

CITY OF BONITA SPRINGS  
ZONING RESOLUTION NO. 21 – 04

A ZONING RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW A 2-PHASED EXPANSION OF ENROLLMENT OF AN EXISTING SCHOOLS, NONCOMMERCIAL, OTHER USE (GRACE CLASSICAL ACADEMY) ON APPROXIMATELY 4.65 +/- ACRES WITHIN THE AGRICULTURAL (AG-2) ZONING DISTRICT AT 3971 VIA DEL REY, BONITA SPRINGS, FL 34134; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Grace Classical Academy, Inc. has filed an application for a special exception to increase enrollment for their school, noncommercial, other use (private school) in the Agricultural (AG-2) zoning district; and

**WHEREAS**, the subject property is located at 3971 Via Del Rey, Bonita Springs, 34135; and

**WHEREAS**, a Public Hearing was advertised and heard on June 29, 2021 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case SPE20-76117-BOS who recommended approval (5-2) after giving full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all parties; and

**WHEREAS**, City Council at their July 21, 2021 zoning meeting considered the record of the Zoning Board on Case SPE20-76117-BOS, as well as a transcript of the Zoning Board hearing submitted as part of the City Council hearing record, and gave full consideration of the Staff Recommendation, the evidence and testimony, including the expert opinion of the Applicant's agents.

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

**SECTION ONE: APPROVAL OF REQUEST**

City Council of Bonita Springs hereby approves the request for a special exception with the following conditions:

Conditions:

1. This approval is for a two-phase expansion of enrollment.
  - a. Phase 1: 90 students maximum. The site shall function in accordance with the Phase 1 stacking plan.
  - b. Phase 2: 91-160 students maximum. The site shall function in accordance with the Phase 2 stacking plan, which includes additional site improvements as depicted thereon. This plan may be reassessed at the time of local development order for compliance and functionality based upon the performance and data provided from the existing usage and/or the construction of the proposed entrance from Vanderbilt Drive to serve the adjacent parcel, to the south.
2. At all times, parking shall comply with the LDC, unless a reduction or shared parking agreement is approved.
3. All on-site vehicular circulation shall only utilize paved drive aisles and shall enter and exit the site via Via Del Rey and Vanderbilt Drive. A staff post shall be located at these entrances to facilitate the flow of traffic to prevent a back up into any street.
4. At no time shall vehicle queues extend onto roadways, including Via Del Rey and Vanderbilt Drive or block any access driveway to the site.
5. At the time of school enrollment of 91 students, the Phase 2 stacking plan attached to the Special Exception resolution will be implemented. The school may administratively request an alternate stacking plan or threshold above 90 students to determine if the Phase 1 stacking plan can accommodate more than 90 students, and if so, establish a new student enrollment limit prior to implementing the Phase 2 stacking plan.
6. As contemplated within the Traffic Impact Statement (TIS), all ingress and egress for the school function shall utilize Vanderbilt Drive.
7. An on-site directional sign shall be installed to facilitate the student pick-up and drop off in accordance with the approved Student Drop-Off and Pick-Up Exhibit.
8. During afternoon student dismissal period (i.e., 2:45-3:15 PM), school personnel shall place traffic cones and/or flaggers across the east/west drive aisle to Mango Drive to provide direction in accordance with the approved Student Drop-Off and Pick-Up Exhibit.
9. The school shall provide proof of enrollment on a quarterly basis to the City of Bonita Springs Community Department to ensure compliance. These shall be submitted on January 1<sup>st</sup>, April 1<sup>st</sup>, July 1<sup>st</sup> and October

- 1<sup>st</sup> annually. This report shall include the number of students enrolled. Failure to submit this report shall result in a revocation of occupancy.
10. Private school hours of operation are limited to Monday through Friday, 8 AM- 5PM, with occasional weekend events.
  11. Should the operation not function according to the stacking plan, or additional safety concerns arise from the implementation of the plan, after three documented observations, this special exception shall return to City Council for reconsideration.
  12. Collier County Staff will review the future local development order Traffic Impact Statement (TIS) and site plans and provide review comments. The TIS must include full operational analysis based on built out conditions, including the following:
    - a. Turn lane warrants based on Collier County ROW standards,
    - b. Documentation of existing conditions, and
    - c. Conclusion pertaining to existing constraints and/or proposed improvements.

Findings and Conclusions:

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

1. The Applicant has proven entitlement for the requested special exception by demonstrating compliance with the Bonita Springs Comprehensive Plan; and
2. The Applicant has specifically proven:
  - i. Exceptional or extraordinary conditions exist which warrant the proposed use.
  - ii. The request is consistent with the goals, objectives, policies and intent of the Bonita Plan.
  - iii. The request meets all performance and locational standards set forth.
  - iv. Will protect, conserve or preserve environmentally critical areas and natural resources.
  - v. Will be compatible with existing or planned uses.
  - vi. Will not cause damage, hazard, nuisance or other detriment to persons or property.
  - vii. In compliance with all general zoning provisions, supplemental regulations and performance standards pertaining to the use.
  - viii. No physical constraints, hazards or nuisances which are detrimental to the health and safety of students and to the general operation of the school exist.

**SECTION TWO: INCORPORATION OF RECORD**

City Council of Bonita Springs hereby adopts and incorporates into this resolution the record hearing exhibits and attachments considered as part of the application as follows:

**EXHIBITS:**

A. Legal Description and Sketch of the Subject Property

**ATTACHMENTS:**

A. Proposed Site Plan

B. Proposed Student Drop-Off and Pick-up Exhibit

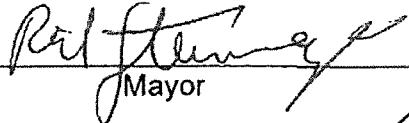
C. Proposed Stacking Plan

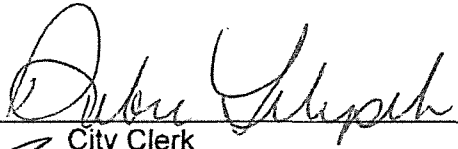
**SECTION THREE: EFFECTIVE DATE**


This Resolution shall take effect immediately upon adoption.

**DULY PASSED AND ENACTED** by the City Council of the City of Bonita Springs, Lee County, Florida, this 21<sup>st</sup> day of July, 2021.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:   
\_\_\_\_\_  
City Attorney

Vote:

Carr

Purdon

Forbes

Gibson

Corrie

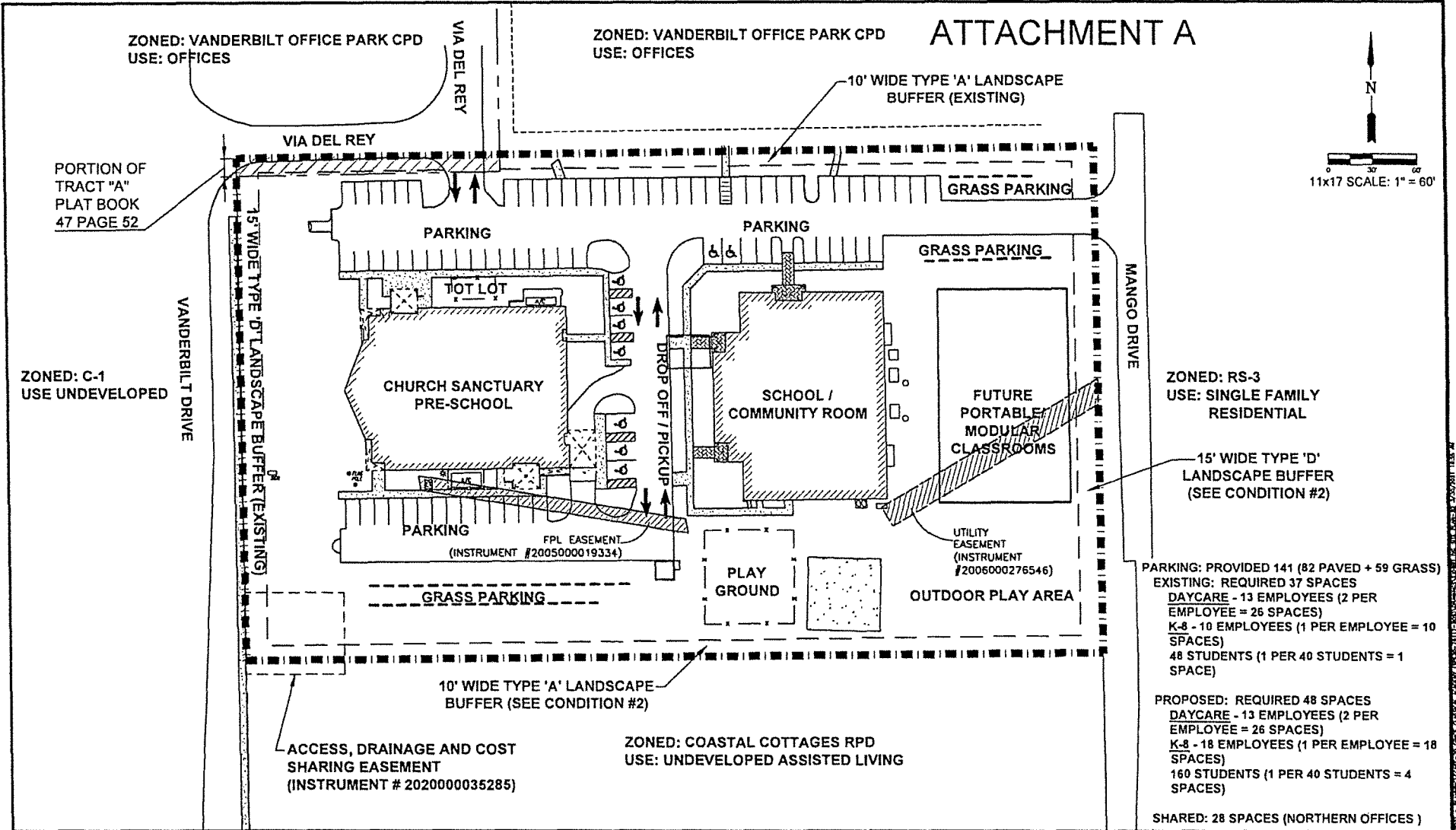
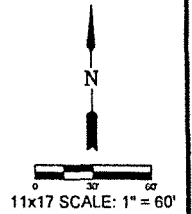
Quaremba

Steinmeyer

Date filed with City Clerk: 7/27/2021



# ATTACHMENT A



**PARKING: PROVIDED 141 (82 PAVED + 59 GRASS)**  
**EXISTING: REQUIRED 37 SPACES**  
**DAYCARE - 13 EMPLOYEES (2 PER EMPLOYEE = 26 SPACES)**  
**K-8 - 10 EMPLOYEES (1 PER EMPLOYEE = 10 SPACES)**  
**48 STUDENTS (1 PER 40 STUDENTS = 1 SPACE)**

**PROPOSED: REQUIRED 48 SPACES**  
**DAYCARE - 13 EMPLOYEES (2 PER EMPLOYEE = 26 SPACES)**  
**K-8 - 18 EMPLOYEES (1 PER EMPLOYEE = 18 SPACES)**  
**160 STUDENTS (1 PER 40 STUDENTS = 4 SPACES)**

**SHARED: 28 SPACES (NORTHERN OFFICES)**

**LEGEND**

Revision	Date	Description	By

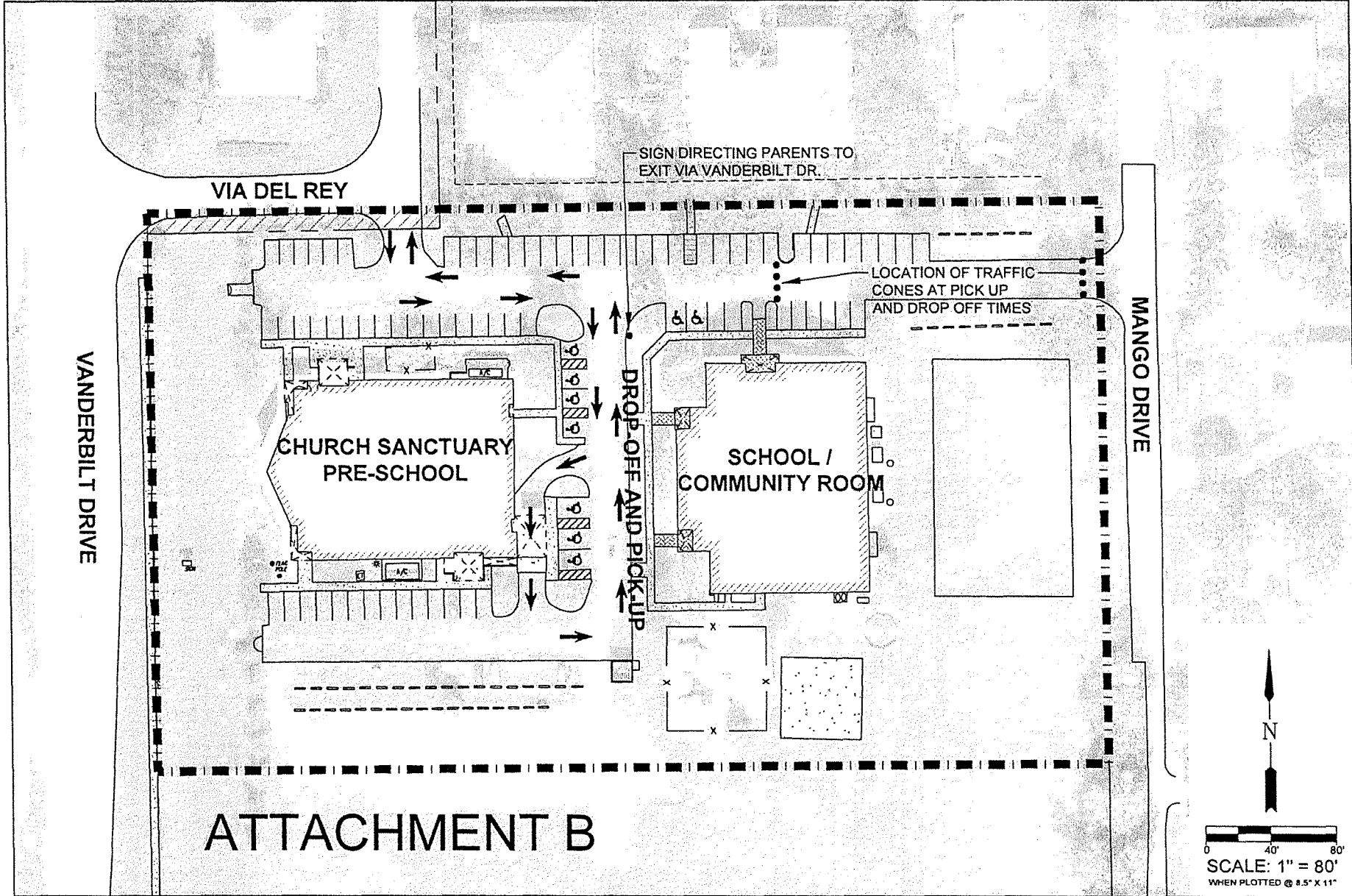
DESIGNED BY:	
DRAWN BY:	
APPROVED:	
DATE:	
SCALE:	

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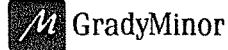
**GRACE CLASSICAL ACADEMY**

**SPECIAL EXCEPTION**  
**EXHIBIT N.G**  
**CONCEPTUAL SITE PLAN**

DATE:	
SCALE:	
PROJECT:	
DATE:	
PROJECT:	
DATE:	
PROJECT:	



**LEGEND**



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O. Grady Minor and Associates, P.A.  
 3860 Via Del Rey  
 Bonita Springs, Florida 34134

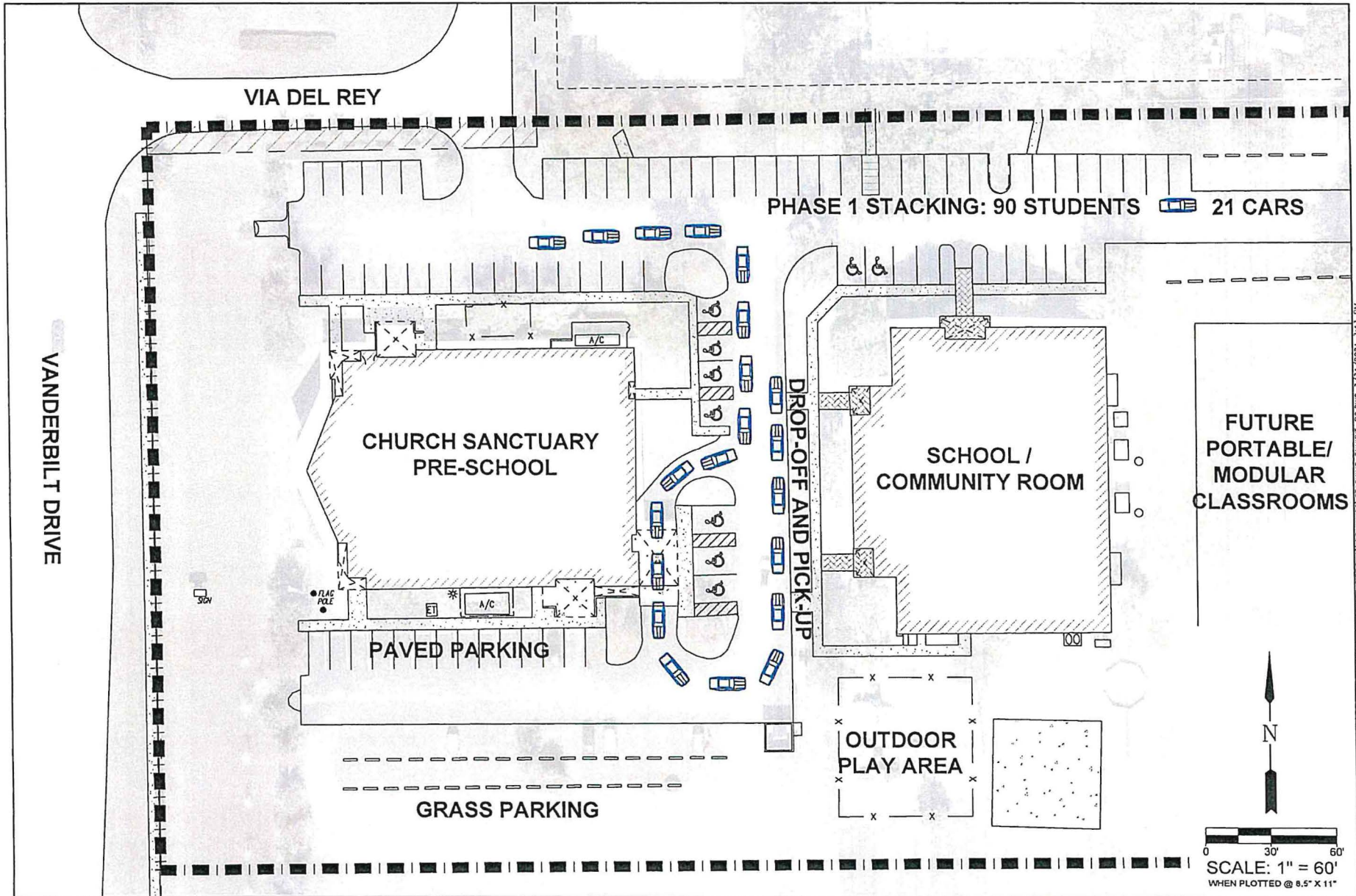
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**GRACE CLASSICAL ACADEMY**

SPECIAL EXCEPTION  
 STUDENT DROP-OFF/PICK-UP EXHIBIT

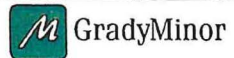
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SHEET	1 OF 1

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**LEGEND**

**ATTACHMENT C**



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 Bontla Springs, Florida 34134

**GRACE CLASSICAL ACADEMY**

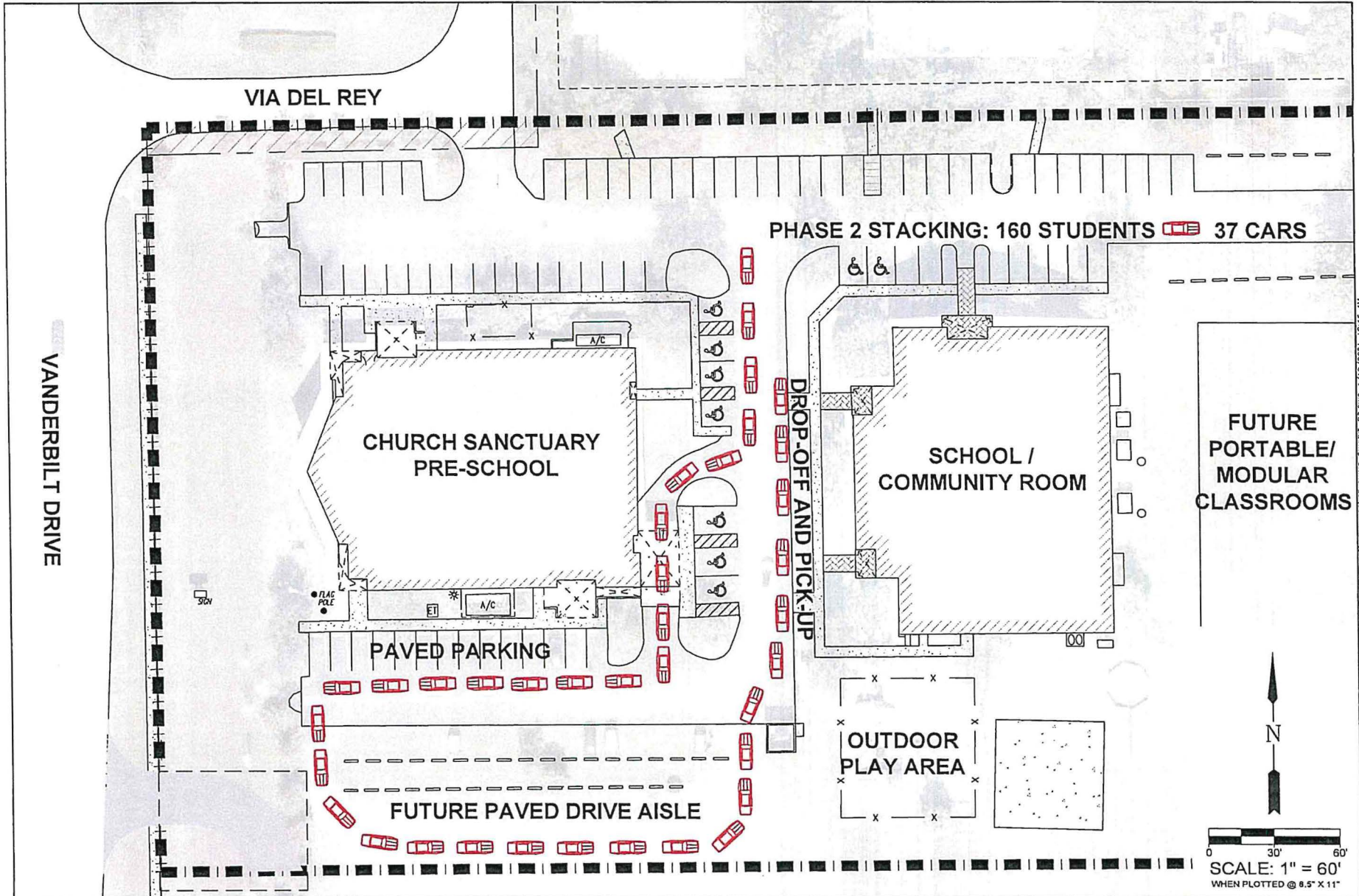
SPECIAL EXCEPTION

STUDENT DROP-OFF/PICK-UP STACKING EXHIBIT  
 PHASE 1

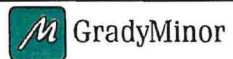
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LEGEND



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GRACE CLASSICAL ACADEMY

SPECIAL EXCEPTION

STUDENT DROP-OFF/PICK-UP STACKING EXHIBIT  
 PHASE 2

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