

GIS Tracking Sheet

Intake Date: 8-3-07

Project Name: Commodore Storage

STRAP Number(s): 35-47-25-B3-00129.0140/35-47-25-B3-00123.

Planner Name: Challam

	N VERIFICATION	and INITI	AL GIS MAPPING
Date: 8/15/07			INTAKE: DC10705/
LEGAL SUFFICIENT	å <b>y</b> ŶES	□ NO	Initials:
If not, give brief explan	eation:		
	·		
	, <del></del>		
MAP UPDATE followin	g <b>FÍNAL ACTION</b>	I	
Date:			Roard of County Commission at a D
Date: □ Hearing Examir	ner Decision		Board of County Commissioner's Resolut
Date: □ Hearing Examir	ner Decision		Board of County Commissioner's Resolut Blue Sheet
Date: □ Hearing Examir □ Administrative A	ner Decision		

DECEIVED AUG 0 3 2007

COMMUNITY DEVELOPMENT

DCI 2007-00051

# LEGAL DESCRIPTION

Part of Lot 22, Bonita Farms a subdivision line and being in Section 35, Township 47 South, Range 25 East, Lee County, Florida, said parcel being more particularly described as follows:

Beginning at the Southwest corner of Lot 22, Bonita Farms, a subdivision lying and being in Section 35, Township 47 South Range 25 East, and recorded in Plat Book 3, Page 27 Public Records of Lee County, Florida; run N0°54′50″W for 30.00 feet to the North right-of-way of East Bonita Beach Road; thence continue N0°54′50″W along the West line of Lot 22 for 500.00 feet; thence N89°59′54″E for 183.00 feet to the intersection of the top of the slope of oak Creek; thence along the top of the slope of Oak Creek N52°11′43″E for 50.44 feet; thence N74°48′46″E for 41.76 feet; thence N74°51′52″E for 69.47 feet to an intersection with the East line of Lot 22; thence leaving the top of the slope run S0°50′41″E along the East line of Lot 22 for 560.00 feet to the North right-of-way of East Bonita Beach Road; thence run S0°50′41″E for 30.00 feet to the Southeast corner of Lot 22; thence run N90°00′00″W for 330.46 feet to the Point of Beginning. LESS the Southerly 30.00 feet for Bonita Beach Road.

#### LESS AND EXCEPT

Parcel 305 of the Bonita Beach Road Right-Of-Way Acquisition described as follows:

A parcel of land lying in ection 35, Township 47 South, Range 25 east, Lee County, Florida also being a portion of Lot 22, Bonita Farms, Plat Book 3, Page 27 of the public records of Lee County, Florida, as described in Official Records Book 4600, Page 1374 and being more particularly described as follows:

Commencing at the Southeast corner of Section 35, being a found aluminum disk stamped "McKee LB 5093", being P.I. Station 392+09.91, Bonita Beach Road; thence S 89°33'16" W, along said baselene a distance of 947.39 feet to Station 382+62.52; thence leaving said baseline N 00°26'44" W a distance of 30.00 feet to the North Right-of-Way line of Bonita Beach Road and the Point of Beginning: thence N 89°33'16" E, along said North Right-of-Way line of Bonita Beach Road a distance of 286.91 feet; thence leaving said Right-of-Way line N 01°22'16" W a distance of 17.53 feet to a point on a non-tangent curve concave southeasterly having a radius of 6058.00 feet, a delta of 01°18'18", a chord of 137.97 feet and a chord bearing of S 85°57'25" W; thence along said curve an arc distance of 137.97 feet to a point of reverse curvature, having a delta of 01°40'48", a radius of 5088.00 feet, a chord of 149.19 feet and a chord bearing of S 86°08'40" W, thence along sadi curve concave northwesterly a distance of 149.19 feet to the Point of Beginning.

Bearings shown hereon are based upon the survey based upon the survey baseline of Bonita Beach Road, having a bearing of N 89°33'16" E from P.I. Station 365+63.83 being an aluminum disk stamped "McKee LB 5093" to P.I. Station 392+09.91 being an aluminum disk stamped "McKee LB 5093".

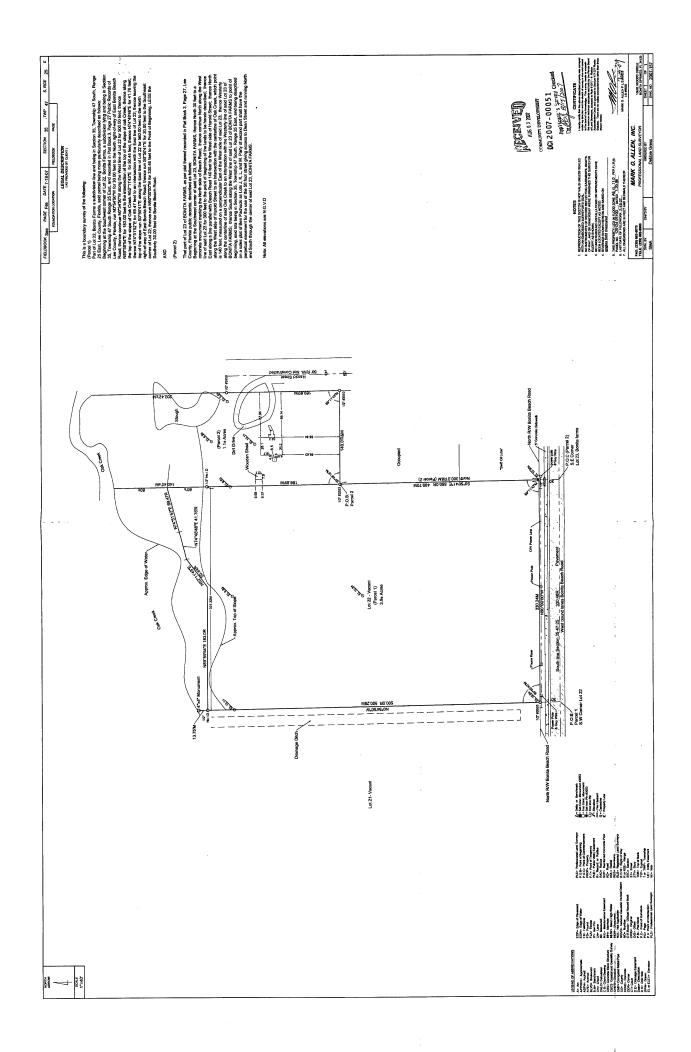
COLUMN SUSSILIS 12001

#### "EXHIBIT A"

That part of Lot 23 of BONITA FARMS, as per plat thereof recorded in Plat Book 3, page 27, Lee County, Florida public records, described as follows:

Beginning at the Southwest corner of said Lot 23, BONITA FARMS thence North 30 feet to a concrete monument marking the North side of Beach Road; thence continue North along the West line of said Lot 23 for 300 feet to the point of beginning of the lands to be herein described; thence East along a line parallel with Beach Road 140 feet to the West side of Harold Street, thence North along the West side of Harold Street to an intersection with the centerline of Oak Creek, which point is 140 feet, measured on a perpendicular, East of the West side of said Lot 23; thence Westerly along the center line of said Oak Creek to an intersection with the Westerly line of said Lot 23 of BONITA FARMS; thence South along the West line of said Lot 23 of BONITA FARMS to point of beginning, said lots being in Section 35, Township 47 South, Range 25 East, and being described on a sales plat of Ben Pachucki as Lots J, K, L, and M. Party of the second part shall have the perpetual easement for the use of the 50 foot street giving access to Dean Street and running North and South through the center of said Lot 23, BONITA FARMS.





#### LEGAL DESCRIPTION

This is a boundary survey of the Combined Parcels Recorded in O.R Book 4304, Pages 737-739 and O.R Book 3594, Page 1037 of the public records of Lee County, Florida described as follows:

Part of Lots 22 and 23, Bonita Farms a subdivision lying in Section 35, Township 47 South, Range 25 East, and recorded in Plat Book 3, Page 27 of the public records of Lee County, Florida, said parcel being more particularly described as follows:

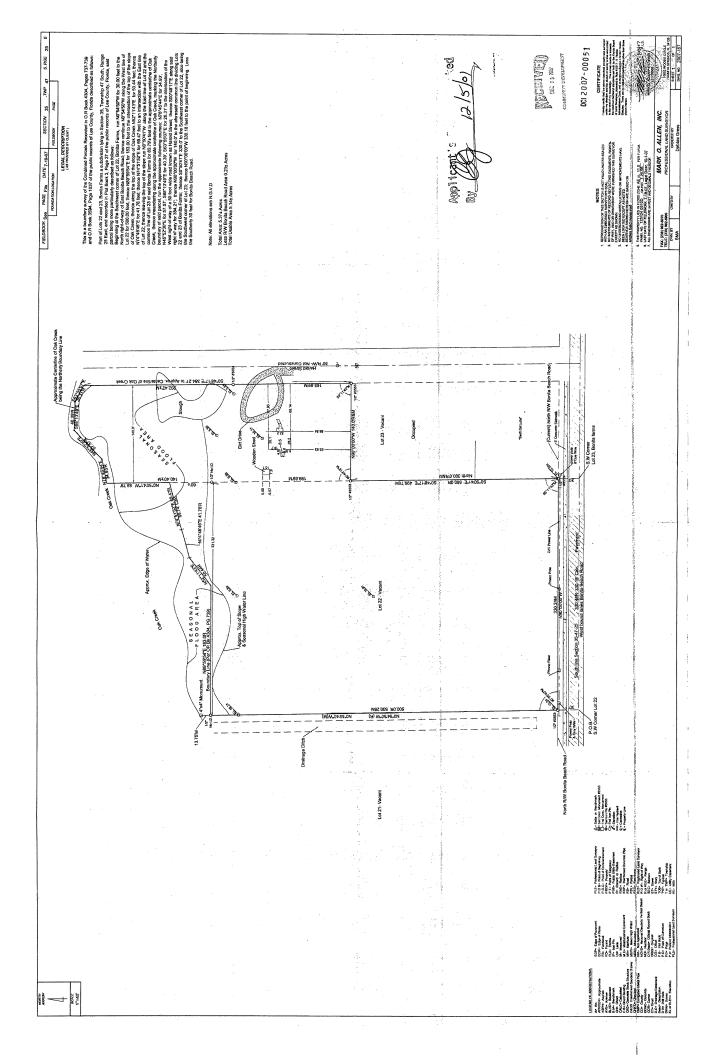
Beginning at the Southwest corner of Lot 22, Bonita Farms, run N0°54'50"W for 30.00 feet to the North right-of-way of East Bonita Beach Road; thence continue N0°54'50"W along the West line of Lot 22 for 500.00 feet; thence N89°59'54"E for 183.00 feet to the intersection of the top of the slope of Oak Creek; thence along the top of the slope of Oak Creek N52°11'43"E for 50.44 feet; thence N74°48'46"E for 41.76 feet; thence N74°51'52"E for 69.47 feet to an intersection with the East line of Lot 22; thence leaving the top of the slope run N0°50'41"W along the East line of Lot 22 and the common line of Lot 23 of said Bonita Farms for 89.79'± feet to the approximate centerline of Oak Creek; thence meandering along the approximate centerline of Oak Creek, marking the Northerly boundary of said parcel, run the approximate following courses: N78°45'44"E for 34.93', N45°52'30"E for 57.57', S88°13'49"E for 40.39', S63°55'07"E for 26.31' to the intersection of the West right-of-way of a 50 foot wide road known as Harold Street; thence S00°48'17"E along said right of way for 384.21'; thence N90°00'00"W for 140.0' to the aforesaid common line dividing Lots 22 and 23 of Bonita Farms; thence S0°50'41"E 330.0' to the Southeast corner of Lot 22, also being the Southwest corner of Lot 23; thence N90°00'00"W 330.18 feet to the point of beginning. Less the Southerly 30 feet for Bonita Beach Road.

Note: All elevations are N.G.V.D.

Total Area: 5.37± Acres
Less R/W Bonita Beach Road Area 0.23± Acres
Total Usable Area 5.14± Acres

DCI 2007-00051

Aceterico Legal Cheeked by 12-5-07







# APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT BONITA SPRINGS

Applicant's Name: Denn	is Leaton	1					
Project Name: Commodore Storage							
STRAP Number(s): 35-47-25-B3-00122.0160 and 35-47-25-B3-00123.015							
Application Form: Computer Generated* County Printed							
* By signing this application, the applicant affirms that the form has not been altered.							
**************************************							
Planning Community: Rome's	40 Spc: 2005 Case Number: DT 2007 - 0005/						
Current Zoning: CPA Date of Application: \$/3/0>							
Land Use Classification(s): Gensial Commore; Free: #5,000							
Comp. Plan Density Range:		i de propins					
Date Zoning Board/Planning Agency	Public Hearing:	1					
Planner in charge:		!					
TYPE OF APPLICATION		s s s d					
DRI	PD - Existing Development	i.					
DCI - Major	PD - Existing Development OPTION 2						
V DCI - Minor	PD - Amendment						
*****************	*******************************						

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

# PART I APPLICANT\PROPERTY OWNERSHIP INFORMATION

A.	Name(s) of applicant(s): Dennis Leaton	
	Mailing Address: Street: 2520 S.W. 28th LN	
	city: Coconut Grove State: FL zip: 33133	
	Phone Number: Area Code: 305 Number: 285 - 12-38 Ext:	
	Fax Number: Area Code: 305 Number: 285-7801	
	E-mail:	
В.	Relationship of applicant to property:	
	Owner Trustee Option holder Lessee Contract Purchaser Other (indicate):	
•	If applicant is NOT the owner or the person authorized by the Covenant of Unified Control, submit a <b>Notarized Authorization Form</b> 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 with 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: Commodore Investments II 4 III	
	Mailing Address: Street: 2520 S.W. 28 LN	
	City: Coconut Grove State: Fl zip: 33133	
	Phone Number: Area Code: 305 Number: 285 - 1238 Ext:	
	Fax Number: Area Code: 305 Number: 285 - 780 i	
D.	Date property was acquired by present owner(s): 9/28/05	
E.	Is the property subject to a sales contract or sales option?NOYES	
F.	Is owner(s) or contract purchaser(s) required to file a disclosure form?NOXYES. If ye please complete and submit Exhibit I-F (attached).	s,
G.	Are there any existing deed restrictions or other covenants on this property which may affect this request YES. If yes, submit a copy of the deed restrictions or other covenants and a state explaining how the restrictions may affect the requested action. Label as "Exhibit I-G".	? men
Н.	Authorized Agent(s): List names of authorized agents (submit additional sheets if necessary).	
	Name: Debora Allen Gress-Progressive Engineering	
	Address: 25671 Corzine Rd, Bonita Springs, Fl 34135	
	Contact Person: Debora Allen Gress	
	Phone: <u>739 - 992 - 1619</u> Fax: <u>239 - 992 - 8571</u>	
	E-mail: gressdebbie e comcast. net	

# PART II GENERAL INFORMATION

A.	Request:
	1. Rezoning from <u>CPD</u> TO:(check all applicable)
	RPD - Residential MPD - Mixed Use MHPD - Mobile Home RVPD - Recreational Vehicle CPD - Commercial CFPD - Community Facilities IPD - Industrial AOPD - Airport Operations
	2. Option Chosen: Option 1 [34-373(a)(6)a] Option 2 [34-373(a)(6)b]
	3. Other - Provide specific details.
В.	Legal Description and Boundary Sketch: Is property within a platted subdivision recorded in the official Plat Books of Lee County?
	NO. Attach a legible copy of the legal description (label it Exhibit II-B-1.) and Certified sketch of description as set out in chapter 61G 17-6.006 FAC. (labeled Exhibit II-B-2.). If the legal description is available on computer disc (Word or Word Perfect) please provide a copy at time of application.
	YES. Property is identified as:
	Subdivision Name:
	Plat Book: Page: Unit: Block: Lot:
	Section: Township: Range:
	Attach a copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-B-3.
C.	Project Street Address: 10852 Bonita Beach Rd, 27890 Harold St.
D.	General Location Of Property (referenced to major streets): See Masker Concept Plan North Side of Bonita Beach Rd between Old US 41 and Imperial Street
E.	Lee Plan Information
	1. Lee Plan Land Use Classification: General Commercial
	2. Are you proposing any Lee Plan amendments which could affect the subject property?NO
	YES. If yes, submit a copy of the proposed amendment (labeled as "Exhibit II-E-I") along with a statement as to how the proposed amendment will affect your property (labeled as "Exhibit II-E-2").
F.	Drainage, Water Control and Other Environmental Issues
	1. Is the property within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s? NO YES. If yes, specify the minimum elevation required for the first habitable floor) NGVD (MSL)

	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?  X NO YES If yes, delineate these areas on a map or aerial photo and label it Exhibit II-F-1. Also, complete Exhibit II-F-2. attached hereto.
G.	Present Use of Property: Is the property vacant? X 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:
	27890 Harold Street has small single family residence
	10852 Bonita Beach Rd is Vacant.
Н.	Property Dimensions
	1. Width (average if irregular parcel): 470, 4 Feet
	2. Depth (average if irregular parcel): _513 Feet
	3. Frontage on road or street: 500 Feet on Bonita Beach Rd of Havold St (Name of street)
	4. Total land area:
•	Land Area Calculations
	1. Undevelopable Areas:
	a. Freshwater wetland areas
	b. Other wetland areas
	c. Submerged land subject to tidal influence:
	d. Total (a + b + c):
	2. Remaining developable land (H.4 less I.1.d):5.O
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# PART III PROPOSED DEVELOPMENT

#### Nature of Request 1. Will the development contain living units? \_\_\_\_\_ NO \_\_\_\_\_ YES. If the answer is yes, please indicate the total number of living units proposed, by type: Recreational Vehicles Mobile Homes Single Family \_\_\_\_\_ Duplex/Two Family \_\_\_\_\_ Townhouses Zero-Lot-Line \_\_\_\_ TOTAL ALL TYPES Multiple Family 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): b. PROPOSED total units (from A-1. above): c. PROPOSED density (from Exhibit III-A-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: Total gsf Retail: Total gsf Offices: Non-medical: gsf gsf Medical: O\_\_\_ Total units Hotel/Motel: 426-725 sq. Ft. \_\_\_\_\_ 726 or more sq. Ft. \_\_\_\_\_ (number) 0-425 sq. Ft. Size of units: (number) (number) Total gsf Industrial: Not under roof: \_\_\_\_\_ gsf Under roof: gsf Mines, Quarries, or General Excavation: Acres to be excavated: \* Other-specify: Retail and Office total = 10,300 SF Number of Beds (if applicable): \_\_\_\_OR: \_\_\_\_ 4. Building Height 45 Maximum height of buildings (in feet above grade) 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.	Facil	ities
	1. Fi	re District: Bonita Springs Fire Control + Rescue District
		ater Supply
	a.	Estimated daily consumption of potable water:
		1. Residential units:Ogpd
		2. Mobile Home units: gpd
		3. Rec. Vehicle units: gpd
		4. Commercial: 2545 gpd
		5. Industrial: gpd
	b.	source of potable water: Bonitc - Springs Utilities
	c.	Do you have a written agreement from the utility company to serve your project?NOYES. If yes, please submit a copy of the agreement.
	d.	Source of Non-potable water: Bonita Springs Utilities
	3. Sa	anitary Sewer Service
	a.	Estimated daily production of wastewater:
		1. Residential units: gpd
		2. Mobile Home units:O gpd
		3. Recreational Vehicles: gpd
		4. Commercial: 2545 gpd
		5. Industrial:gpd
		Is any special effluent anticipated?NOYES. If yes, please complete Exhibit III-B-3 (attached).
	C.	Source of sanitary sewer service: Bonita Springs Utilities
	d.	Do you have a written agreement from the utility company to serve your project?NOYES. If yes, please submit a copy of the agreement.
	e.	Will a private on-site disposal facility be used?XNOYES. If yes, please complete Exhibit III-B-3 (attached).
	f.	Are individual sewage disposal systems proposed? X NO YES.
C.	Trans	sportation
	_	as this project been exempted from filing a Traffic Impact Statement? NO YES NOT REQUIRED (Exist. development). If it has been exempted, attach a copy of the exemption

# PART IV SUBMITTAL REQUIREMENTS

COPIES REQUIRED				Exhibit #	Item	
SUB	DRI	DCI	EXIST	MINOR		
	15	15	15	15		Completed application [34-201(b)]
	1	1	1	1		Application Fee [34-202(a)(9)]
NA	2	2	2	2	I-B-1	Notarized Authorization Form (if applicable) [34-201(a)(1)]
NIA	2	2	2	2	I-B-2	Blue Sheet (If applicable) [34-201(a)(2)]
NA	2	2	2	2	/ I-B-3	List of Property Owners (If applicable) [34-202(a)(5)]
<del>                                      </del>	2	2	2	2/	J-B-4	Notarized Covenant & doc. Of Unified Control [34-373(a)(3)]
	1	1	1	1	J-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)]
NIA	2	2	2	2	J-G	Deed Restrictions & Narrative (if applicable) [34-202(b)(2)
	15	15	15	15	II-B-1	Legal Description [34-202(a)(1)]
	15	15	15	15	II-B-2	Certified sketch of description (if applicable) [34-202(a)(2)]
NA	2	2	2	2	II-B-3	Plat Book Page (if applicable) [34-202(a)(1)]
	15	15	15	15,_/	II-D	Area Location Map [34-202(a)(4)] MCP
NA	15	15	15	15	II-E-1	Lee Plan Amendment (if applicable) [34-373(a)(5) & 34-491]
NA	15	15	15	15	II-E-2	Narrative/how prop. complies with Lee Plan, etc. [34-373(a)(5)]
NA	15	15	15	15	II-F-1	Environ. Sensitive Lands map (if app.) [34-373(a)(4)c]
NA	4	4	4	4	II-F-2	Environmental Assessment [34-1573]
	15	15	4	4	II-F-3	Exist. zoning & current land use map/photo [34-373(a)(4)a] MCP
	15	15	4	4	11-F-4	Soils, vegetation and ground cover maps [34-373(a)(4)b.]
	15	15	4	4~	II-F-5	Topography map (if available) [34-373(a)(4)b.] See Survey
MA	15	√15	-	-	III-A-2	Density Calcs (if applicable) [34-373(a)(6)a.3 & (6)b.3 & (7)a.]
MA	15	15	•	-	III-A-5	Aviation Hazard (if applicable) [34-1001 et seq.]
MA	15	15	-		III-B-3	Sanitary Sewer Facilities(if applicable) [34-442 (1)n]
110	6	6	-	6	III-C	Traffic Imp. Statement (if applicable) [34-373(a)(6)a.11 or b.10]
MV	6	6	-	6	III-C	TIS Exemption Form (if applicable) [34-373(a)(6)a.11 or b.10]
	15	15	6	6	IV-A	Public transit routes map (if applicable) [34-373(a)(4)d.]
<b> </b> -	15	15	6	6_	IV-C	Existing easements and r-o-w map. [34-373(a)(4)e.] MCP
<b>  </b>	15	15	15	15_	IV-D	Description of proposed development. [34-373(a)(6)]
1 1 x 1	15	15	15	15	IV-E	Master Concept Plan (Option 1) [34-373(a)(6)a.]
NA	15	15	15	15	/ IV-F	Master Concept Plan (Option 2) [34-373(a)(6)b.]
<del>  </del>	1	1	1	1.	010	11 inch by 17 inch copy of the Master Concept Plan
AII A	15	15	15	15_	1V-G	Schedule of Uses [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)]
MA	15	15	15	15	IV-H	Schedule of Dev. & Justification [34-373(a)(6)a.9 or b.9 & (7)d]
MA	4	4	•		IV-I	Surface Water Management Plan [34-373(b)(1)]
MA	4	4	15	15	IV-J	Protected Species Management Plan [34-373(b)(2)]
NA	15	15	15 15	15	iV-K	Program for phased development (if applicable) [34-373(b)(3)]
NA	15	15	15	15	IV-L	Haz. Mat Emer Plan (if applicable) [34-202(b)(4)]
NA	3	-	4	-	ァIV-M IV-N	Mobile Home Park Rezoning Information [34-373(d)]
ATTA 1	3	3	3	3/		Aerial [34-373(b)]  Man of Historical & Archaeological Sites (24 272/E)]
NA		3	3	3	,IV-O	Map of Historical & Archaeological Sites [34-373(F)]
MART	3	3	3	3 - ]	IV-P	Possible Impacts on Historical & Archaeological Sites [34-373(F)]

(Revised 08/2006)

# Schedule of Uses Commodore Storage CPD

**Administrative Offices** 

Animals, Clinic (34-1321 et seq.)

**Automatic Teller Machine** 

Auto Parts Store( without installation service)

Bait and Tackle Shop

Banks and Financial Establishments, Groups I & II (34-622)(C) (3)

**Boats Parts Store** 

Business Services, Group I and II(34-622 (C) (5))

Car Wash

Cleaning and Maintenance Services [34-622 (c) (7)]

Clothing Stores, general[34-622(c) (8)

Consumption on Premises [34-1261]

Contractors and Builders, All Groups [34-622(C)(9)]

Convenience Food and Beverage Store

Day Care Center: Adult or Child

Department Store

Drive-Through Facility for any permitted use

Drugstore, Pharmacy

**Emergency Operations Center** 

**Essential Services** 

Essential Service Facilities, Group I and II [34-622 (C)(13)]

**Excavation**, Water Retention

Food and Beverage service, Limited

Gift and Souvenir shop

Hobby,toy and game shops[34-622(c)(21)]

Insurance Companies [34-622( c )(23)

Laundry or Dry Cleaning, Group I[34-622(c) (24)]

Lawn and Garden Supply Store

**Medical Office** 

Non-Store Retailers, All Groups [34-622(C) (30)]

Novelties, jewelry, toys and signs, All groups [34-622 (c) (29)]

Paint, Glass and Wallpaper

Personal Services, All Groups[34-622 (c) (33)]

**Pet Services** 

Pet Shop

Pharmacy

Place of Worship

Police or Sheriff's Station

Post Office

Real Estate Sales Office

Recreation, Commercial: Group I[34-622 (C) (38)]

Religious facilities

Rental or Leasing Establishments: Group I,II,and III [34-622 (C) (39)]

Repair Shops: Group I and II [34-622 (C)(40)]



COMMUNITY DEVELOPMENT

Research and Development Laboratories, Group II [34-622 ( C) (41)] Restaurant, All Groups [34-622 ( c) (43)] Schools, Commercial[34-622 ( c)(45)] Signs, in accordance with Chapter 30 Land Development Code Social Services, Group I,II [34-622 ( c) (46)] Specialty Retail Shops, All Groups [34-622 ( c)(47)] Storage Indoor only Studios [34-622 ( c)(49)] Temporary Uses Used Merchandise Stores, Group I,II,III [34-622 ( c)(54)] Wholesale Establishment, Groups I,III [34-622 ( c) (56)

#### Exhibit IV-D

This proposed development is for one large 3 story building with a combination of 159,650 SF of mini storage and 10,300 SF for retail/office flex space to be determined at the time of leasing. The building will have parking based on the worse case scenario and is serviced by city water and sewer. The new construction will meet the City Architectural Code. Water Management will be provided onsite and pretreated to improve water quality that is currently discharged into Oak Creek. This application includes two parcels. One parcel is currently zoned CPD and was approved for mini storage and retail/office previously, but the Master Concept Plan has expired. The smaller adjacent parcel in the northeast corner currently is occupied with one single family residence that was constructed in the 1950's. It is zoned TFC-2 and is under the same ownership as the CPD parcel. The existing house will be demolished if the application is approved.



COMMUNITY DEVELOPMENT

#### **PART V**

#### **AFFIDAVIT**

property described herein, and that all answer supplementary matter attached to and made a knowledge and belief. I also authorize the staf	certify that I am the owner or authorized representative of the s to the questions in this application and any sketches, data or other a part of this application, are honest and true to the best of my f of Lee County Community Development to enter upon the property of investigating and evaluating the request made thru this application.     8 3 07   Date   D
Deborc— Allen Gress Typed or printed name and title	
STATE OF FLORIDA) COUNTY OF LEE  The foregoing instrument was certified and su 2007, by Debla Allen Gree  produced Debla Allen Green	bscribed before me this 3PD day of Quyust
LORRAINE KOPKO  Notary Public - State of Florida  Ny Commission Expires Aug 28, 2010  Commission # DD 589387  Bonded By National Notary Assn.	as identification.  Signature of notary public  Printed name of notary public

DECEIVED

AUG 0 3 2007

COMMUNITY DEVELOPMENT

# Daily Consumption of PotableWater for Commercial

Building size = 10,300 SF office and retail and 1000 mini storage units

Sewage flow = 15 GPD/100SFX 10,300 SF = 1545 GPD

Mini Warehouse = 1GPD/unit X 1000 units = 1000 GPD

Total Flow = 2545GPD

Based on Chapter 64E-6



COMMUNITY DEVELOPMENT

# LEGAL DESCRIPTION

Part of Lot 22, Bonita Farms a subdivision line and being in Section 35, Township 47 South, Range 25 East, Lee County, Florida, said parcel being more particularly described as follows:

Beginning at the Southwest corner of Lot 22, Bonita Farms, a subdivision lying and being in Section 35, Township 47 South Range 25 East, and recorded in Plat Book 3, Page 27 Public Records of Lee County, Florida; run N0°54′50″W for 30.00 feet to the North right-of-way of East Bonita Beach Road; thence continue N0°54′50″W along the West line of Lot 22 for 500.00 feet; thence N89°59′54″E for 183.00 feet to the intersection of the top of the slope of oak Creek; thence along the top of the slope of Oak Creek N52°11′43″E for 50.44 feet; thence N74°48′46″E for 41.76 feet; thence N74°51′52″E for 69.47 feet to an intersection with the East line of Lot 22; thence leaving the top of the slope run S0°50′41″E along the East line of Lot 22 for 560.00 feet to the North right-of-way of East Bonita Beach Road; thence run S0°50′41″E for 30.00 feet to the Southeast corner of Lot 22; thence run N90°00′00″W for 330.46 feet to the Point of Beginning. LESS the Southerly 30.00 feet for Bonita Beach Road.

#### LESS AND EXCEPT

Parcel 305 of the Bonita Beach Road Right-Of-Way Acquisition described as follows:

A parcel of land lying in ection 35, Township 47 South, Range 25 east, Lee County, Florida also being a portion of Lot 22, Bonita Farms, Plat Book 3, Page 27 of the public records of Lee County, Florida, as described in Official Records Book 4600, Page 1374 and being more particularly described as follows:

Commencing at the Southeast corner of Section 35, being a found aluminum disk stamped "McKee LB 5093", being P.I. Station 392+09.91, Bonita Beach Road; thence S 89°33'16" W, along said baselene a distance of 947.39 feet to Station 382+62.52; thence leaving said baseline N 00°26'44" W a distance of 30.00 feet to the North Right-of-Way line of Bonita Beach Road and the Point of Beginning: thence N 89°33'16" E, along said North Right-of-Way line of Bonita Beach Road a distance of 286.91 feet; thence leaving said Right-of-Way line N 01°22'16" W a distance of 17.53 feet to a point on a non-tangent curve concave southeasterly having a radius of 6058.00 feet, a delta of 01°18'18", a chord of 137.97 feet and a chord bearing of S 85°57'25" W; thence along said curve an arc distance of 137.97 feet to a point of reverse curvature, having a delta of 01°40'48", a radius of 5088.00 feet, a chord of 149.19 feet and a chord bearing of S 86°08'40" W, thence along sadi curve concave northwesterly a distance of 149.19 feet to the Point of Beginning.

Bearings shown hereon are based upon the survey based upon the survey baseline of Bonita Beach Road, having a bearing of N 89°33'16" E from P.I. Station 365+63.83 being an aluminum disk stamped "McKee LB 5093" to P.I. Station 392+09.91 being an aluminum disk stamped "McKee LB 5093".

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COMMUNITY DEVELOPMENT

EHIBIT 11-B-1

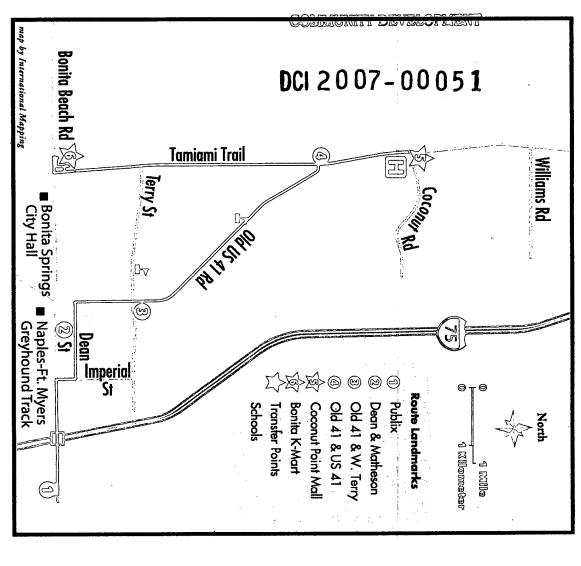
#### "EXHIBIT A"

That part of Lot 23 of BONITA FARMS, as per plat thereof recorded in Plat Book 3, page 27, Lee County, Florida public records, described as follows:

Beginning at the Southwest corner of said Lot 23, BONITA FARMS, thence North 30 feet to a concrete monument marking the North side of Beach Road; thence continue North along the West line of said Lot 23 for 300 feet to the point of beginning of the lands to be herein described; thence East along a line parallel with Beach Road 140 feet to the West side of Harold Street, thence North along the West side of Harold Street to an intersection with the centerline of Oak Creek, which point is 140 feet, measured on a perpendicular, East of the West side of said Lot 23; thence Westerly along the center line of said Oak Creek to an intersection with the Westerly line of said Lot 23 of BONITA FARMS; thence South along the West line of said Lot 23 of BONITA FARMS to point of beginning, said lots being in Section 35, Township 47 South, Range 25 East, and being described on a sales plat of Ben Pachucki as Lots J, K, L, and M. Party of the second part shall have the perpetual easement for the use of the 50 foot street giving access to Dean Street and running North and South through the center of said Lot 23, BONITA FARMS.



# Route 150



# another legitude seed and

# Fort Myers:

LeeTran Office, 6035 Landing View Rd Rosa Parks Transportation Center, 2250 Peck St.

# South Fort Myers: Edison College, Student Services Building

Cape Coral: City Hall, 1015 Cultural Parkway

Bonita Springs
Parks and Rec. Center, 26740 Pine Ave.

# EASTBOUND

5:46	4:15	2:34 2:44	1:15	11:46	10:17	8:48	7:19		<b>O D</b>	K-Mart & US 41 F
		2:51							0	Point 8
6:01	4:30	2:59	1:29	12:00	10:31	9:02	7:33	6:13	9	US 41
6:08	4:37	3:06	1:36	12:07	10:38	9:09	7:40	6:20	3	W. Terry
6:12	4:41	3:10	1:40	12:11	10:42	9:13	7:44	6:24	9	Matheson
6:19	4:48	3:17	1:47	12:18	10:49	9:20	7:51	6:31	9	

# WESTBOUND

5:36		5:22	5:15	5:08	5:04	4:57
4:05	3:59	3:51	3:44	3:37	3:33	3:26
2:34		2:20	2:14	2:07	2:03	1:56
1:05		12:51	12:45	12:38	12:34	12:27
1:36		11:22	11:16	11:09	11:05	10:58
0:07		9:53	9:47	9:40	9:36	9:29
8:38		8:24	8:18	8:17	8:07	8:00
7:09		6:55	6:49	6:42	6:38	6:31
0	0	0	0	<b>©</b>	9	0
Ϋ́α	& US 41 K	Point	& US 41	E. Terry	Matheson	
Bonita	OIG 41 B	Coconut	OIA 41	Old 41 &	Dean &	xilduq
					A E O L O L A D	VV EST 8

not go into Mall. \*Starts at San Carlos Plaza at 6:00 am, and does

PM Times are in **Bold** - All times are approximate

### TRAFFIC IMPACT STATEMENT

Commodore Storage



COMMUNITY DEVELOPMENT

DCI 2007-00051

Pelora allen sur 7/15/07

By
Debora Allen Gress, P.E. #37276
Progressive Engineering C.O.A. # 4778
25671 Corzine Rd
Bonita Springs, Florida 34135
Phone 239-992-1619
Fax 239-992-8571

July 15, 2007

Based on Trip Generation 7<sup>th</sup> Edition, I.T.E.

#### **MINI-WAREHOUSE**

Land Use: 151

Max GFA = 159,650 SF

Area = 5.0 acres

Employees: unknown

This project will consist of 1 large, 3 story building with mini-storage and

retail/office.

# Weekday Average Vehicle Trips

Gross Floor Area

Ln(T) = 1.01Ln(X) + 0.82 X = 159,650SF/1000 SF

Ln(T) = 1.01Ln(159.65) + 0.82

T = 381 trip ends

Using rate of  $2.5 \times 159.65 = 399$  trip ends

# Weekday AM Peak Hour of Adjacent Street

**Gross Floor Area** 

Using rate of  $0.15 \times 159.65 = 24$  trip ends

# Weekday PM Peak Hour of Adjacent Street

**Gross Floor Area** 

Ln(T) = 1.02 Ln(X) - 1.49 X = 159,650 SF/1000 SF

Ln(T) = 1.02 Ln(159.65) - 1.49

T = 40 trip ends

Using rate of  $0.26 \times 159.65 = 42$  trip ends

# Weekday AM Peak Hour of Generator

Gross Floor Area

Ln(T) = 0.91Ln(X) - 1.00 X = 159,650SF/1000SF

Ln(T) = 0.91Ln(159.65) - 1.00

T = 37 trip ends

Using rate of  $0.28 \times 159.65 = 45 \text{ trip ends}$ 

# Weekday PM Peak Hour of Generator

**Gross Floor Area** 

Ln(T) = 1.04 Ln(X) - 1.52 X = 159,650 SF/1000 SF

Ln(T) = 1.04 Ln(159.65) - 1.52

T = 43 trip ends

Using rate of  $0.29 \times 159.65 = 46 \text{ trip ends}$ 

Page 1

#### GENERAL OFFICE BUILDING

Land Use: 710

Max GFA = 10,300 SF

Area = 5.0 acres

### Weekday Average Vehicle Trips

**Gross Floor Area** 

Ln(T) = 0.77Ln(X) + 3.65 X = 10,300SF/1000 SF

Ln(T) = 0.77Ln(10.3) + 3.65

T = 231 trip ends

Using rate of  $11.01 \times 10.3 = 113$  trip ends

### Weekday AM Peak Hour

**Gross Floor Area** 

Ln(T) = 0.80Ln(X) + 1.55

Ln(T) = 0.80Ln(10.3) + 1.55

T = 30 trip ends

### Weekday PM Peak Hour

**Gross Floor Area** 

T = 1.12(X) + 78.81

T = 1.12(10.3) + 78.71

T = 90 trip ends

Due to the constant in this equation, it gives a solution that is much higher than would be expected for this small project.

Using the rate will give a more accurate solution.

Using rate of  $1.49 \times 10.3 = 15$  trip ends

This gives a total PM Peak Hour Trips of 46 + 15 = 61 trip ends.

# **Turn Lane Analysis for Bonita Beach Road**

- 1. Highest Peak Hour = 61 trips for Weekday PM Peak Hour 53% entering and 47% exiting (Using LUC 151 which is greatest)
  - 61 trips X.53 = 32 trips entering, 61 trips X.47 = 29 trips exiting
- 2. Posted Speed Limit on Bonita Beach Road is 45 MPH.
- 3. There is one entrance to the site.
- 4. Assume 5 % truck traffic

### Passenger Car Equivalent

```
Trucks entering = .05 X 32 trips entering = 2 truck
Pcph for trucks entering = 2 \text{ truck } X 1.7 = 3 \text{ pcph}
Pcph total entering = (32 \text{ total} - 2 \text{ truck}) passenger cars + 3 pcph(trucks)
                      = 33pcph
```

Due to limits of ROW, no turnlane can be provided.

## Level of Service Analysis for Bonita Beach Road 100th Peak Hour

2006 100<sup>th</sup> Peak Hour = 1,297 vph for Bonita Beach Road per Concurrency Management Report from Leegov.com, then "Online Docs" Buildout will be 2009.

#### Using data from Periodic Count Station 226 from 2006 Traffic Count Report

```
1997 ADDT
                20,700
1998 ADDT
                19,700
1999 ADDT
                25,500
2000 ADDT
                26,000
2001 ADDT
                24,100
                28,800
2002 ADDT
2003 ADDT
               26,400
                30,900
2004 ADDT
2005 ADDT
                28,000
                31,100
2006 ADDT
10 Year Data and 9 periods of growth
31,100/20,700 = 1.50
1.50^{1/9} = 1.05
1.05% Compound Growth Rate
Calculate for one year past buildout:
2007\ 100^{th} Peak Hour = 1,297 vph X 1.05 = 1,362 vph
2008\ 100^{th} Peak Hour = 1362vph X 1.05 = 1430 vph
2009\ 100^{th}\ Peak\ Hour = 1430vph\ X\ 1.05 = 1502\ vph
2010\ 100^{\text{h}}\ \text{Peak Hour} =\ 1502\text{vphX}1.05 = 1577\ \text{vph}
```

The highest peak hour for this project is Weekday PM of 61 vph. Using directional split of 55% eastbound and 45% westbound for Permanent Count Station No. 42 in the 2006 Report, .55 X 61vph = 34 vph. This will increase the total peak hour one way traffic to 1,577 vph + 34 vph = 1611 vph with

development.

Level of Service for Bonita Beach Road as a 4 lane facility
Using "Link Specific Services Volumes on Arterials in Lee County" from
www.leegov.com, D.O.T. Traffic Department Bulletin Board, Bonita
Beach Road has Level of Service D between 1450 and 1790 vehicles peak
hour peak direction.

2010  $100^{th}$  Peak Hour= 1,577 vph without development-LOS D 2010  $100^{th}$  Peak Hour = 1,611 vph with development - LOS D

p.2

Jun 26 07 12:22p

EXHIBIT I-F

#### DISCLOSURE OF INTEREST FORM FOR:

Name and Address	Dona - topo of Community
Name and Address	, Percentage of Ownership
If the property is owned by a CORPORAT owned by each.	FION, list the officers and stockholders and the percentage
Name, Address, and Office  COMMODORE INVESTMENTS III	Percentage of Stock
DENNIS LEATON	100 %
<u> </u>	
COMMO DORE DUESTMENTS	
DENNIS LEATON MARLENE DANKWORTH	51%
	EE, list the beneficiaries of the trust with percentage of inter-
3. If the property is in the name of a TRUST	EE, list the beneficiaries of the trust with percentage of inter
3. If the property is in the name of a TRUST	HQODO  EE, list the beneficiaries of the trust with percentage of inter  Percentage of Interest
3. If the property is in the name of a TRUST Name and Address	HQODO  EE, list the beneficiaries of the trust with percentage of inter  Percentage of Interest
3. If the property is in the name of a TRUST  Name and Address  4. If the property is in the name of a GENER	HQODO  EE, list the beneficiaries of the trust with percentage of inter  Percentage of Interest
3. If the property is in the name of a TRUST Name and Address  4. If the property is in the name of a GENER the general and limited partners.	EE, list the beneficiaries of the trust with percentage of inter  Percentage of Interest  RAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the manner of the trust with percentage of interest
3. If the property is in the name of a TRUST Name and Address  4. If the property is in the name of a GENER the general and limited partners.	EE, list the beneficiaries of the trust with percentage of inter  Percentage of Interest  RAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the manner of the trust with percentage of interest
3. If the property is in the name of a TRUST Name and Address  4. If the property is in the name of a GENER the general and limited partners.	EE, list the beneficiaries of the trust with percentage of inter  Percentage of Interest  RAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the manner of the trust with percentage of interest
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·	
<ol> <li>If there is a CONTRACT FOR PURCHASE, whe Corporation, Trustee, or Partnership, list the nan stockholders, beneficiaries, or partners.</li> </ol>	ether contingent on this application or not, and whether a nes of the contract purchasers below, including the officers,
Name, Address, & Office(if applicable)	Percentage of Stock
,	
	<del></del>
•	Date of Contract:
<ol><li>If any contingency clause or contract terms invol corporation, partnership, or trust.</li></ol>	ve additional parties, list all individuals or officers, if a
Name and Address	
<del></del>	
For any changes of ownership or changes in corbut prior to the date of final public hearing, a sup	ntracts for purchase subsequent to the date of the application, plemental disclosure of interest shall be filed.
The above is a full disclosure of all parties of inte	erest in this application, to the best of my knowledge and belief
Signature:	
	MARLENE J. DANKWORTH (Printed or typed name of applicant)
STATE OF FLORIDA COUNTY OF LEE	. /
The foregoing instrument was acknowledged be	fore me this day of / 200 7, by who has produced /
as identification.	ANT
(SEAL)	Signature of Notary Public
IRAIDA SECO Notary Public - State of Florida	Printed Name of Notary Public

(Revised 08/2006)

My Commission Expires Jan 7, 2011 Commission # DD 626702 Bonded Through National Notary Assn

COMMUNITY DEVELOPMENT Page 15 of 22

AUG 0 3 2007

#### EXHIBIT I-F

#### DISCLOSURE OF INTEREST FORM FOR:

1. If the property is owned in fe	3-00123.0160 CASE NO. 3-00123.0150 se simple by an INDIVIDUAL, ter	nancy by the entirety, tenancy in common, or the percentage of such interest.
Name and Address	on terminal interest as well as	Percentage of Ownership
		- <del> </del>
If the property is owned by a cowned by each.	CORPORATION, list the officer	s and stockholders and the percentage of st
Name, Address, and Office COMMODORE INVESTMENT	ς π <u>τ</u>	Percentage of Stock
DENNIS LEATON		100 %
COMMODORE INVEST	MENTS II	
DENNIS CEATON	ATI.	51%
MARLENE DANKING	)KI H	49070
4. If the property is in the name the general and limited partners.	of a GENERAL PARTNERSHIF	OR LIMITED PARTNERSHIP, list the name
4. If the property is in the name the general and limited partner.  Name and Address	of a GENERAL PARTNERSHIP	OR LIMITED PARTNERSHIP, list the name
the general and limited partne	of a GENERAL PARTNERSHIF	
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the general and limited partne	of a GENERAL PARTNERSHIF	
the general and limited partne	of a GENERAL PARTNERSHIP ers.  AUG 0 3, 20	

5.	If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers stockholders, beneficiaries, or partners.			
	Name, Address, & Office(if applicable)	Percentage of Stock		

Date of Contract: 6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust. Name and Address For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief. Signature: (Applicant) DENDIS (Printed or typed name of applicant) STATE OF FLORIDA COUNTY OF LEE The foregoing instrument was acknowledged before me this 3 day of DENNIS J Leaton who is personally known to me or who has produced as identification. Signature of Notary Public (SEAL) IRAIDA SECO Notary Public - State of Florida Printed Name of Notary Public Commission Expires Jan 7, 201 Commission # DD 626702 Bonded Through National Notary Ar AUG 0 3 2007 (Revised 08/2006) Page 15 of 22

COMMUNITY DEVELOPMENT

#### EXHIBIT I-B-4 **COVENANT OF UNIFIED CONTROL**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 10852 Bonita Beach Rd described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate Debora Allen Gress as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

- 1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
- 2. The legal representative identified herein is responsible for compliance with all terms, conditions, safequards, 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.

Owner Printed Name

STATE OF FLORIDA ) COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this \_

who is personally known to me or has produced

as identification

Notary Public Notary Public - State of Florida

(Name typed, printed or stamped)

(Serial Number, If any)

Commission Expires Jan 7, 2011 Commission # DD 626702 **Bonded Through National Notary Ass** 

IRAIDA SECO

(Revised 08/2006)

Page 22 of 22

DCI 2007-00051

COMMUNITA DEAETOLMENT

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#### EXHIBIT LB-4 COVENANT OF UNIFIED CONTROL

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 10852 Bonnto Bouch Rd SE 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 Debore—Aller as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

 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.

 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.

NEVVIS I LOAJON
Printed Name

STATE OF FLORIDA )
COUNTY OF LEE )

(Revised 08/2006)

Sworn to (or affirmed) and subscribed before me this 3 day of 3014 2007

who is personally known to me or has produced

as identification

IRAIDA SECO

Notary Public - State of Florida
My Commission Expires Jan 7, 2011

Commission # DD 626702

Bonded Through National Notary Assn.

(Name typed, printed or stamped)

(Serial Number, if any)

AUG 0 3 2007

Page 22 of 22

DCI 2007-00051

Notary Public

COMMUNITY DEVELOPMENT

EXHIBIT I-B-4 COVENANT OF UNIFIED CONTROL The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 10852 Benite Beach Rd SE and legal described in exhibit A attached hereto. 27890 Harold Street The property described herein is the subject of an application for planned development zoning. We hereby designate Debora Allen Gress as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County. The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project: 1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning. 2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County. 3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code. 4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions. 5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the

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.

Mallon J. DANKWORTH

Printed Name

STATE OF FLORIDA )
COUNTY OF LEE }

Sworn to (or affirmed) and subscribed before me this 3 day of 2017, 2007

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as idd in cand

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IRAIDA SECO
Notary Public - State of Florida
My Commission Expires Jan 7, 2011
Commission # DD 626702
Bonded Through National Notary Assn.

(Name typed, printed or stamped)

(Serial Number, if any)

Notary Public

(Revised 08/2006)

Page 22 of 2

COMMUNITY DEVELOPMENT

#### EXHIBIT I-B-4 COVENANT OF UNIFIED CONTROL

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 10852 Benite Beach Rd SE and legally described in exhibit A attached hereto. 27890 Horold Street address)

The property described herein is the subject of an application for planned development zoning. We hereby designate Debore—Aller Gress as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

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STATE OF FLORIDA)
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 3 day of 1/200\_7

by Manene Jankworth who is personally known to me or has produced

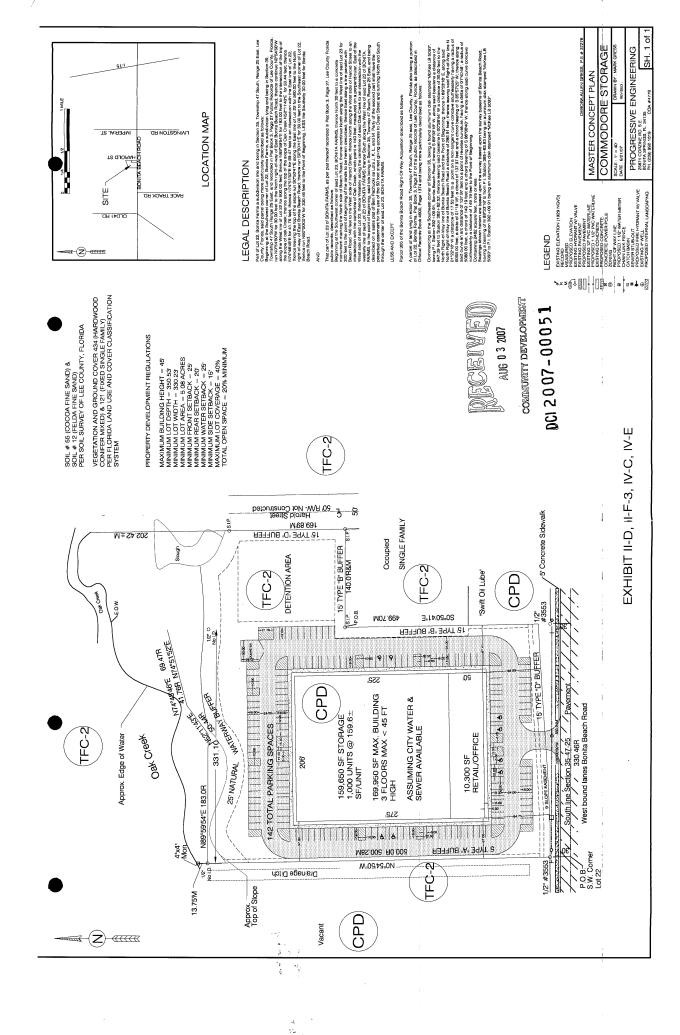
IRAIDA SECO
Notary Public - State of Florida
Notary Public - State of Florida
(Name typed, printed or starriped)
(Serial Number, if any)

Bonded Through National Notary Assn.

(Revised 08/2006)

COMMUNITY DEVELOPMENT

Page 22 of 22



p.4

#### EXHIBIT I-B-4 COVENANT OF UNIFIED CONTROL

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 10852 Benito Beach Rd SE and legally described in exhibit A attached hereto. 27890 Harold Stiere and resolutions.

The property described herein is the subject of an application for planned development zoning. We hereby designate Debore—Allen Gress as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

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Owner J L SATON Printed Name

STATE OF FLORIDA )
COUNTY OF LEE )

Sworn to (or affirmed) and subscribed before me this

3 day of

who is personally known to me or has produced

as identification.

IRAIDA SECO
Notary Public - State of Florida
My Commission Expires Jan 7, 2011
Commission # DD 626702
Bonded Through National Notary Assn

(Name typed, printed or stamped)

(Serial Number, if any)

Notary Public

(Revised 08/2006)

DCI 2007-00051

AUG 0 3 2007 Page 22 of 22

COMMUNITY DEVELOPMENT

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Printed Name

STATE OF FLORIDA) COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this

who ispersonally known to me or has produced

as identification.

IRAIDA SECO Notary Public - State of Florida Commission Expires Jan 7, 2011 Commission # DD 626702 Bonded Through National Notary As

Notary Public 20100 (Name typed, printed or stamped)

(Serial Number, if any)

(Revised 08/2006)

DCI 2007-00051



Page 22 of 22

## EXHIBIT I-B-4 COVENANT OF UNIFIED CONTROL

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Mailene Warleworth
MARLENE J. DANKWORTH
STATE OF FLORIDA ) COUNTY OF LEE )
Sworn to (or affirmed) and subscribed before me this 3 day of 5 / 200 7
by MANEREJ DANK WONG who is personally known to me or has produced
as identification
Notary Public
Notary Public - State of Florida  (Name typed, printed or stamped)

(Revised 08/2006)

My Commission Expires Jan 7, 2011 Commission # DD 626702

Bonded Through National Notary Assn.

Page 22 of 22

COMMUNITY DEVELOPMENT

AUG 0 3 2007

(Serial Number, if any)

## EXHIBIT I-B-4 COVENANT OF UNIFIED CONTROL

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MARLENE J. DANKWORTH Printed Name
STATE OF FLORIDA ) COUNTY OF LEE )
Sworn to (or affirmed) and subscribed before me this 3 day of 1 1 200 7  by MARIENE JANKWO who is personally known to me or has produced
IRAIDA SECO Notary Public State of Florida My Commission & DD 626702  Commission & DD 626702

(Revised 08/2006).

IRAIDA SECO Notary Public - State of Florida My Commission Expires Jan 7, 2011 Commission # DD 626702 Bonded Through National Notary Aser

> AUG 0 3 2007 Page 22 of 22

# PROGRESSIVE ENGINEERING

25671 Corzine Road S.E. Bonita Springs, FL. 34135 Phone/Fax: 239-992-1619

June 16, 2008

Chahram Badamtchian
Lee County Department of
Community Development
9101 Bonita Beach Road
Bonita Springs, Florida 34135

COMMUNEA DEARTONINES.

DCI 2007-00051

RE: Commodore Storage

DCI2007-00051

#### Mr. Badamtchian:

Herewith please find the following:

4 copies additional TIS for car dealership 4 copies revised Environmental Assessment 15 copies MCP1 and MCP2

Per my phone conversation with you, we have added a second MCP for a car dealership.

We have met with the Tree Advisory Committee and they will be recommending that City Council approve a reduction in parking spaces required.

#### Tildon Copeland:

All construction will be taking place outside of the FEMA FIS 2008 area. A retaining wall will be constructed along the north edge of the parking lot to keep fill from entering the new FEMA area.

Changed wording from Flood Zone to Floodway.

Showed 20'maintenance easement within 25 foot natural waterway buffer. Your comment said to show it along the south side of the waterway buffer, but then you would not have access to the river, so I showed it on the north side of the waterway buffer.

# Becky Penfield:

Changed deviation #1 to show distance to Racetrack Road. It is the closest road intersection on the opposite side of Bonita Beach Road from our site. Harold Street is the closest road intersection on the same side of Bonita Beach Road.

#### Susie Derheimer:

Please find revised GTMP from Tropical Environmental to show saving gopher burrows by eliminating parking spaces.

Building perimeter planting calculation has been provided. The sidewalk area has been reduced to increase the perimeter planting

Lee County

Pg. 2

Per our meeting in your office, Exhibit IV-D is referring to the single family residence that is a part of this rezone application. That is the residence that will be demolished. The adjoining TFC-2 parcel is not a part of this project. A deviation has been added to allow for a 15 foot buffer with a wall instead of a 25 foot buffer to separate the existing single family residence from this project.

A note has been added to the plans stating "All planting height must be measured from final grade." This will assure staff that if any trees were to be planted on the slope of the detention area, they will be of sufficient height.

With these changes, please find us sufficient and schedule us for a zoning board hearing at the earliest date possible.

Sincerely,

Debora Allen Gress, P.E.

DAG/mmi

DCI 2007-00051



JUN 1 8 2008

# TROPICAL ENVIRONMENTAL CONSULTANTS, LLC

3570 19<sup>th</sup> Ave. SW Naples, FL 34117

Phone (239) 455-6232 Fax (239) 963-8431

Email: Info@TropicalEnvironmentalConsultants.com

COMMUNITY DEVELOPMENT

This information is presented in response to Lee County's comments dated April 16 2008 related to the Commodore Storage (DCI2007-00051) rezone application request.

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]

FWC will no longer be permitting Incidental Take Permits per Bonita Springs Comprehensive Plan Objective 7.4 Policy 7.4.4: New developments shall protect remnants of viable habitat when listed vegetative and wildlife species inhabit a tract slated for development, and Objective 7.8 Policy 7.8.1: The City's policy is to protect Gopher tortoise burrows wherever they are found. The Gopher tortoise survey indicates clustering of burrows in the northwest portion of the project site, which provides an opportunity to preserve a potion of the gopher tortoises in place. ES staff will require the applicant to pursue possible onsite preservation in conjunction with possible offsite relocation. In order to address comp. Plan policy consistency, ES Staff is requesting a preliminary GTMP to address these options for an onsite gopher tortoise preserve.

Response: Approximately 1.82 acres of land will be set aside as Gopher Tortoise preserve area. A total of 3 tortoise burrows will be preserved in-place. All remaining 10 tortoise burrows will be excavated and all tortoise present onsite or within the burrows will be relocated to an offsite preserve. Regulatory approval for such actions will be granted per either an Interim incidental take permit or Standard relocation permit, permitted by the Florida Fish and Wildlife Conservation Commission.

Please see the attached report titled "Review of State Permitting Options and Preliminary Management Plan for the Gopher Tortoise".

Commodore Storage CPD DCI2007-00051 City of Bonita Springs, FL STRAP: 35-47-25-B3-00122.0160 35-47-25-B3-00123.0150

Review of State Permitting Options and Preliminary Management Plan for the

Gopher Tortoise (Gopherus polyphemus)

DCI 2007-00051

JUN 18 2008

COMMUNITY DEVELOPMENT

TROPICAL ENVIRONMENTAL CONSULTANTS, LLC 3570 19<sup>th</sup> Ave. SW Naples, FL. 34117
Phone (239) 455-6232 Fax (239) 963-8431
Info@TropicalEnvironmentalConsultants.com

# DCI 2007-00051

JUN 1 8 2008

Review of State Permitting Options and Preliminary Management Plan for the Gopher Tortoise (Gopherus polyphemus)

COMMUNITY DEVELOPMENT

**Executive Summary** 

The gopher tortoise was reclassified from a "Species of Special Concern" to a "Threatened" species in September 2007 by the Florida Fish and Wildlife Conservation Commission (FWC). The Unites States Fish and Wildlife Service is currently reviewing the listing status of the gopher tortoise however this species is not currently protected within Florida, Georgia and South Carolina. Although the gopher tortoise is not protected, the eastern indigo snake (*Drymarchon corais couperi*), a commensal species is protected. The FWC no longer issues Incidental Take Permits allowing for the entombment or killing of gopher tortoises except under special conditions including the endangerment of public welfare.

The following review of state permitting options and preliminary management plan was requested by Lee County Environmental Sciences in the April 16, 2008 Request for Additional Information. This report will provide Lee County Environmental Sciences with a brief outline addressing all permitting options currently available through the FWC including key gopher tortoise management techniques and practices for the onsite and offsite relocation and preservation of the gopher tortoise.

This plan follows certain guidelines set fourth in the Gopher Tortoise Management Plan) created by the FWC. The FWC's Gopher Tortoise Management Plan has been approved, but is not currently fully implemented. It is anticipated that the management plan will be implemented in its entirety sometime in the Spring 2008. It is important to note that the intent of the FWC is to restore and maintain secure, viable populations of gopher tortoises throughout the species' current range in Florida. Because this project site does not appear to meet the appropriate criteria necessary to provide for a viable population, as defined within the FWS' plan, it is possible that the FWC may not allow for the relocation or preservation of any tortoises' within the boundaries of this project. The criteria listed in the FWS guidelines include, but is not limited to: a preserve area greater or equal to 25 acres in size. The project totals approximately 5.0 acres with a proposed preserve area of approximately 1.82 acres.



# DCI 2007-00051

#### COMMUNITY DEVELOPMENT

#### **BIOLOGY**

The gopher tortoise is a moderate-sized terrestrial turtle, averaging 23-28 c.m (9-11 in) long. The g. tortoise typically occurs within the southeastern Coastal Plan from southeastern South Carolina to extreme southeastern Louisiana (Auffenberg and Franz 1982). In addition to providing shelter and nesting for this species, the tortoise burrows provide refuge for many other listed and non-listed species.

The primary threat to gopher tortoises within Florida is habitat destruction, fragmentation, and degradation, particularly from urbanization and development, agriculture, and phosphate/heavy metals mining (Diemer 1986, 1987: Berish [Diemer] 1991; McCoy and Mushinsky 1995; Berish 2001, Smith et al. 2006).

#### SITE CONDITIONS

The total project is comprised of two separate parcels located in Section-35 Township-47 and Range-25, City of Bonita Springs. The below figures and facts are provided as a reference for the following preliminary management plan. (*Please see the rezone application for more information.*)

- Project totals approximately 5 acres including 1.8 acres of gopher tortoise preserve area.
- TEC identified a total of 13 tortoise burrows during the 2007 survey.
- It is estimated that a total of 7.9 tortoises occupy approximately 3 acres of the project site. The estimated tortoise density is .39 tortoises per acre.
- The project is immediately bordered by Oak Creek to the north, development to the east and south, and a vacant property to the west.
- Lee County is currently working toward creating a contiguous tortoise preserve within both the subject lot and the western adjacent lot.

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISION AVAILABLE PERMITTING OPTIONS ADDRESSING THE PRESENCE OF The GOPHER TORTOISE ONSITE.

#### ACTIVITIES WHICH DO NOT REQUIRE A FWC PERMIT

According to the FWC's Available Options to Address the Presence of Gopher Tortoises on Lands Slated for Development (October 26 2007), the following options do not require an FWC permit.

• Activities occurring at a distance of 25' or greater from the burrows entrance, provided such activities do not harm gopher tortoises or violate rules protection gopher tortoises. Such activities include the alteration of gopher tortoise habitat such that resident tortoises are "taken".

# **FWC PERMITTING OPTIONS**

- Special Tortoise Relocation Permit (5- tortoises): available for development projects which require the relocation of **five or fewer** tortoises on-site where they currently occur.
- Standard Tortoise Relocation Permit (5+ tortoises): available for development projects which require the relocation of **more than five** tortoises on-site <u>or</u> relocation of any number of tortoises off-site.

• <u>Interim Incidental Take Permit:</u> Requires protection of tortoise habitat to offset the loss of habitat within development sites, and authorizes permittees to move tortoises either within the permitted project boundaries or off-site to areas with suitable habitat.

JUN 18 2008

COMMUNITY DEVELOPMENT

JUN 18 2008

#### PRELIMINIARY GOPHER TORTOISE MANAGEMENT PLAN

### *Introduction*

As a means to address the presence of the gopher tortoise within the subject property, the following preliminary management plan has been created. Key management techniques are presented in "bullet form" below subtitles.

NOTE: The FWC is currently in the process of limiting onsite preservation of gopher tortoises within areas not suitable for sustaining viable tortoise populations; the Florida Fish and Wildlife Conservation Commission must approve this preliminary management plan prior to its implementation.

It is noted that the City of Bonita Springs' policy is to preserve gopher tortoise burrows where they occur. In an effort to comply with this policy as much as practicable, a total of 3 of the 13 identified burrows found onsite will be preserved where they have been found. Because a majority of the tortoise burrows are located well within the footprint of the proposed building and parking areas, not all tortoise burrows found onsite will be preserved. Preservation of any additional burrows identified onsite during the protected species survey, will reduce the proposed total square footage of the building and parking footprint to an extent undesirable to the applicant.

In addition to preserving three burrows in place, a portion of the occupied habitat and a portion of non-occupied habitat will also be preserved. A portion of this additional habitat will be improved through various techniques necessary to meet the biological needs of the tortoise. The remaining portion of the preserve will consist of wetlands, thereby providing additional habitat for commensal species such as the gopher frog.

Of the total 13 burrows identified onsite, a total of three tortoise burrows will be preserved in-place and all other tortoises' onsite will be relocated to either the onsite preserve or to an offsite location approved by the FWC. Due to the relatively mobile nature of this species, any additional tortoise burrows created within the preserve area and identified during future surveys will also be preserved.

The tortoise preserved area will consist of:

- Approximately 1.22 acres of high quality gopher tortoise habitat
- Approximately .60 acres of medium to low quality gopher tortoise habitat

Prior to construction and relocation of tortoises, the FWC will be consulted and either an Interim Incidental Take or Standard Relocation permit will be obtained.

JUN 18 2008

COMMUNITY DEVELOPMENT

# Gopher Tortoise Management Plan

• Prior to issuance of Final Development Order, a detailed gopher tortoise management plan will be provided to both the FWC and Lee County Environmental Sciences for their approval.

# Tortoise Survey

• A second gopher tortoise survey meeting the requirements of the FWC will be completed at a minimum of 90 days prior to submittal of an Interim Incidental Take or Standard Relocation Permit.

# Receipt of Appropriate State and Federal Listed Species Permits

• All applicable state and federal listed species permits will be obtained and forwarded to Lee County Environmental Sciences for their records.

# Relocation of Tortoises and Commensal Species

- Prior to site development activities, both the preserve area and occupied habitat will be inspected and prepared for the relocation of tortoises. Such preparation includes, but is not limited to, the installation of fencing material around the preserve & the estimated occupied habitat area, removal of exotics & preparation of the upper, mid and ground vegetation & coverage percentage, and the installation of a containment pen.
- A vegetation permit will be obtained prior to the installation of tortoise fencing or tortoise burrow excavation
- Tortoises will be captured via the use of bucket traps, excavation techniques or other non-harmful means.
- Fiber optic cameras or other similar devise will be used to identify the presence of commensal species along the length of all tortoise burrows.
- Any gopher tortoises or commensal species found onsite will be relocated to the preserve area or to an offsite location approved by the FWC.
- Tortoise burrows will be fully collapsed after being inspected for the presence of tortoises and commensal species.
- All tortoises found onsite will be identified and recorded. These records will be reported to the FWC.
- All tortoises will be kept within a pen prior to relocation. The pen will provide shade, food, water, shelter and adequate room for the tortoises.

DCI 2007-00051

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# Maintain Appropriate Canopy and Ground Coverage

- Vegetation will be removed within the upper canopy of the preserve such that the aerial extent totals less then 60%. Because the canopy coverage of native vegetation within these areas is estimated at less then 60%, it is expected that native vegetation will not be removed.
- Planting of grass, forbs and herbatious species will be completed within those areas that do not maintain ground coverage (species suitable to the gopher tortoise) of 50% or more.
- The dry detention area included within the preserve area will be planted with bahia or other similar foraging plant material suitable for the gopher tortoise.

# Exotic Plants/ Trash Removal

- Exotics will be removed by hand and where practicable, without the use of herbicides.
- All trash and debris within the preserve area will be removed by hand when at a distance closer then 25' from all tortoise burrows or by machine when the distance is greater then 25'.

# **Fencing**

- A fence, staked hay bails, dense shrub vegetation, or other similar barricade will be installed around the perimeter of the gopher tortoise preserve areas with the exception of the area delineated by oak creek and those areas connecting one preserve to another.
- The fence or other material shall be installed so as to discourage gopher tortoises from burrowing under.
- Periodic and weather related monitoring of the fence shall occur so as to prevent tortoises from escaping.

## Continuity to Gopher Tortoise Habitat within Adjacent Properties.

It is anticipated that the project to the west of this site will create a preserve area sufficient to accommodate several tortoise individuals. In an attempt to connect this preserve with the preserve located onsite, the following will be added:

- A narrow tortoise access corridor within the "Type A Buffer". This buffer is approximately 5' wide and will allow for additional flexibility for connecting the subject preserve area to any preserve area located along the eastern portion of the west adjacent lot.
- Install an elevated access across the drainage easement located between the subject preserve and the adjacent western property. This will be completed at the discretion and expense of the county, and upon approval of both property owners.

DCI 2007-00051

JUN 1 8 2008

# Disease Monitoring

• It will be at the discretion of both the landowner and the FWC to monitor the tortoises for any diseases including URTI, iridovirus, and herpes virus prior to relocation. Note: the FWC no longer requires disease monitoring and testing of gopher tortoises prior to relocation.

# Commensal Species

• During the relocation process, all gopher tortoise commensal species, including those protected species, but not limited to: the Florida mouse (*Podomys floridanus*), Pine snake (*Pituophis melanoleucus*), Eastern indigo snake (Drymarchon couperi), and Gopher frog (Rana capito) present within the non-preserved burrows, will be relocated either offsite or onsite. The location of a wetland within the project boundaries provides additional necessary habitat for some of these and other commensal species.

#### Prescribed Fires

• Although prescribed fires are an integral part of managing gopher tortoise habitat, it is unlikely that prescribed fires will be utilized as a way to decrease canopy coverage and promote the growth of ground cover. Prescribed fire will not be used where prohibited by state and local laws.

## Signage

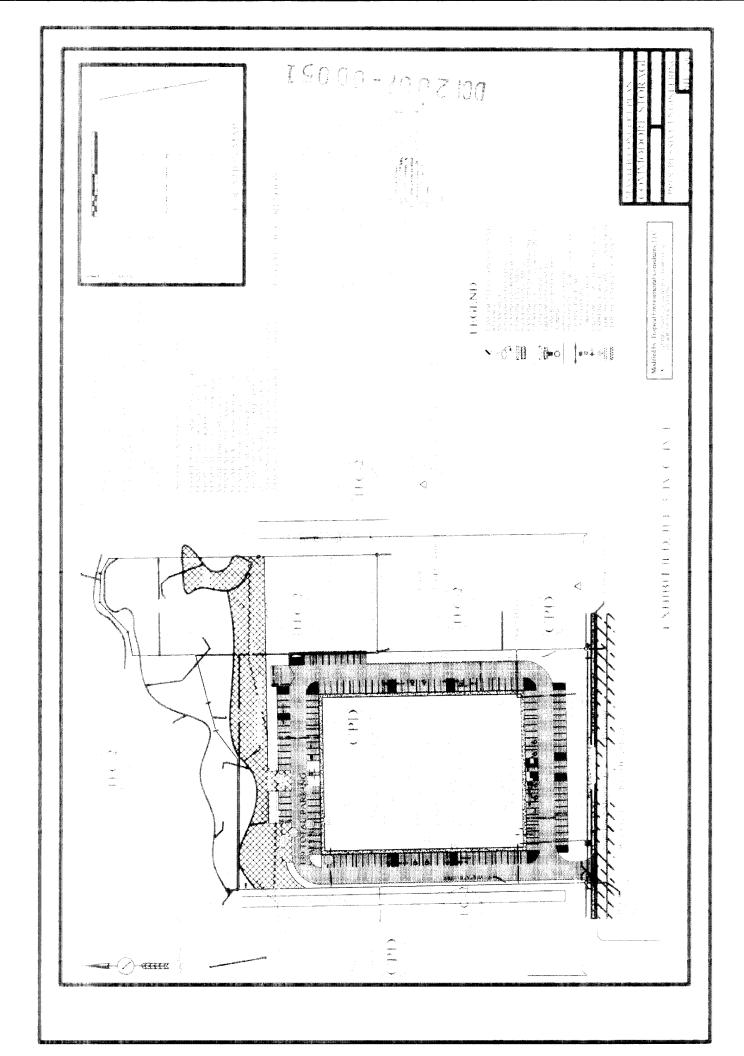
• Signage will be installed around preserve area. This signage will inform viewers of the benefits of the gopher tortoise to the ecological communities in which they live, and will discourage visitors (or allowing their animals) to enter the preserve area.

# Restocking

Monitoring of tortoise numbers and mortality will be completed periodically.
 Should the density of the tortoise preserve be diminished, additional restocking of tortoises may occur.

DCI 2007-00051

JUN 18 2008



# TRAFFIC IMPACT STATEMENT

Commodore Car Dealership

DCI 2007-00051

JUN 1 8 2008

COMMUNITY DEVELOPMENT

Deboc allen Steen

By
Debora Allen Gress, P.E. #37276
Progressive Engineering C.O.A. # 4778
25671 Corzine Rd
Bonita Springs, Florida 34135
Phone 239-992-1619
Fax 239-992-1619

May 27, 2008

Based on Trip Generation 7<sup>th</sup> Edition, I.T.E.

# OCI 2007-00051

New Car Sales Land Use: 841

Max GFA = 31,250 SF Employees: unknown

This project will consist of 1 building for a car dealership.

# JUN 18 2008

COMMUNITY DEVELOPMENT

# **Weekday Average Vehicle Trips**

Gross Floor Area

X = 31,250SF/1000 SF

T = 33.34(X)T = 33.34(31.25)

T - 33.34(31.23)

T = 1,042 trip ends

Using rate of  $33.34 \times 31.25 = 1,042$  trip ends

# Weekday PM Peak Hour

Gross Floor Area

T = 2.64(X) + 2.09

X = 31,250SF/1000SF

T = 2.64(31.25) + 2.09

T = 85 trip ends

# Turn Lane Analysis for Bonita Beach Road

1. Highest Peak Hour = 85 trips for Weekday PM Peak Hour 45% entering and 55% exiting

85 trips X.45 = 38 trips entering

- 2. Posted Speed Limit on Bonita Beach Road is 45 MPH.
- 3. All traffic is entering from the east since there is no median cut in this location.
- 4. Assume 15 % truck traffic

Trucks entering =  $.15 \times 38$  trips entering = 6 trucks

Passenger Car Equivalent

Pcph for trucks entering = 6 truck X 1.7 = 10 pcph

Pcph total entering = (38 total - 6 truck) passenger cars + 10 pcph(trucks) = 42pcph

Due to limits of ROW, no turnlane can be provided.

# Level of Service Analysis for Bonita Beach Road 100<sup>th</sup> Peak Hour

2006 100<sup>th</sup> Peak Hour = 1,420 vph for Bonita Beach Road per the 2007 Lee County Concurrency Report Road Link Volumes from Leegov.com, then "Online Docs" Buildout will be 2009.

# Using data from Periodic Count Station 226 from 2006 Traffic Count Report

1997 ADDT	20,700			
1998 ADDT	19,700			
1999 ADDT	25,500			
2000 ADDT	26,000			
2001 ADDT	24,100			
2002 ADDT	28,800			
2003 ADDT	26,400			
2004 ADDT	30,900			
2005 ADDT	28,000			
2006 ADDT	31,100			
10 Year Data an	nd 9 periods of growth			
31,100 /20,700 = 1.50				
$1.50^{1/9} = 1.05$				
1.05% Compour	nd Growth Rate			
Calculate for one year past buildout:				
$2007\ 100^{\text{th}}$ Peak Hour = $1420\ \text{vph}\ \text{X}\ 1.05 = 1491\ \text{vph}$				
$2008\ 100^{th}$ Peak Hour = 1491 vph X 1.05 = 1565 vph				
$2009\ 100^{th}$ Peak Hour = 1565 vph X 1.05 = 1643 vph				
$2010\ 100^{\text{h}}$ Peak Hour = $1643\ \text{vph}\ \text{X}1.05 = 1726\ \text{vph}$				

OCI 2007-00051

JUN 1 8 2008

COMMUNITY DEVELOPMENT

The highest peak hour for this project is Weekday PM of 85 vph. Using directional split of 55% eastbound and 45% westbound for Permanent Count Station No. 42 in the 2006 Traffic Count Report,  $.55 \times 85$ vph = 47 vph. This will increase the total peak hour one way traffic to 1,726 vph + 47 vph = 1773 vph with development.

Level of Service for Bonita Beach Road as a 4 lane facility

Using "Link Specific Services Volumes on Arterials in Lee County" from <a href="https://www.leegov.com">www.leegov.com</a>, D.O.T. Traffic Department Bulletin Board, Bonita Beach Road has Level of Service D between 1450 and 1790 vehicles peak hour peak direction.

2010  $100^{th}$  Peak Hour= 1,726 vph without development-LOS D 2010  $100^{th}$  Peak Hour=1,773 vph with development - LOS D



COMMUNITY DEVELOPMENT

# TROPICAL ENVIRONMENTAL CONSULTANTS, LLC

3570 19<sup>th</sup> Ave. SW Naples, FL 34117

Phone (239) 455-6232 Fax (239) 963-8431 Email: Info@TropicalEnvironmentalConsultants.com

UUI 2007-00051

This letter is in response to Lee County's comments dated December 21, 2007 for Commodore Storage (DCl2007-00051) rezone application and was created by the Environmental Consultant for the project, TEC, LLC.

20) The Plan shows complete removal of almost all of the heritage trees. Site modifications are recommended to save and protect during construction, as many of the possible heritage tree 1,2,3,4,5,6,7,9,10,11,13, and 15.

Response: The exact location of each Heritage Tree has not been surveyed and therefore is not known. The exact location will be known during the pre-construction site preparation survey/stakeout . This onsite survey indicating the exact placement of all structures will determine if a Heritage Tree will be impacted. Each Heritage Tree slated for preservation will have a silt curtain placed around the drip line prior to site clearing/digging/filling activities. This silt curtain will act as a deterrent to potential impacts within the fenced area. Should it be determined that a Heritage Tree will be impacted by the development, a variance to the Ordinance Code will be obtained and every practicable effort will be made to avoid impacting said tree(s). NOTE: tree numbers are referenced within the rezone application environmental report and refer to a specific tree and its location within the property.

Based upon the approximated locations of all Heritage Trees, it appears that the following will occur:

The consist of live oaks and slash pine. The following Heritage Trees are located within areas where severe modifications to the site plan are required for preservation of said trees. Because these modifications are not anticipated, these trees will be impacted by the development and will be removed:

- #1 Slash pine located within the SW portion of the retention pond.
- #8 Slash pine located within the building footprint.
- #12 Slash pine located within the building footprint
- #15 Live oak located within the parking lot

Modifications of the MCP will allow the following heritage trees originally impacted by the plan to be preserved. These trees are slated for preservation:

The modifications to the original design of the MCP include the following for each tree:

- #2 relocate the NE portion of the retention pond to accommodate the live oak.
- #9, 10 relocate the entrance driveway west approximately 10' to avoid both slash pines. The driveway will be placed between both pines. Should there not be enough distance between these pines to place the entrance drive, then the road will be moved to the west of the westernmost pine.
- replace 2-3 parking spaces with a landscape area large enough to accommodate the live oak. Several branches may need to be removed to accommodate the building to the south.
- #14 relocate the NE portion of the parking lot dumpster pad as necessary to avoid the live oak.

The following heritage trees will <u>not be impacted</u> by the development as currently proposed, and <u>will remain preserved in place</u>: 3, 4 5 6 7 11

1b) Please submit a 24" by 36" FLUCCS and soils map done at the same scale as the MCP

Response: Please see newly attached map

1b3) Please address if any of the upland habitat present onsite meets the rare and unique criteria as defined in the Lee Plan.

Response: The upland portion of the site consists of FLUCCS categories 436 and 438. FLUCCS 438 and 436 are not classified as a rare and unique upland habitat in the Lee Plan.

Although there are large mature pines located onsite, TEC did not classify this FLUCCS area as category 411. FLUCCS 436 and 411 are compared below:

FLUCCS 436 <u>Upland Scrub, Pine and Hardwoods</u>- This scrub category represents a conglomeration of species found in the upland area. These areas have no one predominant species and are usually a disturbed site which has regenerated naturally.

FLUCCS 411 Pine Flatwoods-These forests are quite common throughout much of Northern and Central Florida. Originally, longleaf pines were common on drier sites while slash pines, which are less fire-resistant, were confined to moister sites; wildfires being the contributing factor in this distribution. However, fire control and artificial reforestation have extended the range of slash pine into former longleaf sites. The pine Flatwoods class is dominated by either slash pine, longleaf pine or both and less frequently pond pine. The common Flatwoods under story species include saw palmetto, wax myrtle, gall berry and a wide variety of herbs and bush.

TEC identified the site using FLUCCS category 436 in place of 411 for the following reasons: 1) slash pine, sable palms, and live oak, form a mixture within the upper canopy. No one species predominates 2) all middle and ground level vegetation has been previously cleared 3) under story species common to FLUCCS 411 are not present. These species include saw palmetto, wax myrtle, and gallberry as defined in the FLUCCS manual for code 411.

Please note it is unknown when original clearing efforts occurred, however according to black and white aerials, the site was cleared prior to 1998 and was possibly moved in 2005.

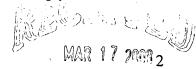
- 3) Because a preliminary management plan is not required during review of a rezoning application, TEC will not be submitting a preliminary management plan at this time. It is not anticipated that a preliminary management plan will be submitted during this review process.
- 4) Please include a SFWMD verified wetland delineation on the FLUCCS map in comment 1b.

Response: Susie Derheimer is no longer requiring this verification.

8) Please address 34-411(g) How will mature native trees (propose preservation or replacement of heritage) and gopher tortoise habitat (gopher tortoise preserve area for onsite relocation) be accommodated by the proposed development?

Response: All designated Heritage Trees will be preserved as much as practicable. It is anticipated that of a total of fifteen (15) trees, the proposed development will only impact/remove four (4). All other trees are intended to be preserved in place.

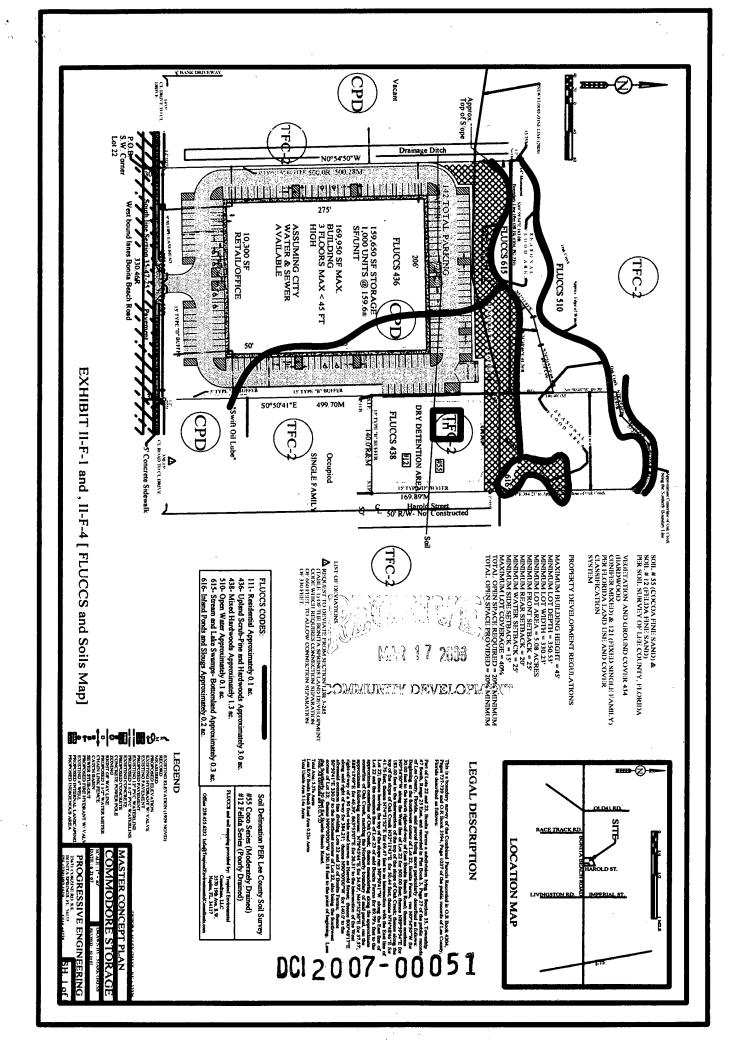
12) Please address how the project is consistent with the policies of the City of Bonita Springs Conservation and coastal management element with regards to wetlands and gopher tortoises.



Response: Site wetlands will not be impacted. It is unknown at this time what preservation efforts for the gopher tortoise will be employed. It is known however, that the FWS is no longer issuing incidental take permits for the entombment of tortoises. All tortoises will be either preserved onsite or relocated.

NAR 17 213

COMMUNITY DEVELOPMENT



Progressive Engineering 25671 Corzine Road S.E. Bonita Springs, FL. 34135 Phone: 239-992-1619 Fax: 239-992-8571

March 14, 2008

Chahram Badamtchian Lee County Development Services 9101 Bonita Beach Road Bonita Springs, Florida 34135

COMMUNITY DEVELOPMENT

RE: Commodore Storage DCI 2007-00051

DCI 2007-00051

Dear Chahram:

Herewith please find 15 copies of the revised MCP per your letter dated December 21, 2007.

Tildon Copeland

I have shown the future ROW taking in the southeast corner on the MCP. Per our meeting in your office, I have changed the boundary line to match the survey and dashed in the proposed right of way taking. I am not showing any construction in the future right of way area. Lee County is currently in negotiation with the owner to purchase the additional right of way.

I have plotted the new FEMA flood zone line on our plan and have kept all construction out of the new FEMA area. Since I will not be impacting the flood zone, I will not be compromising the adjacent canal/flow way and will be providing onsite water management to outfall to Bonita Beach Road.

Per our discussion, and your discussion with Susie Derheimer, you will be able to share the proposed 25 foot natural waterway buffer shown on the MCP for your maintenance easement.

#### LiLi Wu

I have added the distance from Race Track Road to our proposed driveway on the MCP. Race Track Road is on the south side of the divided highway, Bonita Beach Road. I have increased the separation from our driveway to Harold Street which is on the north side of Bonita Beach Road, the same as our driveway.

Gary Price

Per discussions with Lee County environmental planner Susie Derheimer and our environmental consultant Brooke Hollander of Tropical Environmental Consultants, at the time of development order approval when an exact tree location survey is required, modifications will be made to the site plan to save as many existing trees as possible. This can be attached as a condition of our approval.

Mohsen Salehi

Per our phone conversation, I have moved the proposed driveway to the west to increase the intersection separation to 477 feet to

Harold Street, but will be applying for a deviation from LDR 3-285 to avoid entering our site through the adjacent Swift Lube property or accessing through the north end of Harold Street. We were told in our pre-application meeting that it is a violation of the Comprehensive Plan, to access commercial property through residential property.

The driveway for the existing Swift Lube comes off of Harold Street. They do not have a driveway onto Bonita Beach Road.

I believe you spoke with Tom Sawtell of Lee County also about the driveway issues as were discussed in our preapplication meeting.

#### Susie Derheimer

Please find 4 copies of the FLUCCS map on 24X36 done by Tropical Environmental Consultants along with a response letter addressing your comments. Brooke Hollander said the two of you met and discussed your comments.

Legible topographic map in NGVD is shown on the boundary survey which can be used to accurately assess the property elevations. I provided the USGS Quadrangle map previously as it was specifically requested by you.

Per your discussion with Brooke Hollander of Tropical Environmental Consultants, a Gopher Tortoise Management plan is not required until Development order time. It is the owner's intention to apply for a take permit from the Army Corp to remove any gopher tortoises from the site.

The MCP states 20% open space required, 20% open space provided. The required indigenous acreage is 50% of required open space. This acreage has been added to the MCP.

At the time of development order when an exact tree location survey is required, slight modifications will be made to the site plan to save as many existing trees as possible. This can be attached as a condition of our approval. The indigenous area provided was larger than required on the last plan, so I have reduced the area and moved it back 15 feet from the parking lot. This should allow for a 3:1 slope or retaining wall if needed.

The existing TFC-2 parcel that is a part of this rezoning application is the one I was referring to in Exhibit IV-D that will have the residence demolished. Per BSLDC 3-416, commercial adjacent to single family requires a type B buffer which is what we have provided for the adjoining TFC-2 single family parcel under different ownership.

Sincerely,

Debora Allen Gress, P.E.

UDC /mmi

# Progressive Engineering 25671 Corzine Road S.E. Bonita Springs, FL. 34135 Phone: 239-992-1619

Fax: 239-992-8571

November 1, 2007

Chahram Badamtchian City of Bonita Springs 9101 Bonita Beach Road Bonita Springs, Florida 34135

RE: Commodore Storage

DCI 2007-00051

Dear Chahram:



DCI 2007-00051

Per your letter dated September 4, 2007 please find the following revisions and comments:

# Tildon Copeland

Please find a revised boundary survey and legal description for one parcel.

Please find water management calculations showing that detention will be provided for the first inch of rainfall per City of Bonita Springs LDC. The outfall will release at predevelopment runoff.

Water management storage will be provided on site to compensate for filling the site. Runoff to adjacent property will not occur. A 25 foot natural waterway buffer will be provided adjacent to Oak Creek and the closest point of construction to the seasonal high water line is approximately 31 feet and as much as 67 feet in some areas.

A 50 foot wide easement exists abutting the west side of the property and is owned by Lee County. This easement has access directly from Bonita Beach Road to Oak Creek and should be wide enough for drainage and maintenance. The current ditch is 15 feet wide. This existing easement should provide for room for maintenance of the drainage easement on the west and Oak Creek if that is what you are looking for per your comment.

The surveyor has located the Seasonal high water line on the revised boundary survey.

#### Lili Wu

- 1. Distance between proposed project entrance and adjacent streets has been shown. Entrance to the site is not allowed through Harold Street as this passes by residential property.
- 2. I have revised the TIS to Land Use 820 for worse case

3. I have revised the TIS to use 2007 Lee County Concurrency Report 2006<sup>th</sup> 100<sup>th</sup> Highest Peak Hour of 1,420 vph.

#### Susan Hollandsworth

I have shown dimensions from the centerline of the proposed driveway to the nearest intersection east and west of the site on the north side of Bonita Beach Road. A median separates the north bound lanes from the south bound lanes. The intersection separation to the east is 330.15 feet therefore a deviation will be required since the 660 feet intersection separation cannot be met. This request has been shown on the MCP.

### Chahram Badamtchian

- 1.A disclosure statement was provided for Commodore Investments II and Commodore Investments III listing all stockholders. I am enclosing another copy for your use. The original signature copy should be in your file.
- 2. I have enclosed a Comprehensive Plan Narrative. The Bonita Springs Application for Public Hearing page 3 of 22 section E.2 says if proposing any Lee Plan amendments, then submit exhibit II-E-2 Narrative how prop complies with Lee Plan. I am not proposing any amendments.
- 3.A deviation is being requested for intersection separation.

#### Mohsen Salehi

- 1. We are having to request a deviation for the intersection separation from 660 feet to 330 feet. See revised MCP.
- 2. We were told at our informal with Lee County that an access to a commercial site cannot pass in front of residential property therefore no access from Harold Street would be allowed. Our only access had to be from Bonita Beach Road.

#### Susie Derheimer

- 1. Please find FLUCCS and soils map and Environmental survey and report by Tropical Environmental Consultants, LLC.
- 2. Please find a USGS quadrangle map. Elevations are shown on the boundary survey.
- 3.MCP revised to show 20% open space provided
- 4. Indigenous area shown on MCP with 50% of the required 20% open space. The area has been crosshatched and shown in legend.
- 5. The 9 foot "slope easement" was taken by Lee County DOT with the road widening of Bonita Beach Road. This is not a utility, power or drainage easement. It will allow for the dirt to slope back to natural ground. We should be able to use the entire 15 foot buffer for plantable area.
- 6. Natural waterway buffer is shown as 25 feet wide measured from seasonal high water mark on MCP.
- 7. Detention will be dry. See MCP.

Sincerely,

Debora Allen Gress, P.E.

# TRAFFIC IMPACT STATEMENT

Commodore Storage

COMMUNITY DEVELOPMENT

uu 2007-00051

By
Debora Allen Gress, P.E. #37276
Progressive Engineering C.O.A. # 4778
25671 Corzine Rd
Bonita Springs, Florida 34135
Phone 239-992-1619
Fax 239-992-8571

July 15, 2007 Revised: October 1, 2007

Based on Trip Generation 7<sup>th</sup> Edition, I.T.E.

Delou all shest

## **MINI-WAREHOUSE**

Land Use: 151

Max GFA = 159,650 SF

Area = 5.0 acres

Employees: unknown

This project will consist of 1 large, 3 story building with mini-storage and retail/office.

# Weekday Average Vehicle Trips

**Gross Floor Area** 

Ln(T) = 1.01Ln(X) + 0.82 X = 159,650SF/1000 SF

Ln(T) = 1.01Ln(159.65) + 0.82

T = 381 trip ends

Using rate of  $2.5 \times 159.65 = 399$  trip ends

# Weekday AM Peak Hour of Adjacent Street

**Gross Floor Area** 

Using rate of  $0.15 \times 159.65 = 24$  trip ends

# Weekday PM Peak Hour of Adjacent Street

**Gross Floor Area** 

Ln(T) = 1.02 Ln(X) - 1.49 X = 159,650 SF/1000 SF

Ln(T) = 1.02 Ln(159.65) - 1.49

T = 40 trip ends

Using rate of  $0.26 \times 159.65 = 42$  trip ends

# Weekday AM Peak Hour of Generator

**Gross Floor Area** 

Ln(T) = 0.91Ln(X) - 1.00 X = 159,650SF/1000SF

Ln(T) = 0.91Ln(159.65) - 1.00

T = 37 trip ends

Using rate of  $0.28 \times 159.65 = 45$  trip ends

# Weekday PM Peak Hour of Generator

Gross Floor Area

Ln(T) = 1.04 Ln(X) - 1.52 X = 159,650 SF/1000 SF

Ln(T) = 1.04 Ln(159.65) - 1.52

T = 43 trip ends

Using rate of  $0.29 \times 159.65 = 46 \text{ trip ends}$ 

#### **SHOPPING CENTER**

Land Use: 820

Max GFA = 10,300 SF

Area = 5.0 acres

# Weekday Average Vehicle Trips

Gross Floor Area

Ln(T) = 0.65Ln(X) + 5.83 X = 10,300SF/1000 SF

Ln(T) = 0.65Ln(10.3) + 5.83

COMMUNITY DEVELOPMENT

T = 1550 trip ends Using rate of  $42.94 \times 10.3 = 442$  trip ends

# Weekday AM Peak Hour

Gross Floor Area Ln(T) = 0.60Ln(X) + 2.29Ln(T) = 0.60Ln(10.3) + 2.29

T = 40 trip ends

# Weekday PM Peak Hour

Gross Floor Area

Ln(T) = 0.66Ln(X) + 3.40

Ln(T) = 0.66Ln(10.3) + 3.40

T = 140 trip ends

Due to the constant in this equation, it gives a solution that is much higher. Using the rate will give a more accurate solution.

Using rate of  $3.75 \times 10.3 = 39$  trip ends

This gives a total PM Peak Hour Trips of 46 + 39 = 85 trip ends.

Turn Lane Analysis for Bonita Beach Road

- 53% entering and 47% exiting (Using LUC 151 which is greatest) COMMUNITY DEVELOPMENT trips X .53 = 45 trips entering 25 trips 25 trips entering 25 trips 25 trips entering 25 trips 25 trips 25 trips entering 25 trips 25 1. Highest Peak Hour = 85 trips for Weekday PM Peak Hour 85 trips X.53 = 45 trips entering, 85 trips X.47 = 40 trips exiting
- 2. Posted Speed Limit on Bonita Beach Road is 45 MPH.
- 3. There is one entrance to the site.
- 4. Assume 5 % truck traffic

Passenger Car Equivalent

Trucks entering =  $.05 \times 45$  trips entering = 2 truck Pcph for trucks entering = 2 truck X 1.7 = 3 pcph

Pcph total entering = (45 total - 2 truck) passenger cars + 3 pcph(trucks) =46pcph

Due to limits of ROW, no turnlane can be provided.

# Level of Service Analysis for Bonita Beach Road 100th Peak Hour

2006 100th Peak Hour = 1,420 vph for Bonita Beach Road per the 2007 Lee County Concurrency Report Road Link Volumes from Leegov.com, then "Online Docs" Buildout will be 2009.

nci 2007-00051

# Using data from Periodic Count Station 226 from 2006 Traffic Count Report

1997 ADDT	20,700
1998 ADDT	19,700
1999 ADDT	25,500
2000 ADDT	26,000
2001 ADDT	24,100
2002 ADDT	28,800
2003 ADDT	26,400
2004 ADDT	30,900
2005 ADDT	28,000
2006 ADDT	31,100
10 Year Data and	9 periods of growth
31,100 /20,700 =	1.50
$1.50^{-1/9} = 1.05$	
1.05% Compound	d Growth Rate
•	year past buildout:
	Flour = $1420 \text{ vph } X 1.05 = 1491 \text{ vph}$
2008 100th Peak I	Hour = $1491 \text{ vph } X 1.05 = 1565 \text{ vph}$
	Hour = $1565 \text{ vph } X 1.05 = 1643 \text{ vph}$
	Hour = $1643 \text{ vph } X1.05 = 1726 \text{ vph}$
	•



COMMUNITY DEVELOPMENT

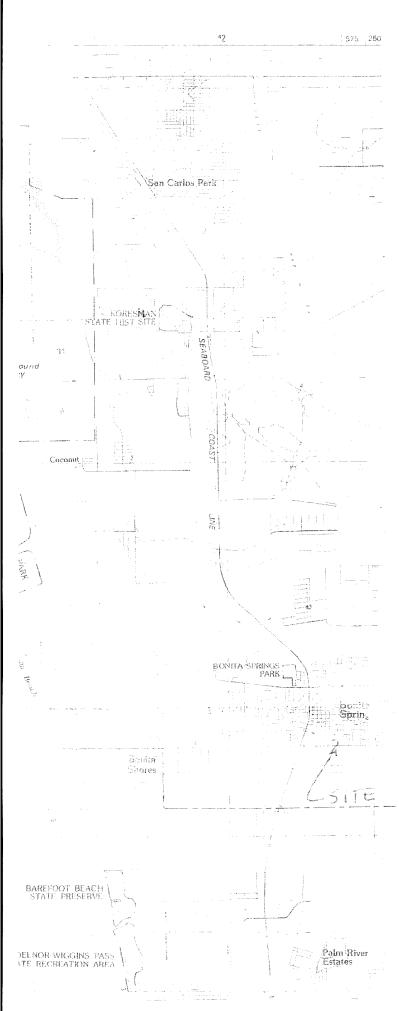
2007-00051 DCI

The highest peak hour for this project is Weekday PM of 85 vph. Using directional split of 55% eastbound and 45% westbound for Permanent Count Station No. 42 in the 2006 Traffic Count Report, .55 X 85vph = 47 vph. This will increase the total peak hour one way traffic to 1.726 vph + 47 vph = 1773 vph with development.

# Level of Service for Bonita Beach Road as a 4 lane facility

Using "Link Specific Services Volumes on Arterials in Lee County" from www.leegov.com, D.O.T. Traffic Department Bulletin Board, Bonita Beach Road has Level of Service D between 1450 and 1790 vehicles peak hour peak direction.

2010 100<sup>th</sup> Peak Hour= 1,726 vph without development-LOS D 2010 100<sup>th</sup> Peak Hour =1,773 vph with development - LOS D



# 1:100 000-scale *metric* topographic-bathymetric map



30 X 60 MINUTE QUADRANGLE SHOWING DCI 2007-005

Contours and elevations in meters
Highways, roads and other
manmade structures
Water features
Woodland areas
Geographic names
Bathymetric contours in meters

1985

Produced by the United States Geological Survey and the National Ocean Service

Compiled from USGS 1:24 000-scale topographic maps dated 1958-1974 and orthophotomaps dated 1974. Planimetry revised from aerial photographs taken 1973 and other source data. Revised information not field checked. Map edited 1985

Bathymetry compiled by the National Ocean Service from tide-coordinated hydrographic surveys. This information is not intended for navigational purposes

Mean low water (dotted) line and mean high water (heavy solid) line compiled by NOS from tide-coordinated aerial photographs. Apparent shoreline (outer edge of vegetation) shown by light solid line

Projection and 10 000-meter grid, zone 17: Universal Transverse Mercator 25 000-foot grid ticks based on Florida coordinate system, east and west zones

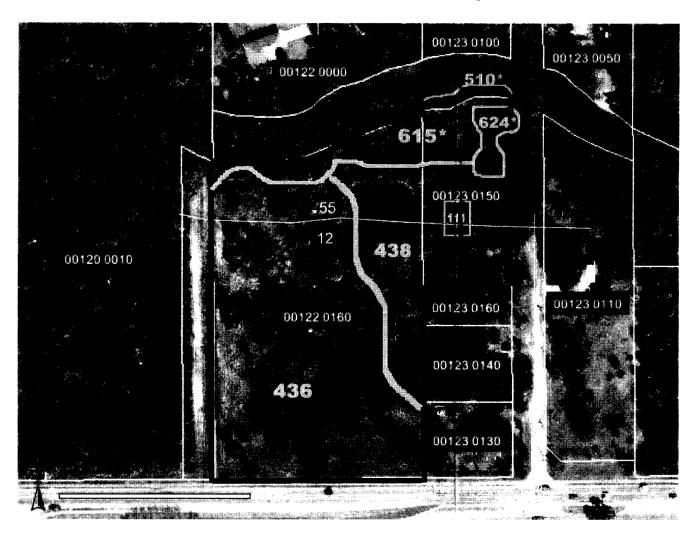
1927 North American Datum

To place on the predicted North American Datum 1983, move the projection lines 37 meters south and 19 meters west

Offshore protraction survey data, shown in red, furnished by the Minerals Management Service. Heavy lines indicate limits of Outer Continental Shelf Official Protraction Diagram dated February 3, 1977. The protractions on this map are not for Federal leasing purposes; for such purposes, refer to

# Environmentally Sensitive Lands, FLUCCS, and Soil Map

[Exhibit II-F-1 and Exhibit II-F-4]



Project Boundaries

**FLUCCS** Boundaries





Progressive Engineering C.O.A. 4778 25671 Corzine Road S.E. Bonita Springs, FL. 34135 Phone: 239-992-1619

Fax: 239-992-8571

# **Commodore Storage**

35-47-25-B3-00122.0160 35-47-25-B3-00123.0150

# Water Management Calculations

Total site = 5.14 acres
Building area = 56,650 SF
Paved parking = 57,808SF
Total Impervious = 114,458 or 2.63 acres
Total Pervious = 5.14ac-2.63ac = 2.51 acres

Provide water quality for pervious/impervious calculations
1" X 5.14 ac or 2.5" X percent impervious
Site Area for water quality pervious/impervious calculations only
Total project – roofed area = 5.14ac- 56,650SF/43560SF/ac = 3.84 ac
Percent Impervious = 2.63ac/3.84ac = 68.4%
2.5" X .684 = 1.71 "

Water Quality required = 1.71" X 5.14 acres X 43,560SF/ac X 1ft/12" = 31,905 SF required of wet detention
Using dry detention .75 X 31,905SF = 23,929 SF required
Dry detention provided = 19,800SF X1.25' deep = 24,750SF

Debora Allen Gress, P.E. 37276

DEC 03 2007

elec n 3 ton

COMMUNITY DEVELOPMENT

Commodore Storage CPD
DCI2007-00051
City of Bonita Springs, FL
STRAP: 35-47-25-B3-00122.0160,
35-47-25-B3-00123.0150
October 2007

Large Development Rezone Application - Environmental Survey and Report

Report by:

Brooke B. Hollander and Lacey Stockeland

TROPICAL ENVIRONMENTAL CONSULTANTS, LLC

3899 Mannix Dr. #409 Naples, FL 34114

Phone (239) 455-6232 Fax (239) 963-8431

Info@TropicalEnvironmentalConsultants.com

COMMUNERY DISVELOPMENT

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DCI2007-00051

COMMUNITY PROVIDENTS

# EXHIBIT II-F-2 ENVIRONMENTAL ISSUES

A. **Topography**: Describe the range of surface elevations of the property:

See attached topographic map for elevations.

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).

A seasonal flood area (FLUCCS 615), adjacent to Oak Creek, is located along the entire north property line with a small portion of Oak Creek (FLUCCS 510) also within the boundaries of the assessment area. A small wetland area (FLUCCS 621) is located within the northwestern portion of the assessment area. These areas are delineated on Exhibit II-F-2. The assessment area does not contain other unique or rare uplands or land forms.

Gopher tortoises are present and occupying the assessment area (FLUCCS 411/436). Both active and inactive gopher tortoise burrows were located and three gopher tortoise specimens were observed. Also present within the assessment area (FLUCCS 615 and 624) are the endangered royal palm and royal fern.

C. Preservation/Conservation of Natural Features: Describe how the lands listed in (B) above will be protected by the completed project:

The preservation/conservation of all listed species, environmentally sensitive lands, and other natural features present onsite will be addressed in a future land management plan. This land management plan will be provided as required prior to a development order.

D. Shoreline Stabilization: If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:

Oak Creek is adjacent to the project; however the shoreline of Oak Creek is currently stable and will not be affected.

JC 03 2007

COMMUNITY DEVELOPMENT

# **Protected Species Survey Report**

#### Introduction:

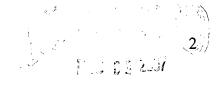
Two biologists surveyed the subject assessment area for the presence of Federal and State protected flora and fauna. A list of species potentially occurring onsite was generated based on review of FLUCCS codes, Florida Natural Areas Inventory, scientific literature, and local experience.

From a total of 11 species potentially occurring on site, three species were observed: Gopher tortoise (*Gopherus polyphemus*), Florida royal palm (*Roystonea elata*) and royal fern (*Osmunda regalis*).

# **Site Description:**

The assessment area is located within the city of Bonita Springs, Lee County FL. The project is located northeast of the intersection of highway Old US 41 and Bonita Beach Rd. The assessment area totals approximately 5 acres, of which approximately 3.5 acres remain undeveloped. The remaining 1.5 acres is comprised of a second, smaller developed residential parcel. The assessment area is bordered by Oak Creek to the north, commercial and residential development to the east, Bonita Beach Road to the south, and a large undeveloped parcel to the west. The assessment area is comprised of six FLUCCS codes. These communities have been delineated on Exhibit 1-F-II. The dominant community is FLUCCS code 436-Upland Scrub-Pine and Hardwoods, totaling approximately three acres. This xeric flatwood habitat has regenerated after previous clearing efforts. The dominant vegetation within this FLUCCS code includes slash pine (Pinus elliottii) in the upper-canopy, sabal palm (Sabal palmetto), and various scrub oak species including sand live oak (Q. gemenita), myrtle oak (Q. myrtifolia), scrub oak (Q. inopena) in the sub-canopy, and gopher apple (Licania michauxii) and runner oak (Quercus minima) along the ground. The second largest community, FLUCCS code 438-Mixed Hardwoods, totals approximately 1.3 acres. The dominant vegetation includes live oak (Ouercus virginiana), slash pine (Pinus elliottii), sabal palms (Sabal palmetto), and numerous exotic species including mango (Mangifera), royal poinciana (Delonix regia), and java plum (Syzygium cumini) in the upper canopy. Mid-canopy vegetation includes scattered Brazilian pepper (Schinus terebinthifolius) and a mix of younger upper-canopy species. Ground vegetation is highly varied with exotics predominant. Some areas are void of vegetation, probably due to heavy shading. The remaining habitat onsite is wetland. FLUCCS code 615- Stream and Lake Swamps, totaling approximately .3 acres, serves as a seasonal overflow area for Oak Creek. This wetland area is dominated by sabal palm (Sabal palmetto), swamp bay (Persea palastrus), live (Q. virginiana) and laurel oak (O. laurafolia), scattered slash pine (Pinus elliottii), and several multi age-class Florida royal palms (Roystonea elata).

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Mid and ground species include royal (*Osmuna regalis*) and cinnamon fern (*O. cinnamomea*), swamp fern (*Blechnum serrulatum*), myrsine (*Rapanea*), and scattered saw palmetto (*Serenoa repens*). FLUCCS code 624-Cypress, Pine and Sabal Palm, totals approximately .2 acres. This depressional wetland slough is dominated in the uppercanopy by cypress (*Taxodium*), slash pine (*Pinus elliottii*), and sabal palms (*Sabal palmetto*) along the peripheral wetland edge. Vegetation is sparse within the deepest portions of the wetland. Mid-canopy and ground vegetation consists of a number of exotic plant species including young royal poinciana (*Delonix regia*), wandering Jew (*Tradescantia zebrine*), a species of pothos (*Epipremnum*), and mango (*Mangifera*) along the peripheral. Finally, Oak Creek, which is approximately .1 acres, has been designated by FLUCCS code 510 Streams and Waterways. The residence is identified by FLUCCS code 111.

# Methodology:

TEC followed Lee Listed Species Survey methods proposed by Jim Beaver of the Florida Fish and Wildlife, and presented on the Lee County government-Environmental Sciences' website.

On the morning of August 14, 2007, two biologists spent 1 hour inspecting the assessment site to delineate FLUCCS classification habitats present. A list of species potentially present, was generated based on protected species associated with each Florida Land Use Cover Classification and Forms (FLUCCS) code present onsite, Florida Natural Areas Inventory data, review of relevant scientific literature of species biology and habitat, and local experience. Please see table 1-2 for a list of species included in this survey. Transect locations were then established based on FLUCCS locations, vegetation density, and listed species biology. On August 15<sup>th</sup>, 19<sup>th</sup>, and 22<sup>nd</sup>, two biologists spent a total of 6.5 hours walking along transects while visually inspecting the assessment site for signs indicating the presence of a listed species. Approximately eighty percent or more of each FLUCCS code was visually inspected for each survey species (Figure 1-III). During the survey, biologists recorded weather conditions, and gopher tortoise burrow locations using GPS technology and color aerial photographs. GPS technology was not used in locating other identified species onsite at the aerial canopy cover was too dense to allow for accurate GPS readings. Biologists then flagged the location of tortoise burrows onsite using pink flagging tape. TEC biologists determined which gopher tortoise burrows are active. Biologists did not differentiate between the inactive or abandoned status of the burrows. NOTE: Because of the potential for local residents to harm or harass gopher tortoises, TEC will remove all flagging tape from the gopher tortoise locations once the review of this rezone application is complete.

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# **Summary of Findings:**

After conducting a detailed survey of the assessment area, TEC identified the following species onsite: gopher tortoise (*Gopherus polyphemus*), royal palm (*Roystonea regia*), royal fern (*Osmunda regalis*) and cinnamon fern (*Osmunda cinomomea*). Please see exhibit "A" for the locations of these species.

# Gopher tortoise:

During the survey, TEC located thirteen burrows onsite. Of these 13 burrows, 6 burrows are active, with the remaining burrows' status as abandoned or inactive. In addition to locating gopher tortoise burrows, biologists also witnessed the presence of three gopher tortoises within the boundaries of the assessment area and one large female gopher tortoise within the boundaries of the adjacent western property. Two of the three gopher tortoises were observed within their burrows and the third juvenile tortoise was observed approximately 20' from its proposed burrow. Please see table 1-0

Boylan Environmental Consultants conducted a previous endangered/listed species survey on November 12, 1999. This survey identified a total of nine gopher tortoise burrows. Review and comparison of both surveys showed gopher tortoise activity is limited to the larger undeveloped parcel, and that tortoises burrows are concentrated in the northwest corner of the parcel.

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Figure 1-0 Gopher Tortoise Observations and Data Collected

	GPS Co	ordinates		GPS Coordinates	
Burrow Number (coordinate with #s on exhibit "A")	Latitude	/ Longitude	Burrow Number (coordinate with #s on exhibit "A")	Latitude	/ Longitude
1	26 19.906	81 46.414	8	26 19.938	81 46.407
2	26 19.943	81 46.419	9	26 19.939	81 46.405
3*	26 19.949	81 46.414	10*	26 19.934	81 46.406
4*	26 19.950	81 46.413	11*	26 19.915	81 46.400
5*	26 19.948	81 46.413	12*	26 19.916	81 46.397
6	26 19.943	81 46.412	13*	26 19.926	81 46.398
7*	26 19.906	81 46 414			

#### Observations:

Burrow #1: Evidence of recent activity was noted including tracks and slide marks. A gopher tortoise of similar size to the burrow was observed within approximately 15' of the burrow.

Burrow #2: A gopher tortoise was observed occupying the entrance of this burrow.

Burrow #6: A gopher tortoise was observed occupying the entrance of this burrow.

Burrow #8: Evidence of recent activity was noted including fresh gopher tortoise feces.

Burrow #9: Evidence of recent activity was noted including freshly displaced soil, possibly recently excavated.

# Royal palm:

Biologists identified the presence of three mature royal palms. Two of these palms are located on either side of the residence, and therefore appear to have been established for landscaping purposes. The third royal palm may also have been planted, however it is difficult to know with certainty. Additional royal palm seedlings were noted approximately 50' northwest of the residence, as well as several one or two year old palms within the wetland slough. Seeds from the larger palms likely established these seedlings. The locations of the royal palms have been estimated on the protected species survey map (Exhibit "A"). TEC examined the leaf structure of the royal palms in order to differentiate between juvenile royal palms and the similar looking queen palm (exotic).

# Royal and Cinnamon fern:

Biologists found numerous royal and cinnamon ferns along Oak Creek. These ferns are concentrated within the topographically lowest portions of the Oak Creek seasonal overflow area. Please see Exhibit "A" for the approximate locations of these species onsite.

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Figure 1-1 Federal/ State Protected Species Status of Species Observed Onsite

<sup>\*</sup>Active/Inactive status unknown.

Common Name	Scientific Name	County	FWC	FDA	USFWS
Gopher tortoise	Gopherus polyphemus		Т	N/A	Not listed in Florida
Florida royal palm	Roystonea_elata (Bartr.) F. Harper		Not listed	Endangered	Not listed
Cinnamon fern	Osmunda cinnomomea		Not listed	Commercially Exploited	Not listed
Royal fern	Osmunda regalis L.		Not listed	Commercially Exploited	Not listed

Figure 1-2 Species Survey Data and Summary of Findings

# Florida Land Use Cover Classification and Forms Definitions

Species	Expected	%Area	Present	Absent	Total #	Visibility
•	presence in	Surveyed			identified	(ft)
	FLUCCS code					
Eastern Indigo	411/436	>80%		X	n/a	15
Snake		}				
Gopher tortoise	411/436	>80%	X		13 burrows	15
Gopher frog	411/436	>80%		X	n/a	15
Southeastern	411/436	>80%		X	n/a	15
American						
kestrel						
Red-cockaded	411/436	>80%		X	n/a	15
woodpecker						
Florida panther	411/436/621	>80%		X	n/a	15
Big Cypress	411/436	>80%		X	n/a	15
fox squirrel						
Fakahatchee	411/436	>80%		X	n/a	15
burmannia						
Stainleaf	411/436	>80%		X	n/a	15
Beautiful paw-	411/436	>80%		X	n/a	15
paw						
Florida coontie	411/436	>80%		X	n/a	15
Florida Black	411/436/438/624	>80%		X	n/a	30
Bear						
Florida Panther	624	>80%		X	n/a	30
Cinnamon Fern	624	>80%	X		Throughout	60
Royal Fern	624	>80%	X		Throughout	60
Royal Palm	624	>80%	X		3 mature,	130
					many	
				!	seedlings	

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#### 111- Residential

# 436- Upland Scrub Pine and Hardwoods

This scrub species represents a conglomeration of species found in the upland area. These areas have no one predominant species and are usually a disturbed site that has regenerated naturally.

NOTE: The subject site contains slash pine and sable palms in the upper-canopy with sand live oak, myrtle oak, scrub oak, and young sable palms in the mid-canopy. Ground plants include a wide mix of runner oak, gopher apple, prickle pear cactus, blazing star, wire grass, and a number of other herbs and grasses.

#### 438 Mixed Hardwoods

This is a hardwood community in which no single species or species group appears to achieve a 66 percent dominance of the canopy. This class of hardwoods includes any combination of large and small hardwood tree species none of which can be identified as dominating the canopy.

NOTE: The subject site contains slash pine, laurel oak, live oak, sable palms, and a number of exotics including mango, avocado, java plum, jacaranda, royal poinciana in the upper-canopy. Mid-canopy includes young species of the upper canopy. Ground vegetation includes Bahia and St. Augustine grasses, and a number of young exotic seedlings.

# 510- Open water (Oak Creek)

# 615- Stream and Lake Swamps- Bottomland

This community, often referred to bottomland or stream hardwoods, is usually found on, but not restricted to river, creek or lake overflow areas. This category has a wide variety of predominantly hardwood species of which some of the more common components include red maple, river birch, water oak, cypress, pine, tupelos, buttonbush, slash pine, loblolly pine, water hickory, bays and spruce pine.

NOTE: The subject site contains sabal palms, slash pine, scattered cypress and swamp bay, laurel and live oaks and some exotics including bamboo and mango in the uppercanopy. Mid canopy included many of the same upper-canopy species as well as wild coffee and false nettles.

# 616- Inland Ponds and Sloughs

These communities are associated with depressions and drainage areas and are not associated with streams and lakes. One or a combination of the following species will be predominant: Pond cypress, swamp tupelo, water tupelo, titi or willows, Carolina ash and pond apple.

NOTE: The subject site contains pond cypress, with sable palms, and exotics along the peripheral. Mid-canopy vegetation is rare, water hyssops are found along the ground.

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# Environmentally Sensitive Land/Unique Land Forms Survey

# **Objective:**

Inventory environmentally sensitive lands and landforms including wetlands (as defined in the FAC 62-340 and the 1982 USACE Wetland Delineation Manual) within the assessment area.

#### Overview:

Biologists conducted a site visit of the subject parcel on August 14, 2007. During this survey, sensitive lands and landforms were identified onsite. These landforms consisted of wetlands and Oak Creek. No other environmentally sensitive lands, as defined in Lee Plan [34-373(a)(4)e.i.] were found.

# Methodology:

TEC staff biologists traversed the entire area of both properties while visually inspecting for sensitive landforms and habitat. TEC also inspected the site for the presence of wetland vegetation, hydrology and hydric soils, indicating the possible presence of a wetland.

Once a potential wetland area was identified, TEC catalogued the upper, middle and ground level vegetation. TEC then estimated seasonal high water levels based on field indicators, and collected soil samples. Finally, after all data was collected, the area in question was compared to State and Federal wetland criteria, and an approximate boundary of the wetland was established. Please see Exhibit "A".

# **Findings:**

TEC, LLC inspected the project site on August 14, at which time TEC identified the presence of a depressional wetland slough, and the seasonal water overflow wetland adjacent to Oak Creek as sensitive lands. Oak Creek is also classified as wetland and is itself a unique landform. TEC did not find any other sensitive or unique lands onsite.

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#### Wetland Data -FLUCCS code 624:

The wetland slough, FLUCCS code 624 contained the following vegetation, hydrology, and soils:

# **Vegetation**

<u>Upper canopy:</u> sabal palm (Sabal palmetto), cypress (Taxodium distichum) laurel oak (Quercus virginiana), and the following exotics: mango (Mangifera ssp.), royal poinciana (Delonix regia), Jacaranda, and java plum (Syzygium cumini).

Middle level: sabal palm (Sabal palmetto), laurel oak (Quercus virginiana), royal palm (Roystonea regia) and the exotic Queen palm (Cocos plumose), and java plumb Ground level: swamp fern (Blechnum serrulatum), wild coffee (Psychotria nervosa), and numerous exotics including wandering Jew (Tradescantia zebrina), Philodendron.

# Hydrology

Evidence of seasonal high water levels included active cypress knees at an average height of 12-16" SHW, elevated lichen lines, and darkened leaf matter. There was approximately 2" of standing water the lowest portion of the depressional wetland at the time of inspection.

# Field Verified Soils

Although the Lee County Soil survey shows soil type "Boca"- a non-hydric soil series, field verification of the soil located within the wetland area showed highly organic hydric soil classified as "Muck" per USDA-NRCS standards.

#### Wetland Data -FLUCCS code 615:

The wetland overflow area for Oak Creek, FLUCCS code 615 contained the following vegetation, hydrology, and soils:

#### Vegetation

Upper canopy: sabal palm (Sabal palmetto), swamp bay, and cypress (Taxodium distichum) laurel oak (Quercus virginiana), and the following exotics: mango (Mangifera ssp.), royal poinciana (Delonix regia), Jacaranda, java plum (Syzygium cumini) bamboo.

Middle level: sabal palm (Sabal palmetto), laurel oak (Quercus virginiana), royal palm (Roystonea regia-endangered) and the exotic Queen palm (Cocos plumose), java plumb, Ground level: swamp fern (Blechnum serrulatum), royal fern (O. regalis), cinnamon fern (O. cinnomomea), wild coffee (Psychotria nervosa), and numerous exotics including wandering jew (Tradescantia zebrina), Philodendron.

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# Hydrology

Evidence of seasonal high water levels included adventitious rooting along sabal palms, elevated lichen lines, and darkened leaf matter. The estimated SHW level is 2-3" below ground to 4-6" above ground in the topographically lowest areas. There was no standing water within this wetland at the time of inspection.

# Field Verified Soils

Although the Lee County Soil survey shows soil type "Boca"- a non-hydric soil series, field verification of the soil located within the wetland area showed areas of "Stripping" as well as areas classified as "Muck" per USDA-NRCS standards.

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# Heritage Tree Survey

# **Objective:**

Inventory all native trees with a diameter breast high (DBH) of 20 inches or greater.

#### Overview:

Biologists inspected the project site on Monday September 17, 2007 from 12:00-3:00 pm. TEC identified a total of 11 heritage trees onsite, and 4 trees located just off the subject property (Figure 3-0).

# Methodology:

Color aerials of the site were obtained. These aerials were used to establish potential transects, and to provide a location reference. A biologist followed this proposed meandering transect through the site beginning at the southeast portion of the residential property. If the biologist witnessed a tree which might potentially meet the survey criteria, the biologist departed from the transect location and inspected the subject tree. During the field inspection, and in locations were the original proposed transect did not effectively survey the property, a new transect was used. Once a potential specimen was located, the diameter of the tree was measured at a height of 4.5 feet above ground level (DBH). DBH measurements were obtained with the use of a DBH measure tape.

#### **Summary of Findings:**

TEC identified the presence of 10 native heritage trees onsite. Five additional heritage trees were located outside of the project boundaries. The majority of the tree species includes slash pine (*P. elliottii*) and live oak (*Q. virginiana*). The locations of these trees were not surveyed; therefore it is possible these trees are located onsite. Please see exhibit "D" for the project boundary, transect locations, and heritage tree locations (including those found offsite). None of the identified heritage tree species is protected by State/Federal agencies.

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Figure 3-0

Assigned number	Tree Species and	Common Name	DBH in inches	
•	Genus	:		
1	Pinus elliottii	slash pine	21"	
2	Quercus virginica	live oak	32"	
3 (off site)	Pinus elliottii	slash pine	21"	
4 (off site)	Quercus virginica	live oak	32"	
5	Quercus virginica	live oak	24"	
6 (off site)	Quercus virginica	live oak	30"	
7 (off site)	Taxodium	cypress	24"	
8	Pinus elliottii	slash pine	34"	
9	Pinus elliottii	slash pine	26"	
10	Pinus elliottii	slash pine	24"	
11	Pinus elliottii	slash pine	20"	
12	Pinus elliottii	slash pine	22"	
13	Quercus virginica	live oak	24"	
14	Quercus virginica	live oak	26"	
15 Quercus virginica		live oak	24"	

# **Survey Timeline/ Field Conditions**

Date of	Field	Start	End Time	Visibility	Description of Task
Inspection	Conditions	Time			
8/14/07	Slightly	10:00 a.m.	1:00 p.m.	Very	Delineating FLUCCS
	overcast, Lower			good	registers. Sensitive lands
	90s, humid			j	survey.
8/15/07	Sunny, Upper	1:30 p.m.	4:30 p.m.	Very	Completing transects and
	90s, humid	_		good	surveying for listed species
8/17/07	Sunny, Upper	12:00 p.m.	3:00 p.m.	Very	Conducted heritage tree
	90's,	-	_	Good	survey.
	moderately			ļ.	
	humid				
8/19/07	Sunny, mid 90s,	10:00 a.m.	12:00 p.m.	Very	Completing transects and
	humid		_	good	surveying for listed species
8/22/07	Slightly	12:00 p.m.	1:30 p.m.	Very	Completing transects and
	overcast, mid	_	_	good	surveying for listed species
	90s, humid			l	

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#### References

Florida Natural Areas Inventory Home Page. <a href="http://www.fnai.org/">http://www.fnai.org/</a> (accessed August 2007)

Florida Land Use, Cover and Forms Classification System (Department of Transportation). <a href="http://www.dot.state.fl.us/surveyingandmapping/fluccmanual.pdf">http://www.dot.state.fl.us/surveyingandmapping/fluccmanual.pdf</a> (accessed August 2007)

Lee County Government (Lee Listed Species Survey Method). http://www.lee-county.com/dcd/pdfs/LLSSM.pdf (accessed August 2007)

Lee County Property Line Home Page. <a href="http://www.leepa.org/">http://www.leepa.org/</a> (accessed August 2007)

Lee County Government (List of Species). <a href="http://www.lee-county.com/dcd/pdfs/listofspecies.pdf">http://www.lee-county.com/dcd/pdfs/listofspecies.pdf</a> (accessed August 2007)

US Department of Agriculture (Florida Listed Species). http://plants.usda.gov/java/threat?statelist=states&stateSelect=12 (accessed August 2007)

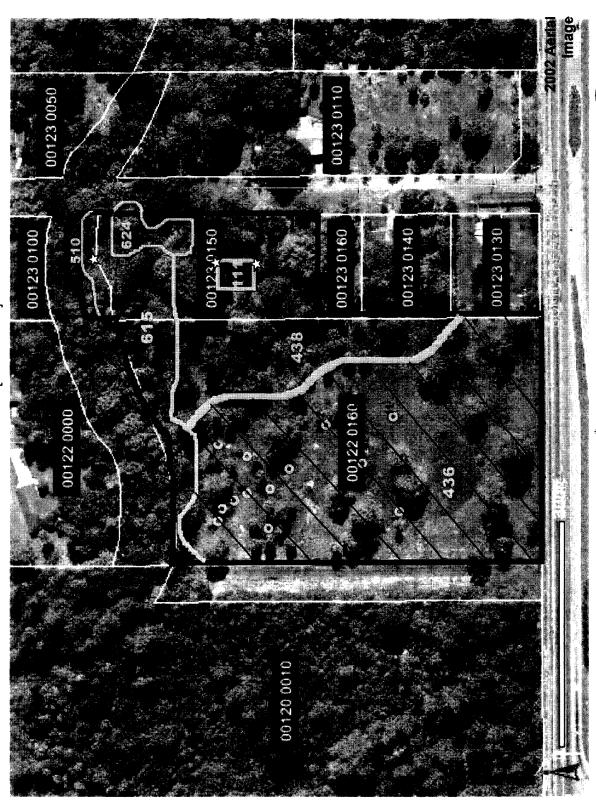
US Fish & Wildlife (Federally Listed Species). <a href="http://www.fws.gov/endangered/">http://www.fws.gov/endangered/</a> (accessed August 2007)

COMMUNERY ELEVERATIONS

DCI 2007-00051

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# Listed Species Locations, Occupied Habitat and FLUCCS Delineation [Exhibit A]

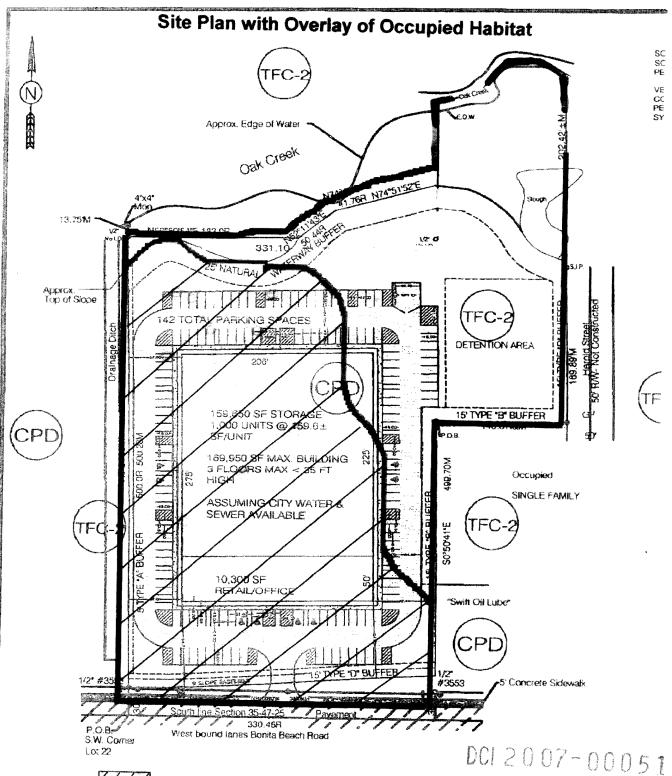


\* = Royal Palm Locations Cinnimon and Royal Ferns are located throughout FLUCCS code 615



Tropical Environmental
Consultants, LLC
3899 Mannix Drive #409
Naples, FL 34114

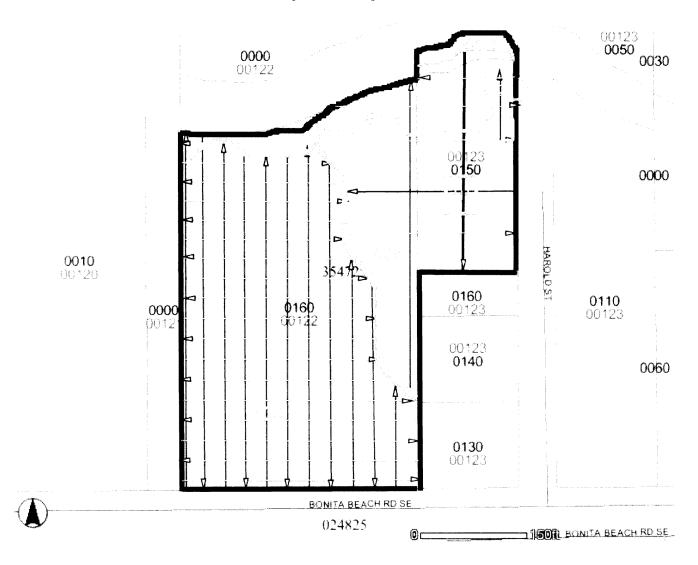
Exhibit "B"



Designates Area Occupied by Gopher Tortoises

Designates Active and Inactive Burrows

# Transect Map [Exhibit C]



North & South Transect Paths

**East & West Transect Paths** 

**FLUCCS Boundaries** 

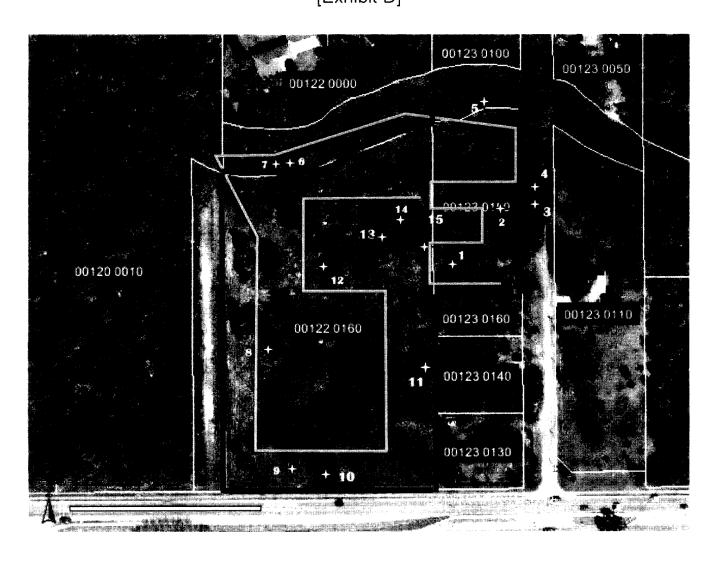
Transect Paths Altered to Avoid Structure

Shows Directionality of Transect Paths

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# Heritage Tree Survey: Tree and Transect Locations [Exhibit D]



→ Heritage Tree Location and Corresponding Reference Number

Meandering Transect



# Environmentally Sensitive Lands, FLUCCS, and Soil Map

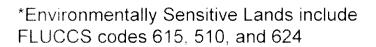
[Exhibit II-F-1 and Exhibit II-F-4]



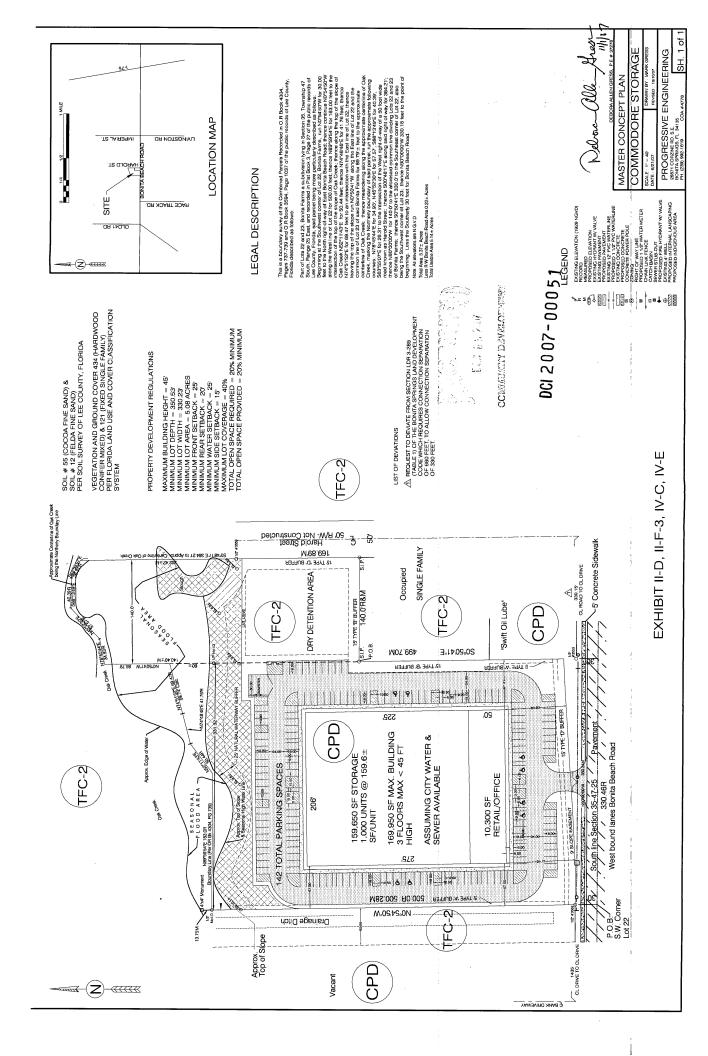
Project Boundaries

**FLUCCS** Boundaries

DCI 2007-00051









Writer's Direct Dial Number: 239-533-8372

#### CITY OF BONITA SPRINGS

9101 BONITA BEACH ROAD BONITA SPRINGS, FL 34135 TEL: (239) 949-6262 FAX: (239) 390-6255 www.cityofbonitasprings.org July 10, 2008

MS. DEBORA A. GRESS PROGRESSIVE ENGINEERING 25671 CORZINE LANE BONITA SPRINGS, FL 34135

Ben Nelson Mayor

Richard Ferreira District One

Janet Martin District Two

Pat McCourt District Three

John D. Spear District Four

Martha Simons District Five

William C. Lonkart District Six

Gary A. Price City Manager

Audrey E. Vance City Attorney Re: COMMODORE STORAGE

DCI2007-00051 - PDS Application (Minor PD)

Dear MS. DEBORA A. GRESS:

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

Chahram Badamtchian

Un Nam Bodan

Senior Planner

# CC. Mohsen Salehi

cc: Pamela Houck, Division Director
Audrey Vance, City Attorney
Paul O'Connor, Planning
Susie Derheimer, Environmental Sciences
Sam Lee, Natural Resources
Becky Penfield, Development Review
Lili Wu, LCDOT
DCI Zoning File
DCI Working File

# LC Natural Resources Sufficiency Checklist (Ord 05-29)

1) Sufficiency Comments.

The applicant shall demonstrate that the hydraulic capacity of the adjacent canal/flow way and maintenance of the canal/flow from upland are not compromised by the proposed development. Please provide hydraulic calculations and/or typical cross section indicating no encroachment.

The applicant stated no that fill/encroachment will enter into the 100 yr Floodway area by the use of a retaining wall. Please indicate the retaining wall on THE Master Concept Plan for both site plans "A" AND "B".

3) Contact. The Natural Resources reviewer may be contacted regarding any questions on the Natural Resources Checklist.

Tildon Copeland 239. 533-8139

# BS 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 differentiate the automobile storage and display areas from the driveways on the MCP "B".

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.]

Master Concept Plan "B" is for a car dealership and must comply with the requirements of Section 34-1352 of the LDC. The buffers, as proposed, do not comply with the requirements of the LDC.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

Chahram Badamtchian, AICP 239, 533, 8372

BS Environmental Sciences Planned Development Sufficiency Checklist

3) Protected Species Management Plan. Protected species preserve areas must be indicated on the Master Concept Plan; a final management plan as required by LDC Section 10-474 is not required until time of local development order. [10-474]

Per the Gopher Tortoise Relocation Guidelines Dated May of 2008. Number (2) states:

preservation of burrows in place with a perimeter of 25 feet.

Number (5) states:

In cases where five or fewer tortoises will be affected and some habitat or open space will exist the tortoises can be captured and released into the habitat or open space area where they can move freely.

The applicant is proposing to preserve 3 tortoises in place. According to the gopher tortoise relocation guidelines dated May of 2008 the development is permitted to relocate five or fewer tortoises to an onsite location that will provide habitat. The indigenous area depicted on the MCP stamped "Received June 18, 2008 where the tortoises are being preserved in place will provide suitable habitat for the addition of five or fewer tortoises.

Please depict the relocation of five or fewer tortoises into the indigenous area where the tortoises preserved in place are located and rename this indigenous area "gopher tortoise preserve" on the MCP.

Objective 7.3: Wildlife provides guidance to the City to maintain and enhance the fish and wildlife diversity and distribution within the City for the benefit of a balanced ecological system.

The adjacent site to the west of the applicant's property has a gopher tortoise preserve abutting the northwest portion of the project site. Please depict on the MCP a gopher tortoise preserve that will be contiguous with the tortoise preserve on the adjacent property in compliance with Objective 7.3 to enhance the wildlife diversity and distribution for a balanced ecological system.

Applicant indicates that three tortoise burrows can be preserved in place. According to the MCP stamped "received June 18, 2008 the cross hatchings indicate there are six tortoises located in the indigenous area on hte northwest portion of the site..

8) Design Standards: Environmentally Sensitive Areas. Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)]

Please provide a cross section depicting how the proposed indigenous will be protected by development given the impervious parking lot is proposed 5 feet from the preserve.

Objective 7.3: Wildlife provides guidance to the City to maintain and enhance the fish and wildlife diversity and distribution within the City for the benefit of a balanced ecological system.

The adjacent site to the west of the applicant's property has a gopher tortoise preserve abutting the northwest portion of the project site. Please depict on the MCP a gopher tortoise preserve that will be contiguous with the tortoise preserve on the adjacent property in compliance with Objective 7.3 to enhance the wildlife diversity and distribution for a balanced ecological system.

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

Applicant is requesting a deviation from LDC 10-416(d)(6) that requires a wall with 25 feet of plantable area to allow a wall with 15 feet of plantable area. The applicant proposes a wall with 15 feet of plantable area to be planted with 5 trees and 18 shrubs per 100 linear feet. This is a Type "C" buffer. A type "B" buffer has a double staggered hedge row not 18 shrubs. Please depict the deviation to request a type "C" buffer.

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Doug Griffith
Environmental Planner
239-533-8323
E-mail: dgriffith@leegov.com



Writer's Direct Dial Number: (239) 533-8372

CITY OF **BONITA SPRINGS** 

9101 BONITA BEACH ROAD **BONITA SPRINGS, FL 34135** TEL: (239) 949-6262 FAX: (239) 390-6255 www.cityofbonitasprings.org

April 16, 2008

MS. DEBORA A. GRESS PROGRESSIVE ENGINEERING 25671 CORZINE LANE **BONITA SPRINGS, FL 34135** 

Jay Arend Mayor

Richard Ferreira District One

Janet Martin District Two

Pat McCourt District Three

John D. Spear District Four

Martha Simons District Five

William C. Lonkart District Six

Gary A. Price City Manager

Audrey E. Vance City Attorney

Re: COMMODORE STORAGE

DCI2007-00051 - PDS Application (Minor PD)

Dear MS. DEBORA A. GRESS:

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

Undram Badantolian

Chahram Badamtchian

Senior Planner

CC. Mohsen Salehi

cc: Pamela Houck, Division Director
Audrey Vance, City Attorney
Paul O'Connor, Planning
Susie Derheimer, Environmental Sciences
Sam Lee, Natural Resources
Susan L Hollingsworth, Development Review
Lili Wu, LCDOT
DCI Zoning File
DCI Working File

#### LC Natural Resources Sufficiency Checklist (Ord 05-29)

1) Sufficiency Comments.

Please revise the label "Flood Zone" on MCP as "Floodway" and confirm the location of southern boundary of the Floodway. Also, according to the finalized "Proposed FEMA FIS (2008), northern portion of the proposed parking lot appears to be within the proposed Floodway. If that is the case, please either (1) revise the MCP to avoid the encroachment or (2) apply CLOMR and get approval from FEMA. For your information, a portion of LDC (Sec 6-471(4)a) is excerpted here: Encroachments, including fill new construction, substantial improvements and other developments, are prohibited unless certification by a registered professional engineer is provided with supporting technical data demonstrating that encroachments will not resulting any increase in flood levels during occurrence of the base flood discharge.

Please show the 20' maintenance easement along the flowway south side of the 25' natural waterway buffer.

3) Contact. The Natural Resources reviewer may be contacted regarding any questions on the Natural Resources Checklist.

Tildon Copeland 239. 533-8139

#### **BS Development Review Checklist**

4) Miscellaneous items.

A deviation will need to be added from the proposed access point to the center lane of Race Track Road. Please provide the distance in the deviation request.

5) Contact. The reviewer may be contacted regarding questions on the Development Review Sufficiency Checklist.

Becky Penfield, 533-8587 x 48802 or rpenfield@leegov.com

BS Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

Staff has not received comments from the City of Bonita Springs' Transportation Consultant. Should we receive any during the coming days, they will be sent to you under separate cover.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

Chahram Badamtchian, AICP 239, 533, 8372

# BS Environmental Sciences Planned Development Sufficiency Checklist

3) Protected Species Management Plan. Protected species preserve areas must be indicated on the Master Concept Plan; a final management plan as required by LDC Section 10-474 is not required until time of local development order. [10-474]

FWC will no longer be permitting Incidental Take Permits. Per Bonita Springs Comprehensive Plan Objective 7.4 Policy 7.4.4: New developments shall protect remnants of viable habitats when listed vegetative and wildlife species inhabit a tract slated for development, and Objective 7.8 Policy 7.8.1: The City's policy is to protect Gopher Tortoise burrows wherever they are found. The Gopher Tortoise survey indicates clustering of burrows in the northwest portion of the project site which provides an opportunity to preserve a portion of the gopher tortoises in place. ES Staff will require the applicant to pursue possible onsite preservation in conjunction with possible offsite relocation. I order to address comp plan policy consistency ES Staff is requesting a preliminary GTMP to address these options for an on site gopher tortoise preseve.

5a) 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)f.; 34-373(a)(8)iii.]

Bonita Springs Land Development Code (LDC) Section 3-416(B) requires building perimeter plantings to be equal to 10% of gross ground level floor area. According to MCP site plan perimeter plantings are estimated at  $\pm 4,810$  sq. ft. required perimeter plantings minimums are  $\pm 5,665$  sq. ft. Please provide table depicting required amount of perimeter plantings.

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

Applicant states within Exhibit IV-D that residence within the adjoining TFC-2 will be demolished if zoning is approved. Parcel will still be zoned TFC-2 which allows for single-family use therefore type E or F buffer will still apply. Does the applicant propose to include this parcel within the CPD project in the future to insure it will not be developed residental. Please address. ES staff identifies an opportunity for including parcel in proposed project and establishing an on site gopher tortoise preserve if habitat exist.

LDC section 3-416(D)(6) requires that; If roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet. Please provide correct buffering between single family and applicant's parking lot.

Please provide 2 cross sections of the dry detention area depicting the type "B" buffer and type "D" buffer along with types of plantings proposed. All planting height must be measured from final grade.

12) Miscellaneous Items.

Please depict service areas (loading areas) on MCP ES Staff recommends applicant contacts the Tree Advisory Committee for consultation during the sufficiency review process. Please contact Arleen Houston @ 239-949-6260 per LDC requirement 3-414(a)

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Susie Derheimer, Environmental Planner 239-533-8158 sderheimer@leegov.com



#### CITY OF BONITA SPRINGS

February 21, 2008

9101 BONITA BEACH ROAD BONITA SPRINGS, FL 34135 TEL: (239) 949-6262 FAX: (239) 390-6255 www.cityofbonitasprings.org

Jay Arend

Richard Ferreira District One

Alex Grantt District Two

Mayor

Pat McCourt District Three

**John Joyce** District Four

Martha Simons District Five

Ben L. Nelson, Jr. District Six

Gary A. Price City Manager

Audrey E. Vance City Attorney MS. DEBORA A. GRESS PROGRESSIVE ENGINEERING 25671 CORZINE LANE BONITA SPRINGS. FL 34135

RE: COMMODORE STORAGE

DCI2007-00051 - PDS Application (Minor PD)

Dear MS. DEBORA A. GRESS:

The Zoning Division has reviewed your request for an extension of the response time allowed by the Lee County Land Development Code for the above referenced project. Staff recognizes that you are actively pursuing additional information necessary for the resubmittal of the request and will allow a 60 day extension expiring on April 21, 2008. This project could be deemed withdrawn after the extension date if you do not respond prior to this date.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT Zoning Division

Chahram Badamtchian

Senior Planner

CC:

Pam Houck, Director Zoning Division Audrey Vance, City Attorney

Debbie Muchler, Deputy City Clerk Chahram Badamtchian, TIS Reviewer

Susan L Hollingsworth, Development Services Susie Derheimer, Environmental Sciences

Sam Lee, Natural Resources

Mohsen Salehi, c/o LaRue Planning & Management Services

Jamie Princing, DCD Admin

Billie Jacoby Zoning File



Writer's Direct Dial Number: (239) 533-8372

#### CITY OF BONITA SPRINGS

9101 BONITA BEACH ROAD BONITA SPRINGS, FL 34135 TEL: (239) 949-6262 FAX: (239) 390-6255 www.cityofbonitasprings.org December 21, 2007

MS. DEBORA A. GRESS PROGRESSIVE ENGINEERING 25671 CORZINE LANE BONITA SPRINGS, FL 34135

Jay Arend Mayor

Richard Ferreira District One .

Alex Grantt District Two

Pat McCourt District Three

John Joyce District Four

Martha Simons District Five

Ben L. Nelson, Jr. District Six

Gary A. Price City Manager

Audrey E. Vance City Attorney Re: COMMODORE STORAGE

DCI2007-00051 - PDS Application (Minor PD)

Dear MS. DEBORA A. GRESS:

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

Chahram Badamtchian

Senior Planner

cc: Pamela Houck, Division Director
Audrey Vance, City Attorney
Paul O'Connor, Planning
Susie Derheimer, Environmental Sciences
Sam Lee, Natural Resources
Susan L Hollingsworth, Development Review
Lili Wu, LCDOT
DCI Zoning File
DCI Working File

## LC Natural Resources Sufficiency Checklist (Ord 05-29)

1) Sufficiency Comments.

Boundary does not close and does not match legal description as shown on the MCP. Please connect boundary line at the southeast corner. The legal on the MCP does not match the proposed site bearing and distance. Please refer to sheet 1 of 1 of the Master Concept Plan.

The applicant shall demonstrate that the hydraulic capacity of the adjacent canal/flow way of the maintenance of the canal/flow from upland is not compromised by the proposed development. Please provide hydraulic calculations.

The proposed parking appears to encroachment within F.E.M.A. 2006 maps flood limits. Encroachments within the floodways identified in DFIRM (Draft Flood Insurance Rate Maps) are not recommended. If the development is located within a floodplain and flow way, it is the applicant's responsibility to compensate for impacts to flood storage capacity or flow ways due to filling of the site. Please provide supporting documents.

The 50' drainage easement adjacent to the property is different from the required maintenance easement along the creek. If the proposed development is traversed by or abuts a watercourse, drainage way, canal, IDD easement, lake, pond or stream, or where such a facility is proposed as part of the plan, a drainage easement or right-of-way shall be provided to the county. This easement shall be along the existing bank in connection with the waterway buffer. Please show this easement on the MCP with ingress/egress to this easement.

3) Contact. The Natural Resources reviewer may be contacted regarding any questions on the Natural Resources Checklist.

Tildon Copeland 239. 533-8139

#### LC DOT Sufficiency Checklist (Ord 05-29)

- 1) Sufficiency Comments.
- 1. The Master Concept Plan shall show the distance between proposed project entrance and Race Track Rd.
- 2) The LCDOT reviewer may be contacted regarding any questions on the LCDOT Checklist.

Lili Wu 533-8580

BS Sufficiency Checklist for Planned Developments,

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

Chahram Badamtchian, AICP 239. 533. 8372

Staff has received the following comment from Mr. Gary Price, City Manager:

The Plan shows complete removal of almost all of heritage trees. Site modifications are recommended to save and protect during construction as much as possibleheritage tree 1, 2, 3, 4,5, 6,7,9,10,11,13,14, and 15.

21) Miscellaneous Items.

I have reviewed the above referenced recent submittal and responses to previous comments and have the following comments:

- 1) The applicant response concerning the sought deviation from 660' to 330' needs substantiation. The location of driveway for the neighboring Swif Lube needs to be shown on the MCP.
- 2) The access to Harold Street from where the detention area is proposed to be (I.e., the detention area needs to be relocated elsewhere within the site to accommodate that) remains a reasonable and viable option in lieu of the need for an access driveway from Bonita Beach Rd necessitating a deviation from LDR 3-285 concerning 660' connection separation requirement.
- A) We could not verify who might have indicated to the applicant's consultant in an Informal with the County staff that "...an access to a commercial site cannot pass in front of residential property therefore no access from Harold Street would be allowed.
- B) It is not clear if any effort is made to share driveway with the adjacent Swift Lube or not as an alternative to access to BBR and the need for the sought deviation.

The applicant consultant is urged to provide response to the above comments before this application is found sufficient for our review.

Feel free to call with any questions or comment that you might have.

For the City of Bonita Springs,

Mohsen Salehi Consulting Services Ft. Myers, Florida 239/994-1320 (cell#) 239/433-1092 (voice/fax)

**BS Environmental Sciences Planned Development Sufficiency** 

MS. DEBORA A. GRESS
PROGRESSIVE ENGINEERING
RE: COMMODORE STORAGE
DCI2007-00051
December 21, 2007
Page 5

- 1) Description of Existing Conditions, Soils, Vegetation Fluccs, Topography. The application for a Planned Development must be accompanied by the following: [34-373(a)(4)]
- 1b) Maps. Maps drawn to the same scale as the Master Concept Plan marked or overprinted to show: [34-373(a)(4)e]

The 24x36 FLUCC/Soils Map submitted is not sufficient. Please submit a 24 X 36 FLUCCS and soils map done by Tropical Environmental Consultants, LLC at same scale as MCP

1b3) Rare & Unique Uplands Habitats. Significant areas of rare and unique upland habitats as defined in The Lee Plan. [34-373(a)(4)e.i.]

Please address if any of the upland habitat present on site meets the rare and unique critera as defined in the Lee Plan.

1b4) Topographic Map. A county topographic map (required if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)e.i.]

Please provide a legible Topographic map at a scale that ES staff can use to accurately assess the property elevations.

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]

Please provide a preliminary Gopher Tortoise management plan. Please depict a gopher tortoise preserve area on MCP within appropriate habitat.

4) Environmentally Sensitive Areas. The location, of any state jurisdictional wetlands and surface water, based upon standard environmental data and verified by the South Florida Water Management District staff, must be depicted on an aerial or FLUCCS map unless waived by the director.

Please include on FLUCCs as requested in Comment 1b

DCI2007-00051 December 21, 2007 Page 6

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.]

The MCP states minimum 20% open space required. How much is actually proposed? Please depict percentage of open space applicant will specifically provide on MCP.

Please provide indigenous creage required and proposed as per LDC 3-415(B) in Open SpaceTable

8) Design Standards: Environmentally Sensitive Areas. Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)]

Please address 34-411(g) How will mature native trees (propose preservation or replacement of heritage) and gopher tortoises habitat (gopher tortoise preserve area for onsite relocation) be accommodated by the proposed development?

Please provide a cross section depicting how the proposed indigenous will be protected by development given the impervious parking lot is proposed 5 feet from the preserve.

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

Applicant states within Exhibit IV-D that residence within the adjoining TFC-2 will be demolished if zoning is approved. Parcel will still be zoned TFC-2 which allows for single-family use therefore type E or F buffer will still apply. Does the applicant propose to include this parcel within the CPD project in the future to insure it will not be developed residental. Please address. ES staff identifies an opportunity for including parcel in proposed project and establishing an on site gopher tortoise preserve if habitat exist.

#### 12) Miscellaneous Items.

Please address how project is consistent with the policies of the City of Bonita Springs Conservation and coastal management element with regards to wetlands and gopher tortoises.

MS. DEBORA A. GRESS PROGRESSIVE ENGINEERING RE: COMMODORE STORAGE DCI2007-00051 December 21, 2007 Page 7

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Susie Derheimer, Environmental Planner 239-533-8158 sderheimer@leegov.com



#### CITY OF BONITA SPRINGS

9101 BONITA BEACH ROAD BONITA SPRINGS, FL 34135 TEL: (239) 949-6262 FAX: (239) 390-6255 www.cityofbonitasprings.org

Jay Arend Mayor

Richard Ferreira District One

Alex Grantt District Two

Pat McCourt District Three

John Joyce District Four

Martha Simons District Five

Ben L. Nelson, Jr. District Six

Gary A. Price City Manager

Audrey E. Vance City Attorney October 30, 2007

MS. DEBORA A. GRESS PROGRESSIVE ENGINEERING 25671 CORZINE LANE BONITA SPRINGS, FL 34135

RE: COMMODORE STORAGE

DCI2007-00051 - PDS Application (Minor PD)

Dear MS. DEBORA A. GRESS:

The Zoning Division has reviewed your request for an extension of the response time allowed by the Lee County Land Development Code for the above referenced project. Staff recognizes that you are actively pursuing additional information necessary for the resubmittal of the request and will allow a 60 day extension expiring on December 29, 2007. This project could be deemed withdrawn after the extension date if you do not respond prior to this date.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT Zoning Division

Chahram Badamtchian

Senior Planner

cc: Pam Houck, Director Zoning Division

Audrey Vance, City Attorney
Debbie Muchler, Deputy City Clerk
Chahram Badamtchian, TIS Reviewer

Susan L Hollingsworth, Development Services Susie Derheimer, Environmental Sciences

Sam Lee, Natural Resources

Mohsen Salehi, c/o LaRue Planning & Management Services

Jamie Princing, DCD Admin

Billie Jacoby Zoning File



Writer's Direct Dial Number: (239) 533-8372

#### CITY OF BONITA SPRINGS

9101 BONITA BEACH ROAD BONITA SPRINGS, FL 34135 FEL: (239) 949-6262 FAX: (239) 390-6255 www.cityofbonitasprings.org September 4, 2007

MS. DEBORA A. GRESS PROGRESSIVE ENGINEERING 25671 CORZINE LANE BONITA SPRINGS, FL 34135

Jay Arend Mayor

Richard Ferreira District One

Alex Grantt District Two

Pat McCourt District Three

John Joyce District Four

Martha Simons District Five

Ben L. Nelson, Jr. District Six

Gary A. Price City Manager

Audrey E. Vance City Attorney Re: COMMODORE STORAGE

DCI2007-00051 - PDS Application (Minor PD)

Dear MS. DEBORA A. GRESS:

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

Chahram Badamtchian

Senior Planner

DCI2007-00051 September 4, 2007 Page 2

cc: Pamela Houck, Division Director Audrey Vance, City Attorney Paul O'Connor, Planning

Kim Trebatoski, Environmental Sciences

Sam Lee, Natural Resources

Susan L Hollingsworth, Development Review

Lili Wu, LCDOT DCI Zoning File DCI Working File Mohsen Salehi

#### LC Natural Resources Sufficiency Checklist (Ord 05-29)

1) Sufficiency Comments.

Boundary does not close and does not match legal description as shown on the MCP. Please connect boundary lines and describe parcel as one legal.

The applicant shall demonstrate that the hydraulic capacity of the adjacent canal/flow way of the maintenance of the canal/flow from upland is not compromised by the proposed development. Please provide hydraulic calculations.

Encroachments within the floodways identified in DFIRM (Draft Flood Insurance Rate Maps) are not recommended. The development is located within a floodplain and flow way, it is the applicant's responsibility to compensate for impacts to flood storage capacity or flow ways due to filling of the site. Please provide supporting documents.

If the proposed development is traversed by or abuts a watercourse, drainage way, canal, IDD easement, lake pond or stream, or where such a facility is proposed as part of the plan, a drainage easement or right-of-way shall be provided to the county. The location of the mean high water line on the property shall be field verified by a licensed professional surveyor.

3) Contact. The Natural Resources reviewer may be contacted regarding any questions on the Natural Resources Checklist.

Tildon Copeland 239, 533-8139

- 1) Sufficiency Comments.
- 1. The Master Concept Plan shall show the distance between proposed project entrance and the adjacent streets/driveways. If the distance does not meet the intersection separation requirement, a deviation is necessary.
- 2. The project have 10,300 sf of retail/office uses. The trip generation calculation shall based on land use code 820 of ITE for worse case study.
- 3. Year 2006 traffic volumes on Bonita Beach Road shall be updated based on 2007 Lee County Concurrency Report.
- 2) The LCDOT reviewer may be contacted regarding any questions on the LCDOT Checklist.

Lili Wu 533-8580

DCI2007-00051 September 4, 2007 Page 4

#### **BS Development Review Checklist**

4) Miscellaneous items.

Demonstrate on the MCP that intersection separation is metain both directions. If the requirement cannot be met, a deviation must be requested.

5) Contact. The reviewer may be contacted regarding questions on the Development Review Sufficiency Checklist.

Susan Hollingsworth, 533-8587 x 48805

#### BS Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

1b1) The names of all parties having interest in the subject property including the names of all stockholders and the names of beneficiaries of trusts must be provided. [34-201(b)(2)a. & 34-202(b)(1)a]

Provide the list of all stockholders or share holders for CommodoreInvestments II and III.

6f) Property owners list. A complete list of all owners of property subject to this request and their mailing addresses must be provided. If multiple parcels are involved, a map showing the owner's interest must be provided. The names & addresses of property owners will be deemed to be those appearing on the latest county tax rolls. [34-202(a)(5)]

Provide list of all property owners of this project.

10) Lee Plan Compliance Narrative. A narrative explanation as to how the proposed development complies with the Lee Plan, as well as the guidelines for decision-making embodied in sections 34-145(c)(2)a. and e., and 34-145(d)(3). [34-373(a)(5)]

Provide Comprehensive Plan Narrative.

12l) Location of Deviations. The location of any requested deviations, keyed to the schedule of deviations, including sample drawings demonstrating the effect the requested deviations will have on the site plan. [34-373(a)(6)k.]

It is assumed that no Deviation is requested.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

Chahram Badamtchian, AICP 239. 533. 8372

#### 21) Miscellaneous Items.

I have reviewed the above referenced and have the following comments:

- 1) Access to BBR is subject to LDR 3-285 (Table 1) connection separation requirement of 660,' accordingly, since the separation between the centerline of driveway adjacent to the property (i.e., Swift Oil Lube) at the corner of Harold Street/BBR and the proposed driveway is less than 660', the driveway as proposed is inconsistent with that requirement.
- 2) It is not clear why there are no access to Harold Street consistent with LDR 3-282.in lieu of the detention area per the applicant's MCP. It should be pointed out that Harold Street is a private/non-city-maintained street providing access to 6 properties north of BBR including the subject property with the movements to and from Harold Street being limited to right-in/right-out only.

Considering the above, the applicant needs to revise and resubmit.

For the City of Bonita Springs,

Mohsen Salehi Consulting Services Ft. Myers, Florida 239/994-1320 (cell#) 239/433-1092 (voice/fax)

### BS Environmental Sciences Planned Development Sufficiency Checklist

- 1) Description of Existing Conditions, Soils, Vegetation Fluccs, Topography. The application for a Planned Development must be accompanied by the following: [34-373(a)(4)]
- 1b) Maps. Maps drawn to the same scale as the Master Concept Plan marked or overprinted to show: [34-373(a)(4)e]
- 1b2) Vegetation/Ground Cover. Vegetation and ground cover classified in accordance with the Florida Land Use and Cover Classification System. [34-373(a)(4)e.i.]

Please provide a habitat assessment-description of habitat performed by an environmental consultant. Delineate vegetation/groundcover and provide FLUCCs codes to describe the actual habitat and acreage of the habitat present.

1b3) Rare & Unique Uplands Habitats. Significant areas of rare and unique upland habitats as defined in The Lee Plan. [34-373(a)(4)e.i.]

Please address if present.

DCI2007-00051 September 4, 2007 Page 6

1b4) Topographic Map. A county topographic map (required if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)e.i.]

Please provide.

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)]

The project is large project (contains =/> 2 acres of imprevious. Please provide

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 staff's review of a protected species assessment

4) Environmentally Sensitive Areas. The location, of any state jurisdictional wetlands and surface water, based upon standard environmental data and verified by the South Florida Water Management District staff, must be depicted on an aerial or FLUCCS map unless waived by the director.

The survey identifies a creek and slough located on the subject property. Please provide

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.]

The MCP states minimum 20% open space required. How much is proposed?

6) Parks, Recreation Areas and Indigenous Areas. The general location of proposed parks, recreation areas and facilities as well as indigenous areas to be preserved must be shown on the Master Concept Plan. [34-373(a)(6)e]

Please provide location of proposed indigenous per LDC 3-415b.

8) Design Standards: Environmentally Sensitive Areas. Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)]

Please address

Creek and wetlands

mature native heritage trees (live oak, South Florida slash pine or longleaf pine with a minimum 20-inch caliper dbh) exist within hardwood conifer mixed. Please include a heritage tree survey in the require habitat assessment

listed species

DCI2007-00051 September 4, 2007 Page 7

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

The MCP depicts a 9' easement within the proposed type D row buffer which only allows for 5' of the plantable area. This conflicts with 3-421 A.2. & and 5. Please address.

9a) Natural Waterways Buffer. A 25 foot natural waterway buffer, 50 foot in the Greater Pine Island Area, must be provided abutting state-designated aquatic preserves and associated natural tributaries. [10-416(d)(9)]

Natural waterway buffer is measured from the MHWL in tidally influenced. Please identify.

12) Miscellaneous Items.

will detention be wet or dry?

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Susie Derheimer, Environmental Planner 239-533-8158 sderheimer@leegov.com

# ZONING DIVISION CITY OF BONITA SPRINGS

# PLANNED DEVELOPMENT SUFFICIENCY REVIEW

TRANSMITTAL SHEET

FROM: Chahram Badamtchian

TO: Distribution

Audrey Vance, City Attorney

TIS Reviewer - temporarily reviewed by DOT

DS Reviewer - Becky Penfield Paul O'Connor, Planning

Susie Derheimer, Environmental Sciences

Lili Wu, LCDOT

Sam Lee, Natural Resources

Chick Jackaki, Zoning

Mohsen Salehi, City of Bonita Springs

Mike Pavese, Public Works

\* REVIEWERS - remember permit plan checklists should now be used.

PROJECT NAME: COMMODORE STORAGE

CASE #: DCI2007-00051

DATE: 06/18/2008

INFORMATION SUMMARY:

#### RESUBMITTAL

To update your file

\_X\_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 07/02/2008

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: Brady X Proctor Date: 06/19/2008

fxmtlsfrvresub bon.rp

#### ZONING DIVISION CITY OF BONITA SPRINGS

#### PLANNED DEVELOPMENT SUFFICIENCY REVIEW

#### TRANSMITTAL SHEET

TO: Distribution

FROM: Chahram Badamtchian

DATE: 03/18/2008

Audrey Vance, City Attorney

TIS Reviewer - temporarily reviewed by DOT

DS Reviewer - Becky Penfield Paul O'Connor, Planning

Susie Derheimer, Environmental Sciences

Lili Wu, LCDOT

Sam Lee, Natural Resources

Chick Jackaki, Zoning

Mohsen Salehi, City of Bonita Springs

Mike Pavese, Public Works

\* REVIEWERS - remember permit plan checklists should now be used.

PROJECT NAME: COMMODORE STORAGE

CASE #: DCI2007-00051

INFORMATION SUMMARY:

#### RESUBMITTAL

To update your file \_X\_ Review and forward sufficiency questions or make finding of sufficiency

**RESPONSE REQUIRED BY: 04/01/2008** 

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: Vicky S Tatlock

Date: 03/18/2008

# ZONING DIVISION CITY OF BONITA SPRINGS PLANNED DEVELOPMENT SUFFICIENCY REVIEW TRANSMITTAL SHEET

TO: Distribution

FROM: Chahram Badamtchian

DATE: 12/03/2007

Audrey Vance, City Attorney
TIS Reviewer - temporarily reviewed by DOT
DS Reviewer - Susan L Hollingsworth
Paul O'Connor, Planning
Susie Derheimer, Environmental Sciences
Lili Wu, LCDOT
Sam Lee, Natural Resources
Chick Jackaki, Zoning
Mohsen Salehi, City of Bonita Springs
Mike Pavese, Public Works

\* REVIEWERS - remember permit plan checklists should now be used.

PROJECT NAME: COMMODORE STORAGE

CASE #: DCI2007-00051

INFORMATION SUMMARY:

#### **RESUBMITTAL**

To update your file

\_X\_ Review and forward sufficiency questions or make finding of sufficiency

**RESPONSE REQUIRED BY: 12/17/2007** 

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: Catherine A Keller Date: 12/05/2007

# ZONING DIVISION CITY OF BONITA SPRINGS

#### PLANNED DEVELOPMENT SUFFICIENCY REVIEW

#### TRANSMITTAL SHEET

TO: Distribution

FROM: Chahram Badamtchian

DATE:

08/14/2007

Andre Merce 1

Audrey Vance, City Attorney

TIS Reviewer - temporarily reviewed by DOT

DS Reviewer - Susan L Hollingsworth

Paul O'Connor, Planning

Susie Derheimer, Environmental Sciences

Lili Wu, LCDOT

Sam Lee, Natural Resources Chick Jackaki, Zoning Mohsen Salehi, City of Bonita Springs Mike Pavese, Public Works

#### \* REVIEWERS - remember permit plan checklists should now be used.

PROJECT NAME: COMMODORE STORAGE

CASE #: DCI2007-00051

INFORMATION SUMMARY:

#### **NEW SUBMITTAL**

To update your file

\_X\_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 08/28/2007

Additional Comments:

(<u>DCI</u>) 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.

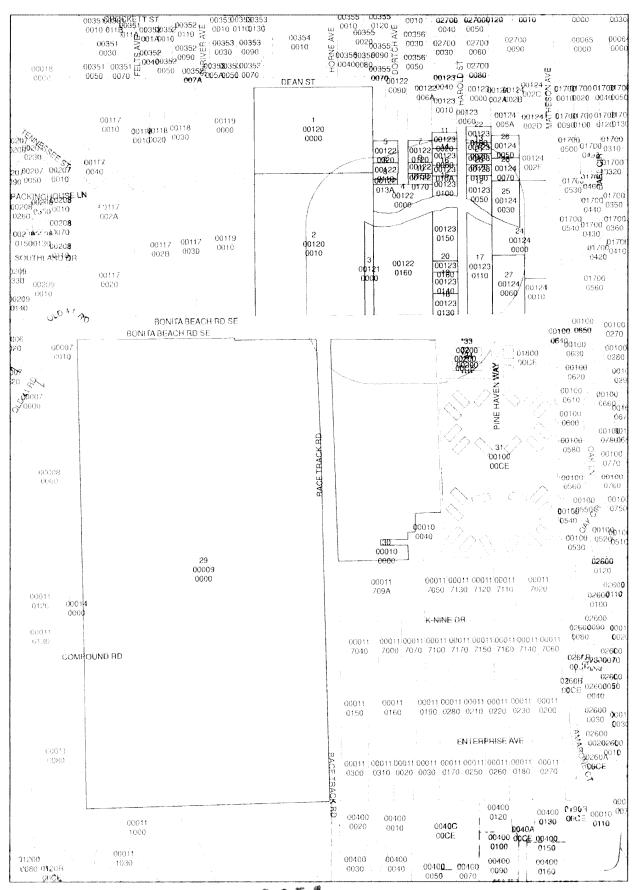
cc: DCI planner/working file

DCI Zone File

Distributed by: Donna M Hock

Date: 08/14/2007

# ARIANCE REPORT





DCI 2007-00051

550 275 C

550 Feet





### Lee County Property Appraiser

#### Kenneth M. Wilkinson, C.F.A.

#### **GIS Department / Map Room**

Phone: (239) 533-6159 • Fax: (239) 533-6139 • ☐

**VARIANCE REPORT** 

Date of Report:

August 03, 2007

**Buffer Distance:** 

375 ft

Parcels Affected:

Subject Parcel:

70

35-47-25-B3-00122.0160, 35-47-25-B3-00123.0150

## DCI 2007-00051

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	<b>Map Index</b>
PRESERVE EQUITY LLC 7800 METRO PKWY STE 300 MINNEAPOLIS MN 55425	<b>35-47-25-B3-00120.0000</b> 10750 DEAN ST BONITA SPRINGS FL 34135	BONITA FARMS SEC 35 PB 3 PG27 PT OF LTS 20+21 AS DESC IN OR 4246 PG 1 LESS RD RW	1
LOWES HOME CENTERS INC LOWES COMPANIES HIGHWAY 268 EAST NORTH WILKESBORO NC 28659	<b>35-47-25-B3-00120.0010</b> 10750 BONITA BEACH RD SE BONITA SPRINGS FL 34135	BONITA FARMS SEC 35 PB 3 PG 27 LTS 20 + 21 LESS RD R/W + E 50FT OF LT 21 + LESS N 475FT	2
LEE COUNTY	35-47-25-B3-00121.0000	BONITA FARMS SEC 35	3
PO BOX 398	ACCESS UNDETERMINED	PB 3 PG 27 PT LT 21	
FORT MYERS FL 33902	BONITA SPRINGS FL 34135	E 50 FT S OF CRK	
RUSS JEANNETTE M	<b>35-47-25-B3-00122.0000</b>	BONITA FARMS SEC 35	4
PO BOX 525	27870 MARCO DR	PB 3 PG 27 LOT 22 LESS RD	
BONITA SPRINGS FL 34133	BONITA SPRINGS FL 34135	R/W + PAR 22.1 THRU 22.16	
RUSS ELEANOR H 27822 MARCO DR BONITA SPRINGS FL 34135	<b>35-47-25-B3-00122.0020</b> 27820/22 MARCO DR BONITA SPRINGS FL 34135	BONITA FARMS PB 3 PG 27 PT LT 22 S 120 FT OF N 420 FT OF W 165 FT	5
DENTON GEORGE J + PEGGY A TR	<b>35-47-25-B3-00122.0110</b>	BONITA FARMS SEC 35	6
10450 SWEM LAKE RD NE	27840 MARCO DR	PB 3 PG 27 PT LT 22 OR 615	
ROCKFORD MI 49341	BONITA SPRINGS FL 34135	PG 116 + OR 671 PG 843	
ADAMS THOMAS D L/E	<b>35-47-25-B3-00122.0120</b>	BONITA FARMS	7
12292 CASALS LN	27821 MARCO DR	SEC 35 PB 3 PG 27	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	PT LOT 22 TH S 120 FT OF	
RUSS JEANETTE M TR	<b>35-47-25-B3-00122.013A</b>	BONITA FARMS	8
27870 MARCO DR	27850 MARCO DR	SEC 35 PB 3 PG 27 AS DESC	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	IN OR 679 PG 270	
RUSS JEANNETTE M TR 27870 MARCO DR BONITA SPRINGS FL 34135	<b>35-47-25-B3-00122.0150</b> 27841/43 MARCO DR BONITA SPRINGS FL 34135	BONITA FARMS SEC 35 PB 3 PG 27 PT LT 22 AS DESC IN OR 1833 PG 2075 LESS S 60 FT DESC IN INST 2005-102675	9
RUSS MARC + WENDY 1/2INT +	<b>35-47-25-B3-00122.0170</b>	BONITA FARMS	10
PO BOX 525	27851 MARCO DR	SEC 35 PB 3 PG 27 PT LT 22	
BONITA SPRINGS FL 34133	BONITA SPRINGS FL 34135	AS DESC IN INST 2005-102675	
EDWARDS PETER	<b>35-47-25-B3-00123.0020</b>	BONITA FARMS PB 3 PG 27	11
27810 HAROLD ST	27810 HAROLD ST	S 90FT OF N 345 OF W 140FT	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	LT 23 AKA LT 5 + N1/2 LT 6	
KOLLAK FRANK J	<b>35-47-25-B3-00123.0050</b>	BONITA FARMS	12
27861 HAROLD ST	27861 HAROLD ST	SEC.35 PB 3 PG 27	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	LOT PT 23	
MARTIN JOHN C TR	<b>35-47-25-B3-00123.0070</b>	BONITA FARMS	13
27577 SHORE DR	27821 HAROLD ST	SEC 35 PB 3 PG 27	
BONITA SPRINGS FL 34134	BONITA SPRINGS FL 34135	LOT PT 23	

OWNER NAME AND ADDRESS ALICEA SOORAJNIE 27830 HAROLD ST BONITA SPRINGS FL 34135	<b>STRAP AND LOCATION 35-47-25-B3-00123.0080</b> 27830 HAROLD ST BONITA SPRINGS FL 34135	LEGAL DESCRIPTION BONITA FARMS SEC.35 PB 3 PG 27 LOT PT.23	Map Index 14
DOUGLAS RITA	<b>35-47-25-B3-00123.0100</b>	BONITA FARMS	15
PO BOX 25	27860 HAROLD ST	SEC.35 PB 3 PG 27	
NEWTON NJ 07860	BONITA SPRINGS FL 34135	LOT PT.23	
COOK DEBRA L + DALE 27840 HAROLD ST BONITA SPRINGS FL 34134	<b>35-47-25-B3-00123.010A</b> 27840 HAROLD ST BONITA SPRINGS FL 34135	BONITA FARMS SEC 35 PB 3 PG 27 PT LOT 23 DESC IN OR 1331 PG 0064 AKA LOT 8	16
KOLE FLORENCE H	<b>35-47-25-B3-00123.0110</b>	BONITA FARMS	17
27899 HAROLD ST	27899 HAROLD ST	SEC 35 PB 3 PG 27	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	30 FT N OF SE COR TH N	
SWIFT OIL ASSOCIATES INC	<b>35-47-25-B3-00123.0130</b>	BONITA FARMS	18
1891 PINE RIDGE RD	10880 BONITA BEACH RD SE	SEC 35 PB 3 PG 27 LT PT 23	
NAPLES FL 34109	BONITA SPRINGS FL 34135	AS DESC IN OR 330 PG 601	
FEOLA RALPH L PER REP	<b>35-47-25-B3-00123.0140</b>	BONITA FARMS	19
1003 S COLLINS ST	27940 HAROLD ST	SEC 35 PB 3 PG 27	
PLANT CITY FL 33563	BONITA SPRINGS FL 34135	PT.LOT 23	
FEOLA RALPH A	<b>35-47-25-B3-00123.0160</b>	BONITA FARMS	20
1003 S COLLINS ST	27930 HAROLD ST	SEC.35 PB 3 PG 27	
PLANT CITY FL 33563	BONITA SPRINGS FL 34135	LOT PT.23	
COFFEEN ROBERT + CAROLYN L 4601 GULFSHORE BLVD N NAPLES FL 34103	<b>35-47-25-B3-00123.0170</b> 27837/39 HAROLD ST BONITA SPRINGS FL 34135	BONITA FARMS PB 3 PG 27 LOT PT.23 DESC IN OR 4386 PG 943	21
FUENTES ARTURO + SYLVIA	<b>35-47-25-B3-00123.0180</b>	BONITA FARMS	22
27801 HAROLD ST	27801 HAROLD ST	SEC 35 PB 3 PG 27	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	LOT PT 23	
COFFEEN ROBERT + CAROLYN L 4601 GULFSHORE BLVD N NAPLES FL 34103	<b>35-47-25-B3-00123.0190</b> 27849 HAROLD ST BONITA SPRINGS FL 34135	BONITA FARMS PB 3 PG 27 LOT PT 23 DESC IN OR 4386 PG 946	23
DONOVAN ALAN G +	<b>35-47-25-B3-00124.0000</b>	BONITA FARMS SEC 35 PB 3	24
3450 WHITE BLVD	27880 MATHESON AVE	PG 27 LOT 24 LESS RD R/W	
NAPLES FL 34117	BONITA SPRINGS FL 34135	+ PAR 24.001 THRU 24.0060	
DONOVAN ALAN G +	<b>35-47-25-B3-00124.0030</b>	BONITA FARMS SEC 35	25
3450 WHITE BLVD	27860 MATHESON AVE	DESC IN OR 1342 PG 0335	
NAPLES FL 34117	BONITA SPRINGS FL 34135	PB 3 PG 27 PT LOT 24	
DESOLA WILDRED	<b>35-47-25-B3-00124.0050</b>	BONITA FARMS SEC 35 PB 3	26
21 EDITH LN	10885 DRUSILLA LN	PG 27 PT LOT 24 DESC IN	
WILTON CT 06897	BONITA SPRINGS FL 34135	OR 1875 PG 3051	
BACA ALFRED L + MARGARET A C	<b>35-47-25-B3-00124.0060</b>	BONITA FARMS SEC 35	27
327 CAMINO DEL PUEBLO	10950 BONITA BEACH RD SE	PB 3 PG 27 N 330 FT OF S	
BERNALILLO NM 87004	BONITA SPRINGS FL 34135	360 FT LOT 24 LESS E 125FT	
DONOVAN ALAN G + 3450 WHITE BLVD NAPLES FL 34117	35-47-25-B3-00124.0070 ACCESS UNDETERMINED BONITA SPRINGS FL 34135	THE W 165 FT OF THE S 125 FT OF THE N 525 FT OF LOT 24 BONITA FARMS AS DESC IN PB 3 PG 27	28
BONITA-FT MYERS CORP	<b>02-48-25-B2-0009.0000</b>	W 1/2 OF NE 1/4 LESS	29
401 NW 38TH CT	10601 BONITA BEACH RD SE	RD R/W FOR BONITA BCH +	
MIAMI FL 33126	BONITA SPRINGS FL 34135	SABAL PALM	
RACETRACK DEVELOPMENT LLC 2025 LAGUNA WAY NAPLES FL 34109	<b>02-48-25-B2-00010.0000</b> 10815 BONITA BEACH RD SE BONITA SPRINGS FL 34135	W 1/2 OF GOVT LOT 1 LESS OR 1966-3580 + LESS RD RW OR 2099 PG 4758 FOR BB RD + SABAL PALM	30
PINE HAVEN CONDO ASSN 10895 N TAMIAMI TRL NAPLES FL 34108	<b>02-48-25-B2-00100.00CE</b> COMMON ELEMENTS BONITA SPRINGS FL 34135	PINE HAVEN CONDO DESC OR1656/2530 LESS R/W COMMON ELEMENTS/POOL+TENNIS	31
PINE HAVEN PLAZA CONDO ASSN 10981 BONITA BEACH RD BONITA SPRINGS FL 34135	<b>02-48-25-B2-00200.00CE</b> 10911 BONITA BEACH RD SE (COMMON ELEMENT BONITA SPRINGS FL 34135	PINE HAVEN PLAZA CONDO PH I+II OR1771/0635 COMMON ELEMENTS	32

OWNER NAME AND ADDRESS POLLARD + HEDRICH REALTY INC 10981 BONITA BEACH RD BONITA SPRINGS FL 34135	STRAP AND LOCATION  02-48-25-B2-00200.101A  10911 BONITA BEACH RD SE #101A  BONITA SPRINGS FL 34135	LEGAL DESCRIPTION PINE HAVEN PLAZA OR 1771 PG 635 PH-I UNITS 101-A + 101-B	Map Index *33
HEDRICH NORMAN + CLEDA	<b>02-48-25-B2-00200.102A</b>	PINE HAVEN PLAZA	*33
10981 BONITA BEACH RD	10911 BONITA BEACH RD SE #102A	OR 1771 PG 635 PH-I	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNITS 102-A + 102-B	
HEDRICH NORMAN + CLEDA	<b>02-48-25-B2-00200.103A</b>	PINE HAVEN PLAZA	*33
10981 BONITA BEACH RD	10911 BONITA BEACH RD SE	OR 1771 PG 635 PH-I	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNITS 103-A + 103-B	
POLLARD + HEDRICH REALTY INC	<b>02-48-25-B2-00200.104A</b>	PINE HAVEN PLAZA	*33
10981 BONITA BEACH RD	10911 BONITA BEACH RD SE	OR 1771 PG 0635 PH-I	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNITS 104-A + 104-B	
GAETA KOLLEEN + JOSEPH A JR TR	<b>02-48-25-B2-00200.105A</b>	PINE HAVEN PLAZA	*33
1509 BAYSHORE RD	10911 BONITA BEACH RD SE #105A	OR 1771 PG 635	
NOKOMIS FL 34275	BONITA SPRINGS FL 34135	PH-I UNIT 105-A THRU 106-B	
GEIDNER BRIAN M +	<b>02-48-25-B2-00200.107A</b>	PINE HAVEN PLAZA	*33
2074 MORNING SUN LN	10911 BONITA BEACH RD SE #107A	OR 1771 PG 635	
NAPLES FL 34119	BONITA SPRINGS FL 34135	PH-I UNIT 107-A	
GEIDNER BRIAN M +	<b>02-48-25-B2-00200.107B</b>	PINE HAVEN PLAZA	*33
2074 MORNING SUN LN	10911 BONITA BEACH RD SE #107B	OR 1771 PG 635	
NAPLES FL 34119	BONITA SPRINGS FL 34135	PH-I UNIT 107-B	
FLORIDA PROPERTIES + DEV LLC	<b>02-48-25-B2-00200.108A</b>	PINE HAVEN PLAZA	*33
203 LANDMARK DR	10911 BONITA BEACH RD SE #108A	OR 1771 PG 0635	
NORMAL IL 61761	BONITA SPRINGS FL 34135	PH-I UNIT 108-A	
GEIDNER BRIAN M + 2074 MORNING SUN LN NAPLES FL 34119	<b>02-48-25-B2-00200.108B</b> 10911 BONITA BEACH RD SE #108B BONITA SPRINGS FL 34135	PINE HAVEN PLAZA OR 1771 PG 635 PH-I UNIT 108-B	*33
FRANZ DONALD W TR	<b>02-48-25-B2-00200.109A</b>	PINE HAVEN PLAZA	*34
11618 QUAIL VILLAGE WAY	10915 BONITA BEACH RD SE #109A	OR 1771 PG 635	
NAPLES FL 34119	BONITA SPRINGS FL 34135	UNIT 109A	
FRANZ DONALD W TR	<b>02-48-25-B2-00200.109B</b>	PINE HAVEN PLAZA	*34
11618 QUAIL VILLAGE WAY	10915 BONITA BEACH RD SE #109B	OR 1771 PG 635	
NAPLES FL 34119	BONITA SPRINGS FL 34135	UNIT 109B	
HICKORY HOMES INC	<b>02-48-25-B2-00200.110A</b>	PINE HAVEN PLAZA	*34
10911 BONITA BEACH RD #1021	10915 BONITA BEACH RD SE #110	OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 110A	
HEDRICH CLEDA	<b>02-48-25-B2-00200.110B</b>	PINE HAVEN PLAZA	*34
10981 BONITA BEACH RD	10915 BONITA BEACH RD SE #110	OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 110B	
HEDRIDCH NORMA TR	<b>02-48-25-B2-00200.111A</b>	PINE HAVEN PLAZA CONDO	*34
10981 BONITA BEACH RD	10915 BONITA BEACH RD SE #111	OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 111A + 111B	
POLLARD FRANCES M +	<b>02-48-25-B2-00200.112A</b>	PINE HAVEN PLAZA CONDO	*34
27303 ELWOOD DR	10915 BONITA BEACH RD SE #112	OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 112A	
POLLARD FRANCES M+ 27303 ELWOOD DR BONITA SPRINGS FL 34135	<b>02-48-25-B2-00200.112B</b> 10915 BONITA BEACH RD SE #112 BONITA SPRINGS FL 34135	PINE HAVEN PLAZA CONDO OR 1771 PG 635 UNIT 112B	*34
GINSBERG GUENTER	<b>02-48-25-B2-00200.113A</b>	PINE HAVEN PLAZA CONDO	*34
11820 RED HIBISCUS DR	10915 BONITA BEACH RD SE #113	OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 113A +113B	
KUTY DENNIS E + ADELAIDA L	<b>02-48-25-B2-00200.114A</b>	PINE HAVEN PLAZA CONDO	*34
2807 WINDSOR HILL DR	10915 BONITA BEACH RD SE #114	DESC OR 1771 PG 635	
WINDERMERE FL 34786	BONITA SPRINGS FL 34135	UNIT 114A + 114B	
CHYNOWETH DAVID L + JUDY C	<b>02-48-25-B2-00200.115A</b>	PINE HAVEN PLAZA CONDO	*34
11154 PALMETTO RIDGE	10915 BONITA BEACH RD SE #115	DESC OR 1771 PG 635	
NAPLES FL 34110	BONITA SPRINGS FL 34135	UNIT 115A	

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
ENTERPRISE PROPERTIES OF PATRICK KIRK 10915 BONITA BEACH RD #1152 BONITA SPRINGS FL 34135	<b>02-48-25-B2-00200.115B</b> 10915 BONITA BEACH RD SE #115 BONITA SPRINGS FL 34135	PINE HAVEN PLAZA CONDO DESC OR 1771 PG 635 UNIT 115B	*34
CHYNOWETH DAVID L + JUDY C	<b>02-48-25-B2-00200.116A</b>	PINE HAVEN PLAZA CONDO	*34
11154 PALMETTO RIDGE	10915 BONITA BEACH RD SE #116	DESC OR 1771 PG 635	
NAPLES FL 34110	BONITA SPRINGS FL 34135	UNIT 116A +116B	
CARULLI JOSEPH G	<b>02-48-25-B2-00200.201A</b>	PINE HAVEN PLAZA	*33
26585 ROBIN WAY APT #5	10911 BONITA BEACH RD SE #201	OR 1771 PG 0635 PHI	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNITS 201-A + 201-B	
POLLARD FRANCES M +	<b>02-48-25-B2-00200.202A</b>	PINE HAVEN PLAZA	*33
27303 ELWOOD DR	10911 BONITA BEACH RD SE #202	OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNITS 202-A + 202-B	
BALSIZER REYNOLD L TR	<b>02-48-25-B2-00200.203A</b>	PINE HAVEN PLAZA	*33
PO BOX 829	10911 BONITA BEACH RD SE #203	OR 1771 PG 0635	
BONITA SPRINGS FL 34133	BONITA SPRINGS FL 34135	UNITS 203A + 203B	
MCKENZIE CATHERINE TR	<b>02-48-25-B2-00200.204A</b>	PINE HAVEN PLAZA CONDO	*33
13155 CLOCK TOWER PKWY	10911 BONITA BEACH RD SE #204	OR 1771 PG 0635	
BAYONET POINT FL 34667	BONITA SPRINGS FL 34135	UNIT 204A + 204B	
MCKENZIE ARTHUR G TR	<b>02-48-25-B2-00200.205A</b>	PINE HAVEN PLAZA CONDO	*33
13155 CLOCK TOWER PKWY	10911 BONITA BEACH RD SE #205	OR 1771 PG 0635	
BAYONET POINT FL 34667	BONITA SPRINGS FL 34135	UNIT 205A +205B	
POLLARD M FRANCES +	<b>02-48-25-B2-00200.206A</b>	PINE HAVEN PLAZA CONDO	*33
27303 ELWOOD DR	10911 BONITA BEACH RD SE #206	OR 1771 PG 0635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 206A +206B	
POLLARD FRANCES M+	<b>02-48-25-B2-00200.207A</b>	PINE HAVEN PLAZA CONDO	*33
27303 ELWOOD DR	10911 BONITA BEACH RD SE #207	OR 1771 PG 0635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 207A +207B	
HENSLEY + COMPANY PA	<b>02-48-25-B2-00200.208A</b>	PINE HAVEN PLAZA	*33
9420 FOUNTAIN MEDICAL CT #101	10911 BONITA BEACH RD SE #208	OR 1771 PG 635 PH-I	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 208-A	
HENSLEY + COMPANY PA	<b>02-48-25-B2-00200.208B</b>	PINE HAVEN PLAZA	*33
10911 BONITA BEACH RD SE #208	10911 BONITA BEACH RD SE #208	OR 1771 PG 635 PHI	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 208-B	
MOSLEY JOSEPH M + JOYCE A	<b>02-48-25-B2-00200.209A</b>	PINE HAVEN PLAZA CONDO	*34
2363 BUTTERFLY PALM DR	10915 BONITA BEACH RD SE #209	DESC OR 1771 PG 635	
NAPLES FL 34119	BONITA SPRINGS FL 34135	UNIT 209A +209B	
HEDRICH NORMAN + CLEDA HEDRICH	<b>02-48-25-B2-00200.210A</b>	PINE HAVEN PLAZA CONDO	*34
10981 BONITA SPRINGS RD	10915 BONITA BEACH RD SE #210	DESC OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 210A +210B	
HEDRICH NORMAN + CLEDA	<b>02-48-25-B2-00200.211A</b>	PINE HAVEN PLAZA CONDO	*34
10981 BONITA BEACH RD	10915 BONITA BEACH RD SE #211	DESC OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 211A +211B	
HEDRICH NORMAN + CLEDA	<b>02-48-25-B2-00200.212A</b>	PINE HAVEN PLAZA CONDO	*34
10981 BONITA BEACH RD	10915 BONITA BEACH RD SE #212	DESC OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 212A +212B	
HEDRICH NORMAN + CLEDA	<b>02-48-25-B2-00200.213A</b>	PINE HAVEN PLAZA CONDO	*34
10981 BONITA BEACH RD	10915 BONITA BEACH RD SE #213	DESC OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 213A +213B	
PARKER JAMES B + JANICE E	<b>02-48-25-B2-00200.214A</b>	PINE HAVEN PLAZA CONDO	*34
17 RIDGE DR	10915 BONITA BEACH RD SE #214	DESC OR 1771 PG 635	
NAPLES FL 34108	BONITA SPRINGS FL 34135	UNIT 214A +214B	
PARKER JAMES B + JANICE E	<b>02-48-25-B2-00200.215A</b>	PINE HAVEN PLAZA CONDO	*34
17 RIDGE DR	10915 BONITA BEACH RD SE #215	DESC OR 1771 PG 635	
NAPLES FL 34108	BONITA SPRINGS FL 34135	UNIT 215A +215B	
PAVER PRO UNLIMITED INC	<b>02-48-25-B2-00200.216A</b>	PINE HAVEN PLAZA CONDO	*34
10915 BONITA BEACH RD SE #216	10915 BONITA BEACH RD SE #216	DESC OR 1771 PG 635	
BONITA SPRINGS FL 34135	BONITA SPRINGS FL 34135	UNIT 216A +216B	

STRAP AND LOCATION

LEGAL DESCRIPTION

**Map Index** 



# DIVISION OF PLANNING FACSIMILE

P.O. Box 398 Fort Myers, FL 33902 (239) 479-8585

Fax: (239) 479-8319

То:	Gary Price	Date:	8-14-2007
Fax #:	239-949-6239	Pages:	2 , including this cover sheet
From:	Donna Hock		
Subject:	Courtesy Notice. Located on Bonita Beach Rd.		
COMMENTS:			

P:\FAXSHEET.WPD



CITY OF BONITA SPRINGS

# COURTESY NOTICE TO ADJACENT PROPERTY OWNERS OF RECEIPT OF ZONING APPLICATION

Date:

August 14, 2007

Case Number:

DCI2007-00051

Case Name:

COMMODORE STORAGE

Request:

Rezone 5+/- acres from CPD and TFC-2 to CPD to allow 159,650 SF of mini storage and 10,300 SF of retail and office uses with a

maximum height of 3 stories not to exceed 45 feet.

Location:

The subject property is located at 10852 Bonita Beach Road, in

S35-T47S-R25E, Bonita Springs, FL.

PROPERTY OWNER'S REPRESENTATIVE:

MS. DEBORA A GRESS

PROGRESSIVE ENGINEERING

239-992-1619

Lee County Planner:

Chahram Badamtchian

(239) 533-8372

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 239/533-8585 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.

DMH

### Jam and Smudge Free Printing Use Avery® TEMPLATE 5161®

Christine Bielski BBIA 27566 Hickory Blvd Bonita Springs, FL 34134

Mr. Dennis Leaton 2520 SW 28<sup>th</sup> Ln Coconut Grove, FL 33133 www.avery.com 1-800-GO-AVERY



Ed Bowers Highland Woods Golf and Country Club 9100 Highland Woods Blvd. Bonita Springs, FL 34135



TRANSMISSION OK

TX/RX NO

2716

CONNECTION TEL

99496239

SUBADDRESS

CONNECTION ID

08/14 13:55

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RESULT

OK

35-47-25-B3-00120.0000 PRESERVE EQUITY LLC 7800 METRO PKWY STE 300 MINNEAPOLIS, MN 55425

35-47-25-B3-00121.0000 LEE COUNTY PO BOX 398 FORT MYERS, FL 33902

35-47-25-B3-00122.0020 RUSS ELEANOR H 27822 MARCO DR BONITA SPRINGS, FL 34135

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35-47-25-B3-00123.0100 DOUGLAS RITA PO BOX 25 NEWTON, NJ 07860

35-47-25-B3-00123.0110 KOLE FLORENCE H 27899 HAROLD ST BONITA SPRINGS, FL 34135

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35-47-25-B3-00122.0110 DENTON GEORGE J + PEGGY A TR 10450 SWEM LAKE RD NE ROCKFORD, MI 49341

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35-47-25-B3-00123.0190 COFFEEN ROBERT + CAROLYN L 4601 GULFSHORE BLVD N NAPLES, FL 34103

35-47-25-B3-00124.0030 DONOVAN ALAN G + 3450 WHITE BLVD NAPLES, FL 34117

35-47-25-B3-00124.0060 BACA ALFRED L + MARGARET A C 327 CAMINO DEL PUEBLO BERNALILLO, NM 87004

02-48-25-B2-00009.0000 BONITA-FT MYERS CORP 401 NW 38TH CT MIAMI, FL 33126

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35-47-25-B3-00124.0050 DESOLA WILDRED 21 EDITH LN WILTON, CT 06897

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> BONILY SBKINGS' ET 34132 10912 BONILY BEYCH KD SE #510 05-48-52-B5-00500.516A

> > NYBEE2' EF 34108 14 KIDGE DK BYKKEK 1YWES B + 1YNICE E 05-48-52-B5-00500'514Y

> > BONILY SPRINGS, FL 34135 10981 BONITA BEACH RD 02-48-25-B2-00200.212A

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> BONILY SbKINGS' EF 34132 10911 BONILY BEYCH KD SE #508 HENSFEA + COWDYNA BY 05-48-52-B5-00500'508B

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> NYBEE2' EF 34108 14 KIDGE DK BYKKEK 1YWES B + 1YNICE E 05-48-52-BS-00500:512Y

> BONILY SBKINGS' EF 34132 10081 BONILY BEYCH KD HEDKICH NOKWYN + CFEDY 05-48-52-B5-00500:513Y

> BONILY SPRINGS, FL 34135 10981 BONITA BEACH RD 02-48-25-B2-00200.211A

NVBFES' EF 34119 WOSFEK 108EBH W + 10ACE V 05-48-52-B5-005005008

BONILY SbKINGS' EF 34132 6450 EONALYIN WEDICYF CL #101 05-48-52-B5-00500'508Y