

Case A: PD18-54088-BOS, Channel 30 CPD Amendment

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BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT

TYPE OF CASE: REZONE – COMMERCIAL PLANNED DEVELOPMENT AMENDMENT
CASE NUMBER: PD18-54088-BOS
HEARING DATE: March 17, 2020
PLANNERS: Jacqueline Genson, AICP

APPLICATION SUMMARY:

- A. Applicant: SUPER TOWERS, INC.
- B. Agent: Maser Consulting, P.A.
- C. Request: A request to amend City of Bonita Springs Zoning Ordinance No. 09-14 as subsequently amended in City of Bonita Administrative Amendments ADD13-05141-BOS, ADD16-26594-BOS, and ADD18-53020-BOS to incorporate the following changes:
1. Modify the height and number of stories of the two buildings from five stories/60 feet and three stories/40 feet to both be four story buildings with a maximum height of 50 feet; and
 2. Increase the square footage of the small modular communications buildings (MCBs) from the current 384 square feet remaining allocation to 1,384 square feet by eliminating the Caretaker's quarters from the current development plan.
- D. Location: The subject property is located at 9930 Channel 30 Drive, Bonita Springs, FL 34135.
- E. Future Land Use Map Designation: Industrial
- F. Current Zoning: Commercial Planned Development (CPD)
- G. Current Land Use: Contractor and Builder Group I with ancillary outdoor storage (Kelly Roofing), existing broadcast and telecommunication facilities

By this reference, the Applicant's application in its entirety and correspondence is made part of this record and is available at the City Clerk's and Community Development's Offices.

BACKGROUND:

History and Overview:

The proposed development is located north of the Lee and Collier County line, east of Old 41 and the Seminole Gulf railroad tracks and west of the Mediterra golf course. The subject property has been used for communications facilities since the 1970's, including a local Public Broadcasting System (PBS) station in the 1980's. The existing concrete and metal buildings on the site still contain communications and electrical equipment to serve the two tall communication towers. The 300 foot tower was added to the site in 1998 along with several small modular communications buildings (MCBs) to serve both towers. The 700 foot tower was replaced in 2016. A wholesale nursery had also operated at the site until 2006.

In 2009 the site was rezoned to a CPD under ZO 09-14 with a variety of uses. The approval allowed for the continuation of the wireless communication facilities and the broadcast tower. The approval also included the construction of two buildings; building #1 as a five-story building with a maximum height of 60 feet and building #2 as a three-story building with a maximum height of 40 feet.

Over the past ten years, the property owner has obtained several limited review local development order permits to make improvements to serve the existing wireless communication facilities, replace the 700' tower, further stabilize the site for permissible uses, install required landscape buffering, and maintain the preserve areas. The wireless communications facilities provide cellular service to wireless providers and also provides telecommunication services for Collier County. Kelly Roofing has been a tenant of the site since 2015.

This CPD amendment request is to modify the number of stories for two new buildings and increase the square footage of the modular communications buildings for the existing wireless communication facilities. The property owner held preapplication meetings with Staff in 2017 and 2018 relative to this request. They had also coordinated with Mediterra relative to this request and line of site concerns. They have also been actively working with the railroad and Bonita Springs Utilities to bring potable water to the site.

Overall, the Application Staff are in agreement with the application request. Areas of disagreement pertain to the two uses and the use of septic. This items are discussed further in the Staff Report.

Uses: No new uses are requested as a part of this request. However, as a part of this application review, Staff has re-evaluated the appropriateness of the Schedule of Uses approved in Z-09-14 based on compatibility with the surrounding neighborhood and the specificity of the current request. Staff's recommendations are depicted in strike-thru in Condition 3a: Changes also reflect the current Use Activity Groups as last amended in 2017. The Applicant's proposed uses are included in Attachment "B." The Applicant has agreed to remove most uses as recommended by Staff. However, there still are a few uses of concern such as: Bus station/depot; storage, open.

Property Development Regulations: Changes to the property development regulations include the reduction in height and number of stories for Building 1 (10' and one story) and the increase in height and number of stories for Building 2 (10' and one story). Other minor changes include an increase in the rear setback and a height standards for the MCB equipment. These changes are enumerated in Condition 3b.

Deviations:

Deviations may be requested during the review process in accordance with [LDC 4-326](#). The Zoning Board may recommend to approve, approve with modification or reject each requested deviation based upon a finding that each item:

1. Enhances the achievement of the objectives of the planned development; and
2. Preserves and promotes the general intent of this chapter to protect the public health, safety and welfare.

The city manager or designee is also authorized to grant deviations from the technical standards for specific sections in LDC Chapter 3 based on review criteria established in [LDC 3-81\(b\)](#). In those instances, Staff has evaluated those deviations as a part of this review process.

The current planned development request includes seven (7) deviations. Three of the seven deviations were previously approved in ZO-09-14. Deviation 1 has been modified slightly with the elimination of the drain bed, while Deviations 2 and 3 remain the same with slight modification to accurately reflect the current LDC citation (i.e. Chapter 34 is now Chapter 4). Four (4) new deviations have also been requested. All four (4) deviations are included in the Applicant's Analysis in Attachment "B". Staff's recommendation on the deviation requests are included below.

1. **Deviation No. 1:** A deviation from City of Bonita Springs LDC Section 3-418 (d)(3) and LDC 4-2074(a)(2)(a) requiring a type "E" buffer (25 ft. wide with a wall and 30 shrubs/100 lf) or a type "F" buffer (25 ft. wide, no wall, double row staggered hedge) to permit a type "D" buffer, subject to the modular communication buildings locations.

Justification: This is an existing deviation from the original zoning approval. This deviation request is from the Landscape and Self-Storage standards of the Land Development Code. Staff has reviewed the Applicant's request based on review criteria established in LDC Sec. 4-326 and supports the deviation as requested.

2. **Deviation No. 2:** Deviation to City of Bonita Springs LDC Section 4-1732 requiring one (1) parking space per 1000 sf of floor area for Warehousing, Public or self storage to provide for one (1) parking space per 3000 sf of floor area.

Justification: This is an existing deviation from the original zoning approval and was approved subject to Condition 21 of ZO-09-14. The applicability and justification is still appropriate based on the Applicant's current request. The LDC reference has also been updated to reflect the repeal of LDC Chapter 34 and adoption of LDC 4 (Zoning Chapter). Staff continues to support the deviation subject to Condition 21 of ZO-09-14 and Condition 12.

3. **Deviation No. 3:** Is a carryover from the projects prior zoning approvals and is a deviation from City of Bonita Springs LDC Chapter 3-418(d)(3) requiring a Type "A" buffer along the South property line to provide a type "A" buffer (5 ft. wide) along the south to permit a type "A" buffer encroaching 2.5 ft along the north side of the existing FPL easement.

Justification: This is an existing deviation from the original zoning approval. This deviation request is from the Landscape standards of the Land Development Code. Staff has reviewed the Applicant's request based on review criteria established in LDC Sec. 4-326 and supports the deviation as requested.

4. **Deviation No. 4:** Deviation to City of Bonita Springs LDC Chapter 3-353 requiring a connection to the sanitary sewer system when building size exceeds 30,000 sf or estimated wastewater flow exceeds 5,000 gallons per day (gpd).

Justification: Condition 24 of ZO-09-14 approved the project the ability to utilize septic as set forth in that condition. The property owner continues to coordinate with Bonita Springs Utilities (BSU) and adjacent property owners on the ability to connect to the central sewer system. Correspondence between City Staff and BSU is included in Attachment A. There are several ways that the Applicant can connect to the central sewer system (i.e. force mains exist at the entrance of Old 41 and Mediterra and at Cordova). Staff acknowledges that the connection to central sewer requires a substantial investment and coordination with these various entities and in some instances, the railroad. The 2019/20 City Council Strategic Priorities include Improving Storm Water Management and Environmental Protection. The use of septic, when connection to central sewer is available, is inconsistent with the intent of those priorities especially as it pertains to water quality. Staff recommends to repeal Condition 24 of ZO-09-14 and the denial of the deviation request. Please see Condition 4.

5. **Deviation No. 5:** Deviation to City of Bonita Springs LDC Chapter 3-490(b), 4-2074(b), and Division 36 of LDC 4 requiring a 25 ft set-back and 8 ft high wall to buffer the overhead doors in building #1 and outdoor storage to be covered with a structure architecturally consistent with the principal structures, to allow for a 15 ft set-back and 8-ft high masonry wall consistent with the principal structures. Wall and plantings to be provided and meet code requirements.

Justification: This deviation request applies to the perimeter of the project that abuts a 130 foot wide railroad right-of-way and private property. The most northerly portion of the site is an indigenous preserve. The project will still include a combination of the 8 foot high wall setback 15 feet from the property line with plantings as required by LDC Sec. 4-2074(b) in areas not utilized as preserve or water management. Additional conditions are recommended to address appropriate screening of overhead doors from the street or residential property. Staff supports the deviation subject to Condition 5.

6. **Deviation No. 6:** Deviation to City of Bonita Springs LDC Chapter 3-417(b)(6)(a), which requires habitable buildings to be set-back a minimum of 30-ft from "wildland" areas to reduce the set-back 8 ft for Modular Communication Buildings (MCBs).

Justification: This deviation request is from the Open Space standards of the Land Development Code. Staff has reviewed the Applicant's request based on review criteria established in LDC 3-81(b) and supports the deviation as requested.

7. **Deviation No. 7:** Deviation to City of Bonita Springs LDC Chapter 3-417(b)(1)(a) requiring a minimum of 30-ft setback from indigenous native vegetation to habitable structures to reduce the set-back to 8 ft for Modular Communication Buildings (MCBs).

Justification: This deviation request is from the Open Space standards of the Land Development Code. Staff has reviewed the Applicant's request based on review criteria established in LDC 3-81(b) and supports the deviation as requested.

CONCLUSIONS:

The following conclusions are based upon the Applicant's Application being reviewed for compliance with the City's Code of Ordinances and the application of sound planning, engineering, surveying, and environmental practices. Attachment "A," which is attached hereto and made a part hereof, demonstrates the type of analysis that was done. The Applicant's application materials and exhibits are included in Attachment "B."

The Applicant held a post sufficiency neighborhood meeting as required by the City's LDC. The meeting was held at the St. Leo's Catholic Church on December 4, 2019; several members of the public attended. Neighborhood concerns revolved around traffic, signage, security, view corridors, lighting, and screening. Additional methods of public notice included mailed notices to properties within 375 feet of the property, and rezoning property posting sign at the entrance at Old 41. A legal ad for the Zoning Board public hearing was run in the newspaper on March 4, 2020.

The proposed zoning amendment is to reduce the height of one of the buildings from 5 stories to 4 stories and increase the height of another from 3 stories to 4 stories. The overall development intensity is also proposed to be decreased from the currently approved 172,724 square feet to 169,584 square feet. The amount of permitted commercial uses will continue to be capped at 46,866 square feet with the remaining floor area to be utilized for a self-storage/mini-warehouse facility.

The applicant will be required to comply with the Transportation Impact Statement LDC and Guidelines at time of local development order. The request modifies building height and does not increase traffic intensity. Public Works and the Collier County Department of Transportation reviewed this request and conditions have been incorporated accordingly.

RECOMMENDATION:

Staff recommends **APPROVAL** of Petition PD18-54088-BOS Channel 30 CPD, which proposes to modify the height and number of stories of the two new buildings and increase the square footage of the small modular communications buildings (MCBs). This recommendation of APPROVAL is subject to the following conditions:

Conditions:

1. All conditions of City of Bonita Springs Zoning Ordinance No. 09-14 and City of Bonita Administrative Amendments ADD13-05141-BOS, ADD16-26594-BOS, and ADD18-53020-BOS ((Exhibit "C") remain in full force and effect, unless specifically amended herein.
2. Condition 1 of Zoning Ordinance (ZO) 09-14 is hereby amended for the development of this project. The development shall be generally consistent with the Master Concept Plan stamped received February 24, 2020, and titled "Super Towers, Inc." prepared by Maser Consulting, P.A., and attached hereto (Exhibit "B").

The development is limited to the two existing communication towers, ancillary equipment and 1,384 square feet of modular communication buildings; 169,584 square feet of building floor area, with the amount of commercial uses limited to 46,866 square feet with the remaining floor area to be utilized for a self-storage/mini-warehouse facility.

3. Condition 2 of ZO-09-04 is hereby amended for the development of this project. The limits apply to the project and uses:

a. Schedule of Uses

Animals:

Clinic

Kenel

~~Control center (including Humane Society)~~

~~Auto Parts Store~~

Automotive Repair and Service (Group I & II)

~~Boat storage, dry, not exceeding 18 feet above grade~~

Boat storage, dry, exceeding 18 feet above grade (limited to indoor storage only)

Broadcast studio, commercial radio and television

Building material sales

Business Services (Group I & II)

~~Bus station/depot~~

Caretaker's residence

Caterers

Cleaning and maintenance services

Communication tower:

100 feet or less in height

Over 100 feet in height (existing only)

Contractors and Builders (Group I)

Entrance gates and gatehouse
 Essential Services facilities (Group I)
 Excavation, Water Retention
~~Farm equipment, sales, storage, rental, service~~
~~Feed or fertilizer, mixing and sales~~
 Freight and cargo handling establishments
~~Laundry or Dry Cleaning (Group I & II)~~
 Lawn and Garden Supply Store
~~Manufacturing, repair or wholesale sales of:~~
 ~~Apparel~~
 ~~Electrical machinery and equipment~~
 ~~Fabricated metal products (Group II)~~
 ~~Food and Kindred products (Group III)~~
 ~~Leather products (Group II)~~
 ~~Lumber and wood products (Groups II)~~
 ~~Measuring, analyzing and controlling instruments~~
 ~~Novelties, jewelry, toys and signs (Group II)~~
 ~~Rubber and plastic products (Group II)~~
 Non-store retailers, (all Groups)
 Paint, glass and wallpaper
~~Pet services~~
 Pet shop
~~Plant nursery~~
 Post Office
 Printing and publishing
~~Processing and warehousing~~
 Rental or Leasing Establishments (Group I, II & III)
 Repair Shops (Group I, II & III) (enclosed within a building)
~~Research and development laboratories (Groups II and IV)~~
~~Residential accessory uses~~
 Retail and wholesales, when clearly incidental and subordinate to a permitted use on the same premises
 Signs in accordance with Chapter 6
 Storage:
 Indoor
 ~~Storage, open~~
 Studios
 Temporary uses
~~Transportation services (Group II)~~
~~Vehicle and equipment dealers (Group I & II)~~
 Warehouse:
 Mini-warehouse
 Private
 Public
~~Wholesale establishment (Groups I & III)~~

b. Site Development Regulations

Minimum Area Dimension:
 Lot Area: 6.109 ± acres
 Lot Depth: As shown on MCP

Lot Width: As shown on MCP

Minimum Building Setbacks:

| | |
|--|--|
| Road / ROW: | 20 FT |
| Front: | 25 FT |
| Side (East <u>South</u>): | BLDGS 1 & 2 = 25 FT 3 & 4 = 8 FT |
| Rear (South <u>East</u>): | 20 FT <u>BLDG 1 & 2=30 FT</u> <u>MCBS=8 FT</u> |
| Waterbody: | 25 FT |
| Preserve: | 25 FT |
| Minimum Building Separation: | 25 FT |
| Maximum Building Height: | BLDG 1: 60 FT / <u>5 50FT</u> / 4 stories BLDG 2: 40 FT / <u>3 50FT</u> / 4 stories BLDG 3: 15 FT/1 story BLDG 4: 15 FT/1 story |
| Maximum Lot Coverage: | 40% |
| Minimum Open Space | 20% |

4. Potable water and Sanitary Sewer Systems. Condition 24 of ZO-09-04 is hereby amended for the development of this project.

~~The property will be required to water and sewer hook-up prior to certificate of completion when the flow generated to the septic drain bed exceeds 3,200 square foot capacity for the drain bed.~~

At time of local development order approval, the Applicant shall obtain the necessary approvals for the ability to connect all new and existing buildings to the central water and sewer system. All new and existing buildings shall connect to the central water and sewer system prior to certificate of compliance for each applicable phase.

5. Architectural.
 - a. Final architectural approval by the City Architect will be required prior to local development order approval. This review and approval shall be consistent Chapter 3 and 4 of the City of Bonita Springs Land Development Code; and
 - b. At time of local development order, the architect of record should demonstrate that the upper portions of the primary facades delineate the surfaces with geometric patterns, vertical and/or horizontal, in the stucco finish. Or, provide the upper façade with a change in material as well. The architect may also add more horizontal glazing to reduce the visual impact of a these buildings; and
 - c. The architect should use vertical trellis for climbing landscape plant material to equal not more than 30% of the total area; and

- d. Deviation 5 is approved to allow the installation of a wall/berm combination, not less than eight feet in height, and located a minimum of 15 feet from the property line. The exterior side of the wall must be planted with a double-staggered hedgerow no less than 48 inches at the time of planting and maintained at 60 inches within two years of planting, in addition to five trees per 100 linear feet; and
 - e. At time of local development order, the Applicant may utilize additional landscaping and/or screen walls to screen the overhead doors. Screening shall be a minimum height of 90 percent of the overhead door height, or a landscape buffer achieving 75 percent opacity within one year. The placement and length of these screening devices shall block the view of the overhead doors from the street or from any residentially used properties.
6. Signage. Any building wall signage facing residually zoned property shall be non-Illuminated.
7. Environmental
- a. Prior to local development order approval, a tree survey shall be required when appropriate, to determine if the site contains Heritage Trees. If the site contains Heritage Trees and the trees are proposed for removal, an appearance before the Tree Advisory Board prior to the issuance of a development order is required.
 - b. All plants which are on the latest Florida *Exotic Pest Plant Counsel's List of Category 1 Invasive Plant Species* shall be removed from the project area, including conservation, open space and developed areas. The site shall be maintained free of plants on the Florida Exotic Pest Plant Counsel's 2007 List of Invasive Plant Species, Category 1 list in perpetuity.
 - c. Prior to local development order approval, development order plans must depict the preserve area as "Gopher Tortoise Preserve", and any gopher tortoises found on site shall be placed into this preserve. If the amount of tortoises exceeds the FFWCC guidelines for the preserve area, the "extra" tortoises may be relocated offsite by obtaining a Florida Fish and Wildlife Conservation Commission (FFWCC) relocation permit. The applicant must first seek approval for preservation of gopher tortoises in place before pursuing off-site relocation options. Any gopher tortoises and commensal species found during burrow excavation must be moved to preserves containing suitable gopher tortoise habitat as approved by the Florida Fish and Wildlife Conservation (FFWCC) and City of Bonita Springs Environmental Sciences staff.
 - d. A conservation easement shall be placed on the 0.653± acre environmentally sensitive pine flatwood with xeric oak community to preserve it in perpetuity. The conservation easement shall be dedicated to the City of Bonita Springs with no responsibility for maintenance.
 - e. A Twisted Air Plant, which is listed by the Florida Dept. of Agriculture as Threatened shall continue to be protected by preserving a 10' buffer around the staggerbush shrub which the plant is growing on.

- f. A listed species and preserve area management plan shall be submitted for review and approval with the next development order. The management plan shall address all requirements per LDC Sec. 3-417(e) – Indigenous preserve management plan, including but not limited to the Twisted Air Plant, the gopher tortoises, signage, and exotic plant and animal species control in the preserve area.
 - g. The utility easement along the western side of the Gopher Tortoise preserve shall remain at the same grade as the preserve and consist of underground utilities. After completion of the underground utilities, this area shall be planted with gopher tortoise friendly xeric plants. A minimum of 6 different native plant species shall be used (three different shrubs and three different groundcovers). Shrubs shall be planted on 5' centers and groundcover massings shall be planted on 1' centers. Appropriate plants shall consist of gopher apple, wiregrass, butterfly peas, gall berry, prickly pear cactus, paw paw and palmettos. A planting plan shall be submitted to the Community Development Department for review and approval.
 - h. An eight (8) foot setback from the adjacent preserve/ wild land area shall be allowed for the Modular Communication Buildings (MCBs).
8. Landscaping and Buffering
- a. Utilization of one hundred (100) percent native vegetation planting within all required landscaping, restoration, creation, and enhanced preservation areas. The applicant may install non-native plantings for accent above the required plantings in landscaped areas only; and
 - b. All required landscaping for the Type "A" buffer will be placed in the 2.5 foot buffer on the northern side of the FP&L easement and will be maintained to prevent encroachment; and
 - c. Buffers shall be provided as shown on the MCP and as described by deviations.
9. Engineering.
- a. At time of local development order, the Applicant shall provide engineering plans showing how the site will store and treat its surface water runoff consistent with the City's Comprehensive Plan and the City's LDC, including compliance with Policy 9.3.3 of the Conservation/Coastal Management Element of the City's Comprehensive Plan, which states that an additional fifty (50) percent water quality is required over the already required South Florida Water Management District water quality; and
 - b. At time of local development order, the Applicant shall provide a drainage analysis demonstrating that the site development plan has no adverse impact on adjacent properties and that there is sufficient on-site drainage capacity, storm-water conveyance, and controlled discharge. The drainage analysis shall include, but not be limited to:
 - i. The Applicant shall provide an Interconnected Pond and Channel Routing (ICPR) Model. The 100-year storm event is the primary storm used to evaluate the proposed design. The City reserves the right to request additional modeling of other storm events upon review of the data. All data submitted shall

be formatted for inclusion into the city's Interconnected Pond Routing (ICPR) Model.

- ii. The Applicant shall provide a drainage map for all contributory areas within and into the development, showing flow paths/arrows, existing on-site and off-site drainage structures (sizes and inverts), and sub-basin areas; and (2) hydrologic and hydraulic calculations for the 5-, 25-, and 100-year design storm events in order to establish existing baseline conditions.
 - iii. Drainage impediments identified during the modeling process must be addressed in the drainage plan.
- c. At time of local development order, the existing lake may be reconfigured to address coordination with the railroad as part of the SFWMD permit; and
 - d. At time of local development order, roof gutters, downspouts and yard drains will be required to collect roof drainage and direct flow into yard drains or central drainage system; and
 - e. At time of local development order, the Applicant may be required to add some type of detectable material to the bottom portions of the guy wires to ensure pedestrian and drivers are aware of their locations. Furthermore, additional lighting may be required around these areas; and
 - f. At time of local development order, the applicant may be required to add a clearance bar of 16' prior to entering the parking area associated to Building 1; and
 - g. The Applicant is on notice that at time of Development Order, the Fire Department may require 20' width drive aisle around Building 1; and
 - h. A safe ADA pedestrian access must be provided to main building entrances.

10. Bicycle and Pedestrian

- a. All required bicycle, pedestrian and multimodal facilities must meet or exceed the specifications set forth in LDC 3-263, 3-302, 3-303 and 3-491, as may be amended; as well as any applicable elements of the respective City of Bonita Springs Bicycle Pedestrian Master Plan [PATH] Bonita Beach Road Corridor Design Standards; and
- b. At time of local development order, the applicant shall provide a fee-in-lieu payment for, or construct, the required offsite bicycle, pedestrian and complete streets facility improvements along/within the Channel 30 Drive and Old US 41 as consistent with requirements of LDC 3-263, 3-302, 3-303, 3-491, City of Bonita Springs Bicycle Pedestrian Master Plan [PATH], as applicable.

11. Transportation Conditions

- a. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City of Bonita Springs Land Development Code may be required to obtain local development order; and
- b. The Developer must comply with concurrency requirements (all conditions required by the Bonita Springs Comprehensive Plan and the

Land Development Code) in order to obtain a local development order;
and

- c. At time of local development order application the developer shall submit a Traffic Impact Statement that includes the following analysis in addition to the City of Bonita Springs Traffic Impact Statement Guidelines:
 - i. A Project Trip Distribution figure generated by percentage and a Peak Hour Project Traffic Assignment figure (including AM and PM peak hour turning movements) and peak hour directional trips along Old 41

Secondary Links - If the directional peak hour project trips assigned to a direct link equal or exceed 2% of the directional peak hour capacity of the level of service standard for that segment, then the project trips shall be assigned to the adjacent roadway segments. The adjacent roadway segments to the direct link shall include both segments on either end of the direct link and any segments of roadways that intersect the direct link. The adjacent roadway segments shall be referred to as Secondary Links.

Additional Links - If the directional peak hour project trips assigned to any secondary link equal or exceed 2% of the directional peak hour capacity of the level of service standard for that segment, then the project trips shall be assigned to the next roadway segment(s) adjacent to the secondary link. These adjacent roadway segments shall be referred to as Additional Links.

If the directional peak hour project trips assigned to any additional link equal or exceed 3% of the directional peak hour capacity of the level of service standard for that segment, then the project trips shall be assigned to the next roadway segment(s) adjacent to the additional link. These adjacent roadway segments shall also be referred to as Additional Links.

Directional peak hour project trips shall continue to be assigned in this manner until the value of directional peak hour project trips is less than the directional peak hour capacity of the level of service standard for that segment. When the percentage is less than 3% of the capacity, then project trip assignment will stop after that link has been assigned.

12. Parking. Any use that requires equipment and/or vehicle storage must demonstrate consistency with LDC Sec. 4-1732(3)c and cannot be parked in a required space.
13. This development is subject to conditions set forth herein and the rules, regulations laws and codes in place at the time of Development Order and

Constructions Plan approval. Approval of this Planned Development is not a guarantee of future approvals.

Deviations:

The revised Master Concept Plan and LDC changes necessitate the need to re-evaluate Deviations 1-3 and the withdrawal of Deviation 2 as approved in ZO-09-14. This amendment request includes four new deviations (Deviations 4 thru 7).

1. **Deviation No. 1:** Deviation to City of Bonita Springs LDC Chapter 3-418 (d)(3) and LDC4-2074(a)(2)(a) requiring a type “E” buffer (25 ft. wide with a wall and 30 shrubs/100 lf) or a type “F” buffer (25 ft. wide, no wall, double row staggered hedge) to permit a type “D” buffer, subject to the modular communication buildings locations. Deviation 1 is APPROVED subject to Condition 8.
2. **Deviation No. 2:** Deviation to City of Bonita Springs LDC Chapter 4-1732 requiring one (1) parking space per 1000 sf of floor area for Warehousing, Public or self storage to provide for one (1) parking space per 3000 sf of floor area. Deviation 2 is APPROVED subject to Condition 21 of ZO-09-14 and Condition 12.
3. **Deviation No. 3:** Deviation to City of Bonita Springs LDC Chapter 3-416(D)(3) requiring a Type “A” buffer along the South property line to provide a type “A” buffer (5 ft. wide) along the south to permit a type “A” buffer encroaching 2.5 ft along the north side of the existing FPL easement. Deviation 3 is APPROVED subject to Condition 8.
4. **Deviation No. 4:** Deviation to City of Bonita Springs LDC Chapter 3-353 requiring a connection to the sanitary sewer system when building size exceeds 30,000 sf or estimated wastewater flow exceeds 5000 gpd. Staff recommends to repeal Condition 24 of ZO-09-14 and DENIAL of the deviation request. See Condition 4.
5. **Deviation No. 5:** Deviation to City of Bonita Springs LDC Chapter 3-490(b), 3-2074(b), and Division 36 of LDC 4 requiring a 25 ft set-back and 8 ft high wall to buffer the overhead doors in building #1 and outdoor storage to be covered with a structure architecturally consistent with the principal structures, to allow for a 15 ft set-back and 8-ft high masonry wall consistent with the principal structures. Wall and plantings to be provided and meet code requirements. Deviation 5 is APPROVED subject to Condition 5.
6. **Deviation No. 6:** Deviation to City of Bonita Springs LDC Chapter 3-417(b)(6)(a) requiring habitable buildings to be set-back a minimum of 30 ft from “wildland” areas to reduce the set-back 8 ft for Modular Communication Buildings (MCBs). Deviation 6 is APPROVED subject to Condition 8.
7. **Deviation No. 7:** Deviation to City of Bonita Springs LDC Chapter 3-417(b)(1)(a) requiring a minimum of 30-ft setback from indigenous native vegetation to habitable structures to reduce the set-back to 8 ft for Modular Communication Buildings (MCBs). Deviation 7 is APPROVED subject to Condition 8.

SUBJECT PROPERTY:

The Applicant indicates the STRAP number is: 03-48-25-B3-00001.0030

EXHIBITS:

- A. Legal Description and Sketch of the Subject Property stamped received October 4, 2018
- B. Master Concept Plan stamped received February 24, 2020
- C. Zoning History: Zoning Ordinance No. 09-14 and City of Bonita Administrative Amendments ADD13-05141-BOS, ADD16-26594-BOS, and ADD18-53020-BOS

ATTACHMENTS:

- A. Staff Informational Analysis
 - i. Background and Informational Analysis
- B. Applicant's Informational Analysis
 - i. Application
 - ii. Mailing Labels and Variance Report for Parcels within 375 feet
 - iii. Project Location Map
 - iv. Project Request Narrative
 - v. Comprehensive Plan Consistency, LDC Consistency, and Design Standards and Design Decision Making Narrative
 - vi. Environmental Assessment and Mapping
 - vii. Aerial Exhibit
 - viii. Traffic Impact Statement
 - ix. Public Transit Map
 - x. Topographic Survey
 - xi. Description of Proposed Development
 - xii. Surface Water Management Plan
 - xiii. Program for Phased Development
 - xiv. Aerial
 - xv. Schedule of Uses
 - xvi. Schedule of Deviations
 - xvii. Architectural Renderings
 - xviii. Mediterra Photo Exhibit
 - xix. December 4, 2019 Neighborhood Meeting Information
 - xx. Master Concept Plan stamped received February 24, 2020 (24" by 36")

RECEIVED
 CITY OF BONITA SPRINGS
 OCT 10 2018
 COMMUNITY DEVELOPMENT
 DEPARTMENT

LEGAL DESCRIPTION
 THAT PART OF SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LYING EAST OF THE ACL RIGHT-OF-WAY (SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY; SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

SUBJECT TO THE FOLLOWING DESCRIBED FLORIDA POWER AND LIGHT EASEMENT: A 10 FEET WIDE FLORIDA POWER AND LIGHT EASEMENT LYING WITHIN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3; THENCE NORTH 89°22'21" WEST, ALONG THE SOUTH LINE OF SAID SECTION 3, 228.87 FEET, TO THE POINT OF BEGINNING OF A 10 FEET WIDE POWERLINE EASEMENT, LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:


1. THENCE NORTH 07°56'11" EAST, 157.75 FEET;
2. THENCE NORTH 29°44'30" EAST, 51.55 FEET;
3. THENCE NORTH 01°10'19" EAST, 177.01 FEET, TO THE END OF SAID CENTERLINE.

AND SUBJECT TO THE FLORIDA POWER & LIGHT EASEMENT AS DESCRIBED GRAPHICALLY IN OFFICIAL RECORDS BOOK 1408, PAGES 1010-1011, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND DEPICTED HEREON.
 CONTAINING 6.109 ACRES.

Exh. 11-B-1

SKETCH OF DESCRIPTION
 NOT A SURVEY

SUPER TOWERS INC.

COASTAL ENGINEERING CONSULTANTS, INC.
 FLORIDA BUSINESS AUTHORIZATION NO. LB 2464

 RICHARD J. EWING, VP
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5295
 NOT VALID WITHOUT THE SIGNATURE AND
 THE ORIGINAL RAISED SEAL OF A FLORIDA
 LICENSED SURVEYOR AND MAPPER
 DATE OF SIGNATURE: 8.16.18

COASTAL ENGINEERING CONSULTANTS INC.
 A CECI GROUP COMPANY
 Serving Florida Since 1977
 3106 SOUTH HORSESHOE DRIVE
 NAPLES, FLORIDA 34104

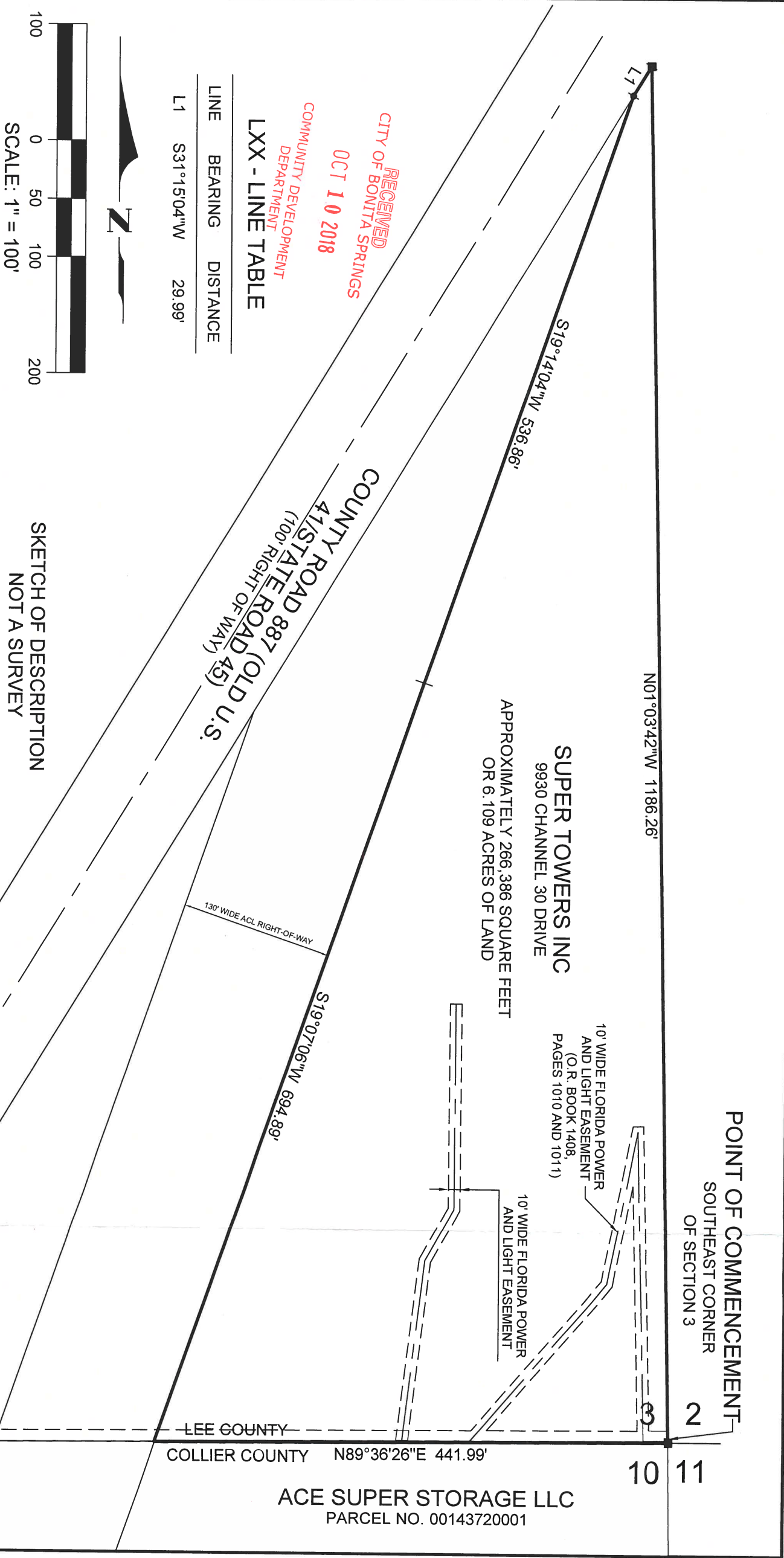
COASTAL AND MARINE ENGINEERING
 ENVIRONMENTAL AND GEOLOGICAL SERVICES
 LAND AND MARINE SURVEY AND MAPPING

CECI GROUP SERVICES
 PHONE: (239) 643-2324
 FAX: (239) 643-1143
 www.coastalengineering.com
 E-Mail: info@ceci.com

CLIENT: SUPER TOWERS INC.
 TITLE: SKETCH OF DESCRIPTION
 OF THAT PART OF SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LYING EAST OF THE ACL RIGHT-OF-WAY (SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY; SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD).

| DATE | SCALE | 1" = 100' |
|----------------------|---------|-----------------|
| 08/16/18 | MMW/FB | N/A |
| CHECKED | RJE/PJG | N/A |
| SEC. | 3 TWP | 48S |
| KCAD NO | | 25E |
| REF NO | 18-195 | BOUNDARY SKETCH |
| NO. | DATE | BY |
| REVISION DESCRIPTION | | |

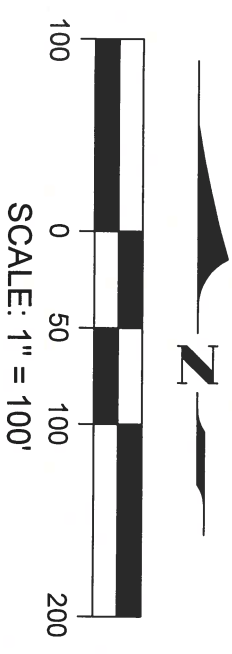
Exh. 11-B-2



RECEIVED
CITY OF BONITA SPRINGS
OCT 10 2018
COMMUNITY DEVELOPMENT
DEPARTMENT

LXX - LINE TABLE

| LINE | BEARING | DISTANCE |
|------|--------------|----------|
| L1 | S31°15'04\"W | 29.99' |



SKETCH OF DESCRIPTION
NOT A SURVEY

COASTAL ENGINEERING CONSULTANTS INC.
AECI GROUP COMPANY
Serving Florida Since 1977
3106 SOUTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104

COASTAL AND MARINE ENGINEERING ENVIRONMENTAL AND GEOLOGICAL SERVICES LAND AND MARINE SURVEY AND MAPPING

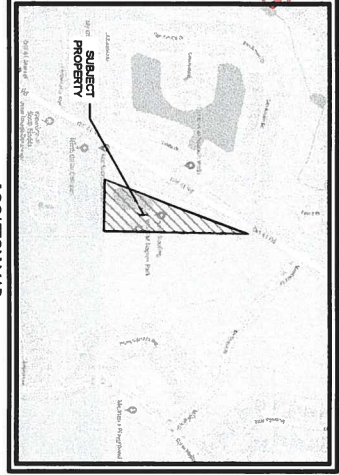
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| DATE | SCALE | 1" = 100' | |
|---------------------------------|----------|-----------|----------------------|
| 08/16/18 | MMW/F.B. | N/A | |
| CHECKED: RJE/PJG | | | |
| SEC. 3 TWP. 48S R18E | | | |
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| REF. NO. 18-195 BOUNDARY SKETCH | | | |
| NO. | DATE | BY | REVISION DESCRIPTION |
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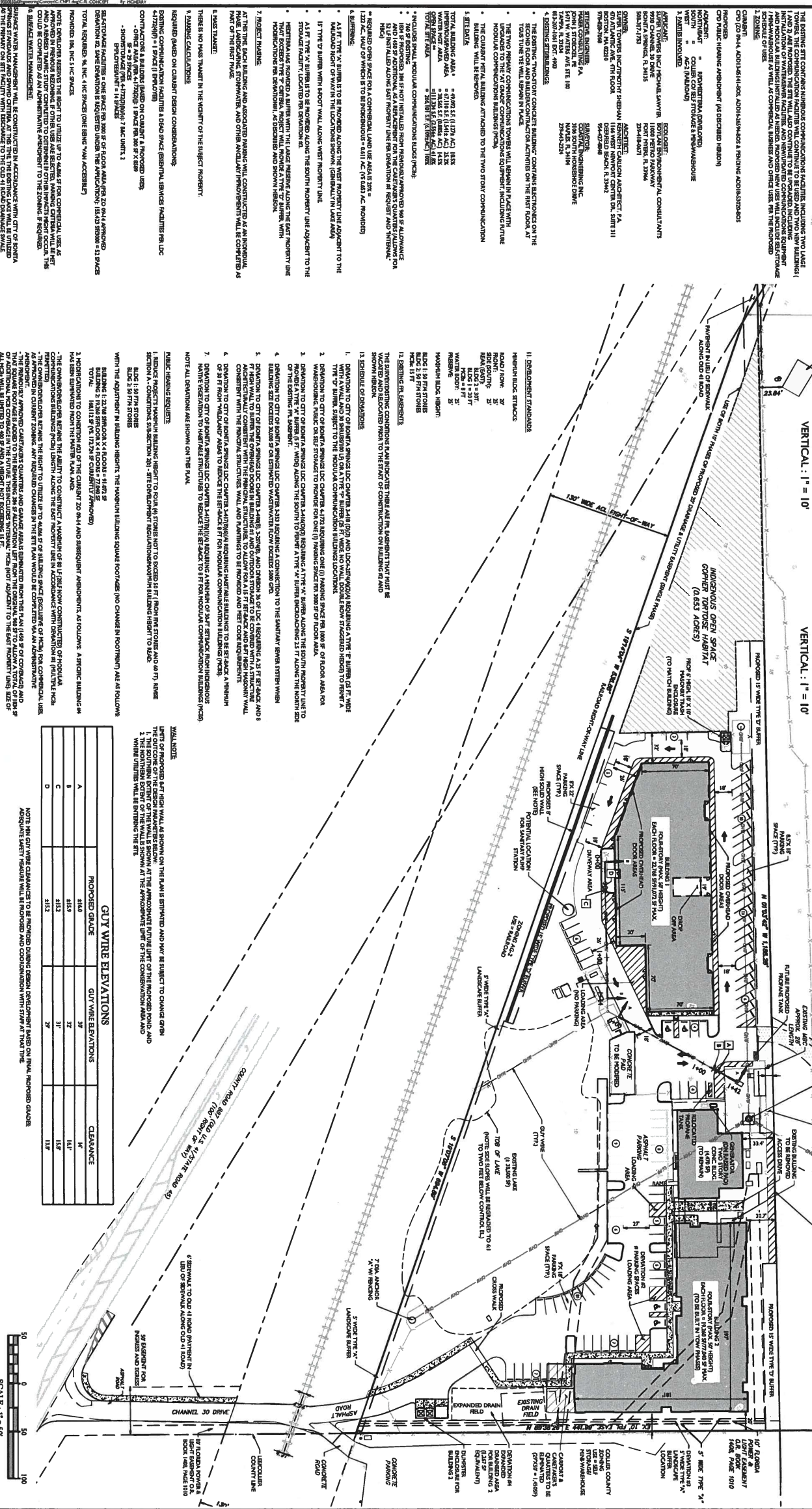
RECEIVED
CITY OF BONITA SPRINGS
FEB 24 2020
COMMUNITY DEVELOPMENT
DEPARTMENT



GENERAL DESIGN & REFERENCE NOTES:
THE EXISTING SITE CONTAINS SUBSIDIARY COMMUNICATIONS FACILITIES, INCLUDING TWO LINES OF TELEPHONE SERVICE AND ONE CABLE TV LINE. THE COMMUNICATIONS FACILITIES WILL CONTINUE TO BE USED AND TWO NEW BUILDING INFORMATION SYSTEM (BIS) LINES WILL BE INSTALLED. THE COMMUNICATIONS FACILITIES WILL BE INSTALLED IN CONFORMANCE WITH THE CITY OF BONITA SPRINGS COMMUNICATIONS FACILITIES MANUAL AND THE CITY OF BONITA SPRINGS COMMUNICATIONS FACILITIES MANUAL. THE COMMUNICATIONS FACILITIES WILL BE INSTALLED IN CONFORMANCE WITH THE CITY OF BONITA SPRINGS COMMUNICATIONS FACILITIES MANUAL AND THE CITY OF BONITA SPRINGS COMMUNICATIONS FACILITIES MANUAL. THE COMMUNICATIONS FACILITIES WILL BE INSTALLED IN CONFORMANCE WITH THE CITY OF BONITA SPRINGS COMMUNICATIONS FACILITIES MANUAL AND THE CITY OF BONITA SPRINGS COMMUNICATIONS FACILITIES MANUAL.

PROFILE OF GUY WIRE AB
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 10'

PROFILE OF GUY WIRE DC
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 10'



1.1. EXISTING UTILITIES:
EXISTING UTILITIES SHOWN ON THE PLAN ARE AS FOLLOWS:
1. TELEPHONE LINES (TYP)
2. CABLE TV LINES (TYP)
3. BIS LINES (TYP)
4. WATER MAIN (TYP)
5. SEWER MAIN (TYP)
6. GAS MAIN (TYP)
7. ELECTRIC MAIN (TYP)
8. FLOOD CONTROL CANALS (TYP)
9. DRAINAGE CANALS (TYP)
10. LANDSCAPE IRRIGATION SYSTEM (TYP)
11. EXISTING DRIVEWAYS (TYP)
12. EXISTING SIDEWALKS (TYP)
13. EXISTING CURBS (TYP)
14. EXISTING LIGHT FIXTURES (TYP)
15. EXISTING SIGNAGE (TYP)
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17. EXISTING TREES (TYP)
18. EXISTING PLANTS (TYP)
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20. EXISTING GRAVEL (TYP)
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1.2. EXISTING BUILDINGS:
EXISTING BUILDINGS SHOWN ON THE PLAN ARE AS FOLLOWS:
1. EXISTING BUILDING 1 (TYP)
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50. EXISTING BUILDING 50 (TYP)

1.3. EXISTING UTILITIES:
EXISTING UTILITIES SHOWN ON THE PLAN ARE AS FOLLOWS:
1. TELEPHONE LINES (TYP)
2. CABLE TV LINES (TYP)
3. BIS LINES (TYP)
4. WATER MAIN (TYP)
5. SEWER MAIN (TYP)
6. GAS MAIN (TYP)
7. ELECTRIC MAIN (TYP)
8. FLOOD CONTROL CANALS (TYP)
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12. EXISTING SIDEWALKS (TYP)
13. EXISTING CURBS (TYP)
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50. EXISTING Metamorphic (TYP)

| PROPOSED GRADE | GUY WIRE ELEVATIONS | CLEARANCE |
|----------------|---------------------|-----------|
| A | 25 | 15' |
| B | 25 | 15' |
| C | 25 | 15' |

SCALE: 1" = 50'

NOTE: ALL GUY WIRE CLEARANCES TO BE MAINTAINED THROUGHOUT THE PROJECT. ALL GUY WIRE CLEARANCES TO BE MAINTAINED THROUGHOUT THE PROJECT. ALL GUY WIRE CLEARANCES TO BE MAINTAINED THROUGHOUT THE PROJECT.

JOHN J. STOECKE
REGISTERED PROFESSIONAL ENGINEER
LICENSE NUMBER: 1059

ZONING PLAN
FOR
SUPER TOWERS INC.

9930 CHANNEL 30 DRIVE
CITY OF BONITA SPRINGS
LEE COUNTY
FLORIDA

MASER
ENGINEERING & ARCHITECTURE
11111 W. BAYVIEW BLVD., SUITE 100
DALLAS, TEXAS 75249
TEL: 214.416.1111
WWW.MASER.COM

**CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 09-14**

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BY CHANNEL 30 DRIVE COMMERCIAL CENTER TO REZONE FROM AGRICULTURAL (AG-2) TO COMMERCIAL PLANNED DEVELOPMENT (CPD); ON LAND LOCATED AT 9930 CHANNEL 30 DRIVE, BONITA SPRINGS, FLORIDA, ON 6.11+/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Channel 30 Drive Commercial Center has filed an application for rezoning 6.11 ± acres from Agricultural (AG-2) with Special Exception for a nursery to Commercial Planned Development (CPD) to allow for the existing communication towers and equipment (including the existing 4,470 SF building) to remain, the addition of two new modular communication buildings, the construction of up to 172,724 SF of building floor area and a caretaker's quarters. The building floor area will be utilized for up to 46,866 SF of commercial uses with the remaining space for a self-storage/mini-warehouse facility. Maximum building is five stories not to exceed 60 feet;

WHEREAS, the subject property is located at 9930 Channel 30 Drive, Bonita Springs, Florida, and is described more particularly as:

"See Exhibits"

WHEREAS, a Public Hearing was advertised and heard on October 2, 2009 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case PD08-B0S00001 who gave full consideration to the evidence available and recommended approval (5-0, Healy & Brandeth absent); and gave full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all interested parties. The September 11, 2009 Staff Report prepared by Community Development and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the rezoning with the following conditions and deviations:

A. Conditions

1. The development of this project must be consistent with the one page Master Concept Plan entitled "Channel 30 Drive Commercial Planned Development", prepared by ConsulTech Development Services stamped

received June 4, 2009, 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 the time of Development Order Approval, except as 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

Animals:

Clinic

Kennel

Control center (including Humane Society)

Auto Parts Store

Automotive Repair and Service (Group I & II)

Boat storage, dry, not exceeding 18 feet above grade

Boat storage, dry, exceeding 18 feet above grade

Broadcast studio, commercial radio and television

Building material sales

Business Services (Group I & II)

Bus station/depot

Caretaker's residence

Caterers

Cleaning and maintenance services

Communication tower:

100 feet or less in height

Over 100 feet in height (existing only)

Contractors and Builders (Group I)

Entrance gates and gatehouse

Essential Services facilities (Group I)

Excavation, Water Retention

Farm equipment, sales, storage, rental, service

Feed or fertilizer, mixing and sales

Freight and cargo handling establishments

Laundry or Dry Cleaning (Group I & II)

Lawn and Garden Supply Store

Manufacturing, repair or wholesale sales of:

Apparel

Electrical machinery and equipment

Fabricated metal products (Group II)

Food and Kindred products (Group III)

Leather products (Group II)

Lumber and wood products (Groups II,)

Measuring, analyzing and controlling instruments

Novelties, jewelry, toys and signs (Group I, II & III)
 Rubber and plastic products (Group II)
 Non-store retailers, (all Groups)
 Paint, glass and wallpaper
 Pet services
 Pet shop
 Plant nursery
 Post Office
 Printing and publishing
 Processing and warehousing
 Rental or Leasing Establishments (Group I, II & III)
 Repair Shops (Group I, II & III)
 Research and development laboratories (Group II, IV)
 Residential accessory uses
 Retail and wholesales, when clearly incidental and subordinate to a permitted use on the same premises
 Signs in accordance with Chapter 6
 Storage:
 Indoor
 Storage, open
 Studios
 Temporary uses
 Transportation services (Group II)
 Vehicle and equipment dealers (Group I & II)
 Warehouse:
 Mini-warehouse
 Private
 Public
 Wholesale establishment (Groups I & III)

b. Site Development Regulations

Minimum Area Dimension:

Lot Area: 6.109 ± acres
 Lot Depth: As shown on MCP
 Lot Width: As shown on MCP

Minimum Building Setbacks:

Road / ROW: 20 FT
 Front: 25 FT
 Side (East): BLDGS 1 & 2 = 25 FT
 3 & 4 = 8 FT
 Rear (South): 20 FT
 Waterbody: 25 FT
 Preserve: 25 FT
 Minimum Building Separation: 25 FT

| | |
|--------------------------|--|
| Maximum Building Height: | BLDG 1: 60 FT/5 stories BLDG 2: 40 FT/3 stories BLDG 3: 15 FT/1 story BLDG 4: 15 FT/1 story |
| Maximum Lot Coverage: | 40% |
| Minimum Open Space | 20% |

3. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City of Bonita Springs LDC may be required to obtain local development order.
4. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the City of Bonita Springs Comprehensive Plan provisions.
5. This development must comply with all of the requirements of the LDC at the time of the local development order approval, except as may be granted by deviation approved as part of this planned development.
6. Development must include sidewalks as a site related improvement. Such facilities must be included in local development orders as part of the project's infrastructure, and as part of any vertical development.
7. The development must comply with the commercial lighting standards found in the LDC, Chapter 3. Street, parking lot and building lighting must be shielded so that light is directed downward to reduce spillage to off-site parcels.
8. Prior to local development order approval the developer must provide facilities in compliance with the Bonita Springs LDC for the pickup/disposal of solid waste and recyclables. The minimum area required for, and specific locations of, these facilities will be reviewed at the time of local development order application for vertical development.
9. The developer will use best efforts to incorporate principles for its building through the Florida Green Building Coalition program, in site design and construction, by emphasizing use of high energy efficiency designs and use of high energy efficient fixtures and appliances where possible. Building materials, both internal and external, will be comprised of durable and recycled materials where possible.
10. Utilization of one hundred (100) percent native vegetation planting within all required landscaping, restoration, creation, and enhanced

preservation areas. The applicant may install non-native plantings for accent above the required plantings in landscaped areas only.

11. Prior to local development order approval, a tree survey shall be required when appropriate, to determine if the site contains Heritage Trees. If the site contains Heritage Trees, an appearance before the Tree Advisory Board prior to the issuance of a development order is required.
12. Development orders for this project shall be required to provide an additional 50% retention/detention for water quality treatment systems, Policy 9.3.3 Bonita Springs Comprehensive Plan, and shall use a treatment train approach, incorporating Best Management Practices, according to Policy 9.3.1., Bonita Springs Comprehensive Plan.
13. All plants which are on the *Florida Exotic Pest Plant Counsel's 2007 List of Invasive Plant Species, Category 1* list, shall be removed from the project area, including conservation, open space and developed areas. The site shall be maintained free of plants on the Florida Exotic Pest Plant Counsel's 2007 List of Invasive Plant Species, Category 1 list in perpetuity.
14. Prior to local development order approval, development order plans must depict the xeric oak community within the preserve area as "Gopher Tortoise Preserve", and any gopher tortoises found on site shall be placed into this preserve. If the amount of tortoises exceeds the FFWCC guidelines for the preserve area, the "extra" tortoises may be relocated offsite by obtaining a Florida Fish and Wildlife Conservation Commission (FFWCC) relocation permit. The applicant must first seek approval for preservation of gopher tortoises in place before pursuing off-site relocation options.

Any gopher tortoises and commensal species found during burrow excavation must be moved to preserves containing suitable gopher tortoise habitat as approved by the Florida Fish and Wildlife Conservation (FFWCC) and City of Bonita Springs Environmental Sciences staff.
15. The 0.653± acre environmentally sensitive xeric oak community, FLUCFCS Code 421, shall be preserved. A conservation easement shall be placed on this area to preserve it in perpetuity. The conservation easement shall be dedicated to the City of Bonita Springs with no responsibility for maintenance.
16. A Twisted Air Plant, which is listed by the Florida Dept of Agriculture as Threatened, is located in the pine flatwoods adjacent to the xeric oak

community. This plant shall be protected by preserving a 10' buffer around the staggerbush shrub which the plant is growing on.

17. A listed species management plan for the preserve area shall be required at the time of development order. The management plan shall address the Twisted Air Plant, the gopher tortoises, and exotic plant and animal species control in the preserve area.
18. All required landscaping for the Type "A" buffer will be placed in the 2.5 foot buffer on the northern side of the FP&L easement and will be maintained to prevent encroachment.
19. As part of the development order submittal an intersection analysis will be preformed for Channel 30 Drive and Old 41 road. This will be used to determine the length of turn lanes on Old 41 accessing the site.
20. The applicant will enter into a developer's agreement prior to development order approval to determine proportionate fair share of necessary off-site improvements to Old 41 and the Seminole Gulf Railroad / CSX railroad crossing.
21. Parking for the Warehousing, public or self storage:
 - a. The applicant must provide a minimum of one (1) parking space per 3,000 square feet of gross floor area. Should City Council make a determination, at a meeting where the current Owner of record is given notice that this parking is not meeting the operational requirements, the Owner must provide additional parking consistent with the Land Development Code (LDC) for the use; and
 - b. Parking spaces approved through this deviation are for the warehousing, public or self storage uses only; and
 - c. No parking spaces or loading zones required for the warehousing, may be utilized for the Business Services Group I & II, communications buildings, caretaker's quarters; and
 - d. Overnight parking of is not permitted within designated parking spaces.
22. The proposed 20' utility easement line shown on the current MCP shall be approved in 2 phases so as to deal with the constrained physical site limitations in protecting the gopher tortoises and protecting the buffer. First phase will include the western most 10' for stormwater / utilities. Phase II shall include the additional 10'. The approval of phase II shall be conditioned upon a new evaluation to determine the number and

health of gopher tortoises, and the quality of the xeric preserve. If the additional 10' is sought for Phase II, this request can be made administratively. The utility easement along the western side of the Gopher Tortoise preserve shall remain at the same grade as the preserve and consist of under ground utilities. After completion of the underground utilities, this area shall be planted with gopher tortoise friendly xeric plants. A minimum of 6 different native plant species shall be used (three different shrubs and three different groundcovers). Shrubs shall be planted on 5' centers and groundcover massings shall be planted on 1' centers. Appropriate plants shall consist of gopher apple, wiregrass, butterfly peas, gall berry, prickly pear cactus, paw paw and palmettos. A planting plan shall be submitted to the Community Development Department for review and approval.

23. The proposed pre-fabricated modular communications buildings identified as 3 & 4 on the Master Concept Plan may be modified to allow more than 2 buildings in this location, as long as the total square footage does not exceed 960 square feet nor can any of the buildings be greater than 12 feet wide.
24. The property will be required to water and sewer hook-up prior to certificate of completion when the flow generated to the septic drain bed exceeds 3,200 square feet capacity for the drain bed.

B. Deviations

Deviation 1 is approved, granting relief from LDC §3-416(D)(3) which requires a type "E" buffer (25 ft. wide with a wall) or a type "F" buffer (30 ft wide with no wall) to permit a type "D" buffer (8 ft wide), subject to the proposed septic system and the modular communication building locations, as long as the required number of plantings for the type "D" buffer is placed within the proposed 8 FT.

Deviation 2 is approved, granting relief from LDC §34-2020, parking requirements of one (1) parking space per 1000 SF of area for warehousing, public or self storage to have one (1) parking space per 3000 SF of area, subject to Condition 21.

Deviation 3 is approved, granting relief from LDC §3-416(D)(3) which requires a type "A" buffer (5 FT wide) along the south property line to provide a type "A" buffer encroaching 2.5 FT along the north side of the existing FP&L easement, subject to Condition 18.

C. Findings and Conclusions:

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

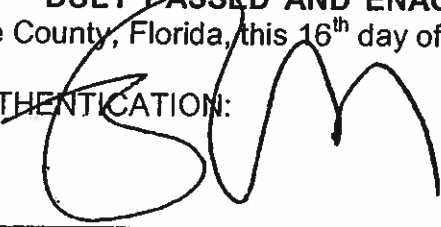
1. The applicant has proven entitlement to the rezoning of a Commercial Planned Development (CPD) by demonstrating compliance with the Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested CPD zoning, as conditioned:
 - a) meets or 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 City of Bonita Springs Comprehensive Plan.
 - c) is compatible with existing or planned uses in the surrounding area; and
 - d) will not adversely affect environmentally critical areas or natural resources.
3. Approval of the request, as conditioned, 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 Bonita Springs Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.
5. As conditioned, the proposed uses are appropriate at the subject location.
6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.
8. The deviations granted, as conditioned:
 - a) enhance the objectives of the planned development; and
 - b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

SECTION TWO: EFFECTIVE DATE

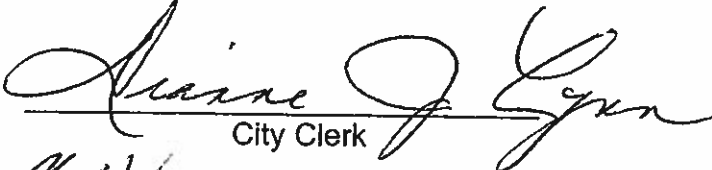
This ordinance shall take effect thirty (30) days from the date of adoption.

DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 16th day of November, 2009.

AUTHENTICATION:

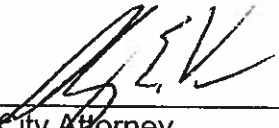


Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

| | | | |
|----------|-----|--------|-----|
| Ferreira | Aye | Nelson | Aye |
| Lonkart | Aye | Simons | Aye |
| McCourt | Aye | Spear | Aye |
| Martin | Aye | | |

Date filed with City Clerk: 11-16-09

LEGAL DESCRIPTION
FOR
9930 CHANNEL 30 DRIVE., BONITA SPRINGS, FL 34135
(STRAP NO. 03-48-25-B3-00001.0030)

THAT PART OF SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LYING EAST OF THE ACL RIGHT-OF-WAY (SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY); SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

SUBJECT TO THE FOLLOWING DESCRIBED FLORIDA POWER AND LIGHT EASEMENT: A 10 FEET WIDE FLORIDA POWER AND LIGHT EASEMENT LYING WITHIN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

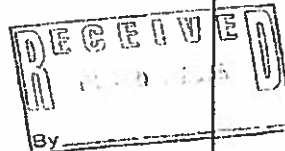
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3; THENCE NORTH 89°22'21" WEST, ALONG THE SOUTH LINE OF SAID SECTION 3, 228.87 FEET, TO THE POINT OF BEGINNING OF A 10 FEET WIDE POWERLINE EASEMENT, LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

1. THENCE NORTH 07°56'11" EAST, 157.75 FEET;
2. THENCE NORTH 29°44'30" EAST, 51.55 FEET;
3. THENCE NORTH 01°10'19" EAST, 177.01 FEET, TO THE END OF SAID CENTERLINE.

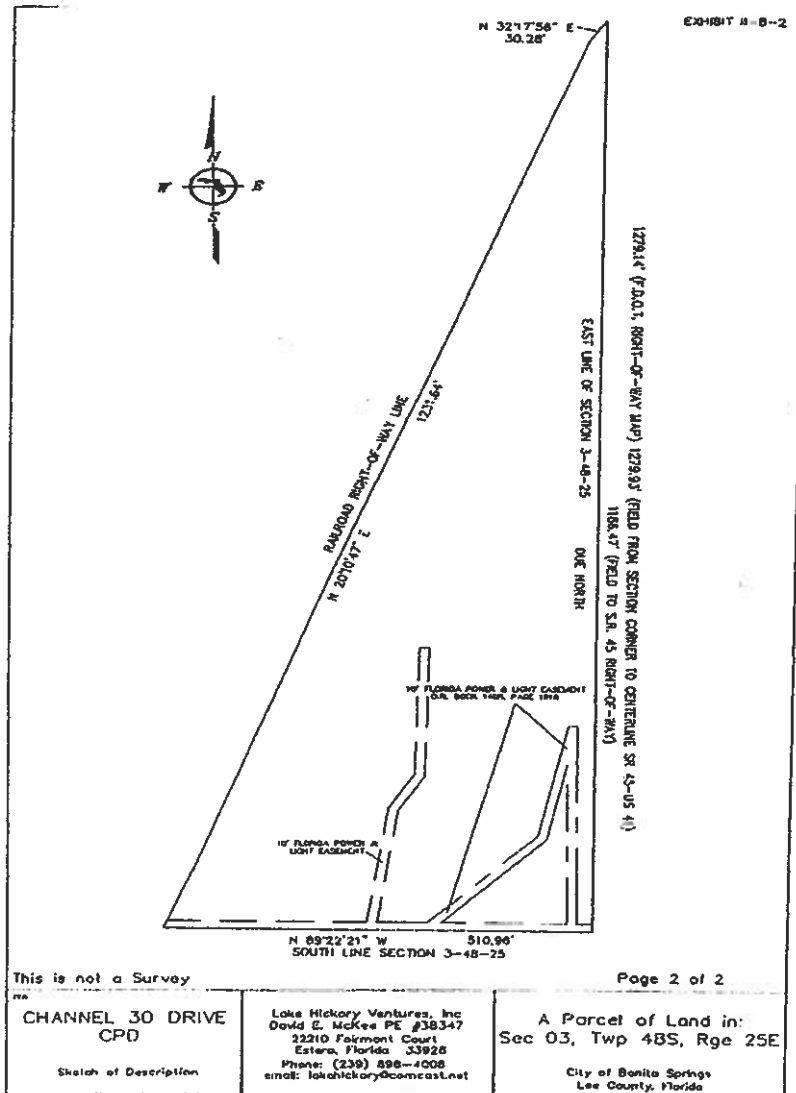
AND SUBJECT TO THE FLORIDA POWER & LIGHT EASEMENT AS DESCRIBED GRAPHICALLY IN OFFICIAL RECORDS BOOK 1408, PAGES 1010-1011, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND DEPICTED HEREON.

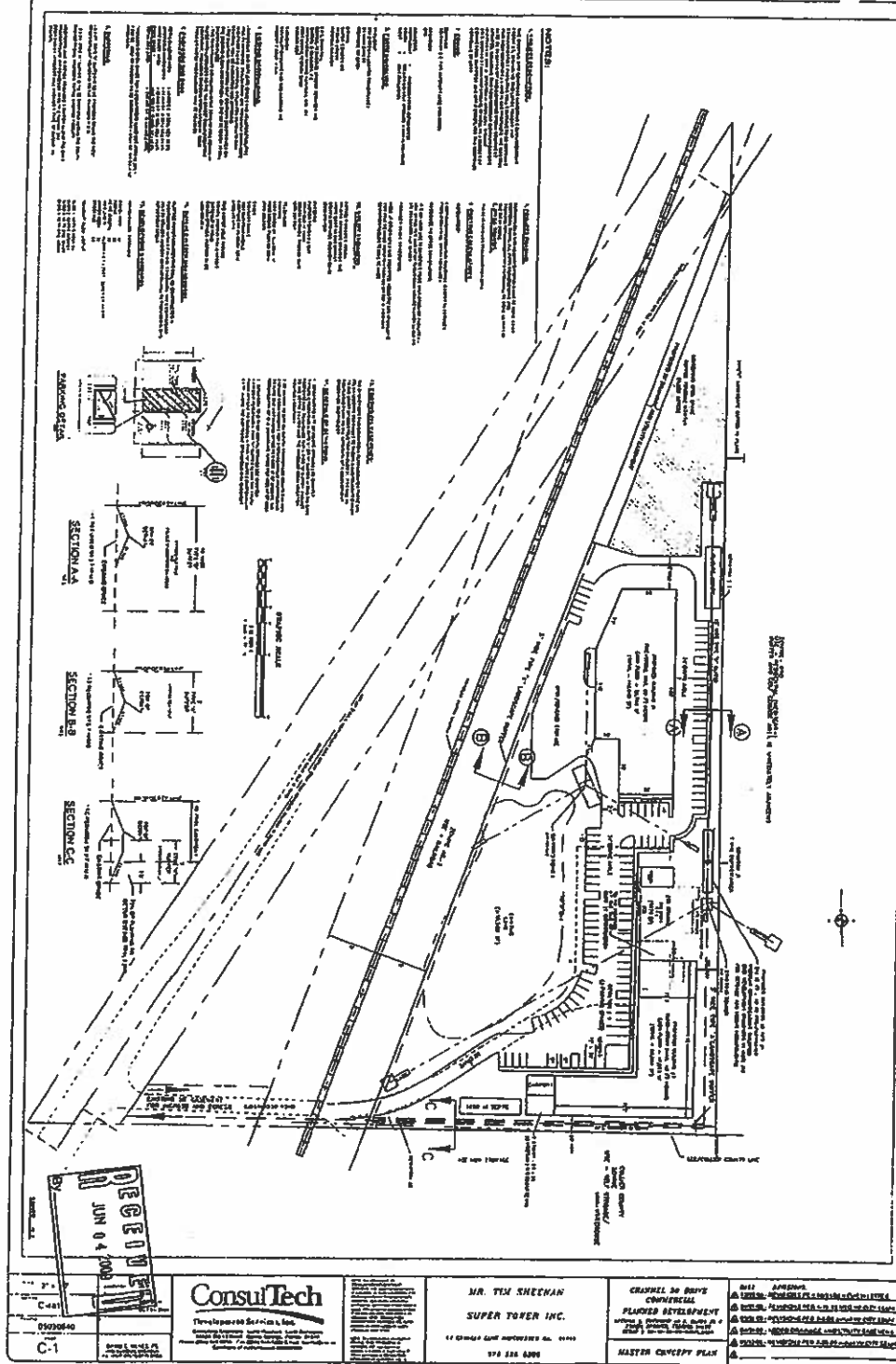
CONTAINING 6.109 ACRES.

David E. McKee 5/20/08
DAVID E. MCKEE
PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO: PE38347



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|---|--|---|
| This is not a Survey | | Page 1 of 2 |
| for CHANNEL 30 DRIVE CPD Legal Description | Lake Hickory Ventures, Inc David E. McKee PE #38347 22210 Fairmont Court Estero, Florida 33928 Phone: (239) 898-4808 email: lakehickory@comcast.net | A Parcel of Land in: Sec 03, Twp 48S, Rge 25E City of Bonita Springs Lee County, Florida |





**ADMINISTRATIVE AMENDMENT ADD13-05141-BOS
TO CHANNEL 30 DRIVE COMMERCIAL CENTER CPD**

**ADMINISTRATIVE ACTION
BONITA SPRINGS, FLORIDA**

WHEREAS, McKee Engineering Consultants, Inc filed an application for administrative approval to replace the existing communication tower, make some minor changes in the modular communication buildings and add another generator as depicted on the attached revised Master Concept Plan (MCP) for the project known as Channel 30 Drive Commercial Center Commercial Planned Development (CPD) for property located at 9930 Channel 30 Drive, described more particularly as:

LEGAL DESCRIPTION: Section 03, Township 48 South, Range 25 East, Bonita Springs, Florida:

See attached Exhibit A

WHEREAS, Super Towers, Inc., the owner of the subject property, has authorized David E. McKee, P.E. of McKee Engineering Consultants, Inc to act as the agent to pursue this administrative action request; and

WHEREAS, the property was originally rezoned in 2009, by the City of Bonita Springs Zoning Ordinance No. 09-14; and

WHEREAS, the subject property is located in the Industrial District future land use category as designated by the Bonita Springs Comprehensive Plan; and

WHEREAS, the City of Bonita Springs Land Development Code (LDC) provides for certain administrative changes to planned development master concept plans; and

WHEREAS, the applicant is requesting to replace the existing aging communication tower, make some minor changes in the modular communication buildings and add one additional generator; and

WHEREAS, Zoning Ordinance No. 09-14 allows for communication towers over 100' feet in height (existing only); and

WHEREAS, Zoning Ordinance No. 09-14 lists no conditions relative to the maintenance and or replacement of the existing communication tower; and

WHEREAS, the applicant wishes to be replace the existing aging communication tower with a new tower; and

WHEREAS, the existing tower will remain in service while the new tower is being built in order for the continued operation of the existing radio and cell phone antennas during construction of the new tower; and

WHEREAS, the new tower will be constructed approximately 13 feet north of the existing tower; and

WHEREAS, the height of the new tower will be the same as the existing tower; and

WHEREAS, the existing tower will be demolished once the replacement tower is constructed and existing communication antennas are relocated; and

WHEREAS, the applicant wishes to demolish and replace the existing modular communication buildings, which does not increase the total square footage permitted; and

WHEREAS, the applicant wishes to add one additional generator to support the replacement communication tower; and

WHEREAS, the subject application and plans have been reviewed by the City of Bonita Springs Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses; and

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to replace the existing communication tower, make some minor changes in the modular communication buildings and add another generator as depicted on the attached revised Master Concept Plan for the project known as Channel 30 Drive Commercial Planned Development is APPROVED, subject to the following conditions:

1. The administrative amendment is limited to the revisions as identified on the revised Master Concept Plan, stamped received on April 22, 2013 ("Attachment A").
2. The proposed setbacks for the replacement communication tower are as follows:
 - North property point/corner: from 853' to 840'
 - East property line: Same
 - South property line: 13' farther away
 - West property line: from 300' to 296'
3. No other changes have been authorized as part of this amendment and development must remain in compliance with Bonita Springs Zoning Ordinance No. 09-14 and Land

Development Code. The terms and conditions of the original zoning ordinance remain in full force and effect.

4. The applicant must submit a Limited Development Order prior to construction reflecting these modifications and a construction schedule for the replacement tower and demolition of the existing tower.
5. Forty-eight hours before commencing construction of the replacement communication tower, and within 48 hours after the antenna-supporting structure reaches its maximum height, the Lee Port Authority, Sheriff's Office, Emergency Medical Services, the local fire district and the Lee County Mosquito Control District must be notified by the entity constructing the antenna-supporting structure.
6. The existing tower must be fully disassembled and removed within 90 days of the completion of the new tower and transfer of equipment.
7. The relocation of any future replacement tower facilities may be handled administratively as long as the replacement tower is constructed for the same purpose as the existing tower, does not require additional towers and is not greater in height.
8. If high voltage is necessary for the operation of proposed wireless communication facilities, High Voltage-Danger and No Trespass warning signs not greater than one (1) square foot in area must be permanently attached to the fence or wall at intervals of not less than forty (40) feet and upon the access gate, or as otherwise required by the FAA or FCC.

DULY signed this 16 day of June, A.D., 2013

BY: _____

John Dulmer, AICP, Community Development Director

Department of Community Development

LEGAL DESCRIPTION
FOR
9930 CHANNEL 30 DRIVE., BONITA SPRINGS, FL 34135
(STRAP NO. 03-48-25-B3-00001.0030)

THAT PART OF SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LYING EAST OF THE ACL RIGHT-OF-WAY (SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY); SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

SUBJECT TO THE FOLLOWING DESCRIBED FLORIDA POWER AND LIGHT EASEMENT:
A 10 FEET WIDE FLORIDA POWER AND LIGHT EASEMENT LYING WITHIN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3; THENCE NORTH 89°22'21" WEST, ALONG THE SOUTH LINE OF SAID SECTION 3, 228.87 FEET, TO THE POINT OF BEGINNING OF A 10 FEET WIDE POWERLINE EASEMENT, LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

1. THENCE NORTH 07°56'11" EAST, 157.75 FEET;
2. THENCE NORTH 29°44'30" EAST, 51.55 FEET;
3. THENCE NORTH 01°10'19" EAST, 177.01 FEET, TO THE END OF SAID CENTERLINE.

AND SUBJECT TO THE FLORIDA POWER & LIGHT EASEMENT AS DESCRIBED GRAPHICALLY IN OFFICIAL RECORDS BOOK 1408, PAGES 1010-1011, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND DEPICTED HEREON.

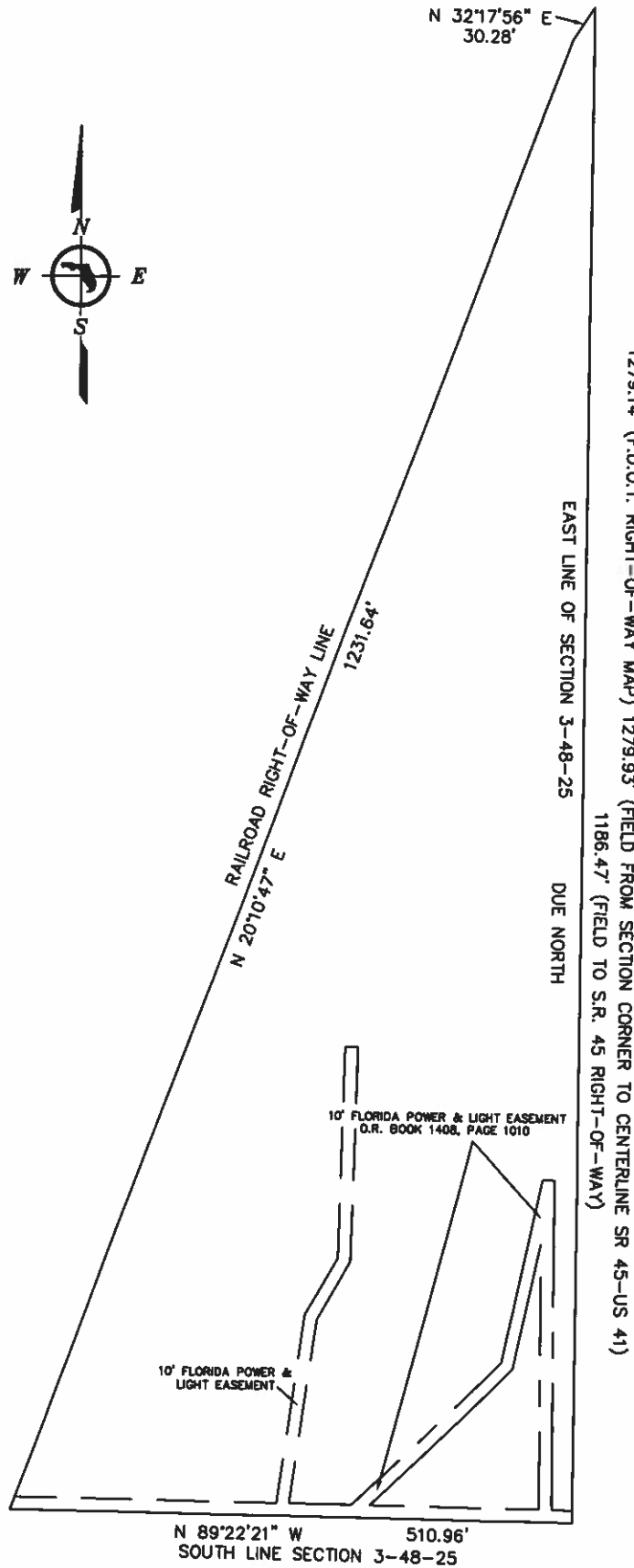
CONTAINING 6.109 ACRES.

DAVID E. McKEE
PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO: PE38347

This is not a Survey

Page 1 of 2

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|--|--|--|
| <p>FOR CHANNEL 30 DRIVE CPD</p> <p>Legal Description</p> | <p>Lake Hickory Ventures, Inc David E. McKee PE #38347 22210 Fairmont Court Estero, Florida 33928 Phone: (239) 898-4008 email: lakehickory@earthlink.net</p> | <p>A Parcel of Land in: Sec 03, Twp 48S, Rge 25E</p> <p>City of Bonita Springs Lee County, Florida</p> |
|--|--|--|



1279.14' (F.D.O.T. RIGHT-OF-WAY MAP) 1279.93' (FIELD FROM SECTION CORNER TO CENTERLINE SR 45-US 41)

EAST LINE OF SECTION 3-48-25

DUE NORTH

1186.47' (FIELD TO S.R. 45 RIGHT-OF-WAY)

RAILROAD RIGHT-OF-WAY LINE
N 20°10'47\"/>

10' FLORIDA POWER & LIGHT EASEMENT
D.R. BOOK 1408, PAGE 1010

10' FLORIDA POWER & LIGHT EASEMENT

N 89°22'21\"/>

This is not a Survey

Page 2 of 2

| | | |
|---|---|---|
| <p>FOR CHANNEL 30 DRIVE CPD</p> <p>Sketch of Description</p> | <p>Lake Hickory Ventures, Inc David E. McKee PE #38347 22210 Fairmont Court Estero, Florida 33928 Phone: (239) 898-4008 small_lakehickory@comcast.net</p> | <p>A Parcel of Land in: Sec 03, Twp 48S, Rge 25E</p> <p>City of Bonita Springs Lee County, Florida</p> |
|---|---|---|

ADMINISTRATIVE AMENDMENT ADD16-26594-BOS
TO CHANNEL 30 DRIVE COMMERCIAL CENTER CPD

ADMINISTRATIVE ACTION
BONITA SPRINGS, FLORIDA

WHEREAS, McKee Engineering Consultants, Inc. filed an application for administrative approval to replace the existing communication tower, make some minor changes in the modular communication buildings and add generators as depicted on the attached revised Master Concept Plan (MCP) for the project known as Channel 30 Drive Commercial Center Commercial Planned Development (CPD) for property located at 9930 Channel 30 Drive, described more particularly as:

LEGAL DESCRIPTION: Section 03, Township 48 South, Range 25 East, Bonita Springs, Florida:

See attached Exhibit A

WHEREAS, Super Towers, Inc., the owner of the subject property, has authorized David E. McKee, P.E. of McKee Engineering Consultants, Inc to act as the agent to pursue this administrative action request; and

WHEREAS, the property was originally rezoned in 2009, by the City of Bonita Springs Zoning Ordinance No. 09-14; and

WHEREAS, the subject property is located in the Industrial District future land use category as designated by the Bonita Springs Comprehensive Plan; and

WHEREAS, the City of Bonita Springs Land Development Code (LDC) provides for certain administrative changes to planned development master concept plans; and

WHEREAS, the applicant is requesting to replace the existing aging communication tower, make some minor changes in the modular communication buildings and add additional generators; and

WHEREAS, Zoning Ordinance No. 09-14 allows for communication towers over 100' feet in height (existing only); and

WHEREAS, Zoning Ordinance No. 09-14 lists no conditions relative to the maintenance and or replacement of the existing communication tower; and

WHEREAS, the applicant wishes to be replace the existing aging communication tower with a new tower; and

WHEREAS, the existing tower will remain in service while the new tower is being built in order for the continued operation of the existing radio and cell phone antennas during construction of the new tower; and

WHEREAS, the new tower will be constructed approximately 34.9 feet northwest of the existing tower; and

WHEREAS, the height of the new tower will be the same as the existing tower; and

WHEREAS, the existing tower will be demolished once the replacement tower is constructed and existing communication antennas are relocated; and

WHEREAS, the applicant wishes to demolish and replace the existing modular communication buildings, which does not increase the total square footage permitted; and

WHEREAS, the applicant wishes to add one additional generator to support the replacement communication tower; and

WHEREAS, the subject application and plans have been reviewed by the City of Bonita Springs Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses; and

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to replace the existing communication tower, make some minor changes in the modular communication buildings and add another generator as depicted on the attached revised Master Concept Plan for the project known as Channel 30 Drive Commercial Planned Development is APPROVED, subject to the following conditions:

1. The administrative amendment is limited to the revisions as identified on the revised Master Concept Plan, stamped received on January 4, 2016 ("Attachment A").
2. The proposed setbacks for the replacement communication tower are as follows:
 - North property point/corner: from 893.8' to 860.1'
 - East property line: from 15.4' to 26.3'
 - South property line: from 292.6' to 326.5'
 - West property line: from 300.8' to 278.8'
3. No other changes have been authorized as part of this amendment and development must remain in compliance with Bonita Springs Zoning Ordinance No. 09-14 and Land

Development Code. The terms and conditions of the original zoning ordinance remain in full force and effect.

4. The applicant must submit a Limited Development Order prior to construction reflecting these modifications and a construction schedule for the replacement tower and demolition of the existing tower.
5. Forty-eight hours before commencing construction of the replacement communication tower, and within 48 hours after the antenna-supporting structure reaches its maximum height, the Lee Port Authority, Sheriff's Office, Emergency Medical Services, the local fire district and the Lee County Mosquito Control District must be notified by the entity constructing the antenna-supporting structure.
6. The existing tower must be fully disassembled and removed within 90 days of the completion of the new tower and transfer of equipment.
7. The relocation of any future replacement tower facilities may be handled administratively as long as the replacement tower is constructed for the same purpose as the existing tower, does not require additional towers and is not greater in height.
8. If high voltage is necessary for the operation of proposed wireless communication facilities, High Voltage-Danger and No Trespass warning signs not greater than one (1) square foot in area must be permanently attached to the fence or wall at intervals of not less than forty (40) feet and upon the access gate, or as otherwise required by the FAA or FCC.

DULY signed this 22 day of JANUARY, A.D., 2016

BY: 

John Dulmer, AICP, Community Development Director

Department of Community Development

NOTE: ALL OTHER CONDITIONS AND REQUIREMENTS CONTAINED IN ADD13-05141-BOS REMAIN IN EFFECT. THIS ADMINISTRATIVE DEVIATION REQUEST ADDRESSES ONLY THE RELOCATION OF THE TOWER AND THE THREE ANCHOR LOCATIONS.

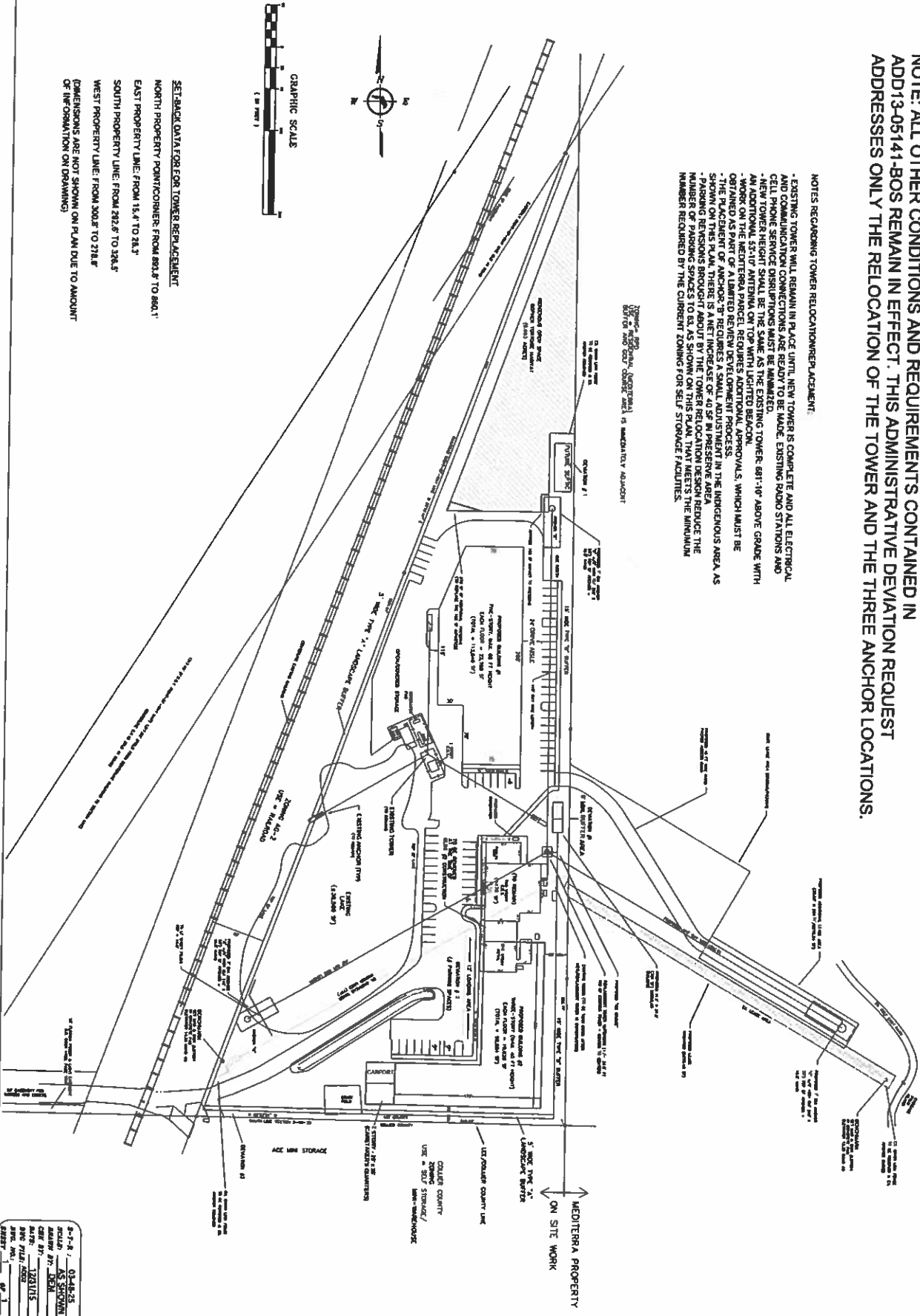
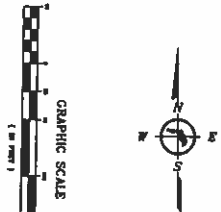
NOTES REGARDING TOWER RELOCATION/PLACEMENT:

- EXISTING TOWER WILL REMAIN IN PLACE UNTIL NEW TOWER IS COMPLETE AND ALL ELECTRICAL AND COMMUNICATION CONNECTIONS ARE READY TO BE MADE. EXISTING RADIO STATIONS AND CELL PHONE SERVICE DISRUPTIONS MUST BE MINIMIZED.
- TOWER HEIGHT SHALL BE THE SAME AS THE EXISTING TOWER (89'-10" ABOVE GRADE WITH ANCHOR HEIGHTS TO BE THE SAME AS THE EXISTING TOWER).
- WORK ON THE RELOCATION SHALL BE LIMITED TO THE TOWER AND THE THREE ANCHOR LOCATIONS.
- THE PLACEMENT OF ANCHOR 'B' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'C' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'D' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'E' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'F' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'G' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'H' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'I' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'J' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'K' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'L' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'M' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'N' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'O' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'P' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'Q' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'R' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'S' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'T' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'U' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
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- THE PLACEMENT OF ANCHOR 'W' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'X' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'Y' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.
- THE PLACEMENT OF ANCHOR 'Z' REQUIRES A SMALL ADJUSTMENT IN THE INDIGENOUS AREA AS SHOWN ON THIS PLAN. THERE IS A NET INCREASE OF 40 SF IN PRESERVE AREA.

SETBACK DATA FOR TOWER REPLACEMENT

NORTH PROPERTY POINT/Corner: FROM 883.8' TO 880.1'
 EAST PROPERTY LINE: FROM 15.4' TO 24.3'
 SOUTH PROPERTY LINE: FROM 282.8' TO 326.5'
 WEST PROPERTY LINE: FROM 300.8' TO 278.8'

DIMENSIONS ARE NOT SHOWN ON PLAN DUE TO AMOUNT OF INFORMATION ON DRAWING.



DATE: 03-14-25
 DRAWN BY: AS SHOWN
 CHECKED BY: JSM
 DATE: 12/21/24
 APPR. FILED: JSM
 APPR. NO.: 49-1

McKee Engineering Consultants, Inc.
 Engineering, Permitting, Land Development
 2210 Falgout Court, Estero, FL 33428
 Phone (239) 888-4008, Fax (239) 495-5008

PROJECT
 Channel 30 Drive Commercial Center
 Admin. Amend. to ZO 09-14/PD08-BOS00001
 9930 Channel 30 Drive & ADD13-05141-BOS
 Bonita Springs, FL 34135

APPROVED:

DAVID R. SCHELE
 PROFESSIONAL ENGINEER
 P.E. No. 12345

ADMINISTRATIVE AMENDMENT ADD18-53020-BOS (PD)

**ADMINISTRATIVE ACTION
BONITA SPRINGS, FLORIDA**

WHEREAS, McKee Engineering Consultants, Inc. filed an application for administrative approval to amend the Master Concept Plan (MCP) in accordance with Condition 22 of Zoning Ordinance No. 09-14 for a project known as Channel 30 Drive Commercial Center Commercial Planned Development (CPD) for property located at 9930 Channel 30 Drive, described more particularly as:

LEGAL DESCRIPTION: Section 03, Township 48 South, Range 25 East, Bonita Springs, Florida:

See attached Exhibit A

WHEREAS, Super Towers, Inc., the owner of the subject property, has authorized David E. McKee, P.E. of McKee Engineering Consultants, Inc. to act as the agent to pursue this administrative action request; and

WHEREAS, the property was originally rezoned in 2009, by the City of Bonita Springs Zoning Ordinance No. 09-14 with subsequent amendments in ADD13-05141-BOS and ADD16-26594-BOS; and

WHEREAS, the subject property is located in the Industrial future land use category as designated by the Bonita Springs Comprehensive Plan; and

WHEREAS, the applicant is requesting to amend the Master Concept Plan in accordance with Condition 22 of Zoning Ordinance No. 09 14; and

WHEREAS, Condition 22 required a new evaluation to determine the number and health of the site's gopher tortoises, and the quality of the site's xeric preserve, when Phase II of the utility and drainage easement is utilized; and

WHEREAS, the applicant is in the process of coordinating with Bonita Springs Utilities (BSU) for the installation of a water main to provide domestic and fire protection water services utilities, as well as, piping infrastructure for a future wastewater force main for the project site within the subject easement; and

WHEREAS, the applicant has submitted a gopher tortoise and preserve area evaluation that has been reviewed and accepted by Environmental Sciences; and

WHEREAS, the City of Bonita Springs Land Development Code (LDC) provides for certain administrative changes to planned development master concept plans; and

WHEREAS, the subject application and plans have been reviewed by the City of Bonita Springs Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to modify the existing drainage and utility easement as well as the abutting preserve area as depicted on the attached revised Master Concept Plan for the project known as Channel 30 Drive Commercial Planned Development is APPROVED, subject to the following conditions:

1. The administrative amendment is limited to the revisions as identified on the revised Master Concept Plan, stamped received on May 03, 2019 ("Attachment A").
2. As a condition of approval for the requested site improvements, any excessive removal of mature vegetation will require additional mitigation plantings (trees, shrubs and ground covers) within the site's exiting preserve area, subject to review and approval by Environmental Sciences.
3. No other changes have been authorized as part of this amendment and development must remain in compliance with Bonita Springs Zoning Ordinance No. 09-14 and Land Development Code. The terms and conditions of the original zoning ordinance remain in full force and effect.

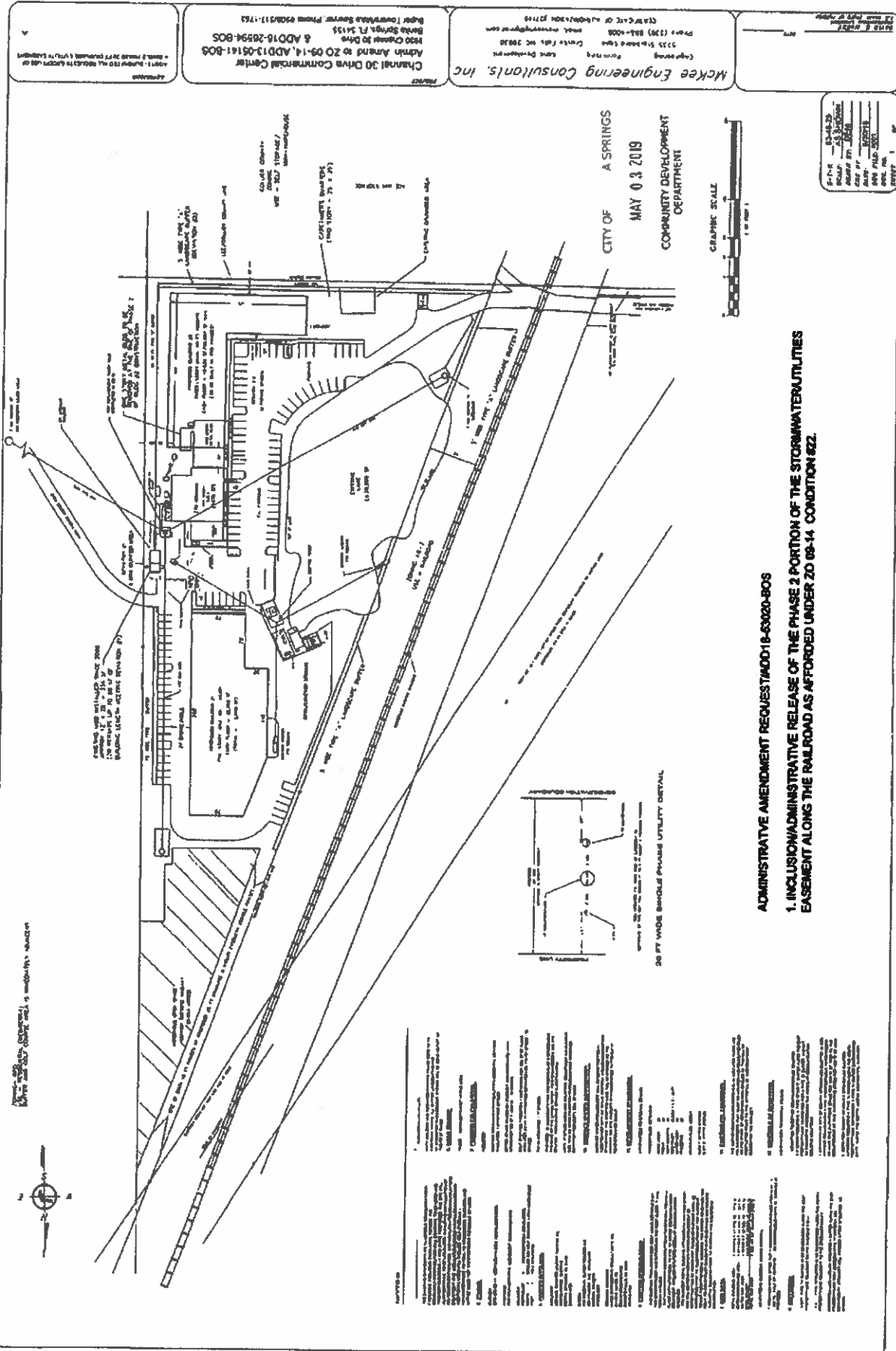
DULY sig day of A.D., 2019

BY

..... Imer, AICP, Community Development Director

Department of Community Development

Attachment "A"



PD18-54088-BOS, Channel 30 CPD Amendment
ATTACHMENT A
Staff Informational Analysis

ATTACHMENT "A"

BACKGROUND AND INFORMATIONAL ANALYSIS

Introduction/Synopsis

The property was rezoned in 2009 from AG-2 with a Special Exception for a nursery to a Commercial Planned Development (CPD) in Zoning Ordinance (ZO) 09-14. The CPD allowed for the existing communication towers and equipment to remain, the addition of two new modular communication buildings, the construction of up to 172,724 square feet (SF) of building floor area and a caretaker's quarters. The building floor area was to be utilized for up to 46,866 SF of commercial uses with the remaining space for a self-storage/mini-warehouse facility. The maximum building was approved at five stories not to exceed 60 feet in height.

This CPD amendment request is to modify the number of stories for two new buildings and increase the square footage of the modular communications buildings for the existing wireless communication facilities. The property owner held preapplication meetings with Staff in 2017 and 2018 relative to this request. They had also coordinated with Mediterra relative to this request and line of site concerns. They have also been actively working with the railroad and Bonita Springs Utilities to bring potable water to the site.

Surrounding Land Use:

| <u>Existing Zoning & Land Use</u> | <u>Future Land Use Map</u> |
|--|----------------------------------|
| Subject Parcel: Commercial Planned Development (CPD); Wireless communication facilities and Kelly Roofing. | Industrial |
| North: Mediterra Residential Planned Development (RPD); preserve and golf course | Moderate Density Mixed Use / PUD |
| East: Mediterra Residential Planned Development (RPD); preserve and golf course | Moderate Density Mixed Use / PUD |
| South: Ace Super Storage, Self storage & Mini-warehouse / Collier County | Collier County Light Industrial |
| West: Seminole Gulf Railroad, AG-2 Agriculture, then US-41 | Moderate Density Mixed Use / PUD |

Master Concept Plan

The request includes a one (1) page Master Concept Plan (Exhibit “B”) that depicts the Existing Conditions and proposed development request. The Master Concept Plan shows a detailed conceptual plan of existing buildings, the wireless communication towers, the proposed project description, the revised property development regulations (setback and height), deviations and other details. Development details include indigenous open space gopher tortoise habitat, existing and future septic, required parking and the building footprints for existing and future buildings. Access to the site will continue to be from Channel 30 Drive. The existing and proposed buffers are also shown.

Please also see the Applicant’s Description of Proposed Development and Program for Phased Development in Attachment “B.”

Environmental Considerations

Habitat Assessments

A Protected Species Survey and Indigenous Preserve Management Plan were produced in November of 2007 by Consultech Development Services Inc, An updated Protected Species Survey was conducted in March of 2019 by Boylan Environmental Consultants. The reports describe the land uses and classifications according to the DOT Florida Land Use Covers and Forms Classification System (FLUCFCS Code). The 6.10 acre site currently contains the following land uses.

| | |
|--|-----------------|
| FLUCFCS Code 140 – Commercial and Services | 4.57 ac. |
| FLUCFCS Code 520 – Lake | 0.68 ac. |
| FLUCFCS Code 411 – Pine Flatwoods | 0.653 ac. |
| <u>FLUCFCS Code 830 – Utility Lines</u> | <u>0.21 ac.</u> |
| Total: | 6.11 ac. |

The Consultech report included an area of xeric oak within the preserve. Due to an increase in vegetative coverage this area is now more accurately described as part of the pine flatwoods. The preserve area contains slash pines and palmettos as well as live oak, wax myrtle, and typical scrub groundcover such as common pawpaw, shiny blueberry, and rusty lyonia. At the time of initial rezoning, the site was invaded with melaleuca, Brazilian pepper and earleaf acacia. Invasive exotic treatment and removal is conducted annually as part of the Preserve Management Plan for the site.

Staff has verified the FLUCFCS Codes and acreages for these land uses and had previously negotiated the preservation of the environmentally sensitive land. All clearing and development will occur outside of this area and on the disturbed and less environmentally sensitive lands.

Protected Species

Consultech's Listed Species Survey performed in November of 2007 found one protected plant species, the Twisted Air Plant, which is listed by the Florida Department of Agriculture as Threatened, and evidence (gopher tortoise burrows) of another animal species, the gopher tortoise, which is listed as threatened by the Florida Fish & Wildlife Conservation Commission (FFWCC). The consultant recommended a buffer of 10' be placed around the shrub which the plant is growing on, to protect it from construction. The plant is in the Pine Flatwoods preserve, and growing in a staggerbush. The most current survey done by Boylan Environmental found 3 potentially occupied gopher tortoise burrows. Gopher tortoises often dig more than one burrow such that there is not a one to one relationship between burrows and tortoises. The FFWCC has established a ratio between burrows and tortoises. For areas of pine flatwood the ratio is 0.50 tortoises for every potentially occupied burrow. This ratio results in an estimated two tortoises for the site (1.5 rounded to 2). The consultant recommended keeping the gopher tortoises on site and permanently preserving the xeric oak and pine flatwood community. The preserve was established with the initial rezoning and development which is consistent with our comprehensive plan and land development code.

Tree Advisory Board

No heritage trees were found within the currently developed areas. A tree survey for heritage trees will be required for any development order where heritage trees are likely to be found. If heritage trees are present, the project will go before the Tree Advisory Board.

Archeological Findings

This project is outside of any areas of archeological significance and contains no historic buildings.

Traffic

The City's transportation analyst, Public Works, and the Collier County Department of Transportation reviewed this request. The amendment request includes a small reduction in intensity. While this section of Old 41 fails in the peak hour, the trips associated with this request are anticipated to be low (20 trips per hour). The Florida Department of Transportation (FDOT) is currently working on a Project Development and Environment (PD&E) study for improvements to Old 41, which includes two segments. The first segment is in Collier County, from US 41/Tamiami Trail to the Lee County Line. The second segment is in Lee County, from the Collier County Line to Bonita Beach Road. The City of Bonita Springs is looking at ways to expand the road network in the area and moving people through a variety of modalities instead of widening Old 41. This approach includes creating a network of streets within the Old 41 and Bonita Beach Road quadrant and the implementation of multi-use pathways. City Staff does not anticipate that this project will create a substantial impact to the network.

The Collier County Development Review Division has requested continued coordination of this project with their jurisdiction. The applicant will coordinate with Collier County as directed or required by City of Bonita Springs during the local development order review process. The City of Bonita Springs and Collier County do not have a memorandum of understanding or an interlocal agreement that requires coordination of projects at time of local development order. The Applicant acknowledges the proximity of the subject property to Collier County and possible need for additional coordination, but defers to the City of Bonita Springs on how to proceed.

Stormwater/Drainage

The property is located within an "X" Zone according to the FEMA Flood Insurance Rate Map. According to the Applicant the site will be developed into two phases. The first phase (Building #2) will utilize the existing on-site pond with runoff discharging to the north towards the Old 41 Road roadside swale, which is the current receiving stream. On site drainage will be managed with a combination of applications, including sheet flow to a drainage network to the existing pond on site. Stormwater permitting will also be submitted to South Florida Water Management District (SFWMD) to receive an Environmental Resource Permit (ERP) for the property. As for the second phase (Building #1), the Applicant will apply for a SFWMD minor modification for any improvements to the existing pond needed due to the additional discharge that will be generated from the new building.

Comprehensive Plan Considerations

The subject property is located in the Industrial land use category according to the Bonita Springs Comprehensive Plan.

Future Land Use Element, Policy 1.1.16: Industrial - Intended to primarily accommodate light industrial, research, warehousing and office uses.

- a. Appropriate uses include heavy commercial, light industrial, warehousing, recreation, public and semi-public uses, and mixed-use planned development with residential density limited to 10 dwelling units per acre within the approximately 463 acres of gross land area in the land use category.*
- b. If affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.*
- c. Accessory commercial uses serving employees within the complex may be allowed provided the commercial uses are integrated within the industrial complex and do not exceed 5% of the intensity of the entire project.*
- d. Residential use shall be allowed only in mixed-use planned developments, and shall not exceed 20% of the intensity of the entire project*
- e. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves.*
- f. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.*

The applicant is requesting limited commercial and light industrial uses which are appropriate within the Industrial land use designation. The proposed infill development

project is largely commercial in nature and would not conflict with the Industrial future land use category.

Floor Area Ratio (FAR) refers to the ratio of building (square footage) to the square footage of the overall property. It can be up to 1.2 FAR as noted in Policy 1.1.16 above. The maximum proposed height is 50 feet/4 stories, and the maximum floor area ratio (FAR) is below 1.2 (approximately .65).

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

The site has been designed to maximize infill and redevelopment while utilizing what currently exists on the site. The proposed use maintains the current lower intensity use of commercial and light industrial uses while also providing enhanced buffering and an indigenous open space gopher tortoise habitat.

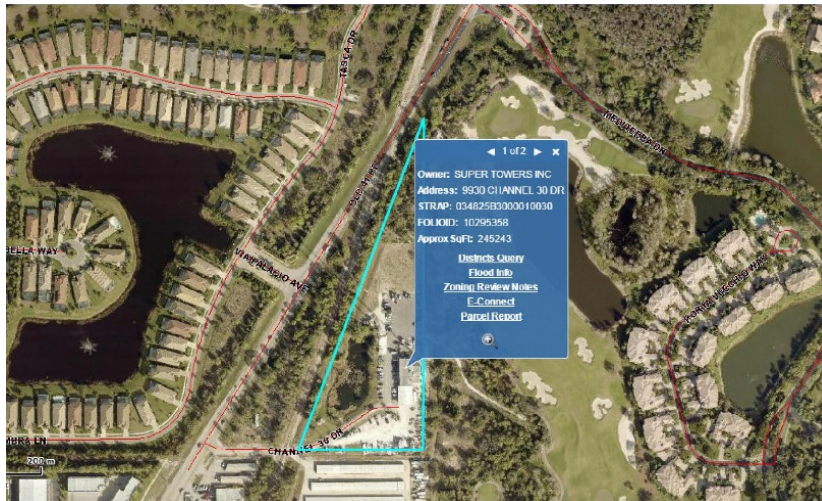
Policy 1.1.25(c) – *Protect environmentally sensitive lands, including wetlands and rare and unique upland habitat by including provisions that limit the development footprint, requiring development only under the Planned Development provisions of the Land Development Code, and requiring use of clustering and other innovative and appropriate development techniques which shift structures and infrastructures to non-sensitive areas.*

The master concept plan still utilizes the already impacted portion of the site. All buildings were situated along the southeastern portion of the site to avoid impacting the existing lake and to preserve the upland habitat in the northeast portion of the property. The gopher tortoises and twisted air plant in the xeric oak and pine flatwood communities will be preserved.

Objective 1.14 (Future Land Use Element) states *the City shall discourage the proliferation of urban sprawl by maintaining or increasing densities, consistent with flood hazard considerations, between Old U.S. 41 and I-75 to encourage in-fill and redevelopment.*

This site is located between U.S. 41 and I-75 and by the Applicant utilizing existing land with tall communication towers for additional commercial and industrial activities this proposed development meets this objective.

Neighborhood Compatibility



2019 Aerial of Surrounding Properties

Source: Lee County GIS

To the north and east is the Mediterra Residential Planned Development (RPD). The subject property is separated from Mediterra by a fence, landscaped buffer and a vegetated area along the perimeter of the golf course. The combination of Mediterra's landscaped berm and vegetation bordering the golf course provide both a visual buffer and sound barrier. Additionally, there is roughly a 700± foot between the property line and the closest Mediterra residential unit which creates more than adequate

separation between the two uses. The Applicant has tried to coordinate closely with Mediterra on this request and line of site exhibits were provided as part of their analysis. The Applicant has also closely worked with the City Architect on the proposed building elevations for consistency with the LDC. Staff is also recommending a condition of approval relative to illuminated signage along the Mediterra and Cordova boundaries as a means to eliminate potential light pollution from any building wall signage.

To the south is the Collier County line. The parcel that sits immediate south of the County line is Ace Super Storage, also a self-storage and mini-warehouse facility. The Future Land Use of this parcel is Light Industrial according to the Collier County Growth Management Plan.

To the west is the Seminole Gulf Railroad right-of-way and tracks, vacant property zoned AG-2 and then Old 41 Road. To the west of Old 41 Road lies Cordova at Spanish Wells (single-family residential homes) and golf course.

Overall, this general area has historically been characterized with light commercial and industrial uses and more recently with residential planned developments. The subject site contains the old Channel 30 TV station and two large communication towers. In 2007, the site was operating as Tropical Gardens nursery as approved by special exception case SEZ2000-00035.

A Commercial Planned Development (CPD) is still an appropriate use of this Industrial property and is compatible with the surrounding land uses. This project is an in-fill project. The applicant has already obtained local site permits to preserve the indigenous open space (gopher tortoise preserve). This preserve not only protects habitat but also acts as a natural northern buffer to Mediterra.

There is already buffering in place on the eastern portion of the subject site. A fence currently sits on the east property line and a landscaped buffer exists on the Mediterra property between the subject site and the Mediterra golf course. Light commercial and industrial uses, including a self-storage facility, on the subject site should have little to no effect on the bordering Mediterra community.

Planned Development Analysis, Formal Findings LDC 4-131 and LDC 4-299

| Review criteria | Yes – Mostly - Partly - No |
|---|--|
| Demonstrate compliance with the Bonita Plan, this Land Development Code, and any other applicable code or regulation; and | Yes – The amendment is consistent with the maximum allowable height allowable within the Industrial Future Land Use Category and is below the maximum 1.2 FAR. Buffering (spatial and landscaping) will be provided. |
| The request meets or exceeds performance and location standards set forth for the proposed uses; and | Non-applicable. This is a carry-over provision from Lee County where performance and location standards are evaluated as a part of the Lee Plan. |
| Including the use of TDR or affordable housing bonuses are the densities or intensities (general uses) consistent with the Comprehensive Plan; and | Yes – The request reduces intensity and is still below the maximum 1.2 FAR. |
| The request is compatible with existing or planned uses in the surrounding area; and | Yes – The reduction in height will provide greater compatibility. The property is surrounded by other parcels, a railroad right-of-way, a golf course, and other similarly situated uses. |
| 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 | Yes – This segment of Old 41 is already failing without this project. The applicant will be required to pay for their impact as applicable by state law and the City of Bonita Springs regulations. The City’s approach to transportation includes a multi-modal approach and the creation of additional street network opportunities. |
| Will the request adversely affect environmentally critical areas and natural resources; and | No – The environmentally sensitive lands are included in the preserve. |
| Public facilities are, or will be, available and adequate to serve the proposed land use; and | Yes - Public facilities are available to the site. |

| | |
|--|--|
| The proposed use or mix of uses is appropriate at the subject location; and | Yes – No additional uses are proposed. The Applicant has agreed to remove previously approved uses. |
| The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest; and | Yes – Conditions relative to drainage, buffering, signage, and uses have been added. |
| The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development; and | Yes – Conditions relative to drainage, buffering, signage, and uses have been added. |
| Deviations enhance the achievement of the objectives of the planned development and preserves and promotes the general intent of this chapter to protect the public health, safety and welfare | Mostly- Staff supports all deviations, with the exception of Deviation 4. Deviations 1-3 and 5-7 are requested based in the nature of the existing site and its continued infill development. Staff's justifications for the recommendations are included in the Staff Report. |

Jacqueline Genson

From: Dominic Strollo <DStrollo@bsu.us>
Sent: Friday, May 24, 2019 12:32 PM
To: Jacqueline Genson
Cc: Sarah Miller; trisha goff
Subject: RE: PD18-54088-BOS Super Towers Sufficiency #2 For Review

No issues. When the connection to BSU is mandated, we will provide guidance to accomplish such.

Thank you,

Dominic M. Strollo II
Staff Engineer
(239) 390-4973
dstrollo@bsu.us

Bonita Springs Utilities, Inc.
11900 E. Terry Street
Bonita Springs, FL 34135
(239) 992-0711
www.bsu.us

From: Jacqueline Genson <jgenson@cityofbonitaspringscd.org>
Sent: Friday, May 24, 2019 11:06 AM
To: Dominic Strollo <DStrollo@bsu.us>
Cc: Sarah Miller <smiller@cityofbonitaspringscd.org>; trisha goff <tgoff@cityofbonitaspringscd.org>
Subject: RE: PD18-54088-BOS Super Towers Sufficiency #2 For Review

Thanks, Dominic. Did you have a chance to review Deviation 4 and their response to my comment 1b re septic and sanitary sewer connection? If so, is BSU amenable to their response with some buildings (existing building and new building 1) on septic and connection to sanitary sewer to new building 2. Thanks!

From: Dominic Strollo [<mailto:DStrollo@bsu.us>]
Sent: Wednesday, May 22, 2019 1:28 PM
To: Jacqueline Genson <jgenson@cityofbonitaspringscd.org>
Subject: RE: PD18-54088-BOS Super Towers Sufficiency #2 For Review

BSU has no comments at this time.

Thank you,

Dominic M. Strollo II
Staff Engineer
(239) 390-4973
dstrollo@bsu.us

Bonita Springs Utilities, Inc.
11900 E. Terry Street
Bonita Springs, FL 34135

(239) 992-0711

www.bsu.us

From: Jacqueline Genson <jgenson@cityofbonitaspringscd.org>

Sent: Wednesday, May 22, 2019 9:35 AM

To: Sean Gibbons <SGibbons@cityofbonitaspringscd.org>; David Liccardi <david.liccardi@cityofbonitasprings.org>; Laura Gibson <LGibson@cityofbonitaspringscd.org>; trisha goff <tgoff@cityofbonitaspringscd.org>; Sam Vincent (Sam@VincentArchitects.com) <Sam@VincentArchitects.com>

Cc: Fernandez Tim <timmyf@bonitafire.org>; Dominic Strollo <DStrollo@bsu.us>; Matt Feeney <matt.feeney@cityofbonitasprings.org>; Sarah Miller <smiller@cityofbonitaspringscd.org>; Connie DiBruno <connie.dibruno@cityofbonitasprings.org>; Sarah Miller <smiller@cityofbonitaspringscd.org>

Subject: RE: PD18-54088-BOS Super Towers Sufficiency #2 For Review

Importance: High

Good morning everyone,

Comments were due last Friday. I need comments by close of business tomorrow in order to get the letter to the applicant in accordance with LDC Sec. 4-295(d).

Please advise if you have any sufficiency comments. Thanks!

LDC Sec. 4-295(d)

All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within 45 working days 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 this section and any provisions within the land development code.

From: Sarah Miller

Sent: Monday, March 18, 2019 9:38 AM

To: David A. Theriaque <dat@theriaquelaw.com>; McLeanMatthew <Matthew.McLean@colliercountyfl.gov>; Sean Gibbons <SGibbons@cityofbonitaspringscd.org>; David Liccardi <david.liccardi@cityofbonitasprings.org>; Laura Gibson <LGibson@cityofbonitaspringscd.org>; trisha goff <tgoff@cityofbonitaspringscd.org>; Sam Vincent (Sam@VincentArchitects.com) <Sam@VincentArchitects.com>

Cc: Fernandez Tim <timmyf@bonitafire.org>; Dominic Strollo <DStrollo@bsu.us>; Matt Feeney <matt.feeney@cityofbonitasprings.org>; Jacqueline Genson <jgenson@cityofbonitaspringscd.org>; sbs@theriaquelaw.com

Subject: PD18-54088-BOS Super Towers Sufficiency #2 For Review

Importance: High

Good Morning: Please click on the link(s) provided below to receive distribution of the above-referenced application for review. Please note, the comments for this review are DUE: 5-17-2019.

When accessing the files through the FTP link provided please select the files and choose download to avoid any interference from your browser.

External Reviewers: http://www.mediafire.com/folder/b66wu7eh4j419/2019-03-14_SUFFICIENCY%232_RV2

Internal Reviewers: X:\Projects\Planned_Developments\PD18-54088-BOS_Channel_30_Drive\SUFF#2

If you have any difficulty accessing the files through the links provided please do not hesitate to contact me at my number below.

Jacqueline Genson

From: RosenblumBrett <Brett.Rosenblum@colliercountyfl.gov>
Sent: Thursday, May 16, 2019 2:50 PM
To: Sarah Miller
Cc: McLeanMatthew; VargaCecilia
Subject: RE: PD18-54088-BOS Super Towers Sufficiency #2 For Review

Ms. Miller: Please see our comment(s) below for this project:

05/16/19 Comment: TIS – Please update TIS titled “Traffic Impact Statement for Channel 30 Drive Commercial Center City of Bonita”, dated 09/28/18, to reflect the newly reduced SF and update the trip generation tables.

Additionally, page 8, Section VII, first paragraph, will have to be revised to remove the sentence stating that the project is not responsible for mitigation measures.

Since Old US 41, link 62.0, is a County road and located within the Collier County NW TCMA area, please revise this paragraph to state that at the site permitting phase, the TIS will address the Transportation Concurrency Management Area (TCMA) requirements of the Land Development Code, Section 6.02.02. For more information please contact Cecilia Varga, 239.252.2613, Cecilia.Varga@colliercountyfl.gov.

Moreover, please note that Old US 41 (US 41 to Lee/Collier County Line) is scheduled to be widened from 2L to 4LD with sidewalks, bike lanes, and curb and gutter. The project is funded for year 2021-2025, PE/PD&E. (refer to table: 2040 Cost Feasible Plan – Summary of Funded Projects Grouped by Funding Source). Please note that proportionate share contribution for road capacity improvements on Old US 41 may be required. For more information on fair share contribution and possibly additional ROW dedication, please contact Mike Sawyer, Transportation Planning, 239.252.2926, Michael.Sawyer@colliercountyfl.gov.

Please note, at the time of site permit submittal, the TIS will be required to discuss trip banking and turn lane requirements.

Respectfully,

Brett Rosenblum, PE
Principal Project Manager



Development Review Division
Exceeding Expectations, Every Day!

NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104
Phone: 239.252.2905 Fax: 239.252.3933

How are we doing? Please [CLICK HERE](#) to fill out a Customer Survey.
We appreciate your Feedback!

PD18-54088-BOS, Channel 30 CPD Amendment
ATTACHMENT B
Applicant's Informational Analysis



RECEIVED
CITY OF BONITA SPRINGS

FEB 24 2020

**PUBLIC HEARING APPLICATION FOR
PLANNED DEVELOPMENT**

COMMUNITY DEVELOPMENT

Community Development Department | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: (239) 444-6150 | Fax: (239) 444-6140

Applicant's Name: Super Towers, Inc./Michael Sawyer

Project Name: Channel 30 Drive Commercial Center (existing PD/ZO 09-14)

STRAP Number(s): 03-48-25-B3-00001.0030

Application Form: Computer Generated* City Printed

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

STAFF USE ONLY

Case Number: PO18-54088-BOS **Date of Application:** 10/4/18

Fee: See Receipts **Revised:** 3/14/19, 8/30/19, 2/7 & 24/2020

Current Zoning: CPD

Land Use Classification(s): Industrial **Comp. Plan Density:** 1.2 FAR

Date of Zoning Public Hearing: 3/17/2020 **Date of City Council Public Hearing:** 4/15/2020

Planner Assigned: J Gansen

Staff Recommendation: _____

TYPE OF APPLICATION

DRI PD – Existing Development PD – Amendment

Option 1 Option 2

**PART I
APPLICANT/PROPERTY OWNERSHIP INFORMATION**

A. Name(s) of applicant(s): Super Towers, Inc./Michael Sawyer
Mailing Address: Street: 470 Atlantic Ave. - 4th Floor
City: Boston State: MA Zip: 02210
Phone Number: Area Code: 508 Number: 317-1753 Ext: _____
E-mail: CaptMikeS@msn.com

B. Relationship of applicant to property:
____ Owner ____ Trustee ____ Option holder ____ Lessee ____ Contract Purchaser
 Other (indicate): Site Manager

*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 City-initiated, enter the date the action was initiated by the Council: _____ Attach a copy of the "green 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 "green sheet" as "Exhibit I-B-2" and the list as "Exhibit I-B-3". [Sec. 4-193]*

C. Name of owner(s) of property: Super Towers, Inc./Timothy G. Sheehan, President
Mailing Address: Street: 470 Atlantic Ave - 4th Floor
City: Boston State: MA Zip: 02210
Phone Number: Area Code: 978 Number: 526-8306 or 7068 Ext: _____
Fax Number: Area Code: _____ Number: _____

D. Date property was acquired by present owner(s): 1994

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

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

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

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

Name: Maser Consulting P.A.
Address: 5471 West Waters Avenue, Suite 100, Tampa, FL 33634
Contact Person: Stuart Rogers, PE
Phone: 813-207-1061 E-mail: srogers@maserconsulting.com

**PART II
GENERAL INFORMATION**

A. Request:

1. Rezoning from _____ TO:(check all applicable)

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

2. Option Chosen: _____ Option 1 _____ Option 2

3. Other - Provide specific details. Amendment to current CPD (ZO 09-14)

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

NO. Attach a legible copy of the legal description (label it Exhibit II-B-1.) and Certified sketch of description as set out in chapter 5J-17.053. (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: 9930 Channel 30 Drive, Bonita Springs, FL 34135

D. General Location Of Property (referenced to major streets): South on Old 41 Road through Bonita Springs, past Dog Track and entry to Mediterra, over RR tracks and take left just before Collier County line

E. City of Bonita Springs Plan Information

1. City of Bonita Springs Land Use Classification: Light Industrial

2. Are you proposing any City of Bonita Springs amendments which could affect the subject property?
 NO _____ **YES** If yes, submit a copy of the proposed amendment (labeled as "Exhibit II-E-1") along with a statement as to how the proposed amendment will affect your property (labeled as "Exhibit II-E-2").

F. Drainage, Water Control and Other Environmental Issues

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

2. Are there any environmentally sensitive lands such as, but not limited to: wetlands, mangrove forests, creek & river shorelines, sand dunes, xeric scrub, mature pine forests, or other unique land forms as defined in the Bonita Plan Goal 15 and its Objectives and Policies, Objective 4.1, Policies 7.1.1 d. 2, 7.2.3, Goal 14 and Policies 14.1.1 through 14.3.5 and applicable sections of the Land Development Code (LDC). Are there any listed species occupied habitat as defined in the Bonita Plan or LDC on the subject property, Bonita Plan Policy 7.1.1 d. 2, 7.4.1 through 7.10.3, Objective 7.12 and Policies 7.12.1 through 7.12.3, and applicable sections of the LDC?

 NO X YES If yes, delineate these areas on a map or aerial photo and label it Exhibit II-F-1. Also, complete Exhibit II-F-2 attached hereto.

G. Present Use of Property: Is the property vacant? X 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 Regulations. [Sec. 4-194(b)(3)]

Briefly describe current use of the property: Two communication towers, 300' and 700', and related equipment and Kelly Roofing Company. There is an existing two story building and numerous smaller modular communication facilities.

H. Property Dimensions

- 1. Width (average if irregular parcel): 1200 Feet
- 2. Depth (average if irregular parcel): 511 Feet
- 3. Frontage on road or street: 50 Feet on Old 41 Road (access easement)
(Name of street)
- 4. Total land area: 6.11 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): 6.11

**PART III
PROPOSED DEVELOPMENT**

A. Nature of Request

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

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

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

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

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

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

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

Retail: 0 Total gsf

Offices: 8589 Total gsf

Medical: 0 gsf Non-medical: 8589 gsf

Hotel/Motel: _____ Total units

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

Industrial: 10,820 Total gsf

Under roof: 10,820 gsf Not under roof: _____ gsf

Mines, Quarries, or General Excavation: Acres to be excavated: _____

Other-specify: Self Storage space: 155,776 sf

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

4. Building Height

50 Maximum height of buildings (in feet above grade)

4 Number of Habitable Floors

5. Aviation Hazard: Do you propose any structures, lighting, or other features that might affect safe flight conditions?

NO YES. If yes, please submit an explanation and label it Exhibit III-A-5.

B. Facilities

1. Fire District: Bonita Springs Fire & Rescue District

2. Water Supply

a. Estimated daily consumption of potable water:

1. Residential units: _____ gpd

2. Mobile Home units: _____ gpd

3. Rec. Vehicle units: _____ gpd

4. Commercial: 1000 gpd

5. Industrial: 920 gpd

b. Source of potable water: currently a well, changing to Bonita Springs Utilities

c. Do you have a written agreement from the utility company to serve your project?

X NO _____ YES. If yes, please submit a copy of the agreement.

d. Source of Non-potable water: existing well

3. Sanitary Sewer Service

a. Estimated daily production of wastewater:

1. Residential units: _____ gpd

2. Mobile Home units: _____ gpd

3. Recreational Vehicles: _____ gpd

4. Commercial: 1000 gpd

5. Industrial: 920 gpd

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

c. Source of sanitary sewer service: Existing and expanded septic system (permit #36-SB-71631)

d. Do you have a written agreement from the utility company to serve your project?

X NO _____ YES. If yes, please submit a copy of the agreement.

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

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

C. Transportation

1. Has this project been exempted from filing a Traffic Impact Statement?

X NO _____ YES _____ NOT REQUIRED (Exist. development). If it has been exempted, attach a copy of the exemption and label it Exhibit III-C.

ALSO PROVIDED: PRELIMINARY ARCH. ELEVATIONS AND SITE PHOTOS/EXHIBITS (4 COPIES OF EACH)

PART IV - SUBMITTAL REQUIREMENTS

| COPIES REQUIRED | | | | | Exhibit # | Item |
|-----------------|-----|----|-------|-------|-----------|---|
| SUB | DRI | PD | EXIST | MINOR | | |
| X | 15 | 15 | 15 | 15 | | Completed application [4-193(b)] |
| X | 1 | 1 | 1 | 1 | | Application Fee [2-571] |
| N/A | 2 | 2 | 2 | 2 | I-B-1 | Notarized Authorization Form (if applicable) [4-194] |
| N/A | 2 | 2 | 2 | 2 | I-B-2 | Green Sheet (If applicable) |
| N/A | 2 | 2 | 2 | 2 | I-B-3 | List of Property Owners (If applicable) [4-194(a)(5)] |
| X | 2 | 2 | 2 | 2 | I-B-4 | Notarized Covenant & doc. Of Unified Control [4-194(b)(1)(b)] |
| X | 1 | 1 | 1 | 1 | I-B-5 | Surrounding Property Owners List [4-194(a)(6)] |
| X | 2 | 2 | 2 | 2 | I-B-6 | Property Owners Map 4-194(a)(7)] |
| X | 2 | 2 | 2 | 2 | I-B-7 | Mailing Labels for Surrounding Property Owners |
| X | 2 | 2 | 2 | 2 | I-F | Notarized Disclosure Form (if applicable) [4-194(b)(1)] |
| N/A | 2 | 2 | 2 | 2 | I-G | Deed Restrictions & Narrative (if applicable) [4-194(b)(2)] |
| X | 15 | 15 | 15 | 15 | II-B-1 | Legal Description [4-196(1)] |
| X | 15 | 15 | 15 | 15 | II-B-2 | Certified sketch of description (if applicable) [4-196(1)] |
| N/A | 2 | 2 | 2 | 2 | II-B-3 | Plat Book Page (if applicable) [4-196(1)] |
| X | 15 | 15 | 15 | 15 | II-D | Area Location Map [4-194(a)(4)] |
| N/A | 15 | 15 | 15 | 15 | II-E-1 | Bonita Springs Plan Amendment (if applicable) [4-295(a)(5) & 4-370] |
| WAV | 15 | 15 | 15 | 15 | II-E-2 | Narrative/how prop. complies with Bonita Comp Plan, etc. [4-295(a)(5)] |
| WAV | 15 | 15 | 15 | 15 | II-F-1 | Environ. Sensitive Lands map (if app.) [4-325(c)] |
| WAV | 4 | 4 | 4 | 4 | II-F-2 | Environmental Assessment [4-1339] |
| WAV | 15 | 15 | 4 | 4 | II-F-3 | Exist. zoning & current land use map/photo [4-295(a)(4)a] |
| WAV | 15 | 15 | 4 | 4 | II-F-4 | Soils, vegetation and ground cover maps [4-295(a)(4)c.] |
| N/A | 15 | 15 | 4 | 4 | II-F-5 | Topography map (if available) [4-295(a)(4)c.] |
| N/A | 15 | 15 | - | - | III-A-2 | Density Calcs (if applicable) [4-295(a)(6)c.] |
| N/A | 15 | 15 | - | - | III-A-5 | Aviation Hazard (if applicable) [4-987 et seq.] |
| X | 15 | 15 | - | - | III-B-3 | Sanitary Sewer Facilities(if applicable) [3-353] (SEE PGS 18-19 OF APP. FORM) |
| X | 6 | 6 | - | 6 | III-C | Traffic Imp. Statement (if applicable) [4-295 (a)(7)] |
| N/A | 6 | 6 | - | 6 | III-C | TIS Exemption Form (if applicable) [4-295(a)(7)] |
| X | 15 | 15 | 6 | 6 | IV-A | Public transit routes map (if applicable) [4-295(a)(4)d.] |
| X | 15 | 15 | 6 | 6 | IV-C | Existing easements and r-o-w map. [4-295(a)(4)e.] (SEE SURVEY) |
| X | 15 | 15 | 15 | 15 | IV-D | Description of proposed development. [4-295(a)(6)] |
| X | 15 | 15 | 15 | 15 | IV-E | Master Concept Plan (Option 1) [4-295(a)(6)a] |
| N/A | 15 | 15 | 15 | 15 | IV-F | Master Concept Plan (Option 2) [4-295(a)(6)b] |
| X | 1 | 1 | 1 | 1 | | 11 inch by 17 inch copy of the Master Concept Plan |
| WAV | 15 | 15 | 15 | 15 | IV-G | Schedule of Uses [4-295(a)(8)] |
| WAV | 15 | 15 | 15 | 15 | IV-H | Schedule of Dev. & Justification [4-295(a)(9)] |
| X | 4 | 4 | - | - | IV-I | Surface Water Management Plan [4-295(b)(1)] |
| WAV | 4 | 4 | - | - | IV-J | Protected Species Management Plan [4-295(b)(2)] |
| X | 15 | 15 | 15 | 15 | IV-K | Program for phased development (if applicable) [4-295(b)(3)] |
| N/A | 15 | 15 | 15 | 15 | IV-L | Hazardous Material Emergency Plan (if applicable) [4-194] |
| N/A | - | - | 4 | - | IV-M | Mobile Home Park Rezoning Information [4-195(d) et seq.] |
| X | 3 | 3 | 3 | 3 | IV-N | Aerial [4-295(a)(4)(b)] |
| N/A | 3 | 3 | 3 | 3 | IV-O | Map of Historical & Archaeological Sites [4-295(a)(4)(f)] |
| N/A | 3 | 3 | 3 | 3 | IV-P | Possible Impacts on Historical & Archaeological Sites[4-295(a)(4)(f)] |
| X | 1 | 1 | 1 | 1 | IV-Q | Application and Exhibits on CD-ROM |

*At least one copy must be an original.

WAV - WAIVER REQUEST (SEE ATTACHED FORM)

PART V

AFFIDAVIT

I, Michael Sawyer certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.

Michael Sawyer
Signature of Owner or Owner-authorized Agent

9/27/18
Date

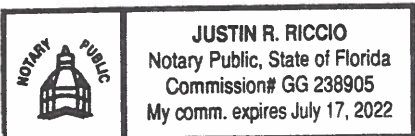
Michael Sawyer, Super Towers Site Manager
Typed or printed name and title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 27 day of Sept 2018, by Michael Sawyer, who is personally known to me or who has produced Mays DL as identification.

Justin Riccio
Signature of notary public

(SEAL)



Justin Riccio
Printed name of notary public

**EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:**

STRAP NO. 03-48-25-B3-00001.0030 **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 |
|--|---------------------|
| Timothy G. Sheehan, President, Super Towers, Inc, 470 Atlantic Ave. - 4th Floor, Boston, MA 02210 | 100% |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

3. If the property is in the name of a **TRUSTEE**, list the beneficiaries of the trust with percentage of interest.

| Name and Address | Percentage of Interest |
|------------------|------------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

4. If the property is in the name of a **GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP**, list the names of the general and limited partners.

| Name and Address | Percentage of Ownership |
|------------------|-------------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

| Name, Address, & Office (if applicable) | Percentage of Stock |
|---|---------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

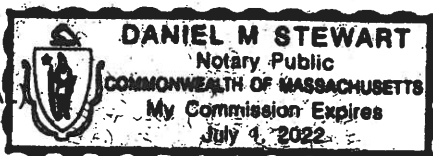
The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: *Timothy G. Sheehan*
 (Applicant)

Timothy G. Sheehan
 (Printed or typed name of applicant)

STATE OF FLORIDA
 COUNTY OF LEE

The foregoing instrument acknowledged before me this 21 day of September 2018, by Timothy Sheehan, who is personally known to me or who has produced _____ as identification.



Daniel Stewart
 Signature of Notary Public
Daniel Stewart
 Printed Name of Notary Public

**EXHIBIT III-B-3
SANITARY SEWER FACILITIES**

A. Special Effluent: If special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:

None - all domestic wastewater

B. Private On-site Facilities: If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:

1. Method and degree of treatment:

septic tanks and drain beds, permitted by Lee Co. Dept of Health (permit #36-SB-71631)

2. Quality of the effluent:

perks into the ground, no actual effluent

3. Expected life of the facility:

20 years

4. Who will operate and maintain the internal collection and treatment facilities:

Super Towers will pump out the septic tanks on a regular basis

5. Receiving bodies or other means of effluent disposal:

perks into the ground

C. Spray Irrigation: If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

N/A

2. Current water table conditions:

Control elevation is set at 12.0' NAVD at the site. That will be max. WSWT during the wet season.

3. Proposed rate of application:

N/A

4. Back-up system capacity:

None - drain beds can be repaired/replaced if not working properly and septic tanks can be pumped on a short term basis while repairs are being made

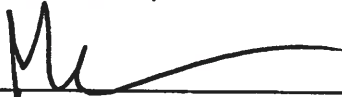
**EXHIBIT I-B-4
COVENANT OF UNIFIED CONTROL**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 9930 Channel 30 Drive, Bonita Springs, 34135 and legally described in exhibit A attached hereto. (street address)

The property described herein is the subject of an application for planned development zoning. We hereby designate Michael Sawyer 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 the City of Bonita Springs.

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

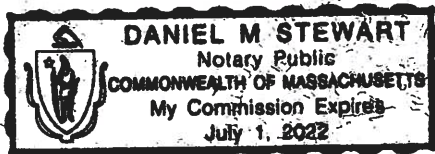
1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible 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 the City of Bonita Springs.
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, City of Bonita Springs 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 City of Bonita Springs will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the City may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

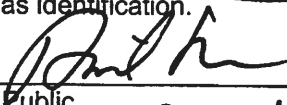


Owner
Timothy G. Sheehan, President
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 21 day of September 2018, by Timothy Sheehan, who is personally known to me or who has produced _____ as identification.





Notary Public
Daniel Stewart
(Name typed, printed or stamped)
(Serial Number, if any)

Exhibit 1-B-5



Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 533-6159 • Fax: (239) 533-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT

Date of Report: 9/19/2018 2:53:46 PM
Buffer Distance: 375 ft
Parcels Affected: 22
Subject Parcels: 03-48-25-B3-00001.0030

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CITY OF BONITA SPRINGS

OCT 10 2018

COMMUNITY DEVELOPMENT
DEPARTMENT

| OWNER NAME AND ADDRESS | STRAP AND LOCATION | LEGAL DESCRIPTION | MAP INDEX |
|---|--|--|------------------|
| CSX TRANSPORTATION INC 500 WATER ST JACKSONVILLE, FL 32202 | 02-48-25-B1-00013.0000 RAILROAD R/W BONITA SPRINGS FL 34135 | STRIP OF LAND RUNNING SWLY ACROSS W 1/2 SEC FOR RR R/W. | 2 |
| CSX TRANSPORTATION INC 500 WATER ST JACKSONVILLE, FL 32202 | 03-48-25-B3-00004.0000 RAILROAD R/W BONITA SPRINGS FL 34135 | STRIP OF LAND RUNNING SWLY ACROSS SE 1/4 SEC FOR RR R/W. | 3 |
| CLUB AT MEDITERRA INC 15755 CORSO MEDITERRA CIR NAPLES, FL 34110 | 01-48-25-B4-00010.0040 ACCESS UNDETERMINED BONITA SPRINGS FL | MEDITERRA NORTH GOLF COURSE LYING IN SW 1/4 OF SEC 1 + S 1/2 OF SE 1/4 + NW 1/4 OF SE 1/4 + W 1/2 SE OF OLD 41 AS DESC IN INST#2009000329735 + INST#2010000145194 | 4 |
| SOUTH DEPOT LLC 1180 DIANA AVE NAPLES, FL 34103 | 03-48-25-B3-00001.0150 28777 OLD 41 RD BONITA SPRINGS FL | TRIANGULAR PORTION OF LAND IN SE CORNER OF SEC LYING WEST OF ACL RR | 5 |
| MEDITERRA COMMUNITY ASSN INC 15735 CORSO MEDITERRA CIR NAPLES, FL 34110 | 02-48-25-B4-0060R.00CE RIGHT OF WAY BONITA SPRINGS FL | MEDITERRA UNIT ONE PB 69 PGS 86-89 TRACT R | 6 |
| KITSKO DENNIS TR 125 AIRDALE RD BRYN MAWR, PA 19010 | 03-48-25-B3-01900.0680 28446 TASCA DR BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 LOT 68 | 7 |
| SHUSTER PAUL E & LISA H 2717 EGRET WAY FREDERICK, MD 21701 | 03-48-25-B3-01900.0690 28450 TASCA DR BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 LOT 69 | 8 |
| MALCZYNSKI RONALD J & 28454 TASCA DR BONITA SPRINGS, FL 34135 | 03-48-25-B3-01900.0700 28454 TASCA DR BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 LOT 70 | 9 |
| ROSENBLUM ALLEN E + ROSALIE 307 E CRESCENT AVE RAMSEY, NJ 07446 | 03-48-25-B3-01900.0710 28458 TASCA DR BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 LOT 71 | 10 |
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0190A.00CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 TRACT A | 11 |
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0190H.00CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 TRACT H | 12 |
| CITY OF BONITA SPRINGS 9101 BONITA BEACH RD BONITA SPRINGS, FL 34135 | 03-48-25-B3-0190J.0000 ACCESS UNDETERMINED BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 TRACT J | 13 |
| CITY OF BONITA SPRINGS 9101 BONITA BEACH RD BONITA SPRINGS, FL 34135 | 03-48-25-B3-0190K.0000 ACCESS UNDETERMINED BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 TRACT K | 14 |
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0190M.00CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 TRACT M | 15 |

All data is current at time of printing and subject to change without notice.
THE INFORMATION CONTAINED IN THIS REPORT IS GOVERNED BY FLORIDA STATUTE 119.071
(GENERAL EXEMPTIONS FROM INSPECTION OR COPYING OF PUBLIC RECORDS).

| OWNER NAME AND ADDRESS | STRAP AND LOCATION | LEGAL DESCRIPTION | MAP INDEX |
|---|---|---|------------------|
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0190N.00CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 TRACT N | 16 |
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0190P.02CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 TRACT P-2 | 17 |
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0190P.03CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 TRACT P-3 | 18 |
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0190P.04CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 1 AS DESC IN INST# 2014000067721 TRACT P-4 | 19 |
| CASE LOIS J + 28400 SAN AMARO DR BONITA SPRINGS, FL 34135 | 03-48-25-B3-02000.0010 28400 SAN AMARO DR BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 2 AS DESC IN INST# 2015000047271 LOT 1 | 20 |
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0200A.00CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 2 AS DESC IN INST# 2015000047271 TR A | 21 |
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0200B.00CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 2 AS DESC IN INST# 2015000047271 TR B | 22 |
| CORDOVA AT SPANISH WELLS TOLL BROS INC 24201 WALDEN CENTER DR STE 204 BONITA SPRINGS, FL 34134 | 03-48-25-B3-0200P.01CE RIGHT OF WAY BONITA SPRINGS FL 34135 | CORDOVA AT SPANISH WELLS PHASE 2 AS DESC IN INST# 2015000047271 TR P- 1 | 23 |

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CITY OF BONITA SPRINGS

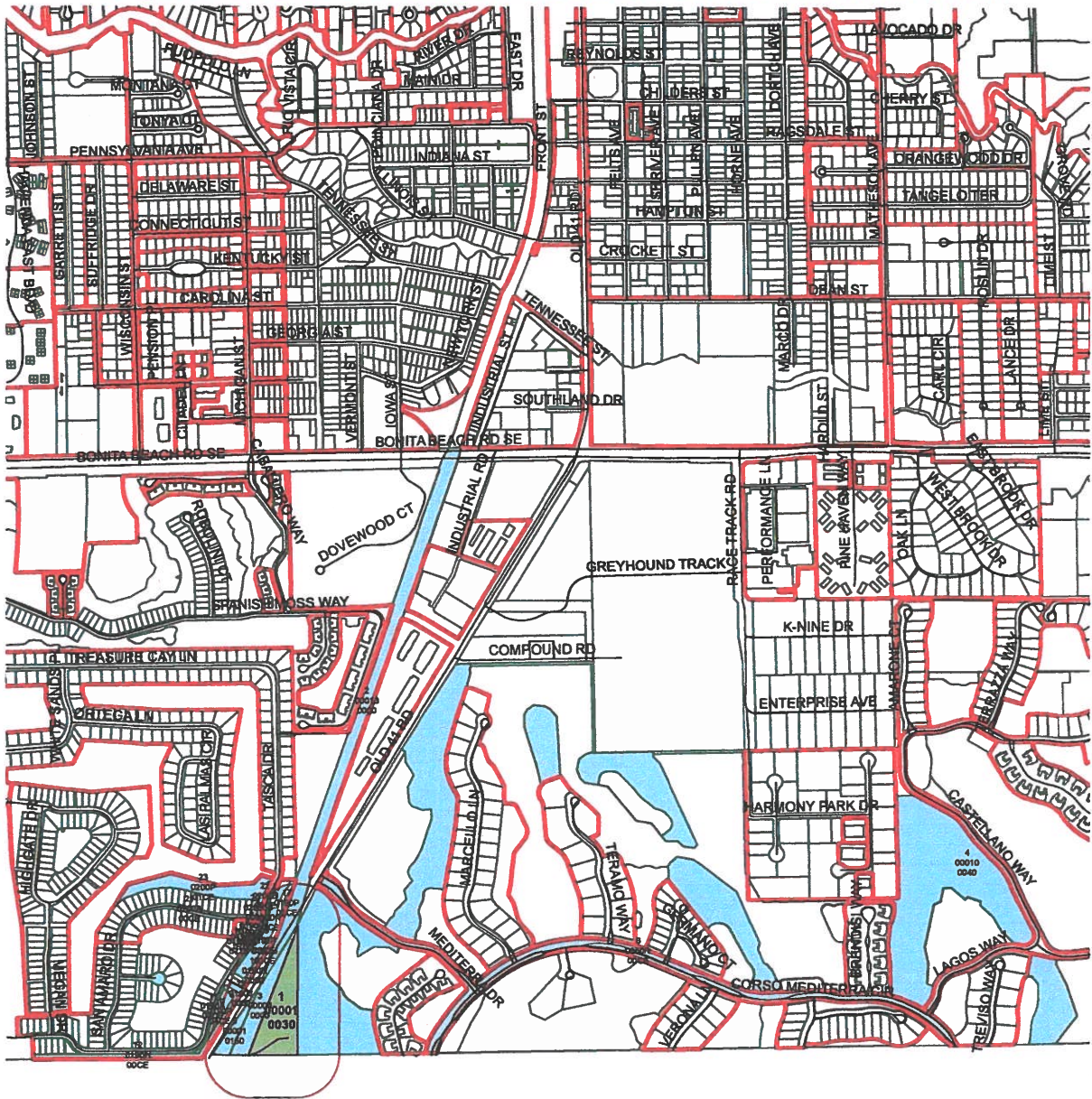
OCT 10 2018

COMMUNITY DEVELOPMENT
DEPARTMENT

VARIANCE REPORT

9/19/2018

Subject Parcels: 1 Affected Parcels: 22 Buffer Distance: 375 ft



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OCT 10 2018

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DEPARTMENT

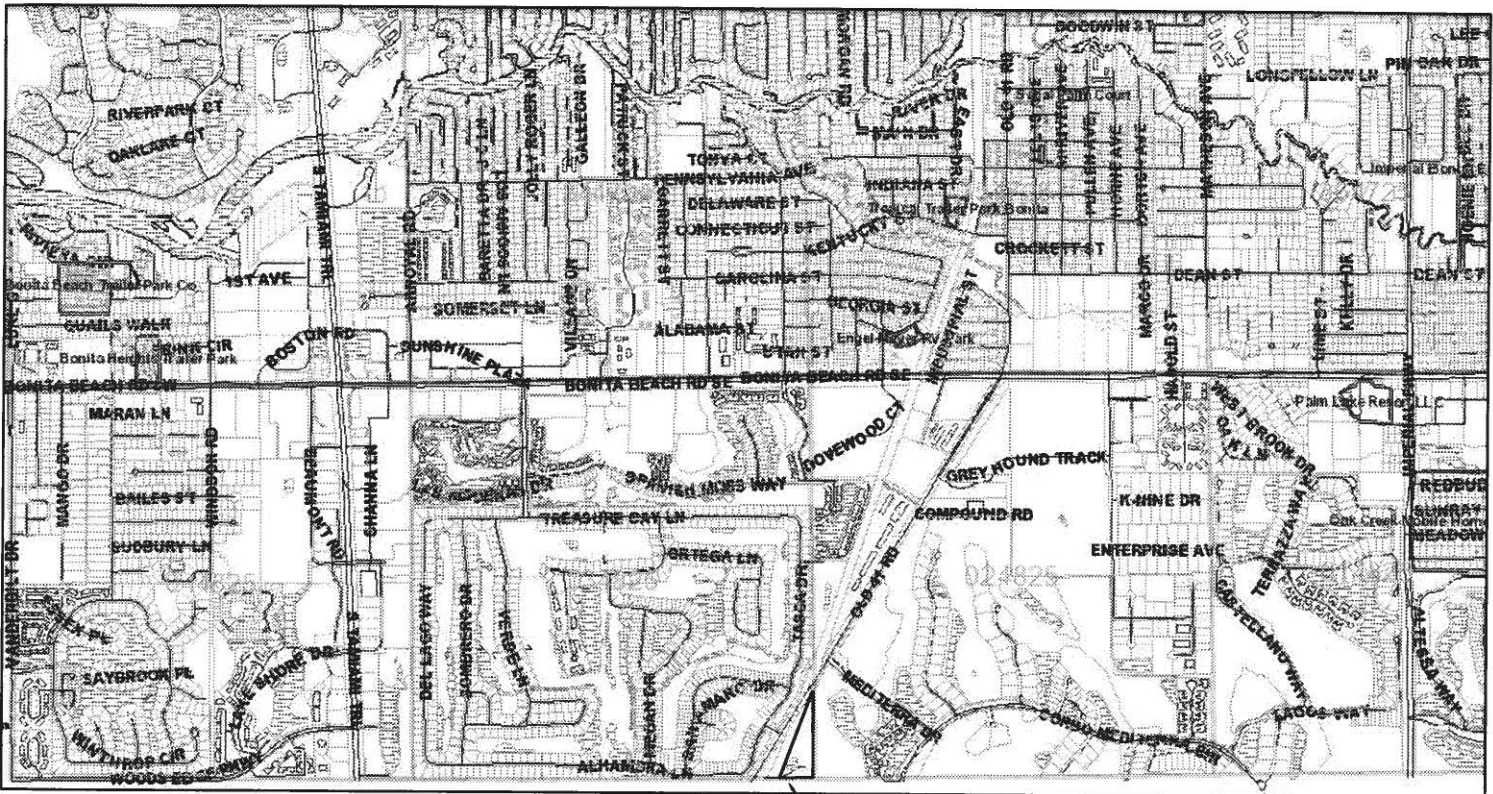


03-48-25-B3-00001.0030

1,760,320 880 440 0

1,760 Feet

THE INFORMATION CONTAINED IN THIS REPORT IS GOVERNED BY FLORIDA STATUTE 119.071 (GENERAL EXEMPTIONS FROM INSPECTION OR COPYING OF PUBLIC RECORDS).



PROJECT LOCATION

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CITY OF BONITA SPRING
OCT 10 2018
COMMUNITY DEVELOPMENT
DEPARTMENT

FOR

Super Towers
9930 Channel 30 Drive
Bonita Springs, FL 34135
strap no. 03-48-25-B3-00001.0030

McKee Engineering Consultants, Inc
David E. McKee PE #38347
5235 Starboard Lane
Granite Falls, NC 28630
Phone: (239) 898-4008
email: mckeeeng@gmail.com

Location Map

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Exhibit II-E-2
Comprehensive Plan Narrative/Justification for Request
For
Channel 30 Drive Commercial Center PD (ZO 09-14) Amendment

The property completed a Small Scale Comprehensive Plan Amendment in 2007-2008 and is located within the City's Industrial Land Use Category. The property was granted a CPD rezoning in 2008-2009 permitting the construction of new buildings and additional uses that were found consistent with the City's Comprehensive Plan at the time. The proposed changes under this Amendment as they relate to the City's current Comp Plan are minimal and generally comply with the overall Comp Plan criteria and the following objective and policies in particular;

Future Land Use Element

Policy 1.1.16: The Industrial Land Use is intended to primarily accommodate light industrial, research, warehousing and office uses. Maximum allowable height of structures is 75 feet from the base flood elevation and nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

Objective 1.14: The City shall discourage the proliferation of urban sprawl by maintaining or increasing densities, consistent with flood hazard considerations, between Old U.S. 41 and I-75 to encourage in-fill and redevelopment. This project meets this objective by utilizing existing land with tall communication towers for additional commercial and industrial activities.

Transportation Element

Objective 1.1: The TIS (9/28/18) recently prepared for this project indicates that Old 41 Road will be at a LOS "F" with or without this project. The developer of this project remains committed to working with the City to assist in alleviating this condition, including the payment of appropriate impact fees and providing property, as may be needed and available for road way improvements, in the future.

Objective 1.2: The project will participate in the City's "Complete Streets" program to increase mobility for all forms of travel.

Infrastructure Element

Goal 1/Potable Water sub-element/Policy 1.1.2: The City shall require nonresidential uses to connect to central potable water utility when potable water lines have been installed immediately adjoining the property and service is

available. This property, which is presently on a well, will bring potable water to the site even though it is presently more than 2,000 ft. away from the site.

Generally, this rezoning request is appropriate based on the following criteria:

- The request is consistent with the goals, objectives, policies and intent of the City of Bonita Springs Comprehensive Plan.
- The request will not cause damage, hazard, nuisance or other detriment to persons or property. It is being integrated into the existing neighborhood as a low intensity development with the maximum of buffering and screening possible under current site conditions.
- The requested use will be in compliance with all general zoning provisions and supplemental regulations pertaining to the uses set forth in the City's Land Development Code.
- There is no error or ambiguity that must be corrected.
- Urban services are available for this site. Public utilities and a roadway network are already in place and available for use.
- Sufficient evidence has been provided within this application that this rezoning is in compliance with the City's Comprehensive Plan, the Land Development Code and all other applicable rules and regulations.
- The request will meet or exceed all performance and location standards set forth for the uses allowed by the request.
- The request is consistent with the densities, intensities and general uses set forth in the City's Comprehensive Plan.
- The request is compatible with existing or planned uses in the surrounding area.
- 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.
- The request will not adversely affect environmentally critical area and natural resources.



Engineers
 Planners
 Surveyors
 Landscape Architects
 Environmental Scientists

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 Tampa, FL 33634
 T: 813.207.1061
 F: 813.281.1050
 www.maserconsulting.com

EXHIBIT II-E-2 ADDENDUM

**Comprehensive Plan Narrative/Justification for Request
 For
 Channel 30 Drive Commercial Center PD (PD18-54088-BOS)
 August 2019
MC PROJECT NO. 19000838A**

REC-111
 CITY OF BONITA SPRINGS
 AUG 30 2019
 COMMUNITY DEVELOPMENT
 DEPARTMENT

The purpose of this addendum is to further describe the proposed development and its compliance with The City of Bonita Springs Design Standards set forth in Section 4-325 of the Land Development Code (LDC). The subject property is currently partially improved and proposes additional improvements set forth in this application and will be in accordance with the Bonita Plan including design and construction set forth within those guidelines. This addendum discusses consistency, as applicable with LDF Section 4-325 (a)-(q) in a narrative format.

The project is being proposed and will continue in design and development to cause nominal impacts to adjacent parcels by use of landscape buffers, implementation of building setbacks and proposing new buildings consistent with the Bonita Plan. The subject parcel has existing access to Old 41 Road; as part of the proposed development Channel 30 Drive will be improved for both vehicular and pedestrian traffic. The Traffic Impact Study (TIS) previously submitted on this application states that Old 41 Road will remain a LOS 'F' with or without the construction of this project; in part because storage use is a low traffic generator.

The project will be designed in accordance with all local and state stormwater requirements and as such will have no adverse impact to offsite properties associated to increased runoff or flooding. Similarly, both wind and water erosion will be controlled during construction and nominal impacts to noise, light, odor, or similar during operation. The proposed improvements will substantially be within existing impervious or disturbed areas and little impact to perimeter, surrounding vegetation will be impacted; the development will improve upon perimeter vegetation by the proposed buffers to the east, west, and south of the project. The project has been developed in such a way to maximize intended perimeter buffers, locating conservation "open space" to the north and utilizing the existing pond on site to treat stormwater from the proposed development.

The proposed Commercial Planned Development is both similar and varying from surrounding uses as it falls within a transnational location (residential to the west across Old US 41 and east of the site), and existing storage facility immediately south of the subject parcel. The proposed Planned Development includes a reduction in one of the storage buildings from five (5) stories to four (4) stories, positively impacts the proposed development as it relates to residential uses and "screening" the development. The site is also naturally screen to the east by a "wild land" and/or Indigenous preserve area buffering the subject property to the east. West of the site is a small tract and the Old 41 Road Right-of-way and a residential development further buffered by an existing landscape buffer on their development. In general, the proposal complies with the "fit" with surrounding development.





The intended development includes a variety of uses ranging from office, to flex and storage space. The intention is to have first floor office/lease space for tenants and include storage on the above floors; this allows for a mix of parking need and intensity associated to energy and offsite service needs. The development provides parking in excess of the required minimums to handle peak demands as calculated for the project and in accordance with the LDC.

Lastly, consistency throughout the development is desired by use of architectural elements, landscaping and traffic flow. The interior site traffic circulation has been reconsidered to minimize driver "confusion" which has been accomplished by use of signage and improved stripping, flow path for vehicular users. Landscaping will be proposed to be consistent throughout the development.

The above discussion describes project consistency with the Bonita Plan per LDC 4-325 (a)-(q) and when combined with previously submitted documents meets the intent of LDC4-295(a)(5). Based on these discussions the Applicant believes the proposal is compliant with the intent of the Bonita design standards, as applicable to the subject parcel and development.

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AUG 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

JJS/mh

R:\Projects\2019\19000838A - Bonita Springs Storage\Correspondence\OUT\190830_JJS_Exhibit II-E-2_Addendum.docx



Super Towers
Section 3; Township 48 South; Range 25 East
City of Bonita Springs
Lee County, Florida

Protected Species Survey

RECEIVED
CITY OF BONITA SPRINGS
MAR 07 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

March 2019
Revised July 15, 2019
Revised January 29, 2020

Project No. 2019-4

8140 College Parkway Suite 4
Fort Myers, Florida 33919
(239) 418-0671 phone / (239) 790-5309 fax

INTRODUCTION

David Mason, a senior environmental scientist, and Authorized Gopher Tortoise Agent with FWC, from Boylan Environmental Consultants, Inc conducted a field investigation on the 6.11 ± acre property on March 2, 2019. The site is located in portions of Section 3, Township 48 South, Range 25 East, in Lee County, Florida. Specifically, it is situated immediately east of Old U.S. 41 and the railroad easement at the most portion of Lee County, in the City of Bonita Springs. Please see the attached Project Location Map **Exhibit A**.

The purpose of the field investigation was to identify and document the presence of any listed species and any potential listed (endangered, threatened, etc.) species inhabiting the site that are regulated by the U.S. Fish & Wildlife Service (FWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

The survey was conducted in the early afternoon with temperatures in the mid 80s with a slight breeze and partly cloudy skies.

METHODOLOGY

The survey method consisted of overlapping belt transects performed for all FLUCFCS communities onsite in compliance with the Comprehensive Plan Requirements for the City of Bonita Springs, Policy 4.1.3(b)1(c). The specific methodology included pedestrian surveys of parallel transects.

This survey is comprised of a several step process. First, vegetation communities or land-uses on the study area are delineated using the Florida Land Use, Cover and Forms Classification System (FLUCFCS). Please see the attached FLUCFCS Map **Exhibit B** and FLUCFCS Map with Aerial **Exhibit C**. Next, the FLUCFCS codes are cross-referenced with the Bonita Springs Protected Species List. This protected species list names the species which have a probability of occurring in any particular FLUCFCS community.

An intensive pedestrian survey is conducted using parallel belt transects that are approximately 10-40 feet apart as a means of searching for listed species. The distance between transects depends upon both the thickness of vegetation and visibility. In addition, periodic "stop-look-listen" and quiet stalking methods are conducted for animals. Signs or sightings of these species are then recorded and marked in the field with flagging tape. The table at end of the report lists the FLUCFCS communities found on the parcel and the corresponding species which have a probability of occurring in them.

Transects were walked approximately as shown on the attached Protected Species Survey Map **Exhibit D** and Protected Species Survey Map with Aerial **Exhibit E**.

Super Towers
Protected Species Survey

Specific attention was placed on locating any gopher tortoise burrows, potential fox squirrel nests, locating RCW cavity trees, and eagle's nests within the forested portions of the property.

TABLE 1: SURVEY DATE AND WEATHER CONDITIONS

| Survey Date | Survey Time | Weather Conditions |
|--------------------|--------------------|--|
| 3-2-2019 | 1:00 pm - 3:00 pm | Partly cloudy, slight breeze, temperatures in the mid 80s(F) |

EXISTING SITE CONDITIONS

Site Details – The surveyed boundary was provided by Maser Consulting, and totals approximately 6.11± acres. In general, the property is composed of existing preserve, commercial development including a roofing contractor, as well as a cell tower and radio tower. The site is bordered by Mediterra development, a railroad grade and Old U.S. 41. A storage unit facility is located immediately to the south.

Soil Type - The soils on the property have been mapped by the National Resource Conservation Service (NRCS, formerly the Soil Conservation Service). Please see the attached NRCS Soils Map **Exhibit F**. These mappings are general in nature but can provide a certain level of information about the site as to the possible extent of wetland area. According to these mappings, the parcel is underlain by three soil types: Immokalee sand-Urban land complex (Non-Hydric), Myakka fine sand, ponded-Urban land complex(Hydric), and Satellite fine sand-Urban land complex(Non-Hydric).

Vegetation Communities – Each community was mapped in the field according to the system in use by the agencies, the Florida Land Use Cover and Forms Classification System (FLUCFCS). Listed below are the vegetation communities or land-uses identified on the site. Vegetation is one parameter used in determining the presence of a wetland; the other parameters include the presence of wetland hydrology and hydric soils. These community mappings will generally reflect whether an area could be considered as wetlands. Boylan Environmental Consultants did not identify any wetland communities on the site. There is an existing stormwater pond totaling 0.68 acres of Other Surface Waters. The following descriptions correspond to the mappings on the attached FLUCFCS Map **Exhibit B** and FLUCFCS Map with Aerial **Exhibit C**. See Florida Land Use, Cover and Forms Classification System (Department of Transportation 1999) for definitions.

FLUCFCS CODES/DESCRIPTION

140 Commercial and Services (4.57 ± acres)

This developed area includes a mixture of structures and support areas including warehouses, office buildings, driveways, parking lots, and landscaped area that support the existing use. Currently the area supports a roofing contractor and transmission tower.

411 Pine Flatwoods (0%-5% Exotics) (0.653± acres)

This scrubby pine upland habitat type occupies 0.653± acres of the property. Canopy vegetation contains slash pine (*Pinus elliottii*) and live oak (*Quercus virginiana*). Sub-canopy includes live oak and wax myrtle (*Morella cerifera*). The ground cover was dominated by saw palmetto (*Serenoa repens*) and also contains common pawpaw (*Asimina triloba*), greenbriar (*Smilax* spp.), poison ivy (*Toxicodendron radicans*), shiny blueberry (*Vaccinium myrsinites*), rusty lyonia (*Lyonia ferruginea*), runner oak (*Quercus pumila*), and carrotwood (*Cupaniopsis anacardioides*) seedlings.

520 Lake (0.68± acres)

This habitat type occupies 0.68± acres of the property. The canopy is open. The sub-canopy contains Brazilian pepper and wax myrtle.

830 Utility Lines (0.21± acres)

This habitat type occupies 0.21± acres of the property. Canopy vegetation contains scattered slash pine (*Pinus elliottii*) and live oak (*Quercus virginiana*). Sub-canopy includes live oak and wax myrtle (*Morella cerifera*). The ground cover included scattered saw palmetto (*Serenoa repens*) and also contains common pawpaw (*Asimina triloba*), greenbriar (*Smilax* spp.), poison ivy (*Toxicodendron radicans*), shiny blueberry (*Vaccinium myrsinites*), rusty lyonia (*Lyonia ferruginea*), runner oak (*Quercus pumila*), and carrotwood (*Cupaniopsis anacardioides*) seedlings.

TABLE 2: FLUCFCS COMMUNITY TABLE

| FLUCFCS Code | Community Description | Acreage |
|---------------------|------------------------------|-------------------|
| 140 | Commercial and Services | 4.57 ± ac. |
| 411 | Pine Flatwoods | 0.653 ± ac. |
| 520 | Lake | 0.68 ± ac |
| 830 | Utility Lines | 0.21 ± ac |
| Total | | 6.11 ± ac. |

SPECIES PRESENCE

During the field survey for protected species on the property, no nest-like structures or tree cavities were noted.

The site does contain a man-made open water body. While wading birds were not seen during the site inspection it would be expected that wading birds would use the water bodies for foraging. No alligators were observed on the property.

During the species survey 3 inactive gopher tortoise burrows were identified on the property. In accordance with FWC guidelines a burrow occupancy rate of 0.50 was determined for all active and inactive (Potentially Occupied) burrows. Applying this factor to the current burrow numbers, it is estimated that approximately 2 tortoises (3 inactive burrows X 0.50 = 1.5, rounded to 2) could reside on the property. The potential occupied habitat for the property encompassed approximately 0.86± acres of the total property. The potential occupied habitat area included all of the pine flatwoods area on the property, including areas where no burrows were located within the utility easement. Assuming that 2 tortoise resides on the property, the density of tortoises is 2.32 per acre of potential habitat.

The various listed species that may occur in the FLUCFCS communities have been tabulated on the attached table. In general, this site does not contain native, undisturbed community types in which protected species would typically inhabit.

DISCUSSION

No other species were noted during the survey.

Community locations were estimated and drawn by using a non-rectified aerial with approximate property boundaries hence, their location, aerial extent, and acreage is approximate.

Additional Comments

Per the original Zoning approval, the preserve area included areas described as xeric oak (FLUCFCS 421). During the recent inspection, the community composition had an increase in vegetative coverage. The density of the understory and groundcover changes have transitioned on the site and increased to be more accurately described as a pine flatwoods community (FLUCFCS 411). See current FLUCFS Map.

The 411-Pine Flatwoods area is entirely located within the preserve and no areas are intended for impact. A Conservation Easement will be placed over the preserve area per the requirements of the Zoning Ordinance.

Super Towers
Protected Species Survey

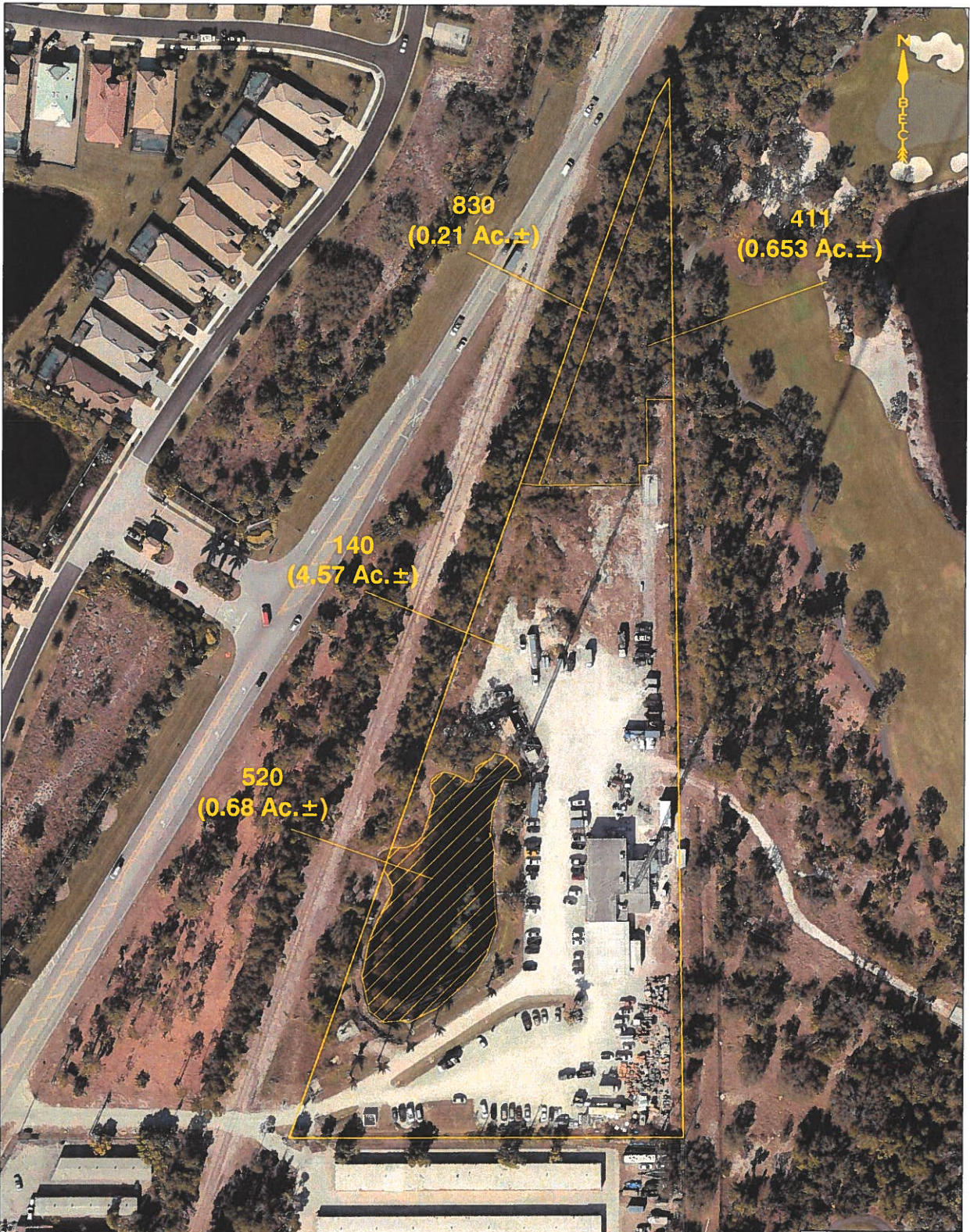
TABLE 3: LISTED SPECIES BY HABITAT WITH CURRENT STATUS

| FLUCFCS Code | FLUCFCS Description | Common Name | Scientific Name | Percent Coverage | Observed | USDA | FDA&CS | FWS | FWC | |
|--------------|-------------------------|-------------------------------|------------------------------------|------------------|----------|------|--------|-----|-----|---|
| 140 | Commercial and Services | Burrowing owl | <i>Athene cucularia floridana</i> | 100 | - | - | - | - | SSC | |
| | | Least tern | <i>Sterna antillarum</i> | 100 | - | - | - | E | T | |
| | | Beautiful paw-paw | <i>Deeringothamnus pulchellus</i> | 100 | - | E | E | - | - | |
| | | Big cypress fox squirrel | <i>Sciurus niger avicennia</i> | 100 | - | - | - | - | SSC | |
| | | Eastern indigo snake | <i>Drymarchon corais couperi</i> | 100 | - | - | - | T | - | |
| | | Fakahatchee burmannia | <i>Burmannia flava</i> | 100 | - | - | E | - | - | |
| | | Florida black bear | <i>Ursus americanus floridanus</i> | 100 | - | - | - | SAT | - | |
| | | Florida coontie | <i>Zamia floridana</i> | 100 | - | - | C | - | - | |
| | | Gopher frog | <i>Rana areolata</i> | 100 | - | - | - | - | - | |
| | | Gopher tortoise | <i>Gopherus polyphemus</i> | 100 | X | - | - | T | - | |
| 411 | Pine Flatwoods | Red-cockaded woodpecker | <i>Picooides borealis</i> | 100 | - | - | - | E | SSC | |
| | | Satinleaf | <i>Chrysophyllum olivaeforme</i> | 100 | - | - | T | - | - | |
| | | Southeastern American Kestrel | <i>Falco sparverius paulus</i> | 100 | - | - | - | - | T | |
| | | Eastern indigo snake | <i>Drymarchon corais couperi</i> | 100 | - | - | - | - | T | |
| | | Florida scrub jay | <i>Aphelocoma coerulescens</i> | 100 | - | - | - | T | T | |
| | | Florida coontie | <i>Zamia floridana</i> | 100 | - | - | - | C | - | |
| | | Gopher frog | <i>Rana areolata</i> | 100 | - | - | - | - | SSC | |
| | | Gopher tortoise | <i>Gopherus polyphemus</i> | 100 | - | - | - | T | T | |
| | | American alligator | <i>Alligator mississippiensis</i> | 100 | - | - | - | SAT | SSC | |
| | | Everglades mink | <i>Mustela vison evergladensis</i> | 100 | - | - | - | - | T | |
| 520 | Lakes | Limpkin | <i>Aramus guarana</i> | 100 | - | - | - | - | SSC | |
| | | Little blue heron | <i>Egretta caerulea</i> | 100 | - | - | - | - | SSC | |
| | | Reddish egret | <i>Egretta rufescens</i> | 100 | - | - | - | - | SSC | |
| | | Roseate spoonbill | <i>Ajaja ajaja</i> | 100 | - | - | - | - | SSC | |
| | | Snail kite | <i>Rostrhamus sociabilis</i> | 100 | - | - | - | E | E | |
| | | Snowy egret | <i>Egretta thula</i> | 100 | - | - | - | - | SSC | |
| | | Tricolored heron | <i>Egretta tricolor</i> | 100 | - | - | - | - | SSC | |
| | | N/A | - | 100 | - | - | - | - | - | |
| | | 830 | Utility lines | - | - | - | - | - | - | - |

C = Commercially Exploited, SAT = Similarity of Appearance Threatened, SSC = Species of Special Concern, T = Threatened, E = Endangered

Table designates listed species with potential to occur in each FLUCFCS community as listed in Appendix H of the Lee County Land Development Code.

X:\BEC\2019\2019-4 Super Towers(CAD)Base Map-Super Towers.dwg Tab: Aer FLUCFCS Map 24 x 38 Jan 29, 2020 - 2:20pm Plotted by: Kim



| Category | Drawn By: | Date: | Scale: |
|----------------|-----------|----------|-----------|
| Aerial Agency | KAS | 3/7/19 | 1" = 50' |
| --- | 2009-4 | Revision | Lee |
| App/Permit No. | *** | 1/29/20 | 3/48S/25E |

| FLUCFCS Legend | | | |
|----------------|-------------------------|-----------|---------|
| FLUCFCS Code | Community | Total | % |
| 140 | Commercial and Services | 4.57 ± Ac | 74.76% |
| 411 | Pine Flatwoods | 0.65 ± Ac | 10.68% |
| 520 | Lakes | 0.68 ± Ac | 11.12% |
| 830 | Utility Lines | 0.21 ± Ac | 0.0344% |
| Total | | 6.11 ± Ac | 100% |

NOTES:
 FLUCFCS lines estimated from 1"=200' aerial photographs and locations approximated.
 FLUCFCS per Florida Land Use Cover and Forms Classification System (FLUCFCS) (FDOT 1999)
 Aerial photographs were acquired through Lee County Property Appraiser's office with a flight date of January, 2018.



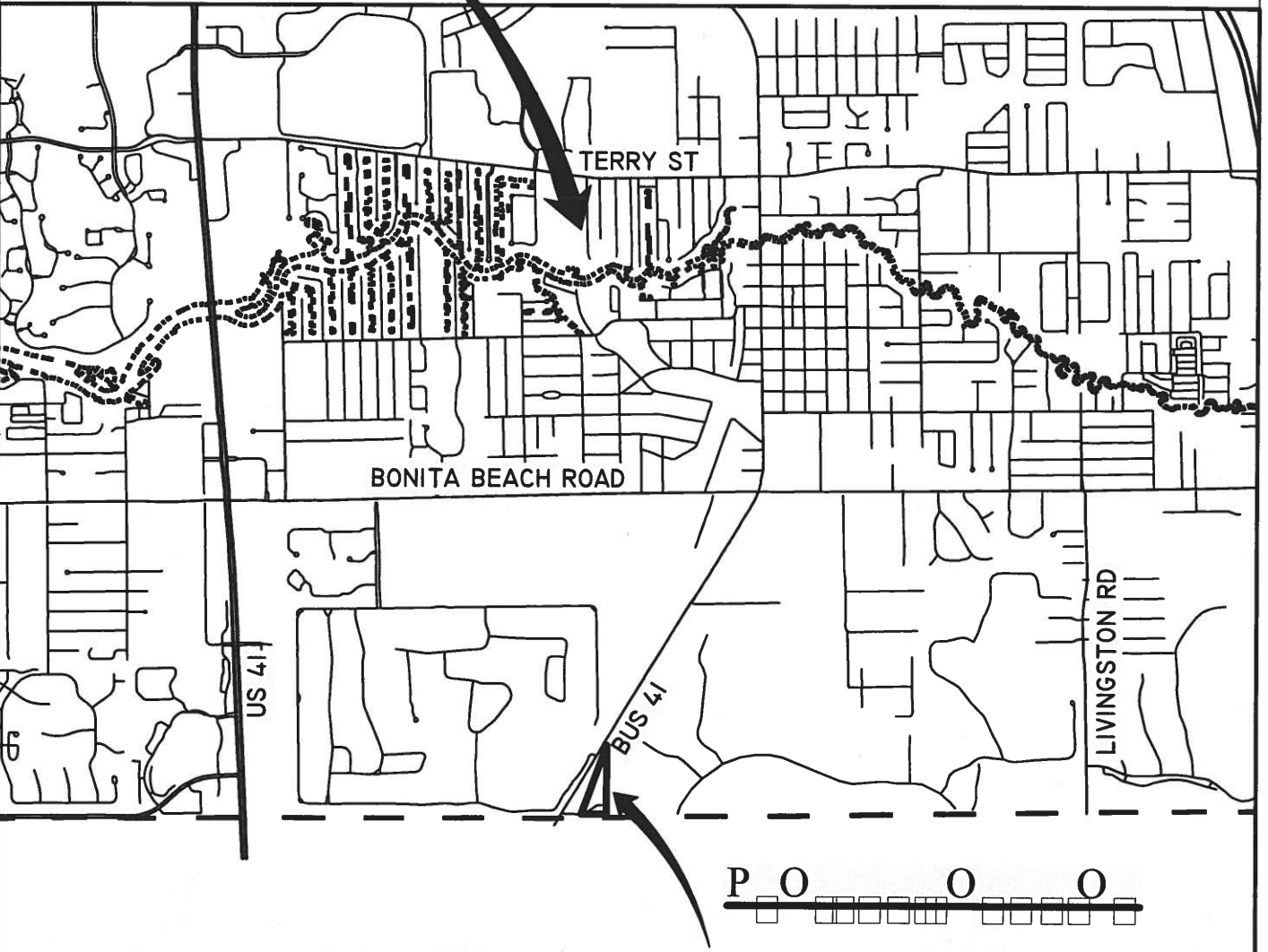
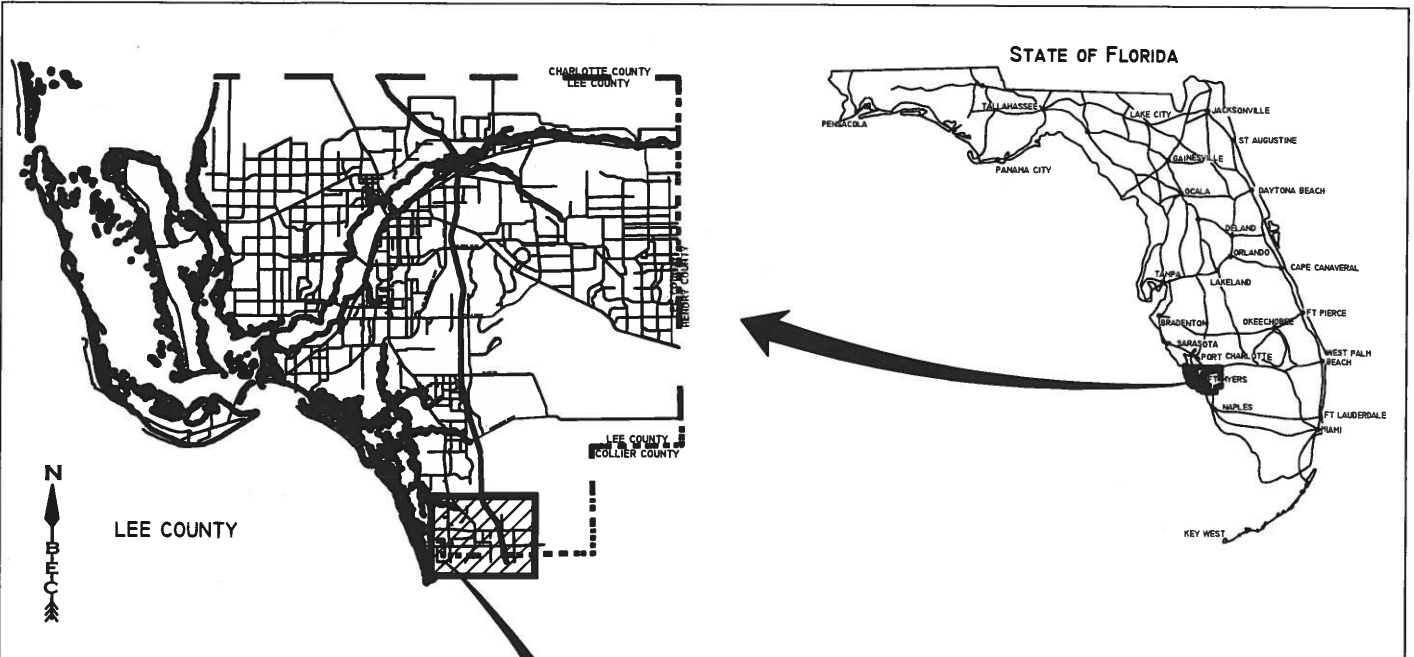
8140 College Pkwy
 Suite 104-1
 Ft. Myers, FL 33919
 Phone: (239) 418-0671
 Fax: (239) 790-5309
 www.boylanenv.com

Super Towers FLUCFCS Map



Exhibit A
Project Location Map

Boylan Environmental Consultants, Inc.



X:\BEC\2019\2019-4_SUPER TOWERS\CAD\BEC PROJECT LOCATION MAP.DWG TAB: FIGURE I MAR II, 2019 - 2:15PM PLOTTED BY: NIN

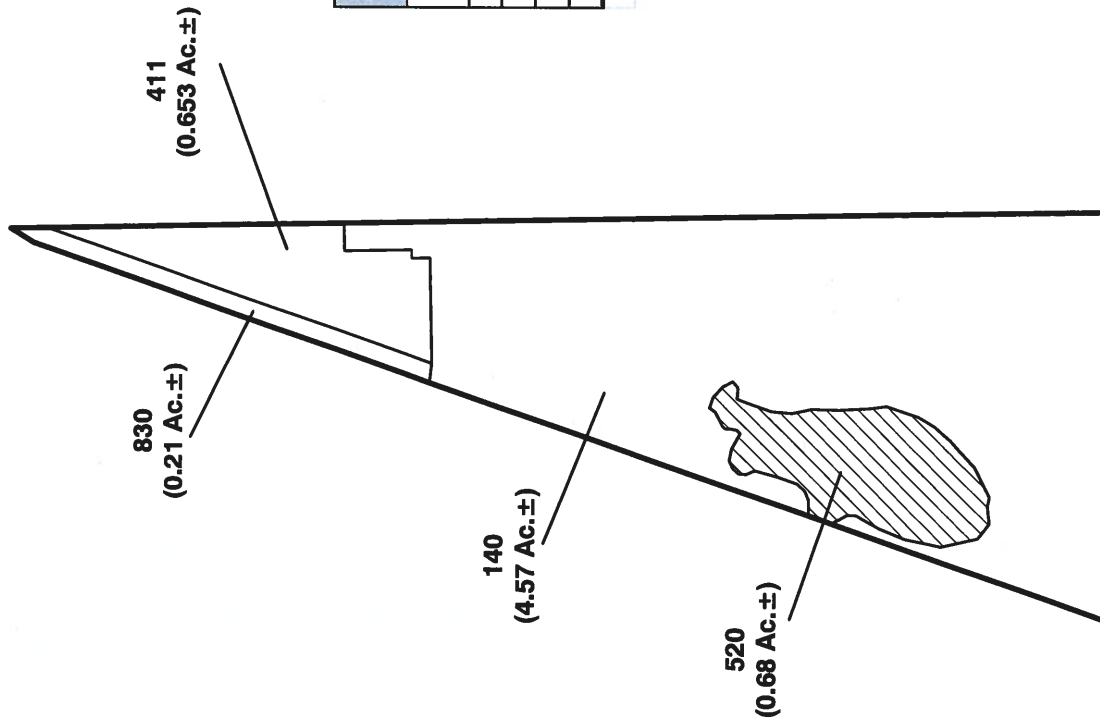
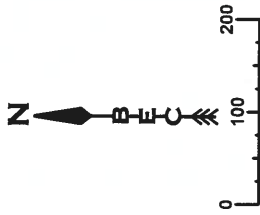
| | | | | | |
|--|------------|--------|--------------|---|---------|
| <p>Boylan Environmental Consultants, Inc. Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments 11000 Metro Parkway, Suite 4, Ft. Myers, FL 33966 (239) 418-0671</p> | Drawn By: | Date: | Category | <h2>Super Towers</h2> <h3>Project Location Map</h3> | Page |
| | KAS | 3/7/19 | Location Map | | Exhibit |
| | Job Number | 2019-4 | S/T/R | NTS | County |
| | 3/48S/25E | | | Lee | |

Super Towers
Protected Species Survey



Exhibit B
FLUCFCS Map

Boylan Environmental Consultants, Inc.



| FLUCFCS Legend | | | |
|----------------|-------------------------|------------------|-------------|
| FLUCFCS Code | Community | Total | % |
| 140 | Commercial and Services | 4.57 ± Ac | 74.76% |
| 411 | Pine Flatwoods | 0.65 ± Ac | 10.68% |
| 520 | Lakes | 0.68 ± Ac | 11.12% |
| 830 | Utility Lines | 0.21 ± Ac | 0.0344 |
| Total | | 6.11 ± Ac | 100% |

NOTES:

FLUCFCS lines estimated from 1"=200' aerial photographs and locations approximated.

FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).



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Fax: (239) 790-5309
www.boylan.com

Scale:
1" = 200'
County
Lee
S/TR

Super Towers FLUCFCS Map

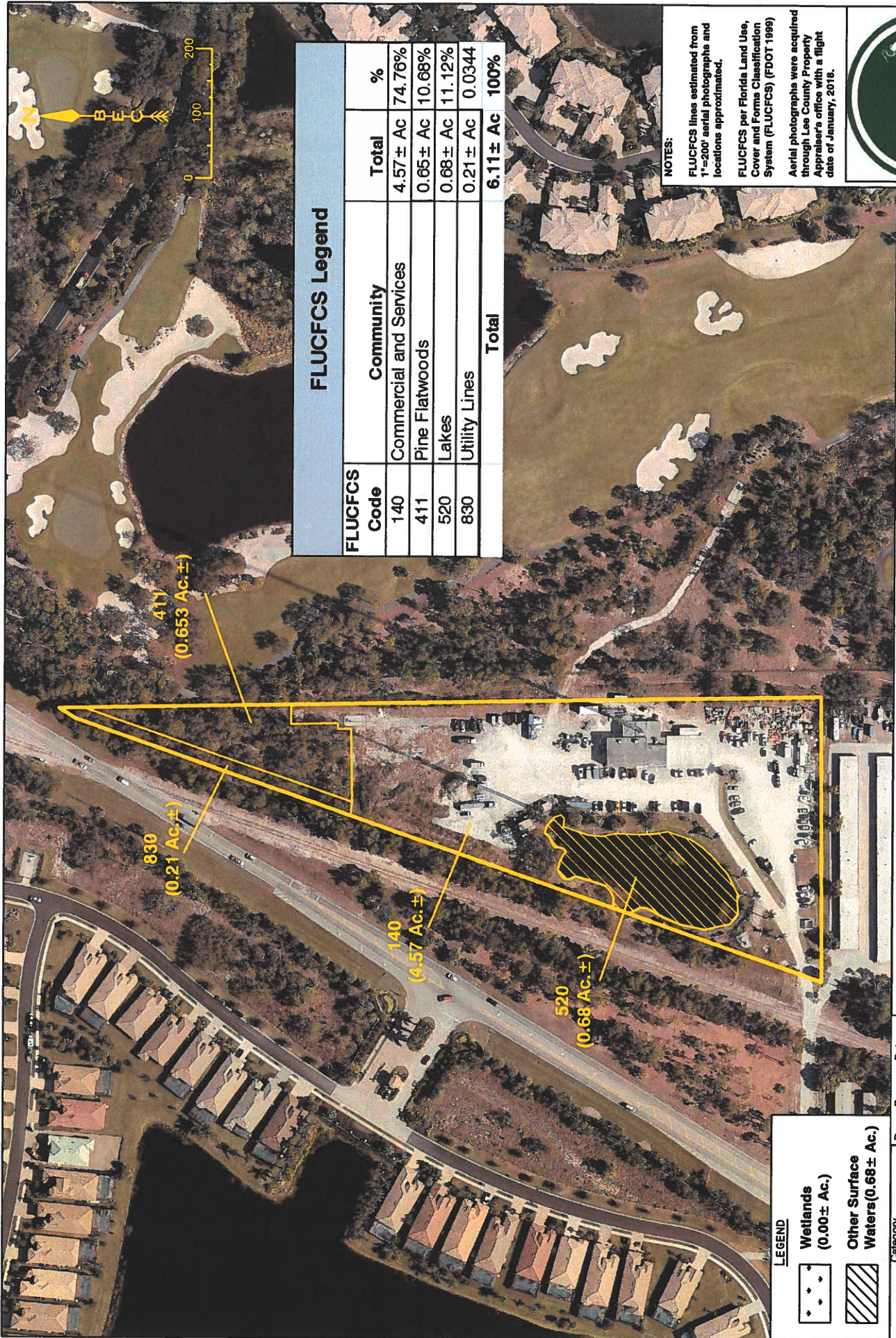
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|---------------------------|---------|------------|-----|----------|----------|
| Category | FLUCFCS | Drawn By: | KAS | Date: | 3/7/19 |
| Agency | | BEC Number | | Revision | 1/20/19N |
| Application/Permit Number | | | | | |

LEGEND

Wetlands
(0.00 ± Ac.)

Other Surface Waters
(0.68 ± Ac.)

Exhibit C
FLUCFCS Map with Aerial



| FLUCFCS Legend | | | |
|----------------|-------------------------|------------------|-------------|
| FLUCFCS Code | Community | Total | % |
| 140 | Commercial and Services | 4.57 ± AC | 74.76% |
| 411 | Pine Flatwoods | 0.65 ± AC | 10.68% |
| 520 | Lakes | 0.68 ± AC | 11.12% |
| 830 | Utility Lines | 0.21 ± AC | 0.0344 |
| Total | | 6.11 ± AC | 100% |

NOTES:
 FLUCFCS lines estimated from 1"-200' aerial photographs and locators approximated.
 FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999)
 Aerial photographs were acquired through Lee County Property Appraiser's office with a flight date of January, 2018.



Scale: 1" = 200'
 County: Lee
 Section: S/7R

8140 College Pkwy
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 Ft. Myers, FL 33919
 Phone: (239) 418-0671
 Fax: (239) 790-5309

Super Towers
 Aerial FLUCFCS Map

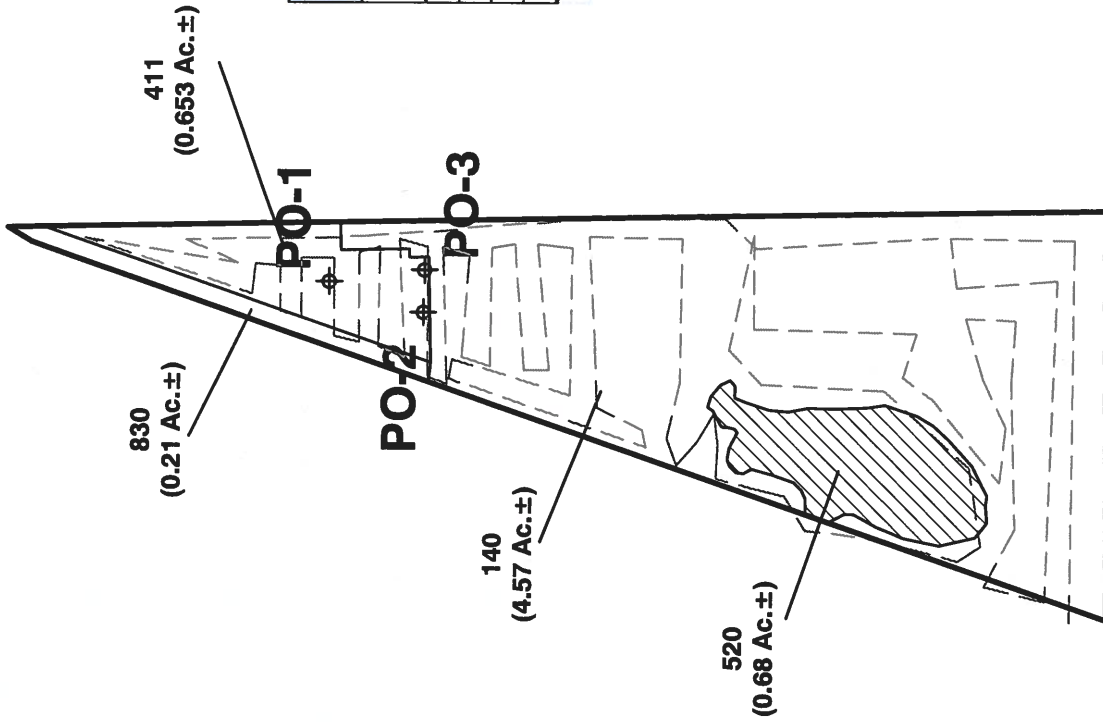
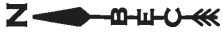
| LEGEND | |
|--------|-----------------------------------|
| | Wetlands (0.00 ± Ac.) |
| | Other Surface Waters (0.68 ± Ac.) |

| | | | |
|---------------------------|---------|------------|--------|
| Category | FLUCFCS | Date: | 3/7/19 |
| Agency | KAS | BEC Number | 2019-4 |
| Application/Permit Number | — | Revision | 1 |
| | | 4/1/2019 | |

X:\BEC\2019\2019-4-Super Towers\CAD\Bases Map-Super Towers.dwg Tab: Aerial FLUCFCS Map Jan 29, 2020 - 2:19pm Plotted by: kim

Exhibit D
Protected Species Survey Map

Boylan Environmental Consultants, Inc.



| FLUCFCS Legend | | | |
|----------------|-------------------------|------------------|-------------|
| FLUCFCS Code | Community | Total | % |
| 140 | Commercial and Services | 4.57 ± Ac | 74.76% |
| 411 | Pine Flatwoods | 0.65 ± Ac | 10.68% |
| 520 | Lakes | 0.68 ± Ac | 11.12% |
| 830 | Utility Lines | 0.21 ± Ac | 0.0344 |
| Total | | 6.11 ± Ac | 100% |

NOTES:

FLUCFCS lines estimated from 1"=200' aerial photographs and locations approximated.

FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999)



Scale:
1" = 200'
County
Lee
S77R

8140 College Pkwy
Suite 104-1
Ft. Myers, FL 33919
Phone: (239) 418-0671
Fax: (239) 790-5309

LEGEND

- Wetlands (0.00 ± Ac.)
- Other Surface Waters (0.68 ± Ac.)
- Potentially Occupied Tortoise Burrows (3)
- PSS Survey Transects

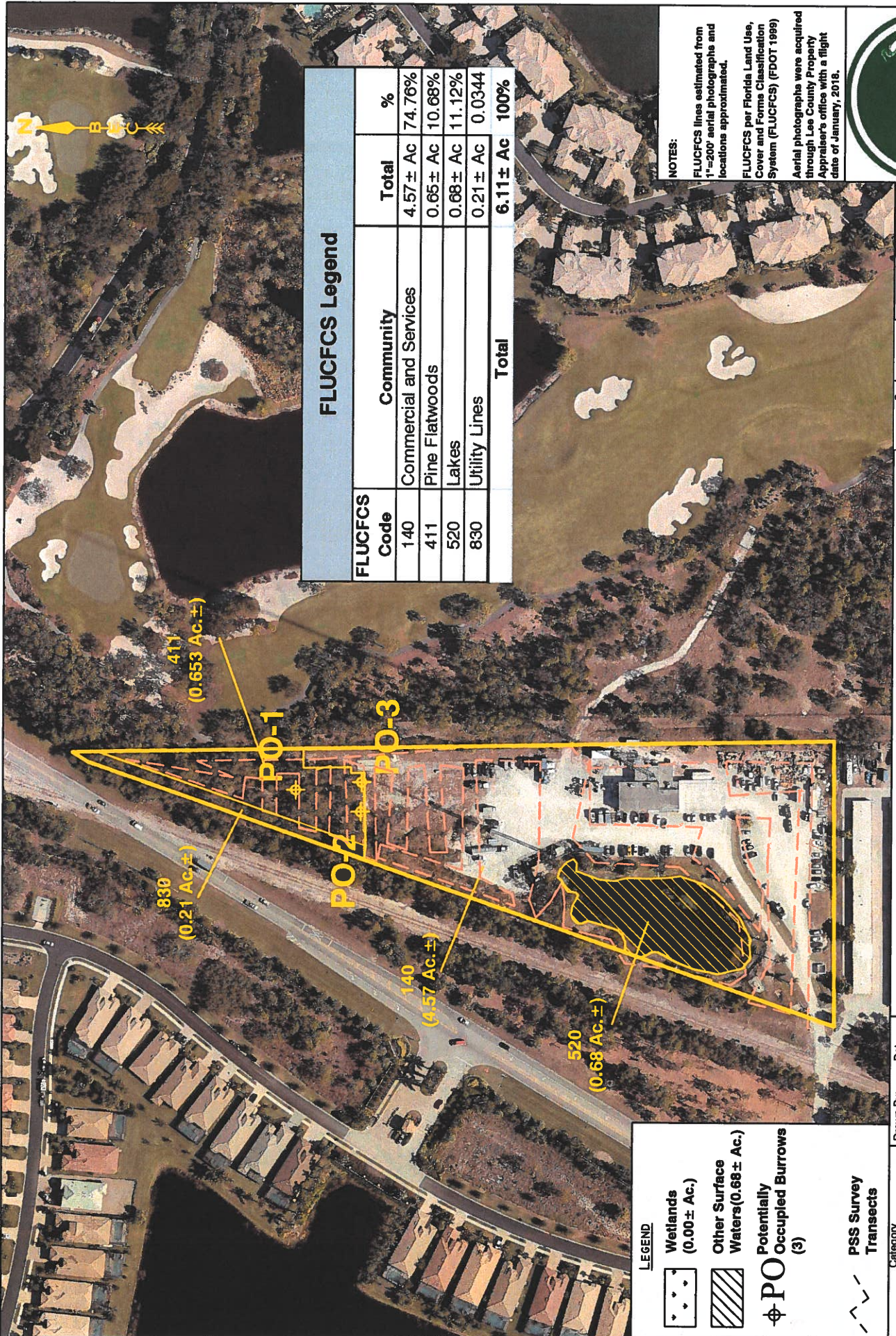
| | | | | | |
|---------------------------|-----|------------|-----|----------|--------|
| Category | PSS | Drawn By: | KAS | Date: | 3/7/19 |
| Agency | | BEC Number | | Revision | |
| Application/Permit Number | | 2019-4 | | | |

Super Towers
Protected Species Survey Map

Exhibit E

Protected Species Survey Map with Aerial

Boylan Environmental Consultants, Inc.



| FLUCFCS Legend | | | |
|----------------|-------------------------|------------------|-------------|
| FLUCFCS Code | Community | Total | % |
| 140 | Commercial and Services | 4.57 ± Ac | 74.76% |
| 411 | Pine Flatwoods | 0.65 ± Ac | 10.68% |
| 520 | Lakes | 0.68 ± Ac | 11.12% |
| 830 | Utility Lines | 0.21 ± Ac | 0.0344 |
| Total | | 6.11 ± Ac | 100% |

NOTES:
 FLUCFCS lines estimated from 1"-200' aerial photographs and locations approximated.
 FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999)
 Aerial photographs were acquired through Lee County Property Appraiser's office with a flight date of January, 2018.



8140 College Pkwy
 Suite 104-1
 Ft. Myers, FL 33919
 Phone: (239) 418-0671
 Fax: (239) 790-5309

Scale:
 1" = 200'
 County
 Lee
 S/T/R

Super Towers

Protected Species Survey Map with Aerial Photograph

| LEGEND | |
|--------|-----------------------------------|
| | Wetlands (0.00 ± Ac.) |
| | Other Surface Waters (0.68 ± Ac.) |
| | Potentially Occupied Burrows (3) |
| | PSS Survey Transects |

| | | | |
|---------------------------|-----|------------|----------|
| Category | PSS | Date: | 3/7/19 |
| Agency | KAS | BEC Number | |
| Application/Permit Number | | 2019-4 | Revision |
| | | 4 | 1/00/19 |

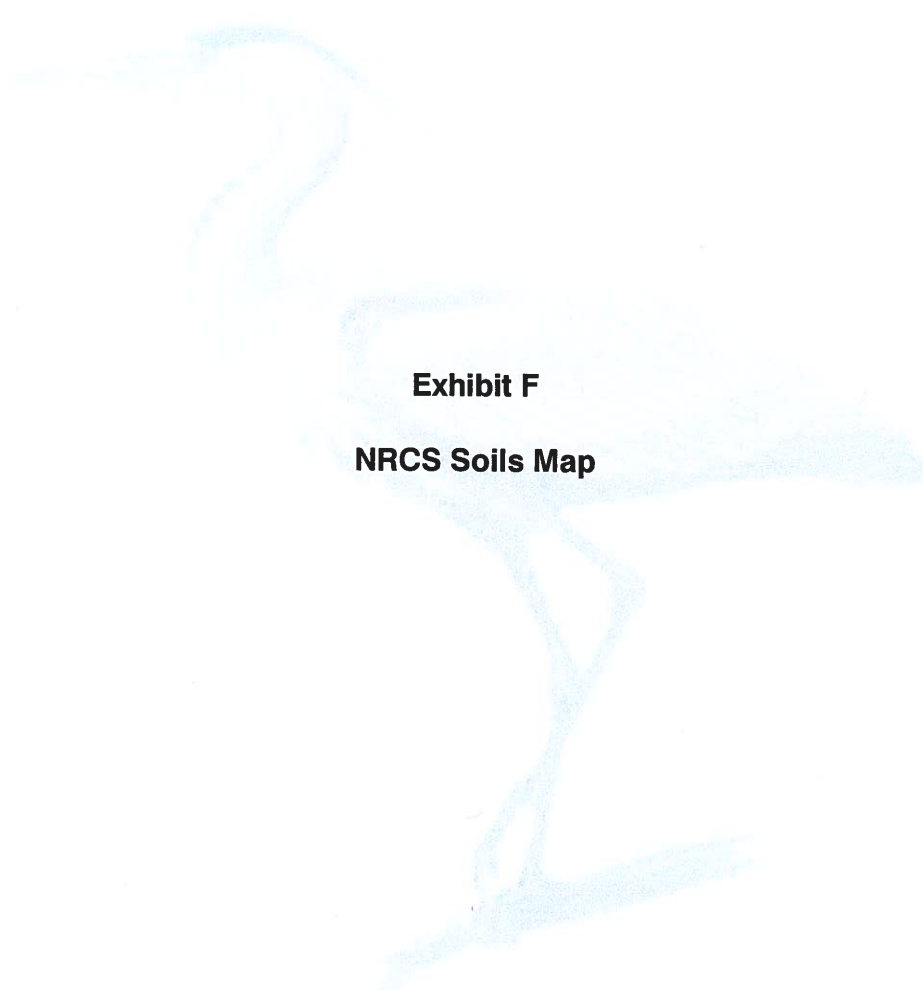
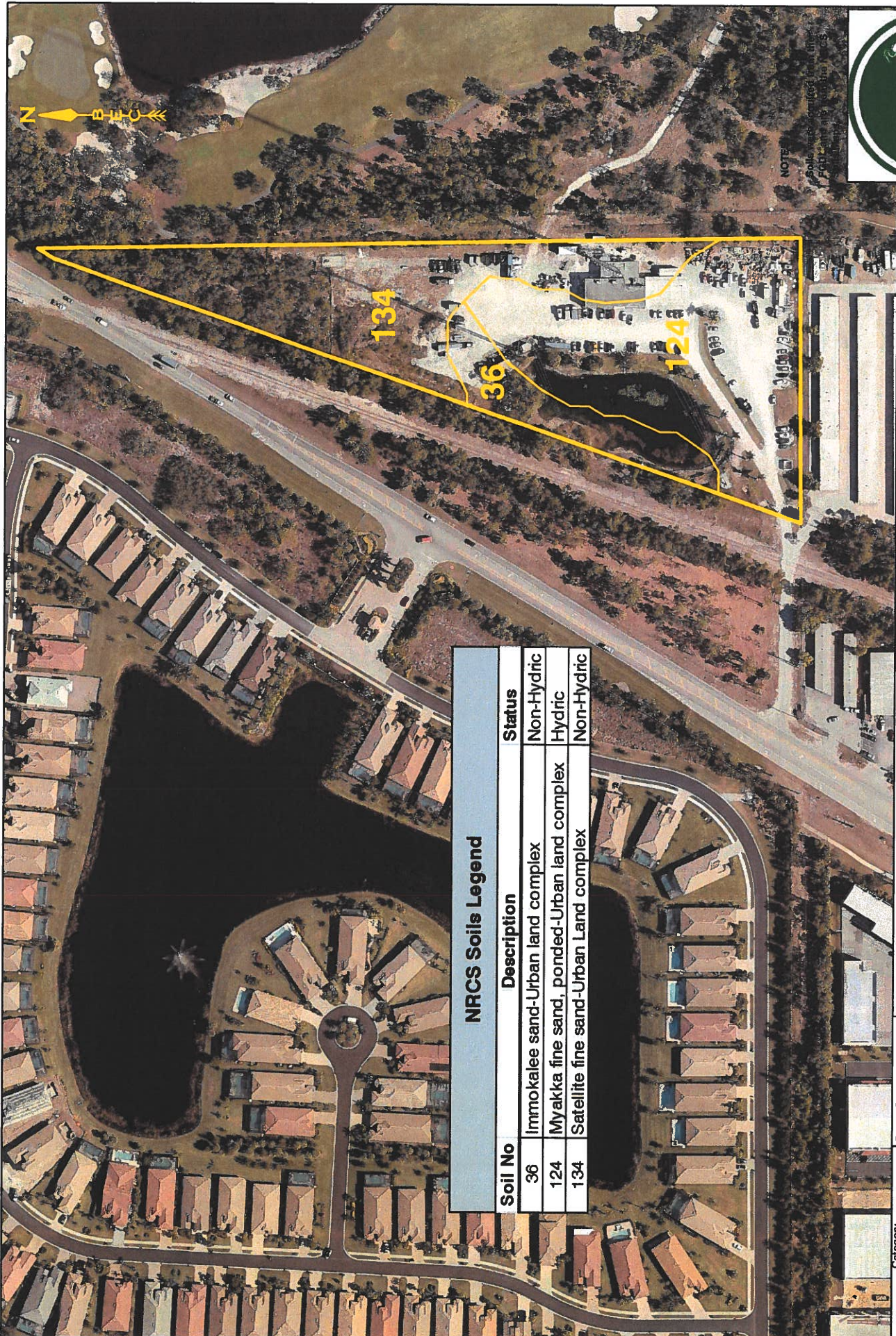


Exhibit F
NRCS Soils Map



8140 College Pkwy
Suite 104-1
Ft. Myers, FL 33919
Phone: (239) 418-0671
Fax: (239) 780-5309

Scale:
1" = 200'
County
Lee
S/T/R

| NRCS Soils Legend | | |
|-------------------|---|------------|
| Soil No | Description | Status |
| 36 | Immokalee sand-Urban land complex | Non-Hydric |
| 124 | Myakka fine sand, ponded-Urban land complex | Hydric |
| 134 | Satellite fine sand-Urban Land complex | Non-Hydric |

Super Towers

NRCS Soils Map

| | | |
|---------------------------|------------|----------|
| Category | Drawn By: | Date: |
| Soils | KAS | 3/7/19 |
| Agency | BEC Number | |
| Application/Permit Number | 2019-4 | Revision |

X:\BEC\2019\2019-4-Super Towers\Towers.dwg Tab: Soils Map Jan 29 2020 - 2:18pm Plotted by: kim

TRAFFIC IMPACT STATEMENT

FOR

CHANNEL 30 DRIVE COMMERCIAL CENTER CITY OF BONITA SPRINGS

PROJECT NO. 1704.05

PREPARED BY:
TR Transportation Consultants, Inc.
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901
239-278-3090

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September 28, 2018

CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED DEVELOPMENT
- IV. TRIP GENERATION
- V. TRIP DISTRIBUTION
- VI. FUTURE TRAFFIC CONDITIONS
- VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS
- VIII. CONCLUSION

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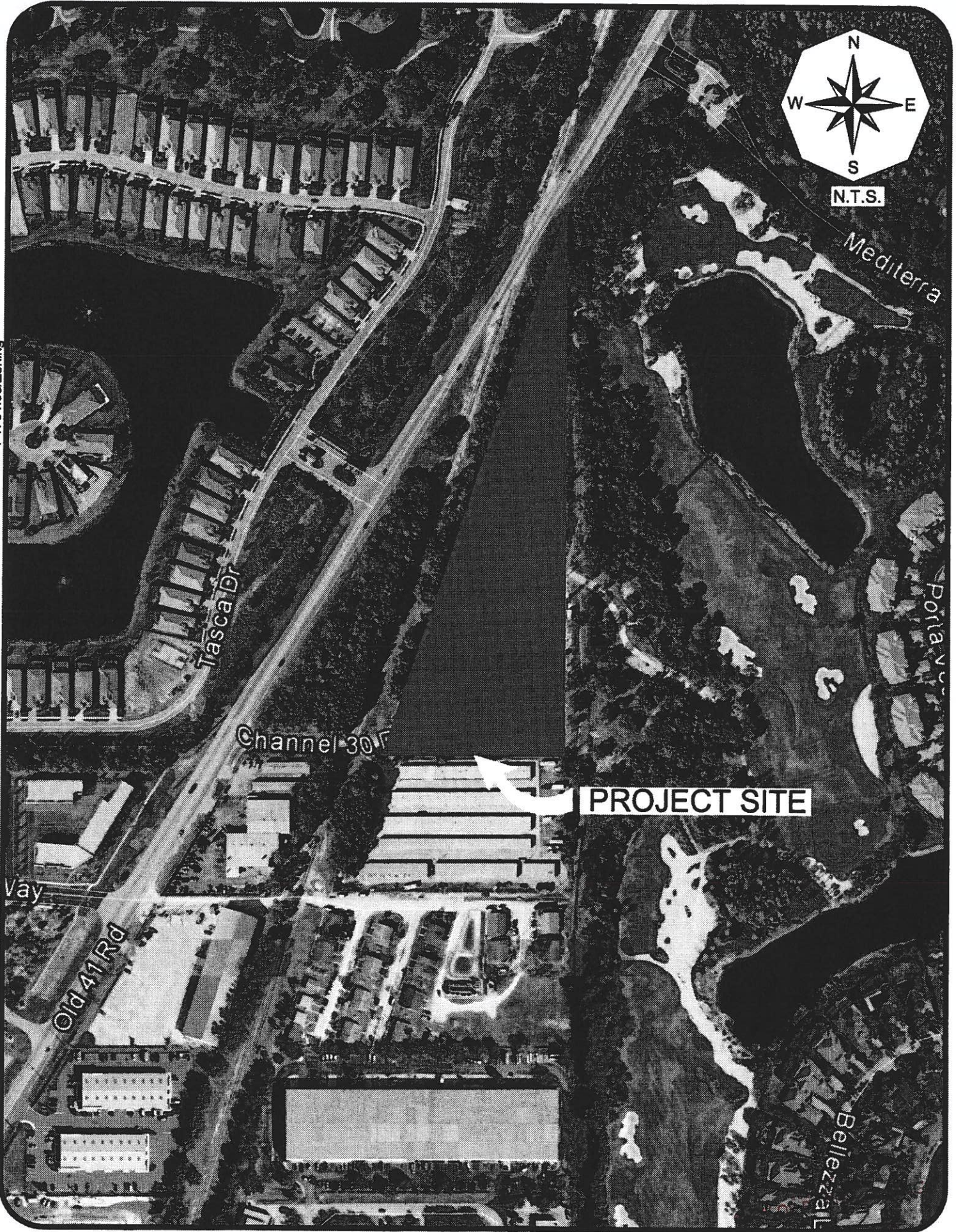
I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the City of Bonita Springs for projects seeking approval for zoning. This report has been completed in compliance with guidelines established in the City of Bonita Springs Traffic Impact Statement Guidelines. The development site is located on the east side of the Old 41 Road just north of Lee County/Collier County line in the City of Bonita Springs, Florida. The site location is illustrated on **Figure 1**.

Currently the subject site is zoned Commercial Planned Development (CPD) and is governed by City of Bonita Springs Zoning Ordinance No. 09-14. Zoning Ordinance No. 09-14 allows the subject site to be developed with up to 172,724 square feet of building area of which up to 46,866 square feet are allowed for commercial uses as identified in the Schedule of Uses. The proposed zoning request will allow to reduce the height of one of the buildings from 5 stories to 4 stories and increase the height of another from 3 stories to 4 stories. The overall development intensity is also proposed to be decreased from the currently approved 172,724 square feet to 169,584 square feet. The amount of permitted commercial uses will continue to be capped at 46,866 square feet with the remaining floor area to be utilized for self-storage/mini-warehouse facility. The uses contained in the approved Schedule of Uses will remain the same. Access to the subject site will continue to be provided to Old 41 Road via a privately maintained roadway known as Channel 30 Drive.

Methodology meeting notes were exchanged with City of Bonita Springs Staff to discuss the requirements for the zoning traffic study. The initial methodology meeting notes are attached to the Appendix of this report for reference. This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the various surrounding intersections will be completed and analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

F1704.05/Zoning



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II. EXISTING CONDITIONS

The subject site is currently occupied by a two-story building alongside a one-story metal building and two large communication towers. The existing one-story metal building is proposed to be removed at the full build-out of the subject site. The subject site is bordered to the north by Old 41 Road, to the west by the CSX/Seminole Gulf Railroad crossing, to the east by Mediterra residential community and to the south by the existing storage uses.

Old 41 Road is a two-lane undivided arterial roadway within the vicinity of the subject site. Project traffic will access Old 41 Road via Channel 30 Drive. Old 41 Road has a posted speed limit of 45 mph and is under the jurisdiction of the City of Bonita Springs within the vicinity of the subject site.

Channel 30 Drive is a two lane undivided local roadway that extends east from Old 41 Road, crosses the railroad and serves as access to the proposed development. Channel 30 Drive is located in a private easement and is privately maintained with no posted speed limit.

III. PROPOSED DEVELOPMENT

The proposed zoning request will allow to reduce the height of one of the buildings from 5 stories to 4 stories and increase the height of another from 3 stories to 4 stories. The overall development intensity is also proposed to be decreased from the currently approved 172,724 square feet to 169,584 square feet. The amount of permitted commercial uses will continue to be capped at 46,866 square feet with the remaining floor area to be utilized for self-storage/mini-warehouse facility. The uses contained in the approved Schedule of Uses will remain the same. **Table 1** summarizes the land use utilized for trip generation purposes for the subject site.

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Table 1
Land Uses
Channel 30 Drive Commercial Center

| Land Use | Size |
|--|-----------------|
| Proposed Use Commercial Uses | 46,866 sq. ft. |
| Proposed Self- Storage/Mini-Warehouse | 122,718 sq. ft. |

Access to the subject site will continue to be provided to Old 41 Road via a privately maintained roadway known as Channel 30 Drive.

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation*, 10th Edition. The trip generation for the commercial uses will be based on the Light Industrial Land Use category since the primary uses will be a contractor office and supply facilities. The Schedule of Uses does not contain any significant retail traffic generators. Land Use Code 110 (General Light Industrial) will be used for the 46,866 square feet of commercial uses. Land Use Code 151 (Mini-Warehouse) will be utilized for the remaining floor area (122,718 square feet) for the self-storage/mini-warehouse uses as consistent with the existing approved zoning. The equations for these land uses are contained in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the subject site. The daily trip generation is also indicated in this table.

Table 2
Trip Generation
Channel 30 Drive Commercial Center

| Land Use | Weekday A.M. Peak Hour | | | Weekday P.M. Peak Hour | | | Daily (2-way) |
|--|------------------------|----------|-----------|------------------------|-----------|-----------|------------------|
| | In | Out | Total | In | Out | Total | |
| Proposed Use Light Industrial | 22 | 3 | 25 | 3 | 19 | 22 | 236 |
| Proposed Self- Storage/Mini-Warehouse | 7 | 5 | 12 | 10 | 11 | 21 | 185 |
| Total | 29 | 8 | 37 | 13 | 30 | 43 | 421 |

V. TRIP DISTRIBUTION

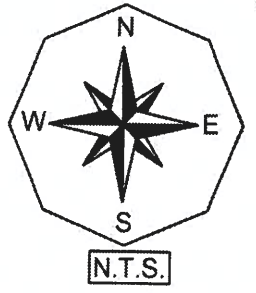
The trips shown in Table 2 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. Based on current and projected population in the area and other existing or planned competing/complementary uses in the area, a distribution of the site traffic was formulated. The anticipated trip distribution of the development traffic is shown on **Figure 2**. Also shown on Figure 2 is the assignment of the project related trips to the Channel 30 Drive and Old 41 Road intersection.

In order to determine which roadway segments surrounding the site may be significantly impacted as outlined by the City of Bonita Springs Traffic Impact Statement Guidelines, **Table 1A**, in the Appendix of this report, was created. This table indicates which roadway links will exceed 2% or 3% of the directional peak hour capacity of the Level of Service Standard. The Level of Service Thresholds were obtained from the *Lee County Generalized Peak Hour Directional Service Volumes* table, dated April, 2016. Based on Table 1A, Old 41 Road south of Channel 30 Drive is projected to be significantly impacted as a result of the proposed development. A copy of the Lee County Generalized Service Volumes table is attached to the Appendix of this report for reference.

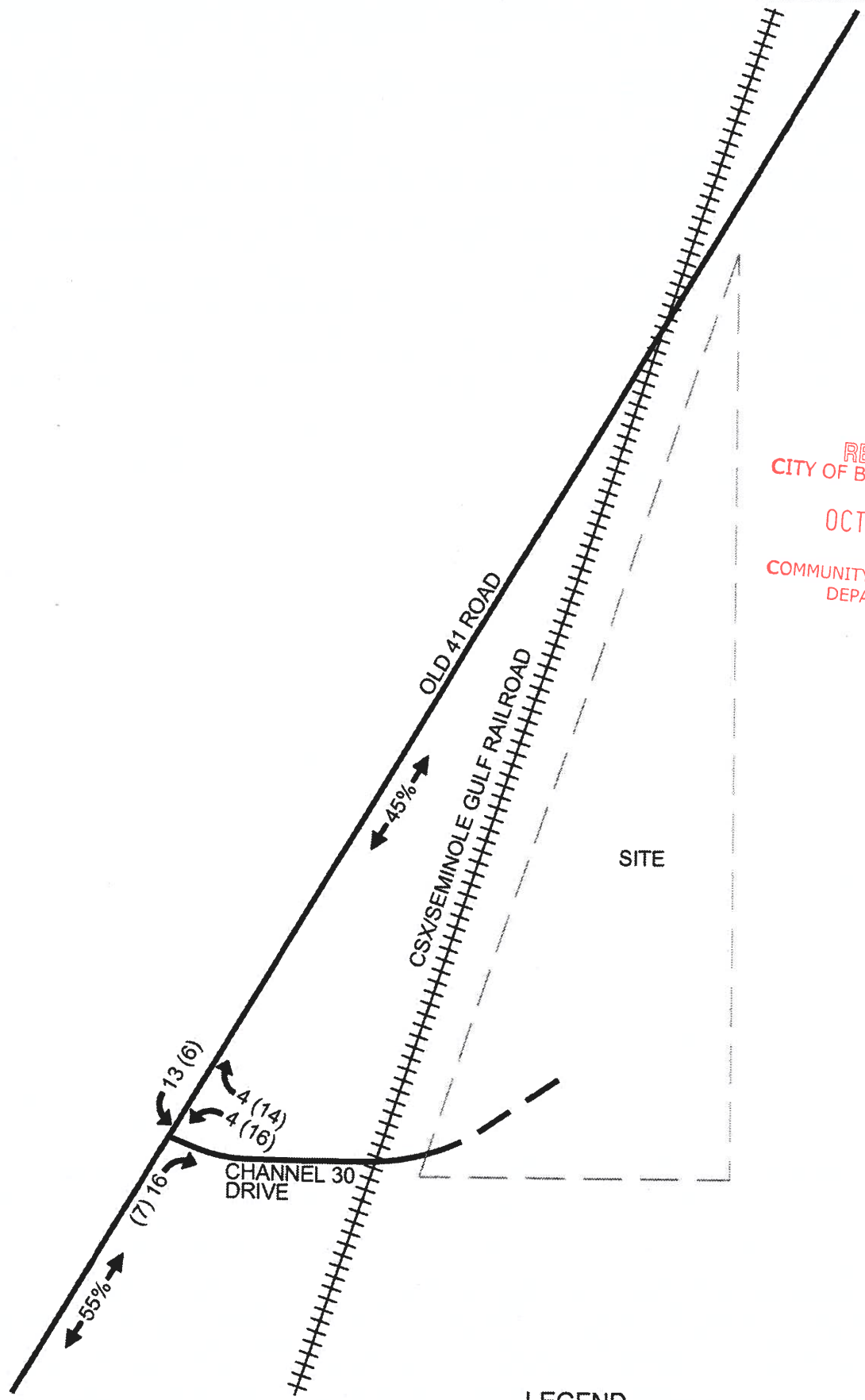
VI. FUTURE TRAFFIC CONDITIONS

Based on the project traffic distribution illustrated on Figure 2, the link data was analyzed for the existing conditions, year 2023 without the development and year 2023 with the development. **Table 2A** in the Appendix of the report indicates the methodology utilized to obtain the year 2023 build-out traffic volumes as well as the growth rate utilized for each roadway segment analyzed. The existing 2018 peak hour peak season peak direction volumes were calculated by adjusting the 2018 ADT volumes obtained from the 2018 City of Bonita Springs Traffic Count report by the appropriate K and D factors.

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LEGEND

- ← 000 WEEKDAY AM PEAK HOUR SITE TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR SITE TRAFFIC
- ← 20% → PERCENT TRIP DISTRIBUTION



TRIP DISTRIBUTION & SITE TRAFFIC ASSIGNMENT
CHANNEL 30 DRIVE COMMERCIAL CENTER Figure 2

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The K factor was obtained from the 2017 Lee County Traffic Count Report while the D factor was obtained from the 2018 City of Bonita Springs Traffic Count Report. The resultant peak hour peak season peak direction volumes were then grown by the appropriate growth rates for each roadway segment as indicated within Table 2A.

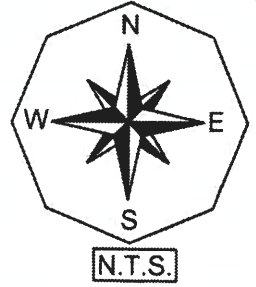
Figure 3 indicates the year 2023 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M and P.M. peak hours with the development traffic added to the roadways. Figure 3 was derived from Table 2A contained in the Appendix.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

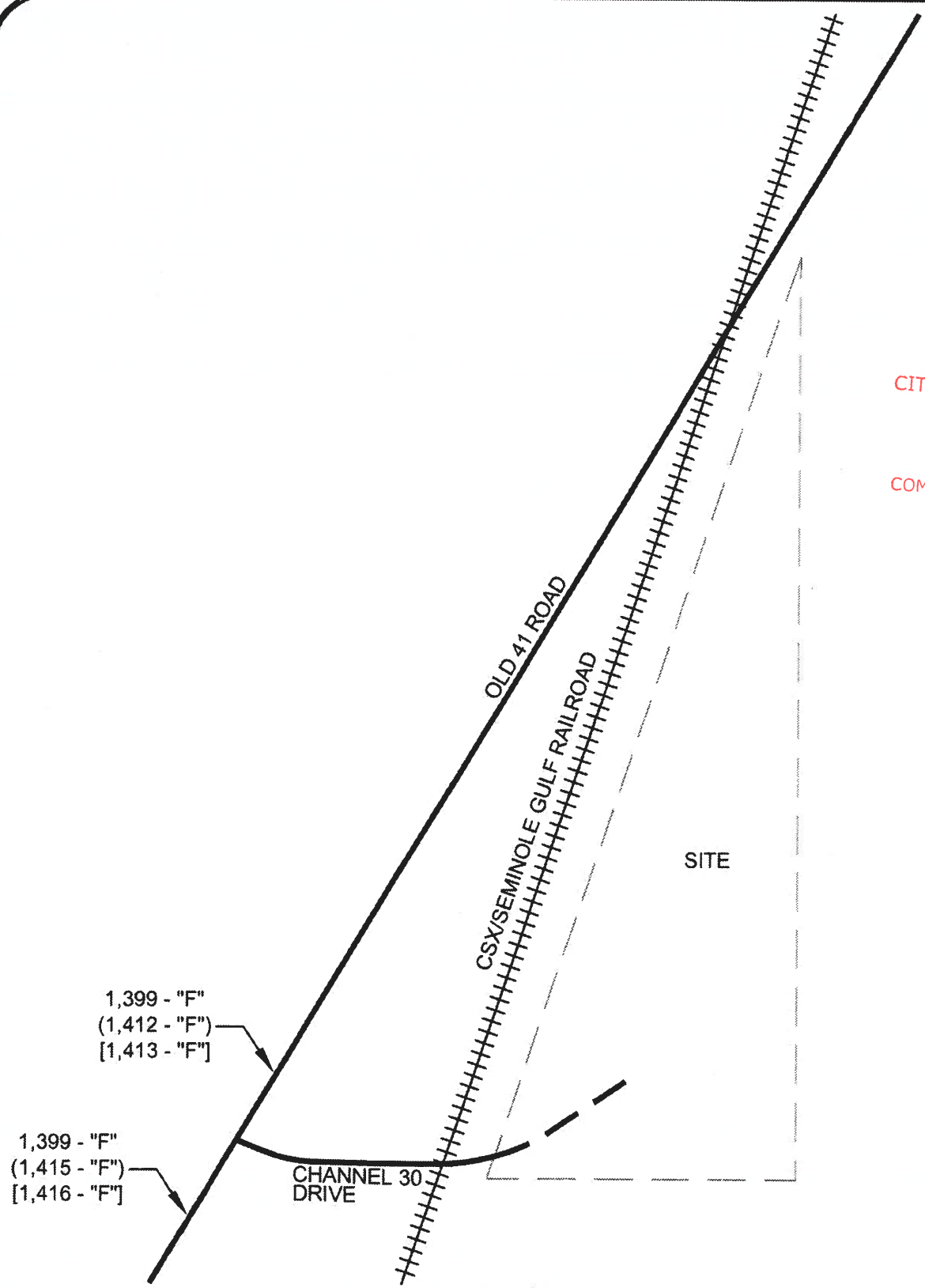
Figure 3 details the Levels of Service for all links inside the project's area of influence based on this analysis. In comparing the links' functional classification and calculated 2023 traffic volumes to the Service Volume Tables, it was determined that Old 41 Road will operate at a Level of Service "F" in 2023 both with and without the proposed development. The 2018 City of Bonita Springs Traffic Count Report also indicates that Old 41 Road between Collier County line and Bonita Beach Road is currently operating at a Level of Service "F". Hence, Old 41 Road is considered as an existing transportation deficiency that this project should not be responsible for mitigating. Therefore, no roadway capacity improvements will be warranted as a result of the additional traffic to be generated by the proposed development.

Turn lanes at the intersection of Old 41 Road with Channel 30 Drive will be evaluated at the time of the Development Order submittal as stated in the Condition 19 of the City of Bonita Springs Zoning Ordinance No. 09-14.

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1,399 - "F"
(1,412 - "F")
[1,413 - "F"]

1,399 - "F"
(1,415 - "F")
[1,416 - "F"]

CHANNEL 30
DRIVE

SITE

LEGEND

- XXX - "X" PROJECTED 2023 BACKGROUND TRAFFIC VOLUME AND LEVEL OF SERVICE DESIGNATION
- (XXX -"X") PROJECTED 2023 BACKGROUND TRAFFIC VOLUME PLUS AM PEAK HOUR SITE TRAFFIC VOLUME AND LEVEL OF SERVICE DESIGNATION
- [XXX -"X"] PROJECTED 2023 BACKGROUND TRAFFIC VOLUME PLUS PM PEAK HOUR SITE TRAFFIC VOLUME AND LEVEL OF SERVICE DESIGNATION



**2023 PROJECTED
LEVEL OF SERVICE ANALYSIS
CHANNEL 30 DRIVE COMMERCIAL CENTER** Figure 3

VIII. CONCLUSION

The proposed Channel 30 Drive Commercial Center development is located on the east side of the Old 41 Road just north of Lee County/Collier County line in the City of Bonita Springs, Florida. Based on the results of Level of Service analysis, the proposed development will not degrade the Level of Service on the roadways within the study area. The Level of Service analysis conducted as part of this report and the 2018 City of Bonita Springs Traffic Count Report indicate that Old 41 Road between Collier County line and Bonita Beach Road is currently operating at a Level of Service "F". Hence, Old 41 Road is considered as an existing transportation deficiency that this project should not be responsible for mitigating. Therefore, no roadway capacity improvements will be warranted as a result of the additional traffic to be generated by the proposed development.

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APPENDIX

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METHODOLOGY MEETING NOTES

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MEMORANDUM

TO: Mr. Tom Ross, P.E.
Jacobs

FROM: Ted B. Treesh
President

DATE: September 21, 2018

RE: Chanel 30 Drive Commercial Center (Super Towers)
Rezoning Traffic Impact Statement Methodology
Old 41 – City of Bonita Springs, FL

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This memorandum summarizes the methodology that will be utilized for the traffic impact analysis to be prepared by TR Transportation Consultants, Inc. for the rezoning application for the Chanel 30 Drive Commercial Center. The existing site is currently zoned CPD by City of Bonita Springs Ordinance No. 09-14. The request includes reducing the height of one building from 5 stories to 4 stories and increasing the height of another building from 3 stories to 4 stories. The overall development intensity will be decreased from the currently approved 172,724 square feet to 169,584 square feet. The amount of commercial development permitted will continue to be capped at 46,866 square feet and the uses contained in the approved Schedule of Uses will remain the same. Ordinance No. 09-14 is attached to this methodology statement for reference. Access to the site will continue to be provided via an ingress/egress easement that connects to Old 41 (Chanel 30 Drive). The TIS will be prepared consistent with the methodology outlined in City of Bonita Springs Resolution No. 17-76.

TRIP GENERATION

The trip generation will be completed utilizing the Institute of Transportation Engineer's (ITE) report, *Trip Generation*, 10th Edition. The trip generation for the commercial uses will be based on the Light Industrial Land Use category since the primary uses will be contractor offices. The Schedule of Uses does not contain any significant retail traffic generators. Land Use Code 110 (General Light Industrial) will be used for the 46,866 square feet of commercial uses. The remaining floor area (122,718 square feet) will be self-storage/mini-warehouse uses, consistent with the existing zoning approved Land uses Code 151 (Mini-Warehouse). **Table 1** summarizes the proposed uses on the subject site.

Table 1
Land Uses
Chanel 30 Drive Commercial Center

| Land Use | Size |
|--|-----------------|
| Proposed Use Light Industrial | 46,866 sq. ft. |
| Proposed Self- Storage/Mini-Warehouse | 122,718 sq. ft. |

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Table 2 reflects the total weekday AM and PM peak hour trip generation of proposed developed site.

Table 2
Trip Generation
Chanel 30 Drive Commercial Center

| Land Use | Weekday A.M. Peak Hour | | | Weekday P.M. Peak Hour | | | Daily (2-way) |
|--|------------------------|-----|-------|------------------------|-----|-------|------------------|
| | In | Out | Total | In | Out | Total | |
| Proposed Use Light Industrial | 22 | 3 | 25 | 3 | 19 | 22 | 236 |
| Proposed Self- Storage/Mini-Warehouse | 7 | 5 | 12 | 10 | 11 | 21 | 185 |
| Total | 29 | 8 | 37 | 13 | 30 | 43 | 421 |

TRIP DISTRIBUTION

The trip distribution for the project trips was estimated manually and was based on the available roadway network and commuting patterns in the area. It is assumed that 45% of the trips will be to/from the north on Old 41 and 55% to/from the south on Old 41.

STUDY AREA

The study area will consist of arterial and collector roads where the project related trips equals or exceeds 2% or 3% of the directional peak hour capacity of the level of service standard for each roadway segment.

EXISTING/FUTURE TRAFFIC

Existing traffic conditions will be based on the Daily Hourly Volume (DHV) as reported in the 2018 City of Bonita Springs Traffic County Reports as prepared by FTE.

Analysis scenarios will be as follows:

- Existing traffic within the study area
- Existing traffic increased by a growth factor to the year 2022 (Future Background Traffic Conditions)
- Existing traffic increased by a growth factor to the year 2022 (Future Background Traffic Conditions) and PM peak hour project trips added to the links.

If you have any additional questions regarding this matter, please do not hesitate to contact us.

Attachments

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Land Use: 151 Mini-Warehouse

Description

A mini-warehouse is a building in which a number of storage units or vaults are rented for the storage of goods. They are typically referred to as "self-storage" facilities. Each unit is physically separated from other units, and access is usually provided through an overhead door or other common access point.

Additional Data

Time-of-day distribution data for this land use are presented in Appendix A. For the 10 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 10:30 and 11:30 a.m. and 1:15 and 2:15 p.m., respectively.

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Colorado, Massachusetts, Minnesota, New Jersey, Texas, and Utah.

Source Numbers

212, 403, 551, 568, 642, 708, 724, 850, 868, 876

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Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 15
1000 Sq. Ft. GFA: 52
Directional Distribution: 50% entering, 50% exiting

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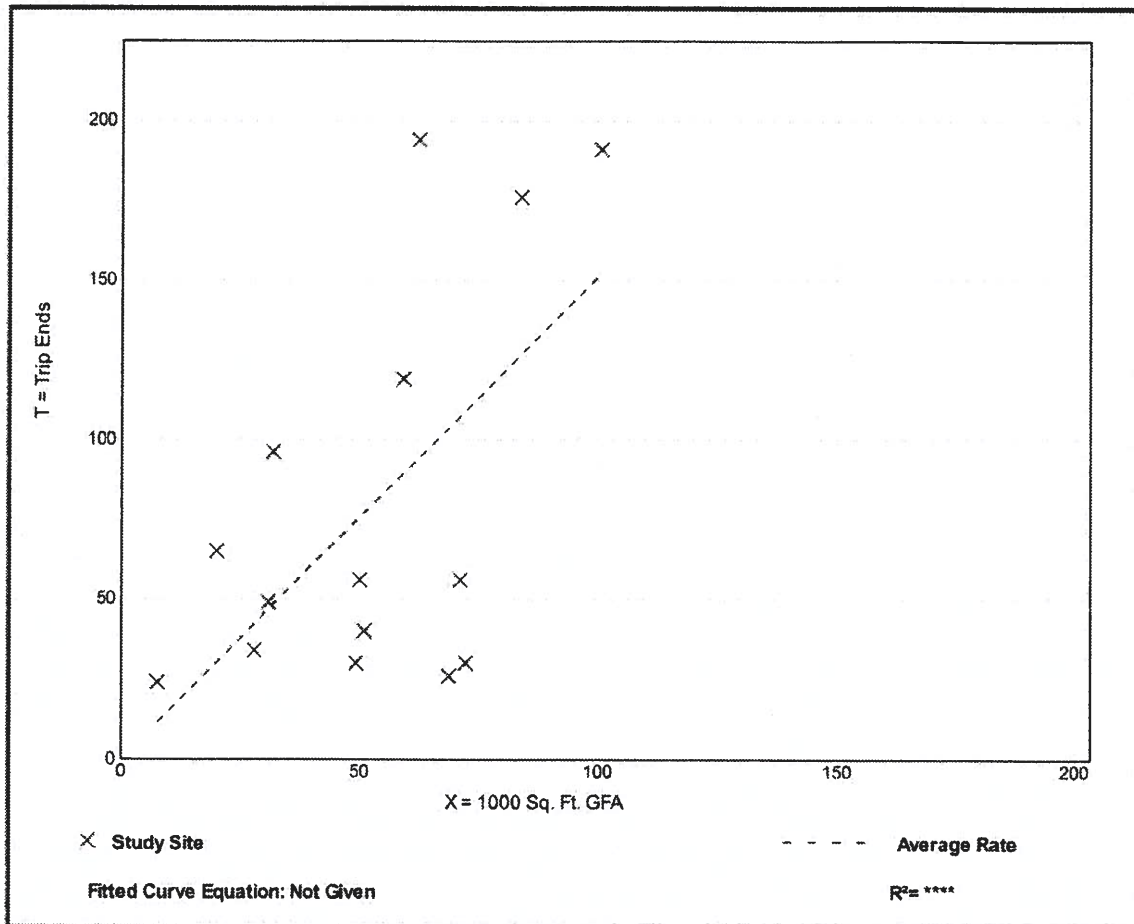
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Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 1.51 | 0.38 - 3.25 | 0.95 |

Data Plot and Equation



Mini-Warehouse (151)

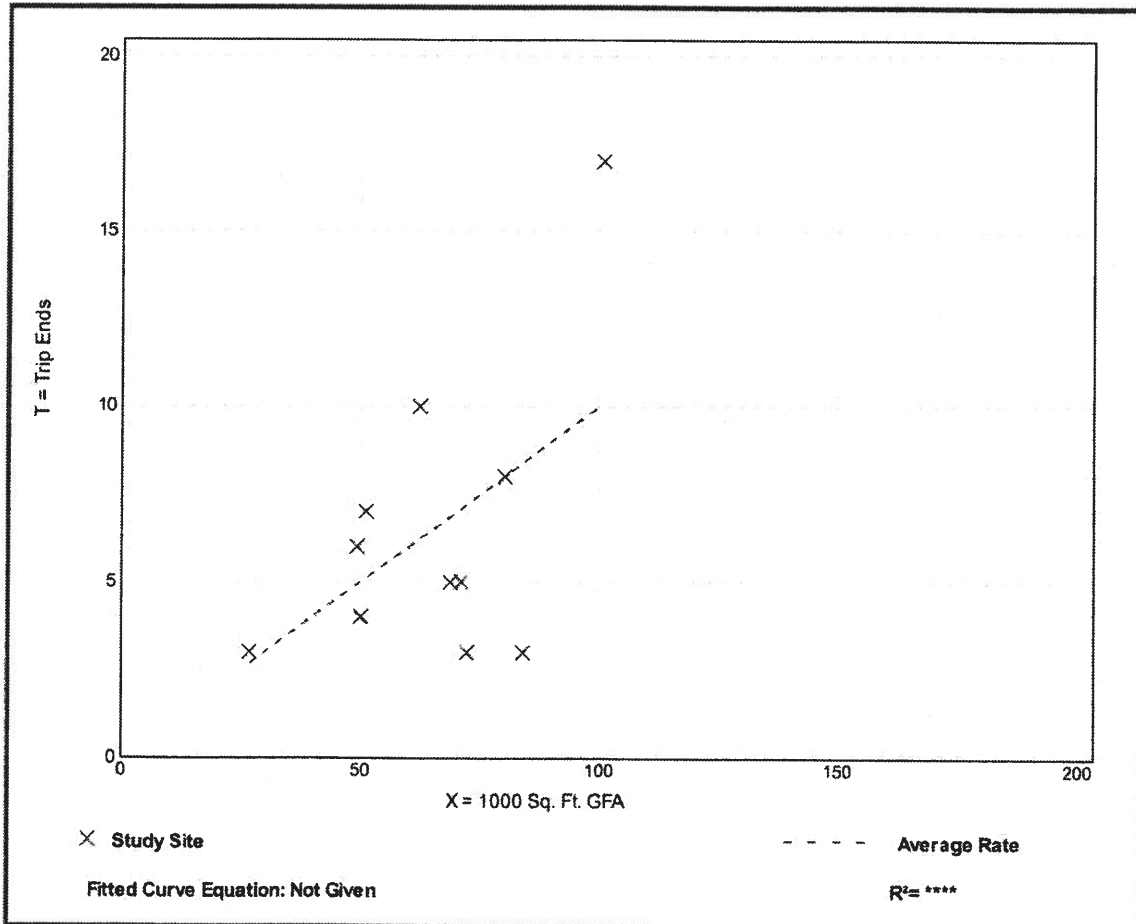
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 11
 1000 Sq. Ft. GFA: 65
 Directional Distribution: 60% entering, 40% exiting

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Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 0.10 | 0.04 - 0.17 | 0.05 |

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 16
 1000 Sq. Ft. GFA: 54
 Directional Distribution: 47% entering, 53% exiting

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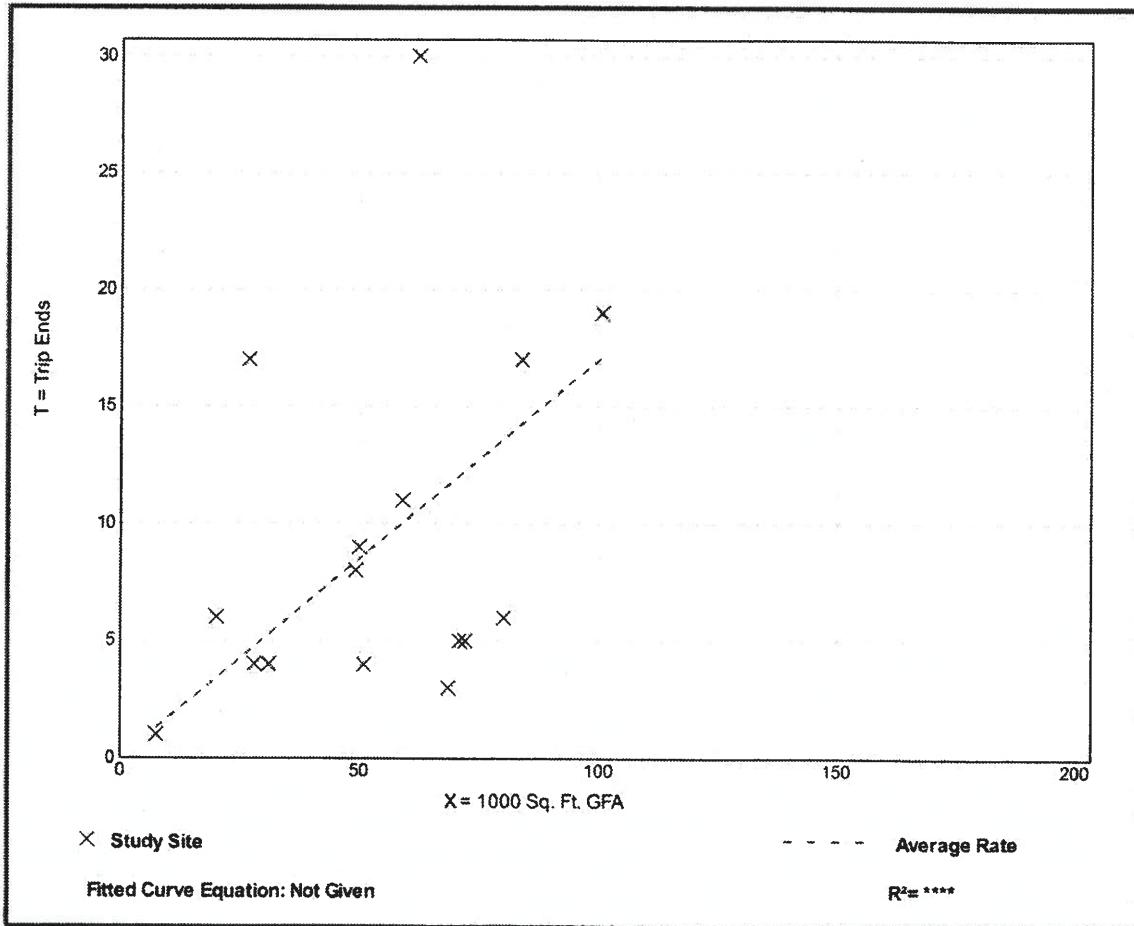
OCT 10 2018

Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 0.17 | 0.04 - 0.64 | 0.14 |

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Data Plot and Equation



Land Use: 110 General Light Industrial

Description

A light industrial facility is a free-standing facility devoted to a single use. The facility has an emphasis on activities other than manufacturing and typically has minimal office space. Typical light industrial activities include printing, material testing, and assembly of data processing equipment. Industrial park (Land Use 130) and manufacturing (Land Use 140) are related uses.

Additional Data

Time-of-day distribution data for this land use are presented in Appendix A. For the 30 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:30 and 8:30 a.m. and 4:30 and 5:30 p.m., respectively.

The sites were surveyed in the 1980s, the 2000s, and the 2010s in Colorado, Connecticut, Indiana, New Jersey, New York, Oregon, Pennsylvania, and Texas.

Source Numbers

106, 157, 174, 177, 179, 184, 191, 251, 253, 286, 300, 611, 874, 875, 912

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General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 40
1000 Sq. FL GFA: 49
Directional Distribution: 50% entering, 50% exiting

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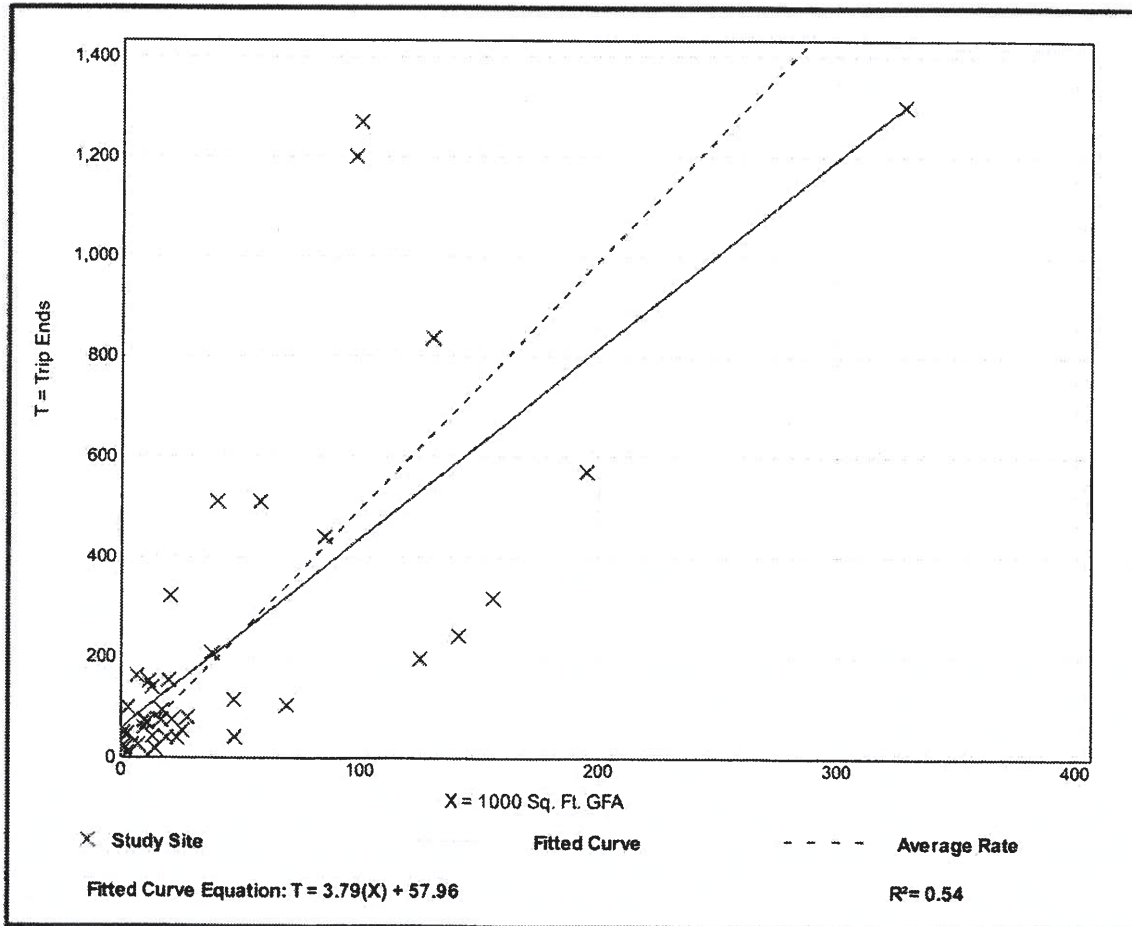
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Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 4.96 | 0.34 - 43.86 | 4.20 |

Data Plot and Equation



General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 45
 1000 Sq. Ft. GFA: 73
 Directional Distribution: 88% entering, 12% exiting

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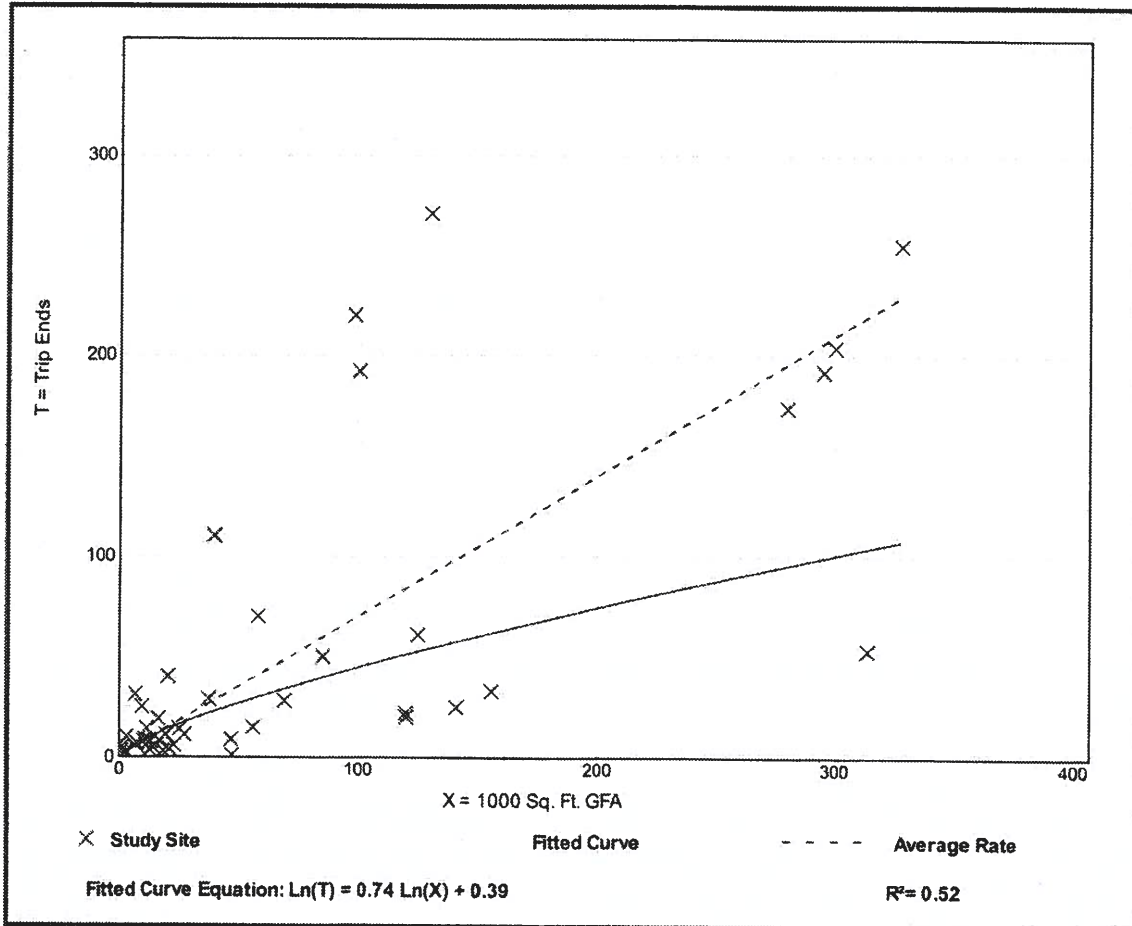
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Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 0.70 | 0.02 - 4.46 | 0.65 |

Data Plot and Equation



General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 44
 1000 Sq. Ft. GFA: 67
 Directional Distribution: 13% entering, 87% exiting

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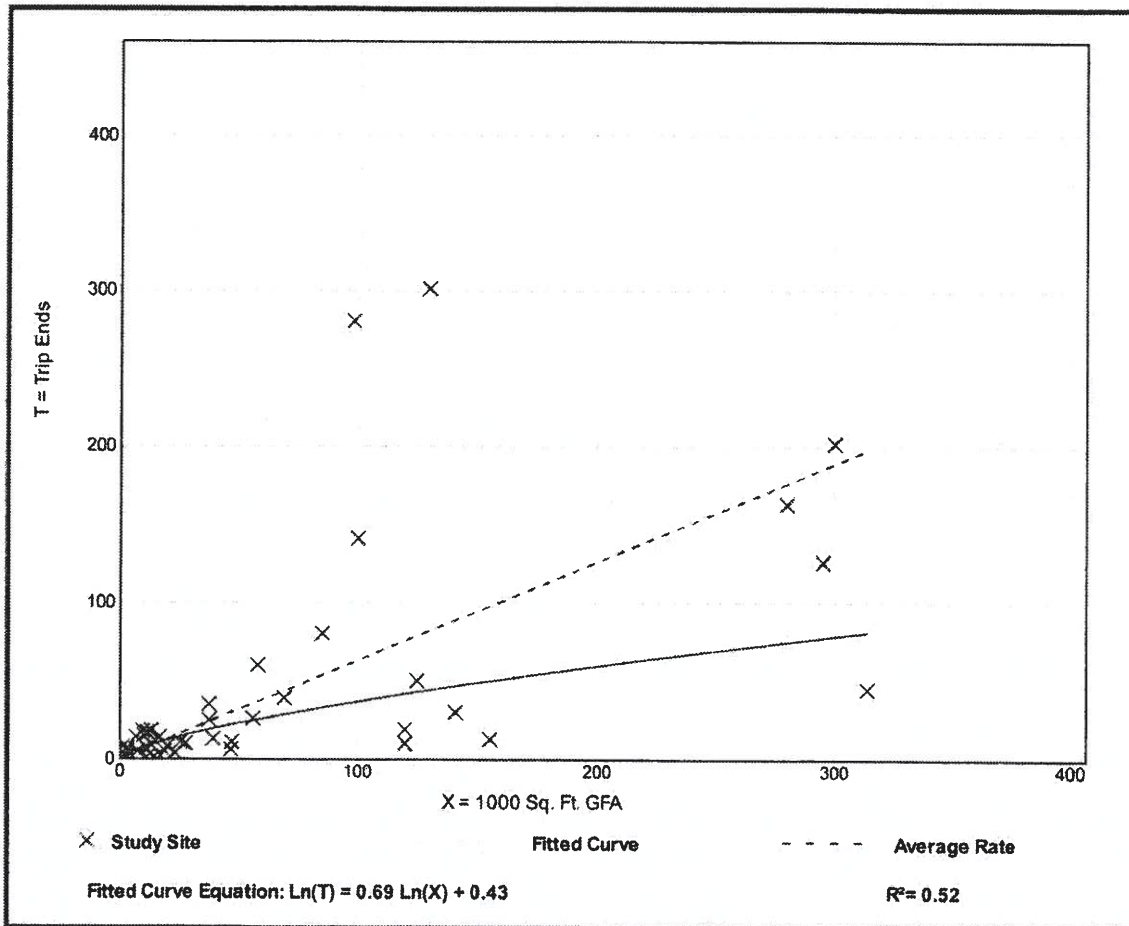
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Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 0.63 | 0.07 - 7.02 | 0.68 |

Data Plot and Equation



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CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 09-14

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BY CHANNEL 30 DRIVE COMMERCIAL CENTER TO REZONE FROM AGRICULTURAL (AG-2) TO COMMERCIAL PLANNED DEVELOPMENT (CPD); ON LAND LOCATED AT 9930 CHANNEL 30 DRIVE, BONITA SPRINGS, FLORIDA, ON 6.11+/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Channel 30 Drive Commercial Center has filed an application for rezoning 6.11 ± acres from Agricultural (AG-2) with Special Exception for a nursery to Commercial Planned Development (CPD) to allow for the existing communication towers and equipment (including the existing 4,470 SF building) to remain, the addition of two new modular communication buildings, the construction of up to 172,724 SF of building floor area and a caretaker's quarters. The building floor area will be utilized for up to 46,866 SF of commercial uses with the remaining space for a self-storage/mini-warehouse facility. Maximum building is five stories not to exceed 60 feet;

WHEREAS, the subject property is located at 9930 Channel 30 Drive, Bonita Springs, Florida, and is described more particularly as:

"See Exhibits"

WHEREAS, a Public Hearing was advertised and heard on October 2, 2009 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case PD08-B0S00001 who gave full consideration to the evidence available and recommended approval (5-0, Healy & Brandeth absent); and gave full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all interested parties. The September 11, 2009 Staff Report prepared by Community Development and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the rezoning with the following conditions and deviations:

A. Conditions

1. The development of this project must be consistent with the one page Master Concept Plan entitled "Channel 30 Drive Commercial Planned Development", prepared by ConsulTech Development Services stamped

received June 4, 2009, 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 the time of Development Order Approval, except as 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

Animals:

Clinic

Kennel

Control center (including Humane Society)

Auto Parts Store

Automotive Repair and Service (Group I & II)

Boat storage, dry, not exceeding 18 feet above grade

Boat storage, dry, exceeding 18 feet above grade

Broadcast studio, commercial radio and television

Building material sales

Business Services (Group I & II)

Bus station/depot

Caretaker's residence

Caterers

Cleaning and maintenance services

Communication tower:

100 feet or less in height

Over 100 feet in height (existing only)

Contractors and Builders (Group I)

Entrance gates and gatehouse

Essential Services facilities (Group I)

Excavation, Water Retention

Farm equipment, sales, storage, rental, service

Feed or fertilizer, mixing and sales

Freight and cargo handling establishments

Laundry or Dry Cleaning (Group I & II)

Lawn and Garden Supply Store

Manufacturing, repair or wholesale sales of:

Apparel

Electrical machinery and equipment

Fabricated metal products (Group II)

Food and Kindred products (Group III)

Leather products (Group II)

Lumber and wood products (Groups II,)

Measuring, analyzing and controlling instruments

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Novelties, jewelry, toys and signs (Group I, II & III)
 Rubber and plastic products (Group II)
 Non-store retailers, (all Groups)
 Paint, glass and wallpaper
 Pet services
 Pet shop
 Plant nursery
 Post Office
 Printing and publishing
 Processing and warehousing
 Rental or Leasing Establishments (Group I, II & III)
 Repair Shops (Group I, II & III)
 Research and development laboratories (Group II, IV)
 Residential accessory uses
 Retail and wholesales, when clearly incidental and subordinate to a permitted use on the same premises
 Signs in accordance with Chapter 6
 Storage:
 Indoor
 Storage, open
 Studios
 Temporary uses
 Transportation services (Group II)
 Vehicle and equipment dealers (Group I & II)
 Warehouse:
 Mini-warehouse
 Private
 Public
 Wholesale establishment (Groups I & III)

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b. Site Development Regulations

Minimum Area Dimension:

Lot Area: 6.109 ± acres
 Lot Depth: As shown on MCP
 Lot Width: As shown on MCP

Minimum Building Setbacks:

Road / ROW: 20 FT
 Front: 25 FT
 Side (East): BLDGS 1 & 2 = 25 FT
 3 & 4 = 8 FT
 Rear (South): 20 FT
 Waterbody: 25 FT
 Preserve: 25 FT
 Minimum Building Separation: 25 FT

| | |
|--------------------------|--|
| Maximum Building Height: | BLDG 1: 60 FT/5 stories BLDG 2: 40 FT/3 stories BLDG 3: 15 FT/1 story BLDG 4: 15 FT/1 story |
| Maximum Lot Coverage: | 40% |
| Minimum Open Space | 20% |

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3. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City of Bonita Springs LDC may be required to obtain local development order.
4. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the City of Bonita Springs Comprehensive Plan provisions.
5. This development must comply with all of the requirements of the LDC at the time of the local development order approval, except as may be granted by deviation approved as part of this planned development.
6. Development must include sidewalks as a site related improvement. Such facilities must be included in local development orders as part of the project's infrastructure, and as part of any vertical development.
7. The development must comply with the commercial lighting standards found in the LDC, Chapter 3. Street, parking lot and building lighting must be shielded so that light is directed downward to reduce spillage to off-site parcels.
8. Prior to local development order approval the developer must provide facilities in compliance with the Bonita Springs LDC for the pickup/disposal of solid waste and recyclables. The minimum area required for, and specific locations of, these facilities will be reviewed at the time of local development order application for vertical development.
9. The developer will use best efforts to incorporate principles for its building through the Florida Green Building Coalition program, in site design and construction, by emphasizing use of high energy efficiency designs and use of high energy efficient fixtures and appliances where possible. Building materials, both internal and external, will be comprised of durable and recycled materials where possible.
10. Utilization of one hundred (100) percent native vegetation planting within all required landscaping, restoration, creation, and enhanced

preservation areas. The applicant may install non-native plantings for accent above the required plantings in landscaped areas only.

11. Prior to local development order approval, a tree survey shall be required when appropriate, to determine if the site contains Heritage Trees. If the site contains Heritage Trees, an appearance before the Tree Advisory Board prior to the issuance of a development order is required.
12. Development orders for this project shall be required to provide an additional 50% retention/detention for water quality treatment systems, Policy 9.3.3 Bonita Springs Comprehensive Plan, and shall use a treatment train approach, incorporating Best Management Practices, according to Policy 9.3.1., Bonita Springs Comprehensive Plan.

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13. All plants which are on the *Florida Exotic Pest Plant Counsel's 2007 List of Invasive Plant Species, Category 1* list, shall be removed from the project area, including conservation, open space and developed areas. The site shall be maintained free of plants on the Florida Exotic Pest Plant Counsel's 2007 List of Invasive Plant Species, Category 1 list in perpetuity.

14. Prior to local development order approval, development order plans must depict the xeric oak community within the preserve area as "Gopher Tortoise Preserve", and any gopher tortoises found on site shall be placed into this preserve. If the amount of tortoises exceeds the FFWCC guidelines for the preserve area, the "extra" tortoises may be relocated offsite by obtaining a Florida Fish and Wildlife Conservation Commission (FFWCC) relocation permit. The applicant must first seek approval for preservation of gopher tortoises in place before pursuing off-site relocation options.

Any gopher tortoises and commensal species found during burrow excavation must be moved to preserves containing suitable gopher tortoise habitat as approved by the Florida Fish and Wildlife Conservation (FFWCC) and City of Bonita Springs Environmental Sciences staff.

15. The 0.653± acre environmentally sensitive xeric oak community, FLUCFCS Code 421, shall be preserved. A conservation easement shall be placed on this area to preserve it in perpetuity. The conservation easement shall be dedicated to the City of Bonita Springs with no responsibility for maintenance.
16. A Twisted Air Plant, which is listed by the Florida Dept of Agriculture as Threatened, is located in the pine flatwoods adjacent to the xeric oak

community. This plant shall be protected by preserving a 10' buffer around the staggerbush shrub which the plant is growing on.

17. A listed species management plan for the preserve area shall be required at the time of development order. The management plan shall address the Twisted Air Plant, the gopher tortoises, and exotic plant and animal species control in the preserve area.

18. All required landscaping for the Type "A" buffer will be placed in the 2.5 foot buffer on the northern side of the FP&L easement and will be maintained to prevent encroachment.

19. As part of the development order submittal an intersection analysis will be preformed for Channel 30 Drive and Old 41 road. This will be used to determine the length of turn lanes on Old 41 accessing the site.

20. The applicant will enter into a developer's agreement prior to development order approval to determine proportionate fair share of necessary off-site improvements to Old 41 and the Seminole Gulf Railroad / CSX railroad crossing.

21. Parking for the Warehousing, public or self storage:

a. The applicant must provide a minimum of one (1) parking space per 3,000 square feet of gross floor area. Should City Council make a determination, at a meeting where the current Owner of record is given notice that this parking is not meeting the operational requirements, the Owner must provide additional parking consistent with the Land Development Code (LDC) for the use; and

b. Parking spaces approved through this deviation are for the warehousing, public or self storage uses only; and

c. No parking spaces or loading zones required for the warehousing, may be utilized for the Business Services Group I & II, communications buildings, caretaker's quarters; and

d. Overnight parking of is not permitted within designated parking spaces.

22. The proposed 20' utility easement line shown on the current MCP shall be approved in 2 phases so as to deal with the constrained physical site limitations in protecting the gopher tortoises and protecting the buffer. First phase will include the western most 10' for stormwater / utilities. Phase II shall include the additional 10'. The approval of phase II shall be conditioned upon a new evaluation to determine the number and

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health of gopher tortoises, and the quality of the xeric preserve. If the additional 10' is sought for Phase II, this request can be made administratively. The utility easement along the western side of the Gopher Tortoise preserve shall remain at the same grade as the preserve and consist of under ground utilities. After completion of the underground utilities, this area shall be planted with gopher tortoise friendly xeric plants. A minimum of 6 different native plant species shall be used (three different shrubs and three different groundcovers). Shrubs shall be planted on 5' centers and groundcover massings shall be planted on 1' centers. Appropriate plants shall consist of gopher apple, wiregrass, butterfly peas, gall berry, prickly pear cactus, paw paw and palmettos. A planting plan shall be submitted to the Community Development Department for review and approval.

23. The proposed pre-fabricated modular communications buildings identified as 3 & 4 on the Master Concept Plan may be modified to allow more than 2 buildings in this location, as long as the total square footage does not exceed 960 square feet nor can any of the buildings be greater than 12 feet wide.
24. The property will be required to water and sewer hook-up prior to certificate of completion when the flow generated to the septic drain bed exceeds 3,200 square feet capacity for the drain bed.

B. Deviations

Deviation 1 is approved, granting relief from LDC §3-416(D)(3) which requires a type "E" buffer (25 ft. wide with a wall) or a type "F" buffer (30 ft wide with no wall) to permit a type "D" buffer (8 ft wide), subject to the proposed septic system and the modular communication building locations, as long as the required number of plantings for the type "D" buffer is placed within the proposed 8 FT.

Deviation 2 is approved, granting relief from LDC §34-2020, parking requirements of one (1) parking space per 1000 SF of area for warehousing, public or self storage to have one (1) parking space per 3000 SF of area, subject to Condition 21.

Deviation 3 is approved, granting relief from LDC §3-416(D)(3) which requires a type "A" buffer (5 FT wide) along the south property line to provide a type "A" buffer encroaching 2.5 FT along the north side of the existing FP&L easement, subject to Condition 18.

C. Findings and Conclusions:

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

1. The applicant has proven entitlement to the rezoning of a Commercial Planned Development (CPD) by demonstrating compliance with the Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested CPD 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 City of Bonita Springs Comprehensive Plan.
 - c) is compatible with existing or planned uses in the surrounding area; and
 - d) will not adversely affect environmentally critical areas or natural resources.
3. Approval of the request, as conditioned, 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 Bonita Springs Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.
5. As conditioned, the proposed uses are appropriate at the subject location.
6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.
8. The deviations granted, as conditioned:
 - a) enhance the objectives of the planned development; and
 - b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

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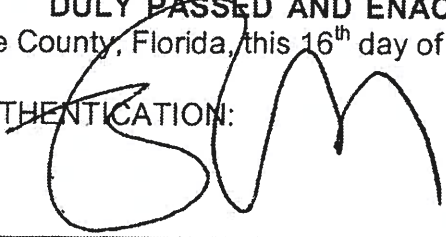
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SECTION TWO: EFFECTIVE DATE

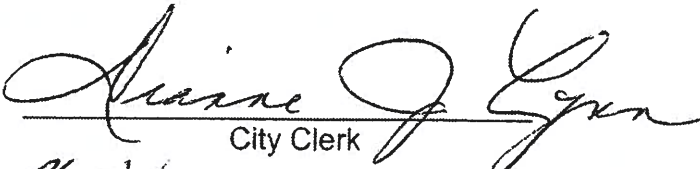
This ordinance shall take effect thirty (30) days from the date of adoption.

DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 16th day of November, 2009.

AUTHENTICATION:




Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

| | | | |
|----------|-----|--------|-----|
| Ferreira | Aye | Nelson | Aye |
| Lonkart | Aye | Simons | Aye |
| McCourt | Aye | Spear | Aye |
| Martin | Aye | | |

Date filed with City Clerk: 11-16-09

LEGAL DESCRIPTION
 FOR
 9930 CHANNEL 30 DRIVE., BONITA SPRINGS, FL 34135
 (STRAP NO. 03-48-25-83-00001.0030)

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THAT PART OF SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LYING EAST OF THE ACL RIGHT-OF-WAY (SEABOARD COASTLINE RAILROAD RIGHT-OF-WAY); SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

SUBJECT TO THE FOLLOWING DESCRIBED FLORIDA POWER AND LIGHT EASEMENT: A 10 FEET WIDE FLORIDA POWER AND LIGHT EASEMENT LYING WITHIN SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3: THENCE NORTH 89°22'21" WEST, ALONG THE SOUTH LINE OF SAID SECTION 3, 228.87 FEET, TO THE POINT OF BEGINNING OF A 10 FEET WIDE POWERLINE EASEMENT, LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

1. THENCE NORTH 07°56'11" EAST, 157.75 FEET;
2. THENCE NORTH 29°44'30" EAST, 51.55 FEET;
3. THENCE NORTH 01°10'19" EAST, 177.01 FEET, TO THE END OF SAID CENTERLINE.

AND SUBJECT TO THE FLORIDA POWER & LIGHT EASEMENT AS DESCRIBED GRAPHICALLY IN OFFICIAL RECORDS BOOK 1408, PAGES 1010-1011, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND DEPICTED HEREON.

CONTAINING 6.109 ACRES.

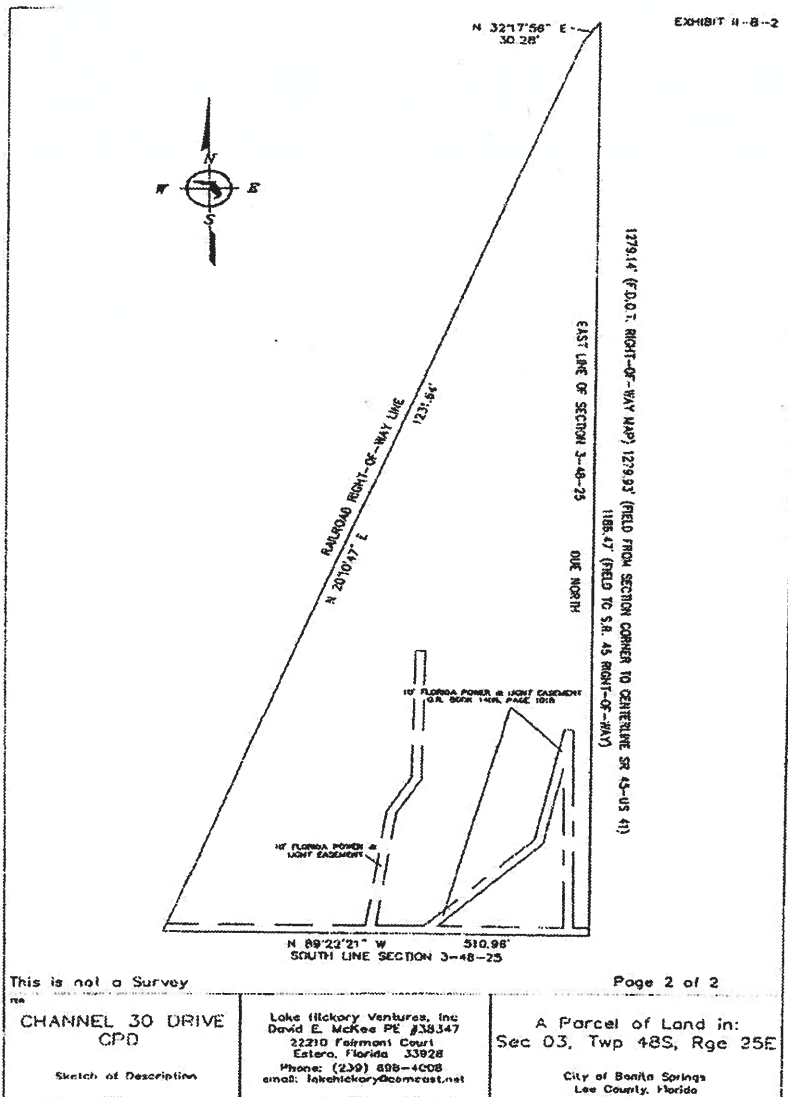
David E. McKee 5/20/08
 DAVID E. MCKEE
 PROFESSIONAL ENGINEER
 FLORIDA REGISTRATION NO: PE38347

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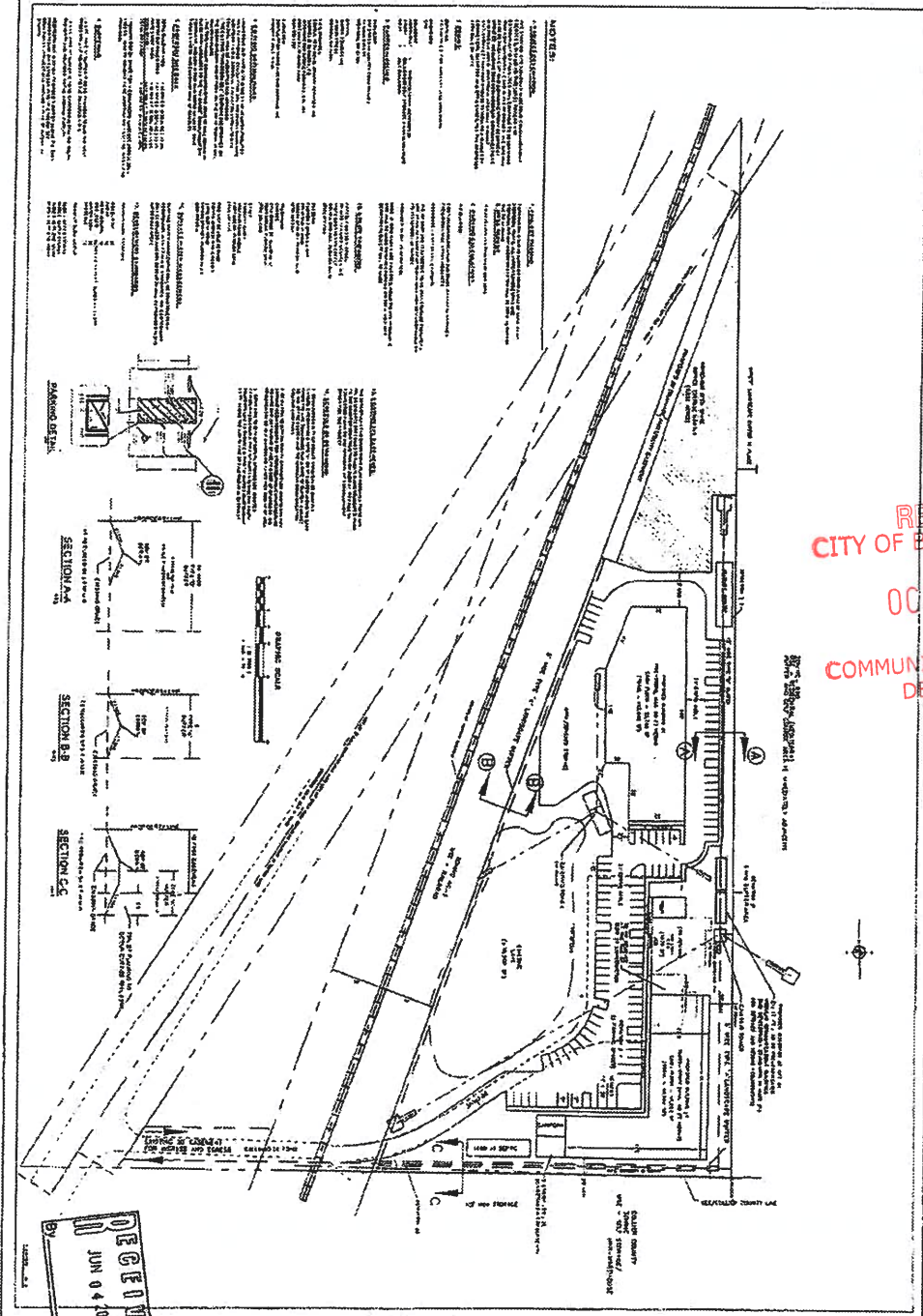
This is not a Survey

Page 1 of 2

| | | |
|--|---|---|
| <p>FOR CHANNEL 30 DRIVE CPD Legal Description</p> | <p>Lake Hickory Ventures, Inc David E. McKee PE #38347 22210 Fairmont Court Estero, Florida 33928 Phone: (239) 898-4008 email: lakehickory@comcast.net</p> | <p>A Parcel of Land in: Sec 03, Twp 48S, Rge 25E City of Bonita Springs Lee County, Florida</p> |
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| | | | |
|---|--|--|---|
| <p>05270540 C-1 JUN 04 2009</p> | <p>ConsulTech Development Services, Inc. 17 Channel 30 Drive, Suite 100 Bonita Springs, FL 34135 941.350.3300</p> | <p>MR. TIM SHEEKAN SUPER TOWER INC. 17 Channel 30 Drive, Suite 100 Bonita Springs, FL 34135 941.350.3300</p> | <p>CHANNEL 30 DRIVE COMMERCIAL PLANNED DEVELOPMENT MASTER CONCEPT PLAN</p> |
|---|--|--|---|

TABLES 1A & 2A

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**TABLE 1A
PROJECT'S AREA OF IMPACT
CHANNEL 30 DRIVE COMMERCIAL CENTER**

| | | 37 VPH | | 29 | | 8 | | | | |
|--------------------------------------|----------------------|----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|--------------------------------|------------------------|-----------------------|
| TOTAL AM PEAK HOUR PROJECT TRAFFIC = | | IN= | OUT= | IN= | OUT= | IN= | OUT= | | | |
| TOTAL PM PEAK HOUR PROJECT TRAFFIC = | | IN= | OUT= | IN= | OUT= | IN= | OUT= | | | |
| <u>ROADWAY</u> | <u>SEGMENT</u> | <u>ROADWAY CLASS</u> | <u>LOS A VOLUME</u> | <u>LOS B VOLUME</u> | <u>LOS C VOLUME</u> | <u>LOS D VOLUME</u> | <u>LOS E VOLUME</u> | <u>PERCENT PROJECT TRAFFIC</u> | <u>PROJECT TRAFFIC</u> | <u>2% / 3% IMPACT</u> |
| Old 41 | N. of Channel 30 Dr. | 2LU | 0 | 140 | 800 | 860 | 860 | 45% | 14 | 1.7% |
| | S. of Channel 30 Dr. | 2LU | 0 | 140 | 800 | 860 | 860 | 55% | 17 | 2.1% |

* Level of Service Thresholds were obtained from the Lee County Generalized Peak Hour Directional Service Volumes tables (April, 2016)

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**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CONCURRENCY CALCULATIONS
CHANNEL 30 DRIVE COMMERCIAL CENTER**

| TOTAL PROJECT TRAFFIC AM = | | 37 | VPH | IN = | 29 | OUT = | 8 | K-Factor ⁴ D-Factor ⁵ | |
|----------------------------|--|----|-----|------|----|-------|----|---|-------|
| TOTAL PROJECT TRAFFIC PM = | | 43 | VPH | IN = | 13 | OUT = | 30 | 0.107 | 0.630 |

| ROADWAY | SEGMENT | FTE | 2010 ADI | 2018 ADI | 2018 ADT | ANNUAL RATE | YRS OF GROWTH ¹ | 2018 PK HR | 2018 | | 2023 | | PERCENT PROJECT TRAFFIC | 2023 BCKGRND + AM PROJ | 2023 BCKGRND + PM PROJ |
|----------------------|---------|--------|----------|----------|----------|-------------|----------------------------|------------|-------|----------------------|---------------------------------|--------------------------------|-------------------------|------------------------|------------------------|
| | | | | | | | | | ADT | Two-Way ² | PK SEASON PEAK DIR ³ | PK HR PK SEASON PEAK DIRECTION | | | |
| N. of Channel 30 Dr. | 1223 | 15,200 | 15,200 | 16,798 | 2.00% | 8 | 2.00% | 1,267 | 1,399 | F | 14 | 1,412 | F | 1,413 | F |
| S. of Channel 30 Dr. | 1223 | 15,200 | 15,200 | 16,798 | 2.00% | 8 | 2.00% | 1,267 | 1,399 | F | 17 | 1,415 | F | 1,416 | F |

¹ Annual Growth Rate was formulated utilizing 2018 City of Bonita Springs Traffic Count Report.
² The 2018 ADT Two-Way Volumes were obtained from the 2018 City of Bonita Springs Traffic Count Report.
³ The 2018 Peak Hour Peak Season Peak Direction Volumes were obtained by multiplying 2018 ADT Two-Way Volumes by appropriate K & D factors.
⁴ K factor was obtained from Lee County Traffic Count Report for PCS No. 16.
⁵ D factor was obtained from the City of Bonita Springs Traffic Count Report for Station No. 1223.

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2018 CITY OF BONITA SPRINGS TRAFFIC COUNT REPORT

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| FTE Station Number | Reference Lee County Station Number | Location | Start Date | Direction 1 and 2 | 3 Day Average Direction 1 | 3 Day Average Direction 2 | ADT Direction 1 and 2 | FBOI Seasonal Factor | AADT Direction 1 and 2 | K Factor from Lee County | D Factor from Lee County | Peak Hour Two-way Service Volumes | Level Of Service (LOS) | Lee County PCS |
|--------------------|-------------------------------------|--|------------|-------------------|---------------------------|---------------------------|-----------------------|----------------------|------------------------|--------------------------|--------------------------|-----------------------------------|------------------------|----------------|
| 0015** | N/A | Estero Blvd N. of Lovers Key State Park | 20-Mar-18 | N/S | 5379 | 5712 | 11091 | 0.81 | 9000 | 9% | 52% | 810 | D | 44 |
| 0014** | N/A | Estero Blvd S. of Lovers Key State Park | 20-Mar-18 | N/S | 5472 | 5778 | 11250 | 0.81 | 9100 | 9% | 52% | 819 | D | 44 |
| 1206 | N/A | Imperial Pkwy Between Bonita Beach Rd and E Terry St | 20-Mar-18 | N/S | 14462 | 14349 | 28811 | 0.81 | 23300 | 14% | 55% | 3262 | C | 63 |
| 1226 | 492 | Imperial Pkwy N/O Shangri-LA | 20-Mar-18 | N/S | 9622 | 9732 | 19354 | 0.81 | 15700 | 14% | 55% | 2198 | C | 63 |
| 0004 | N/A | Imperial Pkwy S. of Tropic Dr | 20-Mar-18 | N/S | 12779 | 12531 | 25310 | 0.81 | 20500 | 14% | 55% | 2870 | C | 63 |
| 1227 | N/A | Imperial Pkwy S/O Shangri-LA | 20-Mar-18 | N/S | 11269 | 10975 | 22244 | 0.81 | 18000 | 14% | 55% | 2520 | C | 63 |
| 1209 | N/A | Matheson Ave N of Dean St | 20-Mar-18 | N/S | 982 | 1014 | 1996 | 0.81 | 1600 | 15% | 57% | 240 | C | 42 |
| 1204 | N/A | Morton Ave N of East Terry St | 20-Mar-18 | N/S | 3443 | 3415 | 6858 | 0.81 | 5600 | 15% | 57% | 840 | D | 42 |
| 1223 | N/A | Old 41 Rd Between Collier County Line to Bonita Beach Rd | 20-Mar-18 | N/S | 9850 | 8948 | 18798 | 0.81 | 15200 | 11% | 63% | 1672 | F | 16 |
| 1222 | N/A | Old 41 Rd N of Bonita Beach Rd | 20-Mar-18 | N/S | 6137 | 6884 | 13021 | 0.81 | 10500 | 11% | 63% | 1155 | C | 16 |
| 1220 | N/A | Old 41 Rd N of E/W Terry St | 20-Mar-18 | N/S | 11257 | 12160 | 23417 | 0.81 | 19000 | 11% | 63% | 2090 | C | 16 |
| 1216 | N/A | Old 41 Rd S of US 41 | 20-Mar-18 | N/S | 8287 | 6322 | 14609 | 0.81 | 11800 | 11% | 63% | 1298 | C | 16 |
| 1228 | N/A | Old 41 S/O Bernwood Pkwy | 20-Mar-18 | N/S | 8518 | 8391 | 16909 | 0.81 | 13700 | 9% | 63% | 1233 | C | 16 |
| 0002 | N/A | Paradise Rd N. of Shangri-La | 20-Mar-18 | N/S | 1851 | 1740 | 3591 | 0.81 | 2900 | 14% | 59% | 406 | C | 63 |
| 0001 | N/A | Pennsylvania Ave E. of Los Amigos Lane | 20-Mar-18 | E/W | 2107 | 2236 | 4343 | 0.81 | 3500 | 9% | 51% | 315 | C | 92 |
| 1221 | 494 | Pennsylvania Ave W of Old 41 Rd | 20-Mar-18 | E/W | 2987 | 2372 | 5359 | 0.81 | 4300 | 9% | 57% | 387 | C | 42 |
| 0003 | N/A | Shangri-La E. Tropic Acres Dr | 20-Mar-18 | N/S | 2934 | 3344 | 6278 | 0.81 | 5100 | 14% | 59% | 714 | D | 63 |
| 1212 | N/A | Shangri-La Rd E of Old US 41 | 20-Mar-18 | E/W | 4130 | 3704 | 7834 | 0.81 | 6300 | 11% | 63% | 693 | D | 16 |

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| FTE Station Number | Reference Lee County Station Number | Location | Counts performed by FTE or obtained from Lee County | | | | | | | | | | | | | |
|--------------------|-------------------------------------|---|---|-------|-------|-------|-------|-------|--------|--------|--------|--------|--------|--------|----------|----------|
| | | | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | Dec-09 | Dec-10 | Feb-12 | Jan-14 | Feb-15 | Feb-16 | March-17 | March-18 |
| 1223 | N/A | Old 41 Rd Between Collier County Line to Bonita Beach Rd | 12600 | 13700 | 14000 | 14000 | 13000 | 11600 | N/A | 13200 | 14600 | 14100 | 14900 | 14700 | 14200 | 15200 |
| 1222 | N/A | Old 41 Rd N of Bonita Beach Rd | 16500 | 18500 | 17600 | 17400 | 18300 | 13200 | 15400 | 15000 | 14700 | 13500 | 13100 | 9000 | 8700 | 10500 |
| 1220 | N/A | Old 41 Rd N of E/W Terry St | 22800 | 24600 | 26300 | 26700 | 23500 | 19900 | 23800 | 23700 | 28300 | 25200 | 20700 | 18400 | 17700 | 19000 |
| 1216 | N/A | Old 41 Rd S of US 41 | 13000 | 14200 | 15000 | 16000 | 13200 | N/A | 12000 | 12500 | 12200 | 12100 | 12000 | 11900 | 11500 | 11800 |
| 1228 | N/A | Old 41 S/O Bernwood Pkwy | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 13600 | 13900 | 13300 | 13700 |
| 0002 | N/A | Paradise Rd N. of Shangri-La | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 2500 | 2900 |
| 0001 | N/A | Pennsylvania Ave E. of Los Amigos Lane | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 3100 | 3500 |
| 1221 | 0494 | Pennsylvania Ave W of Old 41 Rd | 4100 | 4000 | 4900 | 4500 | 4300 | 3000 | 6300 | 6400 | 6000 | 5600 | 4400 | 3400 | 3300 | 4300 |
| 0003 | N/A | Shangri-La E. Tropic Acres Dr | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 4700 | 5100 |
| 1212 | N/A | Shangri-La Rd E of Old US 41 | N/A | N/A | N/A | N/A | N/A | N/A | 5000 | 5100 | 5100 | 4900 | 4600 | 5800 | 5600 | 6300 |
| 0010 | N/A | US-41, N. of Shopping Center Entrance | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 49200 | 45600 |
| 0009 | N/A | US-41, S. of Beaumont Rd | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 35600 | 35500 |
| 0008 | N/A | Vanderbilt Dr N. of Woods Edge Pkwy | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 6900 | 8400 |
| 1219 | N/A | W Terry St E of US 41 | 13300 | 12000 | 11400 | 12200 | 12200 | 11600 | 12700 | 12800 | 13900 | 11000 | 12400 | 13300 | 12800 | 11700 |
| 1225 | N/A | Woods Edge Pkwy W of US 41 | N/A | N/A | N/A | N/A | N/A | N/A | 4500 | 5000 | 5900 | 5300 | 4200 | 4500 | 4400 | 4100 |
| 0017 | N/A | Bonita Beach Rd between Imperial Parkway and I-75 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 37000 |
| 0018 | N/A | Bonita Beach Rd between Hunters Ridge Blvd and Bonita Grande Dr | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 18300 |
| 0019 | N/A | Bonita Beach Rd E. of Bonita Grande Dr | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 9700 |
| 0020 | N/A | Lake St Bin Kenn Way & Bonita Beach Rd | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 19000 |
| 0021 | N/A | Quails Walk E O Lake St | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 500 |

** Collected weekend counts also.

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**TRAFFIC DATA FROM 2017 LEE
COUNTY TRAFFIC COUNT REPORT**

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DEPARTMENT**

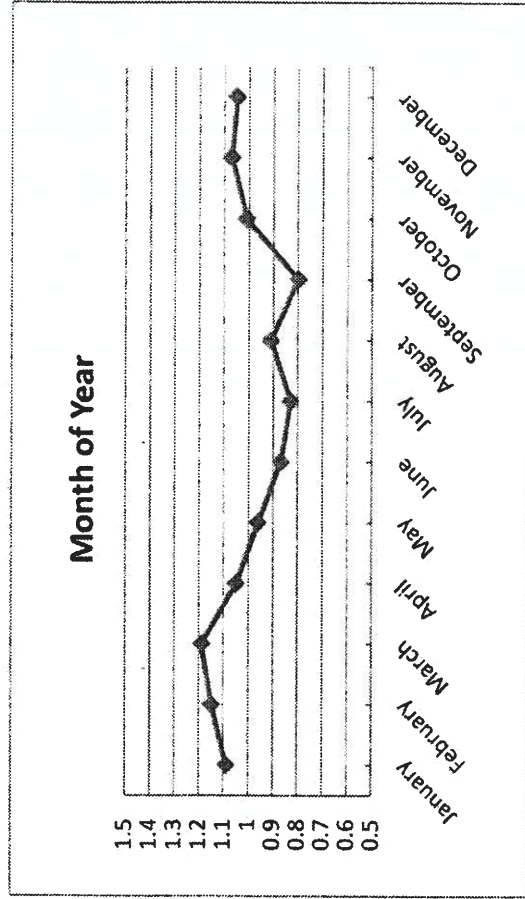
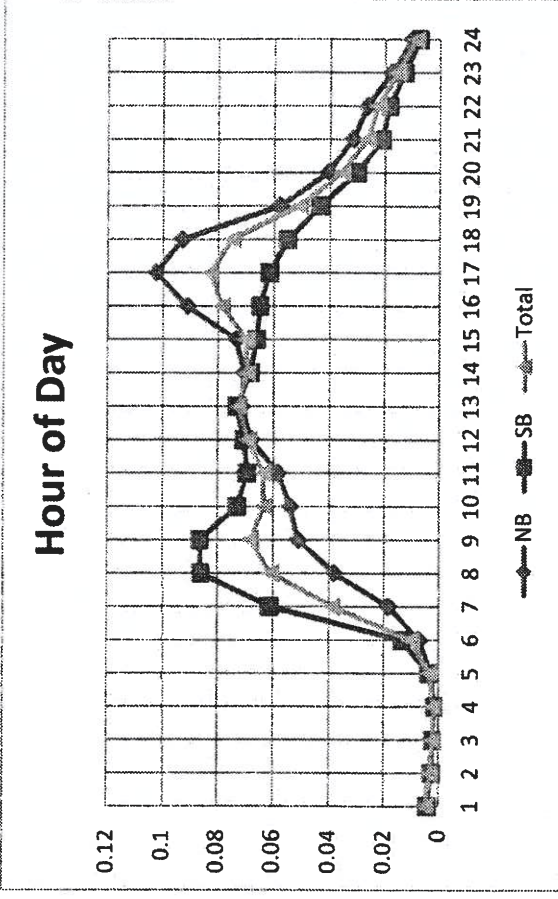
PCS 16 - Old 41 Rd north of Collier County Line

2017 AADT = 14,000 VPD

| Hour | NB | SB | Total |
|------|--------|-------|-------|
| 0 | 0.50% | 0.43% | 0.47% |
| 1 | 0.34% | 0.28% | 0.31% |
| 2 | 0.23% | 0.22% | 0.22% |
| 3 | 0.16% | 0.17% | 0.17% |
| 4 | 0.29% | 0.38% | 0.33% |
| 5 | 0.71% | 1.36% | 1.02% |
| 6 | 1.84% | 6.14% | 3.90% |
| 7 | 3.83% | 8.62% | 6.12% |
| 8 | 5.14% | 8.65% | 6.82% |
| 9 | 5.43% | 7.31% | 6.33% |
| 10 | 5.85% | 6.95% | 6.37% |
| 11 | 6.79% | 7.07% | 6.92% |
| 12 | 7.17% | 7.33% | 7.25% |
| 13 | 7.06% | 6.85% | 6.96% |
| 14 | 7.35% | 6.62% | 7.00% |
| 15 | 9.13% | 6.50% | 7.87% |
| 16 | 10.27% | 6.17% | 8.30% |
| 17 | 9.32% | 5.54% | 7.51% |
| 18 | 5.82% | 4.38% | 5.13% |
| 19 | 4.09% | 3.03% | 3.58% |
| 20 | 3.19% | 2.12% | 2.67% |
| 21 | 2.67% | 1.85% | 2.28% |
| 22 | 1.78% | 1.29% | 1.54% |
| 23 | 1.03% | 0.75% | 0.89% |

| Month of Year | Fraction |
|---------------|----------|
| January | 1.09 |
| February | 1.15 |
| March | 1.19 |
| April | 1.05 |
| May | 0.96 |
| June | 0.87 |
| July | 0.83 |
| August | 0.91 |
| September | 0.8 |
| October | 1.01 |
| November | 1.07 |
| December | 1.05 |

| Directional Factor | |
|--------------------|------|
| AM | 0.77 |
| PM | 0.62 |
| WB | |
| EB | |



| Design Hour Volume | |
|--------------------|--------|
| # | Factor |
| 5 | 0.117 |
| 10 | 0.115 |
| 20 | 0.114 |
| 30 | 0.112 |
| 50 | 0.110 |
| 100 | 0.107 |
| 150 | 0.104 |
| 200 | 0.103 |

| Day of Week | Fraction |
|-------------|----------|
| Sunday | 0.6 |
| Monday | 1.05 |
| Tuesday | 1.12 |
| Wednesday | 1.15 |
| Thursday | 1.13 |
| Friday | 1.16 |
| Saturday | 0.78 |

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**LEE COUNTY GENERALIZED PEAK
HOUR DIRECTIONAL SERVICE
VOLUMES**

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DEPARTMENT

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

April 2016

c:\input5

| Uninterrupted Flow Highway | | | | | | |
|--|-----------|-------|-------|-------|-------|-------|
| Level of Service | | | | | | |
| Lane | Divided | A | B | C | D | E |
| 1 | Undivided | 130 | 420 | 850 | 1,210 | 1,640 |
| 2 | Divided | 1,060 | 1,810 | 2,560 | 3,240 | 3,590 |
| 3 | Divided | 1,600 | 2,720 | 3,840 | 4,860 | 5,380 |
| Arterials | | | | | | |
| Class I (40 mph or higher posted speed limit) | | | | | | |
| Level of Service | | | | | | |
| Lane | Divided | A | B | C | D | E |
| 1 | Undivided | * | 140 | 800 | 860 | 860 |
| 2 | Divided | * | 250 | 1,840 | 1,960 | 1,960 |
| 3 | Divided | * | 400 | 2,840 | 2,940 | 2,940 |
| 4 | Divided | * | 540 | 3,830 | 3,940 | 3,940 |
| Class II (35 mph or slower posted speed limit) | | | | | | |
| Level of Service | | | | | | |
| Lane | Divided | A | B | C | D | E |
| 1 | Undivided | * | * | 330 | 710 | 780 |
| 2 | Divided | * | * | 710 | 1,590 | 1,660 |
| 3 | Divided | * | * | 1,150 | 2,450 | 2,500 |
| 4 | Divided | * | * | 1,580 | 3,310 | 3,340 |
| Controlled Access Facilities | | | | | | |
| Level of Service | | | | | | |
| Lane | Divided | A | B | C | D | E |
| 1 | Undivided | * | 160 | 880 | 940 | 940 |
| 2 | Divided | * | 270 | 1,970 | 2,100 | 2,100 |
| 3 | Divided | * | 430 | 3,050 | 3,180 | 3,180 |
| Collectors | | | | | | |
| Level of Service | | | | | | |
| Lane | Divided | A | B | C | D | E |
| 1 | Undivided | * | * | 310 | 660 | 740 |
| 1 | Divided | * | * | 330 | 700 | 780 |
| 2 | Undivided | * | * | 730 | 1,440 | 1,520 |
| 2 | Divided | * | * | 770 | 1,510 | 1,600 |

Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.

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DEPARTMENT

TRIP GENERATION EQUATIONS

General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 40
1000 Sq. Ft. GFA: 49
Directional Distribution: 50% entering, 50% exiting

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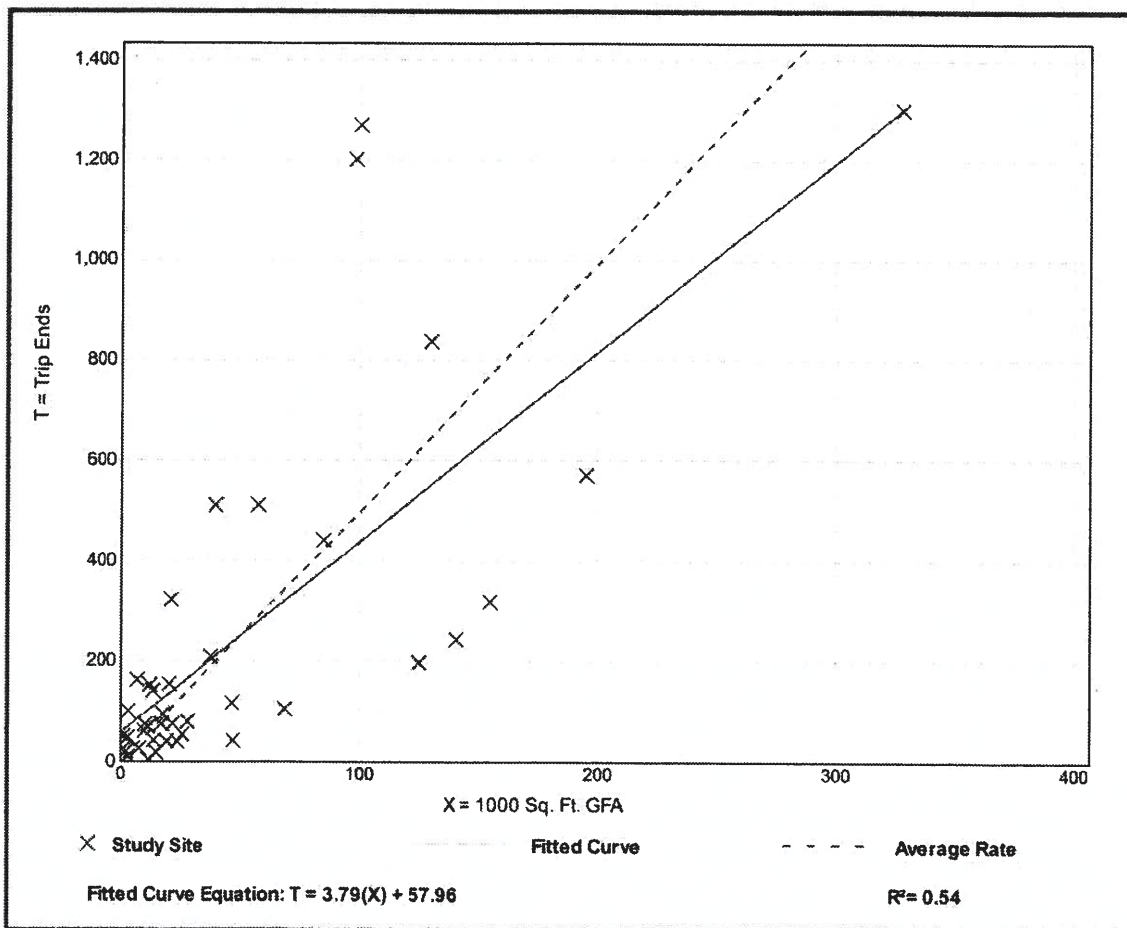
OCT 10 2018

Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 4.96 | 0.34 - 43.86 | 4.20 |

COMMUNITY DEVELOPMENT
DEPARTMENT

Data Plot and Equation



General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 45
 1000 Sq. Ft. GFA: 73
 Directional Distribution: 88% entering, 12% exiting

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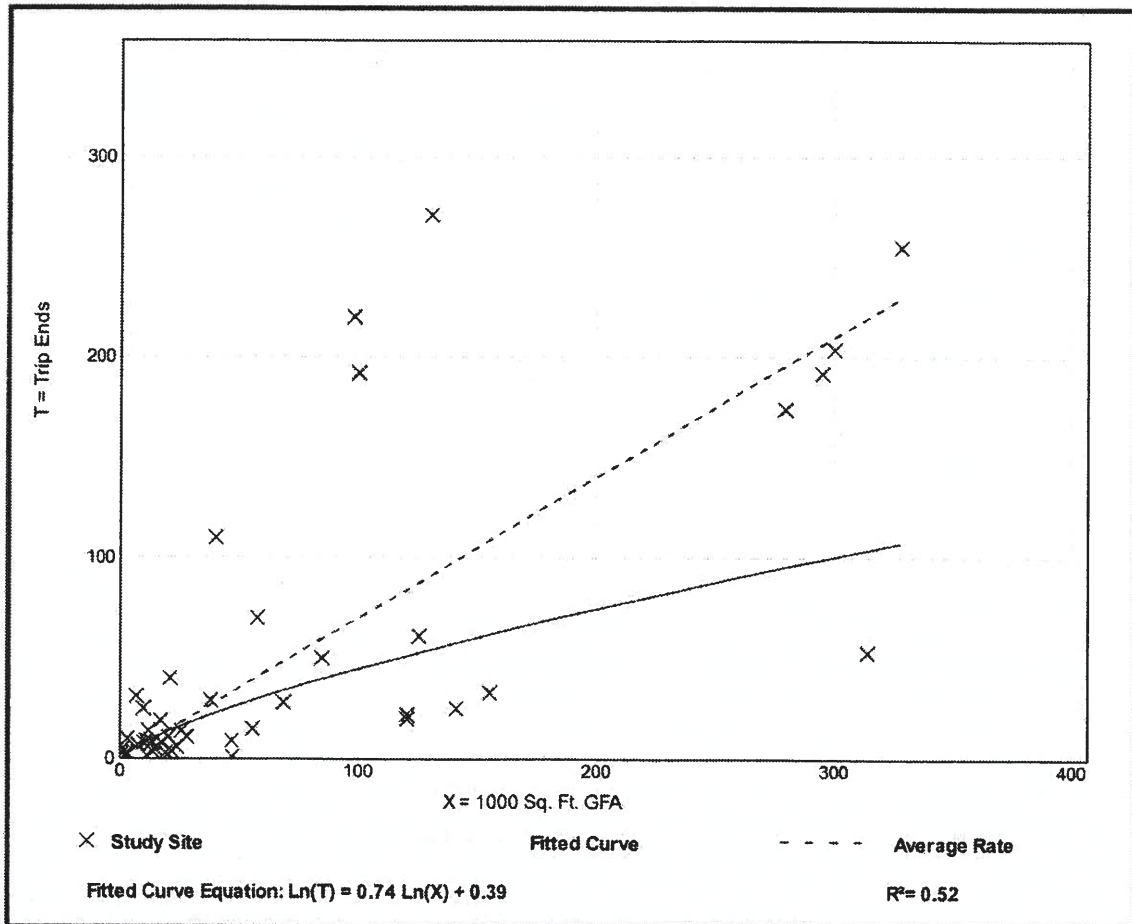
OCT 10 2018

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 DEPARTMENT

Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 0.70 | 0.02 - 4.46 | 0.65 |

Data Plot and Equation



General Light Industrial (110)

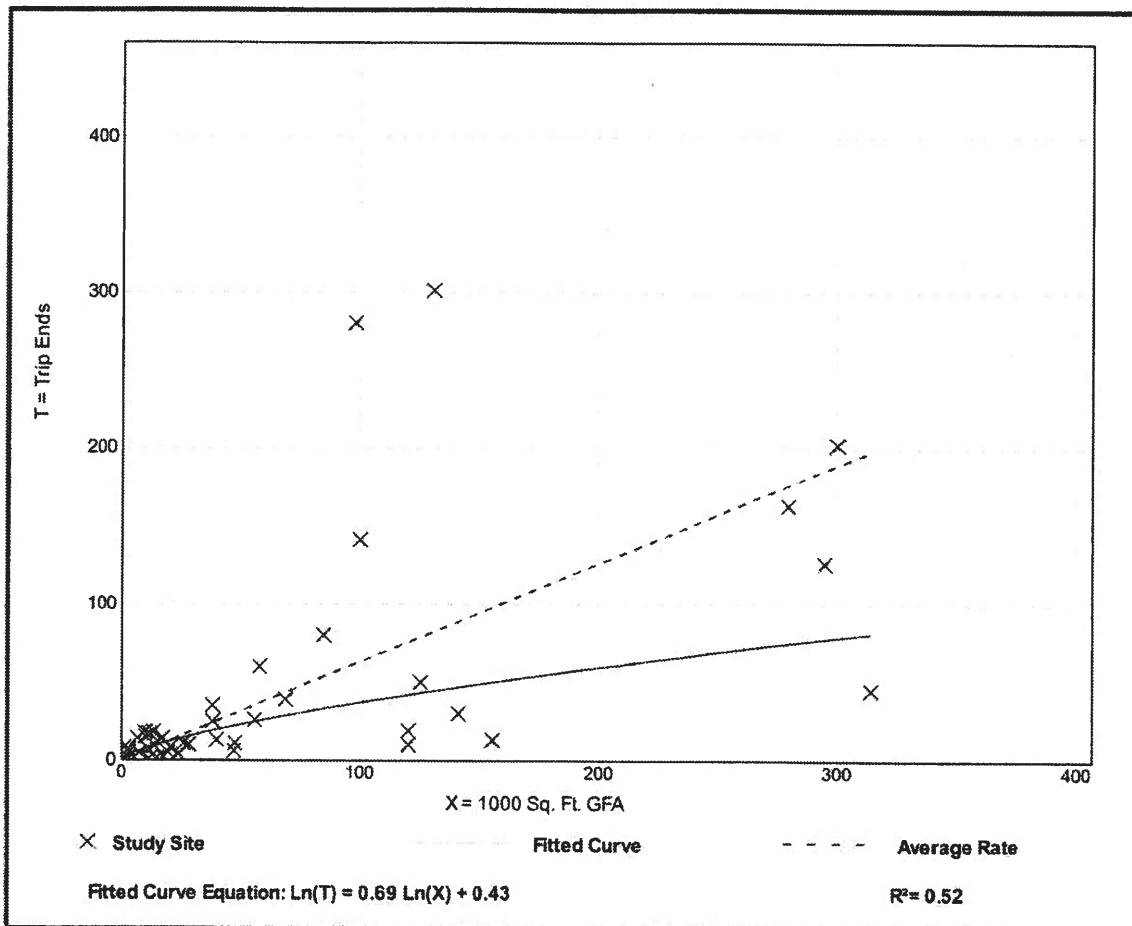
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 44
 1000 Sq. Ft. GFA: 67
 Directional Distribution: 13% entering, 87% exiting

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Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 0.63 | 0.07 - 7.02 | 0.68 |

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 15
1000 Sq. Ft. GFA: 52
Directional Distribution: 50% entering, 50% exiting

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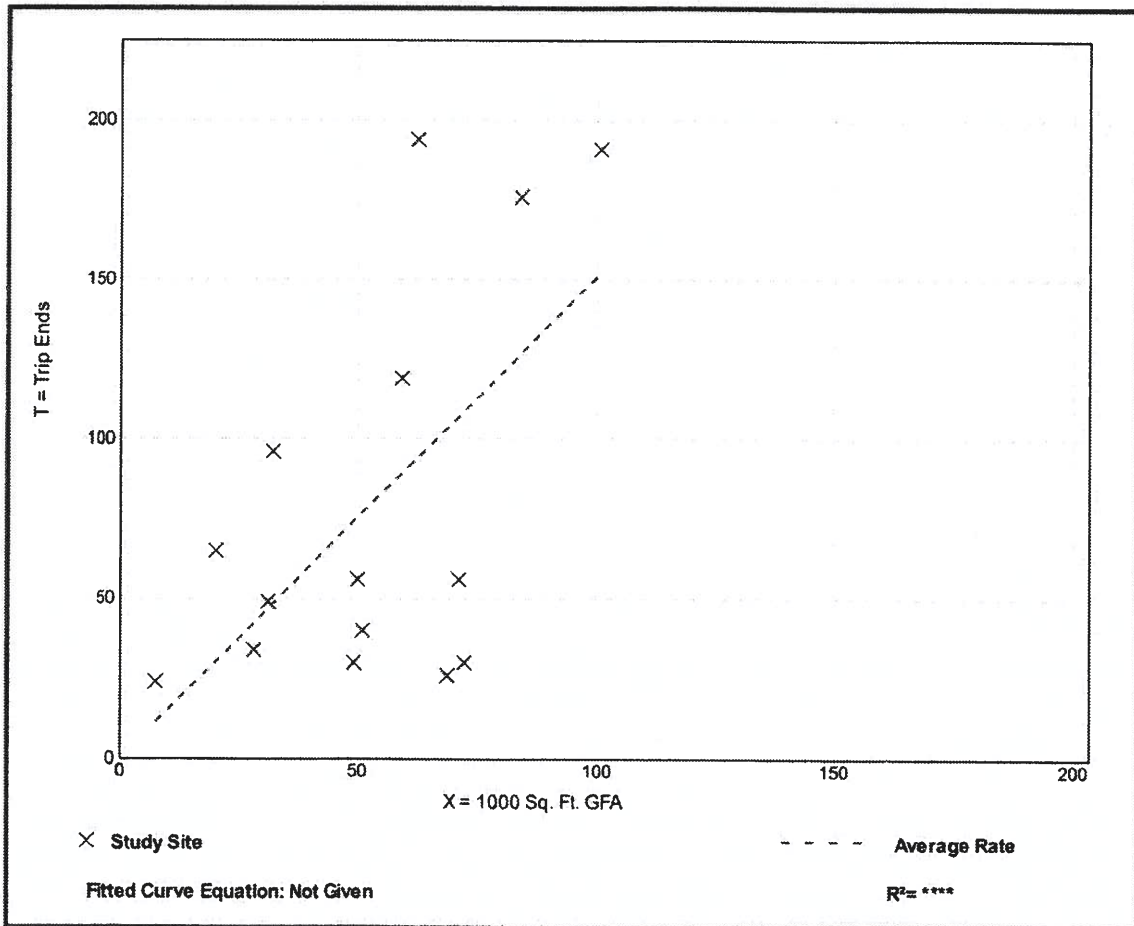
OCT 10 2018

COMMUNITY DEVELOPMENT
DEPARTMENT

Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 1.51 | 0.38 - 3.25 | 0.95 |

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 11
 1000 Sq. Ft. GFA: 65
 Directional Distribution: 60% entering, 40% exiting

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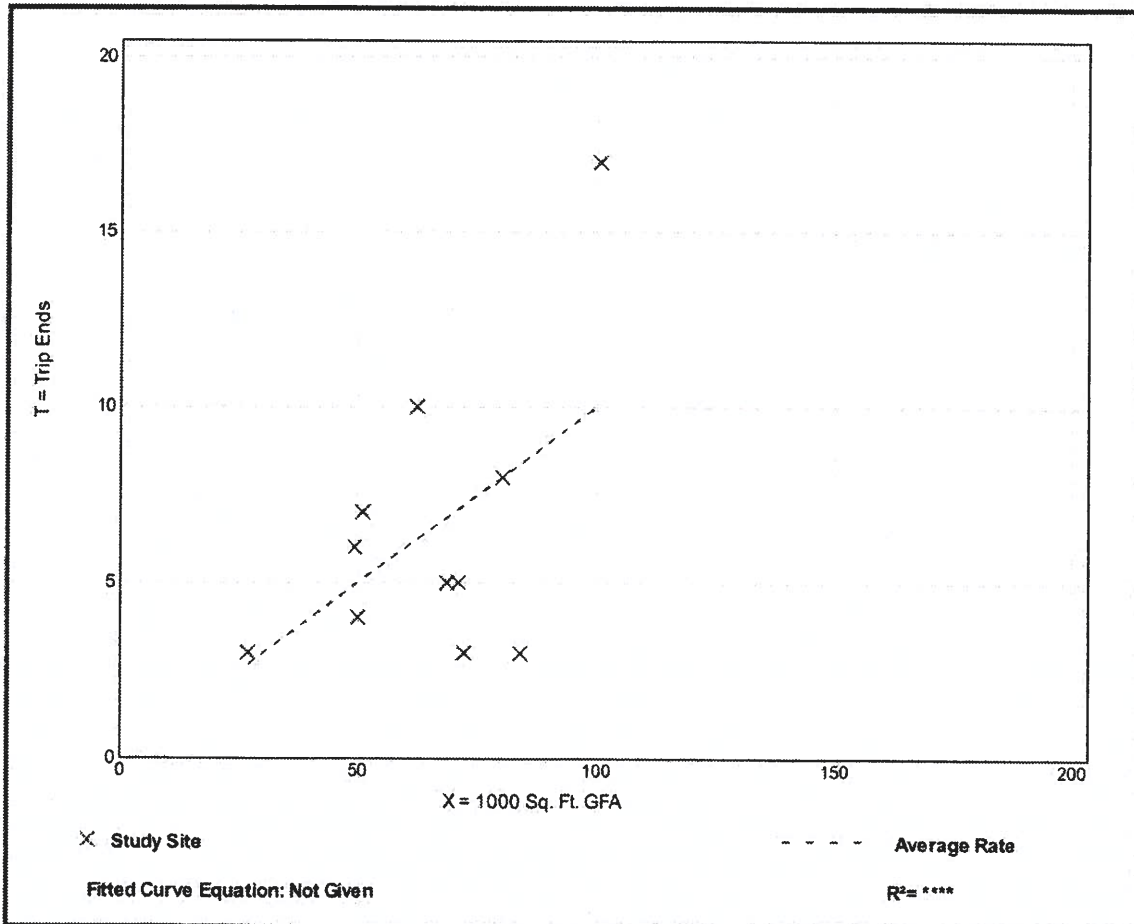
OCT 10 2018

COMMUNITY DEVELOPMENT
 DEPARTMENT

Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 0.10 | 0.04 - 0.17 | 0.05 |

Data Plot and Equation



Mini-Warehouse (151)

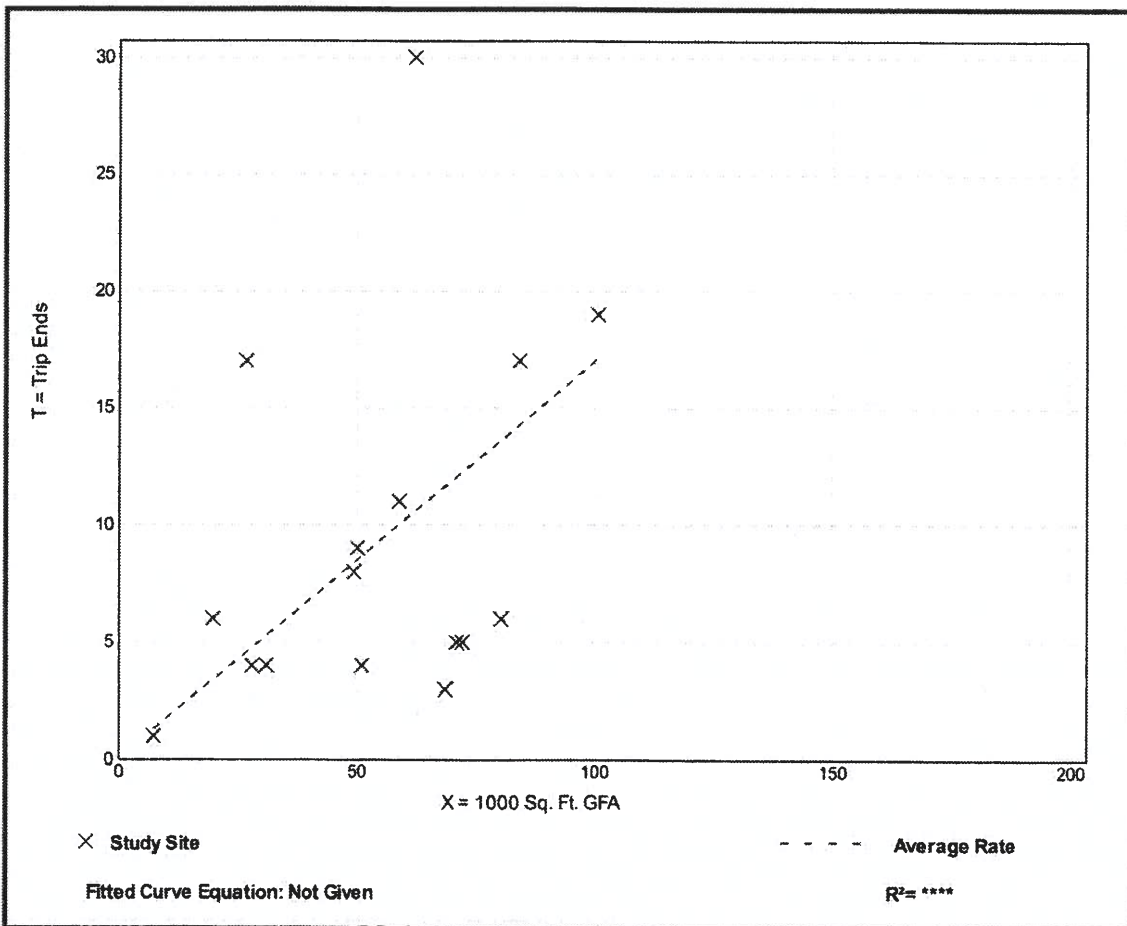
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 16
 1000 Sq. Ft. GFA: 54
 Directional Distribution: 47% entering, 53% exiting

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 COMMUNITY DEVELOPMENT
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Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|--------------|----------------|--------------------|
| 0.17 | 0.04 - 0.64 | 0.14 |

Data Plot and Equation



**EXHIBIT IV-A
PUBLIC TRANSPORTATION
ROUTES FOR SUPER TOWERS**

Exhibit IV-A

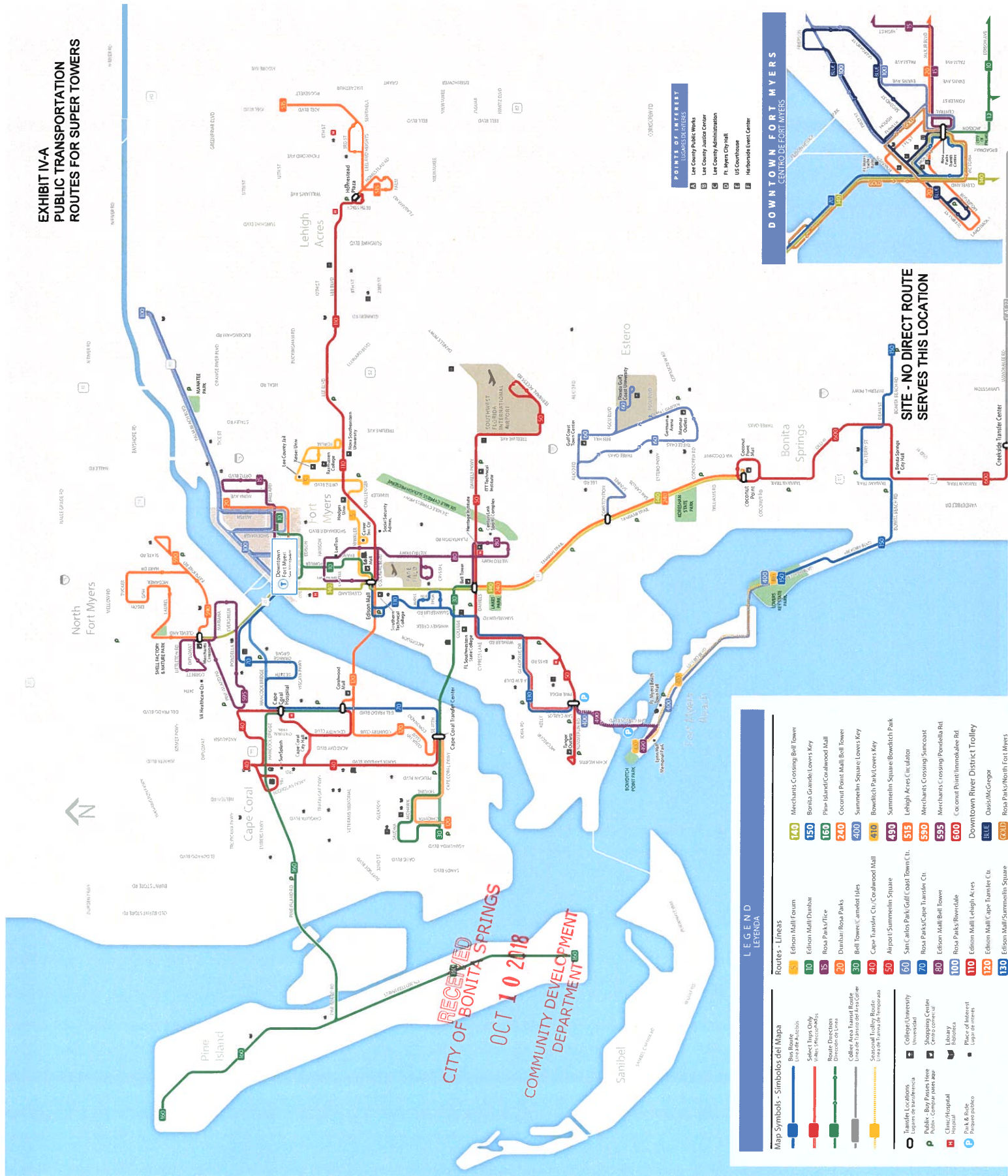
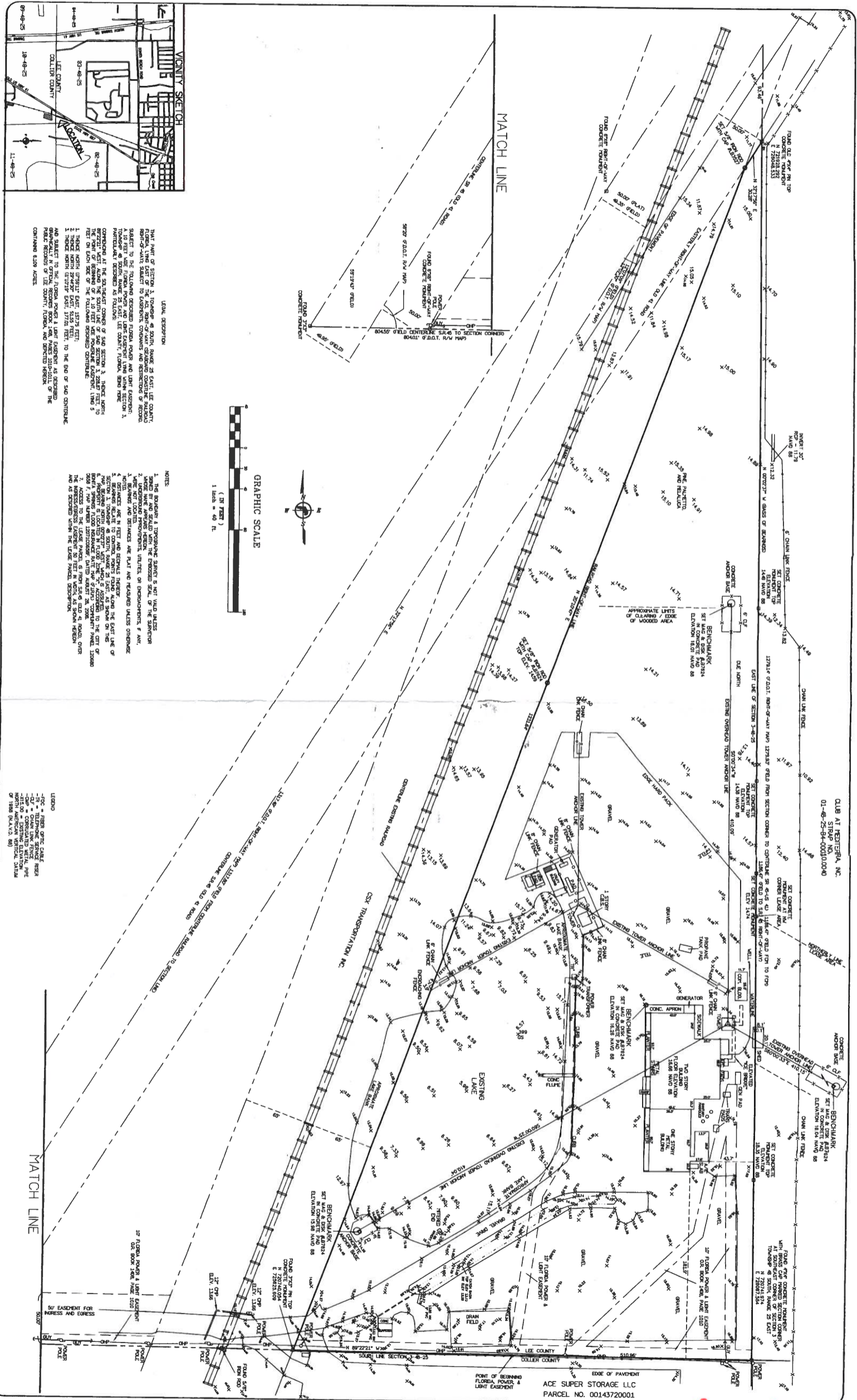


Exhibit 14-C

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OCT 10 2018
COMMUNITY DEVELOPMENT
DEPARTMENT



South Florida Surveying Inc.
2421 23rd Street S.W. Naples, Florida 34117
Phone: (239) 348-1169
http://www.southfloridasurveying.com
CERTIFICATE OF AUTHORIZATION #B7924

| DATE | DESCRIPTION | BY DATE | DESCRIPTION |
|----------|--------------|---------|-------------|
| 11-14-17 | UPDATE DOWNS | BT | |
| | | | |
| | | | |
| | | | |
| | | | |

PRODUCT
SUPER TOWERS
9930 CHANNEL 30 DRIVE

SURVEY TYPE:
BOUNDARY & TOPOGRAPHIC SURVEY

FOR SOUTH FLORIDA SURVEYING INC.
ROBERT HILLS
PROFESSIONAL SURVEYOR AND LICENSED
DATE: 8-11-17



SURVEY DATA: 2/15/2018
SCALE: 1" = 40'
DATE: 11-14-17
PROJECT NO.: 1808
SHEET: 1 OF 1

F. B. PC.
DATE: 11-14-17

LEGEND

THAT PART OF SECTION 3, TOWNSHIP 28 SOUTH, RANGE 28 EAST, LEE COUNTY, FLORIDA, WHICH IS SHOWN ON THE SURVEY MAP AS BEING SUBJECT TO THE FOLLOWING DESCRIBED FLORIDA POWER AND LIGHT EXISTING PARTIAL EASEMENT, IS HEREBY RECORDED FOR THE PURPOSES OF PUBLIC NOTICE. THE PARTIAL EASEMENT IS DESCRIBED AS FOLLOWS: LEE COUNTY, FLORIDA, SHOWS THE CORNER AT THE SOUTHWEST CORNER OF SAID SECTION 3, HENCE NORTH 17° 15' 00" WEST ALONG THE SOUTH LINE OF SAID SECTION 3, 177.75 FEET TO POINT OF BEGINNING; HENCE NORTH 17° 15' 00" WEST 177.75 FEET TO HENCE NORTH 89° 59' 59" WEST, 177.75 FEET TO THE END OF SAID CENTERLINE AND SUBJECT TO THE FLORIDA POWER & LIGHT EXISTING AS DESCRIBED HEREON IN OPTICAL RECORDS BOOK, LEE PARCELS 100-10-111 OF THE COUNTY MAP FILED.

NOTES

1. THE SURVEY IS BASED ON THE CORNER POINT AND BEARS SAID BEARING AND DISTANCE TO THE POINT OF BEGINNING. THE POINT OF BEGINNING IS LOCATED AT THE SOUTHWEST CORNER OF SAID SECTION 3, HENCE NORTH 17° 15' 00" WEST 177.75 FEET TO HENCE NORTH 89° 59' 59" WEST, 177.75 FEET TO THE END OF SAID CENTERLINE AND SUBJECT TO THE FLORIDA POWER & LIGHT EXISTING AS DESCRIBED HEREON IN OPTICAL RECORDS BOOK, LEE PARCELS 100-10-111 OF THE COUNTY MAP FILED.

LEGEND

-C- CONCRETE PAVEMENT
-D- DRAINAGE DITCH
-E- EXISTING ELEVATION
-F- FLOOR ELEVATION
-G- GRAVEL
-H- HATCHED GRASS
-I- IRON PIPE
-J- JUNCTION OF CENTERLINE
-K- KICK-OUT
-L- LAKESIDE
-M- MOUND
-N- NORTH
-O- OPEN AREA
-P- PAVEMENT
-Q- QUARRY
-R- ROAD RIGHT-OF-WAY
-S- SAND
-T- TOWER
-U- UTILITY

**Exhibit IV-D/Description of Proposed Development
For
Channel 30 Drive Commercial Center PD (ZO 09-14) Amendment**

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MAR 14 2019
COMMUNITY DEVELOPMENT

History:

The site has been used for communications facilities since the 1970's, including the local Public Broadcasting System (PBS) station in the 80's. Existing concrete and metal buildings currently occupy on the site and still contains communications and electrical equipment to serve the two tall communications towers (700 ft and 300 ft in height). The 700 ft tower was original equipment on the site and was replaced in 2016 with the same size tower and the 300 ft tower was added to the site in 1998 along with several small modular communications buildings (MCBs) to serve both towers.

In 2009 the site was rezoned to CPD under ZO 09-14 and numerous uses were approved for the site. The construction of two buildings; building #1 as a five-story building with a maximum height of 60 ft and building #2 as a three story building with a maximum height of 40 ft., were also approved. With the approved uses in place, a nursery utilized the site for a couple of years and, more recently, Kelly Roofing moved on the site and is currently operating a Contractors & Builders business at this location.

Proposed Development:

Super Towers, Inc. is proposing two changes to the current zoning and the proposed development plan:

- Modifying the two buildings to be both four story buildings with a maximum height of 50 ft, and;
- Increasing the square footage of the small MCBs from the current 384 sf remaining allocation to 1834 sf by eliminating the Caretaker's quarters from the current development plan.

The remaining site plan and development activities will comply with the City's Land Development Code (LDC) and ZO 09-14 for parking, traffic, landscaping & buffering and storm water management. A 10" potable water line is being brought into the site under Bonita Springs Utilities design criteria and applicable County and State permitting parameters and a septic system expansion is being permitted through the Lee County Health Department for building #2. A Development Order (DO) is being prepared for this effort and includes removal of the existing old metal building with the two story concrete building remaining in service.

A future DO will include building #1 with additional site improvements in accordance with the LDC and all applicable zoning approvals and a SFWMD ERP approval.



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

5471 West Waters Avenue, Suite 100
Tampa, FL 33634
T: 813.207.1061
F: 813.281.1050
www.maserconsulting.com

REVISED EXHIBIT IV-G

Schedule of Uses
For
Channel 30 Drive Commercial Center PD (PD18-54088-BOS)
August 2019
MC PROJECT NO. 19000838A

The schedule of uses below includes both what the City has recommended with this application and the Applicant is requesting the uses italicized and bold below to be restored as they are incidental to potential uses in the proposed storage and office buildings. *Note: these uses were previously in place on the subject property.*

- *Automotive repair and service (Groups I & II)*
- *Boat storage, dry, not exceeding 18 feet above grade*
- Broadcast studio, commercial radio and television
- Building materials sales
- Business services (Groups I & II)
- Bus station/depot
- *Caretaker's residence*
- Caterers
- Cleaning and maintenance services
- Communication tower:
 - 100 feet or less in height
 - Over 100 feet in height
- Contractors and builders: Group I
- Entrance gates and gatehouse
- Essential service facilities (Group I)
- Excavation: Water retention
- *Non-store retailers, all groups*
- *Paint, glass and wallpaper*
- *Post office*
- *Printing and publishing*
- Processing and warehousing
- *Rental or leasing establishments (Groups I, II & III)*
- *Repair shops: Groups I, II & III)*
- *Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises*
- Signs in accordance with Chapter 6
- Storage:
 - Indoor only
 - Storage, open

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AUG 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

35 YEARS OF
Customer Loyalty
through Client Satisfaction



- *Temporary uses*
- Warehouse:
 - Mini-warehouse
 - Private
 - Public

JJS/mh

R:\Projects\2019\19000838A - Bonita Springs Storage\Correspondence\OUT\190830_JJS_Exhibit IV-G_Schedule of Uses.docx



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REVISED EXHIBIT IV-H

Schedule of Deviations & Justifications
For
Channel 30 Drive Commercial Center PD (PD18-54088-BOS)
August 2019
MC PROJECT NO. 19000838A

CITY OF BONITA SPRINGS
AUG 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

As previously noted, Deviations 1, 2 and 3 are “carry-overs” from the previously approved zoning. Deviation #1 has been modified slightly with the elimination of the drain bed, while Deviations 2 and 3 remain the same. We request approval of these “carry-over” deviations along with the other described below.

Deviation No. 1: Deviation to City of Bonita Springs LDC Chapter 3-418 (d)(3) and LDC4-2074(a)(2)(a) requiring a type “E” buffer (25 ft. wide with a wall and 30 shrubs/100 lf) or a type “F” buffer (25 ft. wide, no wall, double row staggered hedge) to permit a type “D” buffer, subject to the modular communication buildings locations.

Justification: The eastern portion of the property is already heavily buffered with existing vegetation on the adjacent parcel. Additionally, there is an existing six (6) foot chain link fence already in place. The wall required for a type “E” buffer would be practically invisible from the adjacent property. and any trees and shrubs that would be planted for a type “F” buffer would also not be visible and the additional width is not required given the vegetation that exists on the east side of the existing fence.. The placement of the proposed modular communications building (MBC) within the 15 ft buffer will not reduce the number of plantings - they would just be placed in a narrower area (an 8 ft wide planting area is designated). The buildings have to be located at the base of the tower to minimize the distance between the radio equipment and the antennas and there is no other location on the site to place them.

Deviation No. 2: Deviation to City of Bonita Springs LDC Chapter 4-1732 requiring one (1) parking space per 1000 sf of floor area for Warehousing, Public or self storage to provide for one (1) parking space per 3000 sf of floor area.

Justification: The requirement, which is 300% greater than the Lee County code it replaced, is excessive. There are storage facilities operating all around Bonita Springs and Lee County where the Lee County code requirement was used and all have adequate parking.

Deviation No. 3: Deviation to City of Bonita Springs LDC Chapter 3-416(D)(3) requiring a Type “A” buffer along the South property line to provide a type “A” buffer (5 ft. wide) along the south to permit a type “A” buffer encroaching 2.5 ft along the north side of the existing FPL easement.

Justification: There is an existing 10 ft wide FPL easement along the south property line and the entire planting area cannot be located in the easement. Additionally, the City has approved this buffer in recent Limited Review Development Orders for this property.





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MC Project No 19000838A
Channel 30 Drive Storage
Page 2 of 3

Deviation No. 4: Deviation to City of Bonita Springs LDC Chapter 3-353 requiring a connection to the sanitary sewer system when building size exceeds 30,000 sf or estimated wastewater flow exceeds 5000 gpd.

Justification: The total wastewater flow estimated from the existing facilities (Kelly Roofing) and the proposed building 2 (phase 1 of the project) is only 760 gpd. There is adequate room on the site for the additional drainbed and the required septic and dosing/pump tank. The Lee County Health Department has granted the permit for this system expansion; 36-SB-71631. If and when Phase 2/building #1 is constructed, that building will connect to the public sanitary sewer system (the existing concrete building and building #2 will remain on the septic system).

Deviation No. 5: Deviation to City of Bonita Springs LDC Chapter 3-490(b), 3-2074(b), and Division 36 of LDC 4 requiring a 25 ft set-back and 8 ft high wall to buffer the overhead doors in building #1 and outdoor storage to be covered with a structure architecturally consistent with the principal structures, to allow for a 15 ft set-back and 8-ft high masonry wall consistent with the principal structures. Wall and plantings to be provided and meet code requirements.

Justification: The area where the overhead doors and potential outdoor storage is proposed at the north end of the property is set back substantially from Old 41 Road and is further buffered by a private property and Railroad ROW between Old 41 Road and the subject property where it is not readily visible. The northern portion of the site is being dedicated as a conservation easement for the indigenous native area associated to the development that will provide substantial vegetative buffer to the development and a combination of the 8-ft high wall and 15-ft landscape buffer between the indigenous native area and stormwater pond to the southeast will provide substantial screening from the development to Old 41 Road in this area and as such the public.

Potential outdoor storage incidental to the requested schedule of uses will be heavily screened by the combination of the 8-ft high wall and 15-ft buffer therefore providing negligible visual impact to the public. As part of this deviation we are requesting relief from the shelter requirements as this additional structure would be a redundancy to the proposed 8-ft high wall and the Applicant is confident that the wall combined with the vegetation requirements associated to the buffer will provide intended screening and minimize visibility to public thoroughfare meeting the intent of the sections above. *Note: the previous request was an 8-ft buffer; we have revised the layout to increase the buffer width and maintain proposal of the 8-ft high wall.*

Deviation No. 6: Deviation to City of Bonita Springs LDC Chapter 3-417(b)(6)(a) requiring habitable buildings to be set-back a minimum of 30 ft from "wildland" areas to reduce the set-back 8 ft for Modular Communication Buildings (MCBs).

Justification: The area to the east of the subject property is a managed open space area maintained by Mediterra and as such, the potential fire hazard is minimal. The MCBs are "hardened buildings" meant to protect critical communication equipment and have no windows or unprotected openings with minimal human occupancy occurrences (maintenance, etc). *Note: proposed Building # 2 has been shifted west and the site plan has been revised to eliminate the need for a deviation request from the 30-ft (27-ft setback previously) resulting in a revised deviation request from the MCBs only.*



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Deviation No. 7: Deviation to City of Bonita Springs LDC Chapter 3-417(b)(1)(a) requiring a minimum of 30-ft setback from indigenous native vegetation to habitable structures to reduce the set-back to 8 ft for Modular Communication Buildings (MCBs).

Justification: The area to the east of the subject property is an indigenous native area and as such requires a 30-ft setback to habitable structures; the site plan shows the proposed 4-story buildings greater than 30-ft but the MCBs to maintain a minimum of 8-ft necessary due to existing installations and the identified future locations previously approved for the subject property. Further, the MCBs house communication equipment and have minimal human occupancy (maintenance, etc); leading to nominal impacts to the native indigenous area.

JJS/mh

C:\Users\jstoeckel\Desktop\19-08-27 MS Comments to JS Rev. Exh. IV-H_Deviation Request (002).docx



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REVISED EXHIBIT IV-I

Surface Water Management Plan For

Channel 30 Drive Commercial Center PD (PD18-54088-BOS)

August 2019

MC PROJECT NO. 19000838A

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At this time the subject property is intended to be constructed in phases; two (2) Development Orders (DO) are proposed to accomplish the phasing plan with storm water management being a critical item in the overall development and construction program and will be designed as the initial DO with a “masterplan”.

The first DO will include the overall master site plan and stormwater management plan for the “full buildout” of the site. The focus for permitting is Building #2 (southern building), associated parking, utilities and drainage for the site wide development; in addition, preparation and installation of temporary modular office trailers for Kelly Roofing operations will be setup within the proposed impervious limits of the project to the northern portion of the site. This phasing is necessary due to removal of the existing building’s addition to facilitate construction of Building 2.

Currently, preliminary design intends to expand on the existing on-site pond as necessary to meet all city and state quality and quantity design requirements with runoff discharging to the north, and ultimately the Old 41 Road roadside swale. On site drainage will be managed with a combination of applications including sheets flow to a drainage network to the existing pond on site. Stormwater permitting will also be submitted to South Florida Water Management District (SFWMD) to attain an Environmental Resource Permit (ERP) for the property.

During storm events, the normal pool elevation of the existing pond on the subject parcel increases and the limits of submerged pond area expands into the adjacent Railroad Right-of-Way (ROW). The original pre-application meeting with SFWMD staff indicated that the railroad must be a co-applicant on any ERP application, either to allow the lake to remain or be modified/relocated. The project site owner, Super Towers, has been in continued communication in regard to this permitting issue with SFWMD-and based on conversations with the Railroad that have taken place to date, owner anticipates the Railroad’s cooperation with respect to the storm water management effort and SFWMD permitting.

Unless phasing of the project changes over the time associated to development, the second DO will include construction of building #1 and associated improvements. Assuming no changes to the intended build out, a minor modification will be applied for with SFWMD to confirm conformance with the original master permit sought after in Phase 1 of the project. Discharge will continue to the Old 41 Road swale and any discharge increases will be attenuated as required.

Q:\Projects\2019\19000838A - Bonita Springs Storage\Correspondence\OUT\190830_JJS_Exhibit IV-I_Surface Wwater_Drainage.docx



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**Exhibit IV-K/Program for Phased Development
For
Channel 30 Drive Commercial Center PD (ZO 09-14) Amendment**

The project will be constructed in two phases with a sub-phase in Phase 1.

Phase 1a will consist of the construction of the first phase of building #2 and all related site improvements (parking, landscaping, dumpster enclosure expansion, septic system expansion) and the installation of the 10-inch water main installation serving the site (including its dedication/turn-over to Bonita Springs Utilities). All work will be completed and certified and a CO obtained for the first phase of Building #2.

Phase 1b will consist of the relocation of the Kelly Roofing personnel from the existing old metal building on site and the construction of the second phase of building #2. The project developer does reserve the right to do all of phase 1 in a single phase if an agreement can be reached with Kelly Roofing on their current lease parameters.

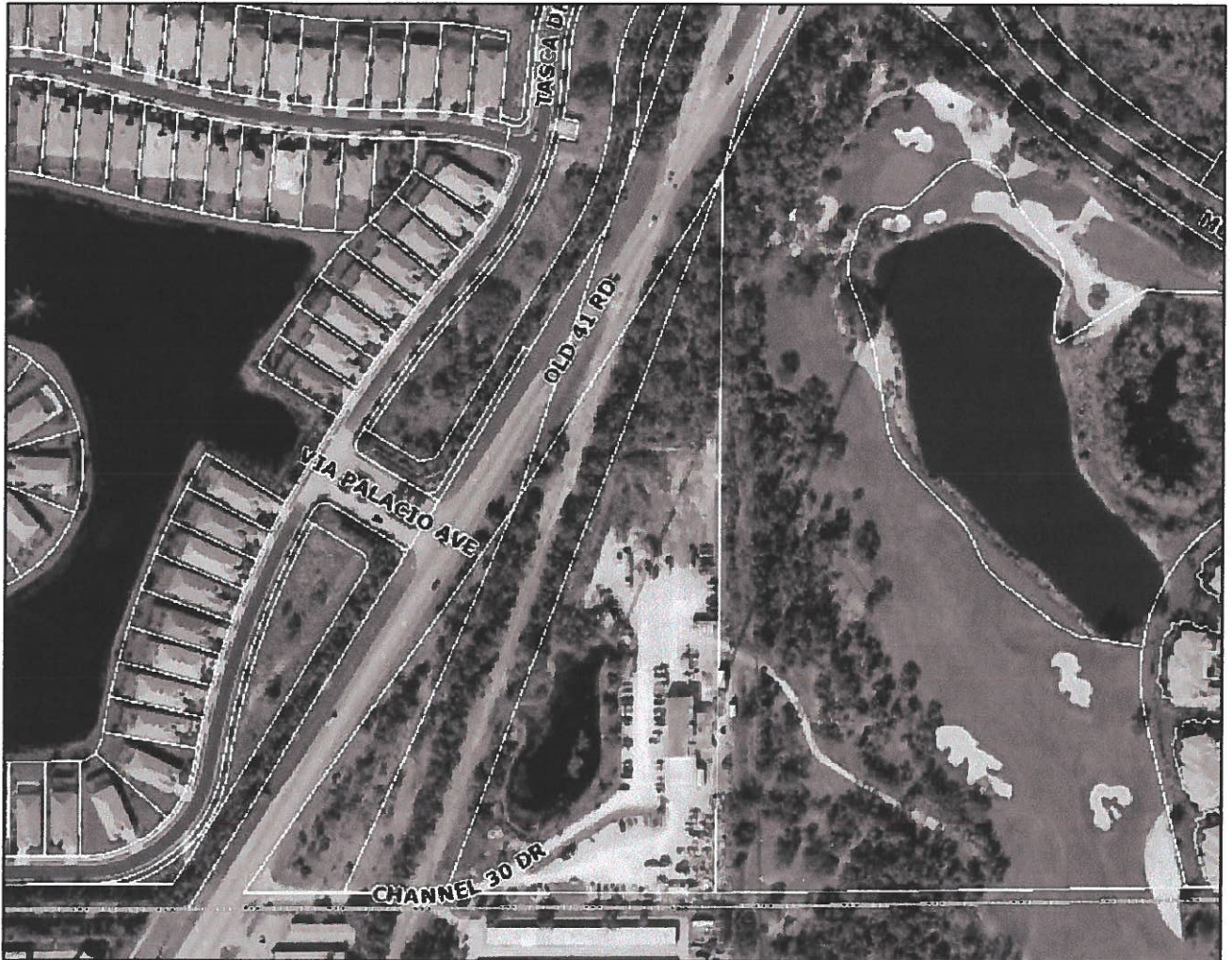
Given the concern the City presently has with Kelly Roofing's operation, it is understood that all activities undertaken by the Company shall be consistent with the adopted regulations. Super Towers will enforce such rules and reserves the right to terminate Kelly Roofing's lease in so needed.

Phase 2 will include the construction of building #1 and the associated parking, landscaping and utility tie-ins. With total impervious coverage of the site exceeding two acres, this phase will also require the issuance of a SFWMD ERP for the site.

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FOR

Super Towers
9930 Channel 30 Drive
Bonita Springs, FL 34135
strap no. 03-48-25-83-00001.0030

McKee Engineering Consultants, Inc
David E. McKee PE #38347
5235 Starboard Lane
Granite Falls, NC 28630
Phone: (239) 898-4008
email: mckeeeng@gmail.com

EXHIBIT IV-N
AERIAL

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P-H ZONING AMENDMENT
9930 CHANNEL 30 DRIVE
BONITA SPRINGS, FL

MEDITERRA PHOTO EXHIBIT

P-H ZONING AMENDMENT - MEDITERRA PHOTO EXHIBIT

PHOTO REFERENCE MAP AND PHOTO GLOSSERY

Pic # Photo Description:

- T-1 Tower Marker – Top of blue tarp marker on radio tower set at 50' above grade.
- R-1 Reference point on guy anchor access road for photo of blue tarp marker.
- R-2 Reference point on 12th fairway for photo of blue tarp marker.
- R-3a Reference point at corner of lake near Bellezza Lot # 1 for photo of blue tarp marker.
- R-3b. Reference point at corner of lake near Bellezza Lot # 1 @ X – 8.0 zoom

- 1a. 17035 Porta Vecchio – building photo / exposure side.
- 1b. 17035 Porta Vecchio – visual exposure.
- 1c. 17035 Porta Vecchio – visual exposure @ X 4.5 zoom.

- 2a. 17025 Porta Vecchio – building photo / exposure side.
- 2b. 17025 Porta Vecchio – visual exposure.
- 2c. 17025 Porta Vecchio – visual exposure @ X 4.5 zoom.
- 2d. 17025 Porta Vecchio – visual exposure @ X 4.5 zoom. Location adjustment to see 50' marker.

- 3a. 17015 Porta Vecchio – building photo / exposure side.
- 3b. 17015 Porta Vecchio – visual exposure.
- 3c. 17015 Porta Vecchio – visual exposure @ X 4.5 zoom.
- 3d. 17015 Porta Vecchio – visual exposure @ X 4.5 zoom. Location adjustment to see 50' marker.

- 4a. 17005 Porta Vecchio – building photo / exposure side.
- 4b. 17005 Porta Vecchio – visual exposure.
- 4c. 17005 Porta Vecchio – visual exposure @ X 4.5 zoom.
- 4d. 17005 Porta Vecchio – visual exposure @ X 8.0 zoom 50' marker at low point tree line.

- 5a. 16995 Porta Vecchio – building photo / exposure side.
- 5b. 16995 Porta Vecchio – visual exposure.
- 5c. 16995 Porta Vecchio – visual exposure @ X 4.5 zoom.
- 5d. 16995 Porta Vecchio – visual exposure @ X 8.0 zoom to see 50' marker through break tree tops.

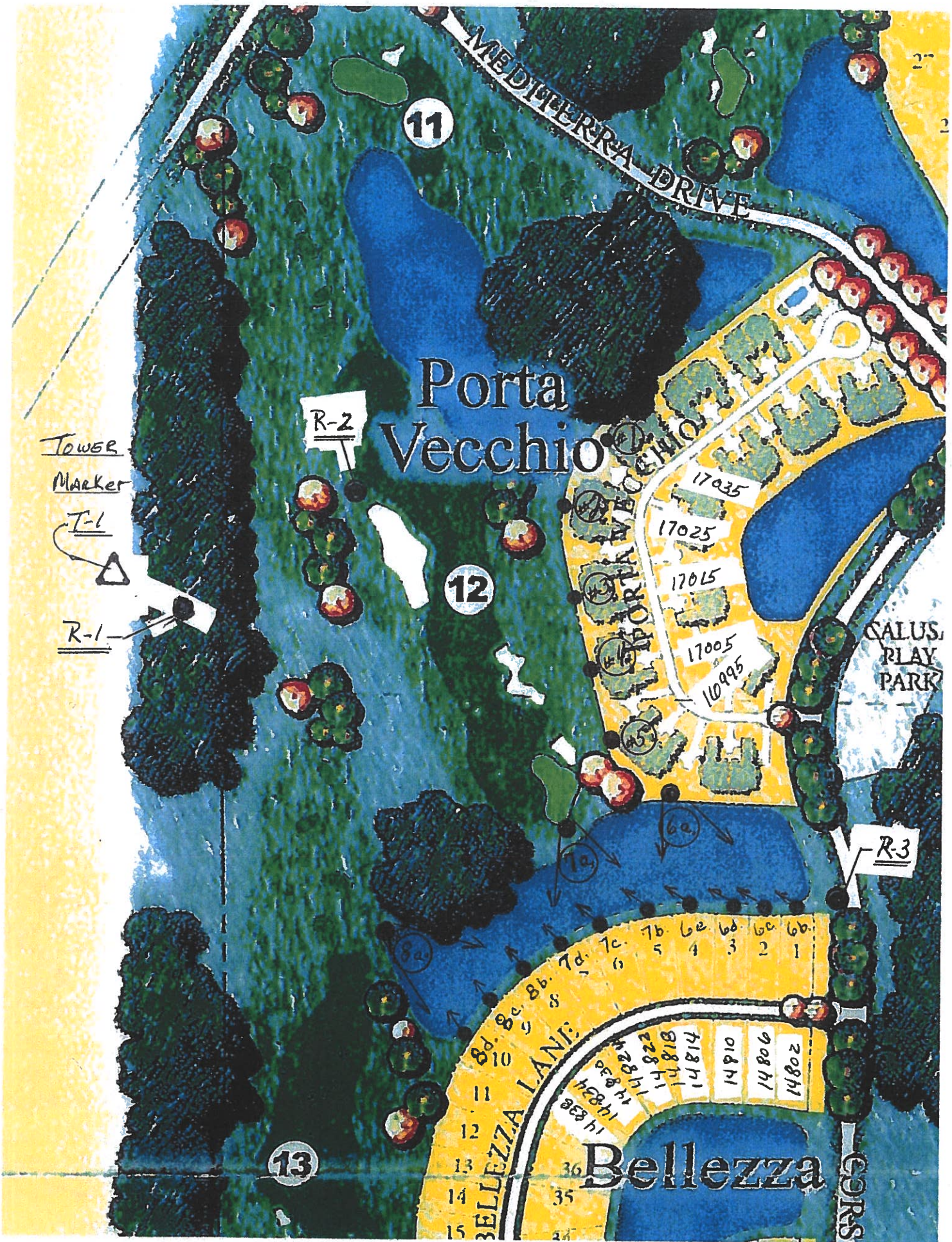
- 6a. Building photos / exposure side –Lots 1,2,3, & 4 Bellezza Lane.
- 6b. 14802 Bellezza Lane (Lot 1) – Visual Exposure. 50' marker is well below the tree line.
- 6c. 14806 Bellezza Lane (Lot 2) – Visual Exposure. 50' marker is well below the tree line.
- 6d. 14810 Bellezza Lane (Lot 3) – Visual Exposure. 50' marker is well below the tree line.
- 6E. 14814 Bellezza Lane (Lot 4) – Visual Exposure. 50' marker is well below the tree line.

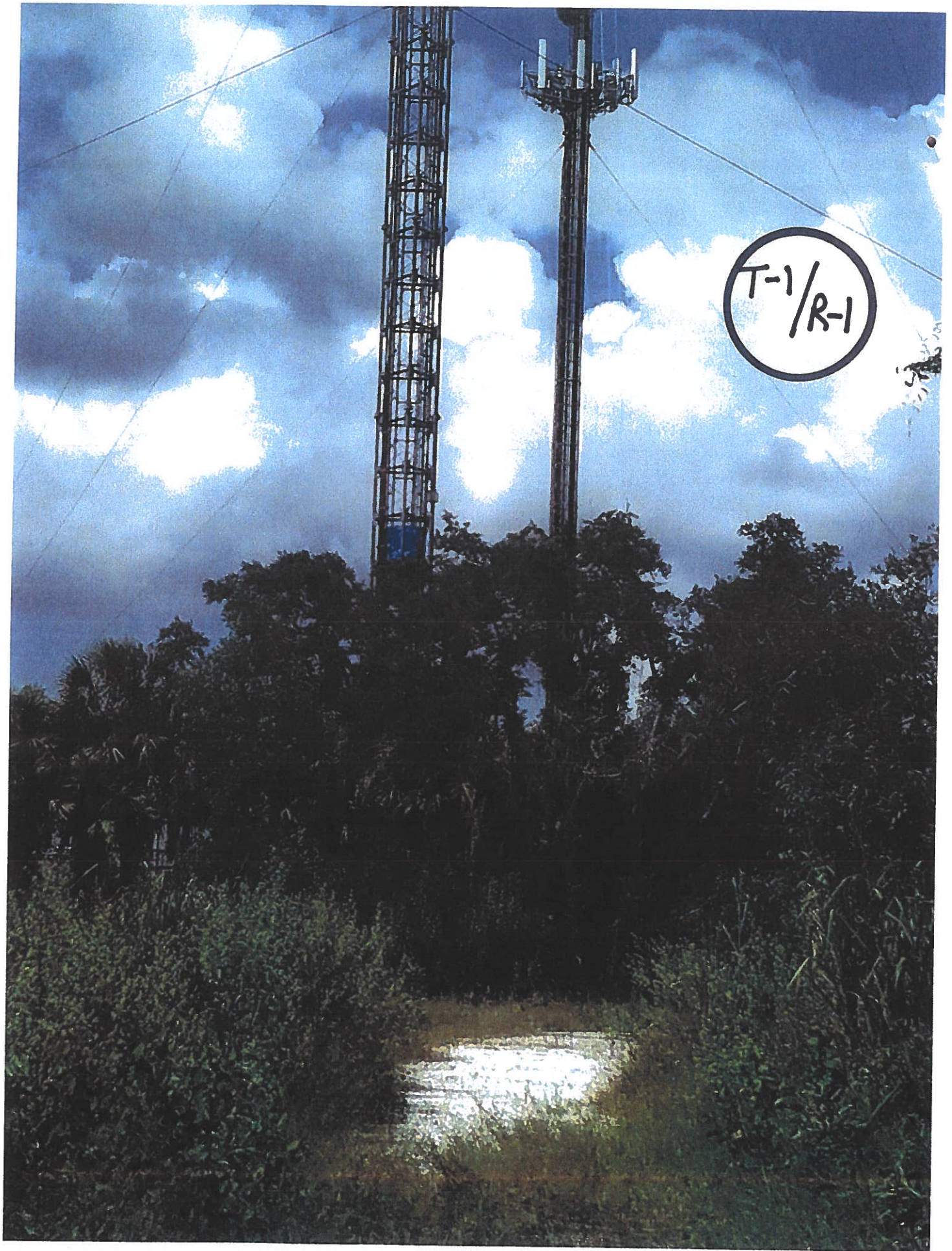
- 7a. Building photos / exposure side –Lots 5, 6, & 7 Bellezza Lane.
- 7b. 14818 Bellezza Lane (Lot 5) – Visual Exposure. 50' marker is well below the tree line.
- 7c. 14822 Bellezza Lane (Lot 6) – Visual Exposure. 50' marker is well below the tree line.
- 7d. 14824 Bellezza Lane (Lot 7) – Visual Exposure. 50' marker is well below the tree line.

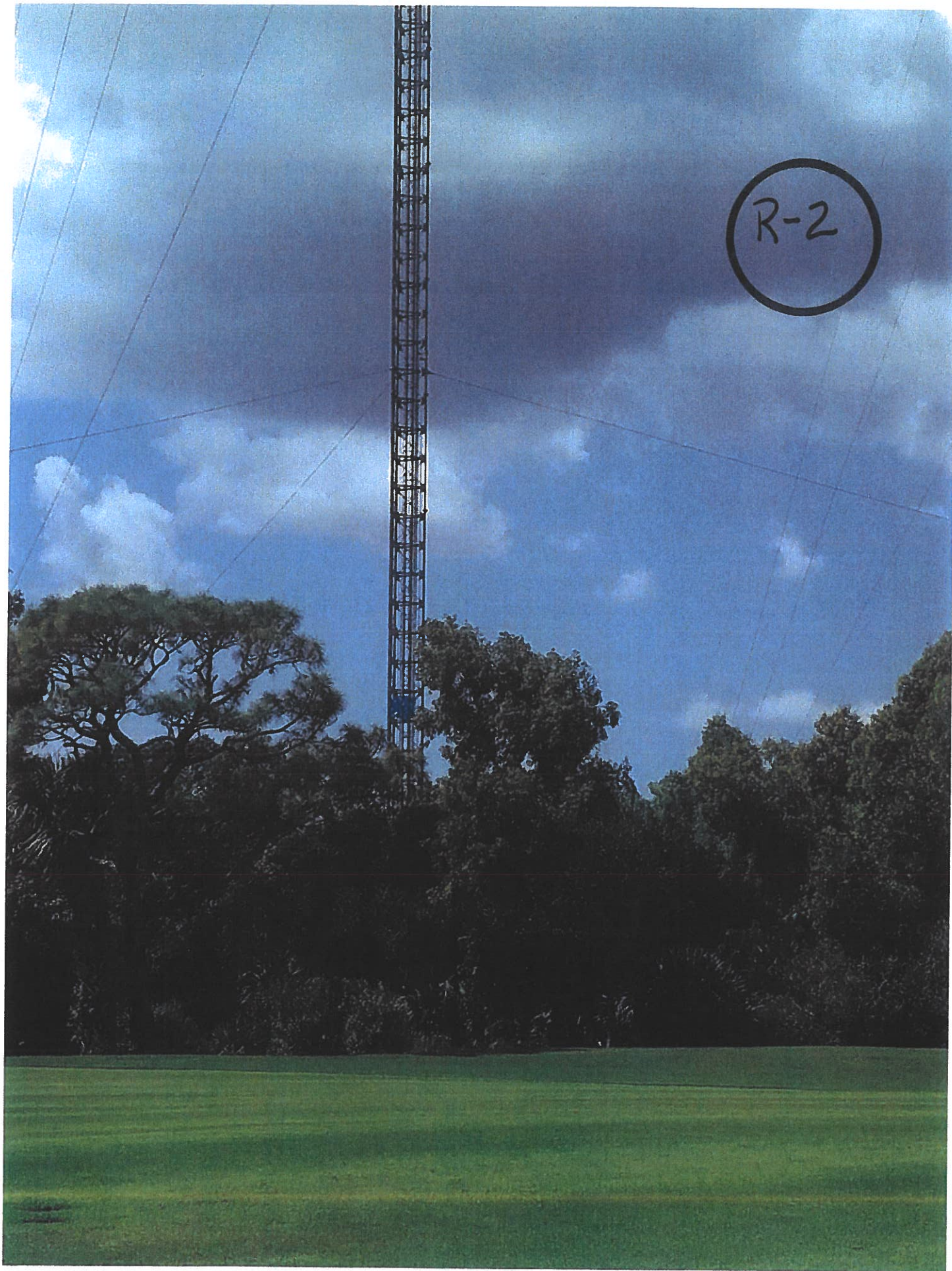
- 8a. Building photos / exposure side –Lots 5, 6, & 7 Bellezza Lane.
- 8b. 14830 Bellezza Lane (Lot 8) – Visual Exposure. 50' marker is well below the tree line.
- 8c. 14834 Bellezza Lane (Lot 9) – Visual Exposure. 50' marker is well below the tree line.
- 8d. 14838 Bellezza Lane (Lot 10) – Visual Exposure. 50' marker is well below the tree line.

Notes:

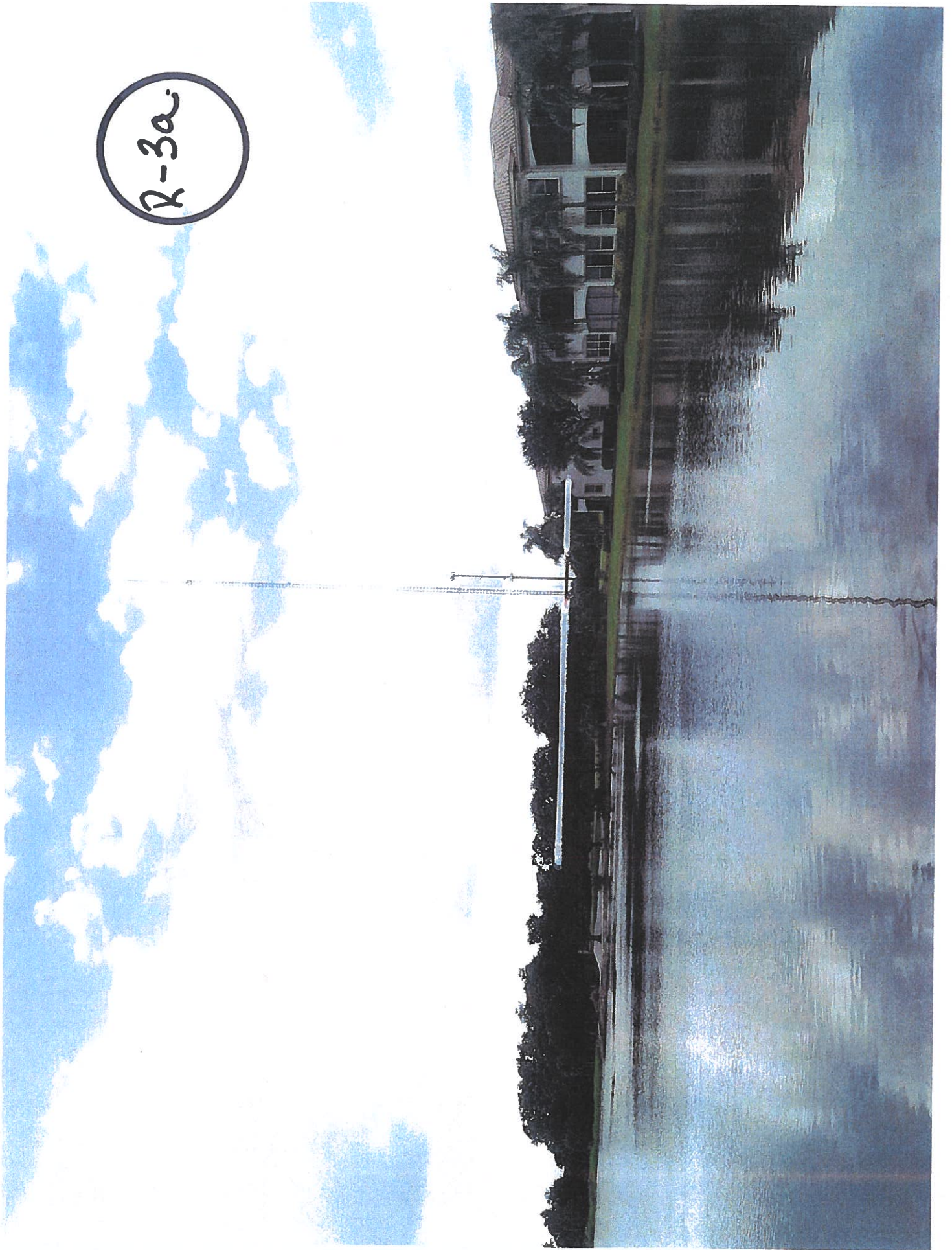
1. White line on visual exposure photos represents 50' building height elevation.
2. Visual exposure photos taken from approximately 1st floor elevation in standing position with Camera at eye level.



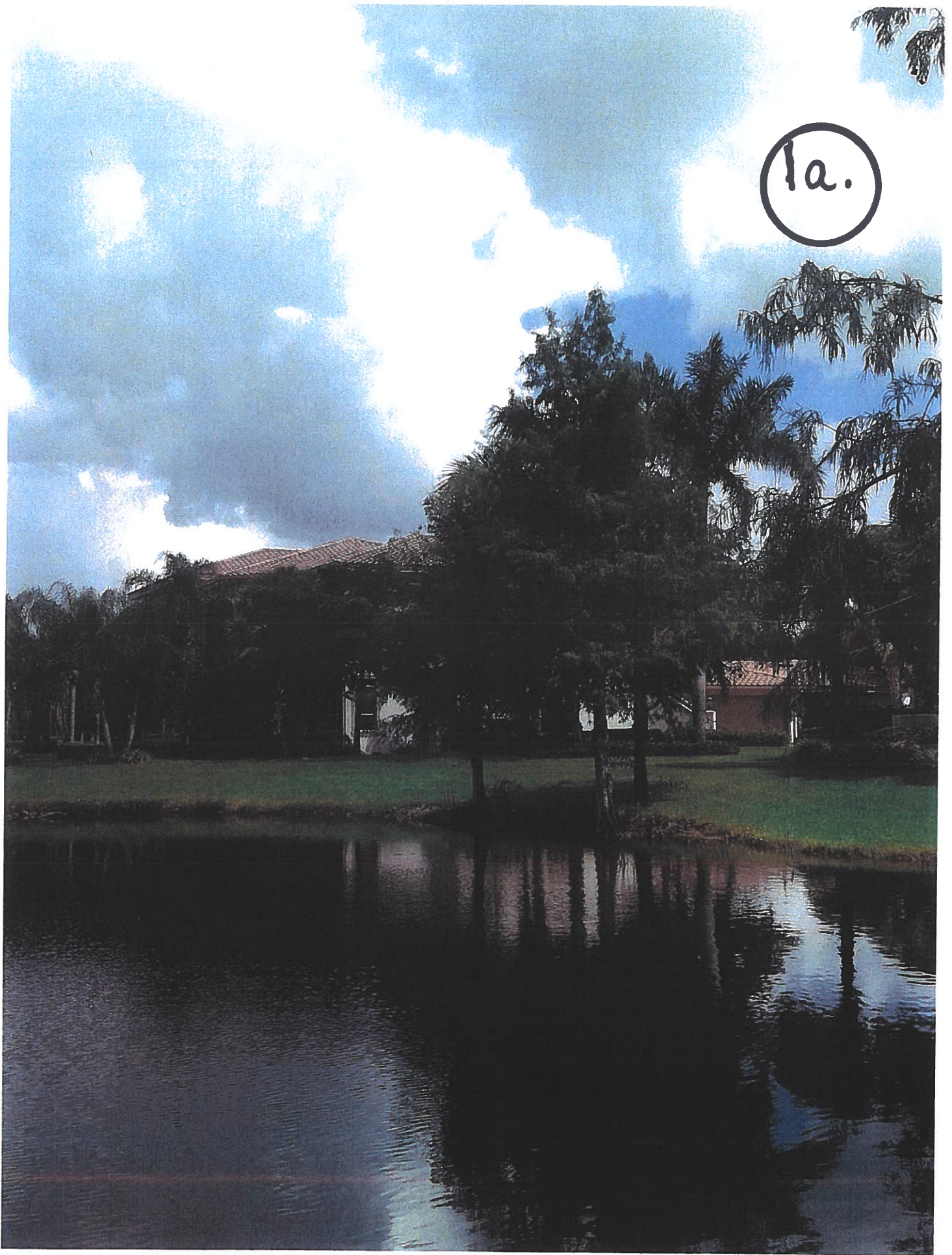


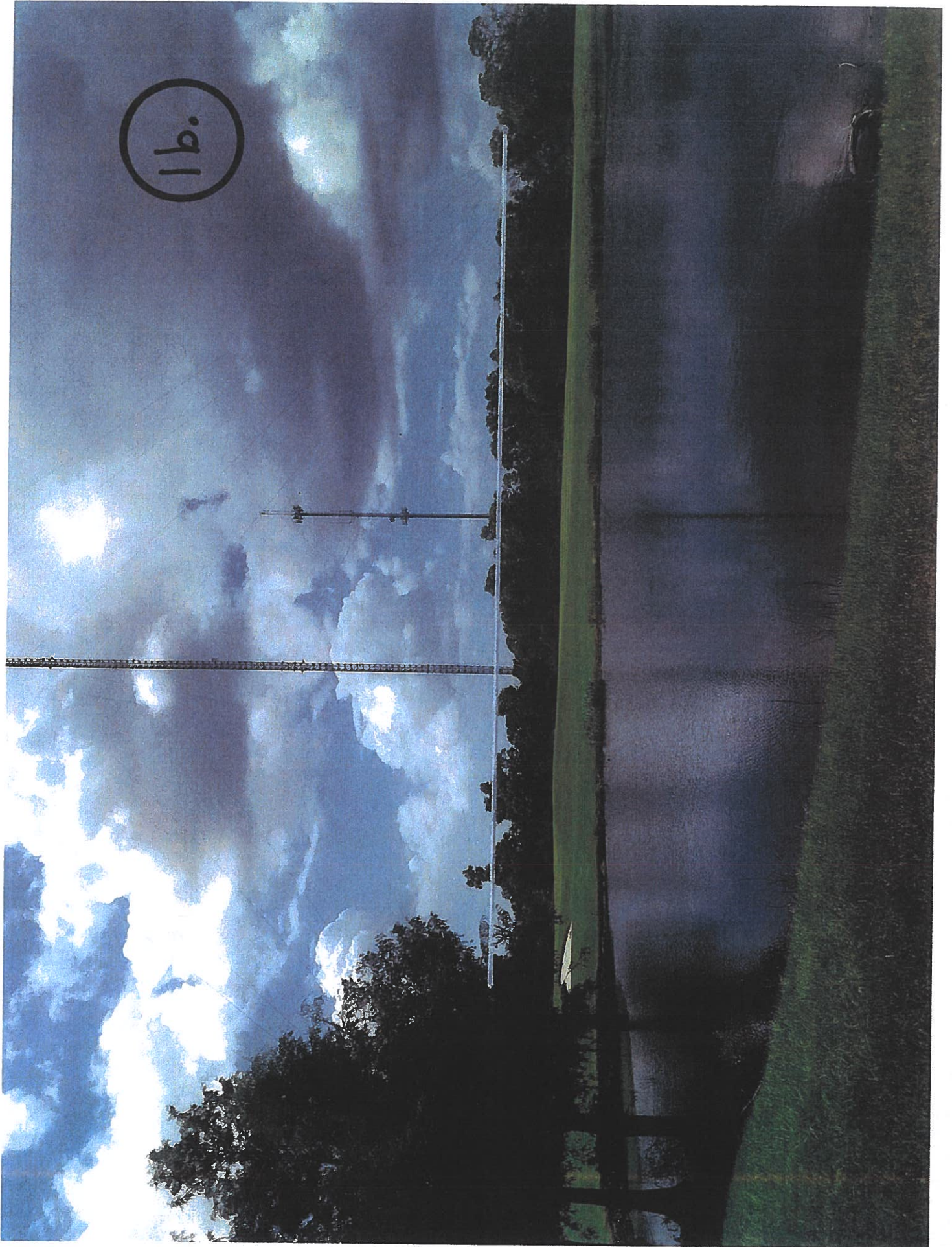


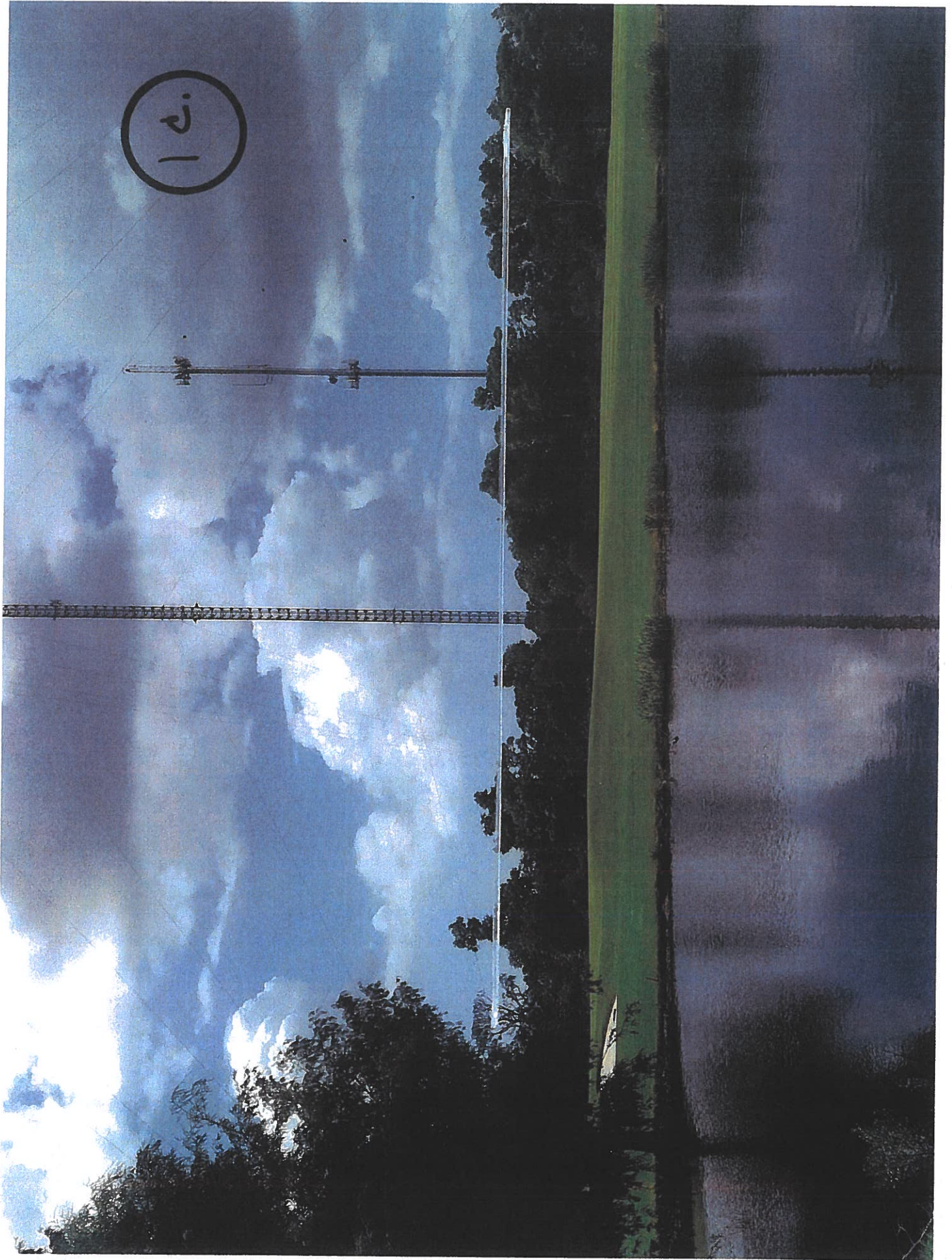
R-3a



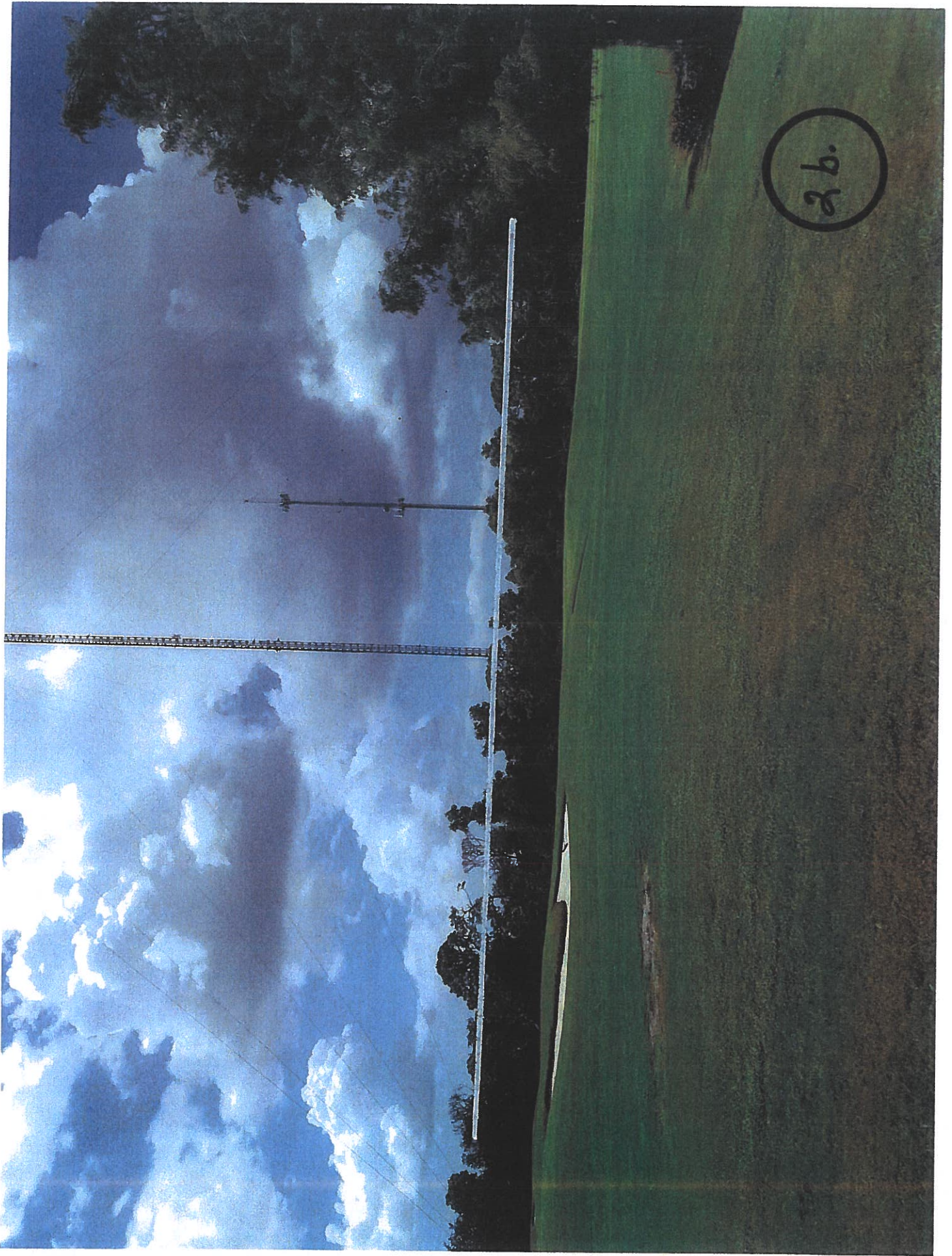


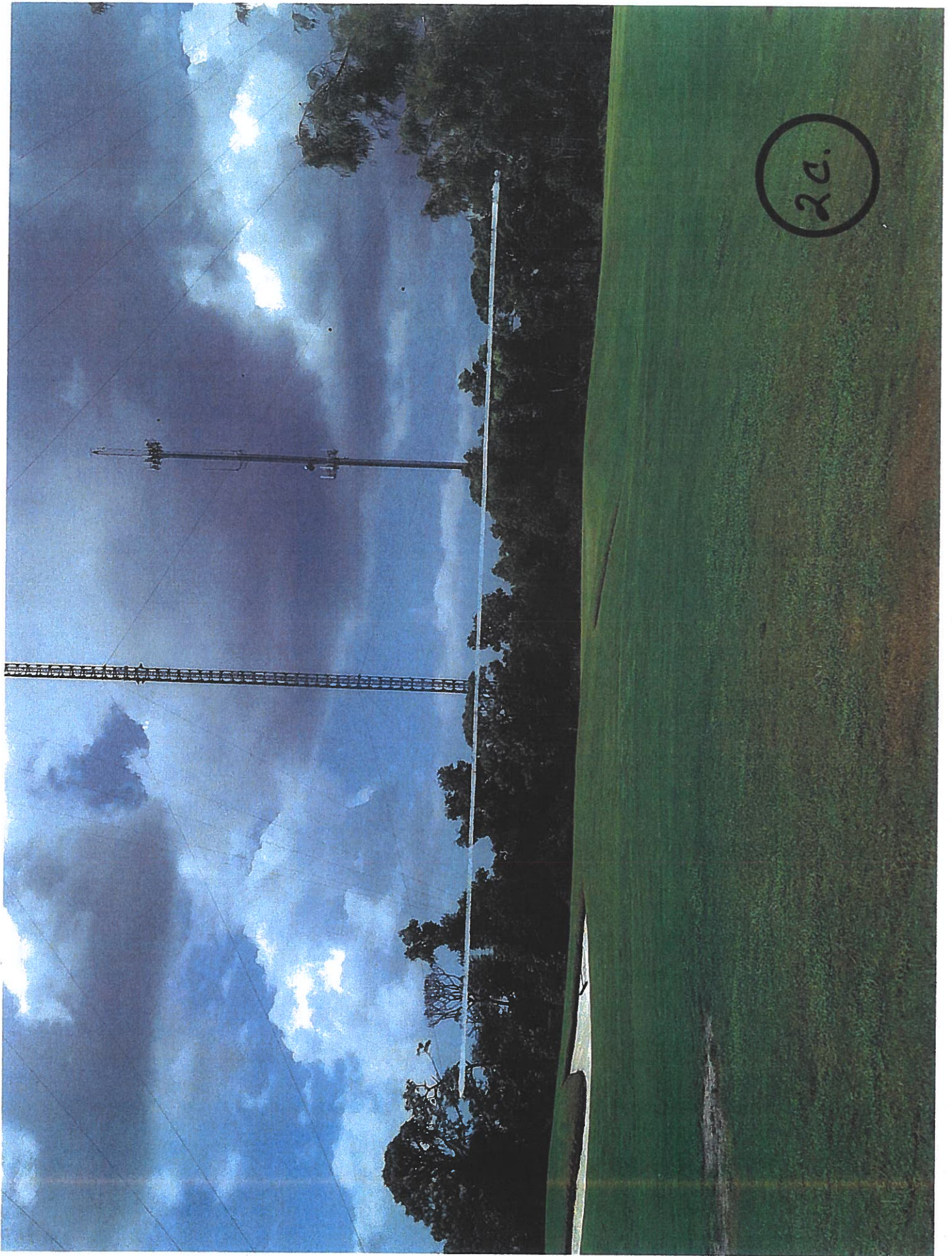


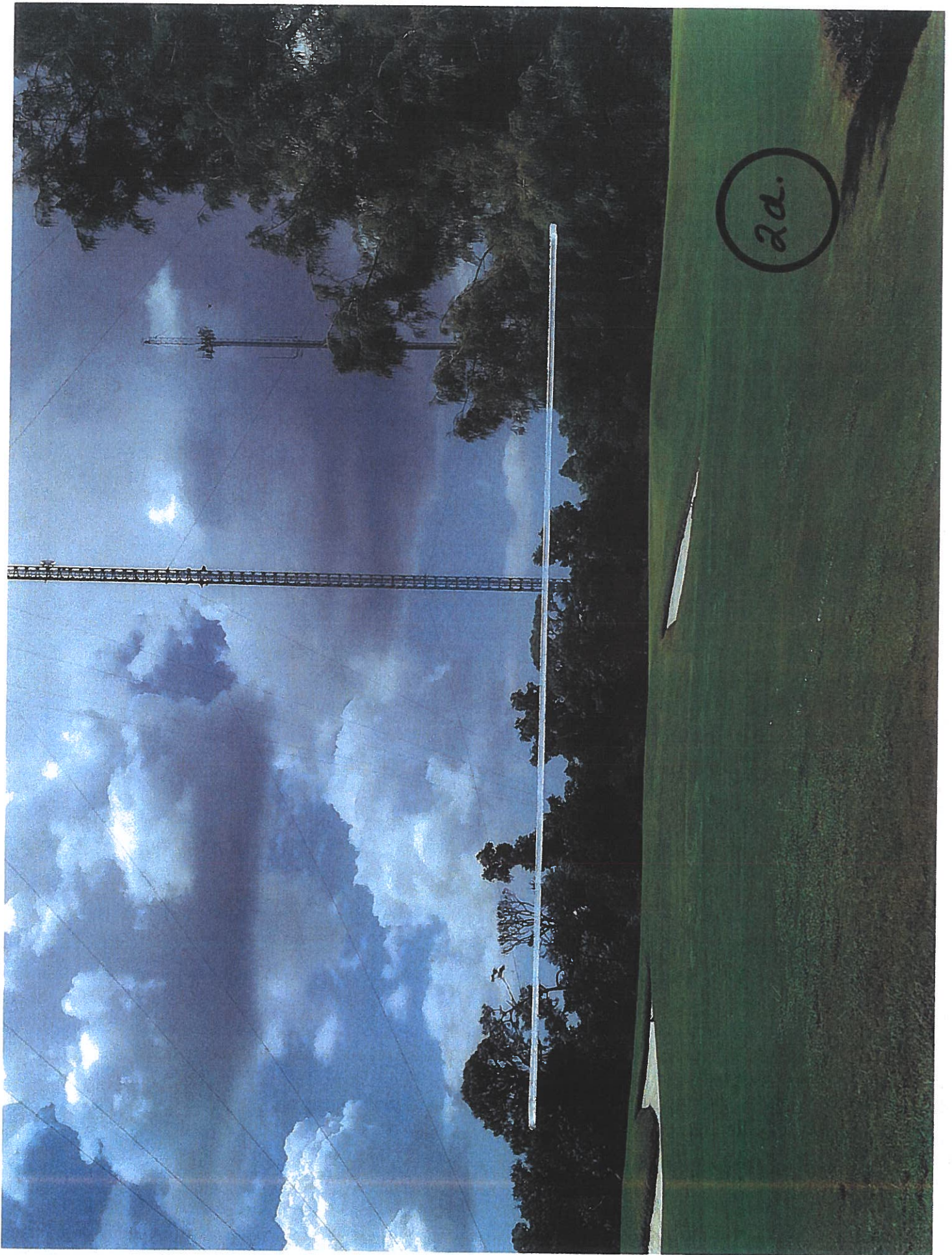


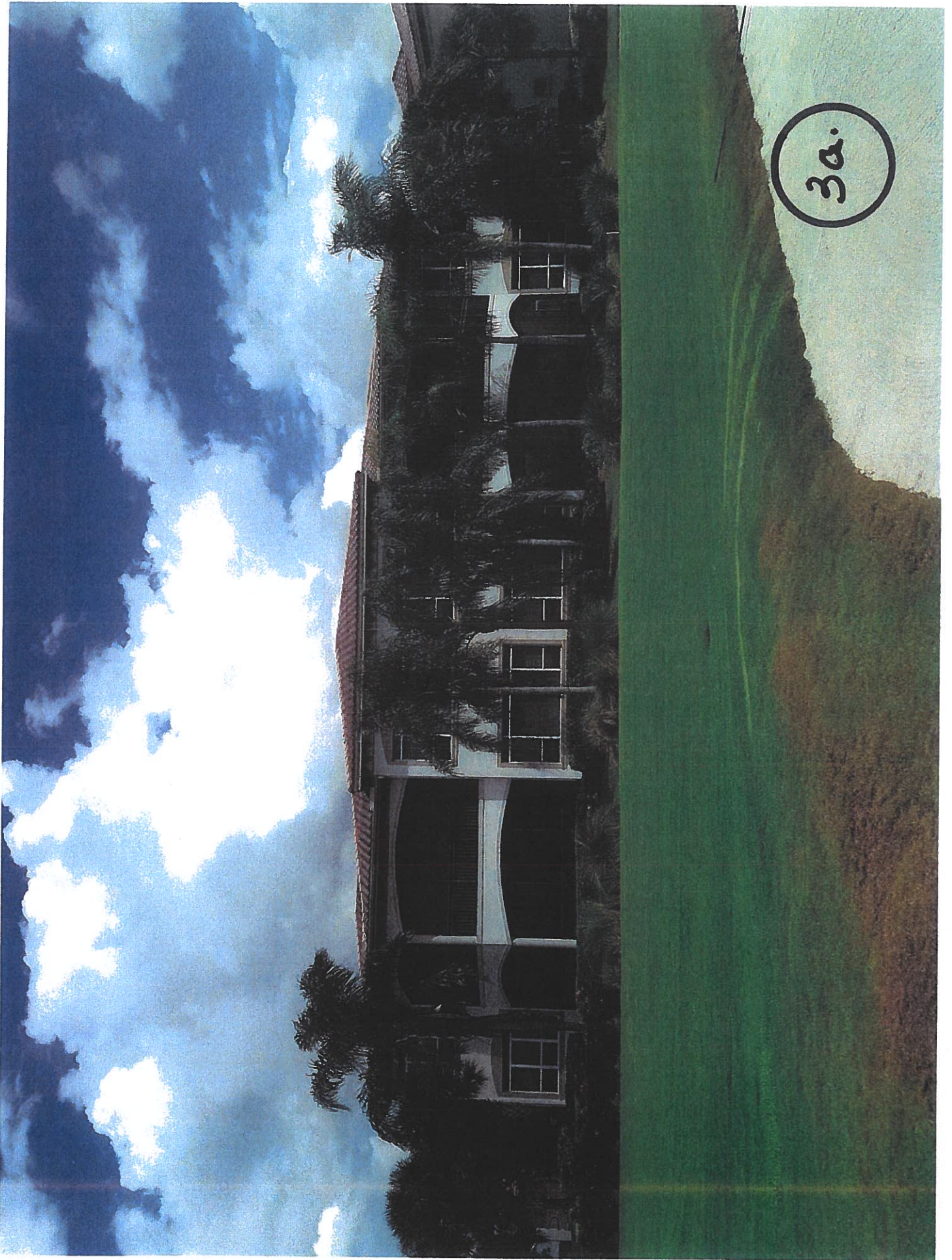




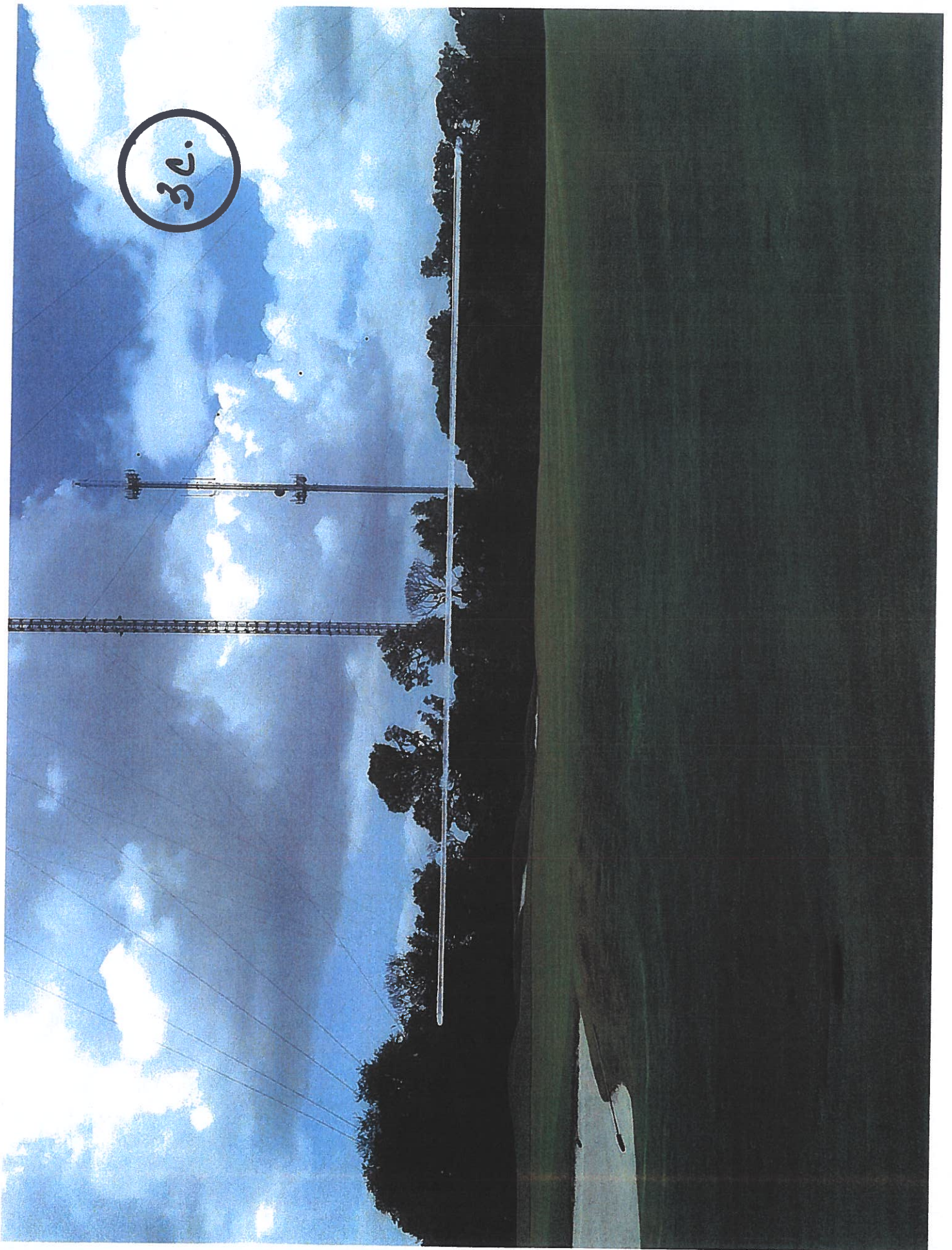


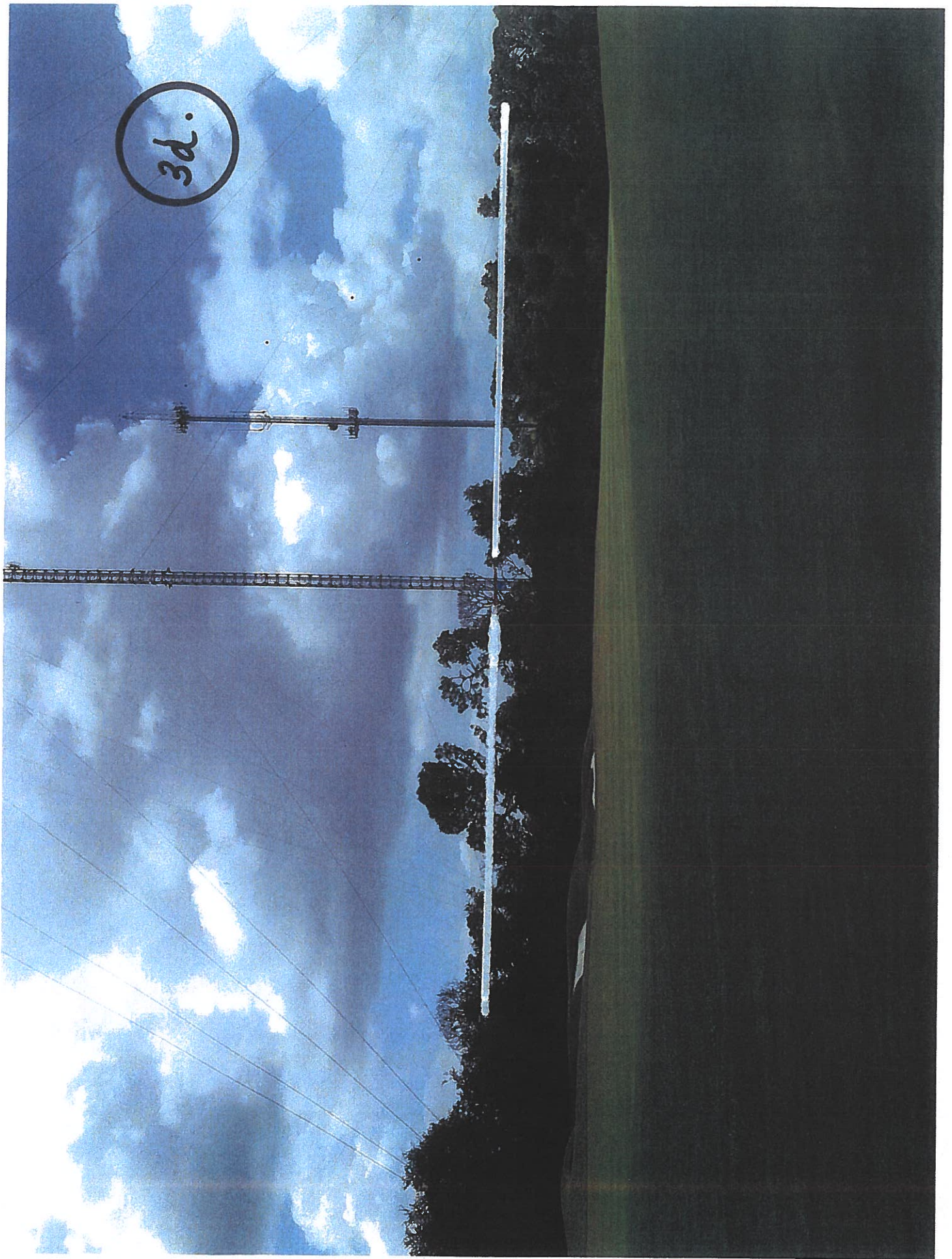


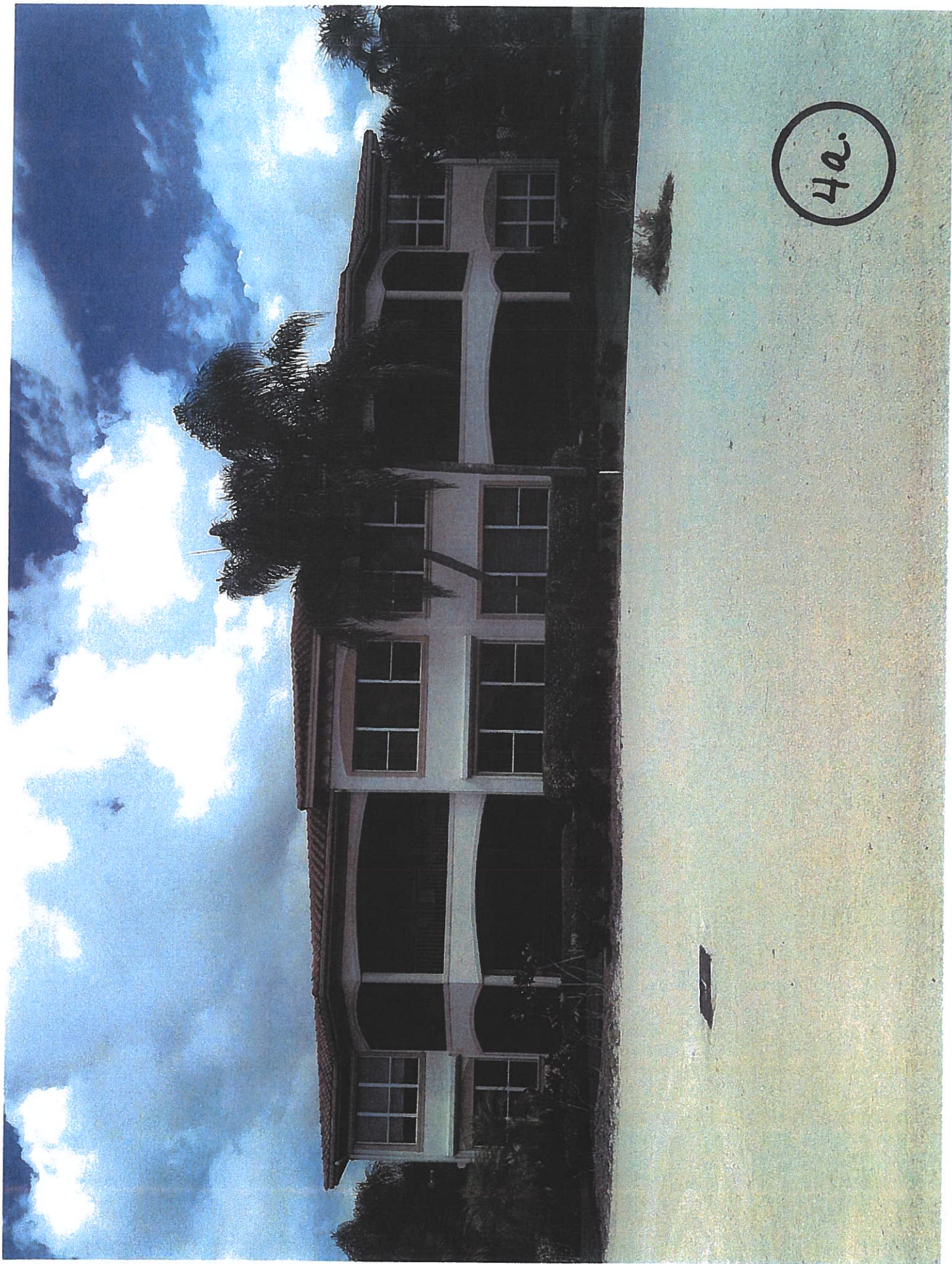


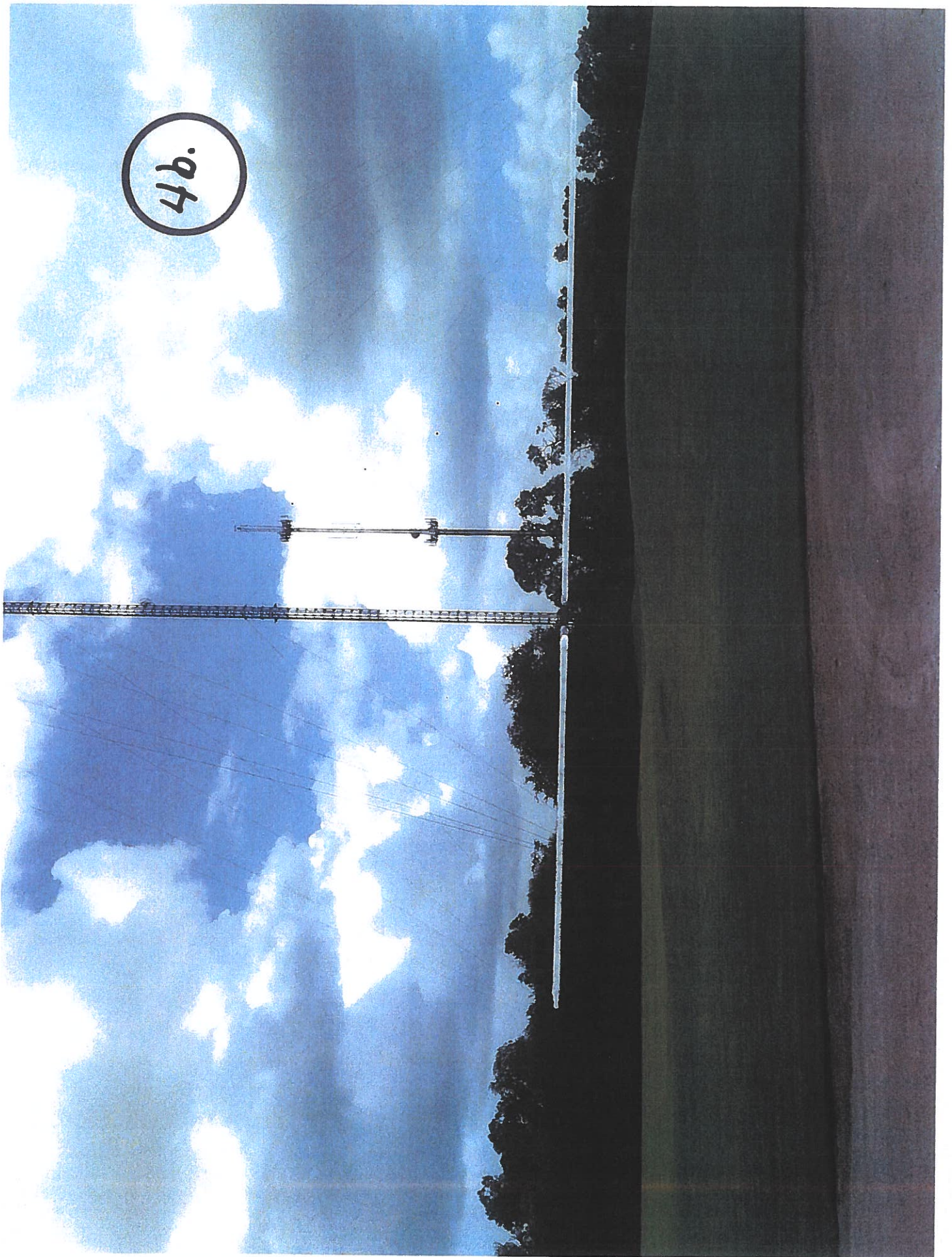




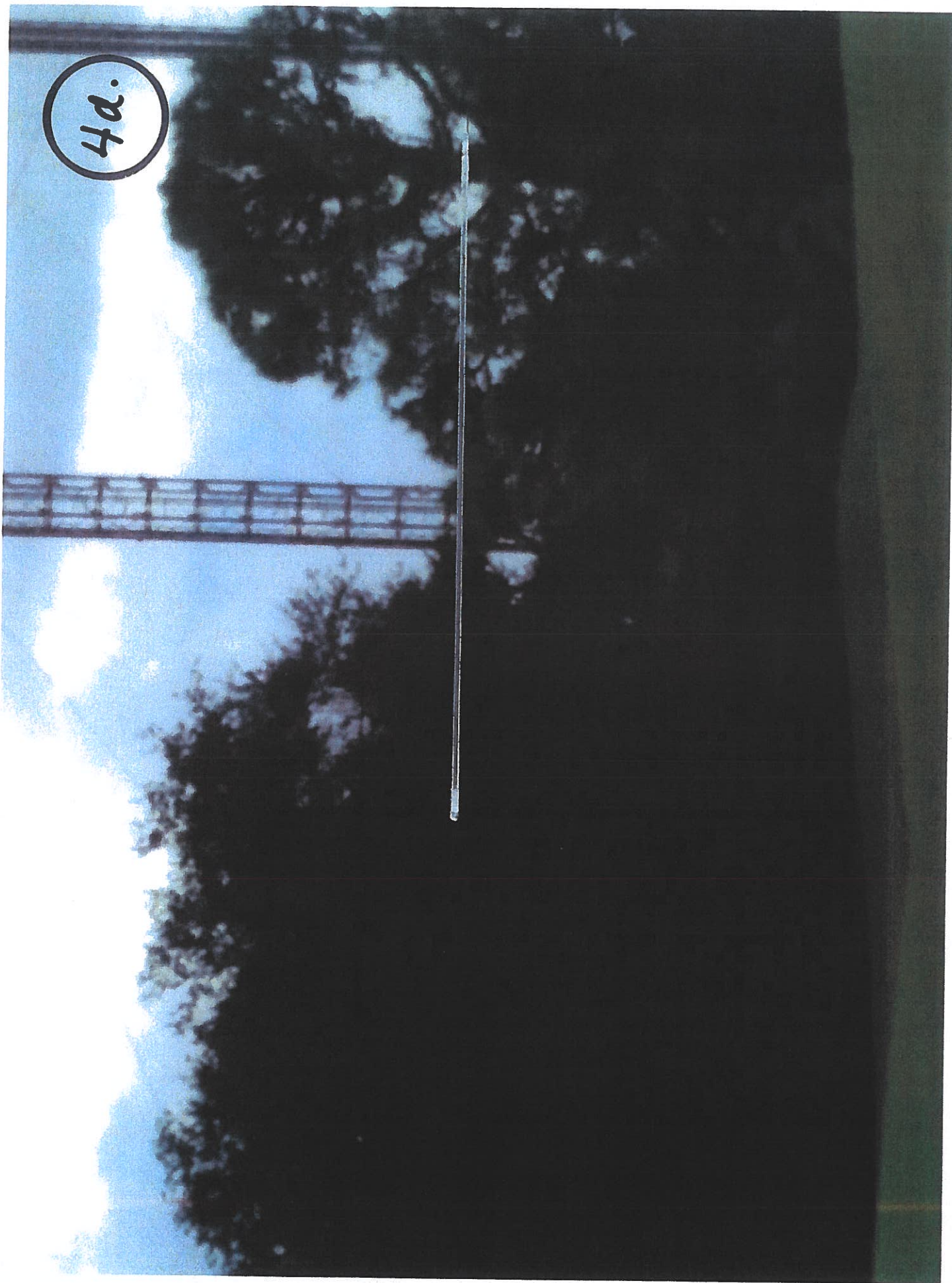


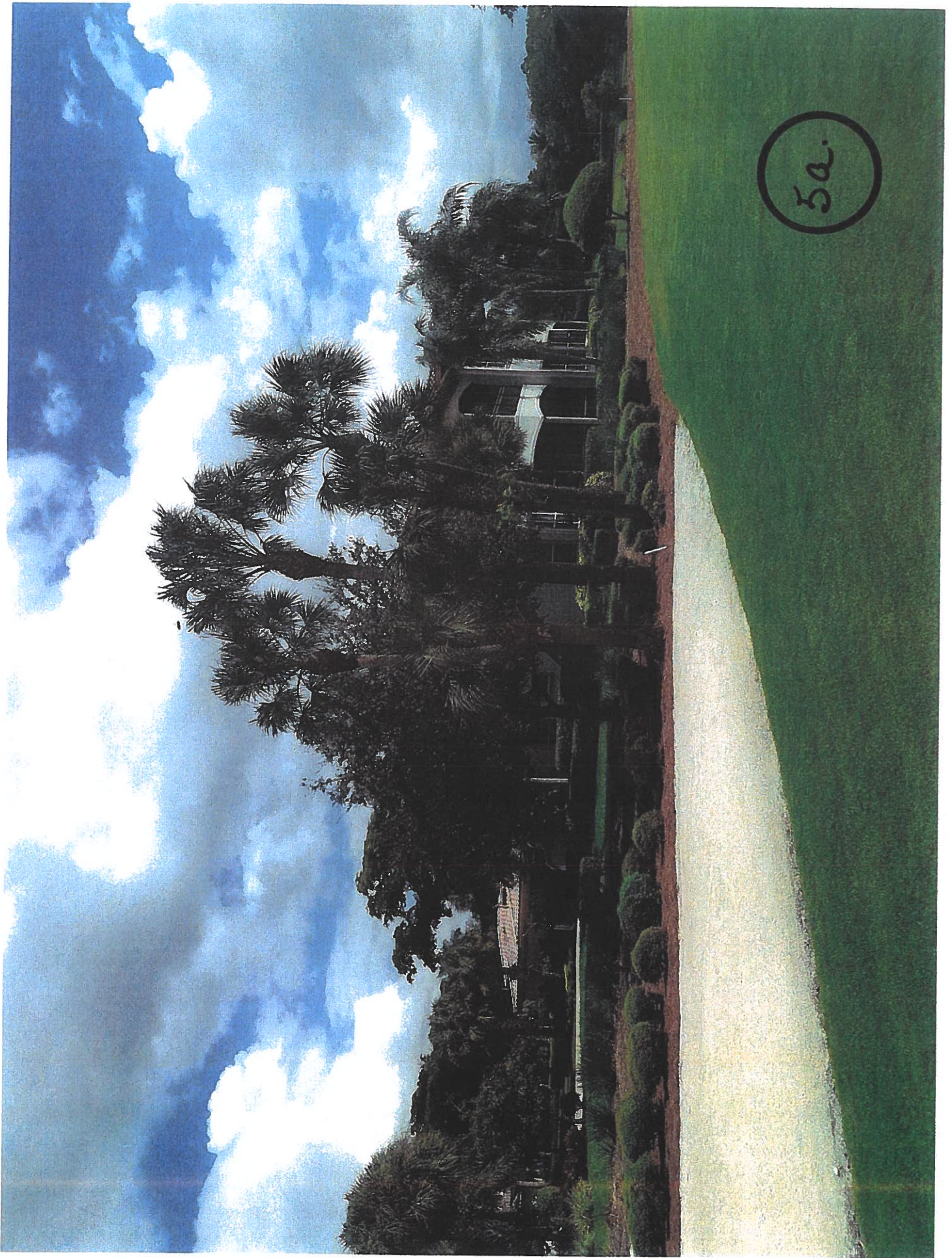


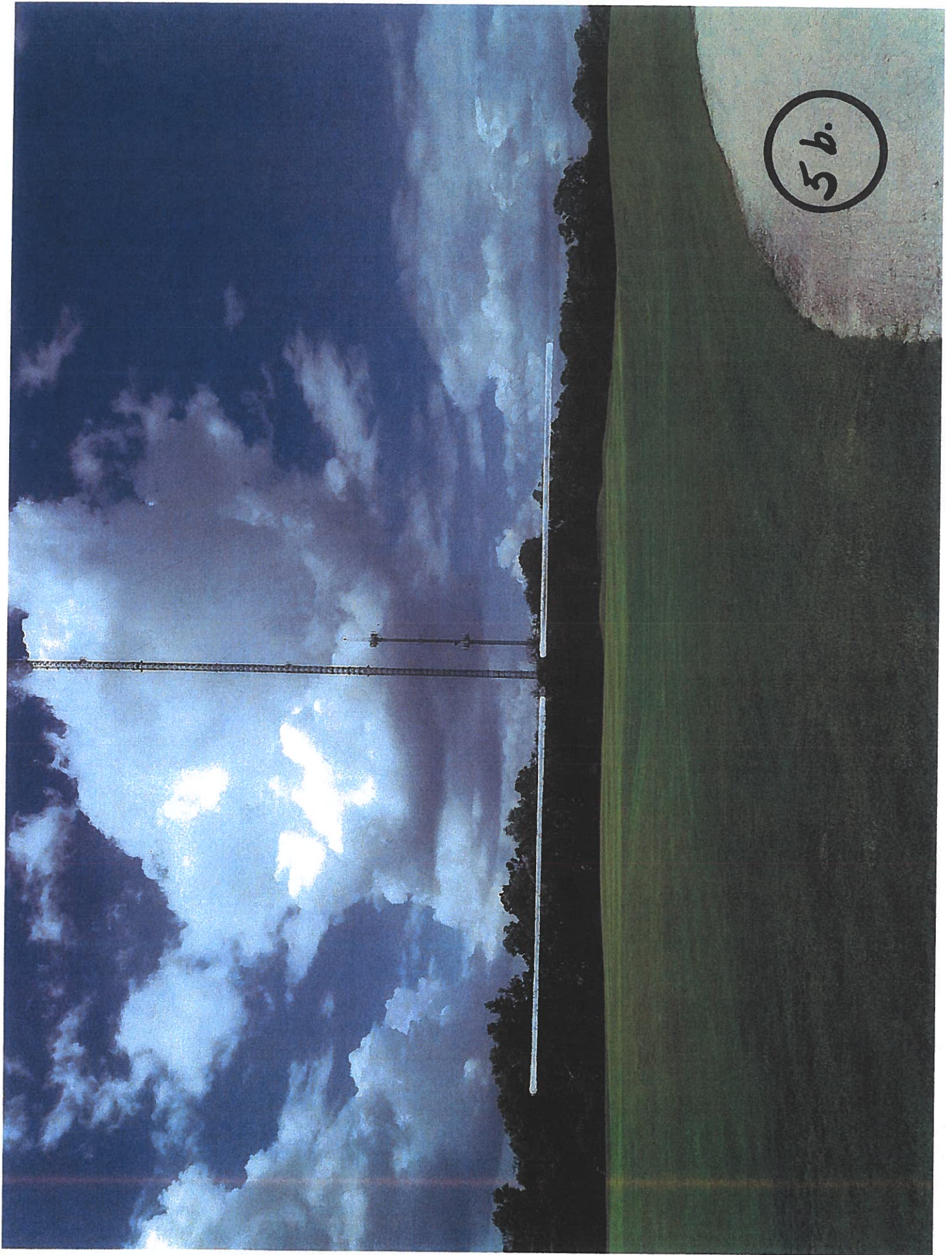




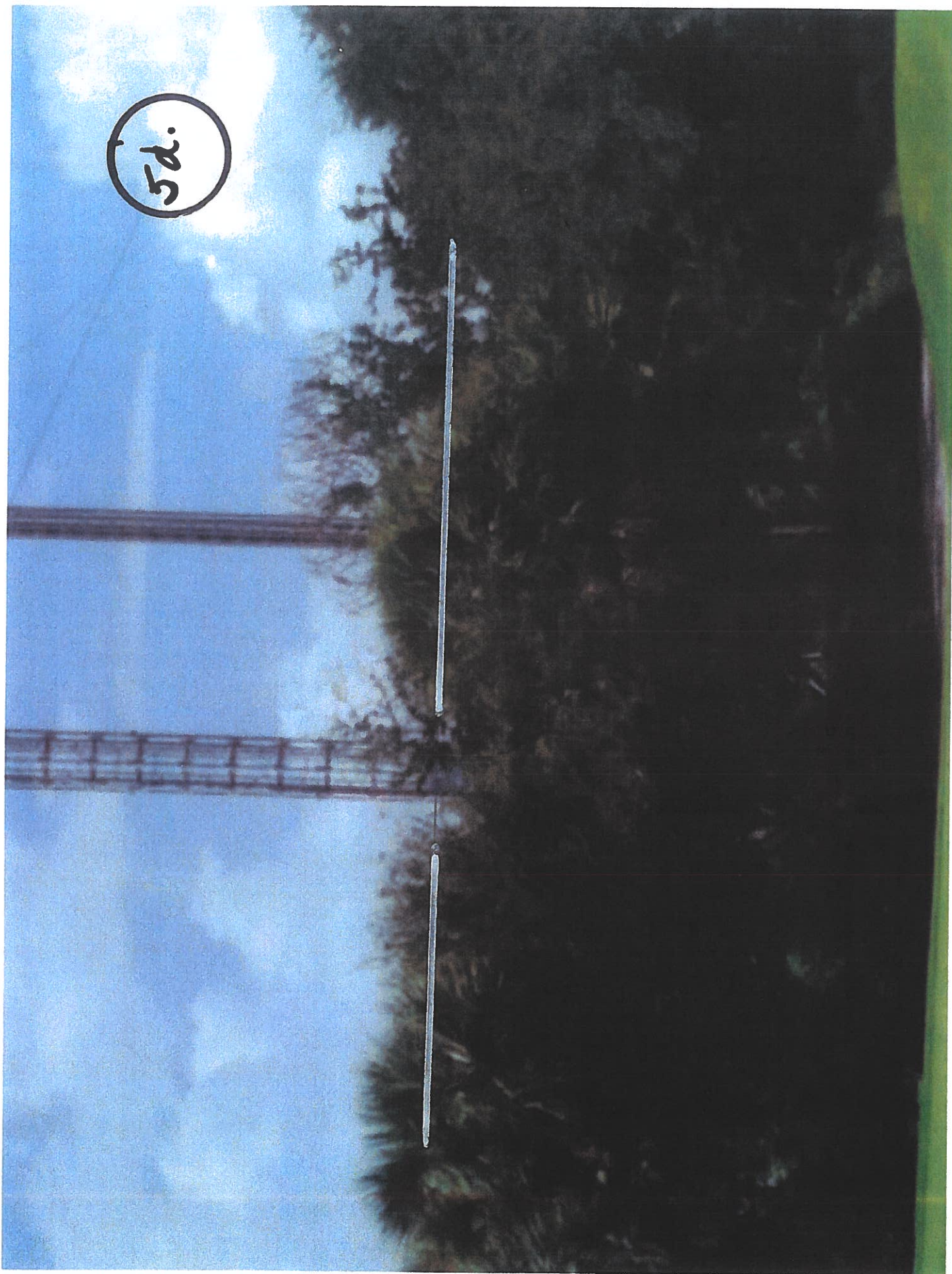




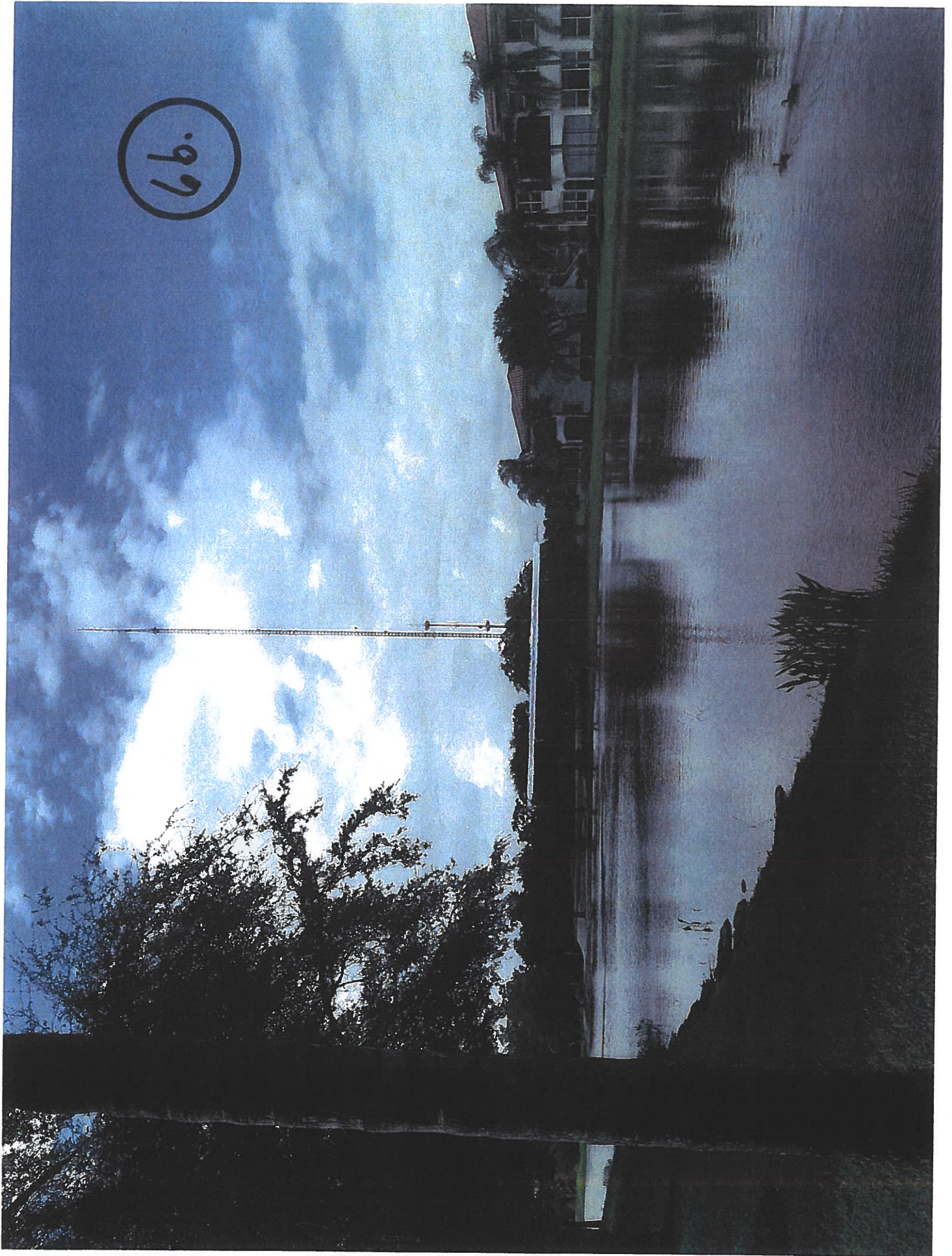


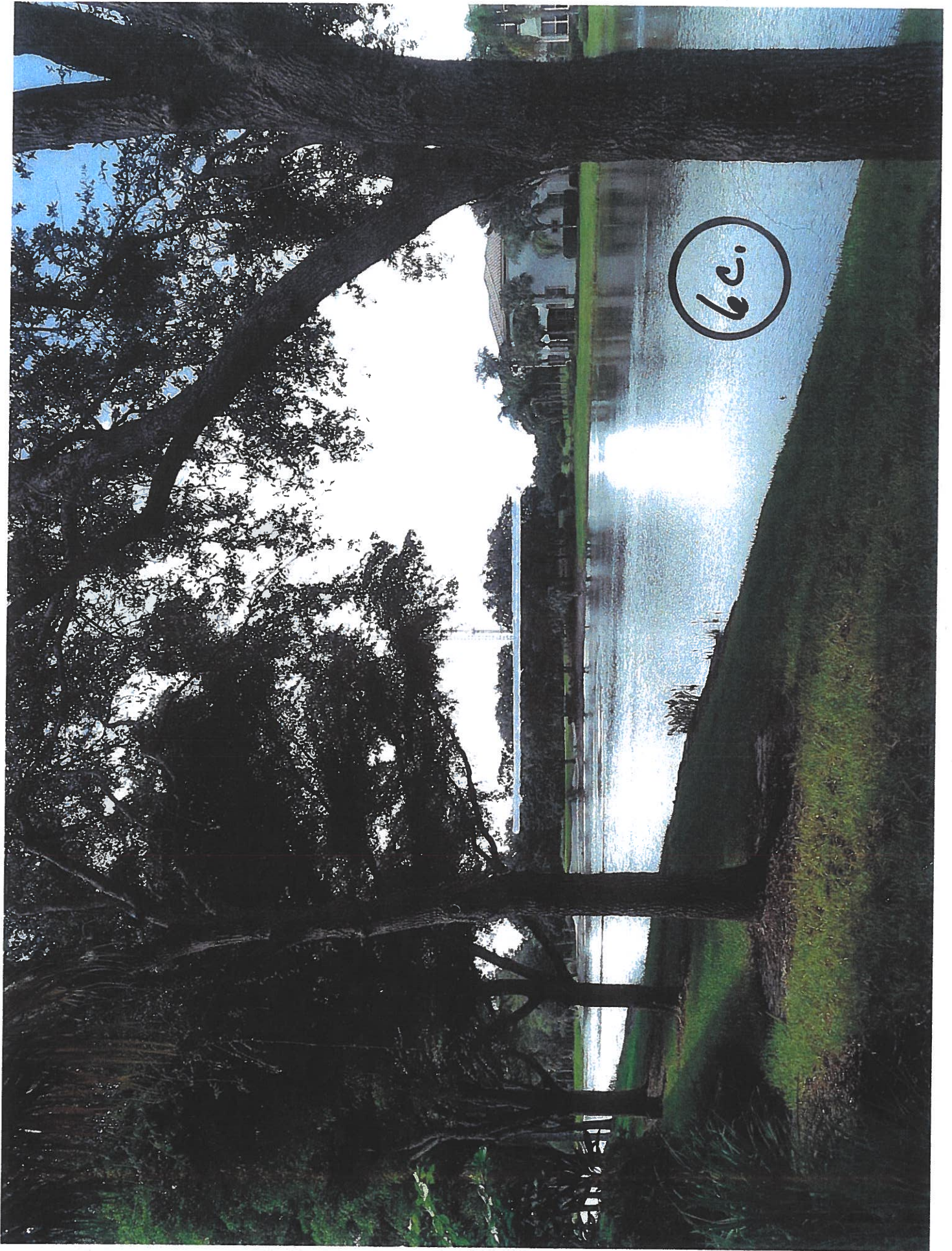




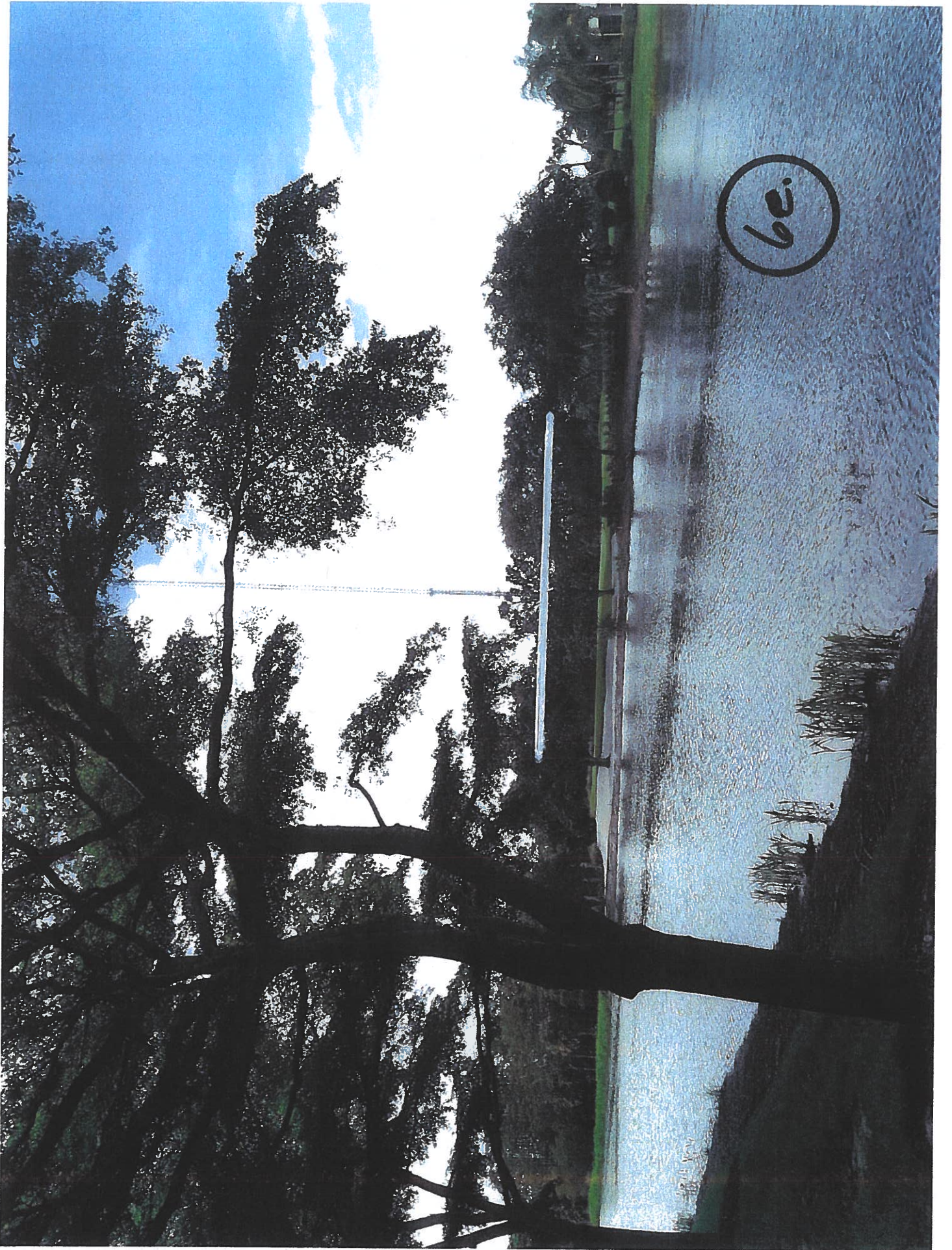


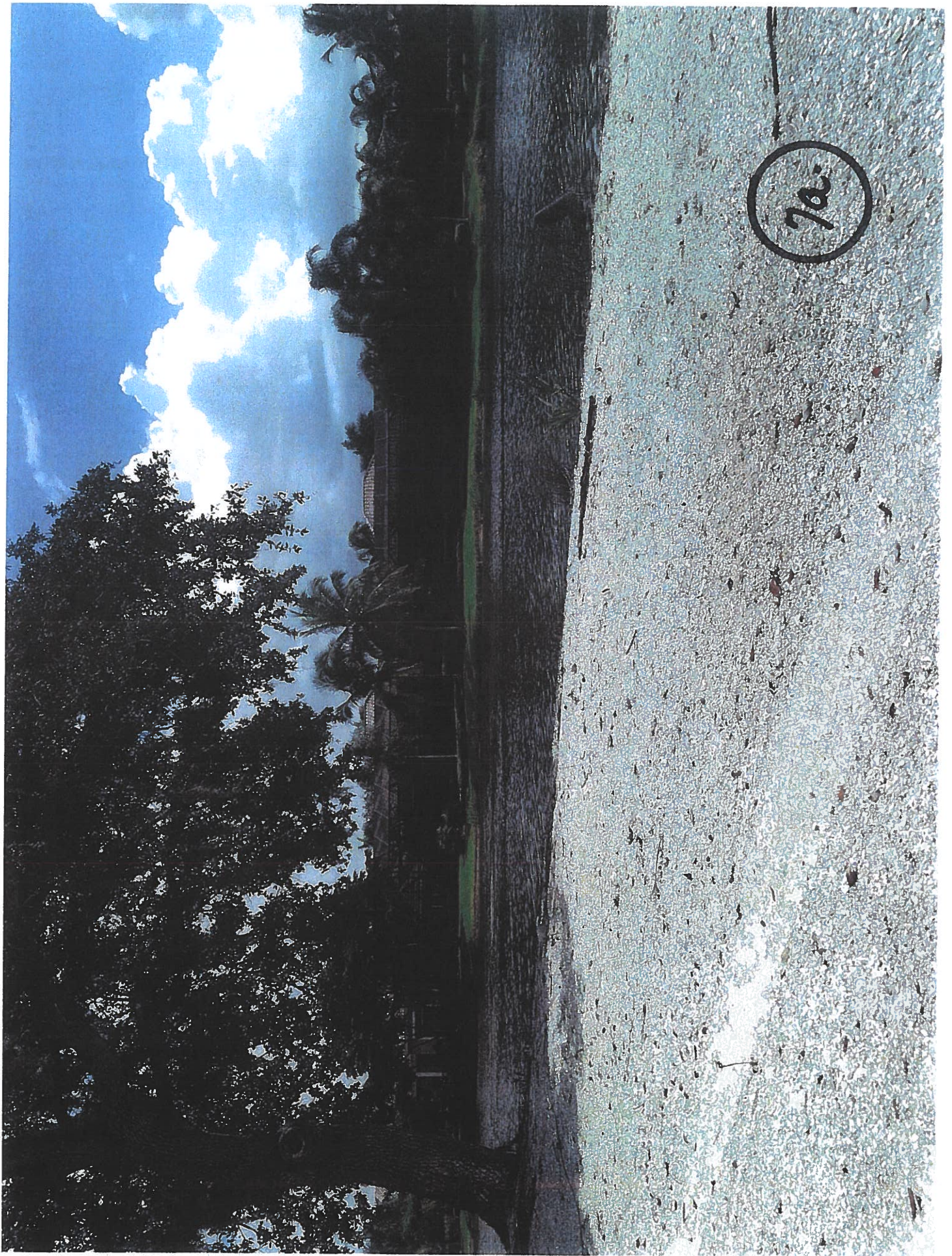


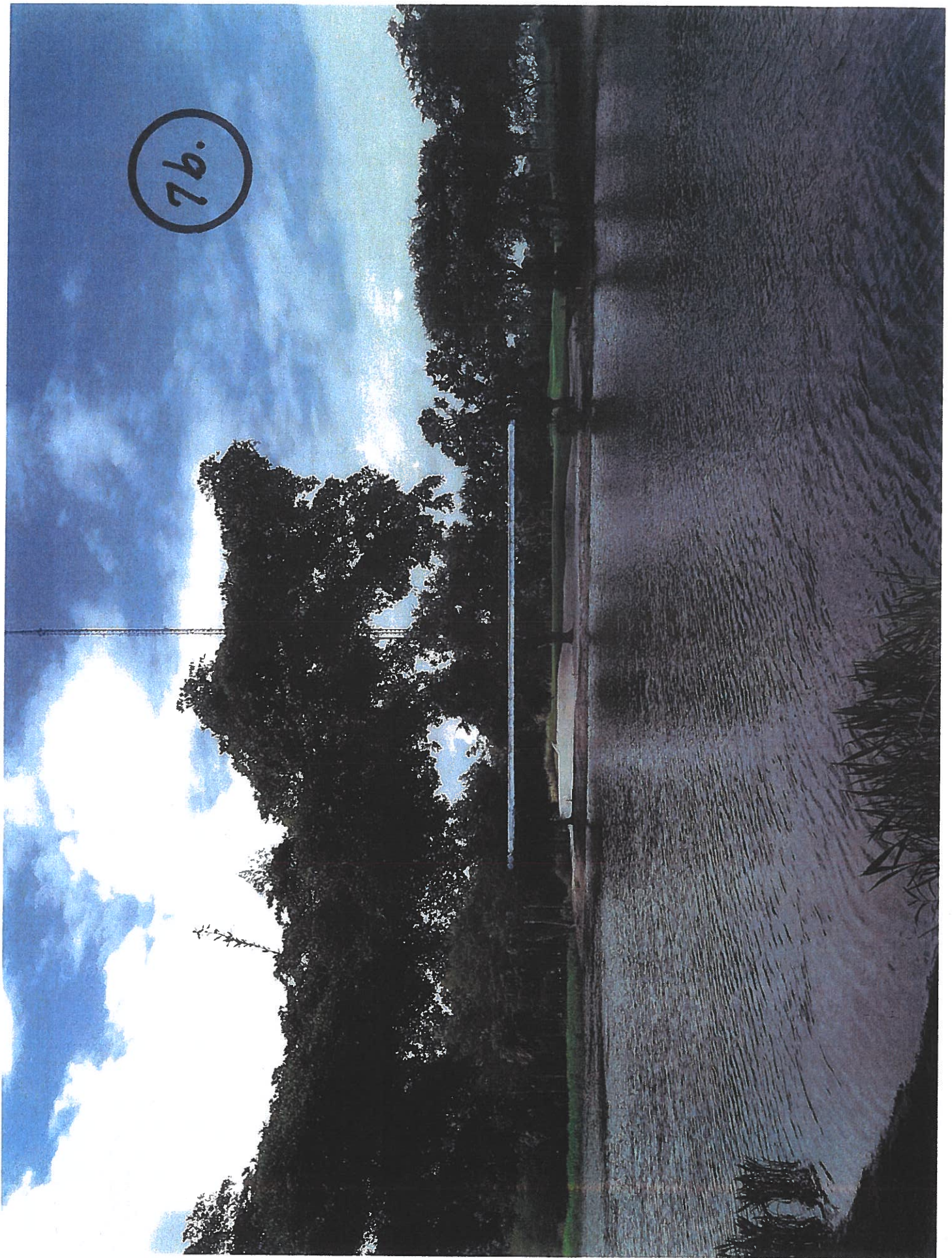


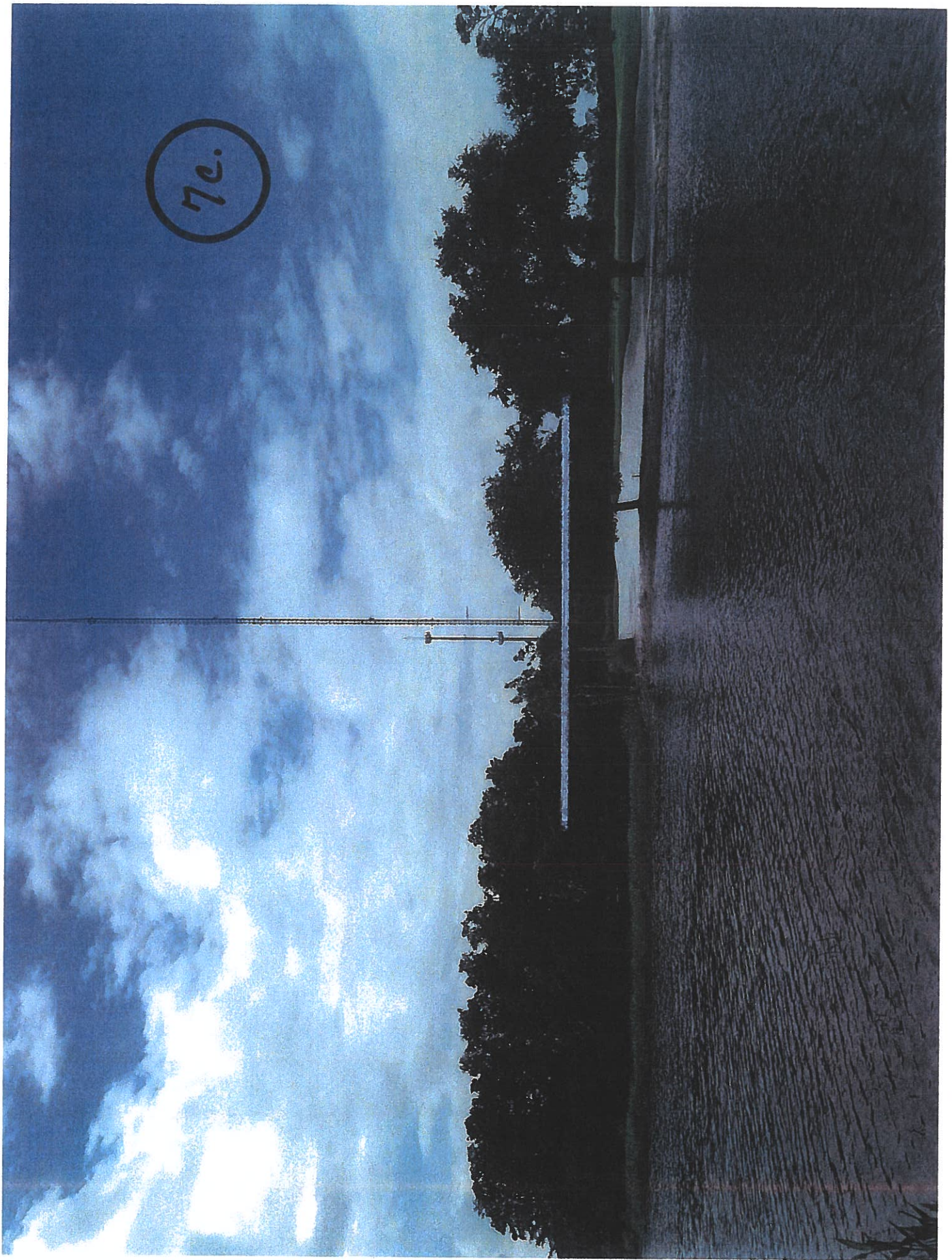


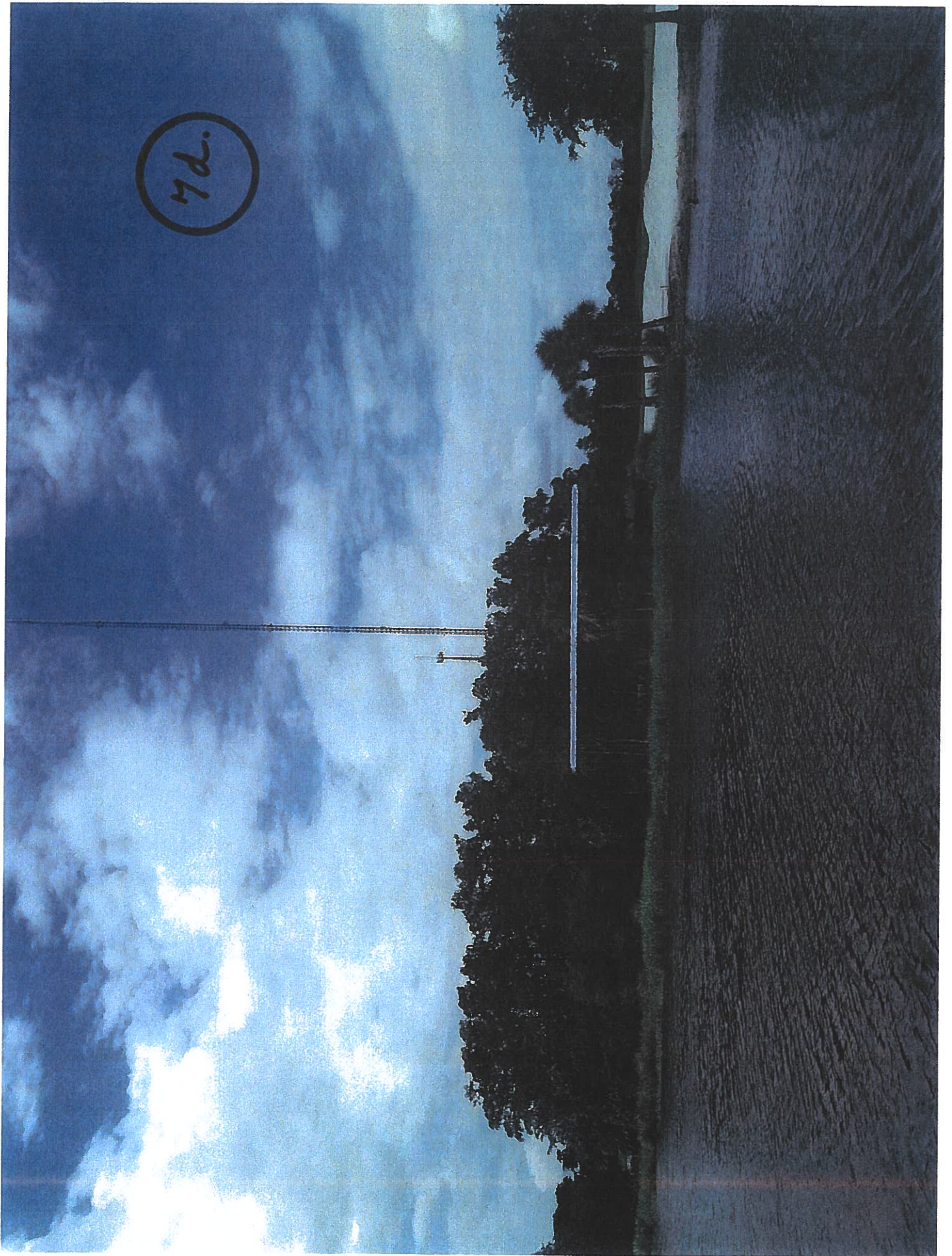


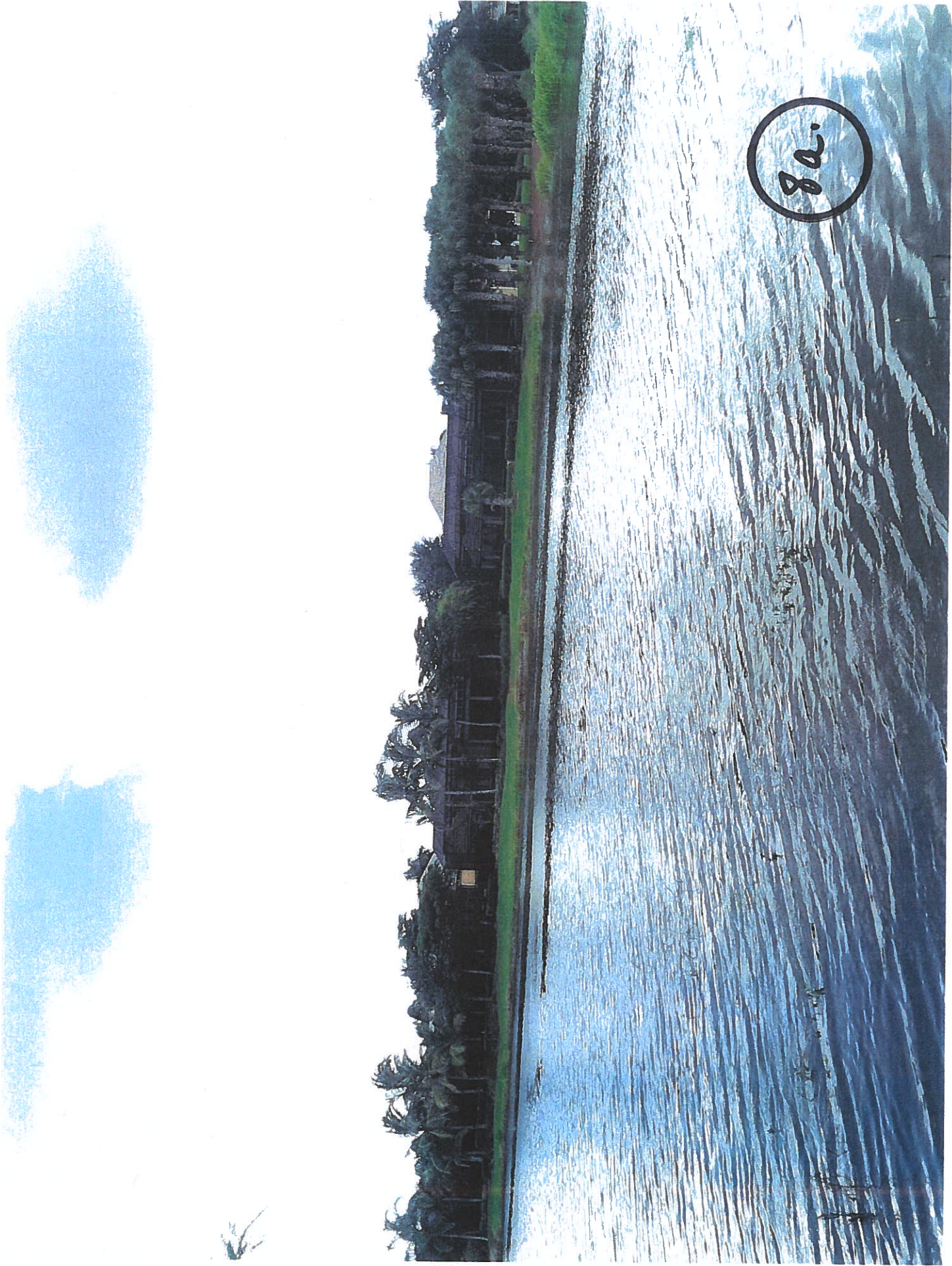


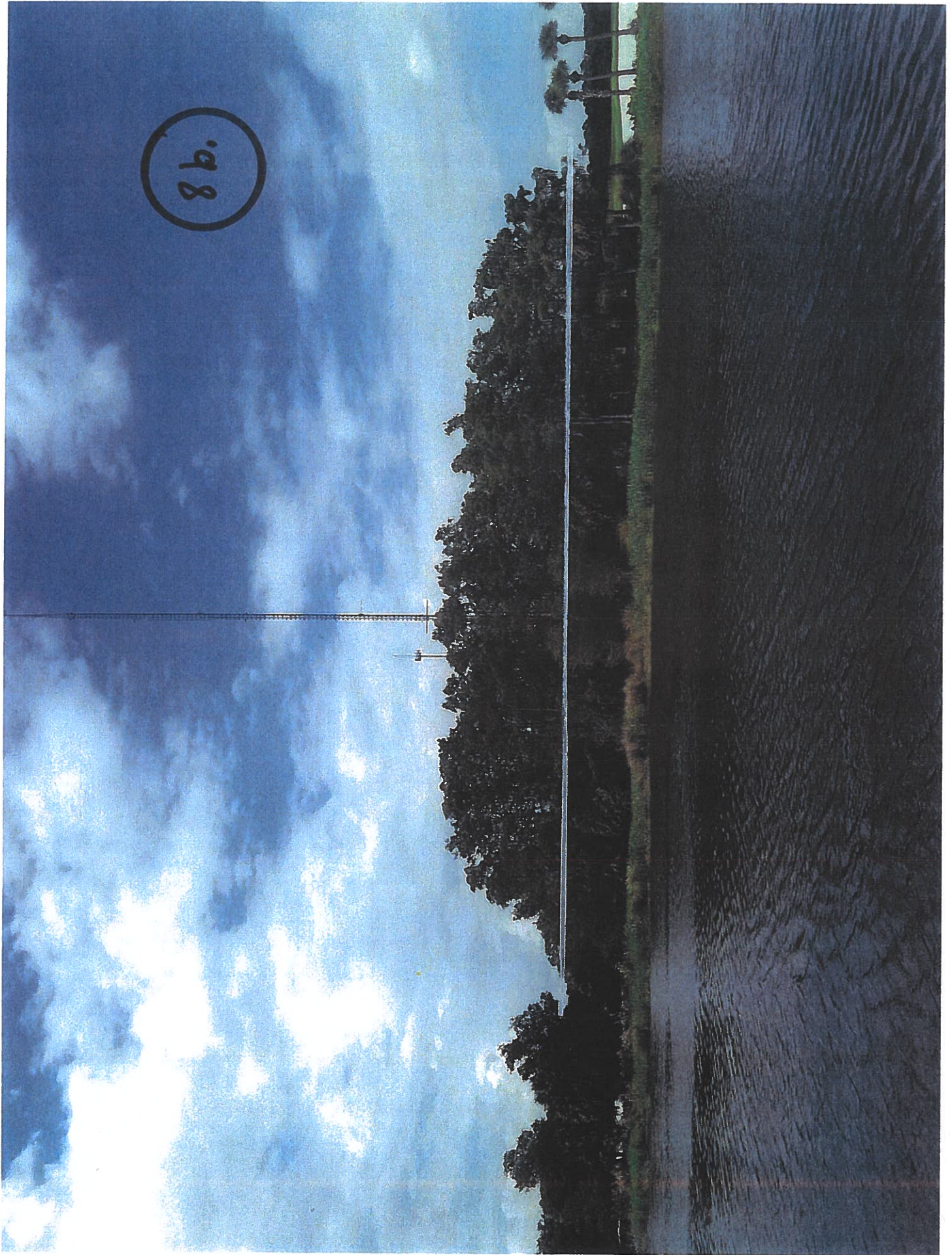




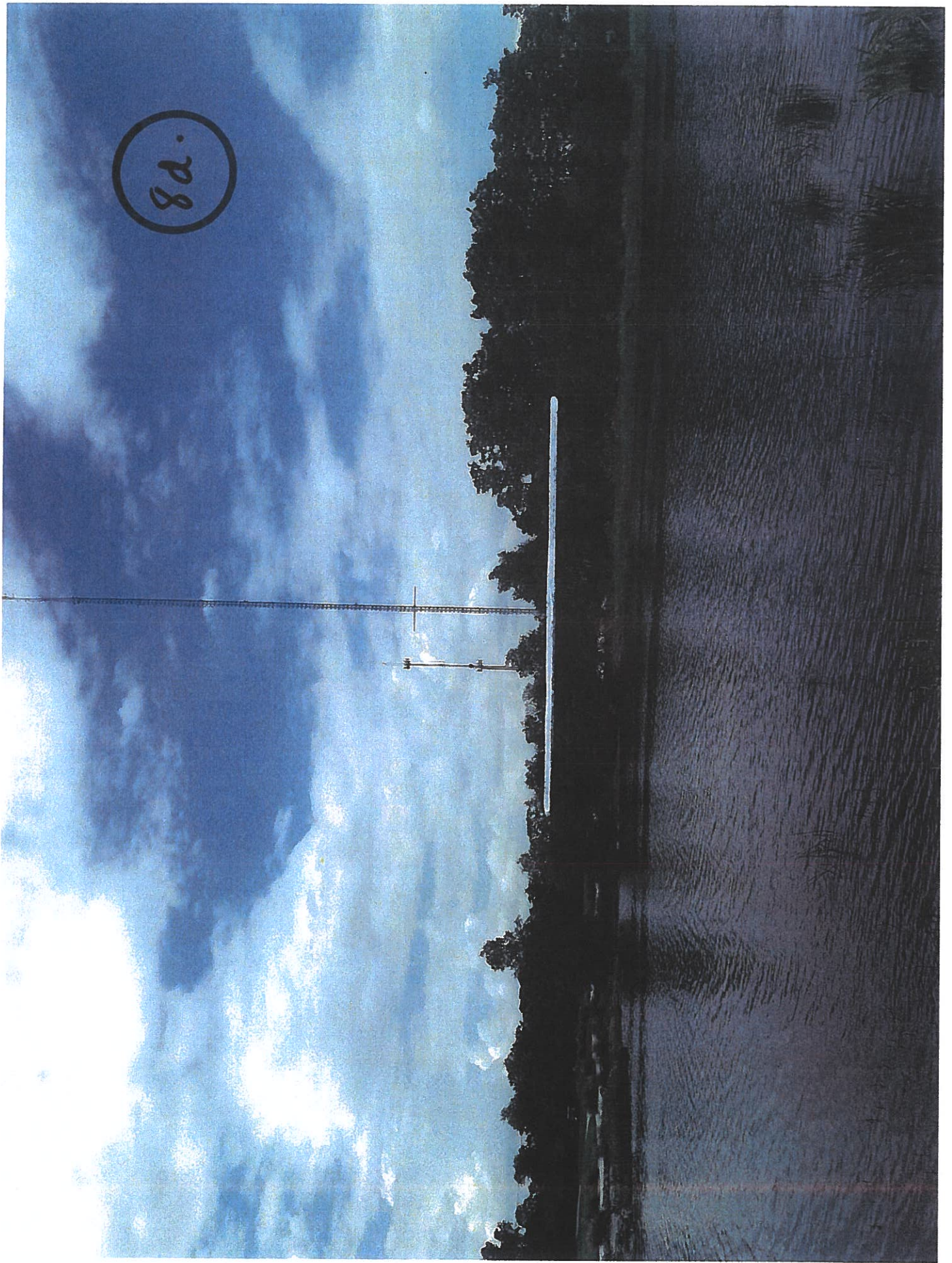












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9930 CHANNEL 30 DRIVE
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ARCHITECTURAL RENDERINGS



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INTERIORS

CHANNEL 30 SELF STORAGE FACILITY
BONITA SPRINGS, FLORIDA

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ARCHITECTURAL RENDERINGS

FUTURE BUILDING 1



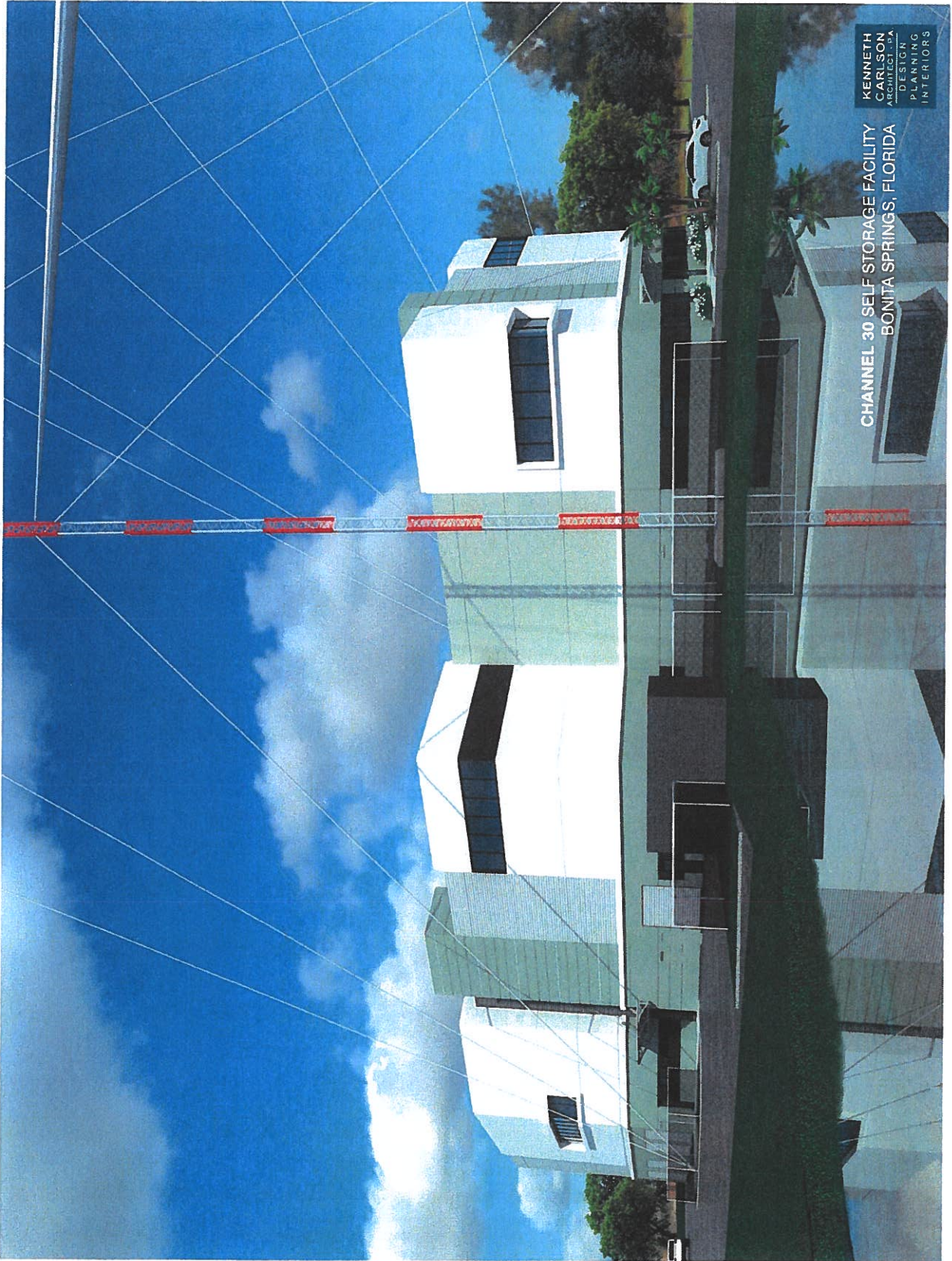
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CHANNEL 30-SELE STORAGE FACILITY
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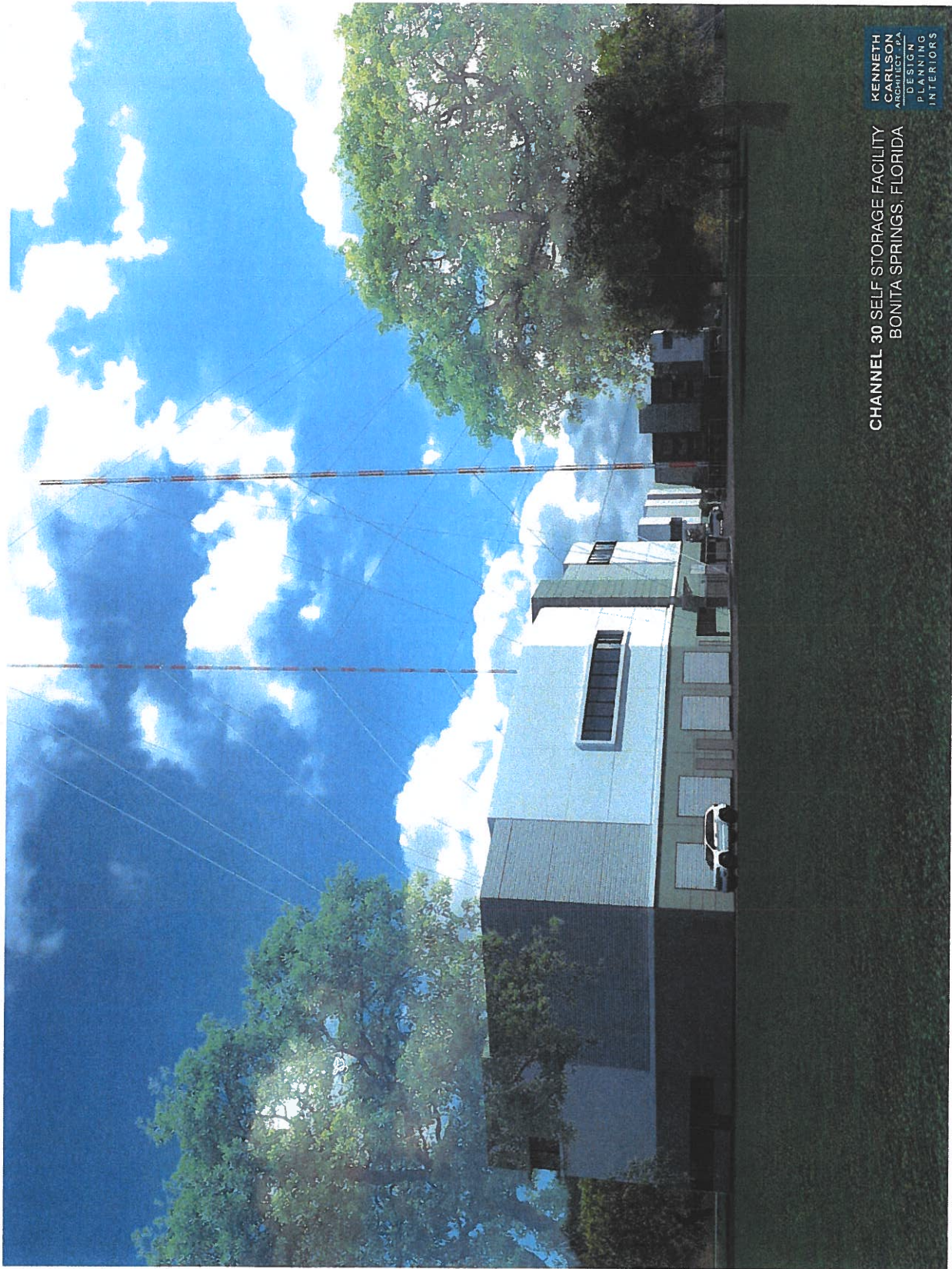
CHANNEL 30 SELF STORAGE FACILITY
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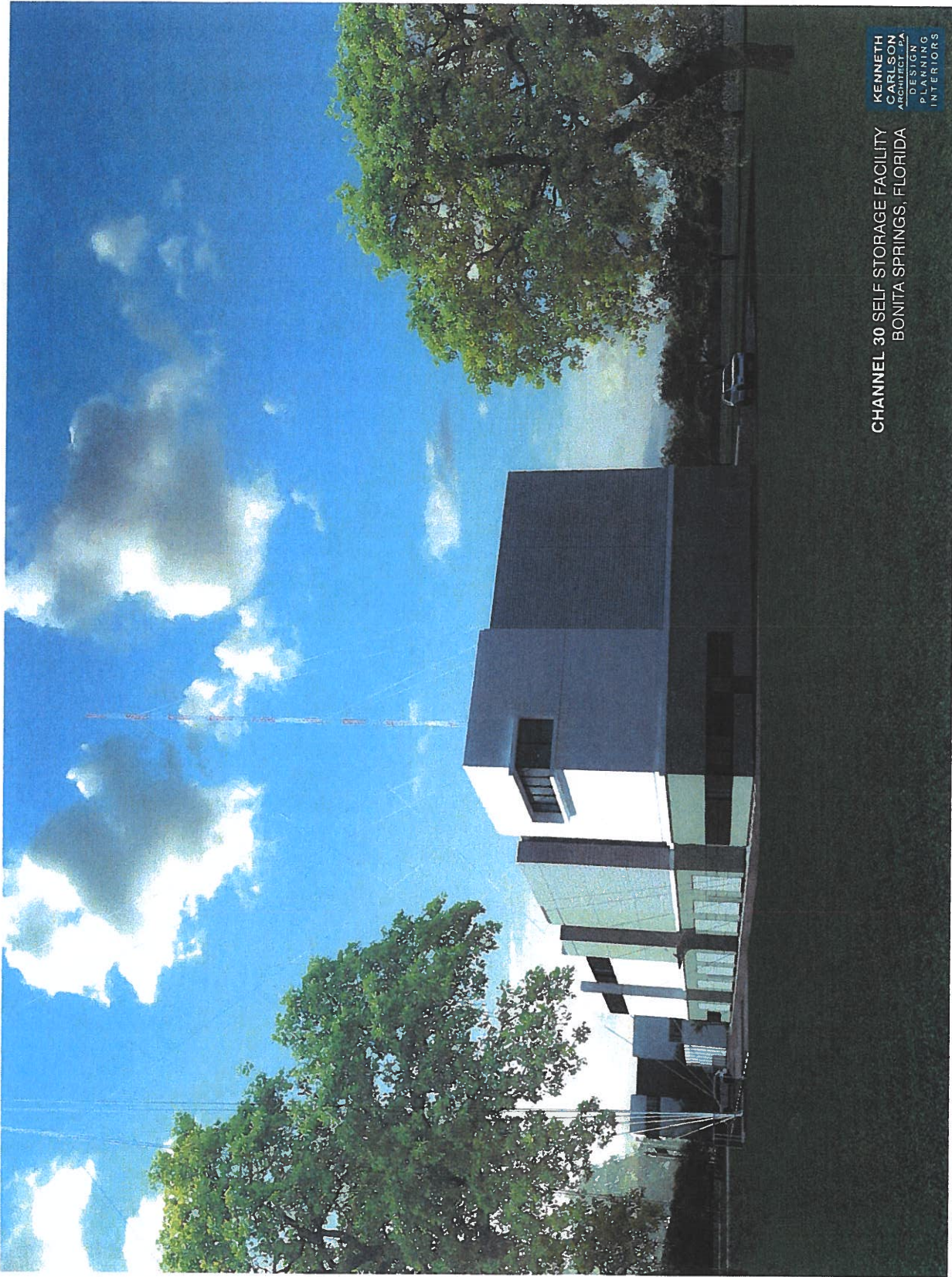
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CHANNEL 30 SELF STORAGE FACILITY
BONITA SPRINGS, FLORIDA



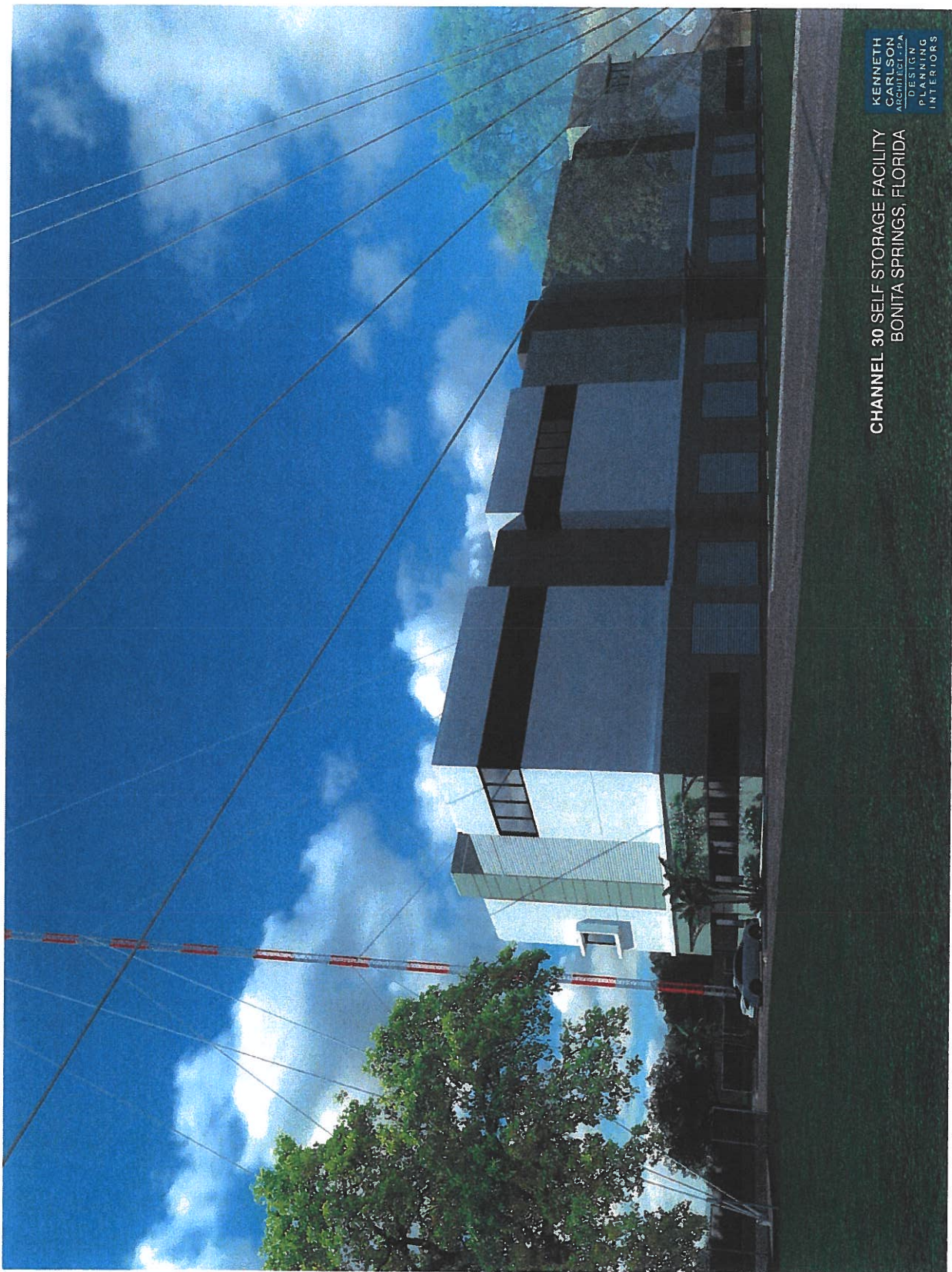
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CHANNEL 30 SELF STORAGE FACILITY
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BONITA SPRINGS, FLORIDA

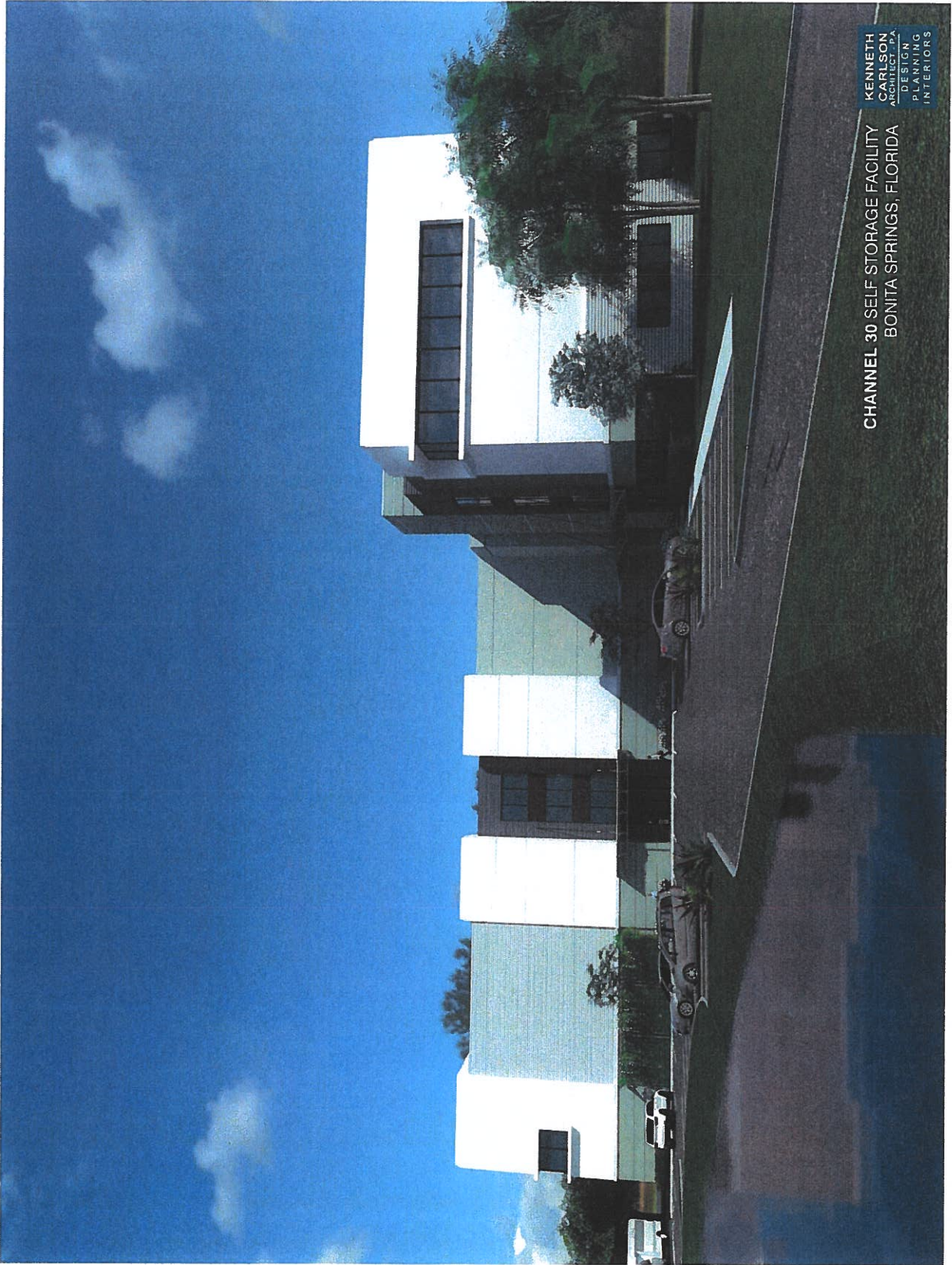
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ARCHITECTURAL RENDERINGS

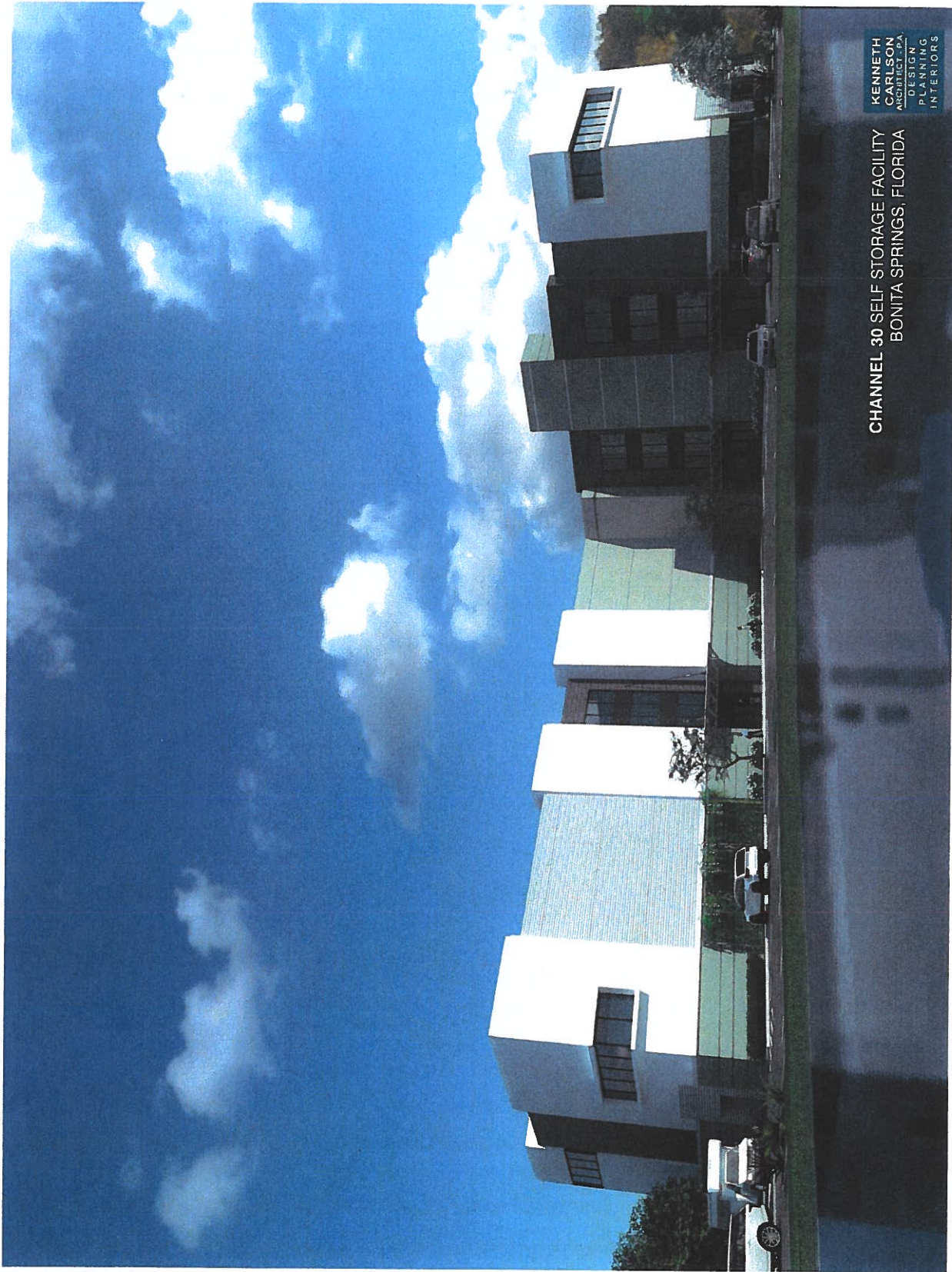
PENDING BUILDING 2

AFFORDABLE SELF STORAGE



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CHANNEL 30 SELF STORAGE FACILITY
BONITA SPRINGS, FLORIDA



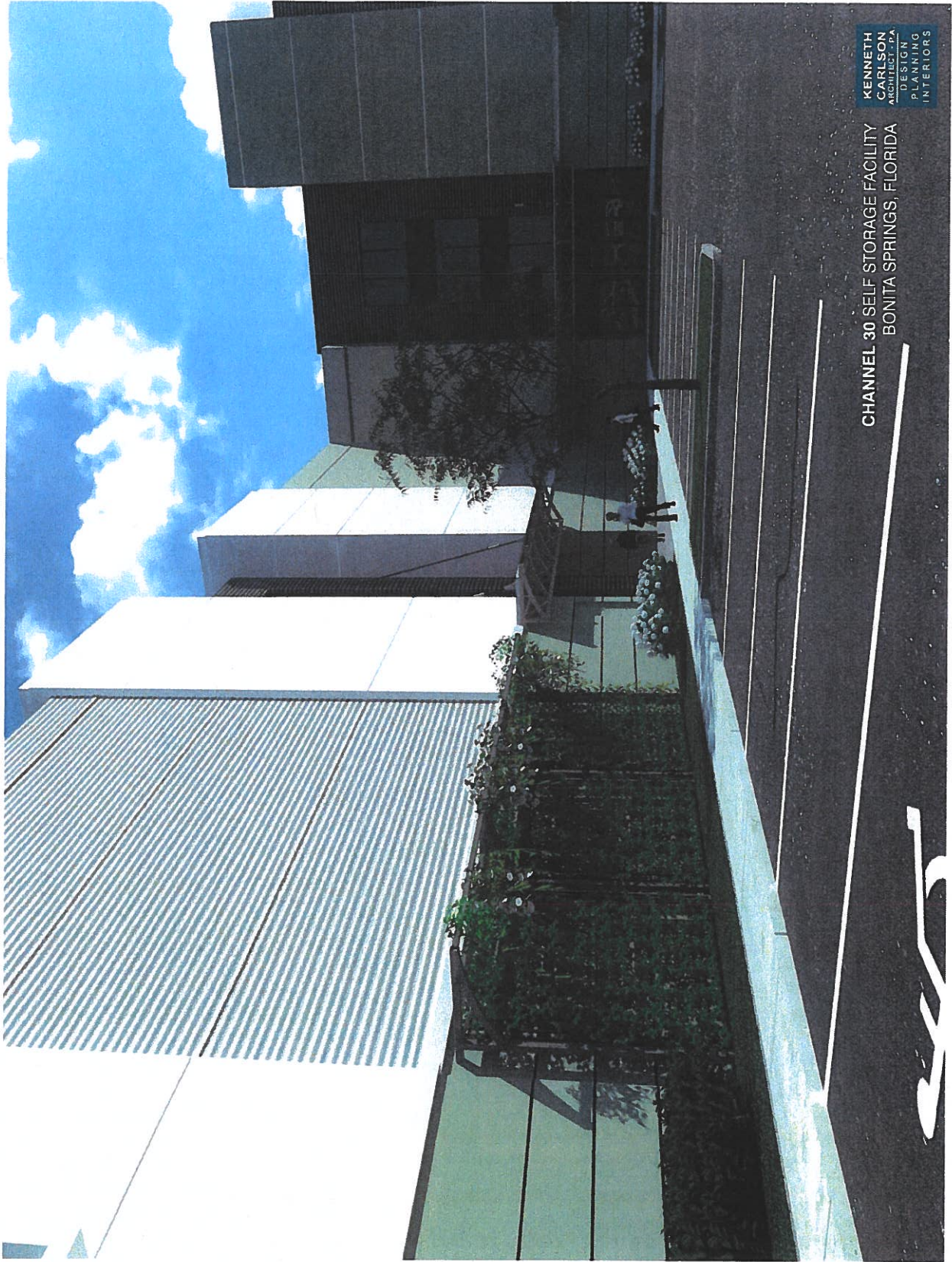
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BONITA SPRINGS, FLORIDA



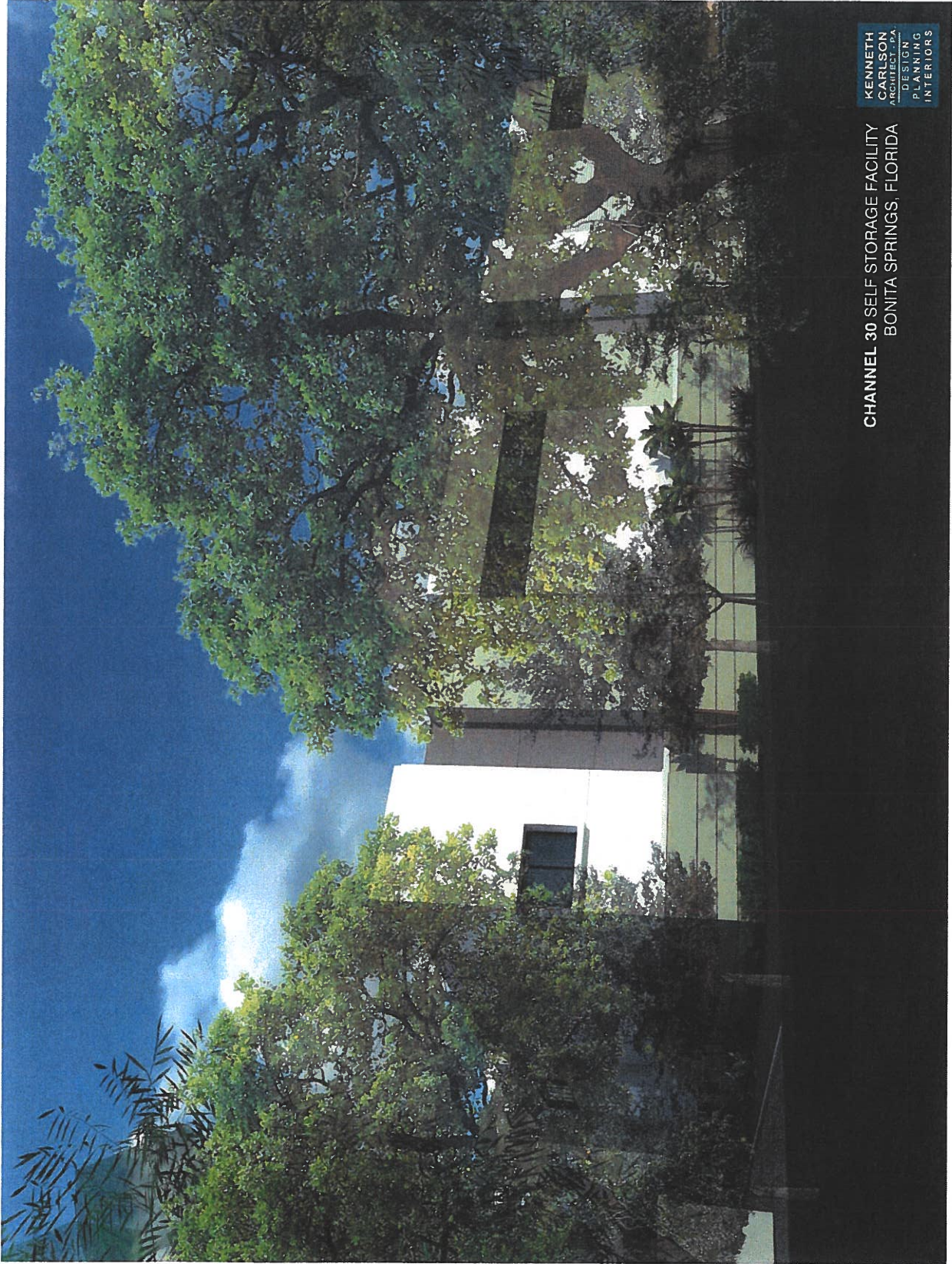
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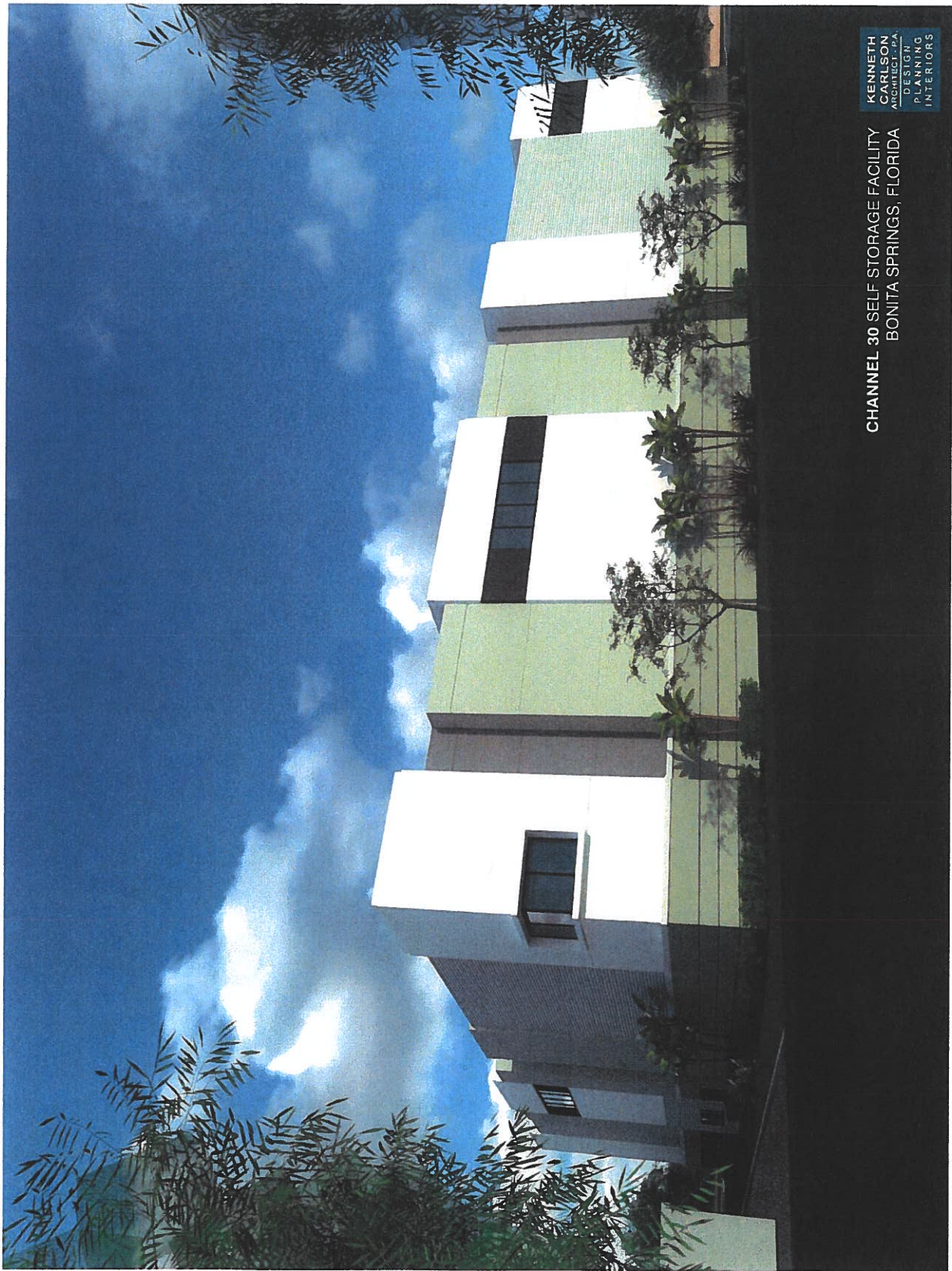
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DEC 14 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

November 7, 2019

Dear Neighbor,

A meeting has been scheduled at the St. Leo Catholic Church Parish Life Center, Fireplace Room, 28388 Beaumont Road, Bonita Spring, FL on December 4th, at 5:00 P.M. regarding a Storage Facility located at 9930 Channel Drive, Bonita Springs, FL.

A request to amend City of Bonita Springs Zoning Ordinance No. 09-14 to incorporate the following changes:

1. Modify the height and number of stories of the two buildings from five stories/60 feet and three stories/40 feet to both be four story buildings with a maximum height of 50 feet; and
2. Increase the square footage of the small modular communications buildings (MCBs) from the current 384 square feet remaining allocation to 1,384 square feet by eliminating the Caretaker's quarters from the current development plan.

The above referenced meeting will include a brief presentation discussing the proposed project and a Project Representatives will be available to answer questions you may have. If you have any questions prior to the meeting please do not hesitate to contact me directly at 813.207.1061, ext. 4903.

Very truly yours,

MASER CONSULTING P.A.

John J. Stoeckel, P.E.
Associate

JJS/mh

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BONITA SPRINGS STORAGE



Color Site Plan Rendering
Channel 30 Drive, Bonita Springs, Lee County, FL
November 25, 2019 (MC19000838A)



Customer Loyalty Through Client Satisfaction



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

5471 West Waters Avenue, Suite 100
Tampa, FL 33634
T: 813.207.1061
F: 813.281.1050
www.maserconsulting.com

MINUTES OF MEETING

By: John Stoeckel

Meeting Date: December 4, 2019 at 5:00 P.M.

Place: St. Leo Catholic Church Parish Life Center
Fireplace Room
28388 Beaumont Road
Bonita Springs, FL

Re: Bonita Springs Storage
Public meeting with neighbors
MC Project No. 19000801A

Attendees: John Stoeckel - Maser Consulting
(who signed in) Timothy Sheehan – Affordable Secure Storage Bonita Springs, LLC
Alan Johnson – ajohnson48304@comcast.net
Tim Richards – timr@medokrraca.com
Matt Wolken & Phillinda Roy – matthewwolken@yahoo.com
Jerry Nazeries
James Kagy – kagyj@hotmail.com
Christ Kerrerer – ckhsy-home@yahoo.com
John Volk – Johndvolk271@aol.com

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COMMUNITY DEVELOPMENT
DEPARTMENT

Maser Consulting and the Owner/Applicant of the property met with the neighbors to explain the project and take questions from the public. We began the meeting a few minutes before 5:00pm on Wednesday December 4th after having casual conversations and discussing the exhibits with a few of the residents. Tim Sheehan (Owner) started the meeting introducing himself and providing a timeline of his involvement and history at the site and then John Stoeckel from Maser Consulting (EOR) took over to talk about the overall project development as is currently in front of staff and how it has morphed over the last 15+ months.

Below is a summary of points covered during the meeting:

- Tim Sheehan introduced himself and explained his background and how he got involved with the property decades prior; the history associated to the tower construction and now the interest in improving the site and building the self-storage facilities.
- The current zoning approval for the property allows for a maximum of 3- and 5-stories with a maximum building height of 60-ft; the current proposal is actually to reduce the

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maximum building height to 50-ft and have both buildings be 4-story which will improve the visual aesthetic for the subject property.

- Traffic increase concerns were expressed; we noted that the City has required a traffic study and that our traffic consultant has worked with staff to prepare an appropriate analysis. We further discussed traffic generation for storage is relatively low compared to other potential acceptable uses for the subject property.
- Security is a concern; we advised that it will be automated gated access to the site with fencing added along the Railroad Right of Way up to the storm pond and the screen wall will pick up north of the pond and continue to the conservation area.
- Frontage along Old 41 is actually very limited as the triangle property is owned by others and the railroad. A very small portion of frontage exists at the north end of the property and also the area where the roadway access exists.
- Will there be signs – at this time no, but will further evaluate once we get into full design and building plans. We may also have a small monument sign at the entrance to Old 41.
- What does Mediterra and Cordova see – we shared a portfolio of photos taken from both Cordova and Mediterra with an etched in line at the 50-ft elevation for reference. We further discussed that orange fencing was wrapped around cell towers at 40-, 50-, and 60-ft elevations for reference off site. Fencing at 40- and 50-ft intervals were not visible from Mediterra.
- Night lighting – windows lighting at night is major concern – we discussed the site lighting will be relatively low to the ground and per code; LED lighting will be used. Building window lighting there is a concern of lights being on overnight; we noted the concern and will coordinate as the project proceeds. We did also mention that energy saving motion lights will likely be utilized in the design.
- Is there an elevator – yes elevators will be within the interior of the building to allow appropriate access for functionality of the facilities.
- Are there plantings and wall or no? – Yes, there will be an 8-ft screen wall along the western edge of the property and will also be planted with landscaping (trees and shrubs).
- The towers will remain; Tim discussed they serve multiple entities including cell, security, government and safety services.
- What is the schedule of the project? At this time the project will be phased; Phase 1 will include the site improvements and perimeter buffers along with the southern building. The construction of the second building to the north will be driven largely by economics and



Bonita Springs Storage
Public Meeting
MC Project No. 19000838A
December 4, 2019
Page 3 of 3

occupancy of the first building. A time frame has not been set at this time, but the Development order will be for the overall project site and full buildout condition.

- The last discussion point of the meeting we went over each of the listed deviations and described what they involved utilizing the site plan rendering and plan.

This document is based on the interpretation of the neighborhood meeting as prepared by Maser Consulting; if there are any questions or clarification necessary please contact us at 813.207.1061, ext. 4903.

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Super Towers, Inc.
470 Atlantic Ave., 4th Floor
Boston, MA 02210

ARCHITECTURAL RENDERINGS

FUTURE BUILDING 1

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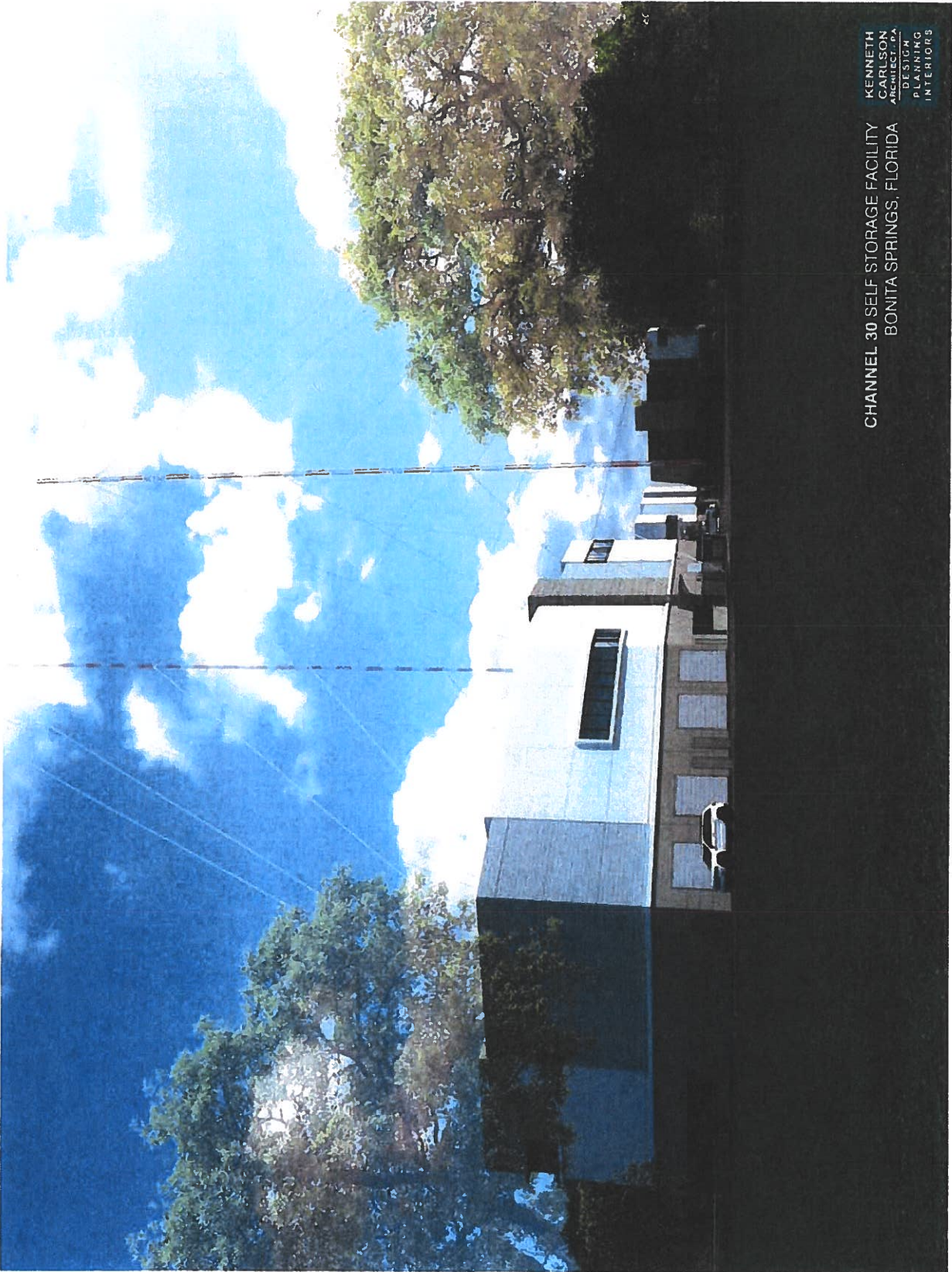
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COMMUNITY DEVELOPMENT
DEPARTMENT



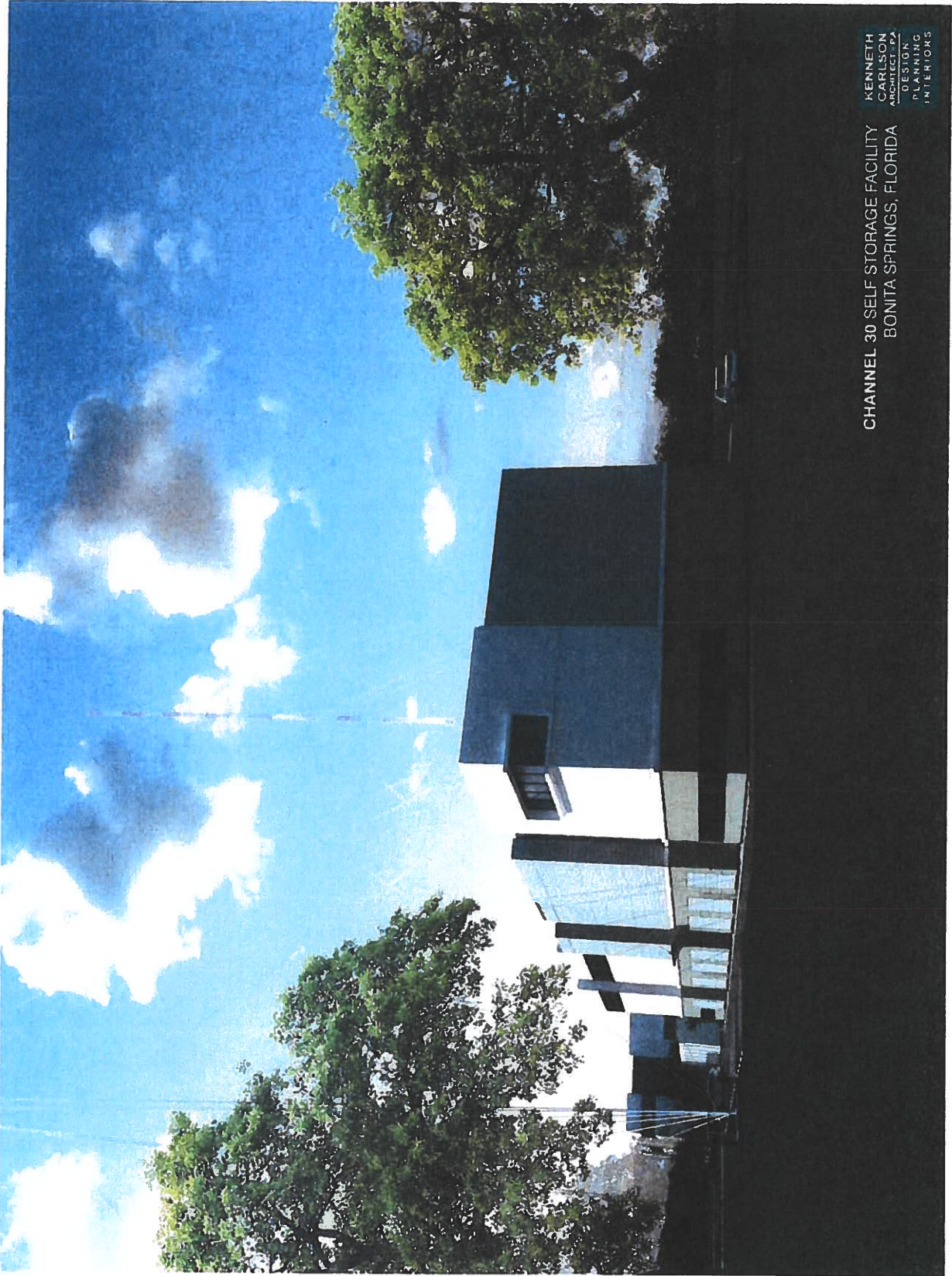
KENNETH
CARLSON
ARCHITECT, P.A.
DESIGN
PLANNING
INTERIORS

CHANNEL 30 SELF-STORAGE FACILITY
BONITA SPRINGS, FLORIDA



CHANNEL 30 SELF STORAGE FACILITY
BONITA SPRINGS, FLORIDA

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CHANNEL 30 SELF STORAGE FACILITY
BONITA SPRINGS, FLORIDA

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INTERIORS

Super Towers, Inc.
470 Atlantic Ave., 4th Floor
Boston, MA 02210

ARCHITECTURAL RENDERINGS

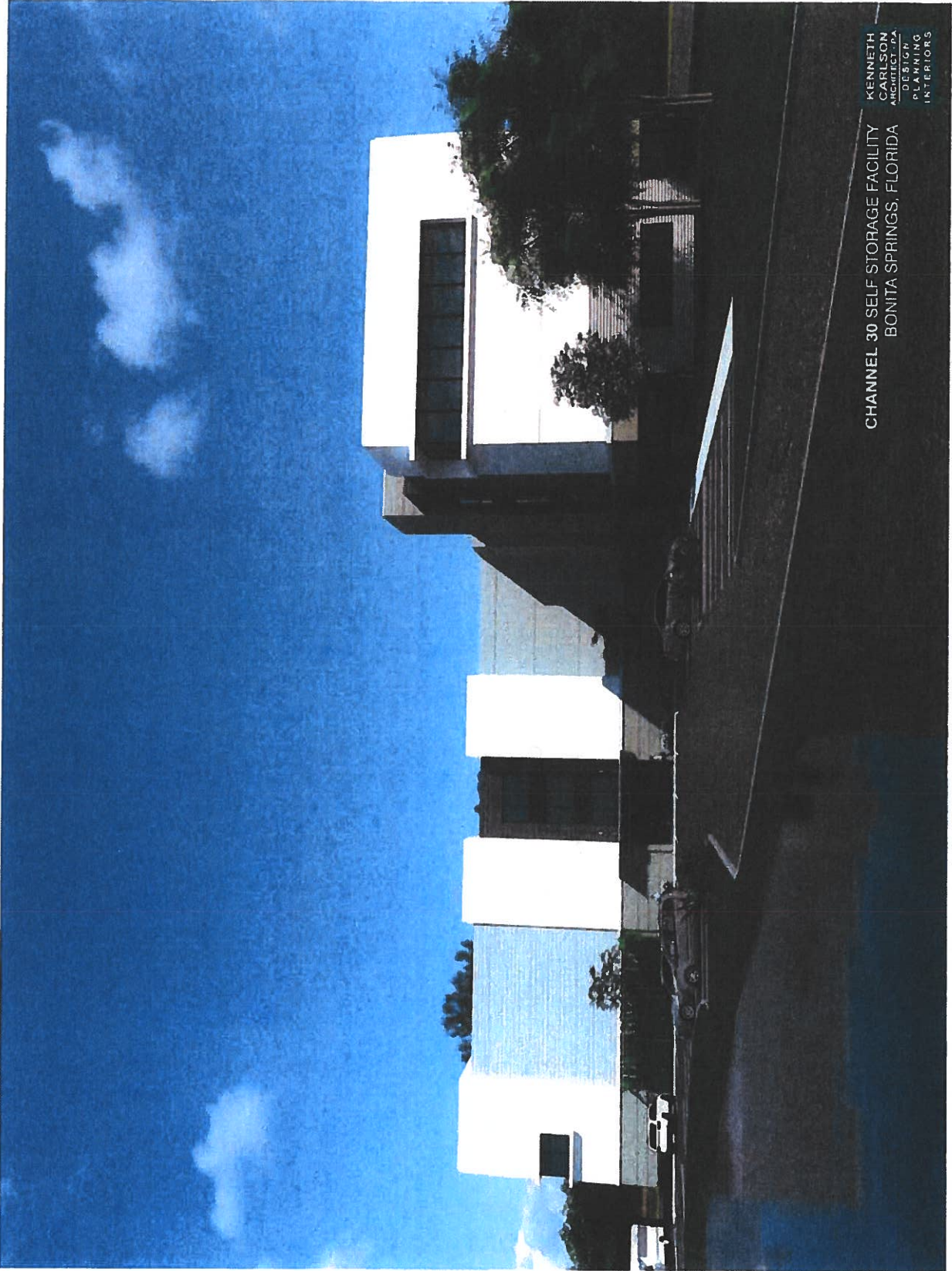
PENDING BUILDING 2

AFFORDABLE SELF STORAGE

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DEPARTMENT



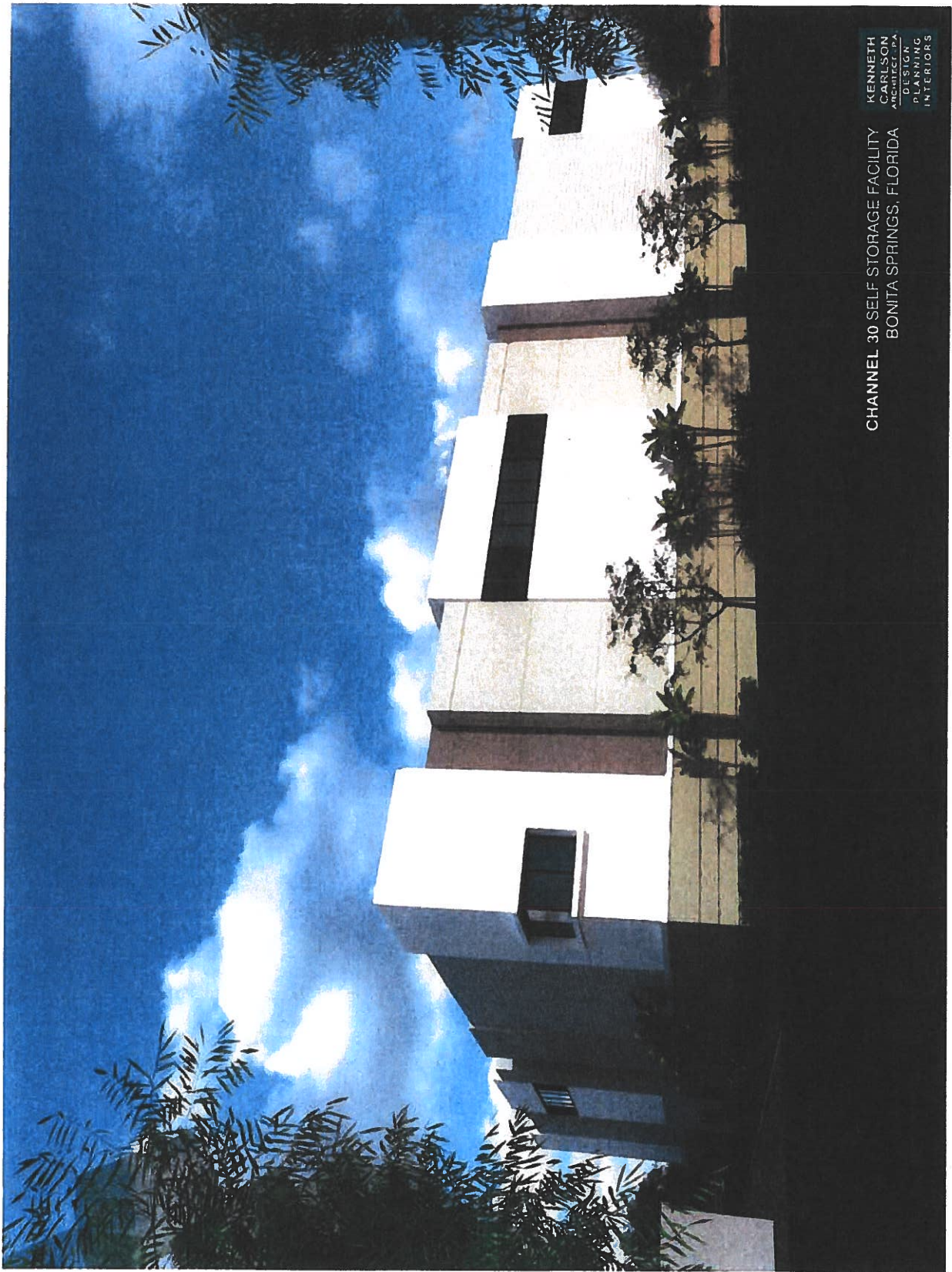
CHANNEL 30 SELF STORAGE FACILITY
BONITA SPRINGS, FLORIDA

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MAR 02 2020
COMMUNITY DEVELOPMENT

AFFIDAVIT OF POSTING NOTICE

Community Development Department | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: (239) 444-6150 | Fax: (239) 444-6140

INSTRUCTIONS

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of fifteen CALENDAR (15) days in advance of a Public Hearing and maintained through the City of Bonita Springs Public Hearing, if any. This sign will be provided by the Zoning Division in the following manner:

- a. Signs for case # PD18-54088-BOS must be posted by March 2, 2020.
- b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest 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 pother structure. The sign may not be affixed to a tree or other foliage.
- d. The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
- e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Zoning Division, and obtain duplicate copies of the sign from the Zoning Division.
- f. 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 THE POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO CITY OF BONITA SPRINGS ZONING DIVISION, 9220 BONITA BEACH ROAD, SUITE 109, BONITA SPRINGS, FL 34135.

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

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Michael Sawyer
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 4-
229(B) OF THE CITY OF BONITA SPRINGS LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN
THE ZONING APPLICATION REFERENCED BELOW:

Michael C. Sawyer Sr.

SIGNATURE OF APPLICANT OR AGENT

Michael C. Sawyer Sr.

NAME (TYPED OR PRINTED)

POB 1187

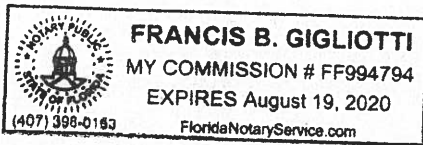
ST. OR P.O. BOX

Plymouth, MA 02362

CITY, STATE & ZIP

STATE OF FLORIDA ✓
COUNTY OF LEE ✓

The foregoing instrument was sworn to and subscribed before me this 2ND day of MARCH, 2020
by MICHAEL SAWYER, personally known to me or who produced
MA # 562606838 as identification and who did/did not take oath.



Francis B. Gigliotti
Signature of Notary Public
FRANCIS B GIGLIOTTI
Printed Name of Notary Public

08-19-2020

My Commission Expires:
(Stamp with serial number)

**CITY OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF PUBLIC HEARING
APPLICATION: PD18-54088-BOS**

RECEIVED
CITY OF BONITA SPRINGS

MAR 02 2020

COMMUNITY DEVELOPMENT
DEPARTMENT

This is a courtesy notice of a proposed zoning action within 375 feet of property you own. You are encouraged to attend these public hearings and/or complete and return the attached Citizen Response Form, should you have any comments or concerns regarding this matter. If you have any questions or would like further information, please contact **Jacqueline Genson, Planning and Zoning Manager**, at **(239) 444-6163**, or **jgenson@cityofbonitaspringscd.org**. Copies of the staff report will be available ON March 11, 2020. This case may be reviewed at the Community Development department, 9220 Bonita Beach Road, Suite 109, Bonita Springs, FL 34135 or online at www.cityofbonitaspringscd.org, Government, Agendas and Packets, Zoning Board.

| | |
|--|---|
| <p>Zoning Board of Adjustments: March 17, 2020 at 9:00am City Hall 9101 Bonita Beach Road Bonita Springs, Florida 34135</p> | <p>City Council: April 1, 2020 at 5:30pm (First Reading) City Hall 9101 Bonita Beach Road Bonita Springs, Florida 34135</p> <p>**TENTATIVE** April 15, 2020 at 1:00pm (Second Reading) City Hall 9101 Bonita Beach Road Bonita Springs, Florida 34135</p> |
|--|---|

CASE NUMBER: PD18-54088-BOS

CASE NAME: Channel 30 Commercial Planned Development (CPD)

REQUEST: A request to amend City of Bonita Springs Zoning Ordinance No. 09-14 to incorporate the following changes:

1. Modify the height and number of stories of the two buildings from five stories/60 feet and three stories/40 feet to both be four story buildings with a maximum height of 50 feet; and
2. Increase the square footage of the small modular communications buildings (MCBs) from the current 384 square feet remaining allocation to 1,384 square feet by eliminating the Caretaker's quarters from the current development plan.

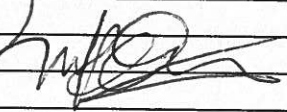
LOCATION: The subject property is located at 9930 Channel 30 Drive, Bonita Springs, FL 34135

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, contact Meg Weiss, Director of Administrative Services, at (239) 949-6262 at least 48 hours prior to the hearing.

RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Jacqueline Genson
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

Support _____ Oppose _____

Application: PD18-54088-BOS

SUPPORT 

DATE: 2/27/2020
NAME: MARK OWENS PHONE: 239-777-6200
ADDRESS: 1180 DIANA AVENUE CITY/STATE/ZIP: NAPLES, FL 34103

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take such other appropriate and lawful action including continuing said public hearings.

CONDUCT OF HEARINGS: These hearings are quasi-judicial and must be conducted to afford all parties due process. Any communication that Council Members have outside of the public hearing must be fully disclosed at the hearing. Anyone who wishes to speak at the hearing will be sworn in and may be subject to questions by the board, city staff or applicant. Public comment is encouraged and all relevant information should be presented to the Board so a fair and appropriate decision can be made. Tapes are limited to three (3) minutes in length and are to be submitted to the Zoning Division one week prior to the meeting date for review. All tapes/information submitted for the public record will not be returned.

GROUP REPRESENTATIVES: Any person representing a group or organization must provide written authorization to speak on behalf of that group. The representative shall inform Staff prior to the hearing of their intent to speak on behalf of a group and provide staff the name of that group.

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:
NAME: _____ PHONE: _____
ADDRESS: _____ CITY/STATE/ZIP: _____

APPEALS: If a person decides to appeal any final decision made by the City Council, with respect to any matter considered at such hearing, they are responsible at their own expense for ordering from the court reporter to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence on which the appeal is to be based.

MARK OWENS
1180 DIANA AVE
NAPLES, FL 34103

