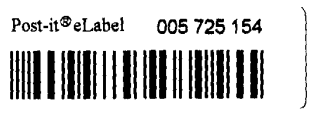


DCI2003-00005

Corkscrew Growers Section Three

GIS TRACKING SHEET

Case #: DCI2003-00005 Intake Date: 1/7/2003

Project Name: Horseshoe Developments, Inc.

Strap Number: 03-48-26-B1-00001.0000

Planner Name: Chip Block Ext #:

LEGAL DESCRIPTION VERIFICATION AND INITIAL GIS MAPPING

Date: 3/7/03 Intake: DCI03005

LEGAL SUFFICIENT: ☑ YES ☐ NO Initials CMM

If not give brief explanation:

MAP UPDATE following FINAL ACTION: ☑ BSprings

Date: 04 Nov 03

____ Hearing Examiner Decision ____ Board of County Commissioners Resolution

____ Administrative Approval ____ Blue Sheet

Zoning Notes: DCI2003-00005, BSOBD* 03-19, 23 JUNE03, DBC FM RPD & CPD TO RPD, MAX 1999 DU; CONDS

MAP UPDATED ☑ YES ☐ NO Initials

If not, give brief explanation:

Created RPD: 001001

Deleted RPD: 000487
CPD: 000481

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 5379.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.89°56'22"E. ALONG THE SOUTH LINE OF THE WEST HALF OF SAID SECTION FOR 2621.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF SECTION; THENCE N.89°56'26"E. ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOR 2621.22 FEET TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N.00°37'08"W. ALONG THE EAST LINE OF SAID SECTION FOR 5385.34 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.89°52'32"W. ALONG THE NORTH LINE OF THE EAST HALF OF SAID SECTION FOR 2629.85 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF SECTION; THENCE S.89°52'12"W. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION FOR 2629.72 FEET TO THE **POINT OF BEGINNING.**

PARCEL CONTAINS 648.80 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

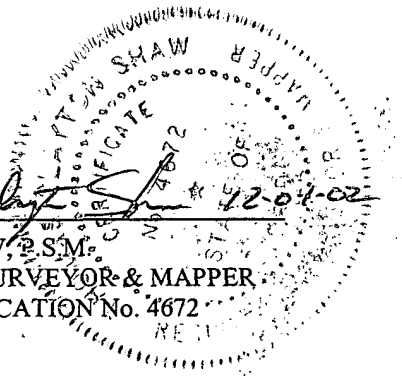
PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

DCI 2003-00005

DESCRIPTION PREPARED DECEMBER 4, 2002.

RECEIVED
JAN 21 2003
ZONING COUNTER

Applicant's Legal Checked
by LMM 3/7/03



12-04-02

THOMAS C. SHAW, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION No. 4672

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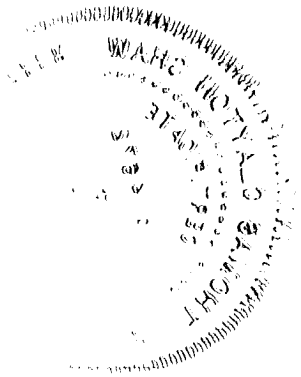
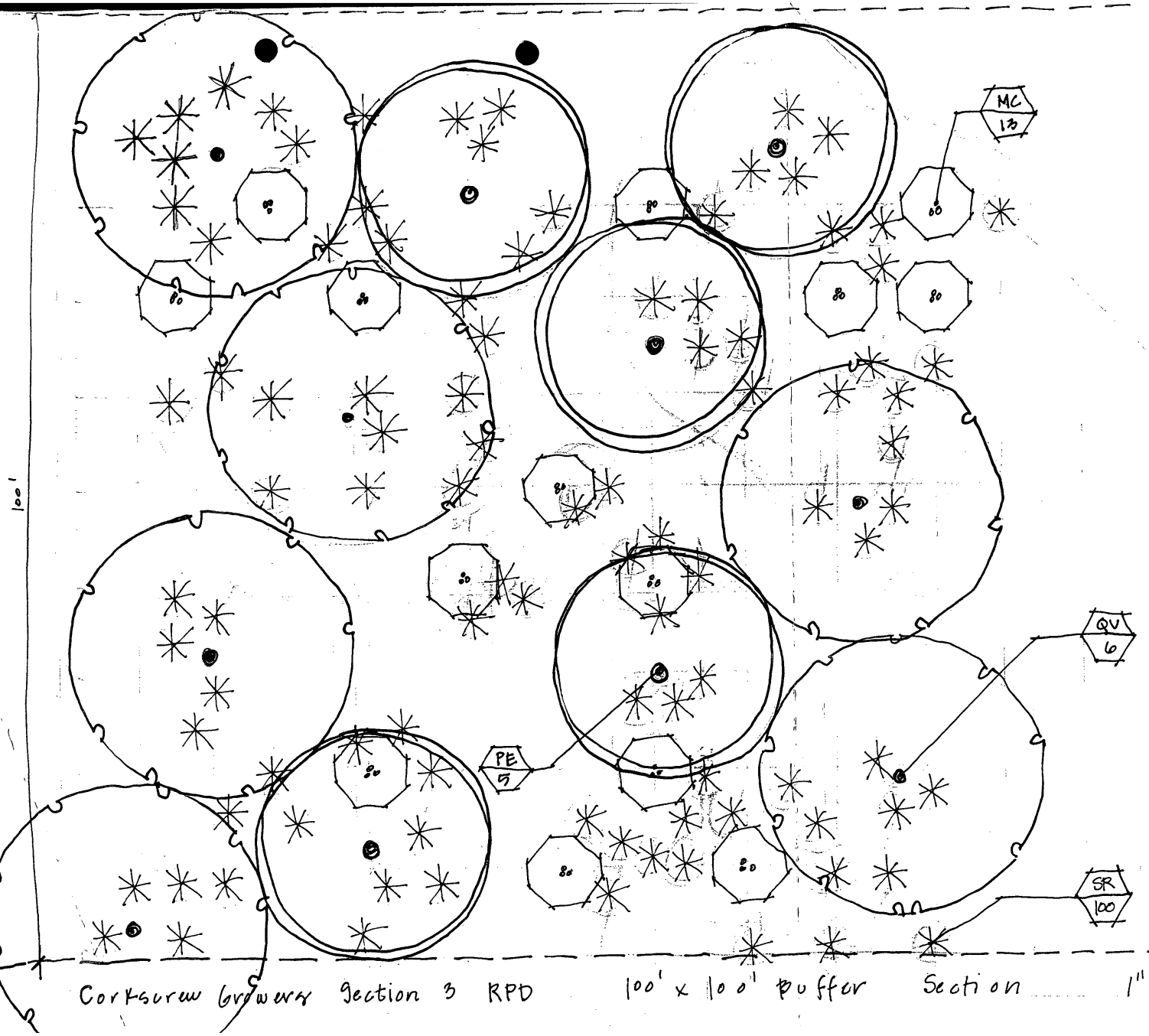


Jessie Smith
OCD



PLANT LIST

13	MC	Myrica cerifera	Wax Myrtle	10 gal.
5	PE	Pinus elliotti	Slash Pine	10 gal.
6	QV	Quercus virginiana	Live Oak	10' o.A. Container
100	SR	Serenoa repens	Palmetto	3 gal.

Pine straw as necessary to cover new planting areas. Bahia sod over bare places if desired. Temporary irrigation to sustain new plant materials as desired.

STEPHEN J. TRUDNAK, P.A.
LANDSCAPE ARCHITECTURE AND LAND PLANNING
3461 Bonita Bay Boulevard • Suite 224
Bonita Springs, Florida 34134
(941) 495-6464 • FAX (941) 495-8486

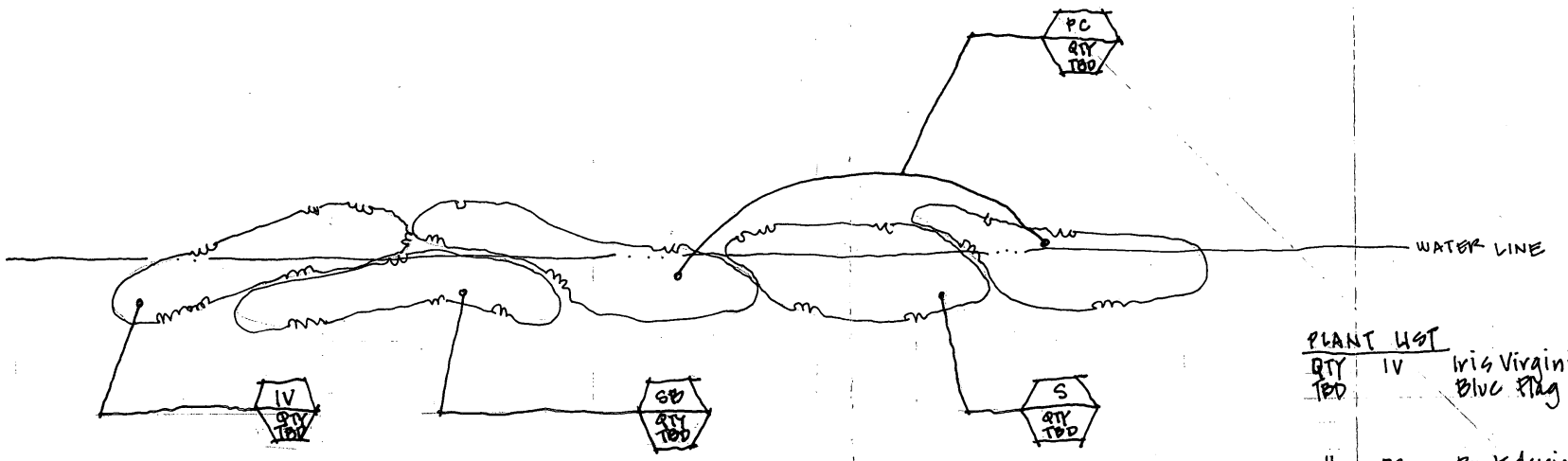
2/27/03

Corkscrew Growers Section 3 RPD 100' x 100' Buffer Section 1" = 10' 20059

N

DCI 2003 00005

RECEIVED
MAR 03 2003
COMMUNITY DEVELOPMENT
DCI 2003-00005



PLANT LIST

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

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

2/27/03

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Bonita Springs, Florida 34134
(941) 495-6464 • FAX (941) 495-8486

CORKSCREW GROWERS SECTION R-RD - Project Lake Littoral Zones Planting Plan
NO SCALE 12/5/00 20059 SJT. PA

RECEIVED
MAR 03 2003
COMMUNITY DEVELOPMENT

DCI 2003-00005

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 03-19

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY CORKSCREW GROWERS SECTION THREE; TO AMEND ITS RESIDENTIAL PLANNED DEVELOPMENT (RPD) AND COMMERCIAL PLANNED DEVELOPMENT (CPD); TO ALLOW THE DEVELOPMENT OF A MIXED USED RESIDENTIAL PROJECT CONSISTING OF A MAXIMUM OF 1,999 DWELLING UNITS WITH A PROPOSED MAXIMUM BUILDING HEIGHT OF 50 FEET (3 STORIES) AND UP TO 30,000 SQUARE FEET OF INTERNAL COMMERCIAL AND RECREATONAL FLOOR AREA, ON LAND LOCATED AT 15501 BONITA BEACH ROAD, S.E., BONITA SPRINGS, FLORIDA (STRAP NO. 03-48-26-B1-00001.0000) ON 648.80 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Corkscrew Growers Section Three has filed an application to amend its 648.80 ± acres from Residential Planned Development (RPD) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) to allow the development of a mixed use residential project consisting of a maximum of 1,999 dwelling units with a proposed maximum building height of 50 feet (3 stories) and up to 30,000 square feet of internal commercial and recreational floor area.

WHEREAS, the subject property is located at 15501 Bonita Beach Road, S.E., Bonita Springs, Florida, and is described more particularly as:

"See Exhibit A"

WHEREAS, a Public Hearing was advertised and heard on May 2, 2003 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case No. DCI 2003-00005 who gave full consideration to the evidence available and recommended approval; and gave full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The April 16, 2003 Staff Report prepared by Lee County Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

City Council hereby approves the amendment of Corkscrew Growers Section Three from Residential Planned Development (RPD) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) with the following conditions and deviations:

Conditions

1. The development of this project must be consistent with the three-page Master Concept Plan entitled "Lee County Section 3 Corkscrew Growers," stamped received MAR 03, 2003, except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

   This project is limited to a maximum of 1,999 dwelling units and 30,000 square feet commercial gross floor area.

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

   a. Schedule of Uses

      The following replaces the Schedule provided as part of this application and represents the approved Schedule of Uses.

      Residential Tracts

      ACCESSORY USES AND STRUCTURES (LDC Sections 4-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
      ADMINISTRATIVE OFFICES (subject to Note (1) of LDC Section 4-934)
      AGRICULTURAL USES AND AGRICULTURAL ACCESSORY USES (refer to Condition 5.)
      DWELLING UNIT:
      - Single-family
      - Duplex
      - Two-family attached
      - Townhouse
      - Multiple-family building
      - Zero Lot Line

      ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)
      ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
      ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I only (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
      EXCAVATION: Water retention (LDC Section 34-1651)
      HOME OCCUPATION (LDC Section 34-1771 et seq.)
      MODELS:

Model home (LDC Section 34-1951 et seq.)
Model unit (LDC Section 34-1951 et seq.)
PARKING LOT: Accessory
REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and 34-3021)
Real estate sales offices in residential areas are limited to sales of lots, homes or units within the development, except as may be permitted in section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.
RESIDENTIAL ACCESSORY USES (LDC Section 34-622(c)(42)) (LDC Section 34-1171 et seq.)
SIGNS in accordance with chapter 30
TEMPORARY USES (LDC Section 34-3041 et seq.) - limited to Contractor's office and equipment storage shed

Towncenter Area

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES
AGRICULTURAL USES AND AGRICULTURAL ACCESSORY USES (refer to Condition 5.)
BANKS AND FINANCIAL ESTABLISHMENTS (LDC Section 34-622(c)(3)): Group I
BUSINESS SERVICES (LDC Section 34-622(c)(5)): Group I - limited solely to travel agencies
CLUBS: Country Club
Private
CONSUMPTION ON PREMISES - limited solely as an accessory use to CLUBS and RESTAURANTS
CONVENIENCE FOOD AND BEVERAGE STORE - a car wash facility may also be permitted solely as an accessory use to this use
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I only (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
FOOD STORES (LDC Section 34-622(c)(16)): Group I, excluding supermarket
LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)):Group I
PARKING LOT: Accessory
PERSONAL SERVICES (LDC Section 34-622(c)(33)): Group I

(limited to ATM; Barbershops or beauty shops; and clothing alterations and repair including dressmaker, seamstresses, and tailors)
and Group II (limited to Beauty Spas, Health Clubs or Spas, and Massage Establishments)

REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and Real estate sales offices in residential areas are limited to sales of lots, homes or units within the development, except as may be permitted in section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.

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

RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39)): Group II (limited to movies, videotapes, and similar home entertainment) (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.)

RESTAURANTS (LDC Section 34-622(c)(43)): Groups I, II, III

SIGNS in accordance with chapter 30

SPECIALTY RETAIL SHOPS (LDC Section 34-622(c)(47)): Group I (limited to Bookstores and Newsstands)

TEMPORARY USES (LDC Section 34-3041 et seq.) - limited to Contractor's office and equipment storage shed

b. Site Development Regulations

Refer to attached Exhibit A.

3. Prior to local development order approval, the development order plans must delineate 258 acres of open space as follows:

253.5 acres common open space; or
190.1 acres common open space and 63.4 acres private open space for dwelling units with direct ground floor access.

The 258 acres of required open space may be met on the project as a whole, provided each tract contains a minimum of 10% open space.

4. Prior to the first local development order, the developer will submit a Landscape Design Manual acceptable to Environmental Services staff that incorporates the native plants, landscape design, and littoral shelves shown on the drawings and planting list attached as Exhibit B.

5. Existing bona fide agricultural row crop activity on this site may be continued until such time as the commencement of site development activities, at which time the agricultural activities must be discontinued.

6. Unless the Land Development Code is more restrictive, the "General Notes" found on the Master Concept Plan and "Footnotes" in the Property Development Regulations will also be enforced as part of this planned development. If conflicts exist between the "notes" and "footnotes" and the LDC, the more restrictive rule will apply.

7. No excavated material may be removed from this site.

8. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC Section 34-2174(a).

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

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

11. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

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

B. Deviations

Deviation 1 is approved, granting relief from LDC Section 10-296(m)(4) which allows a privately maintained accessway provided it serves as access to 50 or less multiple family units; to allow up to 75 multiple family units to use a private accessway.

Deviation 2 is approved, granting relief from LDC Section 10-296(d)(7)(c)(1) which requires a specific road cross-section for the wearing surface; to allow cement concrete pavers or similar decorative paving materials for selected local streets subject to the condition that it is demonstrated that the proposed alternative cross-section is equal to or better than the LDC requirements.

Deviation 3 is approved, granting relief from LDC Section 10-296 (Table 3), which requires a 30-foot roadway easement; to allow the roadway easement to be 20 feet for one-way local streets subject to the condition that no parking is allowed within the easement and adequate site visibility is maintained.

Deviation 4 is denied, requesting relief from LDC Section 34-2013(a) (incorrectly identified as LDC Section 34-20134(a) in the application) which requires the design of the parking lots to allow vehicles exiting the lot to enter the street right-of-way or easement in a forward motion; to allow parallel guest parking to be allowed on the roadways in the areas where the neo-traditional units are proposed.

Deviation 5 is approved, granting relief from LDC Section 10-296(k)(1) which requires dead-end streets must be closed at one end by a circular turnaround; to allow for a hammerhead design subject to the condition that the applicant provides written approval by Bonita Springs Fire Control accepting the design of this hammerhead design prior to local development order approval.

Deviation 6 is denied, requesting relief from LDC Section 10-355(a)(1) which requires provision of a 10-foot wide utility easement along both sides of a road or accessway; to allow a 5 foot utility easement adjacent to the proposed 20-foot wide access street within the neo-traditional area and along the 50-foot wide right-of-way.

Deviation 7 is denied, requesting relief from LDC Section 10-355 which requires provision of a 10-foot wide utility easement along both sides of a road or accessway; to allow a specific and unique utility easement configuration at the hammerhead cul-de-sacs.

Deviation 8 is approved, granting requesting relief from LDC Section 10-329(a) which requires certain slopes along excavation banks; to allow up to 20% of the lake banks to utilized vertical bulkheads, subject to the condition that the lake slopes otherwise comply with the South Florida Water Management District requirements.

Deviation 9 is approved, granting relief from LDC Section 10-256(d)(3) which requires a specific cross-section for sidewalks; to allow the use of decorative pavers throughout the project in the sidewalks, subject to the condition that the proposed pavers maintain equal or improved wearing surfacing for the sidewalks in the community.

Deviation 10 is denied, requesting relief from LDC Section 10-291(3) which requires a residential project of more than five acres must provide for

two means of ingress and egress; to allow the proposed RPD to have one full means of ingress and egress and one emergency access.

Deviation 11 is approved, granting relief from LDC Section 10-329(e)(1)(a) which requires excavations to be no less than 25 feet for a local street and 50 feet from a collector or an arterial street; to allow a 20 foot setback, as measured from the edge of pavement or back of curb to edge of water control elevation, subject to the condition that adequate protection measures being included during the local development order process to protect wayward vehicles from entering the lake.

Findings and Conclusions:

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

1. The applicant has proven entitlement to the rezoning to RPD by demonstrating compliance with the Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested RPD zoning, as conditioned:

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

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

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

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

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

5. The proposed mix of uses is appropriate at the subject location, as conditoned.

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

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

8. The deviations granted:

   a) enhance the objectives of the planned development; and

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the rezoning of 648.80 ± acres from Residential Planned Development (RPD) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) to allow the development of a Mixed Use Residential project consisting of a maximum of 1,999 dwelling units with a proposed maximum building height of 50 feet (3 stories) and up to 30,000 square feet of internal commercial and recreational floor area with the following conditions:

SECTION TWO: EFFECTIVE DATE

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

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

AUTHENTICATION:

Vice Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

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

Date filed with City Clerk: 6-24-03

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

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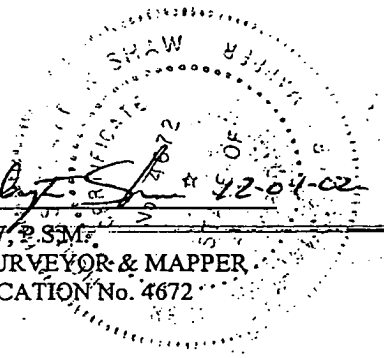
DESCRIPTION PREPARED DECEMBER 4, 2002.

DCI 2003-00005

RECEIVED
JAN 21 2003
ZONING COUNTER

Applicant's Legal Checked
by LMM 3/7/03



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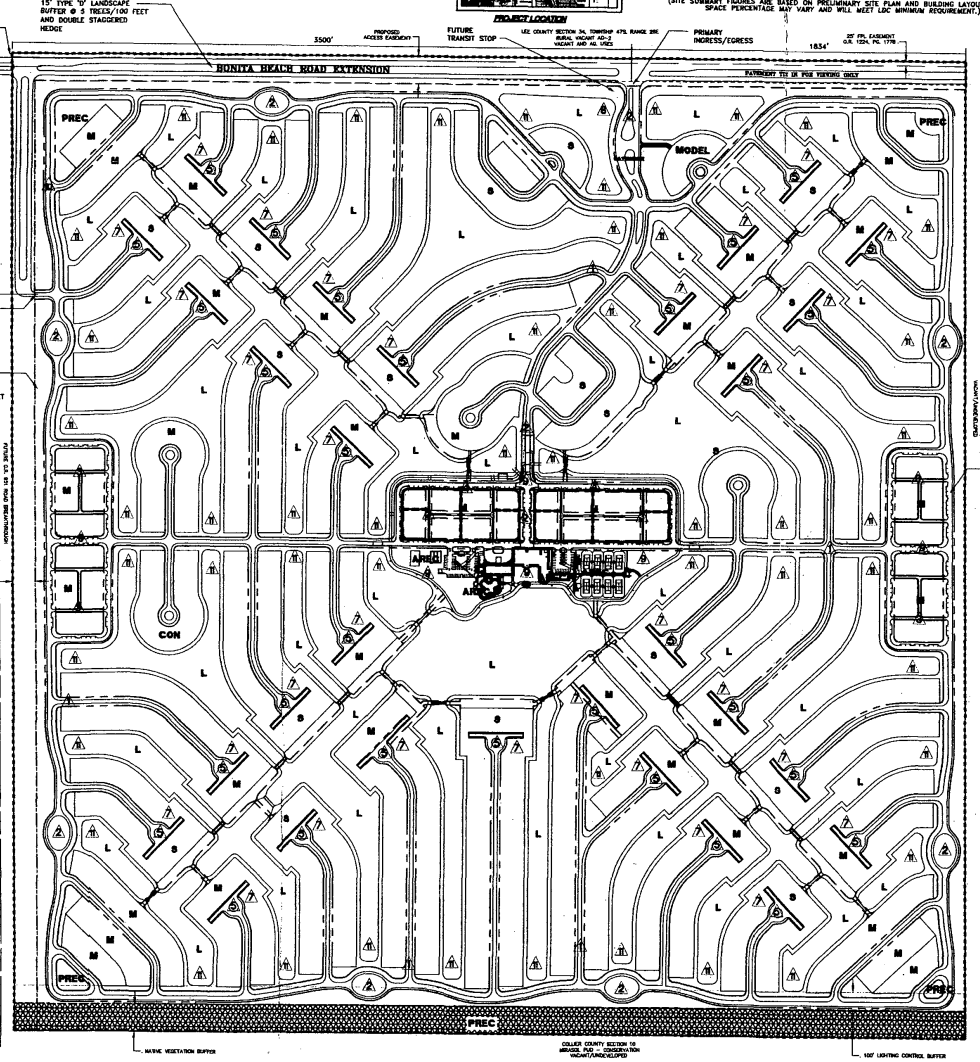


LEGEND

- DEVELOPMENT AREA BOUNDARY LINE
- **M** DUPLEX, TWO-FAMILY ATTACHED, MULTIPLE FAMILY BUILDING, TOWNHOUSE
- **S** SINGLE FAMILY, ZERO LOT LINE
- **L** SURFACE WATER MANAGEMENT LAKE
- **MODEL** MODEL CENTER
- **CON** CONSTRUCTION TRAILER AND STAGING
- **AREC** ACTIVE RECREATION AREA
- **PREC** PASSIVE RECREATION AREA
- DEVIATION NUMBER

N / W E / S

PROJECT LOCATION

DEVELOPMENT AREA	ACREAGE	COMMERCIAL SQUARE FOOTAGE	DWELLING UNITS	OPEN SPACE	BUILDING HEIGHT
DEV. AREA "A"	633.78 ACRES	N / A	1,999 UNITS	SEE NOTE #3	PER DEV. STNDS.
MULTI-FAMILY			1,121		
SINGLE-FAMILY			878		
DEV. AREA "B"	15.00 ACRES	30,000 S.F.	N / A	SEE NOTE #3	50'
		15,000 S.F.	RECREATIONAL		
TOTAL	648.78 ACRES	30,000 S.F.	1,999 UNITS		

SITE SUMMARY

ROOF (BUILDING)	PAVEMENT	SIDEWALK	LAKE**	LANDSCAPING**	TOTAL
4,982,805 SF	1,841,904 SF	395,845 SF	5,992,134 SF	15,048,873 SF	28,261,157 SF
114.39 AC	42.28 AC	9.08 AC	137.56 AC	345.47 AC	648.78 AC

** TOTAL OPEN SPACE = 74.56%

(SITE SUMMARY FIGURES ARE BASED ON PRELIMINARY SITE PLAN AND BUILDING LAYOUT. FINAL OPEN SPACE PERCENTAGE MAY VARY AND WILL MEET LDC MINIMUM REQUIREMENT.)

DEVELOPMENT REGULATIONS

	SINGLE FAMILY	TWO FAMILY ATTACHED	DUPLEX	ZERO LOT LINE/PATIO HOME	MULTI FAMILY	TOWNHOUSE	TOWN CENTER USES
MINIMUM LOT WIDTH:	50 FEET	35 FEET	60 FEET	50 FEET	100 FEET	25 FEET	100 FEET
MINIMUM LOT DEPTH:	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET
MINIMUM LOT AREA:	5,000 S.F.	3,500 S.F.	6,000 S.F.	5,000 S.F.	10,000 S.F.	2,500 S.F.	10,000 S.F.
MAXIMUM BUILDING HEIGHT:	2 STORIES*	2 STORIES*	2 STORIES*	2 STORIES*	3 STORIES*	3 STORIES*	3 STORIES*
MAXIMUM LOT COVERAGE:	40 PERCENT	40 PERCENT	40 PERCENT	40 PERCENT	45 PERCENT	45 PERCENT	45 PERCENT
MINIMUM SETBACKS:							
PUBLIC STREETS:	20 FEET*	20 FEET	20 FEET*	20 FEET*	20 FEET*	20 FEET*	
PRIVATE STREETS:	15 FEET*	15 FEET	15 FEET*	15 FEET*	15 FEET*	15 FEET*	
SIDE YARD:	5 FEET	0/10 FEET*	5 FEET*	0 FEET*	10 FEET*	0/10 FEET**	
REAR YARD:	10 FEET*	10 FEET*	10 FEET*	10 FEET*	10 FEET*	10 FEET*	
WATER:	20 FEET*	20 FEET*	20 FEET*	20 FEET*	20 FEET*	20 FEET**	
MINIMUM BUILDING SEPARATION:	10 FEET	10 FEET	10 FEET	10 FEET	20 FEET	0/20 FEET**	
MINIMUM FLOOR AREA:	800 S.F.	800 S.F.	800 S.F.	800 S.F.	750 S.F.	750 S.F.	

*PER UNIT
**20 FEET PER UNIT
***25 FEET
THOROUGHFARE TO LDC SECTION 34-2173. THE CLEAR VISION SHALL NOT EXCEED 30 FEET IN HEIGHT, IS EXEMPT FROM THE 25 FOOT SETBACK.
**PROJECT DOES NOT PROPOSE TO HAVE PUBLIC STREETS.
**SETBACK SHALL BE REDUCED TO 7.5 FEET FOR SIDE ENTRY GARAGES, PORCHES, AND COMBINATION FRONT PORCH/ GARAGES.
**SETBACK IS MEASURED FROM THE BACK OF CURB (IF CURBED) OR EDGE OF PAVEMENT (IF NOT CURBED).
**SETBACK IS MEASURED FROM THE EDGE OF PAVEMENT OF ROAD THAT SERVES THE UNIT.
**SIDE YARD SETBACK SHALL BE A MINIMUM OF ZERO (0') WITH A TEN FOOT (10') SEPARATION BETWEEN PRINCIPAL STRUCTURES WHERE NOT ATTACHED.

***UNITS MAY EXHIBIT A COMMON FOOTER/GARDEN DRIVEWAY STRUCTURE. ACCESSORY POOL ENCLOSURE/SCREEN LANAI SETBACK MAY BE REDUCED TO ZERO WHEN ATTACHED TO COMMON PRIVACY WALL.
**ACCESSORY STRUCTURES MAY BE REDUCED TO 5' UNDER REAR YARD SETBACK, FOR RESIDENTIAL STRUCTURES UP TO 25' IN REAR YARD REQUIREMENT FOR PRINCIPAL STRUCTURES IS 30'.
**DISTANCE FROM A LAKE FOR ALL PRINCIPAL AND ACCESSORY USES MAY BE ZERO FEET (0') PROVIDED ARCHITECTURAL DESIGN AND CONSTRUCTION METHODS ARE APPROVED BY THE BUILDING CODES SERVICES DIVISION.
**TWENTY FOOT OF SEPARATION REQUIRED BY LOCAL FIRE CODE.
***RATIO SHALL BE A MINIMUM OF ZERO FEET (0') WITH A SINGLE ZERO (0') FOOT SIDE (1) BUILDING UNIT FROM GROUND TO ROOF, AND A MINIMUM OF TEN FEET (10') BETWEEN THE NEXT BUILDING. A MINIMUM OF TWENTY (20') FEET SHALL BE PROVIDED FOR YARD BETWEEN THE HOUSE AND THE WALL.
***MINIMUM FLOOR AREA: EIGHT HUNDRED SIXTY FIVE (865') SQUARE GROSS FEET FLOOR AREA ON THE GROUND FLOOR.

RPD SCHEDULE OF USES

RESIDENTIAL TRACTS:
ADMINISTRATIVE OFFICES, INCLUDING PROJECT REAL ESTATE SALES OFFICE
ACCESSORY USES AND STRUCTURES
AGRICULTURAL USES, EXISTING ONLY (SUBJECT TO GENERAL NOTE 7)
BLASTING
COMMUNITY DEVELOPMENT DISTRICTS
DWELLING UNITS:
SINGLE-FAMILY, DETACHED
DUPLEX
ZERO LOT LINE
TOWNHOUSE
TWO-FAMILY ATTACHED
MULTIPLE-FAMILY BUILDING
ENTRANCE GATE AND GATEHOUSE, IN COMPLIANCE WITH LDC §4-1748
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP I
EXCAVATION - FOR WATER DEVELOPMENT LAKES, WATER RETENTION AND DETENTION.
FENCES, WALLS
HOME OCCUPATION
MODEL HOME, SIGNED, USE1
PARKING LOT, ACCESSORY
RECREATIONAL ACCESSORY USES
SIGNS, IN ACCORDANCE WITH LDC CHAPTER 30
TEMPORARY USES (LDC §4-3041), INCLUDING TEMPORARY PROJECT SALES OFFICE

TOWN CENTER PORTION OF RPD:
ADMINISTRATIVE OFFICES
ACCESSORY USES AND STRUCTURES
AGRICULTURAL USES, EXISTING ONLY
ANCILLARY SERVICES, GROUP 1 (SUBJECT TO CONDITION 8)
BANKS AND FINANCIAL, EXCEPT ONLY DRIVE-IN BANKS, GROUP 1, FOR RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
BLASTING
BUSINESS SERVICES, GROUP 1, TRAVEL AGENCIES ONLY
CLOTHING AND ACCESSORIES, GROUP 1
COMMUNITY DEVELOPMENT DISTRICTS
CONVENIENCE STORE, WITH OR WITHOUT GASOLINE, TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
CLUBS, COUNTRY OR YACHT, PRIVATE (LIMITED TO TOWN CENTER PARCEL ONLY)
DRUGS, GROUP 1, NO DRIVE-IN SERVICE
FOOD AND BEVERAGE SERVICE, LIMITED
ENTRANCE GATE AND GATEHOUSE
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP 1
EXCAVATION - FOR WATER RETENTION AND DETENTION, WITH OFF-SITE HAULING ALLOWED
FENCES, WALLS
FOOD STORES, GROUP 1 (EXCLUDING SUPERMARKETS)
HEALTH CLUB AND SPA
HOME OCCUPATION
LAUNDRY, DRY CLEANING, GROUP 1
PERSONAL SERVICES, GROUP 1 (INCLUDING BARBERSHOPS OR BEAUTY SALONS, CLOTHING ALTERATIONS AND REPAIR SHOPS, SHOE REPAIR SHOPS, AND WATCH, CLOCK AND JEWELRY REPAIR) ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
PERSONAL SERVICES GROUP 2 - BEAUTY SPAS, HEALTH CLUBS OR SPAS, ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
REAL ESTATE SALES OFFICE
RECREATIONAL FACILITIES, TO SERVE RESIDENTS AND THEIR GUESTS ONLY
RENTAL OR LEASING ESTABLISHMENTS, GROUP 1, LIMITED TO MOVIES, VIDEO TAPES AND DISCS, AND VIDEO GAMES AND EQUIPMENT
RESTAURANTS, GROUPS 1, 2, AND 3, ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
SIGNS, IN ACCORDANCE WITH LDC CHAPTER 30-121
SPECIALTY RETAIL SHOPS, GROUP 1 - LIMITED TO: BOOKSTORES AND NEWSSTANDS
TEMPORARY USES (LDC §4-3041)

SCHEDULE OF DEVIATIONS

1) A REQUEST TO DEVIATE FROM THE LDC 10-296 (A)(4)a. PRIVATELY MAINTAINED ACCESS WAYS REQUIRING ONE VEHICLE ACCESS TO FIFTY (50) PLATTED SINGLE-FAMILY UNITS TO PROVIDE ONE VEHICLE ACCESS TO ONE HUNDRED SIXTY-EIGHT SINGLE-FAMILY UNITS.
2) A REQUEST TO DEVIATE FROM LDC10-296(C)(4)(a)(iii) LOCAL STREET WEARING SURFACE, THAT REQUIRES 1 4-1/2 IN. ASPHALT FOOT S-3 CONCRETE TO ALLOW FOR A COMPACT CONCRETE PAVERS OR SIMILAR DECORATIVE PAVING MATERIALS FOR SELECTED LOCAL STREET AREAS.
3) A REQUEST TO DEVIATE FROM LDC 10-296 (TABLE 3) REQUIREMENT FOR A 80' ROADWAY EASEMENT TO ALLOW A 70' ROADWAY EASEMENT FOR THE PRIVATE ROADWAYS WITHIN THE RPD, AS SHOWN ON THE MASTER CONCEPT PLAN.
4) A REQUEST TO DEVIATE FROM LDC 10-291(3)(a) REQUIRING THAT PARCELS LOTS BE INTENDED TO PERMIT ESTIMATE VEHICLES TO ENTER A RIGHT-OF-WAY OR STREET EASEMENT IN A FORWARD MOTION, TO ALLOW FOR PARALLEL LOTS ADJACENT TO THE ALLEYS WHERE THE SIDE-TRADITIONAL LOTS ARE PROVIDED.
5) A REQUEST TO DEVIATE FROM LDC SECTION 10-296(D)(1) REQUIRING THAT DEAD END STREETS MUST BE CLOSED AT ONE END BY A CIRCULAR TURNAROUND TO ALLOW A T-SHAPED ACCESS TURNAROUND THE "HAMMERHEAD" DESIGN WITH THREE SIDES OF THE "HAMMERHEAD" TO BE ACCESSIBLE.
6) A REQUEST TO DEVIATE FROM LDC SECTION 10-329(A)(1) REQUIRING A 15-FOOT UTILITY EASEMENT BE PROVIDED ON BOTH SIDES OF A ROAD OR ACCESS WAY, TO ALLOW A 2-FOOT UTILITY EASEMENT ADJACENT TO THE 20-FOOT ACCESS STREETS FOR THE NEO-TRADITIONAL PRODUCT TO BE ADJACENT TO THE 20-FOOT WIDE "A" AREA.
7) A REQUEST TO DEVIATE FROM LDC SECTION 10-329(A)(1) REQUIRING A 10-FOOT UTILITY EASEMENT BE PROVIDED ON BOTH SIDES OF A ROAD OR ACCESS WAY, TO ALLOW A 5-FOOT UTILITY EASEMENT ON ONE SIDE OF THE PRIVATE ACCESS STREETS FOR THE NEO-TRADITIONAL PRODUCT TO BE ADJACENT TO THE 20-FOOT WIDE "A" AREA.
8) DEVIATION FROM LDC SECTION 10-329(D)(4) WHICH REQUIRES COMPENSATING SLOPE DUE EXCAVATION BANKS, TO ALLOW UP TO 20 PERCENT OF THE PERIMETER TO UTILIZE VERTICAL RETAINING WALLS.
9) DEVIATION FROM LDC SECTION 10-256(B)(2) WHICH REQUIRES ALL SIDEWALKS TO BE EITHER (5) FOUR-INCH (4") THICK PORTLAND CEMENT CONCRETE, OR (4") FOUR INCH THICK ASPHALTIC CONCRETE (4") THICK ASPHALTIC CONCRETE OVER (6") SIX INCH FOOT S-111 TO ALLOW SIDEWALKS TO BE CONSTRUCTED OF ALTERNATIVE PAVERS THROUGHOUT THE DEVELOPMENT.
10) DEVIATION FROM LDC SECTION 10-291(3)(b) WHICH RESTRICTS THAT RESIDENTIAL DEVELOPMENT OF MORE THAN FIVE HUNDRED (500) UNITS SHALL PROVIDE TWO OR MORE MEANS OF INGRESS AND EGRESS, TO ALLOW THE RPD TO HAVE ONE FULL MEANS OF INGRESS AND EGRESS AND ONE EMERGENCY INGRESS/EGRESS ONLY ACCESS FOR THE FIRST PHASE OF DEVELOPMENT CONSISTING OF 1,121 DWELLING UNITS, AND TO ALLOW ONE FULL MEANS OF INGRESS AND EGRESS FROM A LOCAL NEIGHBORHOOD-TYPE COLLECTOR ROADWAY FOR THE SECOND PHASE OF DEVELOPMENT CONSISTING OF 878 DWELLING UNITS. WHEN THE PROJECT'S INTERNAL ROADWAYS TO BE REDUCED TO TWENTY FEET, AS MEASURED FROM EDGE OF PAVEMENT OR BACK OF CURB TO EDGE OF PAVEMENT OR BACK OF CURB TO EDGE OF TRAFFIC CONTROL PROVIDED THAT ADEQUATE ELEMENTS FOR THE PROTECTION OF MAYWARD VEHICLES ARE PROVIDED.

GENERAL NOTES

17) THE MASTER CONCEPT PLAN DEPICTS THE PROJECT'S GENERAL CONFIGURATION FOR CONCEPTUAL ZONING REVIEW AND APPROVAL. THE FINAL CONFIGURATION, BOUNDARIES AND TRACT SIZES MAY CHANGE DURING THE PROJECT'S ENGINEERING, SURVEYING, WATER MANAGEMENT SYSTEM AND DETAILED FINAL DEVELOPMENT PLANNING PROCESS. AT THE TIME OF DEVELOPMENT ORDER PERMITTING.
18) FOR ANY LOT OR PARCEL WHICH IS SERVED BY BOTH A STREET AND AN ALLEY, THE LOT LINE ADJACENT TO THE ALLEY SHALL BE CONSIDERED THE FRONT, AND THE STRUCTURE SHALL BE ORIENTED TO THE FRONT LOT LINE. THE MINIMUM REQUIREMENTS FOR ANY LOT OR PARCEL SHALL BE MEASURED AT THE FRONT LOT LINE. FOR THE PURPOSES OF THIS SECTION, A CORNER LOT SHALL BE CONSIDERED TO HAVE ONLY ONE FRONT LOT LINE.
19) THE MINIMUM LOT AREAS FOR ANY LOT TYPE MAY BE EXCEEDED.
20) PARKING WILL BE PROVIDED IN ACCORDANCE WITH LDC CHAPTER 34, DIVISION 26.
21) THE SUBJECT PROPERTY DOES NOT CONTAIN ANY HISTORICAL OR ARCHAEOLOGICAL SITES.
22) PUBLIC TRANSIT IS NOT PRESENTLY AVAILABLE TO THE SITE. SHOULD TRANSIT BE EXTENDED DOWN BONITA BEACH ROAD TO THE PROJECT'S ENTRANCE, A TRANSIT STOP WILL BE PROVIDED.
23) THE LOCATIONS OF THE ENTRANCE GATES ARE CONCEPTUAL AND ARE NOT INTENDED TO LIMIT OR RESTRICT THE DISCRETION FOR THE INDIVIDUAL DEVELOPMENT ORDER.
24) SERVICE AREAS WITHIN THE TOWN CENTER PORTION OF THE RPD WILL BE PROVIDED IN ACCORDANCE WITH THE LDC SECTION 34, DIVISION 26.
25) FOR ANY LOT OR PARCEL SERVED BY BOTH A STREET AND AN ALLEY, THE LOT LINE ADJACENT TO THE ALLEY SHALL BE CONSIDERED THE FRONT, AND THE STRUCTURE SHALL BE ORIENTED TO THE FRONT LOT LINE. THE MINIMUM REQUIREMENTS FOR ANY LOT OR PARCEL SHALL BE MEASURED FROM THE EDGE OF THE PRIVATE EASEMENT FROM A LOCAL STREET WITH TEN FOOT (10') WIDE WITH TEN FEET OF PAVEMENT. COMMON ARCHITECTURAL FEATURES SUCH AS OVERHANGS, ARBORS, OR SIMILAR FEATURES SHALL BE EXEMPT FROM THESE REQUIREMENTS.
26) MINIMUM LOT AREA FOR ANY LOT TYPE MAY BE EXCEEDED.
27) PRIOR TO LOCAL DEVELOPMENT ORDER APPROVAL:
a. THE RECREATIONAL TRACTS MUST PROVIDE AN EXTERNAL OPEN SPACE OF WHICH NOT MORE THAN 50% MAY BE COMMON OPEN SPACE AND 100% MAY BE PRIVATE OPEN SPACE WHICH UNITS HAVE DIRECT GROUND FLOOR ACCESS.
b. THE COMMERCIAL TRACTS MUST PROVIDE 20% OPEN SPACE (OVERALL).
c. SINGLE-FAMILY TRACTS MUST PROVIDE A MINIMUM OF 10% OPEN SPACE.
d. AN OPEN SPACE TABLE SHALL BE PROVIDED DEMONSTRATING THE REQUIRED OPEN SPACE IS BEING PROVIDED WITH EACH DEVELOPMENT ORDER:
e. ANY LOT IN SINGLE-FAMILY TRACTS WHICH IS LESS THAN 5,000 SQUARE FEET IN AREA, AND ANY SINGLE-FAMILY ATTACHED UNITS ON LOTS 3,750 SQUARE FEET OR GREATER ARE NOT REQUIRED TO PROVIDE ANY COMMON OPEN SPACE AS LONG AS THE TRACT IN WHICH THE DEVELOPER'S DO NOT EXCEED 50% OF THE TOTAL NUMBER OF UNITS PERMITTED FOR THE ENTIRE PROJECT. PRIOR TO LOCAL DEVELOPMENT ORDER APPROVAL, ALL LOT OWNERSHIP MUST BE DELINEATED ON THE LANDSCAPE PLANS OR OPEN SPACE PLANS.
28) THE PROJECT SHALL PROVIDE A MINIMUM 50 FOOT WIDE NATIVE VEGETATION BUFFER LOCATED ALONG THE ENTIRE SOUTHERN BOUNDARY OF THE PROJECT. PRIOR TO LOCAL DEVELOPMENT ORDER APPROVAL, A BUFFER PLANTING PLAN MUST BE SUBMITTED WHICH CONSISTS OF NATIVE VEGETATION THAT PROVIDES WILDLIFE HABITAT AND FUNCTIONS AS A BUFFER PLANTING PLAN MUST BE SUBMITTED WHICH CONSISTS OF NATIVE VEGETATION THAT PROVIDES WILDLIFE HABITAT AND FUNCTIONS AS A BUFFER. PLANTINGS SHALL INCLUDE A MIX OF LIVE OAK, SABAL PALM, SWAMP HOLLY, WAX MYRTLE, CYPRESS, AND BAY PALMETTO. PLANTINGS SHALL BE PLANTED AT THE FOLLOWING RATES: THREE 15-GALLON NATIVE SHRUBS PER 100 LINEAR FOOT SECTION (15,000 SQUARE FEET). THREE 1-GALLON NATIVE SHRUBS OR NATIVE GROUNDCOVER OF THE SAME VARIETY PER 100 LINEAR FOOT SECTION (3,000 SQUARE FEET). THE PLANTINGS MUST BE ARRANGED IN A NATURALISTIC MANNER. THE PLANTINGS SHALL BE GROUPED IN THREE INCH GROUPS TO ENSURE THE SURVIVAL OF THE PLANTINGS. A TEMPORARY AUTOMATIC IRRIGATION SYSTEM DESIGNED TO CONSERVE WATER MUST BE UTILIZED TO ENSURE THE SURVIVAL OF THE PLANTINGS. A MAINTENANCE PLAN MUST BE SUBMITTED WITH THE BUFFER PLANTING PLAN TO ENSURE COMPLIANCE. UNLESS OTHERWISE COMMITTED, THE DEVELOPER SHALL REMOVE EXOTIC VEGETATION AS THEY APPEAR. THE ESTABLISHMENT OF PERVIOUS MATERIALS (GRASS, MULCH ETC), MAY BE INSTALLED WITHIN THIS BUFFER TO PROVIDE ACCESS TO THE SHELL PROPERTY LINE.
29) THE WATER MANAGEMENT LAKES SHALL NOT BE LOCATED WITHIN THIS BUFFER, EXCEPT WHERE THE LAKES ARE LESS THAN 50 FEET FROM THE PROPERTY LINE.
30) THE USES ON THIS ADMIT IS LIMITED TO CONTINUE BONITA ROAD EXISTING AGRICULTURAL USES ALREADY EXISTING ON THE PROPERTY. ANY EXISTING AGRICULTURAL USE SHALL CEASE AT THE TIME OF LOCAL DEVELOPMENT ORDER APPROVAL FOR THE FIRST PHASE OF DEVELOPMENT.
31) THE DEVELOPER SHALL PROVIDE A TEMPORARY ACCESS EASEMENT AND CONSTRUCTION ENTRANCE FOR THE DEVELOPMENT ORDER FOR THE INDIVIDUAL TRACT OR PHASE IDENTIFIED IN THE DEVELOPMENT ORDER.
32) PRIOR TO LOCAL DEVELOPMENT ORDER APPROVAL:
a. THE SKOP PROVIDES 110 FEET RIGHT-OF-WAY ALONG THE WESTERN PROPERTY BOUNDARY, 100 FEET-OF-WAY ALIGNMENTS REFLECTS THE CURRENT PLANNED EXTENSION OF C.R. 851. THE COUNTY, OR CITY OF BONITA SPRINGS, AGREES TO ACCEPT THE TRANSFER OF THE TITLE TO THE 120-FOOT-WIDE RIGHT-OF-WAY FOR BONITA BEACH ROAD EXTENSION, AS SHOWN ON THE MASTER CONCEPT PLAN FOR THE 100 FEET OF RIGHT-OF-WAY, AND VALUES AND TAKES ON THE ORIGINAL ZONING REQUEST IN BONITA SPRINGSBOARD LEE COUNTY DOT FROM MONITORING & MAINTENANCE OF THE SITE.
b. DEPENDING ON THE CONDITIONS IS INTENDED TO PREVENT APPLICANT AND CITY OF BONITA SPRINGSBOARD LEE COUNTY DOT FROM MONITORING & MAINTENANCE OF THE SITE.
c. THE EASTERN CUL-DE-SAC ENDING ON THE EASTERN SIDE OF ESTATES DRIVE SHALL BE REMOVED AND THE C.U.L. DEBT HAVE BEEN ESTABLISHED, PROVIDED THAT THE CUL-DE-SAC IS EXPOSED TO CONSTRUCT BONITA BEACH ROAD EXTENSION.
33) PRIOR TO THE ISSUANCE OF ANY DEVELOPMENT ORDER, THE APPLICANT MUST PROVIDE EVIDENCE THAT THE PROPERTY HAS ACCESS TO CENTRAL WATER AND SEWER, OR THAT THE EXTENSION OF CENTRAL WATER AND SEWER HAS COMMENCED.
34) BONITA BEACH ROAD IMPROVEMENTS HAVE BEEN COMPLETED AND ACCEPTED BY LEE COUNTY.
35) PRIOR TO THE ISSUANCE OF THE FIRST DEVELOPMENT ORDER, THE ATTENTION OF THE PROJECT'S VEHICULAR OR PEDESTRIAN TRAFFIC IMPACTS. ADDITIONAL CONDITIONS CONSISTENT WITH LEE COUNTY LDC MAY BE REQUIRED TO OBTAIN A LOCAL DEVELOPMENT ORDER.

RECEIVED
MAR 03 2003
ZONING COUNTER

DCI 2003-00005

APPROVED
Master Concept Plan
Site Plan # 03-019 Page 1 of 3
Subject to conditions in Ordinance 20-03-09
Case # DCI2003-00005
CITY OF BONITA SPRINGS
FEB 28 2003

RWA, INC.

RWA INC. CONSULTING
Engineers, Surveyors & Mappers
Planners, Project Managers
3500 North Horseshoe Drive, Suite 215, Naples, Florida 34104
(239) 649-1559 FAX: (239) 649-1569

PROJECT: LEE COUNTY SECTION 3 CORKSCREW GROWERS

CLIENT: HORSESHOE DEVELOPMENTS, INC.

TITLE: MASTER CONCEPT PLAN

SEC 3 TWP 47S RGE 26E
SCALE 1" = 500'
DRAWN E.F.C.
CHECKED F.M.

DATE: FEB. 2003
PROJECT NO. 02-009103
FILE NO. 2009103
SHEET NUMBER 1 OF 3

Jan 16, 2003 - 12:45:22 P:\2002 Projects\02-009103 Corkscrew Section 3\SDP\ PRO-DTC Master\MCP Plan\02-009103.dwg

SCHEDULE OF DEVIATIONS

1) A REQUEST TO DEVIATE FROM THE LDC 10-296 (m)(4); PRIVATELY MAINTAINED ACCESS WAYS REQUIRING ONE VEHICLE ACCESS TO FIFTY OR FEWER MULTI-FAMILY UNITS TO PROVIDE ONE VEHICLE ACCESS TO ONE HUNDRED MULTI-FAMILY UNITS.
2) A REQUEST TO DEVIATE FROM LDC10-296(d)(7)(c)(1) LOCAL STREET WEARING SURFACE, THAT REQUIRES 1 & 1/2 IN. ASPHALT FDOT S-3 CONCRETE TO ALLOW FOR A CEMENT CONCRETE PAVERS OR SIMILAR DECORATIVE PAVING MATERIALS FOR SELECTED LOCAL STREET AREAS.
3) A REQUEST TO DEVIATE FROM LDC 10-296 (TABLE 3) REQUIREMENT FOR A 50' ROADWAY EASEMENT TO ALLOW A 20' ROADWAY EASEMENT FOR THE ONE-WAY LOCAL STREETS. THIS DEVIATION IS REQUESTED IN THE NEO-TRADITIONAL NEIGHBORHOOD AREAS.
4) A REQUEST TO DEVIATE FROM LDC 34-2013(a) REQUIRING THAT PARKING LOTS BE DESIGNED TO PERMIT EXITING VEHICLES TO ENTER A RIGHT-OF-WAY OR STREET EASEMENT IN A FORWARD MOTION, TO ALLOW PARALLEL QUEST PARKING TO BE ALLOWED ON THE ROADWAYS IN THE AREAS WHERE THE NEO-TRADITIONAL UNITS ARE PROPOSED.
5) A REQUEST TO DEVIATE FROM LDC SECTION 10-296(k)(1) REQUIRING THAT DEAD END STREETS MUST BE CLOSED AT ONE END BY A CIRCULAR TURNAROUND FOR VEHICLES, TO ALLOW FOR THE "HAMMERHEAD" CUL-DE-SAC DESIGN WITH TWO SHORT ACCESS STREETS AT THE "HAMMERHEAD" CUL-DE-SAC.
6) A REQUEST TO DEVIATE FROM LDC SECTION 10-355(a)(1) REQUIRING A 10-FOOT UTILITY EASEMENT BE PROVIDED ON BOTH SIDES OF A ROAD OR ACCESS WAY, TO ALLOW A 5-FOOT UTILITY EASEMENT ADJACENT TO THE 20-FOOT ACCESS STREETS FOR THE NEO-TRADITIONAL PRODUCT AND ADJACENT TO THE 50-FOOT RIGHT-OF-WAY.
7) A REQUEST TO DEVIATE FROM LDC SECTION 10-355(a)(1) REQUIRING A 10-FOOT UTILITY EASEMENT BE PROVIDED ON BOTH SIDES OF A ROAD OR ACCESS WAY. TO ALLOW A SPECIFIC AND UNIQUE UTILITY EASEMENT CONFIGURATION AT THE HAMMERHEAD CUL-DE-SACS.
8) DEVIATION FROM LDC SECTION 10-329(e)(4) WHICH REQUIRES COMPENSATING SLOPE ON EXCAVATION BANKS; TO ALLOW UP TO 20 PERCENT OF THE BANKS TO UTILIZE VERTICAL BULKHEADS.
9) DEVIATION FROM LDC SECTION 10-256(D)(3) WHICH REQUIRES ALL SIDEWALKS TO BE EITHER (1) FOUR-INCH (4") THICK PORTLAND CEMENT CONCRETE, OR (2) A MINIMUM OF ONE-AND-ONE-HALF-INCH (1.5") THICK ASPHALTIC CONCRETE OF FDOT TYPE S-111 TO ALLOW SIDEWALKS TO BE CONSTRUCTED OF DECORATIVE PAVERS THROUGHOUT THE DEVELOPMENT.
10) DEVIATION FROM LDC SECTION 10-291(3) WHICH REQUIRES THAT RESIDENTIAL DEVELOPMENT OF MORE THAN FIVE ACRES TO PROVIDE TWO OR MORE MEANS OF INGRESS AND EGRESS, TO ALLOW THE RPD TO HAVE ONE FULL MEANS OF INGRESS AND EGRESS AND ONE EMERGENCY INGRESS/EGRESS.
11) DEVIATION REQUESTING RELIEF FROM THE LDC SECTION 10-329(e)(1)(a)) WHICH REQUIRES EXCAVATIONS TO BE FURTHER THAN TWENTY-FIVE FEET FROM A LOCAL RIGHT-OF-WAY OR EASEMENT TO ALLOW LAKE SETBACKS FROM THE PROJECT'S INTERNAL ROADWAYS TO BE REDUCED TO TWENTY FEET, AS MEASURED FROM EDGE OF PAVEMENT OR BACK OF CURB TO EDGE OF WATER CONTROL PROVIDED THAT ADEQUATE ELEMENTS FOR THE PROTECTION OF WAYWARD VEHICLES ARE PROVIDED.

DEVELOPMENT AREA	ACREAGE	COMMERCIAL SQUARE FOOTAGE	DWELLING UNITS	OPEN SPACE	BUILDING HEIGHT
DEV. AREA "A"	633.78 ACRES	N / A	1,999 UNITS	SEE NOTE #3	PER DEV. STNDS.
MULTI-FAMILY			1,121		
SINGLE-FAMILY			878		
DEV. AREA "B"	15.00 ACRES	30,000 S.F. 15,000 S.F. RECREATIONAL	N / A	SEE NOTE #3	50'
TOTAL	648.78 ACRES	30,000 S.F.	1,999 UNITS		

SITE SUMMARY

ROOF (BUILDING)	PAVEMENT	SIDEWALK	LAKE**	LANDSCAPING**	TOTAL
4,982,805 SF	1,841,904 SF	395,645 SF	5,992,134 SF	15,048,673 SF	28,261,157 SF
114.39 AC	42.28 AC	9.08 AC	137.56 AC	345.47 AC	648.78 AC

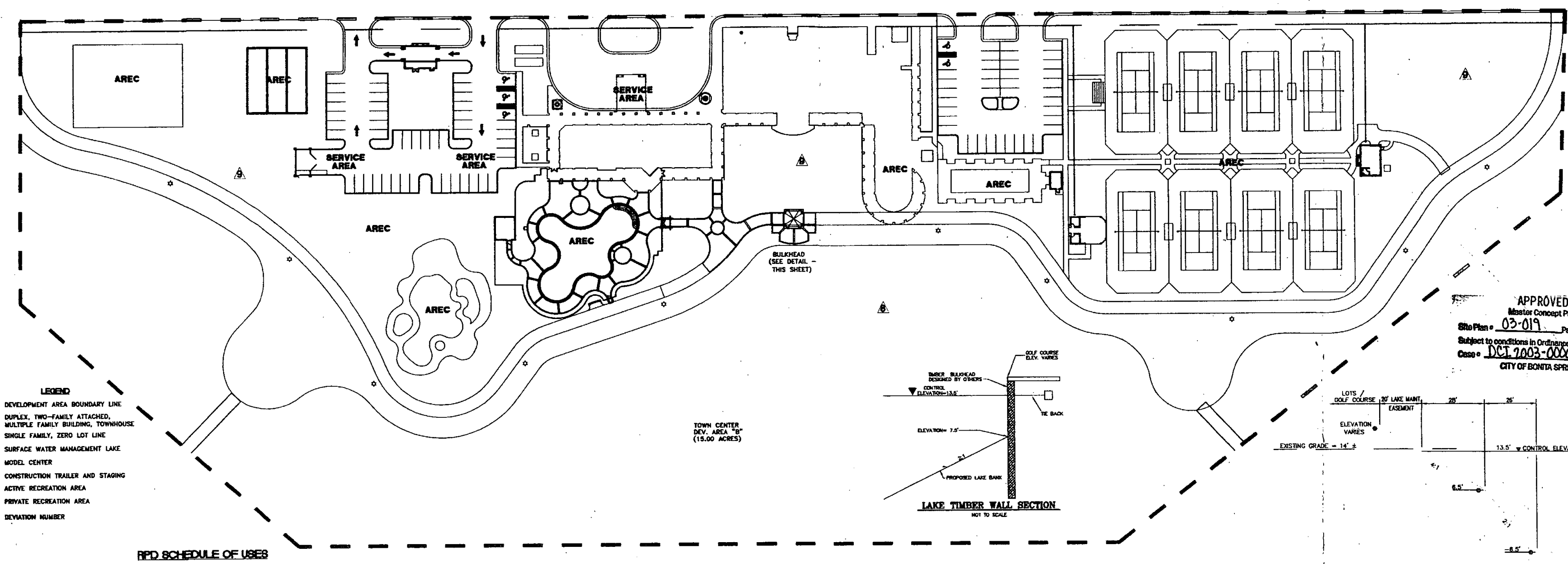
** TOTAL OPEN SPACE = 74.56%

(SITE SUMMARY FIGURES ARE BASED ON PRELIMINARY SITE PLAN AND BUILDING LAYOUT. FINAL OPEN SPACE PERCENTAGE MAY VARY AND WILL MEET LDC MINIMUM REQUIREMENT.)

DEVELOPMENT REGULATIONS

	SINGLE FAMILY	TWO FAMILY ATTACHED	DUPLEX	ZERO LOT LINE/PATIO HOME[14]	MULTI FAMILY	TOWNHOUSE	TOWN CENTER USES
MINIMUM LOT WIDTH:	50 FEET	20 FEET[1]	60 FEET[2]	50 FEET	100 FEET	35 FEET[1]	100 FEET
MINIMUM LOT DEPTH:	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET	100 FEET
MINIMUM LOT AREA:	5,000 S.F.	2,000 S.F.[1]	6,000 S.F.	5,000 S.F.	10,000 S.F.	3,500 S.F.[1]	10,000 S.F.
MAXIMUM BUILDING HEIGHT:	2 STORIES[3]	2 STORIES[3]	2 STORIES[3]	2 STORIES[3]	3 STORIES[4]	3 STORIES[4]	3 STORIES[4]
MAXIMUM LOT COVERAGE:	60 PERCENT	65 PERCENT	50 PERCENT	60 PERCENT	45 PERCENT	45 PERCENT	45 PERCENT
MINIMUM SETBACKS:							
PUBLIC STREET:	20 FEET[5]	20 FEET[5]	20 FEET[5]	20 FEET[5]	20 FEET[5]	20 FEET[5]	25 FEET[11]
PRIVATE STREET:[7]	15 FEET[6]	15 FEET[6]	15 FEET[6]	15 FEET[6]	15 FEET[6]	15 FEET[6]	25 FEET[12]
SIDE YARD:	2 FEET	0/10 FEET[9]	5 FEET	0 FEET[9]	10 FEET	0/10 FEET[9,10]	10 FEET
REAR YARD:	10 FEET[11]	10 FEET[11]	10 FEET[11]	10 FEET[11]	10 FEET[11]	20 FEET[11]	10 FEET
WATER BODY:	20 FEET[11]	20 FEET[11]	20 FEET[11]	20 FEET[11]	20 FEET[11]	20 FEET[11]	0/20 FEET[12]
MINIMUM BUILDING SEPARATION:	10 FEET	10 FEET	10 FEET	10 FEET	20 FEET[13]	20 FEET[13]	20 FEET[13]
MINIMUM FLOOR AREA:	900 S.F.	900 S.F.	900 S.F.	900 S.F.	750 S.F.	750 S.F.	700 S.F.[15]

[1] PER UNIT
[2] 30 FEET PER UNIT
[3] 35 FEET
[4] PURSUANT TO LDC SECTION 34-2173, THE CLOCK TOWER, WHICH WILL NOT EXCEED 50 FEET IN HEIGHT, IS EXEMPT FROM HEIGHT REGULATION.
[5] PROJECT DOES NOT PROPOSE TO HAVE PUBLIC STREETS.
[6] SETBACK SHALL BE REDUCED TO 7.5 FEET FOR SIDE ENTRY GARAGES, FRONT PORCHES, AND COMBINATION FRONT PORCH/FRONT ENTRY GARAGES.
[7] SETBACK IS MEASURED FROM THE BACK OF CURB (IF CURBED) OR EDGE OF PAVEMENT (IF NOT CURBED)
[8] SETBACK IS MEASURED FROM THE EDGE OF PAVEMENT OF ROAD THAT SERVES THE UNIT.
[9] SIDE YARD SETBACK SHALL BE A MINIMUM OF ZERO (0') WITH A TEN FOOT (10') SEPARATION BETWEEN PRINCIPAL STRUCTURES WHERE NOT ATTACHED.
[10] UNITS MAY SHARE A COMMON PORTICO/ARBOR ENTRYWAY STRUCTURE. ACCESSORY POOL ENCLOSURE/SCREEN LANAI SETBACK MAY BE REDUCED TO ZERO WHEN ATTACHED TO COMMON PRIVACY WALL.
[11] ACCESSORY STRUCTURES MAY BE REDUCED TO 0' WHERE REAR YARD REQUIREMENT FOR PRINCIPAL STRUCTURES IS 10' AND 5' WHERE REAR YARD REQUIREMENT FOR PRINCIPAL STRUCTURES IS 20'.
[12] SETBACK FROM A LAKE FOR ALL PRINCIPAL AND ACCESSORY USES MAY BE ZERO FEET (0') PROVIDED ARCHITECTURAL BANK TREATMENT IS INCORPORATED INTO THE DESIGN (REFER TO BULKHEAD CROSS-SECTION PROVIDED ON TOWN CENTER DETAIL SHEET).
[13] TWENTY FEET OF SEPARATION REQUIRED BY LOCAL FIRE CODE.
[14] PATIO HOME IS A DETACHED OR SEMI-DETACHED UNIT FOR A SINGLE FAMILY WITH ONE (1) DWELLING UNIT FROM GROUND TO ROOF WHEREIN EACH DWELLING UNIT LOT IS ENCLOSED BY A WALL LOCATED AT THE LOT LINE, THUS CREATING A PRIVATE YARD BETWEEN THE HOUSE AND THE WALL.
[15] SEVEN HUNDRED (700') SQUARE GROSS FEET FLOOR AREA ON THE GROUND FLOOR.



APPROVED
Master Concept Plan
Site Plan # 03-019 Page 2 of 3
Subject to conditions in Ordinance 20-03-04
Case # DCI 2003-00005
CITY OF BONITA SPRINGS

LEGEND

— DEVELOPMENT AREA BOUNDARY LINE
M DUPLEX, TWO-FAMILY ATTACHED, MULTIPLE FAMILY BUILDING, TOWNHOUSE
S SINGLE FAMILY, ZERO LOT LINE
L SURFACE WATER MANAGEMENT LAKE
MODEL MODEL CENTER
CON CONSTRUCTION TRAILER AND STAGING
AREC ACTIVE RECREATION AREA
PREC PRIVATE RECREATION AREA
△ DEVIATION NUMBER

RPD SCHEDULE OF USES

RESIDENTIAL TRACTS

ADMINISTRATIVE OFFICES, INCLUDING PROJECT REAL ESTATE SALES OFFICE
ACCESSORY USES AND STRUCTURES
PARKING LOT, ACCESSORY
AGRICULTURAL USES, EXISTING ONLY (SUBJECT TO GENERAL NOTE 7)
BLASTING
COMMUNITY DEVELOPMENT DISTRICTS
DWELLING UNITS:
CONVENTIONAL SINGLE-FAMILY RESIDENCE
DUPLEX
ZERO LOT LINE
TOWNHOUSE
TWO-FAMILY ATTACHED
MULTIPLE FAMILY BUILDING
ENTRANCE GATE AND GATEHOUSE, IN COMPLIANCE WITH LDC 34-1748
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP I
EXCAVATION-FOR DEVELOPMENT LAKES, WATER RETENTION AND DETENTION,
FENCES, WALLS
HOME OCCUPATION
MODEL HOME, MODEL UNIT
PARKING LOT, ACCESSORY
RESIDENTIAL ACCESSORY USES
SIGNS, IN COMPLIANCE WITH LDC CHAPTER 30
TEMPORARY USES (LDC 34-3041), INCLUDING TEMPORARY PROJECT SALES OFFICE

TOWN CENTER PORTION OF RPD

ADMINISTRATIVE OFFICES
ACCESSORY USES AND STRUCTURES
PARKING LOT, ACCESSORY
AGRICULTURAL USES, EXISTING ONLY (SUBJECT TO CONDITION 8)
BANKS AND FINANCIAL ESTABLISHMENTS, GROUP I, FOR RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
BLASTING
BUSINESS SERVICES, GROUP I, TRAVEL AGENCIES ONLY
CLEANING AND MAINTENANCE SERVICES
COMMUNITY DEVELOPMENT DISTRICTS
CONVENIENCE STORE, WITH GAS AND CARWASH, TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
CLUBS, COUNTRY AND PRIVATE (LIMITED TO TOWN CENTER PARCEL ONLY)
CONSUMPTION ON PREMISES
FOOD AND BEVERAGE SERVICE, LIMITED
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP 1
EXCAVATION - MINING, FOR WATER RETENTION AND DETENTION, WITH OFF-SITE HAULING BLASTING
FENCES, WALLS
FOOD STORES, GROUP 1 EXCLUDING SUPERMARKETS
HEALTH CLUB AND SPA
PARKING LOT, ACCESSORY
LAUNDRY, DRY CLEANING, GROUP 1
PERSONAL SERVICES GROUP 1 - ATM'S; BARBERSHOPS OR BEAUTY SHOPS; CLOTHING ALTERATIONS AND REPAIR INCLUDING DRESSMAKERS, SEAMSTRESSES AND TAILORS; ALL TO SERVE RESIDENTS OT THE DEVELOPMENT AND THEIR GUESTS ONLY
PERSONAL SERVICES GROUP II - BEAUTY SPAS, HEALTH CLUBS OR SPAS, MASSAGE ESTABLISHMENTS; ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
REAL ESTATE SALES OFFICE
RECREATION FACILITIES, TO SERVE RESIDENTS AND THEIR GUESTS ONLY
RENTAL OR LEASING ESTABLISHMENTS, GROUP II, LIMITED TO MOVIES, VIDEO TAPES AND SIMILAR HOME ENTERTAINMENT
RESTAURANT, GROUPS I, II, AND III, ALL TO SERVE RESIDENTS OF THE DEVELOPMENT AND THEIR GUESTS ONLY
SIGNS, IN ACCORDANCE WITH LDC CHAPTER 30-153
SPECIALTY RETAIL SHOPS, GROUP 1 - LIMITED TO: BOOKSTORES AND NEWSSTANDS
TEMPORARY USES (LDC 34-3041)

GENERAL NOTES

1) THE MASTER CONCEPT PLAN DEPICTS THE PROJECTS GENERAL CONFIGURATION FOR CONCEPTUAL ZONING REVIEW AND APPROVAL. THE FINAL RESIDENTIAL, RECREATIONAL AND TOWN CENTER USES, ALONG WITH THE PROJECT'S OPEN SPACE, SURFACE WATER MANAGEMENT SYSTEMS AND OTHER FUNCTIONAL ELEMENTS, WILL BE DETERMINED AT THE TIME OF DEVELOPMENT ORDER PERMITTING.
2) FOR ANY LOT OR PARCEL WHICH IS SERVED BY BOTH A STREET AND AN ALLEY, THE LOT LINE ADJACENT TO THE ALLEY SHALL BE TREATED AS A REAR LOT LINE, AND THE SETBACK SHALL BE MEASURED FROM THE EDGE OF THE PAVEMENT. THE ALLEY EASEMENT SHALL BE MINIMUM OF 20' WIDE, WITH 10' PAVEMENT. COMMON ARCHITECTURAL FEATURES SUCH AS ARCHWAYS, ARBORS, AND COURTYARD ENTRY FEATURES SHALL BE EXEMPT FROM THE MINIMUM YARD REQUIREMENTS LISTED ABOVE.
3) THE SUBJECT PARCEL HAS BEEN PREVIOUSLY CLEARED FOR AGRICULTURAL USE AND DOES NOT CONTAIN ANY INDIGENOUS NATIVE VEGETATION.
4) MINIMUM LOT AREAS FOR ANY UNIT TYPE MAY BE EXCEEDED.
5) PARKING WILL BE PROVIDED IN ACCORDANCE WITH LDC CHAPTER 34, DIVISION 26.
6) THE SUBJECT PROPERTY DOES NOT CONTAIN ANY HISTORICAL OR ARCHAEOLOGICAL SITES.
7) PUBLIC TRANSIT IS NOT PRESENTLY AVAILABLE TO THE SITE. SHOULD TRANSIT BE EXTENDED DOWN BONITA BEACH ROAD TO THE PROJECT'S ENTRANCE, A TRANSIT STOP WILL BE PROVIDED.
8) THE UNIT COUNTS SHOWN ABOVE ARE CONCEPTUAL AND ARE NOT INTENDED TO LIMIT OR REDUCE THE DENSITY FOR THE INDIVIDUAL DEVELOPMENT AREAS.
9) SERVICE AREAS WITHIN THE TOWN CENTER PORTION OF THE RPD WILL BE PROVIDED IN ACCORDANCE WITH THE LDC SECTION 34, DIVISION 25.
10) FOR ANY LOT OR PARCEL SERVED BY BOTH A STREET AND AN ALLEY, THE LOT LINE ADJACENT TO THE ALLEY SHALL BE TREATED AS A REAR LOT LINE AND THE SETBACK SHALL BE MEASURED FROM THE EDGE OF THE PAVEMENT. THE ALLEY EASEMENT SHALL BE A MINIMUM OF TWENTY FEET WIDE WITH TEN FEET OF PAVEMENT. COMMON ARCHITECTURAL FEATURES SUCH AS ARCHWAYS, ARBORS, AND COURTYARD ENTRY FEATURES SHALL BE EXEMPT FROM THE MINIMUM YARD REQUIREMENTS LISTED ABOVE.
11) MINIMUM LOT AREAS FOR ANY UNIT TYPE MAY BE EXCEEDED.
12) PRIOR TO LOCAL DEVELOPMENT ORDER APPROVAL:
a. THE RESIDENTAIL TRACTS MUST PROVIDE 40% OVERALL OPEN SPACE OF WHICH 30% MUST BE COMMON OPEN SPACE AND 10% MAY BE PRIVATE OPEN SPACE WHEN UNITS HAVE DIRECT GROUND FLOOR ACCESS;
b. THE COMMERCIAL TRACTS MUST PROVIDE 30% OPEN SPACE OVERALL;
c. EACH TRACT MUST PROVIDE A MINIMUM OF 10% OPEN SPACE;
d. AN OPEN SPACE TABLE MUST BE INCLUDED TRACKING HOW THE REQUIRED OPEN SPACE IS BEING PROVIDED WITH EACH DEVELOPMENT ORDER;
e. ANY RESIDENTIAL TRACTS PROVIDING SINGLE FAMILY UNITS ON LOTS 6,500 SQUARE FEET OR GREATER OR TWO-FAMILY ATTACHED UNITS ON LOTS 3,750 SQUARE FEET OR GREATER ARE NOT REQUIRED TO PROVIDE ANY COMMON OPEN SPACE AS LONG AS THE INDIVIDUAL LOT COVERAGE'S DO NOT DO NOT EXCEED 45%. PRIOR TO LOCAL DEVELOPMENT ORDER APPROVAL, THE RESIDENTIAL TRACTS WITH A MAXIMUM OF 45% LOT COVERAGE MUST BE DELINEATED ON THE LANDSCAPE PLAN OR OPEN SPACE PLAN.
13) THE FOLLOWING CONDITIONS APPLY TO THE 150 FOOT WIDE NATIVE VEGETATION BUFFER LOCATED ALONG THE ENTIRE SOUTHERN BOUNDARY OF THE PROJECT. PRIOR TO LOCAL DEVELOPMENT ORDER APPROVAL, A BUFFER PLANTING PLAN MUST BE SUBMITTED WHICH CONSISTS OF NATIVE VEGETATION THAT PROVIDES WILDLIFE HABITAT AND FORAGING OPPORTUNITY, INCLUDING BUT NOT LIMITED TO, SOUTH FLORIDA SLASH PINE, LIVE OAK, DAHOON HOLLY, WAX MYRTLE, COCO PLUM, AND SAW PALMETTO. THE PLANTING PLAN MUST INCLUDE 50 THREE -GALLON NATIVE TREES AND 150 THREE -GALLON NATIVE SHRUBS PER 100 LINEAR FOOT SECTION (10,000 SQUARE FEET). THREE 1-GALLON NATIVE SHRUBS OR NATIVE GROUNDCOVER MAY BE SUBSTITUTED FOR THREE-GALLON NATIVE SHRUBS. THE PLANTINGS MUST BE MULCHED AT THE TIME OF PLANTING WITH A THREE INCH DEPTH OF ORGANIC MULCH (NO CYPRESS MULCH). A TEMPORARY AUTOMATIC SURFACE IRRIGATION SYSTEM DESIGNED TO CONSERVE WATER MUST BE UTILIZED TO INSURE THE SURVIVAL OF THE PLANTINGS. THE IRRIGATION SYSTEM MUST BE REMOVED WITHIN ONE YEAR OF THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE UNLESS DROUGHT CONDITIONS HAVE PROHIBITED THE ESTABLISHMENT OF THE VEGETATION. A MEANDERING PEDESTRIAN PATHWAY CONSTRUCTED OF PERVIOUS MATERIALS (GRASS, MULCH ETC), MAY BE INSTALLED WITHIN THIS BUFFER AREA, HOWEVER IT SHALL NOT BE LOCATED ANY CLOSE THAN 50 FEET TO THE SOUTHERN PROPERTY LINE (BOUNDARY WITH COLLIER COUNTY).
14) THE OWNER OR HIS AGENT IS ENTITLED TO CONTINUE BONA FIDE AGRICULTURAL USES ALREADY EXISTING ON THE PROPERTY. ANY EXISTING AGRICULTURAL USE MUST BE DISCONTINUED UPON THE COMMENCEMENT OF ANY SITE DEVELOPMENT ACTIVITIES, AS THE TERM IN DEFINED IN THE LDC, PURSUANT TO A LOCAL DEVELOPMENT ORDER FOR THE INDIVIDUAL TRACT OR PHASE IDENTIFIED IN THE DEVELOPMENT ORDER.
15) RIGHT-OF-WAY FOR CR 951.
a. THE MCP PROVIDES 125 FEET RIGHT-OF-WAY ALONG THE WESTERN PROPERTY BOUNDARY. THIS RIGHT-OF-WAY ALIGNMENTS REFLECTS THE CURRENT PLANNED EXTENSION OF C.R. 951. THE COUNTY, OR CITY OF BONITA SPRINGS, AGREES TO ACCEPT THE TRANSFER OF THE TITLE TO THE 125-FOOT-WIDE RIGHT-OF-WAY STRIP AND WILL GRANT ROAD IMPACT FEE CREDITS FOR 100 PERCENT OF THE LAND VALUE AS VALUED ON THE DAY BEFORE THE ORIGINAL ZONING REQUEST IS GRANTED, PROVIDED THE LAND TRANSFER CO MPLIES WITH LDC 2-275(3)b. (NOTHING IN THIS CONDITION IS INTENDED TO PREVENT APPLICANT AND CITY OF BONITA SPRINGSAND LEE COUNTY DOT FROM NEGOTIATING A NARROWER RIGHT-OF-WAY ONCE THE FINAL ALIGNMENT OF C.R. 951 HAS BEEN ESTABLISHED, PROVIDED THE PARTIES CAN AGREE ON THE PROVISION AND MAINTENANCE OF STORMWATER FACILITIES FOR THE ROAD'S RUN-OFF.)
16) PRIOR TO THE ISSUANCE OF ANY DEVELOPMENT ORDER, THE APPLICANT MUST PROVIDE EVIDENCE THAT THE PROPERTY HAS ACCESS TO CENTRAL WATER AND SEWER, OR THAT THE EXTENSION OF CENTRAL WATER AND SEWER WILL COINCIDE WITH THE DEVELOPMENT OF THE PROPERTY.
17) BONITA BEACH ROAD IMPROVEMENTS HAVE BEEN COMPLETED AND ACCEPTED BY LEE COUNTY.
18) APPROVAL OF THIS ZONING REQUEST DOES NOT ADDRESS MITIGATION OF THE PROJECT'S VEHICULAR OR PEDESTRIAN TRAFFIC IMPACTS. ADDITIONAL CONDITIONS CONSISTENT WITH LEE COUNTY LDC MAY BE REQUIRED TO OBTAIN A LOCAL DEVELOPMENT ORDER.

RECEIVED
MAR 0 3 2003
ZONING COUNTER

RWA, INC.
FEB 2 8 2003

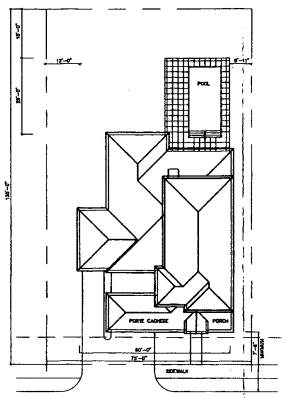
DCI 2003-00005

Dec 15, 2002 - 16:46:22 P:\2002 Projects\02-0091.00 Corkscrew Growers Section 3\0004 RPD-CPD Amendment\MCP Plans\20091X03.dwg

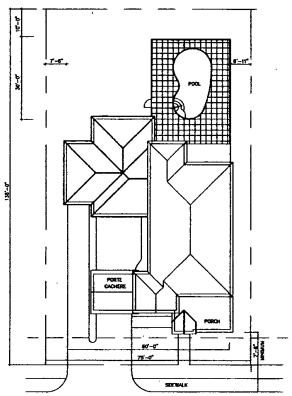
DATE: FEB., 2003	SEC. 3 TWP. 48S RGE. 26E	CLIENT:	HORSESHOE DEVELOPMENTS, INC.
PROJECT NO.: 02-0091.01	SCALE: 1" = 50'		
FILE NO.: 20091X03	DRAWN: R.E.C.	TITLE:	MASTER CONCEPT PLAN TOWN CENTER DETAIL
SHEET NUMBER: 2 OF 3	CHECKED: P.A.I.		

PROJECT: LEE COUNTY SECTION 3 CORKSCREW GROWERS

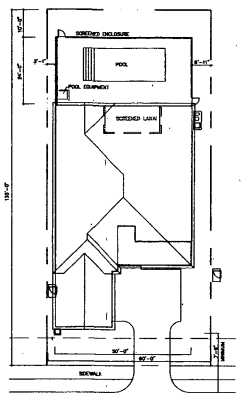
RWA INC. CONSULTING
Engineers, Surveyors & Mappers
Planners, Project Managers
3050 North Horseshoe Drive, Suite 270, Naples, Florida 34104 (239) 649-1509 FAX: (239) 649-7056



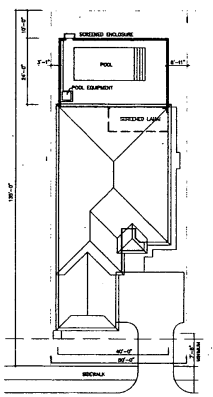
'COMMODORE'
SINGLE FAMILY



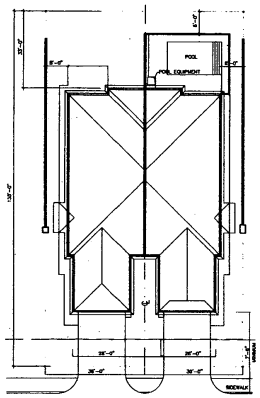
'ADMIRAL'
SINGLE FAMILY



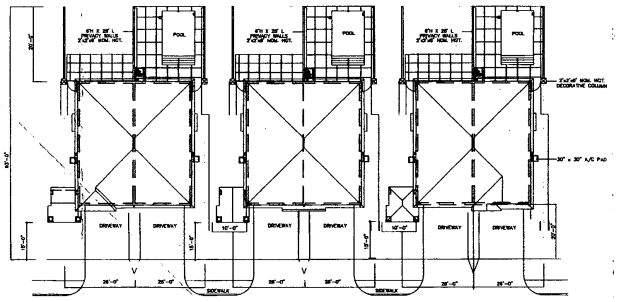
'CARLYLE'
ZERO LOT LINE



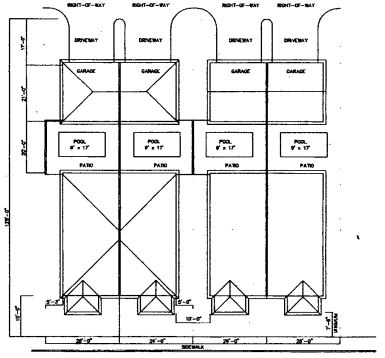
'OAKMONT'
ZERO LOT LINE



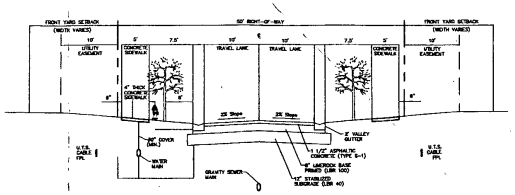
'CAPRI II'
TWO FAMILY ATTACHED



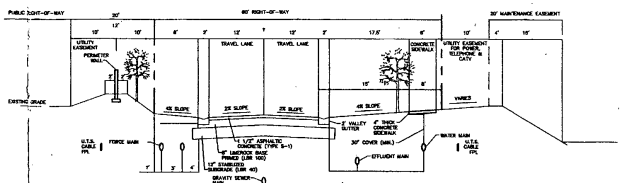
'CATALINA'
TOWNHOUSE



'CAYMAN'
TOWNHOUSE



TYPICAL LOCAL ROADWAY SECTION
50' RIGHT-OF-WAY
N.T.S.



SECTION E-E
TYPICAL SECTION (60' RIGHT-OF-WAY)
N.T.S.

APPROVED
Master Concept Plan
Site Plan # 03-019 Page 3 of 13
Subject to conditions in Ordinance 20-03-08
Case # DCI 2003-00005
CITY OF BONITA SPRINGS

RECEIVED
MAR 03 2003
ZONING COUNTER

DCI 2003-00005

RWA, INC.
FEB 28 2003

RWA CONSULTING INC.
Engineers, Surveyors & Mappers
Planners, Project Managers
3050 North Horseshoe Drive, Suite 270, Naples, Florida 34104 (239) 649-1909 FAX: (239) 649-7066

PROJECT: LEE COUNTY SECTION 3 CORKSCREW GROWERS

CLIENT: HORSESHOE DEVELOPMENTS, INC.

TITLE: PROTOTYPICAL BUILDINGS AND RIGHT-OF-WAY CROSS SECTIONS

DATE: FEB. 2003
PROJECT NO.: 02-CORK.00
FILE NO.: 2CORK1CA
SHEET NUMBER: 5 OF 5

SEC. 5 TWP. 46S RGE. 26E
SCALE: AS SHOWN
DRAWN: P.A.L.
CHECKED: E.J.M.

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

I. CALL TO ORDER.

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

II. PLEDGE OF ALLEGIANCE.

The Vice Mayor led in the pledge of allegiance.

III. ROLL CALL.

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

IV. SECOND READING:

A. Bonita Springs Utilities SEZ2002-00022

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Attorney read the title block of the Ordinance.

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

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

Vice Mayor Arend addressed Condition 2.

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

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

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

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

C. Corkscrew Growers Section Three DCI2003-00005

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

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

The City Attorney read the title block of the Ordinance.

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

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

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

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

Tape 1 Side 2

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

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

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

V. ADJOURNMENT.

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

Respectfully submitted,

Debra Muchler, Recording Secretary

APPROVED:

BONITA SPRINGS CITY COUNCIL:

Date: 7-3-03

AUTHENTICATED:

Jay Arend, Vice Mayor, District 2

Dianne J. Lynn, City Clerk

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 479-8585

June 3, 2003

Robert Mulhere AICP of RWA, Inc.
3050 N. Horseshoe Dr. Ste. 270
Naples, FL 34104

Re: **Agenda Schedule for Corkscrew Growers Section Three**
Case No. DCI2003-00005

Dear Mr. Mulhere:

Your request has been scheduled before the City Council of the City of Bonita Springs for a **SECOND READING** of an ordinance on the referenced matter. Public comment by participants will be taken during this hearing.

DATE & TIME: June 23, 2003, Meeting commences at 9:00 a.m.

LOCATION: Bonita Springs Utilities Board Room
11860 East Terry Street
Bonita Springs, FL 34135

Be advised all exhibits presented to City Council are required to be retained by the City Clerk for the minutes and records. The City encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy, for reproduction purposes.

The first reading is a reading of the request and the second reading is the public hearing.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jessica M. Smith
Administrative Assistant

cc: Horseshoe Developments Inc.
Corkscrew Growers, Inc,. C/O Rodney Harvey
Chip Block, AICP, Senior Planner
Zoning File

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

I. CALL TO ORDER.

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

II. INVOCATION

The Vice Chair furnished the invocation.

III. PLEDGE OF ALLEGIANCE

The Vice Chair led in the pledge of allegiance.

IV. ROLL CALL.

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

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

V. PUBLIC HEARINGS:

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

CASE NAME: Bonita Springs Utilities Communication Tower Replacement.

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

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

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

00010.0000

SIZE OF PROPERTY: 16 Acres

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PARTICIPANTS:

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

B.	9:30 a.m.	CASE NO. DCI2002-00018
	CASE NAME:	Old 41 MPD fka The Villages of Bonita North MPD
	REQUEST:	Rezone 84.85 acres from Agriculture District AG-2 to Mixed Use Planned Development (MPD) to allow a mixed use project consisting of 5.51 acres of commercial use with 50,000 square feet of gross floor area; 15.65 acres of

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

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

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

SIZE OF PROPERTY: 16.19 Acres

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

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

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

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

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

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

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

Tape 1 Side 2

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Tape 2 Side 1

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

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

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

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

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

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

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

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

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

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

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

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

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

PARTICIPANTS:

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

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

CASE NAME: Corkscrew Growers Section Three

REQUEST: Rezone 648.8 acres from Residential Planned Development (RPD) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) to allow the development of a mixed use residential project consisting of a maximum of 1,999 dwelling units with a proposed maximum building height of 50 feet (3 stories) and up to 30,000 square feet of internal commercial and recreational floor area.

LOCATION: 15501 Bonita Beach Road SE, Bonita Springs, FL 34135 (Approximately 2. 5 miles east of I-75 along the south right-of-way of Bonita Beach Road, within the City of Bonita Springs.

STRAP NO. 03-48-26-B1-00001.0000

SIZE OF PROPERTY: 648.8 Acres

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

Tape 2 Side 2

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

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

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

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

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

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

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

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

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

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

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

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

ape 3 Side 1

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

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

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

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

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

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

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

Tape 2 Side 2

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

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

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

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

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

The motion carried unanimously.

PARTICIPANTS:

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

33919 (Agent).

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

ADDITIONAL ITEMS:

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

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

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

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

VII. ADJOURNMENT.

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

Respectfully submitted,

Debra Muchler, Recording Secretary

APPROVED:
ZONING BOARD

Date: 6/6/03

AUTHENTICATED:

Frank Howe, Vice Chairman

Dianne J. Lynn, City Clerk

file

STAFF REPORT
For the City of Bonita Springs

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

CASE NUMBER: **DCI2003-00005**

HEARING DATE: **May 2, 2003**

I. APPLICATION SUMMARY:

A. Applicant: Horseshoe Development, Inc.

B. Request: Rezone 648.8 acres from Residential Planned Development (RPD) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) to allow the development of a mixed use residential project consisting of a maximum of 1,999 dwelling units with a proposed maximum building height of 50 feet (3 stories) and up to 30,000 square feet of internal commercial and recreational floor area.

C. Location: The subject property is located at 15501 Bonita Beach Road SE, Bonita Springs, Fla. 34135 (Approximately 2.5 miles east of I75 along the south ROW of Bonita Beach Road), in S03-T48S-R26E, City of Bonita Springs, FL.

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property:

The subject property was recently annexed into the City of Bonita Springs. As part of the ORC Response, the site was placed into the Moderate Density Mixed-Use/Planned Development land use category. The site is currently zoned RPD and CPD and is undeveloped agricultural land.

E. Surrounding Land Use:

	Existing Zoning & Land Use	Future Land Use Map
North:	Bonita Beach Road, then AG-2 (Lee County) zoning vacant lands	Density Reduction/ Groundwater Resource and Wetlands
East:	RPD (Lee County), vacant lands	Rural
South:	Collier County, PUD (Planned Unit Development) and A (Rural Agriculture) zoning vacant, conservation area (Mirasol PUD)	Agricultural/Rural Mixed Use District
West:	RPD, vacant (Parklands DRI)	Moderate Density Mixed-Use/Planned Development

Size of Property: 648.8± acres

II. RECOMMENDATION:

Staff recommends **APPROVAL** of the Applicant's request for rezoning from Residential Planned Development (RPD) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) with the following conditions and deviations:

Conditions

1. The development of this project must be consistent with the three-page Master Concept Plan entitled "Lee County Section 3 Corkscrew Growers," stamped received MAR 03, 2003, except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

   This project is limited to a maximum of 1,999 dwelling units and 30,000 square feet commercial gross floor area.

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

   a. Schedule of Uses

   The following replaces the Schedule provided as part of this application and represents the approved Schedule of Uses.

   Residential tracts

   ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
   ADMINISTRATIVE OFFICES (subject to Note (1) of LDC Section 34-934)
   AGRICULTURAL USES AND AGRICULTURAL ACCESSORY USES (refer to Condition 5.)
   DWELLING UNIT:
   - Single-family
   - Duplex
   - Two-family attached
   - Townhouse
   - Multiple-family building
   - Zero Lot Line

   ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)
   ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
   ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I only (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
   EXCAVATION: Water retention (LDC Section 34-1651)
   HOME OCCUPATION (LDC Section 34-1771 et seq.)
   MODELS:
   - Model home (LDC Section 34-1951 et seq.)
   - Model unit (LDC Section 34-1951 et seq.)

   PARKING LOT: Accessory
   REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and 34-3021) Real estate sales offices in residential areas are limited to sales of lots, homes or units within the development, except as may be permitted in section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.
   RESIDENTIAL ACCESSORY USES (LDC Section 34-622(c)(42)) (LDC Section 34-1171 et seq.)
   SIGNS in accordance with chapter 30

TEMPORARY USES (LDC Section 34-3041 et seq.) - limited to contractors office and equipment storage shed

Towncenter Area

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3106)
ADMINISTRATIVE OFFICES
AGRICULTURAL USES AND AGRICULTURAL ACCESSORY USES (refer to Condition 5.)
BANKS AND FINANCIAL ESTABLISHMENTS (LDC Section 34-622(c)(3)): Group I
BUSINESS SERVICES (LDC Section 34-622(c)(5)): Group I - limited solely to travel agencies
CLUBS: Country Club
Private
CONSUMPTION ON PREMISES - limited solely as an accessory use to CLUBS and RESTAURANTS
CONVENIENCE FOOD AND BEVERAGE STORE - a car wash facility may also be permitted solely as an accessory use to this use
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I only (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
FOOD STORES (LDC Section 34-622(c)(16)): Group I, excluding supermarket
LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)): Group I
PARKING LOT: Accessory
PERSONAL SERVICES (LDC Section 34-622(c)(33)): Group I (limited to ATM; Barber shops or beauty shops; and clothing alterations and repair including dressmaker, seamstresses, and tailors) and Group II (limited to Beauty Spas, Health Clubs or Spas, and Massage Establishments)
REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and 34-3021) Real estate sales offices in residential areas are limited to sales of lots, homes or units within the development, except as may be permitted in section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.
RECREATIONAL FACILITIES:
Personal (subject to Note (1) of LDC Section 34-934)
Private, On-Site (subject to Note (1) of LDC Section 34-934)
RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39)): Group II (limited to movies, videotapes, and similar home entertainment) (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.)
RESTAURANTS (LDC Section 34-622(c)(43)): Groups I, II, III
SIGNS in accordance with chapter 30
SPECIALTY RETAIL SHOPS (LDC Section 34-622(c)(47)): Group I (limited to Bookstores and Newsstands)
TEMPORARY USES (LDC Section 34-3041 et seq.) - limited to contractors office and equipment storage shed

b. Site Development Regulations

Refer to attached Exhibit A

3. Prior to local development order approval, the development order plans must delineate 258 acres of open space as follows:

   - 253.5 acres common open space; or
   - 190.1 acres common open space and 63.4 acres private open space for dwelling units with direct ground floor access

   The 258 acres of required open space may be met on the project as a whole, provided each tract contains a minimum of 10% open space.

4. Prior to local development order approval:

   - The surface water management system must be designed to mimic natural lakes with sinuous shorelines and vegetated littoral zones; and

   - The landscape plans must include a littoral planting plan which delineates the planting areas along common open space. The design must include expanded littoral shelves and clustering of plantings to create marsh areas; and

   - The littoral zone must be planted with native wetland vegetation calculated as four plants per linear foot of lake shoreline. Fifty percent of the required littoral plantings must be provided as native wetland trees (e.g. red maple; cypress; pond apple; pop ash; elm) with one 10-foot or two 5-foot or three 3-foot trees being equivalent to ten herbaceous plants; and

   - A minimum of fifty percent of the common open space adjacent to the lakes must be planted as native upland habitat islands integrated with the littoral plantings. The habitat islands must be mulched and irrigated to insure the establishment of the vegetation; and

   - No more than fifty percent of the common open space area may consist of turfgrass; and

   - Lake shorelines must be designed to include perimeter berm 12-inches high and 36-inches wide where residential tracts abut any lake.

   Prior to local development order approval, a Phase 1 NPDES permit must be obtained with the City of Bonita Springs as a co-applicant to insure long term water quality monitoring and maintenance.

5. Existing bona fide agricultural row crop activity on this site may be continued until such time as the commencement of site development activities, at which time the agricultural activities must be discontinued.

6. Unless the Land Development Code is more restrictive, the "General Notes" found on the Master Concept Plan and "Footnotes" in the Property Development Regulations will also be enforced as part of this planned development. If conflicts exist between the "notes" and "footnotes" and the LDC, the more restrictive rule will apply.

7. No excavated material may be removed from this site.

8. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC Section 34-2174(a).

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

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

11. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

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

B. Deviations

Deviation 1 requests relief from LDC Section 10-296(m)(4) which allows a privately maintained accessway provided it serves as access to 50 or less multiple family units; to allow up to 100 multiple family units to use a private accessway. This deviation is recommended to be **APPROVED only for up to 75 units.**

Staff recommends approval of this request for a maximum of 75 units. Refering to the applicant's justification of this request, it is stated "The requested seventy-five unit standard is the minimal standard needed to create more private residential cluster development areas". Since the applicant advises that 75 is the minimal standard to achieve their intent, then staff concurs and recommends approval of the minimal deviation.

Deviation 2 requests relief from LDC Section 10-296(d)(7)(c)(1) which requires a specific road cross-section for the wearing surface; to allow cement concrete pavers or similar decorative paving materials for selected local streets. This deviation is recommended to be **APPROVED subject to the condition that it is demonstrated that the proposed alternative cross-section is equal to or better than the LDC requirements.**

Staff offers no objection to the granting of this request provided it can be demonstrated that the alternative wearing surface is equal to or better than the requirements of the LDC at the time of local development order.

Deviation 3 requests relief from LDC Section 10-296(Table 3) which requires a 30 foot roadway easement; to allow the roadway easement be 20 feet for one-way local streets. This deviation is recommended to be **APPROVED subject to the condition that no parking is allowed within the easement and adequate site visibility is maintained.**

Staff offers no objection to the granting of this request provided that the recommended conditions are approved. Without these, as demonstrated in the applicant's photo, vehicles entering the road easement from the adjoining garages have little visual room to see before entering the roadway. Cars parked alongside of this roadway easement and blocking the visibility of the driver will lead to public health and safety concerns. In Collier's Island Walk community, signs prohibit parking and there is a reduced speed limit in these same neo-traditional areas. Similar provisions should be made in this project if this deviation is approved.

Deviation 4 requests relief from LDC Section 34-2013(a) (incorrectly identified as LDC Section 34-20134(a) in the application) which requires the design of the parking lots to allow vehicles exiting the lot to enter the street right-of-way or easement in a forward motion; to allow parallel guest parking to be allowed on the roadways in the areas where the neo-traditional units are proposed. This deviation is recommended to be **DENIED.**

The depicted design of the parking allows drivers to enter the road in a forward motion. This is simply a parallel parking space which, when meeting the requirements of the LDC for parking space dimensions, does provide sufficient room for vehicles to enter in a forward motion.

Deviation 5 requests relief from LDC Section 10-296(k)(1) which requires dead-end streets must be closed at one end by a circular turnaround; to allow for a hammerhead design. This deviation is recommended to be **APPROVED subject to the condition the applicant provides written approval by Bonita Springs Fire Control accepting the design of this hammerhead design prior to local development order approval.**

Staff offers no objection to approval of this deviation provided that the fire district has reviewed and approved this design in order to protect the public health, safety, and welfare.

Deviation 6 requests relief from LDC Section 10-355(a)(1) which requires provision of a 10-foot wide utility easement along both sides of a road or accessway; to allow a 5 foot utility easement adjacent to the proposed 20-foot wide access street within the neo-traditional area and along the 50-foot wide right-of-way. This deviation is recommended to be **DENIED.**

Staff is not convinced that the reduction of the width of the utility easement should be approved. The applicant says the width is sufficient but no comments from the affected utilities has been provided. In addition, this Section of the Code provides for the ability to lessen the width administratively with the actual width determined on a case-by-case basis so as to be accommodated within the utility easements.

Deviation 7 requests relief from LDC Section 10-355 which requires provision of a 10-foot wide utility easement along both sides of a road or accessway; to allow a specific and unique utility easement configuration at the hammerhead cul-de-sacs. This deviation is recommended to be **DENIED.**

As discussed in Deviation 6, staff is not convinced that this request should be approved and this Section of the LDC does provide for the ability to reduce the width on a case-by-case basis.

Deviation 8 requests relief from LDC Section 10-329(a) which requires certain slopes along excavation banks; to allow up to 20% of the lake banks to utilized vertical bulkheads. This deviation is recommended to be **APPROVED subject to the condition that the lake slopes otherwise comply with the South Florida Water Management District requirements.**

Staff offers no objection to the granting of this request.

Deviation 9 requests relief from LDC Section 10-256(d)(3) which requires a specific cross-section for sidewalks; to allow the use of decorative pavers throughout the project in the sidewalks. This deviation is recommended to be **APPROVED subject to the condition that the proposed pavers maintains equal or improved wearing surfacing for the sidewalks in the community.**

Staff offers no objection to the granting of this request provided the alternative materials used provide a sidewalk that is or equal or improved quality than that provided for in the LDC.

Deviation 10 requests relief from LDC Section 10-291(3) which requires a residential project of more than five acres must provide for two means of ingress and egress; to allow the proposed RPD to have one full means of ingress and egress and one emergency access. This deviation is recommended to be **DENIED.**

Staff objects to the granting of this request. The proposed design of allowing one full means of access and a second access that is solely for emergency purposes, meets the requirements of the LDC. Historically, such designs have, and continue to be found, consistent with this requirement of the LDC.

Deviation 11 requests relief from LDC Section 10-329(e)(1)(a) which requires excavations to be no less than 25 feet for a local street and 50 feet from a collector or an arterial street; to allow a 20 foot setback, as measured from the edge of pavement or back of curb to edge of water control elevation. This deviation is recommended to be **APPROVED subject to adequate protection measures being included during the local development order process to protect wayward vehicles from entering the lake.**

Staff offers no objection to the granting of this request provided that adequate protection measures are taken to protect wayward vehicles from entering the lake.

Findings and Conclusions:

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

1. The applicant has proven entitlement to the rezoning to RPD by demonstrating compliance with the Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested RPD zoning, as conditioned:

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

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

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

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

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

5. The proposed mix of uses is appropriate at the subject location, as conditoned.

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

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

8. The deviations granted:

a) enhance the objectives of the planned development; and

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

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

The applicant is seeking a rezoning of this land from Residential Planned Development and Commercial Planned Development to Residential Planned Development. Attachment B is a copy of the current Zoning Resolution adopting the zoning found on the subject property.

At this time the approved project provides for the development of 644 residential units; 45,000 square feet of commercial floor area; and a golf course with maximum building heights of 50 feet allowed within the development.

The applicant seeks to establish new zoning on the subject property that would permit up to 1,999 dwelling units and 30,000 square feet of commercial floor area with a maximum permitted building height of not more than 50 feet. No golf course is proposed within this development.

Master Concept Plan

The proposed Master Concept Plan shows the location of the residential tracts and the Towncenter tract. The residential tracts are specified as being "M" or "S" depicting the location of residential uses that are grouped into that description on the Master Concept Plan. "M" tracts allow duplex, two-family, multiple family, and townhouse dwelling units. "S" tracts allow Single family and zero lot line dwelling units. Page 2 of the Plan provides greater detail of the

Towncenter tract and how it will be developed. The proposed internal roadway and lake system is also shown on the proposed Master Concept Plan.

As part of the application, a Schedule of Uses (entitled Exhibit IV-G and found as part of Attachment C) has been provided. Staff objects to some of the uses. In some cases, such as blasting and Community Development Districts, these are not uses listed in the Land Development Code and should not be part of the Schedule. In the recommended zoning action and conditions, staff has re-created the Schedule using the City's Land Development Code language. Staff has also included select uses commonly found within development that has been left out by the applicant, but which staff has included (such as Accessory Uses). These have been added to help the applicant achieve the intent of this planned development application.

Comprehensive Plan Considerations

When the subject property was annexed into the City of Bonita Springs, the Comprehensive Plan was in the process of being approved and the City chose to include it into the Moderate Density Mixed-Use/Planned development land use category. The Comprehensive Plan provides the following description of this land use category:

> ***Policy 1.1.10 - Moderate Density Mixed-Use/Planned Development (Future Land Use Element)*** *- Intended to accommodate and provide continued flexibility of development within mixed use and residential planned developments of up to nine dwelling units per gross acre having been granted development orders prior to the adoption of the City's Comprehensive Plan.*
>
> *a. Appropriate uses within this category include the full range of residential uses; residential amenities such as private golf courses and other recreation facilities; limited commercial and light industrial uses; group homes and foster care facilities; schools and other public and semi-public uses.*
>
> *b. Residential density shall be limited to not more than six units per gross upland acre and one unit per 20 gross acres of wetland, except as otherwise provided for under Policy 1.1.2 relating to transfer of density from freshwater wetlands. If affordable housing is provided, residential density may be increased by up to three additional units per acre of upland area.*
>
> *c. In areas located within the Coastal High Hazard Area (CHHA), density may not be increased beyond that already approved prior to the adoption of this Comprehensive Plan.*
>
> *d. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves.*
>
> *e. Residential uses may comprise up to 100% of the acreage in a planned development.*
>
> *f. In mixed-use planned developments:*
>
> *(1) Residential uses shall comprise not less than 20% of the acreage of a mixed-use planned development;*
>
> *(2) The aggregate of commercial and light industrial uses shall comprise not more than 45% of the total acreage;*

(3) *Light industrial uses shall comprise not more than 20% of the total acreage; and,*

(4) *Public and semi-public uses shall comprise not more than 65% of the total acreage.*

The project is proposed to be developed with a maximum density of 3.15 dwelling units per acre, well within the maximum of 6 dwelling units per acre allowed within the category. Dwelling unit types include a wide range of units including but not limited to single family, zero-lot-line, townhouse, duplex, and multiple family residential. The proposed commercial component of the project at 30,000 square feet of gross floor area is less than the maximum permitted aggregate of commercial usage allowed. The proposed development would be **CONSISTENT** with this Policy of the Comprehensive Plan. The subject property is not located in the CHHA area and the proposed maximum building height is 50 feet.

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

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

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

The adjoining projects to the west and east are found in separate legislative areas (Bonita Springs and Lee County) with different future land use categories and densities. To the west, in the City of Bonita Springs, is Parklands DRI an approved development with a density of 4.1 dwelling units per acre. To the east, in unincorporated Lee County, is the Bonita Beach Road RPD an approved development of just less than 1 dwelling unit per acre. The project does address the potential future road needs by preserving along the western boundary a 125 foot wide right-of-way. The applicant proposes extension of existing public infrastructure and services. The private utility will determine at the time of the request to extend these services if there is adequate supply to support the project. The land most recently has been agricultural fields. As conditioned, the project is **CONSISTENT** with this Policy.

***Policy 1.1.3 - Height** - While each individual land use category may include a maximum allowable height, the actual allowable height for any given property will be stated in the Land Development Code based on consideration of compatibility with surrounding existing land uses and future land use patterns.*

Both the approved Parklands and Bonita Beach Road RPD developments have a maximum permitted building height of 45 feet. The maximum permitted height in the future land use category is 75 feet. This development is requesting a maximum building height of 50 feet. This is substantially similar in height to the adjoining developments and **CONSISTENT** with this Policy.

Neighborhood Compatibility

In discussions with the applicant, they have pointed out that the project has a similar project design to the Island Walk and Village Walk developments along Vanderbilt Beach Road in Collier County.

This area of the City is an emerging residential area with some limited commercial uses supporting the future population.

West of the subject property is the PARKLANDS DRI. This project actually is found in both the City of Bonita Springs and in Collier County. The portion within Bonita Springs is approximately 315.03± acres, is approved for 1,290 multiple family units (a density of 4.1 dwelling units per acre). Various dwelling unit types are permitted in this project, including single family, duplex, two-family attached, townhouse, and multiple family residential units.

East of the subject development is the BONITA BEACH ROAD RPD which is in Lee County's jurisdiction. This project is 1,298± acres with a maximum of 1,158 dwelling units, a density of just less than one (1) dwelling unit per acre. Although the proposed development has a lower density the residential dwelling unit type is varied with single family homes, duplex, two-family attached, townhouse, and multiple family residential units. The approved Plan for this development shows two residential sections adjoining the subject property. The rest of the area is devoted to either lakes or golf course.

This project proposes a density of 3.08 dwelling units per acre which is lower than the higher density allowed in the Parklands project and higher than that allowed in the Bonita Beach Road RPD development.

In staff's opinion, the proposed development is compatible with the two surrounding approved developments in comparison with both the dwelling unit types and the densities provided for in the projects. Additionally, to the west between Parklands and the subject property, is a planned 125 foot road. Between the subject property to the east and the subject, both of the projects include landscape buffering and (as in the case for the subject property) has a perimeter project road between the residential units in the subject property and the perimeter boundary line.

Environmental Issues

The site is currently an agricultural field used for cultivated crops and does not contain any native plant communities. Attachment D is a complete copy of the ES comments on this case.

The proposed 15 acre commercial tract will have to provide a minimum 4.5 acres (30%) open space.

The applicant proposes lot coverage which exceeds the 45% maximum lot coverage for single family and two family attached dwelling units considered in Section 34-695 of the Land Development Code for open space calculations. The increased lot coverage and small lot sizes will result in minimal open space left on each lot. Therefore, forty percent open space is required for the entire residential component of the project. The 633.8 acre residential tracts requiring open space must provide a minimum of 40% or 253.5 acres common open space. The common open space may be reduced to 30% or 190.1 acres if the remaining 63.4 acres is provided as private open space for dwelling units with direct ground floor access.

The open space may be met on the project as a whole, provided each tract contains a minimum of 10% open space. Additionally, up to 25% or 64.5 acres of the open space requirement may be provided as lakes. Staff has recommended in the zoning actions conditions relating to the open space within the project.

The proposed development consists of one lake with canal-like branches allowing all residential lots to have water front. Staff is concerned that this lake design does not meet the intent of LDC Section 10-418 which requires surface water management lakes to mimic natural systems. The applicant believes that the when constructed the lakes will mimic a natural system by providing sinuous shorelines and littoral zones planted with native wetland vegetation. Additionally, the applicant has offered to install littoral plants along common open space areas and provide more plants than required by the LDC.

Another concern is the long term water quality due to the canal-like lake design and the amount of shoreline which will be adjacent to managed lawns. The applicant does not believe there will be long term water quality issues.

The surface water management system must meet the Water Management District's criteria for water quality and storage volume. ES staff has discussed the proposed project with SFWMD staff during an interagency meeting and they stated that if the water quality and storm water storage requirements are met, the proposed plan would be able to be approved by the District. Project designs meeting the criteria of the SFWMD are not required through the State permitting process to monitor water quality within the project or at project outfalls. It is assumed the design will maintain appropriate water quality.

ES staff also conferred with Natural Resources staff regarding the lake design and water quality. Natural Resources staff shares the concern about the long term water quality. It was determined that recommending a condition requiring the developer to obtain a Phase 1 National Pollutant Discharge Elimination System (NPDES) permit with the City as co-applicant would provide the safeguard necessary to protect the receiving waters from pollutants.

This project is located in an area that is transitional between suburban development and preservation areas. There is a residential development to the west, a major slough system preserved to the south, the SFWMD acquisition area to the north, and a low density residential development with enhanced landscaping, habitat and flow-way requirements to the east. Therefore, it is important for this development to provide some native habitat areas. The applicant has committed to planting a 100-foot wide native habitat area along the south property line. An enhanced lake shoreline plan would provide wood stork and wading bird habitat, as well as, reducing the amount of water directly discharged into the lake system over managed turfgrass. Staff has offered conditions related to long term water quality and monitoring.

Transportation

The applicant's projected traffic volume indicates, in the morning peak hour, there would be 140 incoming trips and 400 exiting trips (540 total vehicles per hour). In the evening peak hour, there would be 420 incoming trips and 260 exiting trips (680 total vehicles per hour).

Lee County DOT (see attachment F) states the project has one mile of frontage on Bonita Beach Road east of the existing end of pavement. The developer has previously committed to an extension of Bonita Beach Road as a site-related improvement and to a 125 feet wide right of

way reservation along the western boundary of the project. This combined with a 75 feet wide reservation provides a 200 feet wide corridor along the western boundary of the project.

The cumulative analysis estimates total volumes exceeding service volumes east of I-75 and east of Bonita Grande Drive. Similarly the service volumes for LOS "C" on I-75 are exceeded. It would appear that based on the TIS, the roadway links significantly impacted by this development are Bonita Beach Rd. east of I-75 and east of Bonita Grande Dr. These links will operate at level of service "F" in 2010 with or without the project traffic.

IV. ATTACHMENTS:

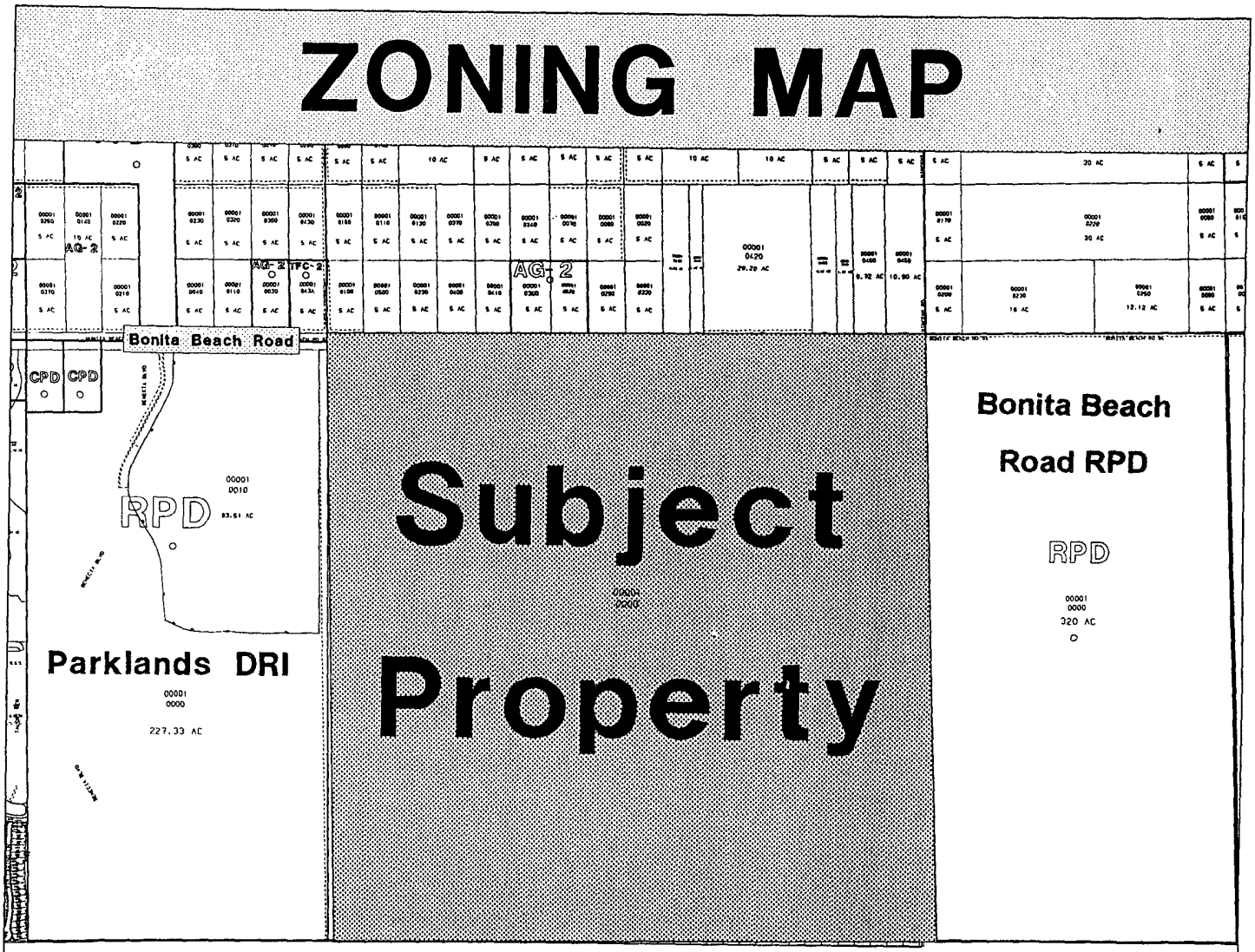
A. Map of surrounding zoning
B. Zoning Resolution Z-02-017
C. Applicant's supporting documentation
D. Environmental comments
E. Comments from the School District of Lee County
F. Comments from Lee County DOT

EXHIBITS

A. Property Development Regulations

cc: Applicant
City Attorney
DCI Zoning file
DCI Planner file

ZONING MAP



Collier County

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COMM. DEV.
PUBLIC SERV. CNTR.
1ST FLOOR

RESOLUTION NUMBER Z-02-017

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

WHEREAS, Horseshoe Development, Inc. filed an application on behalf of the property owner, Corkscrew Growers, Inc. to rezone a 649± acre parcel from Agricultural (AG-2) to Commercial Planned Development (CPD) and Residential Planned Development (RPD), in reference to Corkscrew Growers Section Three; and

WHEREAS, a public hearing was advertised and held on April 5, 2002, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2000-00070; and

WHEREAS, a second public hearing was advertised and held on June 17, 2002 before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone a 649± acre parcel from AG-2 to CPD and RPD to allow the development of a maximum of 644 dwelling units, a golf course and related amenities, and 45,000 square feet of gross commercial floor area, all not to exceed 50 feet. The property is located in the Rural Land Use Category and legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Corkscrew Growers Section 3 RPD," prepared by Banks Engineering, Inc., dated November 7, 2001, last revised July 8, 2002, and stamped "Received Aug 30 2002 Community Development," except as modified by the conditions below. This development must comply with all requirements of the LDC at time of local development order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

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

   a. Schedule of Uses - RPD

      Administrative Offices
      Accessory uses and structures
      Agricultural uses, existing only (Subject to Condition 8)

ATTACHMENT B

Clubs, Country and Private (limited to group activity center parcel only)
Consumption on premises (Subject to Condition 3)
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Specialty retail shop, limited to golf and tennis pro shops
Dwelling Unit:
- Conventional Single Family Residence
- Duplex
- Zero Lot Line
- Townhouse
- Two Family Attached
- Multiple Family Building

Entrance Gate and Gatehouse, in compliance with LDC §34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Golf Course
- Consumption on premises
- Maintenance Facility

Home occupation
Model Home, model unit
Parking lot, accessory
Recreation Facilities, Private on-site, Personal
Residential Accessory Uses
Signs, in compliance with LDC Chapter 30
Temporary uses (LDC §34-3041)

Schedule of Uses - CPD

Administrative Offices
Accessory uses and structures
Agricultural Uses, existing only, subject to Condition 8
Animal Clinic
ATM
Banks and Financial Establishments, Group I
Business Services, Group I
Business Services, Group II - Automobile claims adjusters, automobile repossessing services; messenger services, packaging services; parcel and express services, excluding outdoor storage
Cleaning and maintenance services
Clothing store
Club, commercial
Consumption on premises (limited to and in conjunction with a full service restaurant)
Day Care Center, child or adult
Drive thru facility, limited to in conjunction with a bank
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls

Health Care Facility, Group III
Laundry, Dry Cleaning, Group I
Medical Office
Package store (LDC §34-1263)
Parking lot, accessory
Personal Services Group I - ATM's; barbershops or beauty shops; clothing alterations and repair including dressmakers, seamstresses and tailors;
Personal Services Group II - Beauty spas, health clubs or spas, massage establishments;
Personal Services Group IV - Portrait copying; shopping services; tax return preparation services
Pet Services, grooming only
Pet Shop
Pharmacy
Place of Worship
Real Estate Sales Office
Restaurant, Groups I, II, and III
Signs, in accordance with LDC Chapter 30
Specialty Retail Shops, Group I - bookstores; cigar stores; florists; gift, novelty and souvenir shops; gift shops; golf equipment; jewelry stores; music stores; newsstands; tennis equipment; tobacco stores;
Specialty Retail Shops, Group II - Apparel accessory stores; retail; bathing suit stores; blouse stores; bridal shops, except custom; clothing, ready to wear, women's; corset and lingerie stores; cosmetic shops; custom tailors; dress shops; handbag stores; hat stores; hosiery stores; maternity shops; sports apparel stores; tie shops; umbrella stores
Studios
Storage, Indoor
Temporary uses (LDC §34-3041)

b. Site Development Regulations

Minimum Lot Size:	Single Family Detached
Lot Width	50 feet
Lot Depth	100 feet
Lot Area	5,000 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:	
Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	5 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size:	Duplex
Lot Width	60 feet
Lot Depth	100 feet
Lot Area	6,000 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	5 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size: Two-Family Attached

Lot Width Per Unit	37.5 feet
Lot Depth	100 feet
Lot Area Per Unit	3,750 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	5 feet
Side (interior)	0 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size: Zero Lot Line

Lot Width	50 feet
Lot Depth	100 feet
Lot Area	5,000 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	10 feet
Side (interior)	0 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size: Townhouse

Lot Width Per Unit	37.5 feet
Lot Depth	100 feet
Lot Area Per Unit	3,750 square feet
Maximum Lot Coverage	40 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	7 feet
Side (interior)	0 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size:	Multiple Family Building
Lot Width	100 feet
Lot Depth	100 feet
Lot Area	10,000 square feet
Maximum Lot Coverage	45 percent

Minimum Setbacks	
Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	10 feet
Rear	20 feet (5 feet for an accessory structure)
Water body	20 feet (10 feet for an accessory structure)

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

Maximum Building Height: 45 feet / 3 stories

Minimum Lot Size - Commercial Planned Development	
Lot Width	100 feet
Lot Depth	100 feet
Lot Area	10,000 square feet
Maximum Lot Coverage	45 percent

Minimum Setbacks	
Front (Bonita Beach Road)	25 feet
Front (street)	20 feet
Side (principal, accessory)	10 feet
Rear	20 feet (5 feet for an accessory structure)
Water body	20 feet (10 feet for an accessory structure)

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

Maximum Building Height: 45 feet / 3 stories

3. The consumption on premises associated with the proposed clubhouse is limited to and in conjunction with the food and beverage service for the private club. Additionally, no outdoor seating that includes the consumption of alcoholic beverages may be located within 500 feet of any property line of a residentially developed parcel.

4. Prior to local development order approval:

   a. A minimum of 10 percent open space must be provided for each Development Tract (labeled on the MCP as CPD; Model Home & Sales Center; Residential; Group Activity Center) except for those tracts consisting of residential lots not required to provide open space per LDC §10-415(a); and

   b. Where feasible, any Development Tract requiring open space will be designed so that the open space abuts the Open Space, Recreation & Lake Areas; and

c. No more than 50 percent or 129.8 acres of the required open space may be golf course.

5. Prior to local development order approval, the Zone 1 buffer planting plan must consist of native vegetation that provides wildlife habitat and foraging opportunity, including but not limited to, South Florida slash pine, live oak, dahoon holly, wax myrtle, cocoplum, and saw palmetto. The planting plan must include 50 three-gallon native trees and 150 three-gallon native shrubs per 100 linear foot section (10,000 square feet). Three 1-gallon native shrubs or native groundcover may be substituted for three-gallon native shrubs. The plantings must be mulched at time of planting with a three inch depth of organic mulch (no cypress mulch). A temporary automatic surface irrigation system designed to conserve water must be utilized to insure the survival of the plantings. The irrigation system must be removed within one year of the issuance of a Certificate of Compliance unless drought conditions have prohibited the establishment of the vegetation.

6. Prior to local development order approval, the surface water management system must be designed to mimic natural lakes with sinuous shorelines and vegetated littoral zones. Half of the proposed lakes must incorporate enlarged littoral shelves where the required littoral plants are clustered to provide a wetland area with draw down pools for wildlife foraging. Half of the proposed lakes must provide 50 percent of the required littoral plantings as native trees (red maple, cypress or pond apple) with one 10-foot-tall or two five-foot-tall or three-foot-tall trees being equivalent to ten herbaceous plants. (To meet these requirements, aqua range could provide trees at the south end, and the grasses at the "ears" on the northeast and northwest portions of that lake.)

7. Prior to local development order approval for a golf course, the golf course management and irrigation practices addressed in "The Section Three Golf Course Management Plan" counter stamped "Dec 7 2000," must be demonstrated on the local development order plans in terms of design and notes.

8. The Developer or his agent is entitled to continue bona fide agricultural uses already existing on the property. These uses are limited to the areas identified on the attached map, dated April 2, 2002, prepared by Banks Engineering, Inc. (attached as Exhibit D). Any existing agricultural use must be discontinued upon the commencement of any site development activities, as the term in defined in the LDC, pursuant to a local development order for the individual tract or phase identified in the development order.

9. Right-of-way for CR 951

a. The MCP must provided 125 feet of right-of-way along the western property boundary. This right-of-way alignment reflects the current planned extension of C.R. 951. The County agrees to accept the transfer of the title to the 125-foot-wide right-of-way strip and will grant road impact fee credits for 100 percent of the land value, as valued on the day before the original rezoning request is granted, provided the land transfer complies with LDC §2-275(3)b. [Nothing in this condition is intended to prevent Applicant and Lee County DOT from negotiating a narrower right-of-way once the final alignment of C.R. 951 has been established by the BOCC, provided the parties can agree on the provision and maintenance of stormwater facilities for the road's run-off.]

b. Once the C.R. 951 right-of-way alignment and width are determined, Applicant may revise the legal description of the CPD area to maintain the maximum size of this parcel at five acres. This parcel's boundaries may be moved eastward or southward as necessary to achieve the full five-acre size.

c. A full access point to C.R. 951, as depicted on the MCP in the southwest portion of the site, is not approved nor guaranteed as part of this rezoning. Any access point in this location will be determined once the alignment and median spacing is designed. This condition, however, is not intended to prevent Applicant from having a restricted (right-in/right-out) access point into the CPD parcel, provided the access point meets the minimum separation standards.

10. At the time of each local development order application, the Applicant must provide the most current figures showing the acreage that has been used for residential development, open spaces, golf course areas, and non-residential development. This condition is intended to substantiate consistency with the provisions of Policy 1.4.1.1.a of the Lee Plan for the life of the development.

11. Development of this property will be subject to the requirements of the Lee Plan Privately Funded Infrastructure Overlay in perpetuity. Lee County will incur no cost for providing necessary infrastructure, facilities, and services to this development, per Lee Plan Policy 1.4.1.1.f.

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

13. Bonita Beach Road improvements must be committed to occur in pace with the planned development. Local development orders will not be issued until the road has been extended east to the project's entrance.

14. In accordance with Lee Plan Policy 1.4.1.1.d.(4), open space areas must be replanted with vegetation after construction. Seventy-five percent of the total number of required trees used in buffers and landscaping must be indigenous and 50 percent of the shrubs must be indigenous.

15. Project buffering must, at a minimum, be consistent with Lee Plan Policy 1.4.1.1.e.

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

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

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan that management program such that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of

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

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

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

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

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

a. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

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

c. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identifying the locations for the ground water monitoring and testing on a map(s); setting forth the testing and recording requirements. The Developer must submit the test results with the monitoring report

to the Lee County Natural Resource Division. The monitoring program will be established and operated at the expense of the Developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 62-302, F.A.C., water quality standards. The developer or its successor(s) and Staff will review this monitoring requirement every three years to determine if reduction or elimination of the monitoring requirement is justified; if so, the condition may be proposed for modification through the public hearing process.

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

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

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

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

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

i. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, while requiring relatively low fertilizer use.

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

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

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

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

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

SECTION C. DEVIATIONS:

1. Deviation (1) - withdrawn by Applicant.

2. Deviation (2) - withdrawn by Applicant.

3. Deviation (3) seeks relief from the LDC §10-329 requirement to provide a minimum setback of 50 feet from private property lines under separate ownership, to allow a setback of 25 feet. This deviation is DENIED for the perimeter property lines and was withdrawn for those excavations adjacent to proposed rights-of-way.

4. Deviation (4) - withdrawn by Applicant.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: The legal description and STRAP number of the property.
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D: Ag Use Map

The applicant has indicated that the STRAP number for the subject property is: 03-48-26-00-00001.0000

SECTION E. FINDINGS AND CONCLUSIONS:

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

2. The rezoning, as approved:

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

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

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

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

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

3. The rezoning satisfies the following criteria:

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

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

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

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

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

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

DULY PASSED AND ADOPTED this 17th day of June, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

RECEIVED
MINUTES OFFICE
2002 OCT -7 AM 10: 54

CASE NO: DCI2000-00070

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA

DCI 2000-00070

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CORKSCREW GROWERS RPD)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 5379.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.89°56'22"E. ALONG THE SOUTH LINE OF THE WEST HALF OF SAID SECTION FOR 2621.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF SECTION; THENCE N.89°56'26"E. ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOR 2621.22 FEET TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N.00°37'08"W. ALONG THE EAST LINE OF SAID SECTION FOR 5385.34 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.89°52'32"W. ALONG THE NORTH LINE OF THE EAST HALF OF SAID SECTION FOR 2629.85 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF SECTION; THENCE S.89°52'12"W. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION FOR 2629.72 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 643.79 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

DESCRIPTION REVISED SEPT. 4, 2002.

Thomas Clayton Shaw Sept 4, 2002

Applicant's Legal Checked
by Gm 10/1/02

THOMAS C. SHAW, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION No. 4672

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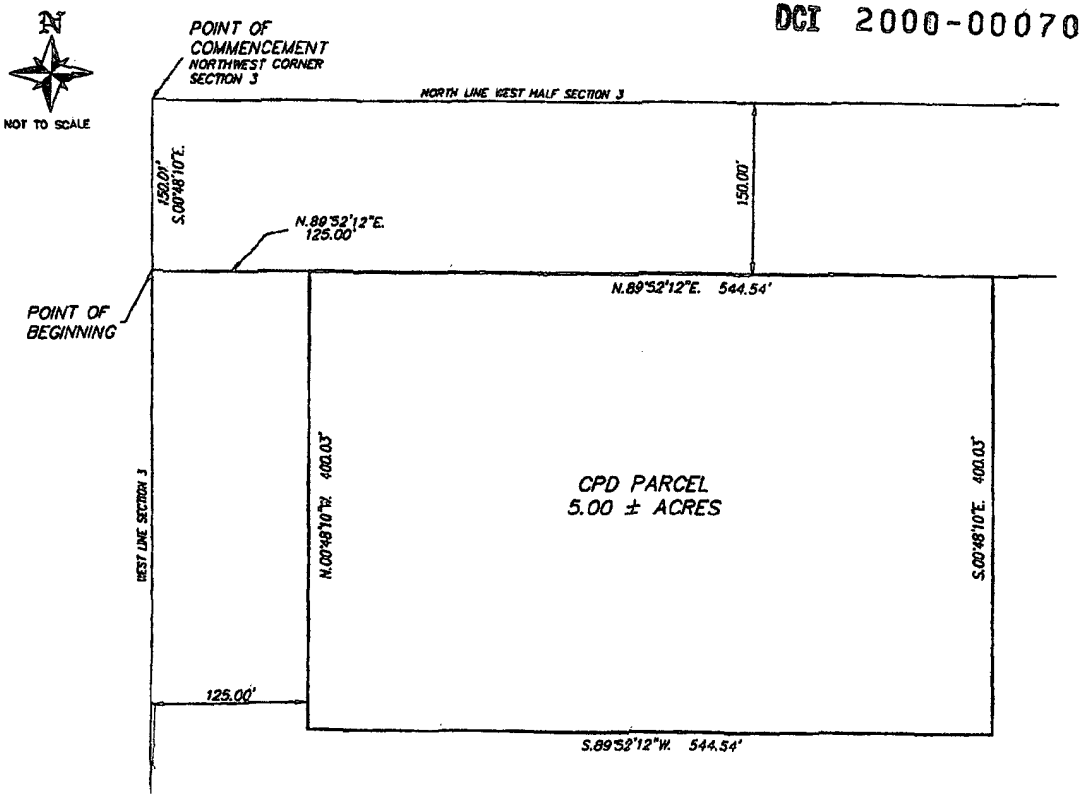
6640 Willow Park Drive, Suite B, Naples, Florida 34109 ◦ (941) 597-2061 ◦ Fax (941) 597-3082

EXHIBIT A

DCI 2000-00070 SKETCH TO ACCOMPANY DESCRIPTION



OF A
PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

CPD PARCEL

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5.00 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

THIS IS NOT A SURVEY

9-4-02

THOMAS C. SHAW
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 4672

—THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

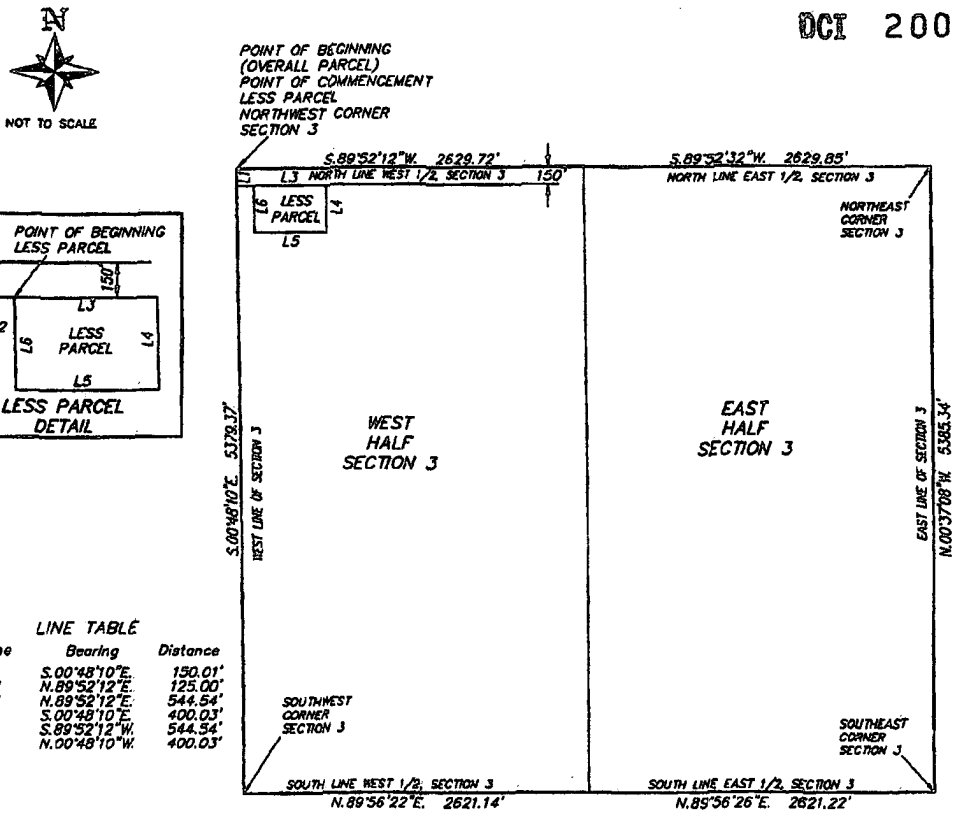
—PREPARED APRIL 5, 2002.

PREPARED BY:

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
6040 TAYLOR PARK DRIVE - SUITE "B"
NAPLES, FLORIDA 34109
(239) 597-3223
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6486

DCI 2000-00070 SKETCH TO ACCOMPANY DESCRIPTION

OF A
PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



LINE TABLE

Line	Bearing	Distance
L1	S.00°48'10"E.	150.01'
L2	N.89°52'12"E.	125.00'
L3	N.89°52'12"E.	544.54'
L4	S.00°48'10"E.	400.03'
L5	S.89°52'12"W.	544.54'
L6	N.00°48'10"W.	400.03'

RPD PARCEL

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 5379.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.89°56'22"E. ALONG THE SOUTH LINE OF THE WEST HALF OF SAID SECTION FOR 2621.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF SECTION; THENCE N.89°56'26"E. ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOR 2621.22 FEET TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N.00°37'08"W. ALONG THE EAST LINE OF SAID SECTION FOR 5385.34 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.89°52'32"W. ALONG THE NORTH LINE OF THE EAST HALF OF SAID SECTION FOR 2629.85 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF SECTION; THENCE S.89°52'12"W. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION FOR 2629.72 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 643.79 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

THIS IS NOT A SURVEY

9-4-02
THOMAS C. SHAW
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 4672

—THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

—PREPARED APRIL 5, 2002, REVISED AREA JULY 22, 2002

PREPARED BY:

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
6640 WILLOW PARK DRIVE - SUITE "B"
NAPLES, FLORIDA 34109
(941) 597-3141
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6590

SHEET 2 OF 2

S:\dcis\13xx\1333\SURVEY\DWG\DESC-SKETCH\1330_RPD_SK-1.dwg, 02/04/2002 11:03:26 AM, dday

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS • NAPLES • SARASOTA

DCI 2000-00070

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CORKSCREW GROWERS CPD)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5.00 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

Applicant's Legal Checked
by _____

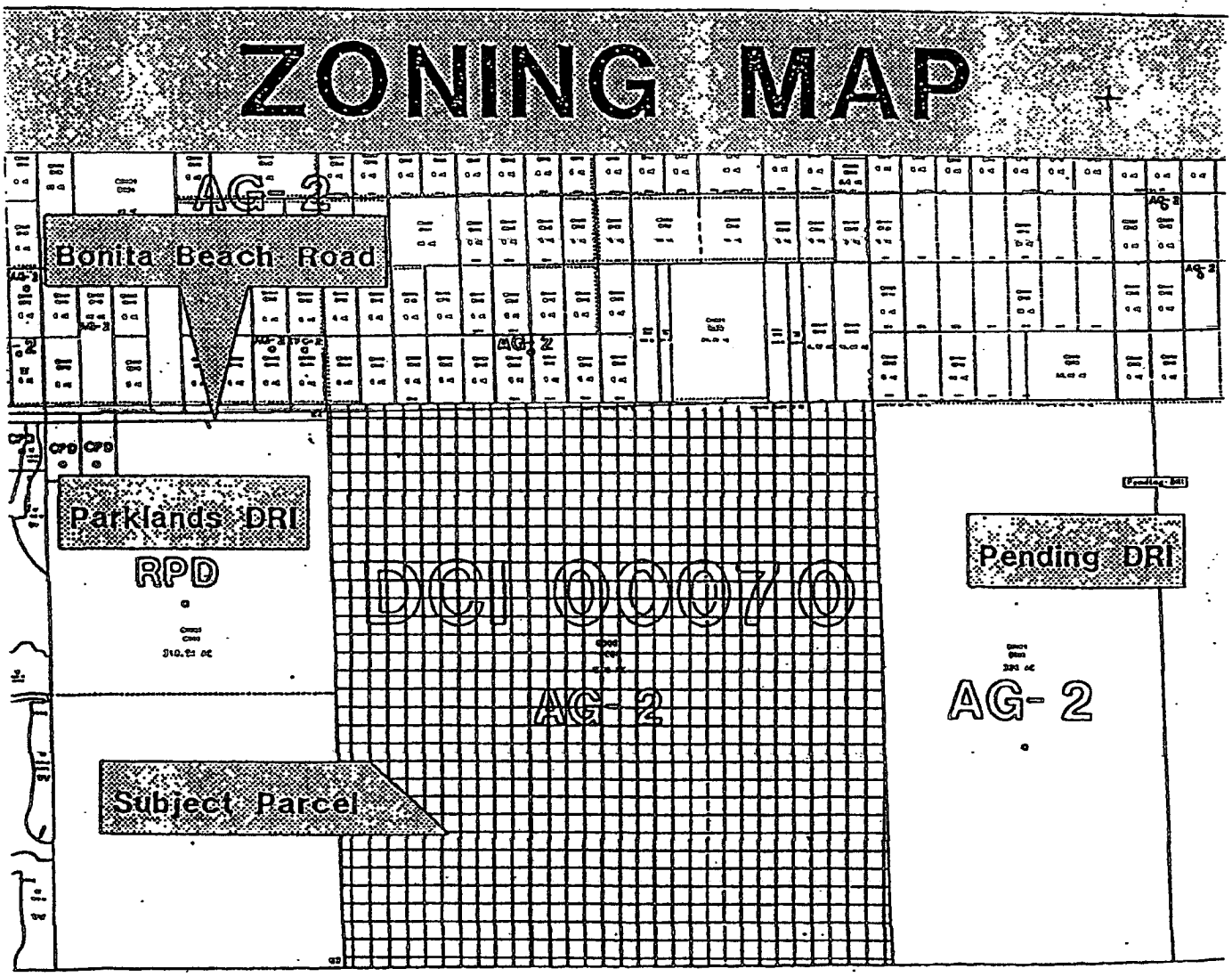
Thomas Clyde Shaw Sept 4, 2001

THOMAS C. SHAW, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION No. 4672

\\Server\e\JOBS\13xx\1360\Documents\DESCRIPTIONS\1360_CPD-125.doc

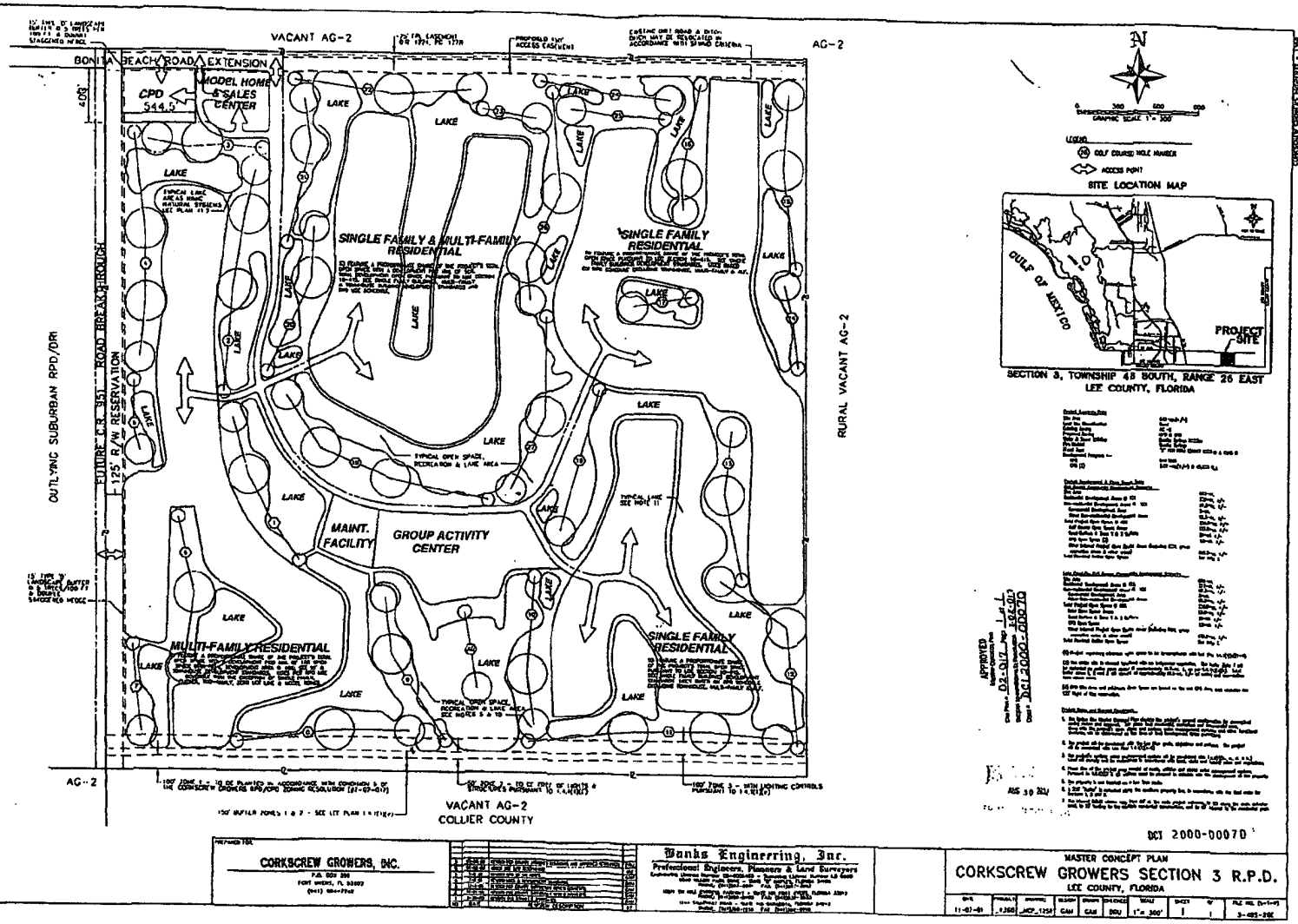
6640 Willow Park Drive, Suite B, Naples, Florida 34109 ◦ (941) 597-2061 ◦ Fax (941) 597-3082

ZONING MAP

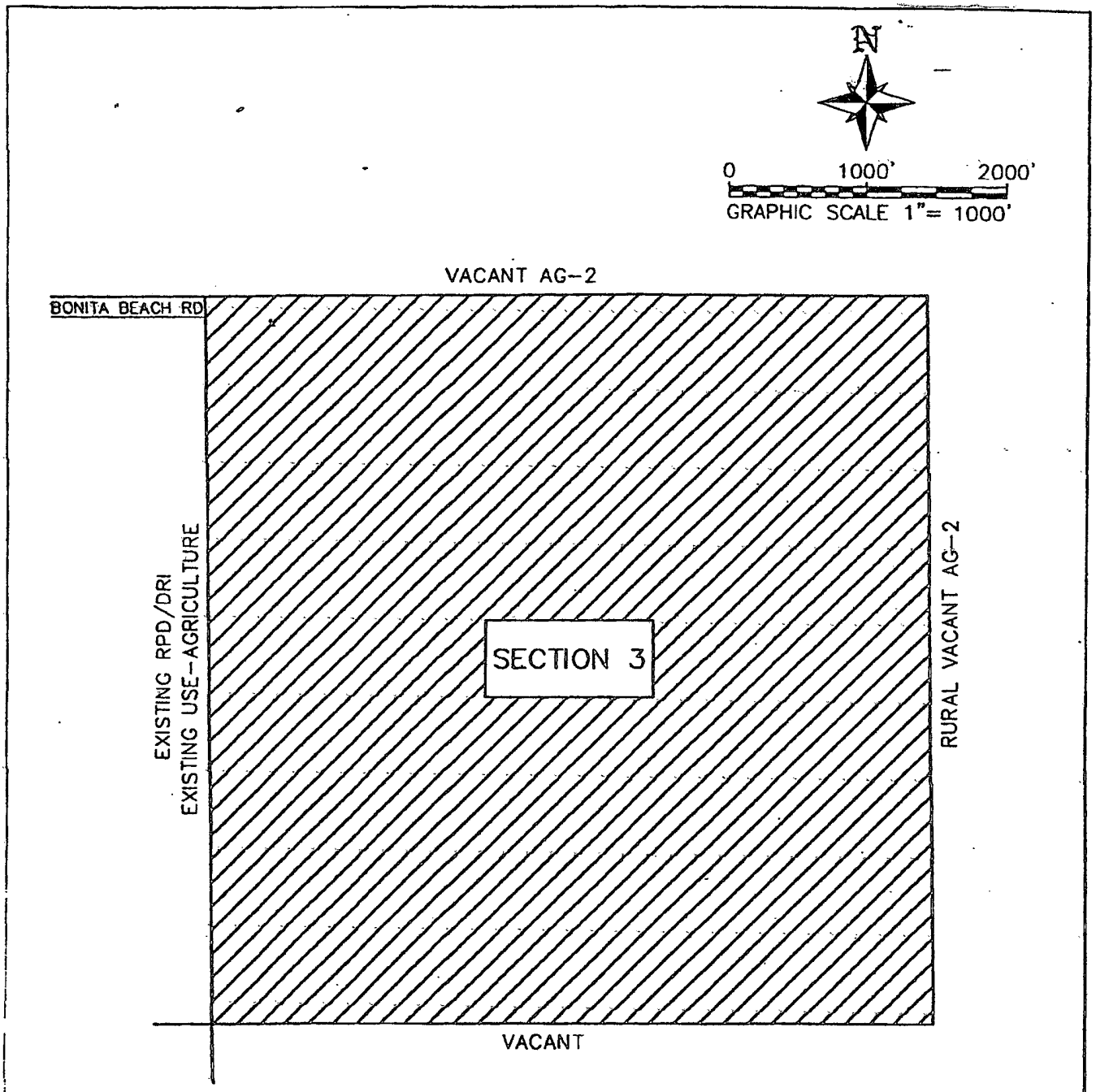


Collier County

EXHIBIT B


VACANT AG-2
AG-2
BONITA BEACH ROAD EXTENSION
MODEL HOME & SALES CENTER
CPD 544.9
LAKE
SINGLE FAMILY & MULTI-FAMILY RESIDENTIAL
SINGLE FAMILY RESIDENTIAL
MAINT. FACILITY
GROUP ACTIVITY CENTER
MULTI-FAMILY RESIDENTIAL
SINGLE FAMILY RESIDENTIAL
OUTLYING SUBURBAN RPD/DR
FUTURE C.R. 951 ROAD BREAKTHROUGH
125' R/W RESERVATION
RURAL VACANT AG-2
AG-2
VACANT AG-2
COLLIER COUNTY
N
SITE LOCATION MAP
GULF OF MEXICO
PROJECT SITE
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
DCI 2000-00070
CORKSCREW GROWERS, INC.
Wanas Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
MASTER CONCEPT PLAN
CORKSCREW GROWERS SECTION 3 R.P.D.
LEE COUNTY, FLORIDA

EXHIB



LEGAL DESCRIPTION OF EXISTING AGRICULTURAL USE:
ALL OF SECTION 3, TOWNSHIP 48 SOUTH , RANGE 26 EAST .
LEE COUNTY FLORIDA ; CONTAINING 648.80 ACRES

EXISTING USE = ROW CROP

EXHIBIT D

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF EXISTING AGRICULTURE USE
CORKSCREW GROWERS PROPERTY
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO.
04-02-02	1360	1360_DEXC	CAM	KSJ	DRU	1"=1000'	1	1	3-485-26C

The subject property is designated "Moderate Density MU/PD" on the City of Bonita Springs Future Land Use Map (FLUM). The MU/PD designation currently includes 8,268 acres of land currently zoned PD, where single-family development is predominant (as well as vacant agriculturally zoned land in close proximity to single-family development) in the moderate density range of up to six (6) units per gross acre. The Future Land Use Element (FLUE) identifies the most appropriate uses with the "Moderate Density MU/PD" designation as "the full range of residential uses, residential amenities such as private golf courses, and other recreational facilities, and limited commercial and light industrial uses, schools, group homes, and foster care facilities, public and semi-public uses."

The Comprehensive Plan calls for the provision and distribution of residential lands within the City in an amount adequate to meet the projected needs for the planning period and beyond. The plan further calls for a variety of housing types. According to the FLUE analysis, approximately 12,000 housing units will be needed to meet the City's projected population projections through the year 2012. The Plan indicates that, excluding wetlands, there are currently some 6,000 acres of vacant land in the City. It is projected that 3,473 acres (56%) of this vacant land will be needed to accommodate urban land uses to meet the needs of the projected population growth. These projections are, in large part, predicated on an average density of 4.5 units per acre (requiring some 2,666 acres of land for residential purposes. As previously stated, the "Moderate Density MU/PD" designation includes some 8,265 acres of land, of which several thousand acres are currently vacant. Given the prevailing development pattern and density of already approved major planned residential developments, it is likely that within the MU/PD designation the average residential density will be lower than 4.5 units per gross acre, falling within the 3.0 to 3.5 units per gross acre range. The proposed amendments to the 648.8 acre Corkscrew Growers RPD/CPD are appropriate, are consistent with the "Moderate Density - MU/PD designation, and will help to meet the City's projected population growth through the year 2012 and beyond. The proposed 1999 dwelling units on +/- 633.8 acres results in a residential density of 3.15 units per acre. The balance of the site, some 15 acres, is dedicated to a centrally located "Town Center," wherein civic and cultural, service and convenience commercial, and community recreational uses will be located.

In addition, the FLUE recognizes existing land use concentrations and lands for which development orders have already been approved. The subject project is an approved RPD/CPD. The subject property is entirely cleared and has been and, at present, continues to be, used for agricultural row crop production. The project contains no environmentally sensitive lands or critical habitat for listed species.

Potable water is provided to a majority of the City by Bonita Springs Utilities (BSU), a private utility company. BSU will provide potable water to this project as well. BSU provides an acceptable level of service to the existing population and has adequate capacity to serve developments that have already received approval. The system will be capable of meeting a level of service (LOS) of 250 gallons per capita per day for the existing and anticipated future population within the planning period.

Sanitary sewer service is also provided to a majority of the City by BSU. BSU will provide sanitary sewer services to this project. According to the Comprehensive Plan, BSU provides an acceptable LOS to the existing population and has adequate capacity to meet the LOS of 200 gallons per day in order to serve existing and anticipated future development.

The Comprehensive Plan indicates that the minimum acceptable LOS standards for availability of solid waste disposal shall be seven (7) pounds per capita per day. The RPD will meet this minimum LOS, via solid waste collections services contracted through Lee County to ONYX Waste Services for this portion of Lee County.

The RPD/CPD must provide a system of inter-connected lakes and water control facilities. The South Florida Water Management District (SFWMD) has reviewed and approved an Environmental Resource Permit (ERP) for the project as it currently approved. The proposed amendments will require will require SFWMD modification permits.

The City's LOS for recreation/open spaces is six (6) acres per thousand [redacted] population (includes visitors) for regional facilities. Based upon this LOS, the City will need 451 acres to meet the LOS. Currently, the City has some 719 acres of regional recreation/open space lands. Nevertheless, impact fees will be paid as construction of the proposed development commences. Such impact fees can be utilized to provide new and enhanced regional facilities to serve the residents of, and visitors to, the City of Bonita Springs. The LOS for community parks is 0.8 acres per thousand (year-round) residents. This LOS indicates the City will need 41 acres of community parks and attendant facilities. It should be noted that within this master planned residential community, many recreation facilities are included as amenities for the residents including but not limited to: tennis courts; swimming pools; bicycle lanes; fitness facilities; and community center space.

The condition of approval for the Corkscrew Growers RPD/CPD calls for up to one hundred twenty-five (125) feet of ROW reservation on the project's western boundary for a potential future extension of CR 951. The project includes a one hundred fifty (150)-foot access easement along the northern boundary (twenty-five (25) feet of which is an easement for FPL) aligned with the planned extension of Bonita Beach Road to serve the project. At present, two lands of the planned extension of Bonita Beach Road, with all required utilities will be constructed at no cost to the City of Bonita Springs, in order to serve the Corkscrew Growers RPD and development further to the east.

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

PART III
PROPOSED DEVELOPMENT

A. Nature of Request

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

278	Single Family (1)	0	Mobile Homes	0	Recreational Vehicles
600	Zero-Lot-Line (1)	853	Duplex/Two Family (1)	268	Townhouses (1)
_____	Multiple Family (1)	1,999	TOTAL ALL TYPES		

(1) The application's designated number of dwelling units by unit type are reasonable estimates to be used only for application evaluation. The numbers of units per dwelling type are fully interchangeable in that the applicant reserves the right to develop any number of unit types based upon the project's Schedule of Uses, with a total residential unit build-out at a max. 1,999 DUs.

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): 3,802
b. PROPOSED total units (from A-1. above): 1,999
c. PROPOSED density (from Exhibit III-A-2): 3.15 DUs Per acre

3. Will the development contain non-residential areas? ___NO XX YES. If answer is yes, please indicate size [gross square footage (gsf) unless indicated otherwise] of each general class of uses below:

Retail: (1) 20,000 Total gsf

Offices: (1) 10,000 Total gsf

Medical: 0 gsf Non-medical: 10,000 gsf

Other: (Recreational): (1) 15,000 gsf

(1) **TOTAL 30,000 square feet of internalized personal services, retail and office uses, as well as various meeting faculties and recreational facilities, all of which are to serve residents of the projects and their guests and which are not accessible to the general public.**

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

Industrial: 0 Total gsf
Under roof: _____ gsf Not under roof: _____ gsf

Mines, Quarries, or General Excavation:

It is anticipated that +/- 137.5 acres of lakes will be excavated resulting in +/- 1.75 million cubic yards of fill. It is anticipated that all fill will be utilized on site, but there is a possibility that there may be excess fill. If this is the case than it may be necessary to haul excess fill off site. For this reason, the proposed Schedule of Uses identifies "Development Excavation: Off-site Removal" as a permitted use.

Acres to be excavated: 137.5

Other-specify:

_____

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

4. Building Height
   Single Family Residential & O-lot Line: maximum 35-ft. & 2 floors
   Multi-family Residential: maximum 50-ft. & 3 floors
   Commercial: maximum 35-ft. & 2 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.

Exhibit IV-G

Schedule of Uses for Corkscrew Growers RPD per Lee County LDC [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)]

RPD

Residential Tracts

Administrative Offices, including project real estate sales office
- Accessory uses and structures
- Parking Lot, accessory

Agricultural uses, existing only (Subject to General Note 7)
Blasting
Community Development Districts
Dwelling Units:
- Conventional Single-Family Residence
- Duplex
- Zero Lot Line
- Townhouse
- Two Family Attached
- Multiple Family Building

Entrance Gate and Gatehouse, in compliance with LDC §34-1748
Essential Services
- Essential Service Facilities, Group I

Excavation- for development lakes, water retention and detention,
Fences, walls
Home occupation
Model Home, model unit
- Parking lot, accessory

Residential Accessory Uses
Signs, in compliance with LDC Chapter 30
Temporary uses (LDC §34-3041), including a temporary project sales office

RECE
MAR
COMMUNITY
REC'D

Town Center Portion of RPD

Administrative Offices
- Accessory uses and structures
- Parking Lot, accessory

Agricultural Uses, existing only, subject to Condition 8
Banks and Financial Establishments, Group I, for residents of the development and their guests only
Business Services, Group I, travel agencies only
Cleaning and maintenance services
Community Development Districts
Convenience Store, with gas and carwash, to serve residents of the development and their guests only
Clubs, Country and Private (limited to town center parcel only)
- Consumption on premises
- Food and beverage service, limited

Essential Services
Essential Service Facilities, Group I
Excavation-mining, for water retention and detention, with off-site hauling Blasting
Fences, walls
Food Stores, Group 1, excluding supermarkets
Health Club and Spa
- Parking lot, accessory

Laundry, Dry Cleaning, Group I
Personal Services Group I – ATM's; barbershops or beauty shops; clothing alterations and repair including dressmakers, seamstresses and tailors; all to serve residents of the development and their guests only
Personal Services Group II – Beauty spas, health clubs or spas, massage establishments; all to serve residents of the development and their guests only

Words ~~struck-through~~ are deleted; words underlined are added.

Exhibit IV-G

Schedule of Uses for Corkscrew Growers RPD per Lee County LDC [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)]

Real estate Sales Office
Recreation Facilities, to serve residents of the development and their guests only
Rental or leasing establishments, Group II, limited to movies, video tapes and similar home entertainment
Restaurant, Groups I, II, and III, all to serve residents of the development and their guests only
Signs, in accordance with LDC Chapter 30-153
Specialty Retail Shops, Group I – Limited to: bookstores and newsstands
Temporary Uses (LDC §34-3041)

a. Site Development Regulations

Development Regulations	Single Family	Two Family Attached	Duplex	Zero Lot Line/Patio Home[15]	Multi-Family	Townhouse	Town Center Uses
Minimum Lot Width:	50 Feet	20 Feet[1]	60 Feet[2]	50 Feet	100 Feet	35 Feet[1]	100 feet
Minimum Lot Depth:	100 Feet	100 Feet	100 Feet	100 Feet	100 Feet	100 Feet	100 feet
Minimum Lot Area:	5,000 S.F.	2,000 S.F.[1]	6,000	5,000 S.F.	10,000 S.F.	3,500 S.F.[1]	10,000 S.F.
Max. Building Height:	2 Stories[3]	2 Stories[3]	2 Stories[3]	2 Stories[3]	3 Stories[4]	3 Stories[4]	3 Stories[4]
Maximum Lot Coverage	60%	65%	50%	60%	45%	45%	45%
Minimum Setbacks:							
Public Street	20Feet[6]	20Feet[6]	20Feet[6]	20Feet[6]	20Feet[8]	20Feet[8]	25 Feet[13]
Private Street[7]	15 Feet[6]	15 Feet[6]	15 Feet[6]	15 Feet[6]	15 Feet[8]	15 Feet[8]	25 Feet[12]
Side Yard	2 Feet	Zero or 10 Feet[9]	5 Feet	Zero[9]	10 Feet	Zero or 10 Feet[9,10]	10 Feet
Rear Yard	10 Feet[11]	10 Feet[11]	10 Feet[11]	10 Feet[11]	10 Feet[11]	20 Feet[11]	10 Feet
Water body	20 Feet[11]	20 Feet[11]	20 Feet[11]	20 Feet[11]	20 Feet[11]	20 Feet[11]	20 Feet or Zero Feet[12]
Minimum Building Separation	10 Feet	10 Feet	10 Feet	10 Feet	20 Feet[13]	20 Feet[13]	20 Feet[13]
Minimum Floor Area	900 S.F.	900 S.F.	900 S.F.	900 S.F.	750 S.F.	750 S.F.	700 S.F.[15]

Footnotes:

1	Per Unit
2	30 feet per unit
3	35 Feet
4	Pursuant to LDC Section 34-2173, th3 clock tower, which will not exceed 50 feet in height is exempt from height regulation
5	Project does not propose to have public streets.
6	Setback shall be reduced to 7.5' for side entry garages, front porches, and combination front porch/front entry garages
7	Setback is measured from the back of curb (if curbed) or edge of pavement (if not curbed).
8	Setback is measured from edge of pavement of road that serves the unit
9	Side yard setback shall be a minimum of zero (0') with a ten foot (10') separation between principal structures where not attached.
10	Units may share a common portico/arbor entryway structure. Accessory pool enclosure/screen lamia setback may be reduced to zero when attached to common privacy wall.
11	Accessory structures may be reduced to 0' where rear yard requirement for principal structures is 10' and 5' where rear yard requirement for principal structures is 20'.
12	Setback from a lake for all principal and accessory uses may be zero feet (0') provided architectural bank treatment is incorporated into the design (refer to bulkhead cross-section provided on Town Center Detail sheet).
13	Twenty feet of separation required by local fire code.
14	Patio Home is a detached or semi-detached unit for a single family with one (1) dwelling unit from ground to roof wherein each dwelling unit lot is enclosed by a wall located at the lot line, thus creating a private yard between the house and the wall.
15	Seven hundred (700') square gross feet floor area on the ground floor.

General Notes:

1. The Master Concept Plan depicts the projects general configuration for conceptual zoning review and approval. The final residential, recreational and town center uses, along with the project's open space, surface water management systems and other functional elements will be determined at the time of Development Order Permitting.
2. For any lot or parcel which is served by both a street and an alley, the lot line adjacent to the alley shall be treated as a rear lot line, and the setback shall be measured from the edge of the pavement. The alley easement shall be a

Words ~~struck through~~ are deleted; words underlined are added.

minimum of 20' wide, with 10' pavement. Common architectural features such as archways, arbors, and courtyard entry features shall be exempt from the minimum yard requirements listed above.

3. The subject parcel has been previously cleared for agricultural use and does not contain any indigenous native vegetation
4. Minimum lot areas for any unit type may be exceeded
5. Parking will be provided in accordance with LDC chapter 34, Division 26.
6. The subject property does not contain any historical or archaeological sites.
7. Public Transit is not presently available to the site. Should transit be extended down Bonita Beach Road to the project's entrance, a transit stop will be provided.
8. The unit counts shown above are conceptual and are not intended to limit or reduce the density for the individual development areas.
9. Service areas within the Town Center portion of the RPD will be provided in accordance with the LDC Section 34, Division 25.
10. For any lot or parcel served by both a street and an alley, the lot line adjacent to the ally shall be treated as a rear lot line and the setback shall be measured from the edge of the pavement. The alley easement shall be a minimum of twenty feet with ten feet of pavement. Common architectural features such as archways, arbors and courtyard entry features shall be exempt from the minimum yard requirements listed above.
11. Minimum lot areas for any unit type may be exceeded.
12. Prior to local development order approval:

    a. A minimum of 10 percent open space must be provided for each Development Tract (labeled on the MCP as Town Center; Model Home & Sales Center; Residential) except for those tracts consisting of residential lots not required to provide open space per LDC §10-415(a); and

    b. Where feasible, any Development Tract requiring open space will be designed so that the open space abuts the Open Space, Recreation & Lake Areas; and

13. The following conditions apply to the 150 foot wide native vegetation buffer located along the entire southern boundary of the project. Prior to local development order approval, a buffer planting plan must be submitted which consists of native vegetation that provides wildlife habitat and foraging opportunity, including but not limited to, South Florida slash pine, live oak, dahoon holly, wax myrtle, coco plum, and saw palmetto. The planting plan must include 50 three-gallon native trees and 150 three-gallon native shrubs per 100 linear foot section (10,000 square feet). Three 1-gallon native shrubs or native groundcover may be substituted for three-gallon native shrubs. The plantings must be mulched at the time of planting with a three inch depth of organic mulch (no cypress mulch). A temporary automatic surface irrigation system designed to conserve water must be utilized to insure the survival of the plantings. The irrigation system must be removed within one year of the issuance of a Certificate of Compliance unless drought conditions have prohibited the establishment of the vegetation. A meandering pedestrian pathway constructed of pervious materials (grass, mulch etc), may be installed within this buffer area, however it shall not be located any close than 50 feet to the southern property line (boundary with Collier County).
14. The Owner or his agent is entitled to continue bona fide agricultural uses already existing on the property. Any existing agricultural use must be discontinued upon the commencement of any site development activities, as the term in defined in the LDC, pursuant to a local development order for the individual tract or phase identified in the development order.
15. Right-of-way for CR 951

    a. The MCP provides 125 feet right-of-way along the western property boundary. This right-of-way alignment reflects the current planned extension of C.R. 951. The County, or City of Bonita Springs, agrees to accept the transfer of the title to the 125-foot-wide right-of-way strip and will grant road impact fee credits for 100 percent of the land value as valued on the day before the original zoning request is granted, provided the land transfer complies with LDC §2-275(3)b. [Nothing in this condition is intended to prevent Applicant and City of Bonita Springs and Lee County DOT from negotiating a narrower right-of-way once the final alignment of C.R. 951 has been established, provided the parties can agree on the provision and maintenance of stormwater facilities for the road's run-off.]

b. A full access point to C.R. 951, as depicted on the MCP in the southwest portion of the site, is not approved nor guaranteed as part of this rezoning. Any access point in this location will be determined once the alignment and median spacing is designed.

16. Prior to the issuance of any development order, the applicant must provide evidence that the property has access to central water and sewer, or that the extension of central water and sewer will coincide with the development of the property.
17. Bonita Beach Road improvements have been completed and accepted by Lee County.
18. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

EXHIBIT IV-H
SCHEDULE OF PROJECT DEVIATIONS AND JUSTIFICATION

DEVIATION # 1:

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

JUSTIFICATION:

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

DEVIATION # 2:

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

JUSTIFICATION:

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

DEVIATION # 3:

A request to deviate from LDC 10-296(Table 3) requirement for a 30' roadway easement to allow a 20' roadway easement for the one-way local streets. This deviation is requested in the Neo-Traditional neighborhood areas.

JUSTIFICATION:

The neo-traditional neighborhood design is unique in that it incorporates detached rear loading garages. Access to the garages is provided by the one-way alleys. These garages are separated from the principle dwelling by a patio/pool area. The Neo-Traditional units are a two-story, two-family attached townhouse product that will view towards the front yard. These units also include front porches.

These units allow the developer to provide greater product diversity. These units are the least expensive, from a sales price standpoint. This product type and alleyway width and configuration have been successfully constructed and maintained throughout Southwest Florida.

DEVIATION # 4:

A request to deviate from LDC 34-20134(a) requiring that parking lots be designed to permit exiting vehicles to enter a right-of-way or street easement in a forward motion, to allow parallel quest parking to be allowed on the roadways in the areas where the Neo-Traditional units are proposed. (See attached Diagram)

JUSTIFICATION:

These two-story, two-family attached townhouse "Neo-Traditional" products accentuate the front yards and promote the streetscape as a functional yard area. These parallel parking spaces are provided as visitor and guest parking for the units. Parking for residents is provided in the two-car garages and driveways which are included for each unit. This parking configuration and front yard character gives this product a more urban feel to the project.

These parking areas are used for guest parking only and these roadways are typically low-volume roadways since much of the traffic for this product type utilizes the rear alleys. This parallel parking alley configuration has been successfully constructed and developed in neo-traditional developments throughout Florida without incident of increased accidents or other safety considerations.

DEVIATION # 5:

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

JUSTIFICATION:

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

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

DEVIATION # 6:

A request to deviate from LDC Section 10-355(a)(1) requiring a 10-foot utility easement be provided on both sides of a road or access way, to allow a 5- foot utility easement adjacent to the 20-foot access streets for the Neo-Traditional product and adjacent to the 50-foot right-of-way. (See attached diagram.)

JUSTIFICATION:

The developer has identified the utility requirements to adequately serve this product and has requested this flexibility from typical code requirements in order to provide the required utility installation. In the case of the neo-traditional units, the units are unique in that water and sewer services are provided to the front of the units, and power, phone, and cable TV service is provided off the rear alleyways.

The five-foot (5') easement requested along the front of the unit adjacent to the fifty-foot (50') right-of-way is required to accommodate the setbacks requested for accessory structures. Since public utilities are not present through this corridor, specific easements are not necessary. However, five-foot (5') easements are provided in case there is a need for a transmission main to pass through the corridor. This easement is also granted to the water and sewer service provider to cover water meters and cleanout meters placed a few feet behind the sidewalk and outside the right-of-way.

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

DEVIATION # 7:

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

JUSTIFICATION:

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

DEVIATION # 8:

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

JUSTIFICATION:

This deviation is intended to apply primarily to public areas such as the Town Center. This deviation improves the development by allowing a more aesthetic, creative design of the development and by improving the golf course. Safety can be addressed by providing protection against wayward vehicles, or railings for pedestrian protection, where deemed appropriate. There is no impact to the public from this change.

DEVIATION # 9:

Deviation from LDC Section 10-256(d)(3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-and-one-half-inch (1.5") thick asphaltic concrete of FDOT type S-111 to allow sidewalks to be constructed of decorative pavers throughout the development.

JUSTIFICATION:

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

DEVIATION # 10:

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

JUSTIFICATION:

The project is designed as a gated community. A proliferation of access points is unnecessary and contrary to the intent of the project to provide a secure, safe environment for its residents. In addition, the subject property has little opportunity for additional access points at this point in time. An emergency access to Logan Boulevard Extension (potentially future 951/Collier Boulevard) is depicted on the Master Plan. The main access point will

be via Bonita Beach Road. There are no opportunities for interconnection or access from the south, and the project is bordered on the east by an existing approved project with no designated connection pints (unless the ultimate route of future 951 extension occurs on the east side of the project, in which case an emergency only access point may be necessary to the east.

DEVIATION # 11:

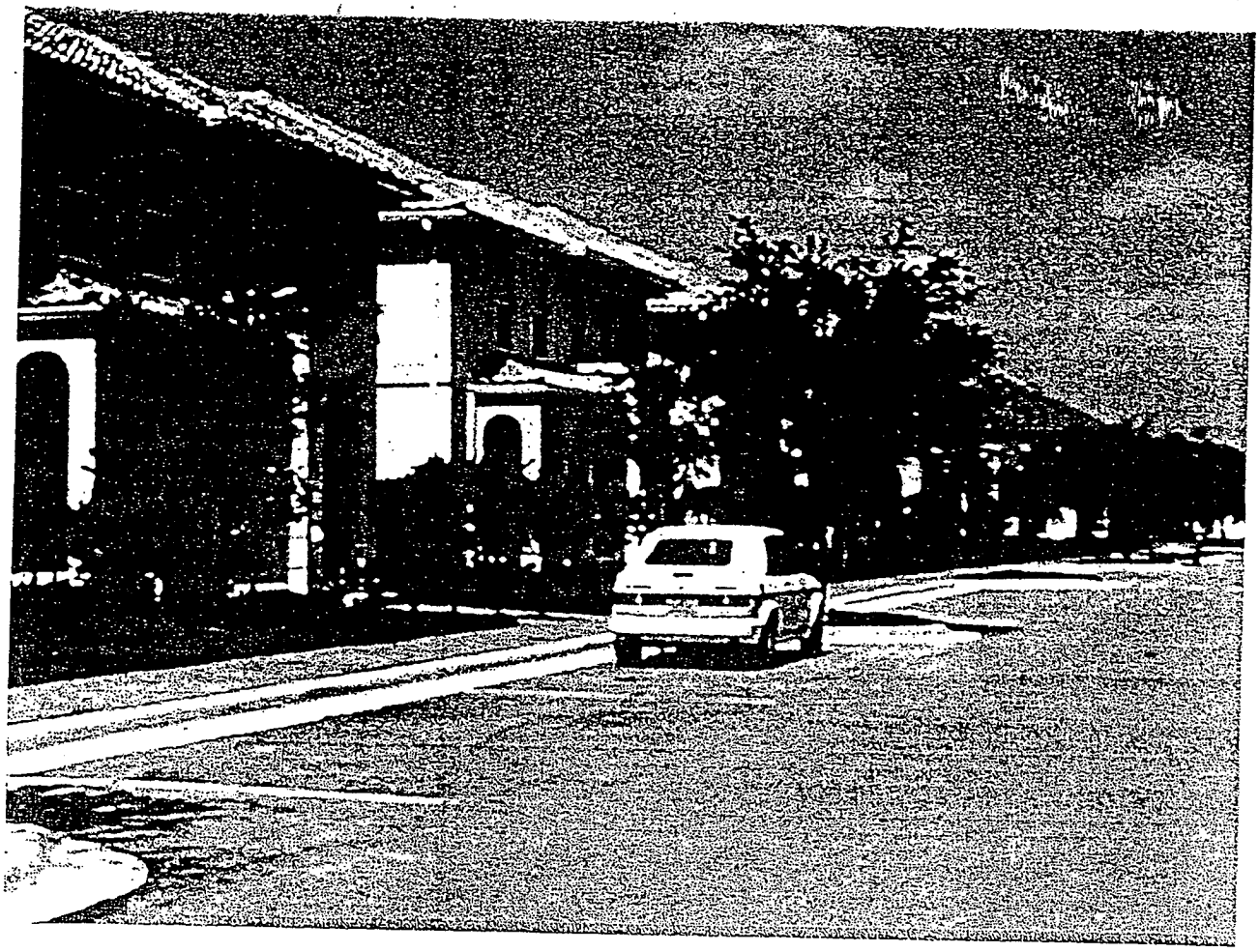
Deviation requesting relief from the LDC Section 10-329(e)(1)(a)) which requires excavations to be further than twenty-five feet from a local right-of-way or easement to allow lake setbacks from the project's internal roadways to be reduced to twenty feet, as measured from edge of pavement or back of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

JUSTIFICATION:

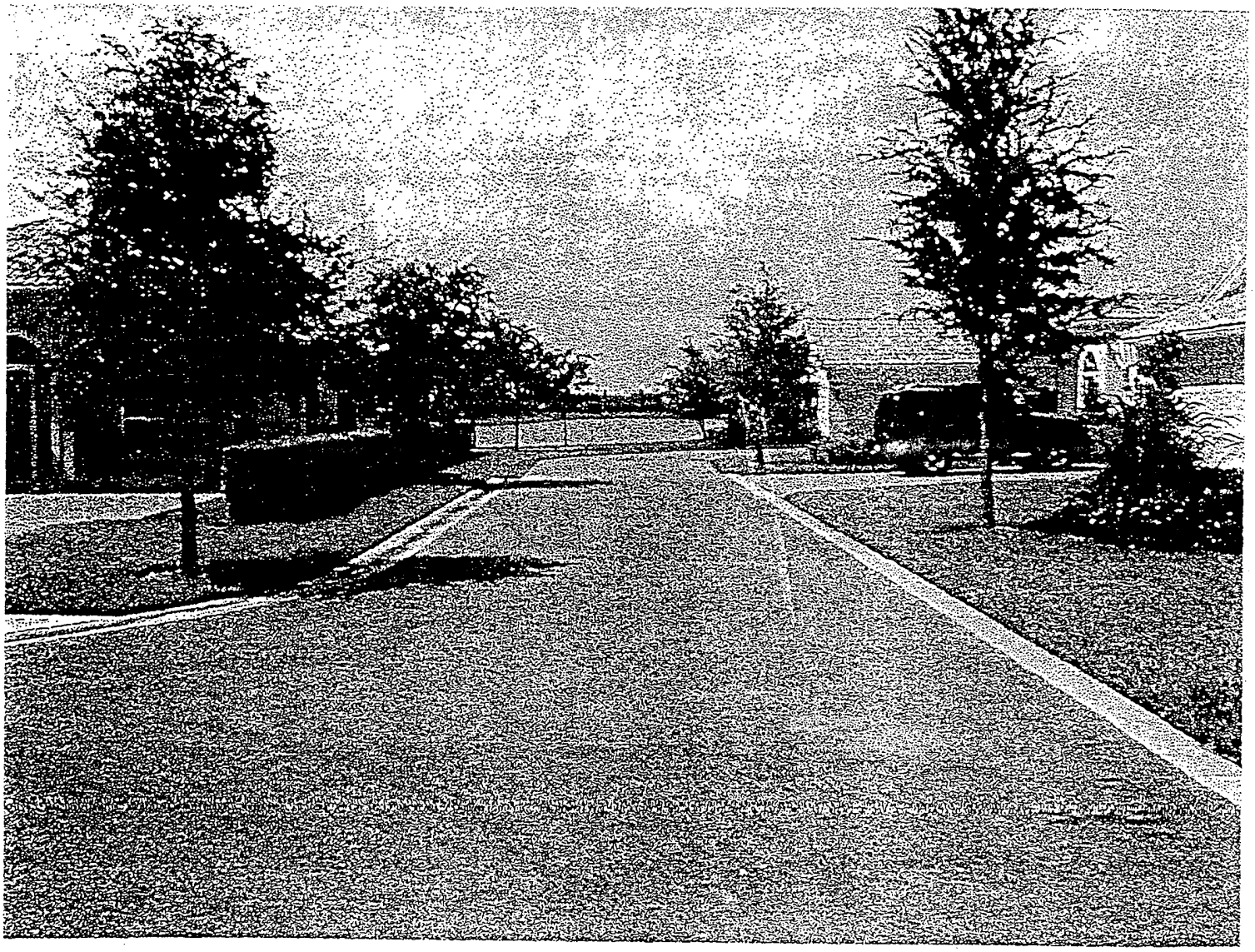
The change would primarily apply to several segments of the main loop roadway as seen on the Master Concept Plan, and along several minor internal rights-of-way. The developer agrees to provide protection for wayward vehicles wherever necessary in the form of non-mountable curbing. With the applicant's commitment to provide protective measures for wayward vehicles at the time of local development order approval, the lakes would be an asset to the area and the traveling public. Allowing lakes closer to an internal project roadway makes them more visible to the traveling public thereby enhancing the appearance of the community. Adding lakes and other water features to a project always enhances the project; usually these water features are located behind the residential uses available only to those who live on the lakes. Locating some of the lakes along the internal roadways allows the lakes to be available for view for all those driving on the project's roadways. Residential site design manuals encourage designers to be democratic and to give all of the project's residents the opportunity to enjoy the site's amenities. Moreover, the twenty-foot setback has been used in numerous projects throughout Southwest Florida with no deleterious results as it allows adequate space for maintenance, and, with the non-mountable curb, safety concerns are addressed.

With the safety concerns addressed through adequate elements for the protection of wayward vehicles, no negative impact to the public is anticipated. There is no impact to the public from the change.

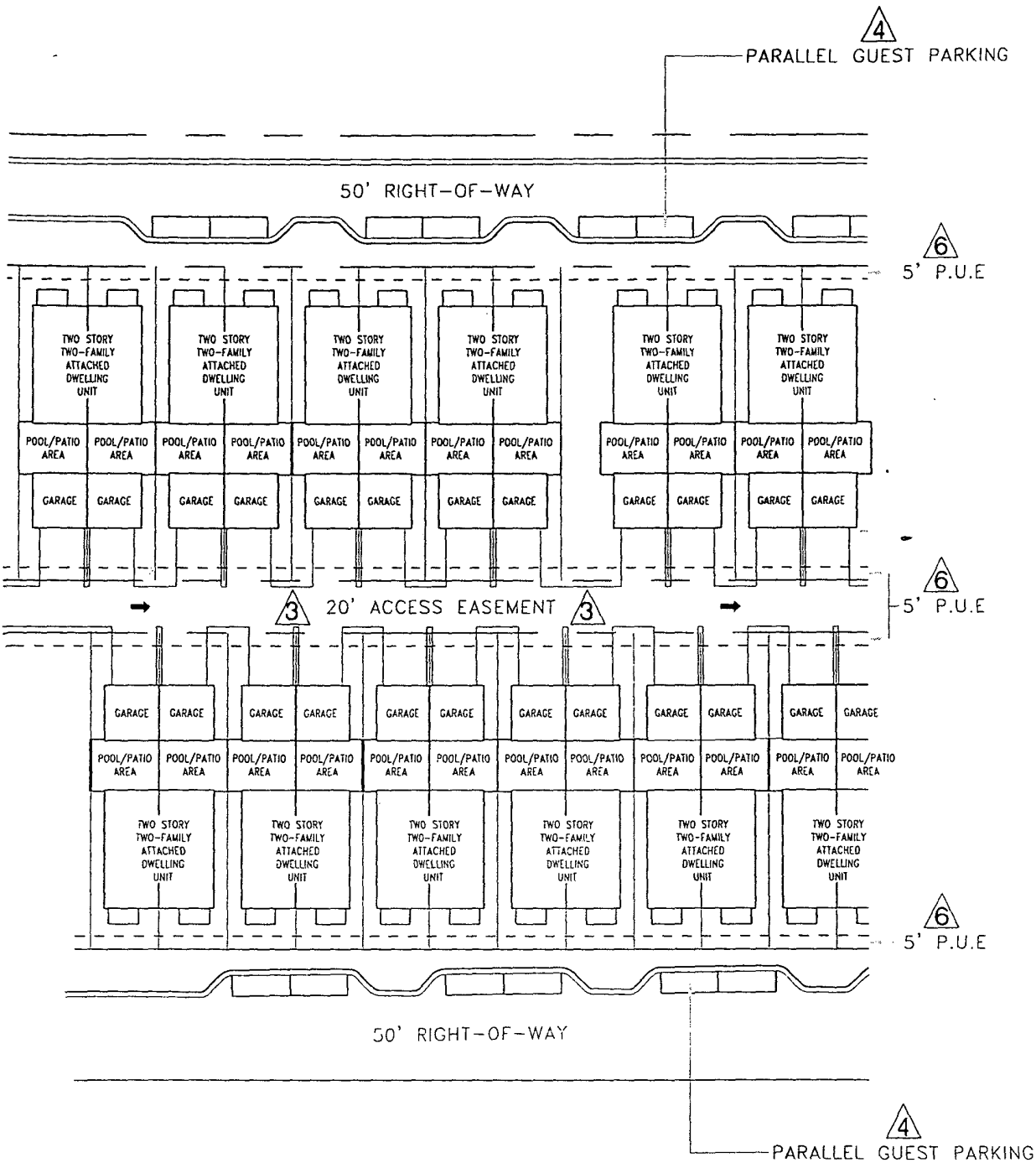
Deviation # 3: Rear Loaded Garage off of 20' Alley



Deviation # 4: Parallel Guest Parking



Deviation # 5: "Hammer-head" Cul-de-Sac



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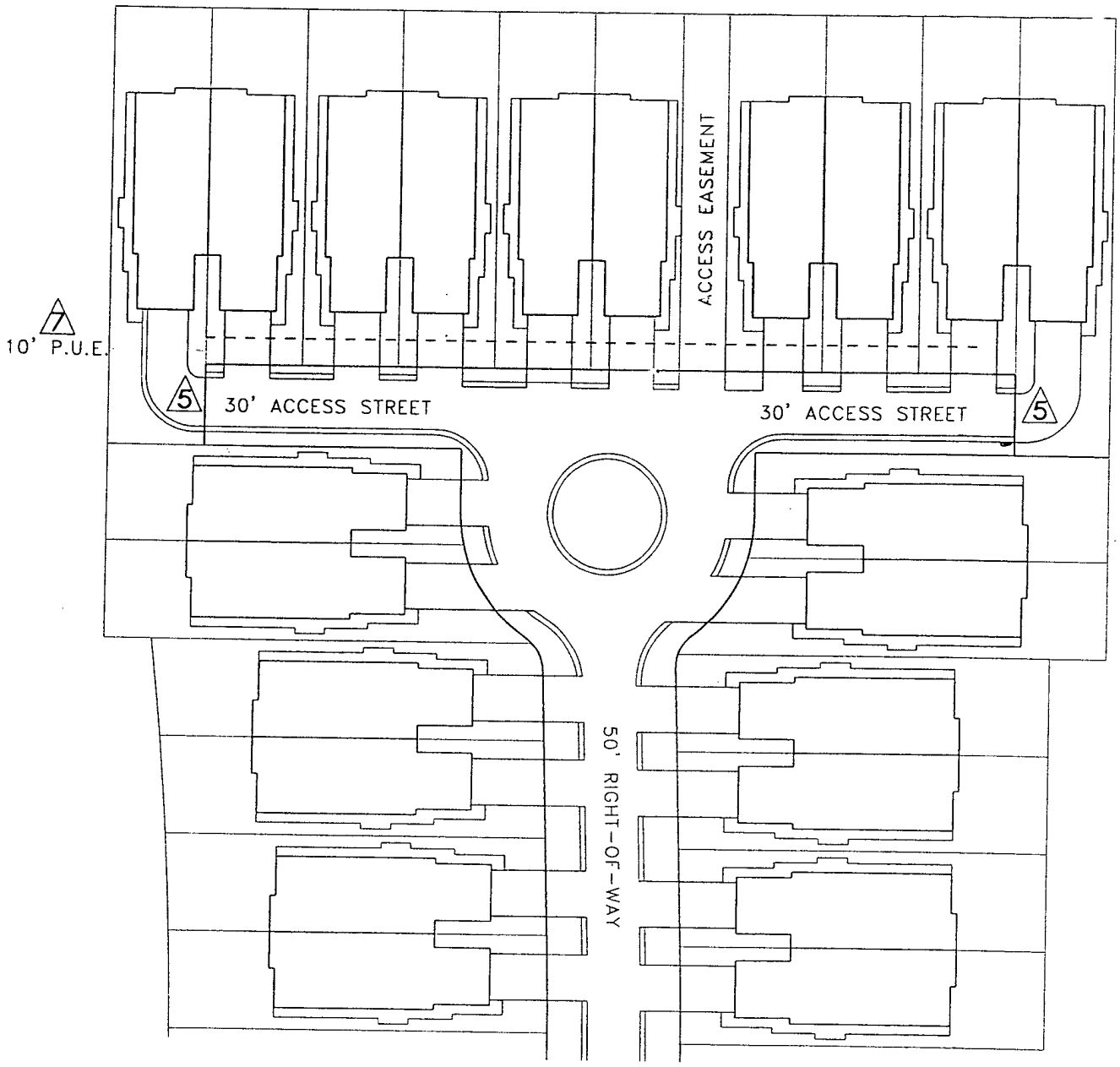
RWA CONSULTING INC.
Engineers, Surveyors & Mappers, Planners, Project Managers
3050 North Horseshoe Drive, Suite 270
Naples, Florida 34104
Phone: (239) 649-1509
FAX: (239) 649-7056

DATE: DEC., 2002	CLIENT: HORSESHOE DEVELOPMENTS, INC.
SCALE: 1"=60'	
DRAWN BY: P.A.I.	TITLE: LEE COUNTY SECTION 3 NEO-TRADITIONAL HOUSING
CHECKED BY: R.J.M.	
SEC: 3 TWP: 48S RGE: 25E	PROJECT NUMBER: 02-0091 / SHEET NUMBER: 1 OF 2 / FILE NUMBER: 20091X01



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SEC: 3 TWP: 48S RGE: 26E	

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TITLE: LEE COUNTY SECTION 3 HAMMER-HEAD CUL-DE-SAC

PROJECT NUMBER: 02-0091 | SHEET NUMBER: 2 OF 2 | FILE NUMBER: 20091X02

EXHIBIT III-C

TRAFFIC IMPACT STATEMENT

FOR

CORKSCREW GROWERS SECTION 3 RPD/CPD

IN THE

CITY OF BONITA SPRINGS

PROJECT NO. 021112

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

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December 11, 2002

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2. SCOPE OF PROJECT

3. EXISTING CONDITIONS

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7. CUMMULATIVE LEVEL OF SERVICE ANALYSIS

8. PROPORTIONATE SHARE ANALYSIS

9. CONCLUSION

10. APPENDIX

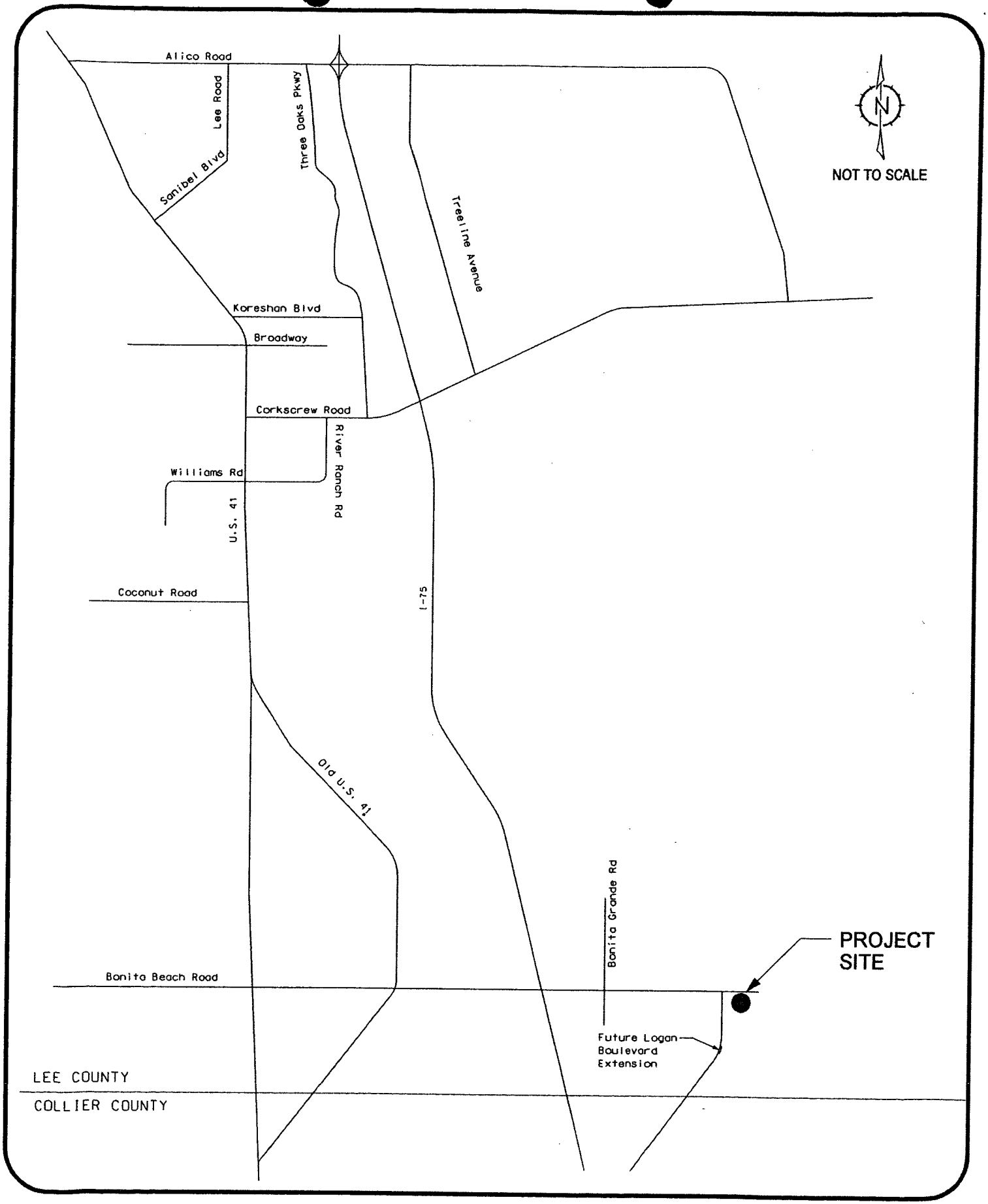
1. PURPOSE OF REPORT

The following report has been prepared in order to fulfill the requirements set forth by the City of Bonita Springs and the Lee County Department of Community Development for projects seeking approval for zoning. This report has been submitted in accordance to the criteria outlined in the Lee County Traffic Impact Statement Standards for zoning. More specifically, this report investigates the anticipated traffic characteristics of the proposed development in order to establish adverse off-site roadway impacts, if any, associated with the development of a residential community within Section 3, Township 48 South, Range 25 East on the south side of Bonita Beach Road, approximately three miles east of I-75 in the City of Bonita Springs, Florida.

2. SCOPE OF PROJECT

The site is located generally approximately 3 miles east of I-75 on the south side of Bonita Beach Road. The site extends south of Bonita Beach Road to the Lee/Collier County line. The property is an entire section, or approximately 649 acres. **Figure 1** depicts the site location and the roadways in the vicinity of the project's location. The site is currently zoned within the City to allow for up to 644 residential dwelling units and up to 45,000 square feet of commercial floor area on a 5 acre commercial tract located in the immediate northwest corner of the site.

The site is proposed to be re-zoned consistent with the future land use plan within the City of Bonita Springs to allow for the construction of approximately 1,999 residential dwelling units and internalize the commercial space to create a "town center" area to serve the residents of the project. The project will be developed as an integrated residential community with on-site amenities such as retail uses, convenience uses, financial institutions, etc. and other commercial uses witnin the "town center" that will encourage residents to stay within the community for a majority of the activities that occur on a daily basis. The exact breakdown of the approximately 1,999 residential dwelling units between single family and multi-family are unknown at this time. This project will be developed in similar fashion to other projects in Collier County. Access to the property is initially proposed via an access drive to Bonita Beach Road.



SITE LOCATION

FIGURE: 1

In order to establish off-site roadway impacts, this report will examine traffic conditions at the expected time of project completion. It is anticipated that the site will be at fully constructed by the year 2010.

3. EXISTING CONDITIONS

The site is currently vacant agricultural land. Adjacent uses include the Parklands Development of Regional Impact to the west and vacant property to the north, east and south. The Bonita Bay Group recently obtained zoning approval for approximately 1,158 residential dwelling units and ancillary retail uses to the east of the Section 3 parcel.

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

4. PROPOSED USES AND TRIP GENERATION

The Developer is planning on constructing a total of approximately 1,999 residential dwelling units on the approximately 649-acre property. The breakdown of units for this project is not known at this time. The project is also currently approved for approximately 45,000 square feet of commercial floor area. The commercial area will be reduced and internalized to the project and contain uses intended for the residents of this project, such as convenience markets, gas station, dry cleaners, banks, etc. These uses are intended to reduce the overall external impact on the roadways by containing the trips associated with these uses internal to the project. The uses identified on the Master Concept Plan will be within the gated community and will be utilized by the residents of this community only. These types of projects have been successfully developed in Collier County. Two such projects are Island Walk and Village Walk, both on Vanderbilt Beach Road near I-75 in Collier County.

As part of a third project being developed in Collier County, an independent trip generation study was completed by David Plummer & Associates to determine the trip generation for this type of project. The trip generation for both single family and multi-family dwelling units contained in the report published by the Institute of Transportation Engineer's (ITE), titled ***Trip Generation***, 6th Edition, does not accurately reflect the type of trip generation that is characteristic of this type of community. **Table 1** indicates the number of dwelling units proposed by the project as well as the internal retail floor area that is being requested with this application.

Table 1
Proposed Land Uses
Section 3

Use	Size
Residential Dwellings	1,999 Units
Commercial [1]	30,000 s.f.

[1] Commercial area internalized to the community in a Town Center

The trip generation study previously referenced was conducted in February 2002 at two communities in Collier County that have similar characteristics as the proposed Corkscrew Growers project. These communities include the Island Walk community on Vanderbilt Beach Road east of I-75 and the Village Walk community, located on Vanderbilt Beach Road, west of I-75. Each of these communities has a mixture of single family and multi-family dwelling units. The distinction between the two unit types is slight in these two communities, as they will be within the Corkscrew Growers project. Both single family and multi-family units in Island Walk and Village Walk have two-car garages and the size of the units vary with the difference in size between the single family and the multi-family units typically less than 800 square feet. Therefore, the trip generation study did not distinguish between single family units and multi-family units, rather a trip rate was developed based strictly on the total number of dwelling units.

The number of occupied dwelling units was determined prior to the actual surveys. Each community also has a "Town Center" within the boundary of the project that residents can access without traveling on the external roadways, similar to what is proposed in the Corkscrew

Growers project. Village Walk had approximately 850 occupied units at the time of the survey and an approximately 20,000 square foot town center that is completed. Island Walk has approximately 1,315 occupied dwelling units and a town center with approximately 23,000 square feet that is completed.

The trip generation study was reviewed and accepted by Collier County Transportation Planning staff and was used to determine the estimated trip generation of a similar community that is currently under construction in Collier County. A copy of relevant pages of the trip generation study prepared by David Plummer & Associates is contained in the Appendix of this report for reference.

Based on the trip generation study, the trip rates developed for this community are shown in **Table 2**. These trip rates are for the entire community, including the town center, which is anticipated to attract trips from within the project and not generate any external trips. **Table 3** then indicates the anticipated external trip generation based on the proposed 1,999 dwelling units based on the combined rate shown in Table 2.

Table 2
Trip Rates
Corkscrew Growers Section 3 Development
(Trips per Unit)

Period	Village Walk	Island Walk	Combined
Daily Trip Rate	4.76	4.21	4.42
A.M. Peak Hour Trip Rate	0.28	0.26	0.27
P.M. Peak Hour Trip Rate	0.37	0.32	0.34

Table 3
Trip Generation
Corkscrew Growers Section 3 Development

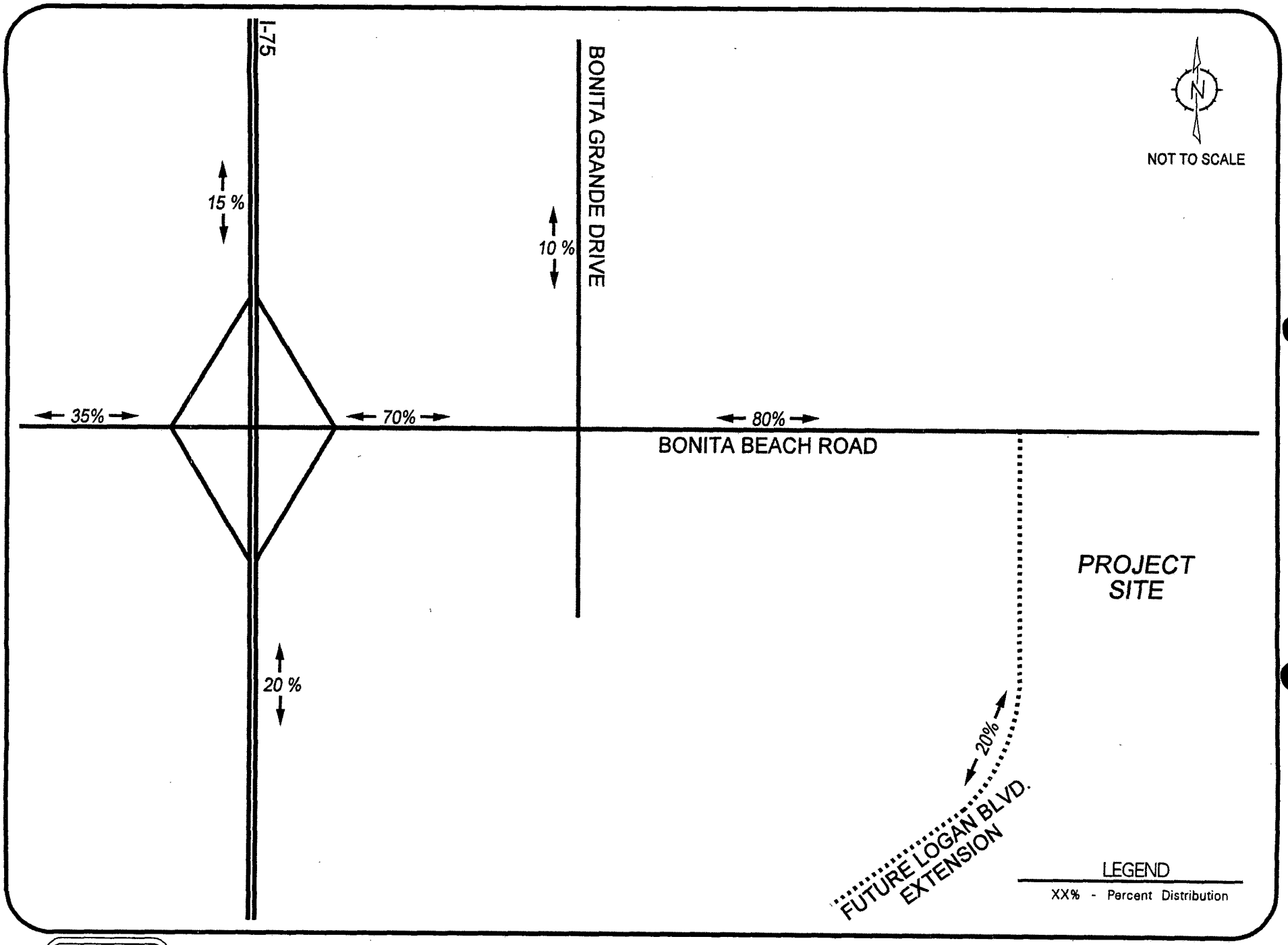
Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Dwelling Units 1,999 Units	140	400	540	420	260	680	8,835

5. TRIP DISTRIBUTION AND AREA OF INFLUENCE

Trips generated by the proposed development were assigned to the surrounding infrastructure based on the existing and planned traffic patterns for this area of Bonita Springs and Lee County. In addition, previous studies completed for the Bonita Beach Road RPD project and the Parklands project were referenced in determining the trip distribution.

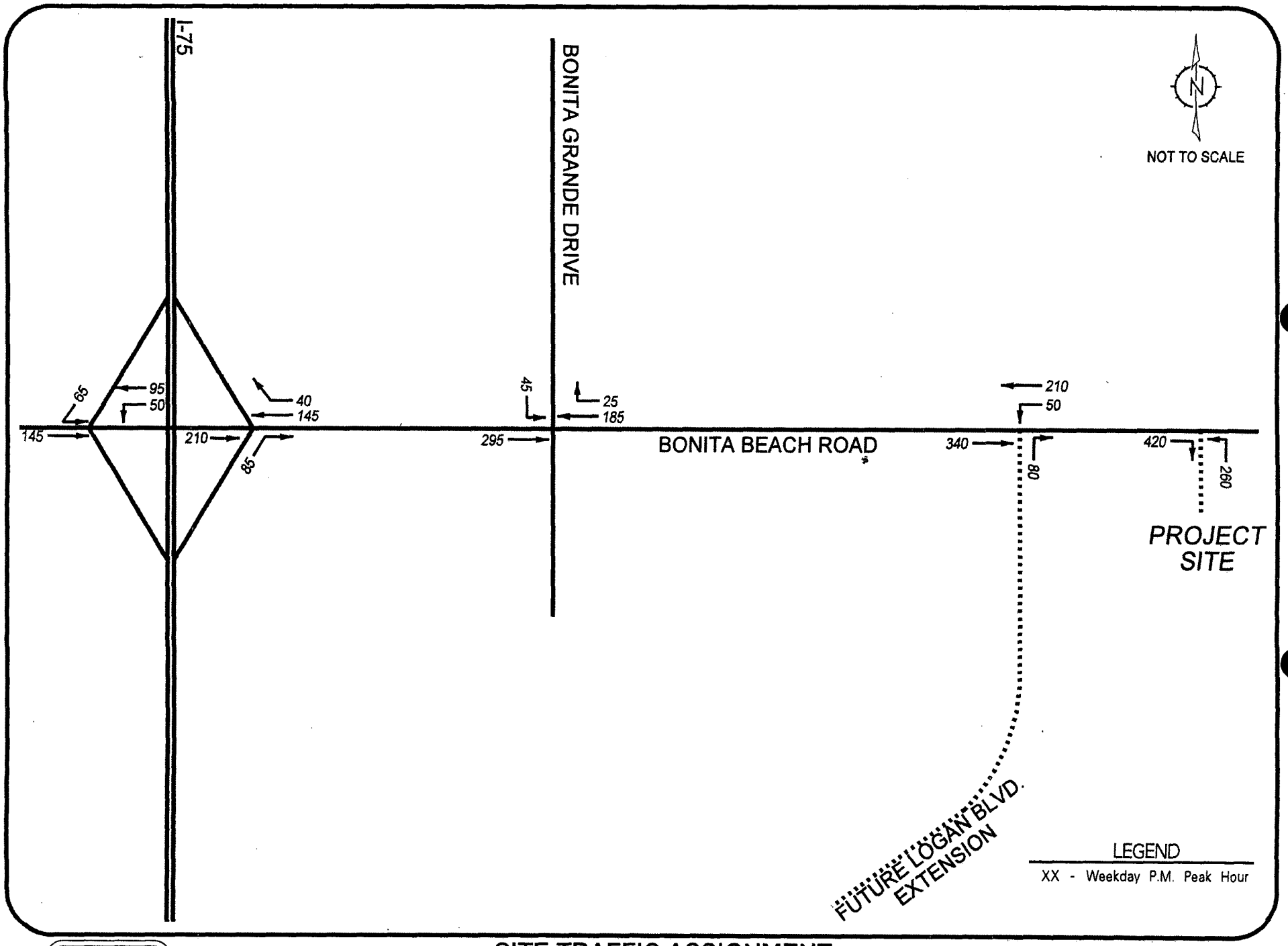
Figure 2 indicates the anticipated trip distribution patterns for the development. The trips shown in Table 3 were then assigned to the surrounding roadways based on the anticipated trip distribution shown on Figure 2. The assignment of the trips to the area roadway network is shown in **Figure 3** for the development.

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Generalized Peak Hour Directional Service Volume tables provided by the Lee County Department of Transportation.



PROJECT TRAFFIC DISTRIBUTION

FIGURE: 2



SITE TRAFFIC ASSIGNMENT
CORKSCREW GROWERS RDD/CPD

FIGURE: 3

6. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2010. Based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links and intersections that will be significantly impacted by this development. The existing roadway link traffic data was obtained from the 2001 Lee County Traffic Count Report. Based on the project distribution shown in Figure 3, the link data was analyzed for the existing conditions, year 2010 without the development and year 2010 with the development. **Table 2A** in the Appendix of this report indicates the projected 2010 traffic volumes with and without the Corkscrew Growers project.

As can be seen from Table 2A, the Level of Service on the significantly impacted links will not change due solely to the development of the 1,999 residential units proposed on the Corkscrew Growers property. The projected Level of Service on Bonita Beach Road east of I-75 will remain at LOS "B" once the project is completed in 2010.

Recent re-zonings in the area east of Bonita Grande Drive could significantly increase the residential density in this area. Therefore, Metro conducted a Level of Service analysis for the 2010 conditions that includes project traffic from these large residential communities that have been recently approved. These projects include the Bonita Beach Road RPD project, located in Sections 1 and 2 east of the Corkscrew Growers project, the Parklands DRI within Lee County, which is the east half of Section 4, and the Parklands West DRI which is the west half of Section 4, west of the Corkscrew Growers project. Metro referenced the traffic impact studies and Question 21 analyses conducted for each project to determine the external trip generation approved for each site at build-out. It should be noted that for the 2010 analysis, each project was assumed to be 100% completed. The Bonita Beach Road RPD TIS indicates that project will be completed in 2010. The Parklands West (Palmira) project is under construction and is anticipated to be completed by 2010 and the Parklands – Lee project is currently in the process of applying for an NOPC, followed by a Development Order for the first phase and is also anticipated to be completed by 2010.

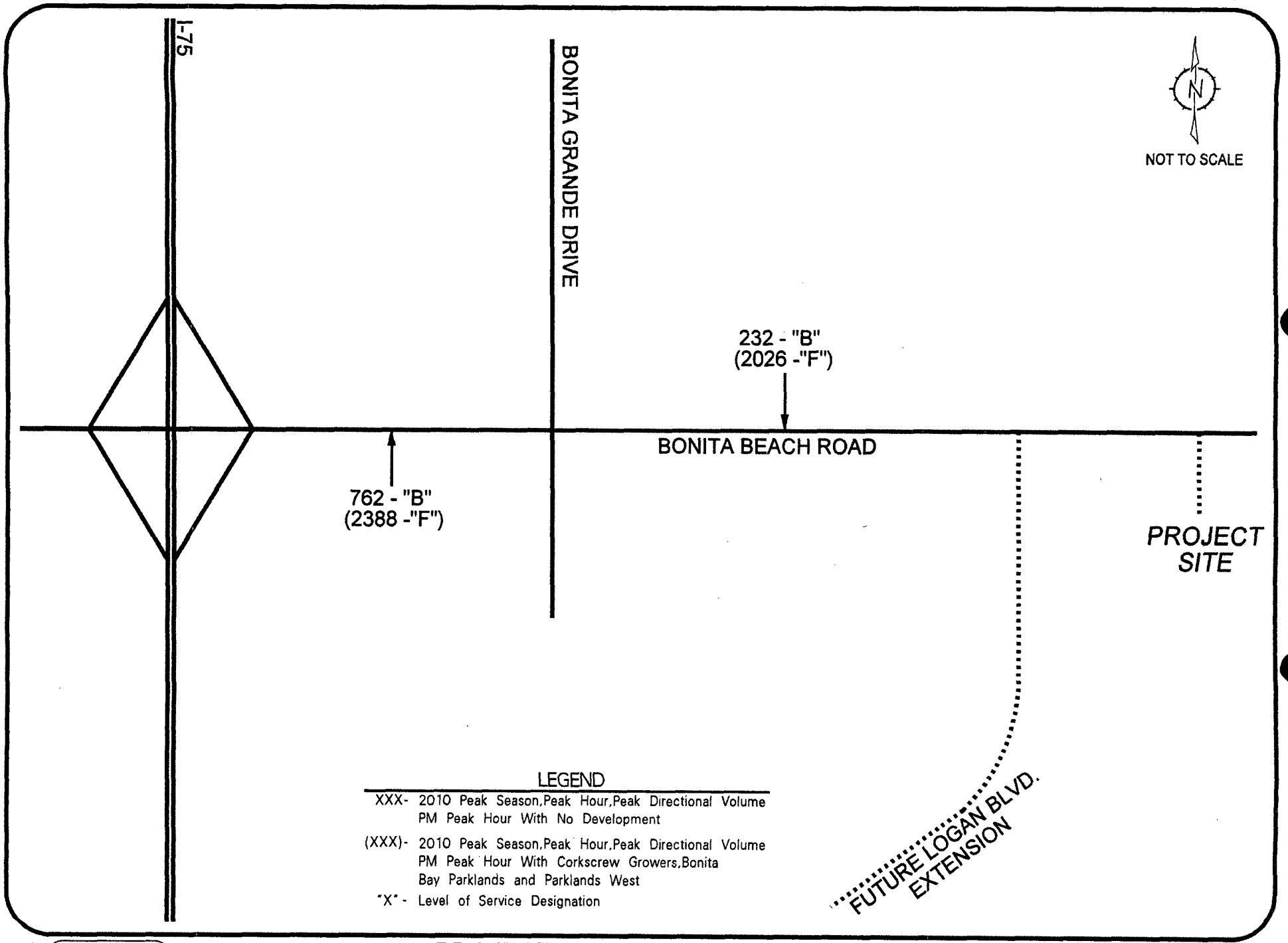
Table 4 indicates the additional trips added to the roadway network for each of these developments based on traffic impact studies prepared for each of the projects. Since the Bonita Beach Road RPD TIS only analyzed the weekday P.M. peak hour and the fact that the weekday P.M. peak hour is the highest traffic generating period for these projects, only the weekday P.M. peak hour was analyzed for the remainder of this report.

Table 4
Other Project Traffic

Project	Weekday P.M. Peak Hour		
	In	Out	Total
Bonita Beach Road RPD	483	241	724
Parklands (Lee)	810	407	1,217
Parklands West	610	310	920
Total	1,903	958	2,861

It should be noted that with the construction of Parklands (Lee County portion) and the Parklands DRI in Collier County, a new north/south collector road will be constructed that connects Bonita Beach Road and Immokalee Road. This road, commonly referred to as the Logan Boulevard extension, will be a two lane collector roadway with only limited residential community access drives that will extend the approximately four miles to connect Bonita Beach Road and Immokalee Road. This will be the only north/south roadway in the short term that will connect these two roads east of I-75 until the CR 951 extension is completed. Based on agreements currently under negotiation with Collier County, this road must be built by 2009 for it's entire length and was therefore considered as a completed project for the 2010 analysis.

Figure 4 indicates the year 2010 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area that are significantly impacted. Noted on Figure 4 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday P.M. peak hour with the Corkscrew Growers development traffic as well as the traffic from the projects identified in Table 4 added to the roadways. These figures are derived from **Table 3A** contained in the Appendix.



METRO

PROJECTED 2010 LEVEL OF SERVICE
CORKSCREW GROWERS RDD/CPD

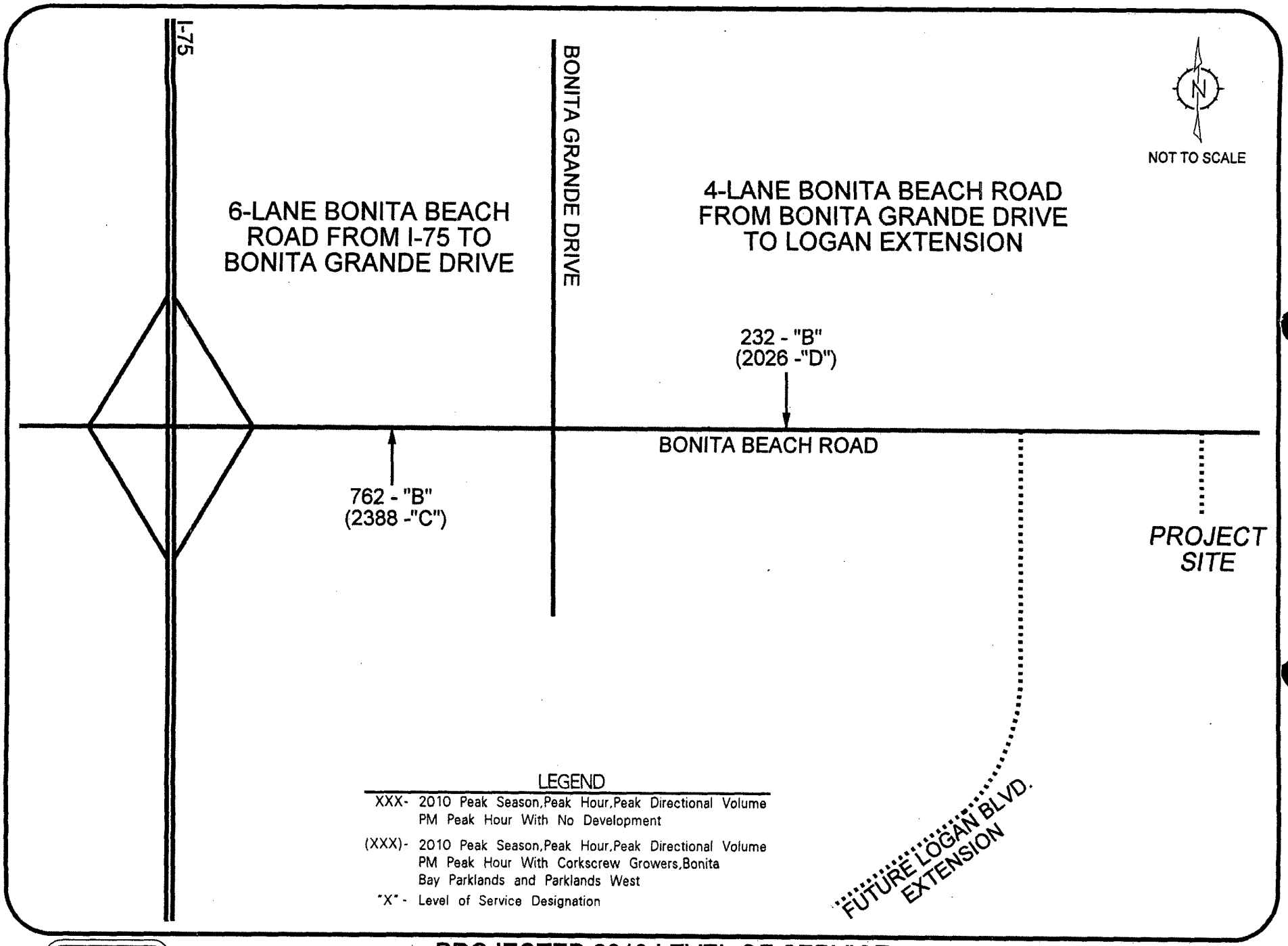
FIGURE: 4

7. CUMMULATIVE LEVEL OF SERVICE ANALYSIS

As can be seen from Figure 4, with all of the projects analyzed cumulatively, the segments of Bonita Beach Road east of I-75 will experience a poor Level of Service. As previously noted, with only the traffic from the Corkscrew Growers parcel, these segments of Bonita Beach Road will operate at a satisfactory Level of Service in 2010 based on the existing lanes. As a result of the cumulative analysis, Bonita Beach Road will need to be widened to a six-lane cross section between I-75 and Bonita Grande Drive and to a four-lane cross section between Bonita Grande Drive and Logan Boulevard by the time all of the projects reach build-out conditions as analyzed.

Although not significantly impacted by the Corkscrew Growers project, Table 3A also shows a high volume of traffic on Bonita Beach Road between Imperial Street and I-75. This is caused by the high growth rate utilized based on historical count data. It is likely that this section of Bonita Beach Road will not sustain a 10% a year growth rate for the next eight years. Reducing the growth rate down to the area average (approximately 4%) would result in a much lower background traffic volume for 2010 and an acceptable Level of Service on this six-lane segment of Bonita Beach Road when all four projects are completed.

Figure 5 indicates the projected 2010 Level of Service volume with the widening of Bonita Beach Road east of I-75. As can be seen from this figure, a six-lane road between I-75 and Bonita Grande Drive and a four-lane road between Bonita Grande Drive and the Logan Boulevard extension will accommodate the full development of the Parklands and Parklands West DRI's, the Corkscrew Growers site as proposed and the Bonita Beach Road RPD project.



PROJECTED 2010 LEVEL OF SERVICE WITH IMPROVEMENTS

FIGURE: 5

8. PROPORTIONATE SHARE ANALYSIS

Conducting a proportionate share analysis consistent with Administrative Code 13-16, the anticipated impact fee generation from the Corkscrew Growers project exceeds the amount of proportionate share payment that would be required to offset the costs of widening Bonita Beach Road as described above. The proportionate share calculations are contained in the Appendix of the report for reference. Based on an assumption of a 60%/40% split between single family and multi-family units for the Corkscrew Growers site, the road impact fee generation just for the residential community would be approximately $4,369,474. The proportionate share payment for widening Bonita Beach Road from I-75 to Logan Boulevard would be approximately $1,255,890. As previously stated, the poor Level of Service on Bonita Beach Road is not a direct result of the proposed 1,999 dwelling units on the Corkscrew Growers site but rather as a result of the development of over 5,700 residential dwelling units in four sections of land located east of Bonita Grande Drive north of the Lee County line.

The anticipated impact fees generated by the residential portion of the Bonita Beach Road RPD project will be in excess of $2,632,000 should the project be built as approved. This also would cover the proportionate share of widening Bonita Beach Road caused by that project. In total, just from the two non-DRI projects located east of Bonita Grande Drive (Bonita Beach Road RPD and Corkscrew Growers), over $7 Million in roadway impact fees will be generated just from the residential portion of the projects. This does not include the fees being collected from the two DRI projects (Parklands – Lee and Parklands West). Proportionate share analyses for these two projects identified that the impact fees collected would be sufficient to offset the impacts these two DRI projects would have on the roadway system.

9. CONCLUSION

Based on the generalized service volumes for peak hour, peak direction, the roadway segments that are significantly impacted by the proposed re-zoning of the Corkscrew Growers Section 3 project will not be adversely impacted solely by the development. A cumulative analysis of the impacted links indicates that Bonita Beach Road between I-75 and Bonita Grande Drive will need to be widened to a six-lane roadway by the time the four analyzed projects reach build-out. Bonita Beach Road between Bonita Grande Drive and the Logan Boulevard extension will need to be a four-lane roadway to accommodate the traffic demand from all four projects.

Based on a proportionate share analysis, the improvements necessary to accommodate all four development projects can be accommodated with the payment of impact fees from the two non-DRI projects (Corkscrew Growers and Bonita Beach Road RPD). Right-of-way currently exists on Bonita Beach Road sufficient to accommodate the four-lane section from Bonita Grande Drive to the Logan Boulevard extension.

The proposed development of the Corkscrew Growers Section Three RPD/CPD, will be consistent with the two communities in which a trip generation study was conducted by David Plummer & Associates. The two communities surveyed, Island Walk and Village Walk, both in Collier County approximately six miles from the Corkscrew Growers site, each portray characteristics that will be developed within the proposed Corkscrew Growers project. Each has and will have a town center to attract residents internally to conduct shopping and business and other recreational amenities to keep the residents on-site rather than having to travel off-site. Each community is and will be designed to promote walking rather than driving, with a network of sidewalks and walking paths connecting each neighborhood to the town center. This concept, commonly referred to as "neo-traditional", de-emphasizes the use of the automobile in everyday life. The two trip generation studies indicate that communities such as Island Walk, Village Walk and the future Corkscrew Growers community do not generate the same amount of external vehicle trips that the Institute of Transportation Engineer's report indicates for single and multi-family residential units.

Specific intersection improvements include the addition of turn lanes at the Bonita Grande Drive intersection and turn lanes at the site access drive/Bonita Beach Road intersection. Further refinement of the turn lanes and storage lengths will be determined at local Development Order stage.

K:/2002/11/12/report.12.3.02

STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING: ENVIRONMENTAL SCIENCES

Date: April 15, 2003

To: Alvin "Chip" Block, Principal Planner
From: Kim Trebatoski, Principal Environmental Planner

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

The Division of Environmental Sciences (ES) staff have reviewed the above referenced project and conducted a site inspection.

Vegetation:

The site is currently utilized for agricultural purposes (cultivated crops). The property does not contain any native plant communities.

Open Space:
The Land Development Codes sets forth open space requirements for planned developments in Sections 34-935, 34-411, 34-414, 34-695 and 10-415. The 15 acre commercial tract must provide a minimum of 30% or 4.5 acres open space.

The applicant proposes lot coverage which exceeds the 45% maximum lot coverage for single family and two family attached dwelling units considered in Section 34-695 of the Land Development Code for open space calculations. The increased lot coverage and small lot sizes will result in minimal open space left on each lot. Therefore, forty percent open space is required for the entire residential component of the project. The 633.8 acre residential tracts requiring open space must provide a minimum of 40% or 253.5 acres common open space. The common open space may be reduced to 30% or 190.1 acres if the remaining 63.4 acres is provided as private open space for dwelling units with direct ground floor access.

The open space may be met on the project as a whole, provided each tract contains a minimum of 10% open space. Additionally, up to 25% or 64.5 acres of the open space requirement may be provided as lakes.

ES staff recommend the following condition to insure the open space requirements are met:

Prior to local development order approval, the development order plans must delineate 258 acres of open space as follows:

- ***253.5 acres common open space; or***
- ***190.1 acres common open space and 63.4 acres private open space for dwelling units with direct ground floor access***

The 258 acres of required open space may be met on the project as a whole, provided each tract contains a minimum of 10% open space.

Surface Water Management Lake:

The proposed development consists of one lake with canal-like branches. This design allows all residential lots to have water front.

ES staff raised concern during the review process that the proposed lake design does not meet the intent of LDC Section 10-418 which requires surface water management lakes to mimic natural systems. The applicant believes that the when constructed the lakes will mimic a natural system by providing sinuous shorelines and littoral zones planted with native wetland vegetation. The applicant offered to install the littoral plants along common open space areas and provide more plants than required by the LDC.

ES staff also raised concern over the long term water quality due to the canal-like lake design and the amount of shoreline which will be adjacent to managed lawns. The applicant does not believe there will be long term water quality issues.

The surface water management system must meet the South Florida Water Management District's criteria for water quality and storage volume. ES staff discussed the proposed project with SFWMD staff during an interagency meeting. SFWMD staff stated that if the water quality and storm water storage requirements are met, the proposed plan would be able to be approved by the SFWMD. Project designs meeting the criteria of the SFWMD are not required through the State permitting process to monitor water quality within the project or at project outfalls. It is assumed the design will maintain appropriate water quality.

ES staff conferred with Natural Resources staff regarding the lake design and water quality. Natural Resources staff is also concerned with the long term water quality. After a lengthy discussion on how to insure water quality in perpetuity, it was determined that recommending a condition requiring the developer to obtain a Phase 1 National Pollutant Discharge Elimination System (NPDES) permit with the City as co-applicant provides the safe guard necessary to protect the receiving waters from pollutants.

Additionally, this project is located in an area that is transitional between suburban development and

preservation areas. There is a residential development to the west, a major slough system preserved to the south, the SFWMD acquisition area to the north, and a low density residential development with enhanced landscaping, habitat and flow-way requirements to the east. Therefore, it is important for this development to provide some native habitat areas. The applicant has committed to planting a 100-foot wide native habitat area along the south property line. An enhanced lake shoreline plan would provide wood stork and wading bird habitat, as well as, reducing the amount of water directly discharged into the lake system over managed turfgrass.

ES staff recommend the following conditions to insure the surface water management system will mimic a natural system and maintain long term water quality through a lake shoreline management plan and water quality monitoring:

Prior to local development order approval:

- ***The surface water management system must be designed to mimic natural lakes with sinuous shorelines and vegetated littoral zones; and***

- ***The landscape plans must include a littoral planting plan which delineates the planting areas along common open space. The design must include expanded littoral shelves and clustering of plantings to create marsh areas; and***

- ***The littoral zone must be planted with native wetland vegetation calculated as four plants per linear foot of lake shoreline. Fifty percent of the required littoral plantings must be provided as native wetland trees (e.g. red maple; cypress; pond apple; pop ash; elm) with one 10-foot or two 5-foot or three 3-foot trees being equivalent to ten herbaceous plants; and***

- ***A minimum of fifty percent of the common open space adjacent to the lakes must be planted as native upland habitat islands integrated with the littoral plantings. The habitat islands must be mulched and irrigated to insure the establishment of the vegetation; and***

- ***No more than fifty percent of the common open space area may consist of turfgrass; and***

- ***Lake shorelines must be designed to include perimeter berm 12-inches high and 36-inches wide where residential tracts abut any lake.***

Prior to local development order approval, a Phase 1 NPDES permit must be obtained with the City of Bonita Springs as a co-applicant to insure long term water quality monitoring and maintenance.

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (239) 334-1102

JEANNE S. DOZIER
CHAIRMAN • DISTRICT 2

ELINOR C. SCRICCA, PH.D.
VICE CHAIRMAN • DISTRICT 5

ROBERT D. CHILMONIK
DISTRICT 1

JANE E. KUCKEL, PH.D.
DISTRICT 3

STEVEN K. TEUBER
DISTRICT 4

JOHN W. SANDERS, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

March 3, 2003

Mr. Chip Block
Lee County Development Services Division
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Corkscrew Growers Section Three RPD, DCI Substantive Review, Case # 2003-00005

Dear Chip:

Thank you for the opportunity to review Corkscrew Growers Section Three RPD DCI for substantive comments with regard to educational impacts. This proposed development is in the South Region of the District, at the Lee County/Collier County line. Based on the proposed maximum total of 1,999 residential dwelling units, the Lee County School District is estimating that the proposal could generate up to 619 additional school-aged children. This uses a generation rate of .31 students generated in the South region of Lee County. This would create the need for approximately 25 new classrooms in the system, as well as additional staff and core facilities. Using the new small classroom legislative guidelines, additional classrooms may be generated.

The schools in this region that would serve this development are operating at or above permanent student capacity levels. Those schools that exceed permanent student capacity levels are operating through the use of portable classroom buildings. The growth generated by this development will require either the addition of permanent student and auxiliary space or the placement of portable buildings. Either action imposes a fiscal impact on the District that should be mitigated by the applicant.

The Lee County Board of County Commissioners adopted a School Impact Fee Ordinance on November 27, 2001, effective at this time. As such, the Corkscrew Growers developers will be expected to pay the impact fee at the appropriate time, thereby meeting their fiscal obligations noted above. A previous telephone conversation Lee County School District staff had with the applicant's attorney, Mr. Russell Schropp, confirmed this resolution of the school impact matter for Corkscrew Grower's.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call.

Sincerely,

Stephanie Keyes

Stephanie Keyes, Facilities Planner
Department of Construction and Planning

cc: Tyler F. Patak, NCARB, Director

ATTACHMENT E

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Chip Block
Development Services

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

Date: April 16, 2003

Re: **Corkscrew Growers Section Three RPD/CPD**
Bonita Springs DCI2003-00005

LCDOT staff has reviewed the Application for Public Hearing for this case. The request increases the number of approved residential units from 644 to 1,999 and maintains the previous approval of 45,000 square feet of commercial area. We have the following comments on the rezoning:

The project has one mile of frontage on Bonita Beach Road east of the existing end of pavement. The developer has previously committed provide an extension of Bonita Beach Road as a site-related improvement. The developer has previously committed to a 125 feet wide right of way reservation along the western boundary of the project for a possible extension of C.R. 951. This when combined with the 75 feet wide reservation provides a 200 feet wide corridor. The Master Concept Plan indicates two proposed entrances. The primary entrance is approximately 3,500 feet east of the right of way reservation. A second entrance labeled "emergency ingress/egress" is identified along the right of way reservation approximately 1,250 feet south of Bonita Beach Road.

The Traffic Impact Statement (TIS) dated December 11, 2002 by the applicant's consultant, Metro Transportation Group, identified some potential level of service problems on Bonita Beach Road and I-75. The TIS also included a cumulative analysis of Palmira (Parklands West Development of Regional Impact), Parklands DRI, the subject project and Bonita Beach Road RPD. The cumulative analysis identifies additional potential level of service problems on Bonita Beach Road.

The analysis results are largely dependent on three factors. The first is the rate of increase of non-project traffic on the roadway. The second factor is what is commonly referred to as capacity but in practice, the maximum service volume of the roadway at the adopted level of service. The third factor is the project trip generation. A fourth factor not included in (and also not required for) the study is the

effect of new roadways constructed outside the study area or not currently funded for construction within three years.

The TIS projected the increase on non-project, or background, traffic on future roadway segment volumes on Bonita Beach Road based on use of the historical growth rates in the 2001 Lee County Traffic Report. The 2002 Traffic Count Report data was not available at the time of the study. The applied growth rate on Bonita Beach Road varied between 0 to 10.5%. In the TIS, the background traffic was increased by the historical growth rates to the buildout year for the projects of 2010.

The calculation of the maximum service volume at a level of service for a specific roadway segment is performed based on methods in the Highway Capacity Manual, the Florida Department of Transportation Level of Service Manual and software provided. The calculated service volume results from a number of factors primarily the roadway, traffic and signal characteristics. Lee County DOT has developed a generalized service volume for various roadway types based on local average characteristics of Lee County roadways. Consistent with accepted practice, this generalized service volume was used in the Zoning TIS in Table 1A.

The project trip generation was based on two projects in Collier County rather than the Institute of Transportation Engineers publication *Trip Generation*, 6th edition. Typically, the land use codes (LUC) for single-family, residential condominiums and shopping center would be utilized for this type of zoning request. The two projects in Collier County, Island Walk and Village Walk, are stated in the TIS to be "similar to what is proposed in the Corkscrew Growers project". A comparison of the trip generation per unit follows:

	Village Walk/Island Walk average per unit	Single-family (ITE LUC 210)	Residential condominium (ITE LUC 230)
Daily trip ends	4.42	9.57	5.86
A.M. trip ends	0.27	0.75	0.44
P.M. trip ends	0.34	1.01	0.54

The average trip generation for the two projects in Collier County are well below the data identified in *Trip Generation*. While there would be significant internal capture from locating commercial development in the project interior and it is possible that the subject project could yield similar trip generation to the Collier County projects, the resulting external trip generation may be very different. Use of the ITE trip generation rates would provide a more conservative estimate of project traffic.

The existing roadway network was used for the analysis with the 6-laning of Bonita Beach Road from I-75 to Imperial Street identified as a committed improvement. The TIS identifies the total volume in 2010 exceeding the generalized service volume on Bonita Beach Road from Vanderbilt Drive to Bonita Grande Drive, except for the segment between U.S. 41 and Old 41. The service volumes in Table 1A are exceeded by estimated volumes in Table 2A on Bonita Beach Road west of I-75, east of Vanderbilt Drive, and east of Old 41. In addition, the cumulative analysis in Table 3A estimates total volumes exceeding service volumes east of I-75 and east of Bonita Grande Drive. Similarly the service volumes for LOS "C" on I-75 are exceeded. It would appear that based on the TIS, these segments are projected to operate at LOS "F" in the year 2010 with these projects and without

improvements. Only the segments of Bonita Beach Road east of I-75 are identified in the TIS as significantly impacted, defined in AC-13-17 as 10 percent or more of the adopted LOS "C". A more conservative trip generation estimate may result in the significant impacts extending further west on Bonita Beach Road.

The analysis did not include other north-south improvements to the transportation network that will influence the traffic volume on Bonita Beach Road. These include US 41 6-laning, Livingston Road/Imperial Street/Three Oaks Parkway 4-laning, and I-75 6-laning. US 41 6-laning, Livingston Road 4-laning are under construction and scheduled for completion in the next two years. Imperial Street 4-laning, Three Oaks Parkway 4-laning, and I-75 6-laning are under design and scheduled to be completed prior to the 2010 analysis year of the TIS. The Logan Boulevard extension is a Collier County project that the Parklands Development of Regional Impact project is required to build to provide a connection from Immokalee Road to Bonita Beach Road, however, there is not a date certain required for completion.

The evaluation of potential alignments for County Road 951 from Immokalee Road in Collier County to Alico Road is being addressed through a PD&E process. The Corkscrew Growers Section Three project is within the PD&E corridor study area. The roadway is evaluated to be a toll road or an expressway. It is likely that direct access will be limited or controlled. This may affect the proposed emergency ingress/egress depicted on the Master Concept Plan. We recommend that the applicant coordinate with staff and participate in the PD&E process. It is our understanding that the Logan Boulevard extension being built by Parklands Collier DRI would end in Collier County at the future County Road 951 extension or be built along the western boundary.

Future roadway improvements are likely to change the travel patterns in the project area and will shift some of the existing and projected traffic away from segments of Bonita Beach Road. However, the actual increase in traffic on Bonita Beach Road over time will depend on the rate of development and timing of roadway improvements. We recommend that the evaluation of possible need for additional lanes on Bonita Beach Road should be coordinated with the Lee County Metropolitan Planning Organization (MPO). Analysis with the Florida Standard Urban Transportation Modeling Structure is a way to estimate traffic volumes resulting from changes in the roadway network, population and land uses. This is performed as part of the ongoing development of the MPO Financially Feasible and Needs Plans. MPO staff is evaluating Bonita Beach Road needs. A major update of the MPO plans will be performed by 2005. Both Lee County and the City of Bonita Springs participate in the process.

LCDOT staff would recommend a more conservative (higher) estimate of project trip generation consistent with ITE data. However, a higher trip generation assumption for this project would result in the same level of service determination on Bonita Beach Road and I-75.

AJG/mlb

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

a. Site Development Regulations

Development Regulations	Single Family	Two Family Attached	Duplex	Zero Lot Line/Patio Home[15]	Multi-Family	Townhouse	Town Center Uses
Minimum Lot Width:	50 Feet	20 Feet [1]	60 Feet[2]	50 Feet	100 Feet	35 Feet [1]	100 feet
Minimum Lot Depth:	100 Feet	100 Feet	100 Feet	100 Feet	100 Feet	100 Feet	100 feet
Minimum Lot Area:	5,000 S.F.	2,000 S.F.[1]	6,000	5,000 S.F.	10,000 S.F.	3,500 S.F. [1]	10,000 S.F.
Max. Building Height:	2 Stories[3]	2 Stories[3]	2 Stories[3]	2 Stories[3]	3 Stories[4]	3 Stories[4]	3 Stories[4]
Maximum Lot Coverage	60%	65%	50%	60%	45%	45%	45%
Minimum Setbacks:							
Public Street	20Feet[6]	20Feet[6]	20Feet[6]	20Feet[6]	20Feet[8]	20Feet[8]	25 Feet[13]
Private Street[7]	15 Feet [6]	15 Feet[5]	15 Feet[6]	15 Feet [6]	15 Feet[8]	15 Feet[5]	25 Feet[12]
Side Yard	2 Feet	Zero or 10 Feet[9]	5 Feet	Zero [9]	10 Feet	Zero or 10 Feet [9,10]	10 Feet
Rear Yard	10 Feet [11]	10 Feet[11]	10 Feet[11]	10 Feet[11]	10 Feet[11]	20 Feet[11]	10 Feet
Water body	20 Feet[11]	20 Feet[11]	20 Feet[11]	20 Feet[11]	20 Feet[11]	20 Feet[11]	20 Feet or Zero Feet [12]
Minimum Building Separation	10 Feet	10 Feet	10 Feet	10 Feet	20 Feet[13]	20 Feet[13]	20 Feet[13]
Minimum Floor Area	900 S.F.	900 S.F.	900 S.F.	900 S.F.	750 S.F.	750 S.F.	700 S.F. [15]

Footnotes:

[1]	Per Unit
[2]	30 feet per unit
[3]	35 Feet
[4]	Pursuant to LDC Section 34-2173, th3 clock tower, which will not exceed 50 feet in height is exempt from height regulation
[5]	Project does not propose to have public streets.
[6]	Setback shall be reduced to 7.5' for side entry garages, front porches, and combination front porch/front entry garages
[7]	Setback is measured from the back of curb (if curbed) or edge of pavement (if not curbed).
[8]	Setback is measured from edge of pavement of road that serves the unit
[9]	Side yard setback shall be a minimum of zero (0') with a ten foot (10') separation between principal structures where not attached.
[10]	Units may share a common portico/arbor entryway structure. Accessory pool enclosure/screen lamia setback may be reduced to zero when attached to common privacy wall.
[11]	Accessory structures may be reduced to 0' where rear yard requirement for principal structures is 10' and 5' where rear yard requirement for principal structures is 20'.
[12]	Setback from a lake for all principal and accessory uses may be zero feet (0') provided architectural bank treatment is incorporated into the design (refer to bulkhead cross-section provided on Town Center Detail sheet).
[13]	Twenty feet of separation required by local fire code.
[14]	Patio Home is a detached or semi-detached unit for a single family with one (1) dwelling unit from ground to roof wherein each dwelling unit lot is enclosed by a wall located at the lot line, thus creating a private yard between the house and the wall.
[15]	Seven hundred (700') square gross feet floor area on the ground floor.

EXHIBIT A

INSTRUCTIONS

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

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

a. Signs for case **#DCI2003-00005** must be posted by **April 18, 2003**
b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
d. The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Development Services Division, and obtain duplicate copies of the sign from the Development Services Division.

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

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

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

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

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, I PERSONALLY ~~APPEARED~~ _____

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

RECEIVED
APR 17 2003

_____
SIGNATURE OF APPLICANT OR AGENT

Brian F. Farrar, Developed Development
NAME (TYPED OR PRINTED)

14013 Bonita Beach Road S.E.
ST. OR PO BOX

Bonita Springs, FL. 33928
CITY, STATE & ZIP

#DCI2003-00005/Cork screw Growers Section Three/JMS

May 2, 2003 COMMUNITY DEVELOPMENT

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 16 day of April, 2003, by Brian F. Farrar (personally known to me or who produced _____ as identification and who did/did not take an oath.

Carol L. Sparks
Signature of Notary Public

Carol L. Sparks
Printed Name of Notary Public

My Commission Expires: 10-15-05
(Stamp with serial number)

Carol L. Sparks
MY COMMISSION EXPIRES
October 15, 2005
#DD064838
Bonded thru Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

City of Bonita Springs

APPLICATION FOR PUBLIC HEARING
FOR
PLANNED DEVELOPMENT

Applicant's Name: Horseshoe Developments, Inc.

Project Name: Corkscrew Growers Section Three RPD

STRAP Number(s): 03-48-26-81-00001.0000

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

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

****

STAFF USE ONLY

Commission District: 3

Land Use Classification(s): RURAL, DR/GR/WETLANDS

Current Zoning: RPD

Lee Plan Density Range: 1 DU/AC / 1 DU/AC / 1 DU/AC

Case Number: DCI2003-00005

Fee: $4000

Date of Application: ~~DCI2003-00005~~ 1/21/03

Date Fee Paid: 1/21/03

Date HEX Public Hearing: _____

Receipt Number: _____

Intake By: TG/CRC

TYPE OF APPLICATION

_____ *DRI*

_____ *DCI - Major*

_____ *DCI - Minor*

_____ *PD - Existing Development*

✓ *PD - Amendment*

_____ *OPTION 1* _____ *OPTION 2*

****

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

DCI 2003-00005

RECEIVED
JAN 21 2003
ZONING COUNTER

PART I
APPLICANT\PROPERTY OWNERSHIP INFORMATION

A. Name(s) of applicant(s): Horseshoe Development, Inc
Mailing Address: Street: 3185 Horseshoe Drive South
City: Naples State: Florida Zip: 34104
Phone Number: Area Code: 239 Number: 649-6310 Ext: 222
Fax Number: Area Code: 239 Number: 430-1181
E-mail:

B. Relationship of applicant to property:

_____ Owner _____ Trustee _____ Option Holder _____ Lessee __X__ Contract Purchaser

_____ Other (indicate): _____

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

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

C. Name of owner(s) of property: Corkscrew Growers, Inc., C/O Rodney Harvey
Mailing Address: Street: 7373 Vanderbilt Beach Road Extension
City: Naples State: Florida Zip: 34119
Phone Number: Area Code: 239 Number: 352-5399 Ext:
Fax Number: Area Code: 239 Number: 352-5397

D. Date Property acquired by present owner(s): May 1979

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

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

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

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

Name: Robert Mulhere, AICP of RWA, Inc.
Address: 3050 N. Horseshoe Dr., Ste. 270 , Naples, Florida 34104
Contact Person: Robert Mulhere
Phone: 239-649-1509 Fax: 239-649-7056
E-mail: rjm@consult-rwa.com

Name: Russell Schropp, Esq. Of Henderson, Franklin, Starnes & Holt, PA
Address: 1715 Monroe Street, Ft. Myers, Florida 33901
Contact Person: Russell Schropp, Esq
Phone: 941-337-8414 Fax: 941-334-4100
E-mail: _____

Name: Brian Farrar of Ronto Group
Address: 3185 Horseshoe Drive South, Naples, Florida 34104

DCI 2003-00005

DCI 2003-00005

Contact Person: Brian Farrar
Phone: 239-649-6310 Fax: 239-649-8870
E-mail:

DCI 2003-00005

PART II
GENERAL INFORMATION

A. Request:

To amend the existing Corkscrew Growers Section 3 RPD/CPD to:

* Increase the permitted Residential Density from 644 to 1,999 Dwelling Units;
* To eliminate the 5 acre CPD potion of the existing RPD/CPD, creating an internalized "Town Center" to serve the residents development and their guests;
* To amend the approved Schedule of Uses and Development Standards table to eliminate various commercial uses, golf course, and to implement development standards which support neo-traditional residential and mixed-use development; and,
* To request Deviation necessary to allow flexibility in developing this integrated, neo-traditional and multi-product development.

1. Rezoning from RPD/CPD to: (check all applicable)

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

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

3. Other - Provide specific details. _____

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

XX 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: 15501 Bonita Beach Road SE, Bonita Springs, FL 34135

D. General Location of Property (referenced to major streets): Approximately 2.5 miles east of I-75 along the south ROW of Bonita Beach Road, within the City of Bonita Springs.

E. City of Bonita Springs Comprehensive Plan Information

1. City of Bonita Springs Land Use Classification: FLUE designation: MU/PD – Moderate Density Mixed-Use Planned Development.

2. Are you proposing any City of Bonita Springs Plan amendments that could affect the subject property? XX 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? _XX_ 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? _XX_ 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? _XX Active Agriculture_ 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: The entire section has been actively used for agricultural row crops until very recently.

H. Property Dimensions

1. Width (average if irregular parcel): 5,240-ft. +/- Feet

2. Depth (average if irregular parcel): 5,380-ft. +/- Feet

3. Frontage on road or street: 5,280 –ft. +/- Feet on Bonita Beach Road SE

4. Total land area: 648.8 +/- acres or Square Feet

I. Land Area Calculations

1. Undevelopable Areas:

a.	Freshwater wetland areas	0	
b.	Other wetland areas		0
c.	Submerged land subject to tidal influence:	0	
d.	Total (a + b + c):	0	

2. Remaining developable land (H.4 less I.1.d): 648.8 +/- acres

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PART III
PROPOSED DEVELOPMENT

A. Nature of Request

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

278	Single Family (1)	0	Mobile Homes	0	Recreational Vehicles
600	Zero-Lot-Line (1)	853	Duplex/Two Family (1)	268	Townhouses (1)
_____	Multiple Family (1)	1,999	TOTAL ALL TYPES		

(1) The application's designated number of dwelling units by unit type are reasonable estimates to be used only for application evaluation. The numbers of units per dwelling type are fully interchangeable in that the applicant reserves the right to develop any number of unit types based upon the project's Schedule of Uses, with a total residential unit build-out at a max. 1,999 DUs.

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): 3,802
b. PROPOSED total units (from A-1. above): 1,999
c. PROPOSED density (from Exhibit III-A-2): 3.15 DUs Per acre

3. Will the development contain non-residential areas? ___NO XX_YES. If answer is yes, please indicate size [gross square footage (gsf) unless indicated otherwise] of each general class of uses below:

Retail: (1) 20,000 Total gsf

Offices: (1) 10,000 Total gsf

Medical: 0 gsf Non-medical: 10,000 gsf

Other: (Recreational): (1) 15,000 gsf

(1) **TOTAL 30,000 square feet of internalized personal services, retail and office uses, as well as various meeting faculties and recreational facilities, all of which are to serve residents of the projects and their guests and which are not accessible to the general public.**

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

Industrial: 0 Total gsf
Under roof: _____ gsf Not under roof: _____ gsf

Mines, Quarries, or General Excavation:

It is anticipated that +/- 137.5 acres of lakes will be excavated resulting in +/- 1.75 million cubic yards of fill. It is anticipated that all fill will be utilized on site, but there is a possibility that there may be excess fill. If this is the case than it may be necessary to haul excess fill off site. For this reason, the proposed Schedule of Uses identifies "Development Excavation: Off-site Removal" as a permitted use.

Acres to be excavated: 137.5

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Other-specify:

_____

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

4. Building Height
   Single Family Residential & O-lot Line: maximum 35-ft. & 2 floors
   Multi-family Residential: maximum 50-ft. & 3 floors
   Commercial: maximum 35-ft. & 2 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.

-DCI-2003-00005

B. Facilities

1. Fire District: Bonita Springs Fire District

2. Water Supply

   a. Estimated daily consumption of potable water:

      1. Residential units: 499,750 gpd (Average Daily) 867.6 gpm (Peak Demand)
      2. Mobile Home units: _____ gpd
      3. Rec. Vehicle units: _____ gpd
      4. Commercial: _____ gpd
      5. Industrial: _____ gpd

   b. Source of potable water: Bonita Springs Utilities

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

   d. Source of Non-potable water: Bonita Springs Utilities

3. Sanitary Sewer Service

   a. Estimated daily production of wastewater:

      1. Residential units: 399,800 gpd (Average Daily) 694.1 gpm (Peak Demand)
      2. Mobile Home units: _____ gpd
      3. Rec. Vehicle units: _____ gpd
      4. Commercial: _____ gpd
      5. Industrial: _____ gpd

   b. Is any special effluent anticipated? XX NO _____ YES. 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? XX NO _____ YES. If yes, please submit a copy of the agreement. See attached Bonita Springs Utilities Capacity Service Letter

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

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

C. Transportation

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

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PART IV
SUBMITTAL REQUIREMENTS

COPIES REQUIRED				Exhibit #	Item
SUB	PRI/DCI	EXIST	MINOR		
12	10	10	10		Completed application [34-201(b)]
1	1	1	1		Application Fee [34-202(a)(9)]
2	2	2	2	I-B-1	Notarized Authorization Form (if applicable) [34-201(a)(1)]
N/A	2	2	2	I-B-2	Blue Sheet (If applicable) [34-201(a)(2)]
2	2	2	2	I-B-3	List of Property Owners (If applicable) [34-202(a)(5)]
2	2	2	2	I-B-4	Notarized Covenant & doc. Of Unified Control [34-373(a)(3)]
2	2	2	2	I-B-5	Surrounding Property Owners List [34-202(a)(6)]
2	2	2	2	I-B-6	Property Owners Map [34-202(a)(7)]
2	2	2	2	I-B-7	Mailing Labels for Surrounding Property Owners
2	2	2	2	I-F	Notarized Disclosure Form (if applicable) [34-201(b)(1)]
N/A	2	2	2	I-G	Deed Restrictions & Narrative (if applicable) [34-202(b)(2)
12	10	10	10	II-B-1	Legal Description [34-202(a)(1)]
12	10	10	10	II-B-2	Certified sketch of description [34-202(a)(2)](on Boundary Survey)
N/A	2	2	2	II-B-3	Plat Book Page (if applicable) [34-202(a)(1)]
12	10	10	10	II-D	Area Location Map [34-202(a)(4)]
N/A	10	10	10	II-E-1	Lee Plan Amendment (if applicable) [34-373(a)(5) & 34-491]
12	10	10	10	II-E-2	Narrative/how prop. complies with Lee Plan, etc. [34-373(a)(5)]
N/A	10	10	10	II-F-1	Environ. Sensitive Lands map (if app.) [34-373(a)(5)]
12	4	4	4	II-F-2	Environmental Assessment [34-1573]
12	10	4	4	II-F-3	Exist. zoning & current land use map/photo [34-373(a)(4)]
4	10	4	4	II-F-4	Soils, vegetation and ground cover maps [34-373(a)(4)b.]
4	10	4	4	II-F-5	Topography map (if available) [34-373(a)(4)b.]
12	10	-	-	III-A-2	Density Calcs (if applicable) [34-373(a)(6)a.3 & (6)b.3 & (7)a.]
N/A	10	-	-	III-A-5	Aviation Hazard (if applicable) [34-1001 et seq.]
N/A	10	-	-	III-B-3	Sanitary Sewer Facilities (if applicable) [34-442 (1)n]
6	4	-	4	III-C	Traffic Imp. Statement (if applicable) [34-373(a)(6)a.11 or b.10]
N/A	4	-	4	III-C	TIS Exemption Form (if applicable) [34-373(a)(6)a.11 or b.10]
N/A	10	4	4	IV-A	Public transit routes map (if applicable) [34-373(a)(4)d.]
12	10	4	4	IV-C	Existing easement/r-o-w map. [34-373(a)(4)f.] (See Boundary Survey)
12	10	10	10	IV-D	Description of proposed development. [34-373(a)(6)]
12	10	10	10	IV-E	Master Concept Plan (Option 1) [34-373(a)(6)a.]
N/A	10	10	10	IV-F	Master Concept Plan (Option 2) [34-373(a)(6)b.]
4	1	1	1		11 inch by 17 inch copy of the Master Concept Plan
12	10	10	10	IV-G	Schedule of Uses [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)]
12	10	10	10	IV-H	Schedule of Dev. & Justification [34-373(a)(6)a.9 or b.9 & (7)d]
6	4	-	-	IV-I	Surface Water Management Plan [34-373(b)(1)]
N/A	4	-	-	IV-J	Protected Species Management Plan [34-373(b)(2)]
N/A	10	10	0	IV-K	Program for phased development (if applicable) [34-373(b)(3)]
12	10	10	10	IV-L	Haz. Mat Emer Plan (if applicable) [34-202(b)(4)]
N/A	-	4	-	IV-M	Mobile Home Park Rezoning Information [34-373(d)]
3	3	3	3	IV-N	Aerial [34-373(b)]
3	3	3	3	IV-O	Map of Historical & Environmental Sites [34-373(F)]
3	3	3	3	IV-P	Possible Impacts on Historical & Environmental Sites [34-373(F)]

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PART VI
SUBMITTAL REQUIREMENTS

COPIES REQUIRED including 1 original					Exhibit #	Item
SUB	NR	DRI	DCI	MINOR		
		12	11	11		Completed application [34-201(b) & 34-373(a)(1)]
		3	3	3	I-A-1	Covenant Of Unified Control [34-202(b)(1)b & 34-373(a)(3)]
		3	3	3	I-A-2, I-A-3	Authorization Form [34-201(a)(1)] & [34-202(b)(1)c]
		2	2	2	I-C-2	Subject property owners list [34-202(a)(5)]
		3	3	3	I-D-1, I-D-2	Disclosure Form [34-201(b)(1)a]
		3	3	3	I-E-1	Deed Restrictions [34-202(b)(2)]
		3	3	3	I-E-2	Deed Restrictions Narrative [34-202(b)(2)]
		3	3	3	II-B-1-A	Legal Description [34-202(a)(1)]
		1	1	1	II-B-1-B	Electronic version of legal description
		3	3	3	II-B-2	Certified sketch of description [34-202(a)(2)]
		3	3	3	II-B-3	Plat Book Page [34-202(a)(1)]
		2	2	2	II-D-2	Area Location Map on 8 ½ by 11 paper [34-202(a)(4)]
		2	2	2	II-D-3	Surrounding Property Owners List [34-202(a)(5)]
		2	2	2	II-D-4	Surrounding parcels Map [34-202(a)(7)]
		2	2	2	II-D-5	Mailing labels (sets)
		12	11	11	II-E-2	Compliance with Lee Plan. [34-373(a)(5) & 34-491]
		12	11	11	II-E-3	Lee Plan Amendment [34-373(a)(5) & 34-491]
	☆	3	3	3	II-E-4	Compliance with design standards of 34-411. [34-373(a)(5)]
	☆	3	3	3	II-E-5	Compliance with decision-making guidelines. [34-373(a)(5)]
		12	11	11	III-A-1	Existing easements and r-o-w map. [34-373(a)(4)a.]
		12	11	11	III-A-2	Exist. zoning & current land use map/photo [34-373(a)(4)b]
		3	3	3	III-A-3	Aerial photograph [34-373(a)(4)c]
		3	3	3	III-B-1	Map of Historical & Archaeological sites [34-373(a)(4)f]
		3	3	3	III-B-2	Possible Impacts on Hist. & Arch. sites [34-373(a)(4)f]
		12	11	4	III-C-3	Environmental Assesement Report
		12	11	4	III-C-5	Soils [34-373(a)(4)d.i]
		12	11	4	III-C-6	Vegetation\ground cover [34-373(a)(4)d]
		12	11	4	III-C-7	Topography. [34-373(a)(4)d.iv]
		4	4	-	III-C-8	Protected Species Survey (if applicable) [34-373(b)(2)]
		12	11	4	III-D-1	Public transit routes map (if applicable) [34-373(a)(4)e.]
		12	11	11	IV-A-1	Master Concept Plan 24 X 36 inches [34-373(a)(6)a.]
		3	3	3	IV-A-2	Master Concept Plan 11 X 17 inches [34-373(a)(6)a.]
		4	4	-	IV-E-2	Surface Water Management Plan [34-373(b)(1)]
		4	4	4	IV-F-5	Excavation calculations [34-373(a)(6)i]
		12	11	11	IV-I-1	Master List of uses for entire development [34-373(a)(8)]
		12	11	11	IV-J-1	List of deviations & justification [34-373(a)(9)]
		12	11	11	IV-J-3	Drawings demonstrating deviations [34-373(a)(6)]
		4	4	4*	IV-K-1	Traffic Imp. Statement [34-373(a)(7)]
		12	11	11	IV-L-1	Program for phased development [34-373(b)(3)]
		12	11	11	IV-M	Facilities for the development
		4	4	4	IV-M-1	Haz. Mat Emer Plan [34-202(b)(4)]
		4	4	4	IV-M-2	Mobile Home Park Information [34-203(d)]
		4	4	4	IV-M-3	Bonus Density units 34-202(b)(5)
		4	4	4	IV-M-4	Sanitary Sewer Facilities

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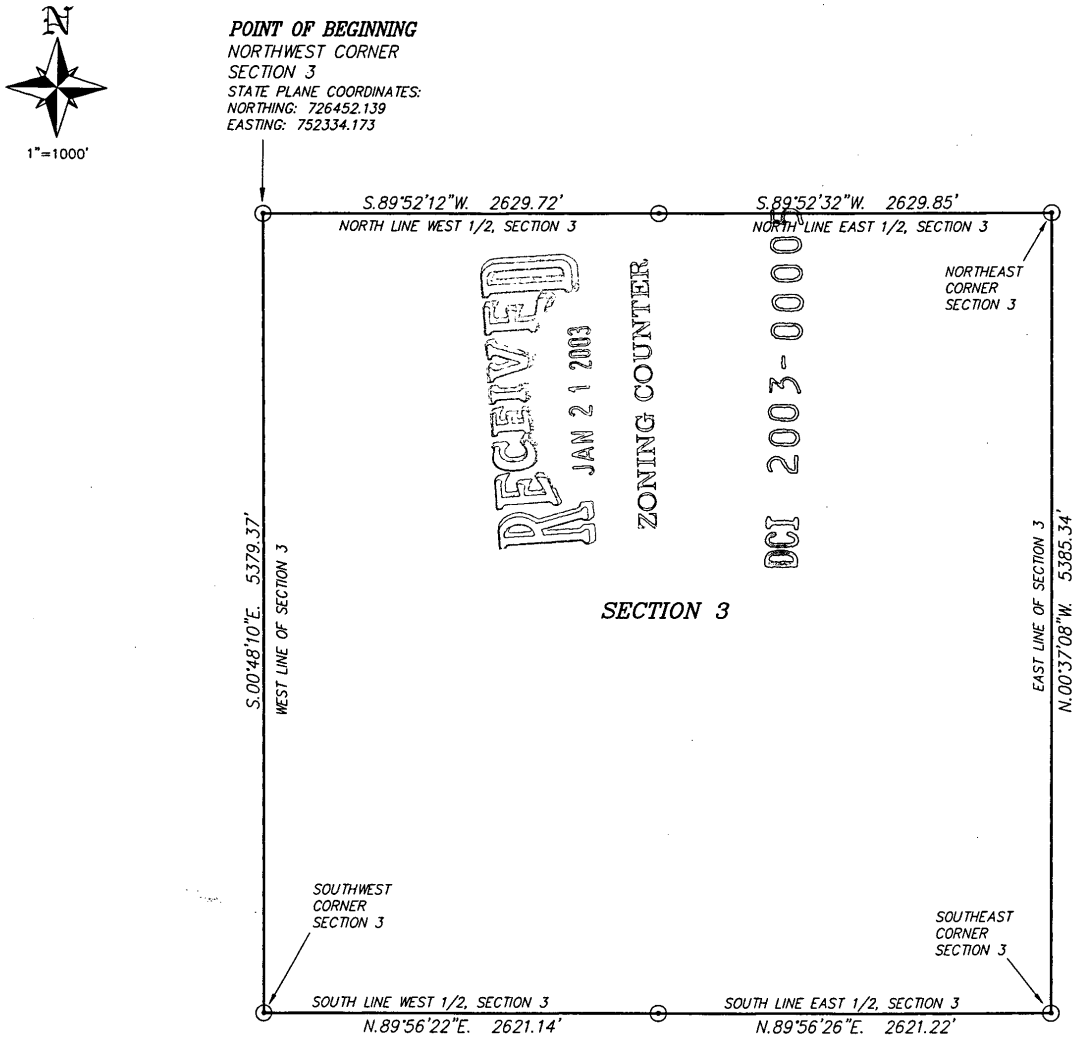
SKETCH TO ACCOMPANY DESCRIPTION

OF A
PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



DESCRIPTION (SECTION 3):
A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 5379.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.89°56'22"E. ALONG THE SOUTH LINE OF THE WEST HALF OF SAID SECTION FOR 2621.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF SECTION; THENCE N.89°56'26"E. ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOR 2621.22 FEET TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N.00°37'08"W. ALONG THE EAST LINE OF SAID SECTION FOR 5385.34 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.89°52'32"W. ALONG THE NORTH LINE OF THE EAST HALF OF SAID SECTION FOR 2629.85 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF SECTION; THENCE S.89°52'12"W. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION FOR 2629.72 FEET TO THE **POINT OF BEGINNING.**

PARCEL CONTAINS 648.80 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

THIS IS NOT A SURVEY

Thomas C. Shaw 12-4-02

THOMAS C. SHAW
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 4672

- THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
- PREPARED DECEMBER 4, 2002.

PREPARED BY:

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
6640 WILLOW PARK DRIVE - SUITE "B"
NAPLES, FLORIDA 34109
(941) 597-2061
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6690

S:\Jobs\16xx\1605\Surveying\Descriptions\1605_SEC3_SK.dwg 12/04/2002 05:15:20 PM, Dave Sheppard

PART V AFFIDAVIT

I, **Brian F. Farrar**, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and sketches, data or other supplementary matter attached to and made a part of this application, are honest and true. I also authorize the staff of Lee County Department of Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.

Signature of owner or owner-authorized agent:

Brian F. Farrar
Typed or printed name

December 13, 2002
Date

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 13th day of December 2002, by Brian F. Farrar who is personally know to me.

Carol L Sparks
Signature of Notary

(SEAL)

Carol L. Sparks
MY COMMISSION EXPIRES
October 15, 2005
#DD064838
Bonded thru
Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Carol L.Sparks
Printed Name of Notary

RECEIVED
JAN 21 2003
ZONING COUNTER
DCI 2003-00005

PART V AFFIDAVIT

I, Mark S. Taylor, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and sketches, data or other supplementary matter attached to and made a part of this application, are honest and true. I also authorize the staff of Lee County Department of Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.

12-12-2002

Signature of owner or owner-authorized agent — Date

Mark S. Taylor
Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 12th day of December 2002, by Mark S. Taylor who is personally know to me.

Carol L. Sparks
Signature of Notary

(SEAL)

Carol L. Sparks
MY COMMISSION EXPIRES
October 15, 2005
#DD064838
Bonded thru
Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Carol L.Sparks
Printed Name of Notary

DCI 2003-00005

RECEIVED
JAN 21 2003

ZONING COUNTER

EXHIBIT I-B-3
LIST OF PROPERTY OWNERS

STRAP – 03-48-26-B1-00001.0000

All of Section 3.

Property Address:
15501 Bonita Beach Road SE
Bonita Springs, FL 34135

Owner:
Corkscrew Growers, Inc.
7373 Vanderbilt Road Ext.
Naples, FL 34119

Fred R. Harvey, President	20.5% of Stock
Robert E. Harvey	20.5% of Stock
Guy W. Harvey	20.5% of Stock
William D. Grant	38.5% of Stock

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JAN 21 2003
ZONING COUNTER

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

A. Gross Residential Acres

1.	Total land area:	648.8 acres
2.	Area to be used for non-residential uses: *(Line A.2.a. plus A.2.b.):*	0 acres
	a. R-O-W providing access to non-residential uses:	NA acres
	b. Non-residential use areas:	15 acres
3.	Gross residential acres (Line A.1 less A.2):	633.8 acres
	a. Uplands areas	648.8 acres
	b. Freshwater Wetlands areas	0 acres
	c. Other Wetland areas	0 acres

B. City of Bonita Springs *Land Use Classification:* MU/PD – Moderate Density Mixed-Use Planned Development *(If more than one classification, calculations for each classification must be submitted)*

Density Standards (from City of Bonita Springs Comprehensive Plan Transmittal Draft):

1.	*Maximum standard density for Land Use Classification:*	6 *units\gross res. acre*
2.	*Maximum total density for Land Use Classification:*	7.5 *units\gross res. acre*

MAXIMUM PERMITTED DWELLING UNITS

C. City of Bonita Springs Moderate Density MU/PD Density Calculations:
6 Units per Gross Residential Acre x 633.8 units = 3,802 total permitted units

Actual requested number of units: 1,999 residential dwelling units
Actual density per acre requested: 1,999/633.8 residential acres = 3.15 dwelling units per acre.

DCI 2003-00005

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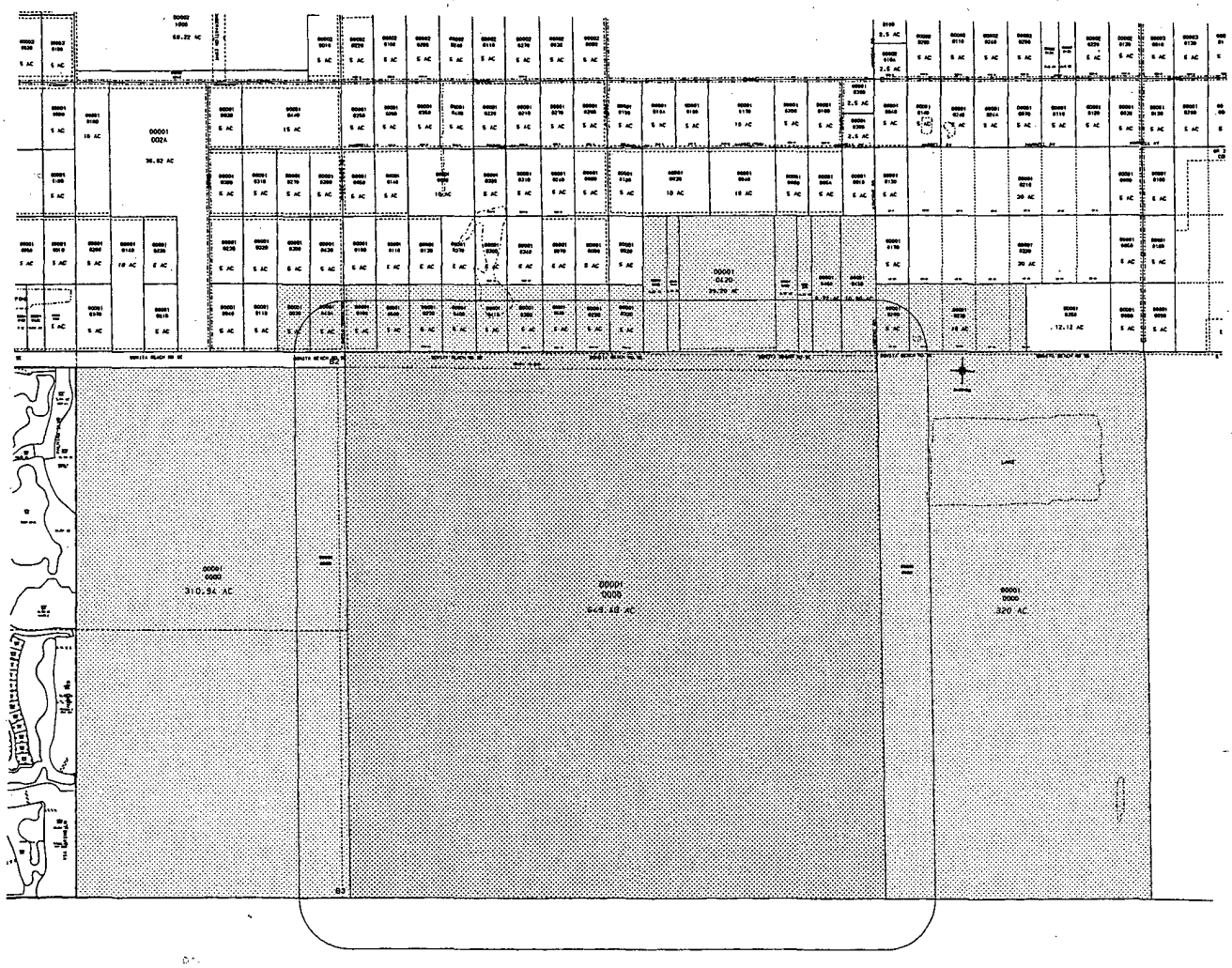
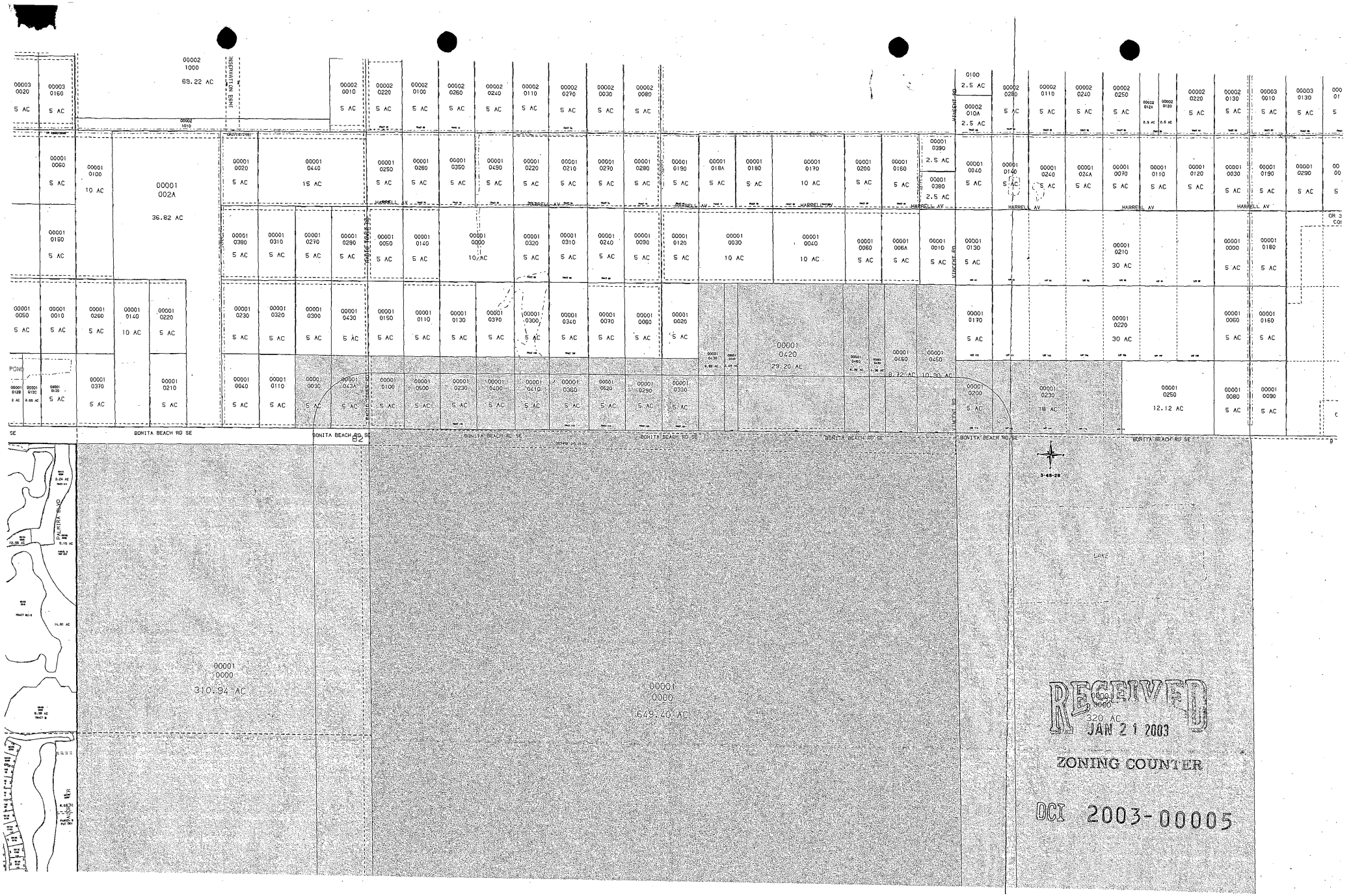
EXHIBIT I-B-6
SURROUNDING PROPERTY OWNERS MAP



DCI 2003-00005

RECEIVED
JAN 21 2003
ZONING COUNTER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HARRELL AV
VINCENT RD
PACIFIC STREET RD
PALMIRA BLVD
00001 0000 310.94 AC
00001 0000 649.40 AC
00001 0420 29.20 AC
00001 002A 36.82 AC
00002 1000 69.22 AC
RECEIVED
JAN 21 2003
ZONING COUNTER
DCI 2003-00005

EXHIBIT II-B-1
LEGAL DESCRIPTION

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 5379.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.89°56'22"E. ALONG THE SOUTH LINE OF THE WEST HALF OF SAID SECTION FOR 2621.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF SECTION; THENCE N.89°56'26"E. ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOR 2621.22 FEET TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N.00°37'08"W. ALONG THE EAST LINE OF SAID SECTION FOR 5385.34 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.89°52'32"W. ALONG THE NORTH LINE OF THE EAST HALF OF SAID SECTION FOR 2629.85 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF SECTION; THENCE S.89°52'12"W. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION FOR 2629.72 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 648.80 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

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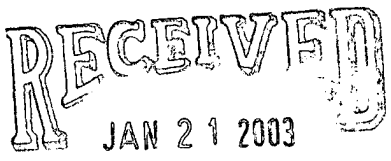

ZONING COUNTER

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

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BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

DESCRIPTION PREPARED DECEMBER 4, 2002.

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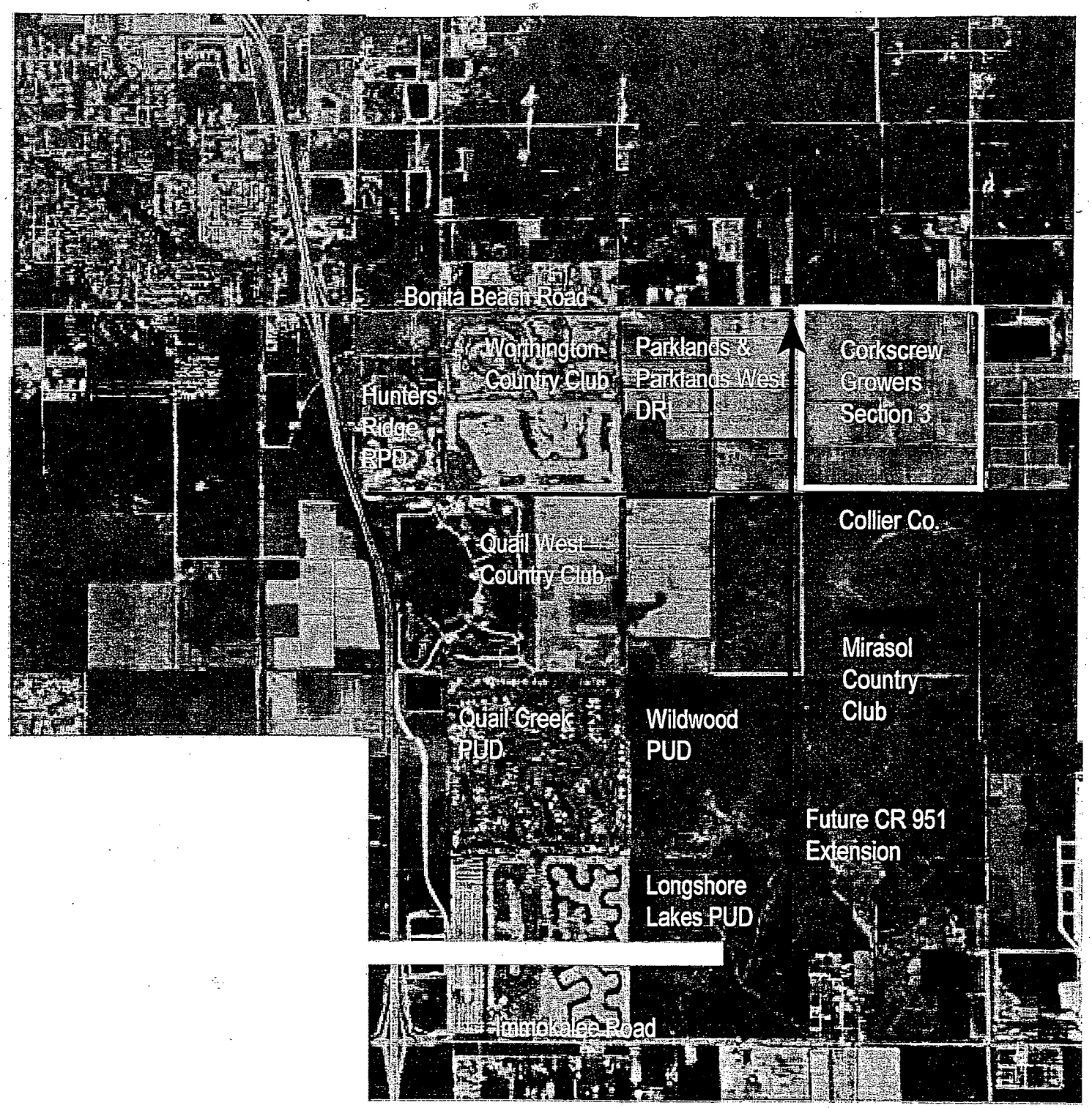
12-4-02
THOMAS C. SHAW, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION No. 4672

S:\Jobs\16xx\1605\Surveying\Descriptions\1605_SEC3_DESC.doc

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

EXHIBIT II-D
AREA LOCATION MAP



The Corkscrew Growers Section 3 RPD Regional Map

Prepared for:
Horseshoe Development, Inc.

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ZONING COUNTER

North NTS 00.016

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Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (239) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX (239) 656-7724

April 16, 2003

Ms. Margaret-Ray Kemper
Ruden, McClosky, Smith, Schuster & Russell, P.A.
215 South Monroe Street
Suite 815
Tallahassee, FL 32301

Re: Parklands Aggregation

Dear Ms. Kemper:

The Southwest Florida Regional Planning Council (SWFRPC) and Florida Department of Community Affairs (DCA) staffs have received and reviewed your letter dated April 10, 2003 concerning the potential aggregation of the lands currently under contract by the Ronto Group in Section 3 within the City of Bonita Springs and the Parklands and Parklands West Developments of Regional Impact. Council and DCA staffs find that the letter sufficiently explains the current status of the Section 3 lands as they relate to the Parklands and Parklands West Developments of Regional Impact.

While the proposed project located in Section 3 and the Parklands and Parklands West (Palmira Golf and Country Club) projects are physically proximity to each other, which subjects them to a potential aggregation, Council and DCA staffs find that the properties in question do not have a common plan of development, in that while they do have common ownership as defined in Chapter 380.0651(4)(c), they do not share a reasonable closeness in time, a common master plan of development, a voluntary sharing of infrastructure, nor a common advertising scheme. Therefore, it is the SWFRPC and the DCA staff's opinion that the Section 3 lands, based on the information in your letter, do not meet the tests dealing with aggregation as identified in Chapter 380.0651(4) F.S. and Chapter 9J-2.0275 F.A.C. and therefore they do not require aggregation and no further Development of Regional Impact review is necessary at this time.

Sincerely,
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Daniel L. Trescott
Principal Planner/DRI Coordinator

DLT/DEC

Cc: Bernard Piawah, DCA
Chip Block, Lee County/Bonita Springs
Brian Farrar, Ronto Group
Russell Schropp, Henderson, Franklin

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EXHIBIT II-E-4
COMPLIANCE WITH DESIGN STANDARDS

Note: The below standards/consideration are enumerated in the Lee LDC, which is in regulatory effect in the City of Bonita Springs, as it was effective at the date of incorporation. It is presumed that this submittal will be reviewed under the provisions of the adopted City of Bonita Springs Comprehensive Plan. Nevertheless, theses provisions are generally consistent with the Goals, Objectives and Polices (GOPs) of the City of Bonita Springs Comprehensive Plan and are the criteria for approval by the City Zoning Board and City Council (versus the hearing examiner or BOCC). Thus, in either case, under the Lee Plan, or the City of Bonita Springs Plan, the response to these provisions set forth below is appropriate.

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COMMUNITY DEVELOPMENT
REZ 2002-00022
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Sec. 34-373. Application

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

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

Sec. 34-411. General standards

A. *All planned developments shall be consistent with the provisions of the Lee Plan.*

RESPONSE: Exhibit II-E-2 provides a detailed narrative explanation of how the project is in compliance with and furthers the goals objectives and polices of the adopted City of Bonita Springs Comprehensive Plan. It is understood that at the time of this submittal the City of Bonita Springs Comprehensive Plan, although adopted by City Council on November 25, 3002, is not yet effective and that this submittal will not be scheduled for public hearing until the Plan becomes effective.

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

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

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

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

   RESPONSE: This project will incorporate neo-traditional planning design principles that will feature a town center to provide limited goods and services to the residents and their guests, thereby reducing off-site trips significantly.

Moreover, the design will incorporate a comprehensive project wide interconnected system of bicycle and pedestrian ways connected various neighborhoods with one another and with the town Center. Finally, a number of uses planned for the Town Center will promote community interaction. These include recreational facility such as: a fitness center, tennis courts and swimming pool; a fully functional post office where all residents pick up their mail; and, other service related commercial uses.

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

1. *In accordance with chapter 10 and as specified in the Lee Plan traffic circulation element or the official trafficways map of the county:*

   RESPONSE: The project will have primary access to Bonita Beach Road, the extension of which will be concreted by the applicant, or his designee, at no cost to Lee County or to the City of Bonita Springs. The Bonita Beach Extension will be constructed in accordance with the provisions set forth in the current approved RPD/CPD with respect to reservation of ROW along the projects western boundary for the possible future extension of CR 951 (Collier Blvd.).

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

   RESPONSE: The Traffic Impact Statement submitted with this application deals with projected impacts from project generated traffic as well as surrounding existing and approved uses. In summary, the design and construction of Bonita Beach Road for the entire length of the subject parcel and extending further east to provide access to Section 1 and 2, considers the anticipated traffic from the project and from surrounding existing and approved uses, and will operate at an LOS that is consistent with this provision. In part, the neo-traditional design providing for the internalized provision of various goods and services significantly reduces the overall project impact on the surrounding arterial and collector road network. Please see the TIS information submitted with the application for a more detailed analysis.

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

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

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

RESPONSE: The project is not within the Lee Tran public service area.

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

RESPONSE: The property is not located within a flood hazard area and, in any case, will be designed in accordance with South Florida Water Management District. Thus the project will not create or increase the likelihood of hazards to persons or property,

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whether on or off the site, by increasing the probability or degree of flood, erosion or other similar dangers. Moreover, given the requested uses, the project will not create or result in a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants. The uses requested are compatible with existing or approved uses on adjacent and nearby properties.

G. *Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural, historic or archaeological features of the site, particularly mature native trees and other threatened or endangered native vegetation. Alteration of the vegetation or topography that unnecessarily disrupts the surface water or groundwater hydrology, increases erosion of the land, or destroys significant wildlife habitat is prohibited. That habitat is significant that is critical for the survival of rare, threatened or endangered species of flora or fauna.*

RESPONSE: The site has been utilized in its entirety for row crop production. There is no native vegetation warranting retention and there are no indications of historic or archeological features on the property. The development plan, including the water management design and landscaping provisions, will actually result in enhancements by increasing native vegetation through replanting, and by reducing the consumption of water for irrigation purposes, when compared to the consumptive use of the historic agricultural activities.

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

Response: As previously indicated, the project does not contain environmentally sensitive land and waters or archaeological sites. Nevertheless, the project has been designed to include significant open space in the form of lakes and water features, landscaped areas, and a system of interconnected bicycle and pedestrian pathways linking neighborhoods with one another and with the Town Center.

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

RESPONSE: The property is located approximately two and one-half (2.5) miles east of Interstate 75, adjacent to, and south of, Bonita Beach Road. The subject property is bounded on the west by the Parklands East [City of Bonita Springs Residential/ Commercial Planned Development (RPD/CPD) Development of Regional Impact (DRI) designated Moderate Density/Planned Development (MU/PD) on the City of Bonita Springs Future Land Use Map (FLUM)]. Parklands East RPD/CPD DRI is approved for 10 acres, not to exceed 120,000 square feet of commercial, golf course, and 1,290 multi-family dwelling units. Further to the west (also within the limits of the City of Bonita Springs) is the currently undeveloped Parklands West RPD/CPD DRI, consisting of 324 acres and approved for, 1,296 multi-family dwelling units, golf course, and 72,00 square feet of commercial office and retail use, and the largely developed 799-dwelling unit Worthington Country Club golf course residential community. Immediately adjacent to the east of I-75 is the Hunters Ridge RPD. Both of these projects fall within the City limits and are designated Moderate Density MU/PD on the FLUM. To the south, within Collier County, the property abuts environmentally sensitive lands within the Mirasol Planned Unit Development (PUD); an approved master planned residential community. To the southwest are Parklands Collier DRI (residential PUD) and Quail West Country Club PUD (residential community). To the north of the subject, property is vacant land, some of which is in agricultural production. These properties to the north are identified for future acquisition by the Corkscrew Regional Watershed (CREW) Land & Crew Trust. All of the property to the north of Section 3 is designated Density Reduction Groundwater Resource (DRGR) and Wetland on the Lee Plan Future Land Use Map. Sections 1 and 2, immediately to the east of the subject property, are currently vacant and designated Rural on the Lee Plan Future Land Use Map. On July 1, 2002, the Lee County Board of

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

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

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

RESPONSE: The subject property falls between a higher density/intensity RPD/CPD to the west and a lower density RPD to the east. The differences in density both to the west +/- 4.0 DUs per acre) and to the east (+/- 1.0 DUs per acre) are not significant when compared to the requested density for the subject RPD (3 DUs per acre), especially considering that each has a relatively small amount of commercial square footage approved and each is intended to be a master planned, amenitized, residential community. The project is compatible with the surrounding existing and approved uses, and has been designed to integrate with those uses and to be consistent with the current applicable regulations.

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

RESPONSE: The project has been designed to mutually protect the surrounding environs, as well as the project itself. This is achieved through landscape design, landscape buffers, and access controls.

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

RESPONSE: See Response under C(1) above.

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

RESPONSE: The project will be designed to provide for adequate buffering and separation between certain uses, such as higher density multi-family and single family, and residential and Town Center uses (Such as commercial and recreational uses). It should be noted, however, that this project incorporates neo-traditional designs that accentuate the positive relationships between these uses, and reduce the need for structural or large geographic boundaries between uses. It is the proximate location of these uses that lies at the very heart of the neo-traditional design principals. When coupled with a master planned, interconnection internal vehicular, pedestrian and bicycle path system (principally located along landscaped areas and waterways) the result is that conflicts between the proposed uses are eliminated. All such uses are designed at human scale, so that no structure or use is overpowering.

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

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

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

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

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

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

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

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

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EXHIBIT II-E-5
COMPLIANCE WITH DECISION MAKING GUIDELINES

Note: The below standards/consideration are enumerated in the Lee LDC, which is in regulatory effect in the City of Bonita Springs, as it was effective at the date of incorporation. It is presumed that this submittal will be reviewed under the provisions of the adopted City of Bonita Springs Comprehensive Plan. Nevertheless, theses provisions are generally consistent with the Goals, Objectives and Polices (GOPs) of the City of Bonita Springs Comprehensive Plan and are the criteria for approval by the City Zoning Board and City Council (versus the hearing examiner or BOCC). Thus, in either case, under the Lee Plan, or the City of Bonita Springs Plan, the response to these provisions set forth below is appropriate.

Sec. 34-373. Application

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

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

Sec. 34-145. Functions and authority

c. *Special exceptions*

(2) *Considerations.* In reaching his decision, the hearing examiner must consider the following, whenever applicable:

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

RESPONSE: There are a number of changed conditions that make approval of this request appropriate. Most notable changed conditions include the incorporation of the City of Bonita Springs and the adoption of a comprehensive plan for the City that, in its Future Land Use Element, designates the subject parcel "Moderate Density MU/PD". The MU/PD designation includes land currently zoned PD, where single-family development is predominant (as well as vacant agriculturally zoned land in close proximity to single-family development) in the moderate density range of up to six (6) units per gross acre. The Future Land Use Element (FLUE) identifies the most appropriate uses with the "Moderate Density MU/PD" designation as "the full range of residential uses, residential amenities such as private golf courses, and other recreational facilities, and limited commercial and light industrial uses, schools, group homes, and foster care facilities, public and semi-public uses." The proposed RPD is fully compliant with this designation and based upon the development and planned development on lands adjacent to and nearby the subject RPD approval is appropriate.

e. *Whether the request is consistent with the goals, objectives, policies and intent of the Lee Plan.*

RESPONSE: The project has been submitted under the adopted City of Bonita springs comprehensive plan, and not under the Lee Plan. Nevertheless, the proposed RPD is fully consistent with, and furthers the applicable provisions of the City's comprehensive plan. A detailed analysis of consistency with the plan has been submitted with this application and is labeled Exhibit II-E-2

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REZ 2003-00002

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COMMUNITY DEVELOPMENT

d. *Zoning matters.*
(3). Findings. Before preparing his recommendation to the Board of County Commissioners on a rezoning, the hearing examiner must find that:

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

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

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

RESPONSE: The project has been designed to meet, and in many cases, exceed the applicable performance and locational standards. The project is designed to function as a master planned neo-traditional community, is comprehensively interconnected, provides outstanding landscaping and open s[pace features, as well as limited internalized goods and service which have been proven in like developments to reduce external trips and impact to adjacent arterial and collector roadways. In addition, the provision of pedestrian and cyclist pathways and amenities, goods and services enhances community interaction.

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

RESPONSE: The requested density of 1,999 dwelling units on 633.8 gross residential acres results in a density of 3.15 DUs per acre. The request density is slight more than half of the density permitted by the adopted City of Bonita Springs Comprehensive Plan (in the MU/PD designation). All requested use are permissible under this designation.

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

RESPONSE: The property is located approximately two and one-half (2.5) miles east of Interstate 75, adjacent to, and south of, Bonita Beach Road. The subject property is bounded on the west by the Parklands East [City of Bonita Springs Residential/ Commercial Planned Development (RPD/CPD) Development of Regional Impact (DRI) designated Moderate Density/Planned Development (MU/PD) on the City of Bonita Springs Future Land Use Map (FLUM)]. Parklands East RPD/CPD DRI is approved for 10 acres, not to exceed 120,000 square feet of commercial, golf course, and 1,290 multi-family dwelling units. Further to the west (also within the limits of the City of Bonita Springs) is the currently undeveloped Parklands West RPD/CPD DRI, consisting of 324 acres and approved for, 1,296 multi-family dwelling units, golf course, and 72,00 square feet of commercial office and retail use, and the largely developed 799-dwelling unit Worthington Country Club golf course residential community. Immediately adjacent to the east of I-75 is the Hunters Ridge RPD. Both of these projects fall within the City limits and are designated Moderate Density MU/PD on the FLUM. To the south, within Collier County, the property abuts environmentally sensitive lands within the Mirasol Planned Unit Development (PUD); an approved master planned residential community. To the southwest are Parklands Collier DRI (residential PUD) and Quail West Country Club PUD (residential community). To the north of the subject, property is vacant land, some of which is in agricultural production. These properties to the north are identified for future acquisition by the Corkscrew Regional Watershed (CREW) Land & Crew Trust. All of the property to the north of Section 3 is designated Density Reduction Groundwater Resource (DRGR) and Wetland on the Lee Plan Future Land Use Map. Sections 1 and 2, immediately to the east of the subject property, are currently vacant and designated Rural on the Lee Plan Future Land Use Map. On July 1, 2002, the Lee County Board of County Commissioners, sitting as the Lee County Zoning Board, approved a Residential Planned Development (RPD) rezone of Sections 1 and 2, consisting of 1,298 +/- acres and titled the Bonita Beach Road RPD. The RPD allows for 36 holes of golf and related amenities, up to 1,158 dwelling units, and a maximum of 17,500 square feet of ancillary commercial uses.

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

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

RESPONSE: For as detailed analysis of the traffic impacts and transportation analysis, please refer to the TIS submitted in conjunction with this application. In summary, the design and construction of Bonita Beach Road for the entire length of the subject parcel and extending further east to provide access to Section 1 and 2, considers the anticipated traffic from the project and from surrounding existing and approved uses, and will operate at an LOS that is consistent with the standards in the Lee Plan, and will have more than sufficient capacity to handle project generated traffic. In part, the neo-traditional design providing for the internalized provision of various goods and services significantly reduces the overall project impact on the surrounding arterial and collector road network. Provisions have been made within the existing approved RPD/CPD for reservation of ROW of the possible extension of CR 951 along the projects western boundary.

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

RESPONSE: The site has been utilized in its entirety for row crop production. There is no native vegetation warranting retention and there are no indications of historic or archeological features on the property. The environmental site analysis did not indicate the presence of any listed species or species of concern. The development plan, including the water management design and landscaping provisions, will actually result in enhancements by increasing native vegetation through replanting, and by reducing the consumption of water for irrigation purposes, when compared to the consumptive use of the historic agricultural activities. Finally the buffer provided along the entire southern boundary of the project provides protection for the environmentally significant lands to the south.

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

34-377

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

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

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

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

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

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

DCI 2003-00005

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

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

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

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

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

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

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

h. *Where the change proposed is within a future urban area category, the hearing examiner must also find that urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.*

RESPONSE: The City of Bonita Springs adopted Future Land Use Element designates the subject parcel "Moderate Density MU/PD". The MU/PD designation includes land currently zoned PD, where single-family development is predominant (as well as vacant agriculturally zoned land in close proximity to single-family development) in the moderate density range of up to six (6) units per gross acre. The Future Land Use Element (FLUE) identifies the most appropriate uses with the "Moderate Density MU/PD" designation as "the full range of residential uses, residential amenities such as private golf courses, and other recreational facilities, and limited commercial and light industrial uses, schools, group homes, and foster care facilities, public and semi-public uses." The proposed RPD is fully compliant with this designation and based upon the development and planned development on lands adjacent to and nearby the subject RPD approval is appropriate.

DCI 2003-00005

EXHIBIT II-F-2
ENVIRONMENTAL ISSUES

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

The site topography ranges from 13.4-ft. to 14.2.

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. 10-473) of the Land Development Code.

Not applicable in that the site does not contain any wetlands, flowways, listed species or other unique land forms.

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

Not Applicable

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

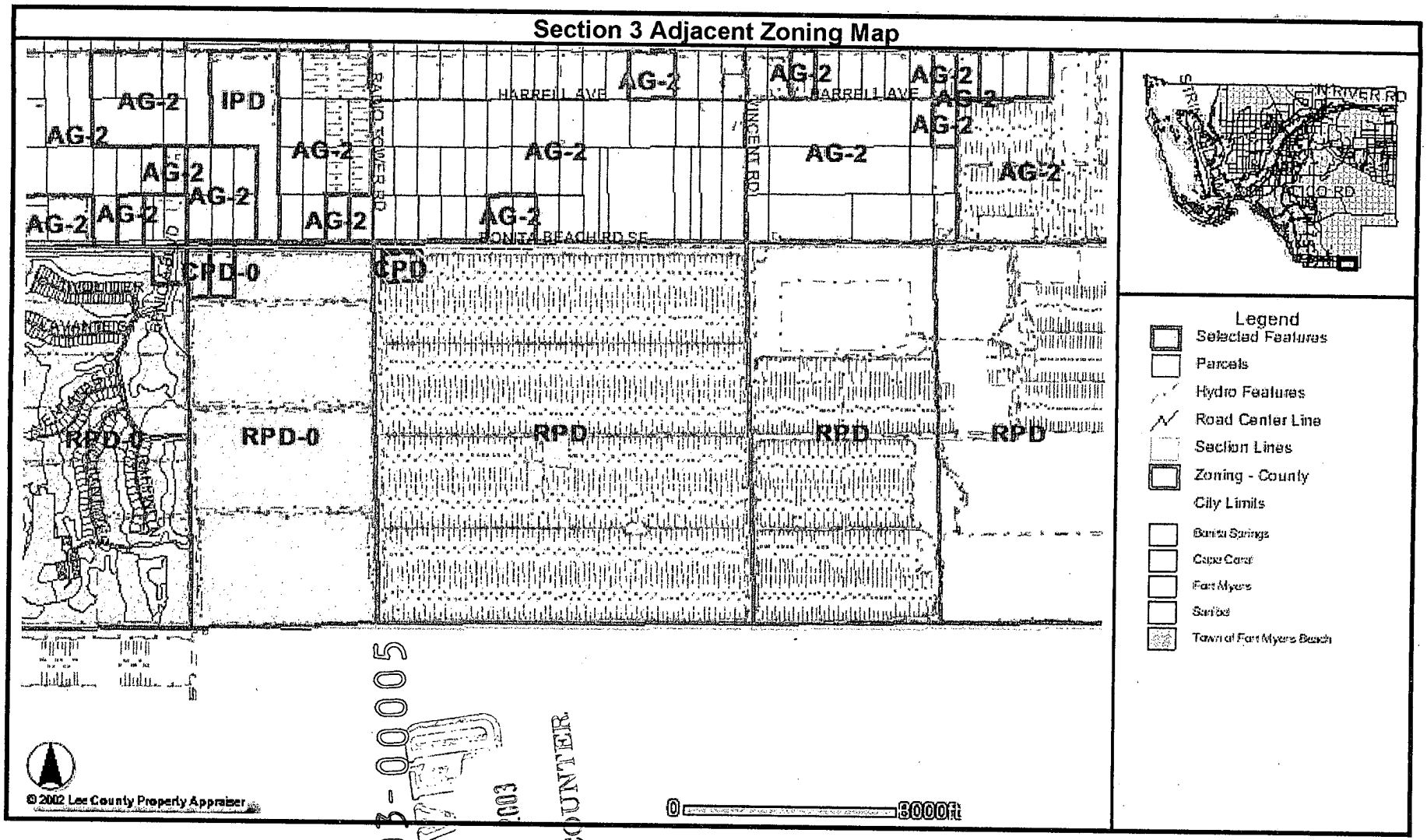
Not Applicable

RECEIVED
JAN 21 2003
ZONING COUNTER

DCI 2003-00005

Map Output

EXHIBIT II-F-3
EXISTING ZONING & LAND USE MAP



DCI 2003-00005
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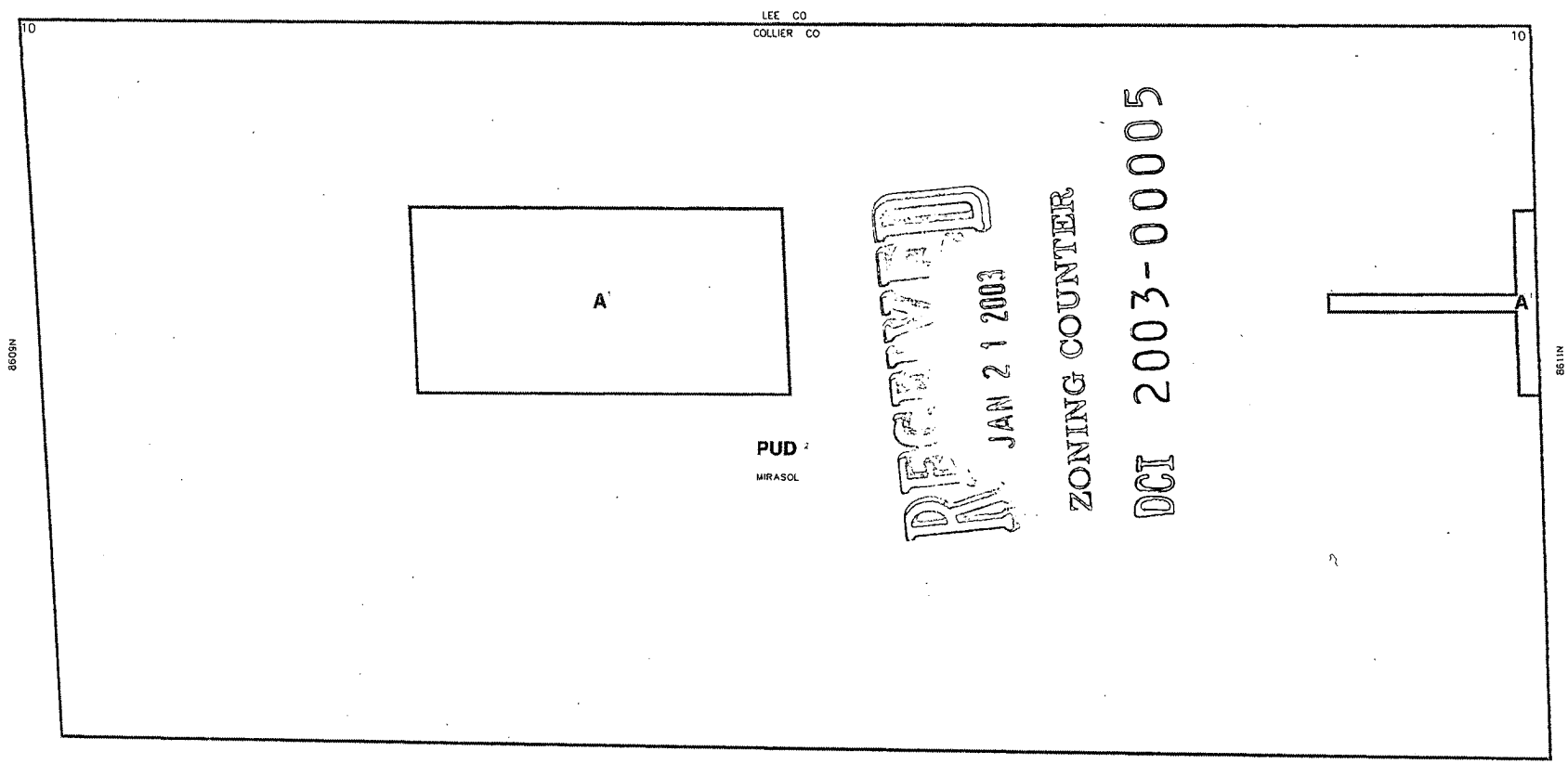
ZONING COUNTER



RECEIVED
JAN 21 2003
ZONING COUNTER
DCI 2003-00005

SUBDIVISION INDEX

NO.	NAME	P.B.	Pg.	NO.	NAME	P.B.	Pg.
1				11			
2				12			
3				13			
4				14			
5				15			
6				16			
7				17			
8				18			
9				19			
10				20			

ZONING NOTES:
1. LDC-91
2. 4-24-91 PUD-91-10 01-25

THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE OFFICIAL ZONING ATLAS REFERRED TO AND ADOPTED BY REFERENCE BY ORDINANCE NO. 91-102 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED OCTOBER 30, 1991.

BY _____ CHAIRMAN

ATTEST _____ CLERK

FLOOD INSURANCE RATE MAP INFORMATION

COMMUNITY NUMBER: 120067 PANEL NUMBER: 225D

PROGRAM: REGULAR EFFECTIVE DATE: JUNE 3, 1986

FLOOD ZONE: ALL X OR AS SHOWN ON MAP.

WIND ZONE: ALL 120 OR AS SHOWN ON MAP

COLLIER COUNTY, FLORIDA

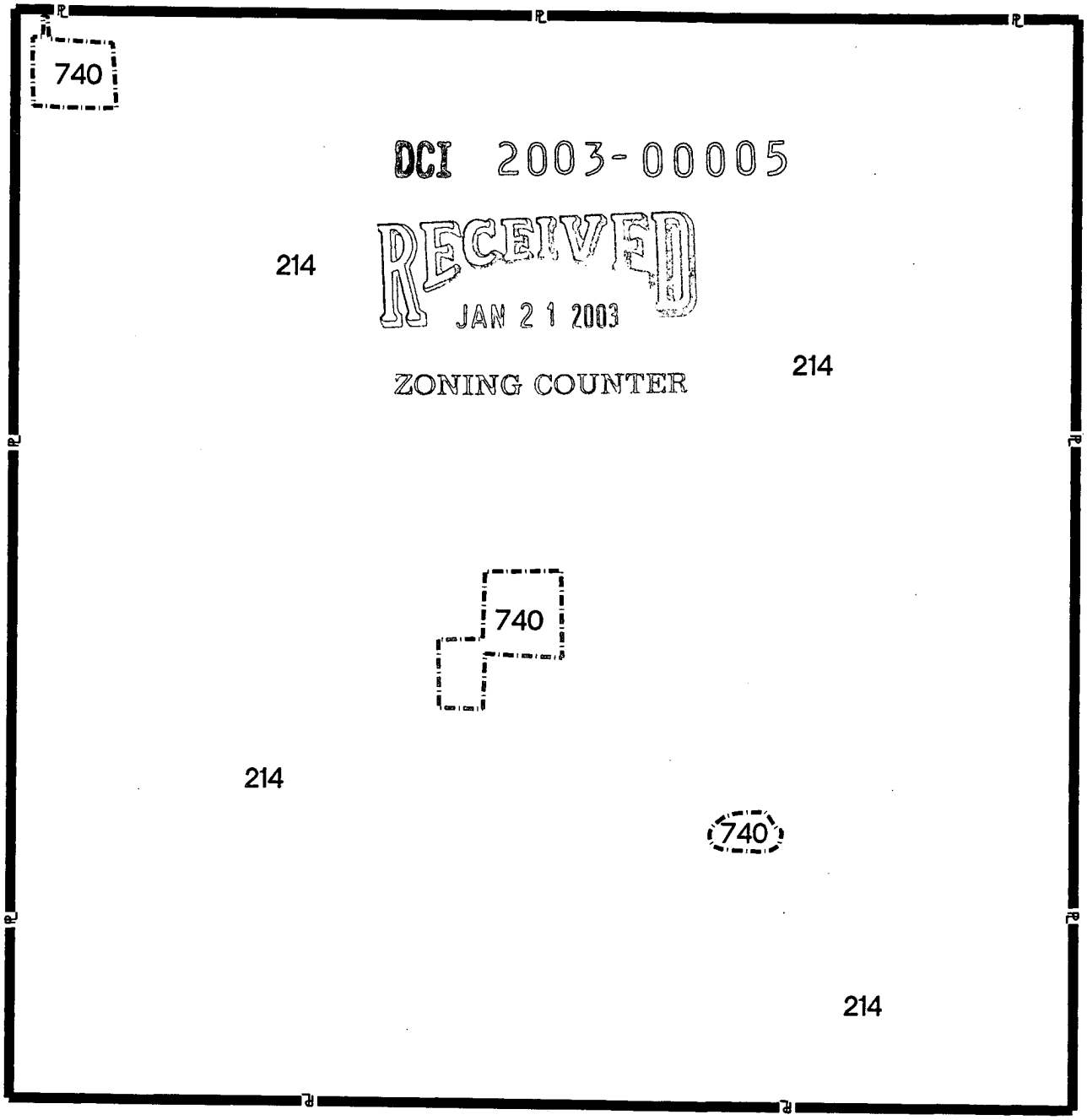
COMMUNITY DEVELOPMENT DIVISION

TWP 48S RNG 26E SEC(S) 10 NO 1/2

SCALE 0 400

MAP NUMBER: 8610N

EXHIBIT II-F-4



FLUCCS CODES:

214 ACTIVE ROW CROP (WITH ASSOCIATED AGRICULTURAL DITCHES, BERMS, AND PRIMITIVE DIRT ROADS)

740 DISTURBED LAND (FOR AGRICULTURAL PURPOSES)

0 800' 1600'

GRAPHIC SCALE 1"= 800'

N

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

FORT MYERS ◆ NAPLES ◆ SARASOTA

10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (941)403-8866 FAX: (941)403-8868
LICENSE NUMBER EB-0006469

FLUCCS MAP

CORKSCREW GROWERS PROPERTY

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
03/01/01	1360	FLUCCS	TLH	TLH	RAG	1"=800'	1	1	SECTION 03 T 48 S - R 26 E

S:\Jobs\13xx\1360\Engineering\Exhibits\1360_fluccs.dwg, 12/09/2002 04:57:19 PM, Ethan Ledford

APPENDIX

TABLES 1A and 2A and 3A

TABLE 1A
RONTO SECTION 3
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 540 VPH IN= 140 OUT= 400

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 680 VPH IN= 420 OUT= 260

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bonita Beach Road	E. of Vanderbilt Road	4LD	0	1410	1920	2030	2030	4.00%	17	0.9%
	E. of U.S. 41	4LD	0	1410	1920	2030	2030	10.00%	42	2.2%
	E. of Old U.S. 41	4LD	0	1410	1920	2030	2030	18.00%	76	3.9%
	W. of I-75	6LD	0	2150	2900	3040	3040	35.00%	147	5.1%
	E. of I-75	4LD	0	1410	1920	2030	2030	70.00%	294	15.3%
	E. of Bonita Grande Dr.	2L	0	650	900	960	960	80.00%	336	37.3%
Bonita Grande Dr.	N. of Bonita Beach Road	2L	0	650	900	960	960	10.00%	42	4.7%
I-75	S. of Bonita Beach Road	4LF	1060	1720	2570	3310	4090	20.0%	84	3.3%
	S. of Corkscrew Road	4LF	1060	1720	2570	3310	4090	15.0%	63	2.5%
Logan Blvd.	S. of Bonita Beach Road	2L	0	650	900	960	960	20.00%	84	9.3%

Service Volumes taken from the Lee County Generalized Peak Hour Directional Service Volume Table, dated 7/18/00

-Denotes Significant Impact Criteria Satisfied for this roadway link

TABLE 2A
RONTO SECTION 3
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D
I-75 Lee	0.099	0.58
PCS NO. 7	0.112	0.53
PCS NO. 42	0.099	0.58

TOTAL PROJECT TRAFFIC AM = 540 VPH IN = 140 OUT= 400

TOTAL PROJECT TRAFFIC PM = 680 VPH IN= 420 OUT= 260

ROADWAY	SEGMENT	PCS	BASE YR ADT	2001 ADT	YRS OF GROWTH	ANNUAL RATE	2002 PK HR PK SEASON PEAK DIR.	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bonita Beach Road	E. of Vanderbilt Road	7	19500	26400	9	3.42%	1621	2122	4.00%	16	17	2138	2138
	E. of U.S. 41	7	24700	23700	9	0.00%	1314	1314	10.00%	40	42	1354	1356
	E. of Old U.S. 41	42	15900	24100	9	4.73%	1354	1959	18.00%	72	76	2031	2035
	W. of I-75	42	16300	26800	5	10.46%	1700	3766	35.00%	140	147	3906	3913
	E. of I-75	42	6900	9900	9	4.09%	553	762	70.00%	280	294	**1042**	**1056**
	E. of Bonita Grande					0.00%	232	232	80.00%	320	336	**552**	**568**
Bonita Grande Drive	N. of Bonita Beach Rd.	42	2100	3900	2	36.28%	285	3391	10.00%	40	42	3431	3433
I-75	S. of Bonita Beach Rd	I-75	39000	64500	5	10.59%	3825	8556	20.00%	80	84	8636	8640
	S. of Corkscrew Road	I-75	36000	58500	5	10.20%	3457	7518	15.00%	60	63	7578	7581
Logan Blvd.	S. of Bonita Beach Road							300	20.00%	80	84	380	384

* The Truck Factor was not accounted for in the calculations for roadway links that have permanent count stations.

-Denotes Significantly Impacted roadway links

TABLE 3A
RONTO SECTION 3
LEVEL OF SERVICE ANALYSIS INCLUDING OTHER PROJECTS ON BONITA BEACH ROAD
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D
I-75 Lee	0.099	0.58
PCS NO. 7	0.112	0.53
PCS NO. 42	0.099	0.58

Other Project Trip Generation
Weekday P.M. Peak Hour

	In	Out	Total
Bonita Bay	483	241	724
Parklands - Lee Co.	810	407	1217
Parklands West	610	310	920

TOTAL PROJECT TRAFFIC AM = 0 VPH IN = 0 OUT= 0
TOTAL PROJECT TRAFFIC PM = 680 VPH IN= 420 OUT= 260

ROADWAY	SEGMENT	PCS	BASE YR ADT	2001 ADT	YRS OF GROWTH	ANNUAL RATE	2002 PK HR PK SEASON PEAK DIR.	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bonita Beach Road	E. of Vanderbilt Road	7	19500	26400	9	3.42%	1621	2122	4.00%	93	2215
	E. of U.S. 41	7	24700	23700	9	0.00%	1314	1314	10.00%	232	1546
	E. of Old U.S. 41	42	15900	24100	9	4.73%	1354	1959	18.00%	418	2377
	W. of I-75	42	16300	26800	5	10.46%	1700	3766	35.00%	813	4579
	E. of I-75	42	6900	9900	9	4.09%	553	762	70.00%	1626	2388
	E. of Bonita Grande					0.00%	232	232	80.00%	1794	2026
Bonita Grande Drive	N. of Bonita Beach Rd.	42	2100	3900	2	4.00%	218	298	10.00%	232	530
I-75	S. of Bonita Beach Rd	I-75	39000	64500	5	4.00%	3598	4923	20.00%	465	5388
	S. of Corkscrew Road	I-75	36000	58500	5	4.00%	3263	4465	15.00%	348	4814
Logan Blvd. Ext.	S. of Bonita Beach Road							300	20.00%	465	765

* The Truck Factor was not accounted for in the calculations for roadway links that have permanent count stations.

-Denotes Significantly Impacted roadway links

PROPORTIONATE SHARE

CALCULATION SHEET

IMPACT FEES vs. PROPORTIONATE SHARE CALCULATION

CORKSCREW GROWERS SECTION 3 RPD/CPD

Development Parameters:

1,999 residential dwelling units (1,200 single family, 799 multi-family)

Impact Fee Generation:

1,200 x $2,492 = $2,990,400
799 x $1,726 = $1,379,074

Total Impact Fees = $4,369,474

Proportionate Share Calculation = DRI Trips/SV Increase x Cost

Cost is approximately $1,600,000 per mile for a two lane roadway. This is based on the recent construction of Bonita Beach Road east of Bonita Grande Drive.

Development Trips (Two-Way)

Segment 1 (± 0.7 miles)- Between I-75 & Bonita Grande Drive = 476 trips

Segment 2 (± 2 miles)- Between Bonita Grande Drive and Logan Ext. = 544 trips

Widen Segment 1 from a 4-lane to a 6-lane road. SV increase = 5,240 – 3,490 = 1,750
Widen Segment 2 from a 2-lane to a 4-lane road. SV increase = 3,490 – 1,660 = 1,830
(Service Volumes based on Lee County Generalized Two-Way Peak Hour Service Volumes)

Segment 1 = 476/1,750 x 0.7 miles x $1,600,000 = $304,640

Segment 2 = 544/1,830 x 2.0 miles x $1,600,000 = $951,250

Total Proportionate Share = $1,255,890

Impact Fee Generation greater than Proportionate Share Calculation

EXCERPTS FROM INDPENDENT TRIP GENERATION STUDY

PREPARED BY DAVID PLUMMER & ASSOCIATES

WINDING CYPRESS
RESIDENTIAL TRIP GENERATION
RATE STUDY

Project #01609

March 8, 2002

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
1531 Hendry Street
Fort Myers, Florida 33901

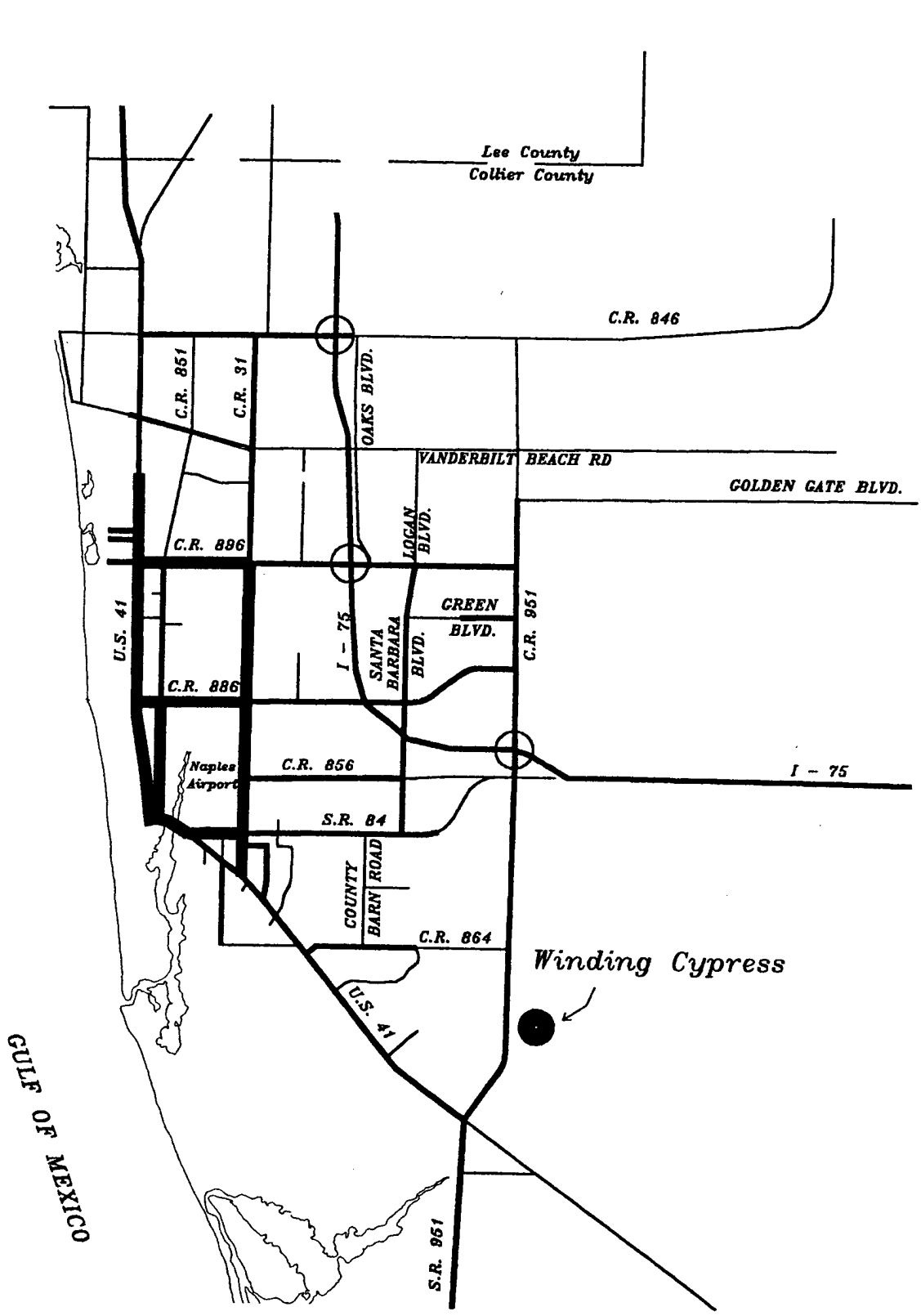
Residential Trip Rates

	Trips Per Unit
Daily	4.42
AM Peak Hour	
In	0.07 (1)
Out	0.20 (1)
Total	0.27 (1)
PM Peak Hour	
In	0.21 (2)
Out	0.13 (2)
Total	0.34 (2)

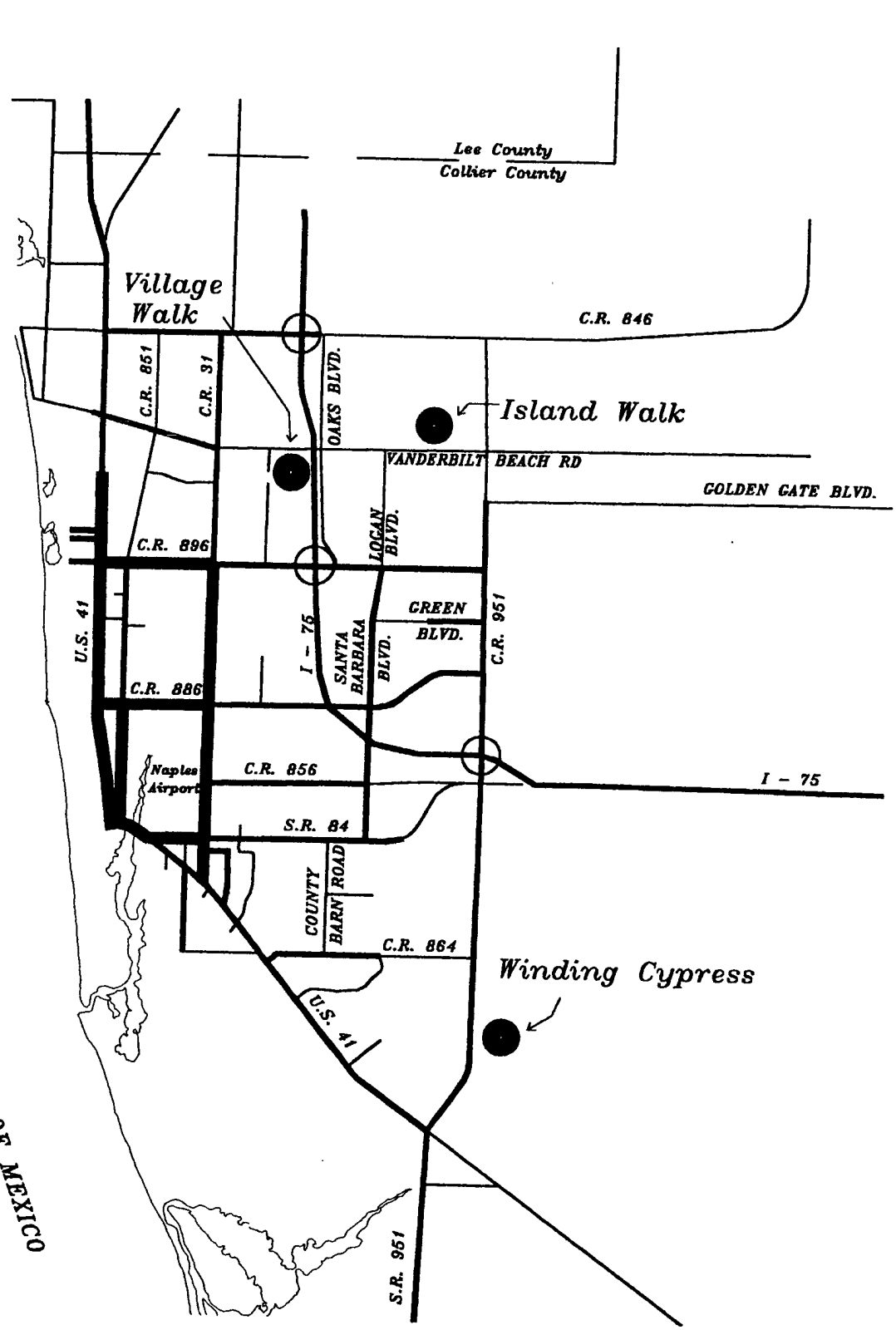
Footnotes:

(1) Machine counts indicate that the average two-way peak hour volume is the same between 7:45 AM to 8:45 AM and between 8:00 AM to 9:00 AM. The peak directional (outbound) trip rate was higher during the 7:45 AM to 8:45 AM period (0.20 vs. 0.19). Therefore, the higher directional split of 0.20 is represented above.

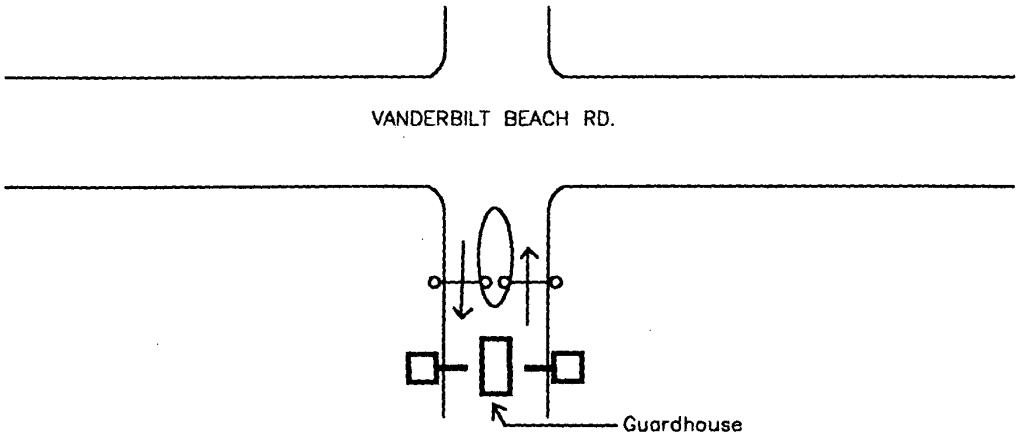
(2) Average two-way peak hour and peak directional rate between the hour of 5:00 PM to 6:00 PM.



dpa	WINDING CYPRESS RESIDENTIAL TRIP RATE STUDY	PROJECT LOCATION	01609/01A/0302 1



dpa	WINDING CYPRESS RESIDENTIAL TRIP RATE STUDY	PROJECT LOCATIONS	01609/02A/0302 2



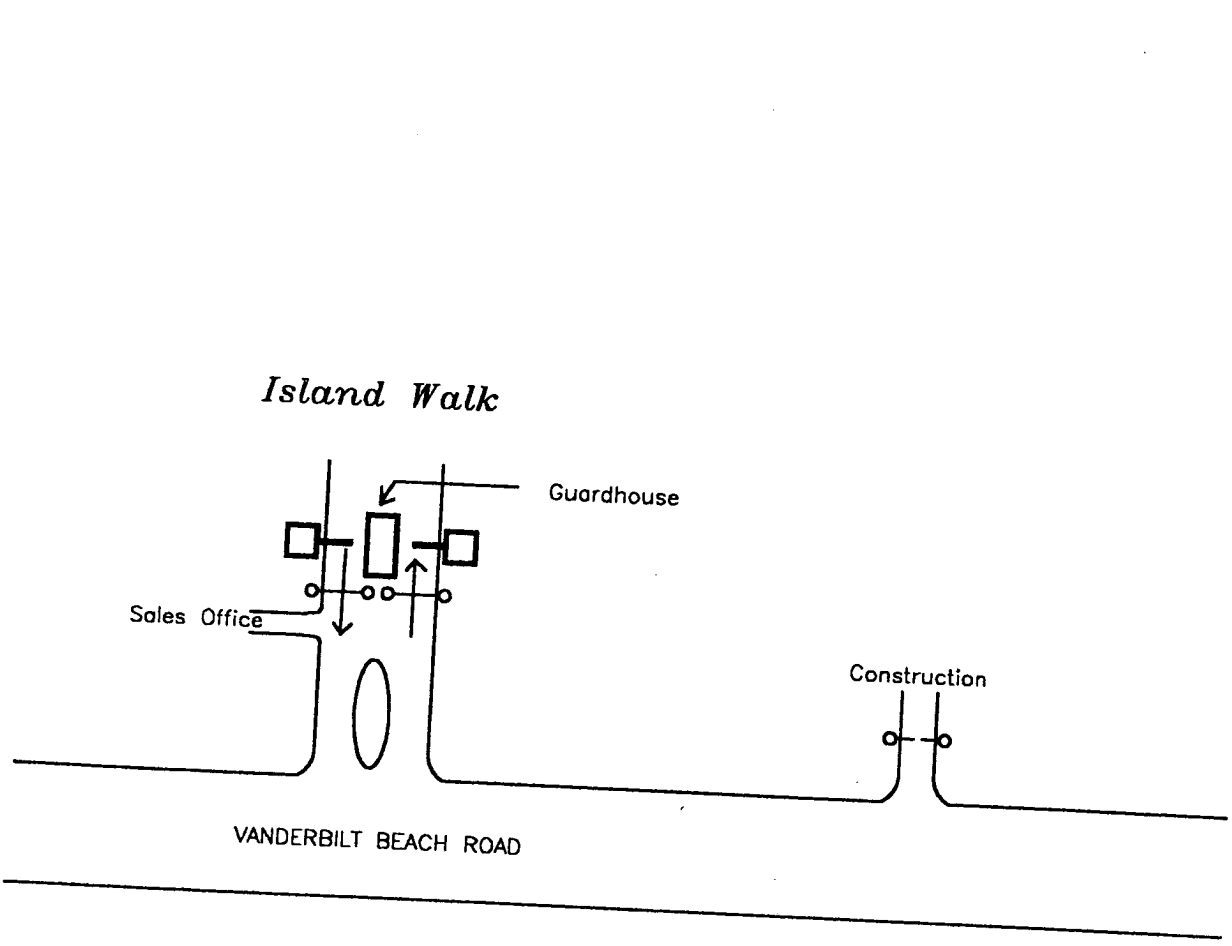
Village Walk

LEGEND

MACHINE COUNT LOCATION

SECURITY GATE LOCATION

dpa	WINDING CYPRESS RESIDENTIAL TRIP RATE STUDY	VILLAGE WALK COUNT LOCATIONS	01609/03A/0302 3



LEGEND

MACHINE COUNT LOCATION

SECURITY GATE LOCATION

dpa	WINDING CYPRESS RESIDENTIAL TRIP RATE STUDY	ISLAND WALK COUNT LOCATIONS	01609/04A/0302
			4

EXHIBIT 5
VILLAGE WALK COMMUNITY
SEVEN-DAY, TWENTY-FOUR HOUR MACHINE COUNT SUMMARY

HOUR ENDING	MONDAY 2/18/02			TUESDAY 2/19/02			WEDNESDAY 2/20/02			THURSDAY 2/21/02			FRIDAY 2/22/02			WEEKDAY AVERAGE			SATURDAY 2/23/02			SUNDAY 2/24/02		
	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL
1 AM	10	2	12	2	2	4	8	2	10	7	0	7	10	8	18	7	3	10	13	2	15	18	4	22
2	2	0	2	2	1	3	4	2	6	5	1	6	5	2	7	4	1	5	10	5	15	7	2	9
3	3	3	6	3	1	4	2	0	2	4	1	5	4	1	5	3	1	4	1	0	1	4	4	8
4	0	2	2	1	1	2	0	1	1	1	4	5	4	3	7	1	2	3	3	2	5	0	1	1
5	3	5	8	4	11	15	3	4	7	1	2	3	2	3	5	3	5	8	1	6	7	0	2	2
6	5	15	20	6	19	25	5	19	24	3	19	22	6	15	21	5	17	22	5	13	18	4	10	14
7	13	47	60	10	72	82	8	67	75	11	60	71	10	65	75	10	62	72	11	26	37	3	14	17
8	27	109	136	41	159	200	35	139	174	41	143	184	30	134	164	35	137	172	18	60	78	16	71	87
9	57	146	203	66	178	244	84	187	271	67	177	244	62	174	236	67	172	239	42	112	154	29	113	142
10	88	156	244	102	171	273	79	167	246	101	183	284	109	183	292	96	172	268	60	148	208	55	100	155
11	107	179	286	105	191	296	119	171	290	109	183	292	122	193	315	112	183	295	101	136	237	107	177	284
12-NOON	156	166	322	156	176	332	140	165	305	160	174	334	147	195	342	152	175	327	116	151	267	105	145	250
1 PM	135	161	296	172	155	327	155	160	315	169	147	316	174	159	333	161	156	317	132	141	273	148	145	293
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11	26	13	39	33	29	62	41	13	54	45	10	55	92	26	118	47	18	65	48	29	77	31	7	38
12-MIDNIGHT	12	5	17	23	10	33	16	12	28	15	6	21	42	19	61	22	10	32	44	13	57	18	13	31
TOTAL	1928	1916	3844	2055	2057	4112	2034	2025	4059	2031	2023	4054	2065	2066	4131	2023	2014	4037	1626	1614	3240	1609	1582	3191

EXHIBIT 6
ISLAND WALK COMMUNITY
SEVEN-DAY, TWENTY-FOUR HOUR MACHINE COUNT SUMMARY

HOUR ENDING	MONDAY 2/18/02			TUESDAY 2/19/02			WEDNESDAY 2/20/02			THURSDAY 2/21/02			FRIDAY 2/22/02			WEEKDAY AVERAGE			SATURDAY 2/23/02			SUNDAY 2/24/02		
	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL
1 AM	15	1	16	8	3	11	13	5	18	15	6	21	17	7	24	14	4	18	27	9	36	24	7	31
2	8	0	8	6	2	8	5	1	6	13	2	15	2	1	3	7	1	8	12	4	16	11	2	13
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11	117	242	359	155	227	382	151	263	414	164	234	398	140	270	410	145	247	392	122	215	337	118	226	344
12-NOON	174	237	411	155	250	405	165	202	367	168	245	413	182	222	404	169	231	400	151	209	360	147	190	337
1 PM	178	217	395	219	204	423	170	183	353	202	215	417	206	209	415	195	206	401	161	227	388	193	198	391
2	205	219	424	199	214	413	179	180	359	198	193	391	226	214	440	201	204	405	173	170	343	195	220	415
3	200	183	383	221	157	378	219	197	416	210	188	398	182	178	360	206	181	387	197	153	350	175	180	355
4	223	179	402	214	193	407	230	166	396	226	187	413	252	174	426	229	180	409	197	165	362	201	134	335
5	244	145	389	226	164	390	241	141	382	234	145	379	247	165	412	238	152	390	209	167	376	208	125	333
6	249	145	394	278	147	425	255	167	422	251	157	408	275	174	449	262	158	420	214	146	360	203	149	352
7	189	124	313	254	145	399	221	169	390	224	137	361	214	149	363	220	145	365	146	141	287	182	126	308
8	146	87	233	181	111	292	173	105	278	156	90	246	135	102	237	158	99	257	146	99	245	138	81	219
9	111	48	159	147	69	216	161	61	222	144	50	194	124	50	174	137	56	193	122	53	175	98	61	159
10	98	22	120	97	38	135	108	43	151	105	36	141	113	37	150	104	35	139	102	53	155	79	41	120
11	60	24	84	61	25	86	64	25	89	61	22	83	92	40	132	68	27	95	98	36	134	46	28	74
12-MIDNIGHT	40	17	57	27	14	41	43	18	61	40	8	48	71	22	93	44	16	60	57	23	80	38	22	60
TOTAL	2581	2630	5211	2769	2848	5617	2762	2809	5571	2776	2788	5564	2813	2861	5674	2739	2787	5526	2370	2404	4774	2232	2215	4447

EXHIBIT 7

VILLAGE WALK/ISLAND WALK COMBINED TOTAL

SEVEN-DAY, TWENTY-FOUR HOUR MACHINE COUNT SUMMARY

HOUR ENDING	MONDAY 2/18/02			TUESDAY 2/19/02			WEDNESDAY 2/20/02			THURSDAY 2/21/02			FRIDAY 2/22/02			WEEKDAY AVERAGE			SATURDAY 2/23/02			SUNDAY 2/24/02		
	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL
1 AM	25	3	28	10	5	15	21	7	28	22	6	28	27	15	42	21	7	28	27	9	36	24	7	31
2	10	0	10	8	3	11	9	3	12	18	3	21	7	3	10	10	2	12	12	4	16	11	2	13
3	8	5	13	7	1	8	11	3	14	8	4	12	9	5	14	9	4	13	14	5	19	12	2	14
4	3	7	10	8	2	10	5	4	9	5	10	15	9	7	16	6	6	12	7	2	9	5	3	8
5	8	11	19	9	20	29	8	16	24	5	14	19	7	13	20	7	15	22	5	7	12	4	7	11
6	23	40	63	18	50	68	24	48	72	17	40	57	20	40	60	20	44	64	6	15	21	6	9	15
7	45	134	179	44	180	224	37	177	214	47	167	214	53	175	228	45	167	212	12	52	64	5	42	47
8	79	299	378	97	428	525	102	397	499	95	427	522	86	394	480	92	389	481	28	107	135	20	86	106
9	157	377	534	171	429	600	185	441	626	191	408	599	156	405	561	172	412	584	68	137	205	46	130	176
10	197	350	547	200	387	587	208	381	589	226	392	618	222	386	608	211	379	590	96	209	305	78	146	224
11	224	421	645	260	418	678	270	434	704	273	417	690	262	463	725	258	431	689	122	215	337	118	226	344
12-NOON	330	403	733	311	426	737	305	367	672	328	419	747	329	417	746	321	406	727	151	209	360	147	190	337
1 PM	313	378	691	391	359	750	325	343	668	371	362	733	380	368	748	356	362	718	161	227	388	193	198	391
2	352	379	731	351	372	723	321	344	665	345	365	710	383	355	738	350	363	713	173	170	343	195	220	415
3	351	328	679	402	295	697	398	336	734	386	349	735	355	317	672	378	325	703	197	153	350	175	180	355
4	417	295	712	402	322	724	420	307	727	402	320	722	429	290	719	414	307	721	197	165	362	201	134	335
5	435	271	706	406	297	703	427	249	676	416	253	669	441	283	724	425	271	696	209	167	376	208	125	333
6	437	247	684	492	259	751	438	296	734	461	270	731	458	293	751	457	273	730	214	146	360	203	149	352
7	347	232	579	397	250	647	389	272	661	364	239	603	349	267	616	369	252	621	146	141	287	182	126	308
8	248	156	404	287	170	457	284	178	462	263	152	415	226	158	384	262	163	425	146	99	245	138	81	219
9	190	99	289	231	104	335	253	88	341	239	80	319	192	93	285	221	93	314	122	53	175	98	61	159
10	172	52	224	178	50	228	192	75	267	164	68	232	181	73	254	177	64	241	102	53	155	79	41	120
11	86	37	123	94	54	148	105	38	143	106	32	138	184	66	250	115	45	160	98	36	134	46	28	74
12-MIDNIGHT	52	22	74	50	24	74	59	30	89	55	14	69	113	41	154	66	26	92	57	23	80	38	22	60
TOTAL	4509	4546	9055	4824	4905	9729	4796	4834	9630	4807	4811	9618	4878	4927	9805	4762	4806	9568	2370	2404	4774	2232	2215	4447

EXHIBIT 8
VILLAGE WALK/ISLAND WALK
TWENTY-FOUR HOUR MACHINE COUNT SUMMARY - AVERAGE WEEKDAY

HOUR ENDING	(1) VILLAGE WALK IN	OUT	TOTAL	(2) ISLAND WALK IN	OUT	TOTAL	(3) WEEKDAY AVERAGE IN	OUT	TOTAL
1 AM	7	3	10	14	4	18	11	4	15
2	4	1	5	7	1	8	6	1	7
3	3	1	4	5	2	7	4	2	6
4	1	2	3	5	4	9	3	3	6
5	3	5	8	5	10	15	4	8	12
6	5	17	22	15	26	41	10	22	32
7	10	62	72	35	104	139	23	83	106
8	35	137	172	57	252	309	46	195	241
9	67	172	239	105	240	345	86	206	292
10	96	172	268	115	207	322	106	190	296
11	112	183	295	145	247	392	129	215	344
12-NOON	152	175	327	169	231	400	161	203	364
1 PM	161	156	317	195	206	401	178	181	359
2	149	159	308	201	204	405	175	182	357
3	172	144	316	206	181	387	189	163	352
4	185	127	312	229	180	409	207	154	361
5	187	119	306	238	152	390	213	136	349
6	196	115	311	262	158	420	229	137	366
7	149	107	256	220	145	365	185	126	311
8	103	64	167	158	99	257	131	82	213
9	84	37	121	137	56	193	111	47	158
10	73	28	101	104	35	139	89	32	121
11	47	18	65	68	27	95	58	23	81
12-MIDNIGHT	22	10	32	44	16	60	33	13	46
TOTAL	2023	2014	4037	2739	2787	5526	2381	2403	4784

Footnote:

(1) Weekly average traffic from Exhibit 5.

(2) Weekly average traffic from Exhibit 6.

(3) Weekly average traffic from Exhibit 7 divided by 2 (with rounding).

EXHIBIT 9
VILLAGE WALK/ISLAND WALK
TRIP GENERATION RATES

HOUR ENDING	(1) VILLAGE WALK IN	OUT	TOTAL	(2) ISLAND WALK IN	OUT	TOTAL	(3) WEEKDAY AVERAGE IN	OUT	TOTAL
1 AM	0.01	0.00	0.01	0.01	0.00	0.01	0.01	0.00	0.01
2	0.00	0.00	0.00	0.01	0.00	0.01	0.00	0.00	0.01
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01
4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01
5	0.00	0.01	0.01	0.00	0.01	0.01	0.00	0.01	0.01
6	0.01	0.02	0.03	0.01	0.02	0.03	0.01	0.02	0.03
7	0.01	0.07	0.08	0.03	0.08	0.11	0.02	0.08	0.10
8	0.04	0.16	0.20	0.04	0.19	0.23	0.04	0.18	0.22
9	0.08	0.20	0.28	0.08	0.18	0.26	0.08	0.19	0.27
10	0.11	0.20	0.31	0.09	0.16	0.25	0.10	0.18	0.27
11	0.13	0.22	0.35	0.11	0.19	0.30	0.12	0.20	0.32
12-NOON	0.18	0.21	0.39	0.13	0.18	0.31	0.15	0.19	0.34
1 PM	0.19	0.18	0.37	0.15	0.16	0.31	0.16	0.17	0.33
2	0.18	0.19	0.37	0.15	0.16	0.31	0.16	0.17	0.33
3	0.20	0.17	0.37	0.16	0.14	0.30	0.17	0.15	0.32
4	0.22	0.15	0.37	0.17	0.14	0.31	0.19	0.14	0.33
5	0.22	0.14	0.36	0.18	0.12	0.30	0.20	0.13	0.32
6	0.23	0.14	0.37	0.20	0.12	0.32	0.21	0.13	0.34
7	0.18	0.13	0.31	0.17	0.11	0.28	0.17	0.12	0.29
8	0.12	0.08	0.20	0.12	0.08	0.20	0.12	0.08	0.20
9	0.10	0.04	0.14	0.10	0.04	0.14	0.10	0.04	0.15
10	0.09	0.03	0.12	0.08	0.03	0.11	0.08	0.03	0.11
11	0.06	0.02	0.08	0.05	0.02	0.07	0.05	0.02	0.07
12-MIDNIGHT	0.03	0.01	0.04	0.03	0.01	0.04	0.03	0.01	0.04
TOTAL	2.39	2.37	4.76	2.07	2.14	4.21	2.20	2.22	4.42

Footnote:

(1) Weekly average traffic from Exhibit 5 divided by 850 units.

(2) Weekly average traffic from Exhibit 6 divided by 1,315 units.

(3) Weekly average traffic from Exhibit 7 divided by 2,165 units.

EXHIBIT IV-D
DESCRIPTION OF PROPOSED DEVELOPMENT

General Location:
The subject property, containing 648.8 acres is located entirely in Section 3, Township 48 South, Range 26 East, City of Bonita Springs, Florida. The property is located approximately two and one-half (2.5) miles east of Interstate 75, adjacent to, and south of, Bonita Beach Road. The subject property is bounded on the west by the Parklands East [City of Bonita Springs Residential/Commercial Planned Development (RPD/CPD) Development of Regional Impact (DRI) designated Moderate Density/Planned Development (MU/PD) on the City of Bonita Springs Future Land Use Map (FLUM)]. Parklands East RPD/CPD DRI is approved for 10 acres, not to exceed 120,000 square feet of commercial, golf course, and 1,290 multi-family dwelling units. Further to the west (also within the limits of the City of Bonita Springs) is the currently undeveloped Parklands West RPD/CPD DRI, consisting of 324 acres and approved for, 1,296 multi-family dwelling units, golf course, and 72,00 square feet of commercial office and retail use, and the largely developed 799-dwelling unit Worthington Country Club golf course residential community. Immediately adjacent to the east of I-75 is the Hunters Ridge RPD. Both of these projects fall within the City limits and are designated Moderate Density MU/PD on the FLUM. To the south, within Collier County, the property abuts environmentally sensitive lands within the Mirasol Planned Unit Development (PUD); an approved master planned residential community. To the southwest are Parklands Collier DRI (residential PUD) and Quail West Country Club PUD (residential community). To the north of the subject, property is vacant land, some of which is in agricultural production. These properties to the north are identified for future acquisition by the Corkscrew Regional Watershed (CREW) Land & Crew Trust. All of the property to the north of Section 3 is designated Density Reduction Groundwater Resource (DRGR) and Wetland on the Lee Plan Future Land Use Map. Sections 1 and 2, immediately to the east of the subject property, are currently vacant and designated Rural on the Lee Plan Future Land Use Map. On July 1, 2002, the Lee County Board of County Commissioners, sitting as the Lee County Zoning Board, approved a Residential Planned Development (RPD) rezone of Sections 1 and 2, consisting of 1,298 +/- acres and titled the Bonita Beach Road RPD. The RPD allows for 36 holes of golf and related amenities, up to 1,158 dwelling units, and a maximum of 17,500 square feet of ancillary commercial uses.

Existing Site Conditions:
The subject property is entirely cleared of native vegetation and has been in agricultural (row crop) production for many years. The property is, at present, still used for agricultural production. On June 17, 2002, the Lee County Board of Commissioners, sitting as the Lee County Zoning Board, approved an RPD/CPD on the subject property allowing for up to 644 dwelling units with golf course and usual accessory uses and amenities, and five (5) acres of commercial retail, service, and office uses.

The site is generally flat, although the elevation ranges from 10.9 feet (NGVD - National Geodetic Vertical Datum) at the northwest corner of the site to 20.9 feet (NGVD) at the southeast corner. There is a perimeter berm with an elevation approximately five (5) to six (6) feet higher than the average site elevation, which is 13.95 feet (NGVD).

As approved, the Corkscrew Growers Section 3 RPD/CPD provides for a one hundred fifty (150)-foot access easement along its northern boundary. The northernmost twenty-five (25) feet of the easement are dedicated to Florida Power & Light (FPL). The remaining one hundred twenty-five (125) feet provide for the future Bonita Beach Road Extension, which will provide the primary access to the subject property. The RPD/CPD Resolution of Approval provides for a one hundred twenty-five (125) foot reservation on the west boundary of the project for the future extension of CR 951, reflecting the current planned alignment of CR 951.

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

There are no wetlands on the subject property. It is not anticipated that any of the proposed on-site activities will adversely affect any offsite wetlands, as there are wetlands and preserve areas directly to the south of the site (on Collier County Section 10). To prevent any secondary impacts, designated buffer areas will be located along the southern boundary.

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Proposed Amendments to the Existing Corkscrew Growers RPD/CPD:

The allowable residential development density is to be increased from 644 units to 1999 dwelling units, for a gross residential density of 3.15 units per acre. The master planned community will include a range of single-family and multi-family housing types, including single-family and two-family residences, attached and detached villas, and town homes. The residential areas will be developed around a centrally located "Town Center," and an interconnected system of water management lakes, providing the necessary treatment and attenuation functions as well as providing an amenity and aesthetic value for residents, pedestrian pathways, and open space areas. In addition to customary master planned community amenities, such as clubhouses, and common recreational and fitness faculties, the project will include a central community "Town Center" which will provide convenience neighborhood goods and services to residents, as well as additional common meeting room, civic and community space, and tennis and swimming facilities. The convenience neighborhood goods and services will include postal facilities, convenience retail, and other types of goods and services such as video rental, dry-cleaning, and gasoline dispensing facilities. The variety of services and other facilities meeting the needs of the residents will be centrally located within a sort distance of their homes. As a result, many positive results occur, including a reduction of demand for automobile trips within and outside of the community, and greater interaction and communication between residents. Inclusion of these small scale internalized commercial, service, recreational and civic uses furthers the objectives of the City of Bonita Springs Comprehensive Plan MU/PD FLUE Designation and reduces the impacts associated with new development.

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RWA INC. CONSULTING
Engineers, Surveyors & Mappers, Planners, & Project Managers

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EXHIBIT IV-I

CORKSCREW GROWERS PROPERTY
SURFACE WATER MANAGEMENT NARRATIVE FOR REZONING APPLICATION

1. The runoff characteristics of the property in its existing state.

   The site is presently used for agricultural row cropping and is surrounded by a perimeter berm to the north, east, south, and west, which has an average elevation of 19.5 feet (National Geodetic Vertical Datum). The average ground elevation is approximately 13.5 feet (NGVD). The wet season water table elevation is just below the average ground elevation, as is indicated by the analysis prepared by CDM Missimer in October 2002 (Attachment 1). In instances where ground water swells above the ground elevation, the site is subject to pumping to the adjacent drainage ditches to the north of the property. There is an existing permit, issued through the South Florida Water Management District (SFWMD), which allows these activities (Permit No. 36-02865-S) (Attachment 2).

2. In general terms, the drainage concept proposed including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained.

   The site will be served by a wet detention system of interconnected lakes. The surface water will be directed to a series of lakes to attain SFWMD water quality treatment and water quantity attenuation standards, as outlined in the Environmental Resources Permit Information Manual Volume IV. The surface water will be discharged to the existing Bonita Beach Road drainage canal. The maximum discharge rate will be equal or less than that which is originally permitted by SFWMD. There are no offsite flows onto the property as there are currently substantial berms surrounding the property preventing flow. The site will maintain the berm at the south and east boundaries of the property. The north property line will be converted into right-of-way for the extension of Bonita Beach Road while the west property line will be converted into right-of-way for the extension of Logan Boulevard. Surface water from the rights-of-way will be managed through the right-of-way designs.

3. The retention features (including natural features) that will be incorporated into the drainage system and the legal mechanism, which will guarantee its maintenance.

   The retention features utilized will be approximately 137.56± acres of interconnected, wet detention, man-made lakes, covering approximately 21.2% of the total site. All surface water management features including the lakes will be conveyed to the Homeowners' Association, which will be established for the entire site. The Homeowners' Association will be responsible for operation and maintenance in perpetuity.

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4. How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate.

As indicated above, the site is presently used for agricultural row cropping. There are no features on the site, natural or otherwise, to contribute to the surface water management system. There are row crops with irrigation channels; however, it is not practical to preserve these elements nor can they be considered natural. The existing water table elevation during the wet season was established at 13.5 feet (NGVD), with a potential to recede to approximately 9.0 feet (NGVD) during the winter months. It is not anticipated that there will be an adverse modification to this range for the post development water table elevations; the initial indication for control elevation on the site for the post development scenario is approximately 14.5 feet (NGVD), which would result in a slight increase in the water table elevation at the existing conditions.

5. Describe the requirements for fill materials posed by this development for other than building pads (use, volume, etc.),

It is estimated that approximately 1.7 million cubic yards of fill will be required to elevate the site, which is approximately 13.5 feet (NGVD) throughout the property, to the finished grades for roadways and lots. By excavating the lakes to an approximate elevation of 2.5 feet (NGVD), or 12 feet below control, it is estimated that all excavated material from the surface water management lakes will be utilized onsite without the need for providing fill from an outside source.

6. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding.

The property is not subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event. The perimeter berm, with an average elevation of 19.5 feet (NGVD) is considerable higher than elevations that would be expected in a 100-year storm event.

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Corkscrew Growers Property

Emergency Preparedness Plan

CORKSCREW GROWERS PROPERTY
15501 BONITA BEACH ROAD S.E.
BONITA SPRINGS, FLORIDA 34135

February 2001

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Prepared by:
Banks Engineering, Inc.
10511-101 Six Mile Cypress Parkway
Fort Myers, Florida 33912
(941)939-5490

EMERGENCY PREPAREDNESS PLAN FOR

CORKSCREW GROWERS PROPERTY

I. *INTRODUCTION*

A. *Provide basic information concerning the residential community to include:*

The community is located east of I-75, south of Bonita Beach Road, in Section 03 – Township 48 South – Range 26 East, and contains 649 +/- acres.

1. *Name of the residential community, address, telephone number, emergency contact telephone number, and fax number, for responsible person or entity, as applicable.*

Corkscrew Growers Golf & Country Club Master Homeowners Association, Inc.
15501 Bonita Beach Road, SE, Bonita Springs, Florida 33135
Phone (941) 352-5399
Emergency contact not available at this time
Emergency contact telephone number (941) not available at this time

2. *The developer/owner of the residential community, address, and telephone, if applicable.*

CORKSCREW GROWERS, INC.
7373 Vanderbilt Beach Road, Naples, Florida 34119
Phone (941) 352-5399

3. *The number and type of units in the residential community.*

644 Single Family Units

B. *Identify by name or position title, who is responsible for the implementation of the emergency preparedness plan; include a statement detailing when the plan is to be updated.*

President of the Corkscrew Growers Golf and Country Club Master Homeowners Association, Inc. The alternate is the Vice President of the Corkscrew Growers Golf and Country Club Master Homeowners Association, Inc.

The plan is to be updated every year from the date of approval.

C. *Establish the frequency with which the emergency preparedness plan information will be updated, including how often the affected residents or users will be informed of relevant information, including hurricane evacuation and shelter information, where applicable.*

The emergency preparedness plan information shall be updated annually and the affected residents will be informed of all relevant information on an annual basis.

DCI 2007 00003

II HAZARD ANALYSIS

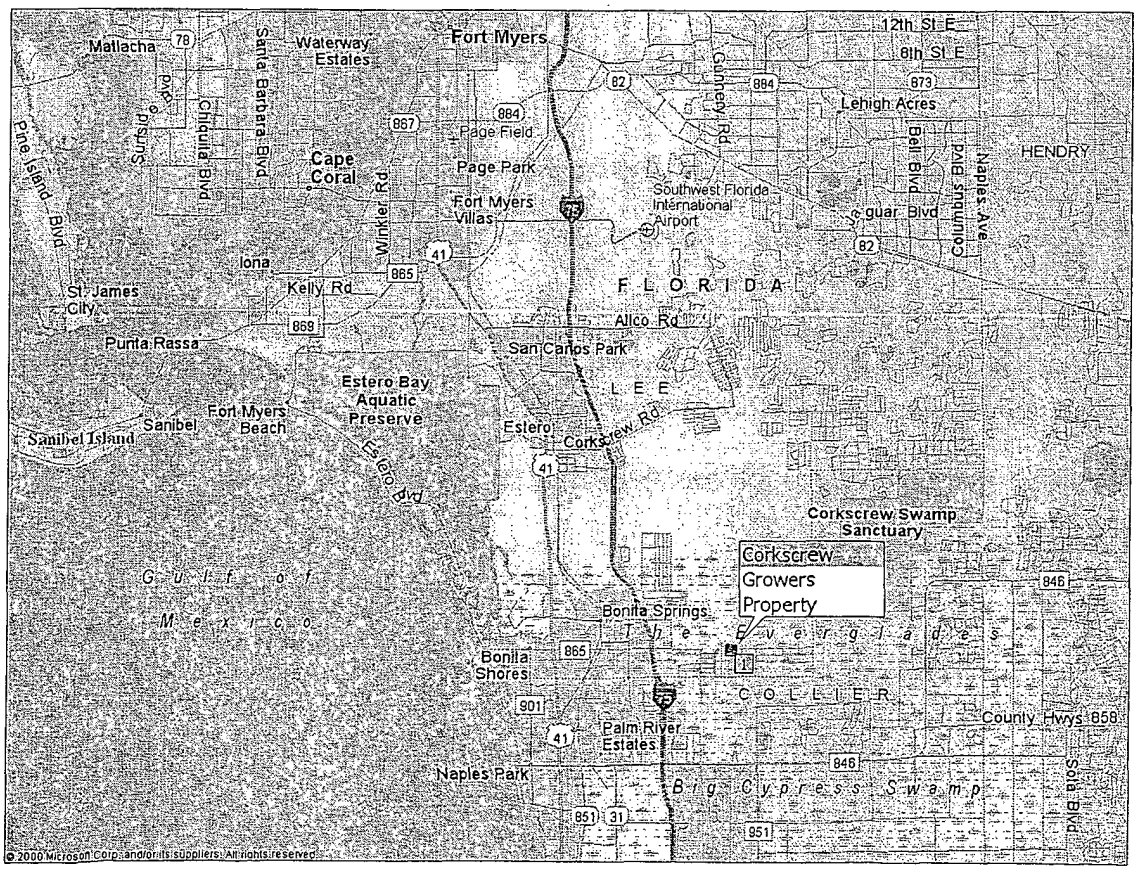
A. *This section of the plan should describe the hazards that the residential community is vulnerable to, such as hurricanes, tornadoes, flooding, fires, and hazardous material incidents from fixed facilities or transportation accidents.*

Corkscrew Growers Property, like all of southwest Florida, is vulnerable to the effects of a hurricane or tropical storm. Storm surge, wind damage, torrential rains, and flying debris are some of the hazards associated with a hurricane. This area is also vulnerable to tornadoes, flooding, brush fires, and hazardous materials incidents. Based on information provided by Lee County Emergency management, the following table describes the flood levels that can be expected in the area:

Category of Hurricane	Sustained Winds (MPH)	Water Level/Surge Height (Feet Above Sea Level) (For An Approaching Storm)	Water Level/Surge Height (Feet Above Sea Level) (For An Exiting Storm)
Tropical Storm	39-74	Dry	Dry
1	74-95	Dry	Dry
2	96-110	Dry	Dry
3	111-130	Dry	Dry
4/5	131-155+	20.0'	Dry

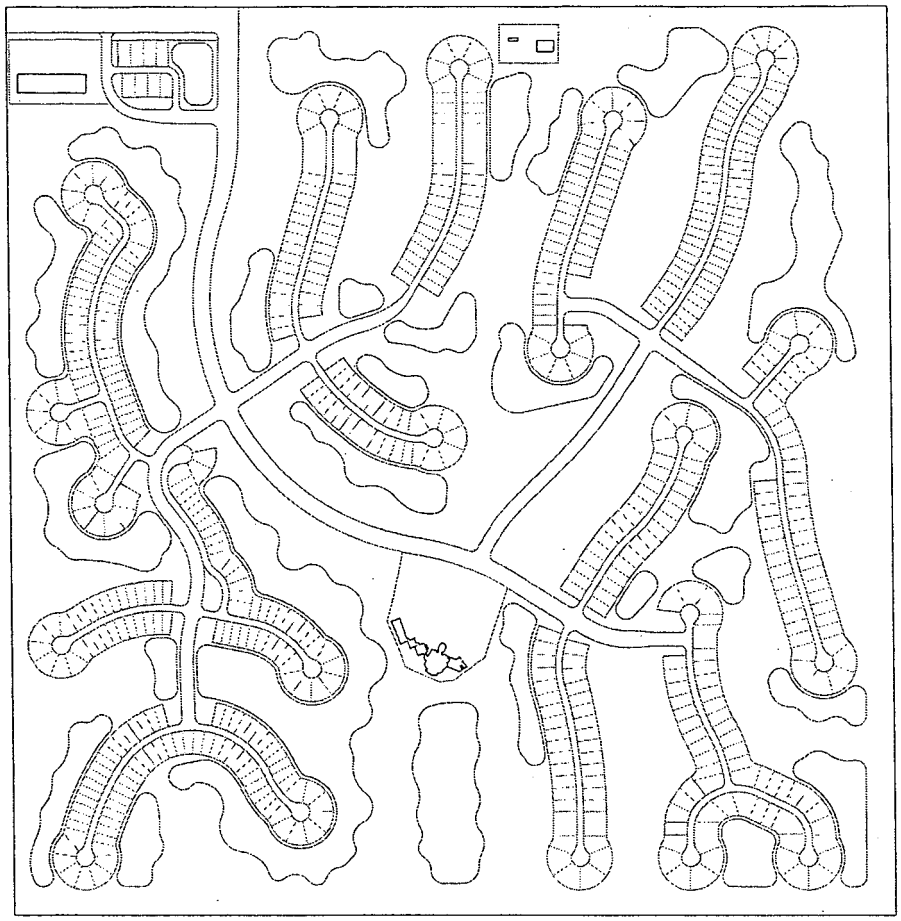
B. *Provide site specific information concerning the residential community to include:*

1. *An area location map.*



DCI 2003-00005

2. *Street or site map.*



3. Number of residential units.

644 residential units.

4. *Estimate population of the residential community year-round.*
(Number of Residential Units) x (2.21 people per household) x (75%)
644 x 2.21 x 0.75 = 1,067 estimated residents in community year-round.

5. *Estimated maximum population of the residential community, including seasonal residents.*

(Number of Residential Units) x (2.21 people per household) x (150%)
644 x 2.21 x 150% = 2,135 estimated max. residents in the community, including seasonal residents.

6. *Identification of the potential storm surge flooding risk from a tropical storm or hurricane occurrence (as identified by the National Weather Service storm surge model and available from Lee County Emergency Management).*

There is no potential storm surge flooding risk from a Category 3 storm. There is a potential storm surge flooding risk from a Category 4/5 storm or hurricane occurrence. The SFWMD General Permit States that the minimum Finish Floor Elevation is 17.00'. There is no FEMA flood map for this region. This means that if your first floor is at 17.00' above sea level, you could expect 3' of flooding inside the house during a Category 4/5 hurricane.

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7. *Identify the finished floor elevation (ffe) of the community clubhouse or office, if applicable.*

The finished floor elevation of the Clubhouse is 20.00' N.G.V.D.

8. *Identification of which flood zone the residential community is in, as designated on the FEMA Flood Insurance Rate Map, if applicable.*

There is no FEMA flood insurance rate map for this area of Lee County. The minimum finish floor elevation of 17.00' was determined by the SFWMD permit

9. *Proximity of the residential community to a railroad or major transportation artery (to identify possible hazardous material incidents). Contact Lee County Emergency Management to determine if site is located in a vulnerability zone of an Extremely Hazardous Substance.*

The residential community is not located in a vulnerability zone of an Extremely Hazardous Substance. The closest major transportation artery to the site is I-75, which is 2.8 +/- miles from the site.

III CONCEPT OF OPERATIONS

This section of the plan should define the policies, procedures, responsibilities, and actions that the residential community (i.e., homeowners' association, residents' association or a property management company) will take before, during, and after an emergency.

C. *Management Structure*

1. *Identify by name or position title, who is in charge during an emergency, and one alternative, should that person be unable to serve in that capacity.*

Corkscrew Growers Golf & Country Club Master Homeowners Association, Inc.
The President of Operations is in charge during an emergency.
The Vice President of Operations is the alternate.

2 *Identify the procedures that will activate the Residential Emergency Preparedness Plan.*

Hurricane Evacuation Plan - the Association will select a hurricane coordinator to implement the Hurricane Evacuation Plan. The Association will notify all owners in the event of a hurricane. All owners will be required to provide the Association with their phone numbers. The resident owners will be contacted either by phone or in person and told that a hurricane is threatening. The Association can provide information on hurricane shelters and evacuation routes. It will be up to each resident to decide whether or not to evacuate the premises.

3 *Identify the procedures the residential community will take to prepare for the protection of their common property (e.g., clubhouse, patio furniture, pools, spas, computer files, important records, etc.)*

All common property for the community will be protected by securing the property in advance. The community maintenance staff will see that all loose objects will be brought in from the outdoors as soon as word is received that a potential emergency is on the way.

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D. *Residential Preparedness Programs - This section is optional.*

Identify ways people in the community can pre-plan to help one another during an emergency.

1. *Identify plans and procedures to shelter residents (e.g., use of the clubhouse), if applicable.*

Depending upon the type of emergency involved, we will advise our residents accordingly. For a hurricane however, depending upon the path of the hurricane, the residents would be advised to evacuate the area if so advised by the Board of County Commissioners through Lee County Emergency Management.

The on-site Clubhouse shall be used as an emergency shelter. The Clubhouse shall be built to an elevation above the anticipated category three (3) landfalling hurricane storm surge, shall withstand wind speeds of at least 110 miles per hour, and is located outside the coastal high hazard area. The Clubhouse shall be equipped with emergency power and potable water supplies. It shall be constructed with either exterior glass meeting STTD 12-97 standard (or equivalent) or with adequate protection by shutters. It shall have adequate ventilation, sanitary facilities, and first-aid equipment.

2 *Identify volunteers to assist residents in the protection of their property (e.g., providing help in putting up shutters, bringing loose objects from the outdoors, etc.).*

It shall be the responsibility of each owner to secure or arrange to have secured their personal property to protect if from hurricane or storm damage. The Association shall not be held liable or responsible for action taken (or not taken) that results in storm damage to owners' personal property. Volunteers who will be assisting our residents in the protection of their property will be our Property Manager, and his maintenance staff. They will be more than willing to assist all residents in bringing inside all loose objects, putting up storm shutters and securing all their property.

The main concern of The Association will be to prevent damage to homes and the common area buildings and improvements from flying objects stored outside of the dwelling that are not properly secured.

3. *Identify volunteers to assist residents in evacuation (e.g., providing transport to a shelter or other destination during an impending hurricane).*

The same volunteers mentioned in B.2. above will assist all residents in evacuation, including transportation if necessary.

IV INFORMATION, TRAINING, AND EXERCISE

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This section should identify the procedures for increasing the residents' and employees' awareness of possible emergencies.

A. For Community Residents:

1. *Identify how residents in the community will be informed on emergency information and the Residential Emergency Preparedness Plan (e.g., newsletter, preparedness brochures available in a central location, such as the clubhouse or at a gatehouse or delivered to each unit, the hosting of a hurricane or emergency preparedness seminar, etc.)*

The residents will be informed of all-important information on an annual basis. The Association shall provide hurricane literature and brochures to the owners of lots. This information will be provided to the owners at the time of settlement on each lot. The Association shall coordinate and arrange for an annual seminar to be held at the community facility. A qualified speaker, such as Lee County Emergency Management staff will speak at the seminar and advise the owners on preparing for a hurricane. Hurricane brochures will also be available at the annual seminar. Through these sources the residents will be informed on emergency information and the Residential Emergency Preparedness Plan.

2. *State how often the residents will be informed on emergency information and the Residential Emergency Preparedness Plan.*

The residents will be informed on emergency information annually and the Residential Emergency Preparedness Plan will be reviewed and updated every year from the date of approval or prior to the approval of additional Development Orders within the project boundaries.

B. *For Community Employees (if Applicable):*

1. *Identify what community employees will be instructed on in performing emergency activities.*

All employees in the community work for and report directly to the Developers' President of Operations. The President of Operations, along with the Vice President of Operations, and the Property Manager will make sure all employees are instructed in performing emergency activities.

2. *Identify a schedule for exercising all or portions of the Residential Emergency Preparedness Plan.*

The employees of the Developer are instructed on these emergency activities on a monthly basis during the hurricane season (June thru November) and annually thereafter as necessary. It shall be the responsibility of owners to secure, or arrange to have secured their personal property to protect if from hurricane or storm damage. At the request of a lot owner and at his sole expense, the Association may take whatever action the owner desires to have the staff take (within reason and if the staff has the time and resources to take such action) to secure his property (including covering windows with plywood, bringing outdoor furniture inside, etc.). However, this does not prelude the Association from taking action without the prior approval of a lot owner who is not present to secure the lot owner's personal property (including loose items on the outside of the house, items stored on the lot, etc.), in order to minimize damage to the property of other owners or to the common area buildings and improvements.

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V APPENDICES

A *A roster of Community Residents for Emergency Contact.*

1. *List the names and addresses, telephone numbers, including seasonal contact numbers of all residents, if applicable.*

The roster is not available at this time.

B *A roster of Community Employees and Companies with emergency preparedness related activities, if applicable.*

1. *List the names, addresses, telephone numbers, and pager numbers of all residential community employees.*

President of Operations and Vice President of Operations of the Corkscrew Growers Golf & Country Club Master Homeowners Assoc., Inc.
7373 Vanderbilt Beach Road, Naples, FL 34119, Ph: (941) 352-5399

2. *List the names, addresses, telephone numbers, and emergency contact numbers of utility providers insurance companies and service vendors of the residential community common property.*

Electric: Florida Power and Light
P.O. Box 40, Fort Myers, FL 33902, Phone 694-0183, 332-9287

Telephone: Sprint United Telephone of Florida
P.O. Box 370, Ft. Myers, FL 33902; 1520 Lee Street, Ft. Myers, FL 33901
Phone 335-3111 or Emergency Repair Service Center Phone 611
Customer Service Center (800) 339-1811,
Hearing Impaired Repair Service Center (800) 347-0106,
Long Distance Service (800) 877-4646, & Equipment Service (800) 326-2731

Water: Bonita Springs Utilities
11860 E. Terry Street, Bonita Springs, FL 34135
Phone 992-0711

Sewer: Bonita Springs Utilities
11860 E. Terry Street, Bonita Springs, FL 34135
Phone 992-0711

Cable: Comcast Cable Company
45 Alabama Road N. # 5, Lehigh Acres, FL 33926
Phone 369-0591

Solid Waste: Lee County Solid Waste
1500 Monroe Street, Fort Myers, FL 33901
Phone 479-8181

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3. *List the names and telephone numbers of other important providers (e.g., the sheriff, fire district, emergency management, health department, Red Cross, etc.), as applicable.*

Sheriff:
14750 Six-Mile Cypress Parkway, Fort Myers, FL 33912
Phone 477-1200 or Emergency 911

Bonita Springs Police Department:
Phone 495-4500 or Emergency 911

Fire Protection: Bonita Springs Fire District
2790 Old 41 Road, Bonita Springs, FL 34135
Phone 992-3320 or Emergency 911

Lee County Emergency Management:
P.O. Box 398, Ft. Myers, FL 33902-0398
Phone 477-3600; Fax 477-3636
http://www.leegov.com/PublicSafety/EOC

Storm Information Hotline:
Emergency 477-1900 (only when activated)

National Weather Service – Fort Myers:
Phone 332-4030

American Red Cross – Lee County Chapter:
2516 Colonial Blvd., Ft. Myers, FL, Phone: (941) 278-3401

The Salvation Army – Fort Myers:
Phone 278-1551

Lee County Health Department:
Phone 332-9501

Lee County Humane Society:
Phone 332-0364

Lee County Emergency Medical Services:
335-1600 or Emergency 911 or 337-2000

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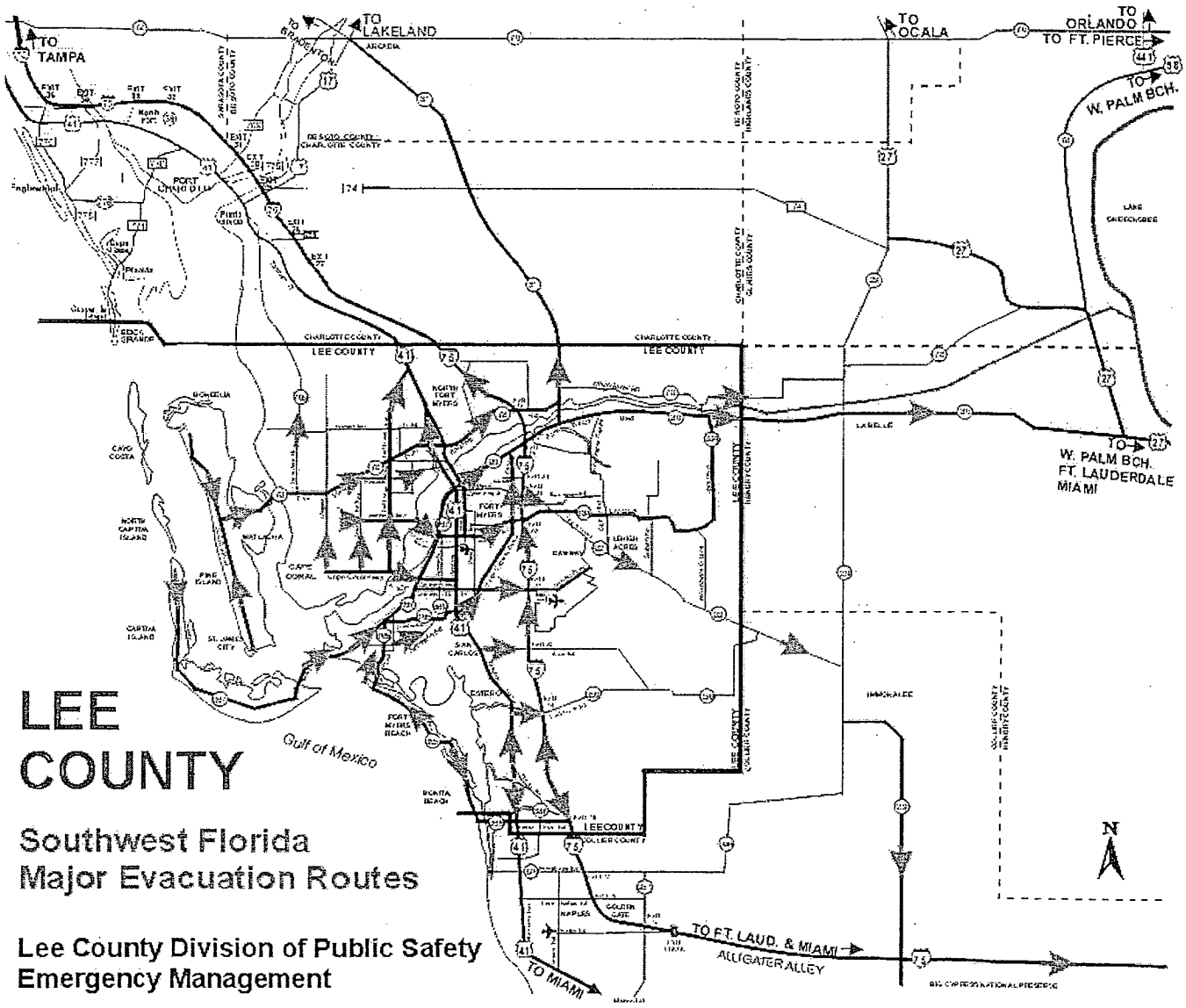
VI HURRICANE EVACUATION AND SHELTER INFORMATION:

This section identifies the procedures for increasing the residents' awareness of local hurricane evacuation and shelter information.



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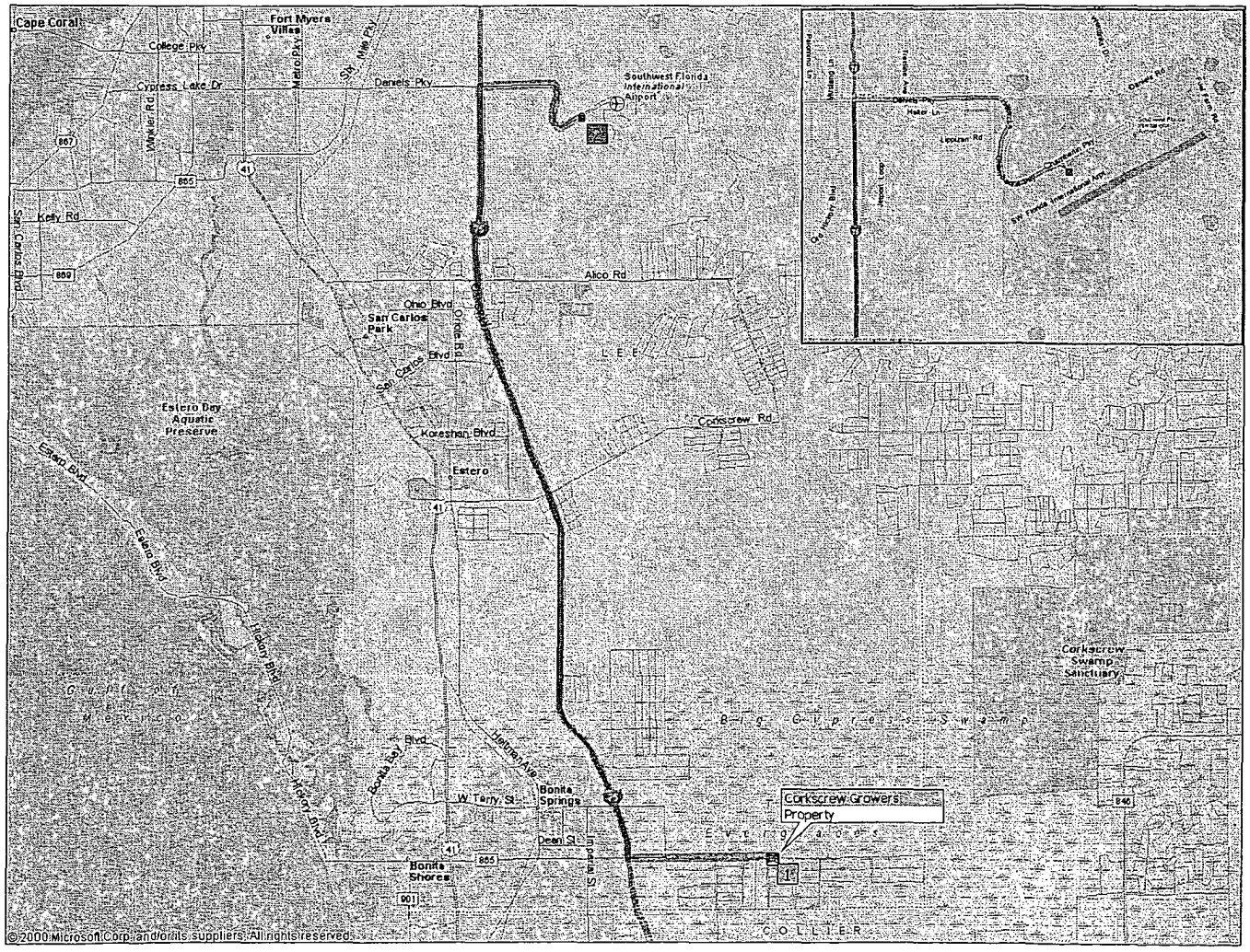
A. *The residential hurricane evacuation and shelter information of the plan must address the following items:*

The residents shall use the on-site Clubhouse as the primary shelter in the event that they are required to evacuate their homes.

1. *Evacuation Routes.*

a. **Evacuate the area to the Airport:**
Exit the project and turn left (west) onto Bonita Beach Road
Turn right (north) onto I-75 at exit 18
Turn right (east) at exit 21 onto Daniels Parkway
Turn right (south) onto Chamberlin Parkway
Continue to the Southwest Florida International Airport



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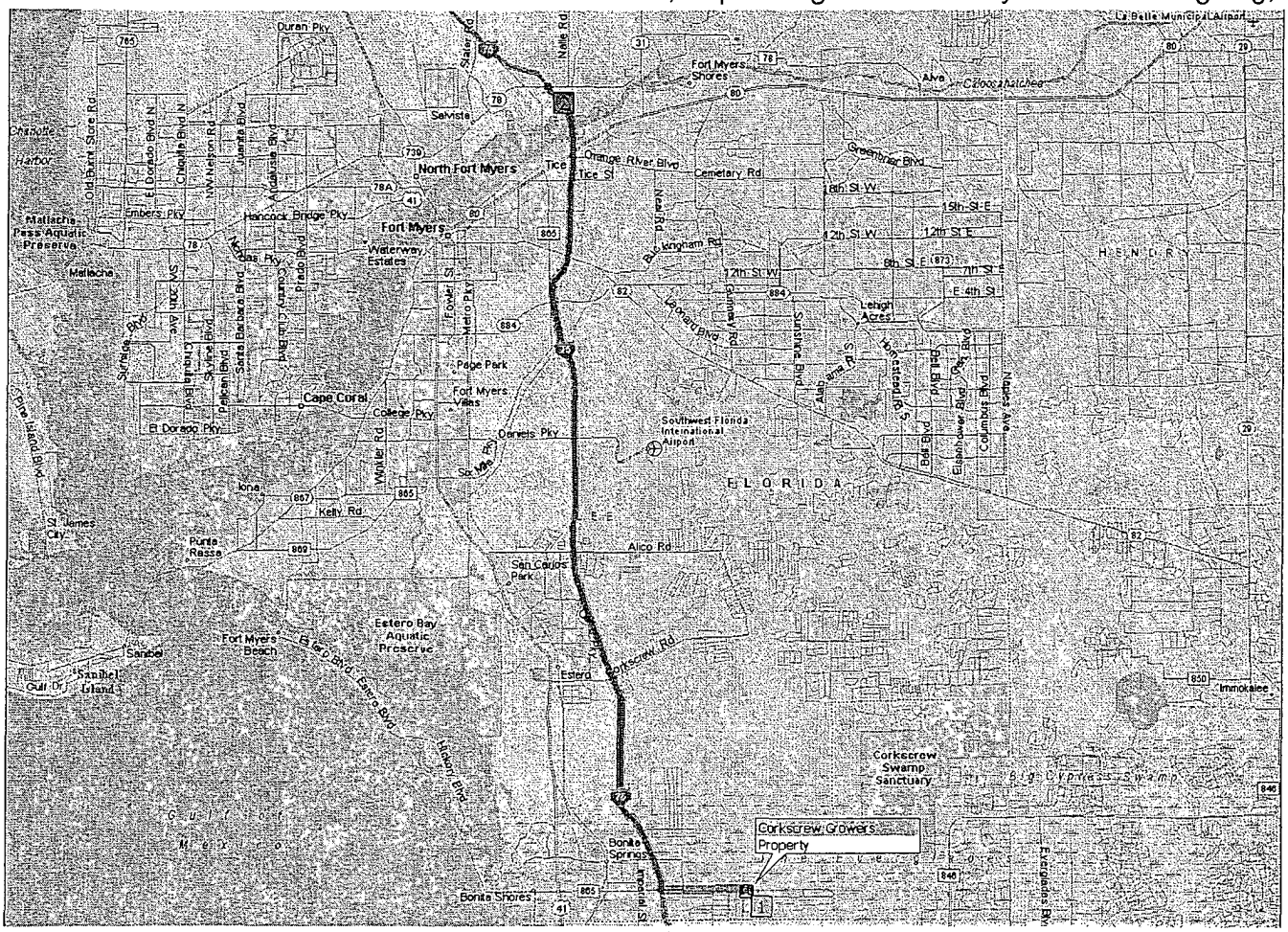
b. **Evacuate the area to the center of the state via I-75:**

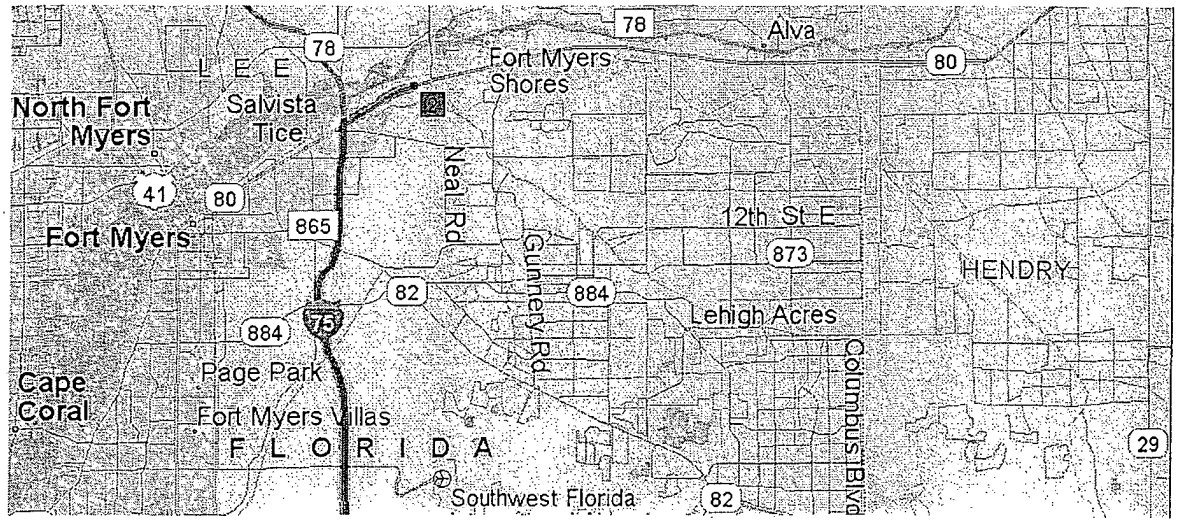
Depart site by turning left (west) onto Bonita Beach Road.
Continue (west) on Bonita Beach Rd
Turn right (north) onto I-75 at Exit 18
Continue north on I-75, depending on which way the storm is going,



or go east and

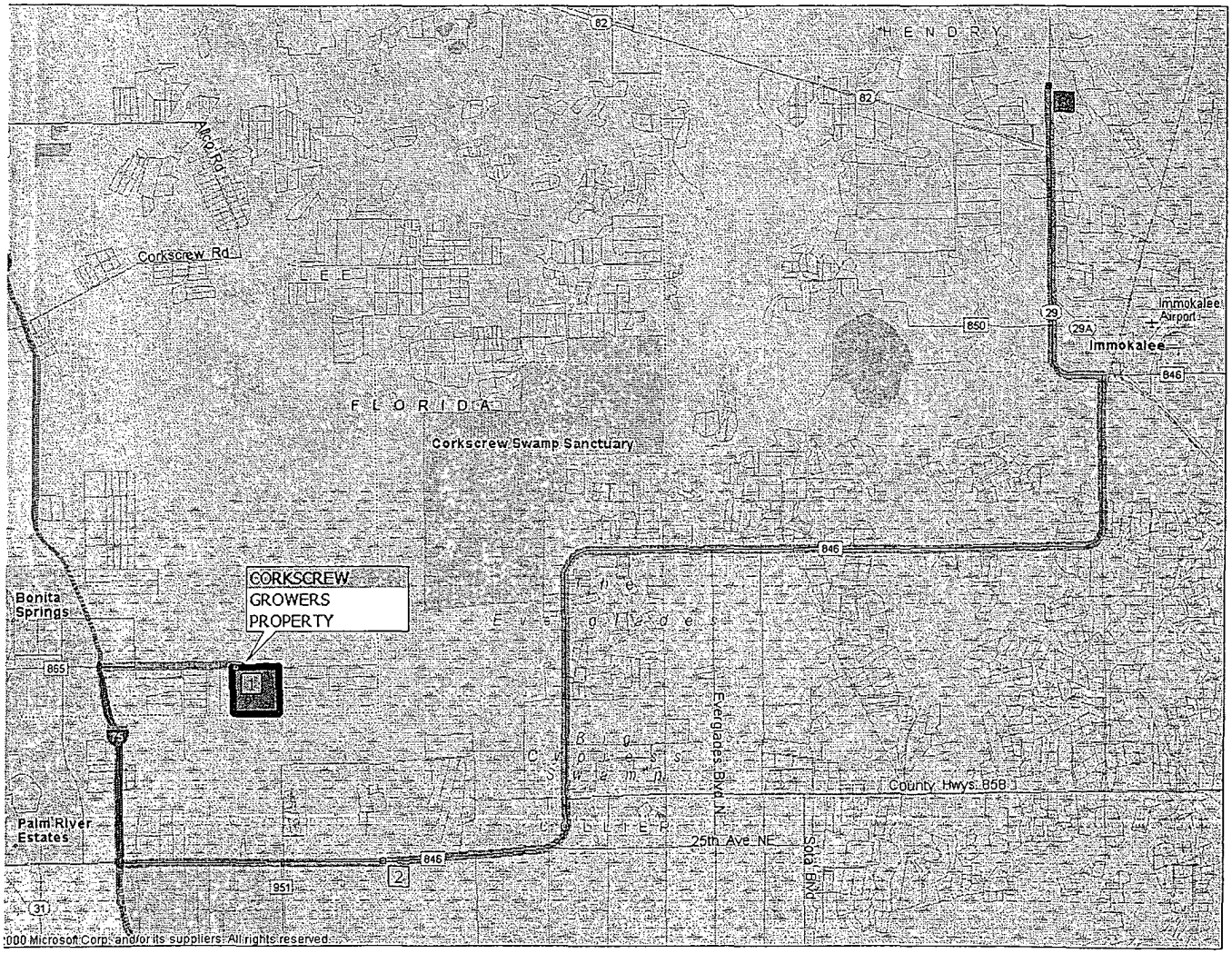
Evacuate the area to Labelle via I-75

Turn right at exit 25 onto Palm Beach Boulevard – S.R. 80
Continue to Labelle



c. **Evacuate the area to Labelle via C.R. 846 & S.R. 29:**

Exit the property and turn left (west) onto Bonita Beach Road
Turn left (south) onto I-75 at exit 18
Turn left (east) at exit 17 onto Immokalee Road - C.R. 846
Turn left (north) onto S.R. 29
Continue to Labelle



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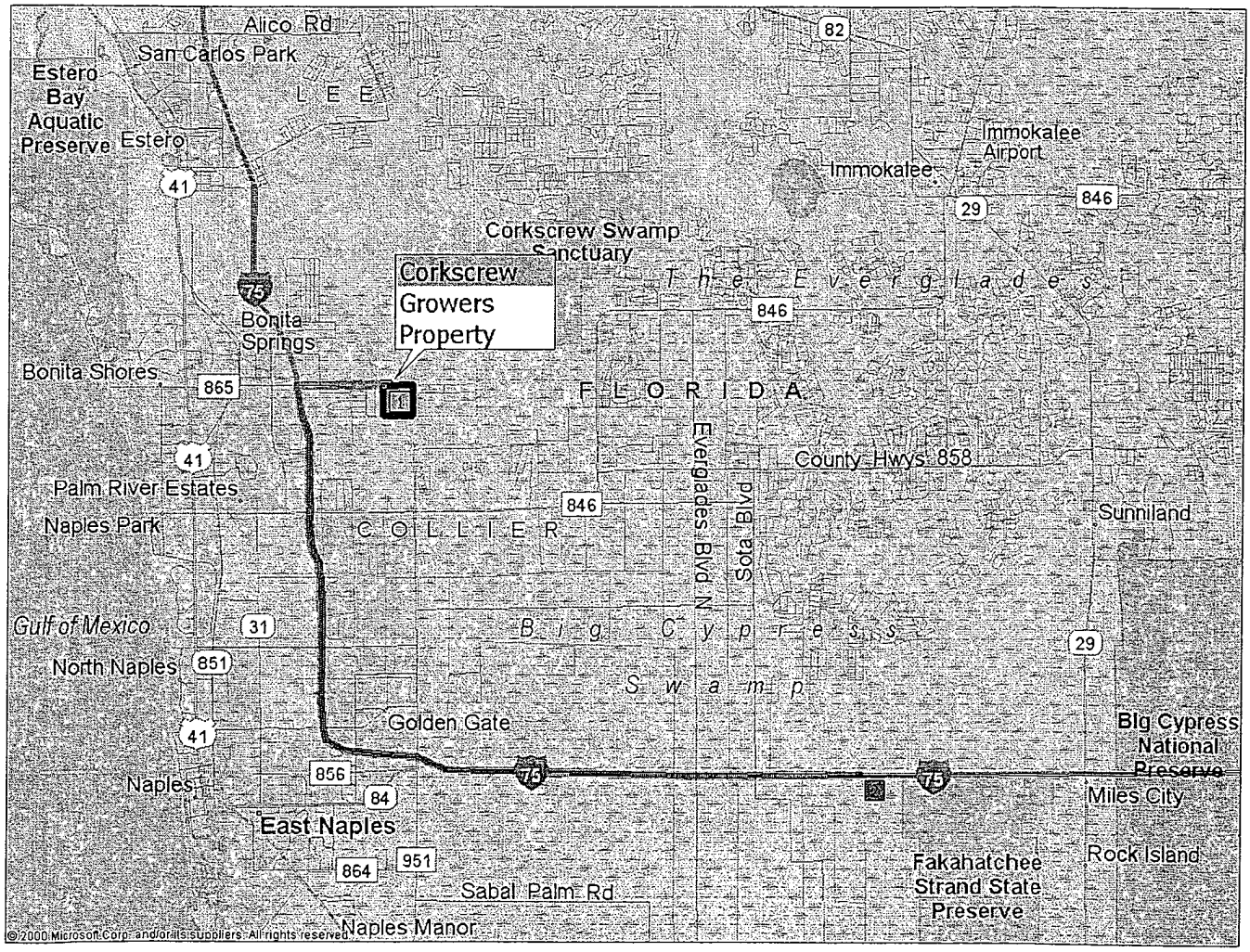
c. **Evacuate the area to south-east Florida via I-75:**

Depart site by turning left (west) onto Bonita Beach Road
Continue (west) on Bonita Beach Rd
Turn left (south) onto I-75 at Exit 18
Continue south-east on I-75 to Miami or Fort Lauderdale,

or

Turn left (north) and continue to the center of the state



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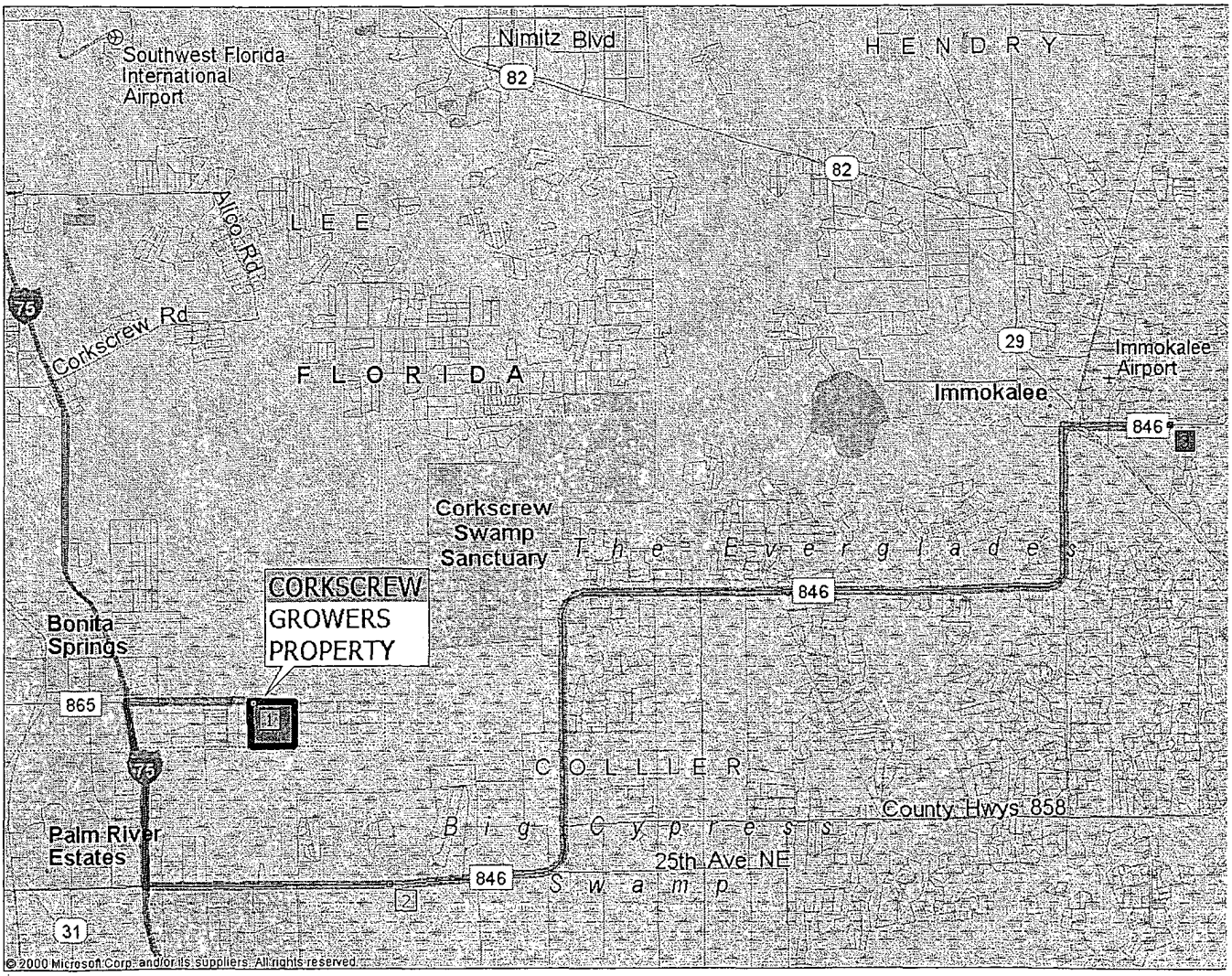
d. **Evacuate the area to Immokalee via I-75:**

Exit the property and turn left (west) onto Bonita Beach Road
Turn left (south) onto I-75 at exit 18
Turn left (east) at exit 17 onto Immokalee Road - C.R. 846
Then continue east to Immokalee



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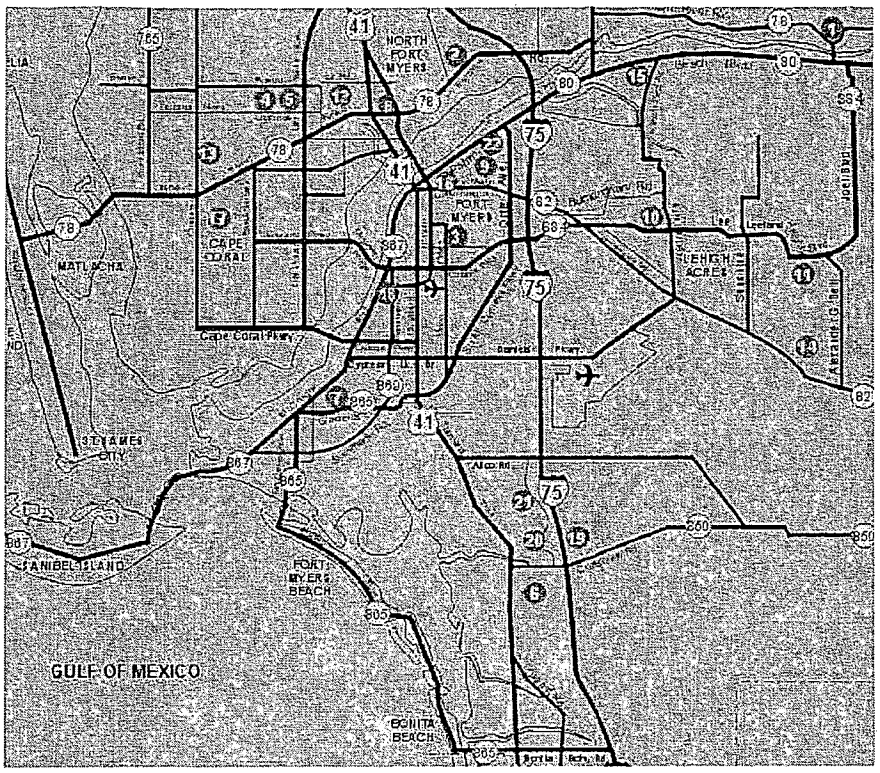
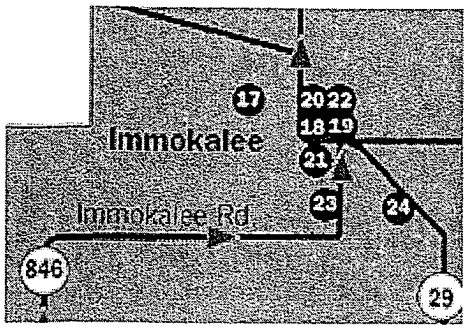
2. Emergency Public Shelter Locations.

Project to use the on-site Clubhouse as the primary emergency shelter. Following is a list of public shelter alternatives.



1.	Alva Elementary, 21290 Park Street, Alva
	Alva Middle School, 19 N. River Road, Alva
2.	Bayshore Elementary, 17050 Williams Road, N. Ft. Myers
3.	Colonial Elementary, 3800 School house Road East, Ft Myers
4.	Diplomat Elementary, 1115 NE 16th Terrace, Cape Coral
5.	Diplomat Middle, 1039 NE 16th Terrace, Cape Coral
6.	**ESTERO HIGH SCHOOL, 21900 RIVER RANCH ROAD, ESTERO**
7.	Heights Elementary, 15200 Alexandria Court, Ft Myers
8.	J. C. English Elementary, 120 Pine Island Road, N. Ft Myers
9.	Lee Middle School, 1333 Marsh Avenue, Ft Myers
10.	Lehigh High School, 801 Gunnery Road, North, Lehigh Acres
11.	Lehigh Middle School, 104 Arthur Avenue, Lehigh Acres
12.	Littleton Elementary, 700 Hutto Road, N. Ft. Myers
13.	Mariner High School, 701 Chiquita Boulevard, Cape Coral
14.	Mirror Lakes Elementary, 525 Charwood Avenue S, Lehigh
15.	Riverdale High School, 2600 Buckingham Road, Ft Myers
16.	Royal Palm Except'l Center, 1817 High Street, Ft Myers
17.	Skyline Elementary, 620 SW 19th Street, Ft. Myers
18.	Tanglewood Elementary, 1620 Manchester Boulevard, Ft. Myers
19.	**TECO ARENA, 11000 EVERBLADES PARKWAY, ESTERO**
20.	Three Oaks Elementary, 19600 Cypress View Drive, San Carlos Park
21.	Three Oaks Middle, 18500 Three Oaks Parkway, San Carlos Park
22.	Tice Elementary, 4524 Tice Street, Ft Myers



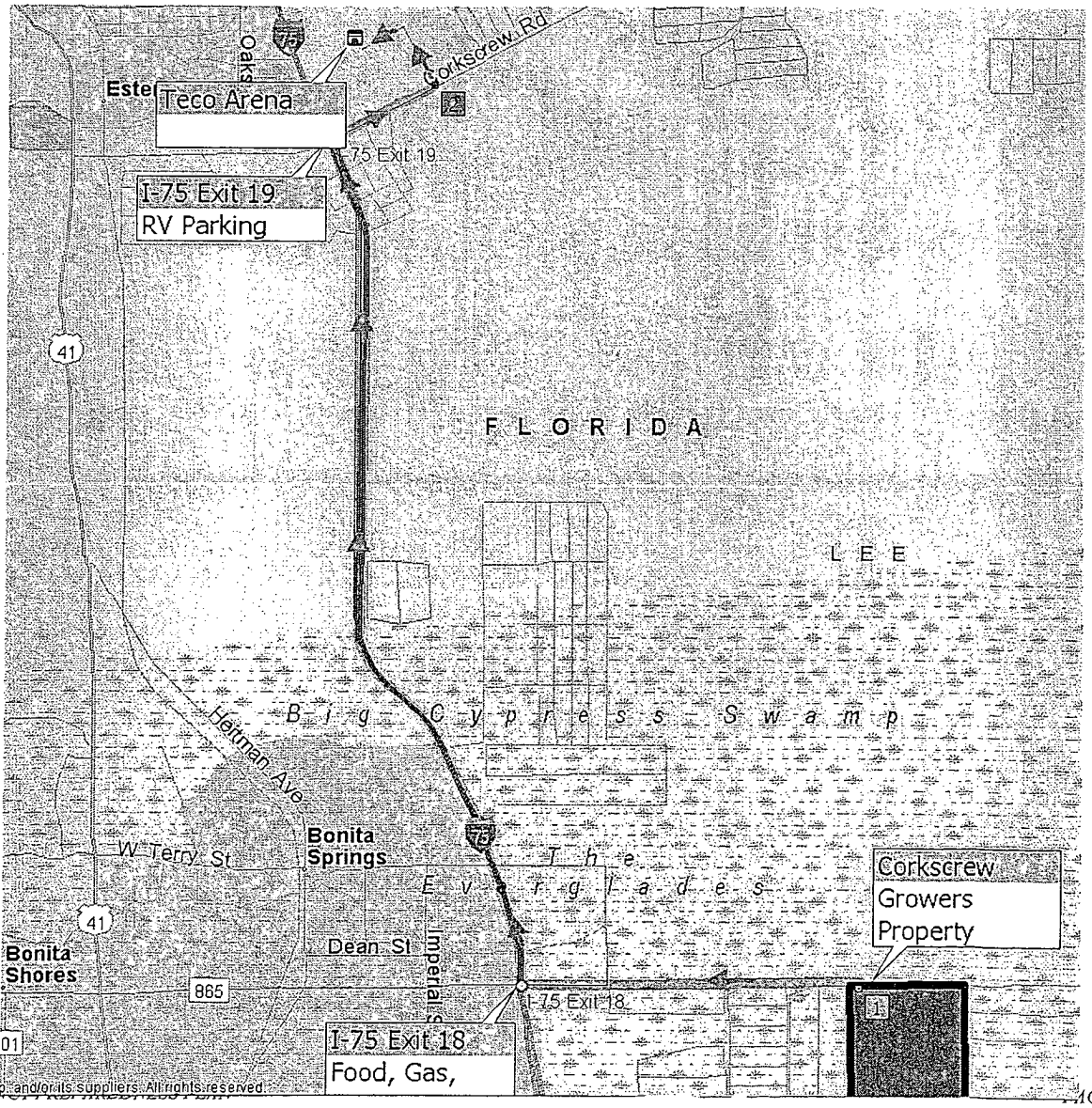
Collier County Hurricane Evacuation Shelters:

17 Immokalee High School, 701 Immokalee Dr., Immokalee
18 Immokalee Middle School, 409 North 9th St., Immokalee
19 Immokalee-Coller Co. Health Dept. Clinic, 419 N. 1st St., Immokalee
20 Highlands Elementary School, 1101 Lake Trafford Rd., Immokalee
21 Pinecrest Elementary School, 213 South 9th Street, Immokalee
22 Bethune Education Center, 502 North 9th St., Immokalee
23 Lake Trafford Elem. School, 3500 Lake Trafford Rd., Immokalee
24 Village Oaks Elementary School, 1601 SR 29, Immokalee

a. **Teco Arena:**

11000 Everblades Parkway, Estero, Florida 33928

Exist the property and turn left (west) onto Bonita Beach Road
Turn right (north) onto I-75 at exit 18
Turn right (east) at exit 19 onto Corkscrew Road
Turn left (north) onto Ben Hill Griffin Parkway
Turn left (west) onto Everblades Parkway to the Teco Arena



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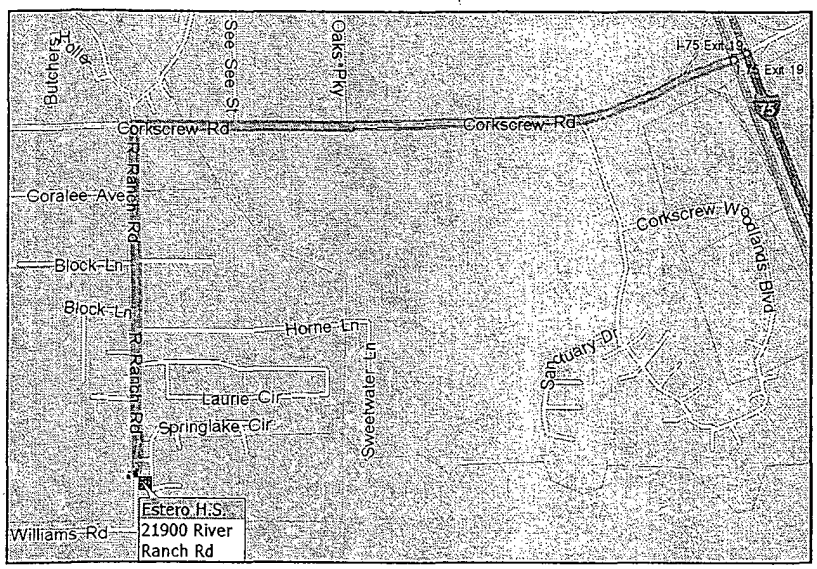
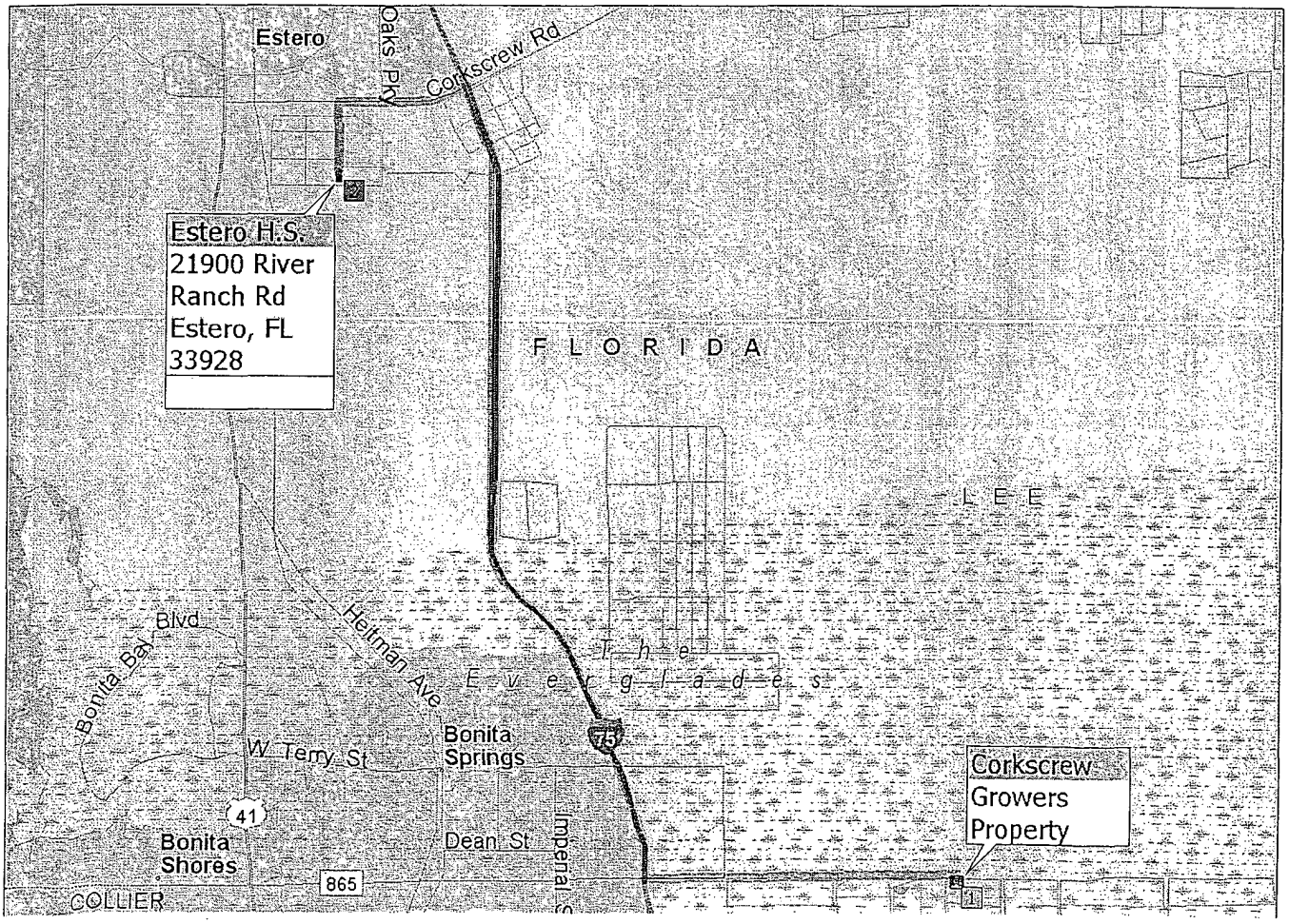
b. **Estero High School**
21900 River Ranch Road, Estero, Florida 33928

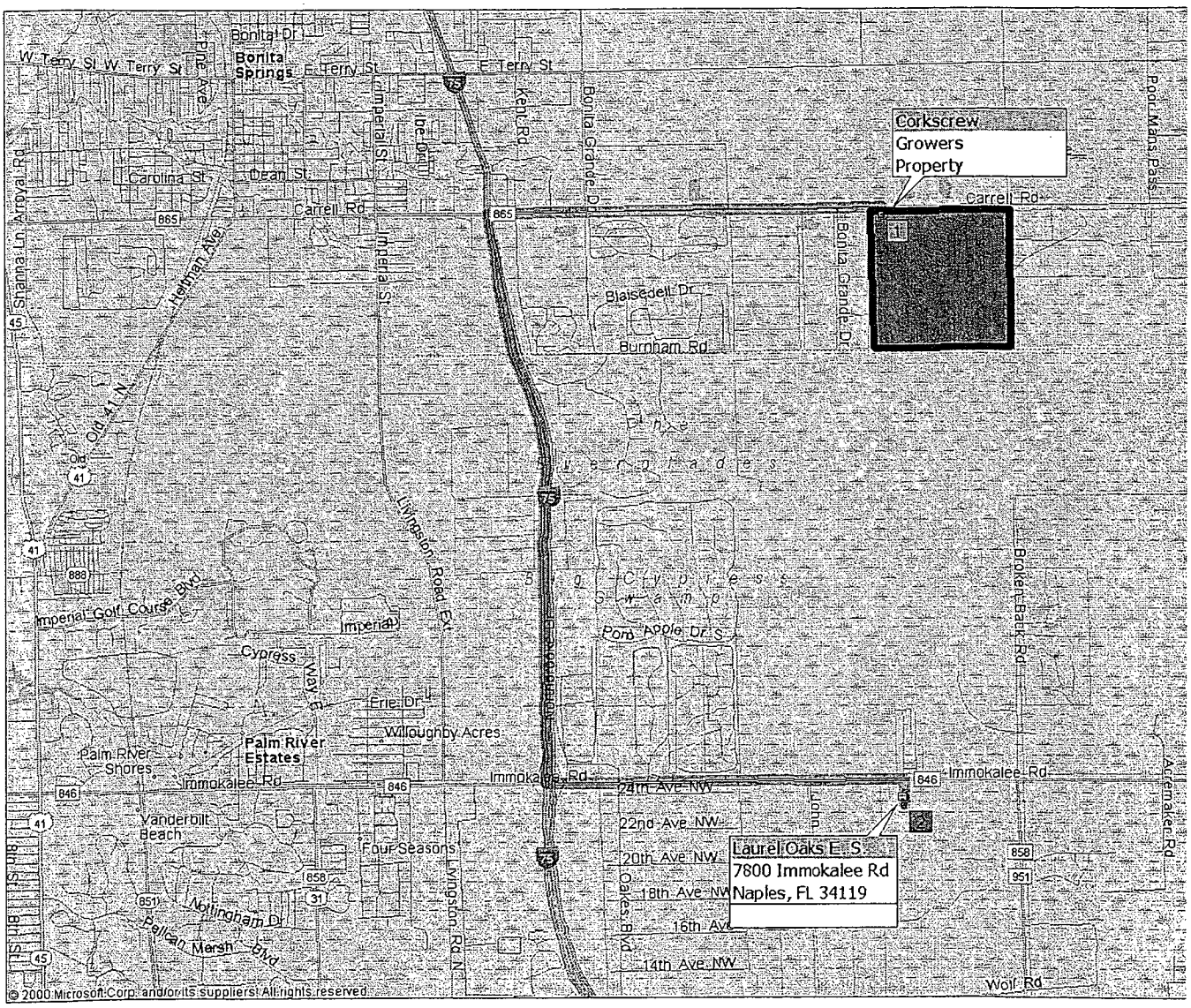
Exist the property and turn left (west) onto Bonita Beach Road
Turn right (north) onto I-75 at exit 18
Turn left (west) at exist 19 onto Corkscrew Road
Turn left (south) onto River Ranch Road
Turn into Estero High School parking lot





c. **Laurel Oaks Elementary School (Collier County):**
7800 Immokalee Road, Naples, Florida 34119

Exit the property and turn left (west) onto Bonita Beach Road
Turn left (south) onto I-75 at exit 18
Turn left (east) at exit 17 onto Immokalee Road - C.R. 846
Turn right (south) into school parking lot



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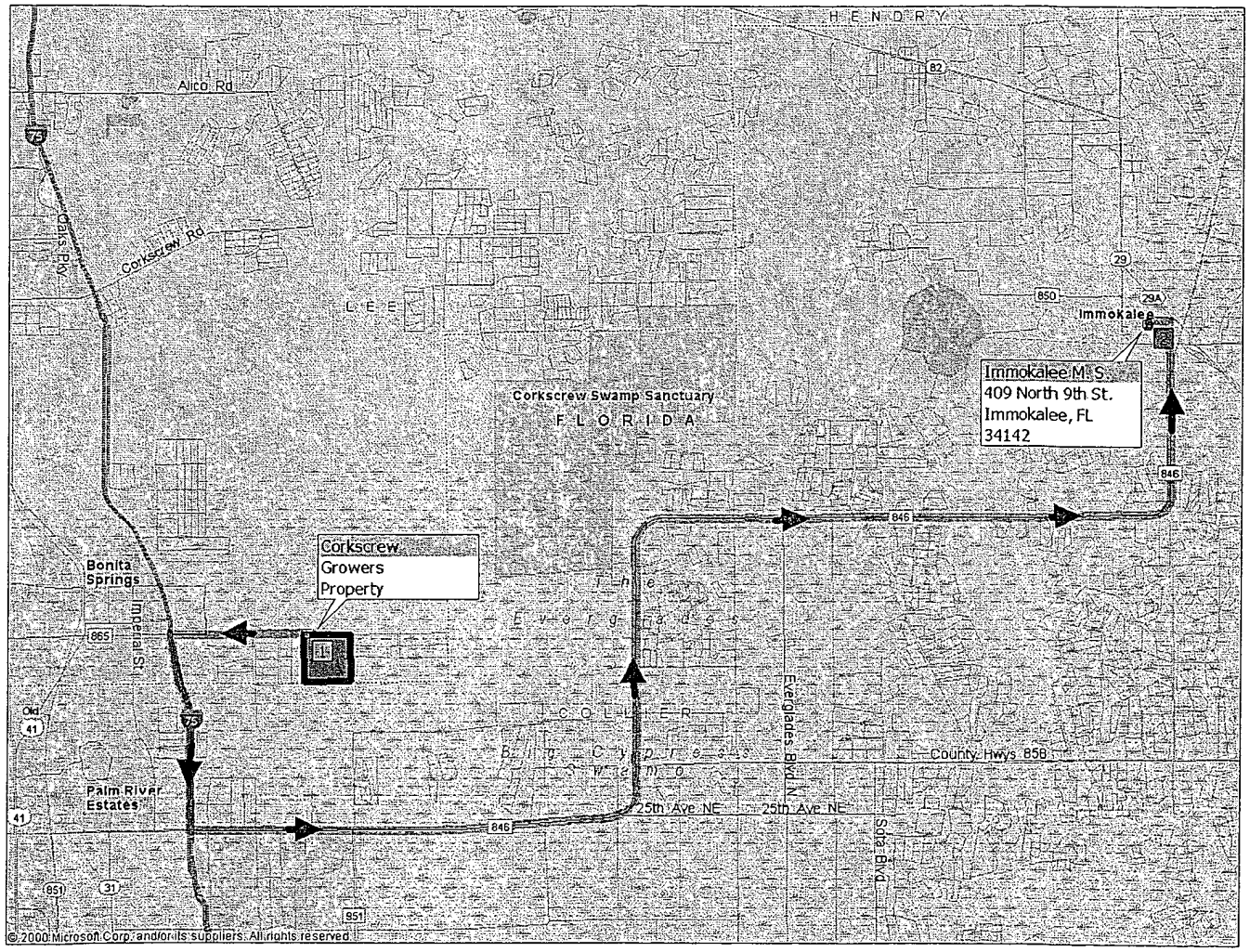
d. **Immokalee Middle School (Collier County):**
409 North 9th Street, Immokalee, Florida 34142

Exit the property and turn left (west) onto Bonita Beach Road
Turn left (south) onto I-75 at exit 18
Turn left (east) at exit 17 onto Immokalee Road - C.R. 846
Continue north-east
Turn Left (west) onto North 9th Street into school site



References:

1) Lee County Emergency Management "Guidelines for Emergency Preparedness Plan Criteria for Residential Developments of One Hundred (100) Units or more"

2) Lee County Emergency Management website
www.lee-county.com/PublicSafety/Hurricane2000/Manual/

3) Collier County Emergency Management website
www.collierem.org

4) Construction plans prepared by:
Banks Engineering, Inc.
10511-101 Six Mile Cypress Parkway, Fort Myers, Florida 33912
Phone (941) 939-5490 fax (941) 939-2523
E-mail: BanksEngineering@BanksEngineering.net

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BASED ON INFORMATION PROVIDED BY **LEE COUNTY EMERGENCY MANAGEMENT**, THE FOLLOWING TABLE DESCRIBES THE FLOOD LEVELS THAT CAN BE EXPECTED IN THE AREA:

CORKSCREW GROWERS PROPERTY

Category Of Hurricane	Sustained Winds (MPH)	Water Level/Surge Height (Feet Above Sea Level) (For An Approaching Storm)	Water Level/Surge Height (Fee Above Sea Level) (For An Existing Storm)
Tropical Storm	39-74		
1	74-95		
2	96-110		
3	111-130		
4/5	131-155		

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TABLE 1A
RONTO SECTION 3
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 540 VPH IN= 140 OUT= 400

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 680 VPH IN= 420 OUT= 260

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bonita Beach Road	E. of Vanderbilt Road	4LD	0	1410	1920	2030	2030	6.00%	25	1.3%
	E. of U.S. 41	4LD	0	1410	1920	2030	2030	13.00%	55	2.8%
	E. of Old U.S. 41	4LD	0	1410	1920	2030	2030	25.00%	105	5.5%
	W. of I-75	6LD	0	2150	2900	3040	3040	45.00%	189	6.5%
	E. of I-75	4LD	0	1410	1920	2030	2030	90.00%	378	19.7%
	E. of Bonita Grande Dr.	2L	0	650	900	960	960	100.00%	420	46.7%
Bonita Grande Dr.	N. of Bonita Beach Road	2L	0	650	900	960	960	10.00%	42	4.7%
I-75	S. of Bonita Beach Road	4LF	1060	1720	2570	3310	4090	30.0%	126	4.9%
	S. of Corkscrew Road	4LF	1060	1720	2570	3310	4090	15.0%	63	2.5%

Service Volumes taken from the Lee County Generalized Peak Hour Directional Service Volume Table, dated 7/18/00

-Denotes Significant Impact Criteria Satisfied for this roadway link

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TABLE 2A
RONTO SECTION 3
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D
I-75 Lee	0.099	0.58
PCS NO. 7	0.112	0.53
PCS NO. 42	0.099	0.58

TOTAL PROJECT TRAFFIC AM = 540 VPH IN = 140 OUT= 400

TOTAL PROJECT TRAFFIC PM = 680 VPH IN= 420 OUT= 260

ROADWAY	SEGMENT	PCS	BASE YR ADT	2001 ADT	YRS OF GROWTH	ANNUAL RATE	2002 PK HR PK SEASON PEAK DIR.	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bonita Beach Road	E. of Vanderbilt Road	7	19500	26400	9	3.42%	1621	2122	6.00%	24	25	2146	2147
	E. of U.S. 41	7	24700	23700	9	0.00%	1314	1314	13.00%	52	55	1366	1369
	E. of Old U.S. 41	42	15900	24100	9	4.73%	1354	1959	25.00%	100	105	2059	2064
	W. of I-75	42	16300	26800	5	10.46%	1700	3766	45.00%	180	189	3946	3955
	E. of I-75	42	6900	9900	9	4.09%	553	762	90.00%	360	378	1122	1140
	E. of Bonita Grande					0.00%	232	232	100.00%	400	420	632	652
Bonita Grande Drive	N. of Bonita Beach Rd.	42	2100	3900	2	36.28%	285	3391	10.00%	40	42	3431	3433
I-75	S. of Bonita Beach Rd	I-75	39000	64500	5	10.59%	3825	8556	30.00%	120	126	8676	8682
	S. of Corkscrew Road	I-75	36000	58500	5	10.20%	3457	7518	15.00%	60	63	7578	7581

* The Truck Factor was not accounted for in the calculations for roadway links that have permanent count stations.

-Denotes Significantly Impacted roadway links

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TABLE 3A
RONTO SECTION 3
LEVEL OF SERVICE ANALYSIS INCLUDING OTHER PROJECTS ON BONITA BEACH ROAD
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D
I-75 Lee	0.099	0.58
PCS NO. 7	0.112	0.53
PCS NO. 42	0.099	0.58

Other Project Trip Generation

Weekday P.M. Peak Hour

	In	Out	Total
Bonita Bay	483	241	724
Parklands - Lee Co.	810	407	1217
Parklands West	610	310	920

TOTAL PROJECT TRAFFIC AM = 0 VPH IN = 0 OUT= 0

TOTAL PROJECT TRAFFIC PM = 680 VPH IN= 420 OUT= 260

ROADWAY	SEGMENT	PCS	BASE YR ADT	2001 ADT	YRS OF GROWTH	ANNUAL RATE	2002 PK HR PK SEASON PEAK DIR.	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bonita Beach Road	E. of Vanderbilt Road	7	19500	26400	9	3.42%	1621	2122	6.00%	139	2261
	E. of U.S. 41	7	24700	23700	9	0.00%	1314	1314	13.00%	302	1616
	E. of Old U.S. 41	42	15900	24100	9	4.73%	1354	1959	25.00%	581	2540
	W. of I-75	42	16300	26800	5	10.46%	1700	3766	45.00%	1045	4812
	E. of I-75	42	6900	9900	9	4.09%	553	762	90.00%	2091	2852
	E. of Bonita Grande					0.00%	232	232	100.00%	2242	2474
Bonita Grande Drive	N. of Bonita Beach Rd.	42	2100	3900	2	4.00%	218	298	10.00%	232	530
I-75	S. of Bonita Beach Rd	I-75	39000	64500	5	4.00%	3598	4923	30.00%	697	5620
	S. of Corkscrew Road	I-75	36000	58500	5	4.00%	3263	4465	15.00%	348	4814

* The Truck Factor was not accounted for in the calculations for roadway links that have permanent count stations.

-Denotes Significantly Impacted roadway links

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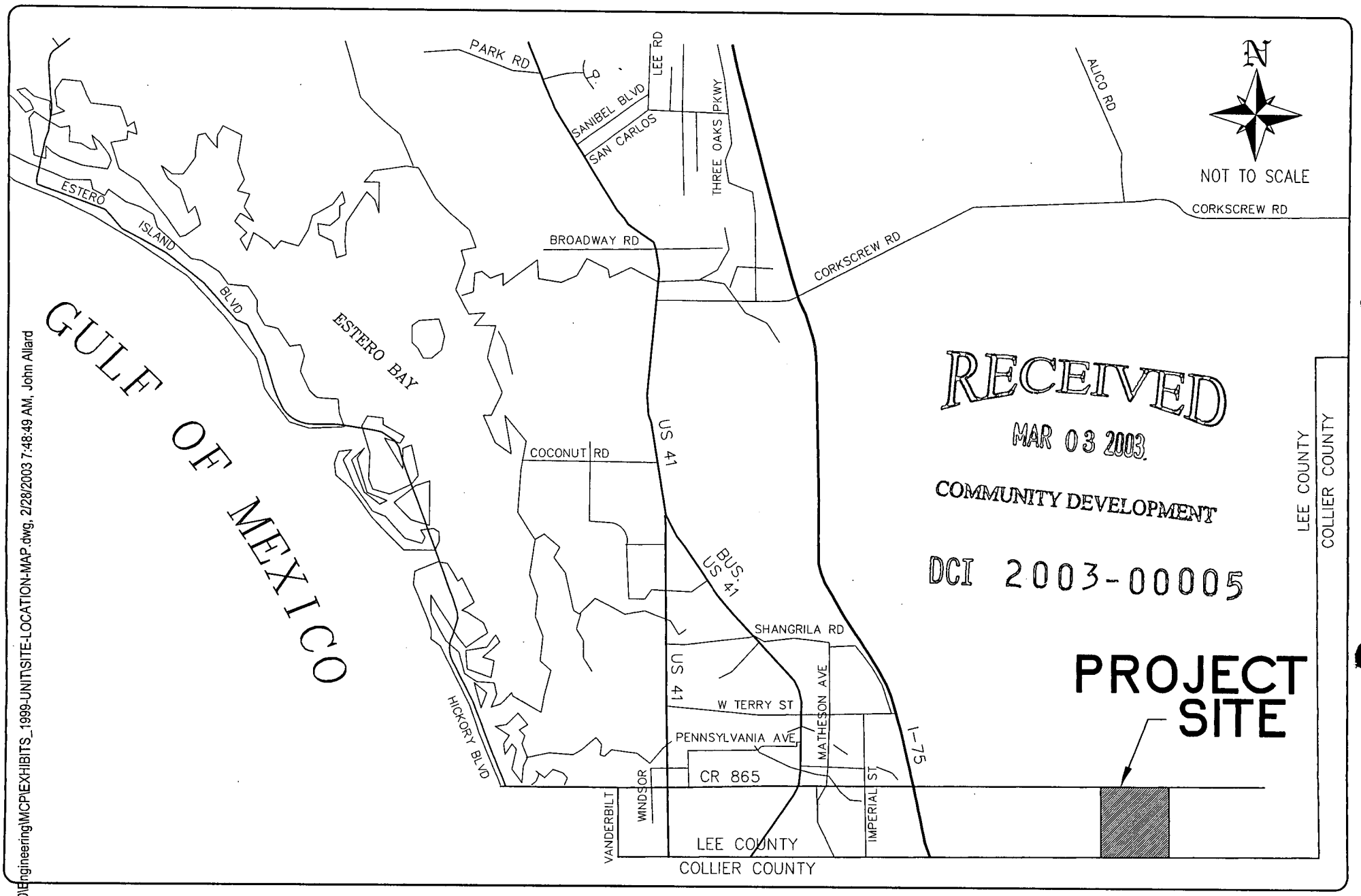
CORKSCREW GROWERS – SECTION 3

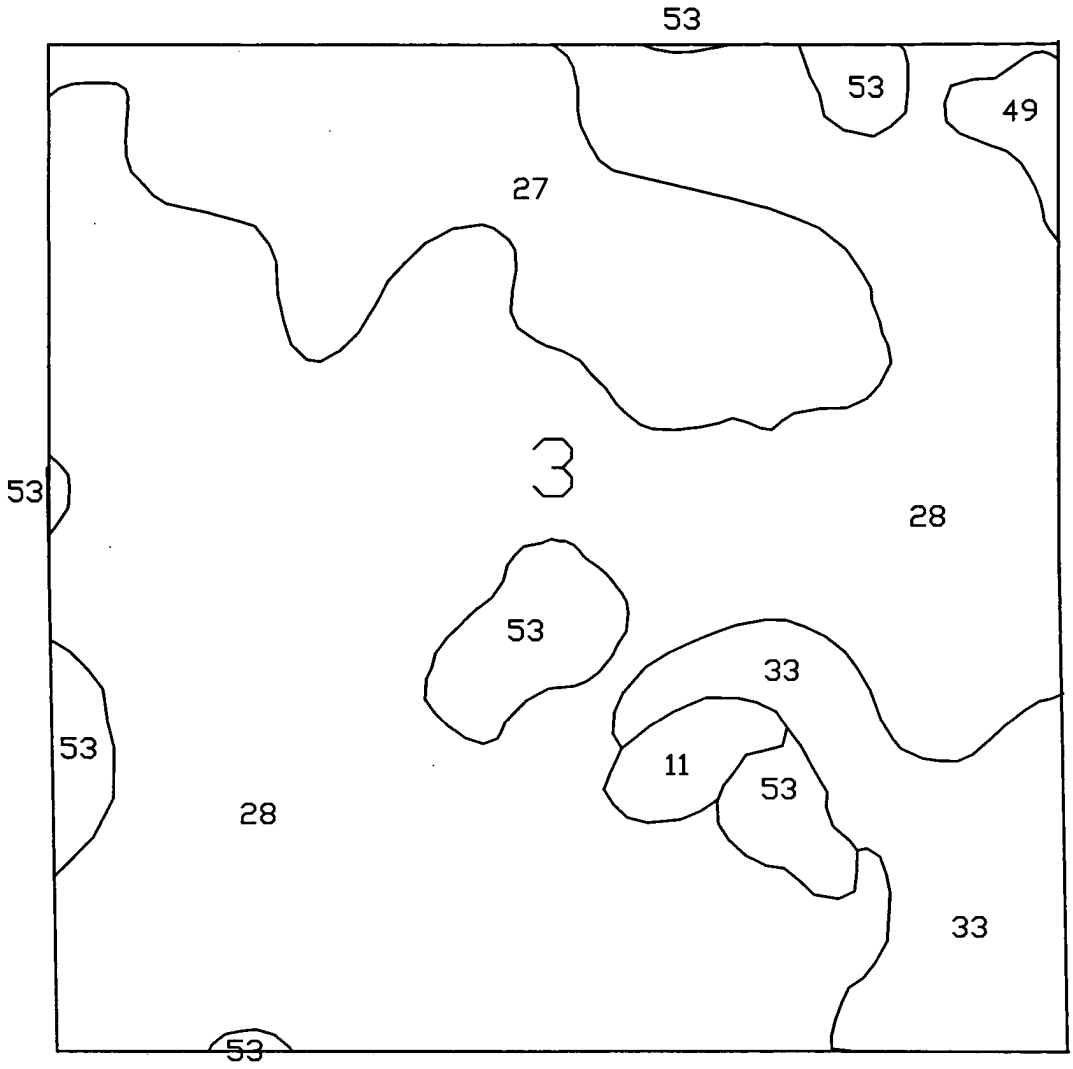
EXHIBIT III-D
Map of Roads



S:\Jobs\13xx\1360\Engineering\MCP\EXHIBITS_1999-UNIT\SITE-LOCATION-MAP.dwg, 2/28/2003 7:48:49 AM, John Allard

SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

EXHIBIT II-F-4
Soils, Vegetation & Groundcover Map



11 MYAKKA FINE SAND
27 POMPANO FINE SAND, DEPRESSIONAL
28 IMMOKALEE SAND
33 OLDSMAR SAND
53 MYAKKA FINE SAND, DEPRESSIONAL

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COMMUNITY DEVELOPMENT

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (941)403-8866 FAX: (941)403-8868
LICENSE NUMBER EB-0006469

SOILS MAP
CORKSCREW GROWERS PROPERTY
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
02-27-03	1360	SOILS	JEA	JEA	DRU	1" = 1000'	1	1	SECTION 03 T 48 S – R 26 E

S:\Jobs\13xx\1360\Engineering\MCP\EXHIBITS_1999-UNIT\1360_SOILMAP.dwg, 2/28/2003 11:12:17 AM, John Allard

THE FISCAL IMPACTS

ON

CITY OF BONITA SPRINGS

The Fiscal Impacts On The City of Bonita Springs
Created by the Annexation of the Corkscrew Grower's Property

June 10, 2002

Prepared By:

Fishkind & Associates, Inc.
11869 High Tech Avenue
Orlando, Florida 32817
407-382-3256
WWW.fishkind.com

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FIRST ADDENDUM TO

The Fiscal Impacts On The City of Bonita Springs Created by the Annexation of the Corkscrew Grower's Property

1.0 Introduction

1.1 Background

The Ronto Group has proposed the annexation of approximately 649 acres, known as the Corkscrew Grower's Property into the City of Bonita Springs. If approved, this annexation will have a substantial impact on the City of Bonita Springs, Florida. At this time land use planning is still underway and the total number of dwelling units may range from one (1) unit, two (2) units, three (3) or four (4) units per acre.

1.2 Assignment

The Ronto Group retained Fishkind & Associates Inc. to determine the fiscal impacts on the City of Bonita Springs caused by the purposed annexation. New modeling of one, two, three and four units per acre are the land use planning alternatives.

2.0 City of Bonita Springs Impact Summary

The fiscal impacts on the City of Bonita Springs' budget are estimated using a modified per captia approach.

2.1 Project Overview

The Ronto Group is proposing to develop 649 acres into an upscale community with upscale homes in the $300,000.00 price range. These homes are envisioned to be retiree oriented and the development will feature a large clubhouse for community social activities. There are no plans for a golf course.

2.2 Model Overview

This addendum is additional information to the Fiscal Impact Report dated June 5, 2002. The explanations as to methodology found in the original report apply in this report as well.

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2.3 Fiscal Impact Model Methodology

The Modified Per Capita Method is utilized.

2.4 Ad Valorem Tax

The Ad Valorem Tax base and the amount of revenue generated is dependant on the number of homes constructed and the assessed value of each home.

3.0 Measuring the City of Bonita Springs' Fiscal Impact by the Annexation of the Corkscrew Grower's Property

3.1 Land Planning and Census

The dominate force generating revenues and creating expenses is the manner in which the land is utilized. A great variance can be seen in the amount of Ad Valorem taxes collected in the one unit per acre model versus the four units per acre model. Each home is valued at $300,000.00 and its owners will be eligible for homestead exemption.

Table 15. Units per Acre and Population

Project Units Per Acre & Population	Annex Land	Construction Phase							
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Four Units Per Acre	0	0	300	330	330	330	330	330	325	321
Four Unit Population	0	0	600	1260	1920	2580	3240	3900	4550	5192
Three Units Per Acre	0	0	300	330	330	330	330	327	0	0
Three Units Population	0	0	600	1260	1920	2580	3240	3894	3894	3894
Two Units Per Acre	0	0	200	225	225	225	225	198	0	0
Two Unit Population	0	0	400	850	1300	1750	2200	2596	2596	2596
One Unit Per Acre	0	0	100	150	150	150	99	0	0	0
One Unit Population	0	0	200	500	800	1100	1298	1298	1298	1298

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Constructing one home per acre on 649 acres will have a total population of 1298 persons living in 649 homes. Likewise, with a land plan calling for three dwelling per acre results in 3894 persons living in 1947 homes. The City's Ad Valorem tax base and Ad Valorem tax revenues are greater with three or four homes per acre, however, the larger population requires more services and facilities than does a smaller population.

3.2 Ad Valorem Tax Base

The Ad Valorem Tax base is calculated annually by the assessed value of the real estate within the City boundaries. Undeveloped land remains of less value until developed. Building homes creates value and the table below accents the amount of growth this project can create.

Table 16. City of Bonita Springs Ad Valorem Tax Base

	Ad Valorem Tax Base			
YEAR	One Unit	Two Units	Three Units	Four Units
2002	$0	$0	$0	$0
2003	$5,516,500	$5,516,500	$5,516,500	$5,516,500
2004	$5,516,500	$5,516,500	$5,516,500	$5,516,500
2005	$28,041,500	$51,416,500	$86,337,333	$75,216,500
2006	$61,829,000	$103,054,000	$167,158,167	$151,886,500
2007	$95,616,500	$154,691,500	$247,979,000	$228,556,500
2008	$129,404,000	$206,329,000	$328,799,833	$305,226,500
2009	$151,703,750	$257,966,500	$409,620,667	$381,896,500
2010	$151,703,750	$303,407,500	$455,111,250	$458,566,500
2011	$151,703,750	$303,407,500	$455,111,250	$534,074,833
2012	$151,703,750	$303,407,500	$455,111,250	$608,978,333
2013	$151,703,750	$303,407,500	$455,111,250	$608,978,333
2014	$151,703,750	$303,407,500	$455,111,250	$608,978,333
2015	$151,703,750	$303,407,500	$455,111,250	$608,978,333
2016	$151,703,750	$303,407,500	$455,111,250	$608,978,333

3.3 Ad Valorem Tax Revenues

The Ad Valorem tax table below is driven by how many homes are built each year. The tax in collected on all property and homes built in prior years.

Table 17 Ad Valorem Tax Revenue

Ad Valorem Tax				
YEAR	One Unit	Two Units	Three Units	Four Units
2002	$0	$0	$0	$0
2003	$6,730	$6,730	$6,730	$6,730
2004	$6,730	$6,730	$6,730	$6,730
2005	$34,211	$62,728	$105,332	$91,764
2006	$75,431	$125,726	$203,933	$185,302
2007	$116,652	$188,724	$302,534	$278,839
2008	$157,873	$251,721	$401,136	$372,376
2009	$185,079	$314,719	$499,737	$465,914
2010	$185,079	$370,157	$556,238	$559,451
2011	$185,079	$370,157	$555,236	$651,571
2012	$185,079	$370,157	$555,236	$742,954
2013	$185,079	$370,157	$555,236	$742,954
2014	$185,079	$370,157	$555,236	$742,954
2015	$185,079	$370,157	$555,236	$742,954
2016	$185,079	$370,157	$555,236	$742,954

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3.4 Summary of Fiscal Impacts

Using the annual Ad Valorem tax collections above, and applying the Full-time Equivalent Employment (FTE) to each item in the adjusted revenue and expense budgets, the City of Bonita Springs's Fiscal Impacts are calculated.

Table 17. Summary of Fiscal Impacts

SUMMARY	2002	2003	2004	2005	2006	2007	2008	2009
One Unit Per Acre								
Revenue Impact	$0	$6,730	$6,730	$86,085	$163,764	$248,769	$333,813	$384,719
Expenditures Impact	$0	$0	$0	-$70,044	-$157,830	-$236,974	-$316,118	-$359,540
Net Fiscal Impact	$0	$6,730	$6,730	$16,041	$5,934	$11,815	$17,695	$25,179
Two Units Per Acre								
Revenue Impact	$0	$6,730	$6,730	$142,572	$274,961	$404,795	$534,629	$684,463
Expenditures Impact	$0	$0	$0	-$140,089	-$263,126	-$381,842	-$500,559	-$619,276
Net Fiscal Impact	$0	$6,730	$6,730	$2,483	$11,835	$22,952	$34,070	$45,187
Three Units Per Acre								
Revenue Impact	$0	$6,730	$6,730	$213,681	$411,056	$608,530	$806,005	$1,003,479
Expenditures Impact	$0	$0	$0	-$245,156	-$429,826	-$614,496	-$799,166	-$983,836
Net Impact	$0	$6,730	$6,730	-$31,575	-$18,770	-$5,966	$6,838	$19,643
Four Units Per Acre								
Revenue Impact	$0	$6,730	$6,730	$211,531	$406,160	$597,723	$789,287	$980,851
Expenditures Impact	$0	$0	$0	-$210,133	-$389,436	-$563,553	-$737,671	-$911,788
Net Fiscal Impact	$0	$6,730	$6,730	$1,397	$16,724	$34,170	$51,617	$69,063

Table 17. Summary of Fiscal Impacts -- continued

SUMMARY	2010	2011	2012	2013	2014	2015	2016
One Unit Per Acre							
Revenue Impact	$374,604	$374,604	$374,604	$374,604	$374,604	$374,604	$374,604
Expenditures Impact	-$342,431	-$342,431	-$342,431	-$342,431	-$342,431	-$342,431	-$342,431
Net Fiscal Impact	$32,173	$32,173	$32,173	$32,173	$32,173	$32,173	$32,173
Two Units Per Acre							
Revenue Impact	$775,958	$755,728	$755,728	$755,728	$755,728	$755,728	$755,728
Expenditures Impact	-$719,080	-$684,862	-$684,862	-$684,862	-$684,862	-$684,862	-$684,862
Net Fiscal Impact	$56,878	$70,865	$70,865	$70,865	$70,865	$70,865	$70,865
Three Units Per Acre							
Revenue Impact	$1,146,630	$1,136,596	$1,136,596	$1,136,596	$1,136,596	$1,136,596	$1,136,596
Expenditures Impact	-$1,061,338	-$1,027,294	-$1,027,294	-$1,027,294	-$1,027,294	-$1,027,294	-$1,027,294
Net Fiscal Impact	$85,292	$109,302	$109,302	$109,302	$109,302	$109,302	$109,302
Four Units Per Acre							
Revenue Impact	$1,172,415	$1,360,566	$1,546,892	$1,514,095	$1,514,095	$1,514,095	$1,514,095
Expenditures Impact	-$1,085,906	-$1,256,521	-$1,425,199	-$1,369,725	-$1,369,725	-$1,369,725	-$1,369,725
Net Fiscal Impact	$86,509	$104,044	$121,693	$144,370	$144,370	$144,370	$144,370

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3.5 Summary and Conclusion

The land plan will govern to what degree the City's growth effects its fiscal impacts. The City must be able and willing to provide services to the new population, remembering that there is a one year lag between new home construction and collecting the Ad Valorem taxes on that home. As more home are being built, the tax base increases as does the City's costs for services.

Short term budget considerations are well rewarded in the long term. The tax revenues increase over time and the long term growth of the City is enhanced.

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APPENDIX

Documents Supporting Tables

6. One Unit Per Acre Calculations

7. Three Units Per Acre Calculations

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APPENDIX

6. One Unit Per Acre Calculations

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Bonita Springs Project Profile				One Unit Per Acre											
	Annex Land		Construction Phase					DUs Complete							
Acres 649	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
649															
1 Units per acre			100	150	150	150	99	0	0	0	0	0	0	0	0
Value of Land	$6,490,000	$6,490,000	$5,490,000	$3,990,000	$2,490,000	$990,000	$0	$0	$0	$0	$0	$0	$0	$0	$0
Value of Units Built			$30,000,000	$45,000,000	$45,000,000	$45,000,000	$29,700,000	$0	$0	$0	$0	$0	$0	$0	$0
Taxable Value After Homestead Exemption			$27,500,000	$41,250,000	$41,250,000	$41,250,000	$27,225,000	$0	$0	$0	$0	$0	$0	$0	$0
Assessed Value of DU @ 85%	$0		$23,375,000	$35,062,500	$35,062,500	$35,062,500	$23,141,250	$0	$0	$0	$0	$0	$0	$0	$0
Assessed Value of Land @85%	$0	$5,516,500	$4,666,500	$3,391,500	$2,116,500	$841,500	$0	$0	$0	$0	$0	$0	$0	$0	$0
Annual Tax Base	$0	$5,516,500	$5,516,500	$28,041,500	$91,829,000	$95,618,500	$129,404,000	$151,703,750	$151,703,750	$151,703,750	$151,703,750	$151,703,750	$151,703,750	$151,703,750	$151,703,750
Annual Ad Valorem Tax	$0	$6,730	$6,730	$34,211	$75,431	$116,852	$157,873	$185,079	$185,079	$185,079	$185,079	$185,079	$185,079	$185,079	$185,079
Number of Residents fn(1)	649														

1

Bonita Springs				ONE UNIT PER ACRE											
Revenue Impact	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Ad Valorem & Other Taxes (N/A)		$6,730	$6,730	$34,211	$79,431	$116,662	$157,873	$185,079	$185,079	$185,079	$185,079	$185,079	$185,079	$185,079	$185,079
Franchise Fees (3)	$0	$0	$0	$7,768	$17,380	$25,972	$34,564	$39,194	$37,174	$37,174	$37,174	$37,174	$37,174	$37,174	$37,174
Telecom Tax (3)	$0	$0	$0	$2,698	$6,035	$9,020	$12,003	$13,611	$12,910	$12,910	$12,910	$12,910	$12,910	$12,910	$12,910
Licenses (2)	$0	$0	$0	$516	$1,290	$2,064	$2,838	$3,349	$3,349	$3,349	$3,349	$3,349	$3,349	$3,349	$3,349
Inter-Gov Revenues (2)	$0	$0	$0	$14,385	$43,849	$65,225	$86,603	$98,431	$93,359	$93,359	$93,359	$93,359	$93,359	$93,359	$93,359
Charges for Services (3)	$0	$0	$0	$890	$1,992	$2,977	$3,962	$4,493	$4,261	$4,261	$4,261	$4,261	$4,261	$4,261	$4,261
Fines & Forfeitures (1)	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Misc Revenue (1)	$0	$0	$0	$17,578	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Non-Revenue (3)	$0	$0	$0	$8,039	$17,987	$26,878	$35,770	$40,562	$38,472	$38,472	$38,472	$38,472	$38,472	$38,472	$38,472
Total Operating Revenue	$0	$6,730	$6,730	$86,085	$163,764	$248,769	$333,613	$384,719	$374,604	$374,604	$374,604	$374,604	$374,604	$374,604	$374,604

Expenditures	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
General Government (3)				$18,647	$42,392	$53,342	$84,309	$95,599	$90,873	$90,673	$90,673	$90,673	$90,673	$90,673	$90,673
Physical Environment (3)				$14,356	$32,140	$48,023	$83,918	$72,481	$68,748	$68,746	$68,746	$68,746	$68,746	$68,746	$68,746
Transportation (3)				$5,522	$14,547	$21,758	$28,929	$32,804	$31,114	$31,114	$31,114	$31,114	$31,114	$31,114	$31,114
Culture & Recreation (2)				$4,242	$10,804	$19,588	$23,428	$27,528	$27,528	$27,528	$27,528	$27,528	$27,528	$27,528	$27,528
Other Uses (3)				$26,986	$58,147	$85,892	$115,537	$131,128	$124,371	$124,371	$124,371	$124,371	$124,371	$124,371	$124,371
Total Expenditures	$0	$0	$0	$70,044	$157,530	$228,574	$316,118	$359,540	$342,431	$342,431	$342,431	$342,431	$342,431	$342,431	$342,431
(1) divisor includes total City population and employment															
(2) divisor includes total city population															
(3) divisor includes total City Pop, Employment & Tourist															
NA - per capita is not applicable, actual figures are used.															

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	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
New DU with ONE units per acre			$100	$150	$150	$150	$99	0	0	0	0	0	0	0	0
People per DU	$2		$200	$300	$300	$300	$198	0	0	0	0	0	0	0	0
People Cumulative			$200	$500	$800	$1,100	$1,298	1298	1298	1298	1298	1298	1298	1298	1298
People per DU FTE		$0	$192	$481	$769	$1,058	$1,248	1248	1248	1248	1248	1248	1248	1248	1248
Employees	$3		$300	$450	$450	$450	$297	0	0	0	0	0	0	0	0
Employees FTE			$88	$103	$103	$103	$68	0	0	0	0	0	0	0	0
Total POP & EMP FTE		$0	$281	$584	$872	$1,160	$1,316	1248	1248	1248	1248	1248	1248	1248	1248
Revenue Impact	$0	$6,730	$6,730	$36,085	$163,764	$248,789	$333,813	$384,719	$374,604	$374,604	$374,604	$374,604	$374,604	$374,604	$374,604
Expenditures Impact	$0	$0	$0	-$70,044	-$157,830	-$238,674	-$316,118	-$359,540	-$342,431	-$342,431	-$342,431	-$342,431	-$342,431	-$342,431	-$342,431
Net Impact	$0	$6,730	$6,730	$16,041	$5,934	$11,815	$17,695	$25,179	$32,173	$32,173	$32,173	$32,173	$32,173	$32,173	$32,173
Project Units Per Acre & Population	**Annex Land**			**Construction Phase**											
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Four Units Per Acre	$0	$0	$300	$330	$330	$330	$330	330	325	321	0	0	0	0	0
Four Unit Population	$0	$0	$600	$1,260	$1,920	$2,580	$3,240	3900	4550	5192	5192	5192	5192	5192	5192
Three Units Per Acre	$0	$0	$300	$330	$330	$330	$330	327	0	0	0	0	0	0	0
Three Units Population	$0	$0	$600	$1,260	$1,920	$2,580	$3,240	3894	3894	3894	3894	3894	3894	3894	3894
Two Units Per Acre	$0	$0	$200	$225	$225	$225	$225	198	0	0	0	0	0	0	0
Two Unit Population	$0	$0	$400	$850	$1,300	$1,750	$2,200	2596	2596	2596	2596	2596	2596	2596	2596
One Unit Per Acre	$0	$0	$100	$150	$150	$150	$99	0	0	0	0	0	0	0	0
One Unit Population	$0	$0	$200	$500	$800	$1,100	$1,298	1298	1298	1298	1298	1298	1298	1298	1298

APPENDIX

7. Three Units Per Acre Calculations

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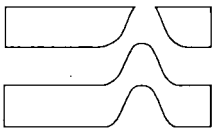
Bonita Springs Project Profile			THREE UNITS PER ACRE												
	Annex Land		Construction Phase					DUs Complete							
Acres 649	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
649															
3 Units per acre			300	330	330	330	330	327	0	0	0	$0	$0	$0	$0
Value of Land	$8,490,000	$8,490,000	$5,490,000	$4,890,000	$3,290,000	$2,190,000	$1,090,000	$0	$0	$0	$0	$0	$0	$0	$0
Value of Units Built			$90,000,000	$99,000,000	$99,000,000	$99,000,000	$99,000,000	$98,100,000	$0	$0	$0	$0	$0	$0	$0
Taxable Value After Homestead Exemption			$82,500,000	$90,750,000	$90,750,000	$90,750,000	$90,750,000	$89,925,000	$0	$0	$0	$0	$0	$0	$0
Assessed Value of DU @ 85%	$0		$70,125,000	$77,137,500	$77,137,500	$77,137,500	$77,137,500	$76,436,250	$0	$0	$0	$0	$0	$0	$0
Assessed Value of Land @85%	$0	$8,516,500	$4,668,500	$3,731,500	$2,796,500	$1,861,500	$926,500	$0	$0	$0	$0	$0	$0	$0	$0
Annual Tax Base	$0	$5,516,500	$5,516,500	$74,791,500	$150,994,000	$227,198,500	$303,399,000	$379,601,500	$455,111,250	$455,111,250	$455,111,250	$455,111,250	$455,111,250	$455,111,250	$455,111,250
Annual Ad Valorem Tax		$8,730	$8,730	$91,245	$184,213	$277,180	$370,147	$463,114	$555,236	$555,236	$555,236	$555,236	$555,236	$555,236	$555,236
Number of Residents In(1)	3894														

DCT-2003-00005

Bonita Springs				Three Units Per Acre											
Revenue Impact	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Ad Valorem & Other Taxes (N/A)	$0	$6,730	$6,730	$91,246	$184,213	$277,180	$370,147	$463,114	$555,236	$555,236	$555,236	$555,236	$555,236	$555,236	$555,236
Franchise Fees (3)	$0	$0	$0	$27,188	$47,236	$67,284	$87,332	$107,380	$115,542	$111,523	$111,523	$111,523	$111,523	$111,523	$111,523
Telecom Tax (3)	$0	$0	$0	$9,442	$16,404	$23,366	$30,329	$37,291	$40,126	$38,730	$38,730	$38,730	$38,730	$38,730	$38,730
Licenses (2)	$0	$0	$0	$1,806	$3,612	$5,419	$7,225	$9,031	$10,048	$10,048	$10,048	$10,048	$10,048	$10,048	$10,048
Inter-Gov Revenues (2)	$0	$0	$0	$50,348	$100,695	$151,043	$201,391	$251,738	$280,077	$280,077	$280,077	$280,077	$280,077	$280,077	$280,077
Charges for Services (3)	$0	$0	$0	$3,116	$5,414	$7,712	$10,010	$12,308	$13,244	$12,783	$12,783	$12,783	$12,783	$12,783	$12,783
Fines & Forfeitures (1)	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Misc Revenue (1)	$0	$0	$0	$2,298	$4,596	$6,894	$9,192	$11,490	$12,783	$12,783	$12,783	$12,783	$12,783	$12,783	$12,783
Non-Revenue (3)	$0	$0	$0	$28,137	$48,884	$69,632	$90,379	$111,127	$119,574	$115,415	$115,415	$115,415	$115,415	$115,415	$115,415
Total Operating Revenue	$0	$6,730	$6,730	$213,581	$411,058	$606,530	$806,005	$1,003,479	$1,146,630	$1,136,596	$1,136,596	$1,136,596	$1,136,596	$1,136,596	$1,136,596
Expenditures	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
General Government (3)				$66,315	$115,215	$164,114	$213,013	$261,912	$281,822	$272,019	$272,019	$272,019	$272,019	$272,019	$272,019
Physical Environment (3)				$50,278	$87,352	$124,426	$161,500	$198,574	$213,669	$206,237	$206,237	$206,237	$206,237	$206,237	$206,237
Transportation (3)				$22,756	$39,535	$56,314	$73,094	$89,873	$96,705	$93,341	$93,341	$93,341	$93,341	$93,341	$93,341
Culture & Recreation (2)				$14,845	$29,691	$44,536	$59,382	$74,227	$82,583	$82,583	$82,583	$82,583	$82,583	$82,583	$82,583
Other Uses (3)				$90,961	$158,033	$225,106	$292,178	$359,250	$386,560	$373,114	$373,114	$373,114	$373,114	$373,114	$373,114
Total Expenditures	$0	$0	$0	$245,155	$429,826	$614,498	$799,166	$983,836	$1,061,338	$1,027,294	$1,027,294	$1,027,294	$1,027,294	$1,027,294	$1,027,294

(1) divisor includes total City population and employment															
(2) divisor includes total City population															
(3) divisor includes total City Pop, Employment & Tourist															
NA - per capita is not applicable, actual figures are used.															
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
New DU with 3 units per acre			350	350	350	350	350	197	0	0	0	0	0	0	0
People per DU	2		700	700	700	700	700	394	0	0	0	0	0	0	0
People Cumulative			700	1400	2100	2800	3500	3894	3894	3894	3894	3894	3894	3894	3894
People FTE			673	1346	2019	2692	3365	3744	3744	3744	3744	3744	3744	3744	3744
Employees	3		1050	1050	1050	1050	1050	591	0	0	0	0	0	0	0
Employees FTE			240	240	240	240	240	135	0	0	0	0	0	0	0
Total POP & EMP FTE		0	913	1588	2259	2932	3605	3879	3744	3744	3744	3744	3744	3744	3744
Revenue Impact	$0	$6,730	$6,730	$213,581	$411,056	$608,530	$806,005	$1,003,479	$1,146,630	$1,136,596	$1,136,596	$1,136,596	$1,136,596	$1,136,596	$1,136,596
Expenditures Impact	$0	$0	$0	-$245,156	-$429,826	-$614,496	-$799,166	-$983,836	-$1,061,338	-$1,027,294	-$1,027,294	-$1,027,294	-$1,027,294	-$1,027,294	-$1,027,294
Net Impact	$0	$6,730	$6,730	-$31,575	-$18,770	-$5,966	$6,838	$19,643	$85,292	$109,302	$109,302	$109,302	$109,302	$109,302	$109,302

PHASE I
ENVIRONMENTAL SITE ASSESSMENT
648-ACRE PARCEL
15501 BONITA BEACH ROAD S.E.
BONITA SPRINGS, LEE COUNTY, FLORIDA



Ardaman & Associates, Inc.

OFFICES

Orlando, 8008 S. Orange Avenue, Orlando, Florida 32809, Phone (407) 855-3860
Bartow, 1525 Centennial Drive, Bartow, Florida 33830, Phone (863) 533-0858
Cocoa, 1300 N. Cocoa Blvd., Cocoa, Florida 32922, Phone (321) 632-2503
Fort Lauderdale, 3665 Park Central Boulevard North, Pompano Beach, Florida 33064, Phone (954) 969-8788
Fort Myers, 9970 Bavaria Road, Fort Myers, Florida 33913, Phone (941) 768-6600
Miami, 2608 W. 84th Street, Hialeah, Florida 33016, Phone (305) 825-2683
Port Charlotte, 740 Tamiami Trail, Unit 3, Port Charlotte, Florida 33954, Phone (941) 624-3393
Port St. Lucie, 1017 S.E. Holbrook Ct., Port St. Lucie, Florida 34952, Phone (561) 337-1200
Sarasota, 2500 Bee Ridge Road, Sarasota, Florida 34239, Phone (941) 922-3526
Tallahassee, 3175 West Tharpe Street, Tallahassee, Florida 32303, Phone (850) 576-6131
Tampa, 3925 Coconut Palm Drive, Suite 115, Tampa, Florida 33619, Phone (813) 620-3389
West Palm Beach, 2511 Westgate Avenue, Suite 10, West Palm Beach, Florida 33409, Phone (561) 687-8200

MEMBERS:
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DCI 2003-00005

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1.0 INTRODUCTION

Ardaman & Associates, Inc. has completed a Phase I Environmental Site Assessment (ESA) of the 648-Acrec site located at 15501 Bonita Beach Road, Southeast, Bonita Springs, Lee County, Florida. The purpose of this assessment was to determine if there were recognized environmental conditions associated with this site. To achieve this objective, the scope of services included limited research, a review of specific listings, interviews, and a site reconnaissance in accordance with the American Society for Testing and Materials (ASTM) Standard E 1527-00 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process".

This report is an instrument of service of Ardaman & Associates, Inc. The report presents the results of a Phase I Environmental Site Assessment (ESA) of the subject site, performed for Divosta Building Corporation, (hereafter referred to as "THE CLIENT"), during the period of June 24, 2002 through July 11, 2002.

1.1 Special Terms and Conditions

THE CLIENT requested that Ardaman & Associates, Inc. perform this Phase I ESA to identify recognized environmental conditions, defined as the presence or likely presence of any hazardous substances or petroleum products on the subject property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum product into structures on the property or into the ground, groundwater, or surface water of the subject property.

1.2 Limitations and Exceptions of Assessment

This Phase I ESA was performed in accordance with ASTM Standard E1527-00 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" and the scope of work defined therein. Our assessment did not address the following items: testing for the presence of PCBs in transformers occupying the site; testing of asbestos containing materials or radon gas on the subject property or within the on-site structures; the presence of lead paint or lead in the drinking water or

soils; cultural and historic resources; potential for contamination due to air emissions; the potential for contamination under paved areas or buildings; industrial hygiene concerns such as the potential for the presence of viruses and bacteria resulting in the "sick building" syndrome; ecological resources, endangered species, high voltage power lines, the existence and environmental condition of wetlands within the property, with the exception of the presence of hazardous substances or petroleum products in those areas; and the existence of any protected or endangered species within the property.

The findings and opinions conveyed via this ESA report are based on information obtained from a variety of sources enumerated herein, and which Ardaman & Associates, Inc. believes are reliable. Nonetheless, ARDAMAN & ASSOCIATES, INC. CANNOT AND DOES NOT GUARANTEE THE AUTHENTICITY OR RELIABILITY OF THE INFORMATION IT HAS RELIED UPON.

This report is not a comprehensive site characterization and should not be construed as such. The opinions presented in this report are based on findings derived from a site reconnaissance, interviews, and limited research including a review of specified regulatory records.

Phase I ESAs, by their very nature, are limited. Ardaman & Associates, Inc. has endeavored to meet what it believes is the applicable standard of care and, in so doing, is obliged to advise THE CLIENT of Phase I ESA limitations.

Ardaman & Associates, Inc. believes that providing information about limitations is essential to help THE CLIENT identify and thereby manage its risks. These risks can be mitigated – but they cannot be eliminated – through additional research. Ardaman & Associates, Inc. will on request advise THE CLIENT of the additional research opportunities available, their impact on risk, and their cost.

Documentation of the subject property's past uses was reviewed back to 1944 instead of 1940 as specified by ASTM E1527-00, Standard Practice for Environmental Site Assessment. The earliest data regarding the subject property was a 1944 aerial that was reviewed at the United States Department of Agriculture (USDA) Natural Resources

Conservation Service office and shows the subject property and adjoining properties in their natural state.

1.3 Scope of Services

The scope of our services has included the following items:

1. Reviewed the U.S. Geological Survey (USGS) Topographic Map of July 1, 1991 for Fort Myers, Lee County, Florida published by the USGS/Microsoft TerraServer Internet web page, and the Soil Survey of Lee County Florida published by the U.S. Department of Agriculture (USDA), Soil Conservation Service, on which the subject site and surrounding properties are presented.

2. Issued an Environmental Questionnaire and Disclosure Statement for completion. Conducted interviews with Mr. Charles Myers, representative of L & M Produce, who has personal knowledge of the subject site.

3. Reviewed past aerial photographs, Polk City Directories, and Sanborn Maps of the subject site and the surrounding area to try to identify potential point sources of contamination on or in the immediate vicinity of the subject site.

4. Contacted local, county, regional, state, and federal enforcement and regulatory agencies to identify registered hazardous materials generators, storage facilities, complaints, or enforcement actions within a ½-mile radius.

5. Performed a site reconnaissance on July 8, 2002 and photo documentation of the property for evidence of toxic or hazardous materials use, disposal, spills, or storage on-site and adjacent to the site.

6. Performed a drive-by of the area within a ½-mile radius of the site to identify any potential sources of contamination.

7. Prepared this report to document the results of our data gathering and analyses, and to present our environmental conclusions and recommendations.

2.0 GENERAL SETTING

The site characteristics and descriptions of the subject site and surrounding properties presented herein reflect the conditions that were observed at the time of our site visit.

2.1 Site Location and Legal Description

The subject property is located at 15501 Bonita Beach Road, Bonita Springs, Lee County, Florida. It is all of Section 03, Township 48 South, Range 26 East, Lee County, Florida. According to the Lee County Property Appraiser's office, the parcel is identified by STRAP No. 03-48-26-00-00001.0000. The property card with associated legal description is presented as **Appendix I** of this report.

2.2 Site Topography

The site is superimposed on the July 1, 1991 USGS Topographic Map of Fort Myers, Lee County Florida (published by the USGS/Microsoft TerraServer Internet web page) in **Figure 1**. Site elevation is approximately 15 feet above mean sea level. No symbols indicating the presence of pits, mining activities, or landfill activities are illustrated on the subject site or surrounding land on the USGS quadrangle map.

2.3 Site and Vicinity Characteristics

The subject site is presently 648 acres of agricultural land and is located in a predominantly agricultural area. The subject property is bounded by Bonita Beach Road and undeveloped property to the north, by agricultural land to the east, by undeveloped property to the south and by agricultural land to the west. The site is accessed by Bonita Beach Road to the north. A Site Location Map is presented as **Figure 2**.

2.4 Site Soils

The USDA Natural Resources Conservation Service Soil Survey of Lee County, Florida (1984) identifies the main soil types in the area of the subject site as:

Myakka fine sand (11). This is a nearly level, poorly drained soil on broad flatwoods areas. Slopes are smooth to slightly concave and range from 0 to 2 percent.

Typically, the surface layer is very dark gray fine sand about 3 inches thick. The subsurface layer is fine sand about 23 inches thick. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It is more than 40 inches below the surface during extended dry periods. The available water capacity is medium in the subsoil and very low in the surface and subsurface layers. Permeability is rapid in the surface and subsurface layers and moderate to moderately rapid in the subsoil.

In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It is more than 40 inches below the surface during extended dry periods.

Pompano fine sand, depressional (27). This is a nearly level, poorly drained soil in depressions. Slopes are concave and less than 1 percent.

Typically, the surface layer is gray fine sand about 3 inches thick. The substratum is fine sand to a depth of 80 inches or more.

In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months and stands above the surface for about 3 months. It is and stands above the surface for about 3 months. It is 10 to 40 inches below the surface for more than 5 months. The available water capacity is low. Permeability is rapid.

Immokalee sand (28). This is a nearly level, poorly drained soil in flatwoods areas. Slopes are smooth to convex and range from 0 to 2 percent.

Typically, the surface layer is black sand about 4 inches thick. The subsurface layer is dark gray sand in the upper 5 inches and light gray sand in the lower 27 inches. The subsoil is sand to a depth of 69 inches. The upper 14 inches is black and firm, the next 5 inches is dark reddish brown, and the lower 14 inches is dark yellowish brown. The substratum is very pale brown sand to a depth of 80 inches or more.

In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It recedes to a depth of more than 40 inches during extended dry periods.

The available water capacity is medium in the subsoil and very low in the surface and subsurface layers. Permeability is rapid in the surface and subsurface layers and moderate or moderately rapid in the subsoil.

Oldsmar sand (33). This is a nearly level poorly drained soil on low, broad flatwoods areas.

Typically, the surface layer is black sand about 3 inches thick. The subsurface layer is gray and light gray sands about 39 inches thick. The upper part of the subsoil is very dark gray sand about 5 inches thick. The lower part of the subsoil is yellowish brown and

mixed light brownish gray and brown fine sandy loam about 11 inches thick. Pale brown sand extends to a depth of 80 inches or more.

In most years, under natural conditions, the water table at a depth of less than 10 inches of the surface for 1 to 3 months and stands above the surface for about 3 months. It is 10 to 40 inches below the surface for more than 6 months and it recedes to a depth of more than 40 inches during extended dry periods. The available water capacity is low. Permeability is rapid in the surface and subsurface layers.

Myakka fine sand, depressional (53). This is a nearly level, poorly drained soil in depressions. Typically, the surface layer is black fine sand about 3 inches thick. The subsurface layer is fine sand about 26 inches thick. The upper 4 inches is light gray, and the lower 22 inches is light brownish gray. The subsoil is fine sand about 17 inches thick. The upper 6 inches is dark brown with grayish brown streaks, and the sand grains are well coated with organic matter. The lower 11 inches is very dark brown with many well-coated sand grains. Below this extending to a depth of 80 inches or more is brown fine sand. Permeability is rapid in the surface and subsurface layers and moderate to moderately rapid in the subsoil.

In most years, under natural conditions, the soil is ponded for about 3 to 6 months. The water table is 10 to 40 inches below the surface for about 3 to 6 months.

No indications of landfill activities were observed on the subject site or surrounding land on the USDA Soils map.

2.5 Physical Setting Sources

The subject site is generally flat with land surface elevation approximately 15 feet NGVD.

According to the USGS topographic map and aerial photographs, the regional groundwater flow direction in the surficial aquifer in Lee County is directed westwards toward the Gulf of Mexico. However, the groundwater flow direction can be locally controlled by the presence of wells, ditches or canals, and lakes.

The subject property is located in FLOOD ZONE X. FLOOD ZONE X consists of areas determined to be outside the 500-year flood plain. This information was obtained during our review of the FEMA, Flood Insurance Rate Map located on the Lee County Property Appraiser's website.

3.0 HISTORICAL REVIEW

3.1 Current Uses of Property

As shown in **Figure 3,** the subject property is currently in use as agricultural land to grow peppers and cucumbers. The current improvements on the property include a metal maintenance building and pole barn, an office trailer and three residential mobile homes. Heating and cooling for the mobile homes is electric. All roads throughout the property are unimproved dirt roads. Excavated drainage canals are located throughout the property to provide for irrigation.

3.2 Current Uses of Adjoining Properties

The uses of the adjoining properties are indicated on the site sketch, **Figure 3**. The adjoining properties to the north and south are undeveloped land with dense vegetation. The properties to the west was used for growing tomatoes, but is no longer farmed. The adjoining property to the east is a borrow lake on the northwest corner and the remaining property is used for agricultural purposes.

3.3 Ownership History/Title Search

The Lee County Property Appraiser's Office lists Corkscrew Growers Inc., as the owner of the subject property. Corkscrew Growers, Inc., did not provide us with title information. A chain-of-title search was not performed as part of this investigation. It has been our experience that a chain-of-title search rarely reveals information regarding the environmental condition of a property that cannot be obtained from other sources.

Environmental Liens and/or Previous Environmental Reports

There are no known Environmental Liens or previous Phase I Environmental Site Assessments conducted on the subject property.

3.4 Polk City Directories

There were no available Polk City Directories and the Cross References for the City of Bonita Springs for the years 1975 to present day.

3.5 Sanborn Maps

Sanborn Fire Insurance Maps were utilized to locate potential areas of environmental concern, as they often indicate dry cleaners, service stations or other facilities containing flammable materials. There were no maps located for the subject property.

3.6 Aerial Photographs

Aerial photographs of the subject site from 1944, 1953, 1958, 1966, 1968, 1970, 1972, 1974, 1975, 1977, 1980, 1981, 1984, 1986, 1990, 1993, 1996, and 1999 were examined at the Lee County Property Appraiser's office and the Lee County Natural Resources Conservation Service office to determine any obvious uses of the subject property during this time. Specifically, aerial photographs were reviewed to determine the existence of:

- Gasoline Service Stations
- Solid waste facilities
- Mining operations
- Agricultural operations
- Other potential sources or features indicative of contamination

The earliest available photograph taken in 1944, as shown in **Appendix II, Figure II-1,** showed the subject site and adjacent properties as undeveloped and in its natural state. The area remained essentially unchanged through the 1950's and in the 1966 aerial photograph, Bonita Beach Road is shown as a dirt road. The subject property and adjacent properties are undeveloped with a few dirt trails throughout. Four obvious low areas can be observed within the subject site's 648 acres. By 1977, the subject property was developed into farmland. A rectangular maintenance building is located in the northeast corner with farm vehicles parked along the west side of the building. Drainage

canals have been excavated in a grid pattern throughout the property. Two of the northern most wetland areas have been filled and the two remaining low areas remain in the southern half of the property. There appears to be ten irrigation pump sites in various locations on the property. The pump sites were most likely powered by diesel tanks. The properties to the north and south are unchanged. The properties to the east and west are farmland, with the exception of the property along the southeast boundary, which is undeveloped. The property remains essentially unchanged for the remaining two decades. In the 1981 aerial photograph, excavation in the central wetland area is ongoing. Mobile homes have been brought onto the site near the maintenance area. In 1984, a larger building has been constructed to the southeast of the rectangular building. The grid pattern of the row crops has changed with the elimination of the majority of horizontal drainage canals. The irrigation pump sites appear essentially unchanged. In 1993, the layout of the farm field has again changed. Drainage canals have been excavated in a square shape around the center wetland area, and supplies appear to be stored there. The original rectangular building has been removed and the entrance road has been relocated westward. Farm equipment and supplies are stored in the area surrounding the maintenance building. By 1996, the central wetland storage area has been expanded and farm supplies and equipment are being stored on both sections. The smaller wetland in the southeast quadrant is now being cleared. In the 1999 aerial photograph, the subject property appears essentially unchanged, with the exception of the wetland in the southeast quadrant is now used as a storage area. There are thirteen covered tank containment sites used for fueling the irrigation pumps observed along the drainage canals throughout the site. A large drainage canal was excavated along the west boundary between the subject property and adjacent farmland to the west.

In summary, the aerial photographs revealed the subject property was utilized for agricultural purposes between the years of 1977 to the latest aerial photograph dated 1999. It appears that the pesticide or herbicide storage operations were located in the

maintenance area located along the western boundary of the subject property. We note that beneficial agricultural products are routinely applied to farmlands. Such products are usually applied at rates that have been recommended by the manufacturer of the given product and approved by the United States Environmental Protection Agency. Nevertheless, remnants of such products may persist on the soils and possibly in the groundwater for some time after the application date. Concern about the possibility of such presence may be higher if the land use is changed and no fill is added to the site.

4.0 RECORDS REVIEW

Ardaman & Associates, Inc. conducted a regulatory search from Environmental FirstSearch™ Report. Following review of the report's findings, Ardaman & Associates, Inc. contacted representatives or reviewed the records of the county, regional, state, and federal regulatory and enforcement agencies to determine whether any hazardous waste generators, contaminated sites, storage tanks, spills, violations, complaints, or enforcement actions were present or had occurred within a ½-mile radius of the subject property. Select federal regulatory agencies records encompass a 1-mile radius of the subject property. A copy of the Environmental FirstSearch™ Report database search is included in **Appendix III**.

Generally, listed facilities that are greater than 1,000 feet from the subject property, and/or those that do not have confirmed contamination problems, will not likely impact the subject site. Specific listings of sites that have the potential to adversely impact the subject property are discussed below. It is the opinion of Ardaman & Associates, Inc. that any site identified in our search as listed in **Appendix III**, but not specifically addressed below, is not likely to adversely impact the subject property.

4.1 Standard Environmental Record Sources

National Priorities List (NPL)

The NPL is a list compiled by the EPA of properties with the highest priority for cleanup pursuant to EPA's Hazard Ranking Systems.

No NPL sites were identified within a one-mile radius of the subject property.

Comprehensive Environmental Response Compensation
and Liability Information System (CERCLIS)

The list of sites compiled by EPA that have been investigated or are currently under investigation for potential hazardous substance contamination for possible inclusion on the National Priorities List.

No CERCLIS sites were identified within a ½-mile radius of the subject property.

Florida State Sites NPL List

There are no sites on the Florida Department of Environmental Protection (FDEP) NPL or State Sites list within one mile of the subject property.

Treatment, Storage or Disposal Facilities (TSD)

There are no TSD facilities within a one-mile radius of the subject property.

Resource Conservation and Recovery ACT (RCRA)

Persons or entities that generate hazardous wastes as defined and regulated by RCRA.

There are no RCRA generators located on the subject site or adjoining properties.

Emergency Response Notification System (ERNS)

ERNS records and stores information on reported releases of oil and hazardous substances.

There are no ERNS incidents listed for the subject site.

Leaking Underground Storage Tank (LUST)

There are no facilities listed as petroleum contaminated within ½-mile of the property.

Stationary Tanks Inventory System (STCM02)

There are no registered tanks for the subject property. The unregulated above ground diesel tanks used for the irrigation pumps were recently moved to the northwest quadrant of the subject property for storage. At the time of the site visit a total of 24 tanks were observed on site.

Solid Waste Facilities (SWF/LF)

There are no solid waste facilities within a ½-mile radius of the subject property.

4.2 Additional Environmental Record Sources

Local Government Agencies

Local records reviewed include:

Lee County Division of Natural Resources Management Small Quantity Generator files
Lee County Division of Natural Resources Management Stationary Tank files
Southwest Florida Regional Planning Council

The Small Quantity Generators of Hazardous Waste files, at the Lee County Division of Natural Resources Management, listed no facilities at the subject site or adjoining properties.

The Pollution Storage Tanks files, at the Lee County Division of Natural Resources Management, listed no facilities at the subject site or adjoining properties.

The Lee County Hazardous Waste Assessment report (July 1985), prepared by the Southwest Florida Regional Planning Council, was reviewed. This study contained no potential hazardous waste generator at the subject site or adjoining properties.

Recognized Environmental Condition

Information obtained from the regulatory agencies did not reveal any facilities or sources of contamination that have a high potential to harm the environmental condition of the subject property.

5.0 SITE RECONNAISSANCE

5.1 Methodology and Limiting Conditions

The field observations of the subject site and adjacent properties were performed on July 8, 2002. A physical walk-through of the site was conducted by an Ardaman & Associates, Inc. representative to determine if on-site conditions indicated the potential for hazardous waste or petroleum contamination. Emphasis was placed on looking for indications of above ground and underground tanks, open or promiscuous dumping, and soil contamination (stained soil, stressed or dying vegetation, unusual odors, poor housekeeping practices, etc.). The property was found as shown in the site photographs in **Appendix IV**.

5.2 General Site Setting

The subject property consists of 648 acres of farmland that is now used to grow peppers and cucumbers. At present, the farm fields are not planted and all the farm equipment is stored in the area of the maintenance building or in the northwest quadrant of the subject property. At the time of the site visit, the employees were conducting maintenance on the farm machinery.

Description of Structures at the Site

Located on the northwest corner of the subject property is a large metal maintenance building and pole barn, built on a concrete slab. Two locked storage containers are now used for storing pesticides. In the maintenance area there are also three mobile homes used for employee residences and a small trailer used for an office.

Surface Drainage

There is a grid pattern of drainage canals located throughout the property. A large drainage canal is located along the north and west boundaries of the subject site.

Public Utilities, Potable Water & Sewer Systems

The public utilities currently serving the subject property are electricity, well water and septic tank.

5.3 Interior Observations

Hazardous Substance Containers

Plastic containers of chemicals used for maintaining farm equipment, such as hydraulic oils, grease, were observed inside the maintenance building and along the south side of the exterior of the building. A small open container of waste oil was also observed in this area, but maintenance on equipment was on going at the time of the site visit. In the area of the irrigation well, mid-center of the western boundary, a 55-gallon blue uncovered plastic drum was observed half-filled with waste oil. Several empty pesticide containers were also observed in the tall grass near the irrigation well. There were no indications of significant discharges of hazardous substances from the containers observed at the subject site.

Biocides

Pesticide and herbicide storage is located within two locked storage containers within the maintenance area. The mixing operations are conducted near the irrigation well and maintenance building. Though the present operations use storage containers to store their chemical, it appears that pesticides were originally stored within the maintenance building. Warning signs are still posted on the building's walls.

We note that beneficial agricultural products are routinely applied to farmlands. Such products are usually applied at rates, which have been recommended by the Manufacturer of the given product. Remnants of such products may persist on the soils and possibly the groundwater for some time after the application date. Concern about the possibility of such presence may be higher if the land use is changed.

5.4 Exterior Observations

During our site visit, the representative did not observe any dumps, landfills or adverse effects (stained soils, dead vegetation, etc.).

The representative did observe several 55-gallon drums that are used for burning debris. The ashes and charcoal appear to have been spread along the west side of the road, along the west boundary of the property north of the irrigation well. There is concern that over time, if burn areas are used continuously, that an accumulation of metals, specifically arsenic metal may be above the Soil Cleanup Target Levels as regulated by the State of Florida for residential property.

Underground Storage Tanks

The walk through survey did not reveal any fill pipes or vent pipes that would indicate the presence of underground storage tanks on the subject site. No indications of any regulated underground tanks were observed on the subject site.

Above Ground Storage Tanks

There were three unregulated waste oil tanks observed within a pre-formed, covered, concrete containment structure on the south side of the maintenance building. Within the containment structure there appeared to be approximately 10-inches of waste oil. It is unknown if one of the tanks had leaked or the containment structure is used to store the oil. There were no leaks observed outside of the containment structure. A 2-inch PVC monitor well was located approximately 10 feet west of the containment structure.

At the time of the site visit, 17 unregulated diesel tanks, used for fueling the irrigation pumps, were observed in the northwest quadrant at the subject property. Ten of the tanks are still in their containment structure, though they are no longer covered and are filled with rainwater. It is unknown if the tanks still contain diesel fuel or there previous locations. Located along the boundaries, where the tanks were originally located were at least six monitor wells observed. Petroleum odor was detected in one of the monitor

wells that was opened during the site visit. According to a representative for the current occupant, the monitor wells are inspected by a company employee who regularly inspects the company's above ground tanks. He stated that he personally had no knowledge of the test results or could not obtain the information.

Solid Waste Disposal

No indications of landfill activity or significant garbage dumping were observed during the site walk through survey, or from the information acquired from our review of the aerial photographs or regulatory agency databases.

In addition, across the road from the stored irrigation pump tanks is a vehicle refueling tank in containment. Next to this tank is a flatbed truck with three tanks, also used for fueling vehicles. No significant stains were observed.

Polychlorinated Biphenyl (PCBs)

Among the most common sources of PCBs are hydraulic fluids and cooling fluids in electrical transformers and capacitors. No hydraulic lifts were observed on the subject site. Several pole-mounted electrical transformers were observed on the subject site. No indications of transformer oil leaks were observed on or below the pole-mounted transformers.

5.5 Identified Areas of Concern

The Areas of Concern identified during the site visit include:

- The locations of the irrigation pumps where the aboveground diesel tanks were placed, are a potential area of concern. Recent history, from 1996, indicates that the tanks were placed within containment structures, though six monitor wells were observed in various tank sites throughout the property. Of the two monitor wells opened, one had a strong petroleum odor.

- A pesticide mixing area was observed along the west boundary of the subject property near the irrigation well. Several empty pesticide containers were observed in the grassy area by the well. At present, pesticide storage is within two storage containers, but historically, chemicals were most likely stored within the maintenance building. Mixing of pesticides also was conducted in the maintenance area where a hose bib is located. Pesticide storage and mixing areas are a Recognized Environmental Condition due to the concern that remnants of such products, especially the older Chlorinated pesticides and arsenic metal may persist on the soils and possibly the groundwater due to the 25 years of farming on this site.

- Located along the west boundary, north of the irrigation well, is where the ashes and charcoal are emptied from the 55-gallon drums used to burn refuse. There is concern that over time, if the burn area is used continuously, that an accumulation of metals, specifically arsenic metal may be above the Soil Cleanup Target Levels as regulated by the State of Florida for residential property.

6.0 INTERVIEWS

6.1 Interview with Site Representative

On July 8, 2002, an interview was conducted with Mr. Charles Myers, who has works with the L & M Produce Company. He stated that the company has been at this site for 5-years. Mr. Myers stated that the manager of the property had recently left the company, and at present, there is no manager on site. He also stated that they know the property may be up for sale. Mr. Myers stated that about two weeks ago, they were asked to collect all the diesel tanks on the site and store them in one location. At present, he and the other employees are conducting maintenance on the farm equipment. He stated that all the waste oil is placed within the waste oil tanks and hauled off by a waste oil hauler, but he was not sure whom that was. He stated that they did not have any degreasers on site, that it was a small operation and they would just wipe the parts clean with a rag.

Mr. Myers stated that the company has a representative that takes care of the aboveground fuel tanks. He stated that the monitor wells were installed two or three years ago and the representative checks them with a snifter. When asked if the information was available for review, he stated that it was unlikely that the company would provide the information.

Mr. Myers stated that they grow peppers and cucumbers, and use the typical pesticide chemicals. He stated that all the pesticides are stored in the locked storage containers.

7.0 FINDINGS

The 648-acre parcel has been an on-going agricultural farm since 1977, prior to which it was natural lands. For the past five years, the property has been managed by L & M Produce. Based upon our site visit, it appears that best management practices are being used at the agricultural operation with respect to the storage and use of hazardous material. Historical practices at the farmland are unknown. In the 1977 aerial photograph the property appeared to have ten irrigation pump sites in different locations throughout the property. In the 1996 aerial photograph, thirteen covered tank containment structures were observed. The locations of the irrigation pumps have changed over time.

- At present at least six, 2-inch PVC monitor wells were observed in various irrigation pump's tank locations and near the waste oil containment structure. These monitor wells were apparently installed by L&M Produce two to three years ago. Data regarding the monitor wells was unavailable. One of the two monitor wells that were opened, had a strong petroleum odor.

- A pesticide mixing area was observed along the west boundary of the subject property near the irrigation well. Several empty pesticide containers were observed in the grassy area by the well. Pesticide storage at present is within storage containers, but historically, chemicals were most likely stored within the maintenance building. Mixing of pesticides was also conducted in the maintenance area where a hose bib is located. Pesticide storage and mixing areas are a Recognized Environmental Condition due to the concern that remnants of such products, especially the older Chlorinated pesticides and arsenic metal may persist on the soils and possibly the groundwater due to the 25 years of farming on this site.

- Located along of the west boundary, north of the irrigation well, is where the ashes and charcoal are emptied from the 55-gallon drums used to burn refuse. There is concern that over time, if the burn area is used continuously, that an

accumulation of metals, specifically arsenic metal may be above the Soil Cleanup Target Levels as regulated by the State of Florida for residential property.

8.0 OPINIONS

It is of this environmental professional's opinion that the impact on the subject property from the above mentioned environmental conditions is currently a recognized environmental condition for the following reasons:

- At present at least six, 2-inch PVC monitor wells were observed in various irrigation pump tank locations and near the waste oil containment structure. These monitor wells were apparently installed by L&M Produce two to three years ago. Data regarding the wells was unavailable. One of the two monitor wells that were opened had a strong petroleum odor.

- A pesticide mixing area was observed along the west boundary of the subject property near the irrigation well. Several empty pesticide containers were observed in the grassy area by the well. Pesticide storage at present is within storage containers, but historically, chemicals were most likely stored within the maintenance building. Mixing of pesticides was also conducted in the maintenance area where a hose bib is located. Pesticide storage and mixing areas are a Recognized Environmental Condition due to the concern that remnants of such products, especially the older Chlorinated pesticides and arsenic metal may persist on the soils and possibly the groundwater due to the 25 years of farming on this site.

- Located along of the west boundary, north of the irrigation well, is where the ashes and charcoal are emptied from the 55-gallon drums used to burn refuse. There is concern that over time, if the burn area is used continuously, that an accumulation of metals, specifically arsenic metal may be above the Soil Cleanup Target Levels as regulated by the State of Florida for residential property.

9.0 CONCLUSIONS

Ardaman & Associates, Inc. has performed a Phase I ESA of the subject property located 648-Acre site located at 15501 Bonita Beach Road, S.E. in Bonita Springs, Lee County, Florida. We have performed a Phase I Environmental Assessment in conformance with the scope and limitations of ASTM Practice E 1527-00 for DIVOSTA BUILDING CORPORATION. Any exceptions to, or deletions from this practice are presented in **Section 1.2** of this report. This assessment has revealed no evidence of recognized environmental conditions, in connection with the property except for the following:

- At present at least six, 2-inch PVC monitor wells were observed in various irrigation pump tank locations and near the waste oil containment structure. These monitor wells were apparently installed by L&M Produce two to three years ago. Data regarding the monitoring wells was unavailable. One of the two monitor wells that were opened had a strong petroleum odor.

- A pesticide mixing area was observed along the west boundary of the subject property near the irrigation well. Several empty pesticide containers were observed in the grassy area by the well. Pesticide storage at present is within storage containers, but historically, chemicals were most likely stored within the maintenance building. Mixing of pesticides was also conducted in the maintenance area where a hose bib is located. Pesticide storage and mixing areas are a Recognized Environmental Condition due to the concern that remnants of such products, especially the older Chlorinated pesticides and arsenic metal may persist on the soils and possibly the groundwater due to the 25 years of farming on this site.

- Located along of the west boundary, north of the irrigation well is where the ashes and charcoal are emptied from the 55-gallon drums used to burn refuse. There is concern that over time, if the burn area is used continuously, that an accumulation of metals, specifically arsenic metal may be above the Soil Cleanup Target Levels as regulated by the State of Florida for residential property.

10.0 RECOMMENDATIONS

Due to the potential for impact to the subsoil and groundwater from the above referenced concerns, Ardaman & Associates recommends a Phase II ESA. The assessment should include conducting both soils and groundwater sampling and analysis in all of the above-identified areas. A recommended program would include the following tasks:

Aboveground Tank Sites:

To document the soil in the known tank locations, we recommend conducting a maximum of 40 soil borings for collection of soil samples. Soil samples would be evaluated for evidence of filling activity, stains, and odor with an organic vapor analyzer (OVA) to determine any volatile organics in the collected soils. Following the initial field sampling, a discrete soil sample would be collected in the location of the highest OVA reading and analyzed in the laboratory according to EPA Methods 8020 for low-volatile organics, 8100 for Polynuclear Aromatic Hydrocarbons and FLPRO for total recoverable petroleum hydrocarbons.

Groundwater samples would be collected from the existing wells for analysis in the laboratory according to EPA Methods 602, for semi-volatile organics, 8100 for Polynuclear Aromatic Hydrocarbons and FLPRO for total recoverable petroleum hydrocarbons.

Pesticide Mixing Area:

In order to address the pesticide/herbicide mixing and storage areas, we recommend the collection of composite soil samples in each location. The soil samples would be collected with a stainless steel auger at a depth of 6 inches for laboratory analysis according to EPA Methods 8081, 8041 and 8051 for Organochlorine Pesticides, Organophosphorus Pesticides and Herbicides and RCRA 8 Metals. Two random samples should also be collected within the farm field and in the maintenance area to determine if pesticide/herbicide residuals exist in the soils.

Burn Pile:

To address the large burn area, mid-center along the western boundary, we recommend the collection of one composite soil sample. The soil sample would be collected with a stainless steel auger at a depth of 6-inches for laboratory analysis for RCRA 8 Metals.

Based upon our knowledge of the site conditions and previous site experience, we estimate the fee for these services should not exceed **$14,500.00.**

11.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

Roxanne Gause, P.E.

Senior Environmental Engineer

Signature

Peer Review By:

Gary A. Drew, P.E.

Branch Manager

Signature

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12.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS PARTICIPATING IN PHASE I ENVIRONMENTAL SITE ASSESSMENT

Our representative for this project was Roxanne Gause, P.E., Senior Environmental Engineer with Ardaman & Associates, Inc., Fort Myers, Florida. Peer review was performed by Gary A. Drew, P.E., Branch Manager with Ardaman & Associates, Inc., Fort Myers, Florida. Resumes for these individuals are presented as **Appendix VI** of this report.

13.0 REFERENCES

13.1 Published References

Fort Myers Polk City Directory. R.L. Polk & Co. Publishers. 1952-1999.

Lee County Property Appraiser's historical aerial photographs. 1966-1999.

Lee County Property Appraiser's historical aerial photographs. 1966-1999.

Lee County Property Line. Real Property Database. July 3, 2002. <http://www.leepa.org>

Lee County Property Line FIRM (Flood Insurance Rate Map). July 3, 2002.. <http://www.leepa.org/GISDepartment/FIRM1.htm>

Sanborn Fire Insurance Maps.

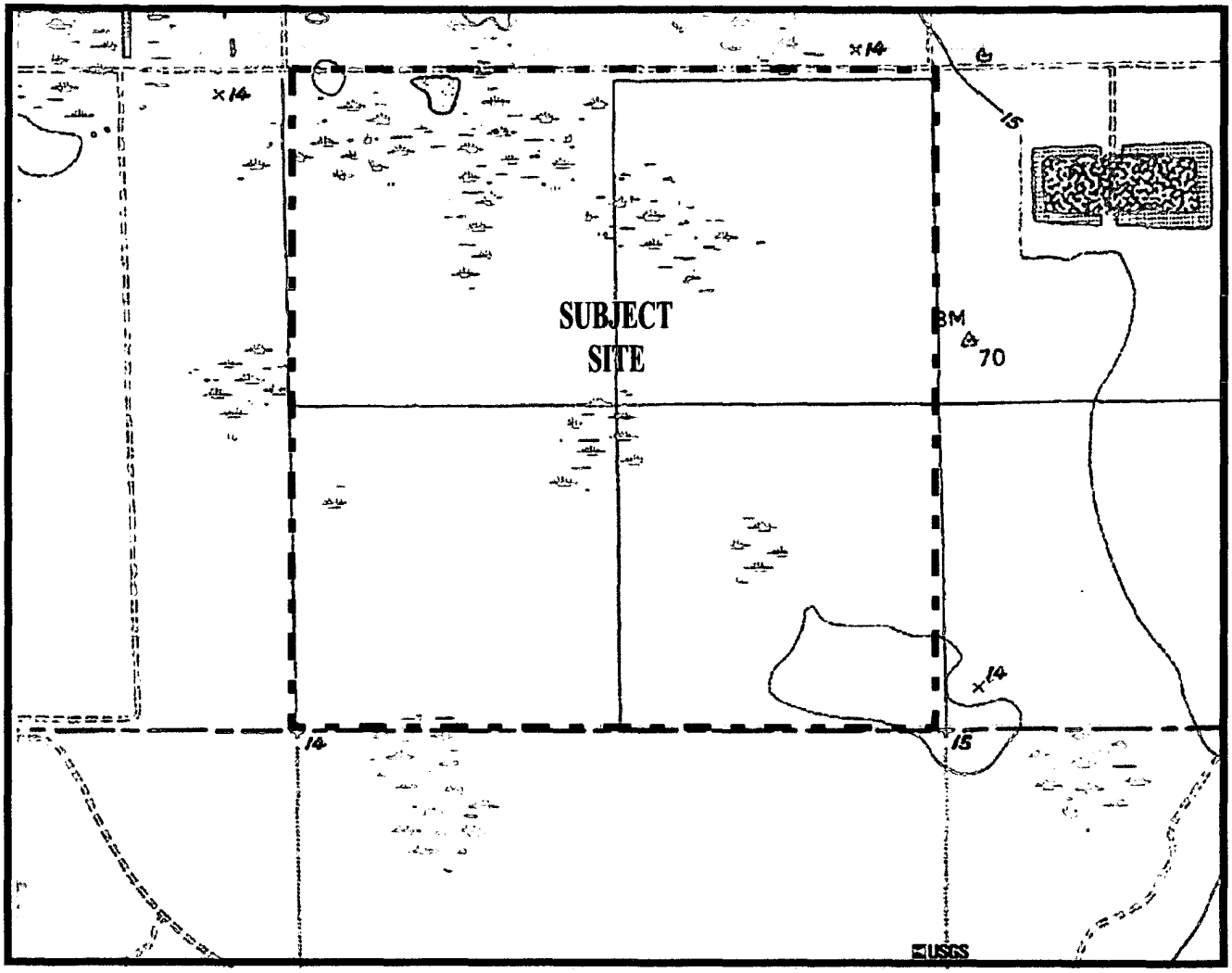
Southwest Florida Regional Planning Council, "Lee County Hazardous Waste Assessment" report, 1985.

USDA Natural Resources Conservation Service Soil Survey of Lee County, Florida. 1984.

USDA Natural Resources Conservation Service historical aerial photographs. 1944-1958.

USGS 7.5 Minute Quadrangle Series Topographic Map of Fort Myers, Florida, July 1, 1991, published by the USGS and the Microsoft TerraServer Internet web page. July 3, 2002. <http://terraserver.homeadvisor.msn.com>

14.0 FIGURES



Florida, United States 01 Jul 1991

USGS

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FIGURE 1
USGS TOPOGRAPHIC MAP

Image courtesy of the US Geological Survey.

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Geotechnical, Environmental and Materials Consultants

PHASE I ESA
648-ACRE PARCEL
BONITA SPRINGS, LEE COUNTY, FLORIDA

DRAWN BY: RG	CHECKED BY: GD	DATE: 07/02
FILE NO. 02-4767	APPROVED BY: GARY A. DREW, P.E.	FIGURE: 1

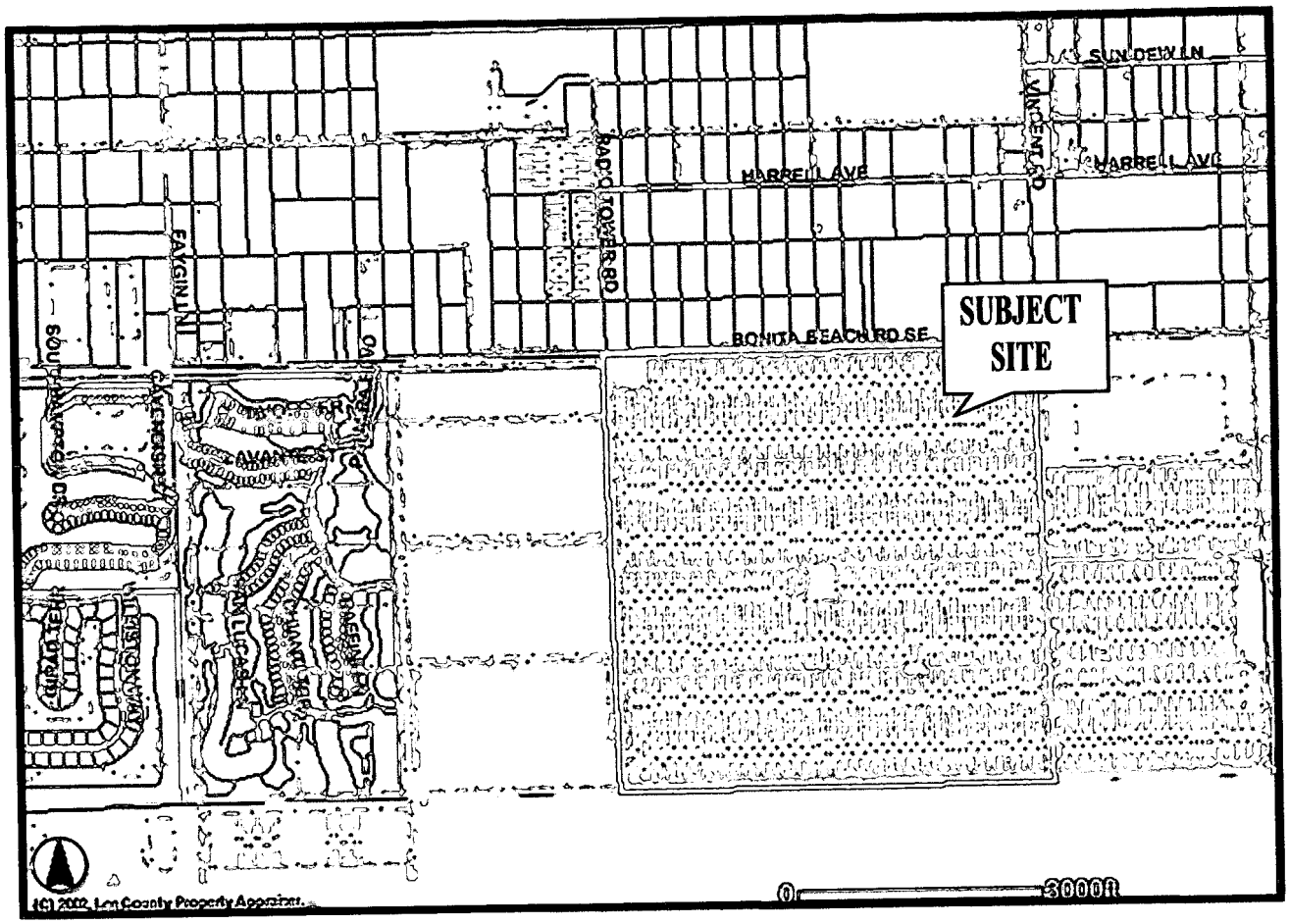

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FIGURE 2
SITE LOCATION MAP

SOURCE: LEE COUNTY PROPERTY APPRAISER WEBSITE

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BONITA SPRINGS, LEE COUNTY, FLORIDA

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FILE NO. 02-4767	APPROVED BY: GARY A. DREW, P.E.	FIGURE: 2

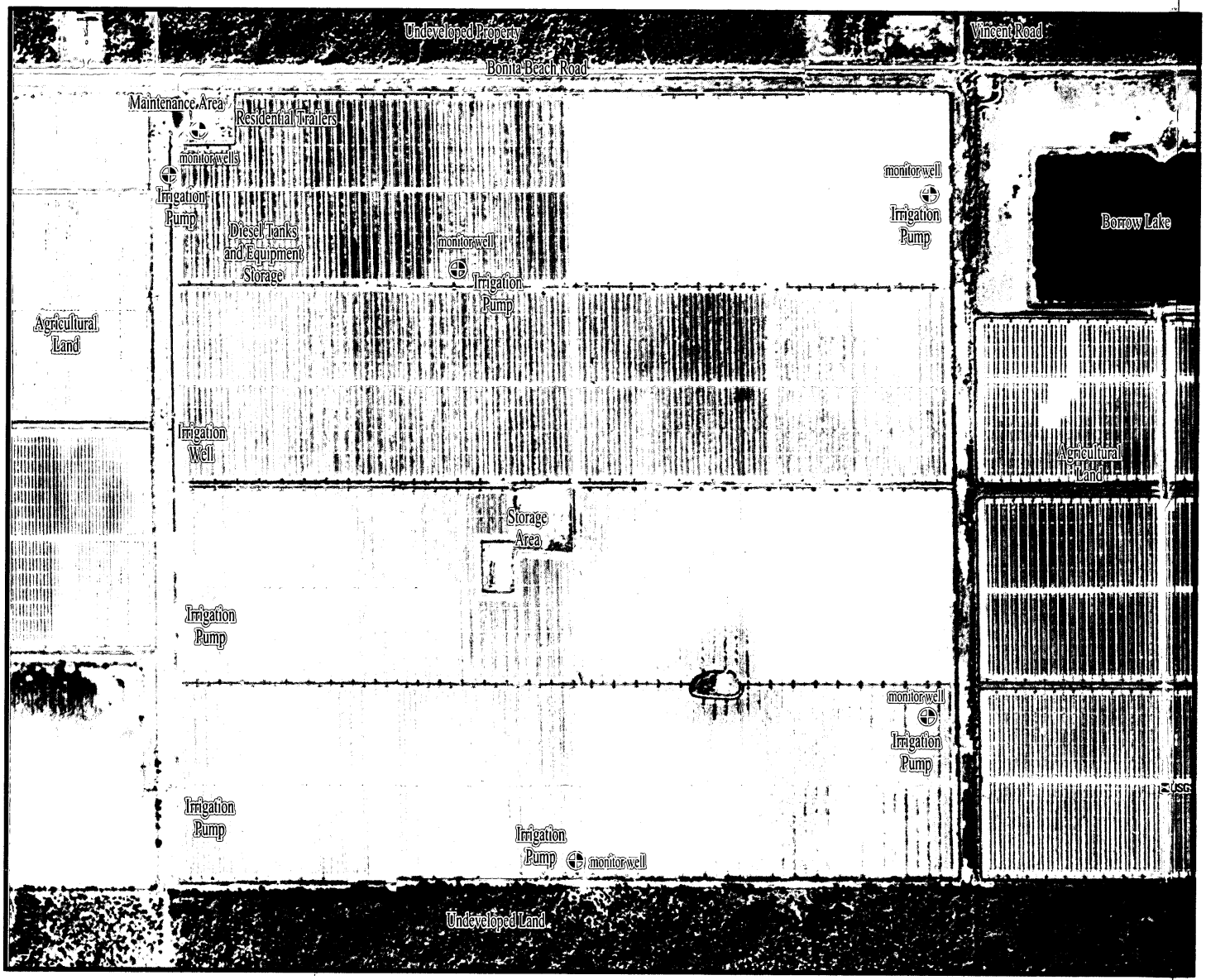

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FIGURE 3
SITE PLAN

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06 Jan 1999

Image courtesy of the US Geological Survey.

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FILE NO. 02-4767		APPROVED BY: Gary A. Drew			FIGURE: 3

15.0 TABLES

TABLE 1

ASTM STANDARD MINIMUM SEARCH DISTANCES (MSD)

AMERICAN SOCIETY OF TESTING AND MATERIALS (ASTM) E 1527
STANDARD PRACTICE FOR ENVIRONMENTAL SITE ASSESSMENTS:
PHASE I ENVIRONMENTAL SITE ASSESSMENT PROCESS

FEDERAL	SEARCH DISTANCE
NPL	1 MILE
CERCLIS/CERCLIS NFRAP	0.5 MILE
RCRA TSD	0.5 MILE
RCRA CORRACTS	1.0 MILE
RCRA GENERATORS	PROPERTY & ADJOINING PROPERTY
ERNS	PROPERTY ONLY
FINDS	0.25 MILE
TRIS	0.25 MILE

STATE	SEARCH DISTANCE
FLORIDA SITES	1 MILE
SWL	0.5 MILE
HAZARDOUS WASTE GENERATORS	PROPERTY & ADJOINING PROPERTY
STORAGE TANK INVENTORY	PROPERTY & ADJOINING PROPERTY
PETROLEUM CONTAMINATION OVERVIEW	0.5 MILE
EMERGENCY RESPONSE	PROPERTY ONLY
RECEPTORS	0.5 MILE

16.0 APPENDICES

Appendix I	Legal Description / Property Card (s)
Appendix II	Historical Research Documentation
Appendix III	Regulatory Records Documentation
Appendix IV	Site Photographs
Appendix V	Interview Documentation (Questionnaire, site specific documents)
Appendix VI	Resumes

APPENDIX I

Legal Description/Property Card(s)

LEE COUNTY PROPERTY APPRAISER

Property Data for Parcel 03-48-26-00-00001.0000

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

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

Owner of Record	Legal Description	Image of Structure
CORKSCREW GROWERS INC 7373 VANDERBILT BEACH RD EXT NAPLES FL 34119	ALL SEC 3.	(Not Presently Available)
Site Address	15501 BONITA BEACH RD SE Bonita Springs, FL 34135	

Taxing District	DOR Code
015 - BONITA SPRINGS FIRE DISTRICT	51 - CROPLAND CLASS I

Property Values		Exemptions		Dimensions	
Just	1,681,670	Homestead	0	Measurement Units	AC
Assessed	363,910	Agricultural	1,317,760	Number of Units	640.00
Assessed SOH	363,910	Widow	0	Frontage	0
Taxable	363,910	Widower	0	Depth	0
Building	81,670	Disability	0	Bedrooms	3
Land	282,240	Wholly	0	Bathrooms	3
Building Extra Features	1,160	Energy	0	Total Sq. Ft.	7,600
Land Extra Features	0	SOH Difference	0	Year Built	1983

Sales Transactions

Sale Price	Date	OR Book / Page	Transaction Details		Vacant / Improved
			Type	Description	
1,056,000	5/1/1979	1353/2361	06	Qualified (Fair Market Value / Arms Length / One STRAP #)	V

Solid Waste (Garbage) Roll Data

Solid Waste District	Roll Type	Category	Unit/Area	Tax Amount
001 - Service Area 1 - Fort Myers Beach Area	C - Commercial Category	B	6,400	153.46

Land Tracts/Land Use

Description	Use Code	Units
Market Value Agricultural	9910	640.00 Acres

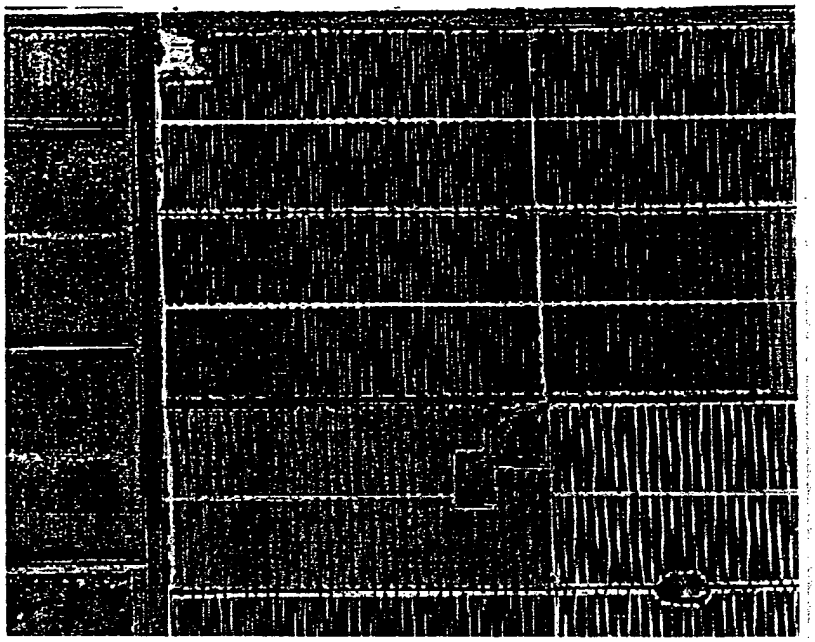
Storm Surge Category	Flood Insurance (FIRM)

	Rate Code	Community	Panel	Version	Date
Category 4	X	125124	0530	C	072098

LEFT CLICK & HOLD WHILE MOVING THE MOUSE WILL PAN THE AERIAL IN ALL DIRECTIONS

LEFT CLICK & HOLD + RIGHT CLICK & HOLD WHILE MOVING THE MOUSE FORWARD AND BACKWARD WILL ZOOM THE AERIAL OUT AND IN.

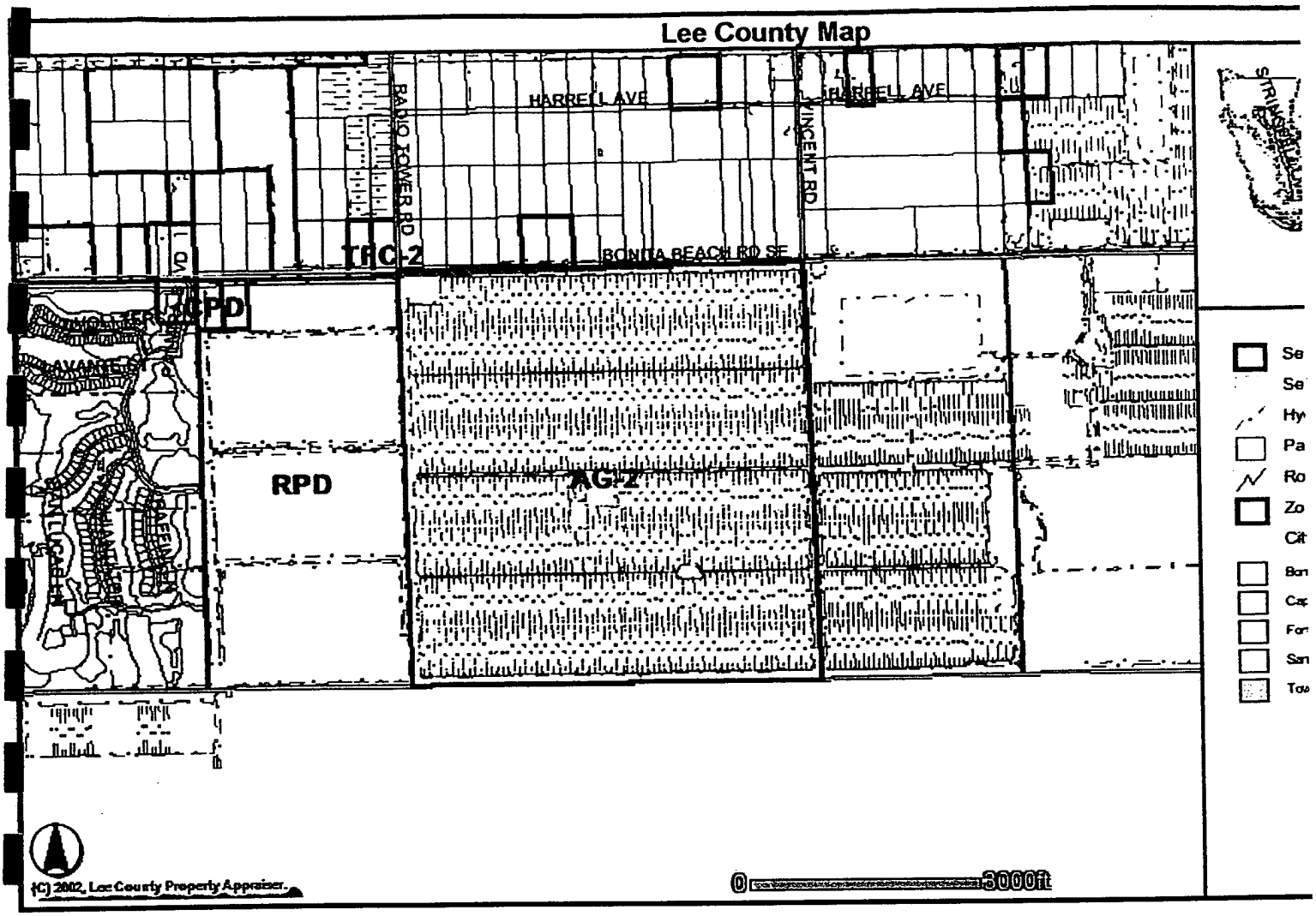
AERIALS TAKEN ON OR ABOUT FEBRUARY 1998



View Parcel Info

[View 2001 TRIM Notice]
[View 2000 TRIM Notice]
[Show Building Details]
[Hide Aerial View]
[Next Lower Parcel Number | Next Higher Parcel Number]

[New Query | Parcel Queries Page | Lee PA Home]



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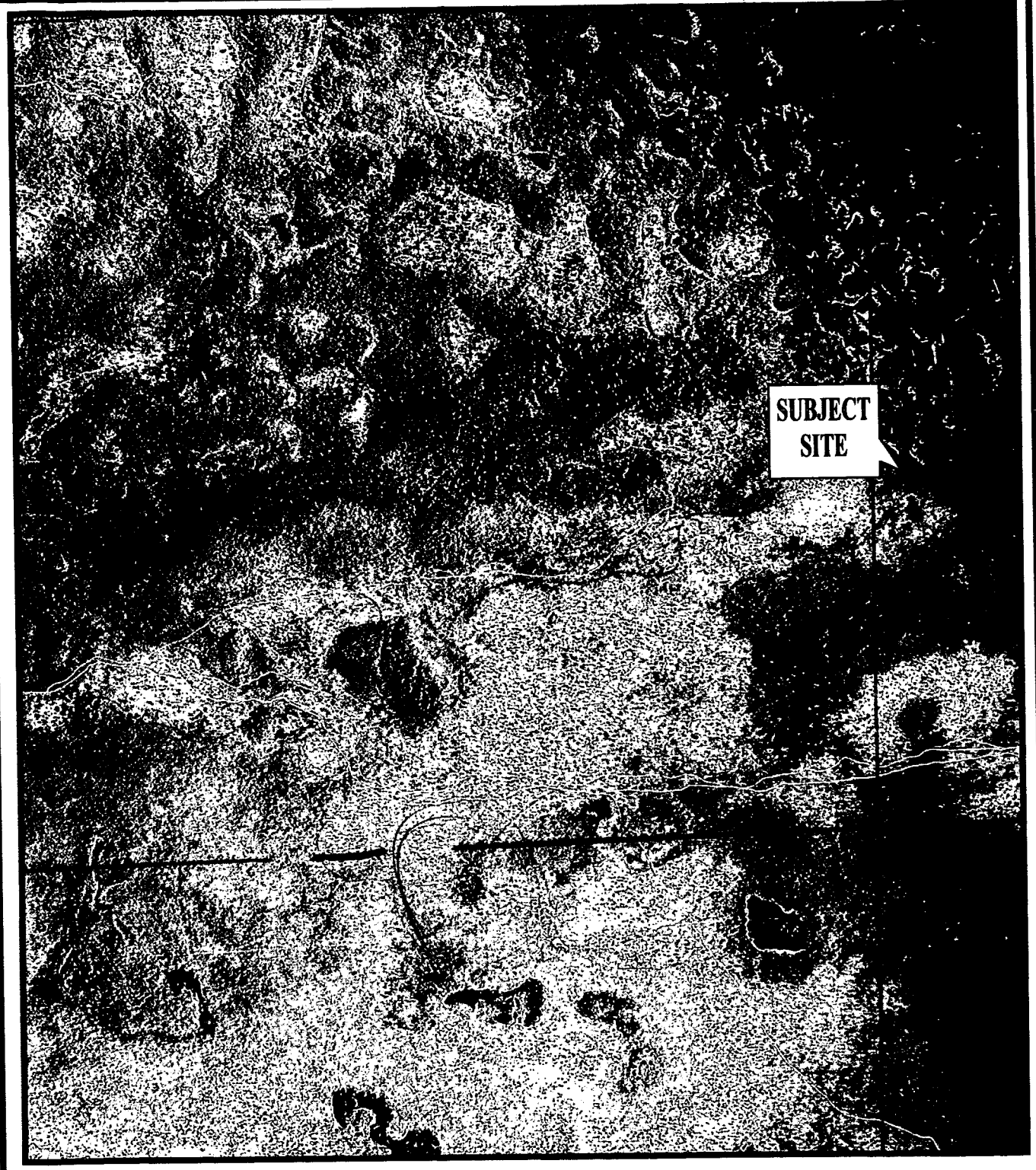
APPENDIX II

Historical Research Documentation



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AERIAL PHOTOGRAPH
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APPENDIX III

Regulatory Records Documentation

DataMap Technology Corporation

Environmental FirstSearch™ Report

TARGET PROPERTY:

14751 SE BONITA BEACH ROAD

BONITA SPRINGS FL 34135

This Report Applicable to Job Numbers 02-4749 and 02-4767

PREPARED FOR:

Ardaman and Associates, Inc.

9970 Bavaria Road

Ft. Myers, FL 33913

05-28-02

Tel: (407) 265-8900

Fax: (407) 265-8904

Environmental FirstSearch is a registered trademark of DataMap Technology Corporation. All rights reserved.

Environmental FirstSearch

Search Summary Report

Target Site: 14751 SE BONITA BEACH ROAD
BONITA SPRINGS FL 34135

FirstSearch Summary

Database	Sel	Updated	Radius	Site	1/8	1/4	1/2	1/2 >	ZIP	TOTALS
NPL	Y	03-08-02	1.00	0	0	0	0	0	0	0
CERCLIS	Y	03-08-02	0.50	0	0	0	0	-	0	0
RCRA TSD	Y	03-11-02	0.50	0	0	0	0	-	0	0
RCRA COR	Y	03-11-02	1.00	0	0	0	0	0	0	0
RCRA GEN	Y	03-11-02	0.25	0	0	0	-	-	0	0
RCRA NLR	Y	03-11-02	0.25	0	0	0	-	-	0	0
ERNS	Y	12-31-00	0.25	0	0	0	-	-	1	1
NPDES	N	01-14-02	0.25	-	-	-	-	-	-	-
FINDS	Y	07-08-01	0.25	0	0	0	-	-	0	0
TRIS	Y	07-16-98	0.25	0	0	0	-	-	0	0
State Sites	Y	03-26-02	1.00	0	0	0	0	0	0	0
Spills-1990	N	03-01-02	0.25	-	-	-	-	-	-	-
Spills-1980	N	09-01-01	0.25	-	-	-	-	-	-	-
SWL	Y	02-16-01	0.50	0	0	0	0	-	0	0
Permits	N	10-17-97	0.25	-	-	-	-	-	-	-
Other	Y	11-06-01	0.25	0	0	0	-	-	0	0
REG UST/AST	Y	11-06-01	0.25	0	0	0	-	-	2	2
Leaking UST	Y	03-01-02	0.50	0	0	0	0	-	0	0
State Wells	N	05-30-01	0.50	-	-	-	-	-	-	-
Aquifers	N	NA	0.50	-	-	-	-	-	-	-
ACEC	N	NA	0.50	-	-	-	-	-	-	-
Wetlands	N	11-20-00	0.50	-	-	-	-	-	-	-
Floodplains	N	08-28-98	0.50	-	-	-	-	-	-	-
Receptors	Y	01-01-95	0.50	0	0	0	0	-	0	0
Nuclear Permits	N	04-30-99	0.50	-	-	-	-	-	-	-
Historic/Landmark	N	03-08-01	0.50	-	-	-	-	-	-	-
Federal Land Use	N	06-17-98	0.50	-	-	-	-	-	-	-
Federal Wells	N	NA	0.50	-	-	-	-	-	-	-
Releases(Air/Water)	N	01-06-00	0.25	-	-	-	-	-	-	-
- TOTALS -				0	0	0	0	0	3	3

Notice of Disclaimer

Due to the limitations, constraints, inaccuracies and incompleteness of government information and computer mapping data currently available to DataMap Technology Corp., certain conventions have been utilized in preparing the locations of all federal, state and local agency sites residing in DataMap Technology Corp.'s databases. All EPA NPL and state landfill sites are depicted by a rectangle approximating their location and size. The boundaries of the rectangles represent the eastern and western most longitudes; the northern and southern most latitudes. As such, the mapped areas may exceed the actual areas and do not represent the actual boundaries of these properties. All other sites are depicted by a point representing their approximate address location and make no attempt to represent the actual areas of the associated property. Actual boundaries and locations of individual properties can be found in the files residing at the agency responsible for such information.

Waiver of Liability

Although DataMap Technology Corp. uses its best efforts to research the actual location of each site, DataMap Technology Corp. does not and can not warrant the accuracy of these sites with regard to exact location and size. All authorized users of DataMap Technology Corp.'s services proceeding are signifying an understanding of DataMap Technology Corp.'s searching and mapping conventions, and agree to waive any and all liability claims associated with search and map results showing incomplete and or inaccurate site locations.

Environmental FirstSearch
Site Information Report

Request Date: 05-28-02
Requestor Name: Karen Cheney
Standard: ASTM

Search Type: COORD
Job Number: 02-4749

Target Address: 14751 SE BONITA BEACH ROAD
BONITA SPRINGS FL 34135

Demographics

Sites: 3 **Non-Geocoded:** 3 **Population:** NA

Radon: NA

Site Location

	Degrees (Decimal)	Degrees (Min/Sec)		UTMs
Longitude:	-81.692236	-81:41:32	**Easting:**	430915.783
Latitude:	26.331229	26:19:52	**Northing:**	2912387.146
			Zone:	17

Comment

Comment:

Additional Requests/Services

Adjacent ZIP Codes: **0.00 Mile(s)**

ZIP Code	City Name	ST	Dist/Dir	Sel

Services:

	Requested?	Date
Sanborns	N	
Aerial Photographs	N	
Topo Maps (hardcopy)	N	
City Directories	N	
Title Search	N	
Municipal Reports	N	
Online Topo Map	N	

Environmental FirstSearch
Sites Summary Report

TARGET SITE: 14751 SE BONITA BEACH ROAD
BONITA SPRINGS FL 34135

JOB: 02-4749

TOTAL: 3 **GEOCODED:** 0 **NON GEOCODED:** 3 **SELECTED:** 0

ID	DB Type	Site Name/ID/Status	Address	Dist/Dir	Map ID

Environmental FirstSearch
Sites Summary Report

TARGET SITE: 14751 SE BONITA BEACH ROAD
BONITA SPRINGS FL 34135

JOB: 02-4749

TOTAL: 3 **GEOCODED:** 0 **NON GEOCODED:** 3 **SELECTED:** 0

ID	DB Type	Site Name/ID/Status	Address	Dist/Dir	Map ID
1	ERNS	MAGNUM EXPRESS INC 611116/HIGHWAY RELATED	COUNTY ROAD 864 TWIN EAGLE SUB BONITA SPRINGS FL	NON GC	
2	UST	BONITA SPRINGS UTIL-POTABLE WATER A 369802264/OPEN	24001 WATERFALL DR-SAN CARLOS BONITA SPRINGS FL 34135	NON GC	
3	UST	SPRING RUN GOLF COURSE MAINTENANCE 369801048/OPEN	9350 SPRING RUN BLVD BONITA SPRINGS FL 34135	NON GC	

Environmental FirstSearch
Normalized Summary Report

Site Name Address	Dist/Dir	Map ID	TOTAL SITES	Databases
				NP CE RT RG RG RN ER NS FN TR ST SP 80 LF PM OT US LS PW AQ AC WE FP RP NU HS FL FW RE

NP - NPL Site	RG - RCRA GEN	FN - FINDS	80 - 80's Spills	US - UST	AC - ACEC	NU - Nuclear Permits	RE - Releases
CE - CERCLIS	RN - RCRA NLR	TR - TRIS	LF - Landfills	LS - LUST	WE - Wetlands	HS - Historic Sites	
RT - RCRA TSD	ER - ERNS	ST - State Sites	PM - Permits	PW - PWS	FP - Floodplains	FL - Federal Land Use	
RC - RCRA COR	NS - NPDES	SP - 90's Spills	OT - Other	AQ - Aquifers	RP - Receptors	FW - Federal Wells	

Environmental FirstSearch
Federal Databases and Sources

1. **NPL:** ***National Priority List.*** The EPA's list of confirmed or proposed Superfund sites.

   Updated quarterly.

2. **CERCLIS:** ***Comprehensive Environmental Response Compensation and Liability Information System.*** The EPA's database of current and potential Superfund sites currently or previously under investigation.

   Updated quarterly.

3. **RCRIS:** ***Resource Conservation and Recovery Information System.*** The EPA's database of registered hazardous waste generators and treatment, storage and disposal facilities. Included are RAATS (RCRA Administrative Action Tracking System) and CMEL (Compliance Monitoring & Enforcement List).

   Updated quarterly.

4. **ERNS:** ***Emergency Response Notification System.*** The EPA's database of EPA emergency response actions.

   Updated quarterly.

5. **NPDES:** ***National Pollution Discharge Elimination System.*** The EPA's database of all permitted facilities receiving and discharging effluents to and from the environment.

   Updated semi-annually.

6. **FINDS:** ***The Facility Index System.*** The EPA's Index of identification numbers associated with a property or facility which the EPA has investigated or has been made aware of in conjunction with various regulatory programs. Each record indicates the EPA office that may have files on the site or facility.

   Updated quarterly.

Environmental FirstSearch
Florida Databases and Sources

Three Florida Department of Environmental Protection databases are included under the Florida Sites list heading.

They include...

1. **Florida Sites List** - identifies facilities and/or locations that the Florida Department of Environmental Regulation has recognized with potential or existing environmental contamination. This database has not been updated since 1989

2. **Superfund Hazardous Waste Sites** - This database correlates to the NPL database and includes active, delisted, and Federal sites. Based on information provided by U.S. Environmental Protection Agency.

3. **State Funded Action Sites** - This database includes sites prioritized by the State of Florida for clean-up by the state or by potentially responsible parties.

The List Status field includes SS, SFAS and SHAS. SS means site is on the Original State Sites. SFAS means site is on the State Funded Action Sites list. SHAS means site is on the State Hazardous Waste Sites list.

SOLID WASTE FACILITIES (SWF)

The Solid Waste Facilities List is concerned with the handling of solid waste and includes locations identified with solid waste landfilling or associated activities involving the handling of solid waste. The presence of a site on this list does not necessarily indicate existing environmental contamination but rather the potential.

LEAKING UNDERGROUND STORAGE TANKS (LUST)

The LUST database is concerned with petroleum storage tank systems and includes facilities and/or locations that have reported the possible release of contaminants. Included within this list are sites that are in the Florida Early Detection Incentive (EDI) Program, the Abandoned Tank Restoration Program (ATRP) and the Petroleum Liability Insurance Restoration Program (PLIRP). These programs support remedial action or reimbursement for those sites with environmental problems due to leaking fuel storage tanks. Some sites listed in the report have not yet been accepted in these programs.

The FDEP assigns scores to the sites based on the threat to human health and the environment. The Rank is determined by the site's Score and reflects the state's priority for remedial action on that site. Typically, the lower the Rank value, the greater the priority for remedial action from the state.

STATIONARY TANK INVENTORY SYSTEM LIST (STI)

The Florida Administrative Code requires registration of underground and aboveground stationary storage tanks that contain petroleum products or hazardous substances regulated under CERCLA. Inclusion on this list indicates the presence of stationary storage tanks and therefore the potential for environmental problems. It does not necessarily indicate existing problems.

PUBLIC WATER SUPPLY (PWS)

The Safe Drinking Water Information System (SDWIS) is a repository of information about Public Water Supplies. This database is a requirement of the Safe Drinking Water Act (SDWA) of 1986 and was previously known as the Federal Reporting Data System (FRDS). The information contained in this database is : Name, Address, Site Identification, Status, and Population Served.

PERMITS:

BROWARD county

Department of Natural Resources Protection (DNRP) Databases

EARLY DETECTION INCENTIVE (EDI)

Includes leaking tank sites that fall under the following categories:

- Early Detection Incentive (EDI)
- Petroleum Liability Insurance Reimbursement (PLIRP)
- Abandoned Tank Restoration (ATRP)

Environmental assessment And remediation(EA)

Sites that have been issued licenses (by DNRP) to ensure that proper assessment and remediation are applied.

REGISTERED UNDERGROUND and ABOVEGROUND STORAGE TANKS (ST)

DNRP 's inventory of Underground and Aboveground Storage Tanks in Broward County.

Environmental FirstSearch
Florida Databases and Sources(continued)

Hazardous MATERIALS(HM)
This database includes sites that are involved in some way in the handling of hazardous substances or wastes. Due to the activities relating to the handling of hazardous substances or waste, these sites possess the potential for environmental contamination.

DADE county
Department of Environmental Resource Management (DERM) Databases

ENFORCEMENT CASES(ENF)
Includes sites that have been notified and/or investigated by Dade County to determine if any cleanup activity is necessary. Leaking Underground Storage tanks make up the bulk of this database, but other types of sites include: unauthorized air emissions, unauthorized storage facilities, and site specific spills.

UNDERGROUND STORAGE TANKS (UT)
DERM 's inventory of Underground Storage Tanks in Dade County.

FUEL SPILL CASES (FSPILL)
DERM 's listing of spill cases in Dade County. It consists mainly of underground tanks.

INDUSTRIAL Waste(IW)
- IW2 - Facilities with reclaim systems or holding tanks.
- IW3 - Facilities with pretreatment or treatment systems that discharge to sewers less then 25,000 gal. per day.
- IW4 - Facilities that operate treatment systems that discharge to open ground. (Permits are no longer issued to facilities that discharge to open ground.)

INDUSTRIAL Waste(IW5)
This database consists of Industrial Waste type 5. It is similar to the USEPA 's RCRA database (RCRIS) and includes sites that are involved in some way in the handling of hazardous and/or non-hazardous waste. Due to the activities relating to the handling of hazardous substances or waste, these sites possess the potential for environmental contamination.

Hazardous Waste(HW)
Sites with confirmed soil or groundwater contamination.

Environmental FirstSearch
Street Name Report for Streets within .25 Mile(s) of Target Property

TARGET SITE: 14751 SE BONITA BEACH ROAD
BONITA SPRINGS FL 34135

JOB: 02-4749

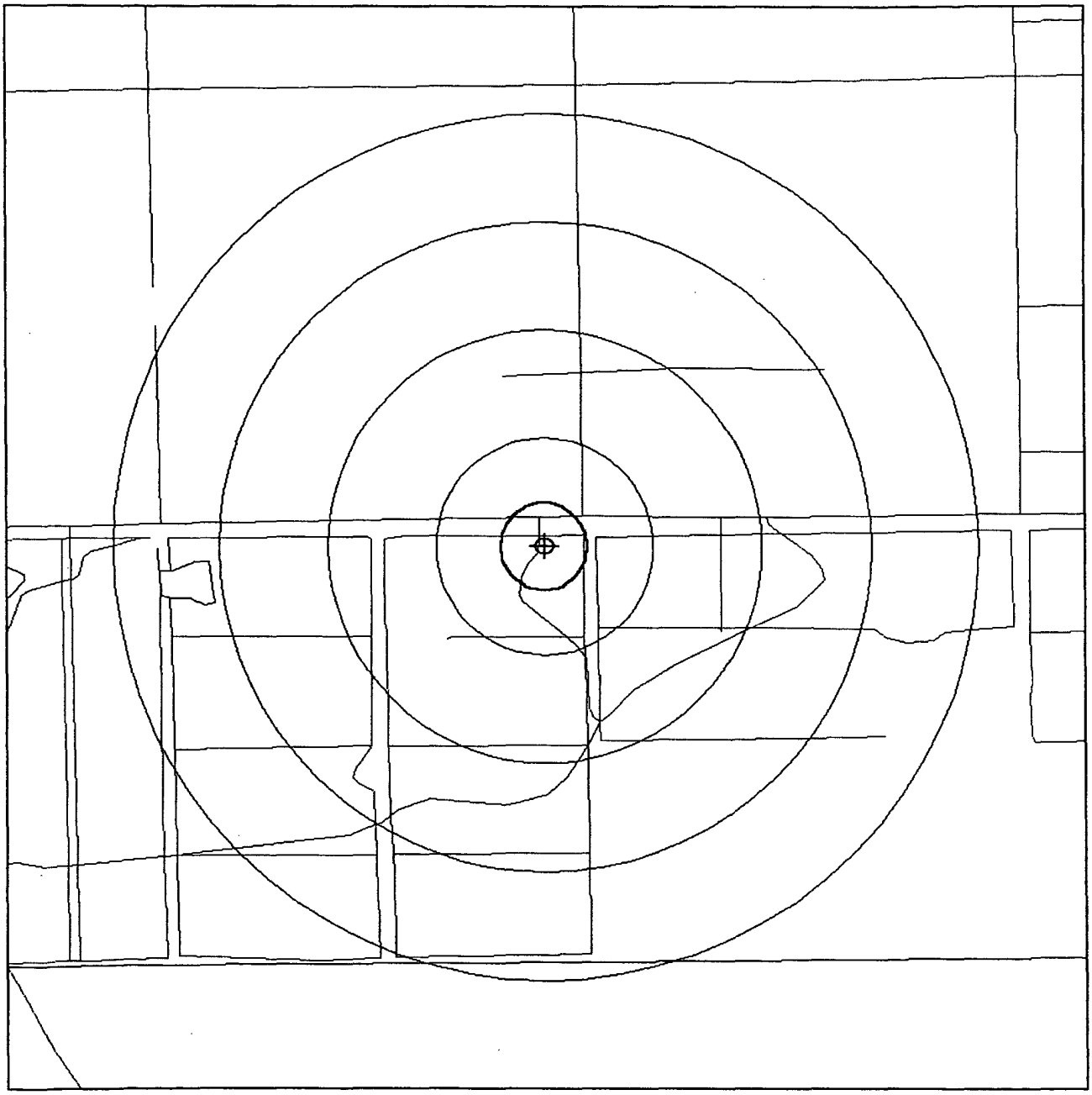
Street Name	Dist/Dir	Street Name	Dist/Dir
Bonita Beach Rd	0.06 NW		

Environmental FirstSearch

1 Mile Radius

ASTM Map: NPL, RCRACOR, STATE Sites

14751 SE BONITA BEACH ROAD, BONITA SPRINGS FL 34135



DCI 2003-00005

Source: 1999 U.S. Census TIGER Files

Target Site (Latitude: 26.331229 Longitude: -81.692236) .....

Identified Site, Multiple Sites, Receptor .....

NPL, Solid Waste Landfill (SWL) or Hazardous Waste .....

Railroads .....

Black Rings Represent 1/4 Mile Radii; Red Ring Represents 500 ft. Radius

RECEIVED

JAN 24 2003

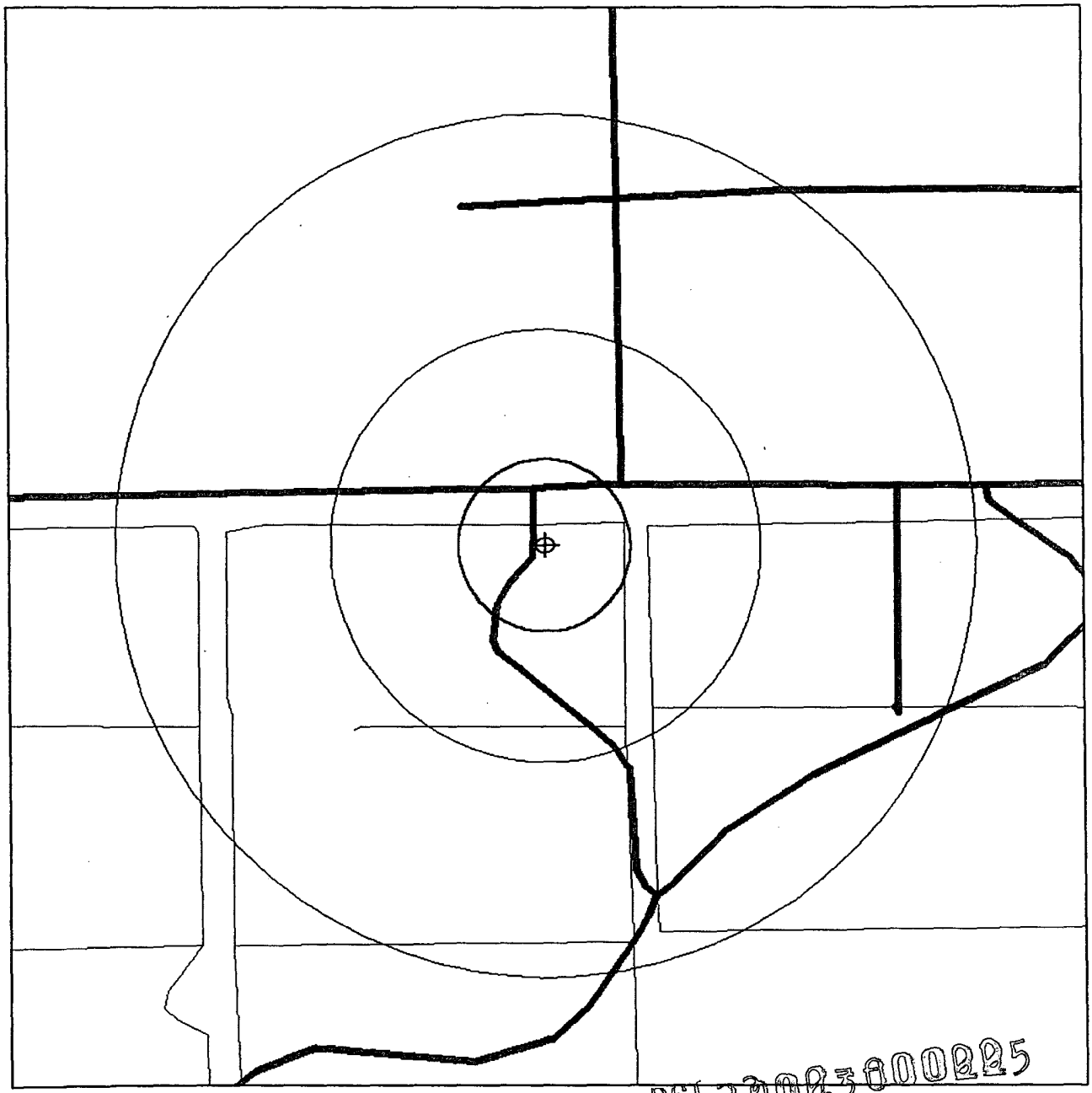
COMMUNITY DEVELOPMENT

Environmental FirstSearch

.5 Mile Radius

ASTM Map: CERCLIS, RCRATSD, LUST, SWL

14751 SE BONITA BEACH ROAD, BONITA SPRINGS FL 34135



REC 2003-00005

REC 2003-00005

RECEIVED

JAN 24 2003

COMMUNITY DEVELOPMENT

Source: 1999 U.S. Census TIGER Files

Target Site (Latitude: 26.331229 Longitude: -81.692236) .....

Identified Site, Multiple Sites, Receptor .....

NPL, Solid Waste Landfill (SWL) or Hazardous Waste .....

Railroads .....

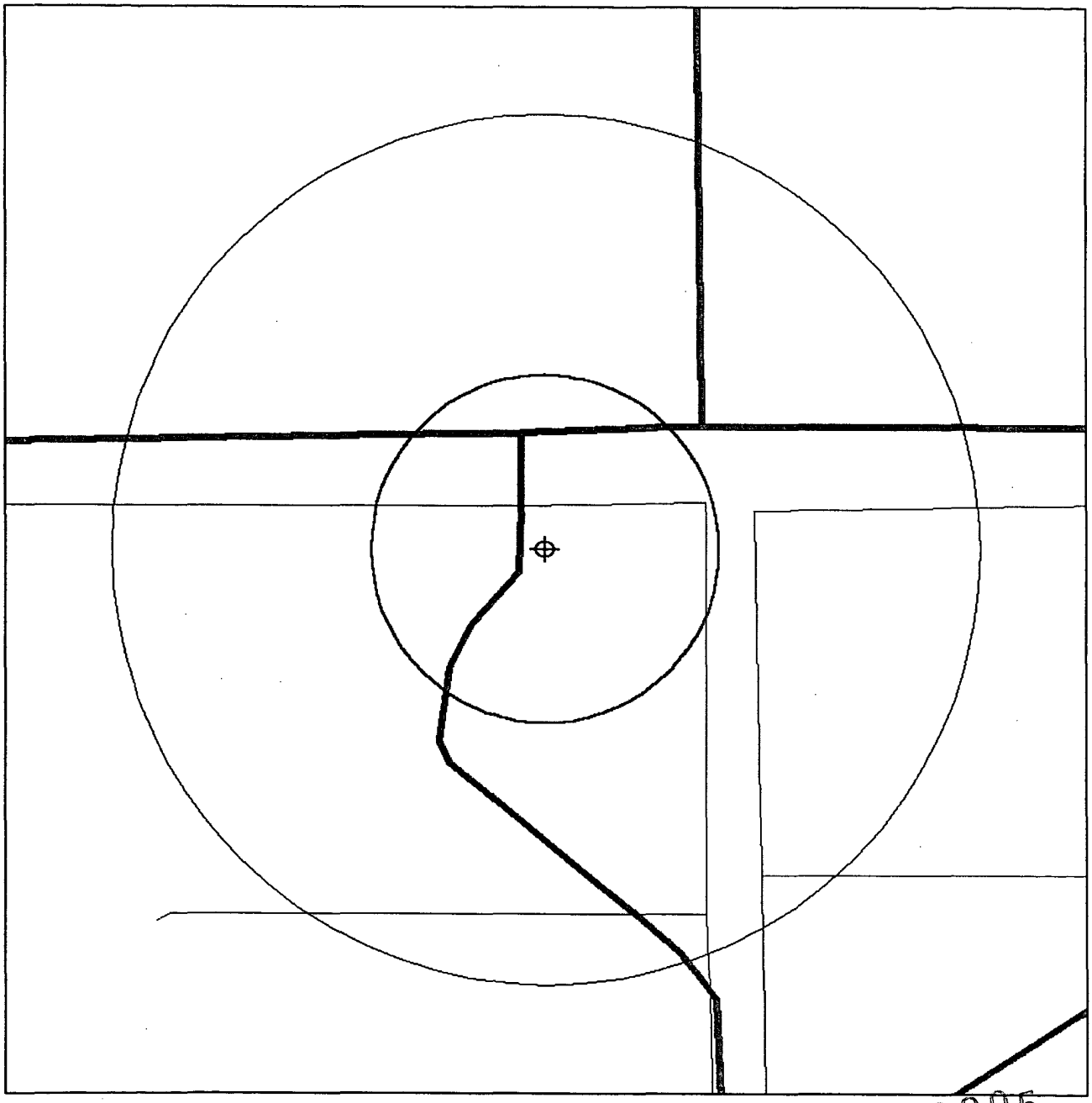
Black Rings Represent 1/4 Mile Radii; Red Ring Represents 500 ft. Radius

Environmental FirstSearch

.25 Mile Radius

ASTM Map: RCRAGEN, ERNS, UST

14751 SE BONITA BEACH ROAD, BONITA SPRINGS FL 34135



Source: 1999 U.S. Census TIGER Files

Target Site (Latitude: 26.331229 Longitude: -81.692236) .....

Identified Site, Multiple Sites, Receptor .....

NPL, Solid Waste Landfill (SWL) or Hazardous Waste .....

Railroads .....

Black Rings Represent 1/4 Mile Radii; Red Ring Represents 500 ft. Radius

RECEIVED
JAN 24 2003
COMMUNITY DEVELOPMENT

DCI 2003-00005

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: (941) 479-8519

May 29, 2002

Karen Cheney
Ardaman & Associates
9970 Bavaria RD
FT Myers, FL 33913

Dear ~~M. Cheney;~~ Karen

SUBJECT: Hazardous Waste Assessment(s) For Section: 4 Township: 48 Range: 26 and/or Specific Site Location: 14751 Bonita Beach RD SE, Bonita Springs FL

As per your request, enclosed please find Hazardous Waste Assessment information for the above referenced site. Because of the large number of businesses in the Section requested, if any, only complete reports on the specific site(s) shown above are enclosed. These Assessments are complete as provided and tables for the codes used in the reports are attached.

Please be aware that the information was provided by the facility contact as of the date shown. Conditions at the site may have changed since then and/or the information provided by the facility contact was inaccurate.

Any questions regarding the attached report(s) may be directed to me at the above number.

Sincerely,
LEE COUNTY NATURAL RESOURCES

Mary W. O'Toole-Goodell
Mary O'Toole-Goodell
P2/SQG Program
Planning Technician

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JAN 24 2003
COMMUNITY DEVELOPMENT

DCI 2003-00005

~~REZ 2003-00005~~

Lee County SQG Inspections by Section: 4 Township: 48 Range:26

Inspect_Gen_Status	*Inspect_ID*	*Inspect_Date*	*Inspect_Facility*	*Inspect_Address*	*Inspect_City_St_Zip*
GEX	18-07102001-16	7/10/2001	Quail West CC	28995 Bonita Grande Dr	Bonita Springs, Fl 34119

Lee County SQG Inspections by Sec: 4 Twnshp: 48 Rng: 26

Inspect_Gen_Status	Inspect_Facility	Inspect_ID	Inspect_Date	Inspect_Address	Inspect_City_St_Zip

Appendix IV

Site Photographs

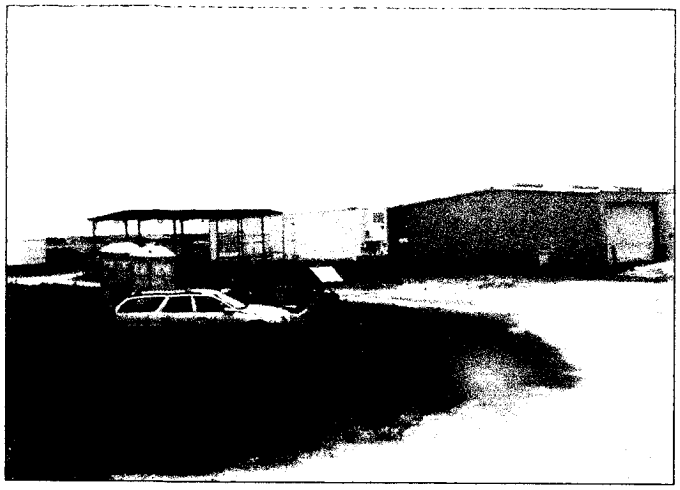


Photo 1: Subject Property - 648 Acre Parcel located at 15501 Bonita Beach Road, Bonita Springs, Florida.

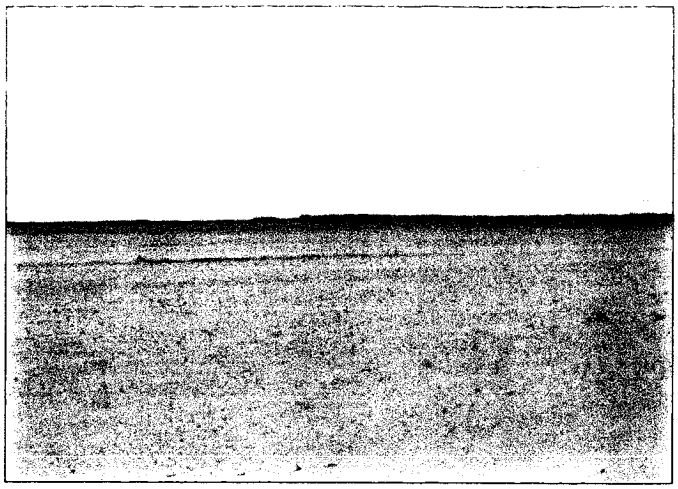
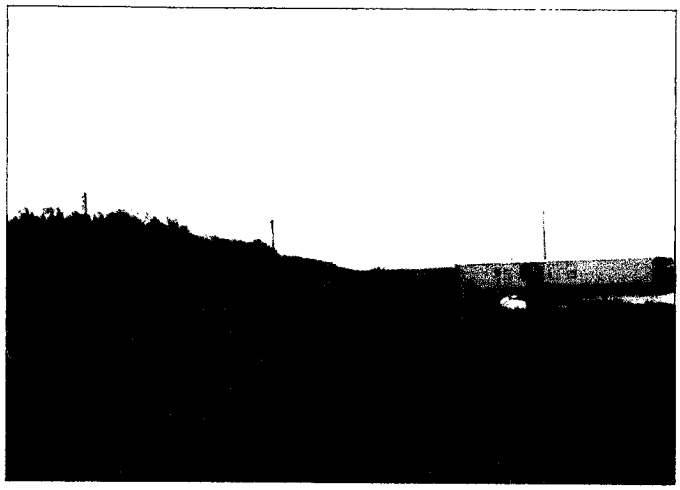


Photo 2: Subject Property-Agricultural field for peppers and cucumbers.



Northwest corner of subject property looking east along Bonita Beach Road.

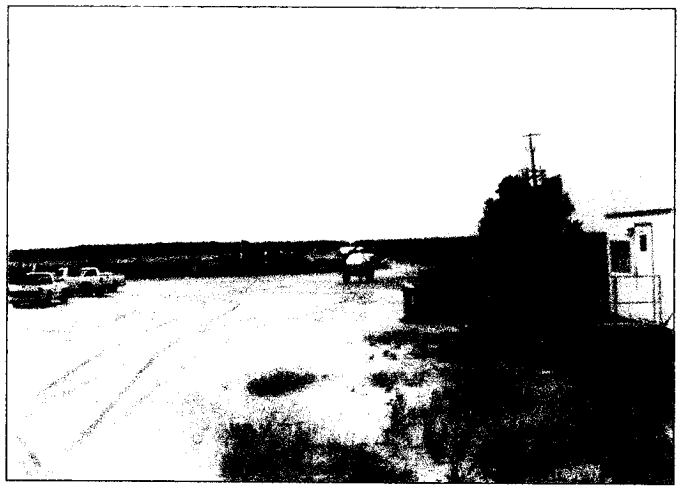


Photo 4: Northwest corner of subject property, looking south.

Photo 5: Mobile Homes for employee residence.

Photo 6: Inside maintenance building for farm equipment.

Photo 7: Large equipment in maintenance building.

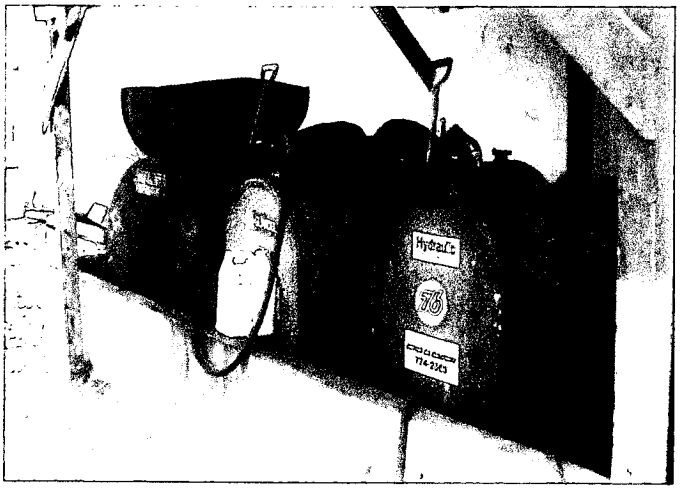


Photo 8: Waste oil tanks in covered containment next to maintenance building.

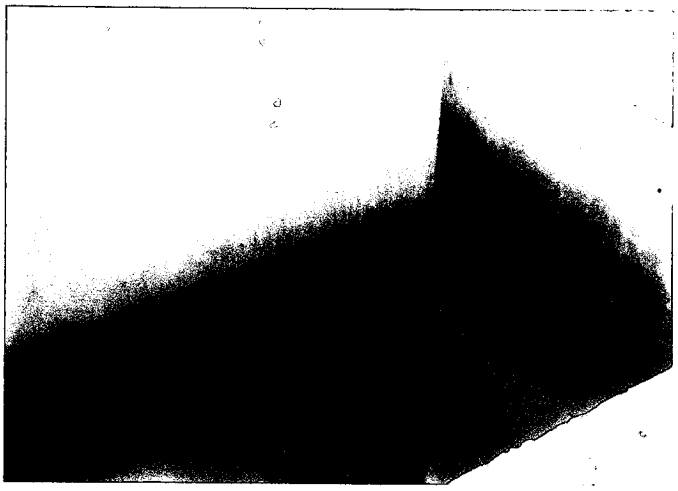


Photo 9: Standing waste oil in waste oil tank containment.

Photo 10: Drum storage and monitor well located on west side of waste oil containment.

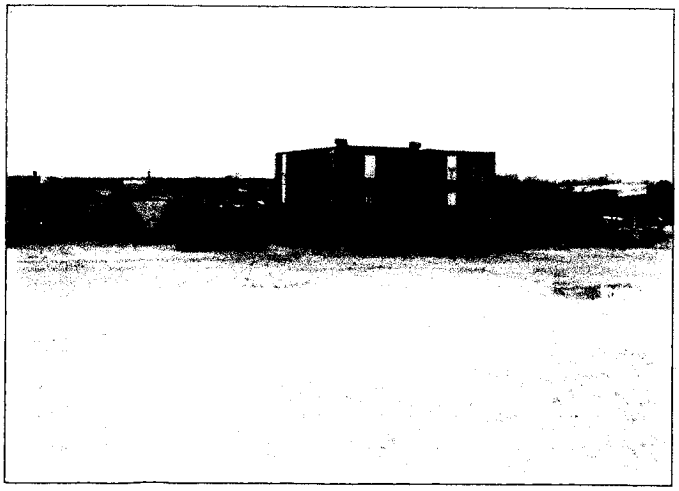


Photo 11: Pesticide Storage containers.

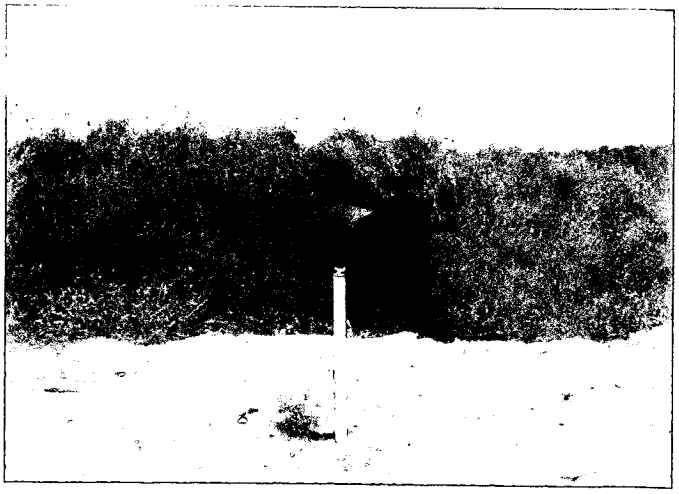


Photo 12: Irrigation pump site with monitor well (northwest corner)

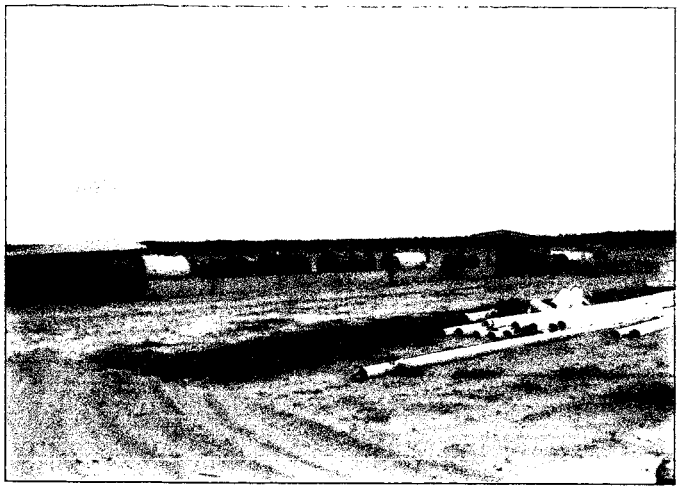


Photo 13: Diesel tanks and containments stored in the northwest quadrant of the subject property.

Photo 14: Burned debris location.

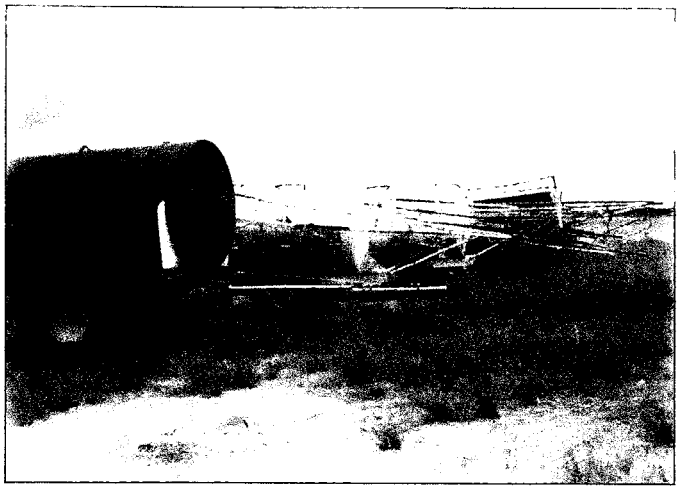


Photo 15: Equipment Storage in the northwest quadrant of subject property.

Photo 16: Equipment Storage in the northwest quadrant of subject property.

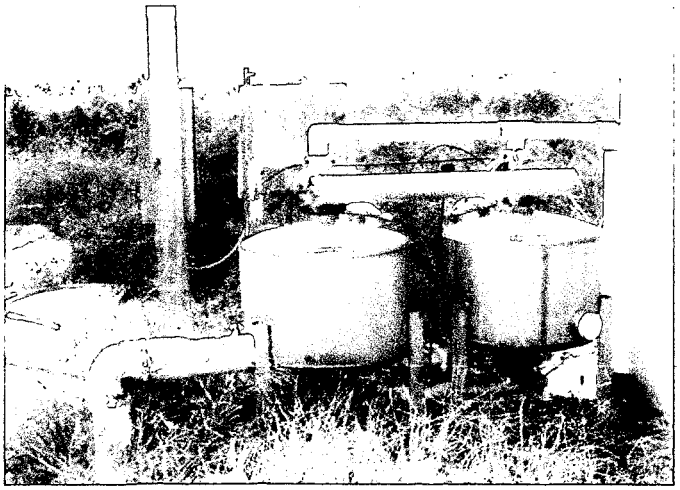


Photo 17: Irrigation well, midcenter along west boundary.

Photo 18: Empty pesticide containers along side the irrigation well.

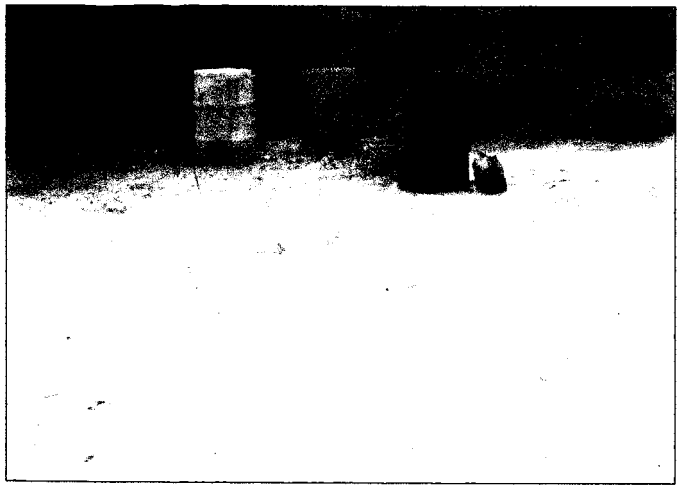


Photo 19: 55 gallon drum storage - one half filled with waste oil and uncovered near irrigation well.

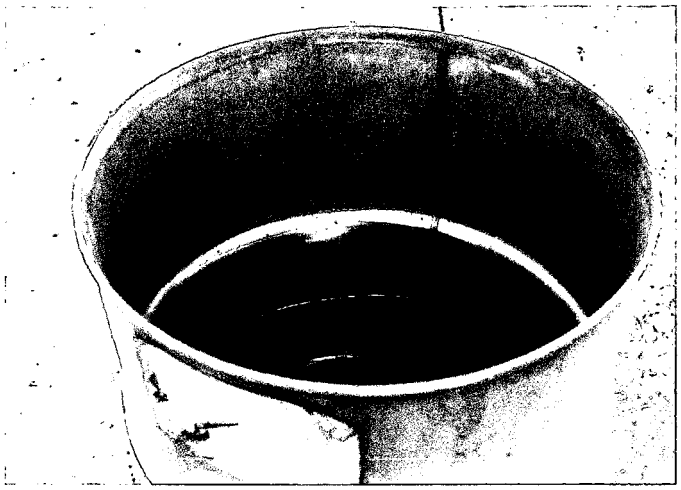


Photo 20: Open waste oil drain near irrigation well.

Photo 21: One of several monitor wells located near former diesel tank site next to irrigation pump.

APPENDIX V

Interview Documentation
(Questionnaire, Site Specific Documents)

Ardaman & Associates, Inc.
Geotechnical, Environmental, and Materials Consultants

ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE STATEMENT

FILE NO: 02-476 8

PROPERTY LOCATION: Bonita Beach Road - 648-ACRES
PROPERTY OWNER: Cork screw Growers
PROPERTY OCCUPANT: L & M Produce
ADJACENT PROPERTIES LAND USE:
NORTH Undeveloped Land
EAST Agricultural Land
SOUTH Undeveloped Land
WEST Agricultural Land

HISTORY:
Original Construction (date): Unknown (Pole barn)
Major Renovations (date): — Trailers

To the best of your knowledge has the subject property ever been used as the following?

( ) Photo Developing Lab
( ) Gasoline Station
( ) Auto Repair Facility
( ) Commercial Printing Facility
( ) Dry Cleaners
( ) Industrial Facility
(✓) ~~Herbicide~~ or Pesticide Mixing or Storage Facility
( ) Marina
( ) Junkyard / Landfill
( ) Waste Treatment:
  ( ) Storage
  ( ) Disposal
  ( ) Processing
  ( ) Recycling Facility
( ) None
( ) Unknown

Does the owner/occupant have any knowledge of the following items that may exist or is pending for the subject property?

( ) None
( ) Environmental Sites Assessments
  ( ) Phase I
  ( ) Phase II
( ) Environmental Liens
( ) Environmental Violations
( ) Enforcement Actions / Administrative
( ) Lawsuits re: Hazardous substance releases
Self monitoring

To the best of your knowledge has the adjacent property ever been used as the following?

( ) Photo Developing Lab
( ) Gasoline Station / Marina
( ) Auto Repair Facility
( ) Commercial Printing Facility
( ) Dry Cleaners
( ) Industrial Facility
(✓) ~~Herbicide~~ or Pesticide Mixing or Storage Facility Ag Land
( ) Junkyard / Landfill
( ) Waste Treatment
  ( ) Storage
  ( ) Disposal
  ( ) Processing
  ( ) Recycling
( ) None
( ) Unknown

PROPERTY DESCRIPTION

≈ 648 Acres

( ) Undeveloped Land
( ) Paving & Utility Improvements
(X) Occupied
( ) Unoccupied

(X) Building Improvements
( ) Fence

Utilities Serving the Subject Property?

( ) Municipal Water
( ) Municipal Sewer
(X) Septic Tank
(X) Well Water

( ) Oil Separator
( ) Floor Drains
( ) Grease Trap
( ) Storm Drains

Are there currently or to the best of your knowledge any topographic alterations such as?

( ) None AG LAND
( ) Fill Operations
( ) Excavations

( ) Ponds / Lagoons
( ) Stained Soil
( ) Pits

The means of heating and cooling the building?

( ) Heating Oil
(X) Electric

( ) Gas
( ) Radiators

Are there currently or to the best of your knowledge have there ever been any?

(Yes)	No	Unknown	Above-ground Tanks - Size & Content	unreg. diesel tanks
Yes	(No)	Unknown	Underground Tanks - Size & Content	
(Yes)	No	Unknown	Monitor Wells	
(Yes)	No	Unknown	Vent Pipes, Fill Pipes	AST
Yes	(No)	Unknown	Transformer / Electrical Equipment	
(Yes)	No	Unknown	Industrial Drums - Size & Content	
Yes	(No)	Unknown	Cattle Dipping Pens	

Is there currently, or has there ever been or possible suspicion of past occurrence of:

Yes	(No)	Unknown	Groundwater Contamination
Yes	(No)	Unknown	Soil Contamination
Yes	(No)	Unknown	Landfill / Burial Activity
(Yes)	No	Unknown	Chemical / Petroleum Spills – Slight
Yes	No	(Unknown)	Strong Odors

Is there any known or suspected:

Yes	(No)	Unknown	Asbestos Containing Materials in the Building
Yes	(No)	Unknown	Polychlorinated Biphenyls (PCBs) in electrical equipment
Yes	(No)	Unknown	Radon Gas in Buildings

Are there currently, or to the best of your knowledge have there ever been any monitoring for:

(Yes)	No	Unknown	Groundwater Quality
Yes	(No)	Unknown	Potable Water Quality
Yes	(No)	Unknown	Air Quality

Describe any wastes generated, stored, or disposed of:

TYPES	QUANTITY PER MONTH	DISPOSAL METHOD
WASTE OIL		
RAGS		

Continue on back of this page if necessary.

Describe any chemicals or other hazardous materials (lead, pesticides, herbicides, solvents, petroleum products, degreasers, acids, caustic, asbestos, etc.) that are, or were stored on-site?

Standard pesticides / herbicide for peppers and cucumbers

Have pesticides, herbicides or other agricultural chemicals been stored, mixed, applied or disposed of at the property?

(Yes) No Unknown

If yes, describe chemical formulation(s) used and locations of such applications

Fill tanks at various well locations

Describe all wastewater discharges (types, sources, contaminants, flow rates, etc.) to sanitary sewers, ditches, ground surface, surface waters, septic systems, on-site treatment systems or holding ponds.

Standard operation for irrigation purposes

As the present owner of the property, or as an officer or a general partner of the present owner of the property (or the duly authorized representative of such owner), I am familiar with all of the operations presently conducted on the property, have made an inquiry into the former uses of the property, and hereby certify to and for the benefit of Lender/Purchaser that to the best of my knowledge, information disclosed above is true and correct.

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Interview with
(Owner/Lessee)

Charles Myers, representative
(Signature)

(Rose Gause)
(Title)

REZ 2002-00022

DCI 2003-00005

ARDAMAN & ASSOCIATES

APPENDIX VI

Resumes

ROXANNE GAUSE, P.E.
SENIOR ENVIRONMENTAL ENGINEER
ARDAMAN & ASSOCIATES, INC.

EDUCATION:

Bachelor of Science in Civil Engineering (Environmental), Department of Civil Engineering & Mechanics, University of South Florida, May 1991

Post Graduate Studies, University of South Florida

Bachelor of Arts in Sociology, College of Liberal Arts, University of West Florida, Pensacola, Florida 1971

PROFESSIONAL HISTORY:

PRESENT — **SENIOR ENVIRONMENTAL ENGINEER**
Ardaman & Associates, Inc., Fort Myers/Naples, Office

Responsible for conducting Phase I historical assessments and Phase II exploratory assessments of potentially and known contaminated sites, Initial Remedial Assessments (IRA), Site Assessment Reports (SAR), Tank Closures, organizing and supervising remedial operations. Licensed Asbestos Consultant, responsible for overseeing Asbestos Surveys and Abatement Projects. Client liaison, involved in initial proposals and services pricing, preparation and presentation of specific engineering projects and subsequent reporting of results and recommendations.

1993 TO June 2000 — **PROJECT ENGINEER**
Ardaman & Associates, Inc., Sarasota, Florida

Licensed Asbestos Consultant, responsible for Asbestos Surveys, Phase I and Phase II Environmental Site Assessments (ESA) and Contamination Assessments and Tank Closures. Responsibilities include determining and performing scope of services and reporting for environmental projects.

1992 to 1993 — **ENGINEER**
Department of Environmental Protection

Department of Domestic Waste Compliance, Enforcement and Permitting. Temporary operation permits, NPDES compliance inspections, wastewater nutrient discharge studies, and site inspections for plants greater than one million gallons per day.

1991 to 1992 — **PROJECT ENGINEER**
Wilson, Miller, Barton & Peek, Inc.

Utility and Wastewater Design.

PROFESSIONAL REGISTRATIONS:

Registered Professional Engineer, State of Florida, 1998, No. 53261
Engineer Intern, State of Florida 1991
Licensed Asbestos Consultant, No. 0046

PROFESSIONAL AFFILIATIONS:

American Society of Civil Engineers (ASCE)
Florida Engineering Society (FES)
Chi Epsilon

CONTINUED:

CERTIFICATION/TRAINING:

META "Refresher" Asbestos Consultant Reccreditation for Licensed Asbestos Consultant, Inspector and Management Planner under TSCA Title II/AHERA, April, 2000.

40 Hrs. Hazardous Waste Operations and Emergency Response

8 Hours HAZWOPER Refresher - OHWOC-473402, April 12, 2002

GARY A. DREW, P.E.
BRANCH MANAGER
ARDAMAN & ASSOCIATES, INC.

EDUCATION:

Master of Science in Civil Engineering, University of Nebraska, 1984
Bachelor of Science in Civil Engineering, University of Nebraska, 1979

PROFESSIONAL HISTORY:

1985 TO Present — **BRANCH MANAGER**
Ardaman & Associates, Inc., Fort Myers/Naples, Florida

Responsibilities include determining and performing scope of services for quality control/quality assurance, geotechnical and geohydrological projects, and geoenvironmental projects; supervision of engineering, laboratory, field, drilling and office staff. Project Manager for FDOT, city, county and school board continuing services contracts, and responsible for determining workscope, manpower and technical requirements and assignment of work.

Experience and duties also include: over 500 Phase I environmental site assessments (ESA) on tracts of land ranging from less than an acre to several hundred; implementing Phase II programs to evaluate the source and extent of contamination where contamination is known or suspected, which typically involves installation of monitoring wells, soil sampling, chemical analysis on soil and groundwater samples, and other quantitative engineering procedures; and supervising initial remedial actions (IRA) and contamination assessments (CA) when contamination is discovered.

1984 to 1985 — Project Engineer
Ardaman & Associates, Inc., Tallahassee, Florida

Responsible for subsurface explorations, analyses and recommendations for projects involving foundations for high-rise structures, earth dams for retention of surface water, roadway soil surveys, land development, retaining walls, and special foundation problems. Duties also included hydrogeological surveys and preparation of groundwater monitoring plans for sanitary landfills and wastewater treatment plants.

1983 to 1984 — Graduate Teaching Assistant
University of Nebraska

Responsible for undergraduate courses in soil mechanics laboratory.

1979 to 1983 — Project Engineer
Nebraska Testing Laboratories, Omaha, Nebraska

Responsibilities involved analysis and evaluation of soils data obtained from foundation subsoil explorations for various types of structure and submitting recommendations on foundation design and construction. Also, management and coordination of field inspections and related testing services for deep foundations and earth grading projects.

1974 to 1979 — Engineering Technician
Nebraska Testing Laboratories, Omaha, Nebraska

Duties included almost every phase of the laboratory's services as a field and laboratory soil and construction materials technician. Briefly listed: testing of soil, concrete, asphalt, and other construction materials; inspection of foundation subsoil exploration, grading projects, and pile installations; and operation of drilling equipment and various technical soils and construction materials equipment.

PROFESSIONAL REGISTRATION:

Registered Professional Engineer, State of Florida, 1985, No. 35504
Special Inspector of Threshold Buildings, State of Florida, No. 833

PROFESSIONAL AFFILIATIONS:

American Society of Civil Engineers
Florida Engineering Society (Chapter Officer)
American Concrete Institute
Construction Materials Engineering Council (Board of Directors)
Geotechnical and Materials Engineering Council (CMEC Liaison)

HONORARY AWARDS:

- Southwest Florida Branch of South Florida Section, ASCE Engineer of the Year, 1994
- The "George E. Wingerter Award" for Extraordinary Meritorious Service to the
- Construction Materials Engineering Council, Inc., September 23, 1998.
- Florida Engineering Society, Calusa Chapter, Engineer of the Year, 1998-1999

CERTIFICATION/TRAINING:

Certified Florida Environmental Assessor, CFEA 37/Registered Environmental Property Assessor, REPA 2987

40 Hrs. Hazardous Waste Operations and Emergency Response Certificate No. HAZ9303010227

8 Hrs. Annual Refresher HAZWOPER, Certificate No. OHWOC-473402, April 12, 2002

Florida Engineering Society "Current and Emerging Environmental Issues for Consultants", Tampa, Florida, April 6 and 7, 1989.

National Water Well Association "Environmental Site Assessments, " Orlando, Florida, January 25, 1990.

Environmental Assessment Association "Environmental Inspections for Real Estate Transactions", Orlando, Florida, January 29, 1993.

University of Florida TREEO "A Standard Operating Procedure Plan for Phase I Environmental Site Assessment", Orlando, Florida, May 24 and 25, 1993.

Florida Engineering Society "Environmental Assessment Processes," Orlando, Florida, May 5 and 6, 1994.

American Society for Testing and Materials "Environmental Site Assessment for Commercial Real Estate", Tampa, Florida, October 4 and 5, 1995.

CORKSCREW GROWERS-SECTION 3

Section 3, Township 48 South, Range 26 East, Lee County, FL

PROTECTED SPECIES SURVEY
&
ENVIRONMENTAL ASSESSMENT

September 2000
(Updated August 2002)

Prepared For:
The Ronto Group, Inc.
3185 Horseshoe Drive South
Naples, Florida 34104

Prepared By:
Butler Environmental, Inc.
3737 Domestic Avenue, Suite 3A
Naples, Florida 34110

DCI 2003-00005

I. PURPOSE

This report provides an objective assessment and characterization of the environmental condition; specifically faunal and floral composition, ecological health, integrity and function of the property as it relates to the potential utilization by listed species. It also provides a framework and background against which decisions relating to future uses of the site may be made. All relevant and pertinent environmental considerations that can be evaluated at this stage are presented here.

The reader should note that all statements contained in this report regarding recommended actions and assessments of environmental risks or issues, represent the opinion of BUTLER ENVIRONMENTAL, INC., and should not be construed as mandates, or insurance's against liability arising from any environmental issues, past, present of future. Judgements regarding risks and necessary actions are best made by the reader, and compliance with environmental regulations should be ensured by contacting the appropriate regulatory agencies. The results of these observations represent the best information obtainable, under existing conditions and associated parameters, given the length of time available for the contracted scope of services.

II. PROJECT DESCRIPTION AND LOCATION

The 640± acre site accounts for all of Section 3, Township 48 South, Range 26 East, Lee County, Florida. The property is located south of and fronts Bonita Beach Road, east of I-75. The parcel is bordered by active agriculture on the west and east, both agricultural and undeveloped lands to the north, and undeveloped land to the south.

DCI 2003-00005

III. VEGETATIVE COMMUNITIES

Through mapping and classifying the various habitats present onsite, qualified determinations can be made with regard to the presence of protected species. The habitat types were delineated using blueline aerial photographs (1"=200'), Soil Conservation Service Soil Survey maps for Lee County, and onsite ground truthing. The field surveys identifying the vegetative character of the site were conducted during the first three weeks in June 2000. The vegetative assemblages were classified according to Levels III and IV of the Florida Land Use, Cover, and Forms Classification System (FLUCFCS) (Florida Department of Transportation, 1985).

The dominant feature on the property is active agriculture consisting of row crops (FLUCFCS Code 214) with associated agricultural berms, drainage ditches and primitive dirt roads. There are three small areas of disturbed land (FLUCFCS Code 740) on the property, which appears to be used for the storage and/or maintenance of agricultural equipment. The entire site is drained and is non-wetland. If the agricultural drainage ditches on-site were to be impacted by future development, mitigation should not be required due to their creation for direct agricultural use. These ditches are not classified as jurisdictional wetlands by state and federal agencies. Please reference the enclosed FLUCFCS Map.

IV. METHODOLOGY

Prior to any wildlife survey, careful consideration is given to the habitat type/s in question and species, which are known to utilize such areas. Thus, before any survey is carried out a number of publications and references are consulted. These include: The Official Lists of Florida's Endangered Species, Threatened Species and Species of Special Concern, dated April 29, 1996 in addition to the FGFWFC Wildlife Methodology Guidelines.

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The basic objective of any wildlife survey is to obtain evidence that a listed species is using the subject site. The site may comprise a primary or secondary feeding/foraging or nesting zone or merely be adjacent to those sites for a particular listed species.

As many species of concern in Florida are cryptic/camouflaged and/or nocturnal/crepuscular patience and sufficient time must be devoted to the survey. Methods generally employed (and followed in this instance) take the following format:

An aerial and/or FLUCFCS map is consulted prior to arriving on-site and a system of meandering or linear belt transects is established. The number and average distance between transects is established to achieve a 80% minimum coverage for each habitat as required by Lee County standards.

A single transect can bisect several habitat types and in doing so, it enables the surveyors to cover large areas in a timely manner. This allows the site to be surveyed thoroughly and with great efficiency.

Upon arrival on-site, surveying biologists, equipped with field glasses, note book and any identification aids needed, follow the established transects while scanning all canopy levels frequently. A slow pace is maintained, stopping every few minutes to look and listen for movement or calls of any animal. Indirect evidence such as rootings, scrape marks, nests, cavities, burrows, tracks and scat are looked for and duly noted.

At the margins between different habitat types, additional time will be spent, as some species will forage in an alternate area to their roosting site. Often the surveying biologist will attempt to blend in with background vegetation and watch and listen quietly and with minimal movement for an extended period of time.

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Optimum times for performing wildlife surveys are dawn and dusk. Periods of following the meandering transects described are interspersed with stationary observation. All wildlife observations are noted (with the exception of common insects and arachnids), both direct (sight/sound) and indirect as described above.

V. WILDLIFE UTILIZATION

Very little wildlife was noted during the survey. Several killdeer *(Charadrius vociferous*) were seen on the property, but no nests were observed. A few wading birds were seen flying overhead during the day, but none were seen on the site or in its drainage ditches. All of Section 3 has been either newly planted or is undergoing preparation for planting. The minimal wildlife utilization is most likely due the ongoing disturbance of the site in preparation for the planting season.

On September 14, 2000 approximately 8.00 man-hours were spent on the subject site performing the wildlife survey. The survey began at 8:00 am and was completed by 12:00 pm. The weather was slightly hazy for several hours in the morning, but cleared to mostly sunny in the afternoon. The wind was 5-10 mph out of the west.

On August 21, 22, and 23, 2002 approximately 24 hours were spent on the subject site to update the previous wildlife survey. This update provides any change in site characteristics, utilization by any new threatened, endangered and/or listed species.

V. CONCLUSIONS

There were no threatened or endangered species observed on the site in September 2000 nor in August of 2002. The site is still an active agricultural parcel with no native vegetation habitats or communities.

DCI 2003-00005

136C

Geotechnical Engineering Services
Report of Findings
Proposed Lake Borings
Corkscrew Growers Parcel
Lee County, Florida
February 1, 2001

Submitted to:

Mr. Mark S. Taylor, Vice President
Ronto Developments Parklands Inc.
3185 Horseshoe Drive South
Naples, Florida 34104

Submitted By:

Professional Engineering and Inspection Company Inc., AGS Division
10251 Metro Parkway, Suite 119
Ft. Myers, Florida 33912

DCI 2013 00005

AGS / PEICO, INC.
ADVANCED GEO-MATERIALS SERVICES
PROFESSIONAL ENGINEERING AND INSPECTION COMPANY

February 1, 2001

Ronto Developments Parklands Inc.
3185 Horseshoe Drive South
Naples, Florida 34104

FLORIDA
CALIFORNIA
NEW JERSEY
NEVADA

Attention: Mark S. Taylor, Vice President

Subject: Geotechnical Engineering Services
Proposed Lake Borings
Corkscrew Growers Parcel
Lee County, Florida

PEICO/ AGS Division Project No. 01-2-098

Dear Mr. Taylor:

Pursuant to your request, **PEICO, Inc.** has completed a subsurface study for the above referenced project. We understand that the proposed project will involve the excavation of twenty-seven (27) retention lakes for a proposed residential development at the Corkscrew Growers Parcel in Lee County, Florida.

The study involved drilling of engineering borings, evaluating the geotechnical engineering impact of the subsurface conditions on the planned construction, and evaluating the existing soils for suitability as site grading fill. Results of the study are presented hereafter.

SUBSURFACE CONDITIONS

The subsurface conditions at the project site were explored with twenty-seven (27) 20-foot deep Standard Penetration Test (SPT) borings arranged as shown on Sheet 1. These borings were drilled using truck mounted drilling equipment and mud rotary procedures.

Samples of the in-place materials in the engineering borings were recovered continuously for the first 10 feet then at 5-foot vertical intervals thereafter. The sampling involved use of a standard split-barrel sampling spoon driven with a 140-pound drop hammer freely falling 30 inches (the Standard Penetration Test per ASTM D 1586). Between sampling intervals, the borings were advanced by drilling with a 2.375-inch diameter tricone roller bit. A dense bentonite slurry was circulated in the boreholes to aid in the removal drill cuttings and to preserve sidewall stability.

Samples recovered from the borings were placed in moisture proof containers and returned to our laboratory where they were visually examined and classified by a geotechnical engineer using the visual-manual procedure described in ASTM D 2488. The soils were than assigned classifications per the Unified Soil Classification System (ASTM D 2487). Logs of the borings, including SPT blowcount data and soil classifications, are presented in Appendix A.
The borings disclosed the site to be mantled by relatively clean fine sands to an approximate depth of 6 to 8 feet below the existing ground surface. A formation of silty, weathered limestone, ranging in thickness from 1 to 8 ½ feet, was encountered next in the stratagraphic profile and generally extended to a depth of 11 to 17 feet below the existing ground surface.

DC1 2000 00005

10251 METRO PARKWAY, SUITE 119, FT. MYERS FLORIDA 33912
(941) 278-0939 FAX (941) 278-0656
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Below this limestone formation, a silty fine sand with fragmental limestone was encountered to a depth of 20 feet, the terminal depth of exploration.

Based on SPT blowcount data, the sandy soils encountered above the limestone formation and the silty, sandy soils encountered below were generally found in a loose to medium dense condition in terms of relative density. The silty weathered limestone formation was determined to be very hard and well cemented.

Groundwater levels were measured in the open boreholes at the time of our field activities. The depth to the free water surface ranged from 1.5 to 2.2 feet below the existing ground levels. The differing depths are attributed to slight undulations in site topography, as the groundwater surface should be nearly level. Fluctuations in the water table beneath the site will occur due to a variety of influences, particularly seasonal changes and rainfall conditions. We recommend assuming a wet season high water table 12 inches above the levels measured during our field activities.

We were requested to review the samples collected during our field activities to determine if any hydraulically restrictive layers were present in the subsoils of the site. A hydraulically restrictive layer is described as any soil stratum that contains sufficient fines (or other geotechnical properties) that will greatly restrict the flow of groundwater resulting in a perched groundwater condition. This rate of flow through a soil is also called the hydraulic conductivity of a soil. Generally speaking, the soils in the upper 6 to 8 feet of the subject site are sandy with little fines and should not be hydraulically restrictive.

DISCUSSION AND RECOMMENDATIONS

General

Results of this study confirm that the site is generally suitable for the planned construction when viewed from a geotechnical engineering perspective. The limestone formation encountered is generally well cemented and will not easily lend itself to excavation by conventional methods without resorting to blasting or use of heavy duty rock saws or trenching machines.

Detailed recommendations for the construction of the lakes and the suitability of existing soils for use as site grading fill are furnished below.

Excavatability

Local experience has shown that materials affording sampling resistances less than 25 blows per foot can normally be excavated with conventional equipment such as backhoes and draglines without the need for blasting. Blasting is often required to facilitate material excavation when sampling resistances exceed 25 blows per foot. Materials exceeding 25 blows per foot were encountered in almost every lake boring, and the depth ranges this formation was encountered are shown in the following table.

DCI 2003 00005

Lake Number	Boring Number	Depth Range Limestone was Encountered (ft)		Layer Thickness (ft)
		Depth to Top of Stratum	Depth to Bottom of Stratum	
1	B-1	8.5	12.0	3.5
2	B-2	7.5	11.5	4.0
3	B-3	9.5	11.0	1.5
4	B-4	8.0	11.0	3.0
5	B-5	8.0	11.5	3.5
5	B-5	14.0	15.5	1.5
7	B-7	10.5	17.0	6.5
8	B-8	9.0	12.5	3.5
9	B-9	7.5	11.5	4.0
10	B-10	6.5	>10.0*	>3.5*
12	B-12	8.5	11.0	2.5
13	B-13	9.5	13.0	3.5
14	B-14	9.5	11.5	2.0
14	B-14	15.0	16.0	1.0
15	B-15	12.0	13.5	1.5
17	B-17	7.5	11.0	3.5
18	B-18	10.0	11.0	1.0
20	B-20	7.5	11.5	4.0
21	B-21	11.5	16.0	4.5
23	B-23	10.0	16.0	6.0
24	B-24	12.0	15.0	3.0
25	B-25	8.5	17.0	8.5
26	B-26	10.0	14.0	4.0
27	B-27	9.5	17.5	8.0

* Boring terminated at 10 feet due to very hard limestone.

Given the above, we believe that removal of the carbonate rock that underlies the lake areas will likely require blasting if the rock is to be removed in an efficient manner and produce fill material that is well graded. While heavy-duty excavators may be capable of removing the carbonate rock, we expect the excavation process to be slow and the materials produced to be very poorly graded containing substantial amounts of over-sized particles. Crushing of the excavated rock may be needed to reduce the amount of waste to an acceptable percentage and to manufacture a material with gradational properties suitable for use as site grading fill.

It should be noted that many of the proposed lakes are quite large, and the conditions encountered in our borings may not be representative of the subsurface conditions for the entire lake. The existing tomato fields limited access to many areas of the site, prohibiting additional borings in these proposed larger lakes.

DCI 2003 00005

Lake Excavation and Borrow

Permanent cut slopes in the limestone should be made at an inclination no steeper than 1 horizontal to 1 vertical. Cuts in the existing sandy soils should be made at an inclination no steeper than 2 horizontal to 1 vertical.

Below grade excavations should be made in accordance with all applicable State and Federal requirements. Per the Occupational safety and Health Administration (OSHA) 29 CFR Part 1926, Sub-Part P, "Excavations", the sandy, near surface soils within the proposed lake areas fall within the Type C criteria. We recommend that the contractor exercise extreme caution in any decision to place men or equipment in unbraced excavations with steeper slopes than recommended above due to potential instability of the sandy soils, particularly when wetted or subjected to surcharge loads.

The materials obtained from the borrow excavations will be granular in nature and suitable for use as both site grading fill and structural fill if well graded. Some additional processing (i.e. crushing) may be necessary to break down larger particles to allow their use as fill.

To be used as structural or site grading fill, the borrow material (after processing) should consist of clean, granular materials that are free of debris, cinders, combustibles, roots, sod, wood, cellulose, and organic material. The fill should have no more than 10 % passing the U.S. Standard No. 200 sieve (dry weight basis), have no particle size greater than 3 inches, and have not more than 2 % organics (by weight).

LIMITATIONS OF STUDY

This subsurface study has been performed for Ronto Developments Parklands Inc. to aid in the design of the retention lakes and to evaluate the suitability of the site soils for use as site grading fill at proposed residential development at the Corkscrew Growers Parcel in Lee County, Florida. The study was conducted to provide planning and engineering level information for the proposed construction

PEICO Inc. acknowledges that the recommendations and professional advice presented in this report are based upon recognized practices in the disciplines of soil mechanics, foundation engineering, and engineering geology. No other warranties are expressed or implied.

DCI 2003 00005

-oOo-

PEICO Inc. appreciates the opportunity to be of service to you by performing this evaluation. We are available to answer any questions that may arise from this report and to provide any additional services that may be needed.

Respectfully submitted,

PEICO Inc.

Benjamin M. Cody, E.I.
Director of Technical Services

Arthur C. Quinnell, P.E.
Vice-President of Engineering
Florida Registration No. 0014437

012098rpt:BMC:ACQ:bmc

cc. Addresee (2)

Attatchments: Sheet 1 - Boring Location Plan
Appendix A - SPT Boring Logs

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MAR 03 2003
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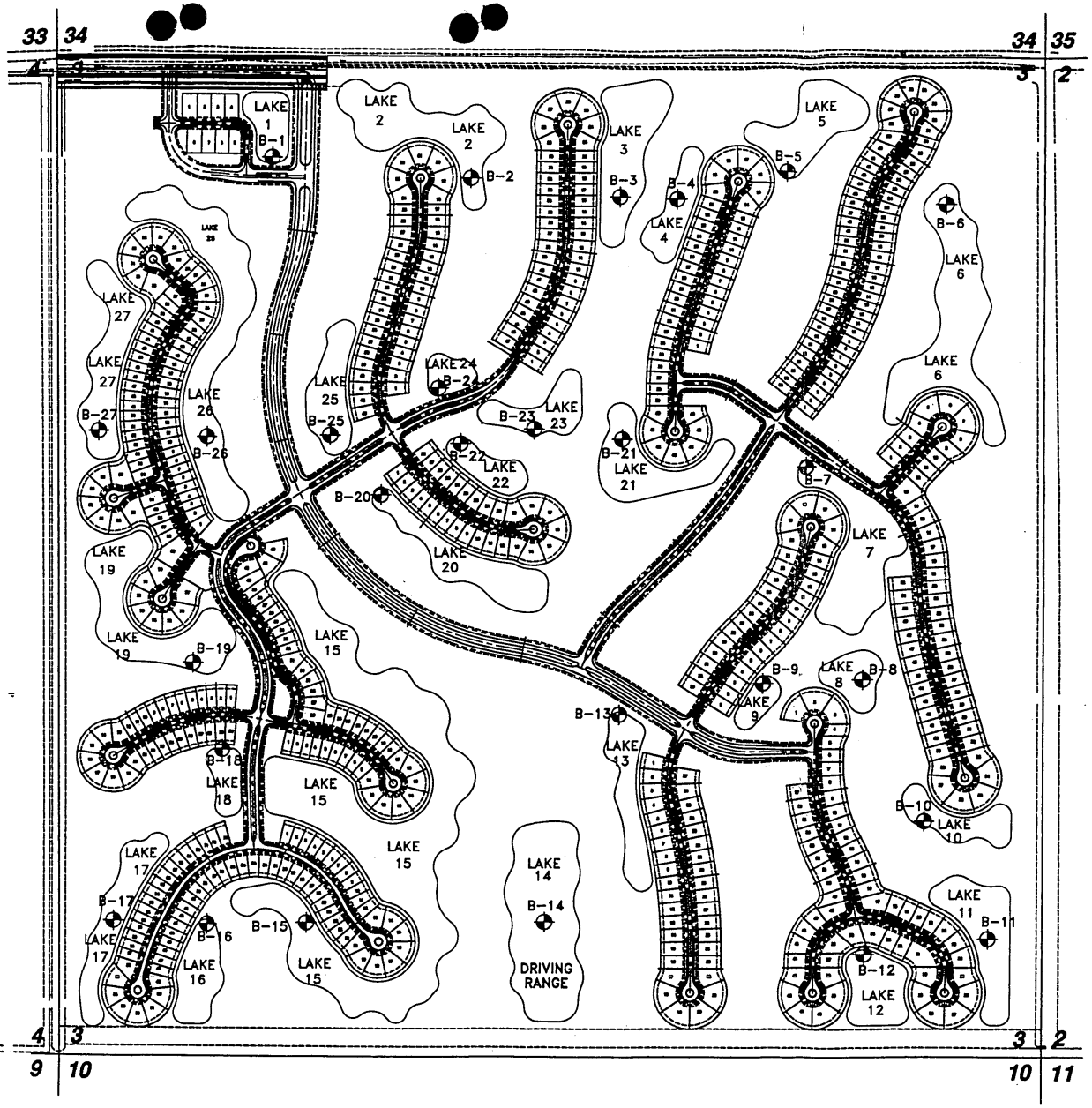
DCI 2003-00005

APPENDIX A

STANDARD PENETRATION TEST BORING LOGS

DCI 2015 00005



RECEIVED
MAR 03 2003
COMMUNITY DEVELOPMENT
SOURCE

BBLS SURVEYORS & MAPPERS INC.

Note: Boring Locations Shown were Located In the Field by BBLS on January 9, 2001

DCI 2003-00005

B-1	Standard Penetration Test (SPT) Boring Location
LAKE 11	Lake Boundaries an Number

PROJECT No.	01-2-098
CAD No.	012098S1
SCALE	1"=600'
DATE	1/31/01
CHK. BY	S. CROMER
DR. BY	B. CODY
REVISION	
SHEET	1

Boring Location Plan
Proposed Lake Borings
Corkscrew Growers Parcel
Lee County, Florida

PROFESSIONAL ENGINEERING & INSPECTION COMPANY, Inc.
Ft. Lauderdale—Jupiter—Orlando
Naples—Ft. Myers—Jacksonville
Florida California
New Jersey Nevada

10251 Metro Parkway
Suite 119
Ft. Myers, FL 33912
(800) 550-8686 Office
(941) 278-0858 Fax
peico@peico.com

PROJECT: 01-2-098

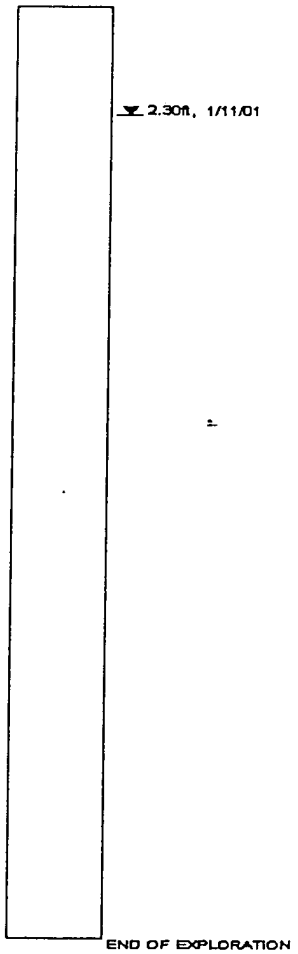
B-1

LOCATION: Corkscrew Parcel

BORING DATE: 1-11-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value
			GROUND SURFACE		0				
		SPT	Brown to gray fine SAND (SP)			1	SS	100	10
						2	SS	100	21
						3	SS	100	14
						4	SS	100	11
			Light gray silty weathered LIMESTONE		8.5	5	SS	100	50+
			Brown fine SAND, slightly silty, with fractured limestone lenses (SP-SM,SM)		12	6	SS	100	50+
			END OF EXPLORATION @ 20.00ft		20	7	SS	100	50+

Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ 0 20 40 60 80 100



DRAWN: B. CODY

AGS/PEICO INC.

CHECKED: B. CODY

DCI 2003-00005

PROJECT: 01-2-096

B-2

LOCATION: Corkscrew Parcel

BORING DATE: 1-11-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value
			GROUND SURFACE		0				
		SPT	Brown to gray fine SAND (SP)			1	SS	100	9
						2	SS	100	16
						3	SS	100	14
						4	SS	100	22
					7.5	5	SS	100	50+
			Light gray silty weathered LIMESTONE						
					11.5				
			Light brown silty fine SAND with fragmental limestone (SM)			8	SS	100	21
						7	SS	100	14
			END OF EXPLORATION @ 20.00ft		20				

Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ (0 20 40 60 80 100)

▼ 1.80ft, 1/11/01

END OF EXPLORATION

DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2003-00005

PROJECT: 01-2-098

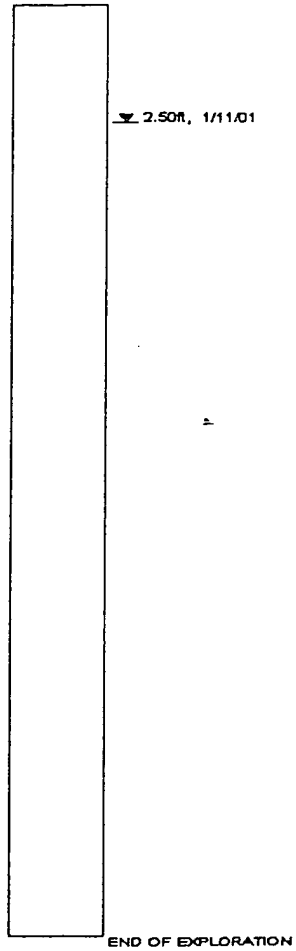
B-3

LOCATION: Corkscrew Parcel

BORING DATE: 1-11-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value
0	0	SPT	GROUND SURFACE		0				
			Brown to gray fine SAND (SP)			1	SS	100	15
	2					2	SS	100	21
1	4					3	SS	100	20
	6					4	SS	100	11
2	8					5	SS	100	50+
3	10		Light gray silty weathered LIMESTONE		8.5				
					11				
	12								
4	14					6	SS	100	16
	16		Light brown silty fine SAND with fragmental limestone (SM)						
5	18								
						7	SS	100	5
6	20		END OF EXPLORATION @ 20.00ft		20				
	22								
7	24								
	26								
8	28								
	30								
9	32								
10									

Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ (0 20 40 60 80 100)



DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2003-00005

PROJECT: 01-2-098

LOCATION: Corkscrew Parcel

B-4

BORING DATE: 1-11-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value	Concentration: LEL / Moisture Content / Gas Concentration (0 20 40 60 80 100)
0	0	SPT	GROUND SURFACE		0					
			Brown to gray fine SAND (SP)			1	SS	100	16	
						2	SS	100	13	
						3	SS	100	19	
						4	SS	100	12	
			Light gray silty weathered LIMESTONE		8	5	SS	100	50+	
					11					
			Light brown silty fine SAND with fragmental limestone (SM)			8	SS	100	13	
						7	SS	0	NR	
			END OF EXPLORATION @ 20.00ft		20					

▼ 1.50ft, 1/11/01

END OF EXPLORATION

DRAWN: B. CODY

AGS/PEICO INC.

CHECKED: B. CODY

DCI 2003-00005

PROJECT: 01-2-098

B-5

LOCATION: Corkscrew Parcel

BORING DATE: 1-11-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	ID	Type	Recovery (%)	"N" Value
			GROUND SURFACE		0				
			Brown to gray fine SAND (SP)			1	SS	100	9
						2	SS	100	13
						3	SS	100	17
						4	SS	100	9
			Light gray silty weathered LIMESTONE		8	5	SS	100	50+
			Light brown silty fine SAND with fragmental limestone (SM)		11.5				
			Light gray silty weathered LIMESTONE		14	6	SS	100	50+
		SPT	Light brown silty fine SAND with fragmental limestone (SM)		15.5				
						7	SS	100	12
			END OF EXPLORATION @ 20.00ft		20				

Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ (0 20 40 60 80 100)

▽ 2.10ft, 1/11/01

END OF EXPLORATION

DRAWN: B. CODY

AGS/PEICO INC.

CHECKED: B. CODY

DCI 2003-00003

PROJECT: 01-2-098

B-6

LOCATION: Corlecrew Parcel

BORING DATE: 1-12-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value	Concentration: LEL ◆ / Moisture Content ● / Gas Concentration ■ (0 20 40 60 80 100)
			GROUND SURFACE		0					
			Brown to gray fine SAND (SP)			1	SS	100	11	
						2	SS	100	13	
						3	SS	100	14	
						4	SS	100	16	
						5	SS	100	21	
					10					
			Light brown fine SAND, trace silt (SP,SP-SM)			6	SS	100	28	
						7	SS	100	14	
		SPT			16.5					
			Light brown silty fine SAND with fragmental limestone (SM)			8	SS	100	12	
			END OF EXPLORATION @ 20.00ft		20					

▼ 2.70ft, 1/12/01

END OF EXPLORATION

DRAWN: B. CODY

AGS/PEICO INC.

CHECKED: B. CODY

DCI 2003-00005

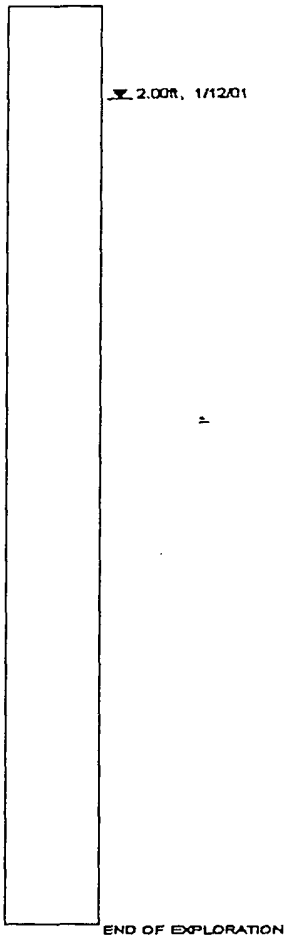
PROJECT: 01-2-098

B-8

LOCATION: Corkscrew Parcel

BORING DATE: 1-12-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value	Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ (0 20 40 60 80 100)
			GROUND SURFACE		0					
			Brown to gray fine SAND (SP)			1	SS	100	11	
						2	SS	100	14	
						3	SS	100	14	
						4	SS	100	14	
						5	SS	100	50+	
			Light gray silty weathered LIMESTONE		9					
					12.5					
			Light brown silty fine SAND with fragmental limestone (SM)			6	SS	100	16	
		SPT				7	SS	100	6	
			END OF EXPLORATION @ 20.00ft		20					



DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2003-00005

PROJECT: 01-2-098

B-10

LOCATION: Corkscrew Parcel

BORING DATE: 1-12-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value	Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ (0 20 40 60 80 100)
0	0	SPT	GROUND SURFACE		0					
			Brown to gray fine SAND (SP)			1	SS	100	11	
	2					2	SS	100	13	
1	4					3	SS	100	11	
	6									
2	8		Light gray silty weathered LIMESTONE (Boring terminated due to large cave-in)		8.5	4	SS	100	50+	
						5	SS	100	50+	
3	10		END OF EXPLORATION @ 10.00ft		10					
	12									
4	14									
	16									
5	18									
	20									
6	22									
	24									
7	26									
	28									
8	30									
	32									
9										
10										

▼ 2.00ft, 1/12/01

END OF EXPLORATION

DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2003-00005

PROJECT: 01-2-096

B-11

LOCATION: Corkscrew Parcel

BORING DATE: 1-12-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value
			GROUND SURFACE		0				
		SPT	Brown to gray fine SAND (SP)			1	SS	100	10
						2	SS	100	14
						3	SS	100	9
						4	SS	100	15
					8	5	SS	100	16
						6	SS	100	5
			Light brown silty fine SAND with fragmental limestone (SM)			7	SS	100	6
						8	SS	100	8
			END OF EXPLORATION @ 20.00ft		20				

Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ 0 20 40 60 80 100

▼ 1.60ft, 1/12/01

END OF EXPLORATION

DRAWN: B. CODY AGRA/FICO INC CHECKED: B. CODY

DCI 2003-00005

PROJECT: 01-2-098

B-12

LOCATION: Corkscrew Parcel

BORING DATE: 1-12-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value
			GROUND SURFACE		0				
		SPT	Brown to gray fine SAND (SP)			1	SS	100	11
						2	SS	100	16
						3	SS	100	15
						4	SS	100	10
			Light gray silty weathered LIMESTONE		8.5	5	SS	100	50+
			Light brown silty fine SAND with fragmental limestone (SM)		11	6	SS	100	19
						7	SS	100	12
			END OF EXPLORATION @ 20.00ft		20				

Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ (0 20 40 60 80 100)

▼ 2.10ft, 1/12/01

END OF EXPLORATION

DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2003 0005

PROJECT: 01-2-098

B-13

LOCATION: Corkscrew Parcel

BORING DATE: 1-22-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	ID	Type	Recovery (%)	"N" Value
			GROUND SURFACE		0				
		SPT	Brown to gray fine SAND (SP)			1	SS	100	11
						2	SS	100	13
						3	SS	100	13
						4	SS	100	9
						5	SS	100	50+
			Light gray silty weathered LIMESTONE		8.5				
			Light brown silty fine SAND with fragmental limestone (SM)		13	6	SS	100	17
						7	SS	100	10
			END OF EXPLORATION @ 20.00ft		20				

Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ (0 20 40 60 80 100)

▼ 2.00ft, 1/22/01

END OF EXPLORATION

DRAWN: B. CODY

AGS/PEICO INC.

CHECKED: B. CODY

DCI 2003-00005

PROJECT: 01-2-098

B-14

LOCATION: Corkscrew Parcel

BORING DATE: 1-12-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value	Concentration: LEL ◆ / Moisture Content ● / Gas Concentration ■ (0 20 40 60 80 100)
			GROUND SURFACE		0					
0	0	SPT	Brown to gray fine SAND (SP)			1	SS	100	16	
	2					2	SS	100	13	
1	4					3	SS	100	14	
	6					4	SS	100	9	
2	8					5	SS	100	2	
3	10		Light gray silty weathered LIMESTONE		9.5					
	12		Brown fine SAND, slightly silty, with shell fragments (SP-SM,SM)		11.5					
4	14					6	SS	100	50+	
	15		Light gray silty weathered LIMESTONE		15					
5	16				16					
	18		Brown fine SAND, slightly silty, with shell fragments (SP-SM,SM)			7	SS	100	3	
6	20		END OF EXPLORATION @ 20.00ft		20					
	22									
7	24									
	26									
8	28									
	30									
9	32									
10										

▼ 2.00ft, 1/12/01

END OF EXPLORATION

DRAWN: B. CODY

GEOTECHNICO INC.

CHECKED: B. CODY

001 2003-00005

PROJECT: 01-2-098

B-15

LOCATION: Corkscrew Parcel

BORING DATE: 1-23-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value	Concentration LEL ◆ Moisture Content ● Gas Concentration ■ 0 20 40 60 80 100
0	0	SPT	GROUND SURFACE		0					
	2					1	SS	100	9	
1	4					2	SS	100	21	
	6		Brown to gray fine SAND (SP)			3	SS	100	14	
2	8					4	SS	100	7	
	10					5	SS	100	13	
3	12				12					
4			Light gray silty weathered LIMESTONE							
	14				13.5	6	SS	100	17	
	16		Light brown silty fine SAND with fragmental limestone (SM)							
5	18									
	20					7	SS	100	12	
6			END OF EXPLORATION @ 20.00ft		20					
	22									
7	24									
	26									
8	28									
	30									
9	32									
10										

▼ 1.60ft, 1/23/01

END OF EXPLORATION

DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2003-00005

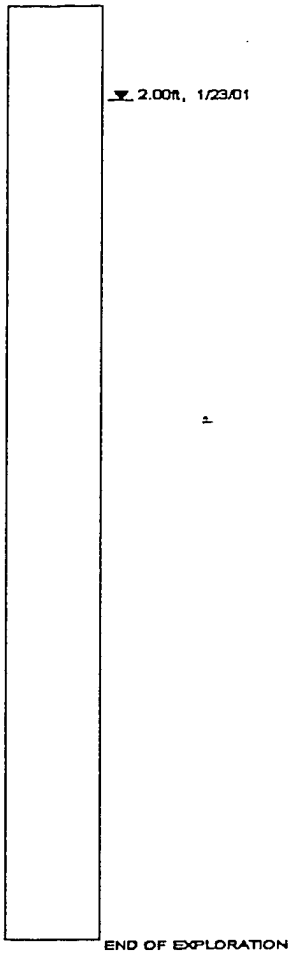
PROJECT: 01-2-098

B-17

LOCATION: Corkscrew Parcel

BORING DATE: 1-23-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value	Concentration: LEL ◆ / Moisture Content ● / Gas Concentration ■ (0 20 40 60 80 100)
			GROUND SURFACE		0					
			Brown to gray fine SAND (SP)			1	SS	100	14	
						2	SS	100	15	
						3	SS	100	18	
						4	SS	100	50+	
			Light gray silty weathered LIMESTONE		7.5					
			Light brown silty fine SAND with fragmental limestone (SM)		11	5	SS	100	12	
		SPT				6	SS	100	10	
			END OF EXPLORATION @ 20.00ft		20					



DRAWN: B. CODY

ACS/PEICO INC.

CHECKED: B. CODY

DCL 2003-00005

PROJECT: 01-2-096

B-18

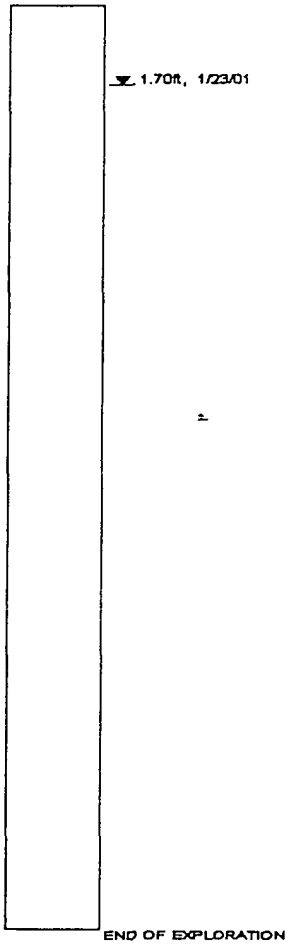
LOCATION: Corkscrew Parcel

BORING DATE: 1-23-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value
			GROUND SURFACE		0				
			Brown to gray fine SAND (SP)			1	SS	100	12
						2	SS	100	13
						3	SS	100	14
						4	SS	100	4
			Light gray silty fine SAND (SM)		8	5	SS	100	WOH
			Light gray silty weathered LIMESTONE		10				
			Light brown silty fine SAND with fragmental limestone (SM)		11	6	SS	100	21
						7	SS	100	7
			END OF EXPLORATION @ 20.00ft		20				

SPT

Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ 0 20 40 60 80 100



DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2003 00005

PROJECT: 01-2-098

B-19

LOCATION: Corkscrew Parcel

BORING DATE: 1-23-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value	Concentration: LEL ◆ / Moisture Content ● / Gas Concentration ■ (0 20 40 60 80 100)
			GROUND SURFACE		0					
0	0	SPT	Brown to gray fine SAND (SP)			1	SS	100	8	
	2					2	SS	100	11	
1	4					3	SS	100	6	
	6					4	SS	100	8	
2	8					5	SS	100	2	
3	10					6	SS	100	WOH	
	12		Light gray silty fine SAND (SM)		12					
4	14					7	SS	100	19	
	16		Light brown silty fine SAND with fragmental limestone (SM)		15					
5	18									
	20					8	SS	100	16	
6			END OF EXPLORATION @ 20.00ft		20					
	22									
7	24									
	26									
8	28									
	30									
9	32									
10										

▼ 1.50ft, 1/23/01

END OF EXPLORATION

DRAWN: B. CODY

AGS/PEICO INC.

CHECKED: B. CODY

DCI 2003 00005

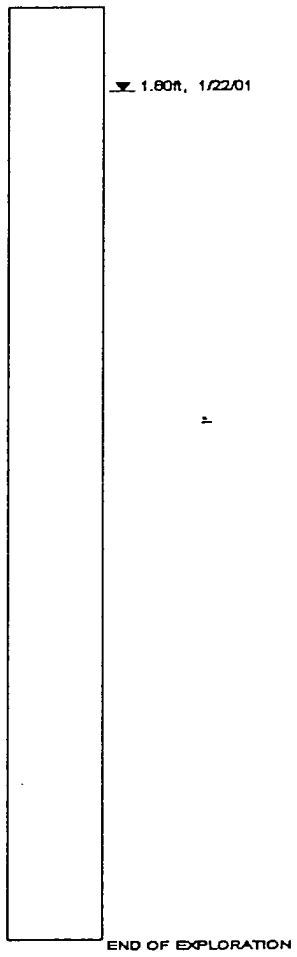
PROJECT: 01-2-098

B-20

LOCATION: Corkscrew Parcel

BORING DATE: 1-22-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value	Concentration: LEL ◆ Moisture Content ● Gas Concentration ■ (0 20 40 60 80 100)
			GROUND SURFACE		0					
0	0	SPT	Brown to gray fine SAND (SP)			1	SS	100	8	
	2					2	SS	100	14	
1	4					3	SS	100	18	
	6					4	SS	100	50+	
2	8				7.5	5	SS	100	50+	
			Light gray silty weathered LIMESTONE							
3	10									
	12				11.5					
4	14					6	SS	100	36	
			Light brown silty fine SAND with fragmental limestone (SM)							
5	16									
	18					7	SS	100	12	
6	20		END OF EXPLORATION @ 20.00ft		20					
	22									
7	24									
	26									
8	28									
9	30									
	32									
10										



DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2[illegible]005

PROJECT: 01-2-098

B-21

Page 1 OF 1

LOCATION: Corkscrew Parcel

BORING DATE: 1-13-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value	Concentration LEL ◆ Moisture Content ● Gas Concentration ■ 0 20 40 60 80 100
0	0	SPT	GROUND SURFACE		0					
			Brown to gray fine SAND (SP)			1	SS	100	8	
	2					2	SS	100	11	
1	4					3	SS	100	15	
	6					4	SS	100	23	
2	8					5	SS	100	18	
3	10					6	SS	100	50+	
	12				11.5					
4			Light gray silty weathered LIMESTONE			NS	SS	0	50+	
	14									
5	16				16					
	18		Light brown silty fine SAND with fragmental limestone (SM)			7	SS	100	19	
6	20		END OF EXPLORATION @ 20.00ft		20					
	22									
7	24									
	26									
8	28									
9	30									
	32									
10										

▽ 2.20ft, 1/13/01

END OF EXPLORATION

DRAWN: B. CODY

AGS PEGGING

CHECKED: B. CODY

OCT 2003 - 00005

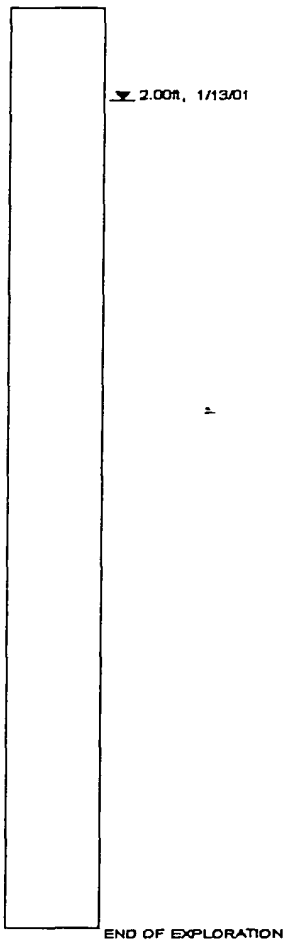
PROJECT: 01-2-098

B-23

LOCATION: Corkscrew Parcel

BORING DATE: 1-13-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE: DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples: ID	Type	Recovery (%)	"N" Value	Concentration: LEL ◆ / Moisture Content ● / Gas Concentration ■ (0 20 40 60 80 100)
			GROUND SURFACE		0					
			Brown to gray fine SAND (SP)			1	SS	100	10	
						2	SS	100	17	
						3	SS	100	22	
						4	SS	100	19	
						5	SS	100	15	
			Light gray silty weathered LIMESTONE		10	6	SS	100	50+	
						7	SS	100	50+	
		SPT	Light brown silty fine SAND with fragmental limestone (SM)		16	8	SS	100	8	
			END OF EXPLORATION @ 20.00ft		20					



DRAWN: B. CODY

DOT 2003-00005

CHECKED: B. CODY

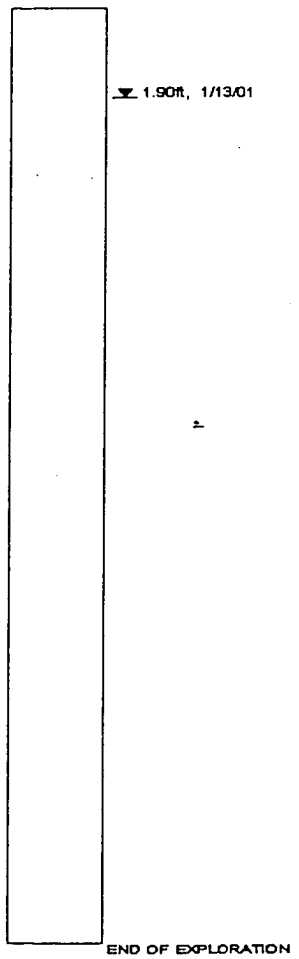
PROJECT: 01-2-098

B-24

LOCATION: Corkscrew Parcel

BORING DATE: 1-13-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value	Concentration LEL ◆ Moisture Content ● Gas Concentration ■ 0 20 40 60 80 100
0	0		GROUND SURFACE		0					
		SPT	Brown to gray fine SAND (SP)			1	SS	100	9	
	2					2	SS	100	13	
1	4					3	SS	100	17	
	6					4	SS	100	20	
2	8					5	SS	100	15	
3	10									
	12		Light gray silty weathered LIMESTONE		12	6	SS	100	50+	
4	14									
	16		Light brown silty fine SAND with fragmental limestone (SM)		15					
5	18									
	20					7	SS	100	17	
6			END OF EXPLORATION @ 20.00ft		20					
	22									
7	24									
	26									
8	28									
	30									
9	32									
10										



DRAWN: B. CODY

AGS/PEICO INC.

CHECKED: B. CODY

DCI 2003-00005

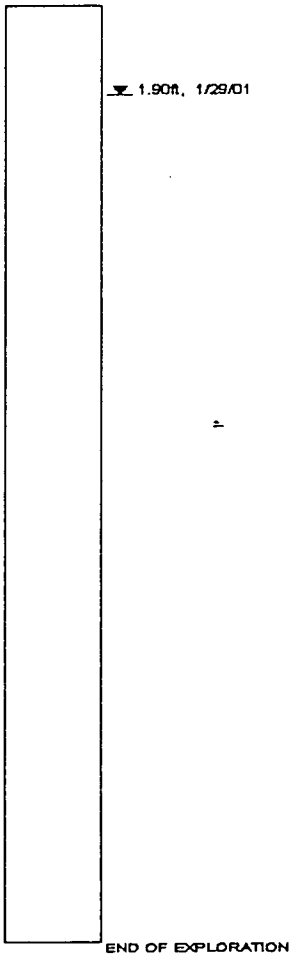
PROJECT: 01-2-096

B-26

LOCATION: Corkscrew Parcel

BORING DATE: 1-29-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value	Concentration LEL ◆ Moisture Content ● Gas Concentration ■ 0 20 40 60 80 100
			GROUND SURFACE		0					
0	0	SPT	Brown to gray fine SAND (SP)			1	SS	100	8	
	2					2	SS	100	15	
1	4					3	SS	100	16	
	6					4	SS	100	19	
2	8					5	SS	100	15	
3	10		Light gray silty weathered LIMESTONE		10	NS	SS	0	50+	
	12									
4	14		Light brown silty fine SAND with fragmental limestone (SM)		14	6	SS	100	13	
	16									
5	18									
	20					7	SS	100	9	
6			END OF EXPLORATION @ 20.00ft		20					
	22									
7	24									
	26									
8	28									
9	30									
	32									
10										



DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2003-00005

PROJECT: 01-2-098

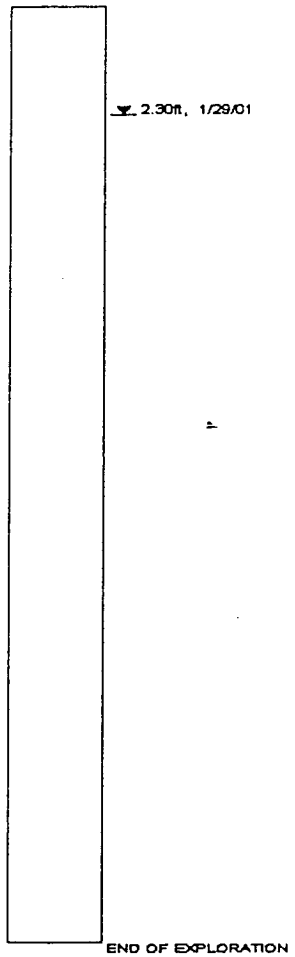
B-27

LOCATION: Corkscrew Parcel

BORING DATE: 1-29-01 DATUM: GROUND SURFACE DIP: LOGGED: B. Campbell

DEPTH SCALE METRES	DEPTH SCALE FEET	BORING METHOD	SOIL PROFILE DESCRIPTION & USCS CLASSIFICATIONS	STRATA PLOT	DEPTH B.G.S. (ft)	Samples ID	Type	Recovery (%)	"N" Value
			GROUND SURFACE		0				
		SPT	Brown to gray fine SAND (SP)			1	SS	100	10
						2	SS	100	14
						3	SS	100	21
						4	SS	100	18
						5	SS	100	10
			Light gray silty weathered LIMESTONE with sand lenses		9.5	NS	SS	0	50+
			Light brown silty fine SAND with fragmental limestone (SM)		17.5	6	SS	100	19
			END OF EXPLORATION @ 20.00ft		20				

Concentration: LEL, Moisture Content, Gas Concentration; 0 20 40 60 80 100



DRAWN: B. CODY AGS/PEICO INC. CHECKED: B. CODY

DCI 2003-00005

1360-Zoning

LEE COUNTY
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CNTR.
COR

RESOLUTION NUMBER Z-02-017

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

WHEREAS, Horseshoe Development, Inc. filed an application on behalf of the property owner, Corkscrew Growers, Inc. to rezone a 649± acre parcel from Agricultural (AG-2) to Commercial Planned Development (CPD) and Residential Planned Development (RPD), in reference to Corkscrew Growers Section Three; and

WHEREAS, a public hearing was advertised and held on April 5, 2002, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2000-00070; and

WHEREAS, a second public hearing was advertised and held on June 17, 2002 before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone a 649± acre parcel from AG-2 to CPD and RPD to allow the development of a maximum of 644 dwelling units, a golf course and related amenities, and 45,000 square feet of gross commercial floor area, all not to exceed 50 feet. The property is located in the Rural Land Use Category and legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Corkscrew Growers Section 3 RPD," prepared by Banks Engineering, Inc., dated November 7, 2001, last revised July 8, 2002, and stamped "Received Aug 30 2002 Community Development," except as modified by the conditions below. This development must comply with all requirements of the LDC at time of local development order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

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

   a. **Schedule of Uses - RPD**

DCI 2003-00005

Administrative Offices
Accessory uses and structures
Agricultural uses, existing only (Subject to Condition 8)

Clubs, Country and Private (limited to group activity center parcel only)
Consumption on premises (Subject to Condition 3)
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Specialty retail shop, limited to golf and tennis pro shops
Dwelling Unit:
    Conventional Single Family Residence
    Duplex
    Zero Lot Line
    Townhouse
    Two Family Attached
    Multiple Family Building
Entrance Gate and Gatehouse, in compliance with LDC §34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Golf Course
    Consumption on premises
    Maintenance Facility
Home occupation
Model Home, model unit
Parking lot, accessory
Recreation Facilities, Private on-site, Personal
Residential Accessory Uses
Signs, in compliance with LDC Chapter 30
Temporary uses (LDC §34-3041)

Schedule of Uses - CPD

Administrative Offices
Accessory uses and structures
Agricultural Uses, existing only, subject to Condition 8
Animal Clinic
ATM
Banks and Financial Establishments, Group I
Business Services, Group I
Business Services, Group II - Automobile claims adjusters, automobile repossessing services; messenger services, packaging services; parcel and express services, excluding outdoor storage
Cleaning and maintenance services
Clothing store
Club, commercial
Consumption on premises (limited to and in conjunction with a full service restaurant)
Day Care Center, child or adult
Drive thru facility, limited to in conjunction with a bank
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls

Health Care Facility, Group III
Laundry, Dry Cleaning, Group I
Medical Office
Package store (LDC §34-1263)
Parking lot, accessory
Personal Services Group I - ATM's; barbershops or beauty shops; clothing alterations and repair including dressmakers, seamstresses and tailors;
Personal Services Group II - Beauty spas, health clubs or spas, massage establishments;
Personal Services Group IV - Portrait copying; shopping services; tax return preparation services
Pet Services, grooming only
Pet Shop
Pharmacy
Place of Worship
Real Estate Sales Office
Restaurant, Groups I, II, and III
Signs, in accordance with LDC Chapter 30
Specialty Retail Shops, Group I - bookstores; cigar stores; florists; gift, novelty and souvenir shops; gift shops; golf equipment; jewelry stores; music stores; newsstands; tennis equipment; tobacco stores;
Specialty Retail Shops, Group II - Apparel accessory stores; retail; bathing suit stores; blouse stores; bridal shops, except custom; clothing, ready to wear, women's; corset and lingerie stores; cosmetic shops; custom tailors; dress shops; handbag stores; hat stores; hosiery stores; maternity shops; sports apparel stores; tie shops; umbrella stores
Studios
Storage, Indoor
Temporary uses (LDC §34-3041)

b. **Site Development Regulations**

Minimum Lot Size:	Single Family Detached
Lot Width	50 feet
Lot Depth	100 feet
Lot Area	5,000 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:	
Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	5 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size:	Duplex
Lot Width	60 feet
Lot Depth	100 feet
Lot Area	6,000 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	5 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size: Two-Family Attached

Lot Width Per Unit	37.5 feet
Lot Depth	100 feet
Lot Area Per Unit	3,750 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	5 feet
Side (interior)	0 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size: Zero Lot Line

Lot Width	50 feet
Lot Depth	100 feet
Lot Area	5,000 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	10 feet
Side (interior)	0 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size: Townhouse

Lot Width Per Unit	37.5 feet
Lot Depth	100 feet
Lot Area Per Unit	3,750 square feet
Maximum Lot Coverage	40 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	7 feet
Side (interior)	0 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size:	Multiple Family Building
Lot Width	100 feet
Lot Depth	100 feet
Lot Area	10,000 square feet
Maximum Lot Coverage	45 percent

Minimum Setbacks	
Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	10 feet
Rear	20 feet (5 feet for an accessory structure)
Water body	20 feet (10 feet for an accessory structure)

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

Maximum Building Height: 45 feet / 3 stories

Minimum Lot Size - Commercial Planned Development	
Lot Width	100 feet
Lot Depth	100 feet
Lot Area	10,000 square feet
Maximum Lot Coverage	45 percent

Minimum Setbacks	
Front (Bonita Beach Road)	25 feet
Front (street)	20 feet
Side (principal, accessory)	10 feet
Rear	20 feet (5 feet for an accessory structure)
Water body	20 feet (10 feet for an accessory structure)

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

Maximum Building Height: 45 feet / 3 stories

3. The consumption on premises associated with the proposed clubhouse is limited to and in conjunction with the food and beverage service for the private club. Additionally, no outdoor seating that includes the consumption of alcoholic beverages may be located within 500 feet of any property line of a residentially developed parcel.

4. Prior to local development order approval:

   a. A minimum of 10 percent open space must be provided for each Development Tract (labeled on the MCP as CPD; Model Home & Sales Center; Residential; Group Activity Center) except for those tracts consisting of residential lots not required to provide open space per LDC §10-415(a); and

   b. Where feasible, any Development Tract requiring open space will be designed so that the open space abuts the Open Space, Recreation & Lake Areas; and

c. No more than 50 percent or 129.8 acres of the required open space may be golf course.

5. Prior to local development order approval, the Zone 1 buffer planting plan must consist of native vegetation that provides wildlife habitat and foraging opportunity, including but not limited to, South Florida slash pine, live oak, dahoon holly, wax myrtle, cocoplum, and saw palmetto. The planting plan must include 50 three-gallon native trees and 150 three-gallon native shrubs per 100 linear foot section (10,000 square feet). Three 1-gallon native shrubs or native groundcover may be substituted for three-gallon native shrubs. The plantings must be mulched at time of planting with a three inch depth of organic mulch (no cypress mulch). A temporary automatic surface irrigation system designed to conserve water must be utilized to insure the survival of the plantings. The irrigation system must be removed within one year of the issuance of a Certificate of Compliance unless drought conditions have prohibited the establishment of the vegetation.

6. Prior to local development order approval, the surface water management system must be designed to mimic natural lakes with sinuous shorelines and vegetated littoral zones. Half of the proposed lakes must incorporate enlarged littoral shelves where the required littoral plants are clustered to provide a wetland area with draw down pools for wildlife foraging. Half of the proposed lakes must provide 50 percent of the required littoral plantings as native trees (red maple, cypress or pond apple) with one 10-foot-tall or two five-foot-tall or three-foot-tall trees being equivalent to ten herbaceous plants. (To meet these requirements, aqua range could provide trees at the south end, and the grasses at the "ears" on the northeast and northwest portions of that lake.)

7. Prior to local development order approval for a golf course, the golf course management and irrigation practices addressed in "The Section Three Golf Course Management Plan" counter stamped "Dec 7 2000," must be demonstrated on the local development order plans in terms of design and notes.

8. The Developer or his agent is entitled to continue bona fide agricultural uses already existing on the property. These uses are limited to the areas identified on the attached map, dated April 2, 2002, prepared by Banks Engineering, Inc. (attached as Exhibit D). Any existing agricultural use must be discontinued upon the commencement of any site development activities, as the term in defined in the LDC, pursuant to a local development order for the individual tract or phase identified in the development order.

9. Right-of-way for CR 951

a. The MCP must provided 125 feet of right-of-way along the western property boundary. This right-of-way alignment reflects the current planned extension of C.R. 951. The County agrees to accept the transfer of the title to the 125-foot-wide right-of-way strip and will grant road impact fee credits for 100 percent of the land value, as valued on the day before the original rezoning request is granted, provided the land transfer complies with LDC §2-275(3)b. [Nothing in this condition is intended to prevent Applicant and Lee County DOT from negotiating a narrower right-of-way once the final alignment of C.R. 951 has been established by the BOCC, provided the parties can agree on the provision and maintenance of stormwater facilities for the road's run-off.]

b. Once the C.R. 951 right-of-way alignment and width are determined, Applicant may revise the legal description of the CPD area to maintain the maximum size of this parcel at five acres. This parcel's boundaries may be moved eastward or southward as necessary to achieve the full five-acre size.

c. A full access point to C.R. 951, as depicted on the MCP in the southwest portion of the site, is not approved nor guaranteed as part of this rezoning. Any access point in this location will be determined once the alignment and median spacing is designed. This condition, however, is not intended to prevent Applicant from having a restricted (right-in/right-out) access point into the CPD parcel, provided the access point meets the minimum separation standards.

10. At the time of each local development order application, the Applicant must provide the most current figures showing the acreage that has been used for residential development, open spaces, golf course areas, and non-residential development. This condition is intended to substantiate consistency with the provisions of Policy 1.4.1.1.a of the Lee Plan for the life of the development.

11. Development of this property will be subject to the requirements of the Lee Plan Privately Funded Infrastructure Overlay in perpetuity. Lee County will incur no cost for providing necessary infrastructure, facilities, and services to this development, per Lee Plan Policy 1.4.1.1.f.

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

13. Bonita Beach Road improvements must be committed to occur in pace with the planned development. Local development orders will not be issued until the road has been extended east to the project's entrance.

14. In accordance with Lee Plan Policy 1.4.1.1.d.(4), open space areas must be replanted with vegetation after construction. Seventy-five percent of the total number of required trees used in buffers and landscaping must be indigenous and 50 percent of the shrubs must be indigenous.

15. Project buffering must, at a minimum, be consistent with Lee Plan Policy 1.4.1.1.e.

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

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

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan that management program such that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of

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

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

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

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

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

a. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

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

c. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identifying the locations for the ground water monitoring and testing on a map(s); setting forth the testing and recording requirements. The Developer must submit the test results with the monitoring report

to the Lee County Natural Resource Division. The monitoring program will be established and operated at the expense of the Developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 62-302, F.A.C., water quality standards. The developer or its successor(s) and Staff will review this monitoring requirement every three years to determine if reduction or elimination of the monitoring requirement is justified; if so, the condition may be proposed for modification through the public hearing process.

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

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

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

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

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

i. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, while requiring relatively low fertilizer use.

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

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

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

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

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

SECTION C. DEVIATIONS:

1. Deviation (1) - withdrawn by Applicant.

2. Deviation (2) - withdrawn by Applicant.

3. Deviation (3) seeks relief from the LDC §10-329 requirement to provide a minimum setback of 50 feet from private property lines under separate ownership, to allow a setback of 25 feet. This deviation is DENIED for the perimeter property lines and was withdrawn for those excavations adjacent to proposed rights-of-way.

4. Deviation (4) - withdrawn by Applicant.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: The legal description and STRAP number of the property.
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D: Ag Use Map

The applicant has indicated that the STRAP number for the subject property is: 03-48-26-00-00001.0000

SECTION E. FINDINGS AND CONCLUSIONS:

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

2. The rezoning, as approved:

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

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

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

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

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

3. The rezoning satisfies the following criteria:

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

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

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

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

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

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

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COMMUNITY DEVELOPMENT

DULY PASSED AND ADOPTED this 17th day of June, 2002.

DCI 2003-00005

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

BOARD OF COUNTY COMMISSIONERS LEE COUNTY, FLORIDA

2002 OCT -7 AM 10:54
MINUTES OFFICE
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CASE NO: DCI2000-00070

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DCI 2000-00070

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CORKSCREW GROWERS RPD)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 5379.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.89°56'22"E. ALONG THE SOUTH LINE OF THE WEST HALF OF SAID SECTION FOR 2621.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF SECTION; THENCE N.89°56'26"E. ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOR 2621.22 FEET TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N.00°37'08"W. ALONG THE EAST LINE OF SAID SECTION FOR 5385.34 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.89°52'32"W. ALONG THE NORTH LINE OF THE EAST HALF OF SAID SECTION FOR 2629.85 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF SECTION; THENCE S.89°52'12"W. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION FOR 2629.72 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 643.79 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

DESCRIPTION REVISED SEPT. 4, 2002.

Thomas Clayton Shaw Sept 4, 2002

THOMAS C. SHAW, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION No. 4672

Applicant's Legal Checked
by gm 10/1/02

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6640 Willow Park Drive, Suite B, Naples, Florida 34109 • (941) 597-2061 • Fax (941) 597-3082

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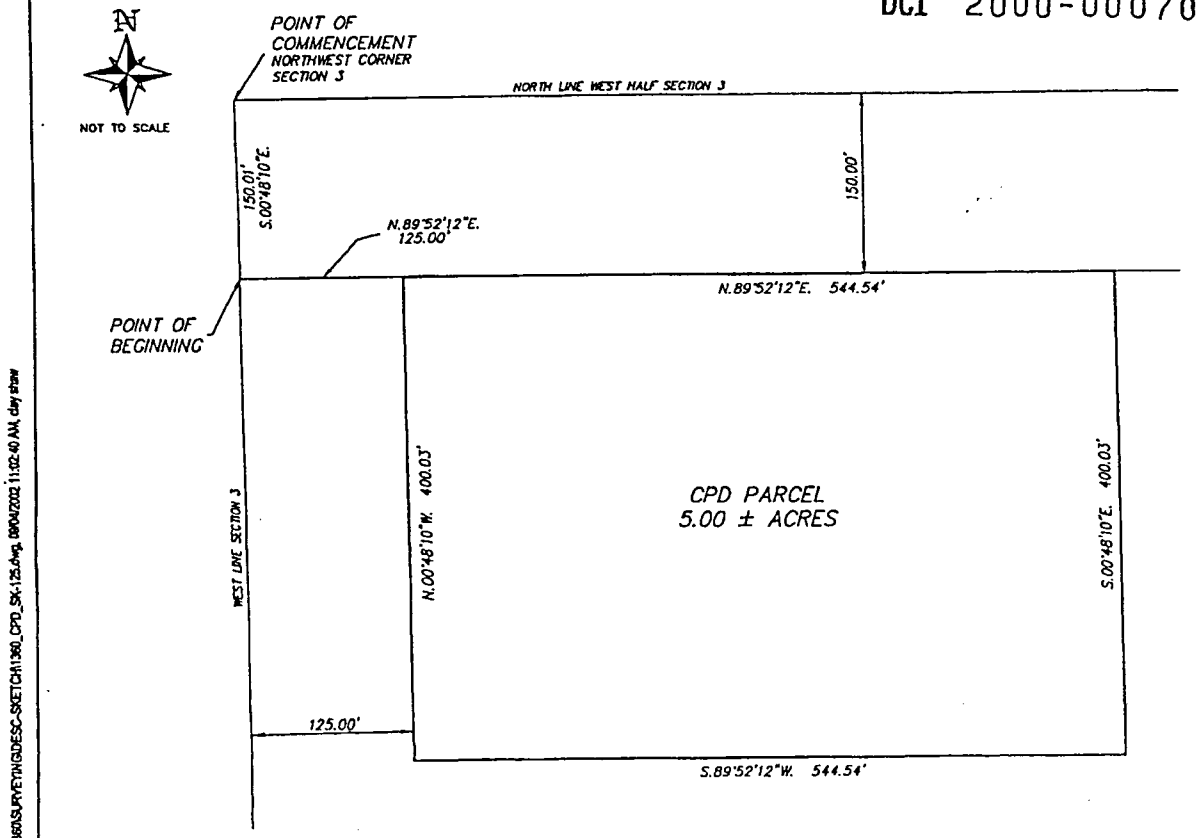
COMMUNITY DEVELOPMENT

EXHIBIT A

DCI 2003-00005

DCI 2000-00070 SKETCH TO ACCOMPANY DESCRIPTION

OF A
PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



CPD PARCEL

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5.00 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

THIS IS NOT A SURVEY

Thomas C. Shaw 9-4-02
THOMAS C. SHAW
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 4672

—THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

—PREPARED APRIL 5, 2002.

PREPARED BY:

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
8640 VILLOB PARK DRIVE - SUITE "B"
NAPLES, FLORIDA 34109
(239) 597-3061
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6480

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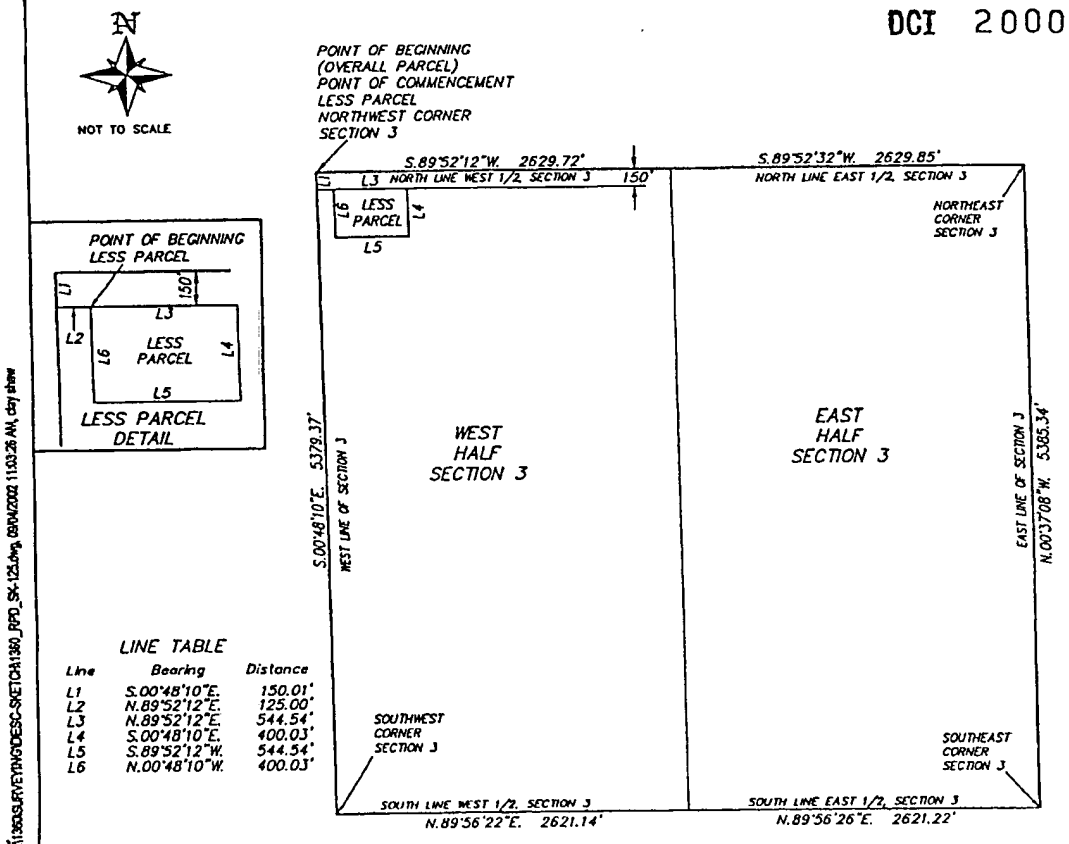
DCI 2003-00005

DCI 2000-00070 SKETCH TO ACCOMPANY DESCRIPTION

OF A
PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



LINE TABLE

Line	Bearing	Distance
L1	S.00°48'10"E.	150.01'
L2	N.89°52'12"E.	125.00'
L3	N.89°52'12"E.	544.54'
L4	S.00°48'10"E.	400.03'
L5	S.89°52'12"W.	544.54'
L6	N.00°48'10"W.	400.03'

RPD PARCEL

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 5379.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.89°56'22"E. ALONG THE SOUTH LINE OF THE WEST HALF OF SAID SECTION FOR 2621.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF SECTION; THENCE N.89°56'26"E. ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOR 2621.22 FEET TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N.00°37'08"W. ALONG THE EAST LINE OF SAID SECTION FOR 5385.34 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.89°52'32"W. ALONG THE NORTH LINE OF THE EAST HALF OF SAID SECTION FOR 2629.85 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF SECTION; THENCE S.89°52'12"W. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION FOR 2629.72 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 643.79 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

THIS IS NOT A SURVEY

Thomas C. Shaw 9-4-02

THOMAS C. SHAW
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 4672

—THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

—PREPARED APRIL 5, 2002, REVISED AREA JULY 22, 2002

PREPARED BY:

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
6440 WILLOW PARK DRIVE - SUITE "B"
NAPLES, FLORIDA 34109
(941) 597-3061
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6690

SHEET 2 OF 2

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Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS • NAPLES • SARASOTA

DCI 2000-00070

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CORKSCREW GROWERS CPD)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE **POINT OF BEGINNING.**

PARCEL CONTAINS 5.00 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

Applicant's Legal Checked
by _____

Thomas Clyde Shaw Sept 4, 2001
THOMAS C. SHAW, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION No. 4672

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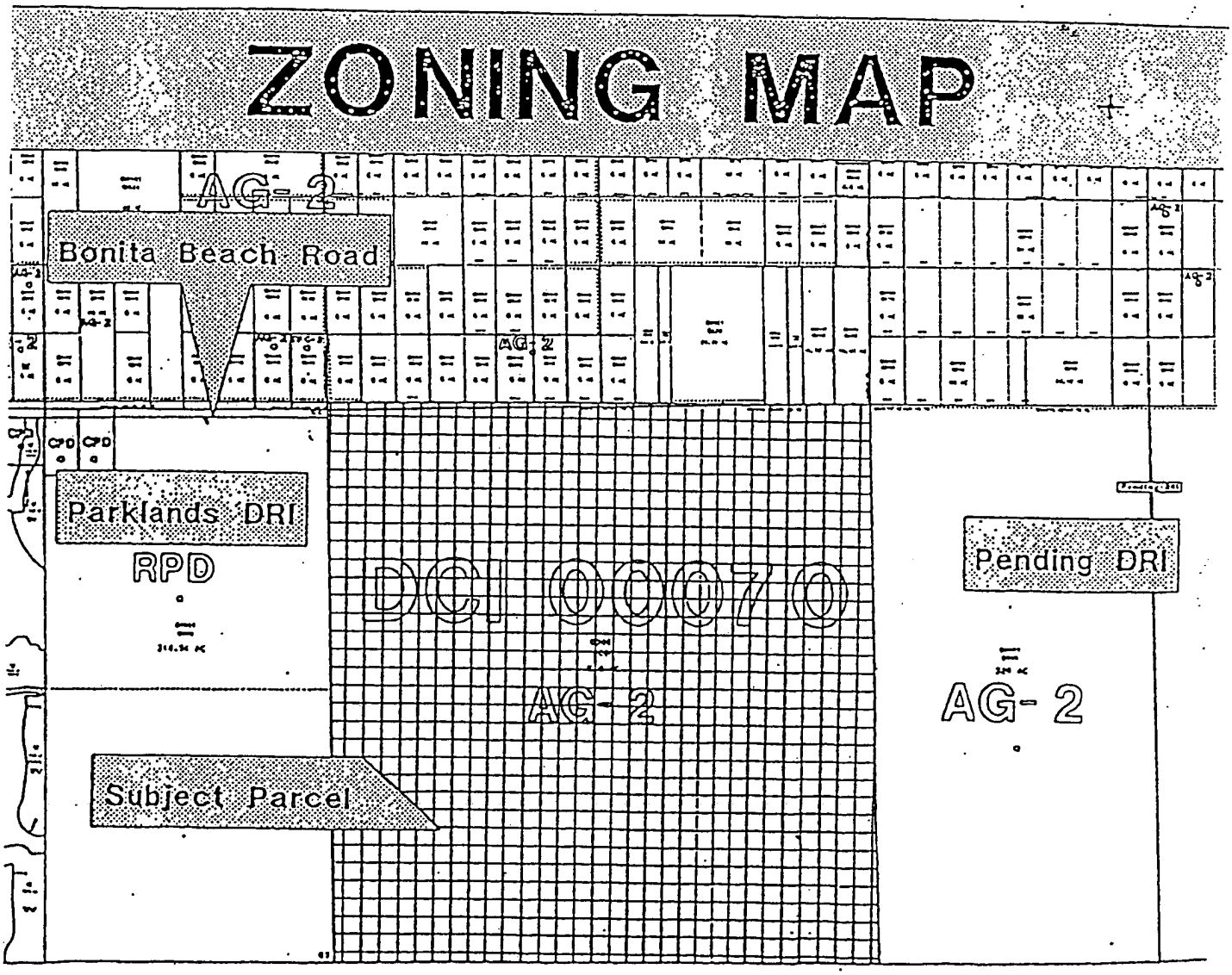
DCI 2003-00005

ZONING MAP



Collier County

EXHIBIT B

EXHIBIT C

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DCI 2003-00005

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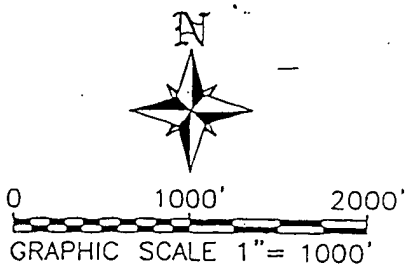
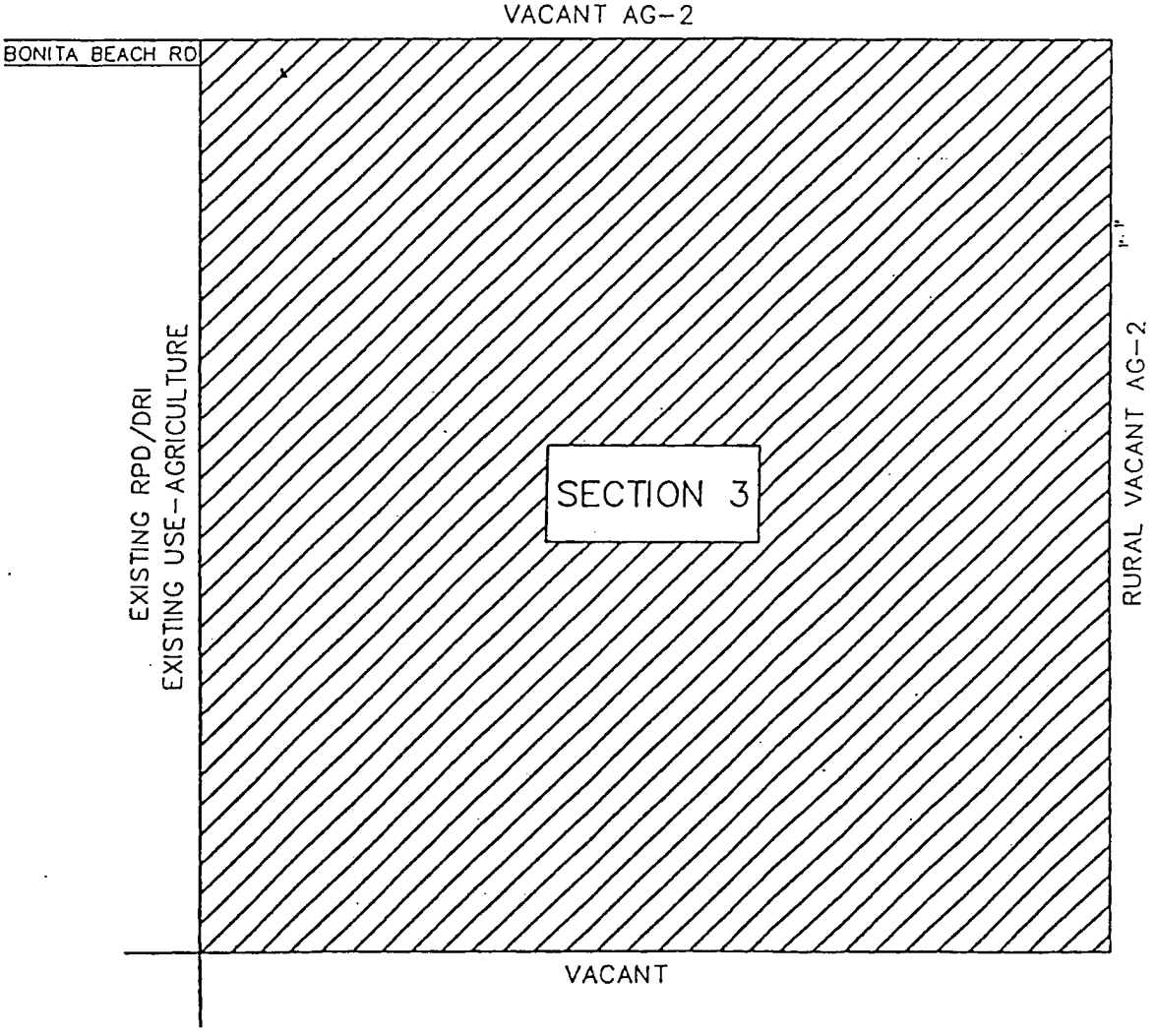
COMMUNITY DEVELOPMENT





LEGAL DESCRIPTION OF EXISTING AGRICULTURAL USE:
ALL OF SECTION 3, TOWNSHIP 48 SOUTH , RANGE 26 EAST ,
LEE COUNTY FLORIDA ; CONTAINING 648.80 ACRES

EXISTING USE = ROW CROP

EXHIBIT D

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF EXISTING AGRICULTURE USE
CORKSCREW GROWERS PROPERTY
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO.
04-02-03	1340	1340_DESC	CAM	RJJ	DMV	1"=1000'	1	1	3-483-24C

Approval

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE PERMIT NO. 36-04096-P
DATE ISSUED: JANUARY 10, 2002

FORM #0145
Rev. 08/95

PERMITTEE: CORKSCREW GROWERS INC
(CORKSCREW GROWERS PROPERTY)
7373 VANDERBILT BEACH RD EXT,
NAPLES, FL 34119

PROJECT DESCRIPTION: AUTHORIZATION FOR CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE A 625.12 ACRE RESIDENTIAL/GOLF COURSE DEVLOPMENT WITHIN A 648.8 ACRE SITE.

PROJECT LOCATION: LEE COUNTY, SECTION 3,4 TWP 48S RGE 26E

PERMIT DURATION: See Special Condition No:1. See attached Rule 40E-4.321, Florida Administrative Code.

This Permit is issued pursuant to Application No. 001019-8, dated September 20, 2000. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of activities authorized by this Permit. This Permit is issued under the provisions of Chapter 373, Part IV Florida Statutes (F.S.), and the Operating Agreement Concerning Regulation Under Part IV, Chapter 373 F.S., between South Florida Water Management District and the Department of Environmental Protection. Issuance of this Permit constitutes certification of compliance with state water quality standards where neccessary pursuant to Section 401, Public Law 92-500, 33 USC Section 1341, unless this Permit is issued pursuant to the net improvement provisions of Subsections 373.414(1)(b), F.S., or as otherwise stated herein.

This Permit may be transferred pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-1.6107(1) and (2), and 40E-4.351(1), (2), and (4), Florida Administrative Code (F.A.C.). This Permit may be revoked, suspended, or modified at any time pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.351(1), (2), and (4), F.A.C.

This Permit shall be subject to the General Conditions set forth in Rule 40E-4.381, F.A.C., unless waived or modified by the Governing Board. The Application, and the Environmental Resource Permit Staff Review Summary of the Application, including all conditions, and all plans and specifications incorporated by reference, are a part of this Permit. All activities authorized by this Permit shall be implemented as set forth in the plans, specifications, and performance criteria as set forth and incorporated in the Environmental Resource Permit Staff Review Summary. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual, pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.361 and 40E-4.381, F.A.C.

In the event the property is sold or otherwise conveyed, the Permittee will remain liable for compliance with this Permit until transfer is approved by the District pursuant to Rule 40E-1.6107, F.A.C.

SPECIAL AND GENERAL CONDITIONS ARE AS FOLLOWS:

SEE PAGES 2 - 3 OF 6 (15 SPECIAL CONDITIONS).
SEE PAGES 4 - 6 OF 6 (19 GENERAL CONDITIONS).

FILED WITH THE CLERK OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT

ON ORIGINAL SIGNED BY: JENNIFER KRUMLAUF

BY _____
DEPUTY CLERK

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

ORIGINAL SIGNED BY: PHILIP KOCHAN

By _____
ASSISTANT SECRETARY

Post-it® Fax Note 7671	Date 1-18-02	# of pages ▶
To BRIAN F.	From JENN	
Co./Dept. RONTO	Co. BEI	
Phone #	Phone #	
Fax #	Fax #	

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SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on January, 10, 2007.

2. Minimum building floor elevation: BASIN: DEVELOPED SITE - 17.50 feet NGVD.

3. Minimum road crown elevation: Basin: DEVELOPED SITE - 16.00 feet NGVD.

4. Minimum parking lot elevation: Basin: DEVELOPED SITE - 16.00 feet NGVD.

5. Discharge facilities:

   1-3.25" WIDE SHARP CRESTED weir with crest at elev. 13.5' NGVD.
   50 LF of 3.5' dia. REINFORCED CONCRETE PIPE culvert.

   Receiving body : Bonita Beach Road Swale

   Control elev : 13.5 feet NGVD. /13.5 FEET NGVD DRY SEASON.

6. Operation of the surface water management system shall be the responsibility of the Corkscrew Growers Property Owners Association. The permittee shall submit a copy of the recorded deed restrictions (or declaration of condominium, if applicable), a copy of the filed articles of incorporation, and a copy of the certificate of incorporation for the association concurrent with the engineering certification of construction completion.

7. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.

8. Measures shall be taken during construction to insure that sedimentation and/or turbidity problems are not created in the receiving water.

9. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.

10. Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth, unless shown on the plans.

11. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.

12. A stable, permanent and accessible elevation reference shall be established on or within one hunded (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.

13. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditons.

14. All dewatering discharges during construction shall be contained on-site.

15. Reference is made to Exhibit Nos. 3-4, 6-13, 15-25, 28, 35-36, 39-40, 43-44, and 47-49 dated 10/1/2001, Exhibit Nos. 5, 27, 30, 32-34, 37-38, 41-42, 45-46, and 50-52 dated 10/8/2001, Exhibit Nos. 14, 26, and 31 dated 10/17/2001, and Exhibit No. 29 dated 10/25/2001. The drawings have been signed and sealed by Ramon A. Gonzalez, P.E., of Banks Engineering, Inc. and have been included in this permit by reference (please see permit file).

GENERAL CONDITIONS

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373. F.S.

2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

3. Activities approved by this permit shall be conducted in a manner which does not cause violations of State water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of State water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), incorporated by reference in Rule 40E-4.091, F.A.C. unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

4. The permittee shall notify the District of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District an Environmental Resource Permit Construction Commencement Notice Form Number 0960 indicating the actual start date and the expected construction completion date.

5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an annual status report form. Status report forms shall be submitted the following June of each year.

6. Within 30 days after completion of construction of the permitted activity, the permitee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the supplied Environmental Resource Permit Construction Completion/Certification Form Number 0881. The statement of completion and certification shall be based on onsite observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and sepcifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings is discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "As-built" or "Record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.

7. The operation phase of this permit shall not become effective: until the permittee

has complied with the requirements of condition (6) above, and submitted a request for conversion of Environmental Resource Permit from Construction Phase to Operation Phase, Form No. 0920; the District determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the District in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 40E-1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.

9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit applications within the South Florida Water Management District, prior to lot or units sales or prior to the completion of the system, whichever comes first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State, county or municipal entities. Final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.

10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the District in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.

11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C..

12. The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the State, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

13. The permittee must obtain a Water Use permit prior to construction dewatering,

unless the work qualifies for a general permit pursuant to Subsection 40E-20.302(4), F.A.C., also known as the "No Notice" Rule.

14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.

15. Any delination of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding, unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.

16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rules 40E-1.6105 and 40E-1.6107, F.A.C.. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.

17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.

18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate District service center.

19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

40E-4.321 Duration of Permits

(1) Unless revoked or otherwise modified the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C. is as follows:

(a) For a conceptual approval, two years from the date of issuance or the date specified as a condition of the permit, unless within that period an application for an individual or standard general permit is filed for any portion of the project. If an application for an environmental resource permit is filed, then the conceptual approval remains valid until final action is taken on the environmental resource permit application. If the application is granted, then the conceptual approval is valid for an additional two years from the date of issuance of the permit. Conceptual approvals which have no individual or standard general environmental resource permit applications filed for a period of two years shall expire automatically at the end of the two year period.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive plan amendment, the duration of the conceptual approval shall be two years from whichever one of the following occurs at the latest date:

1. the effective date of the local government's comprehensive plan amendment.
2. the effective date of the local government development order.
3. the date on which the District issues the conceptual approval, or
4. the latest date of the resolution of any Chapter 120.57, F.A.C., administrative proceeding or other legal appeals.

(c) For an individual or standard general environmental resource permit, five years from the date of issuance or such amount of time as made a condition of the permit.

(d) For a noticed general permit issued pursuant to chapter 40-E-400, F.A.C., five years from the date the notice of intent to use the permit is provided to the District.

(2)(a) Unless prescribed by special permit condition, permits expire automatically according to the timeframes indicated in this rule. If application for extension is made in writing pursuant to subsection (3), the permit shall remain in full force and effect until:

1. the Governing Board takes action on an application for extension of an individual permit, or
2. staff takes action on an application for extension of a standard general permit.

(b) Installation of the project outfall structure shall not constitute a vesting of the permit.

(3) The permit extension shall be issued provided that a permittee files a written request with the District showing good cause prior to the expiration of the permit. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a detailed review.

(5) Substantial modifications to individual or standard general environmental resource permits issued pursuant to a permit application extend the duration of the permit for three years from the date of issuance of the modification. Individual or standard general environmental resource permit modifications do not extend the duration of a conceptual approval.

(6) Permit modifications issued pursuant to subsection 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of a permit.

(7) Failure to complete construction or alteration of the surface water management system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization in order to continue construction unless a permit extension is granted.

Specific authority 373.044, 373.113 F.S. Law Implemented 373.413, 373.416, 373.419, 373.426 F.S. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4/20/94, Amended 7-1-86, 4/20/94, 10-3-95

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
	Horseshoe Developments, Inc.
Cheryl Solomon 3185 Horseshoe Drive South Naples, FL 34104	50%
Samuel Matthew Fengold 3185 Horseshoe Drive South Naples, FL 34104	50%

Date of Contract: February 24, 1999

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.

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MAR 03 2003
DCI 2003-00005
COMMUNITY DEVELOPMENT

Signature: _____
(Applicant)

Brian F. Farrar, Director of Land Development
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 28th day of February, 2003, by Brian F. Farrar, who is personally known to me or who has produced _____ as identification.

(SEAL)

Carol L. Sparks
MY COMMISSION EXPIRES October 15, 2005
#DD064838
Bonded thru Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Carol L. Sparks
Signature of Notary Public

Carol L. Sparks
Printed Name of Notary Public

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 03-48-26-00-00001.0000 CASE NO. _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

OCT 2003 0 005

5

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as **CORKSCREW GROWERS PROPERTY** and legally described in exhibit A attached hereto.

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

Fred R Harvey
Owner (signature)

Fred R. Harvey as President
Corkscrew Growers, Inc.

Owner (signature)

Printed Name

Owner (signature)

Printed Name

Owner (signature)

Printed Name

STATE OF CA)
COUNTY OF) Riverside

Sworn to (or affirmed) and subscribed before me this 20 day of Dec, 2002 by Fred R. Harvey, who is personally known to me or who has produced Drivers Licence as identification.

Jessyann Perry
Notary Public

(SEAL)

JESSYANN PERRY
COMM. #1350408
NOTARY PUBLIC-CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires April 9, 2006

Jessyann Perry
Name Typed, Printed or Stamped)

DCI 2003-00005

RECEIVED
JAN 21 2003
ZONING COUNTER

MEMORANDUM

From The

Department Of

Community Development

Development Services Division

Date: May 21, 2003

To: FILE

FROM: Jessica M. Smith
DCD Administration

RE: Notice of Public Hearing - June 4, 2003
Bonita Springs Council Zoning Hearing (1st reading)

I, Jessica Smith, Internal Services Secretary, Development Services Division, do hereby certify that I have mailed **notices to the participants** in regard to the above referenced meeting, in the attached style, pursuant to the list marked and attached hereto and made a part of the certification.

NOTICE TO PARTICIPANT

CASE NUMBER: DCI2003-00005

NAME: Corkscrew Growers Section Three

REQUEST: **A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY CORKSCREW GROWERS SECTION THREE; TO AMEND ITS RESIDENTIAL PLANNED DEVELOPMENT (RPD) AND COMMERCIAL PLANNED DEVELOPMENT (CPD); TO ALLOW THE DEVELOPMENT OF A MIXED USED RESIDENTIAL PROJECT CONSISTING OF A MAXIMUM OF 1,999 DWELLING UNITS WITH A PROPOSED MAXIMUM BUILDING HEIGHT OF 50 FEET (3 STORIES) AND UP TO 30,000 SQUARE FEET OF INTERNAL COMMERCIAL AND RECREATIONAL FLOOR AREA, ON LAND LOCATED AT 15501 BONITA BEACH ROAD, S.E., BONITA SPRINGS, FLORIDA (STRAP NO. 03-48-26-B1-00001.0000) ON 648.80 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.**

No public participation will be heard at the first reading. The first reading of the zoning ordinance is a reading of the request and the second reading is the hearing.

Notice is hereby given that on June 4, 2003 the City Council of the City of Bonita Springs will hold a public hearing at 5:30 p.m. for a **FIRST READING** of an ordinance on the referenced matter and to review the Zoning Board for Land Use Hearings recommendation. This hearing will be held in the Bonita Springs Utilities Board Room 11860 East Terry Street Bonita Springs, FL 34135.

A **SECOND READING** on this matter is tentatively scheduled for June 23, 2003 at 9:00 a.m. at the same location.

NO FURTHER NOTICES WILL DISTRIBUTED UNLESS THE SECOND READING DATE IS CHANGED.

The law states that, as a participant, you have the right to appear and address the Council on this case. However, the law strictly limits all testimony before the Council to statements challenging the correctness of findings and conclusions contained in the record, or statements alleging the discovery of relevant new evidence which was not known by the speaker at the time of the Zoning Board for Land Use Hearings and not otherwise disclosed in the record.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Gary A. Price, City Manager at 239-390-1000, at least 48 hours prior to the meeting.

Additional copies of the Zoning Board for Land Use Hearing's recommendation may be obtained or the file reviewed at the Development Services Division, 1500 Monroe St., Ft. Myers, FL. Telephone 479-8585 for additional information.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Horseshoe Development Inc.
3185 Horseshoe Drive South
Naples, FL 34104

Corkscrew Growers, Inc.
c/o Rodney Harvey
7373 Vanderbilt Beach Road Extension
Naples, FL 34119

Robert Mulhere, AICP
RWA, Inc.
3050 N. Horseshoe Drive Suite 270
Naples, FL 34104

Russell Schropp, Esq.
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe Stree
Ft. Myers, FL 33901

Brian Farrar
Ronto Group
3185 Horseshoe Drive South
Naples, FL 34104

Ted Treesh
Metro Transportation Group
12651 McGregor Boulevard, Suite 4-403
Ft. Myers, FL 33919

Stephen Trudnak
3876 Bonita Beach Road
Bonita Springs, FL 34134

file

479-8585

May 6, 2003

Mr. Robert Mulhere AICP of RWA, Inc.
3050 N. Horseshoe Dr. Ste. 270
Naples, FL 34104

Re: **Agenda Schedule for Corkscrew Growers Section Three**
Case No. DCI2003-00005

Dear Mr. Mulhere :

Your request has been scheduled before the City Council of the City of Bonita Springs for a **FIRST READING** of an ordinance on the referenced matter. Public comment will not be taken at the First Reading.

DATE & TIME: June 4, 2003 Meeting commences at 5:30 p.m.

LOCATION: Bonita Springs Utilities Board Room
11860 East Terry Street
Bonita Springs, FL 34135

The first reading is a reading of the request and the second reading is the hearing.

A second reading on this matter is tentatively scheduled for June 23, 2003 at 9:00 a.m. at the same location.

Be advised all exhibits presented to City Council are required to be retained by the City Clerk for the minutes and records. The City encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy, for reproduction purposes.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jessica M. Smith
Administrative Assistant

cc: Horseshoe Developments Inc.
Corkscrew Growers, Inc,. C/O Rodney Harvey
Chip Block, AICP, Senior Planner
Zoning File

COVENANT OF UNIFIED CONTROL

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

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

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

Fred R Harvey
Owner

DCI 2003-00005

Owner

Fred R. Harvey as President
Corkscrew Growers, Inc.

Printed Name

RECEIVED
JAN 21 2003
ZONING COUNTER

STATE OF CA)
COUNTY OF _____) Riverside

Sworn to (or affirmed) and subscribed before me this 20 day of Dec, 2002 by Fred R. Harvey and _____ who are personally known to me or who have produced Drivers License as identification.

JESSYANN PERRY
COMM. #1350408
NOTARY PUBLIC-CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires April 9, 2006

Jessyann Perry
Notary Public

Jessyann Perry
(Name typed, printed or stamped)

LEE COUNTY
SOUTHWEST FLORIDA

479-8585

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:_____

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

April 2, 2003

D. Wayne Arnold, AICP
Q. Grady Minor & Associates P.A.
3800 Via Del Rey
Bonita Springs, FL 34134

Re: Agenda Schedule for Old 41 MPD fka The Villages of Bonita North MPD
Case No. DCI2002-00018

Dear Mr. Arnold:

Your zoning request has been scheduled before the Zoning Board for Land Use Hearings of the City of Bonita Springs on May 2, 2003, at 9:30 a.m. The hearing will be conducted in the Bonita Springs Utilities Board Room, 11860 East Terry Street, Bonita Springs, FL 34135.

Your zoning sign will be ready for pickup any time after April 4, 2003, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than April 18, 2003, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jessica M. Smith
Administrative Assistant

cc: Edward J McArdle, Trustee
Chip Block, AICP, Senior Planner
Zoning File

LEE COUNTY
SOUTHWEST FLORIDA

479-8585

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:_____

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

April 2, 2003

Robert Mulhere AICP of RWA, Inc.
3050 N. Horseshoe Dr. Ste. 270
Naples, FL 34104

Re: Agenda Schedule for Corkscrew Growers Section Three
Case No. DCI2003-00005

Dear Mr. Mulhere:

Your zoning request has been scheduled before the Zoning Board for Land Use Hearings of the City of Bonita Springs on May 2, 2003, at 10:30 a.m. The hearing will be conducted in the Bonita Springs Utilities Board Room, 11860 East Terry Street, Bonita Springs, FL 34135.

Your zoning sign will be ready for pickup any time after April 4, 2003, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than April 18, 2003, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jessica M. Smith
Administrative Assistant

cc: Horseshoe Developments Inc.
Corkscrew Growers, Inc,. C/O Rodney Harvey
Mr. Russel P Schropp
Mr. Brian Farrar
Chip Block, AICP, Senior Planner
Zoning File

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: April 18, 2003

TO: File **FROM:** Jessica M Smith
DCD Administration

RE: Notice of Zoning Board for Land Use Hearings of the City of Bonita Springs
May 2, 2003

I, Jessica M. Smith, Administrative Assistant, Internal Services, Development Services Division, do hereby certify that I have **resent** notices to the **adjacent property owners** on the above referenced date, in the attached style, pursuant to the list marked and attached hereto and made a part of this certification.

NOTICE TO PROPERTY OWNERS WITHIN 375 FEET

CASE NUMBER: DCI2003-00005

CASE NAME: CORKSCREW GROWERS SECTION THRE

REQUEST: Rezone 648.8 acres from Residential Planned Development (RPD) and Commercial Planned Development (CPD) to Residential Planned Development (RPD) to allow the development of a mixed use residential project consisting of a maximum of 1,999 dwelling units with a proposed maximum building height of 50 feet (3 stories) and up to 30,000 square feet of internal commercial and recreational floor area.

LOCATION: The subject property is located at 15501 Bonita Beach Road SE (approximately 2.5 miles east of I-75 along the south ROW of Bonita Beach Rd., within City of Bonita Springs), in **S**03 (Section)-**T**48 (Township)**S-R**26 (Range)**E**, Lee County, Florida.

SIZE OF PROPERTY: 648.80 Acres ±

STAFF REPORT: Direct inquiries to Alvin Block, AICP, Principal Planner, at 239-479-8371, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNERS REPRESENTATIVE:

MR. BOB MULHERE
RWA, INC.
239 649-1509

MR RUSSELL P SCHROPP
HENDERSON, FRANKLIN
239-334-4121

Notice is hereby given that the City of Bonita Springs Zoning Board for Land Use will hold a public hearing at 10:30 a.m. on May 02, 2003, on the above case. The public hearing will be held in the Bonita Springs Utilities Board Room, 11860 East Terry Street, Bonita Springs, FL 34135.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the City Council.

After the Zoning Board for Land Use has made a written recommendation, the case will be scheduled for a public hearing before the City Council of the City of Bonita Springs who will review the recommendation and make a final decision.

If you do not appear before the Zoning Board for Land Use you will not be allowed to appear before the City Council at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Gary A. Price, City Manager, at 239/390-1000 at least 48 hours prior to the hearing.

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

ROCK BLASTING CONSULTATION REPORT

CONDUCTED ON:

Corkscrew Growers Parcel
Bonita Springs, Lee County, Florida

ASC Project No. 03F1505
ASC Document No. 030206FM

PREPARED FOR:

Mr. Brian Farrar
Ronto Developments Parklands, Inc.
14013 Bonita Beach Road, S.E.
Bonita Springs, Florida 34135

ISSUE DATE:

27 February 2003

PREPARED BY:

ASC geosciences, inc.
a Saxena Group Company

5811 Corporation Circle
Fort Myers, Florida 33905
p 239.693.8334
f 239.693.8852

DCI 2003 00005

ASC geosciences, inc.
a Saxena Group Company

Engineering a Better World SM

5811 Corporation Circle
Fort Myers, Florida 33905
p 239 693 6334
p 239 598 3633 (naples)
f 239 693 8852

geotechnical, geoenvironmental
materials engineering and testing
construction engineering and inspection
geology, hydrogeology, water resources

Mr. Brian Farrar
Ronto Developments Parklands, Inc.
14013 Bonita Beach Road, S.E.
Bonita Springs, Florida 34135

27 February 2003

Subject: **Rock Blasting Consultation Report**
Corkscrew Growers Parcel
Bonita Springs, Lee County, Florida

ASC Project No. 03F1505
ASC Document No. 030206FM

Dear Mr. Farrar:

As part of the professional team that Ronto Developments Parklands, Inc. has assembled for the above-referenced project, ASC performed a review of a geotechnical subsurface soil exploration report prepared by Professional Engineering and Inspection Company, Inc. (PEICO) for the site. Specifically, we reviewed a PEICO/AGS Division Project No. 01-2-098 report dated 1 February 2001.

In the PEICO report, the thickness of the rock layers varies at each location where it is encountered. The rock layer varies from 2.0 to 11.5 ft thick in twenty-one of the twenty-seven borings performed.

Based on the PEICO report, this layer has SPT "N" values of 50+ blows. This typically means that the rock was hammered with a 140-lb rock weight dropped 30 inches in an attempt to drive a sampling tube into the rock to recover material. After 50 blows, the sampling tube did not penetrate the rock ad the sampling attempt was aborted.

Due to the presence of this very hard limestone at the project site, and knowing the concerns of the City of Bonita Springs and the neighboring communities, your team has reportedly explored alternatives to blasting, as summarized below, to remove the rock from the site.

1. **Pneumatic Hammers** - The lake areas to be excavated are too large to use a pneumatic hammer. A pneumatic hammer can be used for minor excavations and less dense rock. In general, pneumatic hammers are used for utility trenching. Because a pneumatic hammer does not have sufficient force, it would be impractical to fracture the rock for this size lake.

DCI 2003 00005

2. **Backhoe Bucket** - The thickness and hardness of the rock exceed that which can be effectively fractured and removed with a backhoe.

3. **Headache Ball** - The headache ball method is not suited for use under water. In addition, this method is generally effective on thinner layers of rock, not the thicknesses which were encountered at the site.

4. **Trencher** - very slow, noisy and unreliable method of cutting the rock. Most useful for utility trenching. To excavate a lake it would create huge amounts of large rocks which would have to be hauled off-site. When considering this method to blasting, we have determined that large rocks and slabs of rock will be created and this rock cannot be used on-site as structural fill in contrast to using blasted rock on site as structural fill. Therefore, the site contractor would need to haul the rock off-site and haul clean fill to the site. In addition to increasing the construction duration by using these methods, needing to haul large chunks of rock off site and fill on site would create substantial additional truck traffic during the construction of the project.

Therefore, after concluding that for this site blasting is the most viable alternative, ASC, in consultation with some of the most experienced rock blasters in Southwest Florida, has developed a conservative blasting plan for the project.

ASC appreciates the opportunity to be of service to **RONTO DEVELOPMENTS PARKLANDS, INC.** Please contact ASC should you have any questions regarding this report or require additional information.

Sincerely,

ASC geosciences, inc.

H. Frank Murati, P.E.
Senior Project Manager

copies to: 2, Client

DCI 2003 00005

RWA INC.
CONSULTING CIVIL
◦ Engineers ◦ Surveyors & Mappers
◦ Planners ◦ Project Managers

February 28, 2003

Mr. Alvin "Chip" Block, AICP
Principal Planner
Lee County - Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: Corkscrew Growers Section Three – DCI 2003-00005 – PDS Application

Dear Mr. Block,

The consultant team for the above referenced zoning petition has thoroughly reviewed each of the items raised in your February 18, 2003 sufficiency letter. Please find below an item-by-item response to each of the issues raised. I am confident that you and the other reviewers will find that we have addressed the sufficiency issues that have been raised, and with that finding, that you will be able to schedule this item for public hearings.

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

Item 1a1) - Initiation of Application – Legal Requirements

Staff Comment: The applicant in this case, Horseshoe Development, Inc., is found to be an inactive corporation in the Florida On-line Corporation Records. It will be necessary to either activate this corporation or change the applicant in this application.

Response: Please find attached hereto, evidence that Horseshoe Development Inc. is an active corporation.

Item 1c) - Initiation of Application – Legal Requirements

Staff Comment: See 1a1 above.

Response: See response to 1A1) above.

Item 5) – Application

RECEIVED
MAR 03 2003
COMMUNITY DEVELOPMENT
DCI 2003-00005

Staff Comment: The submitted application indicates that it was last revised on 6/29/98. This is not the most current application form. Please use the most current application form, which is available through our Department's zoning counter.

Response: Please find attached an original and the requisite number of copies of the application completed on the most recent application form as provided by Alvin Block – Principal Planner for Lee County on Friday, 2/21/2003 11:49am.

Item 6) – Application – Public Hearing

Staff Comment: Please refer to the legal requirements portion of this checklist.

Response: Please refer to responses listed under legal requirements portion of this letter.

Item 6i) – Property Restrictions

Staff Comment: The application form indicates that there are deed restrictions on this property. Please submit the information required by this section.

Response: This was an error on the submitted application, there are, in fact, no deed restrictions on the subject property. The attached revised application has been corrected accordingly.

Item 9b) – Map of Roads

Staff Comment: Staff is not able to find a map that provides the information required by this Section. Please advise where this may be found in the application or provide the map as required by this Section.

Response: Please find attached a "Map of Roads" labeled as Exhibit III-D

Item 9c) – Zoning & Land Use Map

Staff Comment: Exhibit II-F-3 does not supply the existing land use of the adjoining properties, as required. Please revise this exhibit to provide this information.

Response: Exhibit II-F-3 has been revised to provide existing land use of adjoining properties.

Item 9e1) – Soils Map

DCI 2003 00005

Staff Comment: Please submit the information required.

Response: A Phase One Environmental Assessment Report prepared by Ardaman and Associates, Inc., was provided with the original application package. Although a soils map is not provided in this report, a description of the soils in narrative format is provided. Nevertheless, we have included a soils map to address this sufficiency comment.

Item 9e2) – FLUCCS Map

Staff Comment: Please submit the information required by this section.

Response: A map of the subject site with FLUCCS coding was submitted with the original application and the requisite number of copies, nevertheless we have attached additional copies.

Item 12b) – Vehicular Access

Staff Comment: The Master Concept Plan will need to be revised to show the exact location of the points of vehicular ingress and egress from the adjoining existing easements or rights-of-way.

Response: The Master Concept Plan has been revised to depict distance of project access points from adjacent properties

Item 12d4) – Uses

Staff Comment: The Master Concept Plan does not show all of the requested uses and where they would be developed within the project. Examples include Health Club and Spa and on-site recreational facilities in the residential areas. Please check all of the proposed permitted uses in each of the development areas and make sure that the plan shows the location of each use, as required by this section.

Response: The Master Concept Plan has been revised to eliminate those uses which will not be located in the residential development area. Locations for passive recreational uses within the residential development area have been identified on the Master Concept Plan.

Item 12e2) – Height

Staff Comment: Please refer to Section 34-2173 which excepts certain structures from the height regulations. It may not be necessary to include the exception in footnote number 4 of the Development Regulations.

DCI 2003-00005

Response: Footnote # 4 has been revised to reference the Exception to Height Regulations set forth in LDC Section 34-2173

Item 12e3) – Residential Dwelling Units

Staff Comment: The Master Concept Plan does not appear to provide the information required by this Section. The Plan only appears to provide that a maximum of 1,999 dwelling units are proposed, but does not further break this number down to the maximum number of each housing types, as provided for in this Section. Please provide this required information.

Response: The Master Concept Plan has been revised to depict the projected maximum number of dwelling units by housing type.

Item 12e6) – Commercial/Industrial

Staff Comment: The Plan provides for 15,000 square feet of commercial square footage and 15,000 square feet of recreational use on Development Area B. However, then the Plan mentions that there would be a total of 30,000 square feet of commercial uses. Please clarify if there will be 15,000 or 30,000 square feet of commercial floor area and make any changes on the Plan as may be needed.

Response: The correct amount of commercial square footage is 30,000, with 15,000 square feet of recreational use within the town center development area. The Master Concept Plan has been revised accordingly.

Item 12f) – Service Areas

Staff Comment: Please show the location of the service area(s) within the commercial portion of this project.

Response: Service area locations have been provide on the Master Concept Plan (and on Town Center Detail Sheet).

Item 12g) – Parks/Recreation/Indigenous Areas

Staff Comment: Since private, on-site recreational facilities are proposed within this development, please revise the plan and show the location where these uses will be located throughout the project.

Response: The Master Concept Plan has been revised to show the location of the private recreation areas which are further identified as Passive (PREC) or Active (AREC).

DCI 2003-00005

Item 12j) – Public Transit

Staff Comment: Although public transit is not available to this site, will the project be providing any access or facilities for public transit?

Response: We have no objection to providing a public transit stop at our entryway should transit be extended down Bonita Beach Road in the future. We have labeled the Master Concept Plan accordingly.

Item 12k1) – Removal from the Property

Staff Comment: Since the application includes the proposal for EXCAVATION, Mining as a permitted use, please provide the information required by LDC 34-1651 at seq. Be advised that the City' Comprehensive Plan in Policy 14.1.8 prohibits mining within the City Limits. Your request would violate this Policy.

Response: We have eliminated Mining as a requested permitted use. Our calculations indicate that we can utilize all of the fill on-site. We are requesting the flexibility to dig some lakes, as may be necessary to a depth of up to 20 feet. This flexibility was approved as part of the Corkscrew Grower Section Three RPD/CPD, and was approved by the Water Management District as well.

Item 12l) – Location of Deviations

Staff Comment: Please review the locations where Deviation 1 will be effective. In at least one location, it is shown to be effective in an area planned for single-family residential. The deviation is for areas devoted to 100 multiple family dwelling units.

Response: The Master Concept Plan has been revised to correct the reference to Deviation 1 in the single-family residential development area.

Item 14b) – Units by Uses

Staff Comment: Please provide the information required by this section. The project does not provide for the number of dwelling units by each type of unit requested.

Response: The Master Concept Plan Development Regulations table has been revised to include maximum projected dwelling units by housing type.

Item 21)1. – Miscellaneous

DCI 2003-00005

Staff Comment: Please provide a copy of the Water Management District permit, if one has been issued, that depicts that the size and depth of the lakes is required to meet the requirements of the District resulting in the need to remove excavated material from the site.

Response: We have eliminated the request to remove fill material from the site. Nevertheless, enclosed please find a copy of the SFWMD ERP for the Corkscrew Grower's property. Please note that this permit is for a residential golf course community that matches the Master Concept Plan for the project that was approved June 17, 2002.

Item 21) 2. – Miscellaneous

Staff Comment: The application also indicates that development blasting will be required, or is at least sought, as part of this development. Please provide any documentation that justifies the need for development blasting.

Response: We have attached copies of a report prepared by Frank Murati P.E. of ASC Geo Sciences, Inc. demonstrating the need for blasting. Additionally the enclosed soil report shows that hard betted limestone was encountered at an approximate depth of 6-8' below the surface. Blasting will be required to excavate this material which will be required for lake construction as well as utility construction.

II. Environmental Sciences Planned Development Sufficiency Checklist

Item 1a) – Aerial Photograph
Staff Comment: Please submit an original aerial with a scale indicated. The copies submitted are not clear.

Applicant Response: We have attached copies of recent aerials of the subject site with scale provided.

Item 1b1) – Soils (Map)

Staff Comment: Please submit.

Response: As previously stated, several copies of a "Phase One Environmental Assessment Report", prepared by Ardaman and Associates, Inc., were provided with the original application package. Although a soils map is not provided in this report, a description of the soils in narrative format is provided. Nevertheless, we have included a soils map to address this sufficiency comment.

DCI 2003 00005

Item 1b2) – Vegetation/Ground Cover (Map)

Staff Comment: Please submit.

Response: As previously indicated, a map of the subject site with FLUCCS coding was submitted with the original application n the requisite number of copies, nevertheless we have attached additional copies.

Item 2) –Protected Species Survey

Staff Comment: Please refer to the Land Development Code Section 10-473 regarding protected species survey requirements.

Response: We are providing copies of protected species survey.

Item 3) –Protected Species Management Plan

Staff Comment: Pending submittal of protect species survey & field verification by Division of Environmental Sciences staff.

Response: It is assumed that no such plan will be required since the protected species survey finds no evidence of protected species.

Item 4) –Environmentally Sensitive Areas

Staff Comment: Please delineate any State jurisdictional wetlands on the FLUCCS map.

Response: As previously indicated, a map of the subject site with FLUCCS coding was submitted with the original application n the requisite number of copies, nevertheless we have attached additional copies. There are no jurisdictional wetlands (or wetland indicated FLUCCS codes on the subject property).

Item 5) –Open Space

Staff Comment: General Note 3 does not adequately address open space. Please provide percentages of open space to be provided per proposed use. Residential lots 6,500 sf or larger with greater than the standard 45% lot coverage need to provide open space. Additionally, residential open space must be provided as 40% common open space per Land Development Code Section 34-935(g)(1). Please clarify how the open space requirements will be met. The references to LDC Sections 414 & 935 in General Note 3 do not include the Chapter number, are these referring to Sections 34-414 & 34-9357?

DCI 2003-00005

Response: The Master Concept Plan has been revised to clarify the LDC Open Space requirements, and how the project will meet those requirements.

Item 8) –Design Standards

Staff Comment: The lake design does not meet the Land Development Code requirement that surface water management lakes mimic natural systems. The proposed design is an interconnected canal system, which will not be supported by the Division of Environmental Sciences (ES) staff. Please redesign the project to provide a surface water management system that mimics natural systems.

Response: We have reviewed the cited LDC sections and can find no reference to this provision or requirement that the lakes mimic natural systems. Perhaps this is a requirement that has been included in the LDC recently and thus would not apply to this project since the City of Bonita Springs adopted the LDC as it was in effect on the date of incorporation. In any case, we take exception to the assertion that the lake system does not mimic a natural system. One needs to keep in mind that the existing site is completely cleared and has been utilized for many years for row crops.

In the case of similar projects in the southwest Florida area with similar lake designs, which have been approved by the Water Management District, water quality testing has been conducted as a condition of permitting. These monitoring tests did not reveal nay water quality concerns. In fact, after several years the District determined that the monitoring was no longer necessary.

In the case of the several local projects that have been designed with a similar lake system, it is evidenced that these lakes actually provide habitat for wading birds. If necessary we can provide a copy of a Naples Daily News Article/Photo depicting the uses of such lakes by wood storks.

Finally, whether a lake system mimics natural systems cannot be determined strictly based upon design or appearance, but rather upon the scientific factors and evidence, including water quality and the existence and health of indigenous aquatic plant and animal life. Each finger of the lake system is at least 100 feet wide. The design is proven to provide desirable amenity features while meeting the technical storm water and water quality requirements of the District.

Item 9) –Buffers

Staff Comment: Please clarify if the planting requirements of Condition 4 on page 7 of Exhibit IV-G are proposed for the "Native Vegetation Buffer" delineated along the southern property line on the Master Concept Plan.

DCI 2003 00005

Response: Condition 4 on page 7 of Exhibit IV-G is proposed for the Native Vegetation Buffer delineated along the southern project boundary on the Master Concept Plan.

Item 11) –Schedule of Deviations

Staff Comment: Footnote 13 on the development regulations table [page 6 Exhibit IV-G] needs to be requested through a deviation with illustration. The corresponding footnote on the MCP is #12. Please revise the MCP and Exhibit IV-G to be consistent.

The Justification for deviation 8 states that this improves the development... "by improving the golf course." The schedule of uses doesn't include a golf course. Please clarify if a golf course is proposed. If a golf course is proposed it must be shown on the MCP.

Response: The Master Concept Plan and Exhibit IV-G have been revised to be consistent in terms of numbering and content of both footnotes and General Notes. The reference to "Golf Course" in the justification for Deviation 8 was an inadvertent error and has been corrected. A golf course is not being requested.

Item 12) –Miscellaneous

Staff Comment: The schedule of uses includes mining (hauling fill offsite), however, the surface water management narrative (Exhibit IV-I) states that the lakes will be dug to a 12-foot depth and used onsite for fill. Please clarify if excess fill is expected to be generated from the lake excavation at a maximum 12-foot depth from control elevation.

Response: The mining excavation use has been deleted. The applicant is not proposing to remove fill materials from the site but instead will only generate necessary fill for use within the project boundary. We are requesting the ability to dig the lakes to 20 feet of depth. This has been approved by SFWMD as part of the Permit # 36-04096-P. Our preliminary calculations show that the fill requirements for the project will require the lakes be excavated to an average depth of 12 feet.

The general soil profile for the project includes approximately 6 to 8 feet of clean sand with underlying layers of limerock. We are requesting the ability to dig 20 feet so that the excavation depth can be varied with the soil condition encountered. Areas of the lake where limerock is not encountered during excavation will be excavated deeper. Areas where rock is present may be excavated to a shallower depth. This will allow the developer to reduce

excavation costs, minimize blasting activities, and also maximize the generation of desirable soil materials.

III. Legal Requirements Sufficiency Checklist

Item 1c) –The fee owner is a corporation, and a duly authorized corporate official initiated the application.

Staff Comment: The status of the applicant is inactive with the Florida Division of Corporations and they must clear up their status.

Response: Please find attached hereto, evidence that Horseshoe Development Inc. is an active corporation.

Item 1c1) –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.

Staff Comment: No specific comment was provided.

Response: This information was provided. We are also providing a Disclosure of Interest form for Horseshoe Developments, Inc.

Item 6a1) –Legal Description

Staff Comment: There are some bearing discrepancies with the legal and survey.

Response: Survey has been revised and resubmitted.

Item 6c1) –Boundary Survey

Staff Comment: Missing printed callings at point of description in the legal.

Response: Survey has been revised and resubmitted.

Item 6c2) –Boundary Survey

Staff Comment: There is an easement missing on the survey.

Response: Survey has been revised and resubmitted.

Item 6c3) –Boundary Survey

DCI 2003-00005

Staff Comment: Survey must be tied to the West Florida State Plane Coordinate System.

Response: Survey has been revised and resubmitted.

IV. LCDOT Sufficiency Checklist

Item 1)a) –

Staff Comment: The current status of Bonita Beach Road is incorrectly noted on Page 3 of the TIS. The four-lane divided section ends at the intersection with Bonita Grande Drive. Any improvements on Bonita Beach Road east of the future C.R. 951 extension will be site-related and is not on the long range plan as a County roadway.

Response: We content that the TIS correctly states the status of Bonita Beach Road.

Item 1)b) –

Staff Comment: If there are not any similar land use codes in the ITE publication, "Trip Generation", the trip generation estimate should be consistent with AC-13-17, which specifically requires data similar to that required for an independent fee calculation. Preferably, data should be from Bonita Springs. If not, a methodology meeting is the third option in AC-13-17. Staff would also require trip length data in an independent fee calculation of vehicle miles traveled.

Response: After meeting with representatives from Lee County Dot and Development Services, it was agreed that the use of the trip generation study for this project would be acceptable. It is understood that the trip generation study may not be acceptable at Development Order stage should the project not be developed consistent with the Master Concept Plan as submitted. A condition of the zoning could be as follows:

> *"The Developer has utilized a trip generation study that is specific to the development as presented on the proposed Master Concept Plan, dated February, 2003. Should at the time of local Development Order the project not be developed consistent with the Master Concept Plan, the Developer agrees that the trip generation study may be required to be revised for Development Order approval."*

Item 1)c) –

DCI 2003-00005

Staff Comment: If the Logan Boulevard extension is added to the committed improvements, the change in traffic patterns in the area should be evaluated. The resulting influence on Bonita Beach Road east of I-75 should also be evaluated. A level of service should also be determined on Logan Boulevard. The current long range plan only shows four lanes on Bonita Beach Road east of I-75.

Response: The Level of Service analysis was revised eliminating the Logan Boulevard connection. Tables 1A and 2A are attached to this report for reference. Based on the 2001/2002 – 2002/2003 Concurrency Report issued by the Department of Community Development, Bonita Beach Road between I-75 and Bonita Grande Drive currently has an available capacity of 2,820 peak hour vehicles in the peak direction. This section is a four-lane divided roadway. Presumably, when Bonita Beach Road is widened to a four lane divided section east of Bonita Grande Drive, the adopted Level of Service will be similar. Based on the revised trip distribution, the projected Level of Service on Bonita Beach Road east of Bonita Grande Drive will be LOS "F" utilizing the Generalized Level of Service volumes and a Level of Service "E" should more route specific Level of Service volumes be utilized. It should also be noted that the trips included in the Parkland West project were based on the overall zoning analysis. In reality, there will only be 482 residential units constructed in this community, much less than the approved 1,296 units. Based on current Development Order plans being prepared for Parklands – Lee, the conversion table recently approved will also result in a lower unit count in this DRI as well, thus reducing the overall impact to Bonita Beach Road and making this analysis a conservative analysis with respect to the future Level of Service of Bonita Beach Road.

Item 1)d) –

Staff Comment: The growth rate for an individual road segment such as Bonita Beach Road west of I-75 should not be determined based on an area average. A reduction in the historic growth rate should be based on data and analysis of the influence of any changes in the committed road network.

Response: The discussion on Page 12 of the TIS regarding the growth rate on Bonita Beach Road was not utilized in the Level of Service analysis. It was only for discussion purposes.

Item 1)e) –

Staff Comment: The calculation of the proportionate share must be revised. The ITE SF/MF trip generation rates in the data for the current impact fee schedule are higher than the trip generation per unit in the TIS, creating an inconsistency in the comparison. The project costs should include all component costs such as project management, design, permitting, right of way acquisition, construction,

DCI 2003-000

DCI 2003-00005

inspection, testing, etc... The adopted level of service is P.M. peak hour, peak direction. The calculation incorrectly uses two-way traffic numbers. The project trips and change in service volume in the formula is to be based on peak hour direction volumes.

Response: The proportionate share calculation has been revised and is attached to this response for reference.

Item 1)f) –

Staff Comment: What is the reason for having emergency ingress/egress to the C.R. 951 right of way reservation? This may be a toll or limited access facility.

Response: The access to the CR 951 reservation may or may not remain should CR 951 be constructed as a limited access or toll facility. Since it will be some time, perhaps years, before that is determined, the limited secondary emergency access to the CR 951 reservation makes sense. The Developer understands this issue.

DCI 2003-00005

V. TIS Checklist

Item 2a1) –Trip End Rates or Equations.

Staff Comment: The Traffic Study Guidelines for Planned Development Rezonings (AC-13-17) requires that trip generation be calculated using the ITE Trip Generation Report.

Response: See previous comment regarding trip generation study.

Item 7) –Level of Service Analysis

Staff Comment: Bonita Grande Drive is functionally classified as a major collector, but the TIS incorrectly identifies it as an arterial.

Response: So noted. With a realistic growth rate, Bonita Grande Drive will continue to function under an acceptable Level of Service utilizing the Collector Level of Service Volumes from the Generalized Level of Service Tables.

Item 9) –Necessary Improvements

Staff Comment: The TIS shows Bonita Beach Road, east of I-75, and east of Bonita Grande Drive, to be ultimately constructed as a 6LD and 4LD section, respectively. Are these improvements actually scheduled for construction?

Response: The 6-laning of Bonita Beach Road from I-75 to Bonita Grande Drive and the 4-laning from Bonita Grande Drive to the Logan Blvd. extension were shown as improvements that would be required should all four residential projects (Bonita Beach Road RPD, Parklands – Lee, Parkland West and Corkscrew Growers) all develop to the maximum units permitted under the zoning.

DCI 2003-00005

VI. Development Review Checklist

Item 4)1) –Miscellaneous

Staff Comment: Deviation requests one (1) and two (2) may be withdrawn. Recent Amendments to the LDC now permit the request by right.

Response: We still feel the need to include these deviations due to the fact that, technically, the City of Bonita Springs adopted the LDC provisions in effect on the date of incorporation, and has not adopted any amendments to the LDC approved since that time. We assume that staff will support the requested deviations since they are now otherwise allowable by right (throughout unincorporated Lee County).

Item 4)2) –Miscellaneous

Staff Comment: Deviation request seven (7) can be withdrawn as staff recognizes the utilities will be at a different location if the hammerhead design is approved.

Response: If it is acceptable to staff, we would request to leave this deviation in place, as future reviewers may have questions. Leaving the deviation reference on the Master Concept Plan will ensure that the alternative utility easement placement in conjunction with the hammerhead cul-de-sac design is understood.

Item 4)3) –Miscellaneous

Staff Comment: For deviation eight (8), please provide a sample drawing of the bulkhead cross section.

Response: A cross-section of the bulkhead has been provided on the Master Concept Plan – Town Center Detail (Sheet 2 of 3) .

Staff Comment: It should be noted that staff does favor a functional access onto the future CR 951 extension.

Response: Under the present scenario the ultimate alignment of the future extension of CR 951 is unknown. So is the ultimate roadway design and classification. It is possible that the CR 951 extension will be a limited access arterial roadway. If this is the case, the emergency access is clearly preferable. In fact, the emergency access to 951 will ensure a minimal impact on that roadway from the proposed development, occurring only under emergency conditions. The provision of this emergency point of ingress/egress does comply with the intent of the LDC.

DCI 2003-00005

In closing, we trust that we have responded comprehensively to your sufficiency findings and ask that this letter and the attached documents be distributed to the appropriate staff members for their expeditious review.

Sincerely,

Robert J. Mulhere, AICP
RWA Consulting, Inc.
3050 North Horseshoe Drive
Suite 270
Naples, Florida 34104

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MAR 03 2003
COMMUNITY DEVELOPMENT
DCI 2003-00005

The Ronto Group

14013 Bonita Beach Road SE • Bonita Springs, Florida 34135
(941) 649-6310 • Fax: 495-2799

Land Development/Construction Division

FAX TRANSMITTAL

TO: Nicole Gassaway, RWA

FROM: Carol Sparks for Brian Farrar

DATE: 2/26/03

FAX NO: (941) 649-7056

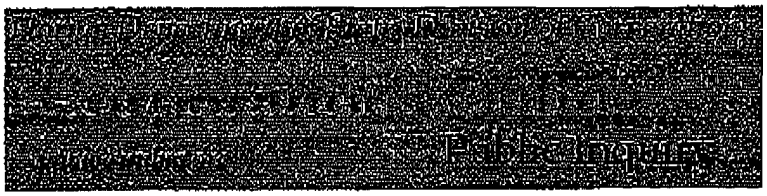
NUMBER OF PAGES INCLUDING COVER SHEET (3)

RE:

Hoseshoe Developments, Inc. reinstatement

CONFIDENTIALITY NOTICE: The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

DCI 2003-00005



Florida Profit

HORSESHOE DEVELOPMENTS, INC.

PRINCIPAL ADDRESS
3815 HORSESHOE DRIVE
1ST FLOOR
NAPLES FL 34104

MAILING ADDRESS
3815 HORSESHOE DRIVE
1ST FLOOR
NAPLES FL 34104

Document Number	FEI Number	Date Filed
P98000009407	650809079	01/29/1998
State	**Status**	**Effective Date**
FL	ACTIVE	NONE
Last Event	**Event Date Filed**	**Event Effective Date**
REINSTATEMENT	02/24/2003	NONE

Registered Agent

Name & Address
SOLOMON, A. JACK 3185 HORSESHOE DRIVE 1ST FLOOR NAPLES FL 34104

Officer/Director Detail

Name & Address	Title
SOLOMON, JACK A. 3185 HORSESHOE DR S NAPLES FL 34104	P

DCI 2003 00005

Annual Reports

Report Year	Filed Date	Intangible Tax
2001	02/24/2003	
2002	02/24/2003	
2003	02/24/2003	

Previous Filing | Return List | Next Filing

View Events

No Name History Information

Document Images

Listed below are the images available for this filing.

02/24/2000 -- ANN REP/UNIFORM BUS REP
05/04/1999 -- ANNUAL REPORT
01/29/1998 -- Domestic Profit

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporations Inquiry | Corporations Help

DCI 2003 00005

Bonita Springs Utilities, Inc.

January 13, 2003

Lee County Division of Community Development
Attn: Pete Eckenrode
Post Office Box 398
Fort Myers, Florida 33901

Re: Corkscrew Growers RPD
Estimated Completion Date: May 2004

Dear Sir or Madam:

Please be advised that the Developer has requested potable water and sewer service for the project referenced above. The Developer is required to install all off-site and on-site waterline and sewer service extensions necessary to provide service to the project in accordance with Bonita Springs Utilities, Inc. (BSU) specifications.

The projects engineer, Banks Engineering, estimates the usage to be 499,750 gallons per day. Bonita Springs Utilities, Inc. has the capacity to provide the above estimated gallonage from its 9 million gallon per day water treatment plant. The Water Reclamation Facility has the capacity to treat the above estimated gallonage from its 7 million gallon per day treatment plant.

The static water pressure at the point the developers' waterline extension will connect currently exceeds 20 psi.

This letter should not be construed as a commitment or guarantee to serve, but only as to the availability of potable water and sewer at this time. Bonita Springs Utilities, Inc. may commit to reserve plant capacity if available, at such time that ANC (Aid-to-New Construction) fees are paid for each unit of required capacity.

Sincerely,

Patrick C. Jennings, III, PE
Director of Engineering

PJ/mar

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JAN 24 2003
COMMUNITY DEVELOPMENT

cc: David Underhill, Banks

DCI 2003-00008

RWA INC.
CONSULTING Engineers, Surveyors & Mappers, Planners, & Project Managers

LETTER OF TRANSMITTAL

TO: Lee County – Community Development

DATE: January 23, 2003

RECEIVED
JAN 24 2003
MKW
COMMUNITY DEVELOPMENT

PROJECT NAME: Corkscrew Growers Section 3 RPD (DCI-2003-00005)

PROJECT NUMBER: 02-0091.00

We are sending the attached via:

☐ Client Pickup ☒ Delivery ☐ Mail ☐ Overnight

Action required:

☐ For approval ☒ For your use ☐ As requested ☐ For review and comment ☐ Other

COPIES	*DESCRIPTION*
1	Copy of Letter with list of missing submittal exhibits – dated 1/21/2003.
1	Copy of Part VI – Submittal Requirements list with missing items noted.
1	Copy of Email from Mr. Chip Block – Lee Co. regarding Exhibit IV-F-5 Excavation Calculations
11	Copy of Utility Capacity availability from Bonita Springs Utilities.
2	Sets of Mailing Labels for surrounding Property Owners (Exhibit II-D-5)
3	Copies of Narrative Statement – Compliance with design standards (Exhibit II-E-4)
3	Copies of Narrative Statement – Compliance with decision making guidelines (Exhibit II-E-4)
1	Original of Environmental Assessment Report (Exhibit III-C-3)
10	Copies of Environmental Assessment Report (Exhibit III-C-3)

SIGNED: Robert J. Mulhere
Director of Planning

COPY TO: File
Client

DCI 2003-00005

3050 North Horseshoe Drive, Suite 270, Naples, Florida 34104 • (239) 649-1509, fax: (239) 649-7056 • www.consult-rwa.com

LEE COUNTY
SOUTHWEST FLORIDA

Case # DCI2003-00005 Jurisdiction : Bonita Springs

Agent/Applicant :

Owner CORKSCREW GROWERS IN
7373 VANDERBILT BEACH RD
NAPLES FL 34119

Description of Request CORKSCREW GROWERS SECTION THREE RPD

Following is a list of submittal requirements which were missing from your application received on 01/21/2003

Mailing Labels (Sets)	(2 sets required) Comment:1 SET MISSING. WILL BRING 1/22/03
Comp w Decision-Making Guidelines	(3 copies required) Comment:WILL BRING 1/22/03
Comp w Design Standards of 34-411	(3 copies required) Comment:WILL BRING 1/22/03
Environmental Assessment Report	(11 copies required) [Mandatory w/o Waiver] Comment:WILL BRING 1/22/03
Excavation Calculations (if app)	(4 copies required) [If Applicable] Comment:WILL BRING 1/22/03

This document is for informational purposes only and is not intended to be construed as a finding of sufficiency or completeness of the application or documentation submitted.

RECEIVED
JAN 24 2003
COMMUNITY DEVELOPMENT

01/21/2003 8:23:14AM DCI 2003-00005 fDCI_Cand.rpt

Writer's Direct Dial Number: 239-479-8371

CITY OF BONITA SPRINGS

Paul D. Pass
Mayor

Wayne Edsall
District One

Jay G. Arend
District Two

Robert Wagner
District Three

John C. Warfield
District Four

David Piper, Jr.
District Five

Ben L. Nelson, Jr.
District Six

Gary A. Price
City Manager

Audrey E. Vance
City Attorney

February 18, 2003

MR. BOB MULHERE
RWA, INC.
3050 NORT HORSESHOE DR
NAPLES, FL 34104

Re: CORKSCREW GROWERS SECTION THRE
DCI2003-00005 - PDS Application (Minor PD)

Dear MR. BOB MULHERE :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division
For the City of Bonita Springs

Alvin Block

Alvin Block, AICP
Principal Planner

DCI 2003-00005

Jerry Murphy

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Billie Jacoby, DCD Admin
Don Blackburn, Development Review
DCI Zoning File
DCI Working File

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

1) Initiation of Application-Legal Requirements. Ownership. Except for Condominiums, Timeshare Condominiums, or Subdivisions, where there is more than one owner, either legal or equitable, all such owners must jointly initiate the application or petition. [34-201(a)(1)a.]

1a1) If the owner(s) has authorized an agent to prepare and sign the application and to represent him in all matters pertaining to the application, the agent must provide a document establishing his authority which has been signed by the owner and notarized by a notary public. [34-202(b)(1)b.]

The applicant in this case, Horeshoe Development, Inc. is found to be an inactive Corporation in the Florida On-Line Corporation records. If will be necessary to either activate this corporation or change the applicant in this application.

1c) The fee owner is a corporation, and a duly authorized corporate official initiated the application. [34-201(a)(1)a.3.]

See 1a1) above.

5) Applications must be presented on the official forms provided by the department, or on county-approved computer-generated forms containing the same information. [34-201(b)(2)]

The submitted application indicates that it was last revised on 6/29/98. This is not the most current application form. Please use the most current application form, whihc is available through our Department's zoning counter.

6) All applications requiring a public hearing must include the following: [34-202(a)]

Please refer to the legal requirements portion of this checklist.

6i) Property restrictions. The application must include a copy of the deed restrictions or other types of covenants and restrictions on the parcel, along with a statement as to how the restrictions may affect the requested action. If there are no restrictions on the property, the applicant must indicate so on the application form. [34-202(b)(2)]

The application form indicates that there are deed restrictions on this property. Please submit the information required by this Section.

9b) Map of Roads. A map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on abutting property. [34-373(a)(4)b]

Staff is not able to find a map that provides the information required by this Section. Please advise where this may be found in the applicaiton or provide the map as required by this Section.

9c) Zoning and Land Use Map. A map or other depiction of the existing zoning and current land uses (i.e. single family residence, multiple-family building, retail commercial, office building, etc.) surrounding the tract or parcel to a distance of 500 feet. [34-373(a)(4)c.]

Exhibit II-F-3 does not supply the existing land use of adjoining properties, as required. Please revise this Exhibit to provide this information.

9e) Other Maps. Maps drawn to the same scale as the Master Concept Plan marked or overprinted to show: [34-373(a)(4)e]

9e1) Soils Map. Soils, classified in accordance with the USDA/SCS System. [34-373(a)(4)e.i.]

Please submit the information required.

9e2) FLUCCS Map. Vegetation and ground cover classified in accordance with the Florida Land Use and Cover Classification System. [34-373(a)(4)e.ii.]

Please submit the information required by this section.

12b) Vehicular Access. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. [34-373(a)(6)b.]

The Master Concept Plan will need to be revised to show the exact location of the points of vehicular ingress and egress from the adjoining existing easements or rights-of-way.

12d4) Uses. The proposed use of each lot or parcel (including outparcels) keyed to the list of proposed uses submitted with the application. If the property development regulations for a specific zoning district will be used, reference to the specific district will be sufficient. [34-373(a)(6)c.]

The Master Concept Plan does not show all of the requested uses and where they would be developed within the project. Examples inlcude Health Club and Spa and on-site recreational facilities in the residential areas. Please check all of the proposed permitted uses in each of the development areas and make sure that the Plan shows the location of each use, as required by this Section.

12e2) Height. The maximum height, in feet and number of habitable stories, of any proposed buildings or structures. If parking under the buildings is proposed, the number of stories proposed for parking must be indicated and included in the total maximum height of the buildings. [34-373(a)(6)d.ii.]

Please refer to Section 34-2173 which excepts certain structures from the height regulations. it may not be necessary to inlcude the exception in footnote number 4 of the Development Regulations.

12e3) Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type. [34-373(a)(6)d.iii.]

The Master Concept Plan does not appear to provide the information required by this Section. The Plan only appears to provide that a maximum of 1,999 dwelling units are proposed, but does not further break this number down to the maximum number of each of the housing types, as provided for in this Section. Please provide this required information.

12e6) Commercial/Industrial. If commercial or industrial is proposed, the type(s) and the total floor area of each type. [34-373(a)(6)d.vi.]

The Plan provides for 15,000 square feet of commercial square footage and 15,000 square feet f recreational use on Development Area B. However, then the Plan mentions that there would be a total of 30,000 square feet of commercial area. Please clarify if there will be 15,000 or 30,000 square feet of commercial floor area and makes any changes on the Plan as may be needed.

12f) Service Areas. The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions. [34-373(a)(6)e.]

Please show the location of the service area(s) within the commercial portion of this project.

12g) Parks/Recreation/Indigenous Areas. The general location of all proposed parks and recreation areas and facilities, as well as indigenous areas to be preserved. [34-373(a)(6)f.]

Since private, on-site recreational facilites are poroposed within this development, please revise the plan and show the location where these uses will be located throughout the project.

12j) Public Transit. Proposed access and facilities for public transit, in accordance with sections 34-411(e) and 10-442. [34-373(a)(6)i.]

Although public transit is not available to this site, will the project be providing any access or facilities for puiblic transit?

12k1) Removal From The Property. If the applicant proposes to remove excavated material from the property a Planned development for mining and a general mining permit may be required. See 34-329(f)(7). [34-373(a)(6)j.]

Since the application includes the proposal for EXCAVATION, Mining as a permitted use, please provide the information required by LDC 34-1651 et seq.

Be advised that the City's Comprehensive Plan in Policy 14.1.8 prohibits mining within the City limits. You request would violate this Policy.

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.]

Please review the locations where Deviation 1 will be effective. In at least one location, it is shown to be effective in an area planed for single family residential. The deviation is for areas devoted to 100 multiple family dwelling units.

14b) Units by Uses. The number of units (gross square feet for commercial/industrial uses, number of units for residential or motel/hotel uses, number of beds for institutional type uses, etc.) for each proposed use. [34-373(a)(8)ii]

Please provide the information required by this section. The project does not provide for the number of dwelling units by each type of unit requested.

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

You may contact Chip Block (239-479-8371) if you have any questions concerning this portion of the checklist.

21) Miscellaneous Items.

1. Please provide a copy of the Water Management District permit, if one has been issued, that depicts that the size and depth of lakes is required to meet the requirments of the District resulting in the need to remove excavated material from the site.

2. The application also indicates that developement blasting will be required, or is at least sought, as part of this development. Please provide any documentation that justifies the need for development blasting?

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)]

1a) Aerial Photograph. An aerial photograph (at a maximum scale of 1:200 for field verification) with the site clearly delineated. [34-373(a)(4)d.]

Please submit an original aerial with a scale indicated. The copies submitted are not clear.

1b) Maps. Maps drawn to the same scale as the Master Concept Plan marked or overprinted to show: [34-373(a)(4)e]

1b1) Soils. Soils, classified in accordance with the USDA/SCS System. [34-373(a)(4)e.i.]

Please submit.

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 submit.

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)]

Please refer to the Land Development Code Section 10-473 regarding protected species survey requirements.

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 submittal of protected species survey & field verification by Division of Environmental Sciences staff.

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 delineate any State jurisdictional wetlands on the FLUCCS map.

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.]

General Note 3 does not adequately address open space. Please provide percentages of open space to be provided per proposed use. Residential lots 6,500 sf or larger with greater than the standard 45% lot coverage need to provide open space. Additionally, residential open space must be provided as 40% common open space per Land Development Code Section 34-935(g)(1). Please clarify how the open space requirements will be met. The references to LDC Sections 414 & 935 in General Note 3 do not include the Chapter number, are these referring to Sections 34-414 & 34-935?

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)]

The lake design does not meet the Land Development Code requirement that surface water management lakes mimic natural systems. The proposed design is an interconnected canal system, which will not be supported by the Division of Environmental Sciences (ES) staff. Please redesign the project to provide a surface water management system that mimics natural systems.

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

Please clarify if the planting requirements of Condition 4 on page 7 of Exhibit IV-G are proposed for the "Native Vegetation Buffer" delineated along the southern property line on the Master Concept Plan.

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Footnote 13 on the development regulations table [page 6 exhibit IV-G] needs to be requested through a deviation with illustration. The corresponding footnote on the MCP is #12. Please revise MCP and Exhibit IV-G to be consistent.
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Kim Trebatoski, Principal Environmental Planner
#239-479-8183; e-mail: trebatkm@leegov.com

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1c) The fee owner is a corporation, and a duly authorized corporate official initiated the application. [34-201(a)(1)a.3.]

The status of the Applicant is Inactive with the Florida Division of Corporation and they must clear up their status.

1c1) 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]

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See Below.

6a1) The legal description must be sufficiently detailed so as to locate the property on county maps or section aerial photographs. [34-202(a)(1)]

There are some bearing discrepancies with the legal and survey.

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Missing printed callings at point of description in the legal .

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There is a easement missing on the survey.

6c3) If the property encompasses 10 or more acres the survey must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment). [34-202(a)(2)]

Survey must be tied to the West Florida State Plane Coordinate System.

7) Miscellaneous Items.

Applicability or Sufficiency of items subject to receipt and review of future submittals.

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1) Sufficiency Comments.

a) The current status of Bonita Beach Road is incorrectly noted on page 3 of the TIS. The four-lane divided section ends at the intersection with Bonita Grande Drive. Any improvements on Bonita Beach Road east of the future C.R. 951 extension will be site-related and is not on the long range plan as a County roadway.
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f) What is the reason for having the emergency egress/ingress to the C.R. 951 right of way reservation? This may be a toll or limited access facility.

2) The LCDOT reviewer may be contacted regarding any questions on the LCDOT Checklist.

Andy Getch @ 479-8510

T.I.S. Checklist

2) Trip End Rates or Equations. The TIS must contain the equations or the average trip end generation rates for each type of use proposed and the name of the document from which this information was obtained (i.e. ITE TRIP GENERATION, current edition).

2a1) Trip generation must be based on regression equations, where available.

The Traffic Study Guidelines for Planned Development Rezonings (AC-13-17) requires that trip generation be calculated using the ITE Trip Generation Report.

7) Level of Service Analysis. The TIS for projects generating more than 100 net new trips during the A.M. or P.M. peak hour of the adjacent street must contain an analysis of the Level of Service for all links within the area of influence.

Bonita Grande Dr. is functionally classified as a major collector, but the TIS incorrectly identifies it as an arterial.

9) Necessary Improvements. When the Level of Service analysis for any project shows that the LOS on links or at any intersection falls below the minimums adopted in THE LEE PLAN, the TIS must contain a recommendation and analysis of the improvements that are needed to meet or exceed the prescribed LOS standard.

The TIS shows Bonita Beach Rd. east of I-75, and east of Bonita Grande Dr., to be ultimately constructed as a 6LD and 4LD section, respectively. Are these improvements actually scheduled for construction?

11) Contact. The reviewer may be contacted with any questions relative to this TIS Sufficiency Checklist.

Contact Bob Rentz @ 479-8587 X12

Development Review Checklist

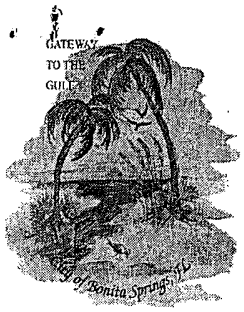
4) Miscellaneous items.

1) Deviation request one and two may be withdrawn. Recent Amendments to the LDC now permit the request by right.
2)Deviation request seven can be withdrawn as staff recognizes the utilities will be @ a different location if the hammer head design is approved.
3)For Deviation number eight, please provide a sample dwg. of the bulkhead cross section.

It should be noted that staff does favor a funcitional access onto the future CR 951 extension.

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

Don Blackburn- 479-8585



RECEIVED

FEB 2 1 2003

Writer's Direct Dial Number: 239-479-8371

CITY OF BONITA SPRINGS

Paul D. Pass
Mayor

Wayne Edsall
District One

Jay G. Arend
District Two

Robert Wagner
District Three

John C. Warfield
District Four

David Piper, Jr.
District Five

Ben L. Nelson, Jr.
District Six

Gary A. Price
City Manager

Audrey E. Vance
City Attorney

February 18, 2003

MR. BOB MULHERE
RWA, INC.
3050 NORT HORSESHOE DR
NAPLES, FL 34104

Re: CORKSCREW GROWERS SECTION THRE
DCI2003-00005 - PDS Application (Minor PD)

Dear MR. BOB MULHERE :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division
For the City of Bonita Springs

Alvin Block

Alvin Block, AICP
Principal Planner

RECEIVED
MAR 03 2003
DCI 2003-00005
COMMUNITY DEVELOPMENT

Jerry Murphy

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Billie Jacoby, DCD Admin
Don Blackburn, Development Review
DCI Zoning File
DCI Working File

DCI 2003 00005

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

1) Initiation of Application-Legal Requirements. Ownership. Except for Condominiums, Timeshare Condominiums, or Subdivisions, where there is more than one owner, either legal or equitable, all such owners must jointly initiate the application or petition. [34-201(a)(1)a.]

1a1) If the owner(s) has authorized an agent to prepare and sign the application and to represent him in all matters pertaining to the application, the agent must provide a document establishing his authority which has been signed by the owner and notarized by a notary public. [34-202(b)(1)b.]

The applicant in this case, Horeshoe Development, Inc. is found to be an inactive Corporation in the Florida On-Line Corporation records. If will be necessary to either activate this corporation or change the applicant in this application.

1c) The fee owner is a corporation, and a duly authorized corporate official initiated the application. [34-201(a)(1)a.3.]

See 1a1) above.

5) Applications must be presented on the official forms provided by the department, or on county-approved computer-generated forms containing the same information. [34-201(b)(2)]

The submitted application indicates that it was last revised on 6/29/98. This is not the most current application form. Please use the most current application form, whihc is available through our Department's zoning counter.

6) All applications requiring a public hearing must include the following: [34-202(a)]

Please refer to the legal requirements portion of this checklist.

6i) Property restrictions. The application must include a copy of the deed restrictions or other types of covenants and restrictions on the parcel, along with a statement as to how the restrictions may affect the requested action. If there are no restrictions on the property, the applicant must indicate so on the application form. [34-202(b)(2)]

The application form indicates that there are deed restrictions on this property. Please submit the information required by this Section.

9b) Map of Roads. A map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on abutting property. [34-373(a)(4)b]

Staff is not able to find a map that provides the information required by this Section. Please advise where this may be found in the applicaiton or provide the map as required by this Section.

DCI 2003-00005

9c) Zoning and Land Use Map. A map or other depiction of the existing zoning and current land uses (i.e. single family residence, multiple-family building, retail commercial, office building, etc.) surrounding the tract or parcel to a distance of 500 feet. [34-373(a)(4)c.]

Exhibit II-F-3 does not supply the existing land use of adjoining properties, as required. Please revise this Exhibit to provide this information.

9e) Other Maps. Maps drawn to the same scale as the Master Concept Plan marked or overprinted to show: [34-373(a)(4)e]

9e1) Soils Map. Soils, classified in accordance with the USDA/SCS System. [34-373(a)(4)e.i.]

Please submit the information required.

9e2) FLUCCS Map. Vegetation and ground cover classified in accordance with the Florida Land Use and Cover Classification System. [34-373(a)(4)e.ii.]

Please submit the information required by this section.

12b) Vehicular Access. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. [34-373(a)(6)b.]

The Master Concept Plan will need to be revised to show the exact location of the points of vehicular ingress and egress from the adjoining existing easements or rights-of-way.

12d4) Uses. The proposed use of each lot or parcel (including outparcels) keyed to the list of proposed uses submitted with the application. If the property development regulations for a specific zoning district will be used, reference to the specific district will be sufficient. [34-373(a)(6)c.]

The Master Concept Plan does not show all of the requested uses and where they would be developed within the project. Examples inlcude Health Club and Spa and on-site recreational facilities in the residential areas. Please check all of the proposed permitted uses in each of the development areas and make sure that the Plan shows the location of each use, as required by this Section.

12e2) Height. The maximum height, in feet and number of habitable stories, of any proposed buildings or structures. If parking under the buildings is proposed, the number of stories proposed for parking must be indicated and included in the total maximum height of the buildings. [34-373(a)(6)d.ii.]

Please refer to Section 34-2173 which excepts certain structures from the height regulations. it may not be necessary to inlcude the exception in footnote number 4 of the Development Regulations.

12e3) Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type. [34-373(a)(6)d.iii.]

The Master Concept Plan does not appear to provide the information required by this Section. The Plan only appears to provide that a maximum of 1,999 dwelling units are proposed, but does not further break this number down to the maximum number of each of the housing types, as provided for in this Section. Please provide this required information.

12e6) Commercial/Industrial. If commercial or industrial is proposed, the type(s) and the total floor area of each type. [34-373(a)(6)d.vi.]

The Plan provides for 15,000 square feet of commercial square footage and 15,000 square feet f recreational use on Development Area B. However, then the Plan mentions that there would be a total of 30,000 square feet of commercial area. Please clarify if there will be 15,000 or 30,000 square feet of commercial floor area and makes any changes on the Plan as may be needed.

12f) Service Areas. The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions. [34-373(a)(6)e.]

Please show the location of the service area(s) within the commercial portion of this project.

12g) Parks/Recreation/Indigenous Areas. The general location of all proposed parks and recreation areas and facilities, as well as indigenous areas to be preserved. [34-373(a)(6)f.]

Since private, on-site recreational facilites are poroposed within this development, please revise the plan and show the location where these uses will be located throughout the project.

12j) Public Transit. Proposed access and facilities for public transit, in accordance with sections 34-411(e) and 10-442. [34-373(a)(6)i.]

Although public transit is not available to this site, will the project be providing any access or facilities for puiblic transit?

12k1) Removal From The Property. If the applicant proposes to remove excavated material from the property a Planned development for mining and a general mining permit may be required. See 34-329(f)(7). [34-373(a)(6)j.]

Since the application includes the proposal for EXCAVATION, Mining as a permitted use, please provide the information required by LDC 34-1651 et seq.

Be advised that the City's Comprehensive Plan in Policy 14.1.8 prohibits mining within the City limits. You request would violate this Policy.

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.]

Please review the locations where Deviation 1 will be effective. In at least one location, it is shown to be effective in an area planed for single family residential. The deviation is for areas devoted to 100 multiple family dwelling units.

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Please submit.

DCI 2003-00005

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#239-479-8183; e-mail: trebatkm@leegov.com

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2a1) Trip generation must be based on regression equations, where available.

The Traffic Study Guidelines for Planned Development Rezonings (AC-13-17) requires that trip generation be calculated using the ITE Trip Generation Report.

7) Level of Service Analysis. The TIS for projects generating more than 100 net new trips during the A.M. or P.M. peak hour of the adjacent street must contain an analysis of the Level of Service for all links within the area of influence.

Bonita Grande Dr. is functionally classified as a major collector, but the TIS incorrectly identifies it as an arterial.

9) Necessary Improvements. When the Level of Service analysis for any project shows that the LOS on links or at any intersection falls below the minimums adopted in THE LEE PLAN, the TIS must contain a recommendation and analysis of the improvements that are needed to meet or exceed the prescribed LOS standard.

The TIS shows Bonita Beach Rd. east of I-75, and east of Bonita Grande Dr., to be ultimately constructed as a 6LD and 4LD section, respectively. Are these improvements actually scheduled for construction?

11) Contact. The reviewer may be contacted with any questions relative to this TIS Sufficiency Checklist.

Contact Bob Rentz @ 479-8587 X12

Development Review Checklist

4) Miscellaneous items.

1) Deviation request one and two may be withdrawn. Recent Amendments to the LDC now permit the request by right.
2)Deviation request seven can be withdrawn as staff recognizes the utilities will be @ a different location if the hammer head design is approved.
3)For Deviation number eight, please provide a sample dwg. of the bulkhead cross section.

It should be noted that staff does favor a funcitional access onto the future CR 951 extension.

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

Don Blackburn- 479-8585

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: October 10, 2002

TO: WHOM IT MAY CONCERN

FROM: Jamie Princing
Administrative Assistant

DCI 2003-00005

RECEIVED
JAN 21 2003
ZONING COUNTER

RE: Distribution of Final Resolutions

Resolution Number	Case Number	Case Name
Z-02-017	DCI2000-00070	Corkscrew Growers

cc: Andy Getch - DOT, 3rd floor
Brad Vance - Nat. Res. Man., 3rd floor
Joan Schultz - Prop. Appraisers
Sandy Polk - Codes & Buildings
David Saniter - Public Safety, Em. Mgmt
Hearing Examiner
Audra Ennis - Dev. Svcs
Kim Trebatoski - Env. Sciences
Matt Noble - Planning
Pete Eckenrode- Dev. Ser. Dir.
Planner - Mike Pavese
Applicant (care of agent)

DCI 2003-00005

LEE COUNTY
RECEIVED
02 OCT -8 AM 11:51
COMM. DEV.
PUBL. WKS. CNTR.
SECRETARY

RESOLUTION NUMBER Z-02-017

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

WHEREAS, Horseshoe Development, Inc. filed an application on behalf of the property owner, Corkscrew Growers, Inc. to rezone a 649± acre parcel from Agricultural (AG-2) to Commercial Planned Development (CPD) and Residential Planned Development (RPD), in reference to Corkscrew Growers Section Three; and

WHEREAS, a public hearing was advertised and held on April 5, 2002, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2000-00070; and

WHEREAS, a second public hearing was advertised and held on June 17, 2002 before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone a 649± acre parcel from AG-2 to CPD and RPD to allow the development of a maximum of 644 dwelling units, a golf course and related amenities, and 45,000 square feet of gross commercial floor area, all not to exceed 50 feet. The property is located in the Rural Land Use Category and legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Corkscrew Growers Section 3 RPD," prepared by Banks Engineering, Inc., dated November 7, 2001, last revised July 8, 2002, and stamped "Received Aug 30 2002 Community Development," except as modified by the conditions below. This development must comply with all requirements of the LDC at time of local development order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

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

   a. **Schedule of Uses - RPD**

      Administrative Offices
      Accessory uses and structures
      Agricultural uses, existing only (Subject to Condition 8)

Clubs, Country and Private (limited to group activity center parcel only)
Consumption on premises (Subject to Condition 3)
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Specialty retail shop, limited to golf and tennis pro shops
Dwelling Unit:
    Conventional Single Family Residence
    Duplex
    Zero Lot Line
    Townhouse
    Two Family Attached
    Multiple Family Building
Entrance Gate and Gatehouse, in compliance with LDC §34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Golf Course
    Consumption on premises
    Maintenance Facility
Home occupation
Model Home, model unit
Parking lot, accessory
Recreation Facilities, Private on-site, Personal
Residential Accessory Uses
Signs, in compliance with LDC Chapter 30
Temporary uses (LDC §34-3041)

Schedule of Uses - CPD

Administrative Offices
Accessory uses and structures
Agricultural Uses, existing only, subject to Condition 8
Animal Clinic
ATM
Banks and Financial Establishments, Group I
Business Services, Group I
Business Services, Group II - Automobile claims adjusters, automobile repossessing services; messenger services, packaging services; parcel and express services, excluding outdoor storage
Cleaning and maintenance services
Clothing store
Club, commercial
Consumption on premises (limited to and in conjunction with a full service restaurant)
Day Care Center, child or adult
Drive thru facility, limited to in conjunction with a bank
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls

Health Care Facility, Group III
Laundry, Dry Cleaning, Group I
Medical Office
Package store (LDC §34-1263)
Parking lot, accessory
Personal Services Group I - ATM's; barbershops or beauty shops; clothing alterations and repair including dressmakers, seamstresses and tailors;
Personal Services Group II - Beauty spas, health clubs or spas, massage establishments;
Personal Services Group IV - Portrait copying; shopping services; tax return preparation services
Pet Services, grooming only
Pet Shop
Pharmacy
Place of Worship
Real Estate Sales Office
Restaurant, Groups I, II, and III
Signs, in accordance with LDC Chapter 30
Specialty Retail Shops, Group I - bookstores; cigar stores; florists; gift, novelty and souvenir shops; gift shops; golf equipment; jewelry stores; music stores; newsstands; tennis equipment; tobacco stores;
Specialty Retail Shops, Group II - Apparel accessory stores; retail; bathing suit stores; blouse stores; bridal shops, except custom; clothing, ready to wear, women's; corset and lingerie stores; cosmetic shops; custom tailors; dress shops; handbag stores; hat stores; hosiery stores; maternity shops; sports apparel stores; tie shops; umbrella stores
Studios
Storage, Indoor
Temporary uses (LDC §34-3041)

b. **Site Development Regulations**

Minimum Lot Size:	Single Family Detached
Lot Width	50 feet
Lot Depth	100 feet
Lot Area	5,000 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:	
Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	5 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size:	Duplex
Lot Width	60 feet
Lot Depth	100 feet
Lot Area	6,000 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	5 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size: Two-Family Attached

Lot Width Per Unit	37.5 feet
Lot Depth	100 feet
Lot Area Per Unit	3,750 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	5 feet
Side (interior)	0 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size: Zero Lot Line

Lot Width	50 feet
Lot Depth	100 feet
Lot Area	5,000 square feet
Maximum Building Height	35 feet / 2 stories
Maximum Lot Coverage	45 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	10 feet
Side (interior)	0 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size: Townhouse

Lot Width Per Unit	37.5 feet
Lot Depth	100 feet
Lot Area Per Unit	3,750 square feet
Maximum Lot Coverage	40 percent

Minimum Setbacks:

Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	7 feet
Side (interior)	0 feet
Rear	20 feet (5 feet for an accessory structure)
Waterbody	20 feet (10 feet for an accessory structure)

Minimum Lot Size:	Multiple Family Building
Lot Width	100 feet
Lot Depth	100 feet
Lot Area	10,000 square feet
Maximum Lot Coverage	45 percent

Minimum Setbacks	
Front (street, public)	25 feet
Front (street, private)	20 feet
Side (principal, accessory)	10 feet
Rear	20 feet (5 feet for an accessory structure)
Water body	20 feet (10 feet for an accessory structure)

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

Maximum Building Height: 45 feet / 3 stories

Minimum Lot Size - Commercial Planned Development	
Lot Width	100 feet
Lot Depth	100 feet
Lot Area	10,000 square feet
Maximum Lot Coverage	45 percent

Minimum Setbacks	
Front (Bonita Beach Road)	25 feet
Front (street)	20 feet
Side (principal, accessory)	10 feet
Rear	20 feet (5 feet for an accessory structure)
Water body	20 feet (10 feet for an accessory structure)

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

Maximum Building Height: 45 feet / 3 stories

3. The consumption on premises associated with the proposed clubhouse is limited to and in conjunction with the food and beverage service for the private club. Additionally, no outdoor seating that includes the consumption of alcoholic beverages may be located within 500 feet of any property line of a residentially developed parcel.

4. Prior to local development order approval:

   a. A minimum of 10 percent open space must be provided for each Development Tract (labeled on the MCP as CPD; Model Home & Sales Center; Residential; Group Activity Center) except for those tracts consisting of residential lots not required to provide open space per LDC §10-415(a); and

   b. Where feasible, any Development Tract requiring open space will be designed so that the open space abuts the Open Space, Recreation & Lake Areas; and

c. No more than 50 percent or 129.8 acres of the required open space may be golf course.

5. Prior to local development order approval, the Zone 1 buffer planting plan must consist of native vegetation that provides wildlife habitat and foraging opportunity, including but not limited to, South Florida slash pine, live oak, dahoon holly, wax myrtle, cocoplum, and saw palmetto. The planting plan must include 50 three-gallon native trees and 150 three-gallon native shrubs per 100 linear foot section (10,000 square feet). Three 1-gallon native shrubs or native groundcover may be substituted for three-gallon native shrubs. The plantings must be mulched at time of planting with a three inch depth of organic mulch (no cypress mulch). A temporary automatic surface irrigation system designed to conserve water must be utilized to insure the survival of the plantings. The irrigation system must be removed within one year of the issuance of a Certificate of Compliance unless drought conditions have prohibited the establishment of the vegetation.

6. Prior to local development order approval, the surface water management system must be designed to mimic natural lakes with sinuous shorelines and vegetated littoral zones. Half of the proposed lakes must incorporate enlarged littoral shelves where the required littoral plants are clustered to provide a wetland area with draw down pools for wildlife foraging. Half of the proposed lakes must provide 50 percent of the required littoral plantings as native trees (red maple, cypress or pond apple) with one 10-foot-tall or two five-foot-tall or three-foot-tall trees being equivalent to ten herbaceous plants. (To meet these requirements, aqua range could provide trees at the south end, and the grasses at the "ears" on the northeast and northwest portions of that lake.)

7. Prior to local development order approval for a golf course, the golf course management and irrigation practices addressed in "The Section Three Golf Course Management Plan" counter stamped "Dec 7 2000," must be demonstrated on the local development order plans in terms of design and notes.

8. The Developer or his agent is entitled to continue bona fide agricultural uses already existing on the property. These uses are limited to the areas identified on the attached map, dated April 2, 2002, prepared by Banks Engineering, Inc. (attached as Exhibit D). Any existing agricultural use must be discontinued upon the commencement of any site development activities, as the term in defined in the LDC, pursuant to a local development order for the individual tract or phase identified in the development order.

9. Right-of-way for CR 951

a. The MCP must provided 125 feet of right-of-way along the western property boundary. This right-of-way alignment reflects the current planned extension of C.R. 951. The County agrees to accept the transfer of the title to the 125-foot-wide right-of-way strip and will grant road impact fee credits for 100 percent of the land value, as valued on the day before the original rezoning request is granted, provided the land transfer complies with LDC §2-275(3)b. [Nothing in this condition is intended to prevent Applicant and Lee County DOT from negotiating a narrower right-of-way once the final alignment of C.R. 951 has been established by the BOCC, provided the parties can agree on the provision and maintenance of stormwater facilities for the road's run-off.]

b. Once the C.R. 951 right-of-way alignment and width are determined, Applicant may revise the legal description of the CPD area to maintain the maximum size of this parcel at five acres. This parcel's boundaries may be moved eastward or southward as necessary to achieve the full five-acre size.

c. A full access point to C.R. 951, as depicted on the MCP in the southwest portion of the site, is not approved nor guaranteed as part of this rezoning. Any access point in this location will be determined once the alignment and median spacing is designed. This condition, however, is not intended to prevent Applicant from having a restricted (right-in/right-out) access point into the CPD parcel, provided the access point meets the minimum separation standards.

10. At the time of each local development order application, the Applicant must provide the most current figures showing the acreage that has been used for residential development, open spaces, golf course areas, and non-residential development. This condition is intended to substantiate consistency with the provisions of Policy 1.4.1.1.a of the Lee Plan for the life of the development.

11. Development of this property will be subject to the requirements of the Lee Plan Privately Funded Infrastructure Overlay in perpetuity. Lee County will incur no cost for providing necessary infrastructure, facilities, and services to this development, per Lee Plan Policy 1.4.1.1.f.

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

13. Bonita Beach Road improvements must be committed to occur in pace with the planned development. Local development orders will not be issued until the road has been extended east to the project's entrance.

14. In accordance with Lee Plan Policy 1.4.1.1.d.(4), open space areas must be replanted with vegetation after construction. Seventy-five percent of the total number of required trees used in buffers and landscaping must be indigenous and 50 percent of the shrubs must be indigenous.

15. Project buffering must, at a minimum, be consistent with Lee Plan Policy 1.4.1.1.e.

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

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

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan that management program such that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of

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

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

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

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

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

a. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

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

c. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identifying the locations for the ground water monitoring and testing on a map(s); setting forth the testing and recording requirements. The Developer must submit the test results with the monitoring report

to the Lee County Natural Resource Division. The monitoring program will be established and operated at the expense of the Developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 62-302, F.A.C., water quality standards. The developer or its successor(s) and Staff will review this monitoring requirement every three years to determine if reduction or elimination of the monitoring requirement is justified; if so, the condition may be proposed for modification through the public hearing process.

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

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

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

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

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

i. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, while requiring relatively low fertilizer use.

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

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

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

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

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

SECTION C. DEVIATIONS:

1. Deviation (1) - withdrawn by Applicant.

2. Deviation (2) - withdrawn by Applicant.

3. Deviation (3) seeks relief from the LDC §10-329 requirement to provide a minimum setback of 50 feet from private property lines under separate ownership, to allow a setback of 25 feet. This deviation is DENIED for the perimeter property lines and was withdrawn for those excavations adjacent to proposed rights-of-way.

4. Deviation (4) - withdrawn by Applicant.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: The legal description and STRAP number of the property.
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D: Ag Use Map

The applicant has indicated that the STRAP number for the subject property is: 03-48-26-00-00001.0000

SECTION E. FINDINGS AND CONCLUSIONS:

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

2. The rezoning, as approved:

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

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

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

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

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

3. The rezoning satisfies the following criteria:

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

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

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

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

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

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

DULY PASSED AND ADOPTED this 17th day of June, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

RECEIVED
2002 OCT -7 AM 10: 54
MINUTES OFFICE

CASE NO: DCI2000-00070

DCI 2003-00005

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DCI 2000-00070

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CORKSCREW GROWERS RPD)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 5379.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.89°56'22"E. ALONG THE SOUTH LINE OF THE WEST HALF OF SAID SECTION FOR 2621.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF SECTION; THENCE N.89°56'26"E. ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOR 2621.22 FEET TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N.00°37'08"W. ALONG THE EAST LINE OF SAID SECTION FOR 5385.34 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.89°52'32"W. ALONG THE NORTH LINE OF THE EAST HALF OF SAID SECTION FOR 2629.85 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF SECTION; THENCE S.89°52'12"W. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION FOR 2629.72 FEET TO THE **POINT OF BEGINNING.**

LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE **POINT OF BEGINNING;** THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE **POINT OF BEGINNING.**

PARCEL CONTAINS 643.79 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

DESCRIPTION REVISED SEPT. 4, 2002.

Thomas Clayton Shaw Sept 4, 2002

THOMAS C. SHAW, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION No. 4672

Applicant's Legal Checked
by gm 10/1/02

SHEET 1 OF 2

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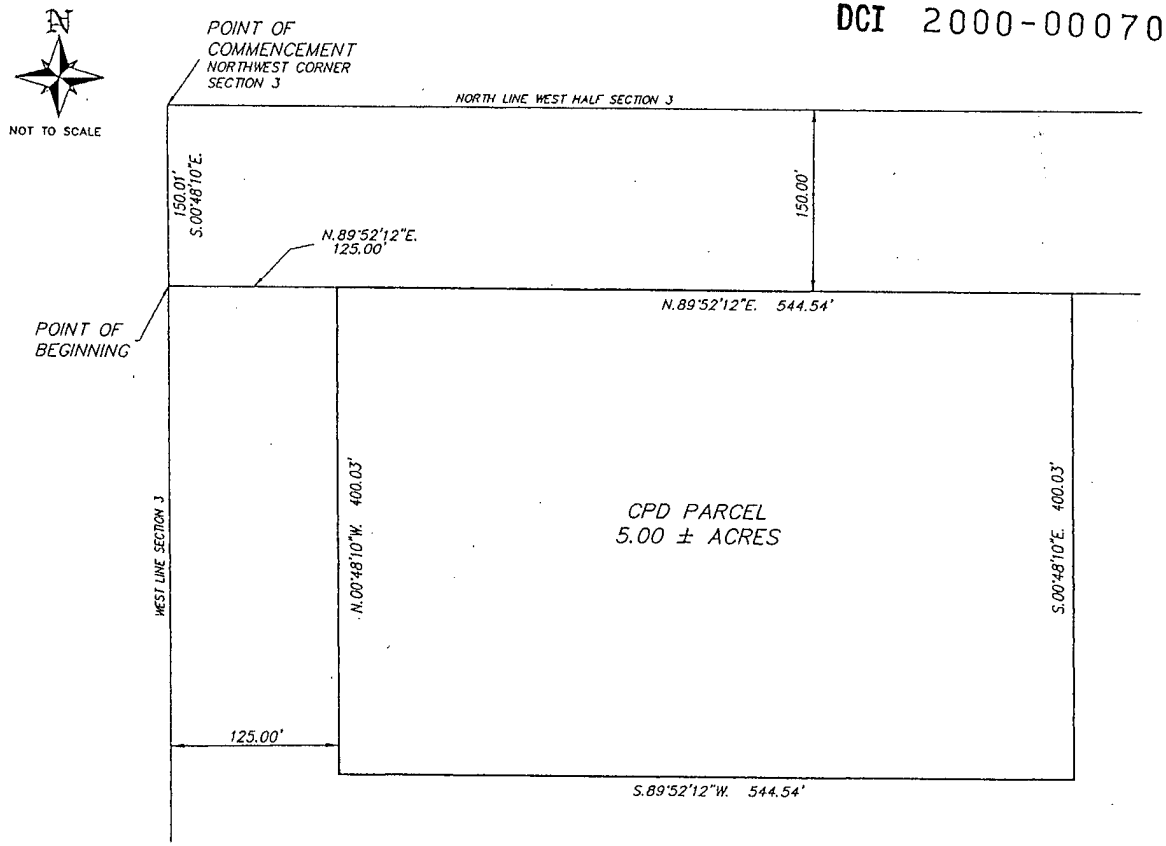
6640 Willow Park Drive, Suite B, Naples, Florida 34109 • (941) 597-2061 • Fax (941) 597-3082

EXHIBIT A

DCI 2003-00005

DCI 2000-00070 SKETCH TO ACCOMPANY DESCRIPTION

OF A
PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



CPD PARCEL

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5.00 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

THIS IS NOT A SURVEY

Thomas C. Shaw 9-4-02
THOMAS C. SHAW
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 4672

—THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

—PREPARED APRIL 5, 2002.

PREPARED BY:

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
6640 WILLOW PARK DRIVE - SUITE "B"
NAPLES, FLORIDA 34109
(239) 597-2081
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6690

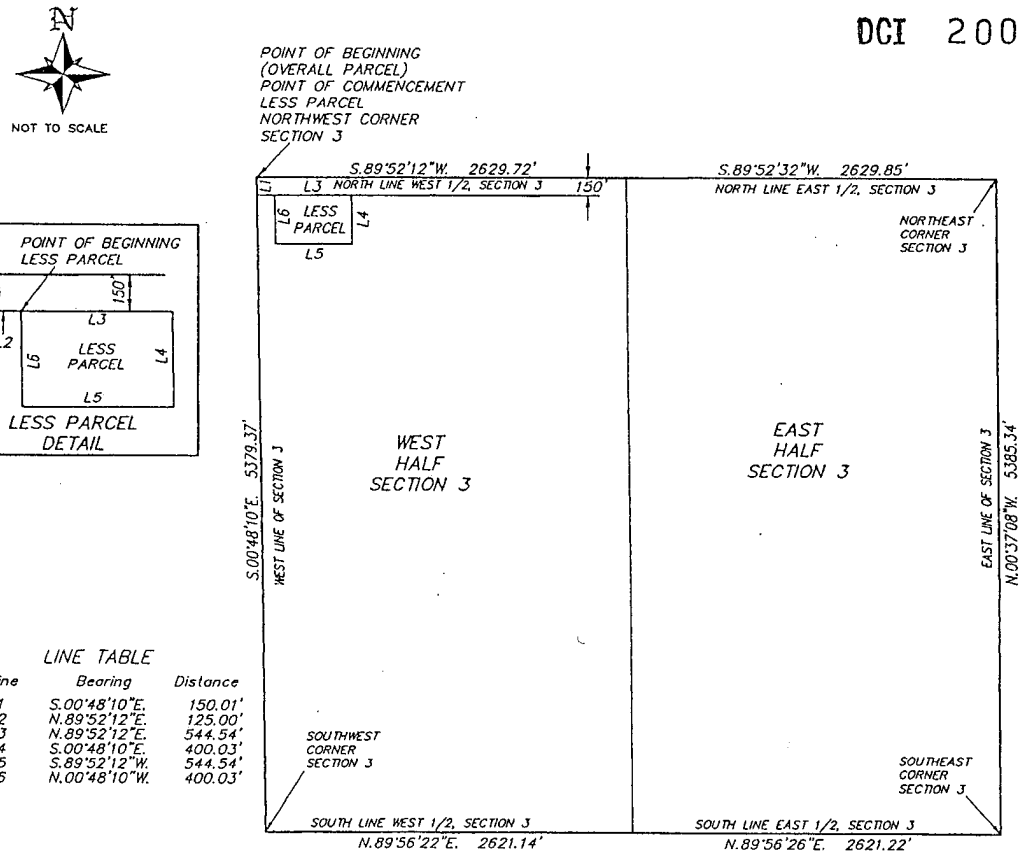
SHEET 2 OF 2

S:\Jobs\1300s\1360\SURVEYING\DGN\SKETCH\1360_CPD_SK-125.dwg, 09/04/2002 11:02:40 AM, clay shaw

DCI 2000-00005

DCI 2000-00070 SKETCH TO ACCOMPANY DESCRIPTION

OF A
PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



LINE TABLE

Line	Bearing	Distance
L1	S.00°48'10"E.	150.01'
L2	N.89°52'12"E.	125.00'
L3	N.89°52'12"E.	544.54'
L4	S.00°48'10"E.	400.03'
L5	S.89°52'12"W.	544.54'
L6	N.00°48'10"W.	400.03'

RPD PARCEL

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 5379.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE N.89°56'22"E. ALONG THE SOUTH LINE OF THE WEST HALF OF SAID SECTION FOR 2621.14 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF SECTION; THENCE N.89°56'26"E. ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOR 2621.22 FEET TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N.00°37'08"W. ALONG THE EAST LINE OF SAID SECTION FOR 5385.34 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S.89°52'32"W. ALONG THE NORTH LINE OF THE EAST HALF OF SAID SECTION FOR 2629.85 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF SECTION; THENCE S.89°52'12"W. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION FOR 2629.72 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 643.79 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

THIS IS NOT A SURVEY

Thomas C. Shaw 9-4-02

THOMAS C. SHAW
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 4672

—THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

—PREPARED APRIL 5, 2002, REVISED AREA JULY 22, 2002

PREPARED BY:

Banks Engineering, Inc.
ENGINEERING, SURVEYING & LAND PLANNING
6640 WILLOW PARK DRIVE - SUITE "B"
NAPLES, FLORIDA 34109
(941) 597-2081
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6690

SHEET 2 OF 2

S:\Jobs\13xx\1360\SURVEY\ENGIDESC-SKETCH\1360_RPD_SK-125.dwg, 09/04/2002 11:03:26 AM, clay shaw

DCI 2003-00005

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DCI 2000-00070

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CORKSCREW GROWERS CPD)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 26 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S.00°48'10"E. ALONG THE WEST LINE OF SAID SECTION FOR 150.01 FEET TO AN INTERSECTION WITH A LINE 150.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE WEST HALF OF SAID SECTION; THENCE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 125.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N.89°52'12"E. ALONG SAID PARALLEL LINE FOR 544.54 FEET; THENCE S.00°48'10"E. FOR 400.03 FEET; THENCE S.89°52'12"W. FOR 544.54 FEET; THENCE N.00°48'10"W. FOR 400.03 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 5.00 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED AND BASED ON THE WEST LINE OF SAID SECTION 3 AS BEARING S.00°48'10"E.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

Applicant's Legal Checked
by _____ 10/4/02

Thomas Clyde Shaw Sept 4, 2001

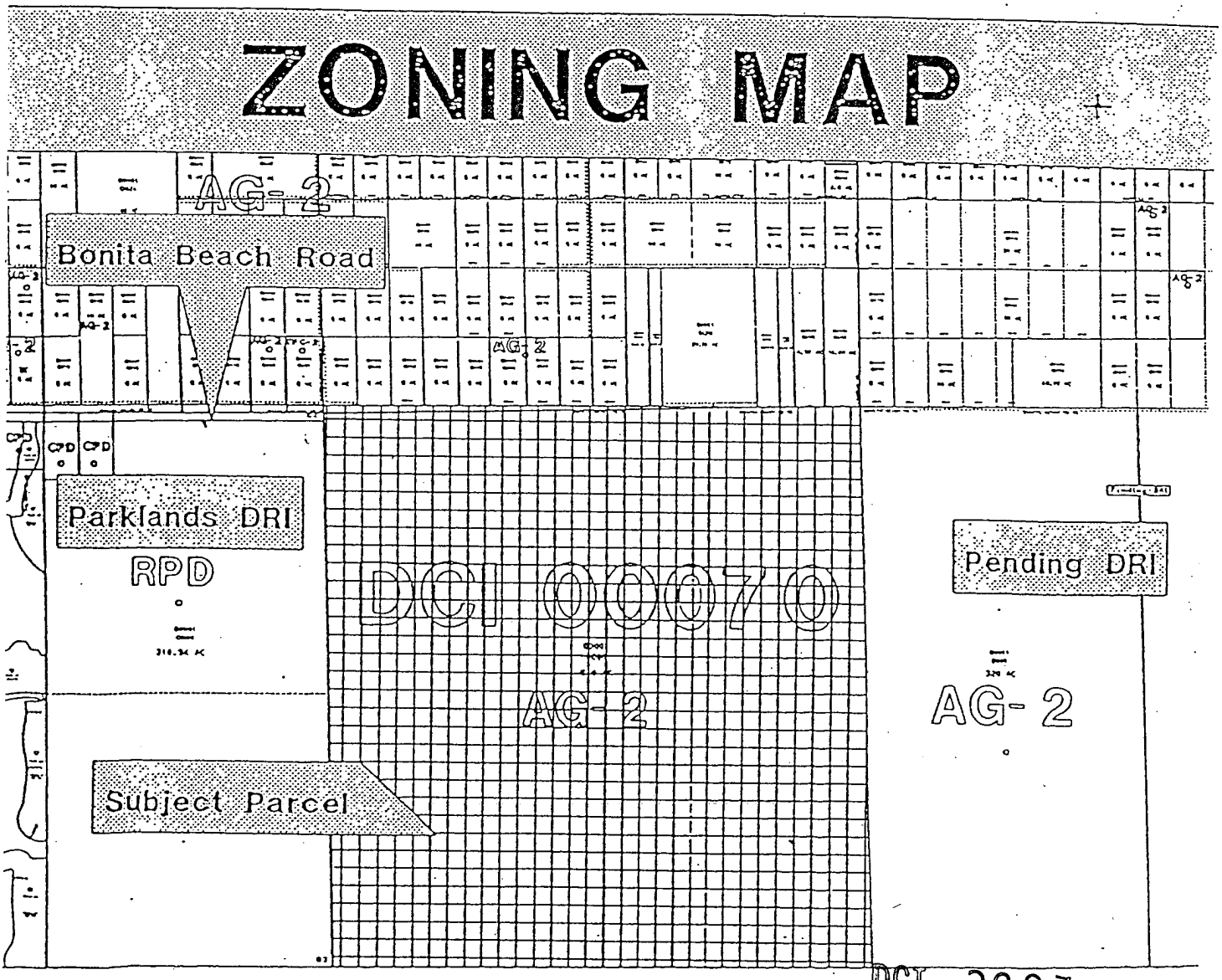
THOMAS C. SHAW, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION No. 4672

\\Server\e\JOBS\13xx\1360\Documents\DESCRIPTIONS\1360_CPD-125.doc

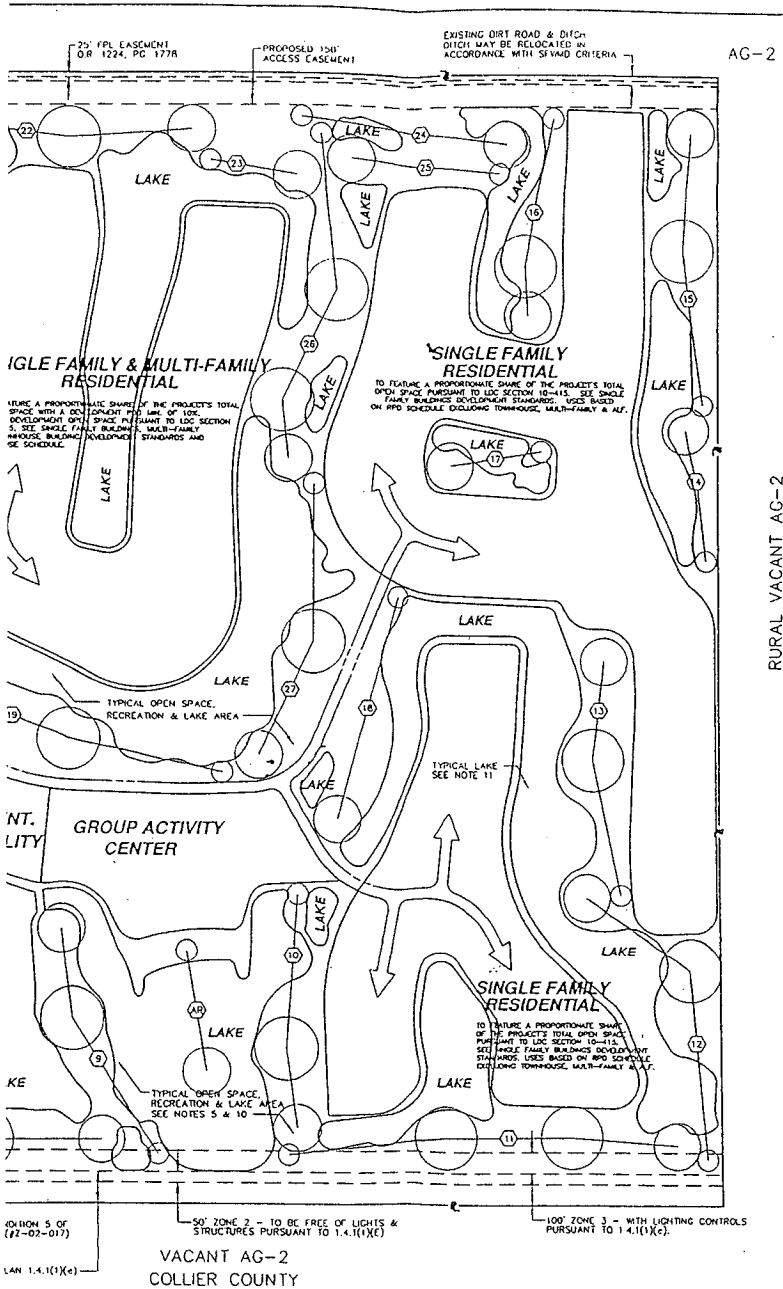
6640 Willow Park Drive, Suite B, Naples, Florida 34109 • (941) 597-2061 • Fax (941) 597-3082

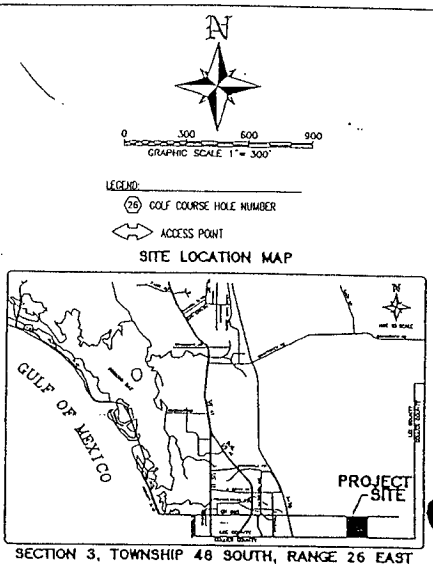
DCI 2003-00005

ZONING MAP



DCI 2003-00005
EXHIBIT B





SECTION 3, TOWNSHIP 46 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

APPROVED
Master Concept Plan
Site Plan - DCI 2000-00070
Subject to conditions in Resolution
Date 7-02-02

AUG 30 2002

DCI 2000-00070

EXHIBIT C

CORKSCREW GROWERS PROPERTY - 1360

NO	DATE	REVISION DESCRIPTION	BY
7	07-08-02	REVISED PER COUNTY ATTORNEY COMMENTS AND APPROVED RESOLUTION	DRU
6	04-02-02	ADDED 150' R/W RESERVATION	DRU
5	1-11-02	REVISED CPD TO 16 ACRES	CAM
4	7-2-01	REVISED NOTE 5 DEVELOPMENT STANDARDS	DRU
3	12-1-00	REVISED PER COUNTY SUFFICIENCY REVIEW COMMENTS	CAM
2	11-21-00	REVISED PER COUNTY SUFFICIENCY REVIEW COMMENTS	CAM
1	7-26-00	REVISION PER STAFF & AGENCIES	CAM

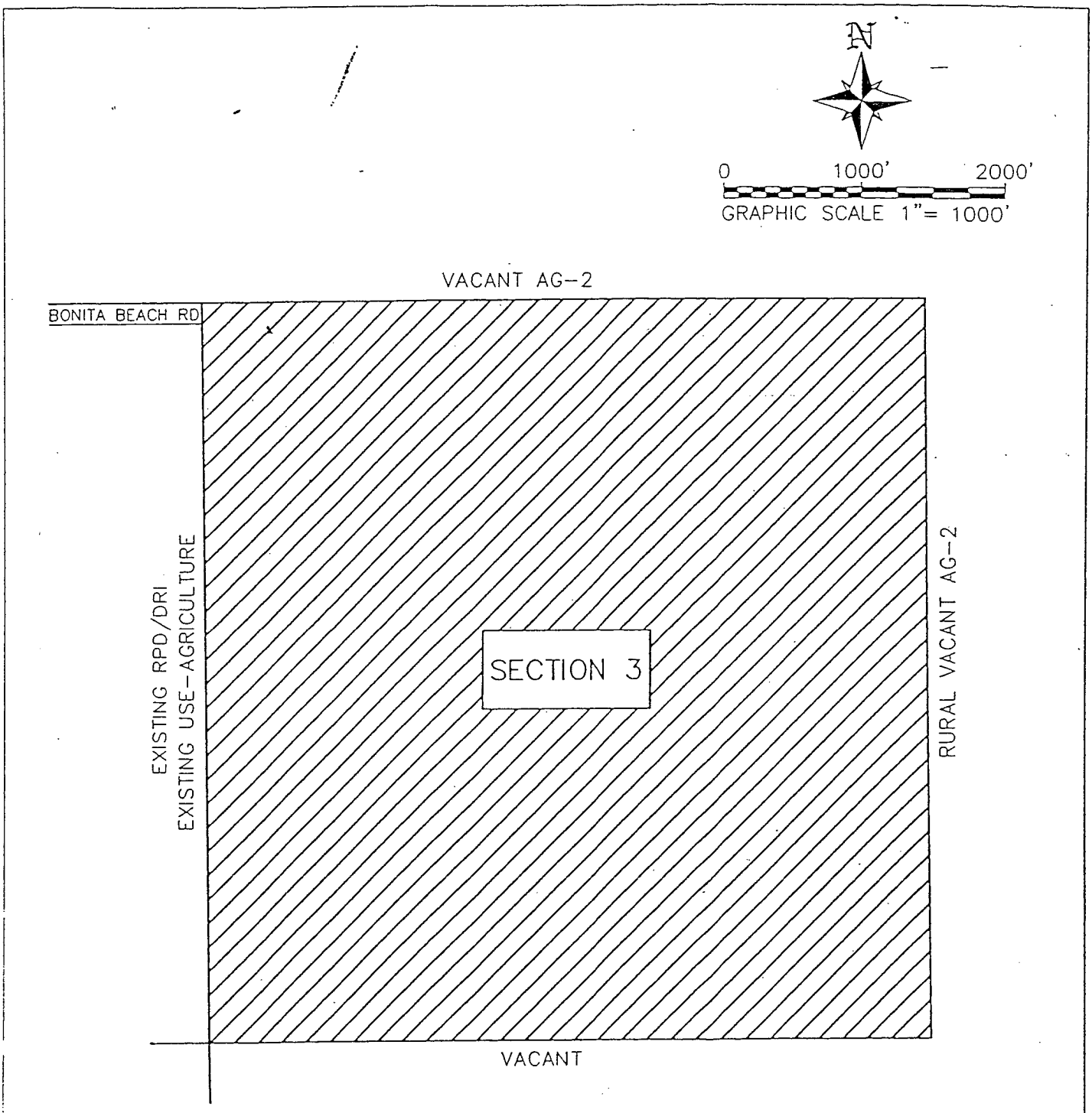
WERS, INC.
6
33902
42

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
Engineering License Number EB-0006460 - Surveying License Number LB 6690
6440 YELLOW PARK DRIVE - SUITE "B" NAPLES, FLORIDA 34109
PHONE: (941)597-3061 FAX: (941)597-3063
10511 SW MILL CYPRESS PARKWAY - SUITE 101 FORT MYERS, FLORIDA 33913
PHONE: (941)936-5480 FAX: (941)936-2523
1144 TALLEVAST ROAD - SUITE 115 SARASOTA, FLORIDA 34243
PHONE: (941)360-1818 FAX: (941)360-8818

MASTER CONCEPT PLAN
CORKSCREW GROWERS SECTION 3 R.P.D.
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
11-07-01	1360	MCP_12SR	GAM	GAM	DRU	1" = 300'	1	1	3-46S-26E

DCI 2000-00070



LEGAL DESCRIPTION OF EXISTING AGRICULTURAL USE:

ALL OF SECTION 3, TOWNSHIP 48 SOUTH , RANGE 26 EAST , LEE COUNTY FLORIDA ; CONTAINING 648.80 ACRES .

DCI 2003-00005

EXISTING USE = ROW CROP

EXHIBIT D

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
Engineering License Number EB-0006449 - Surveying License Number LB 6690
6640 BELLOW PARK DRIVE - SUITE "B" NAPLES, FLORIDA 34109
PHONE: (941)597-2061 FAX: (941)597-3062
10511 SIX MILE CYPRESS PARKWAY - SUITE 101 FORT MYERS, FLORIDA 33912
PHONE: (941)939-3490 FAX: (941)939-2323
1144 TALLEVAST ROAD - SUITE 113 SARASOTA, FLORIDA 34243
PHONE: (941)360-1618 FAX: (941)360-6918

DESCRIPTION OF EXISTING AGRICULTURE USE

CORKSCREW GROWERS PROPERTY

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
04-02-02	1360	1360_DESC	CAM	KIJ	DRU	1"=1000'	1	1	3-485-26C

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

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Alvin Block, AICP

DATE: 01/27/2003

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

PROJECT NAME: CORKSCREW GROWERS SECTION THRE

CASE #: DCI2003-00005

INFORMATION SUMMARY:

NEW SUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 02/10/2003

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: Becky Tatlock

Date: 01/27/2003

ZONING DIVISION
CITY OF BONITA SPRINGS

PLANNED DEVELOPMENT SUFFICIENCY REVIEW

TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Alvin Block, AICP

DATE: 03/03/2003

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

PROJECT NAME: CORKSCREW GROWERS SECTION THRE

CASE #: DCI2003-00005

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 03/17/2003

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jamie Princing

Date: 03/04/2003

LEE COUNTY
SOUTHWEST FLORIDA

COURTESY NOTICE
OF RECEIPT OF ZONING APPLICATION

Date:	January 29, 2003
Case Number:	DCI2003-00005
Case Name:	CORKSCREW GROWERS SECTION THRE
Request:	Rezone 648.8 acres from Residential Planned Development, RPD and Commercial Planned Development, CPD to Residential Planned Development to allow the development of a mixed use residential project consisting of a maximum of 1,999 dwelling units with a proposed maximum building height of 50 feet (3 stories).
Location:	15501 Bonita Beach Road SE (approximately 2.5 miles east of I-75 along the south ROW of Bonita Beach Rd., within City of Bonita Springs)
PROPERTY OWNER'S REPRESENTATIVE:	MR. BOB MULHERE RWA, INC. 239 649-1509 MR RUSSELL P SCHROPP HENDERSON,FRANKLIN.STARNES & H 239-337-8414
Lee County Planner:	Alvin Block, AICP 239-479-8371

The file may be reviewed Monday through Friday between the hours of 7:30 a.m. and 4:30 p.m. at the Lee County Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

This is a courtesy notice. A public hearing date has not yet been set. You will receive another notice once the hearing date and time have been established.

JLP

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	2045
CONNECTION TEL	93901004
CONNECTION ID	
ST. TIME	01/29 14:22
USAGE T	00'32
PGS.	1
RESULT	OK

faxed to Mary Price on 1/29/03

LEE COUNTY
SOUTHWEST FLORIDA

COURTESY NOTICE OF RECEIPT OF ZONING APPLICATION

Date: January 29, 2003

Case Number: DCI2003-00005

Case Name: CORKSCREW GROWERS SECTION THRE

Request: Rezone 648.8 acres from Residential Planned Development, RPD and Commercial Planned Development, CPD to Residential Planned Development to allow the development of a mixed use residential project consisting of a maximum of 1,999 dwelling units with a proposed maximum building height of 50 feet (3 stories).

Location: 15501 Bonita Beach Road SE (approximately 2.5 miles east of I-75 along the south ROW of Bonita Beach Rd., within City of Bonita Springs)

PROPERTY OWNER'S REPRESENTATIVE:
MR. BOB MULHERE
RWA, INC.
239 649-1509

MR RUSSELL P SCHROPP
HENDERSON,FRANKLIN.STARNES & H
239-337-8414

Lee County Planner: Alvin Block, AICP

EXHIBIT I-B-5
SURROUNDING PROPERTY OWNERS LIST

****
*** VARIANCE REPORT ***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 21OCT02
SUBJECT PROPERTY : 03-48-26-B1-00001.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 23

RECEIVED
JAN 21 2003
ZONING COUNTER
DCI 2003-00005

03-48-26-B1-00001.0000

ALL SEC 3.

(1)

********** OWNER **********
CORKSCREW GROWERS INC

7373 VANDERBILT BEACH RD EXT
NAPLES FL 34119

********** SITE *********
15501 BONITA BEACH RD SE
Bonita Springs
34135

02-48-26-00-00001.0000

W 1/2 OF SEC 2

(2)

********** OWNER **********
BEACH ROAD DEVELOPMENT CO LLC

3451 BONITA BAY BLVD STE 202
BONITA SPRINGS FL 34134

********** SITE *********
16350 BONITA BEACH RD SE
Bonita Springs
34135

04-48-26-B2-00001.0000

SEC 4 E 1/2 LES RD R/W 320
4/4878

(3)

********** OWNER **********
PARKLANDS DEVELOPMENT

3185 HORSESHOE DR S
NAPLES FL 34104

********** SITE *********
14751 BONITA BEACH RD SE
Bonita Springs
34135

33-47-26-00-00001.0030

THE W 1/2 OF SE 1/4 OF SE
1/4 OF SE 1/4

(4)

********** OWNER **********
B + C INVESTMENTS OF NAPLES

209 RIDGE DR
NAPLES FL 34108

********** SITE *********
14920 BONITA BEACH RD SE
Bonita Springs
34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 21OCT02
SUBJECT PROPERTY : 03-48-26-B1-00001.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 23

33-47-26-00-00001.043A

E 1/2 OF SE 1/4 OF SE 1/4 OF SE 1/4 OF SE 1/4 FR 33-47-26-00-00001.0430

********** OWNER ********** ********** SITE **********

(5) SALDIVAR RAUL SR

13520 EAST BONITA BEACH RD 14980 BONITA BEACH RD SE

BONITA SPRINGS FL 34135 Bonita Springs 34135

34-47-26-00-00001.0100

W 1/2 OF SW 1/4 OF SW 1/4 OF SW 1/4

********** OWNER ********** ********** SITE **********

(6) L W S INC

1540 E COMMERCIAL BLVD 15030 BONITA BEACH RD SE

FORT LAUDERDALE FL 33334 Bonita Springs 34135

34-47-26-00-00001.0230

W1/2 OF SE1/4 OF SW1/4 OF SW1/4 AKA TRACT 115 SUNC OAST ACRES

********** OWNER ********** ********** SITE **********

(7) S FL WATER MGMT DIST

P O BOX 24680 15130 BONITA BEACH RD SE

WEST PALM BEACH FL 33416 Bonita Springs 34135

34-47-26-00-00001.0290

E 1/2 OF SE 1/4 OF SE 1/4 OF SW 1/4 LESS RD R/W

********** OWNER ********** ********** SITE **********

(8) MANNARELLI ALFRED + ROSE

14132 CHARLOMA DR 15450 BONITA BEACH RD SE

TUSTIN CA 92780 Bonita Springs 34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 21OCT02
SUBJECT PROPERTY : 03-48-26-B1-00001.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 23

34-47-26-00-00001.0330

W 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4 LESS RD R/W AK A TR 121 SUN COAST ACRES

********** OWNER ********** ********** SITE *********

(9) BAUMERT L ENLOE + WANDA J

PO BOX 470 15500 BONITA BEACH RD SE

PONCA CITY OK 74602 Bonita Springs 34135

34-47-26-00-00001.0360

E 1/2 OF SW 1/4 OF SE 1/4 OF SW 1/4

********** OWNER ********** ********** SITE *********

GRANT BILLY DON

(10)

P O BOX 712 15400 BONITA BEACH RD SE

BONITA SPRINGS FL 34133 Bonita Springs 34135

34-47-26-00-00001.0400

THE E 1/2 OF SE 1/4 OF SW 1/4 OF SW 1/4

********** OWNER ********** ********** SITE *********

S FL WATER MGMT DIST

(11)

P O BOX 24680 15180 BONITA BEACH RD SE

W PALM BEACH FL 33416 Bonita Springs 34135

34-47-26-00-00001.0410

THE W 1/2 OF SW 1/4 OF SE 1/4 OF SW 1/4

********** OWNER ********** ********** SITE *********

COOK OF BONITA SPRINGS L P

(12)

PO BOX 2307 15230 BONITA BEACH RD SE

BONITA SPRINGS FL 34133 Bonita Springs 34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 21OCT02
SUBJECT PROPERTY : 03-48-26-B1-00001.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 23

34-47-26-00-00001.0420

THE W 963.52 FT OF THE E 1970.18 FT OF THE S 1/2 OF SE 1/4

********** OWNER **********
CONNONE HELEN G TR 1/2 INT

(13) 220 EAST ERIE AV

LORAIN OH 44052

********** SITE **********
15600 BONITA BEACH RD SE

Bonita Springs 34135

34-47-26-00-00001.0430

THE S 1/2 OF SE 1/4 LESS THE E 2085.23 FT ALSO LESS W 330 FT

********** OWNER **********
CONNONE HELEN G TR 1/2 INT

(14) 220 EAST ERIE AV

LORAIN OH 44052

********** SITE **********
15550 BONITA BEACH RD SE

Bonita Springs 34135

34-47-26-00-00001.0440

THE W 115.05 FT OF E 2085.23 FT OF S 1/2 OF SE 1/4

********** OWNER **********
FLYNT ALEXANDER W

(15) 18543 SPRUCE DR W

FT MYERS FL 33912

********** SITE **********
15580 BONITA BEACH RD SE

Bonita Springs 34135

34-47-26-00-00001.0450

THE E 359.52 FT OF S 1/2 OF SE 1/4 LES S 25 + E 25 R R/W

********** OWNER **********
COOK OF BONITA SPRINGS L P

(16) PO BOX 2307

BONITA SPRINGS FL 34133

********** SITE **********
15970 BONITA BEACH RD SE

Bonita Springs 34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 21OCT02
SUBJECT PROPERTY : 03-48-26-B1-00001.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 23

34-47-26-00-00001.0460

THE W 287.62 FT OF E 647.
14 FT OF S 1/2 OF SE 1/4

********** OWNER ********** ********** SITE *********
COOK OF BONITA SPRINGS L P

(17)

PO BOX 2307 15930 BONITA BEACH RD SE

BONITA SPRINGS FL 34133 Bonita Springs
34135

34-47-26-00-00001.0470

THE W 143.81 FT OF E 790.
95 FT OF S 1/2 OF SE 1/4

********** OWNER ********** ********** SITE *********
S FL WATER MGMT DIST

(18)

P O BOX 24680 15890 BONITA BEACH RD SE

W PALM BEACH FL 33416 Bonita Springs
34135

34-47-26-00-00001.0480

THE W 215.71 FT OF E 1006
.66 FT OF S 1/2 OF SE 1/4

********** OWNER ********** ********** SITE *********
COOK OF BONITA SPRINGS L P

(19)

PO BOX 2307 15850 BONITA BEACH RD SE

BONITA SPRINGS FL 34133 Bonita Springs
34135

34-47-26-00-00001.0500

THE E 1/2 OF SW 1/4 OF SW
1/4 OF SW 1/4

********** OWNER ********** ********** SITE *********
CONNONE TERRY GENE

(20)

1523 MONROE ST 15080 BONITA BEACH RD SE

HOLLYWOOD FL 33020 Bonita Springs
34135

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 21OCT02
SUBJECT PROPERTY : 03-48-26-B1-00001.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 23

34-47-26-00-00001.0520

W 1/2 OF THE SE 1/4 OF SE 1/4 OF THE SW 1/4

********** OWNER ********** ********** SITE **********

(21) O'DONNELL LANDSCAPES INC

4291 WILLIAMS RD 15430 BONITA BEACH RD SE

ESTERO FL 33928 Bonita Springs 34135

35-47-26-00-00001.0200

THE W 1/2 OF SW 1/4 OF SW 1/4 OF SW 1/4

********** OWNER ********** ********** SITE **********

(22) GATEWOOD C I + IMOGENE

RR 1 BOX 375 16040 BONITA BEACH RD SE

PELHAM NC 27311 Bonita Springs 34135

35-47-26-00-00001.0230

FR NW COR OF SW 1/4 TH S 2005 FT TO S LI OF PROPOSED RD R/W TH E ALG

********** OWNER ********** ********** SITE **********

PAUL SAMATHA +

(23) 800 MARTHA ST 16150 BONITA BEACH RD SE

MUNHALL PA 15120 Bonita Springs 34135

****
*** END OF REPORT ***
****

VARIANCE REPORT -- Parcels Found by Scan

SUBJECT PARCEL: AP:034826:B1:00001:0000 EXPAND HDR: FALSE TRAP CONDOS: FALSE

1) 03-48-26-B1-00001.0000
2) 02-48-26-00-00001.0000
3) 04-48-26-B2-00001.0000
4) 33-47-26-00-00001.0030
5) 33-47-26-00-00001.043A
6) 34-47-26-00-00001.0100
7) 34-47-26-00-00001.0230
8) 34-47-26-00-00001.0290
9) 34-47-26-00-00001.0330
10) 34-47-26-00-00001.0360
11) 34-47-26-00-00001.0400
12) 34-47-26-00-00001.0410
13) 34-47-26-00-00001.0420
14) 34-47-26-00-00001.0430
15) 34-47-26-00-00001.0440
16) 34-47-26-00-00001.0450
17) 34-47-26-00-00001.0460
18) 34-47-26-00-00001.0470
19) 34-47-26-00-00001.0480
20) 34-47-26-00-00001.0500
21) 34-47-26-00-00001.0520
22) 35-47-26-00-00001.0200
23) 35-47-26-00-00001.0230

TOTAL STRAPS: 23 (EXPANDED)CONDOS: 0
TOTAL PARCELS : 23