 7 and Master Concept Plan General Note 14
Emergency operations center
EMS, fire or sheriff's/police station
Essential services (Note 1, 34-1611, 34-1741)
Essential service facilities (34-622(c)(13)): Group I (Note 1, 34-1611, 34-1741, 34-2141)
Fences, walls (Note1, 34-1741)
Parking lot: Accessory
Storage: Indoor only (Note 1, 34-3001 et seq.)

b. Site Development Regulations

See attached Exhibit B

3. Prior to approval of local development order, the development order plans must demonstrate the preservation of the 3.24 acre wetland, in significant compliance with the Master Concept Plan.

4. Prior to local development order approval, the development order plans must indicate a minimum of 70.11 acres of open space, in significant compliance with the Master Concept Plan. A maximum of 18.38 acres of open space may be designated as lake area.

5. Prior to approval of local development order, the landscape plan must include a littoral planting plan that includes expanded littoral shelves and clustering of plantings, in significant compliance with the exhibit labeled "Littoral Shelf Exhibits: East Bonita Active Adult RPD" and stamped received by Division of Environmental Sciences on February 16, 2005.

6. Prior to approval of local development order, an American alligator management plan must be submitted to Division of Environmental Sciences for review and approval. This management plan must contain details of signs to be placed around the perimeter of lakes informing residents of the possible presence of alligators, the protected status of alligators, and that feeding or harassment of alligators is illegal. The management plan must also include an

educational brochure regarding living with alligators that will be distributed to all residents.

7. AGRICULTURAL USES: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

   a. Existing bona fide agricultural uses may continue until approval of a local development order for the area of the project containing those uses.

   b. Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude City approved requests for the removal of invasive exotic vegetation.

   c. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the City Attorney.

8. Vegetative materials for land clearing may not be burned on-site. Any vegetation that must be removed for purposes of development must be disposed of in a properly licensed and permitted disposal site. This condition will not prohibit open burns for bona-fide agriculture provided that all conditions are met under state law and the Developer provides written notice to both the City of Bonita Springs and local residents (those living within 1,000 feet of the location of the open burn).

9. All required buffers must utilize 100% all native vegetation.

10. As part of any local development order, the developer must demonstrate compliance with the City's Comprehensive Plan.

11. Prior to the issuance of any development order, the developer must provide evidence that the property has access to central water and sanitary sewer, or that the extension of central water and sanitary sewer will coincide with the development of the property.

12. The Developer Agreement entered into between the City of Bonita Springs and Beach Road Development Company, LLC and dated May 18, 2005 and attached hereto as Exhibit C has fully addressed mitigation of the project's vehicular traffic impacts and the Level of Service in Transportation Elements Policy 1.1.3. Pursuant to the Developer Agreement, developer has received

from the City of Bonita Springs transportation concurrency vesting for a period of 10 years commencing on May 18, 2005.

13. The development will be required to provide a shuttle service as an alternative means of transportation for residents and all employees of this development along Bonita Beach Road, to include one stop connecting with Lee Tran transportation and one stop at a public park on Bonita Beach. This program must be in place and available for use (at least twice daily) at the time that the 300th Certificate of Occupancy is issued for the residential portion of this project. There must be a drop-off/pick-up point at the amenity center for this project. Other drop-off/pick-up point(s) may be provided throughout the planned development. Upon buildout, or the turnover of the common areas and facilities to the Homeowners Association (HOA), this responsibility shall be borne by the HOA. This service may be discontinued or reduced by the HOA with the consent of the City Manager or designee AND notification to City Council, should the existence of the shuttle be deemed unnecessary due to low utilization.

14. As part of the local development order for this project, the developer shall provide for an eight-foot wide multi-use pedestrian/bikeway along the south side of Bonita Beach Road Extension. The multi-use pathway shall commence at the western boundary of Section 2 and end at the terminus of Bonita Beach Road. The pathway shall provide a pedestrian crossing at the entrance of each project. This pathway must be shown on the development order plans and constructed during the initial phase of the project.

B. Deviations

Deviation one is granted, affording relief from LDC Section 3-296.L.4 which requires one vehicular access to 50 or fewer multiple family units; to allow one vehicular access to one hundred multiple family units.

Deviation two is granted, affording relief from LDC Section 3-296, Table 1, F.3., which requires 1 & ½ inch asphalt FDOT S-3 concrete; to allow for cement concrete pavers or similar decorative paving materials for selected local street areas.

Deviation three is granted, affording relief from LDC Section 3-329(e)(4) which requires compensating slope on excavation banks; to allow up to 20 percent of the banks to utilize bulkheads, subject to Condition 5.

Deviation four is withdrawn, which sought relief from LDC Section 3-256.D.3, which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-one-half-inch (1.5") thick asphaltic concrete of FDOT type S-111; to allow sidewalks to be constructed of decorative pavers. The new Land Development Code (LDC) provides that the developer may submit alternative designs and these designs are subject to the approval of the City Manager or designee. This application lacks specific enough information at this time to approve this request and should be addressed at the time of review of a development order.

Deviation five is withdrawn, which sought relief from LDC Section 3-291.C, which provides where practical, any residential development of more than 5 acres must provide for two means of access; to allow one full means of access and one emergency access. Staff has confirmed that as long as there is one full means of access and one emergency access, they meet the access requirements.

Deviation six is withdrawn, which sought relief from LDC Section 3-329.E.1, which requires a 25 foot setback for an excavation for water retention or detention from an existing street right-of-way line or easement for a local road; to allow a 20 foot setback with adequate elements for protection of wayward vehicles are provided. This Section of the Code specifically states that the setback will be applied in the instance of a new excavation from an existing local street. All areas where this deviation would be effective would be where a new excavation is planned next to a new local street, all part of this development. This Section of the LDC does not apply in this instance and this deviation is not needed.

Findings and Conclusions:

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

1. Provided that the Comprehensive Plan has been amended to address this development, staff can then say that the applicant has proven entitlement to the rezoning to Residential Planned Development (RPD) by demonstrating compliance with the Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested RPD zoning, as conditioned:

    a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;

    b) is consistent with the densities, intensities and general uses set forth in the Comprehensive Plan, provided that the Comprehensive Plan amendment has been approved;

    c) is compatible with existing or planned uses in the surrounding area; and

    d) will not adversely affect environmentally critical areas or natural resources.

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

4. Urban services, as defined in the Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.

5. The proposed use or mix of uses is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations recommended for approval, and as conditioned:

    a) enhance the objectives of the planned development; and

    b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

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 25th day of July, 2005.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Arend	Aye	Nelson	Aye
Edsall	Aye	Piper	Absent
Grantt	Nay	Wagner	Aye
Joyce	Aye		

Date filed with City Clerk: 7-25-05

EXHIBIT II-B-1
LEGAL DESCRIPTION

DCI 2004-00071

A PORTION OF SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.89°18'12"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2,631.04 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N.89°19'10"E., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 2,629.54 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE N.89°15'00"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,062.89 FEET; THENCE S.00°45'00"E., A DISTANCE OF 7.13 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 60°18'50", A CHORD BEARING OF S.29°24'25"W., AND A CHORD LENGTH OF 16.08 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 83.50 FEET, A CENTRAL ANGLE OF 17°08'57", A CHORD BEARING OF S.50°59'21"W., AND A CHORD LENGTH OF 24.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 421.93 FEET, A CENTRAL ANGLE OF 06°20'50", A CHORD BEARING OF S.38°28'14"W., AND A CHORD LENGTH OF 46.72 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 46.74 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 24°36'12", A CHORD BEARING OF S.22°59'43"W., AND A CHORD LENGTH OF 23.86 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.05 FEET TO THE END OF SAID CURVE; THENCE S.10°41'37"W., A DISTANCE OF 16.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 77.50 FEET, A CENTRAL ANGLE OF 24°36'11", A CHORD BEARING OF S.01°36'28"E., AND A CHORD LENGTH OF 33.02 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 33.28 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 63.21 FEET, A CENTRAL ANGLE OF 41°28'44", A CHORD BEARING OF S.06°49'48"W., AND A CHORD LENGTH OF 44.77 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 45.76 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 26°53'54", A CHORD BEARING OF S.41°01'07"W., AND A CHORD LENGTH OF 27.91 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.17 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 117.50 FEET, A CENTRAL ANGLE OF 12°21'39", A CHORD BEARING OF S.48°17'15"W., AND A CHORD LENGTH OF 25.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 25.35 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 286.61 FEET, A CENTRAL ANGLE OF 19°57'14", A CHORD BEARING OF S.32°07'48"W., AND A CHORD LENGTH OF 99.31 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 99.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 19°47'28", A CHORD BEARING OF S.32°02'55"W., AND A CHORD LENGTH OF 18.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.00 FEET TO THE END OF SAID CURVE; THENCE S.41°56'39"W., A DISTANCE OF 57.94 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 34.30 FEET, A CENTRAL ANGLE OF 41°00'49", A CHORD BEARING OF S.26°57'38"W., AND A CHORD LENGTH OF 24.03 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.55 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 97.33 FEET, A CENTRAL ANGLE OF 16°43'45", A CHORD BEARING OF S.10°49'28"W., AND A CHORD LENGTH OF 28.32 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.42 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 173.66 FEET, A CENTRAL ANGLE OF 10°26'14", A CHORD BEARING OF S.23°56'51"W., AND A CHORD LENGTH OF 31.59 FEET; THENCE ALONG

Exhibit A

THE ARC OF SAID CURVE AN ARC LENGTH OF 31.63 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 22.00 FEET, A CENTRAL ANGLE OF 53°27'49", A CHORD BEARING OF S.56°00'49"W., AND A CHORD LENGTH OF 19.79 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 20.53 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 43.74 FEET, A CENTRAL ANGLE OF 28°18'10", A CHORD BEARING OF S.68°35'38"W., AND A CHORD LENGTH OF 21.39 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 21.61 FEET; THENCE S.51°53'17"W., A DISTANCE OF 18.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 147.00 FEET, A CENTRAL ANGLE OF 18°42'18", A CHORD BEARING OF S.41°12'21"W., AND A CHORD LENGTH OF 47.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 47.99 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 31°47'50", A CHORD BEARING OF S.15°57'17"W., AND A CHORD LENGTH OF 16.44 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.65 FEET TO THE END OF SAID CURVE; THENCE S.00°03'22"W., A DISTANCE OF 99.60 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 25°23'50", A CHORD BEARING OF S.12°45'17"W., AND A CHORD LENGTH OF 37.37 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 37.68 FEET TO THE END OF SAID CURVE; THENCE S.25°27'12"W., A DISTANCE OF 72.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 68.00 FEET, A CENTRAL ANGLE OF 19°17'07", A CHORD BEARING OF S.15°48'39"W., AND A CHORD LENGTH OF 22.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 22.89 FEET TO THE END OF SAID CURVE; THENCE S.06°10'05"W., A DISTANCE OF 39.67 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 46.50 FEET, A CENTRAL ANGLE OF 11°01'51", A CHORD BEARING OF S.00°39'10"W., AND A CHORD LENGTH OF 8.94 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 8.95 FEET TO THE END OF SAID CURVE; THENCE S.04°51'46"E., A DISTANCE OF 76.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 290.00 FEET, A CENTRAL ANGLE OF 12°06'24", A CHORD BEARING OF S.01°11'26"W., AND A CHORD LENGTH OF 61.16 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 61.28 FEET TO THE END OF SAID CURVE; THENCE S.07°14'38"W., A DISTANCE OF 38.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 23°46'45", A CHORD BEARING OF S.19°08'00"W., AND A CHORD LENGTH OF 19.57 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.71 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 469.77 FEET, A CENTRAL ANGLE OF 09°07'39", A CHORD BEARING OF S.35°35'13"W., AND A CHORD LENGTH OF 74.76 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 74.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 15°03'30", A CHORD BEARING OF S.32°37'17"W., AND A CHORD LENGTH OF 12.45 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 12.48 FEET TO THE END OF SAID CURVE; THENCE S.25°05'32"W., A DISTANCE OF 134.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 128.00 FEET, A CENTRAL ANGLE OF 37°51'48", A CHORD BEARING OF S.06°09'38"W., AND A CHORD LENGTH OF 83.06 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 84.59 FEET TO THE END OF SAID CURVE; THENCE S.12°46'16"E., A DISTANCE OF 27.97 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 29.97 FEET, A CENTRAL ANGLE OF 60°21'58", A CHORD BEARING OF S.41°12'00"E., AND A CHORD LENGTH OF 30.14 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.58 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 88.00 FEET, A CENTRAL ANGLE OF 76°48'36", A CHORD BEARING OF S.32°58'41"E., AND A CHORD LENGTH OF 109.33 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 117.97 FEET TO THE END OF SAID CURVE; THENCE S.05°25'37"W., A DISTANCE OF 70.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 12°06'17", A CHORD BEARING OF S.00°37'32"E., AND A CHORD LENGTH OF 13.71 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 13.73 FEET TO THE END OF SAID CURVE; THENCE S.06°40'40"E., A DISTANCE OF 49.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 37°46'33", A CHORD BEARING OF S.16°45'02"W., AND A CHORD LENGTH OF 129.49 FEET; THENCE ALONG THE ARC OF SAID

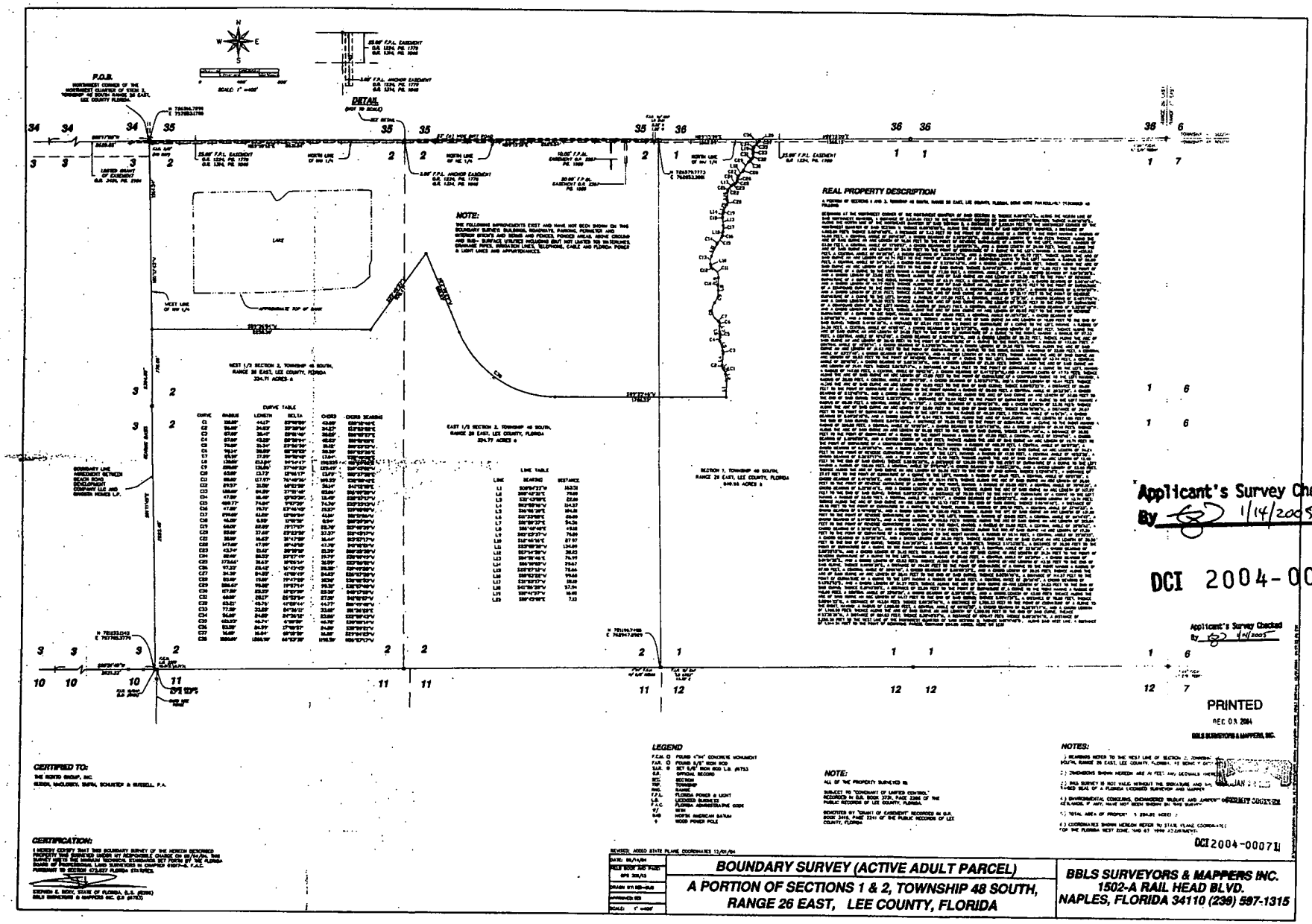
Exhibit A

CURVE AN ARC LENGTH OF 131.86 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 94°14'47", A CHORD BEARING OF S.11°29'05"E., AND A CHORD LENGTH OF 190.53 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 213.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 39°51'42", A CHORD BEARING OF S.38°40'38"E., AND A CHORD LENGTH OF 17.04 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 17.39 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 98.14 FEET, A CENTRAL ANGLE OF 22°30'22", A CHORD BEARING OF S.07°29'36"E., AND A CHORD LENGTH OF 38.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 38.55 FEET TO THE END OF SAID CURVE; THENCE S.01°20'37"E., A DISTANCE OF 54.56 FEET; THENCE S.11°33'05"E., A DISTANCE OF 26.09 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 23°56'39", A CHORD BEARING OF S.00°25'15"W., AND A CHORD LENGTH OF 31.12 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.34 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 28°30'04", A CHORD BEARING OF S.01°51'28"E., AND A CHORD LENGTH OF 42.83 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 43.28 FEET TO THE END OF SAID CURVE; THENCE S.16°06'30"E., A DISTANCE OF 104.81 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 20°01'46", A CHORD BEARING OF S.06°05'37"E., AND A CHORD LENGTH OF 30.26 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 30.41 FEET TO THE END OF SAID CURVE; THENCE S.03°55'16"W., A DISTANCE OF 114.57 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 35°38'16", A CHORD BEARING OF S.13°53'52"E., AND A CHORD LENGTH OF 34.27 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 34.83 FEET TO THE END OF SAID CURVE; THENCE S.31°43'00"E., A DISTANCE OF 22.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 23°00'29", A CHORD BEARING OF S.20°12'46"E., AND A CHORD LENGTH OF 43.88 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 44.17 FEET TO THE END OF SAID CURVE; THENCE S.08°42'31"E., A DISTANCE OF 70.09 FEET; THENCE S.00°04'22"W., A DISTANCE OF 163.51 FEET; THENCE S.89°35'46"W., A DISTANCE OF 1,786.33 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1,080.00 FEET, A CENTRAL ANGLE OF 66°53'35", A CHORD BEARING OF N.56°57'17"W., AND A CHORD LENGTH OF 1,190.50 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,260.90 FEET TO THE END OF SAID CURVE; THENCE N.23°30'29"W., A DISTANCE OF 881.03 FEET; THENCE S.35°48'57"W., A DISTANCE OF 970.47 FEET; THENCE S.89°36'04"W., A DISTANCE OF 2,258.30 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.01°11'45"W., ALONG SAID WEST LINE, A DISTANCE OF 1,914.34 FEET TO THE **POINT OF BEGINNING**. PARCEL CONTAINS 294.85 ACRES,

Applicant's Legal Checked
by _____ 1/14/2005

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OCT 20 2004
ZONING
DCI 2004-00071

Exhibit A


P.O.B.
DETAIL
LAKE
NOTE:
REAL PROPERTY DESCRIPTION
CURVE TABLE
LINE TABLE
Applicant's Survey Checked
By 1/14/2005
DCI 2004-00071
PRINTED
DEC 01 2004
BBLS SURVEYORS & MAPPERS, INC.
LEGEND
NOTE:
NOTES:
CERTIFIED TO:
CERTIFICATION:
BOUNDARY SURVEY (ACTIVE ADULT PARCEL)
A PORTION OF SECTIONS 1 & 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA
BBLS SURVEYORS & MAPPERS INC.
1502-A RAIL HEAD BLVD.
NAPLES, FLORIDA 34110 (239) 597-1315

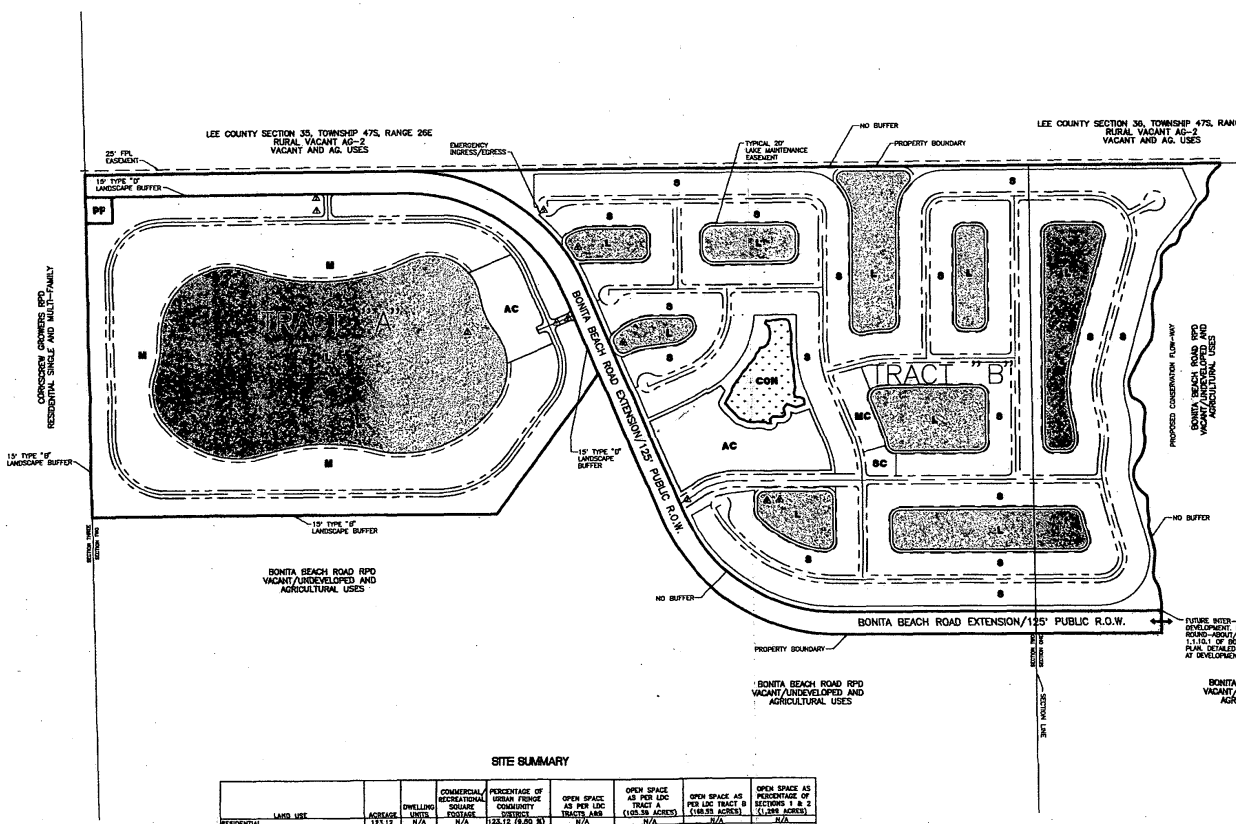
DEVELOPMENT REGULATIONS

	FAMILY	TWO FAMILY ATTACHED	DUPLEX	ZERO LOT LINE	MULTI FAMILY	TOWNHOUSE	AMENITY CENTER
MINIMUM LOT WIDTH:	40 FEET	20 FEET[1]	60 FEET[2]	50 FEET	100 FEET	20 FEET[1]	100 FEET
MINIMUM LOT DEPTH:	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET
MINIMUM LOT AREA:	5000 S.F.	2000 S.F.[1]	6000 S.F.	5000 S.F.	10,000 S.F.	3,500 S.F.	10,000 S.F.
MAXIMUM BUILDING HEIGHT:	3 STORIES[3]	3 STORIES[3]	3 STORIES[3]	3 STORIES[3]	7 STORIES[4]	3 STORIES[4]	3 STORIES[5]
MAXIMUM LOT COVERAGE:	60 PERCENT	65 PERCENT	50 PERCENT	60 PERCENT	45 PERCENT	60 PERCENT	45 PERCENT
MINIMUM SETBACKS:[6]							
PUBLIC STREET:	20 FEET[7]	20 FEET[7]	20 FEET[7]	20 FEET[7]	20 FEET[8]	20 FEET[8]	25 FEET[8]
PRIVATE STREET:	15 FEET[7]	15 FEET[7]	15 FEET[7]	15 FEET[7]	15 FEET[8]	15 FEET[8]	10 FEET[8]
SIDE YARD:	2 FEET[10]	0/10 FEET[10, 11]	5 FEET[10]	0 FEET[10, 11]	10 FEET	0/10 FEET[10, 11, 12]	10 FEET
REAR YARD:	10 FEET[10]	10 FEET[10]	10 FEET[10]	10 FEET[10]	10 FEET[10]	20 FEET[10]	10 FEET
WATER BODY:	20 FEET	20 FEET	20 FEET	20 FEET	20 FEET	20 FEET	0/10 FEET[13]
MINIMUM BUILDING SEPARATION:	10 FEET	10 FEET	10 FEET	10 FEET	20 FEET[14]	20 FEET	20 FEET[14]
MINIMUM FLOOR AREA	900 S.F.	900 S.F.	900 S.F.	900 S.F.	750 S.F.	750 S.F.	700 S.F[15].

[1] PER UNIT
[2] 30 FEET PER UNIT
[3] 45 FEET
[4] 60 FEET PER POLICY 1.1.10.1 OF BONITA SPRINGS COMPREHENSIVE PLAN
[5] 50 FEET - EXCEPT CLOCK TOWERS OR SIMILAR ARCHITECTURAL FEATURES THAT BE PERMITTED UP TO 75'
[6] SETBACK IS MEASURED FROM EDGE OF PAVEMENT.
[7] SETBACK SHALL BE REDUCED TO 7.5' FOR SIDE ENTRY GARAGES, FRONT PORCHES, AND COMBINATION FRONT PORCH/FRONT ENTRY GARAGES
[8] SETBACK IS MEASURED FROM EDGE OF PAVEMENT OF ROAD SERVICES THE UNIT/BUILDING
[9] FOR LOTS AT THE END OF THE "HAMMERHEAD" CUL-DE- SAC WHICH MAY BE DEFINED AS CORNER LOTS, SIDE SETBACK STANDARDS SHALL APPLY FOR PORTIONS OF THE PROPERTIES FRONTING THE STUD STREETS OF THE CUL-DE-SAC.
[10] ACCESSORY STRUCTURES SETBACK MAY BE REDUCED TO ZERO FEET FOR SIDE AND REAR YARDS
SIDE YARD SETBACKS SHALL BE A MINIMUM OF ZERO (0') WHITH A TEN (10')
[11] SEPEARTION BETWEEN PRINCIPLE STRUCTURES WHERE NOT ATTACHED.
SETBACK FROM A LAKE FOR ALL PRINCIPLE AND ACCESSORY USES MAY BE
[13] ZERO FEET (0) PROVIDED ARCHITECTURAL BANK TREATMENT WHEN ATTACHED TO A COMMON WALL
[14] TWENTY-FIVE OF SEPARATION REQUIRED BY LOCAL FIRE CODE.
[15] SEVEN HUNDRED (700') SQUARE GROSS FEET FLOOR AREA ON THE GROUND FLOOR.

EXHIBIT B

EAST BONITA ACTIVE ADULT
MASTER CONCEPT PLAN



SITE SUMMARY

LAND USE	ACREAGE	DWELLING UNITS	COMMERCIAL/RECREATIONAL SQUARE FOOTAGE	PERCENTAGE OF URBAN FRINGE COMMUNITY DISTRICT	OPEN SPACE AS PER LDC TRACTS A&B	OPEN SPACE AS PER LDC TRACT A (105.56 ACRES)	OPEN SPACE AS PER LDC TRACT B (160.35 ACRES)	OPEN SPACE AS PERCENTAGE OF SECTIONS 1 & 2 (1,284 ACRES)
RESIDENTIAL	183.15	N/A	N/A	123.12 (9.6% %)	N/A	N/A	N/A	N/A
SINGLE-FAMILY	85.15	500	N/A	N/A	N/A	N/A	N/A	N/A
MULTI-FAMILY	32.85	288	N/A	N/A	N/A	N/A	N/A	N/A
NON-RESIDENTIAL	57.44	N/A	N/A	57.44 (4.42 %)	N/A	N/A	N/A	N/A
PUBLIC FACILITY	4.8	N/A	N/A	N/A	N/A	N/A	N/A	N/A
RIGHT OF WAY (PUBLIC)	23.61	N/A	N/A	N/A	N/A	N/A	N/A	N/A
RIGHT OF WAY (PRIVATE)	13.31	N/A	N/A	2.68	5.71	N/A	N/A	N/A
SURVEY CANYON	10.85	N/A	50,000 SF	0.84	4.21	4.63	N/A	N/A
LAKES	73.49	N/A	N/A	N/A	18.59	18.59	7.91	0.57%
CONSERVATION AREA	8.84	N/A	N/A	N/A	8.84	N/A	8.84	0.35%
BUFFERS & OTHER COMMON OPEN SPACE	36.59	N/A	N/A	N/A	36.59	21.27	15.32	0.72%
TOTAL	284.65	788	50,000 SF	180.67 (14.6% %)	70.11 (38.1% %)	54.76 (51.9% %)	31.56 (20.0% %)	0.72%

1. PER LDC SECTION 10-415 LAKES ACCOUNT FOR A MAXIMUM OF 25% OF THE TOTAL REQUIRED OPEN SPACE.
2. PER LDC SECTION 34-935(b)(1)a., UP TO 10% OF THE REQUIRED OPEN SPACE MAY BE DISTRIBUTED AS PRIVATE OPEN SPACE WITHIN RESIDENTIAL TRACTS.
3. IN DETERMINING OPEN SPACE, THE DEVELOPMENT SITES LOCATED BOTH EAST AND WEST OF THE RIGHT-OF-WAY FOR THE EXTENSION OF BONITA BEACH ROAD MAY BE CALCULATED INDEPENDENTLY AS PART OF THE CONSTRUCTION PLAN OR PLATTING APPROVAL PROCESS.
4. IN ACCORDANCE WITH SECTION 10-415 OF THE LDC, THE PROVISION OF OPEN SPACE IS NOT APPLICABLE TO SINGLE-FAMILY LOTS GREATER THAN OR EQUAL TO 6,500 SQUARE FEET.

LEGEND

M	MULTI-FAMILY RESIDENTIAL
S	SINGLE FAMILY RESIDENTIAL, ZERO LOT LINE
PF	PUBLIC FACILITY
L	SURFACE WATER MANAGEMENT LAKE
AC	AMENITY CENTER
CON	CONSERVATION AREA
MC	MODEL CENTER
SC	SALES CENTER
⚠	DEVIATION

APPROVED
Master Concept Plan
Site Plan # 05-01 Page 3 of 4
Subject to conditions in Ordinance 20-09-01
Case # DCI2004-00071
CITY OF BONITA SPRINGS

RECEIVED
JAN 04 2005
PERMIT COUNTER

DCI2004-00071

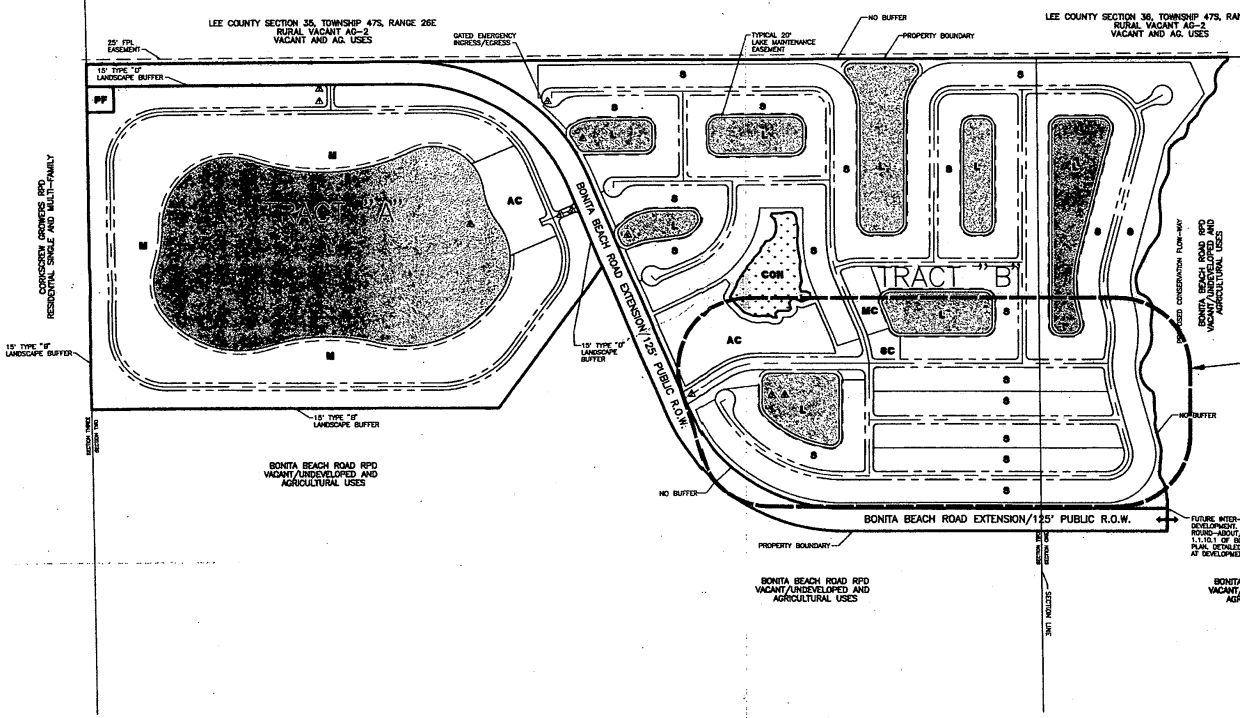
RWA INC. CONSULTING ENGINEERS, LLC
Engineers, Surveyors & Mappers
Planners, Project Managers
9225 Bonita Beach Rd. E., Suite 205, Bonita Springs, Florida 34135 (239) 947-1144 FAX: (239) 947-0758
1542 Cypress Street, Fort Myers, Florida 33901 (239) 278-5224 FAX: (239) 278-5419

PROJECT: EAST BONITA ACTIVE ADULT
CLIENT: ROCKPOINTE/RONTO NAPLES, LLC.
TITLE: MASTER CONCEPT PLAN

SEC: 35 TWP: 47S RGE: 26E
SCALE: 1" = 300'
DRAWN BY: P.W.B.
CHECKED BY: P.V.

DATE: AUGUST 25, 2004
PROJECT NO.: 04-0039
FILE NO.: 4003DW03
SHEET NUMBER: 3 OF 4

EAST BONITA ACTIVE ADULT
MASTER CONCEPT PLAN (ALTERNATIVE A)



APPROVED
Master Concept Plan
Site Plan # 05-011 Page 4 of 4
Subject to conditions in Ordinance 20-05-011
Case # DCI2004-00011
CITY OF BONITA SPRINGS

LEGEND

M	MULTI-FAMILY RESIDENTIAL
S	SINGLE FAMILY RESIDENTIAL, ZERO LOT LINE
PF	PUBLIC FACILITY
L	SURFACE WATER MANAGEMENT LAKE
AC	AMENITY CENTER
CON	CONSERVATION AREA
MC	MODEL CENTER
SC	SALES CENTER
⚠	DEVIATION NUMBER

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JAN 04 2005
PERMIT COUNTER
DCI2004-00071

RWA CONSULTING INC.
Engineers, Surveyors & Mappers
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PROJECT: EAST BONITA ACTIVE ADULT

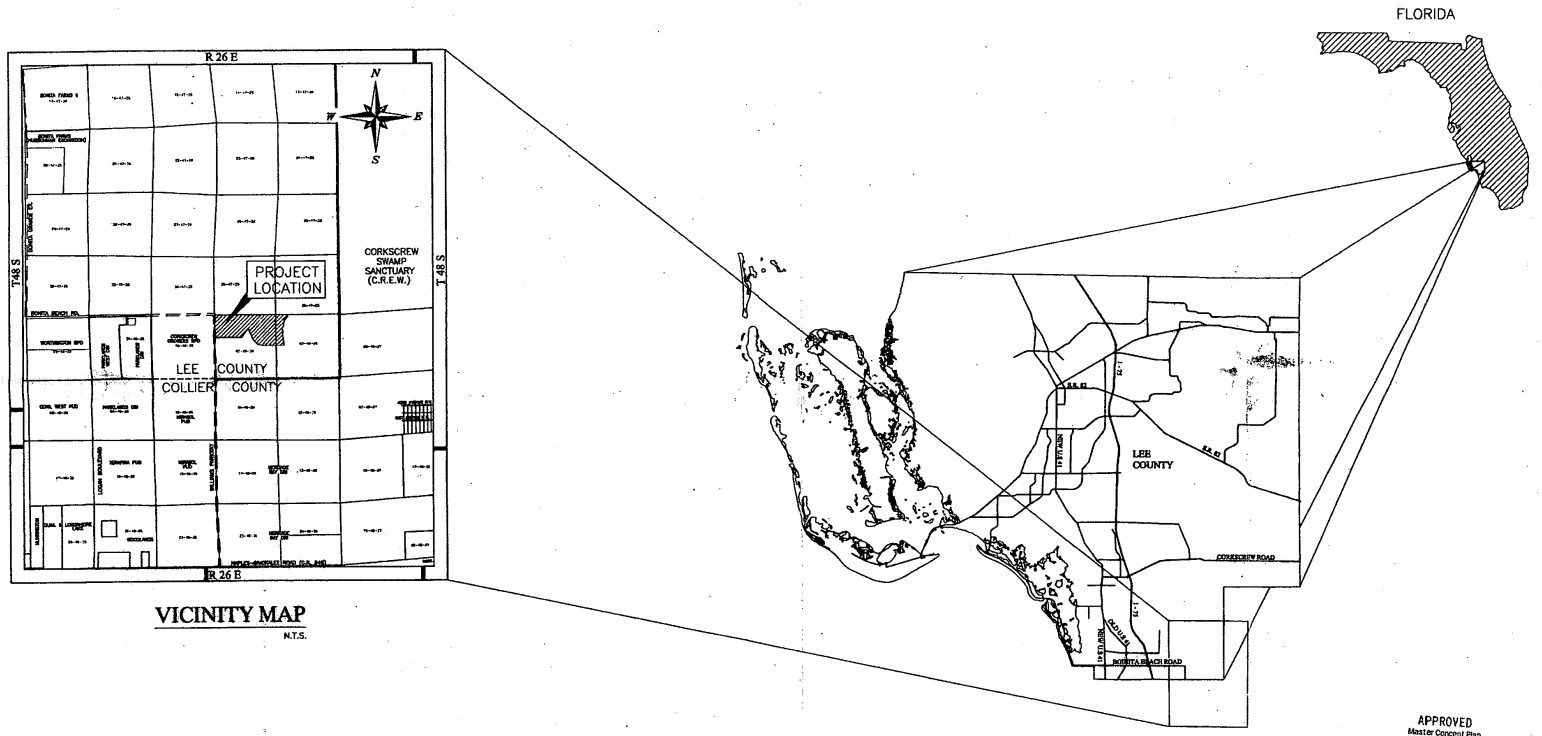
CLIENT: ROCKPOINTE/RONTO NAPLES, LLC.

TITLE: MASTER CONCEPT PLAN SITE ALTERNATIVE A

DATE:	AUGUST 26, 2004
PROJECT NO.	04-009
FILE NO.	400259704
SHEET NUMBER	4 OF 4
SEC	14,2
TWP.	48S
RGE	26E
SCALE	1" = 300'
DRAWN:	P.W.S.
CHECKED:	P.V.

EAST BONITA ACTIVE ADULT

SECTION 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



VICINITY MAP
N.T.S.

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PREPARED FOR:

ROCKPOINT/RONTO
NAPLES, LLC.

14031 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135

APPROVED
Master Concept Plan
Site Plan # 05-011 Page 1 of 4
Subject to conditions in Ordinance 2005-01
Case # DCI2004-00071
CITY OF BONITA SPRINGS

RECEIVED
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PERMIT COUNTER

DCI2004-00071

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EAST BONITA ACTIVE ADULT
GENERAL NOTES

DEVELOPMENT REGULATIONS

	SINGLE FAMILY	TWO FAMILY ATTACHED	DUPLEX	ZERO LOT LINE	MULTI FAMILY	TOWNHOUSE	AMENITY CENTER
MINIMUM LOT WIDTH:	40 FEET	20 FEET [1]	60 FEET [2]	50 FEET	100 FEET	20 FEET [3]	100 FEET
MINIMUM LOT DEPTH:	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET
MINIMUM LOT AREA:	5,000 S.F.	2,000 S.F.	6,000 S.F.	5,000 S.F.	10,000 S.F.	2,500 S.F.	10,000 S.F.
MAXIMUM BUILDING HEIGHT:	3 STORIES*	3 STORIES*	3 STORIES*	3 STORIES*	7 STORIES*	3 STORIES*	3 STORIES*
MAXIMUM LOT COVERAGE:	60 PERCENT	65 PERCENT	50 PERCENT	60 PERCENT	45 PERCENT	60 PERCENT	45 PERCENT
MINIMUM SETBACKS: [4]							
PUBLIC STREET:	20 FEET	20 FEET	20 FEET	20 FEET	20 FEET	20 FEET [5]	25 FEET [6]
PRIVATE STREET:	15 FEET	15 FEET	15 FEET	15 FEET	15 FEET	15 FEET [5]	10 FEET [6]
SIDE YARD:	7 FEET	0/10 FEET [7,8]	7 FEET [8]	0 FEET [7,8]	10 FEET [8]	0/10 FEET [7,8,9,11]	10 FEET
REAR YARD:	10 FEET	10 FEET	10 FEET	10 FEET	10 FEET	20 FEET [9]	10 FEET
WATER BODY:	20 FEET	20 FEET	20 FEET	20 FEET	20 FEET	20 FEET [9]	0/20 FEET [10]
MINIMUM BUILDING SEPARATION:	10 FEET	10 FEET	10 FEET	10 FEET	20 FEET [8]	20 FEET [12]	20 FEET [12]
MINIMUM FLOOR AREA:	900 S.F.	900 S.F.	900 S.F.	900 S.F.	750 S.F.	750 S.F.	700 S.F. [13]

*PER UNIT
[1] 30 FEET PER UNIT
[2] 45 FEET
[3] 40 FEET PER POLICY 1.1.10.1 OF BONITA SPRINGS COMPREHENSIVE PLAN
[4] 50 FEET - EXCEPT CLOCK TOWERS OR SIMILAR ARCHITECTURAL FEATURES THAT BE PERMITTED UP TO 75'
[5] SETBACK IS MEASURED FROM EDGE OF PAVEMENT.
[6] SETBACK SHALL BE REDUCED TO 7.5' FOR SIDE ENTRY GARAGES, FRONT PORCHES, AND COMBINATION FRONT PORCH/FRONT ENTRY GARAGES
[7] SET BACK IS MEASURED FROM EDGE OF PAVEMENT OF ROAD SERVICES THE UNIT/BUILDING
[8] ACCESSORY STRUCTURES SETBACK MAY BE REDUCED TO ZERO FEET FOR SIDE AND REAR YARDS
[9] SIDE YARD SET BACKS SHALL BE A MINIMUM OF ZERO (0') WITH A TEN (10') SEPARATION BETWEEN PRINCIPLE STRUCTURES WHERE NOT ATTACHED
[10] SETBACK FROM A LAKE FOR ALL PRINCIPLE AND ACCESSORY USES MAY BE ZERO FEET (0') PROVIDED ARCHITECTURAL BANK TREATMENT WHEN ATTACHED TO A COMMON WALL
[11] TWENTY-FIVE FEET OF SEPARATION REQUIRED BY LOCAL FIRE CODE.
[12] SEVEN HUNDRED (700') GROSS SQUARE FEET FLOOR AREA ON THE GROUND FLOOR.

SCHEDULE OF DEVIATIONS

1) A REQUEST TO DEVIATE FROM THE LDC 10-285 (m)(4). PRIVATELY MAINTAINED ACCESS WAYS REQUIRING ONE VEHICLE ACCESS TO FIFTY OR FEWER MULTIFAMILY UNITS TO PROVIDE ONE VEHICLE ACCESS TO ONE HUNDRED MULTIFAMILY UNITS.
2) A REQUEST TO DEVIATE FROM LDC10-296(d)(7)(a)(i) LOCAL STREET WEARING SURFACE, THAT REQUIRES 1 & 1/2 IN. ASPHALT FOOT S-3 CONCRETE PAVERS OR SIMILAR DECORATIVE PAVING MATERIALS FOR SELECTED LOCAL STREET AREAS.
3) DEVIATION FROM LDC SECTION 10-328(a)(4) WHICH REQUIRES COMPENSATING SLOPE ON EXCAVATION BANKS; TO ALLOW UP TO 50 PERCENT OF THE BANKS TO UTILIZE VERTICAL BULKHEADS.
4) DEVIATION FROM LDC SECTION 10-256(b)(3) WHICH REQUIRES ALL SIDEWALKS TO BE EITHER (1) FOUR-INCH (4") THICK PORTLAND CEMENT CONCRETE, OR (2) A MINIMUM OF ONE-AND-ONE-HALF-INCH (1.5") THICK ASPHALTIC CONCRETE OF FDOT TYPE S-111 TO ALLOW SIDEWALKS TO BE CONSTRUCTED OF DECORATIVE PAVERS THROUGHOUT THE DEVELOPMENT.
5) DEVIATION FROM LDC SECTION 10-251(5) WHICH REQUIRES THAT RESIDENTIAL DEVELOPMENT OF MORE THAN FIVE ACRES TO PROVIDE TWO OR MORE MEANS OF INGRESS AND EGRESS, TO ALLOW THE RPD TO HAVE ONE FULL MEANS OF INGRESS AND EGRESS AND ONE EMERGENCY INGRESS/EGRESS.
6) DEVIATION REQUESTING RELIEF FROM THE LDC SECTION 10-329(a)(1)(a)(i) WHICH REQUIRES EXCAVATIONS TO BE FURTHER THAN TWENTY-FIVE FEET FROM A LOCAL RIGHT-OF-WAY OR EASEMENT TO ALLOW LAKE SETBACKS FROM THE PROJECT'S INTERNAL ROADWAYS TO BE REDUCED TO TWENTY FEET, AS MEASURED FROM EDGE OF PAVEMENT OR BACK OF CURB TO EDGE OF WATER CONTROL PROVIDED THAT ADEQUATE ELEMENTS FOR THE PROTECTION OF WAYWARD VEHICLES ARE PROVIDED.

GENERAL NOTES:

1. THE MASTER CONCEPT PLAN DEPICTS THE PROJECTS GENERAL CONFIGURATION FOR CONCEPTUAL ZONING REVIEW AND APPROVAL. THE FINAL RESIDENTIAL, RECREATIONAL AND AMENITY CENTER USES, ALONG WITH THE PROJECT'S OPEN SPACE, SURFACE WATER MANAGEMENT SYSTEMS AND OTHER FUNCTIONAL ELEMENTS WILL BE DETERMINED AT THE TIME OF DEVELOPMENT ORDER PERMITTING.
2. THE SUBJECT PARCEL HAS BEEN PREVIOUSLY CLEARED FOR AGRICULTURAL USE AND DOES NOT CONTAIN ANY INDIGENOUS NATIVE VEGETATION EXCEPT FOR THE 3.24 ACRES OF WETLANDS DESIGNATED AS CONSERVATION AREA. OPEN SPACE, BUFFERING, AND LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH LDC CHAPTER 10, DIVISION 6, AND LDC SECTIONS 414 AND 933.
3. MINIMUM LOT AREAS FOR ANY UNIT TYPE MAY BE EXCEEDED
4. PARKING WILL BE PROVIDED IN ACCORDANCE WITH LDC CHAPTER 34, DIVISION 20.
5. THE SUBJECT PROPERTY DOES NOT CONTAIN ANY HISTORICAL OR ARCHAEOLOGICAL SITES.
6. PUBLIC TRANSIT IS NOT PRESENTLY AVAILABLE TO THE SITE. SHOULD TRANSIT BE EXTENDED DOWN BONITA BEACH ROAD TO THE PROJECT'S ENTRANCE, A TRANSIT STOP WILL BE PROVIDED.
7. THE UNIT COUNTS SHOWN IN THE SITE SUMMARY TABLE ARE CONCEPTUAL AND ARE NOT INTENDED TO LIMIT OR REDUCE THE DENSITY FOR THE INDIVIDUAL DEVELOPMENT AREAS.
8. PRIOR TO THE ISSUANCE OF ANY DEVELOPMENT ORDER, THE APPLICANT MUST PROVIDE EVIDENCE THAT THE PROPERTY HAS ACCESS TO CENTRAL WATER AND SEWER, OR THAT THE EXTENSION OF CENTRAL WATER AND SEWER WILL COINCIDE WITH THE DEVELOPMENT OF THE PROPERTY.
9. SERVICE AREA WITHIN THE AMENITY CENTER TRACTS WILL BE PROVIDED IN ACCORDANCE WITH LDC SECTION 34, DIVISIONS 25 & 26.
10. THE AGGREGATED RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENT ACREAGE SHALL ACCOUNT FOR NO MORE THAN 60% OF THE ACREAGE WITHIN THE URBAN FRINGE COMMUNITY DISTRICT (SECTIONS 1&2).
11. BLASTING WILL BE ALLOWED ACCORDING TO THE CITY'S LDC.
12. EXCAVATION, IN ORDER TO CREATE LAKES AND STORMWATER MANAGEMENT PONDS, WILL BE PERMITTED THROUGHOUT THE PLANNED DEVELOPMENT.
13. COMMUNITY DEVELOPMENT DISTRICTS WILL BE ALLOWED FOR THE RESIDENTIAL AND AMENITY CENTER TRACTS.
14. THE OWNER OR HIS AGENT IS ENTITLED TO CONTINUE BONA FIDE AGRICULTURAL USES ALREADY EXISTING ON THE PROPERTY. ANY EXISTING AGRICULTURAL USE MUST BE DISCONTINUED UPON THE COMMENCEMENT OF ANY SITE DEVELOPMENT ACTIVITIES, AS THE TERM IS DEFINED IN THE LDC, PURSUANT TO A LOCAL DEVELOPMENT ORDER FOR THE INDIVIDUAL TRACT OR PHASE INDENTIFIED IN THE DEVELOPMENT ORDER.

LEGAL DESCRIPTION

A PORTION OF SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.89°18'12"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2,631.04 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N.89°19'10"E., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 2,629.54 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE N.89°19'00"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,063.89 FEET; THENCE S.00°45'00"E., A DISTANCE OF 7.13 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 15,00 FEET, A CENTRAL ANGLE OF 80°18'50", A CHORD BEARING OF S.39°34'25"W., AND A CHORD LENGTH OF 19.08 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 83.50 FEET, A CENTRAL ANGLE OF 17°08'57", A CHORD BEARING OF S.80°39'21"W., AND A CHORD LENGTH OF 24.80 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 421.93 FEET, A CENTRAL ANGLE OF 09°30'50", A CHORD BEARING OF S.72°37'47"W., AND A CHORD LENGTH OF 68.72 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 68.74 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 24°38'12", A CHORD BEARING OF S.72°59'43"W., AND A CHORD LENGTH OF 23.86 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.09 FEET TO THE END OF SAID CURVE; THENCE S.10°41'37"W., A DISTANCE OF 16.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 77.50 FEET, A CENTRAL ANGLE OF 24°38'11", A CHORD BEARING OF S.01°36'28"E., AND A CHORD LENGTH OF 33.25 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 33.35 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 83.21 FEET, A CENTRAL ANGLE OF 41°28'44", A CHORD BEARING OF S.09°49'48"W., AND A CHORD LENGTH OF 44.77 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 45.76 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 26°53'54", A CHORD BEARING OF S.41°01'07"W., AND A CHORD LENGTH OF 27.91 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.17 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 117.50 FEET, A CENTRAL ANGLE OF 12°21'39", A CHORD BEARING OF S.48°17'15"W., AND A CHORD LENGTH OF 25.32 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 25.35 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 284.81 FEET, A CENTRAL ANGLE OF 19°37'14", A CHORD BEARING OF S.32°07'48"W., AND A CHORD LENGTH OF 99.31 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 99.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 19°47'28", A CHORD BEARING OF S.32°02'55"W., AND A CHORD LENGTH OF 18.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.00 FEET TO THE END OF SAID CURVE; THENCE S.41°58'39"W., A DISTANCE OF 37.34 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 34.50 FEET, A CENTRAL ANGLE OF 41°00'49", A CHORD BEARING OF S.29°27'38"W., AND A CHORD LENGTH OF 24.03 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.69 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 97.53 FEET, A CENTRAL ANGLE OF 18°43'45", A CHORD BEARING OF S.10°49'38"W., AND A CHORD LENGTH OF 32.33 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 32.42 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 173.86 FEET, A CENTRAL ANGLE OF 10°18'14", A CHORD BEARING OF S.27°09'51"W., AND A CHORD LENGTH OF 31.39 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.43 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 23.00 FEET, A CENTRAL ANGLE OF 53°37'28", A CHORD BEARING OF S.58°00'45"W., AND A CHORD LENGTH OF 18.79 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 20.53 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 43.74 FEET, A CENTRAL ANGLE OF 29°49'10", A CHORD BEARING OF S.66°39'39"W., AND A CHORD LENGTH OF 21.29 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 21.61 FEET; THENCE S.51°53'17"W., A DISTANCE OF 18.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 147.00 FEET, A CENTRAL ANGLE OF 19°12'18", A CHORD BEARING OF S.41°13'21"W., AND A CHORD LENGTH OF 47.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 47.99 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 31°47'50", A CHORD BEARING OF S.19°57'17"W., AND A CHORD LENGTH OF 16.64 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.63 FEET TO THE END OF SAID CURVE; THENCE S.00°03'22"W., A DISTANCE OF 89.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 25°23'50", A CHORD BEARING OF S.12°45'13"W., AND A CHORD LENGTH OF 37.37 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 37.68 FEET TO THE END OF SAID CURVE; THENCE S.25°27'12"W., A DISTANCE OF 73.04 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 68.00 FEET, A CENTRAL ANGLE OF 19°17'07", A CHORD BEARING OF S.15°48'39"W., AND A CHORD LENGTH OF 22.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 22.89 FEET TO THE END OF SAID CURVE; THENCE S.06°10'05"W., A DISTANCE OF 39.87 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 48.50 FEET, A CENTRAL ANGLE OF 11°01'51", A CHORD BEARING OF S.00°39'10"W., AND A CHORD LENGTH OF 9.34 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 9.33 FEET TO THE END OF SAID CURVE; THENCE S.04°51'46"E., A DISTANCE OF 78.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 12°56'34", A CHORD BEARING OF S.01°13'38"W., AND A CHORD LENGTH OF 61.18 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 61.28 FEET TO THE END OF SAID CURVE; THENCE S.07°14'38"W., A DISTANCE OF 58.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 23°48'45", A CHORD BEARING OF S.19°08'00"W., AND A CHORD LENGTH OF 19.57 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.71 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 485.77 FEET, A CENTRAL ANGLE OF 09°07'39", A CHORD BEARING OF S.32°31'37"W., AND A CHORD LENGTH OF 77.29 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 74.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 19°03'50", A CHORD BEARING OF S.27°17'57"W., AND A CHORD LENGTH OF 12.45 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 12.68 FEET TO THE END OF SAID CURVE; THENCE S.29°05'53"W., A DISTANCE OF 134.88 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 37°31'48", A CHORD BEARING OF S.20°09'58"W., AND A CHORD LENGTH OF 53.08 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 54.69 FEET TO THE END OF SAID CURVE; THENCE S.11°46'16"E., A DISTANCE OF 27.97 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 29.87 FEET, A CENTRAL ANGLE OF 60°21'56", A CHORD BEARING OF S.18°24'42"E., AND A CHORD LENGTH OF 30.04 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.58 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 88.00 FEET, A CENTRAL ANGLE OF 76°48'36", A CHORD BEARING OF S.32°59'41"E., AND A CHORD LENGTH OF 109.33 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 117.97 FEET TO THE END OF SAID CURVE; THENCE S.03°25'37"W., A DISTANCE OF 70.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 83.00 FEET, A CENTRAL ANGLE OF 1°04'17", A CHORD BEARING OF S.03°57'35"E., AND A CHORD LENGTH OF 1.55 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1.55 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 37°46'53", A CHORD BEARING OF S.14°40'02"W., AND A CHORD LENGTH OF 19.43 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.78 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 8°41'47", A CHORD BEARING OF S.11°39'05"W., AND A CHORD LENGTH OF 19.53 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.54 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 23.00 FEET, A CENTRAL ANGLE OF 39°51'42", A CHORD BEARING OF S.20°21'22"E., A DISTANCE OF 54.58 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 57.51 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 23°58'39", A CHORD BEARING OF S.27°58'32"E., AND A CHORD LENGTH OF 31.12 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.34 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 28°36'04", A CHORD BEARING OF S.01°51'13"E., AND A CHORD LENGTH OF 43.83 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 43.43 FEET TO THE END OF SAID CURVE; THENCE S.16°09'58"E., A DISTANCE OF 104.81 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 20°01'46", A CHORD BEARING OF S.06°09'37"E., AND A CHORD LENGTH OF 30.26 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 30.41 FEET TO THE END OF SAID CURVE; THENCE S.02°53'16"W., A DISTANCE OF 114.57 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 35°38'16", A CHORD BEARING OF S.13°35'52"E., AND A CHORD LENGTH OF 34.27 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 34.83 FEET TO THE END OF SAID CURVE; THENCE S.31°43'00"E., A DISTANCE OF 22.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 23°00'29", A CHORD BEARING OF S.20°13'45"E., AND A CHORD LENGTH OF 43.88 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 44.17 FEET TO THE END OF SAID CURVE; THENCE S.08°43'31"E., A DISTANCE OF 70.05 FEET; THENCE S.00°04'32"W., A DISTANCE OF 163.51 FEET; THENCE S.89°35'48"W., A DISTANCE OF 1,788.53 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,080.00 FEET, A CENTRAL ANGLE OF 58°53'37", A CHORD BEARING OF N.59°57'17"W., AND A CHORD LENGTH OF 1,180.50 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,280.80 FEET TO THE END OF SAID CURVE; THENCE N.63°30'29"W., A DISTANCE OF 811.80 FEET; THENCE S.39°48'37"W., A DISTANCE OF 670.47 FEET; THENCE S.89°36'04"W., A DISTANCE OF 2,258.80 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.01°11'45"W., ALONG SAID WEST LINE, A DISTANCE OF 1,914.34 FEET TO THE POINT OF BEGINNING PARCEL CONTAINS 294.65 ACRES, MORE OR LESS

SCHEDULE OF USES

RESIDENTIAL TRACTS

ADMINISTRATIVE OFFICES,
ACCESSORY USES AND STRUCTURES
PARKING LOT, ACCESSORY
AGRICULTURAL USES, EXISTING ONLY (SUBJECT TO GENERAL NOTE #14)
CLUBS, COUNTRY AND PRIVATE
- CONSUMPTION ON PREMISES
FOOD AND BEVERAGE SERVICE, LIMITED
HEALTH CLUB AND SPA
PARKING LOT, ACCESSORY
DWELLING UNITS:
CONVENTIONAL SINGLE-FAMILY RESIDENCE
DUPLEX
ZERO LOT LINE
-TOWNHOUSE
TWO FAMILY ATTACHED
MULTIPLE FAMILY BUILDING
RESIDENTIAL ACCESSORY USES
ENTRANCE GATE AND GATEHOUSE, IN COMPLIANCE WITH LDC §34-1748
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP I
FENCES, WALLS
HOME OCCUPATION
RECREATIONAL FACILITIES, PRIVATE ONSITE, PERSONAL
SIGNS IN COMPLIANCE WITH CHAPTER 30
TEMPORARY USES (LDC 34-3041), INCLUDING TEMPORARY SALES OFFICE, AND CONSTRUCTION TRAILER AND STAGING AREA
WATER MGMT. UNIT
PARKING LOT, ACCESSORY

AMENITY CENTER TRACTS

ADMINISTRATIVE OFFICES
ACCESSORY USES AND STRUCTURES
PARKING LOT, ACCESSORY
AGRICULTURAL USES, EXISTING ONLY (SUBJECT TO GENERAL NOTE #14)
BANKS AND FINANCIAL ESTABLISHMENTS, GROUP I, FOR RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
BUSINESS SERVICES, GROUP I, TRAVEL AGENCIES ONLY
CLEANING AND MAINTENANCE SERVICES
CONVENIENCE STORE, WITH GAS AND CAR WASH, TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
CLUBS, COUNTRY AND PRIVATE
- CONSUMPTION ON PREMISES
FOOD AND BEVERAGE SERVICE, LIMITED
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP I
FENCES, WALLS
FOOD STORES, GROUP I, EXCLUDING SUPERMARKETS
HEALTH CLUB AND SPA
PARKING LOT, ACCESSORY
LAUNDRY, DRY CLEANING, GROUP I
PERSONAL SERVICES GROUP I - ATM'S; BARBERSHOPS OR BEAUTY SHOPS; CLOTHING ALTERATIONS AND REPAIR INCLUDING DRESSMAKERS, SEAMSTRESSES AND TAILORS; ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
PERSONAL SERVICES GROUP II - BEAUTY SPAS, HEALTH CLUBS OR SPAS, MASSAGE ESTABLISHMENTS; ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
REAL ESTATE SALES OFFICE
RECREATION FACILITIES, TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
RENTAL OR LEASING ESTABLISHMENTS, GROUP II, LIMITED TO MOVIES, VIDEO TAPES AND SIMILAR HOME ENTERTAINMENT
RESTAURANT, GROUPS I, II, AND III, ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
SIGNS, IN ACCORDANCE WITH LDC CHAPTER 30
SPECIALTY RETAIL SHOPS, GROUP I - LIMITED TO: BOOKSTORES AND NEWSSTANDS
TEMPORARY USES (LDC 34-3041), INCLUDING TEMPORARY SALES OFFICE, AND CONSTRUCTION TRAILER AND STAGING AREA

PUBLIC FACILITIES TRACT

ADMINISTRATIVE OFFICES
ACCESSORY USES AND STRUCTURES
PARKING LOT, ACCESSORY
AGRICULTURAL USES, EXISTING ONLY (SUBJECT TO GENERAL NOTE #14)
STORAGE, INDOOR ONLY
EMS, FIRE, OR SHERIFF'S STATION
EMERGENCY OPERATIONS CENTER
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP I
FENCES, WALLS

RECEIVED
JAN 04 2005
PERMIT COUNTER

APPROVED
Master Concept Plan
Site Plan # 05-01 Page 2 of 4
Subject to conditions in Ordinance 20-05-01
Case # 05-17-004-00071
CITY OF BONITA SPRINGS

05-17-004-00071

RWA INC. CONSULTING
Engineers, Surveyors & Mappers
Planners, Project Managers
3650 North Horseshoe Drive, Suite 201, Naples, Florida 34104 (239) 643-1535 FAX: (239) 643-7505
1542 Colonial Street, Fort Myers, Florida 33901 (239) 278-0224 FAX: (239) 278-0419

PROJECT: EAST BONITA ACTIVE ADULT
CLIENT: ROCKPOINT/RONTO NAPLES, LLC.
TITLE: GENERAL NOTES

DATE: AUG. 27, 2004
PROJECT NO.: 04-0039
FILE NO.: 30005W02
SHEET NUMBER: 2 OF 4

SEC: 1 & 2 | TWP.: 48S | RGE.: 26E
SCALE: N/A
DRAWN: P.W.B.
CHECKED: P.V.

Dec 30, 2004 - 10:07:39 G:\2004\04-0039.00 Est One Bonita Beach Road RPD\2002 RPD Rezone Application\Survey and Site Plan\MCP SET\Number 2\(1,480,30002.dwg

RECEIVED
AUG - 4 2005
COMMUNITY DEVELOPMENT

City of Bonita Springs
Board for Land Use Hearings & Adjustments
And Zoning Board of Appeals
Friday, June 3, 2005
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135
MINUTES

I. CALL TO ORDER.

Chairman Robert Incerpi called the meeting to order at 9:00 A.M.

II. INVOCATION:

Board Member James Brandreth furnished the invocation.

III. PLEDGE OF ALLEGIANCE:

Chairman Incerpi led in the pledge of allegiance.

IV. ROLL CALL.

Board Members Present:

Chris Bielski	Pete Pastore
Wesley Norris	Chairman Robert Incerpi
Frank Howe	Bill Pescosolido
James Brandreth	

V. PUBLIC HEARINGS:

A. 9:00 a.m. CASE NO. DCI2004-00071

CASE NAME: East Bonita Active Adult RPD

REQUEST: Rezone a 294.85± acre parcel from Residential Planned Development (RPD) to Residential Planned Development (RPD) to permit the development of up to 799 residential dwelling units consisting of single family and multiple family units and up to 50,000 square feet of amenity uses. Allowed amenity center uses include, but are not limited to, personal services, restaurant, clubhouse, meeting facilities, recreational facilities, and a maximum of 5,000 square feet of office and a maximum of 10,000 square feet of retail space. Maximum building height planned within this development is 60 feet.

LOCATION:	16350, 16750, and 17001 Bonita Beach Road SE, Bonita Springs, FL (approximately 3.5 miles east of I-75 along the south ROW of Bonita Beach Rd., within the city of Bonita Springs)
STRAP NO.	01-48-26-B1-00001.0000, 02-48-26-B1-00001.0000, 02-48-26-B2-00001.1000
SIZE OF PROPERTY:	294.85± Acres
STAFF REPORT:	Direct inquiries to Mr. Chip Block, AICP, Principal Planner, at 479-8371, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

9:03:26 AM City Attorney Audrey Vance introduced the case, read the request into the record, and placed all witnesses under oath. She next tendered Bob Mulhere as an expert in land use in planning, Bob Underhill as an expert witness in civil engineering, and Ted Treesh as an expert in transportation engineering.

9:05:26 AM Attorney Charles Basinait next addressed the request, which he stated is to rezone a portion of an existing Residential Planned Development (RPD) that encompasses Sections 1 and 2, as approved years ago. He stated that the subject property consists of approximately 295 acres which is scheduled to be developed with 799 residential units. It is also to include a maximum of 50,000 square feet of amenity uses. The site is located on both sides of what is to be the Bonita Beach Road Extension. He next referred to the area where Bonita Beach Road is to terminate, which is at the section line, dividing Sections 1 and 2.

9:07:45 AM He next furnished an overview of the Development Agreement (Applicant's Exhibit; copy in Clerk's file) that was approved by City Council on May 18, 2005, as well as the Comprehensive Plan Amendment, making the request consistent with the Comprehensive Plan.

9:13:52 AM The Applicant concurs with staff's recommendation of approval. He next furnished the Board with a submittal reflecting their suggested revisions to Staff's recommended conditions (Applicant's Exhibit; copy in Clerk's file) revising Conditions 1., 12., 13., 14. and 15. He stated that with the possible exception of a portion of Condition 1, Staff concurs with their proposed changes.

Condition 1 requests a change relating to unit conversion. The Development Agreement allows the Applicant to convert single-family units to multi-family, and multi-family to single-family, based on trip generation. Each single-family unit can be converted to two multi family units, and two multi-family units can be converted to one single-family unit. The Applicant cannot exceed the maximum number of units of 799. Overall, they would request that the conversion table be included in the zoning, which is already in the Development Agreement.

The Applicant is requesting that Condition 12. be deleted because of the existence of the Development Agreement. Condition 13., was originally provided by Staff and the Applicant is requesting a few changes. Condition 14., was also originally provided by Staff. As opposed to interconnecting with sidewalks, the Applicant is going to request a single sidewalk/bikepath on the south side of Bonita Beach

Road. Condition 15., also involves boilerplate language relating to transportation. The Applicant is suggesting that the Development Agreement takes care of traffic mitigation for the project.

9:18:41 AM Bob Mulhere, with RWA, representing the Applicant, stated that the Master Concept Plan (MCP) provides for 500 multi-family uses and 299 single-family units, with the requested conversion factor to allow the uses to convert. The allowable buildable height is up to 60 feet. The MCP depicts a large lake and a wetland.

Next addressed the surrounding uses (as reflected on page 1 of the Staff Report).

9:21:15 AM Mr. Mulhere next addressed the environmental conditions the Applicant has agreed to, stating that the Applicant has worked very closely with a number of environmental groups for purposes of creating a development they can support. Those agencies include The Conservancy of Southwest Florida, Florida Wildlife Federation, Collier County Audubon, as well as the Responsible Growth Coalition.

The Applicant proposes to preserve what little native vegetation exists on the site, and has placed that in a conservation district.

9:22:12 AM He next addressed their requested deviations. Staff supports Deviations 1, 2, 3. They do not support Deviation 4 since the Applicant may provide alternative designs relative to the sidewalk and sidewalk construction at time of development order. Referring to the site plan he stated that Deviation 5 deals with the requirement to provide a minimum of two points of ingress and egress for projects exceeding 5 acres. He stated that, in reality, the project as a whole has 4 points of ingress and egress, one of which is designated as an emergency ingress/egress. He showed the portion of the project that would have only one point of ingress/egress for the residents onto Bonita Beach Road, with the second point for emergency vehicles only. It's an issue they discussed with Staff prior to the meeting who agreed that it's consistent with the Land Development Code and requiring no deviation at the time of development order. Mr. Basinait explained that, on the north side, the permanent access point and the emergency access point qualify as two access points per the code, requiring no deviation.

9:25:36 AM Mr. Mulhere next addressed revised Condition 13., which requires the development to provide shuttle service for residents and employees of the development for purposes of accessing amenities, services, shopping, and the beach. This would be required to be in place and available for use at the time the 300th certificate of occupancy is issued for the residential portion of the project. It is a service that will include internal and external pick up and drop off points. The Applicant has added a sentence to the end of Condition 13., which states that upon buildout or turnover of the common areas and facilities to the Home Owner's Association (HOA) who will have the responsibility of maintaining the shuttle. They have also added a sentence that says that the service may be discontinued should the existence of the shuttle be deemed unnecessary due to low utilization. Mr. Basinait stated that the intent of the condition was to try to reduce traffic on Bonita Beach Road.

9:28:03 AM Mr. Mulhere next addressed Condition 14., which is an alternative condition that would require the developer to provide an 8-foot-wide multi use pedestrian/bikeway along the south side of the Bonita Beach Road extension. This will adequately provide for the interconnection between the two developments, as well as for the third and fourth development on the portions of the two sections that are not under discussion today. It will also provide an adequate connection without having creating security concerns or difficulties between the two internally. Mr. Basinait added that this project is slated to be a gated community.

9:29:18 AM Board Member Wes Norris informed the Applicant of a typographical error in the numbering of the Conditions (13.).

9:29:55 AM Mr. Basinait continued that it would be very difficult to try to interconnect the communities with sidewalks since that could result in security issues, especially, since the intent of gated communities is to provide a sense of security. He further explained, showing the location of a proposed trailhead that is to access the resource protection area, which will be open to the public.

9:31:43 AM Mr. Mulhere next addressed Condition 15., which he stated was no longer necessary and didn't apply since the Development Agreement provided for mitigation in excess of that which is required for the project's traffic impacts. This Condition was written without Staff being aware of the Development Agreement having been approved and executed. Overall, they feel that deleting Condition 12., and revising Condition 15. would make more sense. Mr. Mulhere stated that both he and Staff find the application to be consistent with the provisions of the Comprehensive Plan and the Land Development Code.

9:34:26 AM Board Member Chris Bielski referred to resource protection area depicted on the MCP and asked whether that coincided with the wetlands on the aerial photograph. Mr. Basinait responded yes. He explained that all of the wetland areas that have been designated Resource Protection are to be preserved.

9:36:56 AM Board Member Wes Norris referred to Condition 13. and questioned who would determine utilization of the shuttle service. Mr. Basinait stated that the way the condition was written, it would be the Homeowner's Association (HOA) that would determine utilization since they would be who was paying for the shuttle service. He explained that it would be at their discretion as to whether there was low utilization. At buildout or turnover, when the common areas and facilities are turned over to the HOA, the shuttle service and all responsibility and obligation relating thereto, would also be turned over to the HOA.

9:37:42 AM Board Member Norris next referred to Condition 14., and the Applicant's suggested revision to include verbiage for purposes of an 8-foot-wide walkway on the south side of the Bonita Beach Road extension. Mr. Basinait responded that the Applicant would include an 8-foot-wide multi use pathway the entire length. Board Member Norris referred to Condition 15., which Mr. Basinait explained would be omitted and replaced with the reference he addressed.

9:38:43 AM Board Member Bill Pescosolido referred to Condition 13. and questioned who would utilize the shuttle service. Mr. Basinait responded that this same condition has also been included in the next case (DCI2004-00077 – Bonita Beach Road Estates RPD). The shuttle service will be available to both developments. Board Member Pescosolido stated that he was troubled by the lack of specificity of low utilization, etc. He feels there are ways that either how or high utilization could be encouraged. He sees this condition as being "overly generous" per the way it was currently worded. Mr. Basinait stated that they had the same concern. The question becomes how one appropriately and reasonably decides if it's being used.

9:41:23 AM Chip Block, Zoning Division, posed several questions of the Applicant regarding their revised conditions. He referred to Condition 13. and the words "along Bonita Beach Road" and asked

whether this would be inclusive of a connection with the public park at the end of Bonita Beach Road to allow public access to the residents to the beaches. Mr. Basinait responded yes. Mr. Block asked how low utilization would be determined in Condition 13., and if the Applicant would be willing to consider language to state "discontinued by the HOA with consent of the City, should the existence of." Mr. Basinait stated that, in other words, if the HOA decides there is low ridership, they would then make a request to the City for discontinuance of the shuttle service. If the City Manager were to agree, they would then have the ability at that point to discontinue the service. Mr. Block stated that was the intent. He agreed that the "City Manager or his designee" would be the most appropriate person. Mr. Basinait agreed.

9:43:53 AM Mr. Block next referred to Condition 14. regarding the pedestrian accessway that is to be located along the Bonita Beach Road Extension, clarifying that this walkway would go right up to the gate of the project, at which point the security guard would either allow or not allow the person to enter. Mr. Basinait agreed. It would include a cross walk at the appropriate location to provide a safe means of crossing. He referred to language that states, "the pathway shall provide a pedestrian crossing at the entrance of each project." At the suggestion of Mr. Block, Mr. Basinait agreed to provide a safe area in the median and to have another means of crossing at the other side at the time the roadway opens back up.

9:46:19 AM Board Member Jim Brandreth asked if the walkway was for the public. He explained that the reason for his question regarded comments about the gatehouse Mr. Basinait stated that the walkway was to start at the western terminus of Section 2 and run along south side of Bonita Beach Road, within the public right-of-way, down to the terminus of Bonita Beach Road. Public access will be entirely within the public right-of-way, with no restrictions.

9:48:27 AM Ted Treesh, with Metro Transportation Group, also representing the Applicant, stated that his firm prepared the Traffic Impact Statement (TIS) for the project. They were also involved in the Comprehensive Plan amendment as well, which involved a rather lengthy and extensive traffic study that looked at the full buildout of Sections 1 and 2. The proposed 799 units involve only a portion of the analysis that was done.

His analysis looked at the development of the 799 units and the improvements that need to be done to accommodate this project. The Development Agreement outlines specific improvements that need to be done to support the project. Those improvements included the widening of Bonita Beach Road east of Bonita Grande, the area along the frontage of Worthington Country Club, and the widening of the two lanes in front of Village Walk to a 4 lane divided section known as the Bonita Beach Road Extension. Based on those improvements, their analysis showed that the roadway network would be able to accommodate the requested zoning analysis and that the roads would operate within the adopted Level of Service (LOS) depicted in the Comprehensive Plan, thereby meeting the requirements of the City of Bonita Springs.

9:51:22 AM The conversion table that has been included in Condition 1. is based on the ITE (Institute of Transportation Engineers) trip generation report, which evaluates and estimates the trip generation of various land uses. Single family units, on average, generate twice the amount of traffic than a multi-family unit generates. This is how they arrived at the basic conversion ratio of 2:1 - two multi family units being equivalent in trip generation to one single-family unit. The Applicant, per this conversion table, would like the ability to be able to shift back and forth between single-family and multi-family units based on market conditions, without exceeding the trip generation rate that is part of this zoning application.

9:52:33 AM Board Member Pescosolido questioned the time of the year the traffic report was prepared. Mr. Treesh responded, "the100th most busiest hour." Board Member Pescosolido asked whether their trip projections took into consideration the City's future population. Mr. Treesh responded yes. Mr. Pescosolido referred to Figure 2 of the Report, expressing concerns on the diminishment of the numbers as one goes further west. Each intersection appears to lose about 5%. Mr. Treesh agreed. He explained that this was basically due to services that are provided. People leaving the development will have destinations - the commercial projects, the existing Publix Shopping Center, future commercial zoning on the north side, a proposed pharmacy on the northeast corner, retail services, etc.

9:58:12 AM Board Member Brandreth questioned whether it was possible that the formula that Mr. Treesh used, which is used throughout the State, is not in line with the unique situation in the City. He questioned whether it entailed an area such as ours. Mr. Treesh explained that the data they used is based on surveys of single-family communities. Overall, it was independent of the thru-traffic that would normally exist in a community that has a collector road system. Mr. Basinait referred to the Development Agreement and stated that if one were to do a proportionate share calculation on the traffic impacts that would result from this project versus what is being done regarding road improvements and cash outlays by the developer, the Applicant is in fact doing more road improvements and paying more money than what their impacts are. Therefore, even if the calculations were somewhat low, the Applicant has a certain "cushion" that they are paying for over and above the impacts. Mr. Treesh reminded the Board that their request involves 50,000 square feet of amenity uses that will provide some services internally to the project.

10:00:55 AM Board Member Norris addressed Level of Service as reflected in Mr. Treesh's report. Mr. Treesh stated that the Traffic Study was done before the Development Agreement, therefore, it only looked at Bonita Beach Road as two lanes. Bonita Beach Road will be at an LOS "B" with this project. The Applicant is, therefore, committing to do the 4 lane as part of the Development Agreement.

10:03:58 AM Chip Block, Development Services Division, furnished a synopsis of the Staff Report and the Applicant's revised conditions. He stated that the Development Agreement occurred after the Staff Report and was finalized on the 18th with the Staff Report finalized the day before (on the 17th). He stated that language in the Staff Report that addresses infrastructure improvements that might occur or not occur, or would need to be done as part of the Development Agreement, requiring some things to be changed. It also changes the Staff recommendation, as page 2 of the Staff Report reflects a recommendation of denial, and finding the request inconsistent with the Comprehensive Plan. This is because at the time the Staff Report was written the Comprehensive Plan for this area was Rural. Since that time, however, the City has adopted the Urban Fringe Community District for the site this past Wednesday (June 1, 2005). This district was specifically designed to help address a part of the development that is to occur on the subject two sections. Staff is now recommending the request be found consist with the Comprehensive Plan, as conditioned within the Staff Report. He next corrected the numbering of the Conditions in the Staff Report, starting with the last condition on page 5. The conditions are in the normal order they appear with the MCP. The Schedule of Uses is also included, as are the provisions for wetland preservation, open space, littoral plantings, an alligator management plan, etc. The Applicant does have some temporary agricultural uses on the site which have been identified, and as a result Staff is recommending that the condition regarding agricultural uses be included, and when the Applicant gets their development order the agricultural use and AG exemption goes away, resulting in the City getting the necessary taxation from the site. There are also conditions for no on-site vegetative

burning and requiring buffering to be 100% native. A correction needs to be made to Deviation 3. to revise Section 329(e)(4) to reflect 3-329(e)(4).

He next addressed the Applicant's suggested changes to the conditions as furnished by the Applicant (copy in Clerk's file). In Condition 1. there is an area of concern from Staff in adding the language regarding the conversion table. He stated that although the Development Agreement does include this conversion table, from an administrative standpoint, there may be some confusion in Staff trying to administer the rules and regulations. If they include a conversion factor and someone down the line tries to interpret it, there may be confusion on the part of Staff in following the number of allowed single-family versus multi-family units. Staff has attempted to not include the conversion table with other Boards throughout the County since it's something that should be done as part of the administrative amendment process, which affords Staff the opportunity to make changes to the project in accordance with the approved Resolution/Ordinance. The Development Agreement addresses the issues that the City had concerning improvements to utilities, roads, impact fees, etc. Overall, he would suggest that the Zoning Board not include the conversion table, however, should they decide to, there are provisions in the Development Agreement that are separate from the zoning case, that addresses some of these issues, including how mitigation would be addressed.

10:12:25 AM Conditions 2. through 11. are acceptable to Staff. The Applicant has requested that Condition 12., which addresses the LOS be eliminated entirely. Staff feels it's important that somewhere it addresses the fact that the LOS is being addressed as part of the traffic impacts for the project, which were done as part of the Development Agreement. After a brief discussion, Condition 15., was amended to state:

> 15. The Development Agreement entered into between the City of Bonita Springs and Beach Road Development Company, LLC and dated May 18, 2005 and attached hereto as Exhibit C has fully addressed mitigation of the project's vehicular traffic impacts and the Level of Service in Transportation Elements Policy 1.1.3. Pursuant to the Developer Agreement, developer has received from the City of Bonita Springs transportation concurrency vesting for a period of 10 years commencing on May 18, 2005.

10:13:50 AM Conditions 13., and 14. are as reflected in the Draft Ordinance (dated June 17, 2005).

10:16:23 AM Referring to Deviation 5 on page 7 of 12 of the Staff Report which Staff denied, Mr. Block explained that the language reflected in this deviation is common both in the City and the County. Every planned development that includes a second means of access has satisfied the requirement, therefore, he is not sure that this deviation is even necessary. Deviation 4 was withdrawn by the Applicant.

10:20:42 AM Board Member Chris Bielski asked Staff to explain the difference in the criteria with respect to the subsequent case (Case No. DCI2004-00077 Bonita Beach Road Estates, RPD), which is adjacent to the site and is one unit short of a DRI (Development of Regional Impact). Mr. Block responded. He explained that adjoining projects that might be under same ownership, have same development pattern, utilization of infrastructure, same marketing process, can be looked at as a whole. He agreed that it was one unit short of a DRI. The threshold for Collier County is 2000 units. The threshold for Lee County is 3,000 units. City Attorney Vance added that had it involved a situation where they met the statutory requirements for a DRI, it would have involved an additional review process

via the Regional Planning Council and the Department of Community Affairs. It would also follow different administrative codes, etc. Additionally, if it was a DRI the methodology and the proportionate share requirements imposed within the Development Agreement would not be there since they would be required to follow the statutory formulas.

10:23:52 AM Board Member Bielski referred to Condition 15. addressing traffic impacts and stated that she has found it hard to understand how you measure future impacts on a road that had not yet been built.. She questioned whether Staff felt the 10-year vesting concurrency was reasonable. Mr. Block responded that was part of the Development Agreement and involved a transportation question, of which he was not an expert. Nor was he involved with the Development Agreement or the negotiations of the Agreement. City Attorney Vance stated that the duration of the Agreement is 10 years, as required per the statutes, with a periodic annual review. Mr. Basinait further responded. He explained that it essentially meant that the road improvements and the money they are paying will more than accommodate the impacts. Furthermore, it meant that they have 10 years in which to build their development, and if they fail to build it within 10 years, they have to come back to be re-reviewed to see if there are additional impacts that weren't considered previously in which the developer may have to pay more money, or do more road improvements.

10:27:12 AM Board Member Pescosolido referred to the building height of 60 feet and questioned what is proposed to be 60 feet. Mr. Block responded. He explained that single-family homes will not be 60 feet. The Property Development Regulations (Exhibit "A" to the Staff Report) indicate that the maximum building height, and the MCP reflects the heights of the various uses. Board Member Pescosolido next referred to the use of convenience food store with gas pumps reflected in the Schedule of Uses, and asked whether this use should be removed from the next case. Mr. Block explained that Staff included this use in each case because it involves two separate gated communities. Residents would not be allowed to leave their development to enter the other development to purchase gas.

10:31:28 AM Board Member Norris asked if the Board should be taking into consideration any information relating to the second case for purposes of the instant case. City Attorney Vance responded that although Board Member Norris' point was a valid one, one must look at compatibility with adjoining properties.

10:33:38 AM Board Member Pescosolido stated that he was in agreement with the suggested language for approval by the City Manager or his designee in relation to the shuttle service, as discussed earlier.

10:34:21 AM Board Member Bielski next addressed concerns she had regarding Condition 13. in relation to parking on the beach. She stated that she feels this condition is too vague in that it doesn't indicate how often the shuttle should run or what's going to be done to encourage utilization of the shuttle. She feels it would be in the interest of the HOA to not have the shuttle. Overall, she feels it's too vague to be of any use. Discussion on utilization of the shuttle followed.

10:35:33 AM Board Member Pescosolido suggested that the schedule and the capacity of the buses be part of the review process by the City Manager or his designee.

10:36:24 AM Board Member Bielski stated that it states "transportation for the residents and employees of the development." She questioned whether it included employees of the residents. City Attorney

Vance responded that she felt that was the intent. She could add "including domestic employees." Mr. Block stated that his intent in writing the condition was that it would be for all employees. Mr. Basinait stated that when discussed with City Council, he felt the intent was to provide a shuttle service to the beach for the residents of both developments. It wasn't to include employees or go all over the City – simply a way to the beach. Ms. Bielski stated that was fine. Her point is that the language should reflect this. Discussion ensued, with Condition 16. revised as follows:

> 16. The development will be required to provide a shuttle service as an alternative means of transportation for residents and all employees of this development along Bonita Beach Road, to include one stop connecting with Lee Tran transportation and one stop at a public park on Bonita Beach. This program must be in place and available for use at the time that the 300th Certificate of Occupancy is issued for the residential portion of this project. There must be a drop-off/pick-up point at the amenity center for this project. Other drop-off/pick-up point(s) may be provided throughout the planned development. Upon buildout, or the turnover of the common areas and facilities to the Homeowners Association (HOA), this responsibility shall be borne by the HOA with the consent of the City Manager or designee. This service may be discontinued by the HOA, should the existence of the shuttle be deemed unnecessary due to low utilization.

10:53:49 AM Mr. Basinait next requested a statement from Staff to indicate that the Applicant doesn't need a deviation from the code for placement of one permanent and one emergency access - that they comply with the code. They want assurance that when they go for a development order, that it will be approved as in compliance with the code. Mr. Block clarified that what he should have said was that if they provide a full means of access as the Applicant is proposing via the gated access and emergency access point, that they will comply with that section of the code, not requiring a deviation.

10:55:10 AM Mr. Basinait next addressed Condition 1. regarding the conversion table, which has been done in the past administratively, as part of zonings, or amendments to zonings. He doesn't see any ambiguity, as it's in the Development Agreement. He stated that the conversion table does not create any kind of administrative nightmare for Staff. He further explained, concluding by stating the he concurs with the remaining comments made by Mr. Block.

No public comments were made.

10:58:05 AM Board Member Norris questioned whether all the infrastructure for the roads would be in place before the first unit receives its Certificate of Occupancy. Mr. Basinait responded that there will be some units in place and "CO'd" before completion of the road improvements. However, any impacts that will result will not exceed the LOS standards before the improvements are completed. The Development Agreement requires the roads to be complete in 2 years.

11:00:09 AM Board Member Bielski asked Staff if they felt that Condition 1. would not create any administrative problems for Staff. Mr. Block responded. Staff has administered similar conditions in the past. If included as part of the Development Agreement today, it would not result in additional concerns. He feels the City will be able to track the conversion of units in the future.

11:01:44 AM Board Member Pescosolido motioned to uphold Staff's recommendation of approval with conditions, as modified.

11:01:54 AM City Attorney Vance reiterated the revisions.

11:03:48 AM Board Member Bielski seconded; and the motion carried unanimously.

PARTICIPANTS – SEE EXHIBIT "A" ATTACHED

B. 10:30 a.m. CASE NO. DCI2004-00077

CASE NAME:	Bonita Beach Road Estates RPD
REQUEST:	Rezone 360.74± acres from Residential Planned Development (RPD) to Residential Planned Development (RPD) to allow a 1,200 unit mixed use residential development with maximum building height of 60 feet (6 stories) and up to 50,000 square feet of amenity center uses (including personal services, restaurant, retail, and office uses).
LOCATION:	16350, 16750 and 17001 Bonita Beach Road SE, Bonita Springs, FL 34135
STRAP NO.	01-48-26-B1-00001.0000, 02-48-26-B1-00001.0000, 02-48-26-B2-00001.1000
SIZE OF PROPERTY:	504.35± Acres
STAFF REPORT:	Direct inquiries to Mr. Chip Block, AICP, Principal Planner, at 479-8371, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

All Board Members were in attendance.

11:23:54 AM City Attorney Vance introduced the case, read the request into the record, and placed all witnesses under oath. In attendance on behalf of the Applicant were Robert Mulhere, Robert Underhill, Ted Treesh, Brian Farrar with Ronto, and Charles Basinait.

11:24:52 AM Attorney Charles Basinait, representing the Applicant, stated that the request in this case is for a rezoning from Residential Planned Development (RPD) to RPD. The subject property is located south of the future extension of Bonita Beach Road. The acreage on page 1 of the Staff Report needs to be revised from 360.74± acres to reflect 504.35± acres. Also, the reference to 50,000 square feet of amenity center uses should be revised to 30,000 square feet of amenity center uses. Staff has recommended approval with conditions. The Applicant is requesting a couple minor deviations. He stated that many of the conditions and changes thereto are identical to those addressed in the first case. As long as Conditions 8., 14., 15., and 16., are either deleted or modified consistent with what was done in the previous case, the Applicant has no objections. With respect to Condition 1., regarding the conversion table, they are still requesting that be included in this case.

11:27:56 AM Bob Mulhere, with RWA, stated that the intent is to allow for up to 1,200 units, with the same

ability to be able to mix those units as in the previous case – at a 2:1 ratio – multi-family to single-family and vise versa. Referring to the aerial photograph, he addressed the environmental protection measures proposed, noting that this site consists of a significantly more environmentally sensitive land. A significant portion of the site is impacted by active agricultural uses. He referred to a location of the site that consisted of 171.4-acres of wetlands, which would be preserved. Additionally, the Applicant has exceeded all the provisions that previously existed in the Lee Plan at the time the RPD for Sections 1 and 2 were originally approved. He next expanded on buffering for the site, informing the Board of enhanced environmental conditions contained in the Development Agreement relating to wildlife protection, etc. He stated that all of the other issues he addressed in the previous case apply in this case in terms of consistency with the Comprehensive Plan and the Land Development Code (LDC).

11:31:41 AM He stated that in terms of transportation, the Level of Service (LOS) for Bonita Beach Road would be equal to, or better than the adopted LOS with this project, in considering the transportation improvements that are conditions of the Development Agreement.

11:32:10 AM Mr. Basinait next furnished an overview of the contents of the Development Agreement for the project.

11:34:21 AM Referring to the Conditions, Mr. Basinait next furnished a brief overview of the revisions as they relate to this case. The Applicant has requested two deviations, approving Deviation 1 and withdrawing Deviation 2.

11:35:45 AM Board Member Wes Norris questioned whether the record was complete by referring to the previous case. City Attorney Audrey Vance responded, "yes."

11:36:30 AM Chip Block, Zoning Division, stated that Staff has reviewed the case and has found it to be consistent with the City of Bonita Springs Comprehensive Plan. They concur with the revisions made to the conditions as outlined by Mr. Basinait, including acceptance of the conversion table. He also concurred with revisions that needed to be made to the Staff Report as addressed by Mr. Basinait regarding the acreage for the site and the 30,000 square feet of amenity uses. Finding and Conclusion 2. b) also needed to be revised to change "Lee Plan" to "Comprehensive Plan". He concluded by stating that Staff has recommended approval of the request, finding it appropriate and proper, and with the revisions Staff recommends approval.

11:39:53 AM Mr. Basinait referred to the date in Condition 1. of March 15, 2005 that needed to be revised to reflect May 17, 2005. Mr. Block agreed.

No public comments were made.

11:42:06 AM Board Member Pescosolido questioned the location of the taller buildings on the site. Mr. Block referred to the Property Development Regulations reflected on the Master Concept Plan to respond.

11:46:33 AM Board Member Norris motioned to uphold Staff's recommendation of approval with conditions, as amended per the previous case; Board Member Pescosolido seconded; and the motion carried unanimously.

PARTICIPANTS – SEE EXHIBIT "A" ATTACHED

ADDITIONAL ITEMS:

ADDITIONAL ITEMS:

11:47:25 AM City Attorney Vance reported that the Zoning Board Members did receive a copy of some of the provisions of Chapter 4 of the Land Development Code. She asked the Board Member to review it and to inform her of any changes they felt needed to be made.

VI. APPROVAL OF MINUTES: 05/13/05

11:49:10 AM Board Member Pescosolido addressed a revision that needed to be made to the minutes of May 13, 2005, to address the pre-disaster policy, as discussed by Board Member Norris. He wasn't sure what exactly needed to be included. Mr. Block responded. He suggested the minutes reflect wording to the effect – upon questioning by Mr. Norris, the Applicant indicated in their response that they did not have any existing residential dwelling units on the site at this time. What they have is a non-conforming use. City Attorney Vance suggested an excerpt of the transcript for the Tradewinds case be ordered to forward to City Council, to which the Board agreed. She stated that the transcript would be transmitted to City Council per the direction of the Zoning Board.

Board Member Pescosolido motioned approval of the minutes, as revised and to order the excerpt; Board Member Bielski seconded; and the motion carried unanimously.

Chairman Incerpi reported that Board Member Norris would receive an excused absence from the July 8, 2005 meeting.

VII. ADJOURNMENT.

The meeting adjourned at 11:55 A.M.

Respectfully submitted,

Debra Muchler, Recording Secretary

APPROVED:
ZONING BOARD

Date: July 8, 2005
AUTHENTICATED:

Robert Incerpi, Chairman

Dianne J. Lynn, City Clerk

EXHIBIT "A"

Case No. DCI2004-00071 / East Bonita Active Adult RPD

APPLICANT(S)/AGENT(S)/OWNER(S):

1. Charles Basinait, Esq., Henderson, Franklin, Starnes & Holt., P.A., P.O. Box 280, Fort Myers, Florida 33901-0280 (Agent)

2. Robert Mulhere, AICP, RWA, Inc., 3050 N. Horseshoe Drive, Suite 270, Naples, Florida 34104 (Agent)

3. Ted Treesh, Metro Transportation, 12651 McGregor Boulevard, Suite 4-403, Ft. Myers, Florida 33919-4489 (Agent)

4. Beach Road Development Company, LLC, 3451 Bonita Bay Boulevard, Suite 202, Bonita Springs, Florida 34134 (Owner).

5. Rockpoint/Ronto Naples, LLC, 14031 Bonita Beach Road, Bonita Springs, Florida 34135 (Applicant).

6. Robert Underhill, Banks Engineering, Inc., 6640 Willow Park Drive, Suite B, Naples, Florida 34109 (Agent)

PARTIES OF RECORD: None

INTERESTED PARTIES: None

Case No. DCI2004-00077 / Bonita Beach Road Estates, RPD

APPLICANT(S)/AGENT(S)/OWNER(S):

1. Charles Basinait, Esq., Henderson, Franklin, Starnes & Holt., P.A., P.O. Box 280, Fort Myers, Florida 33901-0280 (Agent)

2. Robert Mulhere, AICP, RWA, Inc., 3050 N. Horseshoe Drive, Suite 270, Naples, Florida 34104 (Agent)

3. Ted Treesh, Metro Transportation, 12651 McGregor Boulevard, Suite 4-403, Ft. Myers, Florida 33919-4489 (Agent)

4. Beach Road Development Company, LLC, 3451 Bonita Bay Boulevard, Suite 202, Bonita Springs, Florida 34134 (Owner).

5. Rockpoint/Ronto Naples, LLC, 14031 Bonita Beach Road, Bonita Springs, Florida 34135 (Applicant).

6. Robert Underhill, Banks Engineering, Inc., 6640 Willow Park Drive, Suite B, Naples, Florida 34109 (Agent)

PARTIES OF RECORD: None

INTERESTED PARTIES: None

BONITA SPRINGS, FLORIDA

DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING DIVISION

STAFF REPORT

TYPE OF CASE: **PLANNED DEVELOPMENT/DCI**

CASE NUMBER: **DCI2004-00071**

HEARING DATE: **June 3, 2005**

I. APPLICATION SUMMARY:

A. Applicant: Rockpoint/Ronto Naples, LLC in ref to East Bonita Active Adult RPD

B. Request: Rezone a 294.85± acre parcel from Residential Planned Development (RPD) to Residential Planned Development (RPD) to permit the development of up to 799 residential dwelling units consisting of single family and multiple family units and up to 50,000 square feet of amenity uses. Allowed amenity center uses include, but are not limited to, personal services, restaurant, clubhouse, meeting facilities, recreational facilities, and a maximum of 5,000 square feet of office and a maximum of 10,000 square feet of retail space. Maximum building height planned within this development is 60 feet.

C. Location: The subject property is located at 16350, 16750, and 17001 Bonita Beach Road SE, Bonita Springs, FL 34135, in S01-T48S-R26E, City of Bonita Springs, FL.

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property: The subject property is currently in the Rural land use designation of the Comprehensive Plan. The property is part of a current Comprehensive Plan amendment to establish a new land use category of Urban Fringe Community District. The site is currently zoned Residential Planned Development and the site is currently used for agricultural purposes.

E. Surrounding Land Use:

	Existing Zoning & Land Use	Future Land Use Map
North:	Lee County; AG-2, agricultural and vacant lands	Wetlands, Conservation (uplands), and Conservation (wetlands)
East:	RPD, vacant (agricultural lands)	Rural
South:	Collier County, A-AST (agricultural)	NRPA (Natural Resource Protection Area), Sending Lands, and Neutral Lands
West:	RPD, developing residential (Village Walk)	Moderate Density/Mixed Use Planned Development

Size of Property: 294.85± acres

II. RECOMMENDATION:

In the event that the Comprehensive Plan is not amended to adopt the Urban Fringe Community District, staff recommends that this request be found INCONSISTENT with the Comprehensive Plan and DENIAL of the requested RPD zoning.

In the event that the Comprehensive Plan is amended to establish the Urban Fringe Community District, then Staff recommends APPROVAL of the Applicant's request for rezoning from Residential Planned Development (RPD) to Residential Planned Development (RPD) with the following conditions and deviations:

Conditions

1. The development of this project must be consistent with the four-page Master Concept Plan (MCP) entitled "East Bonita Active Adult," stamped received JAN 04, 2005, except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. General Note 1 (found on Page 2 of the MCP) has no force or effect as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

   The approved development intensities allows for the development of a maximum of 799 dwelling units (limited to 500 single family and 299 multiple family dwelling units) and 50,000 square feet of commercial and recreational floor area. For the purposes of this project "single family" is defined as a single family unit AND "multiple family" is defined as zero lot line, duplex, multiple family, townhouse, and two family attached dwelling units.

2. The following limits apply to the project and uses:

   a. Schedule of Uses (Any Note referenced below is taken from LDC Section 34-934)

      RESIDENTIAL TRACTS:

      Accessory uses and structures: Note (1), 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., 34-3106
      Administrative offices: Note (1)
      Agricultural uses and agricultural accessory uses - See Condition 7 and Master Concept Plan General Note 14
      Clubs: Country
      Private (34-2111 et seq.)
      Consumption on premises (34-1261 et seq.) - limited to use of a CLUB
      Dwelling unit: Duplex (Note 29) - limited to tracts marked as "M"
      Single-family (Note 29) - limited to tracts marked as "S"
      Multiple-family building (Note 28) - limited to tracts marked as "M"
      Two-family attached (Note 28) - limited to tracts marked as "M"
      Townhouse (Note 28) - limited to tracts marked as "M"
      Zero lot line (Note 28) - limited to tracts marked as "M"
      Essential services (Note 1, 34-1611, 34-1741)

Essential service facilities (34-622(c)(13)): Group I (Note 1, 34-1611, 34-1741, 34-2141)
Excavation: Water retention (34-1651)
Fences, walls (Note1, 34-1741)
Food and beverage service, limited (Note 1) - limited to use of a CLUB
Health Club or Spa - limited to use of a CLUB
Home occupation (Notes 1 and 31, 34-1771)
Models: (34-1951 et seq.)
Model home
Model unit
Parking lot: Accessory
Recreation facilities:
Personal (Note 1)
Private--On-site (Note 1)
Signs in accordance with Land Development Code
Temporary uses (Note 1, 34-3041 et seq.) - limited to temporary sales office, and construction trailer and staging area

AMENITY CENTER TRACTS:

Accessory uses and structures: Note (1), 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., 34-3106
Administrative offices: Note (1)
Agricultural uses and agricultural accessory uses - See Condition 7 and Master Concept Plan General Note 14
Banks and financial establishments (34-622(c)(3)): Group I
Business services (34-622(c)(5)): Group I - limited solely to travel agencies
Cleaning and maintenance services (34-622(c)(7))
Clubs: Country
Private (34-2111 et seq.)
Convenience food and beverage store - limited to a total of 8 pumps
Consumption on premises (34-1261 et seq.) - limited to use of a CLUB
Essential services (Note 1, 34-1611, 34-1741)
Essential service facilities (34-622(c)(13)): Group I (Note 1, 34-1611, 34-1741, 34-2141)
Fences, walls (Note1, 34-1741)
Food and beverage service, limited (Note 1) - limited to use of a CLUB
Food stores (34-622(c)(16)): Group I, excluding supermarkets
Health Club or Spa - limited to use of a CLUB
Laundry or dry cleaning (34-622(c)(24)): Group I
Parking lot: Accessory
Personal services (34-622(c)(33)): Group I (34-3021) - limited to ATM, barber shop, beauty shop, clothing alterations and repair including dress makers, seamstress, and tailors
Group II - limited beauty spas, health clubs or spas, and massage establishments
Recreation facilities:
Personal (Note 1)
Private--On-site (Note 1)
Rental or leasing establishment (34-622(c)(39)): Group II (34-1201 et seq., 34-1352, 34-3001 et seq.) - limited to movies, video tapes, and similar home entertainment
Restaurants (34-622(c)(43)): Groups I, II, and III - limited to residents of the development and their guests
Signs in accordance with Land Development Code

Specialty retail shops (34-622(c)(47)): Group I - limited to bookstore and newsstands
Temporary uses (Note 1, 34-3041 et seq.) - limited to temporary sales office, and construction trailer and staging area

PUBLIC FACILITIES TRACT:

Accessory uses and structures: Note (1), 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., 34-3106
Administrative offices: Note (1)
Agricultural uses and agricultural accessory uses - See Condition 7 and Master Concept Plan General Note 14
Emergency operations center
EMS, fire or sheriff's/police station
Essential services (Note 1, 34-1611, 34-1741)
Essential service facilities (34-622(c)(13)): Group I (Note 1, 34-1611, 34-1741, 34-2141)
Fences, walls (Note1, 34-1741)
Parking lot: Accessory
Storage: Indoor only (Note 1, 34-3001 et seq.)

b. Site Development Regulations

See attached Exhibit A

3. Prior to approval of local development order, the development order plans must demonstrate the preservation of the 3.24 acre wetland, in significant compliance with the Master Concept Plan.

4. Prior to local development order approval, the development order plans must indicate a minimum of 70.11 acres of open space, in significant compliance with the Master Concept Plan. A maximum of 18.38 acres of open space may be designated as lake area.

5. Prior to approval of local development order, the landscape plan must include a littoral planting plan that includes expanded littoral shelves and clustering of plantings, in significant compliance with the exhibit labeled "Littoral Shelf Exhibits: East Bonita Active Adult RPD" and stamped received by Division of Environmental Sciences on February 16, 2005.

6. Prior to approval of local development order, an American alligator management plan must be submitted to Division of Environmental Sciences for review and approval. This management plan must contain details of signs to be placed around the perimeter of lakes informing residents of the possible presence of alligators, the protected status of alligators, and that feeding or harassment of alligators is illegal. The management plan must also include an educational brochure regarding living with alligators that will be distributed to all residents.

7. AGRICULTURAL USES: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

(a) Existing bona fide agricultural uses may continue until approval of a local development order for the area of the project containing those uses.

(b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude City approved requests for the removal of invasive exotic vegetation.

(c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the City Attorney.

8. Vegetative materials for land clearing may not be burned on-site. Any vegetation that must be removed for purposes of development must be disposed of in a properly licensed and permitted disposal site. This condition will not prohibit open burns for bona-fide agriculture provided that all conditions are met under state law and the Developer provides written notice to both the City of Bonita Springs and local residents (those living within 1,000 feet of the location of the open burn).

9. All required buffers must utilize 100% all native vegetation.

10. As part of any local development order, the developer must demonstrate compliance with the City's Comprehensive Plan.

11. Prior to the issuance of any development order, the developer must provide evidence that the property has access to central water and sanitary sewer, or that the extension of central water and sanitary sewer will coincide with the development of the property.

12. If the Level of Service exceeds the requirements of Transportation Element, Policy 1.1.3, no additional development approvals can be obtained until the LOS is in compliance with this Policy. This condition may also be complied with if the developer enters into a development agreement which provides for adequate traffic mitigation to address this matter.

13. The development will be required to provide a public, private, or joint transportation program that establishes a bus or shuttle as an alternative means of transportation for residents and employees within this development to amenities, services, shopping, and housing within the City of Bonita Springs. This program must be in place and available for use at the time when the 300th Certificate of Occupancy is issued for the residential portion of this project. There must be a drop-off/pick-up point at the amenity center for this project. Other drop-off/pick-up point(s) may be provided throughout the planned development.

13. As part of the approval local development order for this development, the developer must provide for a pedestrian/bikepath interconnection between this project and the Bonita Beach Road Estates RPD project located south of the subject property. This interconnection must be shown on the plans and developed as part of the project.

14. 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.

B. Deviations

Staff would note for the record that any deviation from the City's old Land Development Code Chapter 10, will also cite the new Chapter 3 Section of the Land Development Code. Please also not that the attached Schedule to this report from the applicant for the requested deviations is slightly different from the list below. In the attached version, Deviations 3 and 4 were deleted and the remaining deviations are re-numbered. The list below is correct.

Deviation 1 seeks relief from LDC Section 10-296(m)(4) (new Section 3-296.L.4 which requires one vehicular access to 50 or fewer multiple family units; to allow one vehicular access to one hundred multiple family units. This deviation is recommended to be **APPROVED.**

Staff offers no objection to the granting of this request. The request is limited in nature and given the project's location and vehicular access, staff does not expect that this will result in any adverse impacts on the public's health and safety.

Deviation 2 seeks relief from LDC Section LDC Section 10-296(d)(7)(c)(1) (new Section 3-296, Table 1, F.3.) which requires 1 & ½ inch asphalt FDOT S-3 concrete; to allow for cement concrete pavers or similar decorative paving materials for selected local street areas. This deviation is recommended to be **APPROVED.**

Staff offers no objection to the granting of this request. The request is internal to the subject property and staff does not expect that any adverse impacts to the public's health and safety.

Deviation 3 seeks relief from LDC Section 329(e)(4) which requires compensating slope on excavation banks; to allow up to 20 percent of the banks to utilize bulkheads. This deviation is recommended to be **APPROVED subject to Condition 5.**

Staff offers no objection to the granting of this request as conditioned. Environmental provisions are made as part of this condition, and staff does not expect that any adverse impacts to the public's health and safety.

Deviation 4 seeks relief from LDC Section 10-256(d)(3) (new Section 3-256.D.3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-one-half-inch (1.5") thick asphaltic concrete of FDOT type S-111; to allow sidewalks to be constructed of decorative pavers. This deviation is recommended to be **DENIED.**

Staff objects to granting this request. The new Land Development Code (LDC) provides that the developer may submit alternative designs and these designs are subject to the approval of the City Manager or designee. This application lacks specific enough information at this time to approve this request and should be addressed at the time of review of a development order.

Deviation 5 seeks relief from LDC Section 10-291(3) (new Section 3-291.C.) which provides where practical, any residential development of more than 5 acres must provide for two means of access; to allow one full means of access and one emergency access. This deviation is recommended to be **DENIED.**

The LDC language specifically says that "where practical" there be two means of access. Historically, this Section is applied at the time of the review of a development order. At that time, the specific design of the project has been determined and the determination of the need for one or more means of access can be determined. At the zoning stage, the project is still too conceptual in nature and a determination should not be made at this time.

Deviation 6 seeks relief from LDC Section 10-329(e)(1)(a) (new Section 3-329.E.1.) which requires a 25 foot setback for an excavation for water retention or detention from an existing street right-of-way line or easement for a local road; to allow a 20 foot setback with adequate elements for protection of wayward vehicles are provided. This deviation is recommended to be **DENIED.**

This Section of the Code specifically states that the setback will be applied in the instance of a new excavation from an existing local street. All areas where this deviation would be effective would be where a new excavation is planned next to a new local street, all part of this development. This Section of the LDC does not apply in this instance and this deviation is not needed.

Findings and Conclusions:

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

1. Provided that the Comprehensive Plan has been amended to address this development, staff can then say that the applicant has proven entitlement to the rezoning to Residential Planned Development (RPD) by demonstrating compliance with the Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested RPD zoning, as conditioned:

   a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;

b) is consistent with the densities, intensities and general uses set forth in the Comprehensive Plan, provided that the Comprehensive Plan amendment has been approved;

c) is compatible with existing or planned uses in the surrounding area; and

d) will not adversely affect environmentally critical areas or natural resources.

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

4. Urban services, as defined in the Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.

5. The proposed use or mix of uses is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations recommended for approval, and as conditioned:

a) enhance the objectives of the planned development; and

b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

This request seeks rezoning from Residential Planned Development (RPD) to Residential Planned Development (RPD) for a 294.85 acre site located at the eastern terminus of Bonita Beach Road, in Sections 1 and 2 of Township 48, Range 26. The rezoning seeks to develop up to 799 residential dwelling units consisting of single family and multiple family units and up to 50,000 square feet of amenity uses. The proposed planned development includes a maximum building height of 60 feet.

Master Concept Plan

The Master Concept Plan reviewed for this case is a 4-page plan received on January 4, 2005. This Plan proposes two potential development ideas, with the substantial difference being whether a lake is provided for in the southeastern corner of the site.

Access to the property is planned to be achieved by the extension of Bonita Beach Road onto the property as a public road, with a 125 foot wide right-of-way. This extension follows the northern property line a little less than ½ mile into the site then turns southeast for about ½ mile, then turns east to the end of the property as part of this rezoning.

This plan provides for the development of multiple family residential along the south side of Bonita Beach Road extension for the first ½ mile. Along the northern and eastern side of this road as it continues south and east, the project is proposed to have single family residential and the proposed activity center.

Comprehensive Plan Considerations

The City's Comprehensive Plan currently provides that the subject property is located within the Rural future land use category. A Comprehensive Plan amendment was filed for this property attempting to change the future land use category to a new land use category of "Urban Fringe Community District", Policy 1.1.10.1. If approved, this would be effective on the eastern 2 Sections of land at the end of Bonita Beach Road (Sections 1 and 2 of Township 48 Range 26). If adopted, this category must be established on contiguous lands consisting of 100 acres or more. Development in the category would be limited to between 2.54 and 2.77 gross dwelling units per acre (which would be 3,300 to 3,600 dwelling units on the 1299 gross acres of land). The category allows a wide range of dwelling units types. City Council is expected to have the second reading of the amendment on June 1, 2005.

The project is inconsistent with the Rural future land use category of the Comprehensive Plan. The project would be inconsistent due to the development of more than 1 dwelling unit per acre exceeding the allowed density of the Rural land use category. The project would also be inconsistent with the Plan due to the type of dwelling units proposed. The Rural category is the old Lee County future land use category that was in existence prior to the annexation of the subject property into the City. In addition, the property is located in Sections 1 and 2 of Township 48, Range 26, which is specifically addressed in the Lee Plan. The project would be inconsistent with Policy 1.4.1. of the Lee Plan, a copy of which is attached as Attachment J

This zoning case, along with the companion zoning Case DCI2004-00077 are within an area of the City that is currently being considered for a Comprehensive Plan amendment. This amendment is seeking the establishment of the Urban Fringe Community District, Policy 1.1.10.1, a copy of the most current draft language for this category is found as Attachment E.

In summary, staff has analyzed this case with the drafted amendment to the Comprehensive Plan. In staff's opinion, the proposed zoning case is consistent with the current draft language for the Urban Fringe Community District. The proposed number of units is within the gross number of units provided for in this district, open space has been provided on the Plan in accordance with this amendment, enhanced shoreline plantings have been conditioned for wading birds, and in summary the project does and will have to conform with the future land use district if approved by City Council. If approved as requested, this would represent the first 799 dwelling units of the 3,300 to 3,600 dwelling units allowed as part of the Comprehensive Plan amendment.

The project would be consistent with the current draft of Policy 1.1.10.4 of the Future Land Use Element of the Comprehensive Plan. In summary, the project is being considered as a planned development zoning case. The project proposes clustering of the development areas to minimize loss of vegetation and wetlands. The project proposed a mixed of uses including residential dwelling types, and inclusion of limited commercial and amenity areas to reduce dependence on leaving the development to obtain goods and services. The project, as a whole, preserves existing natural areas. As conditioned, the project will be required to have all buffers use 100% native vegetation. The development is currently entering into a "Developer's

Agreement" as required by this Policy. Finally, the development will connect to central sewer and water.

Neighborhood Compatibility

The neighborhood is predominantly made up of agricultural areas and undeveloped lands, with the exception of the lands to the west of the site. This adjoining land to the west is currently zoned Residential Planned Development and is known as Village Walk. This is a mixed residential use project with 3.15 dwelling units per acre.

The proposed application is for land within the proposed Urban Fringe Community District. This is a land use category proposed that is planned to have a second reading on June 1, 2005 by City Council. Within the two sections of land that category is planned for, the allowed density is between 2.54 to 2.77 gross dwelling units per acre (with a total of 3,300 to 3,600 dwelling units for the 1299 gross acres). In staff's opinion, this request is compatible with the existing and developing neighborhood.

Environmental Issues

The project site is approximately 295 acres and consists primarily of agricultural row crops. There is a 41.59 acre borrow pit on the property, which will be reshaped as part of the proposed development. The site also contains a 3.24 acre wetland which contains slash pine, cypress, red maple, cabbage palm, wax myrtle, and willow. This wetland comprises the only indigenous native plant community onsite. The proposed Master Concept Plan indicates that this wetland will be preserved and staff has recommended a condition addressing this.

The proposed Master Concept Plan reflects the development regulations for the Urban Fringe Community District as outlined in the Bonita Springs Comprehensive Plan Amendment for Sections 1 and 2. Under the Comprehensive Plan Amendment, Urban Fringe Community District Policy 1.1.10.1 requires a total of forty percent open space for the entirety of Sections 1 and 2. This policy promotes clustering of higher density units within Section 1 to preserve environmentally critical areas to the east. Individual tracts within Sections 1 and 2 are not required to maintain open space at forty percent. Instead, the open space must be tracked throughout the development of Sections 1 and 2 to ensure that a total of 40 percent open space is provided within the two sections. Sections 1 and 2 comprise approximately 1,299 acres, which would require approximately 520 acres of open space. To meet the intent of Policy 1.1.10.1, the proposed Master Concept Plan reflects a lower percentage of open space than the percentage that will be required for the remainder of the Urban Fringe Community District. As such, a total of 70.11 acres of open space is reflected on the Master Concept Plan. Of this, a maximum of 18.38 acres is designated as lake area. In order to maintain the required amount of open space within Sections 1 and 2, staff has recommended a condition addressing the open space.

A species survey of Lee County Listed Species was conducted by Passarella and Associates, Inc. on March 23 and 24, 2000. During this survey, a total of five Lee County Protected Species were observed on the property, including little blue heron, snowy egret, tri-colored heron, wood stork, and American alligators. ES staff conducted a field inspection of the site on March 22, 2005 and confirmed the findings of the species survey. ES staff observed numerous Lee County protected wading birds, including wood stork, tri-colored heron, great blue heron, little blue heron, and snowy egret. The majority of these birds were observed foraging around the shoreline of the existing borrow pit. One American alligator was also observed in the borrow pit.

The proposed project is located in a transitional area between residential development to the west and preservation land to the east. The subject property is located in close proximity to a major slough system to the south and South Florida Water Management District acquisition land to the north. Therefore, it is important for this development to provide native habitat areas suitable for supporting the large number of wading birds that can be expected to utilize this site. This project includes over 72 acres of lakes, with a majority of the lake shorelines being adjacent to managed lawns. An enhanced shoreline planting plan would provide habitat for protected wading birds, as well as reduce the amount of water directly discharged over managed turf grass into the proposed lakes. The applicant has recognized the importance of providing enhanced wading bird habitat and improving water quality. The applicant has offered an exhibit of proposed enhanced littoral planting areas for the lakes within this project. Staff agrees that these enhanced littoral areas will benefit protected wading birds and enhance this development and a condition has been recommended to provide for these areas.

The littoral zones must be planted with native wetland vegetation calculated at four plants per linear foot of shoreline. Fifty percent of the required littoral plantings must be provided as native wetland trees (e.g. red maple, cypress, pond apple, pop ash, elm) with one 10 foot or two 5 foot or three 3 foot trees being equivalent to ten herbaceous plants. Details for these plantings must be included on the landscape plan prior to approval of local development order.

As mentioned above, American alligators have been observed on the property. These alligators were seen in the wetland and in the borrow pit. In order to address the protection of this species, staff recommends a condition addressing this issue.

Staff also has reviewed Deviation 5. This deviation requests relief from LDC Section 10-329(d)(4) which requires lake banks to be sloped to allow bulkheads on a maximum of 20 percent of the shoreline. The applicant states that the option to use bulkheads around the amenity center would allow a more aesthetically pleasing design and allow public access to the waterline.

Bulkheads have been used within residential and commercial planned developments to increase design flexibility. The South Florida Water Management District allows the use of bulkheads on surface water management lakes provided that one linear foot of compensatory littoral zone with an 8:1 slope is provided for each linear foot of bulkhead. The 8:1 littoral area provides a good wading bird foraging area, and insures no decrease in littoral zone. Staff recommends APPROVAL of Deviation 5 to be limited to the amenity center location and subject to the littoral planting condition.

Transportation

The City has identified in the past that transportation/traffic issues are a major concern. Bonita Beach Road is a county-maintained road, yet the City must also deal with the traffic issues on a daily basis. The property is at the easternmost end of Bonita Beach Road with all traffic traveling to this property/development required to travel on Bonita Beach Road. Staff would encourage as part of any zoning approval, a condition requiring a commitment for bus or shuttle service from this project into Bonita Springs. This could be a public, private, or joint transportation service providing for an alternative form of transportation to shopping, services, and recreational opportunities. Providing this amenity as part of this project could help reduce the traffic generated by this project. If this is a public system, this would permit others to use the services and provide additional opportunities to reduce traffic. Additionally, this system could

also be used by employees both living within the development and working within the development.

Development Services reports (see Attachment I) that the project is located on the south side of Bonita Beach Rd. approximately four miles east of I-75. The project is expected to generate 645 new trips in the peak hour with an anticipated build out year of 2008.

Based on the 2004 Traffic Count Report, the 2003/2004 -2004/2005 Concurrency Management Report, and the link-specific service volumes, *Bonita Beach Rd. east of I-75* will operate at level of service **"A"** in 2009 without the project traffic, and level of service **"B"** with the project.

Based on the volumes from approved development orders to date, and the Generalized Peak Hour Directional Service Volumes for Urbanized Areas, *Bonita Beach Rd. east of Bonita Grande Dr.* will operate at level of service **"C"** in 2009 without the project traffic, and level of service **"D"** with the project.

The City's Transportation consultant, Moshen Salehi, has provided comments concerning the applicant's Traffic Impact Statement. Some comments were just clerical issues. However, he does note that some of the traffic associated to the internal amenity center and commercial/retail area appears to be using 10 percent capture of the internal traffic. This should be discounted as part of the impacts of the project. He also mentions that other projects in the area should also be included in the analysis. This can be achieved during the local development order process, since at that time staff will know what projects have been approved and what intensity of development was granted.

Other

Community Development staff understands from both the City Attorney's office and the applicant's representatives that both parties are discussing entering into a developer's agreement for this project. Reports are that the development agreement will be considered by City Council at their May 18th City Council meeting.

IV. ATTACHMENTS:

A. Map of surrounding zoning
B. Applicant's supporting Documentation
C. Applicant's Traffic Impact Statement
D. Resolution Z-02-012
E. Draft Language for Urban Fringe Community District
F. Correspondence from School District of Lee County
G. Correspondence from Bonita Springs Utilities
H. Comments from Environmental Sciences
I. Comments from Development Services
J. Lee Plan Policy 1.4.1.

EXHIBITS:

A. Property Development Regulations

cc: Applicant
City Attorney
DCI Zoning file
DCI Planner file

EXHIBIT IV-D
DESCRIPTION OF PROPOSED DEVELOPMENT

General Location:

The subject property, containing ±294.85 acres is located within Sections 1 and 2, Township 48 South, Range 26 East, City of Bonita Springs, Florida. The property is located approximately three and one-half (3.5) miles east of Interstate 75, at the end of Bonita Beach Road. The subject property is bounded on the west by the Corkscrew Growers RPD (City of Bonita Springs RPD zoning and MU/PD FLUM designation) on the south and east by the Bonita Beach Road RPD [City of Bonita Springs RPD zoning (formerly Lee County RPD), and Urban Fringe Community District FLUM designation] and on the north, lands zoned Agricultural and designated Density Reduction Groundwater Resource (DRGR) on the Lee Plan Future Land Use Map.

Existing Site Conditions:

The site has been utilized in its entirety for row crop production, except for a 3.24-acre wetland located near the center of this property, and a 41.5-acre burrow lake once used for earth mining. The 3.24-acre wetland will be preserved and has been designated as Conservation Area on the MCP. Further, the Conservation Area has been adequately buffered from adjacent uses. A South Florida Water Management ERP permit has been issued for Sections 1 and 2 and will need to be modified to reflect changes resulting from the proposed project. This ERP ensures appropriate wetland and wildlife protection as well as the restoration of historical floways in the area.

State databases have been consulted and there are no indications of historic or archeological features on the property.

The entirety of the site is outside of any special flood hazard area and the site is generally flat.

History of Development Entitlements:

On July 1, 2002, the Lee County Board of County Commissioners approved a Residential Planned Development (RPD) rezone of Sections 1 and 2, consisting of 1,298 +/- acres and titled the Bonita Beach Road RPD. The RPD allows for 36 holes of golf and related amenities, up to 1,158 dwelling units, and a maximum of 17,500 square feet of ancillary commercial uses.

On January 9, 2004, a voluntary annexation request was filed with the City of Bonita Springs for Sections 1 and 2. This petition was unanimously approved by City Council on January 21, 2004. The annexation ordinance was ratified following its second reading on February 18, 2004.

On February 19, 2004, a Comprehensive Plan amendment for Sections 1 and 2 was submitted to the City of Bonita Springs. The original petition requested a Future Land Use Map amendment that would have designated sections 1 and 2 as Moderate Density Mixed Use Planned

Development. Through negotiations with the City, the request was modified and a Comprehensive Plan Amendment that designates Sections 1 and 2 as Urban Fringe Community District was approved for transmittal to the DCA on August 18, 2004. Consequently, the City created the Urban Fringe Community District designation and transmitted the language for this new district along with the Future Land Use Map Amendment.

Proposed Development

Under the proposed rezone application, the applicant requests to rezone the subject property from Bonita Beach Road RPD to East Bonita Active Adults RPD. The proposed RPD will provide a mix of residential uses, as well as social, recreational, and limited commercial amenities to residents of the project and their guests. These amenities may include, but are not limited to, a private clubhouse, park(s), swimming pool(s), fitness center, restaurant, tennis courts, and ancillary commercial uses to service the needs of the community residents and their guests.

The proposed project will have a density of 900 dwelling units on 294.85 gross residential acres resulting in a density of 3.05 dwelling units per acre. Pursuant to Comprehensive Plan Policy 1.1.10.1 Urban Fringe Community District, the proposed number of units and resulting proposed density are consistent with the FLUE of the Comprehensive Plan and the permitted unit range for that district. Policy 1.1.10.1 allows the following density range: "...a range of density for the whole amendment area of 3,300 dwelling units minimum to 3,600 maximum dwelling units for 1,299 gross acres (Sections 1 & 2)." It is understood that the unit range identified in Policy 1.1.10.1 applies to the entire 1,299-acre property (Sections 1 & 2) subject to the recently transmitted Comprehensive Plan Amendment and not to this project specifically. Additionally, this project is consistent with Policy 1.1.10.1 in that it promotes higher densities or the clustering of units away from environmentally sensitive areas. Additionally, this project is consistent with Policy 1.1.10.1 in that it promotes higher densities or the clustering of units away from environmentally sensitive areas. The 900 units proposed and the resulting density dictate that future projects in the remainder of Sections 1 and 2 will need to be developed at lower densities than this project. This development pattern will ensure that lower-density development will occur next to the environmentally sensitive wetlands to the south and the CREW lands to the east. Lastly, all requested uses are permissible under this designation.

The proposed development will comply with all provisions of the Urban Fringe Community Designation. See Exhibit II-E-2 for a detailed explanation of how this project will be consistent with the City of Bonita Springs Comprehensive Plan. Beyond compliance with the Comprehensive Plan, the applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement which will address traffic impacts resulting from the proposed development, including a commitment to pay 150% of the traffic impact fees. Additionally, 50% of the impact fees will be paid upfront to expedite improvements to Bonita Beach Road. The property owners in Sections 1 and 2 have also entered into private agreement with the Conservancy of South Florida that incorporates and exceeds many of the environmental conditions set forth by Lee County when the Bonita Beach RPD was approved.

EXHIBIT IV-H
SCHEDULE OF PROJECT DEVIATIONS AND JUSTIFICATION

DEVIATION # 1:

A request to deviate from the LDC 10-296 (m)(4): Privately Maintained Accessways requiring one vehicle access to fifty or fewer multi-family units to provide one vehicle access to one hundred multi-family units.

JUSTIFICATION:

The basis for the deviation is to advance the project's recreation, lake, and open space amenities along with enhancing residential development privacy. The deviation will support the design principal of avoiding unwarranted roadway development within the project. The project will benefit from the deviation by creating more private residential development neighborhoods without the need to construct a greater number of streets. The requested seventy-five-unit standard is the minimal standard needed to create more private residential cluster development areas. Public safety will be maintained by providing standard cul-de-sacs, "Hammerhead" turnarounds, or similar code compliant car turn-arounds. The internal circulation design will promote full turning movements that will support adequate internal vehicular circulation for residential use and emergency and service access. The requested deviation will benefit the project by providing for more efficient use of the land. The nature of this request is such that no graphic illustration is required. **Note: Lee County LDC was amended to allow up to 100 units (from 50).**

DEVIATION # 2:

A request to deviate from LDC10-296(d)(7)(c)(1) Local Street Wearing Surface, that requires 1 & 1/2 in. asphalt FDOT S-3 concrete to allow for cement concrete pavers or similar decorative paving materials for selected local street areas.

JUSTIFICATION:

This is a commonly granted deviation for large residential projects that desire upscale design entrance features and pedestrian crossing areas. The granting of this deviation will permit the developer to select a decorative surfacing at the time of final developing order. The deviation is internal in nature. Thus, it will not cause any deleterious effects on the public at large. Final placement of alternative wearing surfaces will be determined at the development order stage. The nature of this request is such that no graphic illustration is required. The project will benefit from the deviation by advancing overall higher design quality.

DEVIATION # 3:

A request to deviate from LDC Section 10-296(k)(1) requiring that dead end streets must be closed at one end by a circular turnaround for vehicles, to allow for the "hammerhead" cul-de-sac design with two short access streets at the "hammer-head" cul-de-sac.(See attached diagram & photo)

JUSTIFICATION:

This hammerhead cul-de-sac configuration has the same turn radii as the Lee County Standard and includes a joint driveway off each side of the cul-de-sac past the landscaped isle.

These hammerhead cul-de-sacs allow for a more efficient utilization of the property and the design has been approved by the Bonita Springs Fire Department Fire Marshall. These joint driveways provide adequate access to the units.

Five-foot (5') easements are sufficient on the one-way alleys since there are no conflicts with water and sewer facilities. The public utilities can also utilize the unpaved portions of the twenty-foot (20') access easement. This utility configuration has a proven success record and provides equivalent easements to those required in the LDC.

DEVIATION # 4:

A request to deviate from LDC Section 10-355(a)(1) requiring a 10-foot utility easement be provided on both sides of a road or access way, to allow a specific and unique utility easement configuration at the hammerhead cul-de-sacs.

JUSTIFICATION:

The short joint driveways at the end of the hammerhead cul-de-sacs will provide access to units only on one side of the easement. This configuration provides a ten-foot (10') easement along the front of all units for public utility service. Additional easements are not necessary and would serve no purpose along the other side of the joint driveway. The design has been reviewed and approved by the Bonita Springs Fire Department Fire Marshall.

DEVIATION # 5:

Deviation from LDC Section 10-329(e)(4) which requires compensating slope on excavation banks; to allow up to 20 percent of the banks to utilize vertical bulkheads.

JUSTIFICATION:

This deviation is intended to apply primarily to public areas such as the Amenity Centers. This deviation improves the project appearance by allowing a more aesthetically pleasing and creative design that will allow public spaces in close proximity to the waterfront. Pedestrian and driver safety can be addressed by providing railing and/or fences where deemed appropriate. This deviation will not have a negative impact on public health and safety.

DEVIATION # 6:

Deviation from LDC Section 10-256(d)(3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-and-one-half-inch (1.5") thick asphaltic

concrete of FDOT type S-111 to allow sidewalks to be constructed of decorative pavers, where deemed appropriate throughout the development.

JUSTIFICATION:

The developer is requesting that this alternate cross-section which is structurally equivalent to the "standard" cross-section of concrete sidewalks be granted to allow the developer the option of upgrading the appearance of some of the development's sidewalks where deemed necessary. Several examples of this alternate surface can be found in the City of Bonita Springs, particularly in large-scale, quality projects. Recent redevelopment improvements to Old US 41 in the City of Bonita Springs incorporated a broad use of pavers on the sidewalks. There is no impact to the public from this change.

DEVIATION # 7:

Deviation from LDC Section 10-291(3) which requires that residential development of more than five acres to provide two or more means of ingress and egress, to allow the RPD to have one full means of ingress and egress and one emergency access.

JUSTIFICATION:

The eastern portion of the project, which is subject to this deviation, is designed as a gated community. A proliferation of access points is unnecessary and contrary to the intent of the project to provide a secure and safe environment for its residents. The main access point will be via the proposed Bonita Beach Road extension and a dedicated emergency access will be provided at the eastern end of the proposed Bonita Beach Road extension.

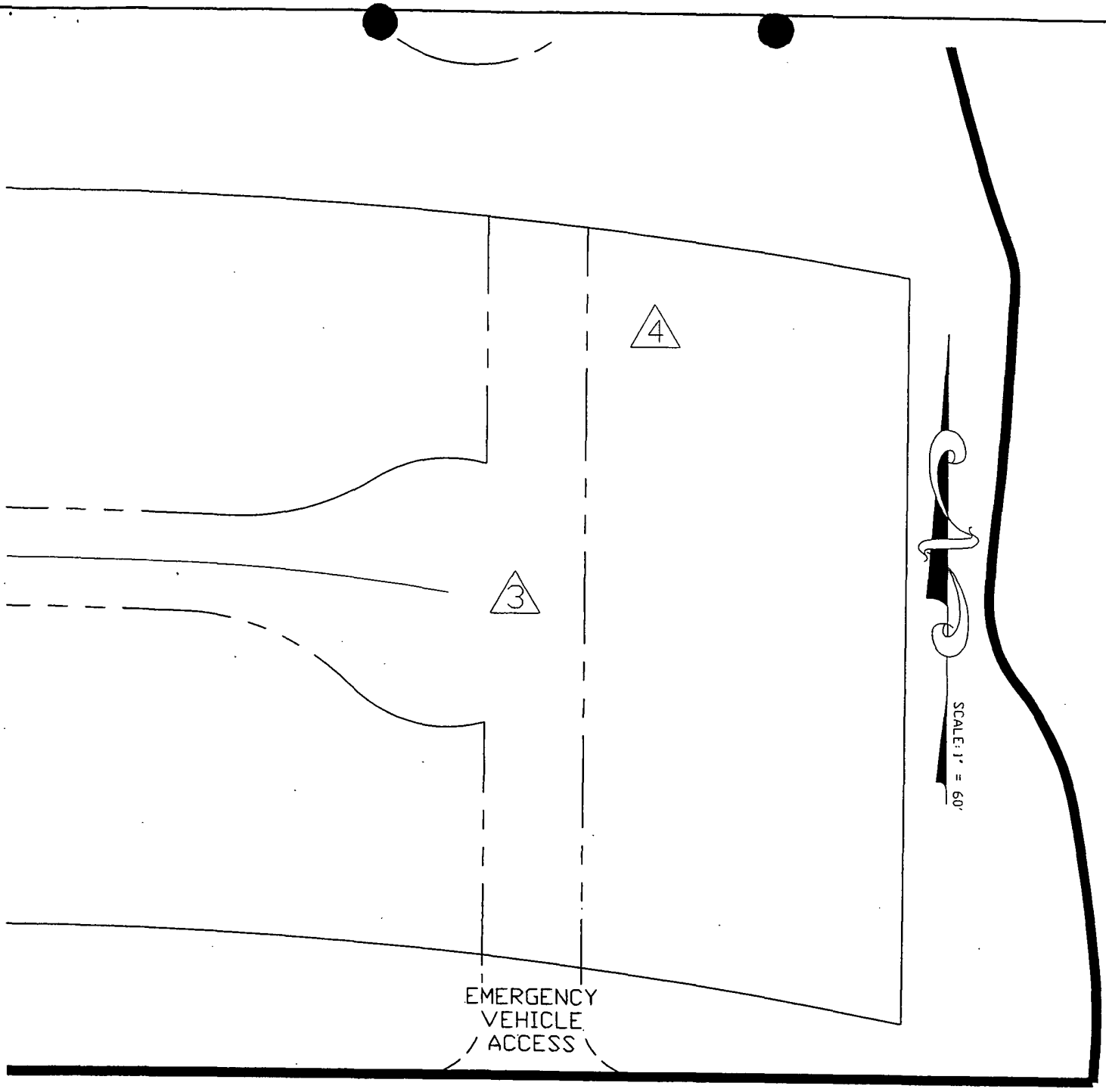
DEVIATION # 8:

Deviation requesting relief from the LDC Section 10-329(e)(1)(a)) which requires excavations to be further than twenty-five feet from a local right-of-way or easement to allow lake setbacks from the project's internal roadways to be reduced to twenty feet, as measured from edge of pavement or back of curb to edge of water control provided that adequate elements for the protection of wayward vehicles are provided.

JUSTIFICATION:

The change would primarily apply to several segments of the proposed Bonita Beach Road extension as seen on the Master Concept Plan, and along several internal rights-of-way. The developer agrees to provide protection for wayward vehicles wherever necessary in the form of non-mountable curbing. With the applicant's commitment to provide protective measures for wayward vehicles at the time of local development order approval, the lakes would be an asset to the area and the traveling public. Allowing lakes closer to internal project roadways allows the opportunity to create waterfront vistas which provide diversity in the landscape and enhance the appearance of the community. Lakes and other water features are usually located behind residential uses and made available only to those who live on those lakes. Locating some of the lakes along the internal roadways allows the lakes to be viewed and appreciated by the entire community. Residential site design manuals encourage designers to be democratic and to give all of the project's residents the opportunity to enjoy a site's amenities. Moreover, the twenty-foot setback has been used in numerous projects throughout

Southwest Florida with no deleterious results as it allows adequate space for maintenance, and, with the non-mountable curb, safety concerns are addressed. With the safety concerns addressed through adequate elements for the protection of wayward vehicles, no negative impact to the public is anticipated. There is no impact to the public from the change.



BONITA BEACH RO

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Oct 01, 2004 - 13:14:36 O:\2004\04-0039.00 Sec One Bonita Beach Road RPD\0002 RPD Rezone Application\Survey and Site Plan\MCP SET\40039X02.dwg

RWA CONSULTING INC.
Engineers,
Surveyors & Mappers,
Planners, Project Managers
3050 North Horseshoe Drive, Suite 270
Naples, Florida 34104
Phone: (239) 649-1509
FAX: (239) 649-7056

DATE: 10-01-04	CLIENT: ROCKPOINT/RONTO NAPLES, LLC
SCALE: 1" = 60'	
DRAWN BY: M.S.J.	TITLE: EAST BONITA ACTIVE ADULT HAMMER-HEAD EXHIBIT
CHECKED BY:	
SEC: 1&2 TWP: 48S RGE: 26E	PROJECT NUMBER: 04-0039 SHEET NUMBER: 1 OF 1 FILE NUMBER: 40039X02



DCI 2004 00071

RECEIVED
OCT 20 2004
PERMIT COUNTER

EXHIBIT II–E–2

CITY OF BONITA SPRINGS
COMPREHENSIVE PLAN COMPLIANCE NARRATIVE

The proposed project is a single and multi-family residential planned development that will provide social, recreational, and limited commercial amenities to residents of the project and their guests. These amenities may include, but are not limited to, a private clubhouse, park(s), swimming pool(s), fitness center, restaurant, tennis courts, and ancillary commercial uses to service the needs of the community residents and their guests. This project is located at the end of Bonita Beach Road and lies within Sections 1 and 2 of Township 48, Range 26, which were recently annexed into the City and given the newly created Future Land Use Map (FLUM) designation of Urban Fringe Community District (Comprehensive Plan Policy 1.1.10.1 recently transmitted to DCA). The proposed Policy 1.1.10.1: Urban Fringe Community District (Exhibit II-E-1) is intended "to accommodate and provide flexible development in areas exhibiting substantial environmental protection lands combined with transitional urban characteristics." The proposed development complies with all stipulations outlined in Policy 1.1.10.1 and complies and/or furthers the following Bonita Springs Comprehensive Plan Policies and Objectives.

Future Land Use Element: Goal 1: Objectives 1.1.10, 1.8, 1.13, 1.14, and their applicable policies.

Objective 1.1.10 (newly created designation, Comprehensive Plan Amendment recently transmitted to DCA)

The proposed East Bonita Active Adult RPD is consistent with all the provisions of the Urban Fringe Community District including, but not limited to, the intent, density, open space requirements, and height limitations. The Urban Fringe Community District allows for "a range of density for the whole amendment area of 3,300 dwelling units minimum to 3,600 maximum dwelling units for 1,299 gross acres (Sections 1 & 2)." It is understood that the range identified in Policy 1.1.10.1 applies to the entire 1,299-acre property (Sections 1 & 2) subject to this Comprehensive Plan Amendment. The East Bonita Active Adult RPD with its 900 dwelling units clearly does not cause the 3,600 dwelling unit maximum to be exceeded. The attached Traffic Impact Statement demonstrates that traffic issues have been addressed (however transportation and impact fee commitments made during the Comprehensive Plan Amendment stage will need to be addressed and implemented through a Developer's Agreement), and the Fiscal Impact Analysis demonstrates that the proposed project will provide a net fiscal benefit to the City. Additionally, the proposed project is immediately adjacent to the Corkscrew Growers RPD and located along the Bonita Beach Road corridor where several other RPDs are located. The proposed uses and design are consistent with Urban Fringe Residential District and with the other residential planned developments in the area.

Objective 1.8 and 1.9
The proposed development is located in an area that promotes the development of residential communities away from the Coastal High Hazard Area and areas of special flood hazard. The RPD will provide the opportunity for a portion of the projected population to be housed outside of the high hazard area, hence, minimizing flood risks and protecting the health and safety of residents.

Objective 1.1 3
The proposed project will enhance the concentration of residential housing units along the southern boundary of the City. This will facilitate planning and development of public educational facilities within the City. Additionally, impact fees from new development will provide funds for new schools.

Objective 1.14
The proposed project will provide an appropriate location for future residential development by concentrating a portion of the projected population along the southern boundary of the City. This will encourage compact and contiguous growth and result in the efficient utilization of planned infrastructure.

Transportation Element: Goal 1: Objectives 1.1, 1.3, 1.7 and their applicable Policies; Policy 1.18.

The comprehensive plan recognizes that "significant" development will occur south of Bonita Beach Road and east of US 41. East of I-75, in the vicinity of the subject RPD, Bonita Beach Road is currently operating at an acceptable LOS.[1] The applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement, a portion of which will address traffic impacts resulting from the proposed development. The applicant represented at the City Council transmittal hearing on the Urban Fringe Community District that the Developer's Agreement would include a commitment to pay 150% of the traffic impact fees; 50% of which will be paid upfront to expedite improvements to Bonita Beach Road. Additionally, the applicant, other landowners in Sections 1 and 2, and the landowners in Section 3 have agreed to privately fund and construct improvements to Bonita Beach Road from Logan Boulevard to Sections 1 and 2. Implementation and completion of these commitments will vest the proposed developments in Sections 1 and 2 from a transportation concurrency standpoint. The attached Traffic Impact Statement (Exhibit II-C) demonstrates that traffic issues have been addressed by the applicant.

Housing Element: Goal 1: Objective 1.2 and its applicable policies.

The comprehensive plan calls for the provision and distribution of residential lands within the City in an amount adequate to meet the projected needs for the planning period and beyond. The

[1] 3rd Draft City of Bonita Springs Draft Comprehensive Plan, Table 5: Roadway Links with Potential Problems (11/12/01)

plan further calls for a variety of housing types. The 900-unit, single and multi-family development will further this objective.

Infrastructure:

Potable Water: Goal 1: Objective 1.2 and its applicable policies; and, Goal 2: Objective 2.2, 2.14, and 2.16, and their applicable policies.
Sanitary Sewer: Goal 1: Objective 1.1, 1.2; and, Goal 2: and their applicable policies
Solid Waste: Annexation of this property will have no impact on solid waste disposal, which is contracted through Lee County to Onyx Waste Services.
Storm Water/ Aquifer Recharge: Objective 1.2 and its applicable policies.

Potable Water:
Potable water is provided to a majority of the City by Bonita Springs Utilities (BSU), a private utility company. According to the comprehensive plan, BSU provides an acceptable level of service to the existing population and has adequate capacity to serve developments, which have already received approval. The estimated daily consumption of potable water for the subject project is 213,000 gallons per day. BSU has capacity to serve the proposed RPD. The system has a design capacity of 9 million gallons per day (MGD), with a new reverse osmosis plant with an additional 6 million gallons capacity planned for 2004. The system will be capable of meeting an LOS of 250 gallons per equivalent residential connection (ERC) for the existing and anticipated future population, well beyond the 2012 planning period.

Sanitary Sewer:
Bonita Springs Utilities (BSU) also provides sanitary sewer to a majority of the City. According to the comprehensive plan, BSU provides an acceptable level of service to the existing population and has adequate capacity to serve developments, which have already received approval. BSU has plans to convert approximately 2,500 ERCs currently on septic, leaving only about 500 septic systems in operation in the City. The subject RPD would produce an estimated 213,000 GPD of wastewater. The subject project will be served by BSU for sanitary sewer provisions and it is established that BSU has capacity to serve the project once necessary connections are made.

The system has a design capacity of 7.05 MGD, with a current excess capacity of 1.9 MGD. BSU is planning to build the East Wastewater Treatment Facility that will have a capacity of ± 4MGD. With the addition of the new facility the system will have a total capacity of ± 11 MGD. BSU will have sufficient capacity to service existing and anticipated future population, well beyond the 2012 planning period.

Solid Waste:
The comprehensive plan indicates that the minimum acceptable level of service standards for availability of solid waste disposal shall be 7 pounds per capita per day. The RPD will meet this minimum LOS, via solid waste collections services contracted through Lee County to ONYX Waste Services for this portion of Lee County.

Stormwater Management/Aquifer Recharge:
The approved Bonita Beach Road RPD provides for a conceptual system of inter-connected lakes and water control facilities. The South Florida Water Management District has reviewed and approved an Environmental Resource Permit (ERP) for Sections 1 and 2. This ERP will require modifications to reflect the proposed RPD and will improve overall stormwater retention and drainage on the subject site and within the subject area.

The subject property is located outside of the Density Reduction/Groundwater Recharge Area and is not considered a "prime groundwater recharge area."

In terms of emergency services, the Bonita Springs Fire and Rescue District and the Lee County Sheriff's and Emergency Services Departments will serve the project.

Conservation/Coastal Management Element: Goal 7: Objectives 7.1, 7.2, 7.3, and 7.4 and their applicable policies; Objective 9.2 and applicable policies; Goal 10: Objective 10.1 and its applicable policies; Goal 11: Objectives 11.1 and 11.2 and their applicable policies; Goal 15: Objective15.1, Objective 15.1.1, Objective 15.1.5, Objective 15.1.6; Goal 16: Objectives 16.1 and 16.2 and their applicable policies; Goal 17: Objective 17.1 and its applicable polices.

The subject property is not located within the Coastal High Hazard Area or the FEMA designated A-Zone, and therefore limits threat to life and property from natural disaster. The 3.24-acre wetland on the property will be set-aside as Conservation Area. The majority of the property consists of land cleared of natural vegetation, and presently used for agriculture and associated facilities. Furthermore, the property is outside of the DRGR and wellhead protection areas. Stormwater and watershed management will be addressed through the modification water management plans already to be approved by South Florida Water Management District.

Recreation /Open Space Element: Goal 1: Objective 1.1, Policy 1.1.1

The present regulatory LOS for recreation/open spaces is six (6) acres per thousand of total population (includes visitors) for regional facilities. However, the City has a future desired standard of eight (8) acres per 1,000. Under the current LOS the City will need 506 acres of regional parks to meet the 2012 projected population's demand for parks, recreation and open space.[2] At the desired LOS, the City would need 675 acres of regional parks. The City presently has 719 acres of regional parks, which exceeds the adopted and desired LOS. Nevertheless, impact fees from proposed RPD and other future developments will be paid as construction occurs. These fees will be available to provide new park facilities, which should allow the City to exceed its "desired" LOS.

The proposed LOS for community parks is 0.8 acres per thousand (year-round residents). In 2012, the year-round population is projected to be 58,713.[3] This indicates that the City will need

[2] see Appendix A - revised population tables taken from the Bonita Springs Comprehensive Plan Methodology Document
[3] ibid

need about 47 acres of community parklands to meet its LOS. The City currently exceeds that figure with 56 acres of parkland. Based on the current inventory of parks, the LOS in 2012 would be 0.95 acres per thousand.

It should also be noted that within proposed RPD recreational such as tennis courts, swimming pools, bicycle lanes, and fitness facilities will be provided.

Capital Improvement Element: Goal 1: Objective 1.1, 1.2

The proposed RPD by providing a net fiscal benefit (see Exhibit V-A) furthers the objectives of the City's Capital Improvement Element.

Additionally, the developer will pay impact fees, as outlined in the Capital Improvement Element. These fees will be outlined in the Developer's Agreement.

APPENDIX A

TABLE 1
RESIDENT AND SEASONAL POPULATIONS
CITY OF BONITA SPRINGS
2000-2012

YEAR	RESIDENT POPULATION	SEASONAL POPULATION	TOTAL POPULATION
2000	32,797	18,778	51,575
2002	36,200	19,600	55,800
2007	~~46,800~~ 47,561	~~22,400~~ 22,553	~~69,200~~ 70,114
2012	~~57,300~~ 58,713	~~25,200~~ 25,619	~~82,500~~ 84,332

TABLE 5
PROJECTED RESIDENT POPULATION
2002-2012

FACTOR	2000	2002	GROWTH 2002-2007	2007	GROWTH 2007-2012	2012
TOTAL HOUSING UNITS	23,329	25,245	~~6,365~~ 6,815	~~31,610~~ 32,060	~~6,239~~ 6,689	~~37,849~~ 38,749
SEASONAL UNITS	7,036	7,441	~~1,152~~ 1,227	~~8,593~~ 8,668	~~1,074~~ 1,204	~~9,667~~ 9,872
YEAR ROUND UNITS	16,293	17,804	~~5,213~~ 5,588	~~23,017~~ 23,392	~~5,165~~ 5,485	~~28,182~~ 28,877
OCCUPIED UNITS @ 92%		16,380		~~21,176~~ 21,521		~~25,927~~ 26,567
POP. PER HOUSEHOLD	2.21	2.21		2.21		2.21
POPULATION	32,797	36,200*		~~46,800*~~ 47,561		~~57,300*~~ 58,713
* Rounded to the nearest 100 population						

TABLE 6
PROJECTED SEASONAL POPULATION
2002-2012

FACTOR	SEASONAL POPULATION		
	2002	2007	2012
SEASONAL HOUSING UNITS	7,441	~~8,593~~ 8,668	~~9,667~~ 9,872
Population @ (2.04/unit)	15,180	~~17,530~~ 17,683	~~19,720~~ 20,139
MOTEL ROOMS & RV'S IN PARKS	2,210	2,435	2,740
Population @ (2.0/unit)	4,420	4,870	5,480
TOTAL SEASONAL POPULATION	19,600	~~22,400~~ 22,553	~~25,200~~ 25,619

Note: It is assumed that the half the of the Bonita Beach Road RPD units would get built by 2007 and the other half by 2012

EXHIBIT II-E-4
COMPLIANCE WITH DESIGN STANDARDS

The following outlines how the proposed project is consistent with the General Standards enumerated in Section 34-411 of the Bonita Springs LDC. Further, these provisions are generally consistent with the Goals, Objectives and Polices (GOPs) of the City of Bonita Springs Comprehensive Plan and are the criteria analyzed for approval by the City Zoning Board and City Council.

Sec. 34-373. Application

(a) *Minimum required information for all planned development zoning applications.* Rezoning applications for planned developments must include the following information, supplemented, where necessary, with written material, maps, plans, or diagrams. Wherever this section calls for the exact or specific location of anything on a map or plan, the location must be indicated by dimensions from an acceptable reference point, survey marker or monument.

5) A narrative explanation as to how the proposed development complies with the City of Bonita Springs Comprehensive Plan, the design standards set forth in section 34-411, and the guidelines for decision-making embodied in sections 34-145(c)(2)a and e. and 34-145(d)(3).

Sec. 34-411. General standards

A. *All planned developments shall be consistent with the provisions of the City of Bonita Springs Comprehensive Plan.*

RESPONSE: Exhibit II-E-2 provides a detailed narrative explaining how the project is in compliance with and furthers the goals, objectives and polices of the adopted City of Bonita Springs Comprehensive Plan.

B. *All planned developments, unless otherwise excepted, shall be designed and constructed in accordance with the provisions of all applicable county development regulations in force at that time.*

RESPONSE: The proposed planned development will be designed and constructed in accordance with the applicable provisions of the county and city development regulations in force at the time of development order and subsequent permits. A relatively few deviations to those provisions have been requested and are described in detail on Exhibit IV-H.

C. *The tract or parcel proposed for development under this article must be located so as to minimize the negative effects of the resulting land uses on surrounding properties and the public interest generally, and must be of such size, configuration and dimension as to adequately accommodate the proposed structures, all required open space, including private recreational facilities and parkland, bikeways, pedestrian ways, buffers, parking, access, on-site utilities, including wet or dry runoff retention, and reservations of environmentally sensitive land or water.*

1. *In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian and cyclist activity and community interaction.*

   RESPONSE: This project will incorporate Amenity Centers that will provide limited goods and services to the residents and their guests, thereby reducing

off-site trips significantly. Moreover, the design will incorporate a comprehensive, interconnected system of bicycle and pedestrian ways connecting various neighborhoods with one another and with the Amenity Centers. Finally, a number of uses planned for the Amenity Centers will promote community interaction. These include recreational facilities such as: a fitness center, tennis courts and swimming pool, and other service related commercial uses.

D. *The tract or parcel shall have access to existing or proposed roads.*

1. *In accordance with chapter 10 and as specified in the City of Bonita Springs Transportation element or the official trafficways map of the county:*

   RESPONSE: The project will have primary access to Bonita Beach Road, the extension of which will be constructed by the applicant, or his designee, at no cost to Lee County or to the City of Bonita Springs. The applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement which will address traffic impacts resulting from the proposed development, including a commitment to pay 150% of the traffic impact fees. Additionally, 50% of the impact fees will be paid upfront to expedite improvements to Bonita Beach Road.

2. *That have either sufficient existing capacity or the potential for expanded capacity to accommodate both the traffic generated by the proposed land use and that traffic expected from the background (through traffic plus that generated by surrounding land uses) at a level of service D or better on an annual average basis and level of service E or better during the peak season, except where higher levels of service on specific roads have been established in the City of Bonita Springs Comprehensive Plan; and*

   RESPONSE: The Traffic Impact Statement (Exhibit III-C) submitted with this application deals with projected impacts from project-generated traffic as well as surrounding existing and approved uses. Please see the TIS information submitted with the application for a more detailed analysis. It should also be noted that as mentioned above, the applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement in order to address traffic impacts resulting from the proposed development, including a commitment to help alleviate any impacts to the level of service on Bonita Beach Road.

3. *That provide ingress and egress without requiring site-related industrial traffic to move through predominantly residential areas.*

   RESPONSE: The project will not generate any industrial traffic, as it is a Residential Planned Development with internalized Amenity Centers to serve residents of the development.

E. *If within the Lee Tran public transit service area, the development shall be designed to facilitate the use of the transit system.*

RESPONSE: The project is not within the Lee Tran public service area; however, the applicant, along with the other property owners in Sections 1 and 2 have agreed to work with the city and county officials to develop a shuttle to the beach and possibly other destinations. The details for this shuttle service will be part of the Developer's Agreement.

F. *Development and subsequent use of the planned development shall not create or increase hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other danger, nor shall it impose a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants.*

RESPONSE: The property is not located within a flood hazard area and, in any case, will be designed in accordance with South Florida Water Management District. Thus the project will not create or increase the likelihood of hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other similar dangers. Moreover, given the requested uses, the project will not create or result in a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants. The uses requested are compatible with existing or approved uses on adjacent and nearby properties.

G. *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, historic or archaeological features of the site, particularly mature native trees and other threatened or endangered native vegetation. Alteration of the vegetation or topography that unnecessarily disrupts the surface water or groundwater hydrology, increases erosion of the land, or destroys significant wildlife habitat is prohibited. That habitat is significant that is critical for the survival of rare, threatened or endangered species of flora or fauna.*

RESPONSE: The site has been utilized in its entirety for row crop production, except for a 3.24-acre wetland located near the center of this property, and a 41.5 acre burrow lake once used for earth mining. The 3.24-acre wetland will be preserved and has been designated as Conservation Area on the MCP. Further, the Conservation Area has been adequately buffered from adjacent uses. There are no indications of historic or archeological features on the property and the environmental site assessment addresses the presence of listed species or species of concern on the subject property. The development plan, including the water management design and landscaping provisions, will actually result in environmental enhancements by protecting native vegetation; contributing to the restoration of historical surface water flows; eliminating intensive agricultural uses heavily dependent on fertilizers, herbicides and pesticides; and by reducing the consumption of water for irrigation purposes, when compared to the consumptive use of the historic agricultural activities

H. *A fundamental principle of planned development design is the creative use of the open space requirement to produce an architecturally integrated human environment. This shall be coordinated with the achievement of other goals, e.g., the preservation or conservation of environmentally sensitive land and waters or archaeological sites.*

Response: The project has been designed to include significant open space in the form of lakes and water features, landscaped areas, recreational facilities and a system of interconnected bicycle and pedestrian pathways linking neighborhoods with one another and with the Amenity Centers.

I. *Site planning and design shall minimize any negative impacts of the planned development on surrounding land and land uses.*

RESPONSE: The subject property is bounded on the west by the Corkscrew Growers RPD (City of Bonita Springs) on the south and east by the Bonita Beach Road RPD [City

of Bonita Springs RPD, formerly Lee County RPD), and on the north, lands zoned Agricultural and designated Density Reduction Groundwater Resource (DRGR) on the Lee Plan Future Land Use Map

In reviewing the existing and planned development surrounding the project, it is clear that, as proposed, the subject RPD is compatible with surrounding lands uses. The project has been designed to minimize negative impacts on adjacent land and land uses. Moreover, the project will comply with, and in many cases exceed, the provisions of all applicable county and city development regulations and, by doing so, will minimize any negative impacts of the planned development on surrounding land and land uses.

J. *Where a proposed planned development is surrounded by existing development or land use with which it is compatible and of an equivalent intensity of use, the design emphasis shall be on the integration of this development with the existing development, in a manner consistent with current regulation.*

RESPONSE: The subject property falls between a higher density RPD to the west and a lower density RPD to the east. The project is consistent with the Urban Fringe Community District which is meant to provide a density transition from urban to non-urban land. The gross density of 3.05 and the geographic location of this project within Sections 1 and 2 is consistent with the intent of the Urban Fringe Community District. Additionally landscape design, open space features, and buffers make this project compatible with the surrounding existing and approved uses, and has been designed to integrate with those uses and to be consistent with the current applicable regulations.

K. *Where the proposed planned development is surrounded by existing development or land use with which it is not compatible or which is of a significant higher or lower intensity of use (plus or minus ten percent of the gross floor area per acre if a commercial or industrial land use, or plus or minus 20 percent of the residential density), or is surrounded by undeveloped land or water, the design emphasis will be to separate and mutually protect the planned development and its environs.*

RESPONSE: The proposed residential project is compatible with the current RPD zoning to the east, south, and west. Further, the project has been designed to provide protection in the form of significant buffers so as to not adversely impact the DRGR lands to the north, as well as all surrounding environs. This is achieved through landscape design, landscape buffers, and access controls.

L. *In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian activity and community interaction.*

RESPONSE: See Response under C(1) above.

M. *In order to enhance the viability and value of the resulting development, the designer shall ensure the internal buffering and separation of potentially conflicting uses within the planned development.*

RESPONSE: The project will be designed to provide for adequate buffering and separation between certain uses, such as higher density multi-family and single family, and residential and Amenity Center uses (such as commercial and recreational uses). It should be noted that this development has been designed to accentuate the positive relationships between these uses, and reduce the need for structural or large physical boundaries between uses. When coupled with the interconnected vehicular, pedestrian

and bicycle path system (principally located along landscaped areas and waterways) the result is that conflicts between the proposed uses are eliminated. All such uses are designed at human scale, so that no structure or use is overpowering.

N. Density or type of use, height and bulk of buildings and other parameters of intensity should vary systematically throughout the planned development. This is intended to permit the location of intense or obnoxious uses away from incompatible land uses at the planned development's perimeter, or, conversely, to permit the concentration of intensity where it is desirable, e.g., on a major road frontage or at an intersection.

RESPONSE: Referring to the response to M. above, the project design is such that there are no intense or obnoxious uses that must be located at the planned developments perimeter or other wise isolated. Arguably, the most intense uses are those proposed for the Amenity Centers, yet these are designed at human scale, are easily accessible by pedestrians and cyclists throughout the project. The Amenity Centers are the focal point of community activity and interaction, and are located to provide easy access to all residents of the development.

O. Unless otherwise provided for in this article, minimum parking and loading requirements shall be as set forth in article VII, divisions 25 and 26, of this chapter. Where it can be reasonably anticipated that specified land uses are generators of occasional peak demand for parking space, a portion of the required parking may be pervious or semi-pervious surfaces subject to the condition that it be constructed and maintained so as to prevent erosion of soil. In all cases, however, sufficient parking shall be provided to prevent the spilling over of parking demand onto adjacent properties or rights-of-way at times of peak demand.

RESPONSE: Sufficient parking shall be provided as required by applicable county and city requirements.

P. Joint use of parking by various land uses within the planned development may be permitted by special condition where it can be demonstrated or required that the demand for parking by the various uses will not conflict. Joint parking agreements between uses within and uses without the planned development shall be governed by agreement per general regulation (see section 34-2018), without exception.

RESPONSE: The conditions expressed in paragraph P. above are understood and, should joint use of parking be requested, it will be in compliance with the applicable county and city provisions and shall be governed by agreement per general regulation (see section 34-2018), without exception.

Q. Internal consistency through sign control, architectural controls, uniform planting schedules and other similar controls is encouraged.

RESPONSE: The project shall incorporate a unified plan of design for signage, landscaping, and structural architectural controls.

EXHIBIT II-E-5
COMPLIANCE WITH DECISION MAKING GUIDELINES

The following outlines how the proposed project is consistent with the decision making guidelines enumerated in Section 34-145 of the Bonita Springs LDC. Further, these provisions are generally consistent with the Goals, Objectives and Polices (GOPs) of the City of Bonita Springs Comprehensive Plan and are the criteria analyzed for approval by the City Zoning Board and City Council.

Sec. 34-373. Application

(a) Minimum required information for all planned development zoning applications. Rezoning applications for planned developments must include the following information, supplemented, where necessary, with written material, maps, plans, or diagrams. Wherever this section calls for the exact or specific location of anything on a map or plan, the location must be indicated by dimensions from an acceptable reference point, survey marker or monument.

5) A narrative explanation as to how the proposed development complies with the City of Bonita Springs Comprehensive Plan, the design standards set forth in section 34-411, and the guidelines for decision-making embodies in sections 34-145(c)(2)a and e. and 34-145(d)(3).

Sec. 34-145. Functions and authority

(d) Zoning Matters

(2) Considerations. In reaching its decision, the City Zoning Board must consider the following, whenever applicable:

a. *Whether there exist changed or changing conditions that make approval of the request appropriate.*

RESPONSE: There are a number of changed conditions that make approval of this request appropriate. Most notably, the property within which this project is located, Sections 1 and 2, Township 48, Range 26, was recently annexed into the City of Bonita Springs and has been given the Future Land Use Map (see Exhibit V-C) designation of Urban Fringe Community District (see Exhibit V-D). Sections 1 and 2 are currently zoned as the Bonita Beach Road RPD. The subject property is requesting a rezone that will make it consistent with allowable development parameters outlined in the Urban Fringe Community District designation. The proposed RPD is fully compliant with this designation and based upon the development and planned development on lands adjacent to and nearby the subject RPD approval is appropriate.

e. *Whether the request is consistent with the goals, objectives, policies and intent of the City of Bonita Springs Comprehensive Plan.*

RESPONSE: The proposed RPD is fully consistent with, and furthers the applicable provisions of the City's comprehensive plan. A detailed analysis of consistency with the plan has been submitted with this application and is labeled Exhibit II-E-2.

(3). *Findings.* Before preparing its recommendation to the City Council on a rezoning, the City Zoning Board must find that:

a. *The applicant has proved entitlement to the rezoning or special exception by demonstrating compliance with the Bonita Springs Comprehensive Plan, this land development code, and any other applicable code or regulation; and*

RESPONSE: A thorough review of the conditions and applicable City of Bonita Comprehensive Plan provisions and Bonita Springs Land Development Code provisions, including the information set forth in the application and attendant exhibits clearly demonstrate that the project, as proposed, warrants approval.

b. *The request will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request; and*

RESPONSE: The project has been designed to meet, and in many cases, exceed the applicable performance and locational standards. The project is designed to function as a master planned community, is comprehensively interconnected, and provides outstanding landscaping, environmental protection and open space features. It also contains internalized ancillary commercial services which have been proven, in like developments, to reduce external trips and impact to adjacent arterial and collector roadways. In addition, the pedestrian and cyclist pathways, the Amenity Centers, and recreational facilities help enhance community interaction.

c. *The request, including the use of TDR or affordable housing bonus density units, is consistent with the densities, intensities and general uses set forth in the Bonita Springs Comprehensive Plan; and*

RESPONSE: The requested density of 900 dwelling units on 294.85 gross residential acres results in a gross density of 3.05 dwelling units per acre. Pursuant to Comprehensive Plan Policy 1.1.10.1 Urban Fringe Community District, the proposed number of units and resulting proposed density are consistent with the FLUE of the Comprehensive Plan and the permitted unit range for that district. Policy 1.1.10.1 allows the following density range: "...a range of density for the whole amendment area of 3,300 dwelling units minimum to 3,600 maximum dwelling units for 1,299 gross acres (Sections 1 & 2)." It is understood that the unit range identified in Policy 1.1.10.1 applies to the entire 1,299-acre property (Sections 1 & 2) subject to the recently transmitted Comprehensive Plan Amendment, and not to this project specifically. Additionally, this project is consistent with Policy 1.1.10.1 in that it promotes higher densities or the clustering of units away from environmentally

sensitive areas. The 900 units proposed and the resulting density dictate that future projects in the remainder of Sections 1 and 2 will need to be developed at lower densities than this project. This development pattern will ensure that lower-density development will occur next to the environmentally sensitive wetlands to the south and the CREW lands to the east. Lastly, all requested uses are permissible under this designation.

d. *The request is compatible with existing or planned uses in the surrounding area; and*

RESPONSE: The subject property is bounded on the west by the Corkscrew Growers RPD (City of Bonita Springs) on the south and east by the Bonita Beach Road RPD (City of Bonita Springs RPD, formerly Lee County RPD), and on the north, lands zoned Agricultural and designated Density Reduction Groundwater Resource (DRGR) and on the Lee Plan Future Land Use Map. The project is consistent with the Urban Fringe Community District, which is intended to provide a transition between higher density MU/PD-designated lands and lower density non-urban designated lands to the east and conservation lands to the north and south. In reviewing the existing and planned developments surrounding the project, it is clear that, as proposed, the subject RPD is compatible with surrounding lands uses. The project has been designed to minimize negative impacts on adjacent land and land uses. Moreover, the project will comply with, and in many cases exceed, the provisions of all applicable county and city development regulations and, by doing so, will minimize any negative impacts of the planned development on surrounding land and land uses.

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

RESPONSE: For a detailed analysis of the traffic impacts and transportation analysis, please refer to the Traffic Impact Statement (Exhibit III-C) submitted in conjunction with this application. It should also be noted that the applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement in order to address traffic impacts resulting from the proposed development, including a commitment to help alleviate any impacts to the level of service on Bonita Beach Road.

f. *Where applicable, the request will not adversely affect environmentally critical areas and natural resources.*

RESPONSE: The site has been utilized in its entirety for row crop production, except for a 3.24-acre wetland located near the center of this property, and a 41.5 acre burrow lake once used for earth mining. The 3.24-acre wetland will be preserved and

has been designated as Conservation Area on the MCP. Further, the Conservation Area has been adequately buffered from adjacent uses. There are no indications of historic or archeological features on the property and the environmental site assessment addresses the presence of listed species or species of concern on the subject property. The development plan, including the water management design and landscaping provisions, will actually result in environmental enhancements by protecting native vegetation; contributing to the restoration of historical surface water flows; eliminating intensive agricultural uses heavily dependent on fertilizers, herbicides and pesticides; and by reducing the consumption of water for irrigation purposes, when compared to the consumptive use of the historic agricultural activities

g. *In the case of a planned development rezoning, the decision of the City Zoning Board must also be supported by the formal findings required by sections 34-377(a)(2) and (4).*

34-377

a) *Hearing before City Zoning Board. After the staff prehearing conference required by this division, the application will be scheduled for a public hearing before the City Zoning Board.*

(2) The recommendation made to the City Council must be supported by formal findings that address the guidelines set forth in Section 34-145(d)(3) of this chapter. In addition, the findings must address whether the following criteria can be satisfied:

(a) The proposed use or mix of uses is appropriate at the subject location:

RESPONSE: Based upon the comprehensive analysis provided in the application and attendant exhibits, as well as the anticipated expert testimony, we are confident that the proposed mix of uses, being consistent with the City of Bonita Springs Comprehensive Plan, and designed and located to adhere to applicable county and city codes, is appropriate at the subject location.

(b) The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

RESPONSE: Obviously, a response to this finding cannot be provided until such conditions are known.

(c) The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

RESPONSE: Obviously, a response to this finding cannot be provided until such conditions are known.

(4) *The application includes a schedule of deviations pursuant to section 34-412, the City Zoning Board 's recommendation must approve, approve with modification or reject each requested deviation based upon a finding that each item:*

(a) *Enhances the achievement of the objectives of the planned development; and*

RESPONSE: A detailed explanation of the requested deviations, as well as the rationale for each and explanation why each is necessary and/or enhances the achievement of the objectives of the planned development is provided with this application and labeled Exhibit IV.

(b) *Preserves and promotes the general intent of this chapter to protect the public health, safety and welfare.*

RESPONSE: A detailed explanation of the requested deviations, as well as an explanation as to how each affects, preserves and promotes the general intent to protect the public health, safety and welfare is provided with this application and labeled Exhibit IV.

h. *Where the change proposed is within a future urban area category, the City Zoning Board must also find that urban services, as defined in the City of Bonita Springs Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.*

RESPONSE: The recently transmitted Comprehensive Plan Amendments propose a Future Land Use Map change that would designate the area within which the proposed project lies as Urban Fringe Community District. As demonstrated by responses provided in Exhibit II-E-2, the "Letters of Service Availability" from various utility providers (Exhibit V-B), the attached TIS (Exhibit III-C), and the Fiscal Impact Analysis (Exhibit V-A) urban services will be available and adequate to serve the proposed RPD.

EXHIBIT III-A-2
PRELIMINARY DENSITY CALCULATIONS*
(Complete only if living units are proposed).

A. Gross Residential Acres

1. Total land area: 294.85 acres

2. Area to be used for non-residential uses: *(Line A.2.a. plus A.2.b.):* 9.24 acres

   a. R-O-W providing access to non-residential uses: 0 acres

   b. Non-residential use areas: 9.24 acres

      Wetlands 3.24acres

      Amenity Centers 5.5 acres

      Public Facilities Tract 0.5 acres

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3. Gross residential acres (Line A.1 less A.2): 285.61 acres

   a. Uplands areas ± 200 *acres*

   b. Freshwater Wetlands areas 0.0 *acres*

   c. Other Wetland areas 0.0 *acres*

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B. ~~**Lee Plan**~~ ***Bonita Springs Plan Land Use Classification:*** ***Urban Fringe Community District (transmitted to DCA)*** *(If more than one classification, calculations for each classification must be submitted)*

Density Standards (~~from Lee Plan Table 1~~)

1.Maximum density for Land Use Classification: **3,300-3,600 dwelling units for 1,299 gross acres (Sections 1 & 2).**[1]

[1] As per transmitted Comprehensive Plan Amendment, Policy 1.10.1: Urban Fringe Community District (see Exhibit II-E-1).

Density Calculations

The proposed development is comprised of 294.76 gross acres.

Gross density for this project is calculated as follows:

799 dwelling units ÷ 294.85 = **2.71 dwelling units per acre**

Net density is calculated as follows:

294.85 (Gross Acreage) – 3.24 (Wetlands) – 5.5 (Amenity Center) – 0.5 (Public Facilities Tract) = 285.6.1 acres

Dwelling units per acre:

900 dwelling units ÷ 285.62= **2.80 dwelling units per 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) N/A units
2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) N/A units
3. Total standard density units (sum of C.1 & C.2) N/A units
4. Max. total density units [A.3.a. times ((B.1 plus 1/2 of (B.2 less B.1))] N/A units

5. **Sub-total permitted standard density units:** N/A **Units** (line C.3 or C.4 - whichever is less)

** 6. BONUS UNITS

a. Low-moderate housing density: N/A units
b. TDR units: N/A units
c. **Sub-total (C.6.a plus C.6.b)** N/A units

7. **Total Permitted Units (C.5. plus C.6.c):** N/A **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.

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D. Suburban land use areas

1. Standard density uplands units (A.3.a. times B.1) N/A units
2. Standard density freshwater wetlands units (A.3.b. times B.1) N/A units
3. Total standard density units (sum of D.1 & D.2) N/A units
4. Maximum upland density (A.3.a. times 8) N/A units
5. **Total permitted units:** N/A **Units** (line D.3 or D.4 - whichever is less)

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E. Outlying Suburban Land Use Areas

1. Standard density uplands units (A.3.a. times B.1) N/A units
2. Standard density freshwater wetlands units (A.3.b times B.1) N/A units
3. Total standard density (sum of E.1 & E.2) N/A units
4. Maximum upland density (A.3.a times 4***) N/A units
5. **Total permitted units:** N/A **units** (line E.3 or E.4 - whichever is less)

F. Open Lands

1. Total acres of "Open Land"	N/A	acres
2. Maximum open land density (F.1 times 0.2****)	N/A	units
3. **Total permitted units:**	N/A	**units**

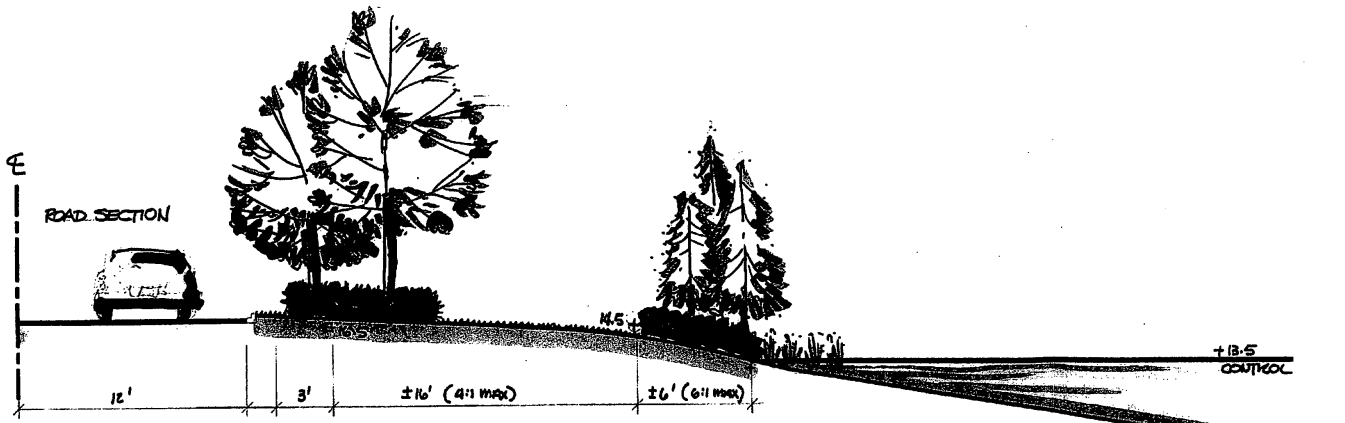
** If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.

*** 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.

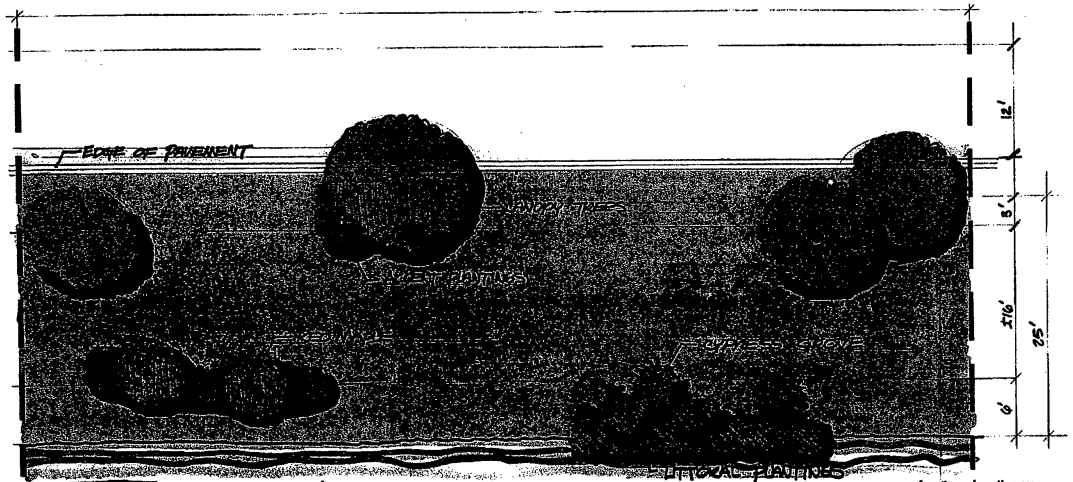
**** One unit per five acres if the PD process is being used to prevent adverse impacts on environmentally sensitive lands (as defined in Policy 77,1,1,4)

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SECTION: ROADWAY / LAKE LITTORAL INTERFACE SCALE: ½" = 1'-0"



PLAN VIEW: ROADWAY / LAKE LITTORAL INTERFACE SCALE: ¼" = 1'-0"

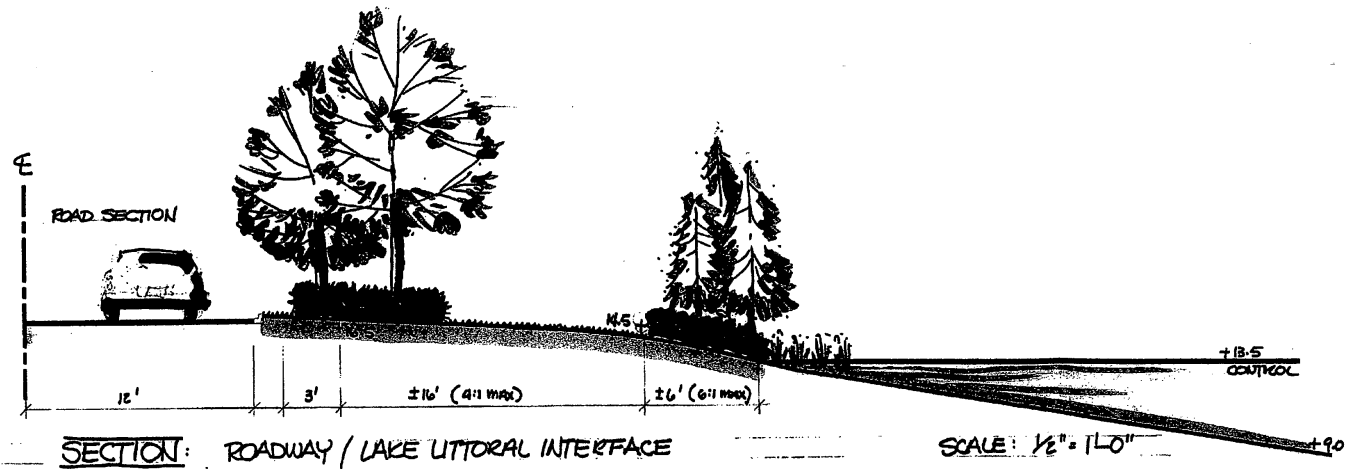
Revisions

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Bonita Springs, Florida 34134
(239) 495-0464

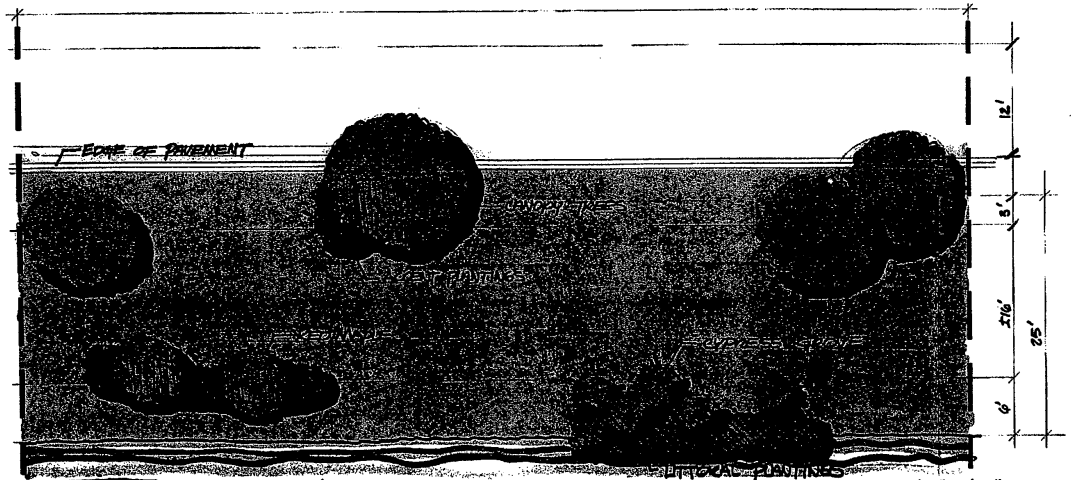
Corkscrew Growers Section 3 RPD
DCI 2003-00005
STRAP 03-48-26-00-00001.0000

Drawn By: SJT
Date: 8/15/03
Scale: As Shown
Checked By:
Project #: 03019

SHEET 3/3



SECTION: ROADWAY / LAKE LITTORAL INTERFACE SCALE: ½" = 1'-0"



PLAN VIEW: ROADWAY / LAKE LITTORAL INTERFACE SCALE: ¼" = 1'-0"

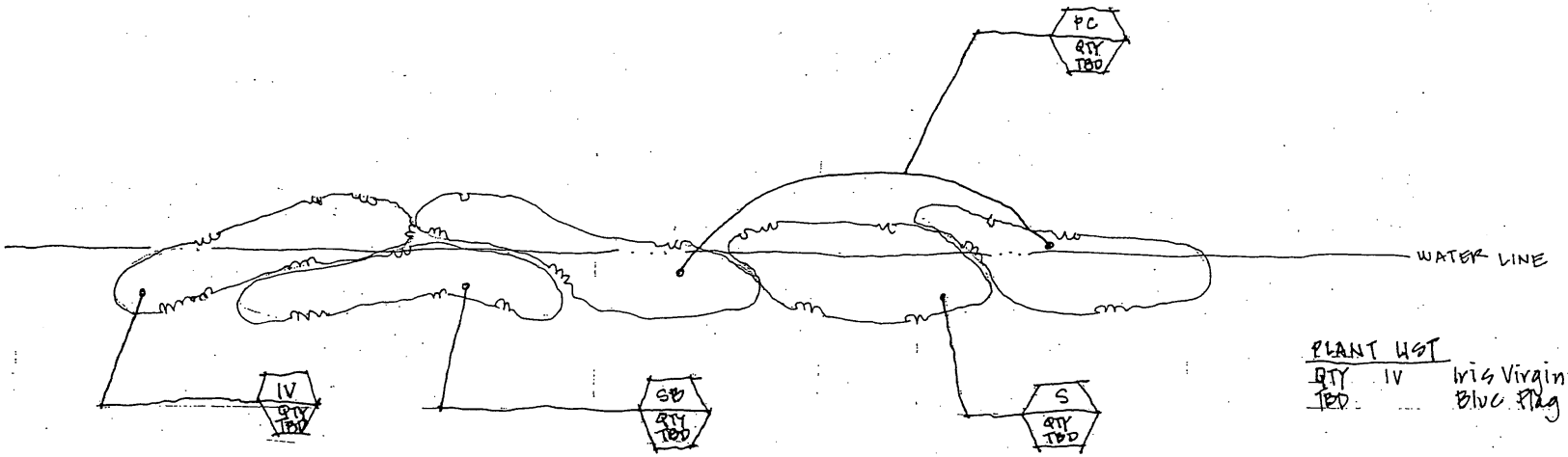
Revisions

STEPHEN J. TRUDNAK, P.A.
LANDSCAPE ARCHITECTURE
3076 Bonita Beach Road
Bonita Springs, Florida 34134
(239) 495-0404
Stephen J. Trudnak, FASLA
Florida PLA #0000676

Corkscrew Growers Section 3 RPD
DCI 2003-00005
STRAP 03-48-26-00-00001.0000

Drawn By:	SJT
Date:	6/15/05
Scale:	As Shown
Checked By:	
Project #:	00019

SHEET 3/3



PLANT LIST

QTY			
TBD	IV	Iris Virginica Blue Flag	Liners, 1/L.F. of shore line
"	PC	Pontederia cordata Pickerel Weed	"
"	S	Sagittaria sp. Arrowhead	"
"	SB	Spartina bakeri Sand Cord Grass	"

11. Note 11 Pursuant to 1.4.1(1)(h) and LDC 10-418, all project lakes will be designed in a sinuous manner. Pursuant to 1.4.1(1)(h) and LDC 10-418, all project lake littoral zones will be planted with minimal four types of native wetland herbaceous plants at one plant per linear foot of shoreline. The type, density and location of project open space plantings will be specified through a Project Lake Littoral Zone Plantings Plan. The plan will be submitted for review and approval prior to the project's first Development Order.

2/27/03

STEPHEN J. TRUDNAK, P.A.
LANDSCAPE ARCHITECTURE AND LAND PLANNING
3461 Bonita Bay Boulevard • Suite 224
Bonita Springs, Florida 34134

CORKSCREW GROWERS EXTENSION RD - Typical Lake Littoral Zone Planting Plan

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA ♦ ANNA MARIA ISLAND ♦ PORT CHARLOTTE

EAST BONITA ACTIVE ADULT
SURFACE WATER MANAGEMENT NARRATIVE FOR REZONING APPLICATION

1. **The runoff characteristics of the property in its existing state;**
The property currently is an active row crops farm. Its runoff characteristics are a function of the farming operations rather than rainfall events. The site is surrounded by a berm and the water table elevation is controlled by the use of pumps which discharge into either an existing roadside ditch along Bonita Beach Road or to the south to the wetland system which connects with the Cocahatchee Canal. The ongoing pump discharges have been permitted by the South Florida Water Management District (SFWMD) pursuant to Permit No. 36-02865-S.

2. **In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;**
The East Bonita active adult community is a 294-acre residential community located in Sections 1&2, Township 48S, Range 26E. The project area currently has been permitted with SFWMD and the Army Corps of Engineers. The project area is a portion of the Bonita Beach Road RPD project. The Bonita Beach Road RPD project includes two large flowways which traverse the site from north to south to allow the passage of surface water from the Corkscrew swamp to the Cocahatchee River. These flowways will attempt to re-establish pre-development flow. These improvements were identified in the South Lee County Watershed Plan which identified approximately 5,000 acres of land upstream of the project to the south that historically discharged through the project. This historic drainage pattern had been interrupted by the embankment and other farming activities on the project.

   The East Bonita Active Adult residential project is located in the northwest portion of the existing permitted surface water management system. The drainage system will consist of a series of interconnected lakes which provide storm water treatment for the project. Once storm water treatment occurs the project will discharge to the western flowway and ultimately discharge to the Mirasol wetland area and Cocahatchee Canal.

3. **The retention features (including natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee its maintenance;**
The proposed surface water management system will incorporate man-made lakes to provide runoff treatment and peak attenuation. The lakes will be conveyed to a homeowners' association which will be perpetually responsible for their maintenance.

   The majority of the project area has been cleared and operated as active farm and therefore lacks natural features. Two exceptions exist within the property. The natural features which will be incorporated into the surface water management system include a 40- acre barrow pit and a 3.2 acre wetland.

6640 Willow Park Drive, Suite B, Naples, Florida 34109 • (239) 597-2061 • Fax (239) 597-3082

The 40-acre barrow pit will be expanded and incorporated into the surface water management system. The rectilinear nature of this existing barrow pit will be modified to provide a curvilinear shoreline with littoral plantings. The 3.2 acre wetland will be preserved and enhanced. Treated storm water management will be allowed to flow into the wetlands system to maintain and improve the wetland hydro-period. Upland buffers will be provided around the wetland area to prevent encroachments into the wetland by residential development.

4. **How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;**
The site has been disturbed by agricultural development and therefore is lacking significant natural features. The existing barrow pit and wetland preserve will be incorporated to the drainage system. The design of the drainage system is based on matching and improving pre-development water table elevations which vary seasonably between elevation 10 and elevation 16. Control elevation for the project (wet season water table) has been placed at 15.8 feet by the existing SFWMD permit. These water table elevations have been established to maintain hydro-periods in the wetlands. These onsite wetlands will normally be inundated during the wet season.

5. **Describe the requirements for fill materials posed by this development for other than building pads (use, volume, etc.)**
This development will require either excavation or embankment throughout the entirety of the development areas. An average quantity of 36" of fill is expected to be needed within the roadway areas; an additional 12" of fill is necessary within building pads to achieve final development grades. The proposed onsite lakes will be the source of this material. Additional fill from offsite sources may be necessary to construct the project. No fill will be removed from the site.

6. **If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding;**
The property is not subject to inundation as it is surrounded by an agricultural berm which is significantly higher that the expected elevations caused by a 100-year storm event.

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OCT 20 2004
DCI 2004 00071
PERMIT COUNTER

TRAFFIC IMPACT STATEMENT

FOR AN

EAST BONITA ACTIVE ADULT COMMUNITY

IN THE

CITY OF BONITA SPRINGS

PROJECT NO. 0406.18

Prepared by:
METRO TRANSPORTATION GROUP, INC.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
(239) 278-3090

September 16, 2004

ATTACHMENT C

METRO

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1. PURPOSE OF REPORT

2. SCOPE OF PROJECT

3. EXISTING CONDITIONS

4. PROPOSED USES AND TRIP GENERATION

5. TRIP DISTRIBUTION AND AREA OF INFLUENCE

6. FUTURE TRAFFIC CONDITIONS

7. CUMMULATIVE LEVEL OF SERVICE ANALYSIS

8. CONCLUSION

9. APPENDIX

1. PURPOSE OF REPORT

The following report has been prepared in order to fulfill the requirements set forth by the City of Bonita Springs and the Lee County Department of Community Development for projects seeking approval for zoning. This report has been submitted in accordance to the criteria outlined in the Lee County Traffic Impact Statement Standards for zoning. More specifically, this report investigates the anticipated traffic characteristics of the proposed development in order to establish adverse off-site roadway impacts, if any, associated with the development of a active adult residential community within Section 2, Township 48 South, Range 25 East on the south side of Bonita Beach Road, approximately three and one-half miles east of I-75 in the City of Bonita Springs, Florida.

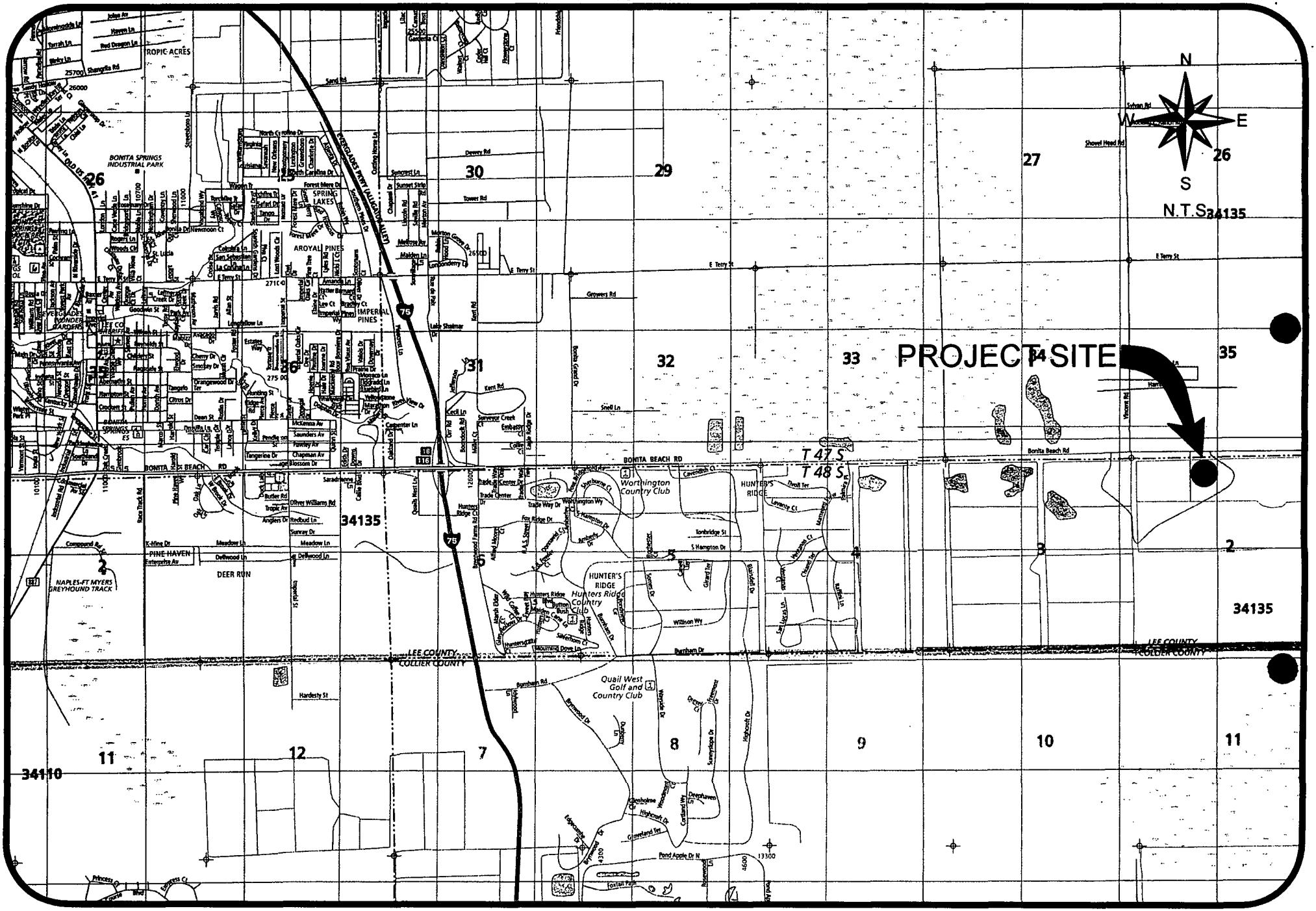
2. SCOPE OF PROJECT

The site is located generally approximately 3.5 miles east of I-75 on the south side of Bonita Beach Road. The property is approximately 140 acres. **Figure 1** depicts the site location and the roadways in the vicinity of the project's location. The site is currently zoned Agricultural within the City.

The site is proposed to be re-zoned to permit the development of an Active Adult residential community. The project will be developed as an integrated active adult residential community with on-site amenities such as a clubhouse. Access to the property will be provided via an extension of Bonita Beach Road to the project.

In order to establish off-site roadway impacts, this report will examine traffic conditions at the expected time of project completion. It is anticipated that the site will be at fully constructed by the year 2008.

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METRO

PROJECT LOCATION MAP
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 1

3. EXISTING CONDITIONS

The site is currently vacant agricultural land. Adjacent uses include the DiVosta residential community to the west within Section 3 and future residential development to the south and east within Section 1 and the remaining portion of Section 2. Vacant land is located to the north.

Bonita Beach Road is an arterial facility that extends east from Bonita Beach through the City of Bonita Springs. East of I-75, Bonita Beach Road is a four lane divided arterial for approximately 1 mile through the intersection with Bonita Grande Drive. The roadway then tapers to a two lane arterial roadway to its terminus. Bonita Beach Road has a full interchange with I-75. Bonita Beach Road is under the jurisdiction of the Lee County Department of Transportation. The Lee County Department of Transportation is currently in the process of widening Bonita Beach Road from I-75 to Imperial Street from four lanes to six lanes. This construction began in the Summer of 2004 and is anticipated to be completed in 2005.

4. PROPOSED USES AND TRIP GENERATION

The Developer is planning on obtaining zoning approval that would permit the construction of up to 900 residential dwelling units on the approximately 140-acre property. The breakdown of units for this project was assumed to be 55% single family units and 45% multi-family units. The uses identified on the Master Concept Plan will be within the gated community and will be utilized by the residents of this community only.

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 7th Edition. Although the development is identified as an Active Adult Community, at this time there are no restrictions proposed in the zoning regulations that will restrict residents based on age. Therefore, the standard trip rates from the ITE report were utilized. For the single family and multi-family residential uses, Land Use Code 210 (Single Family Detached Housing) and Land Use Code 230 (Residential Condominium/ Townhouse) were utilized, respectively. The equations for these land uses are contained in the Appendix of this report for reference. **Table 1** outlines the proposed uses for the project.

Table 1
Proposed Land Uses
East Bonita Active Adult Community

Use	Size
Single Family Homes	500 Units
Multi-Family Homes	400 Units

Table 2 outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the proposed development as currently proposed. The daily trip generation is also indicated in the table.

Table 2
Trip Generation
East Bonita Active Adult Community

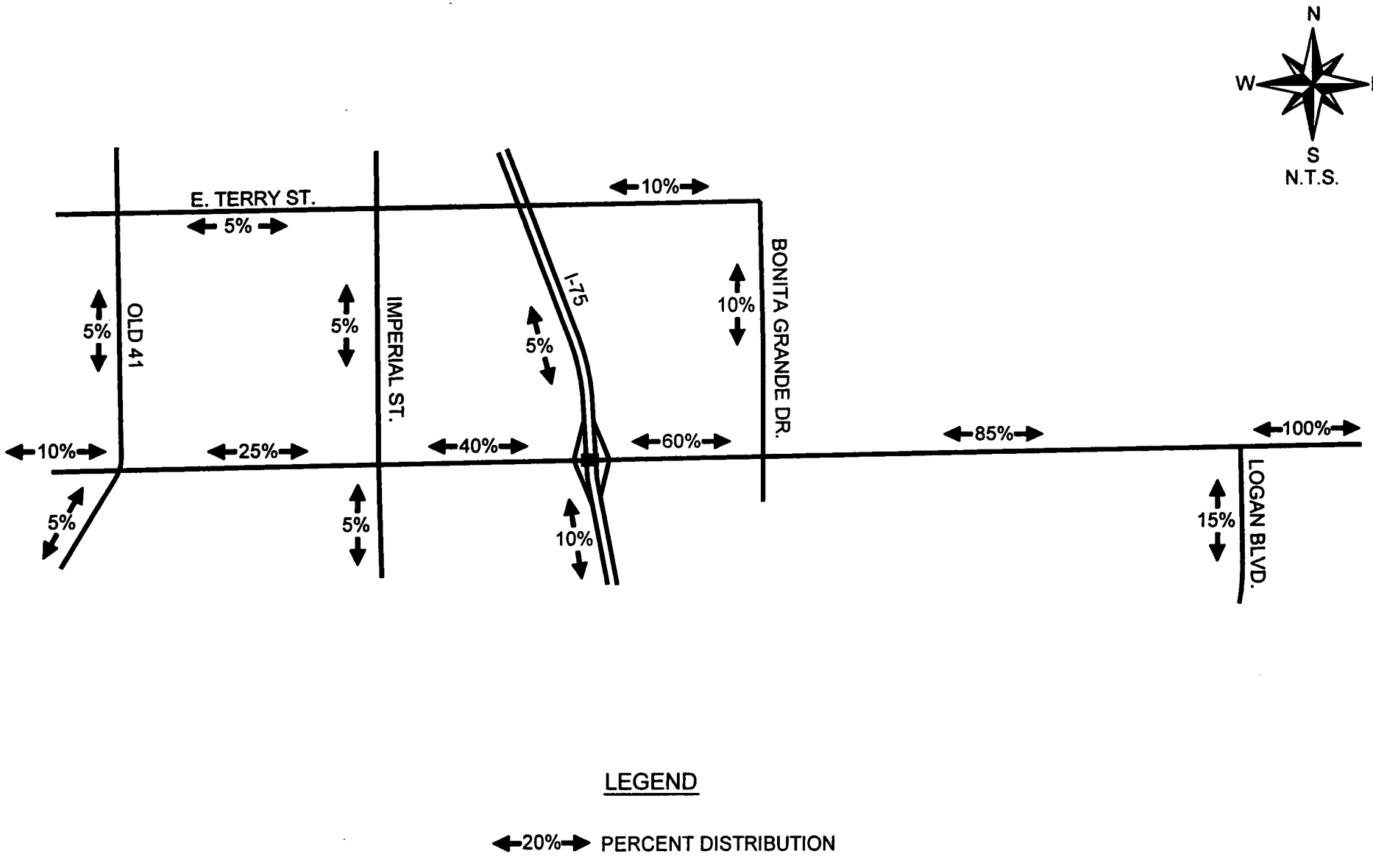
Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily 2-way
	In	Out	Total	In	Out	Total	
Single Family Units 500 Units	90	270	360	290	165	455	4,570
Multi-Family Units 400 Units	25	130	155	125	65	190	2,085
Total Trips	115	400	515	415	230	645	6,655

5. 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 Bonita Springs and Lee County. In addition, previous studies completed for the Bonita Beach Road RPD project and the Parklands project were referenced in determining the trip distribution.

Figure 2 indicates the anticipated trip distribution patterns for the development. The trips shown in Table 2 were then assigned to the surrounding roadways based on the anticipated trip distribution shown on Figure 2.

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**,



METRO

PROJECT TRAFFIC DISTRIBUTION
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 2

contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Link Specific Service Volume tables provided by the Lee County Department of Transportation.

6. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2008. Based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links and intersections that will be significantly impacted by this development. The existing roadway link traffic data was obtained from the 2003 Lee County Traffic Count Report. Based on the project distribution shown in Figure 2, the link data was analyzed for the year 2009 without the development and year 2009 with the development. **Table 2A** in the Appendix of this report indicates the projected 2009 traffic volumes with and without the proposed development.

As can be seen from Table 2A, the Level of Service on the significantly impacted links will not change due to the development of the 900 residential units proposed on the subject site. The projected Level of Service on Bonita Beach Road east of I-75 will remain at LOS "B" once the project is completed in 2009. East of Bonita Grande Drive, Bonita Beach Road is projected to operate at LOS "C" as a two lane roadway.

Traffic volumes on Bonita Beach Road east of Bonita Grande Drive are not currently evaluated by Lee County or the City of Bonita Springs. Due to recent re-zonings in the area east of Bonita Grande Drive, traffic on this link could significantly increase due to the residential density in this area. Therefore, Metro evaluated the local Development Orders that have been approved to date on three projects east of Bonita Grande Drive on Bonita Beach Road. These projects included Parklands West (Palmira Golf & Country Club), Parklands – Lee and the Corkscrew Growers section (Section 3). To date, DiVosta Homes has been approved for approximately 900 residential units in two of these projects. The remaining residential development that has received Development Orders include approximately 336 multi-family units and approximately 556 single family units. The trips from these units, taken from the traffic studies for each

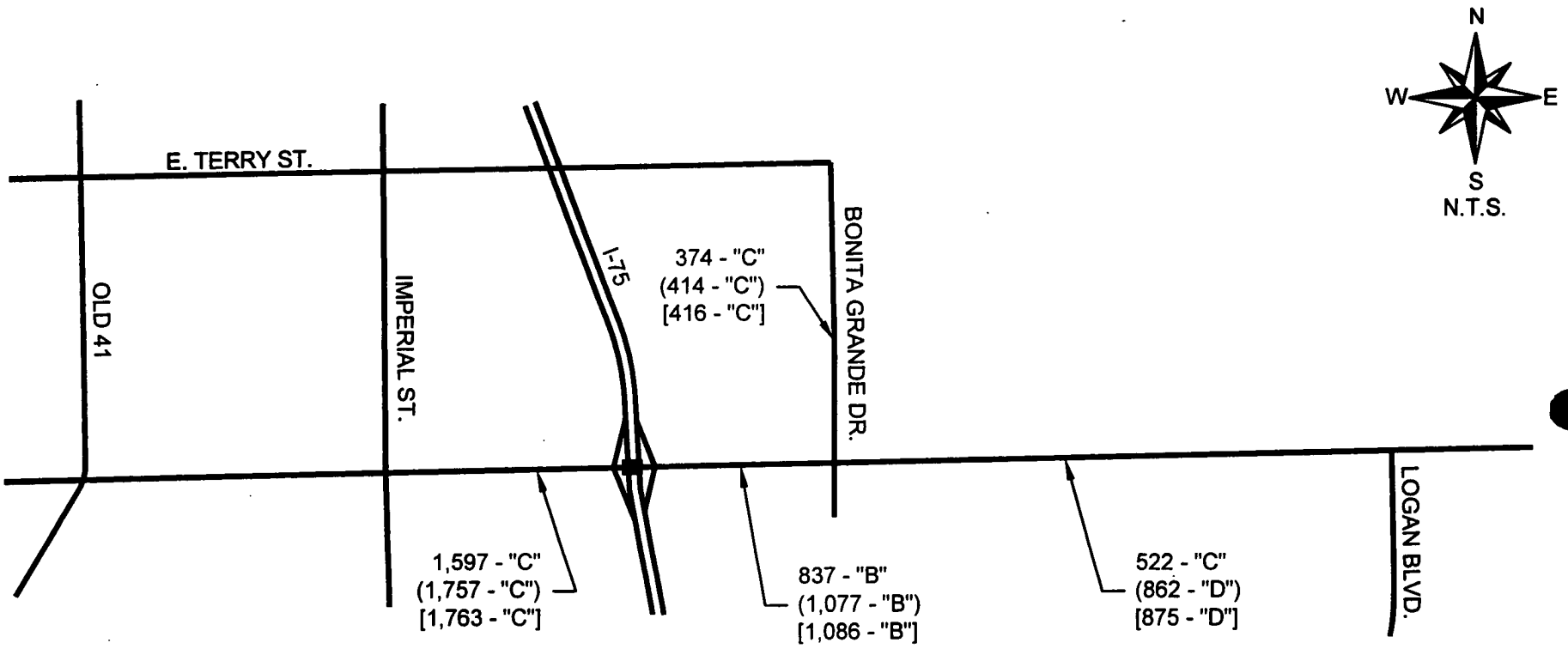
project, were factored into the 2003 background traffic volume on Bonita Beach Road east of Bonita Grande Drive. This volume was then increased by a growth factor to represent future development within these projects. Although Parklands West and Parklands – Lee have been issued Development Orders that would complete these projects, the Corkscrew Growers project will have additional units available under the permitted zoning.

It should be noted that with the construction of Parklands (Lee County portion) and the Parklands DRI in Collier County, a new north/south collector road will be constructed that connects Bonita Beach Road and Immokalee Road. This road, commonly referred to as the Logan Boulevard extension, will be a two lane collector roadway with only limited residential community access drives that will extend the approximately four miles to connect Bonita Beach Road and Immokalee Road. This will be the only north/south roadway in the short term that will connect these two roads east of I-75 until the CR 951 extension is completed. Based on agreements currently under negotiation with Collier County, this road must be built by 2009 for it's entire length and was therefore considered as a completed project for the 2009 analysis.

Figure 3 indicates the year 2009 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area that are significantly impacted. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hour with the proposed development traffic as well as the traffic from the projects previously identified added to the roadways.

7. CUMMULATIVE LEVEL OF SERVICE ANALYSIS

Figure 3 details the Levels of Service for all links inside the project's area of influence. These Levels of Service were derived based on the Lee County Link Specific Level of Service Volume Tables. **Table 1A** in the Appendix details the calculations to determine the Level of Service on the analyzed links. As can be seen from Figure 3, the roadway links analyzed as part of this report will not be adversely impacted as a result of the proposed development. All of the roadway segments analyzed as a part of this report, once the development is completed, will



LEGEND

XXX - "C" 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS AM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS PM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

MERO

2009 100th HIGHEST HOUR LOS
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 3

maintain the Level of Service as projected without the development. Therefore, no off-site roadway improvements will be required as a result of the proposed development.

8. CONCLUSION

Based on the link specific service volumes for peak hour, peak direction, the roadway segments within the study area will not be adversely impacted by the proposed re-zoning of the subject site to permit up to 900 residential dwelling units. The Level of Service analysis included a cumulative analysis taking into account the trip generation of several projects on the south side of Bonita Beach Road east of Bonita Grande Drive.

Specific intersection improvements may be required at the time of local Development Order. However, it is anticipated that the extension of Bonita Beach Road will serve this project. The exact intersection from Bonita Beach Road has yet to be determined. Recent improvements were made to the intersection of Bonita Beach Road and Bonita Grande Drive by Lee County. This intersection was recently signalized. Any further refinement of the turn lanes and storage lengths will be determined at local Development Order stage.

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TRAFFIC IMPACT STATEMENT

FOR AN

EAST BONITA ACTIVE ADULT COMMUNITY

IN THE

CITY OF BONITA SPRINGS

PROJECT NO. 0406.18

Prepared by:
METRO TRANSPORTATION GROUP, INC.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
(239) 278-3090

Revised
December 20, 2004

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1. PURPOSE OF REPORT

2. SCOPE OF PROJECT

3. EXISTING CONDITIONS

4. PROPOSED USES AND TRIP GENERATION

5. TRIP DISTRIBUTION AND AREA OF INFLUENCE

6. FUTURE TRAFFIC CONDITIONS

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1. PURPOSE OF REPORT

The following report has been prepared in order to fulfill the requirements set forth by the City of Bonita Springs and the Lee County Department of Community Development for projects seeking approval for zoning. This report has been submitted in accordance to the criteria outlined in the Lee County Traffic Impact Statement Standards for zoning. More specifically, this report investigates the anticipated traffic characteristics of the proposed development in order to establish adverse off-site roadway impacts, if any, associated with the development of a active adult residential community within Section 2, Township 48 South, Range 25 East on the south side of Bonita Beach Road, approximately three and one-half miles east of I-75 in the City of Bonita Springs, Florida.

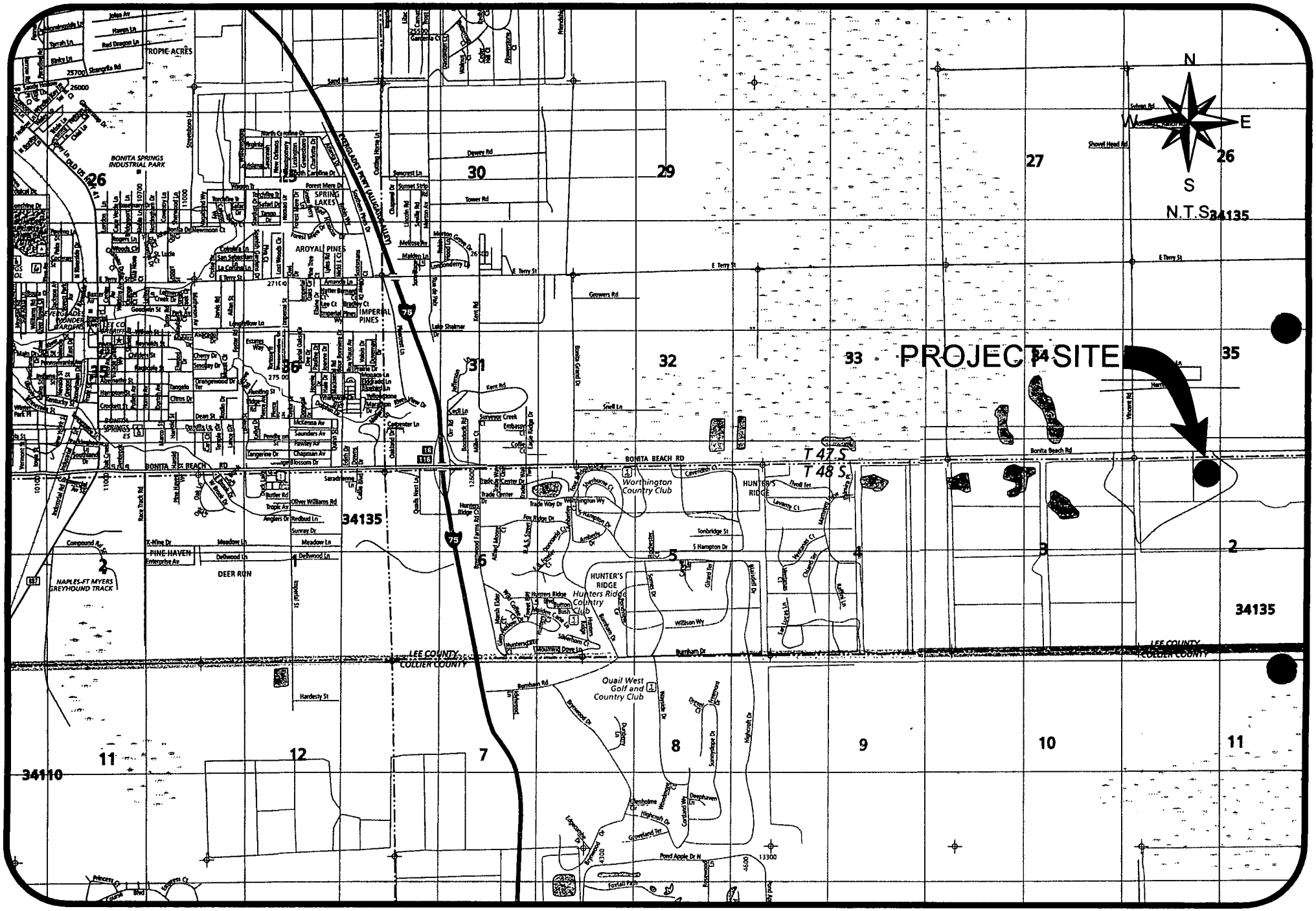
2. SCOPE OF PROJECT

The site is located generally approximately 3.5 miles east of I-75 on the south side of Bonita Beach Road. The property is approximately 140 acres. **Figure 1** depicts the site location and the roadways in the vicinity of the project's location. The site is currently zoned Agricultural within the City.

The site is proposed to be re-zoned to permit the development of an Active Adult residential community. The project will be developed as an integrated active adult residential community with on-site amenities such as a clubhouse. Access to the property will be provided via an extension of Bonita Beach Road to the project.

In order to establish off-site roadway impacts, this report will examine traffic conditions at the expected time of project completion. It is anticipated that the site will be at fully constructed by the year 2008.

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PROJECT LOCATION MAP
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 1

3. EXISTING CONDITIONS

The site is currently vacant agricultural land. Adjacent uses include the DiVosta residential community to the west within Section 3 and future residential development to the south and east within Section 1 and the remaining portion of Section 2. Vacant land is located to the north.

Bonita Beach Road is an arterial facility that extends east from Bonita Beach through the City of Bonita Springs. East of I-75, Bonita Beach Road is a four lane divided arterial for approximately 1 mile through the intersection with Bonita Grande Drive. The roadway then tapers to a two lane arterial roadway to its terminus. Bonita Beach Road has a full interchange with I-75. Bonita Beach Road is under the jurisdiction of the Lee County Department of Transportation. The Lee County Department of Transportation is currently in the process of widening Bonita Beach Road from I-75 to Imperial Street from four lanes to six lanes. This construction began in the Summer of 2004 and is anticipated to be completed in 2005.

4. PROPOSED USES AND TRIP GENERATION

The Developer is planning on obtaining zoning approval that would permit the construction of up to 799 residential dwelling units on the approximately 140-acre property. The breakdown of units for this project was assumed to be 62.5% single family units and 37.5% multi-family units. The uses identified on the Master Concept Plan will be within the gated community and will be utilized by the residents of this community only.

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 7th Edition. Although the development is identified as an Active Adult Community, at this time there are no restrictions proposed in the zoning regulations that will restrict residents based on age. Therefore, the standard trip rates from the ITE report were utilized. For the single family and multi-family residential uses, Land Use Code 210 (Single Family Detached Housing) and Land Use Code 230 (Residential Condominium/ Townhouse) were utilized, respectively. The equations for these land uses are contained in the Appendix of this report for reference. **Table 1** outlines the proposed uses for the project.

Table 1
Proposed Land Uses
East Bonita Active Adult Community

Use	Size
Single Family Homes	500 Units
Multi-Family Homes	299 Units

Table 2 outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the proposed development as currently proposed. The daily trip generation is also indicated in the table.

Table 2
Trip Generation
East Bonita Active Adult Community

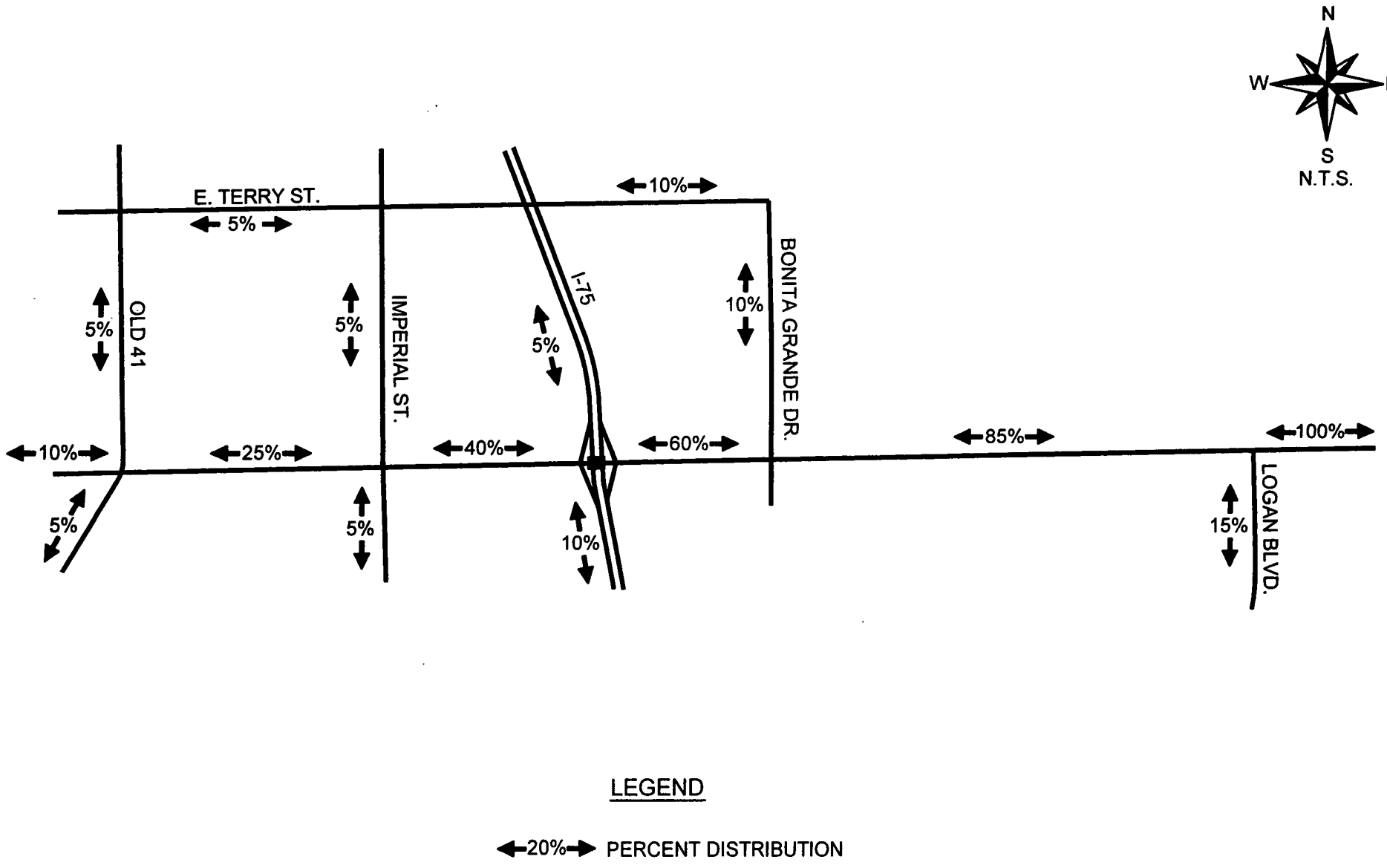
Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Single Family Units 500 Units	90	270	360	290	165	455	4,570
Multi-Family Units 299 Units	20	105	125	100	50	150	1,630
Total Trips	110	375	485	390	215	605	6,200

5. 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 Bonita Springs and Lee County. In addition, previous studies completed for the Bonita Beach Road RPD project and the Parklands project were referenced in determining the trip distribution.

Figure 2 indicates the anticipated trip distribution patterns for the development. The trips shown in Table 2 were then assigned to the surrounding roadways based on the anticipated trip distribution shown on Figure 2.

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A,**



MERO

PROJECT TRAFFIC DISTRIBUTION
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

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6. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2008. Based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links and intersections that will be significantly impacted by this development. The existing roadway link traffic data was obtained from the 2003 Lee County Traffic Count Report. Based on the project distribution shown in Figure 2, the link data was analyzed for the year 2009 without the development and year 2009 with the development. **Table 2A** in the Appendix of this report indicates the projected 2009 traffic volumes with and without the proposed development.

As can be seen from Table 2A, the Level of Service on the significantly impacted links will not change due to the development of the 799 residential units proposed on the subject site. The projected Level of Service on Bonita Beach Road east of I-75 will remain at LOS "B" once the project is completed in 2009. East of Bonita Grande Drive, Bonita Beach Road is projected to operate at LOS "C" as a two lane roadway.

Traffic volumes on Bonita Beach Road east of Bonita Grande Drive are not currently evaluated by Lee County or the City of Bonita Springs. Due to recent re-zonings in the area east of Bonita Grande Drive, traffic on this link could significantly increase due to the residential density in this area. Therefore, Metro evaluated the local Development Orders that have been approved to date on three projects east of Bonita Grande Drive on Bonita Beach Road. These projects included Parklands West (Palmira Golf & Country Club), Parklands – Lee and the Corkscrew Growers section (Section 3). To date, DiVosta Homes has been approved for approximately 900 residential units in two of these projects. The remaining residential development that has received Development Orders include approximately 336 multi-family units and approximately 556 single family units. The trips from these units, taken from the traffic studies for each

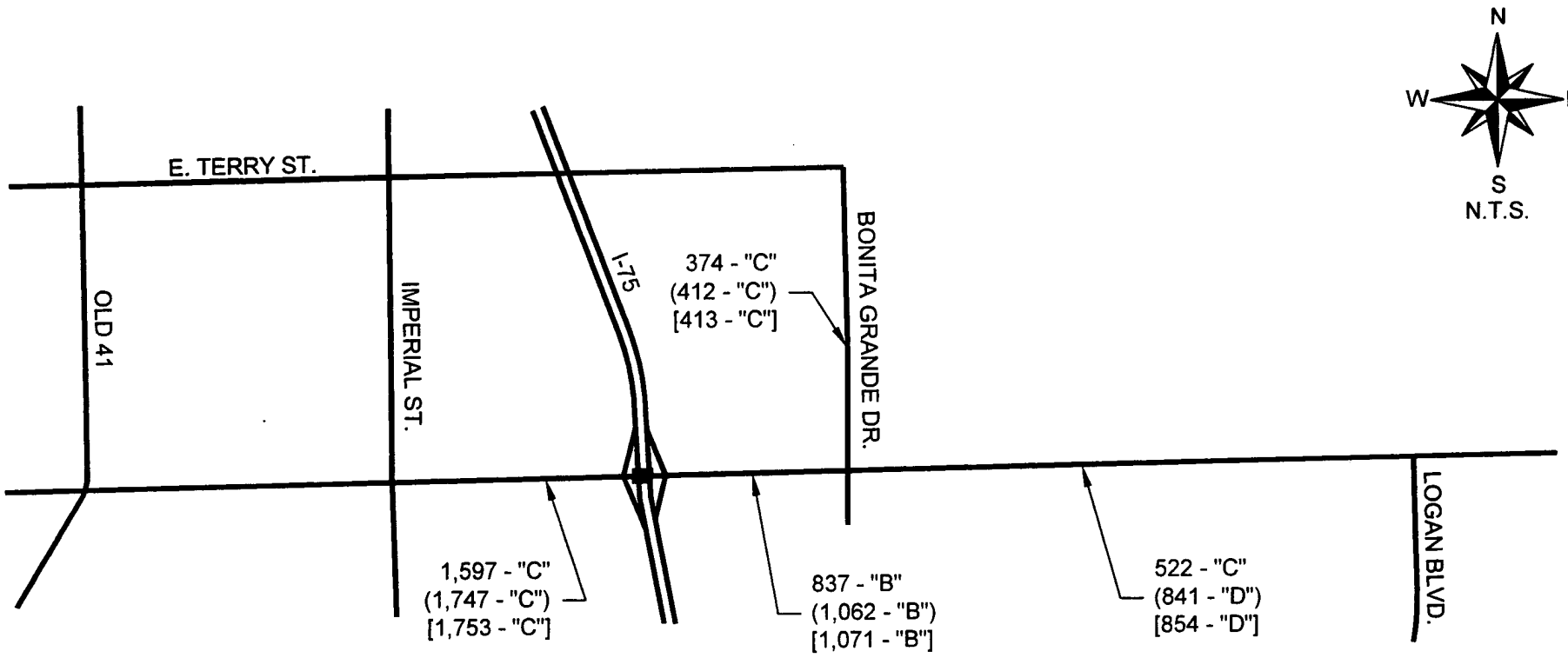
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It should be noted that with the construction of Parklands (Lee County portion) and the Parklands DRI in Collier County, a new north/south collector road will be constructed that connects Bonita Beach Road and Immokalee Road. This road, commonly referred to as the Logan Boulevard extension, will be a two lane collector roadway with only limited residential community access drives that will extend the approximately four miles to connect Bonita Beach Road and Immokalee Road. This will be the only north/south roadway in the short term that will connect these two roads east of I-75 until the CR 951 extension is completed. Based on agreements currently under negotiation with Collier County, this road must be built by 2009 for it's entire length and was therefore considered as a completed project for the 2009 analysis.

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7. CUMMULATIVE LEVEL OF SERVICE ANALYSIS

Figure 3 details the Levels of Service for all links inside the project's area of influence. These Levels of Service were derived based on the Lee County Link Specific Level of Service Volume Tables. **Table 1A** in the Appendix details the calculations to determine the Level of Service on the analyzed links. As can be seen from Figure 3, the roadway links analyzed as part of this report will not be adversely impacted as a result of the proposed development. All of the roadway segments analyzed as a part of this report, once the development is completed, will



LEGEND

XXX - "C" 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS AM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS PM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

METRO

2009 100th HIGHEST HOUR LOS
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 3

maintain the Level of Service as projected without the development. Therefore, no off-site roadway improvements will be required as a result of the proposed development.

8. CONCLUSION

Based on the link specific service volumes for peak hour, peak direction, the roadway segments within the study area will not be adversely impacted by the proposed re-zoning of the subject site to permit up to 799 residential dwelling units. The Level of Service analysis included a cumulative analysis taking into account the trip generation of several projects on the south side of Bonita Beach Road east of Bonita Grande Drive.

Specific intersection improvements may be required at the time of local Development Order. However, it is anticipated that the extension of Bonita Beach Road will serve this project. The exact intersection from Bonita Beach Road has yet to be determined. Recent improvements were made to the intersection of Bonita Beach Road and Bonita Grande Drive by Lee County. This intersection was recently signalized. Any further refinement of the turn lanes and storage lengths will be determined at local Development Order stage.

K:/2004/06/18/Revised 12.20.04/report.12.20.04

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
BONITA BEACH ROAD - ACTIVE ADULT COMMUNITY

Revised 12.20.04

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 485 VPH IN= 110 OUT= 375

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 605 VPH IN= 390 OUT= 215

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bonita Beach Road	E. of U.S. 41	4LD	0	680	1590	1780	1830	10.00%	39	2.5%
	E. of Old U.S. 41	4LD	0	680	1590	1780	1830	25.00%	98	6.1%
	W. of I-75	6LD	0	760	2240	2700	2830	40.00%	156	7.0%
	E. of I-75	4LD	870	1410	2040	2640	3000	60.00%	234	11.5%
	E. of Bonita Grade Dr.	2LN	0	280	760	900	920	85.00%	332	43.6%
Bonita Grande Dr.	N. of Bonita Beach R d.	2LN	0	130	420	550	880	10.00%	39	9.3%
Terry Street	E. of Imperial St.	2LN	0	130	420	550	880	10.00%	39	9.3%
	W. of Imperial St.	4LD	450	1630	1900	1950	1950	5.00%	20	1.0%
Imperail Street	N. of Bonita Beach Rd	4LD	450	1630	1900	1950	1950	5.0%	20	1.0%
	S. of Bonita Beach Rd	4LD	450	1630	1900	1950	1950	5.0%	20	1.0%
Old U.S. 41	N. of Collier County	2LN	0	0	730	1000	1020	5.00%	20	2.7%
	N. of Bonita Beach Road	2LN	0	770	1080	1140	1150	5.00%	20	1.8%

Link Service volumes from 2003 Link Specific Service Tables except for roadways under construction or planned to be widened within three years. Generalized LOS volumes used for these roads

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

Revised 12.20.04

P. C. S.	K	D	P. C. S.	K	D
PCS NO. 7	0.109	0.50	PCS NO. 16	0.098	0.58
PCS NO. 11	0.104	0.54	PCS NO. 42	0.094	0.52

TOTAL PROJECT TRAFFIC AM = 485 VPH IN = 110 OUT= 375

TOTAL PROJECT TRAFFIC PM = 605 VPH IN= 390 OUT= 215

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.	2009 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2009 BCKGRND + AM PROJ TRAFFIC	2009 BCKGRND + PM PROJ TRAFFIC
Bonita Beach Road	E. of U.S. 41	7	22600	23600	9	0.48%	1201	1236	10.00%	38	39	1274	1275
	E. of Old U.S. 41	42	19200	26400	9	3.60%	1205	1490	25.00%	94	98	1584	1588
	W. of I-75	42	26900	28700	3	2.18%	1403	1597	40.00%	150	156	1747	1753
	E. of I-75	42	10200	12400	3	6.73%	566	837	60.00%	225	234	1062	1071
	E. of Bonita Grande		See Note			3.50%	425	522	85.00%	319	332	841	854
Bonita Grande Dr.	N. of Bonita Beach R d.	42	2100	5400	4	6.00%	264	374	10.00%	38	39	412	413
Terry Street	E. of Imperial St.	42	6000	9900	9	5.72%	484	676	10.00%	38	39	713	715
	W. of Imperial St.	42	6000	9900	9	5.72%	484	676	5.00%	19	20	694	695
Imperail Street	N. of Bonita Beach Rd	42			See Note			1160	5.00%	19	20	1179	1180
	S. of Bonita Beach Rd	42						1105	5.00%	19	20	1124	1125
Old 41 Rd	N. of Collier County	16	10200	12600	4	5.42%	716	983	5.00%	19	20	1002	1003
	N. of Bonita Beach Rd	16	12100	16500	9	3.51%	876	1077	5.00%	19	20	1096	1097

* The Truck Factor was not accounted for in the calculations for roadway links that have permanent count stations.
Traffic Volumes on Bonita Beach Road east of Bonita Grande based on traffic from approved Development Orders to date plus 3.5% annual growth rate
Imperial Street Volumes taken from 2010 FF FSUTMS model for 2010

TRIP GENERATION EQUATIONS
BONITA BEACH ROAD ACTIVE ADULT COMMUNITY
ITE TRIP GENERATION REPORT, 7th EDITION

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Single Family Detached Housing (LUC 210)	T = 0.70 (X) + 9.43	Ln (T) = 0.90 Ln (X) + 0.53	Ln (T) = 0.92 Ln (X) + 2.71
T = Trips, X = Units			
Residential Condominium/ Townhouse (LUC 230)	Ln (T) = 0.80 Ln (X) + 0.26	Ln (T) = 0.82 Ln (X) + 0.32	Ln (T) = 0.85 Ln (X) + 2.55
T = Trips, X = Units			

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
BONITA BEACH ROAD - ACTIVE ADULT COMMUNITY

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 515 VPH IN= 115 OUT= 400

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 645 VPH IN= 415 OUT= 230

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
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	E. of Old U.S. 41	4LD	0	680	1590	1780	1830	25.00%	104	6.5%
	W. of I-75	6LD	0	760	2240	2700	2830	40.00%	166	7.4%
	E. of I-75	4LD	870	1410	2040	2640	3000	60.00%	249	12.2%
	E. of Bonita Grade Dr.	2LN	0	280	760	900	920	85.00%	353	46.4%
Bonita Grande Dr.	N. of Bonita Beach R d.	2LN	0	130	420	550	880	10.00%	42	9.9%
Terry Street	E. of Imperial St.	2LN	0	130	420	550	880	10.00%	42	9.9%
	W. of Imperial St.	4LD	450	1630	1900	1950	1950	5.00%	21	1.1%
Imperail Street	N. of Bonita Beach Rd	4LD	450	1630	1900	1950	1950	5.0%	21	1.1%
	S. of Bonita Beach Rd	4LD	450	1630	1900	1950	1950	5.0%	21	1.1%
Old U.S. 41	N. of Collier County	2LN	0	0	730	1000	1020	5.00%	21	2.8%
	N. of Bonita Beach Road	2LN	0	770	1080	1140	1150	5.00%	21	1.9%

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TOTAL PROJECT TRAFFIC AM =	515	VPH IN =	115	OUT=	400
TOTAL PROJECT TRAFFIC PM =	645	VPH IN=	415	OUT=	230

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.	2009 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2009 BCKGRND + AM PROJ TRAFFIC	2009 BCKGRND + PM PROJ TRAFFIC
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	E. of Old U.S. 41	42	19200	26400	9	3.60%	1205	1490	25.00%	100	104	1590	1594
	W. of I-75	42	26900	28700	3	2.18%	1403	1597	40.00%	160	166	1757	1763
	E. of I-75	42	10200	12400	3	6.73%	566	837	60.00%	240	249	1077	1086
	E. of Bonita Grande		See Note			3.50%	425	522	85.00%	340	353	862	875
Bonita Grande Dr.	N. of Bonita Beach R d.	42	2100	5400	4	6.00%	264	374	10.00%	40	42	414	416
Terry Street	E. of Imperial St.	42	6000	9900	9	5.72%	484	676	10.00%	40	42	716	717
	W. of Imperial St.	42	6000	9900	9	5.72%	484	676	5.00%	20	21	696	696
Imperail Street	N. of Bonita Beach Rd	42			See Note			1160	5.00%	20	21	1180	1181
	S. of Bonita Beach Rd	42						1105	5.00%	20	21	1125	1126
Old 41 Rd	N. of Collier County	16	10200	12600	4	5.42%	716	983	5.00%	20	21	1003	1004
	N. of Bonita Beach Rd	16	12100	16500	9	3.51%	876	1077	5.00%	20	21	1097	1098

* The Truck Factor was not accounted for in the calculations for roadway links that have permanent count stations.
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T = Trips, X = Units			

METRO TRANSPORTATION GROUP, INC.

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FORT MYERS, FL 33919-4489
TELEPHONE 239-278-3090
FAX 239-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

MEMORANDUM

RECEIVED
JAN 04 2005
PERMIT COUNTER

TO: Mr. Robert Mulhere
RWA, Inc.

FROM: Ted B. Treesh
Principal/Regional Manager

DCI2004-00071

DATE: December 20, 2004

RE: Revised Traffic Impact Study
East Bonita Active Adult Community
DCI2004-00071

Attached is the revised TIS for the above referenced project. The previous TIS submitted for the project was found sufficient by County/City staff. The revised TIS reduces the unit count to match the revised application for zoning. The TIS is now based on a total of 799 dwelling units whereas the previous TIS was for 900 dwelling units.

RESOLUTION NUMBER Z-02-012

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by Beach Road Development Company, LLC on behalf of the property owner, Gargiulo Land Company, to rezone a 1,298± acre parcel from Agricultural (AG-2) to Residential Planned Development (RPD), in reference to Bonita Beach Road RPD; and

WHEREAS, a public hearing was advertised and held on April 30, 2002, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2001-00010; and

WHEREAS, a second public hearing was advertised and held on July 1, 2002, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a1,298 acre parcel from AG to RPD, to allow a 36-hole golf course and related amenities, 1,158 dwelling units, and a maximum of 17,500 square feet of ancillary commercial uses, all not to exceed 50 feet in height. The property is located in the Rural Land Use Category and is legally described in attached Exhibit A. The request is APPROVED SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the five-page Master Concept Plan (MCP) entitled "Bonita Beach Road RPD," prepared by Q. Grady Minor and Associates dated September 2001, revised July 1, 2002, and stamped received July 17, 2002, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

7-1-02

ATTACHMENT D

2. The following limits apply to the project and uses:

a. **Schedule of Uses - RPD**

Administrative Offices
Accessory uses and structures
Accessory apartment (subject to Condition 30)
Agricultural uses (subject to Condition 24)
Dwelling Unit: (subject to Condition 14)
- Single Family
- Duplex
- Two Family Attached
- Multiple Family Building
- Townhouse
- Zero Lot Line

Entrance Gate and Gatehouse, in compliance with LDC §34-1749
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls (excluding perimeter buffer zones 1 and 2)
Fire Station
Golf Course
- Consumption on premises
- Community and Golf Course Maintenance Facility
- Driving Range

Home occupation
Model Home, Model Unit, Speculative Homes
Recreation Facilities, Private on-site
- Consumption on premises
- Food and beverage service, limited
- Parking lot, accessory

Recreation Facilities, Personal
Residential Accessory Uses
Signs, in compliance with LDC Chapter 30
Temporary uses (LDC §34-3041)

Schedule of Uses - Village Green [c, f] and Clubhouse Parcels

Administrative Offices
Accessory uses and structures
Agricultural uses (subject to condition 24)
ATM (automatic teller machine)
Business Services, Group I (limited to those which exclusively serve the residents of this development, including Real Estate Sales limited to the sale of lots and/or units located within development)
Club, Private
- Consumption on premises (subject to Condition 13)

Food and beverage service, limited, including outdoor seating (subject to Condition 13)
Parking lot, accessory
Real Estate Sales Office (limited to lots and/or units located within development)
Day care center, adult, child
Dwelling Unit:
Multiple Family Building (limited to Village Green parcel only)
Fences, walls (excluding perimeter buffer zones 1 and 2)
Parking lot, accessory
Recreation Facilities, Private, on-site
Signs, in compliance with LDC Chapter 30

Schedule of Uses - Preserve/Park

Passive Recreational activities including but not limited to:
Hiking, and nature and fitness trails, requiring few or no on-site facilities or capital investment, which utilize the natural environment with little or no alteration to the natural landscape.
Gazebos or screened pavilions in the park area.
Low turn-over parking lots in the park area.

b. Site Development Regulations

Minimum Lot Size:	Single Family Detached
Lot Width	45 feet
Lot Depth	100 feet
Lot Area	6,500 square feet
Maximum Building Height	45 feet / 3 stories
Maximum Lot Coverage	50 percent

Minimum Setbacks:	
Front (street, private)	20 feet (12 feet for side entry garages) [b]
Corner	7.5 feet [e]
Side (principal)	5 feet
Side (accessory)	5 feet (7.5 feet with corner setback)
Rear	10 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size:	Duplex
Lot Width	75 feet
Lot Depth	100 feet (80 feet around preserve areas)
Lot Area	7,500 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	50 percent

Minimum Setbacks:	
Front (street, private)	20 feet (12 feet for side entry garages) [b]
Corner	7.5 feet [e]
Side (principal)	5 feet
Side (accessory)	5 feet (7.5 feet with corner setback)
Rear	10 feet (5 feet for accessory structure)
Waterbody	20 feet (10 feet for accessory structure)

Minimum Lot Size: Two-Family Attached	
Lot Width Per Unit	40 feet
Lot Depth	100 feet
Lot Area Per Unit	3,750 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	50 percent

Minimum Setbacks:	
Front (street, private)	20 feet (12 feet for side entry garages) [b]
Corner	7.5 feet [e]
Side (principal)	5 feet
Side (accessory)	5 feet (7.5 with corner setback)
Side (interior)	0 feet
Rear	10 feet (5 feet for accessory structure)
Waterbody	20 feet (10 feet for accessory structure)

Minimum Lot Size: Townhouse	
Lot Width Per Unit	30 feet
Lot Depth	80 feet
Lot Area Per Unit	2,800 square feet
Maximum Building Height	45 feet / 3 stories
Maximum Lot Coverage	55 percent

Minimum Setbacks:	
Front (street, private)	20 feet (12 feet for side entry garages) [b]
Corner	7.5 feet [e]
Side (principal, accessory)	10 feet
Side (interior)	0 feet
Rear	10 feet (5 feet for accessory structure)
Waterbody	20 feet (10 feet for accessory structure)

Minimum Lot Size: Zero Lot Line	
Lot Width	45 feet
Lot Depth	100 feet
Lot Area	5,500 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	50 percent

Minimum Setbacks:	
Front (street, private)	20 feet (12 feet for side entry garages) [b]
Corner	7.5 feet [e]
Side (principal, accessory)	10 feet
Side (interior)	0 feet
Rear	10 feet (5 feet for accessory structure)
Waterbody	20 feet (20 feet for accessory structure)

Minimum Lot Size: Multiple Family Building	
Lot Width	100 feet
Lot Depth	100 feet
Lot Area	10,000 square feet
Maximum Lot Coverage	55 percent

Minimum Setbacks	
Front (street)	25 feet (12 feet for side entry garages) [b]
Corner	10 feet [e]
Side (principal, accessory)	10 feet
Rear	10 feet (5 feet for accessory structure)
Water body	20 feet (20 feet for accessory structure)

Minimum Building Separation:	one-half the sum of the building heights but not less than 20 feet

Maximum Building Height:	45 feet / 3 stories

Minimum Lot Size: Village Green [c,f]	and Clubhouse Parcels
Lot Width	As referenced on MCP
Lot Depth	As referenced on MCP
Lot Area	As referenced on MCP
Maximum Lot Coverage	40 percent

Minimum Setbacks	
Front (street)	20 feet
Side (principal, accessory)	15 feet
Rear	20 feet (5 feet for accessory structure)
Water body	20 feet (20 feet for accessory structure) [a]

Minimum Building Separation:	one-half the sum of the building heights but not less than 20 feet

Maximum Building Height:	45 feet / 3 stories

Minimum Lot Size:	Maintenance Facility & Fire Station Parcel
Lot Width	50 feet
Lot Depth	100 feet
Lot Area	20,000 square feet
Maximum Lot Coverage	90 percent (maintenance facilities); N/A (fire station)
Minimum Setbacks	
Front (street)	20 feet
Side (principal, accessory)	10 feet
Rear	5 feet
Water body	20 feet (20 feet for accessory structure)
Minimum Building Separation:	N/A to fire station; 10 feet between maintenance structures.
Maximum Building Height:	25 feet (fire station); 35 feet / 1 story (maintenance facility)

Footnotes:

(a) Unless modified by approved deviations.
(b) Setback must be measured from the back of curb.
(c) Village Green parcel only - Multi-family uses, maximum of 3 stories.
(d) DELETED
(e) Limited to one street frontage.
(f) Village Green parcel only - Residential development regulations herein apply to any residential development in this parcel.

3. Prior to local development order approval, the development order plans must include the location of signage informing golfers and residents that feeding and harassing alligators is prohibited by Florida state law. Prior to issuance of a Certificate of Compliance for the golf course, a minimum of one sign at the beginning of the course and two signs near lakes or flow-way must be installed.

4. Prior to issuance of a Certificate of Compliance for any local development order that requires a dumpster, the installed dumpsters must be wildlife proof to discourage bear foraging.

Information must be provided to employees and residents regarding Florida black bears including details of proper disposal of garbage to prevent bear foraging in dumpsters and garbage cans. Prior to local development order approval, a copy of the Florida black bear brochure must be submitted for the Division of Environmental Sciences staff review and approval.

5. Prior to local development order approval, an open space table must be included on the plans that meets the following requirements:

a. A minimum of 519.3 acres of open space is required for the overall project; and

b. No more than 259.7 acres of golf course fairways may be counted toward the open space requirement; and

c. No more than 129.8 acres of lake may be counted toward the open space requirement; and

d. Each development tract must provide a minimum of 10 percent open space.

6. DELETED.

7. Deviation 4 is approved, provided the development order plans delineate the location of any bulkhead and the compensatory littoral zone prior to local development order approval. The compensatory littoral zone must be equivalent in shoreline length to the linear footage of the bulkhead, and consist of an 8:1 slope (cross-section must be included). Littoral plantings must be calculated on two plants per linear foot of the entire lake shoreline, and planted in the compensatory littoral zone. The use of bulkheads is limited to areas within the golf course and village green parcel to allow flexibility in design. The 4:1 excavation slope must intersect the face of the bulkhead at the control elevation. Bulkheads are prohibited adjacent to residential lots.

8. Deviation 8.a is approved, limited to the clubhouse and village green parcels.

9. Prior to local development order approval, no more than 40 percent of the shoreline of the two lakes identified on the MCP, where Deviation 8b is applicable, may have a zero-foot-wide maintenance easement. Consequently, 60 percent of the shoreline must include a 20-foot-wide maintenance easement. All other lakes must provide a 20-foot-wide maintenance easement for the entirety of the lake shoreline.

10. Prior to local development order approval, the landscape plans must be in substantial compliance with the "Bonita Beach Road RPD Conceptual Plan Buffer and Flow-way Details" stamped "Received March 1, 2002" (attached as Exhibit D). The Zone-1 buffer plantings must be mulched with a minimum 3-inch organic mulch (no cypress) extending 24 inches from trees and 12 inches from shrubs. A temporary irrigation system must be provided for the Zone-1 buffer plantings that is an automatic timed system with a rain sensor and low water use such as drip irrigation. The flow-way plantings must be a minimum 3-gallon container size for trees, a minimum 1-gallon container size for ground cover, and a minimum 2-inch liner size for marsh/herbaceous plantings.

11. Deviation 1 is approved subject to the developer providing a stabilized access between the proposed internal access way and Parcel 111.

12. Deviation 3 is approved with the stipulation that the developer provide a proposed plan for the protection of wayward vehicles, which is subject to approval by the Director of Development Services Division prior to approval of a local development order for the project.

13. Consumption on Premises is approved for the golf clubhouse and one private club in the Village Green parcel. The consumption on premises associated with the proposed golf clubhouse and Village Green is limited to and in conjunction with the food and beverage service for a private club. Outdoor seating is permitted within the Clubhouse parcel, provided it is located on the south side of the clubhouse. Outdoor seating is also permitted in the Village Green parcel. The outdoor seating must be located on the lake side of the club. Hours of operation for the outdoor seating area are limited to the hours between 7:00 a.m. and 11:00 p.m. The location of the outdoor seating area will be specified in the covenants and restrictions of any adjacent residential parcels, and depicted on all site maps used in the sale of lots within this development. Special events in the outdoor seating areas are permitted in accordance with LDC §§ 34-3041 and 34-1264.

14. Deviation 11 is approved for a maximum of up to 100 units subject to the final design being consistent with the sample drawings referenced on the approved MCP and approval of the Director of Development Services during the local development order review process.

15. At the time of each local development order application, the applicant must provide an ongoing tabulation of the acreage that has been used for residential development, open spaces, golf course areas, and nonresidential development. This condition is intended to substantiate consistency with the provisions of Policy 1.4.1.1.a of the Lee Plan for the buildout of the development.

16. Lee County will incur no cost for providing necessary infrastructure, facilities, and services to this development, per Lee Plan Policy 1.4.1.1.f. The property is subject to the Privately Funded Infrastructure Overlay (PFIO). The developer shall create a uniform community development district, or other acceptable alternative to ensure compliance with that overlay.

17. Prior to the issuance of any local development order, the applicant must provide evidence that the property has access to central water and sewer, or that the extension of central water and sewer will coincide with the development of the property.

18. Bonita Beach Road improvements must occur in pace with the planned development. Local development order applications for on-site project infrastructure, the golf course/surface water management system and golf course maintenance facility may be reviewed and approved concurrently with a development order application for the extension of Bonita Beach Road to the project entrance. No certificate of compliance for the aforementioned nor building permits for residential units will be issued until a certificate of compliance is issued for the Bonita Beach Road extension to the project entrance.

19. The golf course will comply with the goals of the Audubon Cooperative Sanctuary Program for Golf Courses. These management practices will include:

    a. The use of slow release fertilizers and/or carefully managed fertilizer applications, which are timed to ensure maximum root uptake and minimal surface water runoff or leaching into the groundwater;

    b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemical management

plan which includes an integrated pest management (IPM) program and a nutrient management program such that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, *aimed only at identified targeted species. The regular widespread application of* broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. No turf managed areas (including fairways, tees, and greens) are permitted within 35 feet of wetlands or preserve areas, or the use of a structural buffer is required. The chemicals management plan must be submitted to and approved by Lee County Natural Resources Staff prior to the development order approval.

c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients;

d. The developer must utilize a golf course manager who is licensed by the State of Florida to use restricted pesticides and who will perform the required management functions. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater; and

e. The storage, mixing and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment.

20. The developer will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. These strategies will include the following:

a. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be treated in accordance with the goals of the Audubon Cooperative Sanctuary Program.

b. Prior to development order approval for the golf course, the developer must conduct a pre-development water quality analysis and groundwater and surface water analysis and submit the analysis to Lee County Division of Natural Resources. This analysis is intended to establish baseline data for groundwater and surface water monitoring for the project area. The analysis must be designed to identify those nutrients and chemicals that are anticipated to be associated with the project. Prior to commencing this baseline study, the developer must submit the methodology for review, comment, and approval by the Lee County Natural Resources Division.

c. The developer must prepare an annual monitoring report of ground water and surface water quality for the golf course operation. The monitoring program must include: testing to assess the levels of herbicide, pesticide or fertilizer within the golf course; identifying the locations for the ground water monitoring and testing on a map(s); and setting forth the testing and recording requirements. The Developer must submit the test results with the monitoring report to the Lee County Natural Resource Division. The monitoring program will be established and operated at the expense of the Developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. Compliance with this plan will be evaluated at the project outfalls and the outfall into the wetlands in accordance with the water quality standards set forth in Chapter 62-302, F.A.C.

d. If groundwater or surface water pollution occurs, as that term is defined by applicable State and Federal rules or regulations in effect at the time, and should the pollution be caused by the application of fertilizers, herbicides or pesticides to the golf course, the application of any material(s) containing the pollutant(s) must cease until there is a revised management plan. If mitigation is necessary to address the pollution, a mitigation plan approved by Lee County must be implemented by the Developer.

e. Prior to the issuance of local development order approval, the developer must demonstrate compliance with A Best Management Practices for Golf Course Maintenance Departments, prepared by the Florida Department of Environmental Protection, May 1995, as amended. Compliance with best management practices are as follows:

   1. The development order must demonstrate separate mixing and loading facilities for pesticides, and provide a separate pesticide storage area, in compliance with materials specified in the above referenced document. The development order must demonstrate separate mixing and loading facilities for fertilizer, and provide a separate fertilizer storage area, in compliance with materials specified in the above referenced document.

   2. The development order plans must indicate the construction material for all buildings in compliance with Best Management Practices for Golf Course Maintenance Departments.

   3. Equipment to apply pesticides and fertilizers must be stored in an area protected from rainfall.

f. The golf course must be planted with a turf grass cultivated variety that is drought and pest resistant, while requiring relatively low fertilizer use; these grasses may be any grass tested and approved by Audubon to demonstrate viability and compatibility with the climate and water tables and water quality in this area.

g. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

h. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lakes or wetland (any aquatic) systems.

i. Fertilizers must not be applied after active growth of the turf grass has ceased, and must be kept to the lowest reasonable levels.

21. Deviation 10 is approved subject to approval of the final design of the multiple family parking areas by the Director of Development Services during the local development order review process. The final design of the parking areas must be consistent with the sample drawings and justifications submitted by the applicant as part of this request. The design of the areas utilizing this deviation must include traffic calming devices to be determined by the Director of Development Services during the local development order review process.

22. DELETED.

23. Deviation 16 is approved provided the approximate 127.4 acres of existing indigenous plant communities are shown as preserve area and a restoration plan for 66.7 acres is submitted for the Division of Environmental Sciences staff review and approval, prior to local development order approval.

a. Trimming of native vegetation will be allowed for golf hole 16a to permit playability of the hole. A Vegetation Removal Permit must be obtained prior to the initial trimming to establish trimming limits.

b. The residential tract numbered 106 on the MCP must use stem wall construction techniques, where appropriate, to preserve existing indigenous vegetation within the individual lots. This requirement will be reviewed and implemented by the Developer's Architectural review committee.

c. A minimum of 75 percent native trees and shrubs must be used in the landscape design for each residential lot or parcel. This requirement will be reviewed and implemented by the Developer's Architectural review committee.

d. The invasive exotic vegetation, listed as Category 1 Invasive in the Exotic Pest Plant Council, are prohibited as landscape material for any plantings within the Bonita Beach Road RPD.

e. Prior to local development order approval containing the north or west project perimeter, the development order plans must delineate a 15-foot-wide buffer consisting of five trees and 18 shrubs per 100 linear feet. The buffer plantings must include 75 percent native trees and shrubs. This condition is specifically applicable to the north perimeter of the golf course maintenance facility and fire station parcels.

24. Bona fide agricultural uses in existence at the time this development is approved may continue until approval of a local development order for the area of the project containing those uses, PROVIDED

a. Within 30 days of the zoning approval, the developer provides documentation indicating the extent of the existing bonafide agricultural uses. The developer must provide a notarized statement from the property owner describing the type and intensity of bona fide agricultural uses in existence on the date of zoning approval, i.e., livestock grazing or crop production. The developer must include acreage figures for each use as part of the notarized statement. The statement must include an exhibit depicting the location of the uses on a copy of the boundary sketch. The exhibit should be entitled "Bona fide Agricultural Uses at time of Zoning Approval."

b. Additional clearing of existing agricultural areas is prohibited. Additional grading is prohibited except for grading specifically and appropriately necessary for the existing agricultural use. Existing areas of agricultural use may be maintained, i.e., mowed, but may not be cleared or expanded. The purpose of this condition is to prohibit the expansion of active agricultural uses on vacant property.

c. Intensification of existing agricultural uses is prohibited. For example, livestock grazing areas may not be intensified to crop production, wooded areas may not be cleared for grazing, etc.

d. Any agricultural use and agricultural tax exemption associated with Phase 1 of the project, as depicted on the MCP, must be terminated once a local development order is approved for Phase 1. The tax exemption will terminate at the end of that tax year.

e. Any agricultural use and agricultural tax exemption associated with Phase 2 of the project must be discontinued upon approval of a local development order for the individual tract identified in the development order.

f. Within six months of the date of the zoning approval, the applicant must fence committed preserve areas located adjacent to areas under agricultural use.

25. Deviation 13 is approved subject to the final design being consistent with the sample drawings referenced on the approved MCP and approval of the Director of Development Services during the local development order review process.

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

27. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.

28. Changes in access points or an increase in intensity within a given development pod may be approved administratively, provided:

a. Permitted building height is not increased and there is a minimum 200-foot separation between the proposed structure and the nearest adjacent lower intensity residential lot; and

b. Traffic associated with the more intensive use is not required to traverse or achieve site access through any lower intensity residential pods (areas); and

c. Notice of the proposed change is provided to all owners/residents of the adjacent lower intensity development pods.

29. Subject to approval of the Development Services Manager, this MCP may be modified to reflect environmental conditions, easements, utilities and changes in market demand. All acreages are approximate and are subject to minor changes.

30. No accessory apartment is permitted until individually reviewed and approved through the Special Exception process set forth in the LDC. Written notice of this additional review requirement must be given to each subsequent property owner.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-291(3) requirement to provide where practical, any residential development of more than five acres to allow two or more means of ingress or egress for the development; to permit one ingress and egress point onto Bonita Beach Road. This deviation is APPROVED SUBJECT TO Condition 11.

2. Deviation(2) - WITHDRAWN.

3. Deviation (3) seeks relief from the LDC §10-329(f)(1)(a) requirement to provide a minimum setback of 25 feet between excavations for water retention and a local street right-of-way line or easement; to allow; a) a zero-foot setback from the street right-of-way line or easement to the edge of the water control elevation and b) a 25-foot setback from the back of curb of local streets to the edge of the water control elevation. This deviation is APPROVED SUBJECT TO Condition 12.

4. Deviation (4) seeks relief from the LDC §10-329(e)(4) requirement to provide that excavation bank slopes be no greater than 4:1; to allow the project to conform to the South Florida Water Management District (SFWMD) permit. This deviation is APPROVED SUBJECT TO Condition 7.

5. Deviation (5) - WITHDRAWN.

6. Deviation (6) - WITHDRAWN.

7. Deviation(7) - WITHDRAWN.

8. Deviation(8.a.) seeks relief from the LDC §34-2194(c)(3)b requirement to provide a 10-foot setback from non-seawalled artificial bodies of water; to eliminate the setback requirement

for recreational/amenity structures, allowing these structures to be placed at the lake's control elevation. This deviation is APPROVED SUBJECT TO Condition 8.

Deviation (8.b.) seeks relief from the LDC §10-328 requirement to provide a 20-foot-wide lake maintenance easement; to eliminate the required easement as identified on the MCP. This deviation is APPROVED SUBJECT TO Condition 9.

9. Deviation (9) - WITHDRAWN.

10. Deviation (10) seeks relief from the LDC §10-8(2) requirement which prohibits the backing of vehicles into a street right-of-way; to allow vehicles within the Village Green, Clubhouse, and certain residential pods to back into a private right-of-way or easement. This deviation is APPROVED SUBJECT TO Condition 21.

11. Deviation (11) seeks relief from the LDC §§10-296(b) and 10-296(m)(4)(a) requirement which provide that privately-maintained access ways which allow access to 50 or fewer multiple family dwelling units are not required to maintain a minimum right-of-way width of 40 feet; to permit privately-maintained access ways which allow access for up to 150 or fewer multiple family dwelling units to maintain a minimum right-of-way width of less than 40 feet. This deviation is APPROVED for up to 100 units subject to Condition 14.

12. Deviation (12) - WITHDRAWN.

13. Deviation (13) seeks relief from the LDC §10-296(b) Table 3 requirement to provide a minimum right-of-way width of 40 feet for privately maintained streets; to allow a minimum right-of-way width of 34 feet for residential pods and 28 feet for the maintenance facility/fire station access road and the project spine road. This deviation is APPROVED SUBJECT TO Condition 25.

14. Deviation (14) - WITHDRAWN DURING PUBLIC HEARING.

15. Deviation (15) seeks relief from the LDC §10-416(d)(3) requirement to provide a Type C/F buffer between the proposed golf course maintenance facility/fire station area and adjacent golf course parcels; to allow the buffer without the required wall or berm/wall combination. This deviation is APPROVED.

16. Deviation (16) seeks relief from the LDC §10-415(b) requirement to provide that large developments with existing indigenous vegetation provide 50 percent of their open space requirement through the on site preservation of existing vegetation; to allow the preservation of 127.4± acres of existing indigenous vegetation and to restore 66.7± acres of indigenous vegetation for a total of 194.1± acres. This deviation is APPROVED SUBJECT TO Condition 23.

SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: The legal description of the property

Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D: Bonita Beach Road RPD Conceptual Plan Buffer and Flow-way Details, stamped "Received March 1, 2002."

The applicant has indicated that the STRAP number for the subject property are: 01-48-26-00-00001.0000, 02-48-26-00-00001.0000, and 02-48-26-00-00001.1000

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable code and regulation.

2. The RPD rezoning, as conditioned:

   a. meets or exceeds the performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development; and,

   e. will not adversely affect environmentally critical areas or natural resources.

3. The approval of this rezoning request satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

   b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

   c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan will be available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

6. The proposed development is not a Development of Regional Impact, under provisions of Section 380.06, F.S.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Judah, seconded by Commissioner Coy, and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Absent
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 1st day of July 2002.

ATTEST:
CHARLIE GREEN, CLERK

BY: Michele B. Cooper
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

Donna Marie Collins
County Attorney's Office

RECEIVED
AUG 20 2002

AGNOLI
BARBER &
BRUNDAGE, INC.

DESCRIPTION OF SECTIONS 1 AND 2
TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

ALL OF SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH RANGE 26 EAST, LEE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE AFORESAID SECTION 1;
THENCE NORTH 0°52'31" WEST ALONG THE EASTERLY LINE OF THE SOUTHEAST ONE-QUARTER (¼) OF SECTION 1 A DISTANCE OF 2712.06 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 1;
THENCE NORTH 0°47'30" WEST A DISTANCE OF 2686.58 FEET TO THE NORTHEAST CORNER OF SAID SECTION 1;
THENCE SOUTH 89°15'48" WEST ALONG THE NORTHERLY LINE OF SAID SECTION 1 A DISTANCE OF 5257.28 FEET TO THE NORTHWEST CORNER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF THE AFOREMENTIONED SECTION 2;
THENCE SOUTH 89°18'41" WEST ALONG THE NORTH LINE OF SAID SECTION 2 A DISTANCE 5260.58 FEET TO THE NORTHWEST CORNER OF SAID SECTION 2;
THENCE SOUTH 1°23'35" EAST ALONG THE WEST LINE OF SAID SECTION 2 A DISTANCE OF 5384.26 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 2;
THENCE NORTH 89°23'01" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (¼) OF SAID SECTION 2 A DISTANCE OF 2602.59 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 2;
THENCE NORTH 89°22'08" EAST A ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (¼) A DISTANCE OF 2621.12 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 2 AND THE SOUTHWEST CORNER OF THE AFOREMENTIONED SECTION 1;
THENCE NORTH 89°21'09" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (¼) OF SAID SECTION 1 A DISTANCE OF 2620.23 FEET TO THE SOUTH QUARTER (¼) CORNER OF SAID SECTION 1;
THENCE NORTH 89°22'02" EAST ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (1/4) A DISTANCE OF 2621.40 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 1 AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 1298.23 ACRES OF LAND MORE OR LESS;
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD;

AGNOLI, BARBER & BRUNDAGE INC.,
PROFESSIONAL ENGINEERS, PLANNERS & SURVEYORS AND MAPPERS

BY: _____
GEORGE W. HACKETT, P.S.M. 5606
REF. ABB DRAWING NO. 7441BS.DWG
REVISED ACREAGE 7/SEP/01

SEP 27 2001

DCI 2001-00010 Applicant's Legal Checked
DRI 2001-00001 by _____ 9/1/01

ZONING MAP

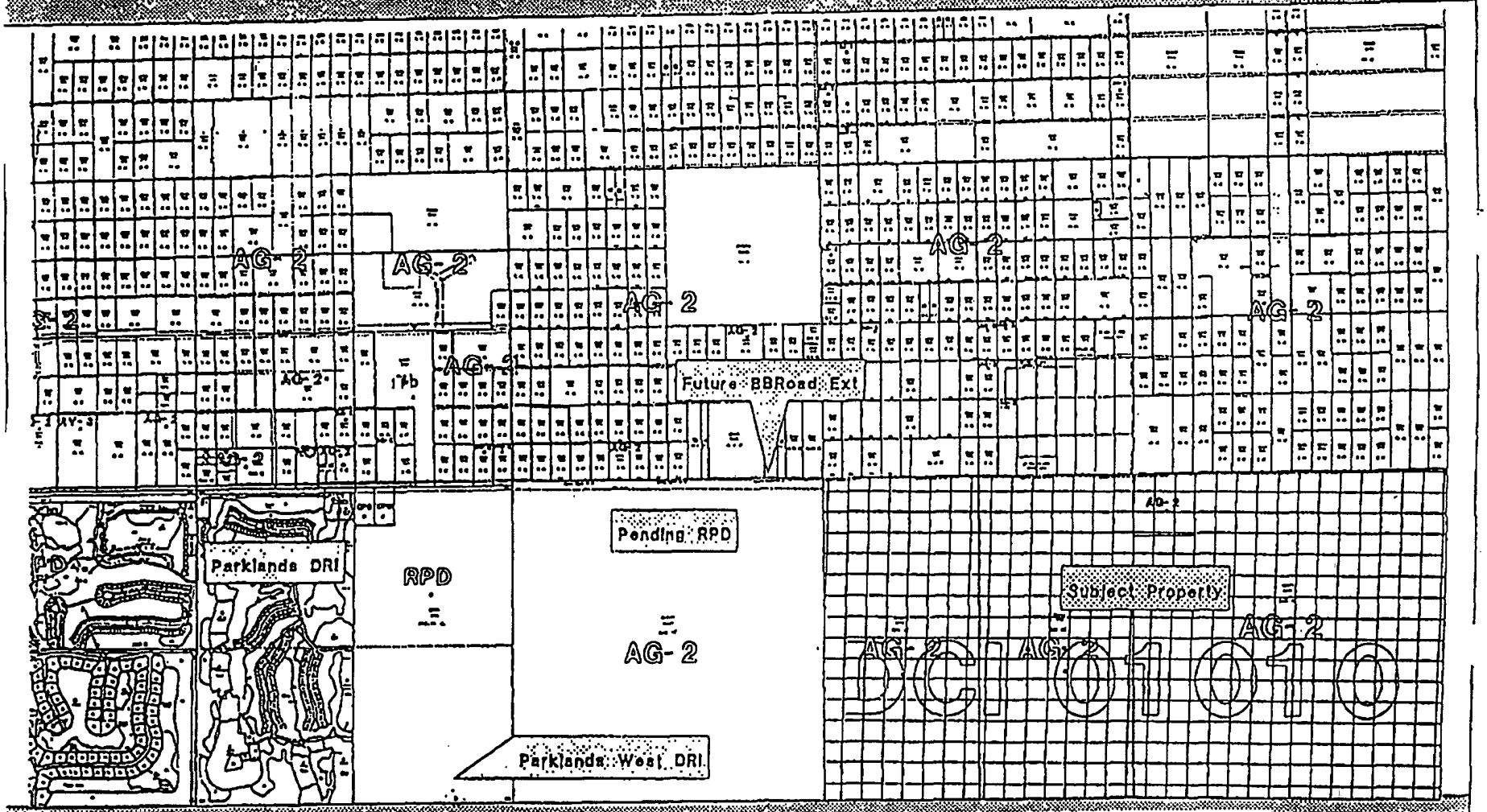
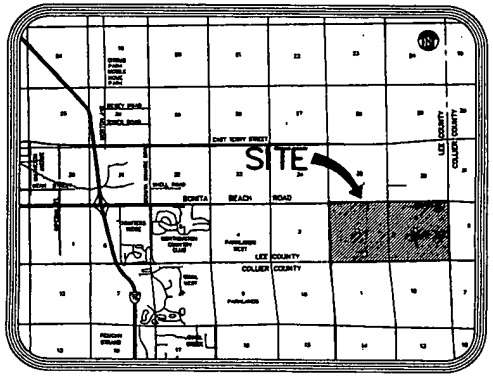


EXHIBIT B

BONITA BEACH ROAD RPD

LOCATED IN:
SECTIONS 1 & 2, TOWNSHIP 48S, RANGE 26E,
BONITA SPRINGS, LEE COUNTY,
FLORIDA



LOCATION MAP
SCALE: 1" = 5000'

A PROJECT BY:

The Bonita Bay Group

INDEX OF DRAWINGS

DWG. No.	DESCRIPTION
1	COVER SHEET AND INDEX OF DRAWINGS
2	MASTER CONCEPT PLAN (EXHIBIT II-F-3, IV-C, IV-E, IV-G, IV-H)
3	GENERAL NOTES
4	GENERAL NOTES AND DETAILS

PREPARED FOR:
BEACH ROAD DEVELOPMENT CO., INC.
3451 BONITA BAY BOULEVARD
SUITE 202
BONITA SPRINGS, FL 34134

PREPARED BY:
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

APPROVED
Master Concept Plan
Site Plan - 02-012 Page 1 of 4
Subject to Conditions in Resolution 2002-013
Case PCT2001-00010 MCI 2001-00010

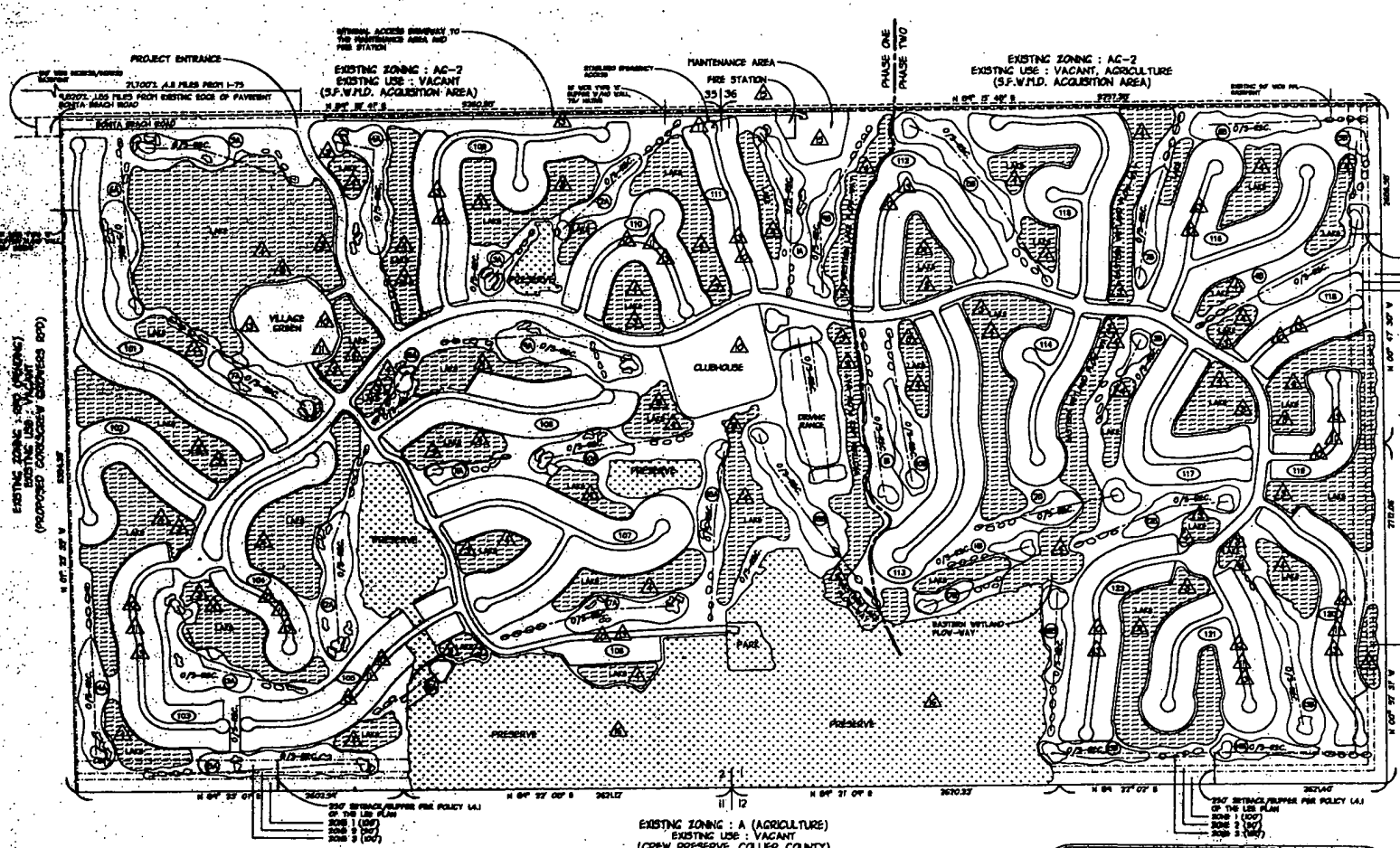
PRINTED
JUL 15 2002
Q. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS-LAND SURVEYORS

DATE : SEPTEMBER, 2001
REVISION DATE : JULY 1, 2002
FILE : BRRCOVER
DRAWING NUMBER : 1 OF 4

RECEIVED
JUL 17 2002

BONITA BEACH ROAD RPD

MASTER CONCEPT PLAN



SCALE : 1" = 400'

APPROVED

PREPARED FOR:
BEACH ROAD DEVELOPMENT CO., INC.
3451 BONITA BAY BOULEVARD
SUITE 202
BONITA SPRINGS, FL 34134

PRINTED
JUL 16 2002

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS

DATE: SEPTEMBER, 2001
REVISED DATE : JULY 5, 2002
FILE: 9809CP2
DRAWING NUMBER: 2 OF 4

BONITA BEACH ROAD RPD

GENERAL NOTES

PARCEL SUMMARY

LAND USE		PERMITTED USE	MAX. UNITS
RESIDENTIAL:			
PHASE 1	PARCEL 101	SINGLE FAMILY	69
	PARCEL 102	SINGLE FAMILY	43
	PARCEL 103	MULTIFAMILY	150
	PARCEL 104	MULTIFAMILY	60
	PARCEL 105	MULTIFAMILY	110
	PARCEL 106	MULTIFAMILY	8
	PARCEL 107	SINGLE FAMILY	44
	PARCEL 108	SINGLE FAMILY	27
	PARCEL 109	MULTIFAMILY	42
	PARCEL 110	MULTIFAMILY	64
	PARCEL 111	MULTIFAMILY	48
PHASE 2	PARCEL 112	MULTIFAMILY	48
	PARCEL 113	SINGLE FAMILY	41
	PARCEL 114	SINGLE FAMILY	27
	PARCEL 115	SINGLE FAMILY	32
	PARCEL 116	MULTIFAMILY	46
	PARCEL 117	SINGLE FAMILY	40
	PARCEL 118	MULTIFAMILY	36
	PARCEL 119	MULTIFAMILY	60
	PARCEL 120	MULTIFAMILY	74
	PARCEL 121	MULTIFAMILY	66
	PARCEL 122	MULTIFAMILY	44
ANCILLARY FACILITIES/OTHER:			
CLUBHOUSE			
MAINTENANCE FACILITY FIRE STATION			
VILLAGE GREEN		COMMERCIAL/RESIDENTIAL	40
RIGHT-OF-WAY/EASEMENTS			
OPEN SPACE/RECREATION:			
GOLF COURSE FAIRWAYS			
INDIGENOUS PRESERVES EXISTING RESTORED			
LAKE FLOW-WAY			
LAKES			

LAND USE AND DEVELOPMENT PROGRAM SUMMARY

DEVELOPMENT PROGRAM

USE	AREA	PERMITTED USES	INTENSITY	NOTES
RESIDENTIAL	370.5± ACRES	AS SPECIFIED IN "LIST OF PERMITTED USES"	1,156 UNITS	DENSITY MAY NOT EXCEED 1 DWELLING UNIT PER GROSS ACRE ON OVERALL PROJECT. POD ACREAGE MAY CHANGE FROM PARCEL TO PARCEL WITHOUT AMENDING THE MCP
OPEN SPACE/RECREATION: GOLF COURSE/ FAIRWAYS PRESERVES LAKES/FLOWWAYS PARK/OPEN	764.7± ACRES	RECREATION/OPEN SPACE PRESERVE N/A RECREATION/OPEN SPACE	18-36 HOLES PASSIVE RECREATION N/A AS PER MCP	THE PROVIDED OPEN SPACE MUST COMPLY WITH POLICY 1.4.1 WHICH REQUIRES PROJECT TO HAVE 40% OPEN SPACE, OF WHICH, ONLY 50% MAY BE GOLF COURSE FAIRWAYS. ALL NATURALLY OCCURRING WETLANDS THAT HAVE NOT BEEN SIGNIFICANTLY DEGRADED MUST BE PRESERVED
ANCILLARY FACILITIES/OTHER: CLUBHOUSE MAINTENANCE VILLAGE GREEN R/W FIRE STATION	163.0± ACRES	COMMUNITY MAINTENANCE COMMUNITY/RESIDENTIAL CIRCULATION PUBLIC FACILITY	AS PER MCP 30,000 S.F. FLOOR AREA AS PER MCP AS PER MCP 7,500 S.F. FLOOR AREA	THE VILLAGE GREEN MAY INCLUDE, BUT NOT BE LIMITED TO, PRIVATE RECREATIONAL FACILITIES, SALES CENTER, FITNESS CENTER, ENRICHMENT CENTER, PLAYGROUND, PAVILIONS, RESTAURANTS, ETC.

NOTE:
ALL ACREAGES ARE APPROXIMATE AND SHALL BE DETERMINED AT THE TIME OF PLATTING AND/OR DEVELOPMENT ORDER APPROVAL.

SITE DATA

LEE PLAN DESIGNATION:	RURAL
ZONING DESIGNATION:	AC-2
EXISTING LAND USE:	VACANT, AGRICULTURE
PROPOSED ZONING DESIGNATION:	RPD, RESIDENTIAL PLANNED DEVELOPMENT
REQUIRED PARKING:	PROVIDED AT THE TIME OF DEVELOPMENT ORDER
OPEN SPACE REQUIREMENT:	458.7± ACRES
OPEN SPACE PROVIDED:	766± ACRES
INDIGENOUS OPEN SPACE REQUIRED:	229.6± ACRES
INDIGENOUS OPEN SPACE PROVIDED:	194.1± ACRES*
GROSS AREA:	1,298.2± ACRES
MAXIMUM RESIDENTIAL UNITS:	1,156 UNITS
STRAP NUMBERS:	01-48-26-00-00001.0000 02-48-26-00-00001.0000 02-48-26-00-00001.1000

* - REFER TO PARCEL SUMMARY ON THIS SHEET, DEVIATION #15 AND CONDITION NUMBER 23.

LEGAL DESCRIPTION

ALL OF SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH RANGE 26 EAST, LEE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE AFORESAID SECTION 1;
THENCE NORTH 0°52'31" WEST ALONG THE EASTERLY LINE OF THE SOUTHEAST ONE-QUARTER (1/4) OF SECTION 1 A DISTANCE OF 2712.06 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 1;
THENCE NORTH 0°47'30" WEST A DISTANCE OF 2686.98 FEET TO THE NORTHEAST CORNER OF SAID SECTION 1;
THENCE SOUTH 89°15'48" WEST ALONG THE NORTHERLY LINE OF SAID SECTION 1 A DISTANCE OF 2251.28 FEET TO THE NORTHWEST CORNER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF THE AFOREMENTIONED SECTION 2;
THENCE SOUTH 89°15'41" WEST ALONG THE NORTH LINE OF SAID SECTION 2 A DISTANCE 5260.38 FEET TO THE NORTHWEST CORNER OF SAID SECTION 2;
THENCE SOUTH 1°23'39" EAST ALONG THE WEST LINE OF SAID SECTION 2 A DISTANCE OF 3364.26 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 2;
THENCE NORTH 89°23'01" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 2 A DISTANCE OF 2627.54 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 2;
THENCE NORTH 89°27'09" EAST A DISTANCE OF 2621.12 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 2 AND THE SOUTHWEST CORNER OF THE AFOREMENTIONED SECTION 1;
THENCE NORTH 89°27'09" EAST A DISTANCE OF 2620.23 FEET TO THE SOUTH QUARTER (1/4) CORNER OF SAID SECTION 1;
THENCE NORTH 89°27'07" EAST A DISTANCE OF 2621.40 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 1 AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 1298.2 ACRES OF LAND MORE OR LESS;
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD;

APPROVED
Site Plan # 02-012 Page 3 of 4
Project Number 02-00
Case # DCI2001-00010

PREPARED FOR:
BEACH ROAD DEVELOPMENT CO., INC.
3451 BONITA BAY BOULEVARD
SUITE 202
BONITA SPRINGS, FL 34134

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CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (941) 947-1144 FAX : (941) 947-0376

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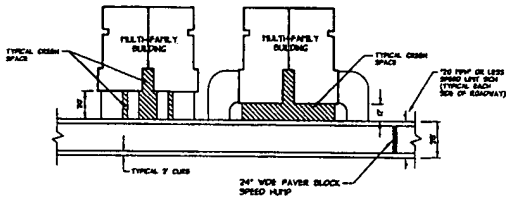
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REVISION DATE : JULY 1, 2002
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DRAWING NUMBER : 3 OF 4

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COMMUNITY DEVELOPMENT

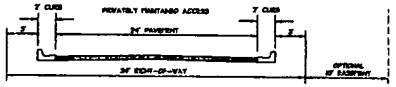
DCI 2001-00010

BONITA BEACH ROAD RPD

GENERAL NOTES AND DETAILS



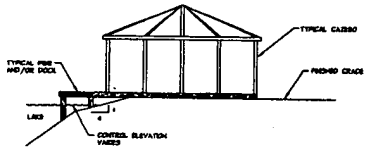
DEVIATION 10 & 11



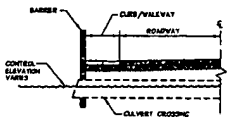
RESIDENTIAL PODS
DEVIATION 13



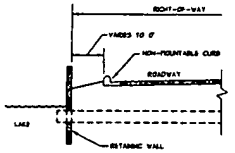
SPINE ROAD, MAINTENANCE/FIRE STATION ACCESS
DEVIATION 13



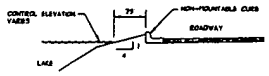
DEVIATION 8a



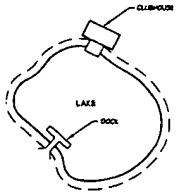
BRIDGE SECTION
DEVIATION 3a



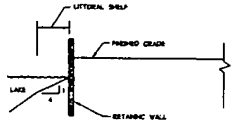
DEVIATION 3a



DEVIATION 3b



DEVIATION 8b



DEVIATION 4 & 8b

APPROVED
Master Concept Plan
Site Plan # 02-012 Page 4 of 4
Subject to conditions in Resolution 202-02
Case # DCI2001-00010

PREPARED FOR:

BEACH ROAD DEVELOPMENT CO., INC.
3451 BONITA BAY BOULEVARD
SUITE 202
BONITA SPRINGS, FL 34134

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
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ENGINEERING CERTIFICATE OF AUTHORIZATION EB 0003151
SURVEYING CERTIFICATE OF AUTHORIZATION LB 0003151

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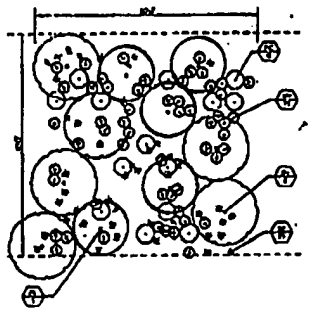
DATE : SEPTEMBER, 2001
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DRAWING NUMBER : 4 OF

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DCI 2001-00010

BONITA BEACH ROAD RPD

CONCEPTUAL PLAN
BUFFER AND FLOW-WAY DETAILS



ZONE 1 EAST AND SOUTH CONCEPTUAL BUFFER PLAN

NOTE:
BUFFER PLANTING PLAN REPRESENTS TYPICAL BUFFER IN AREAS WHERE LAKES DO NOT ENCROACH INTO ZONE 1 BUFFER

ZONE 1 EAST AND SOUTH BUFFER
PLANT LIST

SIZE	QUANTITY	SPACING
TREES	6	10' CAL. MIN.
SHRUBS	100	3-10 CAL.
GROUND COVER	100	1-3 CAL.

COMMON NAME	BOTANICAL NAME
TREES	
LIVE OAK	QUERCUS VIRGINIANA
SABAL PALM	SABAL PALMETTO
SHRUBS	
WAX MYRTLE	MYRICA CERIFERA
GALLBERRY	ILEX GLABRA
PALMETTO	SERENOA REPENS
PETTICOAT	YUCCA ALOIFOLIA
FIRE BUSH	HYPTIS CAPITATA
CROTON	CODIAEUM VARIEGATUM
GROUND COVER	
DAY FLOWER	COMMELINA COMMUNIS
WILD PETUNIA	RUELLIA CAROLINIANA
SAND CORD GRASS	SPARTINA BAKERI
LIRIOPE	LIRIOPE MUSCARI
ASIATIC JASMINE	TRACHELOSPERMUM ASIATICUM

EASTERN WETLAND FLOW-WAY

BOTTOM WETLAND
CYPRESS (TAXODIUM DISTICHUM) 8' FEET ON CENTER
RED MAPLE (ACER RUBRUM) 8' FEET ON CENTER
LAUREL OAK (QUERCUS LAURIFOLIA) 8 FEET ON CENTER

GROUND COVER
COONTAIL (CERATOPHYLLUM) 3 FEET ON CENTER
COMMON PICKEREL (PICKEREL PONDWEED) 3 FEET ON CENTER
WILDGRASS (LEERSIA SPECIES) 3 FEET ON CENTER
WATER FERN (AZOLLA CAROLINIANA) 3 FEET ON CENTER

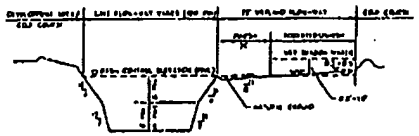
MARSH PLANTING
PICKERELWEED (PONTEDERIA CORDATA) 3 FEET ON CENTER
SAGITTARIA (SAGITTARIA LANCIFOLIA) 3 FEET ON CENTER
THALIA (THALIA GENICULATA) 3 FEET ON CENTER
SPATTERDOCK (NUPHAR LUTEUM) 3 FEET ON CENTER
SOFT-STEM BULRUSH (SCIRPUS VALIDUS) 3 FEET ON CENTER

WESTERN LAKE FLOW-WAY

ONE NATIVE WETLAND VEGETATIVE PLANT PER ONE LINEAR FOOT OF LAKE SHORE LINE MEASURED AT CENTER ELEVATION PLUS/MINUS 18 INCHES OF THE LWL.



CONCEPTUAL WESTERN LAKE FLOW-WAY SECTION



CONCEPTUAL EASTERN WETLAND FLOW-WAY SECTION

WETLAND FLOW-WAY NOTE

THE WETLAND CREATION AREA WILL BE GRADED SUCH THAT THE MARSH PLANTINGS WILL BE LOCATED ADJACENT TO THE LAKE, THE INTERFACE BETWEEN THE LAKE AND THE MARSH WILL INCLUDE A SMALL BERM APPROXIMATELY 18 INCHES IN HEIGHT. THE BERM WILL BE CONSTRUCTED TO CREATE SURFACE FLOWS AT ELEVATIONS SIMILAR TO THOSE FOUND WHEN THE WATER LEVELS ELEVATE AS A RESULT OF SEASONAL WATER LEVEL FLUCTUATIONS. THE WETLAND CREATION AREAS WILL BE PLANTED WITH NATIVE WETLAND VEGETATION. THE BERM WILL BE SUBJECT TO SFWMD PERMITTING CRITERIA AND CROSS-SECTIONS MAY BE MODIFIED ACCORDINGLY.

PREPARED FOR:
BEACH ROAD DEVELOPMENT CO., INC.
3451 BONITA BAY BOULEVARD
SUITE 202
BONITA SPRINGS, FL 34134

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) 947-0915

PRINTED
MAR 01 2002

DATE: SEPTEMBER, 2001
REVISION DATE: MARCH 1, 2002
FILE: BEACH01-4
DRAWING NUMBER: 1 OF 1

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MAR 01 2002
COMMUNITY DEVELOPMENT

DCI 2001-00010

EXHIBIT D

Policy 1.1.10.1: Urban Fringe Community District

Intended to accommodate and provide flexibility for development in areas exhibiting substantial environmental resource protection lands combined with transitional urban characteristics. In order for land to be considered for this designation, land requested to be placed in this category shall be a minimum of 100 acres. Development within this category would be allowed from 2.54 to 2.77 gross dwelling units per acre (3300-3600 dwelling units for 1299 gross acres). Land developed within this Urban Fringe Community District must adhere to the following innovative design and planning principles.

1. All new development within the Urban Fringe Community District shall be required to be zoned as a Planned Development.

2. Development within this Urban Fringe Community District will be required to cluster in order to minimize loss of native vegetation and wetland function. Developments within the Urban Fringe Community District are permitted to be clustered at higher than gross density as long as the gross density and maximum number of units are not exceeded for the total acreage within the Urban Fringe Community District. Significant natural systems, or wetlands which require preservation in order to comply with Local, State and Federal Permitting, shall be placed in the Resource Protection Future Land Use category and for purposes of the Urban Fringe Community District, shall be included in gross acreage for density calculations.

3. Development within the Urban Fringe Community District is encouraged to provide a mix of uses, including a mix of residential types, recreational amenities, civic spaces and convenience and commercial uses intended to serve residents and their guests in order to minimize trips outside the Urban Fringe Community District .

4. Development is encouraged to provide creative site designs, and clustering is required to provide for greater common open space and mixed-use development. The planning flexibility provided through the planned development process shall encourage and facilitate creative design techniques.

    a. Residential Development. These areas shall include single and/or multiple family home site acreage, and shall include, but not be limited to, single-family attached and detached; duplexes and two-family units; and town homes and other multi-family dwelling types.

    b. Non-residential Development. These areas will include vehicular and pedestrian ways, commercial and institutional areas, club houses and associated facilities, utility buildings, maintenance areas, tennis courts and associated non-residential uses.

    c. Residential and Non-residential Development acreage may account for no more than 60% of the gross area within the Urban Fringe Community

District. Intensity/density standards for all uses within this category are set forth in the Intensity/Density Table below:

Percent Aggregate Land Use Mix Within the Mixed Use Future Land Use Map Category			
Land Uses in Mixed Use	Minimum % Land Use Mix	Maximum % Land Use Mix	Maximum Density/Intensity
Residential	45%	58%	2.77 gross du/ac (3300-3600 du[1])
Commercial/Non-residential[2]	2%	15%	.35 FAR
Open Space	40%	53%	.25 FAR

[1] Gross density pursuant to Policy 1.1.10.1

[2] Commercial uses, excluding recreational facilities (including, but not limited to, the clubhouse and ancillary facilities), will be limited to 5 total acres.

d. Open Spaces. These areas will include preserved natural areas, buffers lakes, parks, golf courses, nature trails, retention areas, conservation areas, scenic resources, green belts, wetlands and associated areas and must account for a minimum of forty percent (40%) of the Property within the Urban Fringe Community District. Golf course fairways will account for no more than fifty percent (50%) of the open space of the subject Urban Fringe Community District.

e. The owners will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The owners will comply with the goals of the Audubon Cooperative Sanctuary Program for Golf Courses. The management practices will include:

   i. The use of slow release fertilizers and/or carefully managed fertilizer applications which are timed to ensure maximum root uptake and minimal surface water runoff or leaching to the groundwater;

   ii. The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use of the United States Department of Agriculture Soil Conservation Services Soil Pesticide Interaction Guide to select pesticides that have a minimum potential for leaching or loss to due runoff depending on the site-specific soil conditions. Application of pesticides within 25 feet of any Corkscrew Regional Ecosystem Watershed, or other adjacent public preserve lands, is prohibited;

iii. The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any pesticides and nutrients;

iv. The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater; and

v. The storage, mixing and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment.

f. Any required perimeter buffer zones pursuant to Policy 1.1.10.1(5)(c)(vii) must be replanted with vegetation after construction. Revegetation must adhere to the following:

i. Seventy five percent of the total number of replanted trees used in buffers and landscaping must be indigenous, and fifty percent of the replanted shrubs must be indigenous;

ii. Plant material must conform to the standards for Florida Number 1 or better as given in Grades and Standards for Nursery Plants 1973, and Grades and Standards for Nursery Plants, Part II, Florida Department of Agriculture and Consumer Services, Tallahassee.

iii. Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, queensland umbrella tree, trailing wedelia may not be used as part of the revegetation of the property after construction.

g. The shorelines of any stormwater management lakes must be sinuous in configuration, and must be sloped or bermed. The littoral zones around the ponds must be planted with native wetland herbaceous plants, and trees or shrubs can be included within the herbaceous plants. At least four species must be planted. The minimum required number of plants will be one plant per linear foot of lake shoreline as measured at the control elevation water level. The littoral shelf should provide a feeding area for water dependent avian species.

h. Height. Maximum allowable height for residential structures shall be 60 feet from the base flood elevation to the eaves.

i. In order to minimize adverse impacts that construction may have on wildlife, natural environmental values, and water quality, the developer will institute appropriate measures such as full compaction of any fill material placed around newly installed structures. In addition, clubhouse(s), golf course maintenance building(s), vehicular service areas and amenity centers that include outdoor pools, tennis courts, etc.,

must be located a minimum of 350 feet from the boundaries of the Urban Fringe Community District that abut the southern and eastern conservation areas. This restriction does not apply to residential buildings. Further, a conservation easement of 100 feet in width shall be placed over Zone 1, which is described in Policy 1.1.10.1.5(c)(vii)(A). The easement shall allow for landscaping, water management activities, passive recreational uses and other uses as set forth in Policy 1.1.10.1.5.c(vii)(A).

j. Because domestic animals can create conflicts with indigenous wildlife, no free-ranging domestic animals are permitted within the Urban Fringe Community District. All applicants for a local Development Order shall include a provision in their covenants and restrictions that prohibit free-ranging domestic animals. Such covenants and restrictions shall also address the implementation of a bear-proof garbage can program to minimize wildlife attractants.

5. All major Resource Protection areas over 20 acres in size shall be provided public vehicular access on non-gated roadways.

a. All naturally occurring wetlands, which have not been significantly degraded, must be designated as preserve areas and be subject to a conservation easement similar to that set forth in Section 704.06, Florida Statutes. Limited uses in preserve areas such as nature trails, bike paths, cart paths, boardwalks and the like will be allowed when permitted by appropriate State and Federal agencies. The use of wetland areas for water management, to the extent allowed by law, will not be precluded. Wetland areas being used as water management areas within the Urban Fringe Community District may be relocated if all approvals are obtained from appropriate local, State and Federal agencies and (2) where the affected wetland functions are replaced on property within the Urban Fringe Community District.

b. Where feasible, open space areas will be designed so as to provide connections between wetlands, preserve areas, and buffers on property within the Urban Fringe Community District. The design of these open spaces areas will seek to provide areas which will be integrated with on-site and adjacent preserve properties so as to enhance habitat for small mammals and wading birds. Golf courses, when constructed and maintained in compliance with this paragraph will be considered to be functional open space to the extent set forth above.

c. The design of functional open space areas must incorporate the following design features:

i. A surface water management system that mimics the functions of the natural system, in accordance with the following:

A. All development proposals within the Urban Fringe Community District must recognize areas where soils,

vegetation, hydrogeology, topography, and other factors indicate that water flows or ponds; and require that these areas be utilized to the maximum extent possible, without significant structural alteration, for on-site stormwater management; and require that these areas be integrated into area-wide coordinated stormwater management schemes.

B. Where no natural features of flow or ponding exist on a site within the Urban Fringe Community Districts, the City will require that water management structures be designed and constructed in such a manner as to mimic the functions of natural systems. Special engineering and design standards for such structures will be incorporated into revised development regulations.

C. Within the Urban Fringe Community Districts where traditional drainage structures exist (ditches, canals, dikes, etc.), the City may permit their continued existence and maintenance, but will discourage their expansion or extension.

D. Where feasible within future urban areas, surface water management plans are encouraged that mimic the functions of natural systems, notwithstanding the type or intensity of development permitted.

E. The South Florida Water Management District must review any Development to ensure that adequate provision is made for a flowway through the proposed Urban Fringe Community District. Any changes to any ACOE or Environmental Resource Permit in effect at the time of the adoption of this Plan Amendment must ensure adequate provision for the transport of off-site flows through the property to the south, and shall address the creation of wading bird habitat.

F. The policies above (1.1.10.1.5(c)(i))are not intended to prohibit any permittable surface water management solution that is consistent with good engineering practices and adopted environmental criteria.

ii. Any Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, queensland umbrella tree, trailing wedelia existing on the site at the time of the issuance of a development order must be removed.

iii. The vegetation that surrounds, or is within the open space areas should have the capacity to provide habitat for a diversity of wild life.

iv. For any area that drains to the Imperial River Basin, a surface water management system that is consistent with the Kehl Canal/Imperial River Basin study prepared by Agnoli, Barber & Brundage dated 1995 for the SFWMD.

v. Uses including, but not limited to, picnic areas, trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails, vita courses, bird viewing blinds/tower and interpretative facilities will be permitted within functional open areas.

vi. Development must provide a buffer to protect adjacent natural areas from the impacts of development. The purpose of the buffer is to protect natural resources from the activities and impacts of development on property within the Urban Fringe Community District.

vii. All development must incorporate buffers, as follows, in three zones:

A. ***Zone 1*** will be a minimum of 100 feet wide and will extend completely along all portions of the eastern and southern boundary of the Urban Fringe Community District. These are the areas of the Urban Fringe Community District which are adjacent to the Collier County Line. The buffer will consist of selected native upland forest plant species such as south Florida slash pine, live oak, laurel oak, and saw palmetto. Selected species will be tolerant of drought conditions, and will not require fertilizers and pesticides to promote growth and survival. Exotic plant species will be controlled by the periodic application of herbicides and mechanical removal. Wetland forest species will be used in situations where wetland functions remain on the Urban Fringe Community District and where soil and moisture conditions are suitable.

Zone 1 will incorporate the existing water management reservoirs which are located along the southern boundaries of the Urban Fringe Community District. These reservoirs will not require additional buffering. There will be no structures erected in Zone 1, however, passive recreation such as hiking, bird watching and nature study will be permitted. Construction of lakes in Zone 1 will be allowed. Existing berms and ditches will be allowed to remain in Zone 1.

B. ***Zone 2*** will be adjacent to Zone 1 and will encompass an area that is at least 50 feet wide. This area will be free of lights and other structures such as fences, pools and sheds. The permanent placement of generators, pumps, and other fixed motors will be prohibited. Homesites may extend into Zone 2, but no portion of the residence itself may extend into this zone. If residential lots are incorporated into this zone, those portions of yard acreage will be planted and maintained in a fashion similar to that proposed for Buffer Zone 1. Passive recreation such as hiking, jogging, biking, and walking will be allowed along designated trails and boardwalk system. Golf courses and lakes may extend into this zone, but may not incorporate lights or structures other than drainage structures and cart paths. All golf course acreage in Zone 2 will be free of flights and structures and the use of golf carts will be permitted. If water, sewer or electrical lines are placed in Zone 2 they must be buried.

C. ***Zone 3*** will be parallel to Zone 2 and will consist of residences and other infrastructure development in a 100-foot wide band. Exterior lighting in this zone may not project toward adjacent preserve land. Measures such as directional lighting, reduced-height light supports and other light abatement technology will be used.

6. Land areas amended to the Urban Fringe Community District will be tracked by the City of Bonita Springs to address the following for all property within the Urban Fringe Community District:

   i. maximum number of dwelling units,

   ii. maximum square footage of commercial,

   iii. locations of public sites, and

   iv. maximum amounts of non-public recreational uses to be provided.

a. Every development within the Urban Fringe Community District shall enter into a Developer's Agreement with the City of Bonita Springs prior to issuance of a Development Order, in accordance with §163.3220-3243, Florida Statutes or by any other mutually agreed upon legal instrument. The intent of the Developer's Agreement or appropriate legal instrument is to identify timing, density for the project, etc. to ensure that development matches the information tracked by the City.

b. The Developer's Agreement or appropriate legal instrument will require an annual review in accordance with §163. 3220-3243.

c. The Developer's Agreement or appropriate legal instrument will inform subsequent purchasers (excluding single lots not being subdivided) who will adhere to the requirements contained within the Developer's Agreement or appropriate legal instrument.

i.

7. As individual zonings to RPD are submitted to the City they shall include as a minimum the following information:

   a. A showing of the amount of units as a part of the maximum approved for the parent parcel.

   b. A Traffic Analysis submitted in accordance with the City's TIS requirements verifying that adequate capacity currently exists or will exist prior to the issuance of any Certificates of Occupancy.

8. Any lands included or amended into the Urban Fringe Community District category must demonstrate the non-existence of urban sprawl by:

   a. Submitting a fiscal impact study demonstrating a net fiscal benefit to the City.

   b. Directing new growth to areas where public facilities exist, are planned within the City or County Five Year Capital Improvement Plan, or are committed to through a Developer Agreement, or otherwise assured to be funded by the appropriate agency.

   c. Providing assurances through fiscal and other means that an amendment to the Urban Fringe Community District category will expedite any additionally needed infrastructure improvements so as to not adversely impact the surrounding community outside this District.

   d. Requiring all development to be connected to central water and sewer.

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (239) 334-1102 • TTD/TTY (239) 335-1512

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CHAIRMAN • DISTRICT 2

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VICE CHAIRMAN • DISTRICT 5

ROBERT D. CHILMONIK
DISTRICT 1

JANE E. KUCKEL, PH.D.
DISTRICT 3

STEVEN K. TEUBER
DISTRICT 4

JAMES W. BROWDER, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

November 3, 2004

Mr. Alvin Block, AICP
Lee County Development Services Division
P.O. Box 398
Fort Myers, FL 33902-0398

Re: East Bonita Active Adult RPD, DCI Substantive Review, Case #DCI2004-00071

Dear Mr. Block:

Thank you for the opportunity to review the East Bonita Active Adult RPD for substantive comments with regard to educational impacts. This proposed development is in the South Choice Zone of the District, on Bonita Beach Road in the Bonita Planning Area. This letter is in response to your request dated November 9, 2004.

Based on the proposed maximum total of 400 multi-family residential dwelling units estimating that the proposal could generate up to 44 additional school-aged children, the Lee County School District is. This uses a generation rate of 0.109 students per unit generated. Based on the proposed maximum total of 500 single family residential dwelling units estimating that the proposal could generate up to 176 additional school-aged children, in the South Choice Zone of Lee County for single family units. This uses a generation rate of .352 students per unit generated. This would create the need for approximately thirty-six new classrooms in the system, as well as additional staff and core facilities. Using the new small classroom legislative guidelines, additional classrooms may be generated. **Based on the impact this project will have no classroom facilities, the School District of Lee County is requesting donation of land suitable for a school site, either within the project site or within the same School Choice zone.**

The Lee County Board of County Commissioners adopted a School Impact Fee Ordinance on November 27, 2001, effective at this time. As such, the Summerlin/Gladioulus developers will be expected to pay the impact fee at the appropriate time.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call at (239) 479-4218.

Sincerely,

Tina Silcox, Community Development Planner
Planning Department

ATTACHMENT F

EXHIBIT V-B

Bonita Springs Utilities, Inc.

September 23, 2004

Mr. David Underhill, Jr., P.E.
Banks Engineering, Inc.
6640 Willow Park Drive Suite B
Naples, Florida 34109

Re: East Bonita Active Adult Community
Bonita Springs, Lee County, Florida

Dear Mr. Underhill:

Please be advised that the Developer has requested potable water and sewer service for the project referenced above. The Developer is required to install all off-site and on-site waterline and sewer service extensions necessary to provide service to the project in accordance with Bonita Springs Utilities, Inc. (BSU) specifications.

The projects engineer, Banks Engineering, estimates the usage to be 213,000 gallons per day. Bonita Springs Utilities, Inc. has the capacity to provide the above estimated gallonage from its 14 million gallon per day water treatment plant. The Water Reclamation Facility has the capacity to treat the above estimated gallonage from its 7 million gallon per day treatment plant.

The static water pressure at the point the developers' waterline extension will connect currently exceeds 20 psi.

This letter should not be construed as a commitment or guarantee to serve, but only as to the availability of potable water and sewer at this time. Bonita Springs Utilities, Inc. may commit to reserve plant capacity if available, at such time as the water company and developer enter into a Developers Agreement and approval is obtained from all appropriate state and local regulatory agencies.

Sincerely,

Patrick C. Jennings, II, PE
Director of Engineering

PJ/mar

DCI 2004 00071

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11860 East Terry Street - Bonita Springs, Florida 34135 - (941) 992-0711 - (800) 583-1496
www.bonitaspringsutilities.com

ATTACHMENT G

STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES

Date: **March 21, 2004**

To: **Chip Block, Principal Planner**
From: **Alaina Ray, Environmental Planner**
Phone: (239) 479-8323
E-mail: aray@leegov.com

Project: **East Bonita Active Adult Residential Planned Development (RPD)**
Case: **DCI2004-00071**
STRAP: **01-48-26-B1-00001.0000; 02-48-26-B1-00001.0000 &.0000**

The Division of Environmental Sciences (ES) has reviewed the application for the proposed East Bonita Active Adult RPD. The following are ES staff findings and recommendations:

Vegetation:

The project site is approximately 295 acres and consists primarily of agricultural row crops. There is a 41.59 acre borrow pit on the property, which will be reshaped as part of the proposed development. The site also contains a 3.24 acre wetland which contains slash pine, cypress, red maple, cabbage palm, wax myrtle, and willow. This wetland comprises the only indigenous native plant community onsite. The proposed Master Concept Plan indicates that this wetland will be preserved. In order to confirm the preservation of the wetland, ES staff recommends the following condition:

Prior to approval of local development order, the development order plans must demonstrate the preservation of the 3.24 acre wetland, in significant compliance with the Master Concept Plan.

Open Space:

The proposed Master Concept Plan reflects the development regulations for the Urban Fringe Community District as outlined in the Bonita Springs Comprehensive Plan Amendment for Sections 1 and 2. Under the Comprehensive Plan Amendment, Urban Fringe Community District Policy 1.1.10.1 requires a total of forty percent open space for the entirety of Sections 1 and 2. This policy promotes clustering of higher density units within Section 1 to preserve environmentally critical areas to the east. Individual tracts within Sections 1 and 2 are not required to maintain open space at forty percent. Instead, the open space must be tracked throughout the development of Sections 1 and 2 to ensure that a total of 40 percent open space is

provided within the two sections. Sections 1 and 2 comprise approximately 1,299 acres, which would require approximately 520 acres of open space. To meet the intent of Policy 1.1.10.1, the proposed Master Concept Plan reflects a lower percentage of open space than the percentage that will be required for the remainder of the Urban Fringe Community District. As such, a total of 70.11 acres of open space is reflected on the Master Concept Plan. Of this, a maximum of 18.38 acres is designated as lake area. In order to maintain the required amount of open space within Sections 1 and 2, ES staff recommends the following conditions:

Prior to local development order approval, the development order plans must indicate a minimum of 70.11 acres of open space, in significant compliance with the Master Concept Plan. A maximum of 18.38 acres of open space may be designated as lake area.

Prior to local development order approval, the development order plans must include a table that provides the total open space requirement for Sections 1 and 2, the amount of open space provided within the East Bonita Active Adult RPD, and the remainder of open space required within Sections 1 and 2.

Protected Species:

A species survey of Lee County Listed Species was conducted by Passarella and Associates, Inc. on March 23 and 24, 2000. During this survey, a total of five Lee County Protected Species were observed on the property, including little blue heron, snowy egret, tri-colored heron, wood stork, and American alligators. ES staff conducted a field inspection of the site on March 22, 2005 and confirmed the findings of the species survey. ES staff observed numerous Lee County protected wading birds, including wood stork, tri-colored heron, great blue heron, little blue heron, and snowy egret. The majority of these birds were observed foraging around the shoreline of the existing borrow pit. One American alligator was also observed in the borrow pit.

The proposed project is located in a transitional area between residential development to the west and preservation land to the east. The subject property is located in close proximity to a major slough system to the south and South Florida Water Management District acquisition land to the north. Therefore, it is important for this development to provide native habitat areas suitable for supporting the large number of wading birds that can be expected to utilize this site. This project includes over 72 acres of lakes, with a majority of the lake shorelines being adjacent to managed lawns. An enhanced shoreline planting plan would provide habitat for protected wading birds, as well as reduce the amount of water directly discharged over managed turf grass into the proposed lakes. The applicant has recognized the importance of providing enhanced wading bird habitat and improving water quality. The applicant has offered an exhibit of proposed enhanced littoral planting areas for the lakes within this project. Staff agrees that these enhanced littoral areas will benefit protected wading birds and enhance this development. Therefore, ES staff recommends the following conditions:

Prior to approval of local development order, the landscape plan must include a littoral planting plan that includes expanded littoral shelves and clustering of plantings, in **significant**

compliance with the exhibit labeled "Littoral Shelf Exhibits: East Bonita Active Adult RPD" and stamped received by Division of Environmental Sciences on February 16, 2005 (attached).

The littoral zones must be planted with native wetland vegetation calculated at four plants per linear foot of shoreline. Fifty percent of the required littoral plantings must be provided as native wetland trees (e.g. red maple, cypress, pond apple, pop ash, elm) with one 10 foot or two 5 foot or three 3 foot trees being equivalent to ten herbaceous plants. Details for these plantings must be included on the landscape plan prior to approval of local development order.

As mentioned above, American alligators have been observed on the property. These alligators were seen in the wetland and in the borrow pit. In order to address the protection of this species, ES staff recommends the following condition:

Prior to approval of local development order, an American alligator management plan must be submitted to Division of Environmental Sciences for review and approval. This management plan must contain details of signs to be placed around the perimeter of lakes informing residents of the possible presence of alligators, the protected status of alligators, and that feeding or harassment of alligators is illegal. The management plan must also include an educational brochure regarding living with alligators that will be distributed to all residents.

Deviation 5:

Deviation 5 requests relief from LDC Section 10-329(d)(4) which requires lake banks to be sloped to allow bulkheads on a maximum of 20 percent of the shoreline. The applicant states that the option to use bulkheads around the amenity center would allow a more aesthetically pleasing design and allow public access to the waterline.

Bulkheads have been used within residential and commercial planned developments to increase design flexibility. The South Florida Water Management District allows the use of bulkheads on surface water management lakes provided that one linear foot of compensatory littoral zone with an 8:1 slope is provided for each linear foot of bulkhead. The 8:1 littoral area provides a good wading bird foraging area, and insures no decrease in littoral zone.

Therefore, ES staff recommends APPROVAL of Deviation 5 to be limited to the amenity center location and subject to the above littoral planting condition.

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: May 5, 2005

TO: Alvin Block, AICP
Principal Planner

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

RE: **East Bonita Active Adult RPD**
Case No. DCI2004-00071

The proposed project is located on the south side of Bonita Beach Rd. approximately four miles east of I-75. Based on the ITE Trip Generation Report 7th Edition the project will generate 645 new trips in the peak hour. The anticipated build out year is 2008.

Based on the 2004 Traffic Count Report, the 2003/2004 -2004/2005 Concurrency Management Report, and the link-specific service volumes, *Bonita Beach Rd. east of I-75* will operate at level of service **"A"** in 2009 without the project traffic, and level of service **"B"** with the project.

Based on the volumes from approved development orders to date, and the Generalized Peak Hour Directional Service Volumes for Urbanized Areas, *Bonita Beach Rd. east of Bonita Grande Dr.* will operate at level of service **"C"** in 2009 without the project traffic, and level of service **"D"** with the project.

BGR
S:/WRITERS/RENTZRG/DCI2004-00071SUBSTANTIVETRAFFICCOMMENTS

ATTACHMENT I

221+47	n/a	Yes	U-turns only	None
230+14	867 ft.	Yes	EB to NB Left-in Rt-in/Rt-out from N&S[4]	Miromar Outlet Mall
236+73	660 ft.	Yes	All	Ben Hill Griffin Pkwy.

[1] Distance measured from next connection to the west.
[2] A WB to SB left-in may be allowed at this location if necessary.
[3] The previously-approved driveway for the Pic-N-Run may remain provided there is not other access; however, if Pic-N-Run establishes a connection to the frontage road system and other access locations, the driveway must be removed.
[4] The Right-in/Right-out from the south already exists at Station 230+65. This connection may be shifted west to any point between Stations 226+30 and 230+65 if proven not to be a traffic safety hazard.
(Relocated and Amended by Ordinance No. 00-22, Amended by Ordinance No. 03-05)

OBJECTIVE 1.4: NON-URBAN AREAS. Designate on the Future Land Use Map categories for those areas not anticipated for urban development at this time.

POLICY 1.4.1: The Rural areas are to remain predominantly rural--that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre).

The property consisting of Sections 1, 2, and 3, Township 48 South, Range 26 East must be developed only in accordance with the following standards:

1. The Property may be developed only in accordance with the following conditions. Pre-development activities such as rezonings, zoning permits, certifications, special exceptions, and variances must be consistent with the following conditions, but need not implement them until application is made for a development order that would authorize physical, on-the-ground development on the Property.

   a) The Property, or any part of it, will only be developed as a Planned Development, as defined by Chapter XIII of the Lee County Comprehensive Plan at page XII-6. Should development occur in a series of increments by different developers, each development must receive planned development approval. Residential development will be clustered in order to maximize opportunities to provide open spaces and natural areas. A maximum of five acres of the property will be reserved for commercial uses of the type which serve neighborhood needs. Commercial development may be aggregated on any portion of the Property. Clustering will be achieved by requiring homesites to be platted or designed in contiguous groups, adjacent to open spaces. Clustering of residential development will also be achieved by limiting the areas on the Property available for residential homesites in the following fashion.

      (1) Residential development. Single and/or multiple family homesite acreage may account for no more than 45% of the gross area of the Property. Homesite acreage includes the entire site for all single family houses, multi-family dwellings, and any other residential structure, including the house or building pad, the yard, and any driveway, parking areas, landscaped areas, and the like upon the homesite.

ATTACHMENT J

(2) Open Spaces. These areas will include preserved natural areas, buffers, lakes, parks, golf courses, nature trails, retention areas, conservation areas, scenic resources, green belts, wetlands and associated areas and must account for a minimum of 40% of the Property. Golf course fairways will account for no more than fifty percent (50%) of the open space of the subject property.

(3) Non-residential Development. These areas will include vehicular and pedestrian ways, commercial and institutional areas, club houses and associated facilities, utility buildings, maintenance areas, tennis courts and associated non-residential uses and will be a maximum of 15% of the Property.

b) All naturally occurring wetlands, which have not been significantly degraded, must be designated as preserve areas and be subject to a conservation easement similar to that set forth in Section 704.06, Florida Statutes. Limited uses in preserve areas such as nature trails, bike paths, cart paths, boardwalks and the like will be allowed when permitted by appropriate State and Federal agencies. The use of wetland areas for water management, to the extent allowed by law, will not be precluded. Wetland areas being used as water management areas on the Property may be relocated if (1) all approvals are obtained form appropriate State and Federal agencies and (2) where the affected wetland functions are replaced on the Property.

c) Where feasible, open space areas will be designed so as to provide connections between wetlands, preserve areas, and buffers on the Property. The design of these open space areas will seek to provide areas which will be integrated with on-site and adjacent preserve properties so as to enhance habitat for small mammals and wading birds. Golf courses, when constructed and maintained in compliance with this paragraph will be considered to be functional open space to the extent set forth above.

d) The design of the functional open space area must incorporate the following design features:

(1) A surface water management system that mimics the functions of the natural system, in accordance with Objective 41.2 of the Lee Plan:

(2) For those areas that drain to the Imperial River Basin, a surface water management system that is consistent with the Kehl Canal/Imperial River basin study prepared for the SFWMD, and adopted by the BOCC pursuant to Policy 40.3.2 of the Lee Plan:

(3) Uses including, but not limited to, picnic areas, trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails vita courses, bird viewing blinds/tower and interpretative facilities will be permitted within functional open areas:

(4) The open space areas must be replanted with vegetation after construction. Seventy five percent of the total number of required trees used in buffers, and landscaping must be indigenous, and fifty percent of the shrubs must be indigenous:

(5) Plant material used for revegetation must conform to the standards for Florida Number 1, or better as given in Grades and Standards for Nursery Plants 1973, and

Grades and Standards for Nursery Plants, Part II, Florida Department of Agriculture and Consumer Services Tallahassee:

(6) Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, queensland umbrella tree, trailing wedelia may not be used as part of the revegetation of the property after development. Any such plants that exist on the site at the time of the issuance of a development order must be removed; and

(7) The vegetation that surrounds, or is within the open space areas should have the capacity to provide habitat for a diversity of wildlife.

e) Development must provide a buffer to protect adjacent natural areas from the impacts of development. The purpose of the buffer is to protect adjacent natural resources from the activities and impacts of development on the Property.

(1) All development must incorporate buffers, as follows, in three zones:

Zone 1 will be a minimum of 100 feet wide and will extend completely along all portions of the eastern and southern boundary of the Property. These are the areas of the Property which are adjacent to the Collier County Line. The buffer will consist of selected native upland forest plant species such as south Florida slash pine, like oak, laurel oak, and saw palmetto. Selected species will be tolerant of drought conditions, and will not require fertilizers and pesticides to promote growth and survival. Exotic plant species will be controlled by the periodic application of herbicides and mechanical removal. Wetland forest species will be used in situations where wetland functions remain on the property and where soil and moisture conditions are suitable.

Zone 1 will incorporate the existing water management reservoirs which are located along the southern boundaries of Sections 1 and 2. These reservoirs will not require additional buffering. There will be no structures erected in Zone 1, however, passive recreation such as hiking, bird watching, and nature-study will be permitted. Construction of lakes in Zone 1 will be allowed. Existing berms and ditches will be allowed to remain in Zone 1.

Zone 2 will be adjacent to Zone 1 and will encompass an area that is at least 50 feet wide. This area will be free of lights and other structures such as fences, pools, and sheds. The permanent placement of generators, pumps, and other fixed motors will be prohibited. Homesites may extend into Zone 2, but no portion of the residence itself may extend into this zone. If residential lots are incorporated into this zone, those portions of yard acreage will be planted and maintained in a fashion similar to that proposed for Buffer Zone 1. Passive recreation such as hiking, jogging, biking, and walking will be allowed along designated trails and boardwalk system. Golf courses and lakes may extend into this zone, but may not incorporate lights or structures other than drainage structures and cart paths. All golf course acreage in Zone 2 will be free of lights and structures, and the use of golf carts will be permitted. If water, sewer, or electrical lines are placed in Zone 2 they must be buried.

Zone 3 will be parallel Zone 2 and will consist of residences and other infrastructure development in a 100-foot wide band. Exterior lighting in this zone may not project toward adjacent preserve land. Measures such as directional lighting, reduced-height light supports, and other light abatement technology will be used.

The buffer zones will not preclude governmental entities from constructing public roadways that are currently depicted on the Lee County 2020 Traffic Circulation Plan Map through these zones, as long as other State and Federal permits are obtained.

f) The Property must be served with all necessary facilities and services at no expense to the County (including central water and sewer). Uniform Community Development Districts any special taxing districts may be utilized to achieve this standard. The Property is presently within the Lee County Privately Funded Infrastructure Overlay (PFIO). This Overlay requires that all development within these areas pay for the construction and extension of public services to all properties that seek to develop to a different land use. Should at the time when the Property begins to develop, the PFIO no longer applies to this area, all development will still be required to pay for its infrastructure costs. All development must comply with the Lee County Concurrency Management Plan. The owners of the property and their successors in interest must not withdraw from or opt out of the PFIO.

g) Development must be on central water and sewer or the extension of such and other utilities must be planned to coincide with the development of the Property. Bonita Beach Road improvements must have been extended east to the planned development, or its extension must be committed to occur in pace with the planned development.

h) The shorelines of any stormwater management lakes must be sinuous in configuration, and must be sloped or bermed. The littoral zones around the ponds must be planted with native wetland herbaceous plants, and trees or shrubs can be included within the herbaceous plants. At least four species must be planted. The minimum required number of plants will be one plant per linear foot of lake shoreline as measured at the control elevation water level. The littoral shelf should provide a feeding area for water dependent avian species.

i) The owners will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The owners will comply with the goals of the Audubon Cooperative Sanctuary Program for Golf Courses. The management practices will include:

(1) The use of slow release fertilizers and/or carefully managed fertilizer applications which are timed to ensure maximum root uptake and minimal surface water runoff or leaching to the groundwater;

(2) The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use of the USDA-SCS Soil Pesticide Interaction Guide to select pesticides for uses that have a minimum potential for

leaching or loss due to runoff depending of the site specific soil conditions. Application of pesticides within 25 feet of any CREW, or other adjacent public preserve lands, is prohibited.

(3) The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients;

(4) The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater; and

(5) The storage, mixing and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment.

j) In order to minimize the adverse impacts that construction may have on wildlife, natural environmental values, and water quality, the developer will institute appropriate measures such as full compaction of any fill material placed around newly installed structures.

k) Any future individual development on the Property will be subject to Development of Regional Impact (DRI) review once it reaches the 80% threshold, i.e., at 800 units such development will be presumed to be a DRI. If two or more individual projects will be developed on the Property, this 80% threshold will be applicable to each, and not applied in a cumulative fashion unless subject to the aggregation criteria in Rule 9J-2, Fla. Admin. Code.

(Added by Ordinance No. 97-17, Amended by Ordinance No. 98-09, 00-22)

POLICY 1.4.2: The Outer Islands are sparsely settled, have minimal existing or planned infrastructure, and are very distant from major shopping and employment centers. They are not expected to be programmed to receive urban-type capital improvements in the time frame of this plan, and as such can anticipate a continued level of public services below that of other land use categories. The continuation of the Outer Islands essentially in their present character is intended to provide for a rural character and lifestyle, and conserve open space and important natural upland resources. Maximum density is one dwelling unit per acre (1 du/acre). (Amended by Ordinance No. 98-09)

POLICY 1.4.3: The Rural Community Preserves are established following special studies of Lee County's intact rural communities. Within these areas, special design approaches are to be used to maintain the existing rural character, for example: conservation easements, flexible road design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. These areas are not to be programmed to receive urban-type capital improvements. Lands within this category are not intended to be converted to any Future Urban Areas; rather, they are to remain permanently rural in character and use. These areas are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in this category may not be rezoned to any RV district. Additional goals, objectives, policies, and standards for these areas may be included in this plan

DEVELOPMENT REGULATIONS

	FAMILY	TWO FAMILY ATTACHED	DUPLEX	ZERO LOT LINE	MULTI FAMILY	TOWNHOUSE	AMENITY CENTER
MINIMUM LOT WIDTH:	40 FEET	20 FEET[1]	60 FEET[2]	50 FEET	100 FEET	20 FEET[1]	100 FEET
MINIMUM LOT DEPTH:	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET
MINIMUM LOT AREA:	5000 S.F.	2000 S.F.[1]	6000 S.F.	5000 S.F.	10,000 S.F.	3,500 S.F.	10,000 S.F.
MAXIMUM BUILDING HEIGHT:	3 STORIES[3]	3 STORIES[3]	3 STORIES[3]	3 STORIES[3]	7 STORIES[4]	3 STORIES[4]	3 STORIES[5]
MAXIMUM LOT COVERAGE:	60 PERCENT	65 PERCENT	50 PERCENT	60 PERCENT	45 PERCENT	60 PERCENT	45 PERCENT
MINIMUM SETBACKS:[6]							
PUBLIC STREET:	20 FEET[7]	20 FEET[7]	20 FEET[7]	20 FEET[7]	20 FEET[8]	20 FEET[8]	25 FEET[8]
PRIVATE STREET:	15 FEET[7]	15 FEET[7]	15 FEET[7]	15 FEET[7]	15 FEET[8]	15 FEET[8]	10 FEET[8]
SIDE YARD:	2 FEET[10]	0/10 FEET[10, 11]	5 FEET[10]	0 FEET[10, 11]	10 FEET	0/10 FEET[10, 11, 12]	10 FEET
REAR YARD:	10 FEET[10]	10 FEET[10]	10 FEET[10]	10 FEET[10]	10 FEET[10]	20 FEET[10]	10 FEET
WATER BODY:	20 FEET	20 FEET	20 FEET	20 FEET	20 FEET	20 FEET	0/10 FEET[13]
MINIMUM BUILDING SEPARATION:	10 FEET	10 FEET	10 FEET	10 FEET	20 FEET[14]	20 FEET	20 FEET[14]
MINIMUM FLOOR AREA	900 S.F.	900 S.F.	900 S.F.	900 S.F.	750 S.F.	750 S.F.	700 S.F[15].

[1] PER UNIT
[2] 30 FEET PER UNIT
[3] 45 FEET
[4] 60 FEET PER POLICY 1.1.10.1 OF BONITA SPRINGS COMPREHENSIVE PLAN
[5] 50 FEET - EXCEPT CLOCK TOWERS OR SIMILAR ARCHITECTURAL FEATURES THAT BE PERMITTED UP TO 75'
[6] SETBACK IS MEASURED FROM EDGE OF PAVEMENT.
[7] SETBACK SHALL BE REDUCED TO 7.5' FOR SIDE ENTRY GARAGES, FRONT PORCHES, AND COMBINATION FRONT PORCH/FRONT ENTRY GARAGES
[8] SETBACK IS MEASURED FROM EDGE OF PAVEMENT OF ROAD SERVICES THE UNIT/BUILDING
[9] FOR LOTS AT THE END OF THE "HAMMERHEAD" CUL-DE- SAC WHICH MAY BE DEFINED AS CORNER LOTS, SIDE SETBACK STANDARDS SHALL APPLY FOR PORTIONS OF THE PROPERTIES FRONTING THE STUD STREETS OF THE CUL-DE-SAC.
[10] ACCESSORY STRUCTURES SETBACK MAY BE REDUCED TO ZERO FEET FOR SIDE AND REAR YARDS
SIDE YARD SETBACKS SHALL BE A MINIMUM OF ZERO (0') WHITH A TEN (10')
[11] SEPEARTION BETWEEN PRINCIPLE STRUCTURES WHERE NOT ATTACHED.
SETBACK FROM A LAKE FOR ALL PRINCIPLE AND ACCESSORY USES MAY BE
[13] ZERO FEET (0) PROVIDED ARCHITECTURAL BANK TREATMENT WHEN ATTACHED TO A COMMON WALL
[14] TWENTY-FIVE OF SEPARATION REQUIRED BY LOCAL FIRE CODE.
[15] SEVEN HUNDRED (700') SQUARE GROSS FEET FLOOR AREA ON THE GROUND FLOOR.

EXHIBIT A

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 fifteen CALENDAR (15) days in advance of the Zoning Board of the City of Bonita Springs and maintained through the Bonita Springs City Council Hearing. This sign will be provided by the Zoning Division in the following manner:

a. Signs for case **#DCI2004-00071** must be posted by **May 19, 2005**
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 Zoning Division, and obtain duplicate copies of the sign from the Zoning 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 ZONING DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

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

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY ~~APPEARED~~ I Brian F. Farrar, ~~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:

~~SIGNATURE OF APPLICANT OR AGENT~~

Brian F. Farrar Dir of Land Dev.
NAME (TYPED OR PRINTED)

24013 Bonita Beach Road SE
ST. OR PO BOX

Bonita Springs, FL 34135
CITY, STATE & ZIP

#DCI2004-00071/East Bonita Active Adult RPD/ June 3, 2005 / LVV

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 18 day of May, 2005, by Brian F. Farrar (personally known to me) or who produced _____ as identification and who did/did not take an oath.

Carol L. Sparks
Signature of Notary Public

CAROL L. SPARKS
Printed Name of Notary Public

My Commission Expires: 10-15-05
(Stamp with serial number)

Carol L. Sparks MY COMMISSION EXPIRES October 15, 2005 #DD064838 Bonded thru Troy Fain-Insurance NOTARY PUBLIC, STATE OF FLORIDA

The Ronto Group

14013 Bonita Beach Road SE
Bonita Springs, Florida 34135
Telephone: (239) 495-0990
Facsimile: (239) 495-2799
Date: **May 19, 2005**

LETTER OF TRANSMITTAL

Re: ☐ Forest Glen
☐ Parklands Lee (Palmira) ☐ Parklands West
☐ Parklands Collier ☐ Town Center
☐ 9-Hole ☐ Logan Blvd. Ext
☐ Bonita Beach Road Extension
☐ Shores at Gulf Harbour
☐ Bldg. 1 ☐ Bldg. 2 ☐ Bldg. 3 ☐ Bldg. 4
☐ Courtyard Homes
☑ Bonita Beach Road 1 & 2

TO: Mr. Chip Block
Lee County Zoning
1500 Monroe Street
Fort Myers, FL 33901

WE ARE SENDING YOU: ☑ Attached ☐ Prints ☐ Plans ☐ Samples
☐ Copy of Letter ☐ Change Order ☐ Specifications ☐ Shop Drawings
☐ _____

QTY.	DATE	NO.	DESCRIPTION
1	05/19/05		**Affidavit of Posting Notice – East Bonita Active Adult**
1	05/19/05		**Affidavit of Posting Notice – Bonita Beach Road Estates RPD**

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☑ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review/comment ☐ Other ☐ FOR BIDS DUE_____
☐ PRINTS RETURNED AFTER LOAN TO US

COMMENTS:

COPY TO: FILE *Carol L. Sparks* Dated: **5/19/05**

If enclosures are not as noted, kindly notify us at once.

DCI 2004 00071

RECEIVED
FEB 17 2005
PERMIT COUNTER

APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT BONITA SPRINGS

	Applicant's Name:	Rockpoint/Ronto Naples, LLC					
	Project Name:	East Bonita Active Adult RPD					
	STRAP Number(s):	01-48-26-B1-00001.0000, 02-48-26-B1-00001.0000, 02-48-26-B2-00001.1000					
	Application Form:		X	**Computer Generated***			**County Printed**

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

****

STAFF USE ONLY

Planning Community:		*Case Number:*	
Current Zoning:		*Date of Application:*	
Land Use Classification(s):		*Fee:*	
Comp. Plan Density Range:			
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

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PART I
APPLICANT\PROPERTY OWNERSHIP INFORMATION

A. Name(s) of applicant(s): Rockpoint/Ronto Naples, LLC

Mailing Address: Street: 14031 Bonita Beach Road

City: Bonita Springs State: Florida Zip: 34135

Phone Number: Area Code: 239 Number: 649-6310 Ext: _____

Fax Number: Area Code: 239 Number: 649-8870

E-mail: farrarb@ronto.com

B. Relationship of applicant to property:

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

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: Beach Road Development Company, LLC

Mailing Address: Street: 3451 Bonita Bay Boulevard, Suite 202

City: Bonita Springs State: Florida Zip: 34134

Phone Number: Area Code: 239 Number: 495-1000 Ext: _____

Fax Number: Area Code: 239 Number: 498-1193

D. Date property was acquired by present owner(s): 2002

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

F. Is owner(s) or contract purchaser(s) required to file a disclosure form? _____ NO __X__ 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? __X__ 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: Robert Mulhere, AICP of RWA, Inc.

Address: 3050 N. Horseshoe Drive, Suite 270, Naples, Florida 34104

Contact Person: Robert Mulhere

Phone: (239) 649-1509 Fax: (239) 649-7056

E-mail: rjm@consult-rwa.com

Name: Charles J. Basinait, Esq. Of Henderson, Franklin, Starnes & Holt, P.A.

Address: 1715 Monroe Street, P. O. Box 280, Ft. Myers, FL 33901-0280

Contact Person: Charles Basinait

Phone: (239) 334-4121 Fax: (239) 334-4100

E-mail: charles.basinait@henlaw.com

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PART II
GENERAL INFORMATION

A. Request:

1. Rezoning from __RPD__ TO:(check all applicable)

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

2. Option Chosen: ___X___ 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?

___X___ 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: STRAP 02-48-26-B1-00001.0000 SITE ADDRESS: Access Undetermined (per Lee County Property Appraiser)
STRAP 02-48-26-B2-00001.1000 SITE ADDRESS: 16750 Bonita Beach Rd. SE.
STRAP 01-48-26-B1-00001.0000 SITE ADDRESS: 17001 Bonita Beach Rd. SE.

D. General Location Of Property (referenced to major streets): Approximately 3.5 miles east of I-75 along the south ROW of Bonita Beach Road, within the City of Bonita Springs.

E. Lee Plan Information

1. ~~Lee Plan~~ City of Bonita Springs Land Use Classification: Proposed Rural Fringe Community District. Property recently annexed into City. Land use classification subject to Comprehensive Plan Amendment recently transmitted to DCA.

2. Are you proposing any ~~Lee Plan~~ City of Bonita Springs Comprehensive Plan amendments which could affect the subject property? _____ NO

___X___ 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? ___X___ 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 ___X___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? _X (Active Agricultural)_ 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: Most of the property is actively used for agricultural row crops.

H. Property Dimensions

1. Width (average if irregular parcel): N/A (very irregular, see attached survey) Feet

2. Depth (average if irregular parcel): N/A (very irregular, see attached survey) Feet

3. Frontage on road or street: portion to the West: 3,379 Feet on future Bonita Beach Road Extension
portion to the East: 4,534 Feet (Name of street)

4. Total land area: ± 294.85 Acres

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I. Land Area Calculations

1. Undevelopable Areas:

a. Freshwater wetland areas 0.0

b. Other wetland areas 3.24

c. Submerged land subject to tidal influence: 0

d. Total (a + b + c): 0.0

2. Remaining developable land (H.4 less I.1.d): ± 291.52

PART III
PROPOSED DEVELOPMENT DCI 2004 00071

A. Nature of Request

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

500 Single Family	_____ Mobile Homes	_____ Recreational Vehicles
299 Zero-Lot-Line	299 Duplex/Two Family	299 Townhouses
299 Multiple Family	799 TOTAL ALL TYPES*	

* The figures presented within this table represent maximums for the various dwelling unit types; however, the aggregate of all units developed for the East Bonita Active Adult RPD shall not exceed 799 units.

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): N/A (See III-A-2)*

   b. PROPOSED total units (from A-1. above): 799*

   c. PROPOSED density (from Exhibit III-A-2): Gross Density: 2.71*
   Net Density: 2.80*

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* Pursuant to Comprehensive Plan Policy 1.1.10.1 Urban Fringe Community District, the proposed number of units and resulting proposed densities (gross and net) are consistent with the FLUE of the Comprehensive Plan and the permitted unit range for that district. Policy 1.1.10.1 allows the following density range: "...a range of density for the whole amendment area of 3,300 dwelling units minimum to 3,600 maximum dwelling units for 1,299 gross acres (Sections 1 & 2)."

3. Will the development contain non-residential areas? _____ NO ___X___ 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: 10,000[1] Total gsf

Offices: 5,000[1] Total gsf

Medical: 0 gsf Non-medical: 5,000 gsf

Hotel/Motel: 0 Total units

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

Industrial: 0 Total gsf

Under roof: _____ gsf Not under roof: _____ gsf

Other-specify: (Recreational) 35,000[1] gsf

[1] Total of 50,000 square feet of Amenity Center uses – internalized personal services, restaurant, clubhouse, retail, and office uses, as well as various meeting and recreational facilities, all of which are dedicated to serve residents of the project and their guests. Retail and office uses will account for no more than 15,000 square feet of the 50,000 s.f. total. These Amenity Centers will not be accessible to the general public.

Mines, Quarries, or General Excavation:

It is anticipated that ± 31.03 acres of lakes will be excavated. The resulting fill will be used on site. Should there be any excess fill, it will be hauled off-site. For this reason, the proposed Schedule of Uses identifies "Development Excavation: Off-Site Removal" as a permitted use.

4. Building Height

Single Family Residential, Two Family Attached, Duplex, and Zero-lot Line: maximum 45-ft. & 3 floors Livable space.
Multi-family Residential: maximum 60-ft. & 6 floors of livable space.
Amenity Center: maximum 50-ft. & 3 floors livable space.

____Number of Habitable Floors

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

B. Facilities

1. Fire District: Bonita Springs Fire Control & Rescue District

2. Water Supply*

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a. Estimated daily consumption of potable water:

1. Residential units: 190,780 gpd
2. Mobile Home units: _____ gpd
3. Rec. Vehicle units: _____ gpd
4. Commercial: _____ 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 ___X___ YES. If yes, please submit a copy of the agreement.

d. Source of Non-potable water: Bonita Springs Utilities, Inc.

3. Sanitary Sewer Service*

a. Estimated daily production of wastewater:

1. Residential units: 190,780 gpd
2. Mobile Home units: _____ gpd
3. Recreational Vehicles: _____ gpd
4. Commercial: _____ gpd
5. Industrial: _____ gpd

* *Calculations in accordance with BSU design criteria*

500 Single-Family Units x 250 GPD/du = 125,000 GPD
299 Multi-Family Units x 220 GPD/du = 65,780 GPD

Total = 190,780 GPD = 0.191 MGD

b. Is any special effluent anticipated? ___X___ 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 ___X___ YES. If yes, please submit a copy of the agreement.

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

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

C. Transportation

1. Has this project been exempted from filing a Traffic Impact Statement? ___X___ 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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PART IV
SUBMITTAL REQUIREMENTS

COPIES REQUIRED					Exhibit #	Item
SUB	DRI	DCI	EXIST	MINOR		
	13	13	13	13		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)]
	2	2	2	2	I-B-2	Blue Sheet (If applicable) [34-201(a)(2)]
	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)]
	1	1	1	1	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-B-7	Mailing Labels for Surrounding Property Owners
	2	2	2	2	I-F	**Notarized** Disclosure Form (if applicable) [34-201(b)(1)]
	2	2	2	2	I-G	Deed Restrictions & Narrative (if applicable) [34-202(b)(2)
	13	13	13	13	II-B-1	Legal Description [34-202(a)(1)]
	13	13	13	13	II-B-2	Certified sketch of description (if applicable) [34-202(a)(2)]
	2	2	2	2	II-B-3	Plat Book Page (if applicable) [34-202(a)(1)]
	13	13	13	13	II-D	Area Location Map [34-202(a)(4)]
	13	13	13	13	II-E-1	Lee Plan Amendment (if applicable) [34-373(a)(5) & 34-491]
	13	13	13	13	II-E-2	Narrative/how prop. complies with Lee Plan, etc. [34-373(a)(5)]
	13	13	13	13	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]
	13	13	4	4	II-F-3	Exist. zoning & current land use map/photo [34-373(a)(4)a]
	13	13	4	4	II-F-4	Soils, vegetation and ground cover maps [34-373(a)(4)b.]
	13	13	4	4	II-F-5	Topography map (if available) [34-373(a)(4)b.]
	13	13	-	-	III-A-2	Density Calcs (if applicable) [34-373(a)(6)a.3 & (6)b.3 & (7)a.]
	13	13	-	-	III-A-5	Aviation Hazard (if applicable) [34-1001 et seq.]
	13	13	-	-	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]
	4	4	-	4	III-C	TIS Exemption Form (if applicable) [34-373(a)(6)a.11 or b.10]
	13	13	4	4	IV-A	Public transit routes map (if applicable) [34-373(a)(4)d.]
	13	13	4	4	IV-C	Existing easements and r-o-w map. [34-373(a)(4)e.]
	13	13	13	13	IV-D	Description of proposed development. [34-373(a)(6)]
	13	13	13	13	IV-E	Master Concept Plan (Option 1) [34-373(a)(6)a.]
	13	13	13	13	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
	13	13	13	13	IV-G	Schedule of Uses [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)]
	13	13	13	13	IV-H	Schedule of Dev. & Justification [34-373(a)(6)a.9 or b.9 & (7)d]
	4	4	-	-	IV-I	Surface Water Management Plan [34-373(b)(1)]
	4	4	-	-	IV-J	Protected Species Management Plan [34-373(b)(2)]
	13	13	13	13	IV-K	Program for phased development (if applicable) [34-373(b)(3)]
	13	13	13	13	IV-L	Haz. Mat Emer Plan (if applicable) [34-202(b)(4)]

COPIES REQUIRED					Exhibit #	Item
	-	-	4	-	IV-M	Mobile Home Park Rezoning Information [34-373(d)]
	3	3	3	3	IV-N	Aerial [34-373(b)]
	3	3	3	3	IV-O	Map of Historical & Archaeological Sites [34-373(F)]
	3	3	3	3	IV-P	Possible Impacts on Historical & Archaeological Sites [34-373(F)]

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PART V

AFFIDAVIT

I, BRIAN F. FARRAR 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.

Signature of Owner or Owner-authorized Agent — Date: 2/17/05

BRIAN F. FARRAR, DIR. of LAND DEVELOPMENT OF THE ROOTO GROUP, INC FOR ROCKPORT/ROOTO, LLC.
Typed or printed name and title

DCI 2004 00071

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 17TH day of FEBRUARY 2005, by BRIAN F. FARRAR, who is personally known to me or who has produced _____ as identification.

(SEAL) CASONDRA DOBBINS HENDRY Commission # DD0205175 Expires 4/21/2007 Bonded through Florida Notary Assn., Inc. (800-432-4254)

Signature of notary public

CASONDRA DOBBINS HENDRY
Printed name of notary public

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CONSULTANT TEAM

COMPLETED APPLICATION

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Notarized Authorization Form

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List of Property Owners

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Notarized Covenant of Unified Control

EXHIBIT I-B-5

Surrounding Property Owners List

EXHIBIT I-B-6

Property Owners Map

EXHIBIT I-B-7

Mailing Labels for Surrounding Property Owners

EXHIBIT I-F

Notarized Disclosure Form

EXHIBIT II-B-1

Legal Description

EXHIBIT II-B-2

Certified Sketch of Description

EXHIBIT II-D

Area Location Map

EXHIBIT II-E-1

Bonita Springs Comprehensive Plan Amendment

EXHIBIT II-E-2

Narrative Statement – Compliance with City of Bonita Springs Comprehensive Plan

EXHIBIT II-E-4

Compliance with Design Standards

EXHIBIT II-E-5

Compliance with Decision Making Guidelines

EXHIBIT II-F-1

Environmental Sensitive Lands Map

EXHIBIT II-F-2

Environmental Assessment including Protected Species Management Plan

EXHIBIT II-F-3

Existing Zoning and Current Land Use Map

EXHIBIT II-F-4

Soils, Vegetation and Ground Cover Map

EXHIBIT II-F-5

Topography Map

EXHIBIT III-A-2

Density Calculations

EXIBIT III-B-3

Sanitary Sewer Facilities

EXHIBIT III-C

Traffic Impact Statement

EXHIBIT IV-C

Existing Easements and ROW Map (Boundary Survey, see Exhibit II-B-2)

EXHIBIT IV-D

Description of Proposed Development

EXHIBIT IV-E

Master Concept Plan (including 11 x 17 inch copy)

EXHIBIT IV-G

Schedule of Uses

EXHIBIT IV-H

Schedule of Deviations and Justification

EXHIBIT IV-I

Surface Water Management Plan

EXHIBIT IV-N

Aerial Photo of Subject Property

EXHIBIT IV-O

Map of Historical & Archaeological Sites

EXHIBIT V-A

Fiscal Impact Analysis

EXHIBIT V-B

Letter of Service Availability

CONSULTANT TEAM

Agent/ Planning	**Robert J. Mulhere, AICP** **RWA, Inc** **3050 Horseshoe Drive, Suite 270** **Naples, Florida 34104**
Transportation	**Ted B. Treesh** **Metro Transportation Group, Inc.** **12651 McGregor Boulevard, Suite 403** **Fort Myers, FL 33919-4489**
Civil Engineering	**David Underhill, P.E.** **Banks Engineering** **6640 Willow Park Drive, Suite B** **Naples, FL 34109**
Surveying	**Steve Berry, PLS** **BBLS Surveyors and Mappers Inc.** **1502-A Railhead Blvd.** **Naples, FL 34110-8402**
Environmental	**Ken C. Passarella** **Passarella and Associates, Inc.** **9110 College Pointe Court** **Ft. Myers, FL 33919**
Legal Counsel	**Charles J. Basinait, Esq.** **Henderson, Franklin, Starnes & Holt, P.A.** **1715 Monroe Street** **P.O. Box 280** **Ft. Myers, FL 33901-0280**

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EXHIBIT I-B-3
LIST OF PROPERTY OWNERS

STRAP – 01-48-26-B1-00001.0000

All of Section 1.

Property Address:
17001 Bonita Beach Road SE
Bonita Springs, FL 34135

Owner:
Beach Road Development Co. LLC
9990 Coconut Rd., Ste. 202
Bonita Springs, FL 34135

STRAP – 02-48-26-B1-00001.0000

West ½ of Section 2

Property Address:
16350 Bonita Beach Road SE
Bonita Springs, FL 34135

Owner:
Beach Road Development Co. LLC
9990 Coconut Rd., Ste. 202
Bonita Springs, FL 34135

STRAP – 02-48-26-B2-00001.1000

East ½ of Section 2

Property Address:
16750 Bonita Beach Road SE
Bonita Springs, FL 34135

Owner:
Beach Road Development Co. LLC
9990 Coconut Rd., Ste. 202
Bonita Springs, FL 34135

Resource Conservation Properties, Inc., is the
Managing Member/Registered Agent for
Beach Road Development Company, LLC, Owner,
of the above referenced property

Stockholders and Percentage of Stock
Are listed below:

Resource Conservation Properties, Inc.
3451 Bonita Bay Blvd., Suite 202
Bonita Springs, FL 34134

Stockholders:

Michelle Ukleja 6468 Bixby Hill Road Long Beach, CA 90815	19.8%
Mark Ukleja 6468 Bixby Hill Road Long Beach, CA 90815	19.8%
Brian Lucas 4522 Hidden Shadow Dr. Tampa, FL 33614	19.8%
Kevin Lucas 150 E 37th St. Apt. 2D New York, NY 10016	19.8%
Megan Lucas 13141 Ponderosa Way Fort Myers, Florida 33907	19.8%
Linda S. Lucas, Director 13141 Ponderosa Way Fort Myers, Florida 33907	0.5%
Louise J. Ukleja, Director 6468 Bixby Hill Road Long Beach, CA 90815	0.5%
David Lucas, Director and Chairman 13141 Ponderosa Way Fort Myers, Florida 33907	0%

P. Michael Ukleja, Director 6468 Bixby Hill Road Long Beach, CA 90815	0%
Dennis E. Gilkey, Director & President, CEO 27850 Riverwalk Way Bonita Springs, FL 34134	0%
Edward G. Beimfohr, Director 99 Park Avenue New York, New York 10015	0%
Reuben F. Richards, Director 8 Black River Road Far Hills, NJ 07931	0%
Harvey R. Schestag, V.P. of Finance, CFO, Sec./Treasurer 3310 Oak Hammock Court Bonita Springs, FL 34134	0%
Ed Rodgers, Vice President/General Manager of Bonita Bay 3330 Oak Hammock Court Bonita Springs, Florida 34134	0%
David H. Graham, Vice President of Planning & Development 14780 Caleb Drive Fort Myers, Florida 33908	0%
John Gleeson, Vice President/General Manager of The Brooks 27240 Ridge Lake Court Bonita Springs, FL 34133	0%
Ms. Sabra Spaugh, Vice President of Human Resources 27241 Bel Rio Drive Bonita Springs, FL 34135	0%
Mr. Jim McGowan, Vice President of Business Development PO Box 388 Bonita Springs, FL 34133	0%

Ms. Katherine C. Green, Vice President /General Manager of Verandah
1307 Plumosa Dr.
Fort Myers, FL 33901

0%

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EAST BONITA ACTIVE ADULT
LEE COUNTY
PROTECTED SPECIES SURVEY

October 2004

Prepared For:

RWA, Inc.
3050 N. Horseshoe Drive
Suite 270
Naples, FL 34104

Prepared By:

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, FL 33919
(239) 274-0067

Project #04RRN1144

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Appendix B. American Alligator Management Plan B-1

INTRODUCTION

Passarella and Associates, Inc. conducted a Lee County protected species survey on the East Bonita Active Adult property on March 23 and 24, 2000. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards.

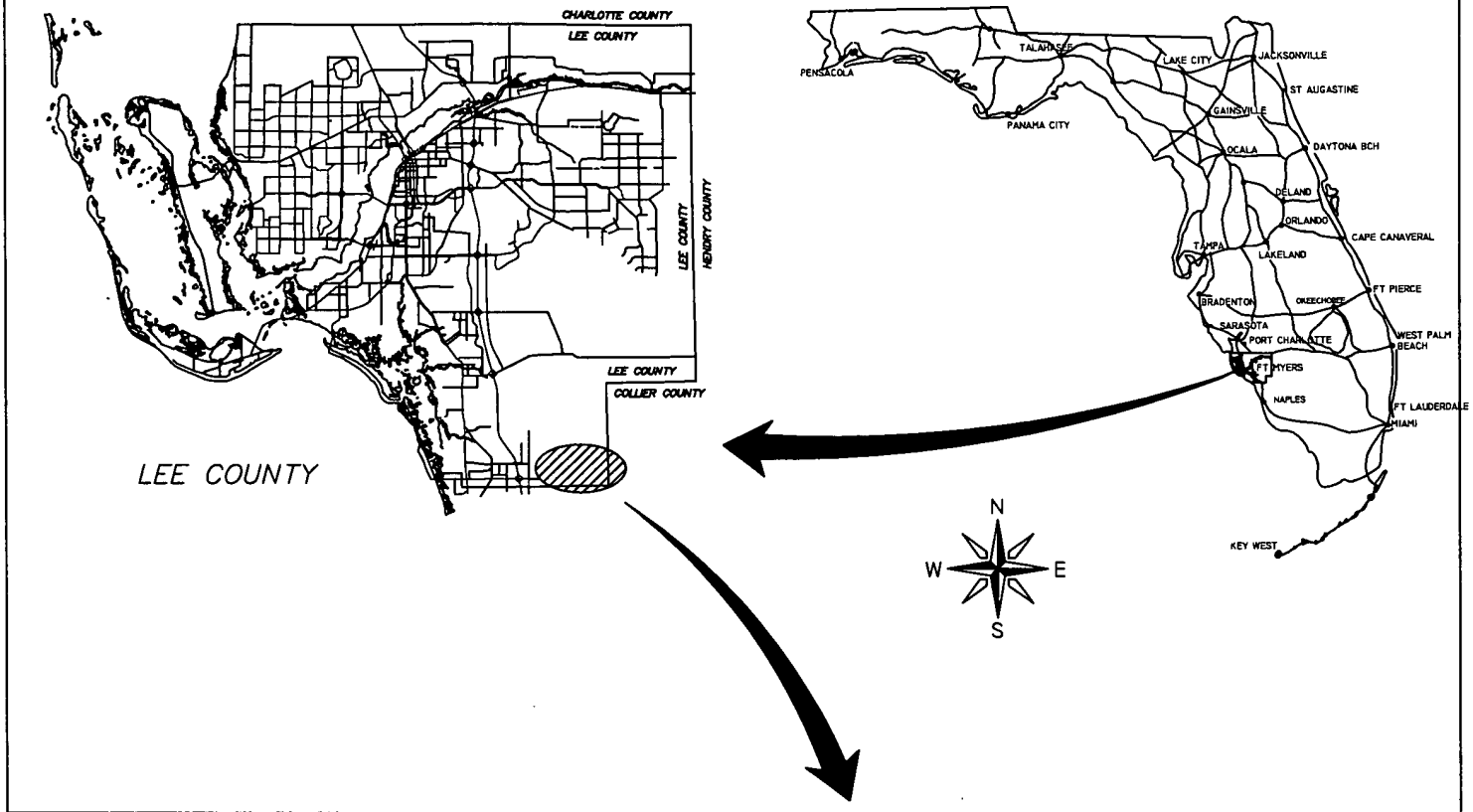
The 294.74± acre Bonita Beach Road property is located east of Interstate 75 on Bonita Beach Road in Sections 1 and 2, Township 48 South, Range 26 East, Lee County, Florida (Figure 1). The parcel is currently used for agricultural purposes, which include an agricultural research facility and tomato fields. Additionally, there is a small portion of land used for a recreational model airpark, and the remaining portions of the parcel are undeveloped. The surrounding land use includes agriculture, single-family residences and undeveloped land to the north, undeveloped land to the east and south, and farm fields to the west.

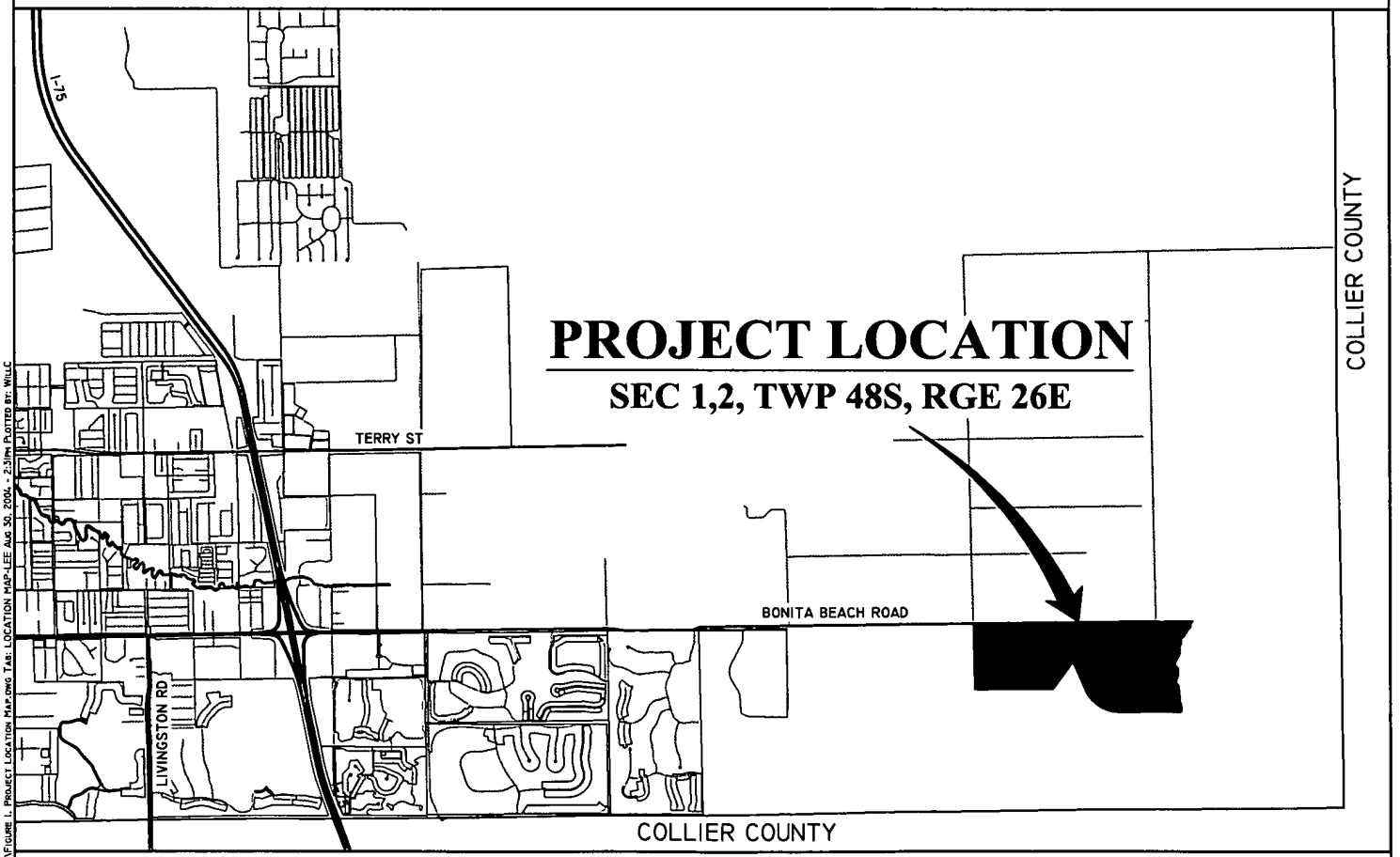
LAND USES AND VEGETATION ASSOCIATIONS

The vegetation associations for the property were delineated using 1999 unrectified Lee County blueline aerials (scale 1" = 200') and on-site field surveys conducted on March 6 and 7, 2000. During the surveys, lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III and IV (Florida Department of Transportation 1999). The FLUCFCS lines were later transferred to a 2000 rectified aerial photograph. The resulting FLUCFCS map with acreages is provided as Figure 2. Table 1 summarizes the FLUCFCS codes and provides an acreage breakdown, while a brief description of each of the FLUCFCS classifications follows. The FLUCFCS delineations are depicted on the 2000 rectified aerial photograph provided as Appendix A.

Table 1. FLUCFCS Codes and Acreages for Bonita Beach Road Property

FLUCFCS Code	Description	Acreage	Percent of Total
150	Agricultural Research Facility	7.29	2.5
180	Recreational	2.61	0.9
214	Row Crop	184.19	62.5
4291	Wax-Myrtle/Willow, Hydric	0.41	0.1
514	Ditch	1.43	0.5
6309	Wetland Forest Mixed, Disturbed	2.33	0.8
740	Disturbed Land	52.36	17.8
742	Borrow Area	41.59	14.1
814	Road	2.53	0.9
TOTAL		**294.74**	**100.0**





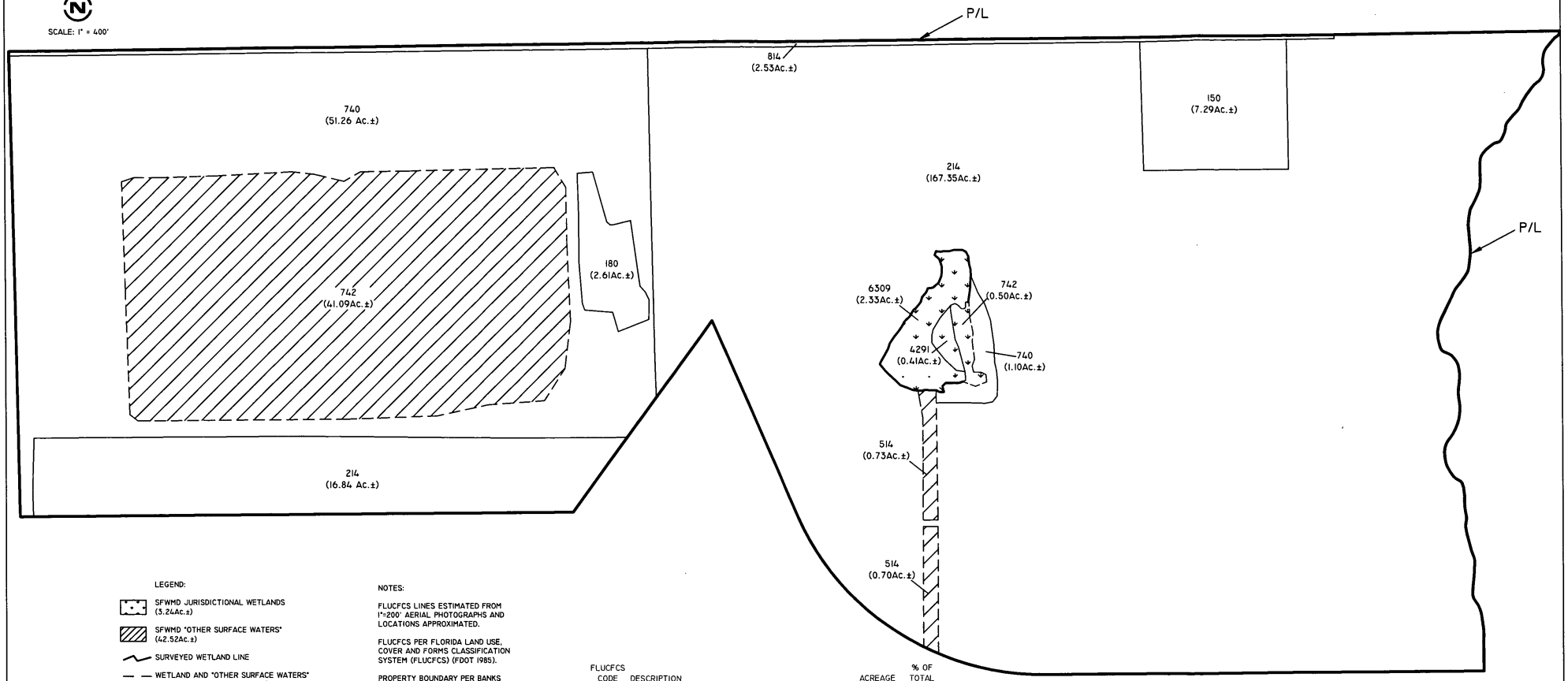
PROJECT LOCATION

SEC 1,2, TWP 48S, RGE 26E

J:\2004\04JRN\LA\COUNTY\PSS\FIGURE 1. PROJECT LOCATION MAP-LEE Aug 30, 2004 - 2:31PM PLOTTED BY: WILLC

FIGURE 1. PROJECT LOCATION MAP
EAST BONITA ACTIVE ADULTS

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: P.F. DATE: 8/26/04



LEGEND:

- SFWMD JURISDICTIONAL WETLANDS (3.24Ac.±)
- SFWMD "OTHER SURFACE WATERS" (42.52Ac.±)
- SURVEYED WETLAND LINE
- — — WETLAND AND "OTHER SURFACE WATERS" LINE DEPICTED FROM AERIAL PHOTOGRAPH

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1985).

PROPERTY BOUNDARY PER BANKS ENGINEERING, INC. DRAWING No. AADULTS_08-17-04.DWG DATED AUGUST 24, 2004.

SFWMD JURISDICTIONAL WETLANDS FIELD REVIEWED AND APPROVED BY CRAIG SCHMITTLER ON MAY 5, 2000.

"OTHER SURFACE WATERS" DEPICTED FROM AERIAL PHOTOGRAPH.

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
150	AGRICULTURAL RESEARCH FACILITY	7.29 Ac.±	2.5%
180	RECREATIONAL	2.61 Ac.±	0.9%
214	ROW CROP	184.19 Ac.±	62.5%
4291	WAX-MYRTLE/WILLOW, HYDRIC	0.41 Ac.±	0.1%
514	DITCH	1.43 Ac.±	0.5%
6309	WETLAND FOREST MIXED, DISTURBED	2.33 Ac.±	0.8%
740	DISTURBED LAND	52.36 Ac.±	17.8%
742	BORROW AREA	41.59 Ac.±	14.1%
814	ROAD	2.53 Ac.±	0.9%
	TOTAL	294.74 Ac.±	100.0%

RECEIVED
OCT 22 2004
PERMIT COUNTER
OCT 2004-00071

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.W.	8/25/04	1"=400'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	8/25/04	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		P.A.F.	8/25/04	1,2/48/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Ft. Myers, FL 33919

EAST BONITA ACTIVE ADULT
FLUCFCS AND WETLANDS MAP

DRAWING No.: 04RRN1144
SHEET No.: FIGURE 2

Agricultural Research Facility (FLUCFCS Code 150)
This area occupies 7.29± acres or 2.5 percent of the property. This area consists of buildings, parking areas, and research related structures.

Recreational (FLUCFCS Code 180)
This area is comprised of an open field for flying remote controlled model airplanes. The area occupies 2.61± acres or 0.9 percent of the property.

Row Crop (FLUCFCS Code 214)
This land use occupies 184.19± acres or 62.5 percent of the property. These areas consist of agricultural fields used for row crop production. At the time of the FLUCFCS mapping, the majority of the fields were in active production. A few of the fields were fallow or not in production.

Wax-Myrtle/Willow, Hydric (FLUCFCS Code 4291)
This area occupies 0.41± acre or 0.1 percent of the property. This area lacks a canopy. The sub-canopy is dominated by wax-myrtle (*Mycteria cerifera*) and willow (*Salix caroliniana*). The ground cover includes torpedo grass (*Panicum repens*), frog-fruit (*Phyla nodiflora*), water pennywort (*Hydrocotyle umbellata*), primrose willow (*Ludwigia peruviana*), flatsedge (*Cyperus* sp.), and asiatic pennywort (*Centella asiatica*).

Ditch (FLUCFCS Code 514)
Ditches on the property total 1.43± acres or 0.5 percent of the property. The ditches are vegetated by species such as torpedo grass, pickerelweed (*Pontederia cordata*), and fire flag (*Thalia geniculata*). The density of vegetation is dependent on the frequency of ditch maintenance activities.

Wetland Forest Mixed, Disturbed (FLUCFCS Code 6309)
This disturbed wetland community occupies 2.33± acres or 0.8 percent of the property. Canopy species in this habitat include melaleuca (*Melaleuca quinquenervia)*, slash pine (*Pinus elliottii*), cypress (*Taxodium distichum*), red maple (*Acer rubrum*), and cabbage palm (*Sabal palmetto*). The sub-canopy includes Brazilian pepper (*Schinus terebinthifolius*), red maple, melaleuca, and cabbage palm. The ground cover includes torpedo grass, swamp fern (*Blechnum serrulatum*), myrsine (*Rapanae guanensis*), saltbush (*Baccharis gloomeruliflora*), sawgrass (*Cladium jamaicense*), poison ivy (*Toxicodendron radicans*), grapevine (*Vitis rotundifolia*), white-vine (*Sarcostemma clausum*), and little blue maidencane (*Panicum hemitomon*).

Disturbed Land (FLUCFCS Code 740)
This upland land use occupies 52.36± acres or 17.8 percent of the property. These areas have been disturbed by historic land clearing and earth-moving activities. The canopy and sub-canopy are generally open but may include scattered slash pine or Brazilian pepper. The ground cover includes species common to disturbed sites such as ceasar weed (*Urena lobata*), poison-ivy, ragweed (*Ambrosia artemisiifolia*), and crowfoot grass (*Dactyloctenium aegyptium*).

Borrow Area (FLUCFCS Code 742)
Borrow areas occupy 41.59± acres or 14.1 percent of the property and consists mostly of open water. Emergent vegetation, where present, occurs along shallower margins and includes cattail (*Typha* sp.) and willow.

Road (FLUCFCS Code 814)
Unimproved dirt roads occupy 2.53± acres or 0.9 percent of the property.

METHODOLOGY AND DISCUSSION

As outlined in the LDC, surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types identified on-site. The frequency of transects performed in these habitats, unless otherwise discussed, were designed to meet, if not exceed, the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Division of Environmental Sciences (DES) staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code	and Description	Potential Protected Species
150	Agricultural Research Facility	N/A
180	Recreational	N/A
214	Row Crops	N/A
4291	Wax Myrtle/Willow, Hydric*	Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
514	Ditch	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
6309	Mixed Wetland Forest, Dist.	American Alligator (*Alligator mississippiensis*)
		Limpkin (*Aramus guarauna*)
		Wood Stork (*Mycteria americana*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Everglades Mink (*Mustela vison evergladensis*)
740	Disturbed Land *	Gopher Tortoise (*Gopherus polyphemus*)
742	Borrow Area*	American Alligator (*Alligator mississippiensis*) Little Blue Heron (*Egretta caerulea*) Snowy Egret (*Egretta thula*) Tri-colored Heron (*Egretta tricolor*) Wood Stork (*Mycteria americana*)
814	Road	N/A

N/A Not Applicable per the LDC
*This habitat was surveyed for the species indicated as a precautionary measure.

The protected species survey for the East Bonita Active Adult property was conducted by Passarella and Associates, Inc. on March 23 and 24, 2000. Surveys were conducted during the daylight hours. Weather conditions during the survey period ranged from clear to partly cloudy with temperatures in the 70's during the morning and 80's during the afternoon. The type of survey included meandering pedestrian transects, per Southern Biomes EIS methodology, previously approved by the county.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 3.

Table 3. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent Coverage
150	Agricultural Research Facility	7.29	N/A	N/A	N/A
180	Recreational	2.61	N/A	N/A	N/A

Table 3. (Continued)

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent Coverage
214	Row Crop	184.19	N/A	N/A	N/A
4291[2]	Wax-Myrtle/Willow, Hydric	0.41	200	40	90
514	Ditch	1.43	N/A	N/A	N/A
6309	Wetland Forest Mixed, Disturbed	2.33	920	45	81
740[2]	Disturbed Land	52.36	6100	150	80
742[2]	Borrow Area	41.59	6080	125	84
814	Road	2.53	N/A	N/A	N/A

N/A = Not Applicable
[1]Average visibility to one side of transect
[2]Habitat surveyed as a precautionary measure

SURVEY RESULTS

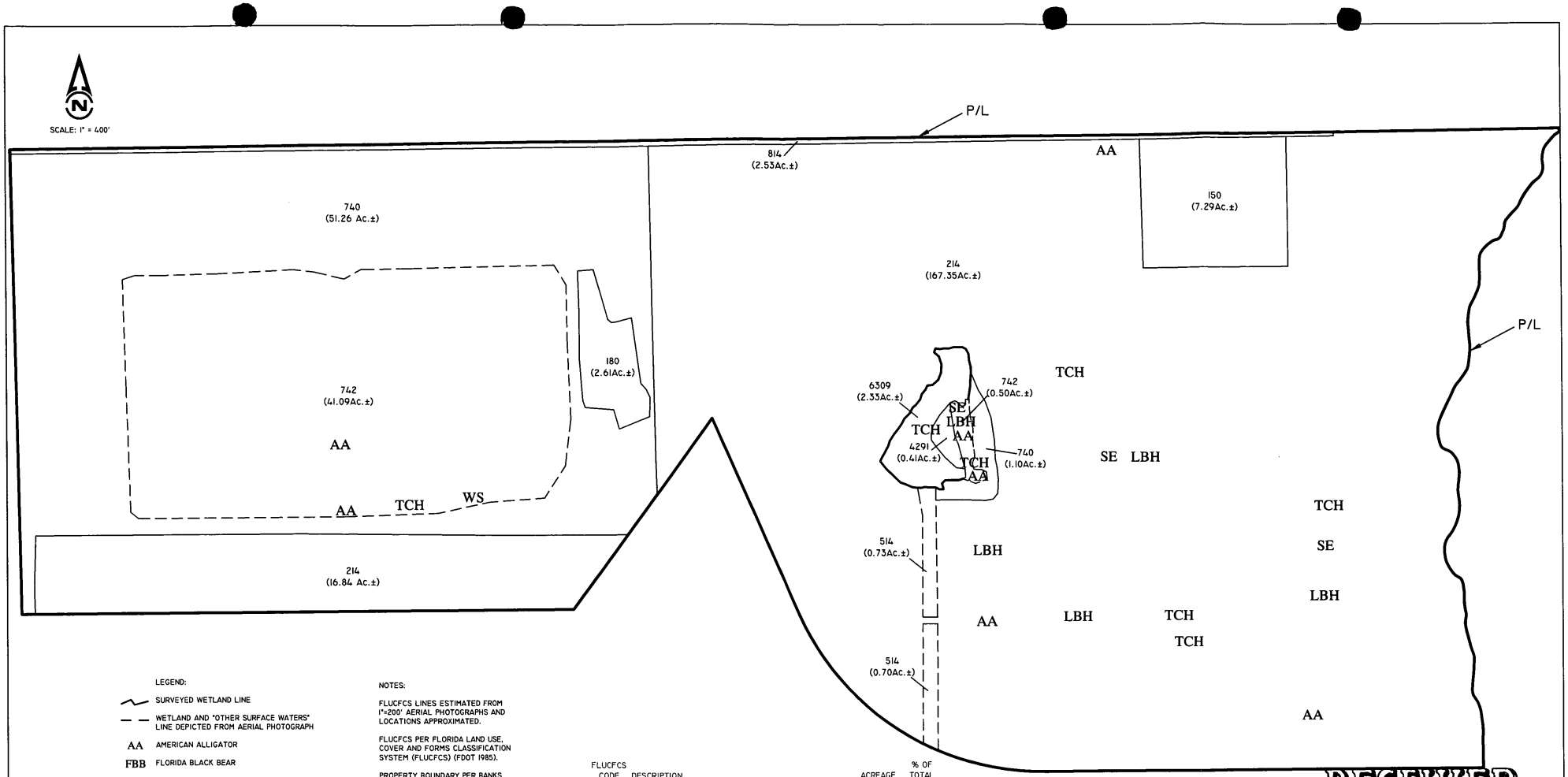
A total of two Lee County protected species or their signs were identified on the project site during the March 2000 survey. The protected species included the American alligator (*Alligator mississippiensis*) and the tri-colored heron (*Egretta tricolor*) (Appendix A and Figure 3). Neither of these species was identified as nesting on the project site.

Three additional Lee County protected species have been identified during on-site visits since the March 2000 survey. The three observed protected species included the snowy egret (*Egretta thula*), little blue heron (*Egretta caerulea*), and wood stork (*Mycteria americana*) (Appendix A and Figure 3). None of these species were identified as nesting on the project site.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations for observed Lee County protected species were done in accordance with Step 8, Attachment 2 of the Lee County Survey Methodology adopted August 30, 1989. The Lee County protected species abundance calculations are provided in Table 4, while Table 5 summarizes the protected species survey findings.

Additional quantities of some of the observed species were also sighted in the Row Crops (FLUCFCS Code 214). The density of each species located in this habitat was not calculated.



LEGEND:

- SURVEYED WETLAND LINE
- WETLAND AND "OTHER SURFACE WATERS" LINE DEPICTED FROM AERIAL PHOTOGRAPH
- AA AMERICAN ALLIGATOR
- FBB FLORIDA BLACK BEAR
- LBH LITTLE BLUE HERON
- SE SNOWY EGRET
- TCH TRI-COLORED HERON
- WS WOODSTORK

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1985).

PROPERTY BOUNDARY PER BANKS ENGINEERING, INC. DRAWING No. AADULTS..08-17-04.DWG DATED AUGUST 24, 2004.

SFWMD JURISDICTIONAL WETLANDS FIELD REVIEWED AND APPROVED BY CRAIG SCHMITTLER ON MAY 5, 2000.

"OTHER SURFACE WATERS" DEPICTED FROM AERIAL PHOTOGRAPH.

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
150	AGRICULTURAL RESEARCH FACILITY	7.29 Ac.±	2.5%
180	RECREATIONAL	2.61 Ac.±	0.9%
214	ROW CROP	184.19 Ac.±	62.5%
4291	WAX-MYRTLE/WILLOW, HYDRIC	0.41 Ac.±	0.1%
514	DITCH	1.43 Ac.±	0.5%
6309	WETLAND FOREST MIXED, DISTURBED	2.33 Ac.±	0.8%
740	DISTURBED LAND	52.36 Ac.±	17.8%
742	BORROW AREA	41.59 Ac.±	14.1%
814	ROAD	2.53 Ac.±	0.9%
	TOTAL	294.74 Ac.±	100.0%

RECEIVED
OCT 20 2004
PERMIT COUNTER

DCI2004-00071

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.W.	8/25/04	1"=400'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	8/25/04	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		P.A.F.	8/25/04	1,2/48/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Ft. Myers, FL 33919

EAST BONITA ACTIVE ADULT
PROTECTED SPECIES LOCATION MAP

DRAWING No.: 04RRN1144
SHEET No.: FIGURE 3

Table 4. Lee County Protected Species Abundance Calculations

Protected Species Density:

= $\{n/[L\ (w_1+w_2)]\}\ (43{,}560\ ft.^2/ac.)\ (C)$

Where
- n= number of individuals observed
- L= length of transect
- w_1= distance of visibility to the right of transect
- w_2= distance of visibility to the left of transect

Tri-colored Heron (*Egretta tricolor*)

FLUCFCS Code 6309

Density = [1TCH/920ft. (45ft. + 45ft.)] (43,560 $ft.^2$/ac.)
= [1.21×10^{-6} TCH/ft^2] (43,560 $ft.^2$/ac.)
= 0.53 TCH/ac.

FLUCFCS Code 742

Density = [2TCH/6,0801ft. (125ft. + 125ft.)] (43,560 $ft.^2$/ac.)
= [1.32×10^{-6} TCH/ft^2] (43,560 $ft.^2$/ac.)
= 0.06 TCH/ac.

Snowy Egret (*Egretta thula*)

FLUCFCS Code 742

Density = [1SE/6,080ft. (125ft. + 125ft.)] (43,560 $ft.^2$/ac.)
= [6.58×10^{-7} SE/ft^2] (43,560 $ft.^2$/ac.)
= 0.03 SE/ac.

Little Blue Heron (*Egretta caerulea*)

FLUCFCS Code 742

Density = [1LBH/6,080ft. (125ft. + 125ft.)] (43,560 $ft.^2$/ac.)
= [6.58×10^{-7} LBH/ft^2] (43,560 $ft.^2$/ac.)
= 0.03 LBH/ac.

Wood Stork (*Mycteria americana*)

FLUCFCS Code 742

Density = [1WS/6,080ft. (125ft. + 125ft.)] (43,560 $ft.^2$/ac.)
= [6.58×10^{-7} WS/ft^2] (43,560 $ft.^2$/ac.)
= 0.03 WS/ac.

Table 4. (Continued)

American Alligator (*Alligator mississippiensis*)

FLUCFCS Code 742

Density = [4AA/6,080ft. (125ft. + 125ft.)] (43,560 $ft.^2$/ac.)

= [2.63 x 10^{-6} AA/ft^2] (43,560 $ft.^2$/ac.)

= 0.11 AA/ac.

Table 5. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
American Alligator	514	80		X	
	6309	85		X	
	742	80	X		0.11
Gopher Frog	6309	85		X	
Birds					
Limpkin	514	80		X	
	6309	85		X	
Roseate Spoonbill	514	80		X	
Little Blue Heron	514	80		X	
	6309	85		X	
	742	80	X		0.03
Reddish Egret	514	80		X	
Snowy Egret	514	80		X	
	6309	85		X	
	742	80	X		0.03
Tri-colored Heron	514	80		X	
	6309	85	X		0.53
	742	80	X		0.06
Wood Stork	514	80		X	
	6309	85		X	
	742	80	X		0.03
Mammals					
Everglades Mink	514	80		X	
	6309	85		X	
Florida Black Bear	6309	85		X	
Florida Panther	6309	85		X	

MANAGEMENT PLAN

Pursuant to Lee County DES staff's review of the protected species survey, the following management plan addresses the conservation and/or management measures for the Lee County protected species observed within the project site.

The protected wading birds observed on site included the tri-colored heron, snowy egret, little blue heron, and wood stork. In order to maintain the wading birds habitat, all wetlands within the project site will be preserved and enhanced. Enhancement activities include the removal of exotic and nuisance vegetation from the wetland habitats. The exotics to be eradicated include, but are not limited to, melaleuca, Brazilian pepper, Australian pine (*Casuarina equisetifolia*), and downy rose-myrtle (*Rhodomyrtus tomentosus*). The management plan for the American alligator is provided in Appendix B.

REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

APPENDIX A

AERIAL PHOTOGRAPH WITH FLUCFCS MAPPING AND SURVEY TRANSECTS

APPENDIX B

AMERICAN ALLIGATOR MANAGEMENT PLAN

EAST BONITA ACTIVE ADULT
AMERICAN ALLIGATOR MANAGEMENT PLAN

INTRODUCTION

The following plan outlines the protection guidelines that will be implemented for the American alligator (*Alligator mississippiensis*) during and after construction of the East Bonita Active Adult property. The plan identifies the procedures taken, such as the use of signage to avoid feeding or harassing of American alligators located on the property. The plan has been prepared following the guidelines established by Lee County for the protection of the American alligator.

BACKGROUND INFORMATION

Description

The American alligator is a reptile with an elongated, armored, lizard-like body with a muscular flat tail. Adult alligators are dark with a pale underside while juveniles have bright yellow stripes and blotches. The average size for adults is 8.2 feet for females and 11.2 feet for males. The body weight can reach up to one half of a ton.

Habitats

American alligators inhabit all counties in the state of Florida and are most common in the major river drainage basins and large lakes in the central and southern portions of the state. They also can be found in marshes, swamps, ponds, drainage canals, phosphate-mine settling ponds, and ditches. Alligators are tolerant of poor water-quality and occasionally inhabit brackish marshes along the coast. A few even venture into salt water. Individuals are wide ranging and some males may utilize an area of two square miles or more. Individuals of both sexes are most likely to become more active and extend their ranges during the April to May courtship and breeding season. Prey may include frogs, snakes, birds, and small mammals, although alligators are opportunistic feeders and may prey on what is readily available. Larger individuals often prefer carrion to fresh meat.

Protection

The American alligator is listed as a species of special concern by the State of Florida. Only representatives of the Florida Fish and Wildlife Conservation Commission (FWCC) are empowered to handle nuisance alligators.

EDUCATIONAL MATERIALS

Signs will be posted on the subject property to instruct construction workers and residents not to feed or harass the American alligator. The sign will indicate that the offense is punishable by law.

Construction and maintenance personnel will be instructed that in the event there is a problem with a persistent nuisance alligator they will need to contact the FWCC, as they are the only agency empowered to handle nuisance alligators.

EXHIBIT IV-G

SCHEDULE OF USES
EAST BONITA ACTIVE ADULT RPD PER BONITA SPRINGS LDC [34-373(A)(6)A.3. OR B.3 AND 34-373(A)(7)]

RPD

RESIDENTIAL TRACTS
- ADMINISTRATIVE OFFICES,
  - ACCESSORY USES AND STRUCTURES
  - PARKING LOT, ACCESSORY
- AGRICULTURAL USES, EXISTING ONLY (SUBJECT TO GENERAL NOTE #9)
- BLASTING
- CLUBS, COUNTRY AND PRIVATE
  - CONSUMPTION ON PREMISES
  - FOOD AND BEVERAGE SERVICE, LIMITED
- COMMUNITY DEVELOPMENT DISTRICTS
- HEALTH CLUB AND SPA
  - PARKING LOT, ACCESSORY
- DWELLING UNITS:
  - CONVENTIONAL SINGLE-FAMILY RESIDENCE
  - DUPLEX
  - ZERO LOT LINE
  - TOWNHOUSE
    - TWO FAMILY ATTACHED
    - MULTIPLE FAMILY BUILDING

RESIDENTIAL ACCESSORY USES
- ENTRANCE GATE AND GATEHOUSE, IN COMPLIANCE WITH LDC §34-1748
- ESSENTIAL SERVICES
  - ESSENTIAL SERVICE FACILITIES, GROUP I
- EXCAVATION-MINING , WATER RETENTION AND DETENTION, WITH OFFSITE HAULING
- FENCES, WALLS
- HOME OCCUPATION
- RECREATIONAL FACILITIES, PRIVATE ONSITE, PERSONAL
- SIGNS IN COMPLIANCE WITH CHAPTER 30
- TEMPORARY USES (LDC 34-3041), INCLUDING TEMPORARY SALES OFFICE, AND CONSTRUCTION TRAILER AND STAGING AREA
- MODEL HOME, MODEL UNIT
  - PARKING LOT, ACCESSORY

AMENITY CENTER TRACTS
- ADMINISTRATIVE OFFICES
  - ACCESSORY USES AND STRUCTURES
  - PARKING LOT, ACCESSORY
- AGRICULTURAL USES, EXISTING ONLY (SUBJECT TO GENERAL NOTE #9)

BANKS AND FINANCIAL ESTABLISHMENTS, GROUP I, FOR RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
BLASTING
BUSINESS SERVICES, GROUP I, TRAVEL AGENCIES ONLY
CLEANING AND MAINTENANCE SERVICES
COMMUNITY DEVELOPMENT DISTRICTS
CONVENIENCE STORE, WITH GAS AND CARWASH, TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
CLUBS, COUNTRY AND PRIVATE
CONSUMPTION ON PREMISES
FOOD AND BEVERAGE SERVICE, LIMITED
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP I
EXCAVATION-MINING, FOR WATER RETENTION AND DETENTION, WITH OFF-SITE HAULING BLASTING
FENCES, WALLS
FOOD STORES, GROUP 1, EXCLUDING SUPERMARKETS
HEALTH CLUB AND SPA
PARKING LOT, ACCESSORY
LAUNDRY, DRY CLEANING, GROUP I
PERSONAL SERVICES GROUP I – ATM'S; BARBERSHOPS OR BEAUTY SHOPS; CLOTHING ALTERATIONS AND REPAIR INCLUDING DRESSMAKERS, SEAMSTRESSES AND TAILORS; ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
PERSONAL SERVICES GROUP II – BEAUTY SPAS, HEALTH CLUBS OR SPAS, MASSAGE ESTABLISHMENTS; ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
REAL ESTATE SALES OFFICE
RECREATION FACILITIES, TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
RENTAL OR LEASING ESTABLISHMENTS, GROUP II, LIMITED TO MOVIES, VIDEO TAPES AND SIMILAR HOME ENTERTAINMENT
RESTAURANT, GROUPS I, II, AND III, ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
SIGNS, IN ACCORDANCE WITH LDC CHAPTER 30
SPECIALTY RETAIL SHOPS, GROUP I – LIMITED TO: BOOKSTORES AND NEWSSTANDS
TEMPORARY USES (LDC §34-3041), INCLUDING TEMPORARY SALES OFFICE, AND CONSTRUCTION TRAILER AND STAGING AREA

PUBLIC FACILITIES TRACT

ADMINISTRATIVE OFFICES
ACCESSORY USES AND STRUCTURES
PARKING LOT, ACCESSORY
AGRICULTURAL USES, EXISTING ONLY (SUBJECT TO GENERAL NOTE #9)
BLASTING
STORAGE, INDOOR ONLY
EMS, FIRE, OR SHERIFF'S STATION
EMERGENCY OPERATIONS CENTER
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP I
EXCAVATION-MINING, FOR WATER RETENTION AND DETENTION, WITH OFF-SITE HAULING BLASTING
FENCES, WALLS

a. Site Development Regulations

Development Regulations	Single Family	Two Family Attached	Duplex	Zero Lot Line	Multi-Family	Townhouse	Amenity Center
Minimum Lot Width:	40 Feet	20 Feet [1]	60 Feet[2]	50 Feet	100 Feet	20 Feet [1]	100 feet
Minimum Lot Depth:	100 Feet	100 Feet	100 Feet	100 Feet	100 Feet	100 Feet	100 feet
Minimum Lot Area:	5,000 S.F.	2,000 S.F.[1]	6,000 S.F.	5,000 S.F.	10,000 S.F.	3,500 S.F. [1]	10,000 S.F.
Max. Building Height:	3 Stories[3]	3 Stories[3]	3 Stories[3]	3 Stories[3]	6 Stories[4]	3 Stories[4]	3 Stories[5]
Maximum Lot Coverage	60%	65%	50%	60%	45%	60%	45%
Minimum Setbacks: [6]							
Public Street	20 Feet[7]	20 Feet[7]	20 Feet[7]	20 Feet[7]	20 Feet[8]	20 Feet[8]	25 Feet[8]
Private Street	15 Feet [7]	15 Feet[7]	15 Feet[7]	15 Feet [7]	15 Feet[8]	15 Feet[8]	10 Feet[8]
Side Yard[9]	2 Feet [10]	Zero or 10 Feet[10,11]	5 Feet [10]	Zero [10,11]	10 Feet [10]	Zero or 10 Feet [10,11,12]	10 Feet
Rear Yard	10 Feet [10]	10 Feet[10]	10 Feet[10]	10 Feet[10]	10 Feet[10]	20 Feet[10]	10 Feet
Water body	20 Feet	20 Feet	20 Feet	20 Feet	20 Feet	20 Feet	20 Feet or Zero Feet [13]
Minimum Building Separation	10 Feet	10 Feet	10 Feet	10 Feet	20 Feet[14]	20 Feet[14]	20 Feet[14]
Minimum Floor Area	900 S.F.	900 S.F.	900 S.F.	900 S.F.	750 S.F.	750 S.F.	700 S.F. [15]

Footnotes:

[1] Per Unit

[2] 30 feet per unit

[3] 45 feet

[4] 60 feet per Policy 1.1.10.1 of the Bonita Springs Comprehensive Plan

[5] 50 feet - except clock towers or similar architectural features that be permitted up to 75'

[6] Setback is measured from edge of pavement.

[7] Setback shall be reduced to 7.5' for side entry garages, front porches, and combination front porch/front entry garages

[8] Setback is measured from edge of pavement of road that serves the unit/building

[9] For lots at the end of the "Hammerhead" cul-de-sac which may be defined as corner lots, side setback standards shall apply for portions of the properties fronting the stud streets of the cul-de-sac

[10] Accessory structures setback may be reduce to zero feet for side and rear yards

[11] Side yard setback shall be a minimum of zero (0') with a ten foot (10') separation between principal structures where not attached.

[12] Units may share a common portico/arbor entryway structure. Accessory pool enclosure/screen lamia setback may be reduced to zero when attached to common privacy wall.

[13] Setback from a lake for all principal and accessory uses may be zero feet (0') provided architectural bank treatment is incorporated into the design.

[14] Treatment is incorporated into the design. Twenty-five feet of separation required by the local fire code.

[15] Seven hundred (700') square gross feet floor area on the ground floor.

General Notes:

1. The Master Concept Plan depicts the projects general configuration for conceptual zoning review and approval. The final residential, recreational and town center uses, along with the project's open space, surface water management systems and other functional elements will be determined at the time of Development Order Permitting.
2. The subject parcel has been previously cleared for agricultural use and does not contain any indigenous native vegetation except for the 3.24 acres of wetlands designated as Conservation Area. Open space, buffering, and landscaping will be provided in accordance with LDC Chapter 10, Division 6, and LDC Sections 414 and 935.
3. Parking will be provided in accordance with LDC chapter 34, Division 26.
4. The subject property does not contain any historical or archaeological sites.
5. Public Transit is not presently available to the site. Should transit be extended down Bonita Beach Road to the project's entrance, a transit stop will be provided.
6. The unit counts shown in the Site Summary table are conceptual and are not intended to limit or reduce the density for the individual development areas.
7. Minimum lot areas for any unit type may be exceeded.
8. The Owner or his agent is entitled to continue bona fide agricultural uses already existing on the property. Any existing agricultural use must be discontinued upon the commencement of any site development activities, as the term in defined in the LDC, pursuant to a local development order for the individual tract or phase identified in the development order.
9. Prior to the issuance of any development order, the applicant must provide evidence that the property has access to central water and sewer, or that the extension of central water and sewer will coincide with the development of the property.
10. Service areas within the Amenity Center Tracts will be provided in accordance with LDC Section 34, Divisions 25 & 26.
11. The aggregated residential and non-residential development acreage shall account for no more than 60% of the acreage within the Urban Fringe Community District (Sections 1 & 2).

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA ♦ ANNA MARIA ISLAND ♦ PORT CHARLOTTE

EAST BONITA ACTIVE ADULT
SURFACE WATER MANAGEMENT NARRATIVE FOR REZONING APPLICATION

1. **The runoff characteristics of the property in its existing state;**
The property currently is an active row crops farm. Its runoff characteristics are a function of the farming operations rather than rainfall events. The site is surrounded by a berm and the water table elevation is controlled by the use of pumps which discharge into either an existing roadside ditch along Bonita Beach Road or to the south to the wetland system which connects with the Cocahatchee Canal. The ongoing pump discharges have been permitted by the South Florida Water Management District (SFWMD) pursuant to Permit No. 36-02865-S.

2. **In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;**
The East Bonita active adult community is a 294-acre residential community located in Sections 1&2, Township 48S, Range 26E. The project area currently has been permitted with SFWMD and the Army Corps of Engineers. The project area is a portion of the Bonita Beach Road RPD project. The Bonita Beach Road RPD project includes two large flowways which traverse the site from north to south to allow the passage of surface water from the Corkscrew swamp to the Cocahatchee River. These flowways will attempt to re-establish pre-development flow. These improvements were identified in the South Lee County Watershed Plan which identified approximately 5,000 acres of land upstream of the project to the south that historically discharged through the project. This historic drainage pattern had been interrupted by the embankment and other farming activities on the project.

   The East Bonita Active Adult residential project is located in the northwest portion of the existing permitted surface water management system. The drainage system will consist of a series of interconnected lakes which provide storm water treatment for the project. Once storm water treatment occurs the project will discharge to the western flowway and ultimately discharge to the Mirasol wetland area and Cocahatchee Canal.

3. **The retention features (including natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee its maintenance;**
The proposed surface water management system will incorporate man-made lakes to provide runoff treatment and peak attenuation. The lakes will be conveyed to a homeowners' association which will be perpetually responsible for their maintenance.

   The majority of the project area has been cleared and operated as active farm and therefore lacks natural features. Two exceptions exist within the property. The natural features which will be incorporated into the surface water management system include a 40- acre barrow pit and a 3.2 acre wetland.

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The 40-acre barrow pit will be expanded and incorporated into the surface water management system. The rectilinear nature of this existing barrow pit will be modified to provide a curvilinear shoreline with littoral plantings. The 3.2 acre wetland will be preserved and enhanced. Treated storm water management will be allowed to flow into the wetlands system to maintain and improve the wetland hydro-period. Upland buffers will be provided around the wetland area to prevent encroachments into the wetland by residential development.

4. **How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;**
The site has been disturbed by agricultural development and therefore is lacking significant natural features. The existing barrow pit and wetland preserve will be incorporated to the drainage system. The design of the drainage system is based on matching and improving pre-development water table elevations which vary seasonably between elevation 10 and elevation 16. Control elevation for the project (wet season water table) has been placed at 15.8 feet by the existing SFWMD permit. These water table elevations have been established to maintain hydro-periods in the wetlands. These onsite wetlands will normally be inundated during the wet season.

5. **Describe the requirements for fill materials posed by this development for other than building pads (use, volume, etc.)**
This development will require either excavation or embankment throughout the entirety of the development areas. An average quantity of 36" of fill is expected to be needed within the roadway areas; an additional 12" of fill is necessary within building pads to achieve final development grades. The proposed onsite lakes will be the source of this material. Additional fill from offsite sources may be necessary to construct the project. No fill will be removed from the site.

6. **If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding;**
The property is not subject to inundation as it is surrounded by an agricultural berm which is significantly higher that the expected elevations caused by a 100-year storm event.

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EXHIBIT IV-H
SCHEDULE OF PROJECT DEVIATIONS AND JUSTIFICATION

DEVIATION # 1:

A request to deviate from the LDC 10-296 (m)(4): Privately Maintained Accessways requiring one vehicle access to fifty or fewer multi-family units to provide one vehicle access to one hundred multi-family units.

JUSTIFICATION:

The basis for the deviation is to advance the project's recreation, lake, and open space amenities along with enhancing residential development privacy. The deviation will support the design principal of avoiding unwarranted roadway development within the project. The project will benefit from the deviation by creating more private residential development neighborhoods without the need to construct a greater number of streets. The requested seventy-five-unit standard is the minimal standard needed to create more private residential cluster development areas. Public safety will be maintained by providing standard cul-de-sacs, "Hammerhead" turnarounds, or similar code compliant car turn-arounds. The internal circulation design will promote full turning movements that will support adequate internal vehicular circulation for residential use and emergency and service access. The requested deviation will benefit the project by providing for more efficient use of the land. The nature of this request is such that no graphic illustration is required. **Note: Lee County LDC was amended to allow up to 100 units (from 50).**

DEVIATION # 2:

A request to deviate from LDC10-296(d)(7)(c)(1) Local Street Wearing Surface, that requires 1 & 1/2 in. asphalt FDOT S-3 concrete to allow for cement concrete pavers or similar decorative paving materials for selected local street areas.

JUSTIFICATION:

This is a commonly granted deviation for large residential projects that desire upscale design entrance features and pedestrian crossing areas. The granting of this deviation will permit the developer to select a decorative surfacing at the time of final developing order. The deviation is internal in nature. Thus, it will not cause any deleterious effects on the public at large. Final placement of alternative wearing surfaces will be determined at the development order stage. The nature of this request is such that no graphic illustration is required. The project will benefit from the deviation by advancing overall higher design quality.

DEVIATION # 3:

A request to deviate from LDC Section 10-296(k)(1) requiring that dead end streets must be closed at one end by a circular turnaround for vehicles, to allow for the "hammerhead" cul-de-sac design with two short access streets at the "hammer-head" cul-de-sac.(See attached diagram & photo)

JUSTIFICATION:

This hammerhead cul-de-sac configuration has the same turn radii as the Lee County Standard and includes a joint driveway off each side of the cul-de-sac past the landscaped isle.

These hammerhead cul-de-sacs allow for a more efficient utilization of the property and the design has been approved by the Bonita Springs Fire Department Fire Marshall. These joint driveways provide adequate access to the units.

Five-foot (5') easements are sufficient on the one-way alleys since there are no conflicts with water and sewer facilities. The public utilities can also utilize the unpaved portions of the twenty-foot (20') access easement. This utility configuration has a proven success record and provides equivalent easements to those required in the LDC.

DEVIATION # 4:

A request to deviate from LDC Section 10-355(a)(1) requiring a 10-foot utility easement be provided on both sides of a road or access way, to allow a specific and unique utility easement configuration at the hammerhead cul-de-sacs.

JUSTIFICATION:

The short joint driveways at the end of the hammerhead cul-de-sacs will provide access to units only on one side of the easement. This configuration provides a ten-foot (10') easement along the front of all units for public utility service. Additional easements are not necessary and would serve no purpose along the other side of the joint driveway. The design has been reviewed and approved by the Bonita Springs Fire Department Fire Marshall.

DEVIATION # 5:

Deviation from LDC Section 10-329(e)(4) which requires compensating slope on excavation banks; to allow up to 20 percent of the banks to utilize vertical bulkheads.

JUSTIFICATION:

This deviation is intended to apply primarily to public areas such as the Amenity Centers. This deviation improves the project appearance by allowing a more aesthetically pleasing and creative design that will allow public spaces in close proximity to the waterfront. Pedestrian and driver safety can be addressed by providing railing and/or fences where deemed appropriate. This deviation will not have a negative impact on public health and safety.

DEVIATION # 6:

Deviation from LDC Section 10-256(d)(3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-and-one-half-inch (1.5") thick asphaltic

concrete of FDOT type S-111 to allow sidewalks to be constructed of decorative pavers, where deemed appropriate throughout the development.

JUSTIFICATION:

The developer is requesting that this alternate cross-section which is structurally equivalent to the "standard" cross-section of concrete sidewalks be granted to allow the developer the option of upgrading the appearance of some of the development's sidewalks where deemed necessary. Several examples of this alternate surface can be found in the City of Bonita Springs, particularly in large-scale, quality projects. Recent redevelopment improvements to Old US 41 in the City of Bonita Springs incorporated a broad use of pavers on the sidewalks. There is no impact to the public from this change.

DEVIATION # 7:

Deviation from LDC Section 10-291(3) which requires that residential development of more than five acres to provide two or more means of ingress and egress, to allow the RPD to have one full means of ingress and egress and one emergency access.

JUSTIFICATION:

The eastern portion of the project, which is subject to this deviation, is designed as a gated community. A proliferation of access points is unnecessary and contrary to the intent of the project to provide a secure and safe environment for its residents. The main access point will be via the proposed Bonita Beach Road extension and a dedicated emergency access will be provided at the eastern end of the proposed Bonita Beach Road extension.

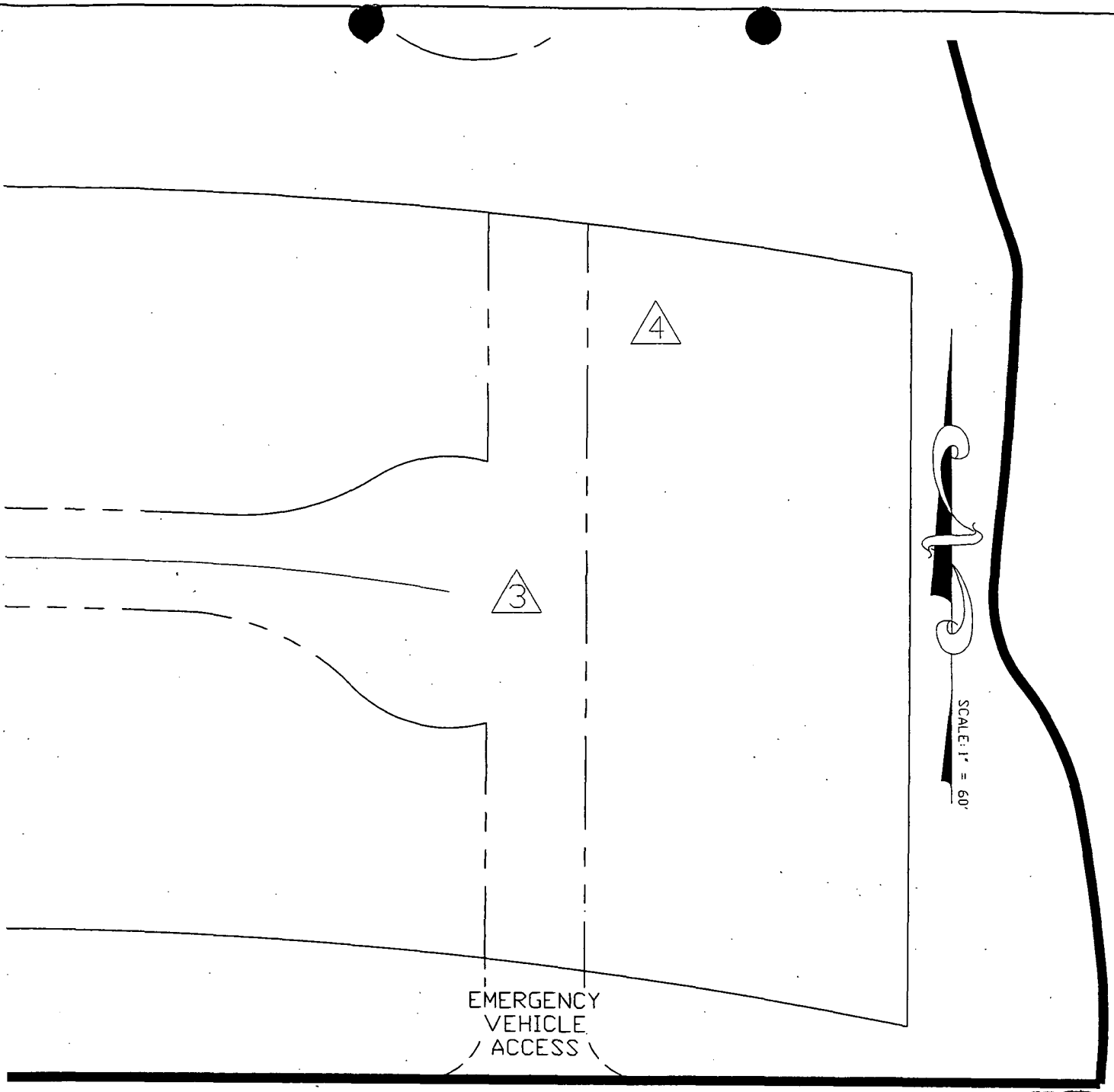
DEVIATION # 8:

Deviation requesting relief from the LDC Section 10-329(e)(1)(a)) which requires excavations to be further than twenty-five feet from a local right-of-way or easement to allow lake setbacks from the project's internal roadways to be reduced to twenty feet, as measured from edge of pavement or back of curb to edge of water control provided that adequate elements for the protection of wayward vehicles are provided.

JUSTIFICATION:

The change would primarily apply to several segments of the proposed Bonita Beach Road extension as seen on the Master Concept Plan, and along several internal rights-of-way. The developer agrees to provide protection for wayward vehicles wherever necessary in the form of non-mountable curbing. With the applicant's commitment to provide protective measures for wayward vehicles at the time of local development order approval, the lakes would be an asset to the area and the traveling public. Allowing lakes closer to internal project roadways allows the opportunity to create waterfront vistas which provide diversity in the landscape and enhance the appearance of the community. Lakes and other water features are usually located behind residential uses and made available only to those who live on those lakes. Locating some of the lakes along the internal roadways allows the lakes to be viewed and appreciated by the entire community. Residential site design manuals encourage designers to be democratic and to give all of the project's residents the opportunity to enjoy a site's amenities. Moreover, the twenty-foot setback has been used in numerous projects throughout

Southwest Florida with no deleterious results as it allows adequate space for maintenance, and, with the non-mountable curb, safety concerns are addressed. With the safety concerns addressed through adequate elements for the protection of wayward vehicles, no negative impact to the public is anticipated. There is no impact to the public from the change.



BONITA BEACH ROAD

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Oct 01, 2004 - 13:14:36 D:\2004\04-0039.00 Sec One Bonita Beach Road RPD\0002 RPD Rezone Application\Survey and Site Plan\MCP SET\40039X02.dwg

RWA CONSULTING INC.
Engineers,
Surveyors & Mappers,
Planners, Project Managers
3050 North Horseshoe Drive, Suite 270
Naples, Florida 34104
Phone: (239) 649-1509
FAX: (239) 649-7056

DATE: 10-01-04	CLIENT: ROCKPOINT/RONTO NAPLES, LLC
SCALE: 1" = 60'	
DRAWN BY: M.S.J.	TITLE: EAST BONITA ACTIVE ADULT HAMMER-HEAD EXHIBIT
CHECKED BY:	
SEC: 1&2 TWP: 48S RGE: 26E	PROJECT NUMBER: 04-0039 SHEET NUMBER: 1 OF 1 FILE NUMBER: 40039X02



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DCI 2004 00071

EXHIBIT V-A

THE FISCAL IMPACTS OF THE EAST BONITA ACTIVE ADULT COMMUNITY

September 16, 2004

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DCI 2004 00071

Prepared By:

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Executive Summary

The East Bonita Active Adult Community will be located in Bonita Springs, Fl, in the Northern half of Section One and Two, also known as the Bonita Beach Road RPD. This residential development encompasses +/- 290 acres and will consist of 900 dwelling units.

Fiscal Impacts of the East Bonita Active Adult Community

City of Bonita Springs, Net Present Value	$1,135,988
Lee County School District, Net Present Value	$4,609,231
Total Operating ad Valorem	$5,901,882
Total Impact Fee Revenue for the City	$3,053,318

The East Bonita Active Adult Community will have a positive fiscal impact on the City of Bonita Springs. The increase in taxable property values will generate $5.9 million in additional ad Valorem tax revenue over the next 20 years. In addition, the development will generate $3.1 million in impact fee revenue. The East Bonita Active Adult Community has an overall net present value impact on the City of Bonita Springs of $1.1 million. Also, the development has an advantageous impact of $4.6 million on the Lee County School District. The net present value demonstrates that this development will pay its own way in terms of City services and impacts on facilities.

Fishkind & Associates endorses the development of the East Bonita Active Adult Community due to its fiscally sound impact on Bonita Springs. The bottom line is that the East Bonita Active Adult Community will be a revenue generator for the City of Bonita Springs for many years to come by increasing the overall taxable property base. With a combined net present value impact of $5.7 million for the City and the School District, the East Bonita Active Adult Community will provide additional sources of revenue that can be used to enhance the standard of living for all residents of Bonita Springs.

1.0 Introduction

1.1 Background

The East Bonita Active Adult Community will be located in Bonita Springs, FL, in the Northern half of Section One and Two, also known as the Bonita Beach Road RPD. This residential development encompasses +/- 290 acres and will consist of 500 single family units and 400 multi-family units.

1.2 Assignment

Fishkind & Associates, Inc has been contracted by Ronto Development Group to conduct a fiscal impact analysis in order to determine the impact of the East Bonita Active Adult Community on the City of Bonita Springs.

2.0 Development Schedule

The East Bonita Active Adult Community is scheduled to be built over a period of seven years. Total development for single family and multi-family homes is approximately 128 units per year. The development schedule is summarized below in Table 1.

Table 1. Development Schedule

Unit Type	2006	2007	2008	2009	2010	2011	2012
Single Family	74	71	71	71	71	71	71
Multi-Family	58	57	57	57	57	57	57
Total	132	128	128	128	128	128	128

3.0 Fiscal Methodology

3.1 Introduction

The Consultant has developed a Fiscal Impact Analysis Model (FIAM) under contract with the Florida Department of Community Affairs ("DCA"). FIAM is designed to serve as the prototype fiscal and economic assessment tool for local governments in Florida. DCA has continued contracting with the Consultant to further refine and develop FIAM. Currently, FIAM Version 5.0 is available for use in Florida. Recently an Urban Land Institute Pane ("ULI") provided a peer review of FIAM on behalf of DCA. The ULI panel was very complementary, made recommendations for further improvements, and endorsed FIAM for use in Florida. DCA is continuing its contracting with the Consultant for FIAM and DCA is planning the implementation of FIAM.

FIAM provides estimates of the costs and revenues to local governments associated with their land use decisions. FIAM examines both the long range and near term impacts and it provides estimates for the effects of land use decisions on both the operating budget and the capital budget of the local government. FIAM is suitable for conducting analysis of individual projects, development corridors, and entire comprehensive plans. FIAM has been used for fiscal impact analysis in thirty six Florida communities.

3.2 Fiscal Impact Analysis Model Calibration

The FIAM model used in the development scenarios has been calibrated based on the latest adopted budget and demographics for the City. City staff has been contacted in order to gather accurate and current information regarding the demographics of the City. In this way, FIAM is properly calibrated to reflect the specific environment of the City with its unique budget and characteristics. Furthermore, FIAM also includes ten years of budgetary history for the City. This provides the base for FIAM to project inflation rates over the long term.

3.3 Modified Per Capita Method

Local governments receive revenues from the land, development and the activities of their populations of residents, workers and visitors. The major portion of these revenues is in the form of taxes (Property Tax, Sales Tax, Gas Taxes, Utility Taxes, Resort Tax, etc.) and fees, assessments and charges for service (permits, impact fees, waste collection and lighting assessments, etc.).

Local governments also render services to all residents, to all who are working in the City, and to all visitors to the City. Therefore, on the cost

side of the equation, cities incur costs to provide services to residents, those employed in the City, and to visitors. At some point during a 24-hour period, a resident may become a person employed in the City, and then later in the day may be a resident again. To such an individual the City has rendered services for a full 24 hours. Other residents may leave the City to work in another City. In this case the City only provides services to that person when they are physically in town. Some who work in the City may not live in the City. City services are only provided to those workers when they are in the City. Finally, visitors receive service during the whole time period of their visit, but obviously not when they leave.

To properly measure the services provided to each of these groups, a weighting procedure is needed that reflects the duration of time each group is resident in the City. This calculation provides us with the full-time equivalent (FTE) population, employees and visitors. For both residents and workers a working period assumption of 2,000 hours per year is applied. In this way, the fiscal impact of the FTE residents, employees and visitors can be properly identified.

A variety of methods exist for quantifying the revenue and cost impacts flowing from a development opportunity such as the one presented here. The approach used in this FIAM is the modified per capita approach. When possible, the revenues and expenditures that can be identified from the subject population(s) are directly estimated or calculated. For this project, ad Valorem and impact fee revenues were calculated using current millage, fees and costs. The remaining cost and revenue categories were estimated based on modified per capita estimates.

The modified per capita approach involves the calculation of revenues using the latest published budgets for the appropriate population basis (i.e. per person, per employee, per tourist, per student). From an economic perspective, this is equivalent to assuming that average revenue generation applies to the particular situation being evaluated. This is a reasonable assumption in most cases for two reasons. First, local governments must run balanced budgets, so that current costs and current revenues balance and are appropriate for current circumstances. Second, using long run averages also means that any excess capacity is maintained in the various systems and not allocated to the project. Furthermore, there is nothing peculiar about the location or the type of this particular project that indicates that per capita parameters estimated from the latest budgets would not be reflective of actual costs and revenues.

The numerator for each cost or revenue item is the cost or revenue shown in the City's budget. The denominator depends upon the type of cost or revenue. Each category of cost and revenue was examined to determine

the impact of population and/or employment (businesses). Then each category was divided by the appropriate divisor (FTE population; FTE population + FTE employment) to yield the average per capita revenues and expenditures for all budget categories. The arithmetic is shown below.

$$\frac{\text{Revenue}}{\text{FTE Population + FTE Employees}} = \text{Per Capita}$$

3.4 Fiscal Impact Calculations

Appendix Tables C and D provide the annual budget with projected revenues by source and expenditures detail by function for the City. Property taxes are calculated by multiplying the taxable property value (Appendix Table E) by the current millage rates (Appendix Table A) and then adjusting for inflation over time.

Most of the other budget revenues and expenditures were calculated using the per capita methodology. The per capita numbers used are the full-time equivalents (FTE) residents and employees calculated using the University of Florida data and Fishkind estimates of employment. The revenues and expenditures are calculated by multiplying the FTE residents and employees by the per capita revenue and expenditure amounts from the budget. The Bonita Springs averages were used to maintain a conservative methodology.

The per capita calculations for the City's budget were calculated using revenues and expenditures from the budget's General and Special Revenue Funds. The revenues and expenditures from these funds were divided by the City FTE Population plus the City FTE employment to provide the per capita amount. Human Services and Parks and Recreation typically have only the population as the denominator. These Budget per capita amounts are then multiplied by the number of new FTE residents and FTE employees and FTE visitors in order to generate the projected revenues and expenditures found in Appendix Tables C and D.

Certain non-revenues and non-expenditure items are not included as they are not applicable to the incremental change in population.

3.4 Assumptions

Appendix Table A contains the basic data, assumptions and sources used in the City fiscal impact model. These are provided for completeness and allow for the replication of our results.

3.5 Lee County School District Methodology

The FIAM provides the forecasted number of students and their impact on the School District's capital revenues and expenditures. The Capital Projects Fund has both ad Valorem and State provided revenue sources. The ad Valorem revenues were calculated by multiplying the taxable value times the capital millage rate. The State provided revenues were calculated using the per student rate from the current budget and multiplying by the projected public school K-12 student population. Capital expenditures were calculated by multiplying the number of elementary, middle and high school students by the State average student station cost. The annual capital cost was calculated using the total capital cost financed plus a 30 percent cost of financing factor, for 30 years This methodology provides a good indication or whether or not the development covers the capital costs of the School District. However, it does not calculate the School District's actual cash flow. The School District will have to build either additional schools or additional classrooms in existing schools. They do not have the ability to construct individual student stations as required by new development. School District assumptions are contained in Appendix Table B.

4.0 FIAM Results

4.1 Fiscal Impacts of the East Bonita Active Adult Community on the City of Bonita Springs

Table 2 displays the results of the fiscal impacts calculated by the FIAM. The FIAM forecasts the fiscal impact of the East Bonita Active Adult Community on the future revenues and expenditures for Bonita Springs based upon the City's budget. The total values look at the aggregate value associated with the development of the project and are simply the sum of the annual revenues, expenditures, or net impacts generated from the project at build out.

The present value calculation displays how much a future investment is worth in today's dollars. The present value formula takes the annual revenues, expenses, or net impacts and discounts them by a present value factor of 10% a year for 20 years. Present value assumes a person can take their money and invest it elsewhere for a given rate and then discounts each future year's cost or revenue by that rate in order to compensate for what could have been received on the money in the alternative investment. Once each annual amount has been adjusted, the values are summed in order to obtain the net present value of the future costs or revenues. Next, by deducting the expenses from the revenues, a net operating and capital present value impact can be determined. The

project's overall present value is calculated by summing the net capital impact and the net operating impact. A positive present value figure indicates a good investment. The greater the number, the greater the positive impact the development will have on Bonita Springs. Projects with overall negative net total impacts should be avoided.

Table 2. The Fiscal Impacts on Bonita Springs

	Total	Present Value
Total Operating Revenue	$12,647,551	$4,207,203
Total Operating Cost	$10,163,522	$3,426,004
Net Operating Impact	$2,484,029	$781,200
95% of Net Operating Impact	$2,359,827	$742,140
Total Capital Revenue	$3,053,318	$2,126,557
Total Capital Cost	$2,487,791	$1,732,708
Net Capital Impact	$565,526	$393,848
Net Total Impact @ 95% of Revenue	$2,925,354	$1,135,988

By removing the capital lines from the budget, the FIAM determines both capital and operating revenues and expenditures. The operating revenues generated from the development of the project are the sum of each revenue source the City would receive based on the development schedule. The East Bonita Active Adult Community supplies the City with a total of $5.9 million in ad Valorem revenues. Total operating revenues associated with the development are $12.6 million. The present value of the operating revenues is $4.2 million. Operating revenues consist of such items as ad Valorem tax revenue, local option fuel taxes, local option sales taxes, occupational licenses, utility taxes, state revenue proceeds, and charges for City services.

Operating expenses are the City's costs for such items and services as financial and administrative expenses, emergency and disaster relief, legislative and executive expenses, and comprehensive planning. Total operating expenses incurred with the full development of the East Bonita Active Adult Community are $10.2 million and have a present value of $3.4 million.

By subtracting operating expenses from operating revenue, a net operating impact can be calculated. The net operating impact for the East Bonita Active Adult Community is $2.5 million of total value and $781,000 in present value. This positive net operating impact is driven by the

increased value for ad Valorem taxes and sales taxes due to the build-out of the East Bonita Active Adult Community. Theoretically, the City will receive 100% of the net operating impact. However, the State mandates that municipalities budget based on 95% of projected revenues. The total and present value net operating impacts at 95% of revenues are $2.4 million and $742,000, respectively.

The capital revenues associated with the development are generated from the sum of all impact fees plus the developer's contribution for each future land use type. The East Bonita Active Adult Community will create $3.1 million in capital revenues. The present value of the capital revenues is $2.1 million.

Capital expenditures are generated by how each future land use impacts the City's existing capital structure. The East Bonita Active Adult Community is projected to have a capital expenditure impact of $2.5 million with a present value capital expenditure impact of $1.7 million. Capital expenses include the capital costs related to roads, law enforcement, fire/rescue service, parks, libraries, public buildings, water, sewer, and solid waste. For example, a capital cost for the City's Fire Department would be the purchase of a new vehicle or any new construction or improvements made to existing buildings.

A net capital impact can be created the same way a net operating impact was calculated. By subtracting capital expenses from capital revenues, the total net capital impact is $566,000 and the present value of the net capital impact is $394,000.

Finally, by summing the net capital impact and the net operating impact, an overall net total impact at 95% of revenues is calculated to be $2.9 million. The present value of the total impact is $1.1 million. These figures are indicative of a development that has a very positive impact on its surrounding community.

A comprehensive breakdown of the forecasted operating budget revenues and expenses, taxable property values, and capital revenues and expenditures are contained in Appendix Tables C, D, E, and F, respectively.

4.2 Fiscal Impacts of the East Bonita Active Adult Community on the Lee County School District

Since the project will be marketed towards the active adult lifestyle, it is assumed that the Lee County School District will not be overburdened with an influx of new students. However, the East Bonita Active Adult Community will still produce operating and capital revenues for the Lee

County School District through an increase in overall taxable values on property in Bonita Springs and impact fee revenues.

The total operating ad Valorem revenues produced by the East Bonita Active Adult Community over a 20 year time horizon are $37.5 million. These revenues are generated by multiplying the operating plus discretionary millage rate of 6.346 by the increase in taxable property values over the next twenty years due to the development of the East Bonita Active Adult Community. A state required operating millage is set for each school district. Lee County's state required operating millage is set at 5.757 Mills. The revenue generated by the operating millage set by the State is collected and then redistributed to the State's school districts based on the number of students and spending needs. The discretionary operating millage, levied by the County, is a relatively small amount and is set at .589 Mills. Thus, the likelihood of the School District experiencing a windfall or shortfall due to the new development is negligible. Therefore, it is assumed that over the long-term, the operating expenditures will equal the income received. Table 3 summarizes the operating impacts on the Lee County School District.

Table 3. Lee County School District Fiscal Impact

Revenue Source	20 Years
Operating Revenues	
Operating ad Valorem (5.757 mills)	$34,058,876
Discretionary ad Valorem (.589 mills)	$3,484,571
Total ad Valorem (6.346 mills)	$37,543,448
Capital Revenues	
Capital ad Valorem (2.0 mills)	$11,832,161
Impact Fee Revenue	$1,391,668
Present Value Capital Revenue	$4,609,231

The school district capital revenues are derived from a variety of sources. The total capital ad Valorem generated by the increased taxable values of property in Bonita Springs is $11.8 million. This money is generated from multiplying the capital millage rate of 2.0 Mills by the increases in taxable value of property for each of the next twenty years. The school impact fees generated by the residential units are $1.4 million. The total value of the capital revenues generated by the East Bonita Active Adult Community is $13.2 million. The net present value of the capital impacts on the Lee County School District is $4.6 million. These capital revenues can be used by the Lee County School District for construction of new schools or maintenance of existing facilities.

5.0 FIAM Conclusion

Based on the fiscal impact summarized above, Bonita Springs and its residents will benefit from the development of the East Bonita Active Adult Community based upon the proposed development schedule. The development of this community will result in a net total positive fiscal impact of $2.9 million with a present value of $1.1 million. Thus, the development will not only pay its own way in terms of City services and impacts on facilities, it will generate a substantial fiscal surplus. The surplus revenues can be used by the City for any purpose, including roads, public buildings, or park construction. The East Bonita Active Adult Community will give the City of Bonita Springs additional resources to deal with any future challenges that arise within their community.

Table 4. Net Present Value Impacts of the East Bonita Active Adult Community

City of Bonita Springs	$1,135,988
Lee County School District	$4,609,231

In addition to the positive fiscal impact on the City, the East Bonita Active Adult Community also creates a substantial benefit for the Lee County School District. The net present value of the capital impact on the school system is $4.6 million. This is money that can be spent on capital improvements for the schools such as renovations, maintenance, or new construction.

The ultimate conclusion is clear. The City and its residents will benefit greatly from the East Bonita Active Adult Community. With net present values of $1.1 million for the City and $4.6 million for the School District, this development will have a very positive impact on its surrounding areas.

Appendix Tables

Table A

The City of Bonita Springs Inputs

Taxable Assessment Ratio	90%		
Homestead Exemption	$25,000		
% Single-Family with Homestead	50%		
% Multifamily with Homestead	15%		
Property Tax Ad Valorem Millage			
East Bonita Active Adult Community	0.9976		
Population (total)	39,906		
		Equivalent Factor	Full-Time Equivalent
Population-Working Residents	17,345	0.7619	13,215
Population-Non-Working Residents	22,561	1.0000	22,561
Population- Seasonal	12,807	0.3750	4,802
Population (peak season)	52,713		40,579
City Employment	17,345	0.2381	4,130
City Labor Force Participation Rate	43.46%		
County Population (unincorporated)	269,200		
Persons per Household - Single Family	2.30		
Persons per Household - Multifamily/Seasonal	1.73		
Total Households County	211,993		
Seasonal Units (not rentals)	7,392		
Average Occupancy	72%		
Average Persons per Room	2.5		
Total Number of Rooms	1,302		
Average Daily Rate	$105.00		

Table B

Lee County School District Inputs

School Board Operating +Discretionary Millage	6.3460	
School Board Capital Millage	2.0000	
	Total	Per Student
Capital Projects Revenues		
PECO and CO & DS	$7,073,700	$117
Students		
Total Students	60,684	
Elementary School	48.9%	
Middle School	24.6%	
High School	26.6%	
Capital Cost Per Student Station *	2004	
Elementary	$13,379	
Middle	$15,340	
High	$20,299	
	Land cost/school	Student Stations / School
Enter costs for land only no site work		
Elementary	$11,169,627	776
Middle	$17,023,858	1,049
High	$26,736,364	1,716
Annual Land Cost/Student Station	2006	2007
Elementary	$14,403	$14,766
Middle	$16,224	$16,632
High	$15,581	$15,974
Total Cost/Student Station		
Elementary	$27,782	$28,482
Middle	$31,564	$32,358
High	$35,880	$36,785
Bond Term	30	yrs
Interest Rate	5.00%	
Cost of Financing	30.00%	

Table C

Forecasted Budget Revenues from the East Bonita Active Adult Community

	2006	2007	2008	2009	2010	2011
Revenues						
Ad Valorem Taxes-Property Value	$0	$41,822	$83,985	$127,769	$173,173	$220,198
Taxes						
Local Option Fuel Taxes	$4,821	$9,834	$15,186	$20,879	$26,911	$33,283
Franchise Fees- Cable TV, Solid Waste	$129	$263	$406	$558	$720	$890
Utility Taxes	$8,508	$17,353	$26,799	$36,845	$47,490	$58,735
Occupational Licenses	$206	$421	$650	$893	$1,151	$1,424
State Grants	$1,308	$2,703	$4,225	$5,873	$7,648	$9,550
State Revenue Sharing Proceeds	$3,803	$7,860	$12,285	$17,077	$22,239	$27,768
Sales Tax - Half Cent	$14,652	$30,278	$47,323	$65,786	$85,667	$106,967
Charges for Services	$990	$2,024	$3,131	$4,311	$5,565	$6,893
Judgments, Fines and Forfeitures	$364	$743	$1,150	$1,583	$2,043	$2,531
Interest and Other Earnings	$619	$1,264	$1,956	$2,693	$3,477	$4,306
Rents and Royalties	$12	$25	$39	$54	$70	$86
Miscellaneous Revenues	$155	$316	$489	$673	$869	$1,076
Balancing Revenue	$5,079	$10,708	$17,037	$24,065	$31,794	$40,223
Total Revenues	$40,646	$125,615	$214,660	$309,061	$408,818	$513,931

	2012	2013	2014	2015	2016	2017
Revenues						
Ad Valorem Taxes-Property Value	$268,844	$319,110	$324,808	$330,507	$336,205	$341,903
Taxes						
Local Option Fuel Taxes	$39,996	$41,191	$42,386	$43,581	$44,776	$45,972
Franchise Fees- Cable TV, Solid Waste	$1,069	$1,101	$1,133	$1,165	$1,197	$1,229
Utility Taxes	$70,580	$72,690	$74,799	$76,908	$79,017	$81,126
Occupational Licenses	$1,711	$1,762	$1,813	$1,864	$1,916	$1,967
State Grants	$11,578	$12,024	$12,469	$12,914	$13,360	$13,805
State Revenue Sharing Proceeds	$33,665	$34,960	$36,255	$37,550	$38,845	$40,140
Sales Tax - Half Cent	$129,686	$134,674	$139,662	$144,650	$149,638	$154,625
Charges for Services	$8,294	$8,552	$8,810	$9,069	$9,327	$9,585
Judgments, Fines and Forfeitures	$3,045	$3,140	$3,235	$3,330	$3,425	$3,520
Interest and Other Earnings	$5,181	$5,342	$5,504	$5,665	$5,827	$5,988
Rents and Royalties	$104	$107	$110	$113	$117	$120
Miscellaneous Revenues	$1,295	$1,336	$1,376	$1,416	$1,457	$1,497
Balancing Revenue	$49,351	$51,812	$54,274	$56,735	$59,196	$61,658
Total Revenues	$624,399	$687,801	$706,634	$725,468	$744,301	$763,135

Table C

Forecasted Budget Revenues from the East Bonita Active Adult Community

	2018	2019	2020	2021	2022	2023
Revenues						
Ad Valorem Taxes-Property Value Taxes	$347,602	$353,300	$358,999	$364,697	$370,395	$376,094
Local Option Fuel Taxes	$47,167	$48,362	$49,557	$50,753	$51,948	$53,143
Franchise Fees- Cable TV, Solid Waste	$1,261	$1,293	$1,325	$1,357	$1,389	$1,421
Utility Taxes	$83,236	$85,345	$87,454	$89,563	$91,673	$93,782
Occupational Licenses	$2,018	$2,069	$2,120	$2,171	$2,222	$2,273
State Grants	$14,250	$14,696	$15,141	$15,586	$16,032	$16,477
State Revenue Sharing Proceeds	$41,434	$42,729	$44,024	$45,319	$46,614	$47,908
Sales Tax - Half Cent	$159,613	$164,601	$169,589	$174,577	$179,565	$184,553
Charges for Services	$9,844	$10,102	$10,360	$10,619	$10,877	$11,136
Judgments, Fines and Forfeitures	$3,614	$3,709	$3,804	$3,899	$3,994	$4,089
Interest and Other Earnings	$6,149	$6,311	$6,472	$6,634	$6,795	$6,956
Rents and Royalties	$123	$126	$129	$133	$136	$139
Miscellaneous Revenues	$1,537	$1,578	$1,618	$1,658	$1,699	$1,739
Balancing Revenue	$64,119	$66,580	$69,041	$71,503	$73,964	$76,425
Total Revenues	$781,968	$800,802	$819,635	$838,469	$857,302	$876,136

	2024	2025	2026
Revenues			
Ad Valorem Taxes-Property Value Taxes	$381,792	$387,491	$393,189
Local Option Fuel Taxes	$54,338	$55,533	$56,729
Franchise Fees- Cable TV, Solid Waste	$1,453	$1,485	$1,517
Utility Taxes	$95,891	$98,000	$100,109
Occupational Licenses	$2,325	$2,376	$2,427
State Grants	$16,922	$17,367	$17,813
State Revenue Sharing Proceeds	$49,203	$50,498	$51,793
Sales Tax - Half Cent	$189,541	$194,529	$199,517
Charges for Services	$11,394	$11,652	$11,911
Judgments, Fines and Forfeitures	$4,184	$4,278	$4,373
Interest and Other Earnings	$7,118	$7,279	$7,441
Rents and Royalties	$142	$146	$149
Miscellaneous Revenues	$1,779	$1,820	$1,860
Balancing Revenue	$78,887	$81,348	$83,809
Total Revenues	$894,969	$913,803	$932,636

Table D

Forecasted Budget Expenses from the East Bonita Active Adult Community

	2006	2007	2008	2009	2010	2011
Expenditures						
Legislative-General	$24,364	$50,349	$78,693	$109,395	$142,457	$177,877
Legal Counsel	$2,020	$4,173	$6,523	$9,068	$11,808	$14,744
Debt Service Payments	$1,685	$3,482	$5,442	$7,565	$9,851	$12,300
Law Enforcement	$155	$320	$500	$695	$904	$1,129
Other Physical Environment	$2,270	$4,690	$7,331	$10,191	$13,271	$16,570
Road/Street Facilities	$6,187	$12,786	$19,984	$27,781	$36,177	$45,172
Other Transportation	$2,062	$4,262	$6,661	$9,260	$12,059	$15,057
Housing and Urban Development	$283	$557	$831	$1,106	$1,380	$1,654
Parks/Recreation	$6,175	$12,760	$19,943	$27,724	$36,102	$45,078
Interfund Transfers Out	$4,228	$8,488	$12,911	$17,498	$22,249	$27,163
Other Non-Operating Disbursements	$10,648	$21,376	$32,516	$44,068	$56,033	$68,410
Total Expenditures	$60,077	$123,243	$191,334	$264,350	$342,290	$425,155

	2012	2013	2014	2015	2016	2017
Expenditures						
Legislative-General	$215,655	$223,950	$232,244	$240,538	$248,833	$257,127
Legal Counsel	$17,875	$18,563	$19,250	$19,938	$20,625	$21,313
Debt Service Payments	$14,913	$15,486	$16,060	$16,633	$17,207	$17,780
Law Enforcement	$1,369	$1,422	$1,474	$1,527	$1,580	$1,632
Other Physical Environment	$20,090	$20,862	$21,635	$22,408	$23,180	$23,953
Road/Street Facilities	$54,765	$56,872	$58,978	$61,084	$63,191	$65,297
Other Transportation	$18,255	$18,957	$19,659	$20,361	$21,064	$21,766
Housing and Urban Development	$1,928	$1,928	$1,928	$1,928	$1,928	$1,928
Parks/Recreation	$54,652	$56,754	$58,856	$60,958	$63,060	$65,162
Interfund Transfers Out	$32,241	$32,817	$33,393	$33,969	$34,544	$35,120
Other Non-Operating Disbursements	$81,200	$82,650	$84,100	$85,550	$87,000	$88,450
Total Expenditures	$512,944	$530,261	$547,578	$564,895	$582,212	$599,530

Table D

Forecasted Budget Expenses from the East Bonita Active Adult Community

	2018	2019	2020	2021	2022	2023
Expenditures						
Legislative-General	$265,422	$273,716	$282,011	$290,305	$298,599	$306,894
Legal Counsel	$22,001	$22,688	$23,376	$24,063	$24,751	$25,438
Debt Service Payments	$18,354	$18,928	$19,501	$20,075	$20,648	$21,222
Law Enforcement	$1,685	$1,738	$1,790	$1,843	$1,896	$1,948
Other Physical Environment	$24,726	$25,498	$26,271	$27,044	$27,816	$28,589
Road/Street Facilities	$67,404	$69,510	$71,616	$73,723	$75,829	$77,935
Other Transportation	$22,468	$23,170	$23,872	$24,574	$25,276	$25,978
Housing and Urban Development	$1,928	$1,928	$1,928	$1,928	$1,928	$1,928
Parks/Recreation	$67,264	$69,366	$71,469	$73,571	$75,673	$77,775
Interfund Transfers Out	$35,696	$36,272	$36,847	$37,423	$37,999	$38,575
Other Non-Operating Disbursements	$89,900	$91,350	$92,800	$94,250	$95,700	$97,150
Total Expenditures	$616,847	$634,164	$651,481	$668,798	$686,115	$703,432

	2024	2025	2026
Expenditures			
Legislative-General	$315,188	$323,483	$331,777
Legal Counsel	$26,126	$26,813	$27,501
Debt Service Payments	$21,795	$22,369	$22,942
Law Enforcement	$2,001	$2,054	$2,106
Other Physical Environment	$29,362	$30,134	$30,907
Road/Street Facilities	$80,042	$82,148	$84,254
Other Transportation	$26,681	$27,383	$28,085
Housing and Urban Development	$1,928	$1,928	$1,928
Parks/Recreation	$79,877	$81,979	$84,081
Interfund Transfers Out	$39,150	$39,726	$40,302
Other Non-Operating Disbursements	$98,600	$100,050	$101,500
Total Expenditures	$720,749	$738,066	$755,383

Table E

Taxable Property Values

	2007	2008	2009	2010	2011
Single Family	$26,480,000	$52,955,850	$80,449,200	$108,960,050	$138,488,400
Multi-Family	$15,442,500	$31,231,125	$47,626,800	$64,629,525	$82,239,300
Total	$41,922,500	$84,186,975	$128,076,000	$173,589,575	$220,727,700

	2012	2013	2014	2015	2016
Single Family	$169,034,250	$200,597,600	$204,179,700	$207,761,800	$211,343,900
Multi-Family	$100,456,125	$119,280,000	$121,410,000	$123,540,000	$125,670,000
Total	$269,490,375	$319,877,600	$325,589,700	$331,301,800	$337,013,900

	2017	2018	2019	2020	2021
Single Family	$214,926,000	$218,508,100	$222,090,200	$225,672,300	$229,254,400
Multi-Family	$127,800,000	$129,930,000	$132,060,000	$134,190,000	$136,320,000
Total	$342,726,000	$348,438,100	$354,150,200	$359,862,300	$365,574,400

	2022	2023	2024	2025	2026
Single Family	$232,836,500	$236,418,600	$240,000,700	$243,582,800	$247,164,900
Multi-Family	$138,450,000	$140,580,000	$142,710,000	$144,840,000	$146,970,000
Total	$371,286,500	$376,998,600	$382,710,700	$388,422,800	$394,134,900

Table F

Capital Revenues, Expenses, and Net Capital Impact

Capital Revenues	2006	2007	2008	2009	2010	2011	2012
Roads	$277,964	$268,973	$268,973	$268,973	$268,973	$268,973	$268,973
Fire	$41,232	$39,878	$39,878	$39,878	$39,878	$39,878	$39,878
EMS	$1,098	$1,062	$1,062	$1,062	$1,062	$1,062	$1,062
Parks	$127,971	$124,262	$124,262	$124,262	$124,262	$124,262	$124,262
Total Impact Fee Revenue	$448,265	$434,176	$434,176	$434,176	$434,176	$434,176	$434,176

Capital Expenditures	2006	2007	2008	2009	2010	2011	2012
Roads	$177,429	$171,514	$171,514	$171,514	$171,514	$171,514	$171,514
Law Enforcement	$1,143	$1,114	$1,114	$1,114	$1,114	$1,114	$1,114
Fire	$5,453	$5,288	$5,288	$5,288	$5,288	$5,288	$5,288
Parks	$113,850	$110,400	$110,400	$110,400	$110,400	$110,400	$110,400
Library	$14,670	$14,225	$14,225	$14,225	$14,225	$14,225	$14,225
Public Buildings	$52,800	$51,200	$51,200	$51,200	$51,200	$51,200	$51,200
Total Capital Expenditures	$365,344	$353,741	$353,741	$353,741	$353,741	$353,741	$353,741

Net Capital Impact	2006	2007	2008	2009	2010	2011	2012
Roads	$100,535	$97,459	$97,459	$97,459	$97,459	$97,459	$97,459
Law Enforcement	-$1,143	-$1,114	-$1,114	-$1,114	-$1,114	-$1,114	-$1,114
Fire	$35,779	$34,590	$34,590	$34,590	$34,590	$34,590	$34,590
EMS	$1,098	$1,062	$1,062	$1,062	$1,062	$1,062	$1,062
Parks	$14,121	$13,862	$13,862	$13,862	$13,862	$13,862	$13,862
Library	-$14,670	$14,225	$14,225	$14,225	$14,225	$14,225	$14,225
Public Buildings	-$52,800	$51,200	$51,200	$51,200	$51,200	$51,200	$51,200
Net Capital Impact	$82,921	$80,434	$80,434	$80,434	$80,434	$80,434	$80,434

EXHIBIT V-B

Bonita Springs Utilities, Inc.

September 23, 2004

Mr. David Underhill, Jr., P.E.
Banks Engineering, Inc.
6640 Willow Park Drive Suite B
Naples, Florida 34109

Re: East Bonita Active Adult Community
Bonita Springs, Lee County, Florida

Dear Mr. Underhill:

Please be advised that the Developer has requested potable water and sewer service for the project referenced above. The Developer is required to install all off-site and on-site waterline and sewer service extensions necessary to provide service to the project in accordance with Bonita Springs Utilities, Inc. (BSU) specifications.

The projects engineer, Banks Engineering, estimates the usage to be 213,000 gallons per day. Bonita Springs Utilities, Inc. has the capacity to provide the above estimated gallonage from its 14 million gallon per day water treatment plant. The Water Reclamation Facility has the capacity to treat the above estimated gallonage from its 7 million gallon per day treatment plant.

The static water pressure at the point the developers' waterline extension will connect currently exceeds 20 psi.

This letter should not be construed as a commitment or guarantee to serve, but only as to the availability of potable water and sewer at this time. Bonita Springs Utilities, Inc. may commit to reserve plant capacity if available, at such time as the water company and developer enter into a Developers Agreement and approval is obtained from all appropriate state and local regulatory agencies.

Sincerely,

Patrick C. Jennings, II, PE
Director of Engineering

PJ/mar

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www.bonitaspringsutilities.com

EXHIBIT III-A-2
PRELIMINARY DENSITY CALCULATIONS*
(Complete only if living units are proposed).

A. Gross Residential Acres

1. Total land area: 294.85 acres

2. Area to be used for non-residential uses: *(Line A.2.a. plus A.2.b.):* 9.24 acres
   a. R-O-W providing access to non-residential uses: 0 acres
   b. Non-residential use areas: 9.24 acres
      Wetlands 3.24acres
      Amenity Centers 5.5 acres
      Public Facilities Tract 0.5 acres

3. Gross residential acres (Line A.1 less A.2): 285.61 acres
   a. Uplands areas ± 200 *acres*
   b. Freshwater Wetlands areas 0.0 *acres*
   c. Other Wetland areas 0.0 *acres*

B. ~~Lee Plan~~ *Bonita Springs Plan Land Use Classification:* *Urban Fringe Community District (transmitted to DCA)* *(If more than one classification, calculations for each classification must be submitted)*

Density Standards (~~from Lee Plan Table 1~~)

1.Maximum density for Land Use Classification: **3,300-3,600 dwelling units for 1.299 gross acres (Sections 1 & 2).[1]**

[1] As per transmitted Comprehensive Plan Amendment, Policy 1.10.1: Urban Fringe Community District (see Exhibit II-E-1).

Density Calculations

The proposed development is comprised of 294.76 gross acres.

Gross density for this project is calculated as follows:

900 dwelling units ÷ 294.85 = **3.05 dwelling units per acre**

Net density is calculated as follows:

294.85 (Gross Acreage) – 3.24 (Wetlands) – 5.5 (Amenity Center) – 0.5 (Public Facilities Tract) = 285.6.1 acres

Dwelling units per acre:

900 dwelling units ÷ 285.62= **3.15 dwelling units per 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) N/A units
2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) N/A units
3. Total standard density units (sum of C.1 & C.2) N/A units
4. Max. total density units [A.3.a. times ((B.1 plus 1/2 of (B.2 less B.1))] N/A units

5. Sub-total permitted standard density units: N/A Units (line C.3 or C.4 - whichever is less)

** 6. BONUS UNITS

a. Low-moderate housing density: N/A units

b. TDR units: N/A units

c. **Sub-total (C.6.a plus C.6.b)** N/A units

7. **Total Permitted Units (C.5. plus C.6.c): N/A 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.

D. Suburban land use areas

1. Standard density uplands units (A.3.a. times B.1) N/A units
2. Standard density freshwater wetlands units (A.3.b. times B.1) N/A units
3. Total standard density units (sum of D.1 & D.2) N/A units
4. Maximum upland density (A.3.a. times 8) N/A units
5. **Total permitted units:** N/A **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) N/A units
2. Standard density freshwater wetlands units (A.3.b times B.1) N/A units
3. Total standard density (sum of E.1 & E.2) N/A units
4. Maximum upland density (A.3.a times 4***) N/A units
5. **Total permitted units:** N/A **units** (line E.3 or E.4 - whichever is less)

F. Open Lands

1. Total acres of "Open Land"	N/A	acres
2. Maximum open land density (F.1 times 0.2****)	N/A	units
3. **Total permitted units:**	N/A	**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)

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:

No special effluent is expected.

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:

No private onsite wastewater treatment and disposal facilities are proposed. Bonita Springs Utilities will provide sewer service for the project. All proposed wastewater collection facilities will be dedicated to Bonita Springs Utilities for ownership and maintenance.

2. Quality of the effluent:

N/A

3. Expected life of the facility:

N/A

4. Who will operate and maintain the internal collection and treatment facilities:

Bonita Springs Utilities will operate and maintain the internal collection facilities within the project.

5. Receiving bodies or other means of effluent disposal:

N/A

C. **Spray Irrigation:** If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

Spray irrigation will not be used.

2. Current water table conditions:

N/A

3. Proposed rate of application:

N/A

4. Back-up system capacity:

N/A

EXHIBIT IV-D
DESCRIPTION OF PROPOSED DEVELOPMENT

DCI 2004 00071

General Location:

The subject property, containing ±294.85 acres is located within Sections 1 and 2, Township 48 South, Range 26 East, City of Bonita Springs, Florida. The property is located approximately three and one-half (3.5) miles east of Interstate 75, at the end of Bonita Beach Road. The subject property is bounded on the west by the Corkscrew Growers RPD (City of Bonita Springs RPD zoning and MU/PD FLUM designation) on the south and east by the Bonita Beach Road RPD [City of Bonita Springs RPD zoning (formerly Lee County RPD), and Urban Fringe Community District FLUM designation] and on the north, lands zoned Agricultural and designated Density Reduction Groundwater Resource (DRGR) on the Lee Plan Future Land Use Map.

Existing Site Conditions:

The site has been utilized in its entirety for row crop production, except for a 3.24-acre wetland located near the center of this property, and a 41.5-acre burrow lake once used for earth mining. The 3.24-acre wetland will be preserved and has been designated as Conservation Area on the MCP. Further, the Conservation Area has been adequately buffered from adjacent uses. A South Florida Water Management ERP permit has been issued for Sections 1 and 2 and will need to be modified to reflect changes resulting from the proposed project. This ERP ensures appropriate wetland and wildlife protection as well as the restoration of historical floways in the area.

State databases have been consulted and there are no indications of historic or archeological features on the property.

The entirety of the site is outside of any special flood hazard area and the site is generally flat.

History of Development Entitlements:

On July 1, 2002, the Lee County Board of County Commissioners approved a Residential Planned Development (RPD) rezone of Sections 1 and 2, consisting of 1,298 +/- acres and titled the Bonita Beach Road RPD. The RPD allows for 36 holes of golf and related amenities, up to 1,158 dwelling units, and a maximum of 17,500 square feet of ancillary commercial uses.

On January 9, 2004, a voluntary annexation request was filed with the City of Bonita Springs for Sections 1 and 2. This petition was unanimously approved by City Council on January 21, 2004. The annexation ordinance was ratified following its second reading on February 18, 2004.

On February 19, 2004, a Comprehensive Plan amendment for Sections 1 and 2 was submitted to the City of Bonita Springs. The original petition requested a Future Land Use Map amendment that would have designated sections 1 and 2 as Moderate Density Mixed Use Planned

Development. Through negotiations with the City, the request was modified and a Comprehensive Plan Amendment that designates Sections 1 and 2 as Urban Fringe Community District was approved for transmittal to the DCA on August 18, 2004. Consequently, the City created the Urban Fringe Community District designation and transmitted the language for this new district along with the Future Land Use Map Amendment.

Proposed Development

Under the proposed rezone application, the applicant requests to rezone the subject property from Bonita Beach Road RPD to East Bonita Active Adults RPD. The proposed RPD will provide a mix of residential uses, as well as social, recreational, and limited commercial amenities to residents of the project and their guests. These amenities may include, but are not limited to, a private clubhouse, park(s), swimming pool(s), fitness center, restaurant, tennis courts, and ancillary commercial uses to service the needs of the community residents and their guests.

The proposed project will have a density of 900 dwelling units on 294.85 gross residential acres resulting in a density of 3.05 dwelling units per acre. Pursuant to Comprehensive Plan Policy 1.1.10.1 Urban Fringe Community District, the proposed number of units and resulting proposed density are consistent with the FLUE of the Comprehensive Plan and the permitted unit range for that district. Policy 1.1.10.1 allows the following density range: "...a range of density for the whole amendment area of 3,300 dwelling units minimum to 3,600 maximum dwelling units for 1,299 gross acres (Sections 1 & 2)." It is understood that the unit range identified in Policy 1.1.10.1 applies to the entire 1,299-acre property (Sections 1 & 2) subject to the recently transmitted Comprehensive Plan Amendment and not to this project specifically. Additionally, this project is consistent with Policy 1.1.10.1 in that it promotes higher densities or the clustering of units away from environmentally sensitive areas. Additionally, this project is consistent with Policy 1.1.10.1 in that it promotes higher densities or the clustering of units away from environmentally sensitive areas. The 900 units proposed and the resulting density dictate that future projects in the remainder of Sections 1 and 2 will need to be developed at lower densities than this project. This development pattern will ensure that lower-density development will occur next to the environmentally sensitive wetlands to the south and the CREW lands to the east. Lastly, all requested uses are permissible under this designation.

The proposed development will comply with all provisions of the Urban Fringe Community Designation. See Exhibit II-E-2 for a detailed explanation of how this project will be consistent with the City of Bonita Springs Comprehensive Plan. Beyond compliance with the Comprehensive Plan, the applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement which will address traffic impacts resulting from the proposed development, including a commitment to pay 150% of the traffic impact fees. Additionally, 50% of the impact fees will be paid upfront to expedite improvements to Bonita Beach Road. The property owners in Sections 1 and 2 have also entered into private agreement with the Conservancy of South Florida that incorporates and exceeds many of the environmental conditions set forth by Lee County when the Bonita Beach RPD was approved.

EXHIBIT III-C

TRAFFIC IMPACT STATEMENT

FOR AN

EAST BONITA ACTIVE ADULT COMMUNITY

IN THE

CITY OF BONITA SPRINGS

PROJECT NO. 0406.18

Prepared by:
METRO TRANSPORTATION GROUP, INC.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
(239) 278-3090

September 16, 2004

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PERMIT COUNTER
DCI 2004 00071



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5. TRIP DISTRIBUTION AND AREA OF INFLUENCE

6. FUTURE TRAFFIC CONDITIONS

7. CUMMULATIVE LEVEL OF SERVICE ANALYSIS

8. CONCLUSION

9. APPENDIX

1. PURPOSE OF REPORT

The following report has been prepared in order to fulfill the requirements set forth by the City of Bonita Springs and the Lee County Department of Community Development for projects seeking approval for zoning. This report has been submitted in accordance to the criteria outlined in the Lee County Traffic Impact Statement Standards for zoning. More specifically, this report investigates the anticipated traffic characteristics of the proposed development in order to establish adverse off-site roadway impacts, if any, associated with the development of a active adult residential community within Section 2, Township 48 South, Range 25 East on the south side of Bonita Beach Road, approximately three and one-half miles east of I-75 in the City of Bonita Springs, Florida.

2. SCOPE OF PROJECT

The site is located generally approximately 3.5 miles east of I-75 on the south side of Bonita Beach Road. The property is approximately 140 acres. **Figure 1** depicts the site location and the roadways in the vicinity of the project's location. The site is currently zoned Agricultural within the City.

The site is proposed to be re-zoned to permit the development of an Active Adult residential community. The project will be developed as an integrated active adult residential community with on-site amenities such as a clubhouse. Access to the property will be provided via an extension of Bonita Beach Road to the project.

In order to establish off-site roadway impacts, this report will examine traffic conditions at the expected time of project completion. It is anticipated that the site will be at fully constructed by the year 2008.

3. EXISTING CONDITIONS

The site is currently vacant agricultural land. Adjacent uses include the DiVosta residential community to the west within Section 3 and future residential development to the south and east within Section 1 and the remaining portion of Section 2. Vacant land is located to the north.

Bonita Beach Road is an arterial facility that extends east from Bonita Beach through the City of Bonita Springs. East of I-75, Bonita Beach Road is a four lane divided arterial for approximately 1 mile through the intersection with Bonita Grande Drive. The roadway then tapers to a two lane arterial roadway to its terminus. Bonita Beach Road has a full interchange with I-75. Bonita Beach Road is under the jurisdiction of the Lee County Department of Transportation. The Lee County Department of Transportation is currently in the process of widening Bonita Beach Road from I-75 to Imperial Street from four lanes to six lanes. This construction began in the Summer of 2004 and is anticipated to be completed in 2005.

4. PROPOSED USES AND TRIP GENERATION

The Developer is planning on obtaining zoning approval that would permit the construction of up to 900 residential dwelling units on the approximately 140-acre property. The breakdown of units for this project was assumed to be 55% single family units and 45% multi-family units. The uses identified on the Master Concept Plan will be within the gated community and will be utilized by the residents of this community only.

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 7th Edition. Although the development is identified as an Active Adult Community, at this time there are no restrictions proposed in the zoning regulations that will restrict residents based on age. Therefore, the standard trip rates from the ITE report were utilized. For the single family and multi-family residential uses, Land Use Code 210 (Single Family Detached Housing) and Land Use Code 230 (Residential Condominium/ Townhouse) were utilized, respectively. The equations for these land uses are contained in the Appendix of this report for reference. **Table 1** outlines the proposed uses for the project.

Table 1
Proposed Land Uses
East Bonita Active Adult Community

Use	Size
Single Family Homes	500 Units
Multi-Family Homes	400 Units

Table 2 outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the proposed development as currently proposed. The daily trip generation is also indicated in the table.

Table 2
Trip Generation
East Bonita Active Adult Community

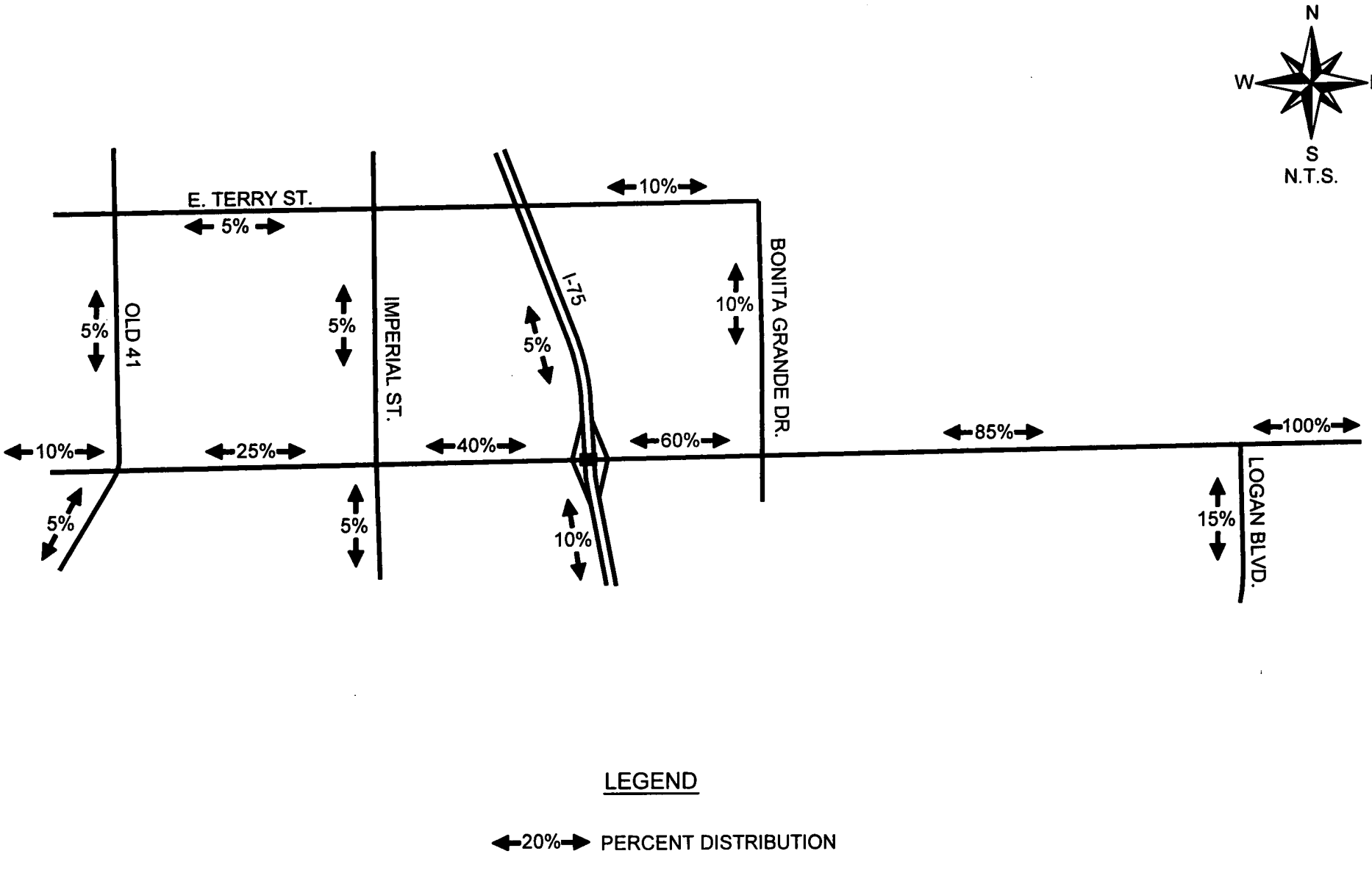
Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Single Family Units 500 Units	90	270	360	290	165	455	4,570
Multi-Family Units 400 Units	25	130	155	125	65	190	2,085
Total Trips	115	400	515	415	230	645	6,655

5. 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 Bonita Springs and Lee County. In addition, previous studies completed for the Bonita Beach Road RPD project and the Parklands project were referenced in determining the trip distribution.

Figure 2 indicates the anticipated trip distribution patterns for the development. The trips shown in Table 2 were then assigned to the surrounding roadways based on the anticipated trip distribution shown on Figure 2.

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A,**



METRO

PROJECT TRAFFIC DISTRIBUTION
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 2

contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Link Specific Service Volume tables provided by the Lee County Department of Transportation.

6. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2008. Based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links and intersections that will be significantly impacted by this development. The existing roadway link traffic data was obtained from the 2003 Lee County Traffic Count Report. Based on the project distribution shown in Figure 2, the link data was analyzed for the year 2009 without the development and year 2009 with the development. **Table 2A** in the Appendix of this report indicates the projected 2009 traffic volumes with and without the proposed development.

As can be seen from Table 2A, the Level of Service on the significantly impacted links will not change due to the development of the 900 residential units proposed on the subject site. The projected Level of Service on Bonita Beach Road east of I-75 will remain at LOS "B" once the project is completed in 2009. East of Bonita Grande Drive, Bonita Beach Road is projected to operate at LOS "C" as a two lane roadway.

Traffic volumes on Bonita Beach Road east of Bonita Grande Drive are not currently evaluated by Lee County or the City of Bonita Springs. Due to recent re-zonings in the area east of Bonita Grande Drive, traffic on this link could significantly increase due to the residential density in this area. Therefore, Metro evaluated the local Development Orders that have been approved to date on three projects east of Bonita Grande Drive on Bonita Beach Road. These projects included Parklands West (Palmira Golf & Country Club), Parklands – Lee and the Corkscrew Growers section (Section 3). To date, DiVosta Homes has been approved for approximately 900 residential units in two of these projects. The remaining residential development that has received Development Orders include approximately 336 multi-family units and approximately 556 single family units. The trips from these units, taken from the traffic studies for each

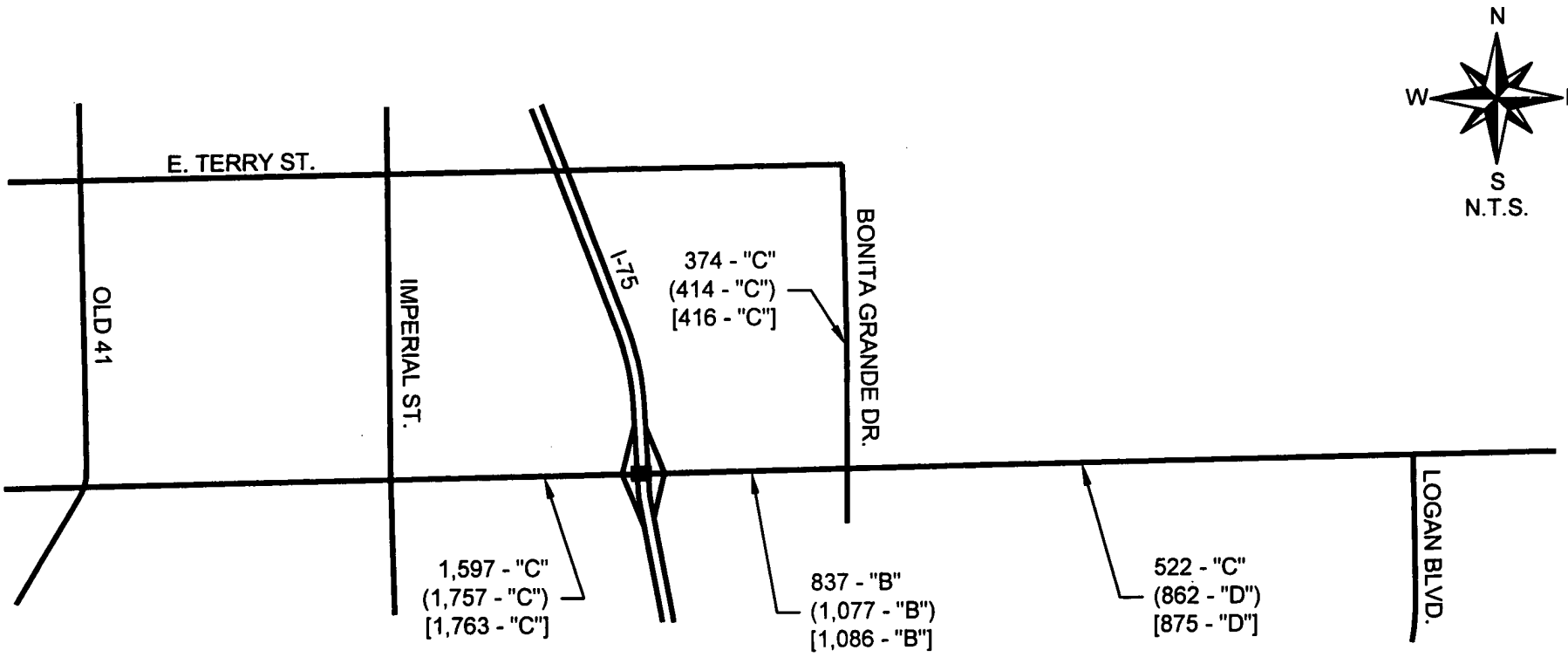
project, were factored into the 2003 background traffic volume on Bonita Beach Road east of Bonita Grande Drive. This volume was then increased by a growth factor to represent future development within these projects. Although Parklands West and Parklands – Lee have been issued Development Orders that would complete these projects, the Corkscrew Growers project will have additional units available under the permitted zoning.

It should be noted that with the construction of Parklands (Lee County portion) and the Parklands DRI in Collier County, a new north/south collector road will be constructed that connects Bonita Beach Road and Immokalee Road. This road, commonly referred to as the Logan Boulevard extension, will be a two lane collector roadway with only limited residential community access drives that will extend the approximately four miles to connect Bonita Beach Road and Immokalee Road. This will be the only north/south roadway in the short term that will connect these two roads east of I-75 until the CR 951 extension is completed. Based on agreements currently under negotiation with Collier County, this road must be built by 2009 for it's entire length and was therefore considered as a completed project for the 2009 analysis.

Figure 3 indicates the year 2009 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area that are significantly impacted. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hour with the proposed development traffic as well as the traffic from the projects previously identified added to the roadways.

7. CUMMULATIVE LEVEL OF SERVICE ANALYSIS

Figure 3 details the Levels of Service for all links inside the project's area of influence. These Levels of Service were derived based on the Lee County Link Specific Level of Service Volume Tables. **Table 1A** in the Appendix details the calculations to determine the Level of Service on the analyzed links. As can be seen from Figure 3, the roadway links analyzed as part of this report will not be adversely impacted as a result of the proposed development. All of the roadway segments analyzed as a part of this report, once the development is completed, will



LEGEND

XXX - "C" 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS AM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS PM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

METRO

2009 100th HIGHEST HOUR LOS
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 3

maintain the Level of Service as projected without the development. Therefore, no off-site roadway improvements will be required as a result of the proposed development.

8. CONCLUSION

Based on the link specific service volumes for peak hour, peak direction, the roadway segments within the study area will not be adversely impacted by the proposed re-zoning of the subject site to permit up to 900 residential dwelling units. The Level of Service analysis included a cumulative analysis taking into account the trip generation of several projects on the south side of Bonita Beach Road east of Bonita Grande Drive.

Specific intersection improvements may be required at the time of local Development Order. However, it is anticipated that the extension of Bonita Beach Road will serve this project. The exact intersection from Bonita Beach Road has yet to be determined. Recent improvements were made to the intersection of Bonita Beach Road and Bonita Grande Drive by Lee County. This intersection was recently signalized. Any further refinement of the turn lanes and storage lengths will be determined at local Development Order stage.

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TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
BONITA BEACH ROAD - ACTIVE ADULT COMMUNITY

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 515 VPH IN= 115 OUT= 400

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 645 VPH IN= 415 OUT= 230

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bonita Beach Road	E. of U.S. 41	4LD	0	680	1590	1780	1830	10.00%	42	2.6%
	E. of Old U.S. 41	4LD	0	680	1590	1780	1830	25.00%	104	6.5%
	W. of I-75	6LD	0	760	2240	2700	2830	40.00%	166	7.4%
	E. of I-75	4LD	870	1410	2040	2640	3000	60.00%	249	12.2%
	E. of Bonita Grade Dr.	2LN	0	280	760	900	920	85.00%	353	46.4%
Bonita Grande Dr.	N. of Bonita Beach R d.	2LN	0	130	420	550	880	10.00%	42	9.9%
Terry Street	E. of Imperial St.	2LN	0	130	420	550	880	10.00%	42	9.9%
	W. of Imperial St.	4LD	450	1630	1900	1950	1950	5.00%	21	1.1%
Imperail Street	N. of Bonita Beach Rd	4LD	450	1630	1900	1950	1950	5.0%	21	1.1%
	S. of Bonita Beach Rd	4LD	450	1630	1900	1950	1950	5.0%	21	1.1%
Old U.S. 41	N. of Collier County	2LN	0	0	730	1000	1020	5.00%	21	2.8%
	N. of Bonita Beach Road	2LN	0	770	1080	1140	1150	5.00%	21	1.9%

Link Service volumes from 2003 Link Specific Service Tables except for roadways under construction or planned to be widened within three years. Generalized LOS volumes used for these roads

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D	P. C. S.	K	D
PCS NO. 7	0.109	0.50	PCS NO. 16	0.098	0.58
PCS NO. 11	0.104	0.54	PCS NO. 42	0.094	0.52

TOTAL PROJECT TRAFFIC AM =	515	VPH IN =	115	OUT=	400
TOTAL PROJECT TRAFFIC PM =	645	VPH IN=	415	OUT=	230

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.	2009 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2009 BCKGRND + AM PROJ TRAFFIC	2009 BCKGRND + PM PROJ TRAFFIC
Bonita Beach Road	E. of U.S. 41	7	22600	23600	9	0.48%	1201	1236	10.00%	40	42	1276	1278
	E. of Old U.S. 41	42	19200	26400	9	3.60%	1205	1490	25.00%	100	104	1590	1594
	W. of I-75	42	26900	28700	3	2.18%	1403	1597	40.00%	160	166	1757	1763
	E. of I-75	42	10200	12400	3	6.73%	566	837	60.00%	240	249	1077	1086
	E. of Bonita Grande		See Note			3.50%	425	522	85.00%	340	353	862	875
Bonita Grande Dr.	N. of Bonita Beach R d.	42	2100	5400	4	6.00%	264	374	10.00%	40	42	414	416
Terry Street	E. of Imperial St.	42	6000	9900	9	5.72%	484	676	10.00%	40	42	716	717
	W. of Imperial St.	42	6000	9900	9	5.72%	484	676	5.00%	20	21	696	696
Imperail Street	N. of Bonita Beach Rd	42			See Note			1160	5.00%	20	21	1180	1181
	S. of Bonita Beach Rd	42						1105	5.00%	20	21	1125	1126
Old 41 Rd	N. of Collier County	16	10200	12600	4	5.42%	716	983	5.00%	20	21	1003	1004
	N. of Bonita Beach Rd	16	12100	16500	9	3.51%	876	1077	5.00%	20	21	1097	1098

* The Truck Factor was not accounted for in the calculations for roadway links that have permanent count stations.
Traffic Volumes on Bonita Beach Road east of Bonita Grande based on traffic from approved Development Orders to date plus 3.5% annual growth rate
Imperial Street Volumes taken from 2010 FF FSUTMS model for 2010

TRIP GENERATION EQUATIONS

TRIP GENERATION EQUATIONS
BONITA BEACH ROAD ACTIVE ADULT COMMUNITY
ITE TRIP GENERATION REPORT, 7th EDITION

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Single Family Detached Housing (LUC 210)	T = 0.70 (X) + 9.43	Ln (T) = 0.90 Ln (X) + 0.53	Ln (T) = 0.92 Ln (X) + 2.71
T = Trips, X = Units			
Residential Condominium/ Townhouse (LUC 230)	Ln (T) = 0.80 Ln (X) + 0.26	Ln (T) = 0.82 Ln (X) + 0.32	Ln (T) = 0.85 Ln (X) + 2.55
T = Trips, X = Units			

EXHIBIT II-F-2
ENVIRONMENTAL ISSUES

A. **Topography: Describe the range of surface elevations of the property:**

Elevations on the property range between 13.0 feet NGVD to 16.3 feet NGVD. The ground elevation is relatively flat within the farm field averaging approximately 15.5 feet NGVD. Lower elevations occur in the wetland and borrow areas.

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.*

Environmentally sensitive lands include state jurisdictional wetlands as identified by the South Florida Water Management District (SFWMD). The property supports 3.24± acres of SFWMD jurisdictional wetlands. Wetland habitats as identified by the Florida Land Use, Cover and Forms Classification (FLUCFCS) include: Wax-Myrtle/Willow, Hydric (FLUCFCS 4319); Wetland Forest Mixed, Disturbed (FLUCFCS 6309); and Borrow Area (FLUCFCS 742). In addition to the wetlands, 42.52± acres of SFWMD "other surface waters" are located on the site. They are comprised of 41.09± acres of Borrow Area (FLUCFCS 742) and 1.43± acres of Ditch (FLUCFCS 514). A Lee County Protected Species Survey conducted on the property identified five species that are listed as protected by Lee County: American alligator, tri-colored heron, snowy egret, little blue heron, and wood stork.

Continued

C. **Preservation/Conservation of Natural Features**: Describe how the lands listed in B. above will be protected by the completed project:

All wetlands on the property will be preserved and enhanced by removal of exotic vegetation. The preserved wetlands will be maintained free of exotic vegetation in perpetuity. This enhancement will provide long-term protection of habitat for the wading birds identified on the property.

D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:

Not Applicable

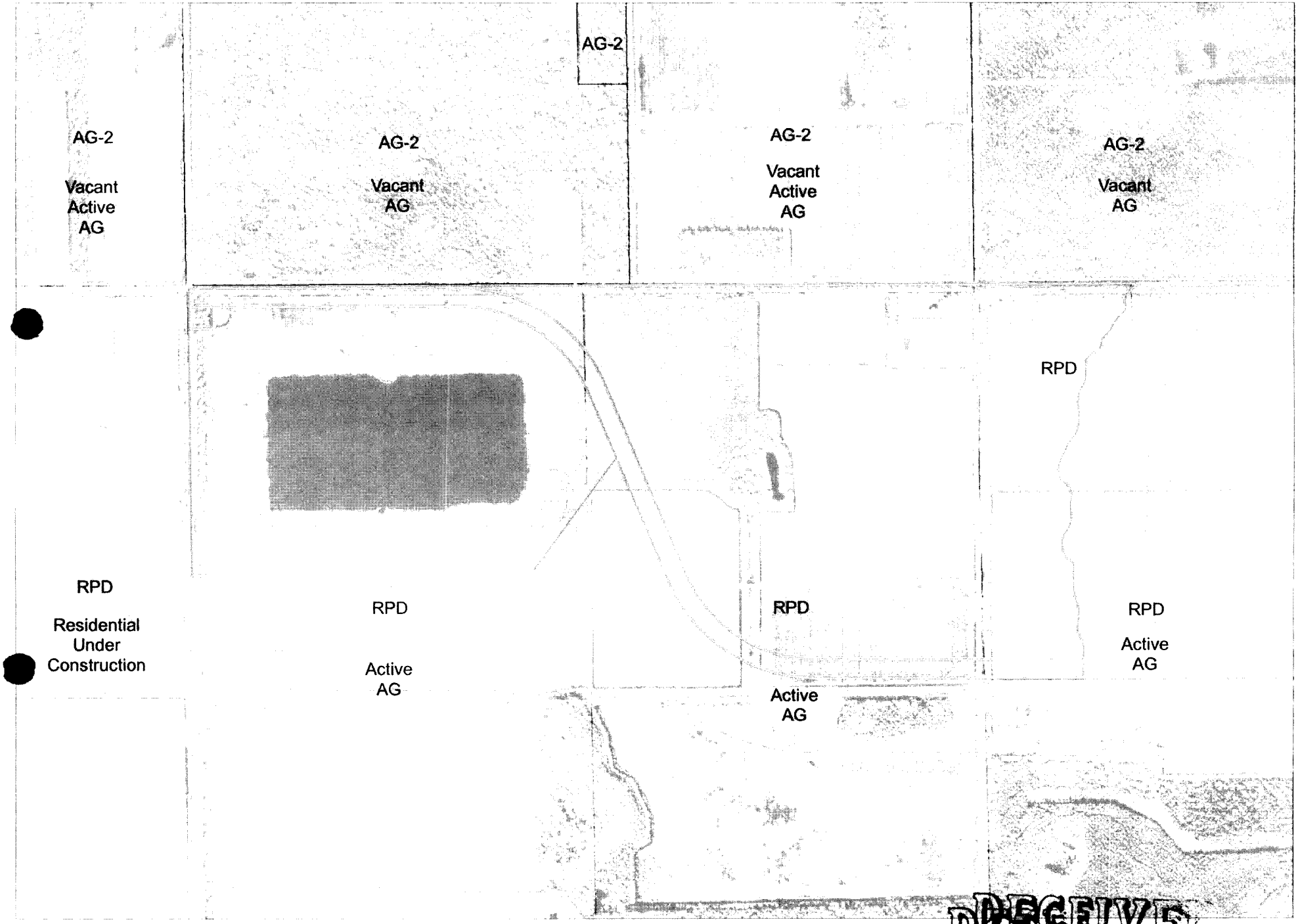


Exhibit II-F-3
East Bonita Active Adult
Existing Zoning & Current Land Use

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2. The aggregate of commercial and light industrial uses shall comprise not more than 45% of the total acreage;

3. Light industrial uses shall comprise not more than 20% of the total acreage; ~~and,~~

4. Public and semi-public uses shall comprise not more than 65% of the total acreage; and

5. For properties of less than two (2) acres, residential uses may be ~~located~~ combined at various proportions with commercial and non-residential uses.

Policy 1.1.10.1: **Urban Fringe Community District.** Intended to accommodate and provide flexibility for development in areas exhibiting substantial environmental resource protection lands combined with transitional urban characteristics. In order for land to be considered for this designation, land requested to be placed in this category shall be a minimum of 100 acres. Development within this category would be allowed from 2.54 to 2.77 gross dwelling units per acre (3300-3600 dwelling units for 1299 gross acres). Land developed within this Urban Fringe Community District must adhere to the following innovative design and planning principles.

1. All new development within the Urban Fringe Community District shall be required to be zoned as a Planned Development.

2. Development within this Urban Fringe Community District will be encouraged to cluster in order to minimize loss of native vegetation and wetland function. Developments within the Urban Fringe District are permitted to be clustered at higher than gross density as long as the gross density and maximum number of units are not exceeded for the total acreage within the Urban Fringe District. Significant natural systems, or wetlands which require preservation in order to comply with Local, State and Federal Permitting, shall be placed in the Resource Protection Future Land Use category and for purposes of the Urban Fringe Community District, shall be included in gross acreage for density calculations.

3. Development within the Urban Fringe Community District is encouraged to provide a mix of uses, including a mix of residential types, recreational amenities, civic spaces and convenience and commercial uses intended to serve residents and their guests in order to minimize trips outside the Urban Fringe Community District .

4. Development is encouraged to provide creative site designs, including clustering to provide for greater common open space, and mixed-use development. Creative design techniques shall be encouraged in conjunction with planning flexibility provided through the planned development process.

   a. Residential Development. These areas shall include single and/or multiple family home site acreage.

   b. Non-residential Development. These areas will include vehicular and pedestrian ways, commercial and institutional areas, club houses and associated facilities, utility buildings, maintenance areas, tennis courts and associated non-residential uses.

   c. Residential and Non-residential Development acreage may account for no more than 60% of the gross area within the Community Fringe District.

   d. Open Spaces. These areas will include preserved natural areas, buffers lakes, parks, golf courses, nature trails, retention areas, conservation areas, scenic resources, green belts, wetlands and associated areas and must account for a minimum of 40% of the Property within the Urban Fringe Community District. Golf course fairways will account for no more than fifty percent (50%) of the open space of the subject property.

   e. Height. Maximum allowable height for residential structures shall be 60 feet from the base flood elevation to the eaves.

5. All major Resource Protection areas over 20 acres in size shall be provided public vehicular access on non-gated roadways.

   a. All naturally occurring wetlands, which have not been significantly degraded, must be designated as preserve areas and be subject to a conservation easement similar to that set forth in Section 704.06, Florida Statutes. Limited uses in preserve areas such as nature trails, bike paths, cart paths, boardwalks and the like will be allowed when permitted by appropriate State and Federal agencies. The use of wetland areas for water management, to the extent allowed by law, will not be precluded. Wetland areas being used as water management areas within the Urban Fringe Community District may be relocated if all approvals are obtained from appropriate local, State and Federal agencies and (2) where the affected wetland functions are replaced

on property within the Urban Edge Fringe Community District.

b. Where feasible, open space areas will be designed so as to provide connections between wetlands, preserve areas, and buffers on property within the Urban Fringe Community District. The design of these open spaces areas will seek to provide areas which will be integrated with on-site and adjacent preserve properties so as to enhance habitat for small mammals and wading birds. Golf courses, when constructed and maintained in compliance with this paragraph will be considered to be functional open space to the extent set forth above.

c. The design of functional open space areas must incorporate the following design features:

i. For any area that drains to the Imperial River Basin, a surface water management system that is consistent with the Kehl Canal/Imperial River Basin study prepared by Agnoli, Barber & Brundage dated 1995 for the SFWMD.

ii. Uses including, but not limited to, picnic areas, trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails, vita courses, bird viewing blinds/tower and interpretative facilities will be permitted within functional open areas.

iii. Development must provide a buffer to protect adjacent natural areas from the impacts of development. The purpose of the buffer is to protect natural resources from the activities and impacts of development on property within the Urban Fringe Community District.

6. Land areas amended to the Urban Fringe Community District will be tracked by the City of Bonita Springs to address the following for all property within the Urban Fringe Community District:

i. maximum number of dwelling units,

ii. maximum square footage of commercial,

iii. locations of public sites, and

iv. maximum amounts of non-public recreational uses to be provided.

a. Every development within the Urban Fringe Community District shall enter into a Developer's Agreement with the City of Bonita Springs prior to issuance of a Development Order, in accordance with §163.3220-3243, Florida Statutes or by any other mutually agreed upon legal instrument. The intent of the Developer's Agreement or appropriate legal instrument is to identify timing, density for the project, etc. to ensure that development matches the information tracked by the City.

b. The Developer's Agreement or appropriate legal instrument will require an annual review in accordance with §163. 3220-3243.

c. The Developer's Agreement or appropriate legal instrument will inform subsequent purchasers (excluding single lots not being subdivided) who will adhere to the requirements contained within the Developer's Agreement or appropriate legal instrument.

7. As individual zonings to RPD are submitted to the City they shall include as a minimum the following information:

a. A showing of the amount of units as a part of the maximum approved for the parent parcel.

b. A Traffic Analysis submitted in accordance with the City's TIS requirements verifying that adequate capacity currently exists or will exist prior to the issuance of any Certificates of Occupancy.

8. Any lands included or amended into the Urban Fringe Community District category must demonstrate the non-existence of urban sprawl by:

a. Submitting a fiscal impact study demonstrating a net fiscal benefit to the City.

b. Directing new growth to areas where public facilities exist, are planned within the City or County Five Year Capital Improvement Plan, or are committed to through a Developer Agreement, or otherwise assured to be funded by the appropriate agency.

c. Providing assurances through fiscal and other means that an amendment to the Urban Fringe Community District category will expedite any additionally needed infrastructure improvements so as to not adversely impact the surrounding community outside this District.

EXHIBIT II–E–2

CITY OF BONITA SPRINGS
COMPREHENSIVE PLAN COMPLIANCE NARRATIVE

The proposed project is a single and multi-family residential planned development that will provide social, recreational, and limited commercial amenities to residents of the project and their guests. These amenities may include, but are not limited to, a private clubhouse, park(s), swimming pool(s), fitness center, restaurant, tennis courts, and ancillary commercial uses to service the needs of the community residents and their guests. This project is located at the end of Bonita Beach Road and lies within Sections 1 and 2 of Township 48, Range 26, which were recently annexed into the City and given the newly created Future Land Use Map (FLUM) designation of Urban Fringe Community District (Comprehensive Plan Policy 1.1.10.1 recently transmitted to DCA). The proposed Policy 1.1.10.1: Urban Fringe Community District (Exhibit II-E-1) is intended "to accommodate and provide flexible development in areas exhibiting substantial environmental protection lands combined with transitional urban characteristics." The proposed development complies with all stipulations outlined in Policy 1.1.10.1 and complies and/or furthers the following Bonita Springs Comprehensive Plan Policies and Objectives.

Future Land Use Element: Goal 1: Objectives 1.1.10, 1.8, 1.13, 1.14, and their applicable policies.

Objective 1.1.10 (newly created designation, Comprehensive Plan Amendment recently transmitted to DCA)

The proposed East Bonita Active Adult RPD is consistent with all the provisions of the Urban Fringe Community District including, but not limited to, the intent, density, open space requirements, and height limitations. The Urban Fringe Community District allows for "a range of density for the whole amendment area of 3,300 dwelling units minimum to 3,600 maximum dwelling units for 1,299 gross acres (Sections 1 & 2)." It is understood that the range identified in Policy 1.1.10.1 applies to the entire 1,299-acre property (Sections 1 & 2) subject to this Comprehensive Plan Amendment. The East Bonita Active Adult RPD with its 900 dwelling units clearly does not cause the 3,600 dwelling unit maximum to be exceeded. The attached Traffic Impact Statement demonstrates that traffic issues have been addressed (however transportation and impact fee commitments made during the Comprehensive Plan Amendment stage will need to be addressed and implemented through a Developer's Agreement), and the Fiscal Impact Analysis demonstrates that the proposed project will provide a net fiscal benefit to the City. Additionally, the proposed project is immediately adjacent to the Corkscrew Growers RPD and located along the Bonita Beach Road corridor where several other RPDs are located. The proposed uses and design are consistent with Urban Fringe Residential District and with the other residential planned developments in the area.

Objective 1.8 and 1.9
The proposed development is located in an area that promotes the development of residential communities away from the Coastal High Hazard Area and areas of special flood hazard. The RPD will provide the opportunity for a portion of the projected population to be housed outside of the high hazard area, hence, minimizing flood risks and protecting the health and safety of residents.

Objective 1.1 3
The proposed project will enhance the concentration of residential housing units along the southern boundary of the City. This will facilitate planning and development of public educational facilities within the City. Additionally, impact fees from new development will provide funds for new schools.

Objective 1.14
The proposed project will provide an appropriate location for future residential development by concentrating a portion of the projected population along the southern boundary of the City. This will encourage compact and contiguous growth and result in the efficient utilization of planned infrastructure.

Transportation Element: Goal 1: Objectives 1.1, 1.3, 1.7 and their applicable Policies; Policy 1.18.

The comprehensive plan recognizes that "significant" development will occur south of Bonita Beach Road and east of US 41. East of I-75, in the vicinity of the subject RPD, Bonita Beach Road is currently operating at an acceptable LOS.[1] The applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement, a portion of which will address traffic impacts resulting from the proposed development. The applicant represented at the City Council transmittal hearing on the Urban Fringe Community District that the Developer's Agreement would include a commitment to pay 150% of the traffic impact fees; 50% of which will be paid upfront to expedite improvements to Bonita Beach Road. Additionally, the applicant, other landowners in Sections 1 and 2, and the landowners in Section 3 have agreed to privately fund and construct improvements to Bonita Beach Road from Logan Boulevard to Sections 1 and 2. Implementation and completion of these commitments will vest the proposed developments in Sections 1 and 2 from a transportation concurrency standpoint. The attached Traffic Impact Statement (Exhibit II-C) demonstrates that traffic issues have been addressed by the applicant.

Housing Element: Goal 1: Objective 1.2 and its applicable policies.

The comprehensive plan calls for the provision and distribution of residential lands within the City in an amount adequate to meet the projected needs for the planning period and beyond. The

[1] 3rd Draft City of Bonita Springs Draft Comprehensive Plan, Table 5: Roadway Links with Potential Problems (11/12/01)

plan further calls for a variety of housing types. The 900-unit, single and multi-family development will further this objective.

Infrastructure:

Potable Water: Goal 1: Objective 1.2 and its applicable policies; and, Goal 2: Objective 2.2, 2.14, and 2.16, and their applicable policies.
Sanitary Sewer: Goal 1: Objective 1.1, 1.2; and, Goal 2: and their applicable policies
Solid Waste: Annexation of this property will have no impact on solid waste disposal, which is contracted through Lee County to Onyx Waste Services.
Storm Water/ Aquifer Recharge: Objective 1.2 and its applicable policies.

Potable Water:
Potable water is provided to a majority of the City by Bonita Springs Utilities (BSU), a private utility company. According to the comprehensive plan, BSU provides an acceptable level of service to the existing population and has adequate capacity to serve developments, which have already received approval. The estimated daily consumption of potable water for the subject project is 213,000 gallons per day. BSU has capacity to serve the proposed RPD. The system has a design capacity of 9 million gallons per day (MGD), with a new reverse osmosis plant with an additional 6 million gallons capacity planned for 2004. The system will be capable of meeting an LOS of 250 gallons per equivalent residential connection (ERC) for the existing and anticipated future population, well beyond the 2012 planning period.

Sanitary Sewer:
Bonita Springs Utilities (BSU) also provides sanitary sewer to a majority of the City. According to the comprehensive plan, BSU provides an acceptable level of service to the existing population and has adequate capacity to serve developments, which have already received approval. BSU has plans to convert approximately 2,500 ERCs currently on septic, leaving only about 500 septic systems in operation in the City. The subject RPD would produce an estimated 213,000 GPD of wastewater. The subject project will be served by BSU for sanitary sewer provisions and it is established that BSU has capacity to serve the project once necessary connections are made.

The system has a design capacity of 7.05 MGD, with a current excess capacity of 1.9 MGD. BSU is planning to build the East Wastewater Treatment Facility that will have a capacity of ± 4MGD. With the addition of the new facility the system will have a total capacity of ± 11 MGD. BSU will have sufficient capacity to service existing and anticipated future population, well beyond the 2012 planning period.

Solid Waste:
The comprehensive plan indicates that the minimum acceptable level of service standards for availability of solid waste disposal shall be 7 pounds per capita per day. The RPD will meet this minimum LOS, via solid waste collections services contracted through Lee County to ONYX Waste Services for this portion of Lee County.

Stormwater Management/Aquifer Recharge:
The approved Bonita Beach Road RPD provides for a conceptual system of inter-connected lakes and water control facilities. The South Florida Water Management District has reviewed and approved an Environmental Resource Permit (ERP) for Sections 1 and 2. This ERP will require modifications to reflect the proposed RPD and will improve overall stormwater retention and drainage on the subject site and within the subject area.

The subject property is located outside of the Density Reduction/Groundwater Recharge Area and is not considered a "prime groundwater recharge area."

In terms of emergency services, the Bonita Springs Fire and Rescue District and the Lee County Sheriff's and Emergency Services Departments will serve the project.

Conservation/Coastal Management Element: Goal 7: Objectives 7.1, 7.2, 7.3, and 7.4 and their applicable policies; Objective 9.2 and applicable policies; Goal 10: Objective 10.1 and its applicable policies; Goal 11: Objectives 11.1 and 11.2 and their applicable policies; Goal 15: Objective15.1, Objective 15.1.1, Objective 15.1.5, Objective 15.1.6; Goal 16: Objectives 16.1 and 16.2 and their applicable policies; Goal 17: Objective 17.1 and its applicable polices.

The subject property is not located within the Coastal High Hazard Area or the FEMA designated A-Zone, and therefore limits threat to life and property from natural disaster. The 3.24-acre wetland on the property will be set-aside as Conservation Area. The majority of the property consists of land cleared of natural vegetation, and presently used for agriculture and associated facilities. Furthermore, the property is outside of the DRGR and wellhead protection areas. Stormwater and watershed management will be addressed through the modification water management plans already to be approved by South Florida Water Management District.

Recreation /Open Space Element: Goal 1: Objective 1.1, Policy 1.1.1

The present regulatory LOS for recreation/open spaces is six (6) acres per thousand of total population (includes visitors) for regional facilities. However, the City has a future desired standard of eight (8) acres per 1,000. Under the current LOS the City will need 506 acres of regional parks to meet the 2012 projected population's demand for parks, recreation and open space.[2] At the desired LOS, the City would need 675 acres of regional parks. The City presently has 719 acres of regional parks, which exceeds the adopted and desired LOS. Nevertheless, impact fees from proposed RPD and other future developments will be paid as construction occurs. These fees will be available to provide new park facilities, which should allow the City to exceed its "desired" LOS.

The proposed LOS for community parks is 0.8 acres per thousand (year-round residents). In 2012, the year-round population is projected to be 58,713.[3] This indicates that the City will need

[2] see Appendix A - revised population tables taken from the Bonita Springs Comprehensive Plan Methodology Document
[3] ibid

need about 47 acres of community parklands to meet its LOS. The City currently exceeds that figure with 56 acres of parkland. Based on the current inventory of parks, the LOS in 2012 would be 0.95 acres per thousand.

It should also be noted that within proposed RPD recreational such as tennis courts, swimming pools, bicycle lanes, and fitness facilities will be provided.

Capital Improvement Element: Goal 1: Objective 1.1, 1.2

The proposed RPD by providing a net fiscal benefit (see Exhibit V-A) furthers the objectives of the City's Capital Improvement Element.

Additionally, the developer will pay impact fees, as outlined in the Capital Improvement Element. These fees will be outlined in the Developer's Agreement.

APPENDIX A

TABLE 1
RESIDENT AND SEASONAL POPULATIONS
CITY OF BONITA SPRINGS
2000-2012

YEAR	RESIDENT POPULATION	SEASONAL POPULATION	TOTAL POPULATION
2000	32,797	18,778	51,575
2002	36,200	19,600	55,800
2007	~~46,800~~ 47,561	~~22,400~~ 22,553	~~69,200~~ 70,114
2012	~~57,300~~ 58,713	~~25,200~~ 25,619	~~82,500~~ 84,332

TABLE 5
PROJECTED RESIDENT POPULATION
2002-2012

FACTOR	2000	2002	GROWTH 2002-2007	2007	GROWTH 2007-2012	2012
TOTAL HOUSING UNITS	23,329	25,245	~~6,365~~ 6,815	~~31,610~~ 32,060	~~6,239~~ 6,689	~~37,849~~ 38,749
SEASONAL UNITS	7,036	7,441	~~1,152~~ 1,227	~~8,593~~ 8,668	~~1,074~~ 1,204	~~9,667~~ 9,872
YEAR ROUND UNITS	16,293	17,804	~~5,213~~ 5,588	~~23,017~~ 23,392	~~5,165~~ 5,485	~~28,182~~ 28,877
OCCUPIED UNITS @ 92%		16,380		~~21,176~~ 21,521		~~25,927~~ 26,567
POP. PER HOUSEHOLD	2.21	2.21		2.21		2.21
POPULATION	32,797	36,200*		~~46,800*~~ 47,561		~~57,300*~~ 58,713
* Rounded to the nearest 100 population						

TABLE 6
PROJECTED SEASONAL POPULATION
2002-2012

FACTOR	SEASONAL POPULATION		
	2002	2007	2012
SEASONAL HOUSING UNITS	7,441	~~8,593~~ 8,668	~~9,667~~ 9,872
Population @ (2.04/unit)	15,180	~~17,530~~ 17,683	~~19,720~~ 20,139
MOTEL ROOMS & RV'S IN PARKS	2,210	2,435	2,740
Population @ (2.0/unit)	4,420	4,870	5,480
TOTAL SEASONAL POPULATION	19,600	~~22,400~~ 22,553	~~25,200~~ 25,619

Note: It is assumed that the half the of the Bonita Beach Road RPD units would get built by 2007 and the other half by 2012

EXHIBIT II-E-4
COMPLIANCE WITH DESIGN STANDARDS

The following outlines how the proposed project is consistent with the General Standards enumerated in Section 34-411 of the Bonita Springs LDC. Further, these provisions are generally consistent with the Goals, Objectives and Polices (GOPs) of the City of Bonita Springs Comprehensive Plan and are the criteria analyzed for approval by the City Zoning Board and City Council.

Sec. 34-373. Application

(a) *Minimum required information for all planned development zoning applications.* Rezoning applications for planned developments must include the following information, supplemented, where necessary, with written material, maps, plans, or diagrams. Wherever this section calls for the exact or specific location of anything on a map or plan, the location must be indicated by dimensions from an acceptable reference point, survey marker or monument.

5) A narrative explanation as to how the proposed development complies with the City of Bonita Springs Comprehensive Plan, the design standards set forth in section 34-411, and the guidelines for decision-making embodied in sections 34-145(c)(2)a and e. and 34-145(d)(3).

Sec. 34-411. General standards

A. *All planned developments shall be consistent with the provisions of the City of Bonita Springs Comprehensive Plan.*

RESPONSE: Exhibit II-E-2 provides a detailed narrative explaining how the project is in compliance with and furthers the goals, objectives and polices of the adopted City of Bonita Springs Comprehensive Plan.

B. *All planned developments, unless otherwise excepted, shall be designed and constructed in accordance with the provisions of all applicable county development regulations in force at that time.*

RESPONSE: The proposed planned development will be designed and constructed in accordance with the applicable provisions of the county and city development regulations in force at the time of development order and subsequent permits. A relatively few deviations to those provisions have been requested and are described in detail on Exhibit IV-H.

C. *The tract or parcel proposed for development under this article must be located so as to minimize the negative effects of the resulting land uses on surrounding properties and the public interest generally, and must be of such size, configuration and dimension as to adequately accommodate the proposed structures, all required open space, including private recreational facilities and parkland, bikeways, pedestrian ways, buffers, parking, access, on-site utilities, including wet or dry runoff retention, and reservations of environmentally sensitive land or water.*

1. *In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian and cyclist activity and community interaction.*

RESPONSE: This project will incorporate Amenity Centers that will provide limited goods and services to the residents and their guests, thereby reducing

off-site trips significantly. Moreover, the design will incorporate a comprehensive, interconnected system of bicycle and pedestrian ways connecting various neighborhoods with one another and with the Amenity Centers. Finally, a number of uses planned for the Amenity Centers will promote community interaction. These include recreational facilities such as: a fitness center, tennis courts and swimming pool, and other service related commercial uses.

D. *The tract or parcel shall have access to existing or proposed roads.*

1. *In accordance with chapter 10 and as specified in the City of Bonita Springs Transportation element or the official trafficways map of the county:*

   RESPONSE: The project will have primary access to Bonita Beach Road, the extension of which will be constructed by the applicant, or his designee, at no cost to Lee County or to the City of Bonita Springs. The applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement which will address traffic impacts resulting from the proposed development, including a commitment to pay 150% of the traffic impact fees. Additionally, 50% of the impact fees will be paid upfront to expedite improvements to Bonita Beach Road.

2. *That have either sufficient existing capacity or the potential for expanded capacity to accommodate both the traffic generated by the proposed land use and that traffic expected from the background (through traffic plus that generated by surrounding land uses) at a level of service D or better on an annual average basis and level of service E or better during the peak season, except where higher levels of service on specific roads have been established in the City of Bonita Springs Comprehensive Plan; and*

   RESPONSE: The Traffic Impact Statement (Exhibit III-C) submitted with this application deals with projected impacts from project-generated traffic as well as surrounding existing and approved uses. Please see the TIS information submitted with the application for a more detailed analysis. It should also be noted that as mentioned above, the applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement in order to address traffic impacts resulting from the proposed development, including a commitment to help alleviate any impacts to the level of service on Bonita Beach Road.

3. *That provide ingress and egress without requiring site-related industrial traffic to move through predominantly residential areas.*

   RESPONSE: The project will not generate any industrial traffic, as it is a Residential Planned Development with internalized Amenity Centers to serve residents of the development.

E. *If within the Lee Tran public transit service area, the development shall be designed to facilitate the use of the transit system.*

RESPONSE: The project is not within the Lee Tran public service area; however, the applicant, along with the other property owners in Sections 1 and 2 have agreed to work with the city and county officials to develop a shuttle to the beach and possibly other destinations. The details for this shuttle service will be part of the Developer's Agreement.

F. Development and subsequent use of the planned development shall not create or increase hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other danger, nor shall it impose a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants.

RESPONSE: The property is not located within a flood hazard area and, in any case, will be designed in accordance with South Florida Water Management District. Thus the project will not create or increase the likelihood of hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other similar dangers. Moreover, given the requested uses, the project will not create or result in a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants. The uses requested are compatible with existing or approved uses on adjacent and nearby properties.

G. 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, historic or archaeological features of the site, particularly mature native trees and other threatened or endangered native vegetation. Alteration of the vegetation or topography that unnecessarily disrupts the surface water or groundwater hydrology, increases erosion of the land, or destroys significant wildlife habitat is prohibited. That habitat is significant that is critical for the survival of rare, threatened or endangered species of flora or fauna.

RESPONSE: The site has been utilized in its entirety for row crop production, except for a 3.24-acre wetland located near the center of this property, and a 41.5 acre burrow lake once used for earth mining. The 3.24-acre wetland will be preserved and has been designated as Conservation Area on the MCP. Further, the Conservation Area has been adequately buffered from adjacent uses. There are no indications of historic or archeological features on the property and the environmental site assessment addresses the presence of listed species or species of concern on the subject property. The development plan, including the water management design and landscaping provisions, will actually result in environmental enhancements by protecting native vegetation; contributing to the restoration of historical surface water flows; eliminating intensive agricultural uses heavily dependent on fertilizers, herbicides and pesticides; and by reducing the consumption of water for irrigation purposes, when compared to the consumptive use of the historic agricultural activities

H. A fundamental principle of planned development design is the creative use of the open space requirement to produce an architecturally integrated human environment. This shall be coordinated with the achievement of other goals, e.g., the preservation or conservation of environmentally sensitive land and waters or archaeological sites.

Response: The project has been designed to include significant open space in the form of lakes and water features, landscaped areas, recreational facilities and a system of interconnected bicycle and pedestrian pathways linking neighborhoods with one another and with the Amenity Centers.

I. Site planning and design shall minimize any negative impacts of the planned development on surrounding land and land uses.

RESPONSE: The subject property is bounded on the west by the Corkscrew Growers RPD (City of Bonita Springs) on the south and east by the Bonita Beach Road RPD [City

of Bonita Springs RPD, formerly Lee County RPD), and on the north, lands zoned Agricultural and designated Density Reduction Groundwater Resource (DRGR) on the Lee Plan Future Land Use Map

In reviewing the existing and planned development surrounding the project, it is clear that, as proposed, the subject RPD is compatible with surrounding lands uses. The project has been designed to minimize negative impacts on adjacent land and land uses. Moreover, the project will comply with, and in many cases exceed, the provisions of all applicable county and city development regulations and, by doing so, will minimize any negative impacts of the planned development on surrounding land and land uses.

J. *Where a proposed planned development is surrounded by existing development or land use with which it is compatible and of an equivalent intensity of use, the design emphasis shall be on the integration of this development with the existing development, in a manner consistent with current regulation.*

RESPONSE: The subject property falls between a higher density RPD to the west and a lower density RPD to the east. The project is consistent with the Urban Fringe Community District which is meant to provide a density transition from urban to non-urban land. The gross density of 3.05 and the geographic location of this project within Sections 1 and 2 is consistent with the intent of the Urban Fringe Community District. Additionally landscape design, open space features, and buffers make this project compatible with the surrounding existing and approved uses, and has been designed to integrate with those uses and to be consistent with the current applicable regulations.

K. *Where the proposed planned development is surrounded by existing development or land use with which it is not compatible or which is of a significant higher or lower intensity of use (plus or minus ten percent of the gross floor area per acre if a commercial or industrial land use, or plus or minus 20 percent of the residential density), or is surrounded by undeveloped land or water, the design emphasis will be to separate and mutually protect the planned development and its environs.*

RESPONSE: The proposed residential project is compatible with the current RPD zoning to the east, south, and west. Further, the project has been designed to provide protection in the form of significant buffers so as to not adversely impact the DRGR lands to the north, as well as all surrounding environs. This is achieved through landscape design, landscape buffers, and access controls.

L. *In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian activity and community interaction.*

RESPONSE: See Response under C(1) above.

M. *In order to enhance the viability and value of the resulting development, the designer shall ensure the internal buffering and separation of potentially conflicting uses within the planned development.*

RESPONSE: The project will be designed to provide for adequate buffering and separation between certain uses, such as higher density multi-family and single family, and residential and Amenity Center uses (such as commercial and recreational uses). It should be noted that this development has been designed to accentuate the positive relationships between these uses, and reduce the need for structural or large physical boundaries between uses. When coupled with the interconnected vehicular, pedestrian

and bicycle path system (principally located along landscaped areas and waterways) the result is that conflicts between the proposed uses are eliminated. All such uses are designed at human scale, so that no structure or use is overpowering.

N. *Density or type of use, height and bulk of buildings and other parameters of intensity should vary systematically throughout the planned development. This is intended to permit the location of intense or obnoxious uses away from incompatible land uses at the planned development's perimeter, or, conversely, to permit the concentration of intensity where it is desirable, e.g., on a major road frontage or at an intersection.*

RESPONSE: Referring to the response to M. above, the project design is such that there are no intense or obnoxious uses that must be located at the planned developments perimeter or other wise isolated. Arguably, the most intense uses are those proposed for the Amenity Centers, yet these are designed at human scale, are easily accessible by pedestrians and cyclists throughout the project. The Amenity Centers are the focal point of community activity and interaction, and are located to provide easy access to all residents of the development.

O. *Unless otherwise provided for in this article, minimum parking and loading requirements shall be as set forth in article VII, divisions 25 and 26, of this chapter. Where it can be reasonably anticipated that specified land uses are generators of occasional peak demand for parking space, a portion of the required parking may be pervious or semi-pervious surfaces subject to the condition that it be constructed and maintained so as to prevent erosion of soil. In all cases, however, sufficient parking shall be provided to prevent the spilling over of parking demand onto adjacent properties or rights-of-way at times of peak demand.*

RESPONSE: Sufficient parking shall be provided as required by applicable county and city requirements.

P. *Joint use of parking by various land uses within the planned development may be permitted by special condition where it can be demonstrated or required that the demand for parking by the various uses will not conflict. Joint parking agreements between uses within and uses without the planned development shall be governed by agreement per general regulation (see section 34-2018), without exception.*

RESPONSE: The conditions expressed in paragraph P. above are understood and, should joint use of parking be requested, it will be in compliance with the applicable county and city provisions and shall be governed by agreement per general regulation (see section 34-2018), without exception.

Q. *Internal consistency through sign control, architectural controls, uniform planting schedules and other similar controls is encouraged.*

RESPONSE: The project shall incorporate a unified plan of design for signage, landscaping, and structural architectural controls.

EXHIBIT II-E-5
COMPLIANCE WITH DECISION MAKING GUIDELINES

The following outlines how the proposed project is consistent with the decision making guidelines enumerated in Section 34-145 of the Bonita Springs LDC. Further, these provisions are generally consistent with the Goals, Objectives and Polices (GOPs) of the City of Bonita Springs Comprehensive Plan and are the criteria analyzed for approval by the City Zoning Board and City Council.

Sec. 34-373. Application

(a) Minimum required information for all planned development zoning applications. Rezoning applications for planned developments must include the following information, supplemented, where necessary, with written material, maps, plans, or diagrams. Wherever this section calls for the exact or specific location of anything on a map or plan, the location must be indicated by dimensions from an acceptable reference point, survey marker or monument.

5) A narrative explanation as to how the proposed development complies with the City of Bonita Springs Comprehensive Plan, the design standards set forth in section 34-411, and the guidelines for decision-making embodies in sections 34-145(c)(2)a and e. and 34-145(d)(3).

Sec. 34-145. Functions and authority

(d) Zoning Matters

(2) Considerations. In reaching its decision, the City Zoning Board must consider the following, whenever applicable:

a. *Whether there exist changed or changing conditions that make approval of the request appropriate.*

RESPONSE: There are a number of changed conditions that make approval of this request appropriate. Most notably, the property within which this project is located, Sections 1 and 2, Township 48, Range 26, was recently annexed into the City of Bonita Springs and has been given the Future Land Use Map (see Exhibit V-C) designation of Urban Fringe Community District (see Exhibit V-D). Sections 1 and 2 are currently zoned as the Bonita Beach Road RPD. The subject property is requesting a rezone that will make it consistent with allowable development parameters outlined in the Urban Fringe Community District designation. The proposed RPD is fully compliant with this designation and based upon the development and planned development on lands adjacent to and nearby the subject RPD approval is appropriate.

e. *Whether the request is consistent with the goals, objectives, policies and intent of the City of Bonita Springs Comprehensive Plan.*

RESPONSE: The proposed RPD is fully consistent with, and furthers the applicable provisions of the City's comprehensive plan. A detailed analysis of consistency with the plan has been submitted with this application and is labeled Exhibit II-E-2.

(3). *Findings.* Before preparing its recommendation to the City Council on a rezoning, the City Zoning Board must find that:

a. *The applicant has proved entitlement to the rezoning or special exception by demonstrating compliance with the Bonita Springs Comprehensive Plan, this land development code, and any other applicable code or regulation; and*

RESPONSE: A thorough review of the conditions and applicable City of Bonita Comprehensive Plan provisions and Bonita Springs Land Development Code provisions, including the information set forth in the application and attendant exhibits clearly demonstrate that the project, as proposed, warrants approval.

b. *The request will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request; and*

RESPONSE: The project has been designed to meet, and in many cases, exceed the applicable performance and locational standards. The project is designed to function as a master planned community, is comprehensively interconnected, and provides outstanding landscaping, environmental protection and open space features. It also contains internalized ancillary commercial services which have been proven, in like developments, to reduce external trips and impact to adjacent arterial and collector roadways. In addition, the pedestrian and cyclist pathways, the Amenity Centers, and recreational facilities help enhance community interaction.

c. *The request, including the use of TDR or affordable housing bonus density units, is consistent with the densities, intensities and general uses set forth in the Bonita Springs Comprehensive Plan; and*

RESPONSE: The requested density of 900 dwelling units on 294.85 gross residential acres results in a gross density of 3.05 dwelling units per acre. Pursuant to Comprehensive Plan Policy 1.1.10.1 Urban Fringe Community District, the proposed number of units and resulting proposed density are consistent with the FLUE of the Comprehensive Plan and the permitted unit range for that district. Policy 1.1.10.1 allows the following density range: "...a range of density for the whole amendment area of 3,300 dwelling units minimum to 3,600 maximum dwelling units for 1,299 gross acres (Sections 1 & 2)." It is understood that the unit range identified in Policy 1.1.10.1 applies to the entire 1,299-acre property (Sections 1 & 2) subject to the recently transmitted Comprehensive Plan Amendment, and not to this project specifically. Additionally, this project is consistent with Policy 1.1.10.1 in that it promotes higher densities or the clustering of units away from environmentally

sensitive areas. The 900 units proposed and the resulting density dictate that future projects in the remainder of Sections 1 and 2 will need to be developed at lower densities than this project. This development pattern will ensure that lower-density development will occur next to the environmentally sensitive wetlands to the south and the CREW lands to the east. Lastly, all requested uses are permissible under this designation.

d. *The request is compatible with existing or planned uses in the surrounding area; and*

RESPONSE: The subject property is bounded on the west by the Corkscrew Growers RPD (City of Bonita Springs) on the south and east by the Bonita Beach Road RPD (City of Bonita Springs RPD, formerly Lee County RPD), and on the north, lands zoned Agricultural and designated Density Reduction Groundwater Resource (DRGR) and on the Lee Plan Future Land Use Map. The project is consistent with the Urban Fringe Community District, which is intended to provide a transition between higher density MU/PD-designated lands and lower density non-urban designated lands to the east and conservation lands to the north and south. In reviewing the existing and planned developments surrounding the project, it is clear that, as proposed, the subject RPD is compatible with surrounding lands uses. The project has been designed to minimize negative impacts on adjacent land and land uses. Moreover, the project will comply with, and in many cases exceed, the provisions of all applicable county and city development regulations and, by doing so, will minimize any negative impacts of the planned development on surrounding land and land uses.

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

RESPONSE: For a detailed analysis of the traffic impacts and transportation analysis, please refer to the Traffic Impact Statement (Exhibit III-C) submitted in conjunction with this application. It should also be noted that the applicant is required by conditions set forth in the proposed Urban Fringe Community District to enter into a Developer's Agreement in order to address traffic impacts resulting from the proposed development, including a commitment to help alleviate any impacts to the level of service on Bonita Beach Road.

f. *Where applicable, the request will not adversely affect environmentally critical areas and natural resources.*

RESPONSE: The site has been utilized in its entirety for row crop production, except for a 3.24-acre wetland located near the center of this property, and a 41.5 acre burrow lake once used for earth mining. The 3.24-acre wetland will be preserved and

has been designated as Conservation Area on the MCP. Further, the Conservation Area has been adequately buffered from adjacent uses. There are no indications of historic or archeological features on the property and the environmental site assessment addresses the presence of listed species or species of concern on the subject property. The development plan, including the water management design and landscaping provisions, will actually result in environmental enhancements by protecting native vegetation; contributing to the restoration of historical surface water flows; eliminating intensive agricultural uses heavily dependent on fertilizers, herbicides and pesticides; and by reducing the consumption of water for irrigation purposes, when compared to the consumptive use of the historic agricultural activities

g. *In the case of a planned development rezoning, the decision of the City Zoning Board must also be supported by the formal findings required by sections 34-377(a)(2) and (4).*

34-377

a) Hearing before City Zoning Board. After the staff prehearing conference required by this division, the application will be scheduled for a public hearing before the City Zoning Board.

(2) The recommendation made to the City Council must be supported by formal findings that address the guidelines set forth in Section 34-145(d)(3) of this chapter. In addition, the findings must address whether the following criteria can be satisfied:

(a) The proposed use or mix of uses is appropriate at the subject location:

RESPONSE: Based upon the comprehensive analysis provided in the application and attendant exhibits, as well as the anticipated expert testimony, we are confident that the proposed mix of uses, being consistent with the City of Bonita Springs Comprehensive Plan, and designed and located to adhere to applicable county and city codes, is appropriate at the subject location.

(b) The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

RESPONSE: Obviously, a response to this finding cannot be provided until such conditions are known.

(c) The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

RESPONSE: Obviously, a response to this finding cannot be provided until such conditions are known.

(4) *The application includes a schedule of deviations pursuant to section 34-412, the City Zoning Board 's recommendation must approve, approve with modification or reject each requested deviation based upon a finding that each item:*

(a) *Enhances the achievement of the objectives of the planned development; and*

RESPONSE: A detailed explanation of the requested deviations, as well as the rationale for each and explanation why each is necessary and/or enhances the achievement of the objectives of the planned development is provided with this application and labeled Exhibit IV.

(b) *Preserves and promotes the general intent of this chapter to protect the public health, safety and welfare.*

RESPONSE: A detailed explanation of the requested deviations, as well as an explanation as to how each affects, preserves and promotes the general intent to protect the public health, safety and welfare is provided with this application and labeled Exhibit IV.

h. *Where the change proposed is within a future urban area category, the City Zoning Board must also find that urban services, as defined in the City of Bonita Springs Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.*

RESPONSE: The recently transmitted Comprehensive Plan Amendments propose a Future Land Use Map change that would designate the area within which the proposed project lies as Urban Fringe Community District. As demonstrated by responses provided in Exhibit II-E-2, the "Letters of Service Availability" from various utility providers (Exhibit V-B), the attached TIS (Exhibit III-C), and the Fiscal Impact Analysis (Exhibit V-A) urban services will be available and adequate to serve the proposed RPD.

COVENANT OF UNIFIED CONTROL

The undersigned do hereby swear or affirm that they are the owner of record of property commonly known as

Bonita Beach Road RPD

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 Robert J. Mulhere, Planning Director, of RWA, Inc., as legal representative thereof, 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 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.

David H. Graham

David H. Graham, Vice President of Resource Conservation Properties, Inc., Managing Member of Beach Road Development Co., LLC

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STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 13 day of October, 2004 by David H. Graham, who is personally known to me or has produced _____ as identification.

MICHAELE A. JONES
MY COMMISSION # DD 118602
EXPIRES: September 17, 2006
Bonded Thru Notary Public Underwriters

Michaele A. Jones
Notary Public
Michaele A. Jones
(Name typed, printed or stamped)

(Serial Number, if any)

O:\2004\04-0039.00 Sec One Bonita Beach Road RPD\0002 RPD Rezone Application\Legal Docs\Bonita Bay Covenant of Unified Control 10-5-04.doc

Spatial District Query Report

STRAP Number: 01-48-26-B1-00001.0000

District Name	District Value(s)		Pct of Parcel in District (if fractional)	Notes
Airport Noise Zone			NOT FOUND	
Airspace Notification			NOT FOUND	
Census Tract	Tract ID	503.10	97.79%	
Coastal Building Zone			NOT FOUND	
Coastal High Hazard Area			NOT FOUND	
Fire District	Fire District Taxing Authority	Bonita Springs 009	99.03%	
Flood Insurance Zone	Flood Zone	X	98.43%	
FIRM Floodway			NOT FOUND	
Flood Insurance Panel	Community Panel Version Date	125124 550 B (null)	86.86%	
	Community Panel Version Date	125124 530 C 072098	13.14%	
DNR Flood Zones			NOT FOUND	
Flood Insurance Coastal Barrier			NOT FOUND	
Lighting District			NOT FOUND	
Planning Community	ID Plan Community	18 Southeast Lee County	99.29%	
Planning Land Use 2010	Landuse	Rural	99.29%	
Sanibel/County Agreement			NOT FOUND	
School Board District	District School Board Member	3 Jane E. Kucel, Ph.D.	97.79%	
School Choice Zone	Choice Zones	South Zone	98.25%	
Solid Waste District	District Area	Area 1	97.69%	
Storm Surge	Category	4/5	98.42%	
Subdivisions			NOT FOUND	
Traffic Analysis Zone	TAZ	640	97.79%	
Archaeological Sensitivity	Sensitivity Level	2	19.76%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code Landuse	214 Row crops	76.25%	
	Code Landuse	4119 Pine flatwoods - melaleuca infested	9.52%	
	Code Landuse	621 Cypress	8.35%	
	Code Landuse	6218 Cypress - melaleuca infested	1.94%	1
	Code	624	1.64%	

	Landuse	Cypress - pine - cabbage palm		1
	Code Landuse	6172 Mixed wetland hardwoods - mixed shrubs	0.1%	1
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol Soil Name	49 FELDA FINE SAND, DEPRESSIONAL	77.15%	2
	Map Symbol Soil Name	28 IMMOKALEE SAND	6.39%	
	Map Symbol Soil Name	34 MALABAR FINE SAND	5.6%	1 2
	Map Symbol Soil Name	74 BOCA FINE SAND, SLOUGH	5.01%	1 2
	Map Symbol Soil Name	33 OLDSMAR SAND	1.68%	1
	Map Symbol Soil Name	13 BOCA FINE SAND	1.44%	1
	Map Symbol Soil Name	12 FELDA FINE SAND	0.37%	1 2
Panther Habitat	Habitat	1	65.72%	
Eagle Nesting Site buffer			NOT FOUND	
Commissioner District	District Commissioner	3 Ray Judah	97.79%	
Unincorporated Lee County Zoning	Zoning Designation	RPD	97.6%	
Development Orders			NOT FOUND	
Fort Myers Beach Interim Zoning			NOT FOUND	
Road Impact Fee Districts	District Tidemark ID Name	5 55 SOUTHEAST	99.41%	

[Modify] Report Settings

Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.
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EXHIBIT III-A-2
PRELIMINARY DENSITY CALCULATIONS*
(Complete only if living units are proposed).

A. Gross Residential Acres

1. Total land area: 294.85 acres

2. Area to be used for non-residential uses: *(Line A.2.a. plus A.2.b.):* 9.24 acres

   a. R-O-W providing access to non-residential uses: 0 acres

   b. Non-residential use areas: 9.24 acres

Wetlands	3.24acres
Amenity Centers	5.5 acres
Public Facilities Tract	0.5 acres

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3. Gross residential acres (Line A.1 less A.2): 285.61 acres

   a. Uplands areas ± 200 *acres*

   b. Freshwater Wetlands areas 0.0 *acres*

   c. Other Wetland areas 0.0 *acres*

B. ~~Lee Plan~~ *Bonita Springs Plan Land Use Classification: Urban Fringe Community District (transmitted to DCA)* *(If more than one classification, calculations for each classification must be submitted)*

Density Standards (~~from Lee Plan Table 1~~)

1.Maximum density for Land Use Classification: **3,300-3,600 dwelling units for 1,299 gross acres (Sections 1 & 2).[1]**

[1] As per transmitted Comprehensive Plan Amendment, Policy 1.10.1: Urban Fringe Community District (see Exhibit II-E-1).

Density Calculations

The proposed development is comprised of 294.76 gross acres.

Gross density for this project is calculated as follows:

799 dwelling units ÷ 294.85 = **2.71 dwelling units per acre**

Net density is calculated as follows:

294.85 (Gross Acreage) – 3.24 (Wetlands) – 5.5 (Amenity Center) – 0.5 (Public Facilities Tract) = 285.6.1 acres

Dwelling units per acre:

900 dwelling units ÷ 285.62= **2.80 dwelling units per 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) N/A units
2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) N/A units
3. Total standard density units (sum of C.1 & C.2) N/A units
4. Max. total density units [A.3.a. times ((B.1 plus 1/2 of (B.2 less B.1))] N/A units

5. **Sub-total permitted standard density units: N/A Units** (line C.3 or C.4 - whichever is less)

** 6. BONUS UNITS

a. Low-moderate housing density: N/A units
b. TDR units: N/A units
c. **Sub-total (C.6.a plus C.6.b)** N/A units

7. **Total Permitted Units (C.5. plus C.6.c): N/A 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.

D. Suburban land use areas

1. Standard density uplands units (A.3.a. times B.1) N/A units
2. Standard density freshwater wetlands units (A.3.b. times B.1) N/A units
3. Total standard density units (sum of D.1 & D.2) N/A units
4. Maximum upland density (A.3.a. times 8) N/A units
5. **Total permitted units:** N/A **Units** (line D.3 or D.4 - whichever is less)

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E. Outlying Suburban Land Use Areas

1. Standard density uplands units (A.3.a. times B.1) N/A units
2. Standard density freshwater wetlands units (A.3.b times B.1) N/A units
3. Total standard density (sum of E.1 & E.2) N/A units
4. Maximum upland density (A.3.a times 4***) N/A units
5. **Total permitted units:** N/A **units** (line E.3 or E.4 - whichever is less)

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F. Open Lands

1. Total acres of "Open Land" N/A acres
2. Maximum open land density (F.1 times 0.2****) N/A units
3. **Total permitted units:** N/A **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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FAX 239-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

METRO TRANSPORTATION GROUP, INC.

MEMORANDUM

TO: Mr. Robert Mulhere
RWA, Inc.

FROM: Ted B. Treesh
Principal/Regional Manager

DATE: December 20, 2004

RE: Revised Traffic Impact Study
East Bonita Active Adult Community
DCI2004-00071

Attached is the revised TIS for the above referenced project. The previous TIS submitted for the project was found sufficient by County/City staff. The revised TIS reduces the unit count to match the revised application for zoning. The TIS is now based on a total of 799 dwelling units whereas the previous TIS was for 900 dwelling units.

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DCI2004-00071

TRAFFIC IMPACT STATEMENT

FOR AN

EAST BONITA ACTIVE ADULT COMMUNITY

IN THE

CITY OF BONITA SPRINGS

PROJECT NO. 0406.18

Prepared by:
METRO TRANSPORTATION GROUP, INC.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
(239) 278-3090

Revised
December 20, 2004

METRO

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8. CONCLUSION

9. APPENDIX

1. PURPOSE OF REPORT

The following report has been prepared in order to fulfill the requirements set forth by the City of Bonita Springs and the Lee County Department of Community Development for projects seeking approval for zoning. This report has been submitted in accordance to the criteria outlined in the Lee County Traffic Impact Statement Standards for zoning. More specifically, this report investigates the anticipated traffic characteristics of the proposed development in order to establish adverse off-site roadway impacts, if any, associated with the development of a active adult residential community within Section 2, Township 48 South, Range 25 East on the south side of Bonita Beach Road, approximately three and one-half miles east of I-75 in the City of Bonita Springs, Florida.

2. SCOPE OF PROJECT

The site is located generally approximately 3.5 miles east of I-75 on the south side of Bonita Beach Road. The property is approximately 140 acres. **Figure 1** depicts the site location and the roadways in the vicinity of the project's location. The site is currently zoned Agricultural within the City.

The site is proposed to be re-zoned to permit the development of an Active Adult residential community. The project will be developed as an integrated active adult residential community with on-site amenities such as a clubhouse. Access to the property will be provided via an extension of Bonita Beach Road to the project.

In order to establish off-site roadway impacts, this report will examine traffic conditions at the expected time of project completion. It is anticipated that the site will be at fully constructed by the year 2008.

3. EXISTING CONDITIONS

The site is currently vacant agricultural land. Adjacent uses include the DiVosta residential community to the west within Section 3 and future residential development to the south and east within Section 1 and the remaining portion of Section 2. Vacant land is located to the north.

Bonita Beach Road is an arterial facility that extends east from Bonita Beach through the City of Bonita Springs. East of I-75, Bonita Beach Road is a four lane divided arterial for approximately 1 mile through the intersection with Bonita Grande Drive. The roadway then tapers to a two lane arterial roadway to its terminus. Bonita Beach Road has a full interchange with I-75. Bonita Beach Road is under the jurisdiction of the Lee County Department of Transportation. The Lee County Department of Transportation is currently in the process of widening Bonita Beach Road from I-75 to Imperial Street from four lanes to six lanes. This construction began in the Summer of 2004 and is anticipated to be completed in 2005.

4. PROPOSED USES AND TRIP GENERATION

The Developer is planning on obtaining zoning approval that would permit the construction of up to 799 residential dwelling units on the approximately 140-acre property. The breakdown of units for this project was assumed to be 62.5% single family units and 37.5% multi-family units. The uses identified on the Master Concept Plan will be within the gated community and will be utilized by the residents of this community only.

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 7th Edition. Although the development is identified as an Active Adult Community, at this time there are no restrictions proposed in the zoning regulations that will restrict residents based on age. Therefore, the standard trip rates from the ITE report were utilized. For the single family and multi-family residential uses, Land Use Code 210 (Single Family Detached Housing) and Land Use Code 230 (Residential Condominium/ Townhouse) were utilized, respectively. The equations for these land uses are contained in the Appendix of this report for reference. **Table 1** outlines the proposed uses for the project.

Table 1
Proposed Land Uses
East Bonita Active Adult Community

Use	Size
Single Family Homes	500 Units
Multi-Family Homes	299 Units

Table 2 outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the proposed development as currently proposed. The daily trip generation is also indicated in the table.

Table 2
Trip Generation
East Bonita Active Adult Community

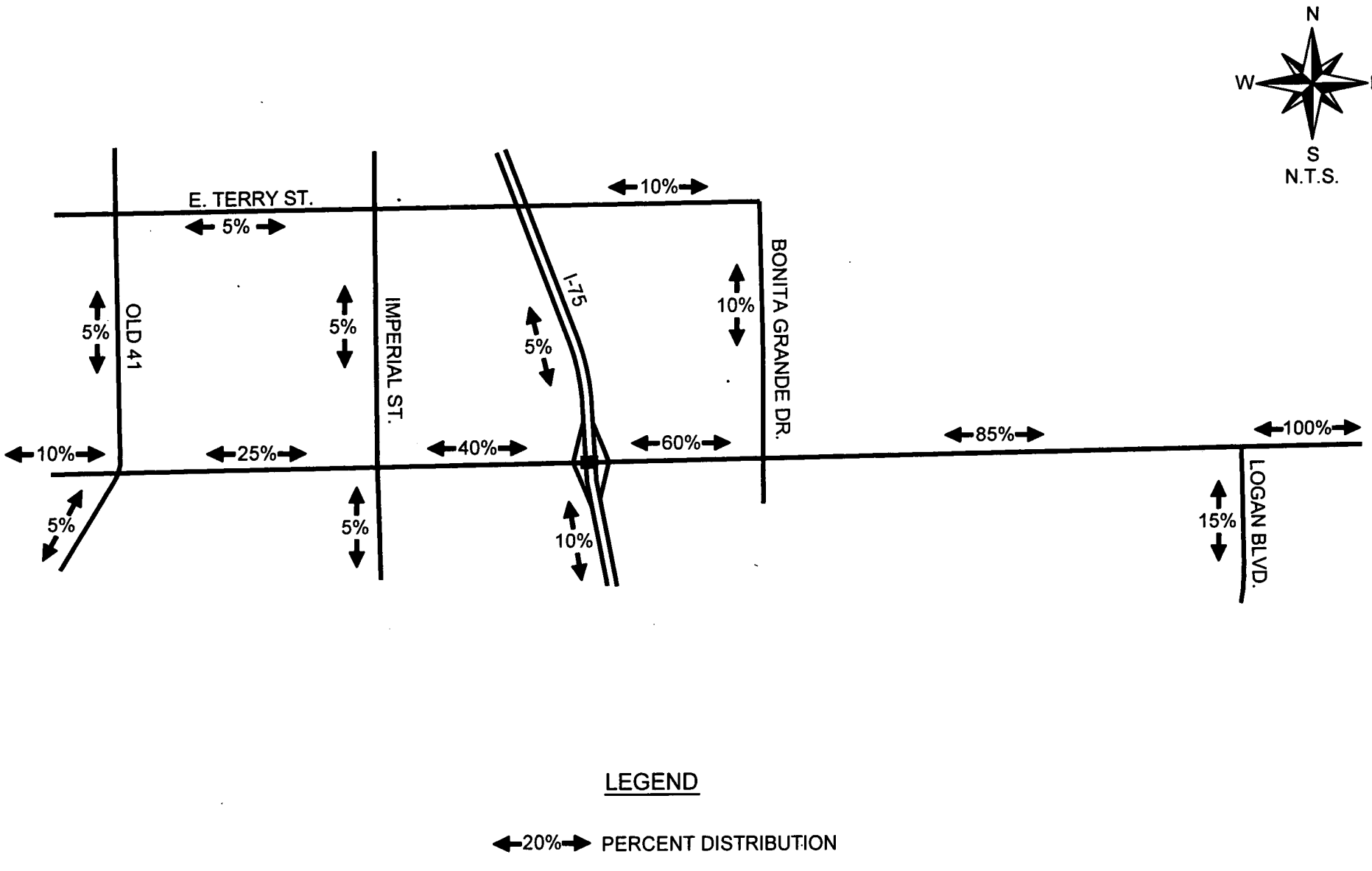
Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Single Family Units 500 Units	90	270	360	290	165	455	4,570
Multi-Family Units 299 Units	20	105	125	100	50	150	1,630
Total Trips	110	375	485	390	215	605	6,200

5. 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 Bonita Springs and Lee County. In addition, previous studies completed for the Bonita Beach Road RPD project and the Parklands project were referenced in determining the trip distribution.

Figure 2 indicates the anticipated trip distribution patterns for the development. The trips shown in Table 2 were then assigned to the surrounding roadways based on the anticipated trip distribution shown on Figure 2.

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**,



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PROJECT TRAFFIC DISTRIBUTION
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 2

contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Link Specific Service Volume tables provided by the Lee County Department of Transportation.

6. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2008. Based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links and intersections that will be significantly impacted by this development. The existing roadway link traffic data was obtained from the 2003 Lee County Traffic Count Report. Based on the project distribution shown in Figure 2, the link data was analyzed for the year 2009 without the development and year 2009 with the development. **Table 2A** in the Appendix of this report indicates the projected 2009 traffic volumes with and without the proposed development.

As can be seen from Table 2A, the Level of Service on the significantly impacted links will not change due to the development of the 799 residential units proposed on the subject site. The projected Level of Service on Bonita Beach Road east of I-75 will remain at LOS "B" once the project is completed in 2009. East of Bonita Grande Drive, Bonita Beach Road is projected to operate at LOS "C" as a two lane roadway.

Traffic volumes on Bonita Beach Road east of Bonita Grande Drive are not currently evaluated by Lee County or the City of Bonita Springs. Due to recent re-zonings in the area east of Bonita Grande Drive, traffic on this link could significantly increase due to the residential density in this area. Therefore, Metro evaluated the local Development Orders that have been approved to date on three projects east of Bonita Grande Drive on Bonita Beach Road. These projects included Parklands West (Palmira Golf & Country Club), Parklands – Lee and the Corkscrew Growers section (Section 3). To date, DiVosta Homes has been approved for approximately 900 residential units in two of these projects. The remaining residential development that has received Development Orders include approximately 336 multi-family units and approximately 556 single family units. The trips from these units, taken from the traffic studies for each

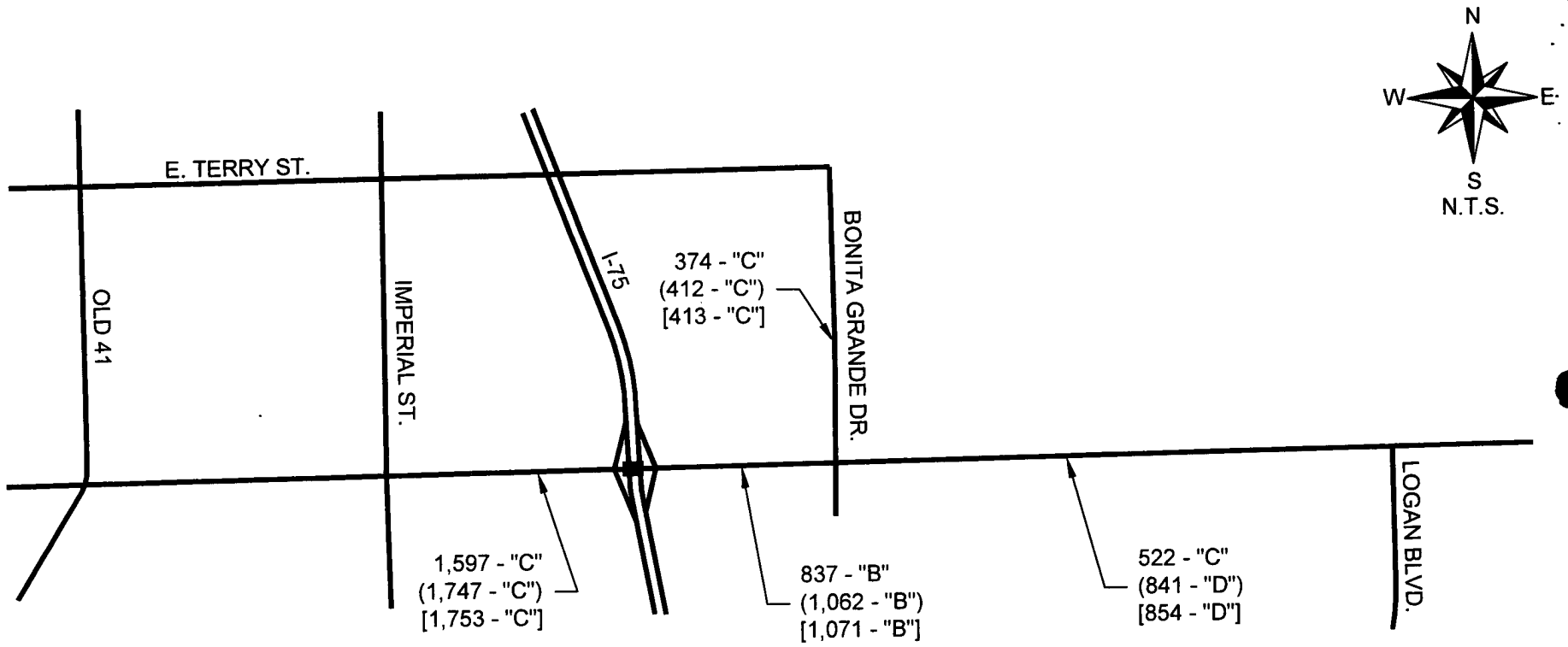
project, were factored into the 2003 background traffic volume on Bonita Beach Road east of Bonita Grande Drive. This volume was then increased by a growth factor to represent future development within these projects. Although Parklands West and Parklands – Lee have been issued Development Orders that would complete these projects, the Corkscrew Growers project will have additional units available under the permitted zoning.

It should be noted that with the construction of Parklands (Lee County portion) and the Parklands DRI in Collier County, a new north/south collector road will be constructed that connects Bonita Beach Road and Immokalee Road. This road, commonly referred to as the Logan Boulevard extension, will be a two lane collector roadway with only limited residential community access drives that will extend the approximately four miles to connect Bonita Beach Road and Immokalee Road. This will be the only north/south roadway in the short term that will connect these two roads east of I-75 until the CR 951 extension is completed. Based on agreements currently under negotiation with Collier County, this road must be built by 2009 for it's entire length and was therefore considered as a completed project for the 2009 analysis.

Figure 3 indicates the year 2009 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area that are significantly impacted. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hour with the proposed development traffic as well as the traffic from the projects previously identified added to the roadways.

7. CUMMULATIVE LEVEL OF SERVICE ANALYSIS

Figure 3 details the Levels of Service for all links inside the project's area of influence. These Levels of Service were derived based on the Lee County Link Specific Level of Service Volume Tables. **Table 1A** in the Appendix details the calculations to determine the Level of Service on the analyzed links. As can be seen from Figure 3, the roadway links analyzed as part of this report will not be adversely impacted as a result of the proposed development. All of the roadway segments analyzed as a part of this report, once the development is completed, will



LEGEND

XXX - "C" 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS AM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS PM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

METRO

2009 100th HIGHEST HOUR LOS
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 3

maintain the Level of Service as projected without the development. Therefore, no off-site roadway improvements will be required as a result of the proposed development.

8. CONCLUSION

Based on the link specific service volumes for peak hour, peak direction, the roadway segments within the study area will not be adversely impacted by the proposed re-zoning of the subject site to permit up to 799 residential dwelling units. The Level of Service analysis included a cumulative analysis taking into account the trip generation of several projects on the south side of Bonita Beach Road east of Bonita Grande Drive.

Specific intersection improvements may be required at the time of local Development Order. However, it is anticipated that the extension of Bonita Beach Road will serve this project. The exact intersection from Bonita Beach Road has yet to be determined. Recent improvements were made to the intersection of Bonita Beach Road and Bonita Grande Drive by Lee County. This intersection was recently signalized. Any further refinement of the turn lanes and storage lengths will be determined at local Development Order stage.

K:/2004/06/18/Revised 12.20.04/report.12.20.04

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
BONITA BEACH ROAD - ACTIVE ADULT COMMUNITY

Revised 12.20.04

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 485 VPH IN= 110 OUT= 375

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 605 VPH IN= 390 OUT= 215

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bonita Beach Road	E. of U.S. 41	4LD	0	680	1590	1780	1830	10.00%	39	2.5%
	E. of Old U.S. 41	4LD	0	680	1590	1780	1830	25.00%	98	6.1%
	W. of I-75	6LD	0	760	2240	2700	2830	40.00%	156	7.0%
	E. of I-75	4LD	870	1410	2040	2640	3000	60.00%	234	11.5%
	E. of Bonita Grade Dr.	2LN	0	280	760	900	920	85.00%	332	43.6%
Bonita Grande Dr.	N. of Bonita Beach R d.	2LN	0	130	420	550	880	10.00%	39	9.3%
Terry Street	E. of Imperial St.	2LN	0	130	420	550	880	10.00%	39	9.3%
	W. of Imperial St.	4LD	450	1630	1900	1950	1950	5.00%	20	1.0%
Imperail Street	N. of Bonita Beach Rd	4LD	450	1630	1900	1950	1950	5.0%	20	1.0%
	S. of Bonita Beach Rd	4LD	450	1630	1900	1950	1950	5.0%	20	1.0%
Old U.S. 41	N. of Collier County	2LN	0	0	730	1000	1020	5.00%	20	2.7%
	N. of Bonita Beach Road	2LN	0	770	1080	1140	1150	5.00%	20	1.8%

Link Service volumes from 2003 Link Specific Service Tables except for roadways under construction or planned to be widened within three years. Generalized LOS volumes used for these roads

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

Revised 12.20.04

P. C. S.	K	D	P. C. S.	K	D
PCS NO. 7	0.109	0.50	PCS NO. 16	0.098	0.58
PCS NO. 11	0.104	0.54	PCS NO. 42	0.094	0.52

TOTAL PROJECT TRAFFIC AM = 485 VPH IN = 110 OUT= 375

TOTAL PROJECT TRAFFIC PM = 605 VPH IN= 390 OUT= 215

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.	2009 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2009 BCKGRND + AM PROJ TRAFFIC	2009 BCKGRND + PM PROJ TRAFFIC
Bonita Beach Road	E. of U.S. 41	7	22600	23600	9	0.48%	1201	1236	10.00%	38	39	1274	1275
	E. of Old U.S. 41	42	19200	26400	9	3.60%	1205	1490	25.00%	94	98	1584	1588
	W. of I-75	42	26900	28700	3	2.18%	1403	1597	40.00%	150	156	1747	1753
	E. of I-75	42	10200	12400	3	6.73%	566	837	60.00%	225	234	1062	1071
	E. of Bonita Grande		See Note			3.50%	425	522	85.00%	319	332	841	854
Bonita Grande Dr.	N. of Bonita Beach R d.	42	2100	5400	4	6.00%	264	374	10.00%	38	39	412	413
Terry Street	E. of Imperial St.	42	6000	9900	9	5.72%	484	676	10.00%	38	39	713	715
	W. of Imperial St.	42	6000	9900	9	5.72%	484	676	5.00%	19	20	694	695
Imperail Street	N. of Bonita Beach Rd	42			See Note			1160	5.00%	19	20	1179	1180
	S. of Bonita Beach Rd	42						1105	5.00%	19	20	1124	1125
Old 41 Rd	N. of Collier County	16	10200	12600	4	5.42%	716	983	5.00%	19	20	1002	1003
	N. of Bonita Beach Rd	16	12100	16500	9	3.51%	876	1077	5.00%	19	20	1096	1097

* The Truck Factor was not accounted for in the calculations for roadway links that have permanent count stations.
Traffic Volumes on Bonita Beach Road east of Bonita Grande based on traffic from approved Development Orders to date plus 3.5% annual growth rate
Imperial Street Volumes taken from 2010 FF FSUTMS model for 2010

TRIP GENERATION EQUATIONS
BONITA BEACH ROAD ACTIVE ADULT COMMUNITY
ITE TRIP GENERATION REPORT, 7th EDITION

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Single Family Detached Housing (LUC 210)	T = 0.70 (X) + 9.43	Ln (T) = 0.90 Ln (X) + 0.53	Ln (T) = 0.92 Ln (X) + 2.71
T = Trips, X = Units			
Residential Condominium/ Townhouse (LUC 230)	Ln (T) = 0.80 Ln (X) + 0.26	Ln (T) = 0.82 Ln (X) + 0.32	Ln (T) = 0.85 Ln (X) + 2.55
T = Trips, X = Units			

EAST BONITA ACTIVE ADULT DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT is entered into this 18 day of May 2005, by and between the CITY OF BONITA SPRINGS, a municipal corporation under the laws of Florida, having its principal office at 9101 Bonita Beach Road, Bonita Springs, Florida 34135 (hereinafter "City"), and BEACH ROAD DEVELOPMENT COMPANY, LLC, a Florida limited liability company, whose address is Bonita Bay Executive Center I, 9990 Coconut Road, Suite 200, Bonita Springs, Florida 34135 (hereinafter "Developer").

WHEREAS, the Florida Local Development Agreement Act, Sections 163.3220-163.3243, Florida Statutes, authorizes a local government to enter into a development agreement in order to promote certainty in the development approval process, strengthen the public planning process, encourage sound capital improvement planning and financing, assist in assuring there are adequate capital facilities for the development, encourage private participation in comprehensive planning, and reduce the economic costs of development; and

WHEREAS, Developer owns approximately 294 acres adjacent to Bonita Beach Road legally described on the attached Exhibit "A" on which the Developer intends to develop a planned development consisting of residential units and amenity center uses (hereinafter "Property"); and

WHEREAS, the City acknowledges that the proposed development of the Property will benefit the City's residents and is an appropriate use of the Property; and

WHEREAS, the Parties wish to establish by agreement the terms under which the Property may be developed; and

WHEREAS, the City conducted two public hearings prior to entering into this Agreement, both of which were properly noticed by publication in the News-Press and by mailed notice to the affected property owners in accordance with Section 163.3225(2), Florida Statutes.

NOW, THEREFORE, in consideration of the covenants and conditions contained herein and of the benefits to accrue to each Party, the City and the Developer agree as follows:

1. Recitals. The foregoing recitations are true and correct and are hereby incorporated herein by reference. All exhibits to this Agreement are hereby deemed a part hereof.

2. Property Subject to this Agreement. The Property described on the attached Exhibit "A" is subject to this Agreement.

3. Ownership. BEACH ROAD DEVELOPMENT COMPANY, LLC, a Florida limited liability company, represents that it is the fee owner of the Property and as such may lawfully enter into this Agreement.

4. Consistency with the City's Comprehensive Plan. Prior to the effective date of this Agreement, the Property will be designated as Urban Fringe Community District and Resource Protection on the Future Land Use Map of the City's Comprehensive Plan, and the development permitted by this Agreement will be consistent with the City's Comprehensive Plan.

5. Consistency with the City's Land Development Regulations. The Property is currently zoned Residential Planned Development ("RPD"). Upon the Parties' compliance with their respective obligations under this Agreement, the development permitted by this Agreement will be consistent with the City's land development regulations.

6. Development of the Property.

The following development shall be permitted on the Property.

- 799 residential units, with 500 single family units and 299 multifamily units; provided, however, residential units may be converted from one type to the other using a conversion ratio of two multifamily units to one single family unit so long as the total number of residential units does not exceed 799.

- 50,000 square feet of amenity center uses, to include personal services, restaurant, club house, retail, office uses, and recreational facilities.

No building shall be more than 60 feet in height, as measured pursuant to the Bonita Springs Land Development Code.

No more than 15,000 square feet of the 50,000 square feet of amenity center uses may be retail and offices uses.

7. Rezoning. The City acknowledges that an application requesting a modification of the Property's zoning designation to allow the development permitted by this Agreement has been filed. It is the desire of all Parties that the rezoning be considered as soon as reasonably possible.

8. Public Facilities. The following public facilities will serve the Property:

a. Potable Water:	Potable water will be supplied by Bonita Springs Utilities.
b. Sanitary Sewer:	Wastewater services will be provided by Bonita Springs Utilities.
c. Solid Waste:	Solid waste service will be provided by the hauler franchised by the City.
d. Drainage:	The Property is not located within an Area of Special Flood Hazard as indicated on the Flood Insurance Rate Maps and all construction activities will be in accordance with applicable City and South Florida Water Management District permitting standards and requirements.
e. Fire and Rescue and Emergency Management Services:	Fire control and rescue services will be provided by the Bonita Springs Fire Control and Rescue District. Emergency management services will be provided by Lee County Public Safety.

f. Roads: The public transportation facilities that will serve the Property are described in Paragraph 12 of this Agreement. Internal roads serving the Property will be constructed, operated and maintained by the Developer or a community development district ("CDD") as described in Paragraph 11 of this Agreement.

9. Reservation or Dedication of Land.

a. Fire District Site: Approximately .5 acres at the location depicted on the presently pending Zoning Master Concept Plan will be dedicated to the Bonita Springs Fire Control and Rescue District ("District") for a fire and rescue services site ("Site"). If within twelve (12) months of the effective date of this Agreement, the District determines that it needs to expand the Site, the Developer shall convey to the District an additional contiguous .5 acres, provided the District grants the Developer fire protection and emergency medical services impact fee credits equal to the fair market value of the additional .5 acres conveyed to the District. Fair market value shall be determined as of the day prior to any rezoning approvals granted consistent with Paragraph 7 of this Agreement.

b. Roads: The road rights-of-way to be dedicated by the Developer are described in Paragraph 12 of this Agreement.

c. Environmental Lands: Any of the Property designated Resource Protection on the City's Future Land Use Map or designated as a preserve as a condition of zoning will be managed by a CDD or by a homeowner's association.

10. Development Permits Approved or Needed. A description of all governmental permits approved and needed is set forth on the attached Exhibit "B".

11. Community Development Districts. The City agrees that one or more CDDs may hereafter be established or an existing CDD may hereafter be modified, or any combination of the foregoing, by the Developer to provide services to any portion of the Property. Any CDD may plan, finance, acquire and construct community infrastructure that may benefit all or portions of the Property. The City further agrees that it is appropriate to grant any CDD that may hereafter be established with respect to the Property the right to exercise the general powers granted to it by Chapter 190, Florida Statutes. Nothing herein shall constrain or preclude the City from making the appropriate legislative findings when it receives a petition for the establishment of a CDD.

12. Transportation Obligations. To mitigate the impacts of the development of the Property on the City's transportation network, the Developer has agreed to enhance the City's transportation network as follows:

a. Bonita Beach Road Extension

i. The Developer shall convey or cause to be conveyed to the City or to another public entity designated by the City, which designation shall be made within sixty (60) days after the rezoning of the Property in accordance with Paragraph 7 of this Agreement, the right-of-way for the construction of Bonita Beach Road from the proposed Logan Boulevard extension (along the east side of Section 4, Township 48 South, Range 26 East in Lee County, Florida) ("Logan Boulevard Extension") to the eastern boundary of the Property as shown on the attached Exhibit "C" ("Bonita Beach Road Extension"). In the event that neither the City nor its designee, if applicable, will accept said right-of-way, the Developer shall convey or cause to be conveyed the right-of-way to a CDD or other public entity which will accept it. The right-of-way conveyed for the construction of the Bonita Beach Road Extension shall be one hundred and fifty (150) feet in width from the Logan Boulevard Extension to the western boundary of the Property and one hundred and twenty-five (125) feet in width from the western boundary of the Property to the eastern boundary of the Property. Unless otherwise agreed to by the Parties, the right-of-way for the Bonita Beach Road Extension shall be conveyed within thirty (30) days after receipt of a certificate of compliance for the construction of the Bonita Beach Road Extension as contemplated by Paragraph 12.a.ii. The Developer shall not receive road impact fee credits for the conveyance of the right-of-way for the Bonita Beach Road Extension.

ii. Within two (2) years after the rezoning of the Property in accordance with Paragraph 7 of this Agreement, the Developer shall construct or cause to be constructed the Bonita Beach Road Extension as a four lane divided urban section. The City hereby agrees to cooperate with, be a co-applicant with (if necessary), and assist the Developer in securing any permits needed for the construction of the Bonita Beach Road Extension but shall not be obligated to construct or contribute to any cost associated with the construction of the Bonita Beach Road Extension. The Developer shall not receive road impact fee credits for the construction of the Bonita Beach Road Extension.

b. Bonita Beach Road Expansion

i. The Developer shall obtain the additional right-of-way needed to expand Bonita Beach Road from two to four lanes from Bonita Grande Drive to the Logan Boulevard Extension ("Bonita Beach Road Expansion"). The right-of-way acquired shall be sufficient to provide a right-of-way one hundred and fifty (150) feet in width. Unless otherwise agreed to by the Parties, the right-of-way obtained by the Developer for the Bonita Beach Road Expansion shall be conveyed to the City or to another public entity designated by the City within ninety (90) days after receipt of a certificate of compliance for the construction of the Bonita Beach Road Expansion as contemplated by Paragraph 12.b.iii. Such conveyance shall be pursuant to the attached Exhibit "D".

ii. If the Developer is unable to obtain all or a portion of the additional right-of-way needed for the Bonita Beach Road Expansion, the City, upon the Developer's request, shall exercise its eminent domain authority to obtain the needed right-of-way. The Developer shall pay the City all documented costs incurred by the City in any such eminent domain proceeding.

iii. Within two (2) years after the rezoning of the Property in accordance with Paragraph 7 of this Agreement or after all required right-of-way is obtained, whichever occurs later, the Developer shall construct or cause to be constructed the Bonita Beach Road Expansion as a four lane divided urban section. The City hereby agrees to cooperate with, be a co-applicant with (if necessary), and assist the Developer in securing any permits needed for the construction of the Bonita

Beach Road Expansion but shall not be obligated to construct or contribute to any cost associated with the construction of the Bonita Beach Road Expansion.

iv. The Developer shall receive road impact fee credits in an amount equal to fifty percent (50%) of a maximum of Nine Million, Six Hundred Thousand Dollars ($9,600,000.00) in costs which the Developer may incur in acquiring the additional right-of-way for and constructing the Bonita Beach Road Expansion. Such road impact fee credits shall not exceed Four Million Eight Hundred Thousand Dollars ($4,800,000.00) and such amount of road impact fee credits shall not increase over time even if road impact fees increase. In the event that the Developer expends less than Nine Million, Six Hundred Thousand Dollars ($9,600,000.00) for the right-of-way and construction of the Bonita Beach Road Expansion, the Developer shall receive road impact fee credits equal to fifty percent (50%) of that lesser amount. The Developer may assign any road impact fee credits granted in accordance with this provision; provided, however, such assignment may only be for property being developed in Sections 1 and 2, Township 48 South, Range 26 East, Lee County, Florida.

c. Voluntary Contribution

i. In addition to the impact fees which will be payable to the City prior to the issuance of building permits at the rate in effect at that time, the Developer shall pay to the City a voluntary contribution equal to fifty percent (50%) of the road impact fees in effect at the time of rezoning for each single family and multi-family unit approved through the rezoning process.

ii. The voluntary contribution shall be paid to the City within thirty (30) days after the rezoning of the Property in accordance with Paragraph 7 of this Agreement and shall be used by the City for road improvements solely within the Bonita Springs Road Impact Fee Benefit District.

13. Vested Rights. The City acknowledges and agrees that the Developer's obligations under Paragraph 12 of this Agreement will expedite the construction of needed transportation facilities and will mitigate the impacts of the development of the Property on the City's transportation network. Except for the obligations set forth in Paragraph 12 of this Agreement, the City agrees that the Developer will have no responsibility for any other road improvements other than those roads which are a part of the Developer's internal roadway system. The City further agrees that if the Developer fulfills its obligations under Paragraph 12 of this Agreement, the Property shall be deemed concurrent as to transportation and shall have no other obligations under the City's Concurrency Management System as to transportation facilities.

14. Applicable Land Use Regulations. Pursuant to Section163.3223, Florida Statutes, development within the Property shall be subject to the City's land development regulations and policies governing development at the time this Agreement is executed by the City. The City may apply subsequently adopted regulations and policies only in accordance with Section 163.3233(2), Florida Statutes. The failure of this Agreement to address a particular permit, condition, term or restriction shall not relieve the Developer of the necessity of complying with the law governing said permitting requirements, conditions, term, or restriction.

15. Duration of Agreement. This Agreement shall remain in full force and effect for ten (10) years from its effective date unless terminated earlier as provided in Paragraph 16 of this Agreement. The duration of the Agreement may be extended with the Parties' mutual consent in accordance with Section 163.3229, Florida Statutes.

16. Amendments and Termination. This Agreement may only be amended or terminated with the Parties' mutual consent.

17. Periodic Review. The City shall review the development authorized by this Agreement each year this Agreement is in effect, beginning with January 1, 2006 to determine if there has been good faith compliance with the terms of this Agreement. If the City determines, on the basis of substantial competent evidence, that there has been a failure to comply in good faith with the terms of this Agreement, the City may, with the Developer's concurrence, amend this Agreement to ensure good faith compliance or may terminate the Agreement. This paragraph shall not limit or modify any other remedy available to the City, including, but not limited to, those remedies found in Paragraph 20 of this Agreement, in the event that the City determines, based on substantial competent evidence, that this development is not being constructed in accordance with all relevant development permits.

18. Status Reports. As part of the annual status report required by the Urban Fringe Community District land use category and beginning in 2006, the Developer, or its designee, shall provide a written status report to the City to allow the City to conduct its periodic review in accordance with the requirements of Section 163.3235, Florida Statutes. The status report shall include the following information:

1. a summary of the development completed for the year, to include the amount of commercial square footage and the number and type of residential units as well as an attached current site plan delineating the location of the commercial square footage, the residential units and all preserve and buffer areas;

2. the non-public recreational uses completed for the year;

3. a cumulative total of all development completed to date;

4. the locations of public sites;

5. the significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of permit;

6. the identification of undeveloped parcels that have been sold to a separate entity or developer; and

7. a statement from the Developer's environmental consultant certifying that the development is in compliance with all relevant environmental conditions and/or restrictions of the project's development permits.

19. Notices. All notices required or permitted under this Agreement shall be in writing and shall be mailed by certified mail, return receipt requested to the following addresses, or to such other person or address as any Party may designate from time to time in writing:

If to the Developer: BEACH ROAD DEVELOPMENT COMPANY, LLC
9990 Coconut Road, Suite 200
Bonita Springs, Florida 34135

Attn: James P. McGowan

with a copy to: Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe St.
Fort Myers, Florida 33901

Attn: Charles J. Basinait, Esq.

If to the City: City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, Florida 34135

Attn: City Manager

with copies to: City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, Florida 34135

Attn: City Attorney

and

City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, Florida 34135

Attn: City Clerk

20. Remedies. Any material breach of this Agreement may be enforced by either Party as against the other by appropriate action in law or equity filed in a court of competent jurisdiction; provided, however, no such action may be brought until the defaulting Party has been given notice and thirty (30) days in which to cure the default. If the default can not reasonably be cured within the thirty (30) day period, such period shall be extended if the cure is commenced within such thirty (30) days and the defaulting Party is proceeding with due diligence for such period of time reasonably required to complete such cure.

21. Governing Law. This Agreement shall be construed and interpreted according to the laws of the State of Florida, and venue with respect to any litigation between the Parties related to this Agreement shall be exclusively in Lee County, Florida.

22. Severability. If any part, term, or provision of this Agreement is held to be illegal, void, or unenforceable, the remaining portions or provisions of this Agreement shall not be affected or impaired, each remaining provision shall remain in full force and effect, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

23. Entire Agreement. This Agreement embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, regarding the development of the Property between the Parties.

24. Conflict of Laws. If state or federal laws are enacted subsequent to the execution of this Agreement which are applicable to and preclude either Party's compliance with the terms of this Agreement, this Agreement shall be modified as is necessary to comply with the relevant state or federal laws.

25. Covenants Running with the Land and Successors and Assigns. The obligations imposed and entitlements created pursuant to this Agreement shall run with and bind the Property as covenants running with the land, and this Agreement shall be binding upon and enforceable by and against the Parties hereto, their personal representatives, heirs, successors, grantees, and assigns. Subject to the prior written approval of the City, the obligations of the Developer may be assigned to one or more property owners associations or to one or more CDDs and the Developer shall thereafter be relieved of future obligations hereunder.

26 Effective Date. This Agreement shall become effective upon the later date to occur of: i. thirty (30) days after its receipt by the Florida Department of Community Affairs or ii. upon the effective date of the City's comprehensive plan amendment designating the Property as Urban Fringe Community District and Resource Protection on the City's Future Land Use Map of the City's Comprehensive Plan.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

[THIS SPACE INTENTIONALLY LEFT BLANK]

DEVELOPER:

BEACH ROAD DEVELOPMENT COMPANY, LLC, a Florida limited liability company

By: RESOURCE CONSERVATION PROPERTIES, INC., a Florida corporation, Managing Member

By: _____
James P. McGowan, Vice President

Date: 5-17-05

Witness Signature

Lillie Mordes
Print Name

Witness Signature

Linda J. Antonaccio
Print Name

STATE OF FLORIDA
COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this 17th day of May, 2005, by James P. McGowan, as Vice President RESOURCE CONSERVATION PROPERTIES, INC., a Florida corporation, as Managing Member of **BEACH ROAD DEVELOPMENT COMPANY, LLC**, a Florida limited liability company, who is personally known to me ~~or who has produced~~ _____ ~~as identification~~.

My Commission Expires:

Linda J. Antonaccio
MY COMMISSION # DD030432 EXPIRES
August 18, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

Notary Public

Linda J. Antonaccio
Print/Type Name of Notary Public

Commission No. DD030432

CITY:

ATTEST:

By: _____
City Clerk

CITY OF BONITA SPRINGS, a municipal corporation under the laws of Florida

By: _____

Approved as to Form and Legal Sufficiency

By: _____
Audrey E. Vance, City Attorney

TAL:50258:18

EXHIBIT A
LEGAL DESCRIPTION

A PORTION OF SECTIONS 1 AND 2, TOWNSHIP 48 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.89°18'12"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2,631.04 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N.89°19'10"E., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 2,629.54 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE N.89°15'00"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,062.89 FEET; THENCE S.00°45'00"E., A DISTANCE OF 7.13 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 60°18'50", A CHORD BEARING OF S.29°24'25"W., AND A CHORD LENGTH OF 16.08 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 83.50 FEET, A CENTRAL ANGLE OF 17°08'57", A CHORD BEARING OF S.50°59'21"W., AND A CHORD LENGTH OF 24.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 421.93 FEET, A CENTRAL ANGLE OF 06°20'50", A CHORD BEARING OF S.38°28'14"W., AND A CHORD LENGTH OF 46.72 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 46.74 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 24°36'12", A CHORD BEARING OF S.22°59'43"W., AND A CHORD LENGTH OF 23.86 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.05 FEET TO THE END OF SAID CURVE; THENCE S.10°41'37"W., A DISTANCE OF 16.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 77.50 FEET, A CENTRAL ANGLE OF 24°36'11", A CHORD BEARING OF S.01°36'28"E., AND A CHORD LENGTH OF 33.02 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 33.28 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 63.21 FEET, A CENTRAL ANGLE OF 41°28'44", A CHORD BEARING OF S.06°49'48"W., AND A CHORD LENGTH OF 44.77 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 45.76 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 26°53'54", A CHORD BEARING OF S.41°01'07"W., AND A CHORD LENGTH OF 27.91 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.17 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 117.50 FEET, A CENTRAL ANGLE OF 12°21'39", A CHORD BEARING OF S.48°17'15"W., AND A CHORD LENGTH OF 25.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 25.35 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 286.61 FEET, A CENTRAL ANGLE OF 19°57'14", A CHORD BEARING OF S.32°07'48"W., AND A CHORD LENGTH OF 99.31 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 99.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 19°47'28", A CHORD BEARING OF S.32°02'55"W., AND A CHORD LENGTH OF 18.90 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.00 FEET TO THE END OF SAID CURVE; THENCE S.41°56'39"W., A DISTANCE OF 57.94 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 34.30 FEET, A CENTRAL ANGLE OF 41°00'49", A CHORD BEARING OF S.26°57'38"W., AND A CHORD LENGTH OF 24.03 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 24.55 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 97.33 FEET, A CENTRAL ANGLE OF 16°43'45", A CHORD BEARING OF S.10°49'28"W., AND A CHORD LENGTH OF 28.32 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 28.42 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 173.66 FEET, A CENTRAL ANGLE OF 10°26'14", A CHORD BEARING OF S.23°56'51"W., AND A CHORD LENGTH OF 31.59 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.63 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 22.00 FEET, A CENTRAL ANGLE OF 53°27'49", A

CHORD BEARING OF S.56°00'49"W., AND A CHORD LENGTH OF 19.79 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 20.53 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 43.74 FEET, A CENTRAL ANGLE OF 28°18'10", A CHORD BEARING OF S.68°35'38"W., AND A CHORD LENGTH OF 21.39 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 21.61 FEET; THENCE S.51°53'17"W., A DISTANCE OF 18.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 147.00 FEET, A CENTRAL ANGLE OF 18°42'18", A CHORD BEARING OF S.41°12'21"W., AND A CHORD LENGTH OF 47.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 47.99 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE LEFT HAVING: A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 31°47'50", A CHORD BEARING OF S.15°57'17"W., AND A CHORD LENGTH OF 16.44 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 16.65 FEET TO THE END OF SAID CURVE; THENCE S.00°03'22"W., A DISTANCE OF 99.60 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 25°23'50", A CHORD BEARING OF S.12°45'17"W., AND A CHORD LENGTH OF 37.37 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 37.68 FEET TO THE END OF SAID CURVE; THENCE S.25°27'12"W., A DISTANCE OF 72.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 68.00 FEET, A CENTRAL ANGLE OF 19°17'07", A CHORD BEARING OF S.15°48'39"W., AND A CHORD LENGTH OF 22.78 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 22.89 FEET TO THE END OF SAID CURVE; THENCE S.06°10'05"W., A DISTANCE OF 39.67 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 46.50 FEET, A CENTRAL ANGLE OF 11°01'51", A CHORD BEARING OF S.00°39'10"W., AND A CHORD LENGTH OF 8.94 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 8.95 FEET TO THE END OF SAID CURVE; THENCE S.04°51'46"E., A DISTANCE OF 76.99 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 290.00 FEET, A CENTRAL ANGLE OF 12°06'24", A CHORD BEARING OF S.01°11'26"W., AND A CHORD LENGTH OF 61.16 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 61.28 FEET TO THE END OF SAID CURVE; THENCE S.07°14'38"W., A DISTANCE OF 38.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 23°46'45", A CHORD BEARING OF S.19°08'00"W., AND A CHORD LENGTH OF 19.57 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 19.71 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 469.77 FEET, A CENTRAL ANGLE OF 09°07'39", A CHORD BEARING OF S.35°35'13"W., AND A CHORD LENGTH OF 74.76 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 74.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 47.50 FEET, A CENTRAL ANGLE OF 15°03'30", A CHORD BEARING OF S.32°37'17"W., AND A CHORD LENGTH OF 12.45 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 12.48 FEET TO THE END OF SAID CURVE; THENCE S.25°05'32"W., A DISTANCE OF 134.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 128.00 FEET, A CENTRAL ANGLE OF 37°51'48", A CHORD BEARING OF S.06°09'38"W., AND A CHORD LENGTH OF 83.06 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 84.59 FEET TO THE END OF SAID CURVE; THENCE S.12°46'16"E., A DISTANCE OF 27.97 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 29.97 FEET, A CENTRAL ANGLE OF 60°21'58", A CHORD BEARING OF S.41°12'00"E., AND A CHORD LENGTH OF 30.14 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.58 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 88.00 FEET, A CENTRAL ANGLE OF 76°48'36", A CHORD BEARING OF S.32°58'41"E., AND A CHORD LENGTH OF 109.33 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 117.97 FEET TO THE END OF SAID CURVE; THENCE S.05°25'37"W., A DISTANCE OF 70.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 12°06'17", A CHORD BEARING OF S.00°37'32"E., AND A CHORD LENGTH OF 13.71 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 13.73 FEET TO THE END OF SAID CURVE; THENCE S.06°40'40"E., A DISTANCE OF 49.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 37°46'33", A CHORD BEARING OF S.16°45'02"W., AND A CHORD LENGTH OF 129.49 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 131.86 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 94°14'47", A CHORD BEARING OF S.11°29'05"E., AND A CHORD LENGTH OF 190.53 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 213.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF

25.00 FEET, A CENTRAL ANGLE OF 39°51'42", A CHORD BEARING OF S.38°40'38"E., AND A CHORD LENGTH OF 17.04 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 17.39 FEET TO THE POINT OF CURVATURE OF A COMPOUND CURVE TO THE RIGHT HAVING: A RADIUS OF 98.14 FEET, A CENTRAL ANGLE OF 22°30'22", A CHORD BEARING OF S.07°29'36"E., AND A CHORD LENGTH OF 38.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 38.55 FEET TO THE END OF SAID CURVE; THENCE S.01°20'37"E., A DISTANCE OF 54.56 FEET; THENCE S.11°33'05"E., A DISTANCE OF 26.09 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 23°56'39", A CHORD BEARING OF S.00°25'15"W., AND A CHORD LENGTH OF 31.12 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 31.34 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 28°30'04", A CHORD BEARING OF S.01°51'28"E., AND A CHORD LENGTH OF 42.83 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 43.28 FEET TO THE END OF SAID CURVE; THENCE S.16°06'30"E., A DISTANCE OF 104.81 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 20°01'46", A CHORD BEARING OF S.06°05'37"E., AND A CHORD LENGTH OF 30.26 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 30.41 FEET TO THE END OF SAID CURVE; THENCE S.03°55'16"W., A DISTANCE OF 114.57 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 35°38'16", A CHORD BEARING OF S.13°53'52"E., AND A CHORD LENGTH OF 34.27 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 34.83 FEET TO THE END OF SAID CURVE; THENCE S.31°43'00"E., A DISTANCE OF 22.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 23°00'29", A CHORD BEARING OF S.20°12'46"E., AND A CHORD LENGTH OF 43.88 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 44.17 FEET TO THE END OF SAID CURVE; THENCE S.08°42'31"E., A DISTANCE OF 70.09 FEET; THENCE S.00°04'22"W., A DISTANCE OF 163.51 FEET; THENCE S.89°35'46"W., A DISTANCE OF 1,786.33 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1,080.00 FEET, A CENTRAL ANGLE OF 66°53'35", A CHORD BEARING OF N.56°57'17"W., AND A CHORD LENGTH OF 1,190.50 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 1,260.90 FEET TO THE END OF SAID CURVE; THENCE N.23°30'29"W., A DISTANCE OF 881.03 FEET; THENCE S.35°48'57"W., A DISTANCE OF 970.47 FEET; THENCE S.89°36'04"W., A DISTANCE OF 2,258.30 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.01°11'45"W., ALONG SAID WEST LINE, A DISTANCE OF 1,914.34 FEET TO THE **POINT OF BEGINNING**. PARCEL CONTAINS 294.85 ACRES,

EXHIBIT B
REQUIRED PERMITS

The following is a list of the required governmental permits for development of projects within the East Bonita Active Adult Project.

1. Development Order from the City of Bonita Springs
2. Vegetation Removal Permit from City of Bonita Springs
3. Bonita Springs Utilities Construction Approval
4. FDEP General Permit for Water System Construction
5. FDEP General Permit for Wastewater System Construction
6. SFWMD Environmental Resource Permit & Water Use Permit
7. FDEP Generic Permit for Stormwater Discharge from Construction Activities (NPDES)
8. City of Bonita Springs Building Permit
9. RPD Zoning Approval from the City of Bonita Springs
10. U.S. Army Corps Permit

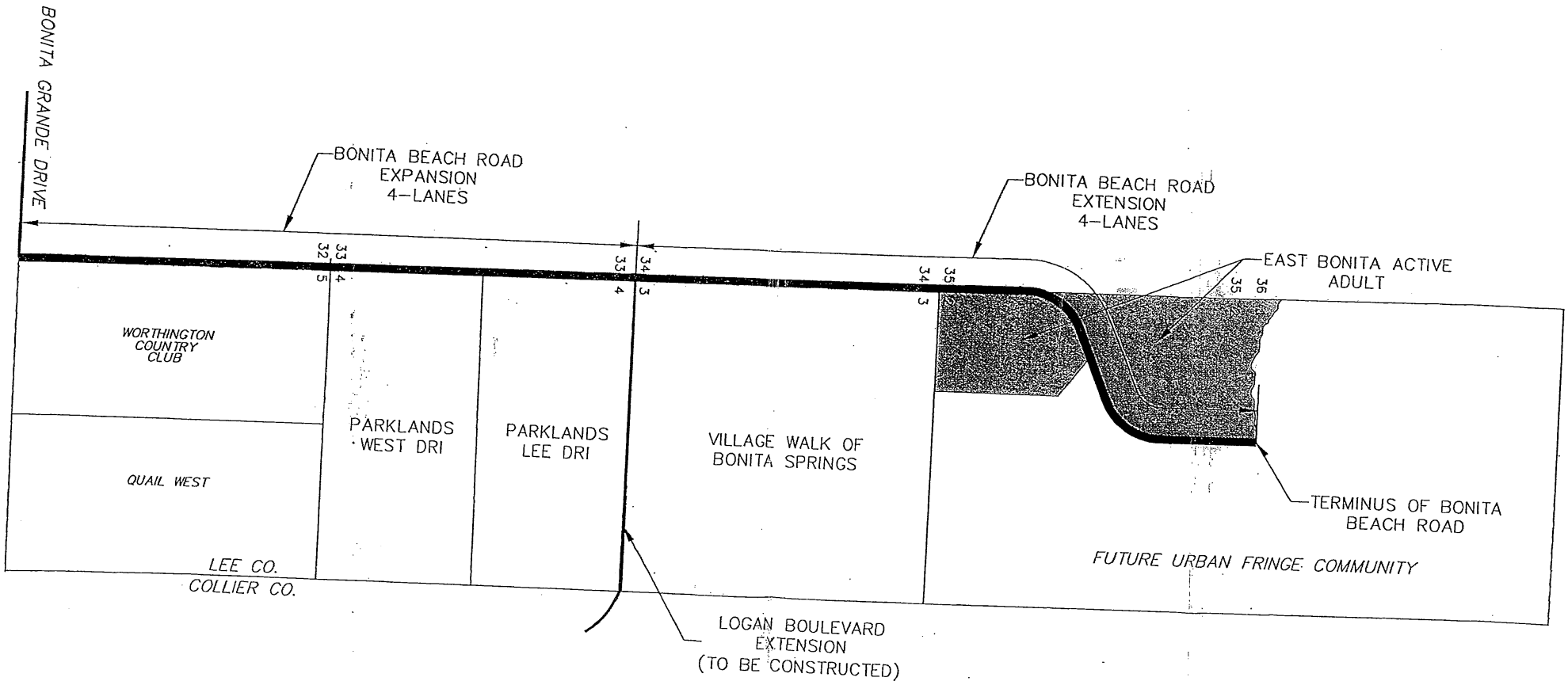

BONITA GRANDE DRIVE
BONITA BEACH ROAD
EXPANSION
4-LANES
BONITA BEACH ROAD
EXTENSION
4-LANES
EAST BONITA ACTIVE
ADULT
WORTHINGTON
COUNTRY
CLUB
QUAIL WEST
PARKLANDS
WEST DRI
PARKLANDS
LEE DRI
VILLAGE WALK OF
BONITA SPRINGS
TERMINUS OF BONITA
BEACH ROAD
FUTURE URBAN FRINGE COMMUNITY
LEE CO.
COLLIER CO.
LOGAN BOULEVARD
EXTENSION
(TO BE CONSTRUCTED)

EXHIBIT "C"

EXHIBIT D
PROCESS FOR CONVEYANCE OF RIGHT-OF-WAY

The following documents must be submitted in connection with the right-of-way dedication for Bonita Beach Road:

1. A signed and sealed ALTA Survey prepared by a licensed professional surveyor and mapper and certified to the City, encompassing the land to be dedicated to the City and covered by the title insurance policy;

2. A specimen of the deed that will be used to convey title to the appropriate governmental body;

3. An ALTA Form B title insurance policy in an amount equal to the value of the right-of-way, to be issued by a company satisfactory to the City Attorney and verifying that the proffered deed will convey unencumbered fee simple title to the appropriate governmental body; and

4. A document from the tax collector stating the current status of the property taxes.

STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES

Date: **March 21, 2004**

To: **Chip Block, Principal Planner**
From: **Alaina Ray, Environmental Planner**
Phone: (239) 479-8323
E-mail: aray@leegov.com

Project: **East Bonita Active Adult Residential Planned Development (RPD)**
Case: **DCI2004-00071**
STRAP: **01-48-26-B1-00001.0000; 02-48-26-B1-00001.0000 &.0000**

The Division of Environmental Sciences (ES) has reviewed the application for the proposed East Bonita Active Adult RPD. The following are ES staff findings and recommendations:

Vegetation:

The project site is approximately 295 acres and consists primarily of agricultural row crops. There is a 41.59 acre borrow pit on the property, which will be reshaped as part of the proposed development. The site also contains a 3.24 acre wetland which contains slash pine, cypress, red maple, cabbage palm, wax myrtle, and willow. This wetland comprises the only indigenous native plant community onsite. The proposed Master Concept Plan indicates that this wetland will be preserved. In order to confirm the preservation of the wetland, ES staff recommends the following condition:

Prior to approval of local development order, the development order plans must demonstrate the preservation of the 3.24 acre wetland, in significant compliance with the Master Concept Plan.

Open Space:

The proposed Master Concept Plan reflects the development regulations for the Urban Fringe Community District as outlined in the Bonita Springs Comprehensive Plan Amendment for Sections 1 and 2. Under the Comprehensive Plan Amendment, Urban Fringe Community District Policy 1.1.10.1 requires a total of forty percent open space for the entirety of Sections 1 and 2. This policy promotes clustering of higher density units within Section 1 to preserve environmentally critical areas to the east. Individual tracts within Sections 1 and 2 are not required to maintain open space at forty percent. Instead, the open space must be tracked throughout the development of Sections 1 and 2 to ensure that a total of 40 percent open space is

provided within the two sections. Sections 1 and 2 comprise approximately 1,299 acres, which would require approximately 520 acres of open space. To meet the intent of Policy 1.1.10.1, the proposed Master Concept Plan reflects a lower percentage of open space than the percentage that will be required for the remainder of the Urban Fringe Community District. As such, a total of 70.11 acres of open space is reflected on the Master Concept Plan. Of this, a maximum of 18.38 acres is designated as lake area. In order to maintain the required amount of open space within Sections 1 and 2, ES staff recommends the following conditions:

Prior to local development order approval, the development order plans must indicate a minimum of 70.11 acres of open space, in significant compliance with the Master Concept Plan. A maximum of 18.38 acres of open space may be designated as lake area.

Prior to local development order approval, the development order plans must include a table that provides the total open space requirement for Sections 1 and 2, the amount of open space provided within the East Bonita Active Adult RPD, and the remainder of open space required within Sections 1 and 2.

Protected Species:

A species survey of Lee County Listed Species was conducted by Passarella and Associates, Inc. on March 23 and 24, 2000. During this survey, a total of five Lee County Protected Species were observed on the property, including little blue heron, snowy egret, tri-colored heron, wood stork, and American alligators. ES staff conducted a field inspection of the site on March 22, 2005 and confirmed the findings of the species survey. ES staff observed numerous Lee County protected wading birds, including wood stork, tri-colored heron, great blue heron, little blue heron, and snowy egret. The majority of these birds were observed foraging around the shoreline of the existing borrow pit. One American alligator was also observed in the borrow pit.

The proposed project is located in a transitional area between residential development to the west and preservation land to the east. The subject property is located in close proximity to a major slough system to the south and South Florida Water Management District acquisition land to the north. Therefore, it is important for this development to provide native habitat areas suitable for supporting the large number of wading birds that can be expected to utilize this site. This project includes over 72 acres of lakes, with a majority of the lake shorelines being adjacent to managed lawns. An enhanced shoreline planting plan would provide habitat for protected wading birds, as well as reduce the amount of water directly discharged over managed turf grass into the proposed lakes. The applicant has recognized the importance of providing enhanced wading bird habitat and improving water quality. The applicant has offered an exhibit of proposed enhanced littoral planting areas for the lakes within this project. Staff agrees that these enhanced littoral areas will benefit protected wading birds and enhance this development. Therefore, ES staff recommends the following conditions:

Prior to approval of local development order, the landscape plan must include a littoral planting plan that includes expanded littoral shelves and clustering of plantings, in **significant**

compliance with the exhibit labeled "Littoral Shelf Exhibits: East Bonita Active Adult RPD" and stamped received by Division of Environmental Sciences on February 16, 2005 (attached).

The littoral zones must be planted with native wetland vegetation calculated at four plants per linear foot of shoreline. Fifty percent of the required littoral plantings must be provided as native wetland trees (e.g. red maple, cypress, pond apple, pop ash, elm) with one 10 foot or two 5 foot or three 3 foot trees being equivalent to ten herbaceous plants. Details for these plantings must be included on the landscape plan prior to approval of local development order.

As mentioned above, American alligators have been observed on the property. These alligators were seen in the wetland and in the borrow pit. In order to address the protection of this species, ES staff recommends the following condition:

Prior to approval of local development order, an American alligator management plan must be submitted to Division of Environmental Sciences for review and approval. This management plan must contain details of signs to be placed around the perimeter of lakes informing residents of the possible presence of alligators, the protected status of alligators, and that feeding or harassment of alligators is illegal. The management plan must also include an educational brochure regarding living with alligators that will be distributed to all residents.

Deviation 5:

Deviation 5 requests relief from LDC Section 10-329(d)(4) which requires lake banks to be sloped to allow bulkheads on a maximum of 20 percent of the shoreline. The applicant states that the option to use bulkheads around the amenity center would allow a more aesthetically pleasing design and allow public access to the waterline.

Bulkheads have been used within residential and commercial planned developments to increase design flexibility. The South Florida Water Management District allows the use of bulkheads on surface water management lakes provided that one linear foot of compensatory littoral zone with an 8:1 slope is provided for each linear foot of bulkhead. The 8:1 littoral area provides a good wading bird foraging area, and insures no decrease in littoral zone.

Therefore, ES staff recommends APPROVAL of Deviation 5 to be limited to the amenity center location and subject to the above littoral planting condition.

MEMORANDUM

From The

Department Of

Community Development

Development Services Division

Date: June 20, 2005

To: FILE - DCI2004-00071 FROM: Luisa Villa

RE: Notice of Public Hearing - July 6, 2005
Bonita Springs Council Zoning Hearing (1st reading)

I, Luisa Villa, 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: DCI2004-00071

NAME: East Bonita Active Adult RPD

REQUEST: A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY ROCKPOINT/RONTO NAPLES, LLC IN REFERENCE TO EAST BONITA ACTIVE ADULT RPD; APPROVING A REQUEST BY ROCKPOINT/RONTO NAPLES, LLC TO REZONE A 294.85± ACRE PARCEL FROM RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO PERMIT THE DEVELOPMENT OF UP TO 799 RESIDENTIAL DWELLING UNITS CONSISTING OF SINGLE FAMILY AND MULTIPLE FAMILY UNITS AND UP TO 50,000 SQUARE FEET OF AMENITY USES; ON LAND LOCATED AT 16350, 16750, AND 17001 BONITA BEACH ROAD, SOUTHEAST, BONITA SPRINGS, FLORIDA 34135, (STRAP NOS. 01-48-26-B1-00001.0000; 02-48-26-B1-00001.0000; 02-48-26-B2-00001.1000), ON 294.85± ACRES +/- 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 July 6, 2005 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 City Hall, 9101 Bonita Beach Road, Bonita Springs, FL 34135.

A **SECOND READING** on this matter is tentatively scheduled for July 25, 2005 July 25, 2005 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 239-949-6262, at least 48 hours prior to the meeting.

(Over)

Additional copies of the Zoning Board for Land Use Hearing's recommendation may be obtained or the file reviewed at the Zoning Division, 1500 Monroe St., Ft. Myers, FL. Telephone 479-8585 for additional information.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

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Metro Transportation
12651 McGregor Boulevard, Suite 4-403
Ft. Myers, Florida 33919-4489 (Agent)

Rockpoint/Ronto Naples, LLC
14031 Bonita Beach Road
Bonita Springs, Florida 34135 (Applicant).

Robert Mulhere, AICP
RWA, Inc.
3050 N. Horseshoe Drive, Suite 270
Naples, Florida 34104 (Agent)

Beach Road Development Company, LLC
3451 Bonita Bay Boulevard, Suite 202
Bonita Springs, Florida 34134 (Owner).

Robert Underhill
Banks Engineering, Inc.
6640 Willow Park Drive, Suite B
Naples, Florida 34109 (Agent)

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MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: May 17, 2005

TO: File -DCI2004-00071

FROM: Luisa Villa
Secretary, Internal Services

RE: Notice of Zoning Board for Land Use Hearings of the City of Bonita Springs
June 3, 3005

I, Luisa Villa, Secretary, Internal Services, Development Services Division, do hereby certify that I have mailed 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.

NOTICE TO PROPERTY OWNERS WITHIN 375 FEET

CASE NUMBER: DCI2004-00071

CASE NAME: EAST BONITA ACTIVE ADULT RPD

REQUEST: Rezone a 294.85± acre parcel from Residential Planned Development (RPD) to Residential Planned Development (RPD) to permit the development of up to 799 residential dwelling units consisting of single family and multiple family units and up to 50,000 square feet of amenity uses. Allowed amenity center uses include, but are not limited to, personal services, restaurant, clubhouse, meeting facilities, recreational facilities, and a maximum of 5,000 square feet of office and a maximum of 10,000 square feet of retail space. Maximum building height planned within this development is 60 feet.

LOCATION: The subject property is located at 16350, 16750, and 17001 Bonita Beach Road SE, Bonita Springs, FL (approx. 3.5 miles east of I-75 along the south ROW of Bonita Beach Rd., within the city of Bonita Springs), in S01 (Section)-T48 (Township)S-R26 (Range)E, Lee county, Florida.

SIZE OF PROPERTY: 295.0 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. ROBERT MULHERE
239-649-1509

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 06/03/2005 on the above case. The public hearing will be held in the Bonita Springs City Hall, 9101 Bonita Beach Road, 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) 949-6283 at least 48 hours prior to the hearing.

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

34-47-26-00-00001.0450
COOK OF BONITA SPRINGS L P
PO BOX 2307
BONITA SPRINGS, FL 34133

34-47-26-00-00001.0460
COOK OF BONITA SPRINGS L P
PO BOX 2307
BONITA SPRINGS, FL 34133

35-47-26-00-00001.0010
SOUTH FL WATER MANAGEMENT
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

35-47-26-00-00001.0080
MANLEY KENT TR
14200 BONITA BEACH RD SE
BONITA SPRINGS, FL 34135

35-47-26-00-00001.0090
MANLEY KENT TR
14200 BONITA BEACH RD SE
BONITA SPRINGS, FL 34135

35-47-26-00-00001.0200
GATEWOOD C I + IMOGENE
RR 1 BOX 375
PELHAM, NC 27311

35-47-26-00-00001.0230
PAUL SAMATHA +
800 MARTHA ST
MUNHALL, PA 15120

35-47-26-00-00001.0250
S FL WATER MGMT DISTRICT
LAND MANAGEMENT
PO BOX 24680
WEST PALM BEACH, FL 33416

36-47-26-00-00001.0080
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00001.0090
SOUTH FL WATER MGMT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00001.0100
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00001.0120
S FL WATER MGMT DISTRICT
LAND MANAGEMENT
PO BOX 24680
WEST PALM BEACH, FL 33416

36-47-26-00-00001.0130
SOUTH FL WATER MGMT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00001.0160
SOUTH FL WATER MGMT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00001.0190
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00004.0080
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00004.0050
SOUTH FL WATER MGMT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00004.0090
SOUTH FL WATER MGMT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00004.011A
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00004.012A
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

All data is current at time of printing and subject to change without notice.

36-47-26-00-00004.0130
STACK PAUL J + MARY L
1785 HUBBLE RD
HASTINGS, MI 49058

36-47-26-00-00004.0140
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00004.0210
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

03-48-26-B2-00001.0020
DIVOSTA AND COMPANY INC
4500 PGA BLVD STE 400
PALM BEACH GARDENS, FL 33418

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AVERY® 5161®

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

Ed Bower (*Bonita Springs)
Highland Woods Golf and Country Club
9100 Highland Woods Blvd.
Bonita Springs, FL 34135

Rockpoint/Ronto Naples, LLC
14031 Bonita Beach Road
Bonita Springs, FL 334135

Beach Road Development Company, LLC
3451 Bonita Bay Boulevard, Suite 202
Bonita Springs, FL 34134

Mr. Robert Mulhere, AICP
RWA, Inc.
3050 Horseshoe Drive, Suite 270
Naples, FL 34101

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 01-48-26-B1-00001.0000, 02-48-26-B1-00001.0000, 02-48-26-B2-00001.1000
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
Resource Conservation Properties, Inc.	
3451 Bonita Bay Blvd., Suite 202	
Bonita Springs, FL 34134, Managing Member	
Stockholders:	
Michelle Ukleja	19.8%
6468 Bixby Hill Road	
Long Beach, CA 90815	
Mark Ukleja	19.8%
6468 Bixby Hill Road	
Long Beach, CA 90815	
Brian Lucas	19.8%
4522 Hidden Shadow Dr.	
Tampa, FL 33614	
Kevin Lucas	19.8%
150 E 37th St. Apt. 2D	
New York, NY 10018	
Megan Lucas	19.8%
13141 Ponderosa Way	
Fort Myers, FL	
Linda S. Lucas, Director	0.5%
13141 Ponderosa Way	
Fort Myers, FL 33907	

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DCI2004-00071

Louise J. Ukleja, Director	0.5%
6468 Bixby Hill Road	
Long Beach, CA 90815	
David Lucas, Director and Chairman	0%
13141 Ponderosa Way	
Fort Myers, FL 33907	
P. Michael Ukleja, Director	0%
6468 Bixby Hill Road	
Long Beach, CA 90815	
Dennis E. Gilkey, Director & President, CEO	0%
27850 Riverwalk Way	
Bonita Springs, FL 34134	
Edward G. Beimfohr, Director	0%
99 Park Avenue	
New York, NY 10015	
Reuben F. Richards, Director	0%
8 Black River Road	
Far Hills, NJ 07931	
Harvey R. Schestag, V.P. of Finance	0%
CFO, Sec./Treasurer	
3310 Oak Hammock Court	
Bonita Springs, FL 34134	
Ed Rodgers, Vice President/General Manager of Bonita Bay	0%
3330 Oak Hammock Court	
Bonita Springs, FL 34134	
David H. Graham, Vice President of Planning & Development	0%
14780 Caleb Drive	
Fort Myers, FL 33908	
John Gleeson, Vice President/General Manager of	0%
The Brooks	
27240 Ridge Lake Court	
Bonita Springs, FL 34133	
Ms. Sabra Spaugh, Vice President of Human Resources	0%
27241 Bel Rio Drive	
Bonita Springs, FL 34135	
Mr. Jim McGowan, Vice President of Business Development	0%
PO Box 388	
Bonita Springs, FL 34133	
Ms. Katherine C. Green, Vice President/General	0%
Manager of Verandah	
1307 Plumosa Dr.	

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JAN 04 2005
PERMIT COUNTER
DCI2004-00071

Fort Myers, FL 33901	

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

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

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
Rockpoint Land Investments I, LLC	95%
The Ronto Group, Inc.	5%
Levitt and Sons, LLC	100%
7777 Glades Road, Suite 410	
Boca Raton, Florida 33434	
Elliott M. Wiener, President	

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Date of Contract: 9/27/04

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	

DCI 04-00071

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)

Brian F. Farrar
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 17 day of December 2004 by Brian Farrar, who is personally known to me or who has produced _____ N/A as identification.

Carol L. Sparks
Signature of Notary Public

(SEAL)

Carol L. Sparks
MY COMMISSION EXPIRES
October 15, 2005
#DD064838
Bonded thru
Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

CAROL L. SPARKS
Printed Name of Notary Public

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PERMIT COUNTER

DCI2004-00071

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PERMIT COUNTER

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 01-48-26-B1-00001.0000, 02-48-26-B1-00001.0000, 02-48-26-B2-00001.1000

CASE NO. DCI2004-00071

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
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Bonita Springs, FL 34134, Managing Member	
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Long Beach, CA 90815	
Mark Ukleja	19.8%
6468 Bixby Hill Road	
Long Beach, CA 90815	
Brian Lucas	19.8%
4522 Hidden Shadow Dr.	
Tampa, FL 33614	
Kevin Lucas	19.8%
150 E 37th St. Apt. 2D	
New York, NY 10018	
Megan Lucas	19.8%
13141 Ponderosa Way	
Fort Myers, FL	
Linda S. Lucas, Director	0.5%
13141 Ponderosa Way	
Fort Myers, FL 33907	

Louise J. Ukleja, Director	0.5%
6468 Bixby Hill Road	
Long Beach, CA 90815	
David Lucas, Director and Chairman	0%
13141 Ponderosa Way	
Fort Myers, FL 33907	
P. Michael Ukleja, Director	0%
6468 Bixby Hill Road	
Long Beach, CA 90815	
Dennis E. Gilkey, Director & President, CEO	0%
27850 Riverwalk Way	
Bonita Springs, FL 34134	
Edward G. Beimfohr, Director	0%
99 Park Avenue	
New York, NY 10015	
Reuben F. Richards, Director	0%
8 Black River Road	
Far Hills, NJ 07931	
Harvey R. Schestag, V.P. of Finance	0%
CFO, Sec./Treasurer	
3310 Oak Hammock Court	
Bonita Springs, FL 34134	
Ed Rodgers, Vice President/General Manager of Bonita Bay	0%
3330 Oak Hammock Court	
Bonita Springs, FL 34134	
David H. Graham, Vice President of Planning & Development	0%
14780 Caleb Drive	
Fort Myers, FL 33908	
John Gleeson, Vice President/General Manager of	0%
The Brooks	
27240 Ridge Lake Court	
Bonita Springs, FL 34133	
Ms. Sabra Spaugh, Vice President of Human Resources	0%
27241 Bel Rio Drive	
Bonita Springs, FL 34135	
Mr. Jim McGowan, Vice President of Business Development	0%
PO Box 388	
Bonita Springs, FL 34133	
Ms. Katherine C. Green, Vice President/General	0%
Manager of Verandah	

1307 Plumosa Dr.	
Fort Myers, FL 33901	

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

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

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
Rockpoint Land Investments I, LLC	**95%**
The Ronto Group, Inc.	**5%**

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)

Brian F. Farrar, Director of Land Development
(Printed or typed name of applicant)

Rockpoint/Ronto Naples, LLC
BY: The Ronto Group, Inc.

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 8th day of Oct., 2004 by **Brian F. Farrar**, who is personally known to me ~~or has produced~~ ~~as identification~~.

Carol L. Sparks
Signature of Notary Public

(SEAL)

Carol L. Sparks
MY COMMISSION EXPIRES
October 16, 2005
#DD064838
Bonded thru
Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Carol L. Sparks
Printed Name of Notary Public

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OCT 20 2004
PERMIT COUNTER

OCI2004-00071

EXHIBIT I-B-1

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear to affirm that they are the Contract Purchaser of property commonly known as **Bonita Beach Road RPD**, 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 **ROBERT MULHERE, DIRECTOR OF PLANNING FOR RWA, INC.**, as the legal representative of the property and 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 of the site. This representative will remain the only entity to authority on the property until such time as a new or amended authorization is delivered to Lee County.

Brian F. Farrar, Director of Land Development
For: Rockpoint/Ronto Naples, LLC
By: The Ronto Group, Inc

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PERMIT COUNTER

STATE OF FLORIDA
COUNTY OF LEE

DCI2004-00071

Sworn to and subscribed before me this 27th day of September, 2004, by Brian F. Farrar, who is personally known to me.

Carol L. Sparks
MY COMMISSION EXPIRES October 15, 2005
#DD064838
Bonded thru Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Carol L. Sparks
Notary Public

Carol L. Sparks
Name Typed, Printed or Stamped

LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the owners or authorized representative of property legally described as **East Bonita Active Adult R.P.D.**

The property described herein is the subject of an application for zoning and development. We hereby designate **Rockpoint/Ronto Naples, L.L.C**. 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 all development approvals on the site.

By: Beach Road Development Co., L.L.C.

David H. Graham — 10/12/04

Owner — Date

David H. Graham
Vice President of Resource Conservation Properties, Inc.
Managing Member of Beach Road Development Co., L.L.C.

RECEIVED
OCT 20 2004
PERMIT COUNTER

STATE OF FLORIDA
COUNTY OF LEE

DCI2004-00071

Sworn to (or affirmed) and subscribed before me this 12th day of OCTOBER, 2004, by **David H. Graham**, who is personally known to me or has provided _____ as identification.

MICHAELE A. JONES
MY COMMISSION # DD 118602
EXPIRES: September 17, 2006
Bonded Thru Notary Public Underwriters

Michaele A. Jones
Notary Public

Michaele A. Jones
Printed Name

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear to affirm that they are the Contract Purchaser of property commonly known as Bonita Beach Road RPD, 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 ROBERT MULHERE, DIRECTOR OF PLANNING FOR RWA, INC., and CHARLES J. BASINAIT, ATTORNEY WITH HENDERSON, FRANKLIN, STARNES AND HOLT, P.A., as the legal representatives of the property and such, these individuals are 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 of the site. These representatives will remain the only entity to authority on the property until such time as a new or amended authorization is delivered to Lee County.

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~~Brian~~ F. Farrar, Director of Land Development
For: Rockpoint/Ronto Naples, LLC
By: The Ronto Group, Inc

STATE OF FLORIDA
COUNTY OF LEE

Sworn to and subscribed before me this 17 day of December, 2004, by Brian F. Farrar, who is personally known to me or who has produced N/A as identification.

Carol L. Sparks
MY COMMISSION EXPIRES October 15, 2005
#DD064838
Bonded thru Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Carol L. Sparks
Notary Public

CAROL L. SPARKS
Name Typed, Printed or Stamped

DCI2004-00071

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned does hereby swear to affirm that they are the Contract Purchaser of a portion of the property commonly known as East Bonita Active Adult RPD, 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 Rockpoint/Ronto Naples, L.L.C. as the legal representative of the property and 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 of the site. This representative will remain the only entity of authority on the property until such time as a new or amended authorization is delivered to Lee County.

Levitt and Sons, LLC

BY: _____
Bruce J. Parker, Vice President

STATE OF FLORIDA
COUNTY OF Palm Beach

Sworn to and subscribed before me this 17th day of December, 2004, by Bruce J. Parker, who is personally known to me or who has produced _____ as identification.

NANCY J. PEFFER
Notary Public - State of Florida
My Commission Expires Jun 19, 2007
Commission # DD224367
Bonded By National Notary Assn.

_____
Notary Public

Nancy J. Peffer
Name Typed, Printed or Stamped

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JAN 04 2005

PERMIT COUNTER

DCI2004-00071

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

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

July 6, 2005

Mr. Robert Mulhere, AICP
RWA, Inc.
3050 N. Horseshoe Drive, Suite 270
Naples, FL 34104

Re: **Agenda Schedule for East Bonita Active Adult RPD**
Case No. DCI2004-00071

Dear Mr. Mulhere:

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: July 25, 2005, Meeting commences at 9:00 a.m.

LOCATION: Bonita Springs City Hall
9101 Bonita Beach Road
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.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Luisa V. Villa
Administrative Assistant

cc: Rockpoint/Ronto Naples, LLC
Beach Road Development Co. LLC
Mr. Chip Block, AICP, Principal Planner
Zoning File

U:\200507\DCI20040.007\1\APP LETTER COUNCIL 2ND.WPD

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Becky Whitney
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Brad Vance, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 06/24/2005

PROJECT NAME: EAST BONITA ACTIVE ADULT RPD

CASE #: DCI2004-00071

INFORMATION SUMMARY:

To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 07/04/2005

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Luisa V Villa

Date: 06/27/2005

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

LETTER OF TRANSMITTAL

TO: Mr. Alvin "Chip" Block

DATE: June 24, 2005

PROJECT NAME: Section One and Two Bonita Beach Road RPD

PROJECT NUMBER: 04-0039.00 and 04-0040.00

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406
JUN 24 2005
PERMIT COUNTER

We are sending the attached via:

☐ Client Pickup ☒ Delivery ☐ Mail ☐ Overnight

Action required:

☐ For approval ☐ For your use ☐ As requested ☒ For review and comment ☐ Other

COPIES	*DESCRIPTION*
1	Cover letter East Bonita Active Adult, RPD DCI2004-00071
1	Cover Letter Bonita Beach Road Estates, RPD DCI2004-00077
11	Exhibit II-B-1 Legal Description
11	Conceptual Master Plan

REMARKS:

Chip,

Attached please find your courtesy copies of the response letters to the draft ordinances provided by Audrey Vance for the above mentioned projects. Please give me a call if you have any questions or need additional information.

SIGNED: Patrick Vanasse, AICP
Principal Planner

COPY TO: Project File

DCI 2004-00071

6610 Willow Park Drive, Suite 200, Naples, Florida 34109 • (239) 597-0575, fax: (239) 597-0578 • www.consult-rwa.com

DCI 2004-00071

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June 23, 2005

Audrey E. Vance
City Attorney
City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, FL 34135

Re: East Bonita Active Adult, RPD
Zoning Case: DCI2004-00071

Dear Ms. Vance:

Thank you for your letter dated June 3, 2005, and the opportunity to review the draft ordinance for the East Bonita Active Adult, RPD. We have carefully reviewed the legal description and find it to be accurate. We have also reviewed the rest of the draft ordinance language and request the following changes.

- Page 2, **RESIDENTIAL TRACTS**: The section dealing with single-family and multiple-family tract limitations should be changed to the following:

  Dwelling Unit: Single-family (Note 29) – limited to tracts marked as "S" & "SC"
  Multiple-family building (Note 28) - limited to tracts marked as "M" & "SC"
  Townhouse (Note 28) – limited to tracts marked as "M" & "S/M"

- Page 7, 2nd paragraph: Deviation five should appear as withdrawn rather than denied. Mr. Block during the Planning Board hearing confirmed that the proposed development provided sufficient means of access and that a deviation was not require. The applicant therefore withdrew the deviation request.

I am confident that you will find our requested changes appropriate and incorporate those within the draft ordinance. The changes to the MCP correct minor omissions on our part and do not present substantive changes. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Patrick Vanasse/sap

Patrick Vanasse, AICP
Principal Planner
RWA Inc.

cc: Mr. Alvin "Chip" Block, AICP
Charles Basinait, Esq.
Client
File

DCI 2004-00071

O:\2004\04-0039.00 Sec One Bonita Beach Road RPD\0004 LPA and Council Hearings\AA Audrey Vance letter 6-20-05.doc

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Becky Whitney
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 02/04/2005

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: EAST BONITA ACTIVE ADULT RPD

CASE #: DCI2004-00071

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 02/18/2005

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: Luisa V Villa

Date: 02/08/2005

RWA INC.
CONSULTING Engineers, Surveyors & Mappers, Planners, & Project Managers

LETTER OF TRANSMITTAL

TO: Mr. Alvin "Chip" Block, Principal Planner
Lee County Community Development

DATE: February 3, 2005

PROJECT NAME: East Bonita Active Adult

PROJECT NUMBER: 04-0039.00

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We are sending the attached via:

[ ] Client Pickup [X] Delivery [ ] Mail [ ] Overnight

Action required:

[ ] For approval [ ] For your use [ ] As requested [X] For review and comment [ ] Other

COPIES	*DESCRIPTION*
12	Copies of sufficiency response letter dated February 3, 2005
12	Copies of transmitted language for the proposed Future Land Use category of Urban Fringe Community District
	DCI 2004-00071

REMARKS: If you need anything further for resubmittal, please do not hesitate to contact Patrick Vanasse or myself at (239) 649-1509.

SIGNED: Patrick Vanasse, Principal Planner

COPY TO: Brian Farrar, The Ronto Group
Chuck Basinait
File

3050 North Horseshoe Drive, Suite 270, Naples, Florida 34104 • (239) 649-1509, fax: (239) 649-7056 • www.consult-rwa.com

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February 3, 2005

DCI 2004-00071

Mr. Alvin "Chip" Block, AICP
Principal Planner
Lee County Department of Community Development
Zoning Division – for the City of Bonita Springs
9220 Bonita Beach Road, Suite 111
Bonita Springs, FL 34135

Re: East Bonita Active Adult RPD
DCI2004-00071 – PDL Application (Major PD)

Dear Mr. Block:

The consultant team for the above referenced zoning petition has thoroughly reviewed each of the items raised in your January 26, 2005, sufficiency review fax. Please find below an item-by-item response to each of the issues raised. I am confident that you and the other reviewers will find that we have addressed the sufficiency issues that have been raised, and with that finding, that you will be able to schedule this item for public hearings.

Environmental Sciences Planned Development Sufficiency Checklist:

Issue 1 (your reference 2):
Protected Species Survey. A Protected Species Survey as required by LDC Section 10-473 must be provided for large projects (as defined in LDC Chapter 10) and Major Planned Developments. [34-373(b)(2)].
Pending ES staff field verification.

Response: Pursuant to a telephone conversation with Mr. Block on January 27, 2005, the environmental checklist has been updated and this item is now deemed sufficient.

Issue 2 (your reference 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.

Response: Pursuant to a telephone conversation with Mr. Block on January 27, 2005, the environmental checklist has been updated and this item is now deemed sufficient.

Issue 3 (your reference 5):
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(e)(8)iii.]
Note #5 on sheet 3 of 3 does not match the calculations shown in the total open space table. Please clarify the amount of open space provided. Also, since this property is being developed separately from the remainder of Sections 1 and 2, how does applicant intend to track open space provided throughout the district and ensure that the appropriate amount of open space is provided?

Response: Pursuant to a telephone conversation with Mr. Block on January 27, 2005, the environmental checklist has been updated and this item is now deemed sufficient.

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Issue 4 (your reference 12.1):
Please show lake maintenance easements on MCP

Response: Pursuant to a telephone conversation with Mr. Block on January 27, 2005, the environmental checklist has been updated and this item is now deemed sufficient.

Issue 5 (your reference 12.2):
Please clarify the purpose/intent of the 500' buffer on Exhibit II-F-3.

Response: Pursuant to a telephone conversation with Mr. Block on January 27, 2005, the environmental checklist has been updated and this item is now deemed sufficient.

Issue 6 (your reference 12.3):
This area is adjacent to a critical wide-ranging wildlife corridor (bear and panther) and is part of a major flow-way that extends from the north down into Collier County. The Bonita Beach Road RPD was designed specifically with this in mind and incorporated the open space and lakes to create north/south contiguous corridors and flow-ways across the property. The proposed plan does not provide any connectivity and isolates the conservation areas and flow-ways. ES staff will likely not support any site design within Sections 1 and 2 that does not connect conservation areas to the north and south and provide wildlife corridors and flow-ways.

Response: Pursuant to a telephone conversation with Mr. Block on January 27, 2005, the environmental checklist has been updated and this item is now deemed sufficient.

Issue 7 (your reference 13):
Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist. Alaina Ray, (239) 479-8323, Bonita Springs.

Response: Acknowledged.

Bonita Springs Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning:

Issue 8 (your reference 12b):
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)].
Vehicular Access. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. [34-373(a)(6)b.]
The information submitted on January 4, 2005 does not supply the information required by this Section. Please revise the Plan to provide the exact location, as measured from an acceptable reference point, of the access point into this development.

Response: The ingress/egress points to the proposed development have been identified on the Master Concept Plan. It should be noted that this development does not have direct access to any existing easements or rights-of-way; however, as part of the comprehensive plan amendment for Sections 1 and 2, the applicant has committed to extend Bonita Beach Road as depicted.

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Issue 9(your reference 12d & 12d1):
Other Master Concept Plan Parcel Requirements. Where the subject propert is to be divided into lots or parcels, the Master Concept Plan must indicate the following: [34-373(a)(6)c.]
Parcels/Lots. The general location, configuration, and approximate dimensions of each lot or parcel (including outparcels). [34-373(a)(6)c.]
In the submittal of January 4, 2005, this item was not addressed in the correspondence from RWA. The comments jump from Staff Reference 9b to 12h. Please revise the Master Concept Plan to supply the general location, configuration, and approximate dimensions of each lot or parcek in accordance with this Section.

Response: The Master Concept Plan illustrates all development tracts, identifies the type of development for each tract, and provides development standards for all development that is proposed within the entire project. The exact layout for each lot or parcel is not yet determined and will be decided through careful analysis of market conditions as permitting for this project proceeds forward.

Issue 10 (your reference 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.]
As noted above, this item was not addressed in the January 4, 2005, submittal. Please review the following comments and provide a response as to how this has been addressed. Uses have been requested in the proposed Schedule of Uses which have not been shown on the proposed Master Concept Plan. Please revise the Plan to provide all of the information required by this Section.

Response: See response to 12d & 12d1 above.

Issue 11 (your reference 12e & 12e3):
Development Areas. Individual development areas (i.e. residential, retail, office, manufacturing, mixed use-listed, etc) must be identified with detail showing the following: [34-373(a)(6)d.]. Please refer to the following: Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type. [34-373(a)(6)d.iii.]
As noted above, this item was not addressed in the January 4, 2005 submittal. Please review the following comments and provide a response as to how these comments have been addressed. The proposed maximum number of dwelling units by type is inconsistent with the proposed dwelling unit types. Proposed are 400 multiple family units and 500 single family units. However, the proposed Schedule of Uses includes uses like: duplex, townhouse, and two-family attached units which cannot be approved in this transmitted future land use category of the Comprehensive Plan. Please revise the proposed development to only provide for the type of dwelling units which can be allowed under Policy 1.1.10.1.

Response: Response: The Urban Fringe Community District language is being revised as part of the DCA review and modifications have been made to accommodate various dwelling unit types within this new district. Please be advised that it was always our intention to include these types of dwelling units within the District. The revised District language reads as follows:

Policy 1.1.10.1 (3)

Development within the Urban Fringe District is encouraged to provide a mixture of uses, including a mixture of residential types ...

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We have been of the opinion that this language allows the full range of single family and multi-family dwelling types, including "*Duplex, Townhouse, and Two-Family attached.*" Moreover, this is consistent with the discussions held with City of Bonita staff and consultants, and the discussions which occurred at both the LPA and City Council transmittal hearings. If it is necessary to add some clarifying language (at Adoption) to the transmittal language, such as that provided below (double underlined), we will be happy to propose such to the City.

Policy 1.1.10.1 (3)

Development within the Urban Fringe District is encouraged to provide a mixture of uses, including a mixture of residential types, including but not limited to single-family attached and detached; duplexes and two family units; and, town homes and other multi-family dwelling types...

As for revising the site summary to include maximums for each dwelling unit type, the applicant has not yet determined the dwelling type mix and the exact amount of each dwelling type that will be developed. These decisions will be made by analyzing market conditions as the permitting process evolves. The following represent maximums for the various dwelling unit types; however, the aggregate of all units developed for the Bonita Beach Road Active Adult RPD shall not exceed 799 units.

DWELLING UNIT TYPES	MAXIMUM NUMBER OF UNITS
Conventional single family residence	500
Duplex	299
Zero lot line	299
Townhouse	299
Two-family attached	299
Multiple-family building	299

Issue 12 (your reference 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).

Since the January 4, 2005 submittal left out responses related to the uses of the planned development, noted above, staff still finds this item insufficient until these items have been sufficiently addressed. Previous staff comments as follows: Page 3 of the submitted Traffic Impact Statement (TIS) assumes 55% single-family units and 45% multiple family units. This, however, is inconsistent with the proposed development. Therefore, the TIS or the proposed development will have to be revised. Please revise the application as needed so that the TIS analysis and the development intensity are the same. Please revise the entire TIS, as needed, to make sure that it is consistent with the proposed development.

Response: Pursuant to a telephone conversation with Mr. Block on January 27, 2005, the TIS checklist has been updated and this item is now deemed sufficient.

Issue 13 (your reference 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):

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Concerning the January 4, 2005 submittal, Staff in review of the proposed development continues to find the following dwelling units cannot be approved within the transmitted future Land Use category: Duplex, Townhouse, and Two-Family attached. At this time the version of the land use category staff has continues to exclude certain residential uses. Please remove these from the proposed Schedule.

Response: These uses have been added to the transmitted future Land Use category. A copy of the transmitted language is attached herewith.

Issue 14 (your reference 18):
Developments of Regional Impact. Developments of Regional Impact must comply with the information submittal requirements of F.S. ch 380. (34-412(a).

The January 4, 2005 submittal indicates that a meeting would be held with DCA to address the previous staff comments. Staff is not able to find this case sufficient for hearings due to the other comments contained in the response. Staff is therefore repeating this response since no information has been supplied. Please provide a Binding Letter of Interpretation which indicates that this project with the other projects (ie. Bonita Beach Road Estates, RPD and the other unnamed development) planned in the Section and in Section 1 would not be considered a Development of Regional Impact.

Response: In light of the fact that the overall density for the East Bonita Active Adult project has been reduced to 799 units, we are now below the DRI threshold of 2000 units if one were to combine the number of units in both rezoning requests submitted to the City on lands located in Sections 1 and 2. As a consequence, these developments may not be aggregated for DRI purposes and no Binding Letter from the DCA is required. While there is land remaining in Section 1 which is not part of the two projects referenced above, no rezoning request on this land has been filed and there is no basis in law or fact, to include it as part of any DRI analysis at this time.

Issue 15 (your reference 20):
Contact. The Zoning Planner may be contacted regarding any question 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.

Response: Acknowledged.

Attachments/Exhibits:

We are enclosing the following items for distribution and review:

- Transmitted language for the proposed future Land Use category of Urban Fringe Community District.

In closing, we trust that we have responded comprehensively to your sufficiency findings and ask that this letter and the attached documents be distributed to the appropriate staff members for their expeditious review.

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Sincerely,

Robert J. Mulhere, AICP
RWA, Inc.
3050 North Horseshoe Drive, Suite 270
Naples, Florida 34104

cc: Brian Farrar, The Ronto Group
Chuck Basinait

DCI 2004-00071

Policy 1.1.10.1: **Urban Fringe Community District.** Intended to accommodate and provide flexibility for development in areas exhibiting substantial environmental resource protection lands combined with transitional urban characteristics. In order for land to be considered for this designation, land requested to be placed in this category shall be a minimum of 100 acres. Development within this category would be allowed from 2.54 to 2.77 gross dwelling units per acre (3300-3600 dwelling units for 1299 gross acres). Land developed within this Urban Fringe Community District must adhere to the following innovative design and planning principles.

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1. All new development within the Urban Fringe Community District shall be required to be zoned as a Planned Development.

2. Development within this Urban Fringe Community District will be ~~encouraged~~ required to cluster in order to minimize loss of native vegetation and wetland function. Developments within the Urban Fringe District are permitted to be clustered at higher than gross density as long as the gross density and maximum number of units are not exceeded for the total acreage within the Urban Fringe District. Significant natural systems, or wetlands which require preservation in order to comply with Local, State and Federal Permitting, shall be placed in the Resource Protection Future Land Use category and for purposes of the Urban Fringe Community District, shall be included in gross acreage for density calculations.

3. Development within the Urban Fringe Community District is encouraged to provide a mix of uses, including a mix of residential types, recreational amenities, civic spaces and convenience and commercial uses intended to serve residents and their guests in order to minimize trips outside the Urban Fringe Community District .

4. Development is encouraged to provide creative site designs, ~~including~~ requiring clustering to provide for greater common open space, and mixed-use development. Creative design techniques shall be encouraged in conjunction with planning flexibility provided through the planned development process.

   a. Residential Development. These areas shall include single and/or multiple family home site acreage, and shall include, but not be limited to, single-family attached and detached; duplexes and two-family units; and town homes and other multi-family dwelling types. Intensity/density standards for all uses within this category are set forth in the Intensity/Density Table below.

   b. Non-residential Development. These areas will include vehicular and pedestrian ways, commercial and institutional areas, club houses and associated facilities,

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[illegible]lity buildings, maintenance areas, tennis co[illegible]nd associated non-residential uses. Intensity/density standards for all uses within this category are set forth in the Intensity/Density Table below..

c. Residential and Non-residential Development acreage may account for no more than 60% of the gross area within the Urban Fringe Community Fringe District. Intensity/density standards for all uses within this category are set forth in the Intensity/Density Table below.

d. Open Spaces. These areas will include preserved natural areas, buffers lakes, parks, golf courses, nature trails, retention areas, conservation areas, scenic resources, green belts, wetlands and associated areas and must account for a minimum of 40% of the Property within the Urban Fringe Community District. Golf course fairways will account for no more than fifty percent (50%) of the open space of the subject ~~property~~Urban Fringe Community District. Intensity/density standards for all uses within this category are set forth in the Intensity/Density Table below.

e. The owners will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The owners will comply with the goals of the Audubon Cooperative Sanctuary Program for Golf Courses. The management practices will include:

i. The use of slow release fertilizers and/or carefully managed fertilizer applications which are timed to ensure maximum root uptake and minimal surface water runoff or leaching to the groundwater;

ii. The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use of the United States Department of Agriculture Soil Conservation Services Soil Pesticide Interaction Guide to select pesticides that have a minimum potential for leaching or loss to due runoff depending on the site-specific soil conditions. Application of pesticides

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within 25 feet of any Corkscrew Regional Ecosystem Watershed, or other adjacent public preserve lands, is prohibited;

iii. The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any pesticides and nutrients;

iv. The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater; and

v. The storage, mixing and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment.

f. Any required perimeter buffer zones pursuant to Policy 1.1.10.1(5)(c)(iv) must be replanted with vegetation after construction. Revegetation must adhere to the following:

i. Seventy five percent of the total number of replanted trees used in buffers and landscaping must be indigenous, and fifty percent of the replanted shrubs must be indigenous;

ii. Plant material must conform to the standards for Florida Number 1 or better as given in Grades and Standards for Nursery Plants 1973, and Grades and Standards for Nursery Plants, Part II, Florida Department of Agriculture and Consumer Services, Tallahassee.

iii. Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, queensland umbrella tree, trailing wedelia may not be used as part of the revegetation of the property after construction.

~~d.~~g. The shorelines of any stormwater management lakes must be sinuous in configuration, and must be sloped or bermed. The littoral zones around the ponds must be planted with

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native wetland herbaceous plants, and trees or shrubs can be included within the herbaceous plants. At least four species must be planted. The minimum required number of plants will be one plant per linear foot of lake shoreline as measured at the control elevation water level. The littoral shelf should provide a feeding area for water dependent avian species.

h. Height. Maximum allowable height for residential structures shall be 60 feet from the base flood elevation to the eaves.

i. In order to minimize adverse impacts that construction may have on wildlife, natural environmental values, and water quality, the developer will institute appropriate measures such as full compaction of any fill material placed around newly installed structures.

j. *Intensity/Density table.* The intensity and density standards set forth in paragraphs (a), (b), (c) and (d) above are illustrated in the following Intensity/Density Table:

Percent Aggregate Land Use Mix Within the Mixed Use Future Land Use Map Category

Land Uses in Mixed Use	Minimum % Land Use Mix	Maximum % Land Use Mix	Maximum Density/Intensity
Residential	45%	58%	2.77 gross du/ac (3300-3600 du[1])
Commercial/Non-residential[2]	2%	15%	.35 FAR
Open Space	40%	53%	.25 FAR

[1] Gross density pursuant to Policy 1.1.10.1

[2] Commercial uses, excluding recreational facilities (including, but not limited to, the clubhouse and ancillary facilities), will be limited to 5 total acres.

5. All major Resource Protection areas over 20 acres in size shall be provided public vehicular access on non-gated roadways.

a. All naturally occurring wetlands, which have not been significantly degraded, must be designated as preserve areas and be subject to a conservation easement similar to that set forth in Section 704.06, Florida Statutes. Limited uses in preserve areas such as nature trails, bike paths, cart paths, boardwalks and the like will be allowed when permitted by appropriate State and Federal agencies. The use of wetland areas for water management, to the extent

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[redacted]owed by law, will not be precluded. Wetlan[redacted]eas being used as water management areas within the Urban Fringe Community District may be relocated if all approvals are obtained from appropriate local, State and Federal agencies and (2) where the affected wetland functions are replaced on property within the Urban Edge Fringe Community District.

b. Where feasible, open space areas will be designed so as to provide connections between wetlands, preserve areas, and buffers on property within the Urban Fringe Community District. The design of these open spaces areas will seek to provide areas which will be integrated with on-site and adjacent preserve properties so as to enhance habitat for small mammals and wading birds. Golf courses, when constructed and maintained in compliance with this paragraph will be considered to be functional open space to the extent set forth above.

c. The design of functional open space areas must incorporate the following design features:

i. A surface water management system that mimics the functions of the natural system, in accordance with the following:

(a). All development proposals within the Urban Fringe Community District must recognize areas where soils, vegetation, hydrogeology, topography, and other factors indicate that water flows or ponds; and require that these areas be utilized to the maximum extent possible, without significant structural alteration, for on-site stormwater management; and require that these areas be integrated into area-wide coordinated stormwater management schemes.

(b). Where no natural features of flow or ponding exist on a site within the Urban Fringe Community Districts, the City will require that water management structures be designed and constructed in such a manner as to mimic the functions of natural systems. Special engineering and design standards for such structures will be incorporated into revised development regulations.

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(c). Within the Urban Fringe Community Districts where traditional drainage structures exist (ditches, canals, dikes, etc.), the City may permit their continued existence and maintenance, but will discourage their expansion or extension.

(d). Where feasible within future urban areas, surface water management plans are encouraged that mimic the functions of natural systems, notwithstanding the type or intensity of development permitted.

(e). The South Florida Water Management District must review any Development to ensure that adequate provision is made for an historic flowway(s) through the proposed Urban Fringe Community District.

(f). The policies above (1.1.10.1.5(c)(i))are not intended to prohibit any permissible surface water management solution that is consistent with good engineering practices and adopted environmental criteria.

ii. Any Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, queensland umbrella tree, trailing wedelia existing on the site at the time of the issuance of a development order must be removed.

iii. The vegetation that surrounds, or is within the open space areas should have the capacity to provide habitat for a diversity of wild life.

iv. For any area that drains to the Imperial River Basin, a surface water management system that is consistent with the Kehl Canal/Imperial River Basin study prepared by Agnoli, Barber & Brundage dated 1995 for the SFWMD.

v. Uses including, but not limited to, picnic areas, trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails, vita courses, bird viewing blinds/tower and interpretative facilities will be permitted within functional open areas.

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vi. Development must provide a buffer to protect adjacent natural areas from the impacts of development. The purpose of the buffer is to protect natural resources from the activities and impacts of development on property within the Urban Fringe Community District.

vii. All development must incorporate buffers, as follows, in three zones:

(a) ***Zone 1*** will be a minimum of 100 feet wide and will extend completely along all portions of the eastern and southern boundary of the Urban Fringe Community District. These are the areas of the Urban Fringe Community District which are adjacent to the Collier County Line. The buffer will consist of selected native upland forest plant species such as south Florida slash pine, live oak, laurel oak, and saw palmetto. Selected species will be tolerant of drought conditions, and will not require fertilizers and pesticides to promote growth and survival. Exotic plant species will be controlled by the periodic application of herbicides and mechanical removal. Wetland forest species will be used in situations where wetland functions remain on the Urban Fringe Community District and where soil and moisture conditions are suitable.

Zone 1 will incorporate the existing water management reservoirs which are located along the southern boundaries of the Urban Fringe Community District. These reservoirs will not require additional buffering. There will be no structures erected in Zone 1, however, passive recreation such as hiking, bird watching and nature study will be permitted. Construction of lakes in Zone 1 will be allowed. Existing berms and ditches will be allowed to remain in Zone 1.

(b) ***Zone 2*** will be adjacent to Zone 1 and will encompass an area that is at least 50 feet wide. This area will be free of lights and other structures such as fences, pools and

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sheds. The permanent placement of generators, pumps, and other fixed motors will be prohibited. Homesites may extend into Zone 2, but no portion of the residence itself may extend into this zone. If residential lots are incorporated into this zone, those portions of yard acreage will be planted and maintained in a fashion similar to that proposed for Buffer Zone 1. Passive recreation such as hiking, jogging, biking, and walking will be allowed along designated trails and boardwalk system. Golf courses and lakes may extend into this zone, but may not incorporate lights or structures other than drainage structures and cart paths. All golf course acreage in Zone 2 will be free of flights and structures and the use of golf carts will be permitted. If water, sewer or electrical lines are placed in Zone 2 they must be buried.

(c) ***Zone 3*** will be parallel to Zone 2 and will consist of residences and other infrastructure development in a 100-foot wide band. Exterior lighting in this zone may not project toward adjacent preserve land. Measures such as directional lighting, reduced-height light supports and other light abatement technology will be used.

~~e.~~

~~i. For any area that drains to the Imperial River Basin, a surface water management system that is consistent with the Kehl Canal/Imperial River Basin study prepared by Agnoli, Barber & Brundage dated 1995 for the SFWMD.~~

~~ii. Uses including, but not limited to, picnic areas, trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails, vita courses, bird viewing blinds/tower and interpretative facilities will be permitted within functional open areas.~~

~~iii. Development must provide a buffer to protect adjacent natural areas from the impacts of development. The purpose of the buffer is to protect natural resources from the activities and impacts of~~

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DCI 2004-00071

~~development on property within the U[redacted] Fringe Community District.~~

6. Land areas amended to the Urban Fringe Community District will be tracked by the City of Bonita Springs to address the following for all property within the Urban Fringe Community District:

   i. maximum number of dwelling units,

   ii. maximum square footage of commercial,

   iii. locations of public sites, and

   iv. maximum amounts of non-public recreational uses to be provided.

   a. Every development within the Urban Fringe Community District shall enter into a Developer's Agreement with the City of Bonita Springs prior to issuance of a Development Order, in accordance with §163.3220-3243, Florida Statutes or by any other mutually agreed upon legal instrument. The intent of the Developer's Agreement or appropriate legal instrument is to identify timing, density for the project, etc. to ensure that development matches the information tracked by the City.

   b. The Developer's Agreement or appropriate legal instrument will require an annual review in accordance with §163. 3220-3243.

   c. The Developer's Agreement or appropriate legal instrument will inform subsequent purchasers (excluding single lots not being subdivided) who will adhere to the requirements contained within the Developer's Agreement or appropriate legal instrument.

7. As individual zonings to RPD are submitted to the City they shall include as a minimum the following information:

   a. A showing of the amount of units as a part of the maximum approved for the parent parcel.

   b. A Traffic Analysis submitted in accordance with the City's TIS requirements verifying that adequate capacity currently exists or will exist prior to the issuance of any Certificates of Occupancy.

8. Any lands included or amended into the Urban Fringe Community District category must demonstrate the non-existence of urban sprawl by:

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a. Submitting a fiscal impact study demonstrating net fiscal benefit to the City.

b. Directing new growth to areas where public facilities exist, are planned within the City or County Five Year Capital Improvement Plan, or are committed to through a Developer Agreement, or otherwise assured to be funded by the appropriate agency.

c. Providing assurances through fiscal and other means that an amendment to the Urban Fringe Community District category will expedite any additionally needed infrastructure improvements so as to not adversely impact the surrounding community outside this District.

d. Requiring all new development to connect to central water and sewer.

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DCI 2004-00071

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

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District Two

Ray Judah
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Tammy Hall
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County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

June 15, 2005

Mr. Robert Mulhere, AICP
RWA, Inc.
3050 N. Horseshoe Drive, Suite 270
Naples, FL 34104

Re: **Agenda Schedule for East Bonita Active Adult RPD**
Case No. DCI2004-00071

Dear Mr. Mulhere:

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: July 6, 2005, Meeting commences at 5:30 p.m.

LOCATION: Bonita Springs City Hall
9101 Bonita Beach Road
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 July 25, 2005 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
Zoning Division

Luisa V. Villa
Administrative Assistant

cc: Rockpoint/Ronto Naples, LLC
Beach Road Development Co. LLC
Mr. Chip Block, AICP, Principal Planner
Zoning File

U:\200506\DCI20040.007\1\APP. LETTER COUNCIL.WPD

City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Jay Arend
Mayor

Wayne P. Edsall
Councilman
District One

Alex Grantt
Councilman
District Two

R. Robert Wagner
Councilman
District Three

John Joyce
Councilman
District Four

David T. Piper, Jr.
Councilman
District Five

Ben L. Nelson, Jr.
Councilman
District Six

Gary A. Price
City Manager
Tel. (239) 949-6238

Audrey E. Vance
City Attorney
Tel. (239) 949-6254

City Clerk/Treasurer
Tel: (239) 949-6250

Public Works
Tel: (239) 949-6246

Code Enforcement
Tel: (239) 949-6257

Parks & Recreation
Tel: (239) 992-2556

June 3, 2005

Mr. Robert Mulhere, AICP
RWA, Inc.
3050 N. Horseshoe Drive, Suite 270
Naples, Florida 34104

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JUN 08 2005
COMMUNITY DEVELOPMENT

RE: East Bonita Active Adult RPD
Case No. DCI 2004-00071

Dear Mr. Mulhere:

Enclosed is the current draft ordinance with the understanding that changes may be made by the City Council at the final hearing. Please review these drafts and let me know if any changes are necessary. City staff will also review the draft ordinance.

In an effort to prevent potential errors in the ordinance, I am also asking that you review the attached legal description to confirm it is accurately described. Please advise us in writing as soon as possible as to the results of your review, especially if the property is not completely and correctly described. We want to make any necessary changes as soon as practical to permit the ordinance to go through the first and second reading. Please provide me with any changes within ten (10) days from the date of this letter.

Please contact me if you have any questions.

Very truly yours,

Audrey E. Vance
City Attorney

AEV/dfg
Enclosure
cc: Gary A. Price, City Manager
Barbara Barnes-Buchanan, Assistant City Manager
Dianne J. Lynn, City Clerk
Debbie Muchler, Deputy City Clerk
Chip Block, AICP, Principal Planner
Jamie Princing, DCD, Admin.
Chuck Basinait, Esquire
Luisa V. Villa, DCD/Administration

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MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: May 5, 2005

TO: Alvin Block, AICP
Principal Planner

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

RE: **East Bonita Active Adult RPD**
Case No. DCI2004-00071

The proposed project is located on the south side of Bonita Beach Rd. approximately four miles east of I-75. Based on the ITE Trip Generation Report 7th Edition the project will generate 645 new trips in the peak hour. The anticipated build out year is 2008.

Based on the 2004 Traffic Count Report, the 2003/2004 -2004/2005 Concurrency Management Report, and the link-specific service volumes, *Bonita Beach Rd. east of I-75* will operate at level of service **"A"** in 2009 without the project traffic, and level of service **"B"** with the project.

Based on the volumes from approved development orders to date, and the Generalized Peak Hour Directional Service Volumes for Urbanized Areas, *Bonita Beach Rd. east of Bonita Grande Dr.* will operate at level of service **"C"** in 2009 without the project traffic, and level of service **"D"** with the project.

BGR
S:/WRITERS/RENTZRG/DCI2004-00071SUBSTANTIVETRAFFICCOMMENTS

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
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Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

May 5, 2005

Mr. Robert Mulhere, AICP
RWA, Inc.
3050 N. Horseshoe Drive, Suite 270
Naples, FL 34104

Re: Agenda Schedule for East Bonita Active Adult RPD
Case No. DCI2004-00071

Dear Mr. Mulhere:

Your zoning request has been scheduled before the Zoning Board for Land Use Hearings of the City of Bonita Springs on June 3, 2005, at 9:00 a.m. The hearing will be conducted in the Bonita Springs City Hall, 9101 Bonita Beach Road, Bonita Springs, FL 34135.

Your zoning sign will be ready for pickup any time after May 9, 2005, 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 May 19, 2005, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Luisa V. Villa
Administrative Assistant

cc: Rockpoint/Ronto Naples, LLC
Beach Road Development Co. LLC
Mr. Chip Block, AICP, Principal Planner
Zoning File

U:\200505\DCI20040.007\1\APPLICANT LETTER ZB.WPD

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	2062
CONNECTION TEL	92136099
CONNECTION ID	
ST. TIME	04/26 12:40
USAGE T	04'06
PGS.	12
RESULT	OK

Lee County Department of Community Development Zoning Division

1500 Monroe Street
Fort Myers, FL 33901

Fax Transmittal Form

To Jeremy Cox

From Luisa Villa

Organization Name/Dept: 213-6041

Phone number: 213-6099

Fax number:

Phone: 239-479-8585

Fax: 239-479-8386

- ☐ Urgent
- ☒ For Review
- ☐ Please Comment
- ☐ Please Reply

Date sent: 4-26-05

Time sent: 12:45

Number of pages including cover page: 12

Message:

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Becky Whitney
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 02/25/2005

PROJECT NAME: EAST BONITA ACTIVE ADULT RPD

CASE #: DCI2004-00071

INFORMATION SUMMARY:

To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 03/07/2005

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jodi M Payne

Date: 02/25/2005

CITY OF
BONITA SPRINGS

9220 BONITA BEACH ROAD
SUITE 111
BONITA SPRINGS, FL 34135
TEL: (239) 390-1000
FAX: (239) 390-1004
www.cityofbonitasprings.org

Jay Arend
Mayor

Wayne P. Edsall
District One

Alex Grantt
District Two

R. Robert Wagner
District Three

John Joyce
District Four

David T. 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

February 24, 2005

MR. ROBERT MULHERE
3050 N HORSESHOE DR
SUITE270
NAPLES, FL 34104

Re: EAST BONITA ACTIVE ADULT RPD
DCI2004-00071 - PDL Application (Major PD)

Dear MR. ROBERT MULHERE :

The Zoning Division has reviewed the information provided and supplemented for the rezoning request referenced above. The application is now sufficient and the formal request has been drafted from your application as follows:

Rezone a 294.85± acre parcel from Residential Planned Development (RPD) to Residential Planned Development (RPD) to permit the development of up to 900 residential dwelling units consisting of single family and multiple family units and up to 50,000 square feet of amenity uses including but not limited to personal services, restaurant, clubhouse, retail/office uses, meeting facilities and recreational facilities. Maximum building height planned within this development is 60 feet.

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 March 10, 2005 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 May 13, 2005. 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.

Sincerely,

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division
For the City of Bonita Springs

Alvin Block

Alvin Block, AICP
Principal Planner

copy w/o attachments
- Pamela Houck, Division Director
- Audrey Vance, City Attorney
- DS Reviewer - Becky Whitney
- Paul O'Connor, Planning
- Kim Trebatoski, Environmental Sciences
- Roland Ottolini, Natural Resources
- Andy Getch, LCDOT
- Tina Silcox, Lee County School District
- Jamie Princing, DCD Admin
- DCI Zoning File
- DCI Working File

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Becky Whitney
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 02/17/2005

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: EAST BONITA ACTIVE ADULT RPD

CASE #: DCI2004-00071

INFORMATION SUMMARY:

RESUBMITTAL

X To update your file
___ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 03/03/2005

Additional Comments:

Please add this to your existing review

(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: 02/18/2005

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

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FEB 17 2005
PERMIT COUNTER

February 16, 2005

Mr. Alvin "Chip" Block
Principal Planner
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: East Bonita Active Adult RPD
DCI2004-00071 – PDL Application (Major PD)
Revised Application Form

Dear Mr. Block:

It has come to my attention that as part of our latest response letter submitted on February 3, 2005, we omitted to include a revised application form in which Part III A.1. was changed to reflect the maximum unit count for all unit types proposed for this planned development. I apologize for this oversight and have attached 12 copies of the revised application form for your review. Should you have any questions please, do not hesitate to contact me at (239) 649-1509.

Sincerely,

Patrick Vanasse, AICP
Principal Planner
RWA Inc.

Encls. Revised Application Form

Cc: Client
Legal Counsel



Writer's Direct Dial Number: (239) 479-8371

CITY OF BONITA SPRINGS

Jay G. Arend
Mayor

Wayne Edsall
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Alex Grantt
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Robert Wagner
District Three

John Joyce
District Four

David Piper, Jr.
District Five

Ben L. Nelson, Jr.
District Six

Gary A. Price
City Manager

Audrey E. Vance
City Attorney

January 26, 2005

MR. ROBERT MULHERE
3050 N HORSESHOE DR
SUITE270
NAPLES, FL 34104

Re: EAST BONITA ACTIVE ADULT RPD
DCI2004-00071 - PDL Application (Major PD)

Dear MR. ROBERT MULHERE :

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
Principal Planner

xc: Dan Trescott, Southwest Florida Regional Planning Council

cc: Pamela Houck, Division Director
Audrey Vance, City Attorney
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Jamie Princing, DCD Admin
Becky Whitney, Development Review
DCI Zoning File
DCI Working File

Environmental Sciences Planned Development Sufficiency Checklist

2) Protected Species Survey. A Protected Species Survey as required by LDC Section 10-473 must be provided for large projects (as defined in LDC Chapter 10) and Major Planned Developments . [34-373(b)(2)]

Pending ES staff field verification.

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.]

Note #5 on sheet 3 of 3 does not match the calculations shown in the total open space table. Please clarify the amount of open space provided. Also, since this property is being developed seperately from the remainder of Sections 1 and 2, how does applicant intend to track open space provided throughout the district and ensure that the appropriate amount of open space is provided?

12) Miscellaneous Items.

1. Please show lake maintenance easements on MCP.

2. Please clarify the purpose/intent of the 500' buffer on Exhibit II-F-3.

3. This area is adjacent to a critical wide-ranging wildlife corridor (bear and panther) and is part of a major flow-way that extends from the north down into Collier County. The Bonita Beach Road RPD was designed specifically with this in mind and incorporated the open space and lakes to create north/south contiguous corridors and flow-ways across the property. The proposed plan does not provide any connectivity and isolates the conservation areas and flow-ways. ES staff will likely not support any site design within Sections 1 and 2 that does not connect conservation areas to the north and south and provide wildlife corridors and flow-ways.

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Alaina Ray, 239-479-8323.

Bonita Springs Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

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.

12b) Vehicular Access. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. [34-373(a)(6)b.]

The information submitted on January 4, 2005 does not supply the information required by this Section. Please revise the Plan to provide the exact location, as measured from an accepable reference point, of the access point into this development.

12d) Other Master Concept Plan Parcel Requirements. Where the subject property is to be divided into lots or parcels, the Master Concept Plan must indicate the following: [34-373(a)(6)c.]

Please refer to the following.

12d1) Parcels/Lots. The general location, configuration, and approximate dimensions of each lot or parcel (including outparcels). [34-373(a)(6)c.]

In the submittal of January 4, 2005, this item was not addressed in the correspondence from RWA. The comments jump from Staff Reference 9b. to 12h. Please revise the Master Concept Plan to supply the general location, configuration, and approximate dimensions of each lot or parcel in accordance with this Section.

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.]

As noted above this item was not addressed in the January 4, 2005 submittal. Please review the following comments and provide a response as to how this has been addressed. Uses have been requested in the proposed Schedule of Uses which have not been shown on the proposed Master Concept Plan. Please revise the Plan to provide all of the information required by this Section.

12e) Development Areas. Individual development areas (I.e. residential, retail, office, manufacturing, mixed use-listed, etc.) must be identified with detail showing the following: [34-373(a)(6)d.]

Please refer to the following.

12e3) Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type. [34-373(a)(6)d.iii.]

As noted above this item was not addressed in the January 4, 2005 submittal. Please review the following comments and provide a response as to how these comments have been addressed. The proposed maximum number of dwelling units by type is inconsistent with the proposed dwelling unit types. Proposed are 400 multiple family units and 500 single family units. However, the proposed Schedule of Uses includes uses like: duplex, townhouse, and two-family attached units which cannot be approved in this transmitted future land use category of the Comprehensive Plan. Please revise the proposed development to only provide for the type of dwelling units which can be allowed under Policy 1.1.10.1.

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)]

Since the January 4, 2005 submittal left out responses related to the uses of the planned development, noted above, staff still finds this item insufficient until these items have been sufficiently address. Prefious staff comments as follows. Page 3 of the submitted Traffic Impact Statement (TIS) assumes 55% single family units and 45% multiple family units. This, however, is inconsistent with the proposed development. Therefore, the TIS or the proposed development will have to tbe revised. Please revise the application as needed so that the TIS analysis and the development intensity are the same. Please revise the entire TIS, as needed, to make sure that it is consistent with the proposed development.

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)]

Concerning the January 4, 2005 submittal, Staff in review of the proposed development continues to find the following dwelling units cannot be approved within the transmitted future Land Use category: Duplex, Townhouse, and Two-Family attached. At this time the version of the land use category staff has continues to exclude certain residential uses. Please remove these from the proposed Schedule.

18) Developments of Regional Impact. Developments of Regional Impact must comply with the information submittal requirements of F.S. ch 380. [34-203(a)]

The January 4, 2005 submittal indicates that a meeting would be held with DCA to address the previous staff comments. Staff is not able to find this case sufficient for hearings due to the other comments contained in the response. Staff is therefore repeating this response since no information has been supplied. Please provide a Binding Letter of Interpretation which indicates that this project with the other projects (ie. Bonita Beach Road Estates, RPD and the another unnamed development) planned in this Section and in Section 1 would not be considered a Development of Regional Impact.

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.

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Becky Whitney
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 01/13/2005

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: EAST BONITA ACTIVE ADULT RPD

CASE #: DCI2004-00071

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 01/27/2005

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: Jessica M Smith

Date: 01/14/2005

RWA INC.
CONSULTING

- Planning – Visualization
- Civil Engineering
- Surveying and Mapping

DCI 2004-00071

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JAN 13 2005
ZONING COUNTER

January 10, 2005

Mr. Alvin "Chip" Block
Principal Planner
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: East Bonita Active Adult RPD
DCI2004-00071 – PDL Application (Major PD)
Replacement Letter

Dear Mr. Block:

We are submitting the attached letter and associated documents in response to your sufficiency letter faxed on November 16, 2004. Please note that the MCP has undergone significant changes. It is understood that some of your comments may no longer apply to the new MCP; however, when comments were applicable, we incorporated the necessary modifications. The application form and the Density Calculations have also been revised accordingly.

I am confident that you will find that we have appropriately addressed all issues raised in your sufficiency letter. If you have any questions please, do not hesitate to contact me at (239) 649-1509.

Sincerely,

Patrick Vanasse, AICP
Principal Planner
RWA Inc.

Encls. Sufficiency response letter and associated documents

Cc: Client
Legal Counsel

RWA INC.
CONSULTING
• Planning – Visualization
• Civil Engineering
• Surveying and Mapping

January 10, 2005

DCI 2004-00071

RECEIVED
JAN 13 2005
ZONING COUNTER

Mr. Alvin "Chip" Block, AICP
Principal Planner
Lee County Department of Community Development
Zoning Division – for the City of Bonita Springs
9220 Bonita Beach Road, Suite 111
Bonita Springs, FL 34135

Re: East Bonita Active Adult RPD
DCI2004-00071 – PDL Application (Major PD)
Replacement Letter

Dear Mr. Block:

The consultant team for the above referenced zoning petition has thoroughly reviewed each of the items raised in your November 16, 2004, sufficiency review fax. Please find below an item-by-item response to each of the issues raised. We are replacing our response letter dated December 15, 2004 with this revised letter. The only item that has been revised is Item # 26, dealing with the DRI Threshold issue. I am confident that you and the other reviewers will find that we have addressed the sufficiency issues that have been raised, and with that finding, that you will be able to schedule this item for public hearings.

Legal Requirements Sufficiency Checklist:

Issue 1 (your reference 1a2):
If the property is subject to a contract for purchase and the vendee is the applicant, the applicant must submit a notarized authorization form from the landowner. (34-202(b)(1)c.).
The Disclosure of Interest Form is incomplete. Need to provide the date of the contract for purchase.

Response: Date of contract for purchase was December 18, 2003. Revised Disclosure of Interest Form with date of contract for purchase included herewith.

Issue 2 (your reference 6c3):
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As per the above referenced LDC requirement, tie and display at least (2) coordinates on two opposing corners on Survey. "The county prefers that at least one of the coordinates be for the point of beginning". Thanks.

Response: Survey revised accordingly and attached hereto.

Issue 3 (your reference 7):
Note: "Sufficiency or non-applicability of Legal Requirements subject to change upon review of subsequent resubmittals."

Response: Acknowledged.

Issue 4 (your reference 8):
Contact. The Planner may be contacted regarding any questions on this checklist. Please contact Luis G. Machado, Planning Technician/Zoning at (239) 479-8485 or e-mail: lmachado@leegov.com.

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Response: Acknowledged.

Environmental Sciences Planned Development Sufficiency Checklist:

Issue 5 (your reference 2):
Protected Species Survey. A Protected Species Survey as required by LDC Section 10-473 must be provided for large projects (as defined in LDC Chapter 10) and Major Planned Developments. (34-373(b)(2).
Pending ES staff field verification.

Response: The subject property is presently zoned RPD, and is the subject of an approved SFWMD and Army Corps of Engineers Permit. The proposed (Transmitted) Urban Fringe Community District incorporates significant environmental protection measures which are to be adhered to in aggregate within Sections One and Two. These include: clustered development to minimize the loss of native vegetations and wetland function; requirement to place significant natural systems, or wetlands which require preservation in order to comply with local, state or federal Permitting, to be placed into the Resource Protection FLUE category; "residential" and "nonresidential" development may account for no more than 60% of the gross area within the district (in aggregate, this mans that 40% of the entire two Sections will be retained in open space, of which no more than 50% can be attributed to golf course fairways); and, a substantial buffer is provided where the proposed RPD is adjacent to natural areas. A protected species survey was provided as part of the review and approval of the Bonita Beach Road RPD covering the entirety of this project. Given that the buffering, native vegetation, and wetland preservation requirement for a flowway and wildlife corridor, we are of the opinion that the information provided is adequate to allow you to complete your review, and to address any and all environmental matters.

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Pending ES staff field verification.

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Note #5 on sheet 3 of 3 does not match the calculations shown in the total open space table. Please clarify the amount of open space provided. Also, since this property is being developed separately from the remainder of Sections 1 and 2, how does applicant intend to track open space provided throughout the district and ensure that the appropriate amount of open space is provided?

DCI 2004-00071

Response: A new Master Concept Plan (MCP) is submitted as part of this response to the sufficiency letter. The MCP has undergone significant changes and comments that applied to the old MCP have been resolved and/or appropriately addressed in the new MCP. Note #5 on sheet 3 of 3 has been eliminated and the Site Summary table that addresses open space has been carefully revised in compliance to LDC Sections (34-373(a)(6)f; 34-373(a)(8)iii.).

The MCP has also been revised to indicate the amount of open space the project provides as a percentage of the total acreage of the District (Sections One and Two), as well as the amount of area dedicated to "Residential" and "Nonresidential" Uses as a percentage of the District (Sections One and Two). The County need only add the percentages of Open Space and Residential and Nonresidential development area (as a percentage of the District) in subsequent submittal to keep a running tally and ensure that the required minimums (in aggregate for the district) are achieved. It should also be noted that the number of units in the site summary table, the schedule of uses, and the general notes have also been revised.

Issue 8 (your reference 1. under (12) Miscellaneous items:
Please show lake maintenance easements on MCP.

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Response: The new MCP depicts a 20-foot lake maintenance easement around proposed lakes.

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Please clarify the purpose/intent of the 500' buffer on Exhibit II-F-3.

Response: The term buffer was not the appropriate term. The 500 feet simply denotes the notice area (500 Foot Radius would have been a better choice for identifying purposes. The exhibit has been corrected accordingly with copies attached hereto)

Issue 10 (your reference 3. under (12) Miscellaneous items:
This area is adjacent to a critical wide-ranging wildlife corridor (bear and panther) and is part of a major flow-way that extends from the north down into Collier County. The Bonita Beach Road RPD was designed specifically with this in mind and incorporated the open space and lakes to create north/south contiguous corridors and flow-ways across the property. The proposed plan does not provide any connectivity and isolates the conservation areas and flow-ways. ES staff will likely not support any site design within Sections 1 and 2 that does not connect conservation areas to the north and south and provide wildlife corridors and flow-ways.

Response: The new Master Concept Plan provided as part of our response to your sufficiency letter depicts only one of several planned developments that will be located within this District. However, this plan, coupled with subsequent plans, will in fact, provide a flowway with a wildlife corridor adjacent to it. The large conservation areas do in fact provide for connectivity. Some smaller isolated wetlands are not connected, but anything over 20 acres in size is preserved. Please keep in mind that in addition to the flowway and wildlife corridor that will extend generally north south through the two Sections, there are substantial buffers required adjacent to natural areas, particularly along the southern boundaries of Section One and Two and the eastern boundary of Section One which will also provide for movement of wildlife, allow wildlife to avoid developed areas, and provide connectivity between natural areas to the north, east and south.

Issue 11 (your reference 13):
Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist. Alaina Ray, (239) 479-8323, Bonita Springs

Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning.

Response: Acknowledged.

Issue 12 (your reference 1):
Initiation of Application-Legal Requirements. Ownership. Except for Condominiums, Timeshare condominiums, or Subdivisions, where there is more than one owner; either legal or equitable, all such owners must jointly initiate the application or petition. (34-201(a)(1)a.) Please refer to the following:

Response: Acknowledged.

Issue 13 (your reference 1a2):
If the property is subject to a contract for purchase and the vendee is the applicant, the applicant must submit a notarized authorization form from the landowner. (34-202(b)(1)c.)
The Disclosure of Interest Form is incomplete. Please revise and resubmit the form also providing the date of the contract for purchase.

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Response: See Issue # 1, above.

Issue 14 (your reference 5):
Applications must be preserved on the official forms provided by the department, or on county-approved computer-generated forms containing the same information. (34-201-(b)(2).
The form submitted with this application is dated 4/13/2004. A check of the current application forms find that the form is now dated 9/09/2004. Please fill out and complete a new application form using this most up-to-date form.

Response: We have completed a new application and provided copies herewith.

Issue 15 (your reference 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 following:

Response: Acknowledged.

Issue 16 (your reference 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).
Please refer to the legal requirements section of this checklist for specific comments.

Response: Acknowledged, see response to Issue # 2.

Issue 17 (your reference 9b):
Description of existing conditions. The application for a Planned Development must be accompanied by the following: (34-373(a)(4).
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 abutting property. (34-373(a)(4). Staff is not able to find a map which supplies this information. Please provide a map in accordance with this Section.

DCI 2004-00071

Response: Map depicting the requested information is provided herewith.

Issue 18 (your reference 12h):
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: Open Space. The percentage of open space, unless the proposed development consists solely of conventional single family dwelling units on lots of no less than 6,500 square feet. For commercial or industrial developments, the percentage of open space within each lot or outparcel must be per 34-414(c)., (34-373(a)(6)g.)
Policy 1.1.10.1 of the City's Comprehensive Plan (as transmitted) provides that 40% of the property within the Urban Fringe Community District category must be open space. The proposed Master Concept Plan indicates a total of 35% of the tracts would be open space. Please clarify how the proposed development complies with the Comprehensive Plan, or please revise the Plan as needed to comply. The notes on the Master Concept Plan indicate that the provided open space is less than that required by the Comprehensive Plan policy. How does the applicant propose that the open space will be tracked throughout the development of the project and that is does comply with the Comprehensive Plan?

Response: The new Master Concept Plan indicates the amount of open space the project provides as a percentage of the total acreage of the District (Sections One and Two), as well as the amount of area dedicated to "Residential" and "Non-Residential" Uses as a percentage of the District (Sections One and Two). The County need only add the percentages of Open Space and Residential and Non-Residential development area (as a percentage of the District) in subsequent submittal to keep a running tally and ensure that the required minimums (in aggregate for the district) are achieved.

Issue 19 (your reference 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.)
Please revise the Plan to provide the buffers as required by this Section. These buffers have not been depicted on the submitted Master Concept Plan.

Response: All required buffers, by type and with required width indicated are depicted on the new Master Concept Plan (included with this sufficiency response).

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Issue 20 (your reference 12k):
Excavations. The general location of excavations for on-site fill and wet retention. (34-373(e)(6)j.).
Removal of excavated material cannot be approved as a new mining operation within the City Limits. However, under Chapter 10 of the Land Development Code some limited material may be allowed. Please review this and determine if you can proceed under those provisions. Please note, however, a new mining operation cannot be allowed within the City limits.

Response: Acknowledged. We will comply with the LDC provisions.

Issue 21 (your reference 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).

DCI 2004-00071

Page 3 of the submitted Traffic Impact Statement (TIS) assumes 55% single-family units and 45% multiple family units. This, however, is inconsistent with the proposed development. Therefore, the TIS or the proposed development will have to be revised. Please revise the application as needed so that the TIS analysis and the development intensity are the same. Please revise the entire TIS, as needed, to make sure that it is consistent with the proposed development.

Response: The TIS and the original Master Concept Plan were in agreement on the total number of multi-family units and single-family units. The percentages referred to on P. 3 of the TIS were rounded. The unit-count has been revised on the new MCP. The number of multi-family units has been changed to 299 and the single-family units remain the same at 500. The total number of units for the planned development is now 799. The TIS has been revised in accordance to these changes and is attached herewith.

Issue 22 (your reference 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):

Please review the proposed Schedule of Uses. In the residential tracts, please look at the following. Agricultural uses are now allowed in this transmitted future land use category. In addition, the reference to General Note #9 does not seem to apply in this instance. Blasting is not a use as defined by the Land Development Code that needs to be in the proposed Schedule of Uses. The use of Community Development District is not a use identified by the Land Development Code. The following dwelling units cannot be approved within the transmitted Future Land Use category: Duplex, Townhouse, and Two-Family attached. Please remove these from the proposed Schedule. Excavation, mining cannot be approved within the City limits as it would be inconsistent with Conservation/Coastal Management Element, Policy 17.1.1.

Response: Excavation-Mining, Blasting, and Community Development District uses have been removed from the Schedule of Uses and are addressed in the General Notes. The Urban Fringe Community District language is being revised as part of the DCA review. Language is being added that will allow interim agricultural uses. Therefore, we respectfully request that the Agricultural use be left in the schedule of uses until it can be fully assessed based on the approved District language.

As to the comment related to "Duplex, Townhouse, and Two-Family attached" not being permitted uses in the District. Please be advised that it was always our intention to include these types of dwelling units within the District. The revised District language reads as follows:

> ***Policy 1.1.10.1 (3)***
>
> ***Development within the Urban Fringe District is encouraged to provide a mixture of uses, including a mixture of residential types ...***

We have been of the opinion that this language allows the full range of single family and multi-family dwelling types, including "*Duplex, Townhouse, and Two-Family attached.*" Moreover, this is consistent with the discussions held with City of Bonita staff and consultants, and the discussions which occurred at both the LPA and City Council transmittal hearings. If it is necessary to add some clarifying language (at Adoption) to the transmittal language, such as that provided below (double underlined), we will be happy to propose such to the City.

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Policy 1.1.10.1 (3)

Development within the Urban Fringe District is encouraged to provide a mixture of uses, including a mixture of residential types, including but not limited to single-family attached and detached; duplexes and two family units; and, town homes and other multi-family dwelling types...

Issue 23 (your reference 14):
In the Amenity Center Tract, please look at the following. The same statement, as above, for the Agricultural Uses applies to this instance. See comments above for uses of blasting and the community development districts. See the comments above about Excavation, Mining use. In the Public Facilities tract, please look at the following. See above comments on the agricultural uses. Please refer to the above comments on Excavation, Mining and blasting uses.

Response: See response to Issue 23.

Issue 24 (your reference 14c):
Open Space Percentage. The proposed percentage of open space for the entire site. (34-373(a)(8)iii).
Please refer to the previous comments in this portion of the checklist concerning the amount of open space within the planned development and consistence with the transmitted Comprehensive Plan amendment.

Response: See responses to Issues 5 and 18.

Issue 25 (your reference 15a):
Deviation Documentation and Detail Drawings. Documentation including sample detail drawings must be provided illustrating how each deviation will operation to the benefit, or at least not to the detriment of the public interest. (34-412(a).
See above comments.

Response: We are not requesting a deviation form the required Open Space.

Issue 26 (your reference 18):
Developments of Regional Impact. Developments of Regional Impact must comply with the information submittal requirements of F.S. ch 380. (34-412(a).
Please provide a Binding Letter of Interpretation which indicates that this project with the other projects (ie. Bonita Beach Road Estates, RPD and the other unnamed development) planned in the Section and in Section 1 would not be considered a Development of Regional Impact.

Response: In light of the fact that the overall density for the East Bonita Active Adult project has been reduced to 799 units we are now below the DRI threshold of 2000 units if one were to combine the number of units in both rezoning requests submitted to the City on lands located in Sections 1 and 2. As a consequence, these developments may not be aggregated for DRI purposes and no Binding Letter from the DCA is required. While there is land remaining in Section 1 which is not part of the two projects referenced above, no rezoning request on this land has been filed and there is no basis in law or fact, to include it as part of any DRI analysis at this time.

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Issue 27 (your reference 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.

Response: Acknowledged.

Issue 28 (your reference 21):
Miscellaneous Items.
Please check the address of the subject property. When compared to the Property Appraiser's records, the submitted address references a parcel located outside of the City Limits of Bonita Springs.

Response: We have verified the site addresses for the three parcels and found out that one of the properties was assigned the wrong address on the County Appraiser's website. This mistake has been corrected on the website; however, this site address is now identified as "access undetermined."

STRAP	SITE ADDRESS
02-48-26-B2-00001.1000	16750 Bonita Beach Road
02-48-26-B1-00001.0000	Access Undetermined
01-48-26-B1-00001.0000	17001 Bonita Beach Road

Attachments/Exhibits:

We are enclosing the following items for distribution and review:

- Exhibit 1-F, Disclosure of Interest Form
- Revised Survey
- Revised Master Concept Plan Set.
- Revised Exhibit II-F 3, Existing Zoning & Current Land Use Map
- Revised Application
- Transportation Map
- Revised TIS

In closing, we trust that we have responded comprehensively to your sufficiency findings and ask that this letter and the attached documents be distributed to the appropriate staff members for their expeditious review.

Sincerely,

Robert J. Mulhere, AICP
RWA, Inc.
3050 North Horseshoe Drive, Suite 270
Naples, Florida 34104

cc: Brian Farrar, The Ronto Group
Chuck Basinait

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ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Becky Whitney
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 01/04/2005

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: EAST BONITA ACTIVE ADULT RPD

CASE #: DCI2004-00071

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 01/18/2005

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: 01/04/2005

RWA INC.
CONSULTING
• Engineers • Surveyors & Mappers
• Planners • Project Managers

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PERMIT COUNTER

December 30, 2004

Mr. Alvin "Chip" Block
Principal Planner
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: PUDZ-AR-4991 Sufficiency Findings

Dear Mr. Block:

We are submitting the attached letter and associated documents in response to your sufficiency letter faxed on November 16, 2004. Please note that the MCP has undergone significant changes. It is understood that some of your comments may no longer apply to the new MCP; however, when comments were applicable, we incorporated the necessary modifications. The application form and the Density Calculations have also been revised accordingly.

I am confident that you will find that we have appropriately addressed all issues raised in your sufficiency letter. If you have any questions please, do not hesitate to contact me at (239) 649-1509.

Sincerely,

DCI2004-00071

Patrick Vanasse, AICP
Principal Planner
RWA Inc.

Encls. Sufficiency response letter and associated documents

Cc: Client
Legal Counsel

RWA INC. CONSULTING
Engineers,
Surveyors & Mappers,
Planners, & Project Managers

LETTER OF TRANSMITTAL

TO: Mr. Alvin "Chip" Block, Principal Planner
Lee County Community Development

DATE: January 3, 2005

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PROJECT NAME: East Bonita Active Adult

PROJECT NUMBER: 04-0039.00

We are sending the attached via:

[ ] Client Pickup [X] Delivery [ ] Mail [ ] Overnight

Action required:

[X] For approval [ ] For your use [ ] As requested [ ] For review and comment [ ] Other

COPIES	*DESCRIPTION*
1	Cover Letter
1	Original Submittal Package
11	Copies of Submittal Packages which include the following documents:
	Copy of Sufficiency Response Letter dated 12/29/04 Copy of revised Application for Public Hearing for Planned Development Copy of Letter of Authorization from Levitt and Sons, LLC Copy of Letter of Authorization from Rockpont/Ronto Naples, LLC Copy of revised Exhibit I-F Copy of revised Exhibit II-F-3, Existing Zoning & Current Land Use Map Copy of revised Exhibit III-A-2, Density Calculations Copy of revised Boundary Survey Copy of Project Location and Surrounding Roadway Network Map Copy of revised Traffic Impact Study Copy of revised Master Concept Plan set

REMARKS: If you need anything further for resubmittal, please do not hesitate to contact Patrick Vanasse or myself at (239) 649-1509.

SIGNED: Patrick Vanasse, Principal Planner

DCI 2004-00071

COPY TO: Brian Farrar, The Ronto Group
Chuck Basinait
File

3050 North Horseshoe Drive, Suite 270, Naples, Florida 34104 • (239) 649-1509, fax: (239) 649-7056 • www.consult-rwa.com

RWA INC.
CONSULTING
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• Planners • Project Managers

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December 29, 2004

Mr. Alvin "Chip" Block, AICP
Principal Planner
Lee County Department of Community Development
Zoning Division – for the City of Bonita Springs
9220 Bonita Beach Road, Suite 111
Bonita Springs, FL 34135

Re: East Bonita Active Adult RPD
DCI2004-00071 – PDL Application (Major PD)

Dear Mr. Block,

The consultant team for the above referenced zoning petition has thoroughly reviewed each of the items raised in your November 16, 2004, sufficiency review fax. Please find below an item-by-item response to each of the issues raised. I am confident that you and the other reviewers will find that we have addressed the sufficiency issues that have been raised, and with that finding, that you will be able to schedule this item for public hearings.

Legal Requirements Sufficiency Checklist:

Issue 1 (your reference 1a2):
If the property is subject to a contract for purchase and the vendee is the applicant, the applicant must submit a notarized authorization form from the landowner. (34-202(b)(1)c.).
The Disclosure of Interest Form is incomplete. Need to provide the date of the contract for purchase.

Response: Date of contract for purchase was December 18, 2003. Revised Disclosure of Interest Form with date of contract for purchase included herewith.

Issue 2 (your reference 6c3):
If the property encompasses 10 or more acres the survey must be tied to the state plan coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment). (34-202(a)(2).
As per the above referenced LDC requirement, tie and display at least (2) coordinates on two opposing corners on Survey. "The county prefers that at least one of the coordinates be for the point of beginning". Thanks.

Response: Survey revised accordingly and attached hereto.

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Note: "Sufficiency or non-applicability of Legal Requirements subject to change upon review of subsequent resubmittals."

Response: Acknowledged.

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Response: Acknowledged.

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Environmental Sciences Planned Development Sufficiency Checklist:

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Pending ES staff field verification.

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Pending ES staff field verification.

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DCI2004-00071

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Response: The new MCP depicts a 20-foot lake maintenance easement around proposed lakes.

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Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist. Alaina Ray, (239) 479-8323, Bonita Springs

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Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning.

Response: Acknowledged.

Issue 12 (your reference 1):
Initiation of Application-Legal Requirements. Ownership. Except for Condominiums, Timeshare condominiums, or Subdivisions, where there is more than one owner; either legal or equitable, all such owners must jointly initiate the application or petition. (34-201(a)(1)a.) Please refer to the following:

Response: Acknowledged.

DCI2004-00071

Issue 13 (your reference 1a2):
If the property is subject to a contract for purchase and the vendee is the applicant, the applicant must submit a notarized authorization form from the landowner. (34-202(b)(1)c.)
The Disclosure of Interest Form is incomplete. Please revise and resubmit the form also providing the date of the contract for purchase.

Response: See Issue # 1, above.

Issue 14 (your reference 5):
Applications must be preserved on the official forms provided by the department, or on county-approved computer-generated forms containing the same information. (34-201-(b)(2).
The form submitted with this application is dated 4/13/2004. A check of the current application forms find that the form is now dated 9/09/2004. Please fill out and complete a new application form using this most up-to-date form.

Response: We have completed a new application and provided copies herewith.

Issue 15 (your reference 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 following:

Response: Acknowledged.

Issue 16 (your reference 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).
Please refer to the legal requirements section of this checklist for specific comments.

Response: Acknowledged, see response to Issue # 2.

Issue 17 (your reference 9b):
Description of existing conditions. The application for a Planned Development must be accompanied by the following: (34-373(a)(4).
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 abutting property. (34-373(a)(4). Staff is not able to find a map which supplies this information. Please provide a map in accordance with this Section.

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Response: Map depicting the requested information is provided herewith.

Issue 18 (your reference 12h):

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: Open Space. The percentage of open space, unless the proposed development consists solely of conventional single family dwelling units on lots of no less than 6,500 square feet. For commercial or industrial developments, the percentage of open space within each lot or outparcel must be per 34-414(c)., (34-373(a)(6)g.)

Policy 1.1.10.1 of the City's Comprehensive Plan (as transmitted) provides that 40% of the property within the Urban Fringe Community District category must be open space. The proposed Master Concept Plan indicates a total of 35% of the tracts would be open space. Please clarify how the proposed development complies with the Comprehensive Plan, or please revise the Plan as needed to comply. The notes on the Master Concept Plan indicate that the provided open space is less than that required by the Comprehensive Plan policy. How does the applicant propose that the open space will be tracked throughout the development of the project and that is does comply with the Comprehensive Plan?

Response: The new Master Concept Plan indicates the amount of open space the project provides as a percentage of the total acreage of the District (Sections One and Two), as well as the amount of area dedicated to "Residential" and "Non-Residential" Uses as a percentage of the District (Sections One and Two). The County need only add the percentages of Open Space and Residential and Non-Residential development area (as a percentage of the District) in subsequent submittal to keep a running tally and ensure that the required minimums (in aggregate for the district) are achieved.

Issue 19 (your reference 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.)

Please revise the Plan to provide the buffers as required by this Section. These buffers have not been depicted on the submitted Master Concept Plan.

Response: All required buffers, by type and with required width indicated are depicted on the new Master Concept Plan (included with this sufficiency response).

Issue 20 (your reference 12k):

Excavations. The general location of excavations for on-site fill and wet retention. (34-373(e)(6)j.).

Removal of excavated material cannot be approved as a new mining operation within the City Limits. However, under Chapter 10 of the Land Development Code some limited material may be allowed. Please review this and determine if you can proceed under those provisions. Please note, however, a new mining operation cannot be allowed within the City limits.

Response: Acknowledged. We will comply with the LDC provisions.

DCI2004-00071

Issue 21 (your reference 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).

Page 3 of the submitted Traffic Impact Statement (TIS) assumes 55% single-family units and 45% multiple family units. This, however, is inconsistent with the proposed development. Therefore, the TIS or the proposed development will have to be revised. Please revise the application as needed so that the TIS analysis and the development intensity are the same. Please revise the entire TIS, as needed, to make sure that it is consistent with the proposed development.

Response: The TIS and the original Master Concept Plan were in agreement on the total number of multi-family units and single-family units. The percentages referred to on P. 3 of the TIS were rounded. The unit-count has been revised on the new MCP. The number of multi-family units has been changed to 299 and the single-family units remain the same at 500. The total number of units for the planned development is now 799. The TIS has been revised in accordance to these changes and is attached herewith.

Issue 22 (your reference 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):
Please review the proposed Schedule of Uses. In the residential tracts, please look at the following. Agricultural uses are now allowed in this transmitted future land use category. In addition, the reference to General Note #9 does not seem to apply in this instance. Blasting is not a use as defined by the Land Development Code that needs to be in the proposed Schedule of Uses. The use of Community Development District is not a use identified by the Land Development Code. The following dwelling units cannot be approved within the transmitted Future Land Use category: Duplex, Townhouse, and Two-Family attached. Please remove these from the proposed Schedule. Excavation, mining cannot be approved within the City limits as it would be inconsistent with Conservation/Coastal Management Element, Policy 17.1.1.

Response: Excavation-Mining, Blasting, and Community Development District uses have been removed from the Schedule of Uses and are addressed in the General Notes. The Urban Fringe Community District language is being revised as part of the DCA review. Language is being added that will allow interim agricultural uses. Therefore, we respectfully request that the Agricultural use be left in the schedule of uses until it can be fully assessed based on the approved District language.

As to the comment related to "Duplex, Townhouse, and Two-Family attached" not being permitted uses in the District. Please be advised that it was always our intention to include these types of dwelling units within the District. The revised District language reads as follows:

> ***Policy 1.1.10.1 (3)***
>
> ***Development within the Urban Fringe District is encouraged to provide a mixture of uses, including a mixture of residential types ...***

We have been of the opinion that this language allows the full range of single family and multi-family dwelling types, including "*Duplex, Townhouse, and Two-Family attached.*" Moreover, this is consistent with the discussions held with City of Bonita staff and consultants, and the discussions which occurred at both the LPA and City Council transmittal hearings. If it is necessary to add some clarifying language (at Adoption) to the transmittal language, such as that provided below (double underlined), we will be happy to propose such to the City.

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Policy 1.1.10.1 (3)

Development within the Urban Fringe District is encouraged to provide a mixture of uses, including a mixture of residential types, including but not limited to single-family attached and detached; duplexes and two family units; and, town homes and other multi-family dwelling types...

Issue 23 (your reference 14):
In the Amenity Center Tract, please look at the following. The same statement, as above, for the Agricultural Uses applies to this instance. See comments above for uses of blasting and the community development districts. See the comments above about Excavation, Mining use. In the Public Facilities tract, please look at the following. See above comments on the agricultural uses. Please refer to the above comments on Excavation, Mining and blasting uses.

Response: See response to Issue 23.

Issue 24 (your reference 14c):
Open Space Percentage. The proposed percentage of open space for the entire site. (34-373(a)(8)iii).
Please refer to the previous comments in this portion of the checklist concerning the amount of open space within the planned development and consistence with the transmitted Comprehensive Plan amendment.

Response: See responses to Issues 5 and 18.

Issue 25 (your reference 15a):
Deviation Documentation and Detail Drawings. Documentation including sample detail drawings must be provided illustrating how each deviation will operation to the benefit, or at least not to the detriment of the public interest. (34-412(a).
See above comments.

Response: We are not requesting a deviation form the required Open Space.

Issue 26 (your reference 18):
Developments of Regional Impact. Developments of Regional Impact must comply with the information submittal requirements of F.S. ch 380. (34-412(a).
Please provide a Binding Letter of Interpretation which indicates that this project with the other projects (ie. Bonita Beach Road Estates, RPD and the other unnamed development) planned in the Section and in Section 1 would not be considered a Development of Regional Impact.

Response: We will be meeting with DCA in the very near future to discuss issuance of a Clearance Letter to confirm that the subject project and other projects do not constitute a DRI. While working with DCA on this matter we would like the review to continue so that we may be found sufficient.

Issue 27 (your reference 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.

Response: Acknowledged.

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DCI2004-00071

Issue 28 (your reference 21):
Miscellaneous Items.
Please check the address of the subject property. When compared to the Property Appraiser's records, the submitted address references a parcel located outside of the City Limits of Bonita Springs.

Response: We have verified the site addresses for the three parcels and found out that one of the properties was assigned the wrong address on the County Appraiser's website. This mistake has been corrected on the website; however, this site address is now identified as "access undetermined."

STRAP	SITE ADDRESS
02-48-26-B2-00001.1000	16750 Bonita Beach Road
02-48-26-B1-00001.0000	Access Undetermined
01-48-26-B1-00001.0000	17001 Bonita Beach Road

Attachments/Exhibits:

We are enclosing the following items for distribution and review:

- Exhibit 1-F, Disclosure of Interest Form
- Revised Survey
- Revised Master Concept Plan Set.
- Revised Exhibit II-F 3, Existing Zoning & Current Land Use Map
- Revised Application
- Transportation Map
- Revised TIS

In closing, we trust that we have responded comprehensively to your sufficiency findings and ask that this letter and the attached documents be distributed to the appropriate staff members for their expeditious review.

Sincerely,

Robert J. Mulhere, AICP
RWA, Inc.
3050 North Horseshoe Drive, Suite 270
Naples, Florida 34104

cc: Brian Farrar, The Ronto Group
Chuck Basinait

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DCI2004-00071



Writer's Direct Dial Number: 239-479-8371

CITY OF BONITA SPRINGS

Jay G. Arend
Mayor

Wayne Edsall
District One

Alex Grantt
District Two

Robert Wagner
District Three

John Joyce
District Four

David Piper, Jr.
District Five

Ben L. Nelson, Jr.
District Six

Gary A. Price
City Manager

Audrey E. Vance
City Attorney

November 16, 2004

MR. ROBERT MULHERE
3050 N HORSESHOE DR
SUITE270
NAPLES, FL 34104

Re: EAST BONITA ACTIVE ADULT RPD
DCI2004-00071 - PDL Application (Major PD)

Dear MR. ROBERT MULHERE :

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
Principal Planner

cc: Pamela Houck, Division Director
Audrey Vance, City Attorney
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Jamie Princing, DCD Admin
Becky Whitney, Development Review
DCI Zoning File
DCI Working File

Legal Requirements Sufficiency Checklist

1a2) If the property is subject to a contract for purchase and the vendee is the applicant, the applicant must submit a notarized authorization form from the landowner. [34-202(b)(1)c.]

The Disclosure of Interest Form is incomplete. Need to provide the date of the contract for purchase.

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)]

As per the above-referenced LDC requirement, tie and display at least (2) coordinates on two opposing corners on Survey. "The county prefers that at least one of the coordinates be for the point of beginning". Thanks.

7) Miscellaneous Items.

Note: "Sufficiency or non-applicability of Legal Requirements subject to change upon review of subsequent resubmittals."

8) Contact. The Planner may be contacted regarding any questions on this Checklist.

Please contact Luis G. Machado, Planning Technician / Zoning at (239) 479-8485 or e-mail: lmachado@leegov.com

Environmental Sciences Planned Development Sufficiency Checklist

2) Protected Species Survey. A Protected Species Survey as required by LDC Section 10-473 must be provided for large projects (as defined in LDC Chapter 10) and Major Planned Developments . [34-373(b)(2)]

Pending ES staff field verification.

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.]

Note #5 on sheet 3 of 3 does not match the calculations shown in the total open space table. Please clarify the amount of open space provided. Also, since this property is being developed seperately from the remainder of Sections 1 and 2, how does applicant intend to track open space provided throughout the district and ensure that the appropriate amount of open space is provided?

12) Miscellaneous Items.

1. Please show lake maintenance easements on MCP.

2. Please clarify the purpose/intent of the 500' buffer on Exhibit II-F-3.

3. This area is adjacent to a critical wide-ranging wildlife corridor (bear and panther) and is part of a major flow-way that extends from the north down into Collier County. The Bonita Beach Road RPD was designed specifically with this in mind and incorporated the open space and lakes to create north/south contiguous corridors and flow-ways across the property. The proposed plan does not provide any connectivity and isolates the conservation areas and flow-ways. ES staff will likely not support any site design within Sections 1 and 2 that does not connect conservation areas to the north and south and provide wildlife corridors and flow-ways.

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Alaina Ray, 239-479-8323.

Bonita Springs Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

1) Initiation of Application-Legal Requirements. Ownership. Except for Condominiums, Timeshare Condominiums, or Subdivisions, where there is more than one owner, either legal or equitable, all such owners must jointly initiate the application or petition. [34-201(a)(1)a.]

Please refer to the following.

1a2) If the property is subject to a contract for purchase and the vendee is the applicant, the applicant must submit a notarized authorization form from the landowner. [34-202(b)(1)c.]

The Disclosure of Interest Form is incomplete. Please revise and resubmit the form also providing the date of the contract for purchase.

5) Applications must be presented on the official forms provided by the department, or on county-approved computer-generated forms containing the same information. [34-201(b)(2)]

The form submitted with this application is dated 4/13/2004. A check of the current application forms finds that the form is now dated 9/09/2004. Please fill out and complete a new application form using this most up-to-date form.

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 following.

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)]

Please refer to the legal requirements section of this checklist for specific comments.

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.

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]

Staff is not able to find a map which supplies this information. Please provide a map in accordance with 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.

12b) Vehicular Access. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. [34-373(a)(6)b.]

Access to the development must be shown by noting the exact location into the development in accordance with this Section.

12d) Other Master Concept Plan Parcel Requirements. Where the subject property is to be divided into lots or parcels, the Master Concept Plan must indicate the following: [34-373(a)(6)c.]

Please refer to the following.

12d1) Parcels/Lots. The general location, configuration, and approximate dimensions of each lot or parcel (including outparcels). [34-373(a)(6)c.]

Please revise the Master Concept Plan to supply the general location, configuration, and approximate dimensions of each lot or parcel in accordance with this Section.

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.]

Uses have been requested in the proposed Schedule of Uses which have not been shown on the proposed Master Concept Plan. Please revise the Plan to provide all of the information required by this Section.

12e) Development Areas. Individual development areas (i.e. residential, retail, office, manufacturing, mixed use-listed, etc.) must be identified with detail showing the following: [34-373(a)(6)d.]

Please refer to the following.

12e3) Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type. [34-373(a)(6)d.iii.]

The proposed maximum number of dwelling units by type is inconsistent with the poposed dwelling unit types. Proposed are 400 multiple family units and 500 single family units. However, the proposed Schedule of Uses includes uses like: duplex, townhouse, and two-family attached units which cannot be approved in this transmitted future land use category of the Comprehensive Plan. Please revise the proposed development to only provide for the type of dwelling units which can be allowed under Policy 1.1.10.1.

12h) Open Space. The percentage of open space, unless the proposed development consists solely of conventional single family dwelling units on lots of no less than 6,500 square feet. For commercial or industrial developments, the percentage of open space within each lot or outparcel must be per 34-414(c). [34-373(a)(6)g.]

Policy 1.1.10.1 of the City's Comprehensive Plan (as transmitted) provides that 40% of the property within the Urban Fringe Community District category must be open space. The proposed Master Concept Plan indicates a total of 35% of the tracts would be open space. Please clarify how the proposed development complies with the Comprehensive Plan, or please revise the Plan as needed to comply. The notes on the Master Concept Plan indicate that the provided open space is less than that required by the Comprehensive Plan policy. How does the applicant proposed that the open space will be tracked throughout the development of the project and that it does comply with the Comprehensive Plan?

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.]

Please revise the Plan to provide the buffers as required by this Section . These buffers have not been depicted on the submitted Master Concept Plan.

12k) Excavations. The general location of excavations for on-site fill and wet retention. [34-373(a)(6)j.]

Removal of excavated material cannot be approved as a new mining operation within the City Limits. However, under Chapter 10 of the Land Development Code some limited material may be allowed. Please review this and determine if you can proceed under those provisions. Please note however a new mining operation cannot be allowed witin the City limits.

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)]

Page 3 of the submitted Traffic Impact Statement (TIS) assumes 55% single family units and 45% multiple family units. This, however, is inconsistent with the proposed development. Therefore, the TIS or the proposed development will have to tbe revised. Please revise the application as needed so that the TIS analysis and the development intensity are the same. Please revise the entire TIS, as needed, to make sure that it is consistent with the proposed development.

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)]

Please review the proposed Schedule of Uses. In the residential tracts, please look at the following. Agricultural uses are not allowed in the transmitted future land use category. In addition, the reference to General Note #9 does not seem to apply in this instance. Blasting is not a use as defined by the Land Development Code that needs to be in the proposed Schedule of Uses. The use of Community Development District is not a use identified by the Land Development Code. The following dwelling units cannot be approved within the transmitted future Land Use category: Duplex, Townhouse, and Two-Family attached. Please remove these from the proposed Schedule. Excavation, mining cannot be approved within the City limits as it would be inconsistent with Conservation/Coastal Management Element, Policy 17.1.1.

In the Amenity Center Tract, please look at the following. The same statement, as above, for the Agricultural Uses applies in this instance. See comments above for uses of blasting and the community development districts. See the comments above about Excavation, Mining use.

And in the Public Facilities tract, please look at the following. See above comments on the agricultural uses. Please refer to the above comments on Excavation, Minning and blasting uses.

14c) Open Space Percentage. The proposed percentage of open space for the entire site. [34-373(a)(8)iii.]

Please refer to the previous comments in this portion of the checklist concerning the amount of open space within the planned development and consistency with the transmitted Comprehensive Plan amendment.

15a) Deviation Documentation and Detail Drawings. Documentation including sample detail drawings must be provided illustrating how each deviation will operate to the benefit, or at least not to the detriment, of the public interest. [34-412(a)]

See above comments.

18) Developments of Regional Impact. Developments of Regional Impact must comply with the information submittal requirements of F.S. ch 380. [34-203(a)]

Please provide a Binding Letter of Interpretation which indicates that this project with the other projects (ie. Bonita Beach Road Estates, RPD and the another unnamed development) planned in this Section and in Section 1 would not be considered a Development of Regional Impact.

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.

21) Miscellaneous Items.

Please check the address of the subject property. When compared to the Property Appraiser's records, the submited address references a parcel located outside of the City Limits of Bonita Springs.

Jodi Payne - RE: DCI2004-00071 East Bonita Active Adult RPD (New Case)

From: "Audrey Vance" <audrey.vance@cityofbonitasprings.org>
To: "Jodi Payne" <JPAYNE@leegov.com>
Date: 10/27/2004 11:03 AM
Subject: RE: DCI2004-00071 East Bonita Active Adult RPD (New Case)
CC: "Pam Houck" <PHOUCK@leegov.com>, "Jay Arend" <jay.arend@cityofbonitasprings.org>, "Dianne Lynn" <dianne.lynn@cityofbonitasprings.org>, "Mary Gibbs" <GIBBSMX@leegov.com>, "Alvin Chip Block" <BLOCKAH@leegov.com>

Chip or Jody:

The Mayor looked at the e-mail. 16350 Bonita Beach Road is not in Bonita Springs and is owned by the SFWMD. Please see if the information submitted is correct.

Audrey E. Vance
City Attorney
City of Bonita Springs
9220 Bonita Beach Road #108
Bonita Springs, Florida 34135
(239) 390-1000 FAX (239) 390-3274
audrey.vance@cityofbonitasprings.org

-----Original Message-----
From: Jodi Payne [mailto:JPAYNE@leegov.com]
Sent: Tuesday, October 26, 2004 10:06 AM
To: Audrey Vance
Cc: Pam Houck
Subject: DCI2004-00071 East Bonita Active Adult RPD (New Case)

Location: 16350, 16750, and 17001 Bonita Beach Road SE, Bonita Springs, FL 34135

Request: APPLICATION FOR construction of 500 single family and 400 multiple family dwelling units along with 50,000 sq ft of Amenity Center uses to include retail and office space.

Size of Property: 294.85 +/- acres

Jodi Payne
Administrative Assistant
DCD - Administration
JPayne@leegov.com
phone: (239) 479-8446
fax: (239) 479-8386

Please note: Florida has a very broad public records law. Most written communications to or from Bonita Springs
officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Alvin Chip Block
To: Payne, Jodi; Vance, Audrey
Date: 10/27/04 1:15PM
Subject: RE: DCI2004-00071 East Bonita Active Adult RPD (New Case)

I'll make sure that this is addressed as part of the sufficiency comments. They may have supplied the wrong address for the right

The site is one of those annexed into the City and which had a recent comprehensive plan amendment approved.

Chip Block

Alvin Block, AICP
Principal Planner
Department of Community Development
blockah@leegov.com
239-479-8371
239-479-8313 (fax)

>>> "Audrey Vance" <audrey.vance@cityofbonitasprings.org> 10/27/04 11:09AM >>>
Chip or Jody:

The Mayor looked at the e-mail. 16350 Bonita Beach Road is not in Bonita Springs and is owned by the SFWMD. Please see if the information submitted is correct.

Audrey E. Vance
City Attorney
City of Bonita Springs
9220 Bonita Beach Road #108
Bonita Springs, Florida 34135
(239) 390-1000 FAX (239) 390-3274
audrey.vance@cityofbonitasprings.org

-----Original Message-----
From: Jodi Payne [mailto:JPAYNE@leegov.com]
Sent: Tuesday, October 26, 2004 10:06 AM
To: Audrey Vance
Cc: Pam Houck
Subject: DCI2004-00071 East Bonita Active Adult RPD (New Case)

Location: 16350, 16750, and 17001 Bonita Beach Road SE, Bonita Springs, FL 34135

Request: APPLICATION FOR construction of 500 single family and 400 multiple family dwelling units along with 50,000 sq ft of Amenity Center uses to include retail and office space.

Size of Property: 294.85 +/- acres

Jodi Payne
Administrative Assistant
DCD - Administration
JPayne@leegov.com

phone: (239) 479-8446
fax: (239) 479-8386

Please note: Florida has a very broad public records law. Most written communications to or from Bonita Springs
officials regarding City business are public records available to the public and media upon request. Your e-mail
communications may be subject to public disclosure.

CC: Arend, Jay; Gibbs, Mary; Houck, Pam; Lynn, Dianne

RWA INC.
CONSULTING
• Planning – Visualization
• Civil Engineering
• Surveying and Mapping

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PERMIT COUNTER

October 19, 2004

Mr. Alvin "Chip" Block
Principal Planner
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

DCI2004-00071

Subject: East Bonita Active Adult RPD

Dear Mr. Block:

We are submitting the attached documents pertaining to the rezoning of a portion of the Bonita Beach Road RPD, located within Sections 1 and 2 that were recently annexed into the City of Bonita Springs.

In order to facilitate your review, we include the following table that presents certain development parameters outlined in the recently transmitted City of Bonita Springs Comprehensive Plan Amendment. The Comprehensive Plan Amendment, currently under review by DCA, establishes the new Future Land Use Map (FLUM) designation of Urban Fringe Community District, which specifically applies to Sections 1 and 2.

DEVELOPMENT PARAMETER	EAST BONITA ACTIVE ADULT RPD
Maximum Dwelling Units: 3300-3600 for the 1299 gross acres	900 units
Residential and non-residential development acreage may account for no more than 60% of the gross area of the Urban Fringe Community District	66%
Open Space: must account for a minimum of 40% of the property within the Urban Fringe Community District	42%
Open Space: golf course fairways will account for no more than 50% of the open space of the subject property.	N/A

It should be noted that the parameters outlined above apply to the entire Urban Fringe Community District and not to individual developments within this district. As can be seen from

this table, the East Bonita Active Adult RPD slightly exceeds the maximum residential and non-residential development acreage parameter, as is allowed by this district in order to promote clustering of development away from environmentally sensitive areas. Consequently, future projects within this district will need to have a smaller development footprint and provide more open space to ensure that the district parameters are respected. Subsequent projects will present a similar table that tracks the number of units, residential and non-residential coverage, and open space for the individual projects and for the entire district.

We understand that no public hearings will be scheduled until the plan is found to be in effect.

Please do not hesitate to contact Robert Mulhere, RWA Consulting, Inc. at (239) 649-1509 should you have any questions regarding this matter.

Sincerely,

Robert J. Mulhere/vgp

Robert J. Mulhere
Director of Planning
RWA Inc.

Encls. Rezoning Submittal

Cc: Client
Legal Counsel

RECEIVED
OCT 21 2004
PERMIT COUNTER
DCI2004-00071

RWA INC.
CONSULTING Engineers, Surveyors & Mappers, Planners, & Project Managers

LETTER OF TRANSMITTAL

TO: Lee County Community Development

DATE: October 19, 2004

PROJECT NAME: East Bonita Active Adult

PROJECT NUMBER: 04-0039.00

We are sending the attached via:

[ ] Client Pickup [X] Delivery [ ] Mail [ ] Overnight

Action required:

[X] For approval [ ] For your use [ ] As requested [ ] For review and comment [ ] Other

COPIES	*DESCRIPTION*
1	Table of Contents
1	Consultant Team
1	The Ronto Group Check #15937 in the amount of $19,792.00 for application fee
13	1 original and 12 copies of Completed Application
2	1 original and 1 copy of Notarized Authorization Form for Brian Farrar, The R onto Group (Exhibit I-B-1)
2	1 original and 1 copy of Notarized Authorization Form for David Graham, Beach Road Development Co. L.L.C
2	Copies of List of Property Owners (Exhibit I-B-3)
2	1 original and 1 copy of Notarized Covenant of Unified Control (Exhibit I-B-4)
1	Surrounding Property Owners List (Exhibit I-B-5)
2	Property Owners Map (Exhibit I-B-6)
1	Mailing Labels for Surrounding Property Owners (Exhibit I-B-7)
2	1 original and 1 copy of Notarized Disclosure Form (Exhibit I-F)
13	Copies of Legal Description (Exhibit II-B-1) + disk
13	Certified Sketch of Description (Boundary Survey) (Exhibit II-B-2)
13	Area Location Map (Exhibit II-D)
13	Bonita Springs Comprehensive Plan Amendment (Exhibit II-E-1)
13	Narrative Statement – Compliance with City of Bonita Springs Comprehensive Plan (Exhibit II-E-2)
13	Compliance with Design Standards (Exhibit II-E-4)
13	Compliance with Decision Making Guidelines (Exhibit II-E-5)
13	Environmental Sensitive Lands Map (Exhibit II-F-1)
4	Environmental Assessment including Protected Species Management Plan (Exhibit II-

3050 North Horseshoe Drive, Suite 270, Naples, Florida 34104 • (239) 649-1509, fax: (239) 649-7056 • www.consult-rwa.com

	F-2)
13	Existing Zoning and Current Land Use Map (Exhibit II-F-3)
13	Soils, Vegetation and Ground Cover Map (Exhibit II-F-4)
13	Topography Map (Exhibit II-F-5)
13	Density Calculations (Exhibit III-A-2)
13	Sanitary Sewer Facilities (Exhibit III-B-3)
4	Traffic Impact Statement (Exhibit III-C)
13	Description of proposed development (Exhibit IV-D)
13	Master Concept Plan (Exhibit IV-E)
1	11 x 17 copy of Master Concept Plan (Exhibit IV-E)
13	Schedule of Uses (Exhibit IV-G)
13	Schedule of Deviations and Justifications (Exhibit IV-H)
4	Surface Water Management Plan (Exhibit IV-I)
3	Aerial Photo of Subject Property (Exhibit IV-N)
3	Map of Historical & Archaeological Sites (Exhibit IV-O)
13	Fiscal Impact Analysis (Exhibit V-A)
13	Letter of Service Availability (Exhibit V-B)

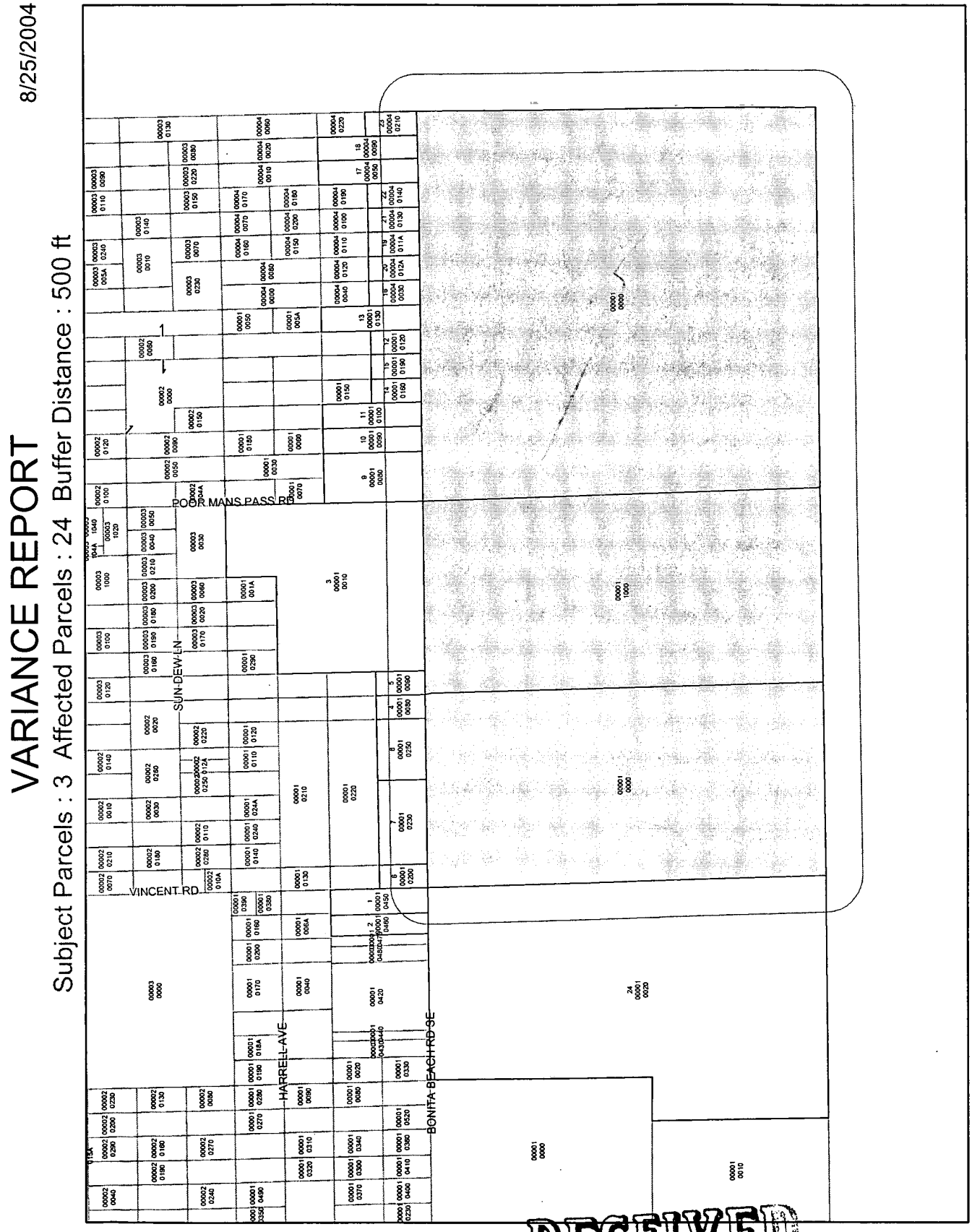
REMARKS:

SIGNED: Patrick Vanasse, Principal Planner

COPY TO: Brian Farrar, The Ronto Group
Chuck Basinait
File

3050 North Horseshoe Drive, Suite 270, Naples, Florida 34104 • (239) 649-1509, fax: (239) 649-7056 • www.consult-rwa.com

EXHIBIT I-B-6



DCI2004-00071

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OCT 20 2004
PERMIT COUNTER

EXHIBIT I-B-5

Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 339-6159 • Fax: (239) 339-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT

RECEIVED
OCT 20 2004
PERMIT COUNTER

Date of Report: August 25, 2004
Buffer Distance: 500 ft
Parcels Affected: 24
Subject Parcel: 02-48-26-B1-00001.0000, 02-48-26-B2-00001.1000, 01-48-26-B1-00001.0000

DCI2004-00071

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
COOK OF BONITA SPRINGS L P PO BOX 2307 BONITA SPRINGS FL 34133	**34-47-26-00-00001.0450** 15970 BONITA BEACH RD SE BONITA SPRINGS FL 34135	THE E 359.52 FT OF S 1/2 OF SE 1/4 LES S 25 + E 25 R R/W	1
COOK OF BONITA SPRINGS L P PO BOX 2307 BONITA SPRINGS FL 34133	**34-47-26-00-00001.0460** 15930 BONITA BEACH RD SE BONITA SPRINGS FL 34135	THE W 287.62 FT OF E 647.14 FT OF S 1/2 OF SE 1/4	2
SOUTH FL WATER MANAGEMENT C/O DEPT OF ENVIRON PROT 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	**35-47-26-00-00001.0010** 16850 BONITA BEACH RD SE BONITA SPRINGS FL 34135	SE 1/4 OF SE 1/4 + E 3/4 OF SW 1/4 OF SE 1/4 + E 3/4 OF S 1/2 OF NW 1/4 OF SE 1/4 + NE 1/4 OF SE 1/4 LESS W 1/2 OF NW 1/4 OF NE 1/4 OF SE 1/4	3
MANLEY KENT TR 14200 BONITA BEACH RD SE BONITA SPRINGS FL 34135	**35-47-26-00-00001.0080** 16490 BONITA BEACH RD SE BONITA SPRINGS FL 34135	THE E 1/2 OF SE 1/4 OF SE 1/4 OF SW 1/4	4
MANLEY KENT TR 14200 BONITA BEACH RD SE BONITA SPRINGS FL 34135	**35-47-26-00-00001.0090** 16530 BONITA BEACH RD SE BONITA SPRINGS FL 34135	THE W 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4	5
GATEWOOD C I + IMOGENE RR 1 BOX 375 PELHAM NC 27311	**35-47-26-00-00001.0200** 16040 BONITA BEACH RD SE BONITA SPRINGS FL 34135	THE W 1/2 OF SW 1/4 OF SW 1/4 OF SW 1/4	6
PAUL SAMATHA + 800 MARTHA ST MUNHALL PA 15120	**35-47-26-00-00001.0230** 16150 BONITA BEACH RD SE BONITA SPRINGS FL 34135	FR NW COR OF SW 1/4 TH S 2005 FT TO S LI OF PROPOSED RD R/W TH E ALG	7
S FL WATER MGMT DISTRICT LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH FL 33416	**35-47-26-00-00001.0250** 16350 BONITA BEACH RD SE BONITA SPRINGS FL 34135	PARL IN SE 1/4 OF SW 1/4 SEC 35 TWP 47 R 26 DESC IN OR 1288 PG 2263	8
TIITF STATE OF FLORIDA C/O DIV OF STATE LANDS 3900 COMMONWEALTH BLVD MAIL STATION 115 TALLAHASSEE FL 32399	**36-47-26-00-00001.0080** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	THE W 1/2 OF SW 1/4 OF SW 1/4 LESS RD R/W	9
SOUTH FL WATER MGNT DIST C/O DEPT OF ENVIRON PROT 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	**36-47-26-00-00001.0090** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	THE W 1/2 OF E 1/2 OF SW 1/4 OF SW 1/4 LESS RD R/W	10
TIITF STATE OF FLORIDA C/O DIV OF STATE LANDS 3900 COMMONWEALTH BLVD MAIL STATION 115 TALLAHASSEE FL 32399	**36-47-26-00-00001.0100** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	THE E 1/2 OF NE 1/4 OF SW 1/4 OF SW 1/4 ALSO THE E 1/2 OF SE 1/4 OF SW 1/4 OF	11

All data is current at time of printing and subject to change without notice.

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
S FL WATER MGMT DISTRICT LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH FL 33416	**36-47-26-00-00001.0120** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	THE W 1/2 OF SE 1/4 OF SE 1/4 OF SW 1/4 LESS RD R/W	12
SOUTH FL WATER MGNT DIST C/O DEPT OF ENVIRON PROT 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	**36-47-26-00-00001.0130** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	E1/2 OF NE1/4 OF SE1/4 OF SW1/4+E1/2 OF SE1/4 OF SE 1/4OF SW1/4 AKA TRS105+120	13
SOUTH FL WATER MGNT DIST C/O DEPT OF ENVIRON PROT 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	**36-47-26-00-00001.0160** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	THE W 1/2 OF SW 1/4 OF SE 1/4 OF SW 1/4 LESS RD R/W	14
TIITF STATE OF FLORIDA C/O DIV OF STATE LANDS 3900 COMMONWEALTH BLVD MAIL STATION 115 TALLAHASSEE FL 32399	**36-47-26-00-00001.0190** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	THE E 1/2 OF SW 1/4 OF SE 1/4 OF SW 1/4 LESS RD R/W	15
TIITF STATE OF FLORIDA C/O DIV OF STATE LANDS 3900 COMMONWEALTH BLVD MAIL STATION 115 TALLAHASSEE FL 32399	**36-47-26-00-00004.0030** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	THE W 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4 LESS RD R/W	16
SOUTH FL WATER MGNT DIST C/O DEPT OF ENVIRON PROT 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	**36-47-26-00-00004.0050** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	E 1/2 OF W 1/2 OF SE 1/4 OF SE 1/4 LESS RD R/W	17
SOUTH FL WATER MGNT DIST C/O DEPT OF ENVIRON PROT 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	**36-47-26-00-00004.0090** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	W 1/2 OF E 1/2 OF SE 1/4 OF SE 1/4	18
TIITF STATE OF FLORIDA C/O DIV OF STATE LANDS 3900 COMMONWEALTH BLVD MAIL STATION 115 TALLAHASSEE FL 32399	**36-47-26-00-00004.011A** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	S 1/2 OF W 1/2 OF E 1/2 OF SW 1/4 OF SE 1/4 EXCEPT S 30 FT FOR RD R/W	19
TIITF STATE OF FLORIDA C/O DIV OF STATE LANDS 3900 COMMONWEALTH BLVD MAIL STATION 115 TALLAHASSEE FL 32399	**36-47-26-00-00004.012A** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	E 1/2 OF SW 1/4 OF SW 1/4 SE 1/4 (S 1/2 OF .0120)	20
STACK PAUL J + MARY L 1785 HUBBLE RD HASTINGS MI 49058	**36-47-26-00-00004.0130** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	E 1/2 OF SE 1/4 OF SW 1/4 OF SE 1/4	21
SOUTH FL WATER MGNT DIST C/O DEPT OF ENVIRON PROT 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	**36-47-26-00-00004.0140** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	W 1/2 OF SW 1/4 OF SE 1/4 OF SE 1/4	22
SOUTH FL WATER MGNT DIST C/O DEPT OF ENVIRON PROT 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	**36-47-26-00-00004.0210** 0 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	THE E 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE SE 1/4 OF SEC 36 EXC THE S +	23
DIVOSTA AND COMPANY INC 4500 PGA BLVD STE 400 PALM BEACH GARDENS FL 33418	**03-48-26-B2-00001.0020** BONITA BEACH RD SE BONITA SPRINGS FL 34135	E 1/2 OF SEC 3 + POR OF SW 1/4 DESC IN OR 4019/2893	24

24 RECORDS PRINTED

LEE COUNTY
SOUTHWEST FLORIDA

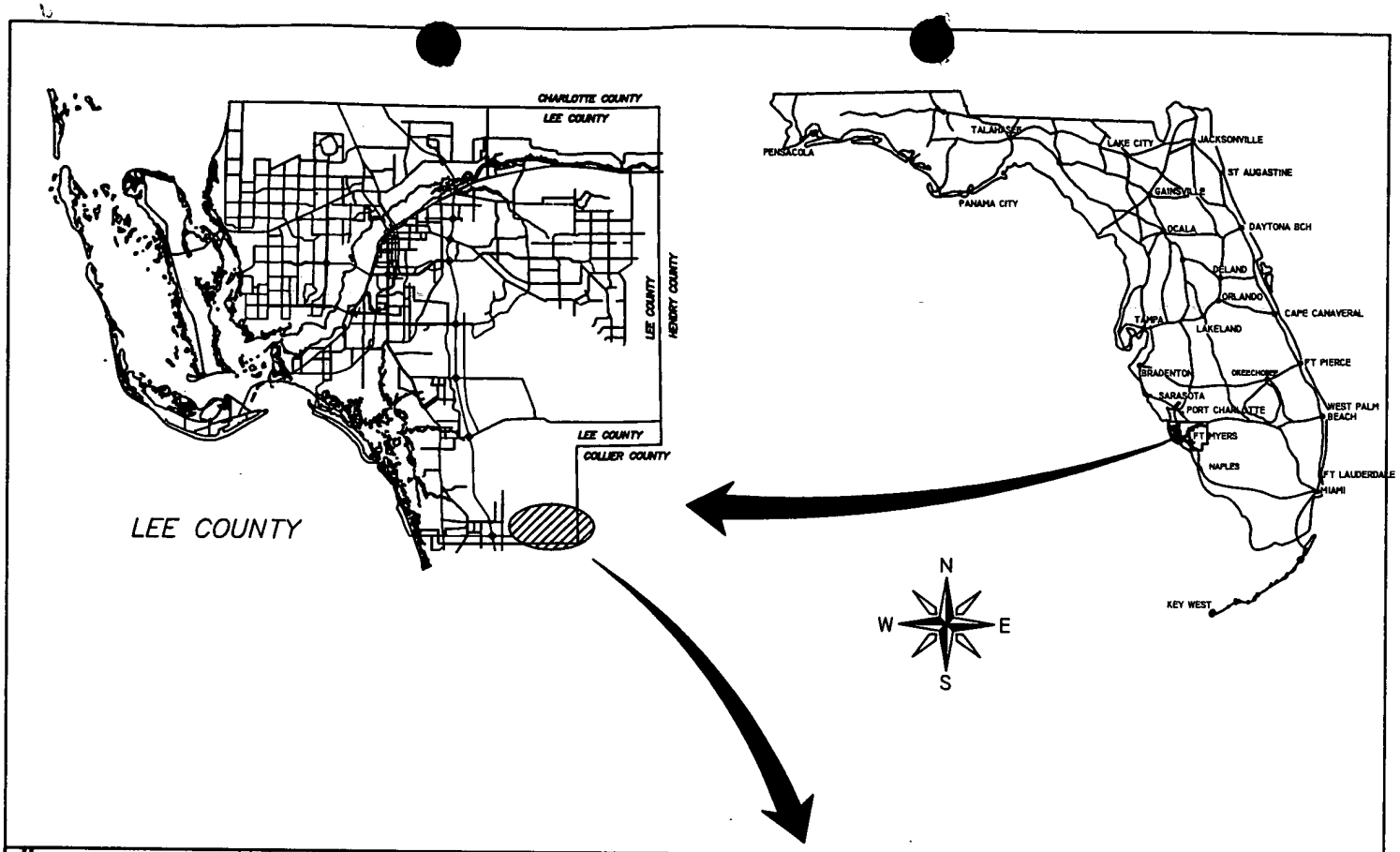
COURTESY NOTICE
OF RECEIPT OF ZONING APPLICATION

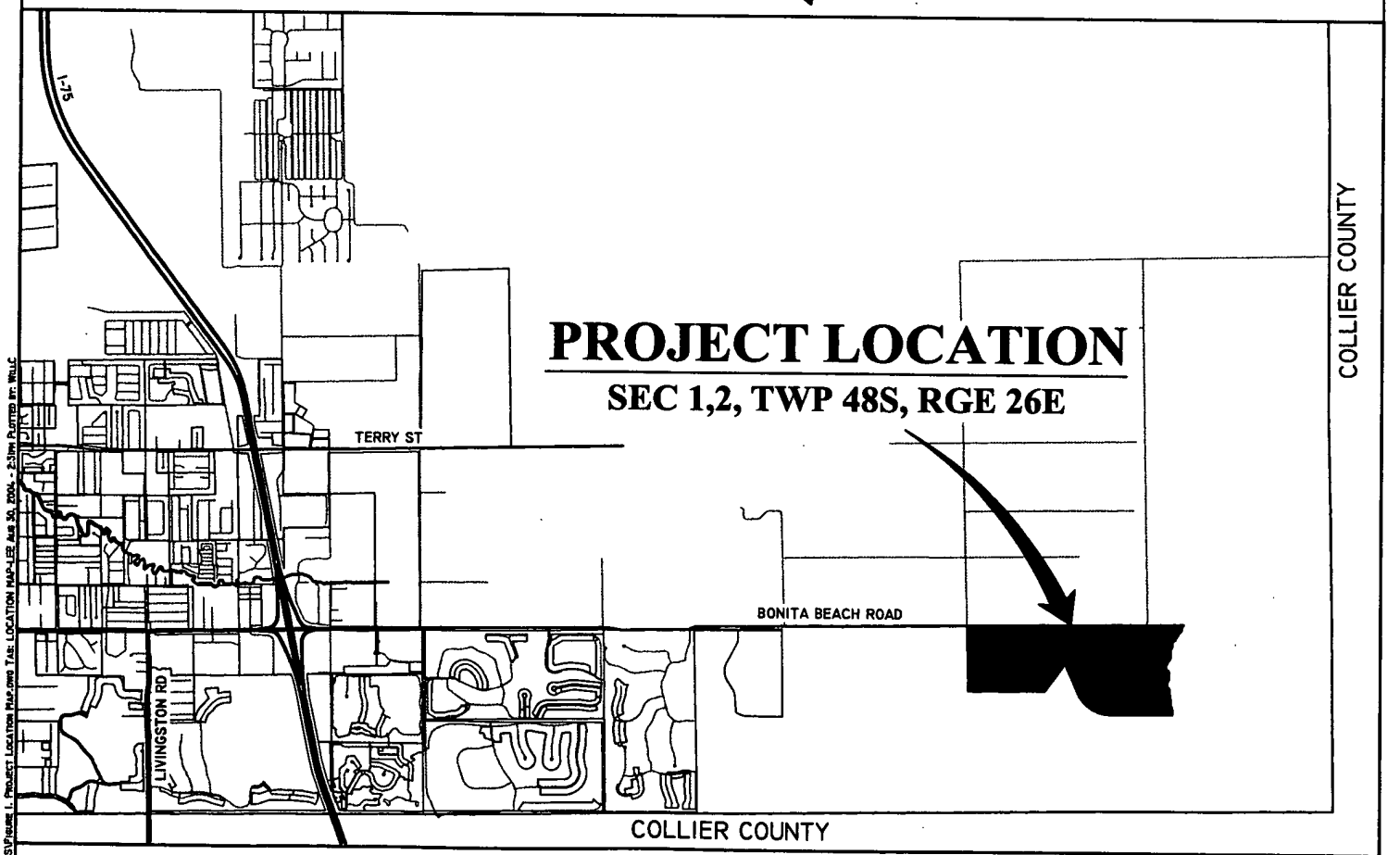
Date:	October 29, 2004
Case Number:	DCI2004-00071
Case Name:	EAST BONITA ACTIVE ADULT RPD
Request:	Rezone a 294.85± acre parcel from Residential Planned Development (RPD) to Residential Planned Development (RPD) to permit the development of up to 900 residential dwelling units consisting of single family and multiple family units and up to 50,000 square feet of amenity uses including but not limited to personal services, restaurant, clubhouse, retail/office uses, meeting facilities and recreational facilities. Maximum building height planned within this development is 60 feet.
Location:	16350, 16750, and 17001 Bonita Beach Road SE, Bonita Springs, FL (approx. 3.5 miles east of I-75 along the south ROW of Bonita Beach Rd., within the city of Bonita Springs)
Location Map:	SEE REVERSE
PROPERTY OWNER'S REPRESENTATIVE:	MR. ROBERT MULHERE 239-649+-1509
Lee County Planner:	Alvin Block, AICP 239-479-8371

The file may be reviewed Monday through Friday between the hours of 7:30 a.m. and 4:30 p.m. at the Lee County Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

This is a courtesy notice. A public hearing date has not yet been set. You will receive another notice once the hearing date and time have been established.

LVV





PROJECT LOCATION

SEC 1,2, TWP 48S, RGE 26E

J:\2004\04eastbita\COUNTY\FIGS\Figure 1. Project Location Map.dwg Tab: LOCATION MAP-LEE Aug 30, 2004 - 2:31pm Plotted By: WillC

FIGURE 1. PROJECT LOCATION MAP
EAST BONITA ACTIVE ADULTS

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: P.F. DATE: 8/26/04

34-47-26-00-00001.0450
COOK OF BONITA SPRINGS L P
PO BOX 2307
BONITA SPRINGS, FL 34133

34-47-26-00-00001.0460
COOK OF BONITA SPRINGS L P
PO BOX 2307
BONITA SPRINGS, FL 34133

35-47-26-00-00001.0010
SOUTH FL WATER MANAGEMENT
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

35-47-26-00-00001.0080
MANLEY KENT TR
14200 BONITA BEACH RD SE
BONITA SPRINGS, FL 34135

35-47-26-00-00001.0090
MANLEY KENT TR
14200 BONITA BEACH RD SE
BONITA SPRINGS, FL 34135

35-47-26-00-00001.0200
GATEWOOD C I + IMOGENE
RR 1 BOX 375
PELHAM, NC 27311

35-47-26-00-00001.0230
PAUL SAMATHA +
800 MARTHA ST
MUNHALL, PA 15120

35-47-26-00-00001.0250
S FL WATER MGMT DISTRICT
LAND MANAGEMENT
PO BOX 24680
WEST PALM BEACH, FL 33416

36-47-26-00-00001.0080
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00001.0090
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00001.0100
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00001.0120
S FL WATER MGMT DISTRICT
LAND MANAGEMENT
PO BOX 24680
WEST PALM BEACH, FL 33416

36-47-26-00-00001.0130
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00001.0160
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00001.0190
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00004.0030
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00004.0050
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00004.0090
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

36-47-26-00-00004.011A
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

36-47-26-00-00004.012A
TIITF STATE OF FLORIDA
C/O DIV OF STATE LANDS
3900 COMMONWEALTH BLVD
MAIL STATION 115
TALLAHASSEE, FL 32399

All data is current at time of printing and subject to change without notice.

36-47-26-00-00004.0140
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

03-48-26-B2-00001.0020
DIVOSTA AND COMPANY INC
4500 PGA BLVD STE 400
PALM BEACH GARDENS, FL 33418

Don Sedota (*Bonita Springs)
Spanish Wells Homeowners Assoc.
P.O. Box 219
Bonita Springs, FL 34133

Mr. Robert Mulhere
AICP of RWA, Inc.
3050 N. Horseshoe Drive Ste. 270
Naples, FL 34104

36-47-26-00-00004.0130
STACK PAUL J + MARY L
1785 HUBBLE RD
HASTINGS, MI 49058

36-47-26-00-00004.0210
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

Christine Bielski (*Bonita Springs)
BBIA
27566 Hickory Blvd.
Bonita Springs, FL 34134

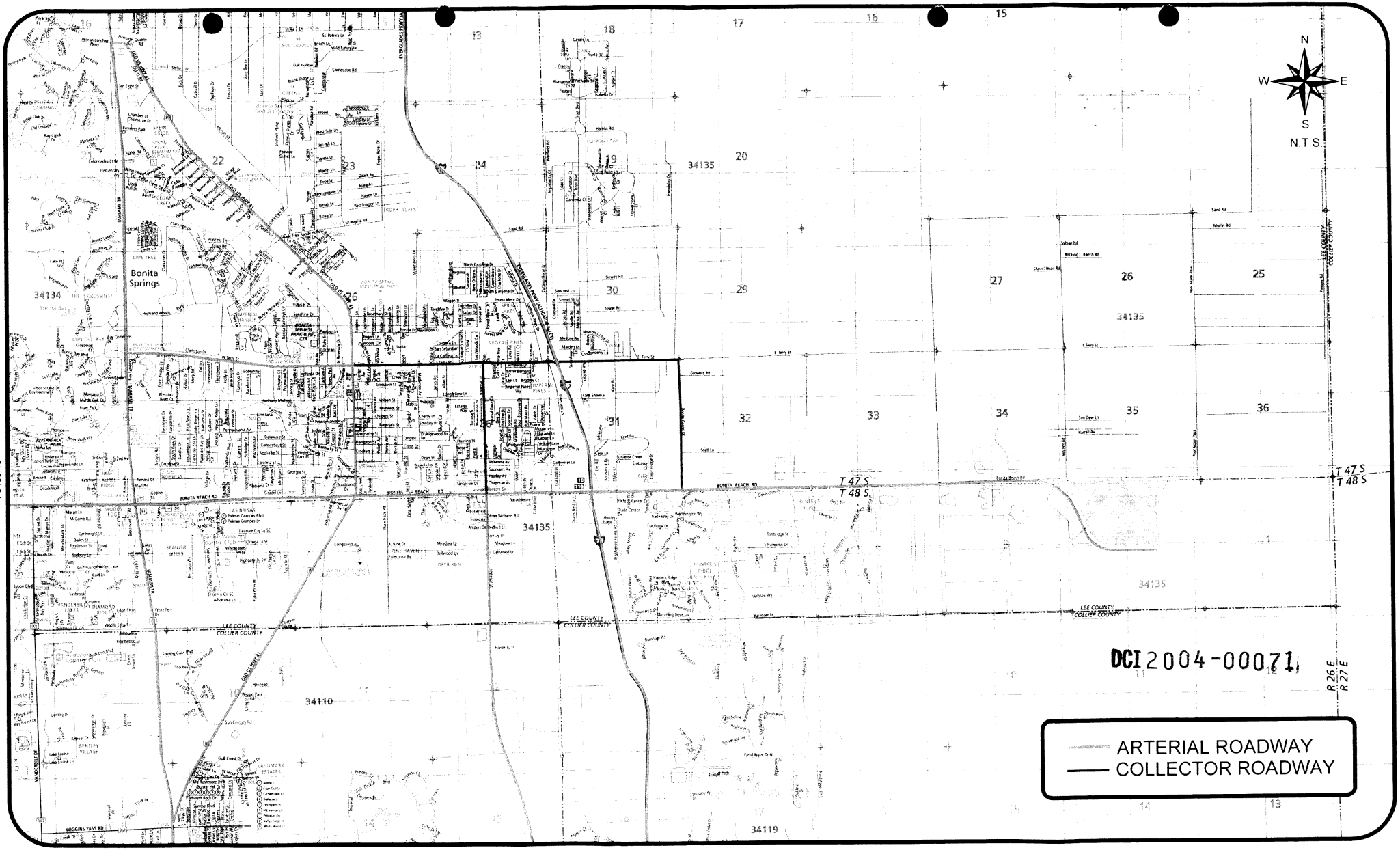
Ed Bowers (*Bonita Springs)
Highland Woods Golf and Country Club
9100 Highland Woods Blvd.
Bonita Springs, FL 34135

36-47-26-00-00004.0140
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

03-48-26-B2-00001.0020
DIVOSTA AND COMPANY INC
4500 PGA BLVD STE 400
PALM BEACH GARDENS, FL 33418

36-47-26-00-00004.0130
STACK PAUL J + MARY L
1785 HUBBLE RD
HASTINGS, MI 49058

36-47-26-00-00004.0210
SOUTH FL WATER MGNT DIST
C/O DEPT OF ENVIRON PROT
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399



F0406 18

METRO

PROJECT LOCATION AND SURROUNDING ROADWAY NETWORK
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 1

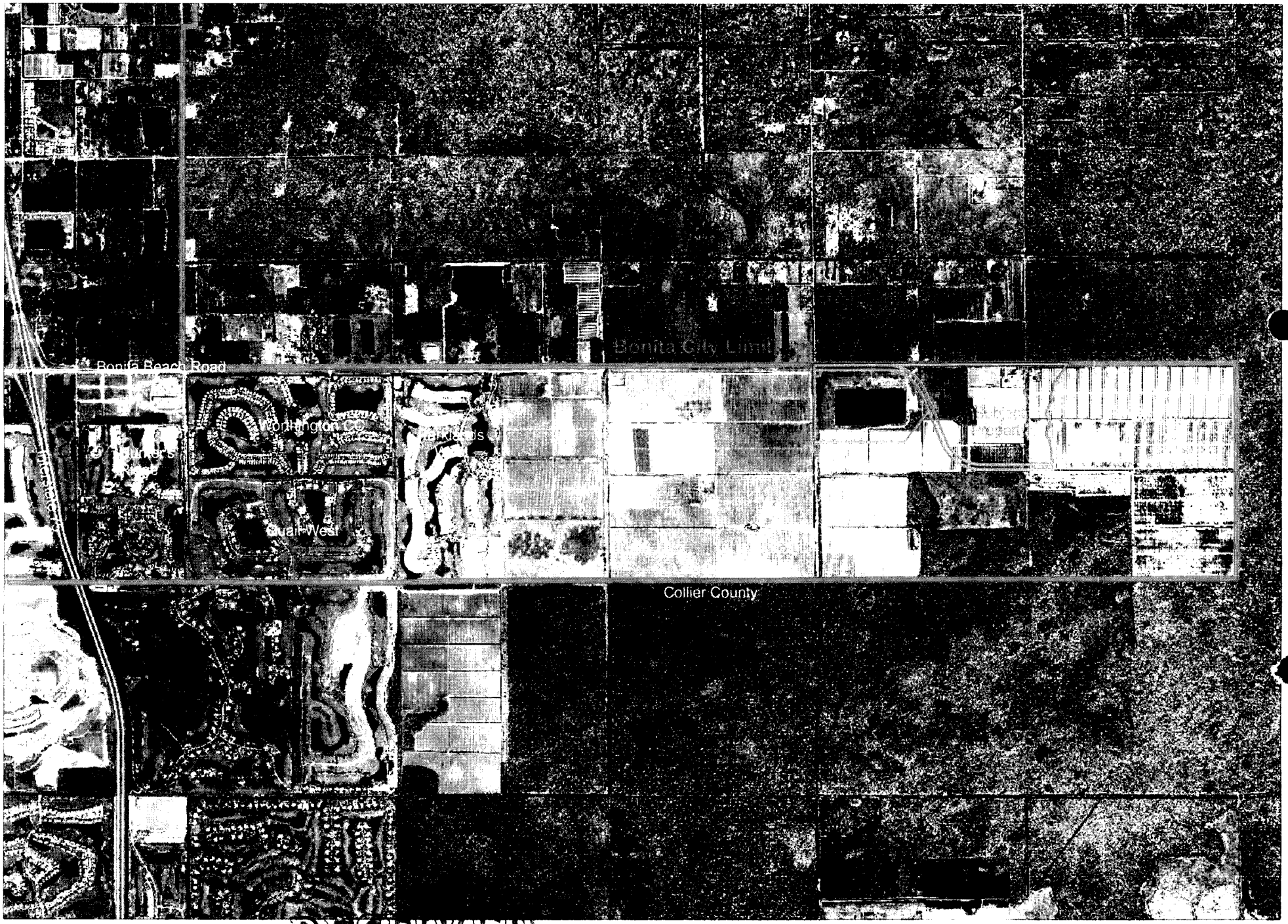


Exhibit II-D
East Bonita Active Adult
Area Location Map

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N

Legend

Project Boundary
Section Lines

DCI2004-00071

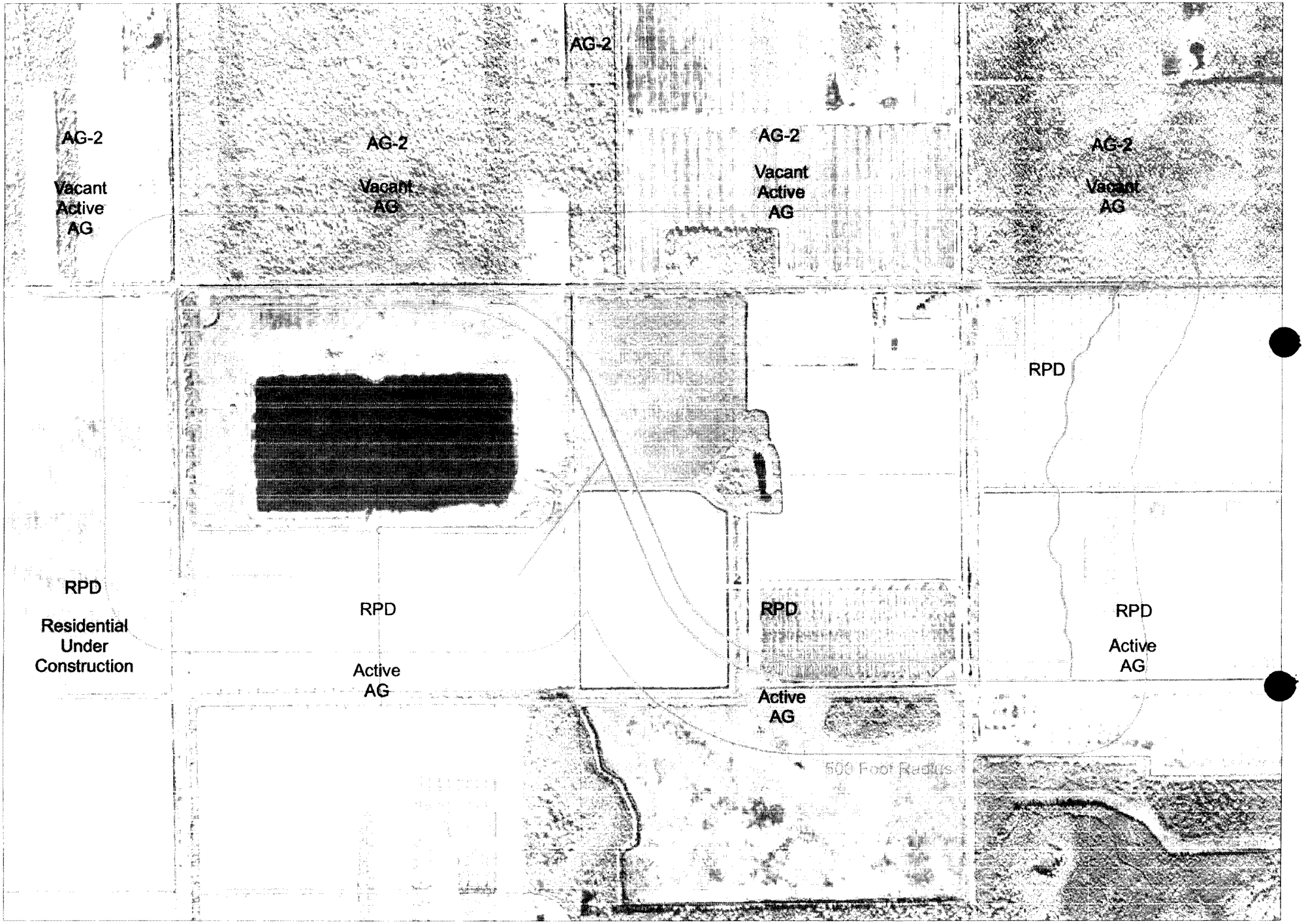
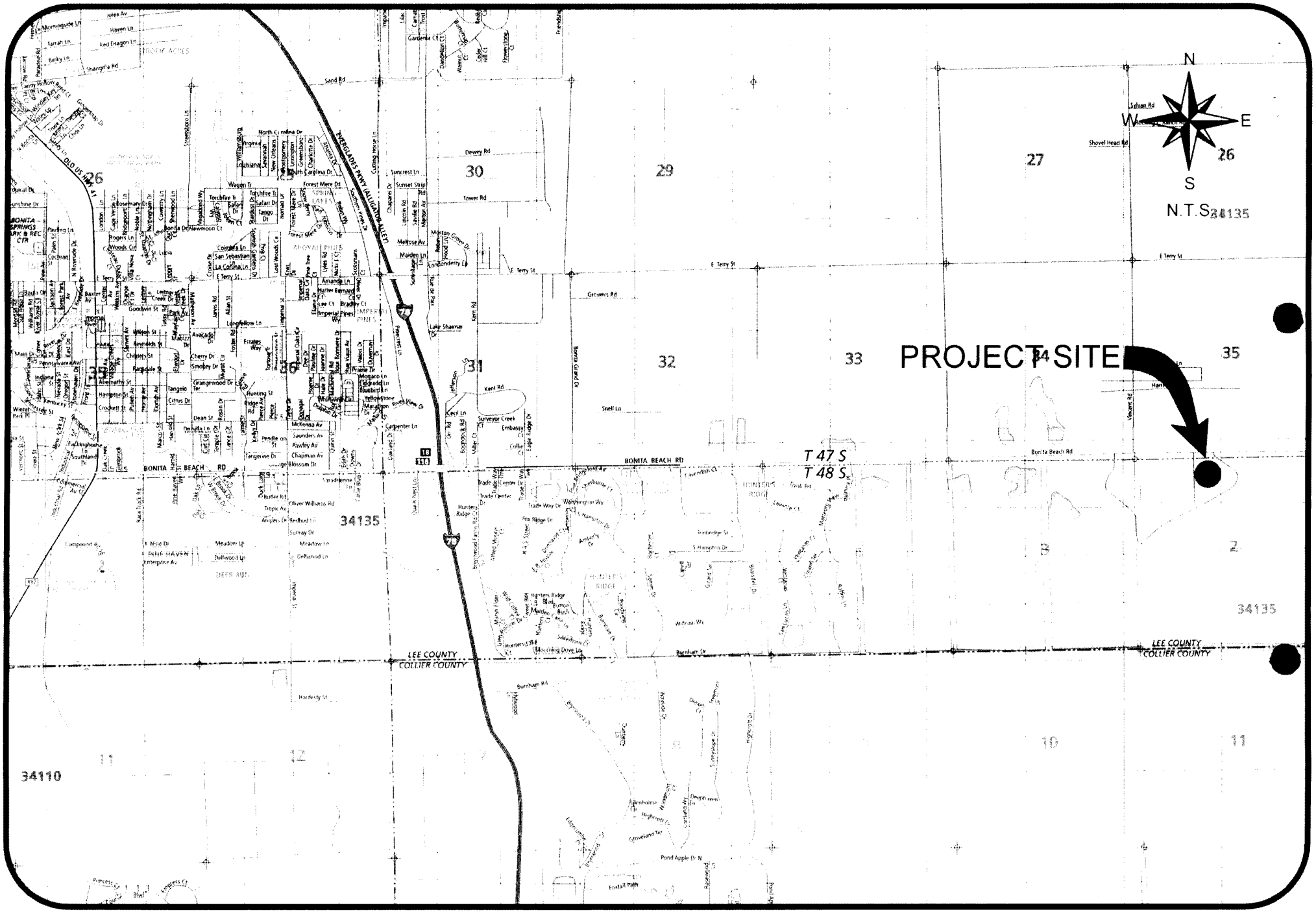


Exhibit II-F-3
East Bonita Active Adult
Existing Zoning & Current Land Use

DCI 2004-00071

F0406.18

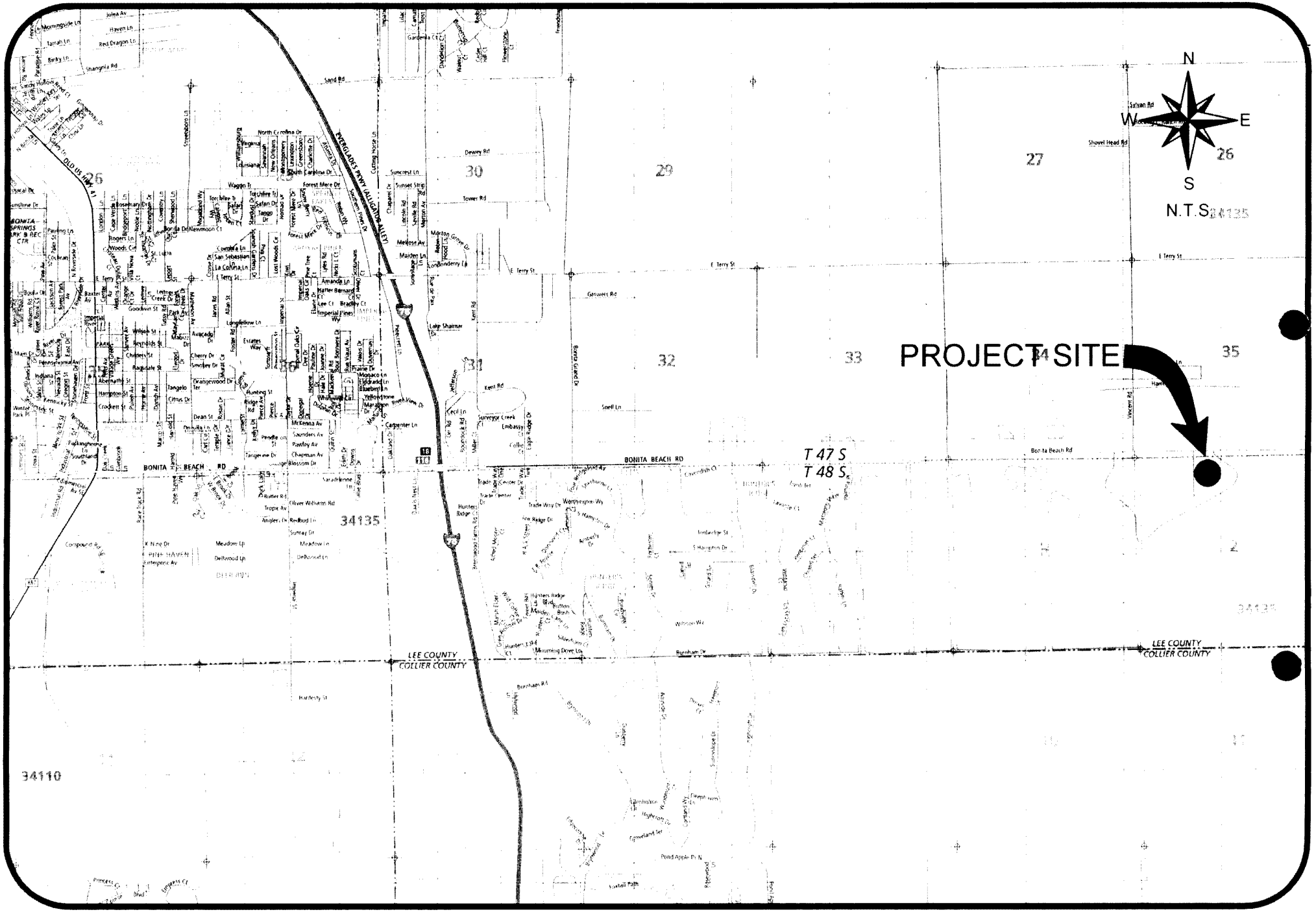


METRO

PROJECT LOCATION MAP
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 1

F0406.18



METRO

PROJECT LOCATION MAP
EAST BONITA BEACH ACTIVE ADULT COMMUNITY

Figure 1

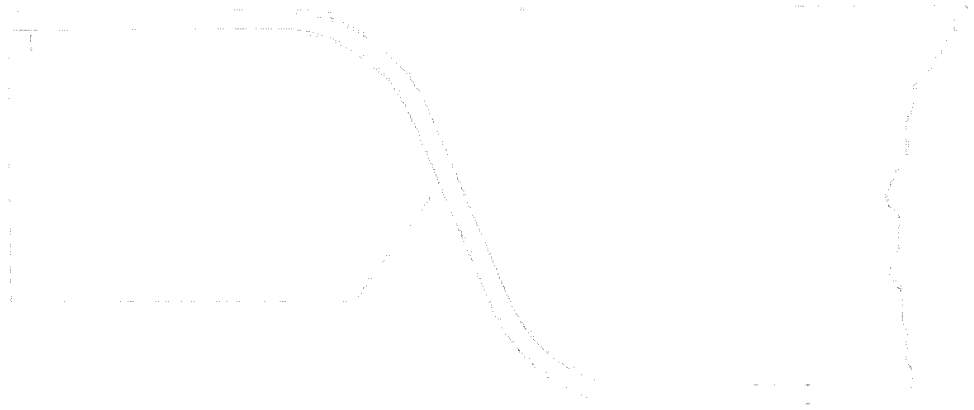


Exhibit IV-N
East Bonita Active Adult
Aerial Map

N

Legend

Project Boundary
Section Lines

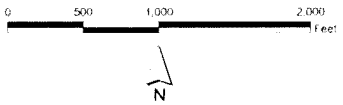


Gargulio Archaeological Site #LL2024
Prehistoric Campsite and Midden



Archaeological Site Note:
Archaeological Survey of the East Bonita Beach Road Parcel, Lee County, Florida, by John G. Beriault, B.A., Field Director. Jeff Ranson, B.A., Gene Erjavec, John Michaels, Stephanie Faulkner. Conducted under the direction of Robert S. Carr, M.S., Archaeological and Historical Conservancy. For Bonita Bay Properties, Inc. AHC Technical Report #378, June, 2002

Exhibit IV-O
East Bonita Active Adult
Historical & Archaeological Site

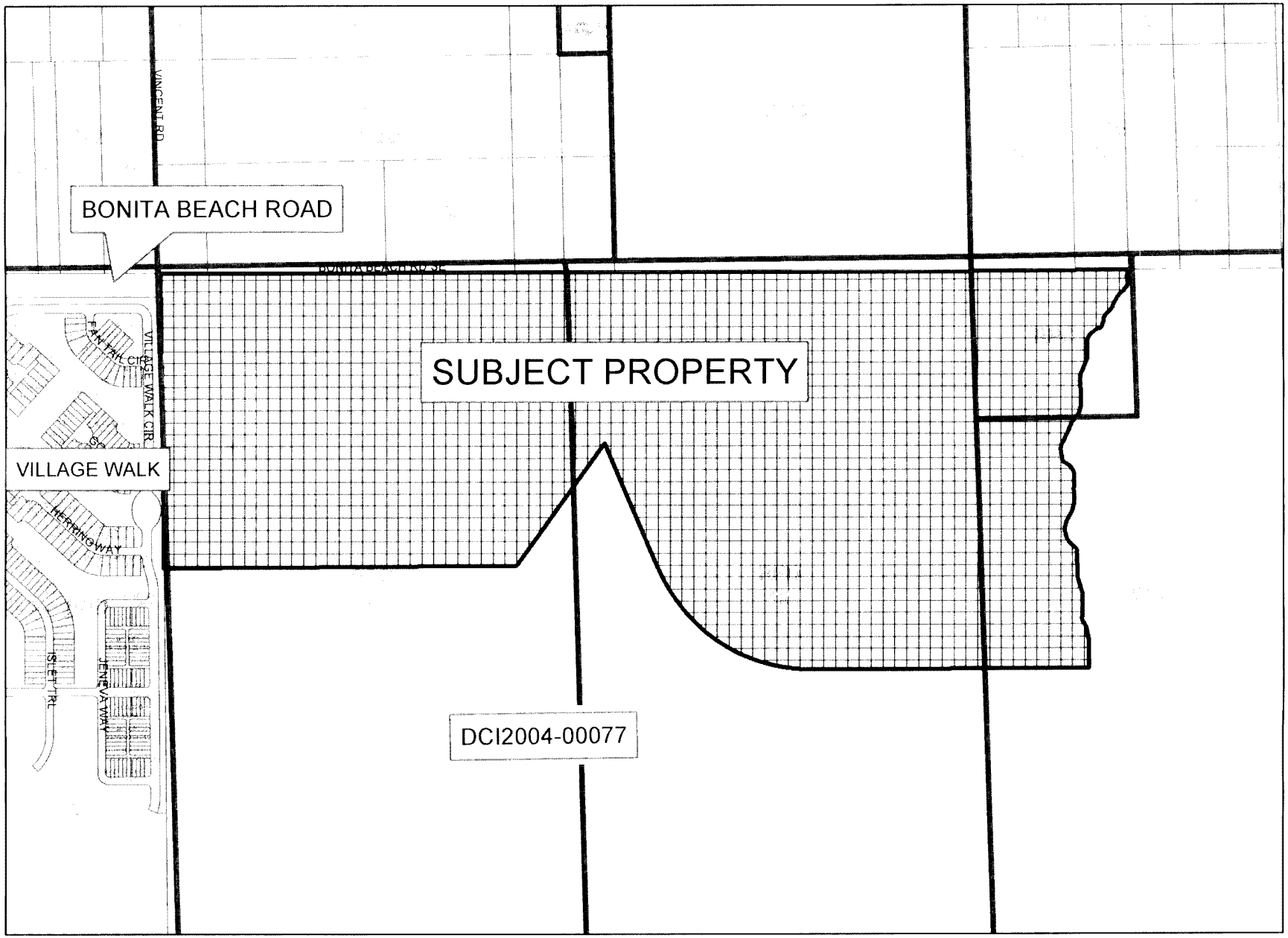


Legend

Project Boundary
Section Lines
Archaeological Site

ZONING MAP

5/2/2005



Attachment A