

CASE B: PD20-71493-BOS

STAFF REPORT

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**BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT**

TYPE OF CASE: PLANNED DEVELOPMENT AMENDMENT
CASE NUMBER: PD20-71493-BOS, BONITA VILLAGE MIXED USE PLANNED DEVELOPMENT (MPD) AMENDMENT
HEARING DATE: SEPTEMBER 15, 2020 (Zoning Board)
PLANNER: JACQUELINE GENSON, AICP

I. APPLICATION SUMMARY:

- A. Applicant: Bonita Development Co. LLC
- B. Request: A request to amend Zoning Ordinance No. 16-05 for the Bonita Village Mixed-Use Planned Development to reduce the distance from which the fifty-five (55) foot height limitation applies from seventy (70) feet to thirty (30) feet of the northern boundary, and from fifty (50) feet to ten (10) feet of the eastern boundary.
- C. Location: The subject properties are located at: 27690 and 27694 Imperial River Road; 27901 Bonita Village Boulevard; 27934 Meadowlark Lane; and 3840, 3894, 3962, 3974, and 3998 Bonita Beach Road SW in Bonita Springs, Florida 34134
- D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property:
 - Future Land Use: General Commercial
 - Current Zoning: Mixed Use Planned Development (MPD)
 - Current Use: Office, Vacant Commercial and Vacant Residential

II. BACKGROUND INFORMATION AND ANALYSIS:

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.

Summary of the Request

The subject properties consist of approximately ±19 acres generally located east of Imperial River Road, west of Meadowlark Lane, and north of Bonita Beach Road. The Applicant is proposing to amend the existing Bonita Village Mixed-Use Planned Development (MPD) by requesting to amend Condition 3a relative to the maximum permitted height along the northern and eastern boundaries, the Master Concept Plan (**Exhibit B**), and the Schedule of Deviations.

Current Future Land Use Map

The subject property is designated as General Commercial on the Bonita Springs Future Land Use Map. No changes to the Future Land Use Map are contemplated at this time.

Current Zoning

The existing development is partially built with eighty (80) multi-family units in five (5) buildings, a clubhouse, and pool amenity area, consistent with the original Zoning Ordinance 02-07, as subsequently amended by Zoning Ordinance No. 07-08 and ADD2008-00004. The current zoning, as amended in ZO-16-05, allows for up to 220 multi-family units (timeshares included), 23,000 square feet of commercial uses, and 260 hotel units.

Schedule of Uses

The request includes no changes to the Schedule of Uses.

Property Development Regulations

The project's property development regulations were modified and approved in Zoning Ordinance No. 16-05, Condition 3a. The property development regulations approved building height up to seventy-five (75) feet in the Town Center Parcel (TC-1) areas, subject to a fifty-five (55) foot height limitation for buildings within seventy (70) of the northern boundary and within fifty (50) feet of the eastern boundary. The proposed MPD amendment would reduce the distance from which the fifty-five (55) foot maximum height limitation applies from seventy (70) feet to thirty (30) feet along the northern boundary and from fifty (50) feet to ten (10) feet along the eastern boundary.

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 current MPD previously received approval for multiple deviations. The proposed MPD amendment requires modification to one (1) existing deviation (Deviation 5) and requests two (2) new deviations (Deviations 13 and 14). The City Staff did not agree that Deviation 13 was required, and it has since been withdrawn. All deviations and associated justifications by the Applicant are included in the Applicant's Analysis in Attachment "B." The City Staff's

recommendation on the modified and new deviation requests are included later in this Staff Report.

III. **CONCLUSIONS:**

The following conclusions are based upon the Applicant's Application being reviewed for compliance with the City of Bonita Springs Comprehensive Plan and the City's LDC. **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."**

Pursuant to the City's LDC, the Applicant was required to hold two (2) neighborhood meetings. The first meeting was held on June 29, 2020, with nineteen (19) members of the public present. The Applicant will hold the second meeting on September 10, 2020. Additional methods of public notice included mailed notices to properties within 375 feet of the property; rezoning property signs posted along Luke Street, Bonita Beach Road, and Meadowlark Lane; and a legal ad in the Fort Myers Newspress that ran on August 27, 2020, for the Zoning Board public hearing.

The proposed MPD amendment was evaluated by Community Development for zoning, engineering, environmental, and transportation impacts. Lee County and Bonita Springs Utilities also reviewed the request. A detailed City Staff analysis is included in **Attachment "A"** of this Staff Report.

IV. **RECOMMENDATION:**

The City Staff recommends **CONSIDERATION** of the Applicant's proposed amendment of City of Bonita Springs Zoning Ordinance No. 16-05 for the Bonita Village Mixed-Use Planned Development to reduce the distance from which the fifty (55) foot height limitation applies from seventy (70) feet to thirty (30) feet of the northern boundary, and from fifty (50) feet to ten (10) feet of the eastern boundary.

In the event that the Zoning Board desires to recommend approval or the City of Bonita Springs City Council chooses decides to approve the proposed MPD amendment, the City Staff submits that the following conditions and deviations should be considered:

A. **Conditions**

1. The development of this project shall be in general compliance with the Master Concept Plan entitled Bonita Village MPD (**Exhibit B**), stamped "received September 4, 2020," except as modified by the conditions contained herein. This development must comply with all requirements of the Bonita Springs Land Development Code (LDC) at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan (MCP) are subsequently pursued, appropriate approvals will be necessary.
2. Condition 3 of ZO-16-05 is hereby amended as follows.

The following uses are permitted:

Schedule of Uses

Residential Parcel R-1 and R-2
Accessory uses and structures

Administrative offices
Dwelling unit: Multiple-family building(s)
Entrance gates and gatehouse
Essential services
Essential service facilities: Group I
Excavation: Water retention
Fences, walls
Recreation facilities:
Personal
Private--On-site
Signs in accordance with Chapter 6

Town Center Parcels TC-1, TC-2 and TC-5

Accessory uses and structures
Administrative offices
Banks and financial establishments: Group I
Bar or cocktail lounge (limited to an ancillary use to a restaurant use)
Broadcast studio, commercial radio and television
Business services: Group I (excluding bail bonding and blood donor stations)
Cleaning and maintenance services
Clothing stores, general
Clubs: Country
Fraternal, membership organization
Private
Consumption on premises - limited to private club or restaurant use
Contractors and builders: Group I (no parking of company vehicles outside of operating hours)
Convenience food and beverage store
Cultural facilities
Day care center, child, adult
Dwelling unit: Multiple-family building
Entrance gates and gatehouse
Essential services
Essential service facilities: Group I
Excavation: Water retention
Fences, walls
Food and beverage service, limited (limited to private club)
Food stores: Group I
Hardware store
Hobby, toy and game shops
Home occupation
Hotel/motel (including indoor/outdoor COP, limited to Tract TC-1 and TC-5)
Household and office furnishings, Groups I and II
Laundry or dry cleaning: Group I
Medical offices
Package Store
Paint, Glass, and Wallpaper
Parking lot: Accessory
Commercial
Garage, public and private parking
Temporary

Parks: Group I
 Personal services: Groups I, II, and III (excluding massage establishment or parlors, steam or turkish baths, escort services, palm readers, fortune teller or card reader, and tattoo parlors, except massage may be permitted within a health or beauty spa)
 Pet services
 Pet shop
 Pharmacy
 Place of worship
 Police or Sheriff's office
 Post office
 Recreation facilities:
 Commercial: Group IV (limited to health club)
 Personal or Private
 Rental or leasing establishment: Groups I, and II
 Repair shops: Groups I, and II
 Research and development laboratories: Groups I, II, III, IV
 Residential accessory uses
 Restaurant, fast food (includes outdoor seating, limited to Tracts TC-5)
 Restaurants: Groups I, II, and III (includes outdoor COP and seating)
 Schools: Commercial (limited to 2,500 square feet)
 Signs in accordance with Chapter 6
 Specialty retail shops: Groups I, II, and III
 Storage: Indoor only
 Studios
 Temporary uses
 Used merchandise stores: Groups I and II
 Variety store

a. Site Development Standards - See **Attachment B** except as modified herein

i. Parking Garage

Setbacks:

15' rear and side
25' street

Height

3 stories at *35' ~~three-story~~
*excludes stairway and
elevator appurtenances

The Site Development Standards are subject to a 55' height limitation on any portion of a building within ~~70'~~ 30' of the northern property boundary and 50' of the eastern boundary. At time of local development order, the northern façade of Building 5 shall incorporate unique and specific architectural and landscaping treatments that minimize the visual impacts and intrusion into the single-family neighborhood to the north.

In support of deviation 11, any building in the TC-1 development area exceeding 55' shall have a building separation of 1/2 the height of that portion of a building that's adjacent from the TC-2 development area.

3. Condition 9 of ZO-16-05, Landscaping and Buffering, is hereby amended as follows:

b. Quails Walk northern landscape buffer for TC-1 area. Deviations 5 and 14 allow for a ten-foot Type C landscape buffer with a wall 40 off on the property line if adjacent to a roadway/parking area. If a building is proposed adjacent to the buffer, a 25' Type F buffer will be provided. The removal of a large amount of exotic vegetation on the north side of the project will severely reduce the indigenous landscape buffering that was proposed for this buffer area. Large Trees, such as including minimum 16' hardwood canopy trees, and 30' palms will be required in this enhanced buffer, subject to FPL easements and Tree Setback guidelines. Palms will be clustered in groups of three. An Alternate Betterment Plan may be approved at time of local development order if the Applicant can meet the intent of this buffer requirement in a different manner than proposed by this condition. Any landscape plan must attempt to accommodate the FPL Tree Setback guidelines to the maximum extent possible.

* * * *

f. In support of Deviation 14, the parking spaces facing Meadowlark Lane shall be screened with shrubs, 48 inches at installation and shall be maintained at a minimum of 60 inches high, with continuous visual screen within one year after time of planting as indicated by the date of the completion of the development order or phase thereof.

4. Lee County Department of Transportation (DOT). At the time of City of Bonita Springs Development Order application, the Applicant/Owner will be required to submit for a Type D Limited Development Order with Lee County for all roadway improvements within the Bonita Beach Road ROW and meet Lee County Land Development Code standards.
5. Approval of this MPD Amendment does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the City of Bonita Springs Comprehensive Plan provisions.

B. DEVIATIONS

1. A request to modify Deviation 5 granting relief from LDC Section 3-418 that requires that an eight (8) foot wall or wall and berm combination a minimum of twenty-five (25) feet from the property line; to allow an eight (8) foot high PVC fence or wall be placed five (5) feet from the northern property line.

Justification: Deviation 5 was approved subject to Condition 9b of ZO-16-05, which required the installation of a Type C buffer with specific planting requirements. The MPD amendment and associated Master Concept Plan propose the redesign of Building 5 and a realignment of an internal roadway and associated parking area. This deviation as written does not support the height and size of the proposed vegetation as required in Condition 9b of ZO-16-05. The larger trees proposed will not have enough room to grow and thrive. Additionally, there are power lines immediately adjacent to the buffer area to the north. Therefore, the City Staff recommends **APPROVAL** of the deviation request subject to revised Condition 9b of ZO-16-05 as set forth above.

2. Deviation 13 has been WITHDRAWN. This LDC requirement does not apply since the parking area adjacent to the Meadowlark Lane right-of-way is more than 125 feet from existing residential uses. The City Staff, however, has included an additional condition to address headlight glare (see revised Condition 9f above).
3. Deviation 14 seeks relief from LDC Section 3-418, landscape standards, requiring that a Type C and Type D buffer be a minimum of fifteen (15) feet wide, to allow for the minimum Type C and D buffer widths to be reduced to ten (10) feet along the northern property boundary and to five (5) feet along the eastern boundary.

Justification: This deviation is similar to Deviation 5 and is dependent upon the uses adjacent to the buffers. The City Staff has no objection to the decreased buffer width along the right-of-way for Meadowlark Lane. The Type D buffer relief adjacent to right of ways is a similar request for those projects within the Bonita Beach Road Corridor Overlay. The urban form of development requires different buffering standards than the suburban style buffering in the land development code. The City's LDC also allows plantings to be placed at half (1/2) of the buffer width so the request is only 2.5 feet less than normally allowed and plantings can be chosen to work within this buffer limitation. Therefore, the City Staff recommends **APPROVAL** of the deviation request for the Type D buffer subject to revised Condition 9f of ZO-16-05. Due to the overhead lines adjacent to the north buffer and the increase in vegetation sizes needed to support this enhanced landscape buffer, the City Staff recommends **APPROVAL** of the deviation request for the Type C buffer along the northern boundary subject to revised Condition 9b of ZO-16-05.

IV. SUBJECT PROPERTY

STRAP: 33-47-25-B4-00281.00CE, 33-47-25-B4-00282.0000, 33-47-25-B4-00296.0000, 33-47-25-B4-00296.0020, 33-47-25-B4-00296.0050, 33-47-25-B4-00296.0070, 33-47-25-B4-00296.0080, 33-47-25-B4-00296.0090, 33-47-25-B4-00296.0100, 33-47-25-B4-00296.010A, 33-47-25-B4-00296.0110, 33-47-25-B4-00296.0010, 33-47-25-B4-00295.0010, 33-47-25-B4-03800.00CE, 33-47-25-B4-03900.00CE, 32-47-25-B3-03204.0010, and 32-47-25-B3-03201.0010.

LEGAL DESCRIPTION: See EXHIBIT A

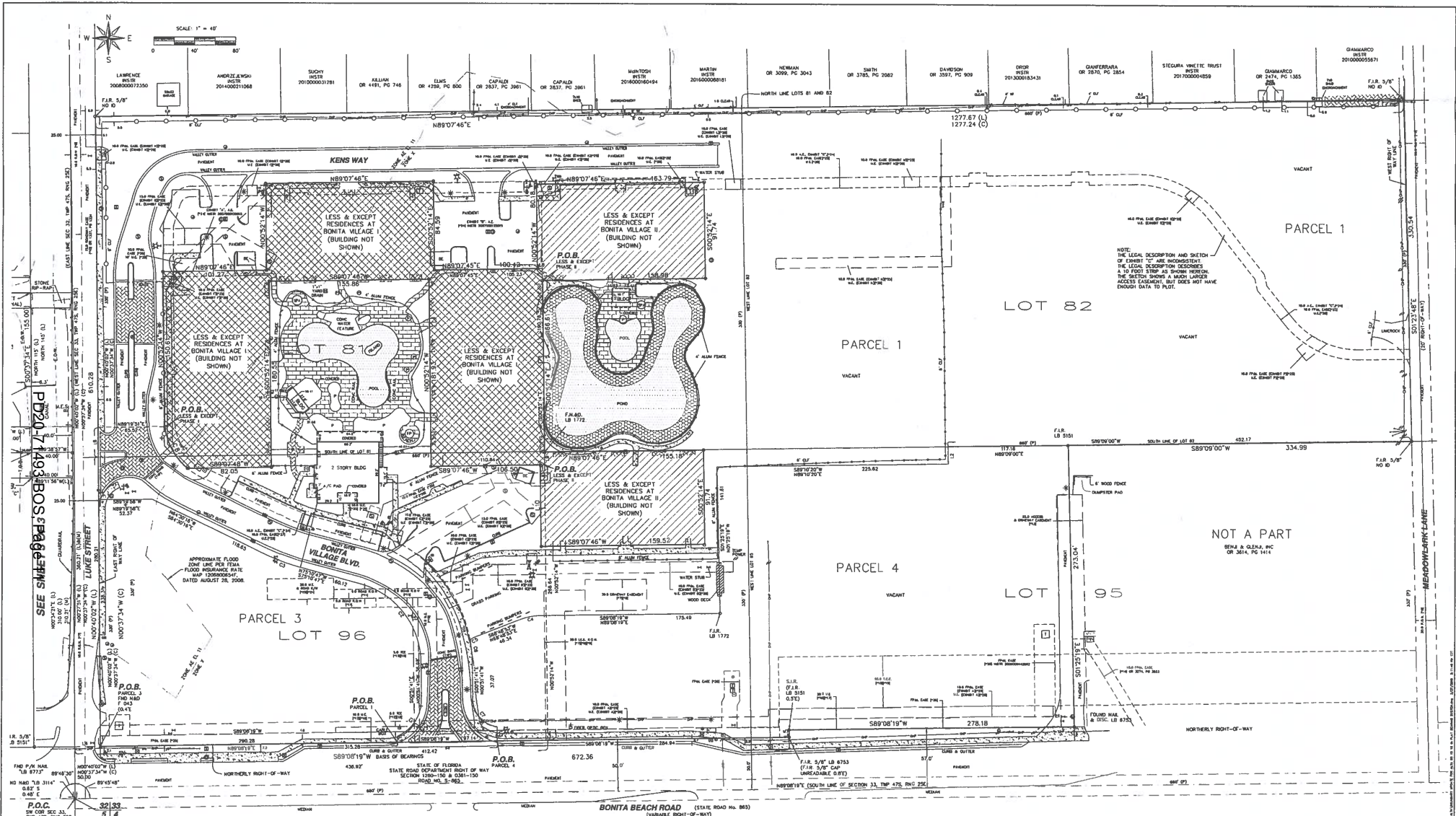
EXHIBITS:

- A. Boundary Survey of the Subject Property stamped received July 2, 2020
- B. Master Concept Plan stamped received September 4, 2020

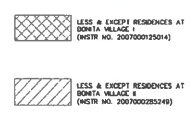
ATTACHMENTS:

- A. Staff Informational Analysis
 - i. Background and Informational Analysis
 - ii. Exhibit D, PD15-21674-BOS
- B. Applicant's Informational Analysis
 - i. Application
 - ii. Zoning Ordinance Nos. 16-05 and 07-08
 - iii. Aerial
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- vi. Environmental Information
- vii. LeeTran Information
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- LEGEND OF EXCEPTIONS SHOWN ON SURVEY:
- (1) PLAT BOOK 3, PAGE 80
 - (2) INTEREST & EGRESS EASEMENT/DRIVEWAY EASEMENT, OR 370, PG 859
 - (3) DRIVEWAY EASEMENT/INTEREST & EGRESS EASEMENT, OR 1619, PG 133
 - (4) INTEREST & EGRESS EASEMENT, OR 3342, PG 2303
 - (5) DRIVEWAY EASEMENT, OR 1333, PG 1321
 - (6) ROAD RIGHT-OF-WAY EASEMENT, OR 2874, PG 1813
 - (7) UTILITY EASEMENT/TEMPORARY CONSTRUCTION EASEMENT, OR 3022, PG 3490
 - (8) ACCESS & DRIVEWAY EASEMENT, OR 3483, PG 0492
 - (9) PLAT EASEMENT, OR 3274, PG 3023
 - (10) UTILITY EASEMENT/TEMPORARY CONSTRUCTION EASEMENT, OR 3099, PG 3825
 - (11) UTILITY EASEMENT/TEMPORARY CONSTRUCTION EASEMENT, OR 3022, PG 2477
 - (12) UTILITY EASEMENT/TEMPORARY CONSTRUCTION EASEMENT, OR 3022, PG 2480
 - (13) UTILITY EASEMENT, OR 3022, PG 2548
 - (14) UTILITY EASEMENT, OR 3033, PG 1201
 - (15) ACCESS EASEMENT, WITH 2007000025015
 - (16) PLAT EASEMENT, WITH 2008000442982 & WITH 200800044588
 - (17) ACCESS EASEMENT, WITH 2008000442978 & WITH 2008000223989
 - (18) UTILITY EASEMENT, WITH 2007000025081
 - (19) UTILITY EASEMENT, WITH 2007000025081
 - (20) UTILITY EASEMENT, WITH 2007000025081
 - (21) UTILITY EASEMENT, WITH 2007000025081

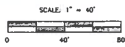


- NOTES:**
- 1) BEARINGS SHOWN HEREON REFER TO THE NORTHERLY RIGHT-OF-WAY LINE OF BONITA BEACH ROAD AS SHOWN ON THIS SURVEY BEING SUPERSEDED.
 - 2) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
 - 3) THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - 4) THIS PROPERTY IS LOCATED IN FLOOD ZONE AE (ELEV 11 IN A.V.D. 1988) AND ZONE 3 (DEE ANNUAL CHANCE FLOOD) PER FIRM #20060 0654 F, DATED AUGUST 28, 2006.
 - 5) SURFACE IMPROVEMENTS HAVE NOT BEEN LOCATED ON THIS SURVEY.
 - 6) SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION, LINE AND CURVE TABLES, LEGEND AND FULL NOTES.

DATE: 04/27/14
 FIELD BOOK AND PLOTTING: 04/27-31
 DRAWN BY: BDL, WAC, BSB
 APPROVED: BDL, BSB
 SCALE: AS SHOWN

BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY)
 A PORTION OF SECTIONS 32 AND 33,
 TOWNSHIP 47 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA

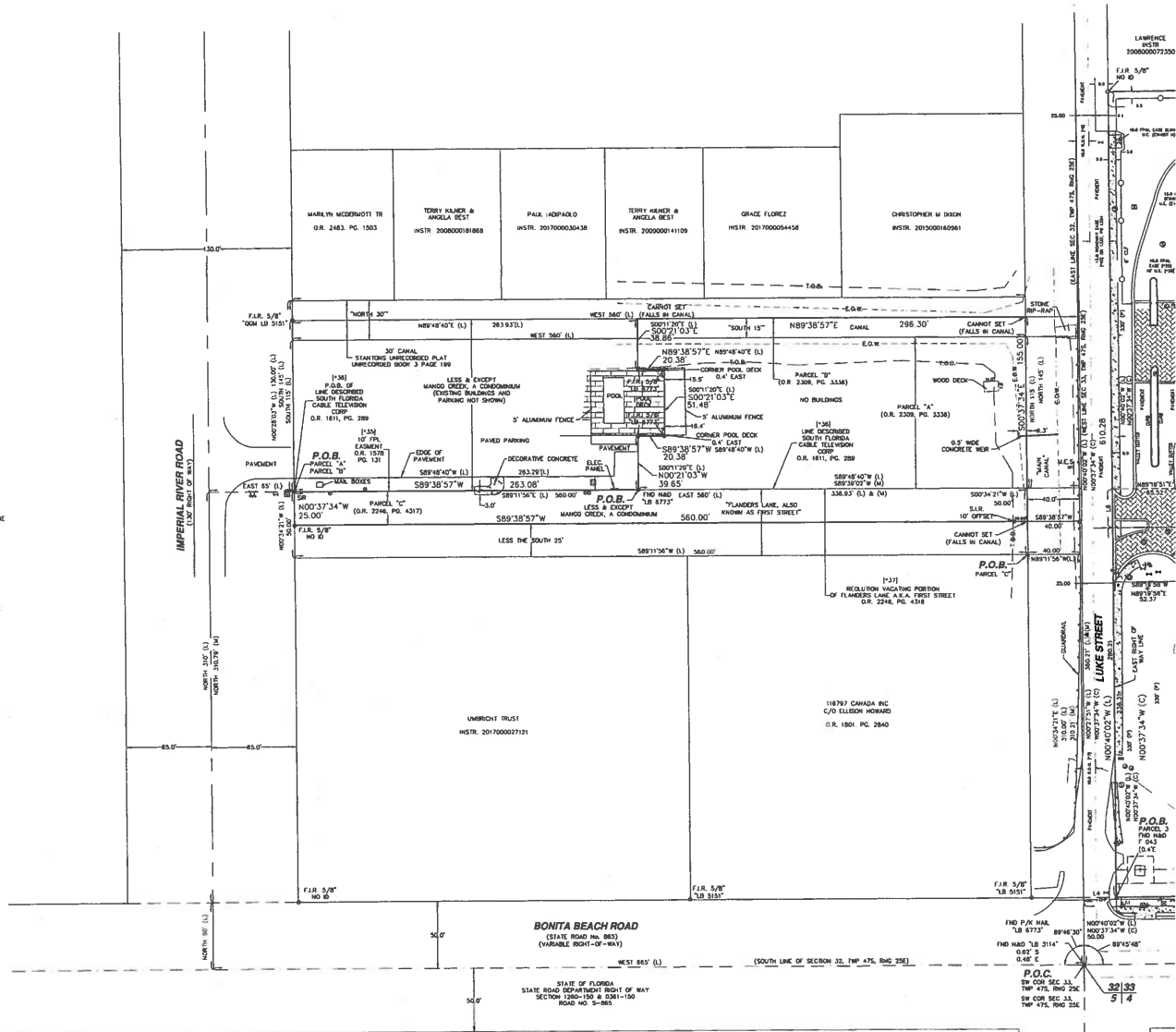
BBL SURVEYORS INC.
 8860 TERRENE COURT,
 BONITA SPRINGS,
 FLORIDA 34135
 (239) 597-1315



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NOTES:

- 1) BEARINGS SHOWN HEREIN REFER TO THE NORTHERLY RIGHT-OF-WAY LINE OF BONITA BEACH ROAD AS SHOWN ON THIS SURVEY BEING S89°01'14" W (SEE SHEET 2 OF 3)
- 2) DIMENSIONS SHOWN HEREIN ARE IN FEET AND DECIMALS THEREOF
- 3) THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
- 4) THIS PROPERTY IS LOCATED IN FLOOD ZONE AE (ELEV 11 ft. M.A.S.D. 1986) AND ZONE X (0.2% ANNUAL CHANCE FLOOD) FOR FIRM FIRMED 0504 F, DATED AUGUST 28, 2006.
- 5) SURFACE IMPROVEMENTS HAVE NOT BEEN LOCATED ON THIS SURVEY.
- 6) SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION, LINE AND CURVE TABLES, LEGEND AND FULL NOTES.



SEE SHEET 4 OF 3

SHEET 3 OF 3

DATE: 8/17/18
FIELD BOOK AND PAGE: 1872-28
SEARCH BY: REG. REC. 002
APPROVED: [Signature]
SCALE: AS NOTED

BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY)
 A PORTION OF SECTIONS 32 AND 33,
 TOWNSHIP 47 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA

BBL SURVEYORS, INC.
 8860 TERRENE COURT,
 BONITA SPRINGS,
 FLORIDA 34135
 (239) 597-1315

BONITA VILLAGE MPD AMENDMENT DEVIATIONS AND JUSTIFICATIONS EXHIBIT IV-H

DEVIATION 1 WAS WITHDRAWN.

DEVIATION 2 WAS APPROVED, GRANTING RELIEF FROM LDC SECTION 4-1690, SCREENING, WHICH REQUIRES THAT VEHICLE LOADING AREAS SHALL BE SCREENED FROM STREETS AND ADJACENT RESIDENTIAL DISTRICTS. SCREENING SHALL CONSIST OF WING WALLS, SHRUBS, TREES, BERMS, OR COMBINATION THEREOF, TO ALLOW NO SCREENING FOR LOADING AREAS ALONG PARKING AISLES ADJACENT TO COMMERCIAL USES THAT CONTAIN RESIDENTIAL USES ON THE UPPER FLOOR.

DEVIATION 3 WAS DENIED IN ZO-07-08 AND IS HEREBY WITHDRAWN

DEVIATION 4 WAS APPROVED, GRANTING RELIEF FROM LDC SECTION 3-418(D) WHICH REQUIRES EITHER A 125 FOOT SETBACK FROM AN EXISTING RESIDENTIAL SUBDIVISION OR AN EIGHT FOOT WALL OR COMBINATION WALL AND BERM; TO ALLOW A 30 FOOT SETBACK FROM THE PROPERTY BOUNDARY TO THE ROADWAY WITH INDIGENOUS OPEN SPACE ALONG THE BOUNDARY. A "B" SIZE BUFFER WILL BE PROVIDED AS ORIGINALLY APPROVED.

DEVIATION 5 WAS APPROVED, GRANTING RELIEF FROM LDC SECTION 3-418 THAT REQUIRES THAT AN EIGHT FOOT WALL OR WALL AND BERM COMBINATION A MINIMUM OF 25 FEET FROM THE PROPERTY LINE; TO ALLOW AN EIGHT FOOT HIGH PVC FENCE OR WALL BE PLACED 10-5 FEET FROM THE NORTHERN PROPERTY LINE.

JUSTIFICATION:

THIS IS WARRANTED DUE TO THE IMPACTS OF THE DEVELOPER'S INTENT TO COMPLY WITH THE CITY OF BONITA SPRINGS BONITA BEACH ROAD VISIONING STUDY. ADDITIONAL SPACE IS REQUIRED TO SEPARATE THE PLANNED RESIDENTIAL BUILDINGS FROM BONITA BEACH ROAD, WHICH HAS IMPACTED THE SETBACKS FROM WHICH 55 FOOT TO 75 FOOT BUILDINGS MAY BE CONSTRUCTED ON THE PROPERTY. THESE CHANGES NECESSITATE A REDUCTION IN THE LANDSCAPE BUFFER AND FENCE/WALL SETBACK FROM THE NORTHERN AND EASTERN PROPERTY LINES. THIS REQUEST ENHANCES THE OBJECTIVES OF THE PLANNED DEVELOPMENT AND PRESERVES AND PROMOTES THE INTENT OF CHAPTER 4, LDC, WHICH IS TO PROTECT AND PRESERVE THE PUBLIC HEALTH, SAFETY AND WELFARE BY COMPLYING WITH THE VISIONING STUDY.

DEVIATION 6 WAS APPROVED, AS CONDITIONED GRANTING RELIEF FROM LDC SECTION 4- 1732, REQUIRED SPACES, WHICH REQUIRES PARKING AT ONE SPACE PER 100 SQUARE FEET FOR PRIVATE CLUBHOUSE FACILITIES WITHIN A RESIDENTIAL COMMUNITY; TO ALLOW THE PRIVATE CLUB IN THE TC-2 TRACT OF THE PLANNED DEVELOPMENT TO CALCULATE PARKING AT ONE SPACE PER 300 SQUARE FEET, SUBJECT TO THE CONDITION THAT THE PRIVATE CLUB (CLUBHOUSE) IS USED SOLELY BY THE RESIDENTS AND THEIR GUESTS AND MAY NOT BE LEASED OUT OR USED BY NON-RESIDENTS OF THE PLANNED DEVELOPMENT.

DEVIATION 7 IS-WAS WITHDRAWN.

DEVIATION 8 WAS APPROVED, GRANTING RELIEF FROM LDC SECTION 3-418 LANDSCAPING STANDARDS, WHICH REQUIRES COMMERCIAL PARKING AREAS ABUTTING SINGLE FAMILY OR MULTIPLE FAMILY AREAS TO PROVIDE A 15 FOOT WIDE, TYPE C BUFFER; TO ALLOW THE DEVELOPMENT OF THE MIXED USE PROJECT TO PROVIDE NO BUFFERS BETWEEN COMMERCIAL PARKING AREAS AND RESIDENTIAL USES WITHIN THE MIXED USE PLANNED DEVELOPMENT, EXCEPT AS NOTED ON THE MASTER CONCEPT PLAN.

DEVIATION 9 IS-WAS WITHDRAWN.

DEVIATION 10 IS-WAS APPROVED, PROVIDING RELIEF FROM LDC SECTION 4-714(B)(1), OPEN SPACE, WHICH REQUIRES LARGE DEVELOPMENTS TO PROVIDE 50% OF THEIR OPEN SPACE THROUGH ON-SITE PRESERVATION OF INDIGENOUS VEGETATION, TO PERMIT THE PROPERTY OWNER TO PROVIDE FOR OFF-SITE PRESERVATION OF LAND OF EQUAL HABITAT OR GREATER AT A 1:1 RATIO FOR THAT REQUIRED TO BE PRESERVED ONSITE, SUBJECT TO CONDITION 8.

DEVIATION 11 IS-WAS APPROVED, PROVIDING RELIEF FROM LDC SECTION 4-741.D(4), WHICH REQUIRES A MINIMUM SEPARATION OF BUILDINGS OF ONE-HALF OF THE SUM OF THEIR HEIGHTS, OR 20 FEET, WHICHEVER GREATER, TO PERMIT THE MINIMUM SEPARATION OF BUILDINGS IN THE TC-1 TRACT FROM PORTIONS OF THOSE BUILDINGS ABOVE 12' THOSE BUILDINGS LOCATED WITHIN THE TC-2 TRACT TO BE A MINIMUM OF 38 FEET, SUBJECT TO CONDITION 3. PARKING STRUCTURE SEPARATION MAY BE 20'

DEVIATION 12 WAS APPROVED, PROVIDING SEEKS RELIEF FROM LDC SECTION 4-1874(2), HEIGHT LIMITATIONS FOR SPECIAL AREAS, WHICH REQUIRES THAT NO BUILDING OR STRUCTURE MAY EXCEED 45 FEET IN HEIGHT UNLESS ALL REQUIRED SETBACKS ARE INCREASED 12 INCHES FOR EACH 12 INCHES BY WHICH THE HEIGHT EXCEEDS 45 FEET. IN NO EVENT, MAY THE HEIGHT EXCEED 55 FEET UNLESS A VARIANCE OR DEVIATION IS APPROVED BY THE CITY COUNCIL AS PART OF A MIXED USE PLANNED DEVELOPMENT TO ALLOW A BUILDING HEIGHT OF 75 FEET AND SUBJECT TO THE PROPERTY DEVELOPMENT REGULATIONS TABLE IN THE ZONING ORDINANCE.

DEVIATION 13 SEEKS RELIEF FROM LDC SECTION 3-418, LANDSCAPE STANDARDS, REQUIRING THAT AN EIGHT FOOT WALL OR WALL AND BERM COMBINATION A MINIMUM OF 25 FEET FROM THE PROPERTY LINE, TO ALLOW AN EIGHT FOOT HIGH PVC FENCE OR WALL BE PLACED 5 FEET FROM THE EASTERN PROPERTY LINE.

JUSTIFICATION:

THIS IS WARRANTED DUE TO THE IMPACTS OF THE DEVELOPER'S INTENT TO COMPLY WITH THE CITY OF BONITA SPRINGS BONITA BEACH ROAD VISIONING STUDY. ADDITIONAL SPACE IS REQUIRED TO SEPARATE THE PLANNED RESIDENTIAL BUILDINGS FROM BONITA BEACH ROAD, WHICH HAS IMPACTED THE SETBACKS FROM WHICH 55 FOOT TO 75 FOOT BUILDINGS MAY BE CONSTRUCTED ON THE PROPERTY. THESE CHANGES NECESSITATE A REDUCTION IN THE LANDSCAPE BUFFER AND FENCE/WALL SETBACK FROM THE NORTHERN AND EASTERN PROPERTY LINES. THIS REQUEST ENHANCES THE OBJECTIVES OF THE PLANNED DEVELOPMENT AND PRESERVES AND PROMOTES THE INTENT OF CHAPTER 4, LDC, WHICH IS TO PROTECT AND PRESERVE THE PUBLIC HEALTH, SAFETY AND WELFARE BY COMPLYING WITH THE VISIONING STUDY.

DEVIATION 14 SEEKS RELIEF FROM LDC SECTION 3-418, LANDSCAPE STANDARDS, REQUIRING THAT A TYPE C BUFFER BE A MINIMUM OF 15 FEET WIDE, TO ALLOW FOR THE MINIMUM TYPE C BUFFER WIDTH TO BE REDUCED TO 10 FEET ALONG THE NORTHERN PROPERTY BOUNDARY AND TO 5 FEET ALONG THE EASTERN BOUNDARY.

JUSTIFICATION:

THIS IS WARRANTED DUE TO THE IMPACTS OF THE DEVELOPER'S INTENT TO COMPLY WITH THE CITY OF BONITA SPRINGS BONITA BEACH ROAD VISIONING STUDY. ADDITIONAL SPACE IS REQUIRED TO SEPARATE THE PLANNED RESIDENTIAL BUILDINGS FROM BONITA BEACH ROAD, WHICH HAS IMPACTED THE SETBACKS FROM WHICH 55 FOOT TO 75 FOOT BUILDINGS MAY BE CONSTRUCTED ON THE PROPERTY. THESE CHANGES NECESSITATE A REDUCTION IN THE LANDSCAPE BUFFER AND FENCE/WALL SETBACK FROM THE NORTHERN AND EASTERN PROPERTY LINES. THIS REQUEST ENHANCES THE OBJECTIVES OF THE PLANNED DEVELOPMENT AND PRESERVES AND PROMOTES THE INTENT OF CHAPTER 4, LDC, WHICH IS TO PROTECT AND PRESERVE THE PUBLIC HEALTH, SAFETY AND WELFARE BY COMPLYING WITH THE VISIONING STUDY.

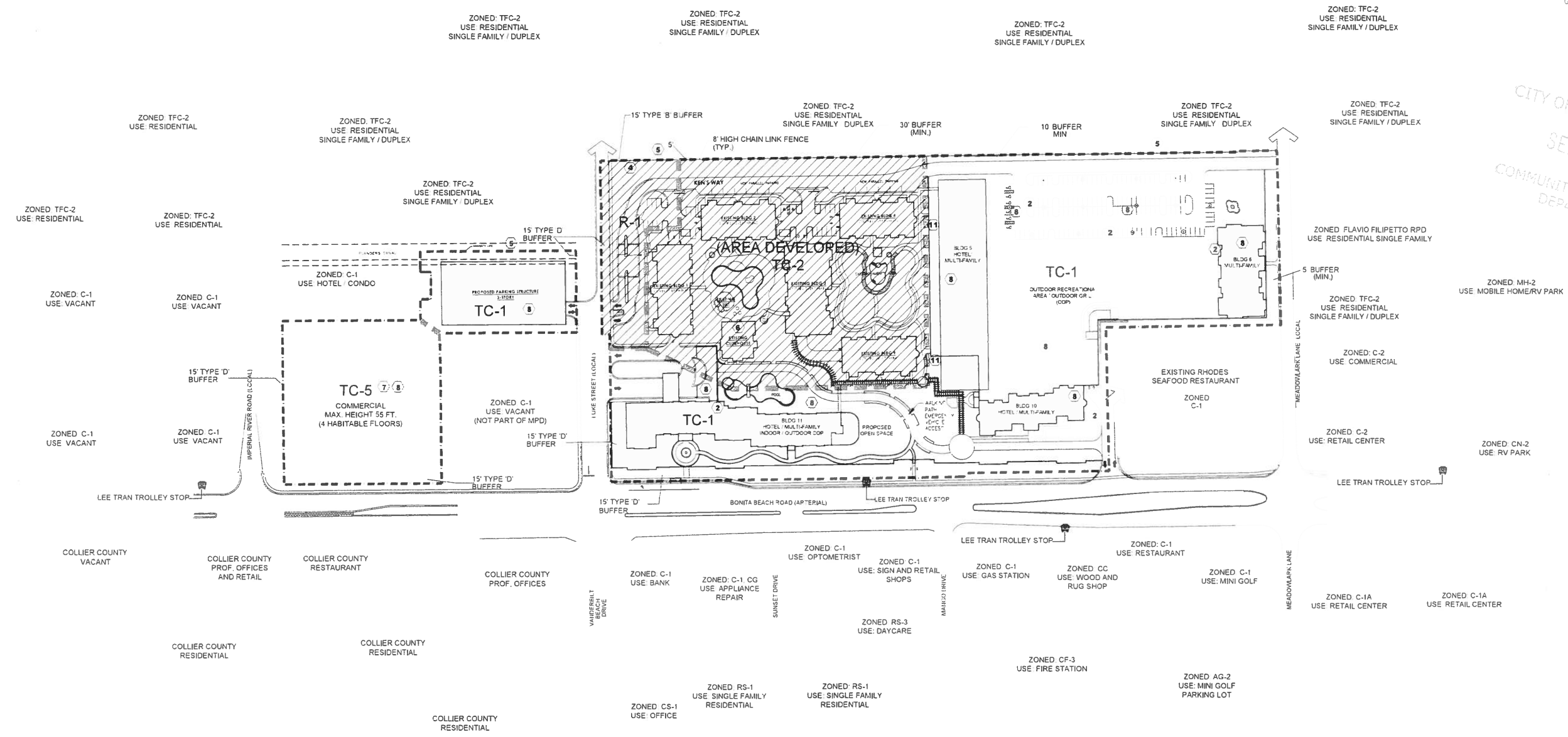
PREPARED FOR 	<table border="1"> <tr><th>NO.</th><th>DATE</th><th>REVISION DESCRIPTION</th><th>BY</th></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	REVISION DESCRIPTION	BY																	 10511 SIX MILE CYPRESS PARKWAY FORT MYERS, FLORIDA 33966 PHONE: (239) 939-5490 FAX: (239) 939-2523 ENGINEERING LICENSE # EB 6469 SURVEY LICENSE # LB 6690 WWW.BANKSENG.COM	DEVIATION NOTES BONITA VILLAGE MPD BONITA SPRINGS, FLORIDA						
		NO.	DATE	REVISION DESCRIPTION	BY																								
<table border="1"> <tr> <th>DATE</th> <th>PROJECT</th> <th>DRAWING</th> <th>DESIGN</th> <th>DRAWN</th> <th>CHECKED</th> <th>SCALE</th> <th>SHEET</th> </tr> <tr> <td>08/31/2020</td> <td>8348</td> <td>MCP</td> <td>KG</td> <td>KG</td> <td>DBA</td> <td>N/A</td> <td>02</td> </tr> </table>	DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	08/31/2020	8348	MCP	KG	KG	DBA	N/A	02													
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET																						
08/31/2020	8348	MCP	KG	KG	DBA	N/A	02																						

S:\Projects\2020\BOS\MPD\Drawings\14-15 MPD DEV EXHIBIT IV-H.dwg



0 100' 200' 300'
GRAPHIC SCALE 1" = 100'

RECEIVED
CITY OF BONITA SPRINGS
SEP 04 2020
COMMUNITY DEVELOPMENT
DEPARTMENT



BUILDING SUMMARY
LOCATION: TC-1
MAXIMUM HEIGHT: 75'

PREVIOUS APPROVALS
ORDINANCE NO. 02-07
ADD 2004-00003
DOS 2004-00272
ADD 2006-00022
ORDINANCE NO. 07-08
ADD 2008-00004
ORDINANCE 15-05

LAND USE SUMMARY

PARCEL	RESIDENTIAL UNITS (MAXIMUM) (1)	COMMERCIAL/PROFESSIONAL SQUARE FEET (MAXIMUM) (2)	HOTEL/MOTEL UNITS (3)	ACRES
TOWN CENTER				
TC-1	140	5,000	390 (TOTAL TC)	10.98
TC-2	80	5,000		5.02
TC-5	0	18,000	40 (TOTAL TC)	2.13
RESIDENTIAL				
R-1	0	N/A		0.88
TOTAL	220 MAXIMUM	23,000 SQUARE FEET MAXIMUM	390 MAXIMUM	19.01

(1) Total Residential Units will not exceed 220 dwellings.
(2) Total Commercial/Professional area will not exceed 23,000 square feet.
(3) Total Hotel/Motel units will not exceed 390.

GENERAL NOTES:

- CONSISTENT WITH LDC SECTION 34-414, OPEN SPACE WITHIN THE TOWN CENTER PARCELS WILL BE MET OVER THE ENTIRE DEVELOPMENT, BUT IN NO CASE WILL OPEN SPACE WITHIN AN INDIVIDUAL TOWN CENTER PARCEL BE LESS THAN 10%.
- ANY TRAILS OR PATHS WITHIN THE INDIGENOUS PRESERVE AREA WILL CONSIST OF A NATURAL PERVIOUS MATERIAL.
- ROADWAY ABUTTING 30' WIDE BUFFER (PARCEL RC-2) CAN ENCOACH UP TO 10' INTO BUFFER IN ORDER TO PRESERVE NATIVE VEGETATION.
- LEE TRAN ROUTE 150 HAS A DEDICATED STOP LOCATED AT BONITA BEACH ROAD AND WINDSOR ROAD. THE LEE TRAN TROLLEY HAS DEDICATED STOPS LOCATED AT MEADOW/LARK LANE AND BONITA BEACH ROAD AND ALSO IN FRONT OF THE PROJECT ON BONITA BEACH ROAD. THE PROJECT HAS ACCESS TO ALL OF THESE BUS STOPS VIA SIDEWALK.

PAVESE
LAW FIRM

BANKS ENGINEERING
Professional Engineers, Planners, & Land Surveyors
serving the state of Florida

10511 34 MILE CYPRESS PARKWAY
FORT WORTH, FLORIDA 33988
PHONE: (214) 339-5170 FAX: (214) 339-2522
ENGINEERING LICENSE # 25 8469
SURVEY LICENSE # 13 9990
WWW.BANKSENG.COM

MASTER CONCEPT PLAN
BONITA VILLAGE MPD
BONITA SPRINGS, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
08/31/2020	8348	MCP	KG	KG	DBA	1" = 100'	01

ATTACHMENT “A”

BACKGROUND AND INFORMATIONAL ANALYSIS

Introduction/Synopsis

A portion of the project is within the Bonita Beach Road (BBR) Corridor Overlay District, which was last amended in December 2019. That portion includes parcels fronting BBR east of Luke Street and which are located within the Commercial Zone (approximately 275 feet north of the BBR right-of-way). The entire parcel west of Luke Street is also within the BBR Corridor Overlay District but is within the Beach Zone. Based on the applicability standards of the City’s LDC, this planned development is currently exempt from the BBR Corridor Overlay standards until the existing Master Concept Plan expires (September 16, 2021). However, the City Staff acknowledges that it is the Applicant’s intent to voluntarily position the property so it can comply with the BBR Overlay District in the future based on the City’s visioning efforts. The proposed MPD amendment seeks a reduction of the maximum height limitation, some master concept plan modifications, and changes to the approved schedule of deviations.

Master Concept Plan

In addition to the modification of the height limitation, the proposed MPD amendment also includes changes to the internal roadway, buffering, and building location within the TC-1 area along the northern boundary. If the Applicant can construct all of Buildings 5 and 6 at seventy-five (75) feet, the Applicant will be able to reduce the number and size of buildings along the northern boundary. The proposed MPD amendment also includes a modification to Deviation 5 (buffer in the TC-1 area along the northern boundary) and a new Deviation 14 for the right-of-way buffer along Meadowlark Lane.

The Applicant’s deviation request and justification is included in Attachment B. The City Staff’s recommendations on the deviation requests have been provided in the Staff Report.

Surrounding Land Use:

<u>Existing Zoning & Land Use</u>	<u>Future Land Use Map</u>
North: Two Family Conservation (TFC-2) and Agriculture (AG-2); Single-family and duplex residential	Medium Density Residential, intended to accommodate a mix of single-family, duplex and town homes residential development at a maximum density of up to 11.6 dwelling units per gross acre.

<p>East: C-1 Commercial, Meadowlark Lane, TFC-2, Residential Planned Development (RPD), C-2 Commercial zoned property, Bonita Beach Road Corridor Commercial Zone; Restaurant, retail, single-family, and two-family attached residential</p>	<p>Medium Density Residential and General Commercial, which is intended to accommodate a wide range of commercial uses serving the general population of the City.</p>
<p>South: Bonita Beach Road, C-1 Commercial and Community Commercial (CC); Restaurant, commercial recreation, convenience store and gas station, office, and retail uses</p>	<p>General Commercial</p>
<p>West: MPD and C-1 zoned property; Vacant commercial and multi-family residential</p>	<p>General Commercial</p>

Neighborhood Compatibility

In 2016, the City Staff agreed that this project was appropriate along this corridor and particular area of the City; however, the City Staff was concerned with the maximum height requested for buildings that directly abutted the existing single-family and duplex residential uses to the north and east and the existing multi-family buildings to the west. While the proposed MPD amendment would reduce the amount of buildings closest to the northern perimeter, it would increase height within two (2) areas.

The subject property is surrounded by commercial and residential uses. Properties in the southwest corner of Bonita Beach Road and Vanderbilt Drive are located within Collier County. To date, the City Staff has received only a few of comments in support and in opposition of the proposed MPD amendment.

Northern Boundary: A variety of single-family and duplex residential uses exist along Springs Lane and Quails Walk. In 2016, the Applicant provided a line of sight exhibit (**Attachment D**) depicting this area, indicating the views from buildings at seventy (75) feet in height to the rear yards of the residences south of Quails Walk. This exhibit illustrates tall and dense vegetation, a majority of which is exotic vegetation. All exotic vegetation located on the Applicant’s property is required to be removed. The Applicant will maintain the thirty (30) foot Type B buffer/Open Space area for the previously developed multi-family tract in the TC-2 area, but is requesting a reduced ten (10) foot buffer for the TC-1 area. If approved, the City Staff recommends that this buffer be enhanced to demonstrate consistency with the 2016 line of sight exhibit. This would include either increasing the buffer to a fifteen (15) foot minimum, placing the proposed

fence on the property line with vines to soften its visual appearance, and installation of Type C buffer plantings to the south of the fence using larger trees and shrubs than minimum landscape requirements, or an increase to the buffer width and type to a twenty-five (25) foot Type F buffer if buildings are proposed adjacent to the buffer as allowed by the Property Development Regulations table. The previously approved zoning ordinance included installation of canopy trees and palms significantly larger than the minimum size required by the City's LDC. The Future Land Use Classification (FLUC) for the area to the north is Medium Density Residential, which allows height up to fifty-five (55) feet and single-family, duplex, and townhouse units. In 2016, the City Council approved a fifty-five (55) foot height limitation for buildings within seventy (70) feet of the northern property line. This height limitation supported the City Staff's recommendation to provide for transitional massing from the property boundary south into the project.

Western Boundary: The Future Land Use Classification (FLUC) for the area to the west is General Commercial and Medium Density Residential. To the west of the main parcel is a vacant commercially zoned parcel (4040 Bonita Beach Road) and the Mango Creek Condominiums, a two (2) story condominium development constructed in 1982. The TC-5 area allows for a forty (40) unit hotel or 18,000 square feet of commercial uses to a height not to exceed fifty-five (55) (four (4) habitable floors). Further west is Imperial River Road and then vacant commercial property. The Applicant's request does not impact this area.

Eastern Boundary: To the east of the subject property west of Meadowlark Lane is the former Rodes restaurant. To the east of Meadowlark Lane, is single-family and duplex residential uses. The Future Land Use Classification (FLUC) for this area is Medium Density Residential, which only allows height up to fifty-five (55) feet and single-family, duplex, and townhouse units. In 2016, the City Council approved a fifty-five (55) foot height limitation for buildings within fifty (50) feet of the eastern property line. This height limitation supported the City Staff's recommendation to provide for transitional massing from the property boundary west into the project. The Applicant is requesting a deviation from the fifteen (15) foot type D buffer requirements to support a more urban form of development. This deviation request is commensurate with others within the BBR Corridor Overlay.

Southern Boundary: To the south of the subject property is Bonita Beach Road and a variety of commercial uses. The Applicant has previously participated in the Bonita Beach Road Visioning workshops and supports the City's visioning efforts. While improvements to this section of Bonita Beach Road have not been identified, the Applicant continues to remain receptive to any beautification and mobility enhancements within the road right-of-way. Inclusion of proposed improvements will be essential if the City Council approves the proposed MPD amendment.

Environmental

Changes to the Master Concept Plan result in no additional environmental impacts. The Applicant still intends to provide for off-site mitigation and relocation of existing gopher tortoises.

All required buffers will be composed of native vegetation with species native to pine flatwoods, xeric oak, and upland scrub plant communities per the previously approved conditions.

Deviation 5 requests a PVC fence or wall at five (5) feet from the northern property line and Condition 9b calls for larger than required trees to be planted in this buffer. These trees would have a very limited growing space in a ten (10) foot buffer with an eight (8) foot fence placed down the middle. Additionally, there are overhead power lines to the north and FPL does not recommend large canopy trees to be planted within thirty (30) feet of these lines. The fence would be better served adjacent to the plantings which should be on either side of the fence from the project and will help serve as a better buffer to the neighboring residential community. A deviation from the Type D buffer along Bonita Beach Road will better serve the project's neighborhood compatibility if the Applicant needs to account for the space differential.

Traffic

The City's transportation analyst and the Lee County Department of Transportation reviewed the proposed MPD amendment. The proposed MPD Amendment is not anticipated to result in the need for additional capacity improvements. The request does not modify the density or intensity; therefore, no additional information was required.

Stormwater/Drainage

The Applicant has confirmed that the proposed MPD amendment does not change the surface water management plan that was reviewed in 2016 per LDC Section 4-295. The Applicant intends to utilize underground chambers for stormwater management, a similar technology that is under construction at the Bonita Breeze CPD project to the west.

Comprehensive Plan Considerations

The Applicant has prepared a Comprehensive Plan consistency analysis as part of the Application (see Attachment "B").

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

The request involves a proposed amendment to an existing mixed-use planned development. The General Commercial (GC) Future Land Use Category permits a maximum height of seventy-five (75) feet. While the GC Future Land Use Category allows up to seventy-five (75) feet in height, Policy 1.1.3 states that the actual allowable height for any given property will be stated in the City's LDC based on consideration of

compatibility with surrounding existing land uses and future land use patterns.

The City Council previously determined that the height requested at seventy-five (75) feet at the northern and eastern property lines was appropriate based on Condition 3a given the surrounding development patterns – *i.e.*, existing single-family, duplex residential, and multi-family uses (Building 4, two (2) stories over parking). Condition 3a imposed a fifty-five (55) foot height limitation for buildings within seventy (70) feet of the northern property line and within fifty (50) feet of the eastern property line. This height limitation supported the City Staff's recommendation to provide for transitional massing from the property boundary south into the project.

The Future Land Use Classification (FLUC) for the area to the north and portions to the east is Medium Density Residential, which only allows height up to fifty-five (55) feet and single-family, duplex, and townhouse units. A maximum building height of fifty-five (55) feet for the buildings closest to those areas is still appropriate and compatible, specifically for those buildings that border Meadowlark Lane, the northern property boundary, and Building 4. However, for the northern property line, the reduction of multiple fifty-five foot (55') buildings with the perpendicular end of a single 75' building can be viewed as a reduction in the visual impact along the entirety of the northern property line.

The request for the northern and eastern property lines have been identified as having two separate and unique design challenges and have been evaluated independently. The proposed MPD amendment for the eastern property line is **INCONSISTENT** with **Policy 1.1.3** of the City of Bonita Springs Comprehensive Plan based upon the City Council's prior approval. The proposed MPD amendment for the northern property line is consistent with Policy 1.1.3 of the City of Bonita Springs Comprehensive Plan based upon a comparative analysis with the existing approval.

Policy 1.1.14: General Commercial – *Intended to accommodate a wide range of commercial uses serving the general population of the City. This designation recognizes, but is not specifically limited to, properties that have been developed, have received development approval or have been zoned for commercial use prior to the adoption of the Comprehensive Plan.*

- a. Appropriate uses include a wide range of commercial retail and service uses for residents and visitors; hotels/motels; offices; light industrial uses; schools; recreation; public and semi-public uses; multi-family uses up to 10 units per acre; and mixed residential and commercial use in planned developments.*
- b. If affordable housing is provided, residential density may be increased by up to five additional units per acre.*
- c. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.*
- d. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.*

No changes to uses are proposed as part of the proposed MPD amendment. The hotel and multi-family uses on the TC-1 tracts were approved with a maximum height of seventy-five (75) feet and a height limitation as set forth in Condition 3. The property is located within the GC Future Land Use Category. While the GC Future Land Use Category allows up to seventy-five (75) feet in height, Policy 1.1.3 states that the actual allowable height for any given property will be stated in the City's LDC based on consideration of compatibility with surrounding existing land uses and future land use patterns. Therefore, maximum building height will be established based on final action by the City Council. The amendment is **CONSISTENT** with Policy 1.1.14 of the City of Bonita Springs Comprehensive Plan.

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 Land Development Code shall include provisions for buffering in the form of fences, walls, vegetation or spatial buffers to minimize the impacts upon residential use.*

The proposed MPD amendment seeks to reduce the height limitation condition recommended by the City Staff and as modified by the City Council in 2016. The Applicant's justification for the request cites the BBR Corridor Overlay District standards, which do not apply to the project at this time.

While the proposed MPD amendment would reduce the amount of buildings closest to the northern perimeter, it would increase height within two (2) areas.

The request to replace multiple fifty-five buildings with a single seventy-five foot (75') building up to 10' from the northern property line and 10' to the eastern property line, present two separate design challenges and are addressed separately.

The request to allow a seventy-five foot (75') building up to 10' to the eastern property line appears inconsistent with previous Council decisions. The proposed orientation of the buildings parallel to the Meadowlark right-of-way will present considerable vehicular and pedestrian visual and massing impacts the entire length of the property line, however the level of detail provided in the resubmittal did not allow for a complete determination of consistency. As part of the analysis of this submittal, comparable development patterns allowed within the City were analyzed with a specific focus on existing and proposed downtown standards to determine their impact on the urban rhythm. These did not provide similar development patterns that would allow for their inclusion here.

Amending the MCP along the northern property line to allow a seventy-five foot building within 10' of the property line will require specific design considerations at the time of development order application and building permit. However when comparing the existing design versus the proposed, the taller building will present less of an impact

along the entirety of the northern property line. As a result, the request is consistent with Policy 1.1.22 of the Bonita Springs Comprehensive Plan.

Objective 1.11 (Future Land Use Element) – *Development orders and permits for new development or redevelopment shall be issued only if public facilities and services necessary to meet the City’s adopted Level of Service (LOS) standards are available concurrent with the impacts of the development.*

Policy 1.11.1 (Future Land Use Element) – *Refers to the availability of public facilities and services necessary to support development concurrent with its impacts prior to the issuance of a development order or permit.*

No changes to the existing Master Concept Plan, density, or intensity are proposed that would further impact any public facilities or services. Transportation concurrency will be addressed at time of local development order in accordance with the City’s LDC, this MPD, and the Florida Statutes. Water, sewer, and solid waste capacity is available to the site. Stormwater management, minor utility improvements, and other relevant issues will be addressed at time of local development order review.

The proposed MPD amendment is **CONSISTENT** with Objective 1.11 and Policy 1.11.1 of the City of Bonita Springs Comprehensive Plan.

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

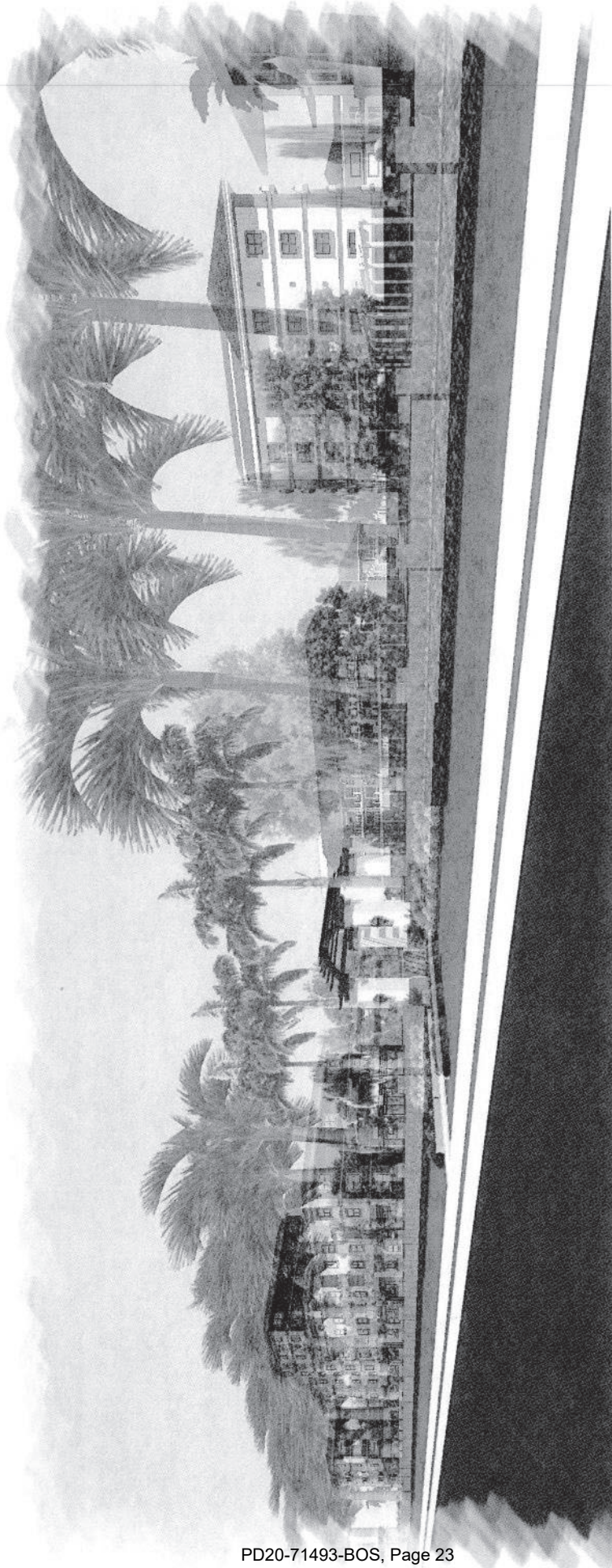
Review criteria	Yes – Mostly; Partly – No
Demonstrate compliance with the Bonita Plan, this Land Development Code, and any other applicable code or regulation; and	Mostly
The request meets or exceeds performance and location standards set forth for the proposed uses; and	Non-applicable. This is a carry-over 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	Non-applicable. No changes to density or intensity are proposed.
The request is compatible with existing or planned uses in the surrounding area; and	Mostly
Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by	Non-applicable. No changes to density or intensity are proposed.

streets with the capacity to carry traffic generated by the development; and	
Will the request adversely affect environmentally critical areas and natural resources; and	No
Public facilities are, or will be, available and adequate to serve the proposed land use; and	Yes
The proposed use or mix of uses is appropriate at the subject location; and	Non-applicable. No changes to uses are proposed.
The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest; and	Yes
The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development; and	Yes
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

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MAY 16 2016

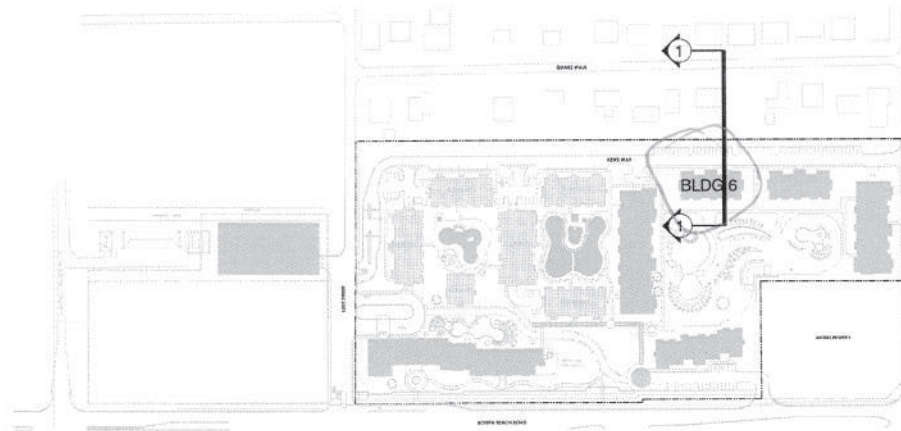
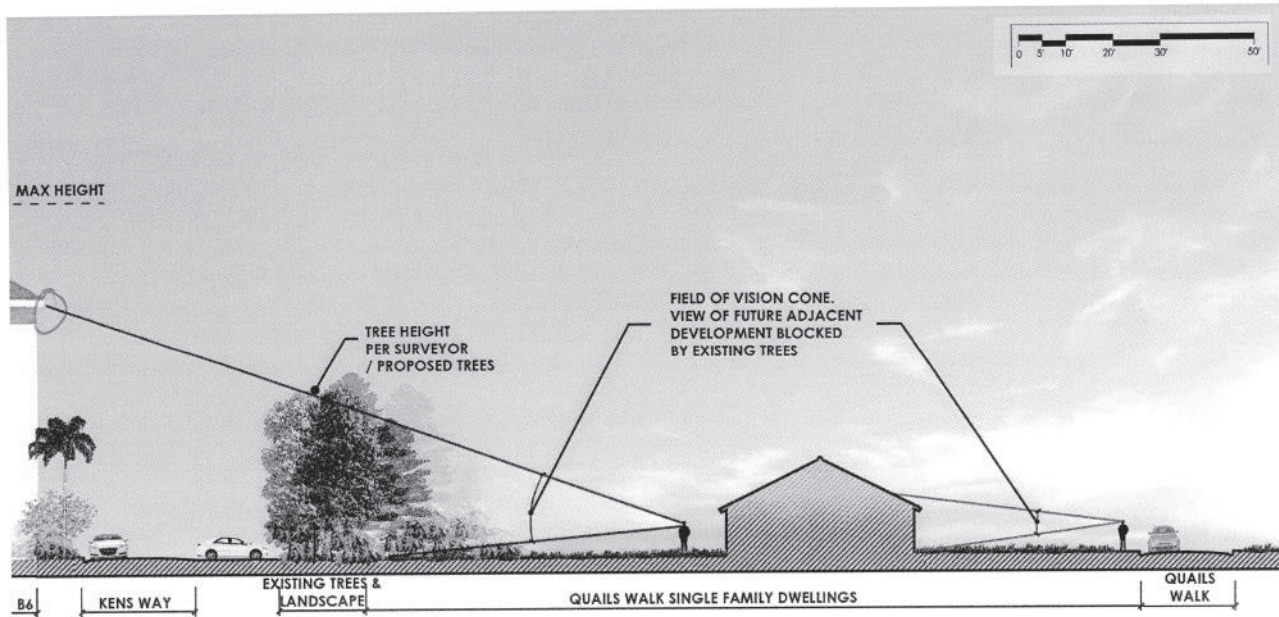
CITY OF BONITA SPRINGS
COMMUNITY DEVELOPMENT
DEPARTMENT



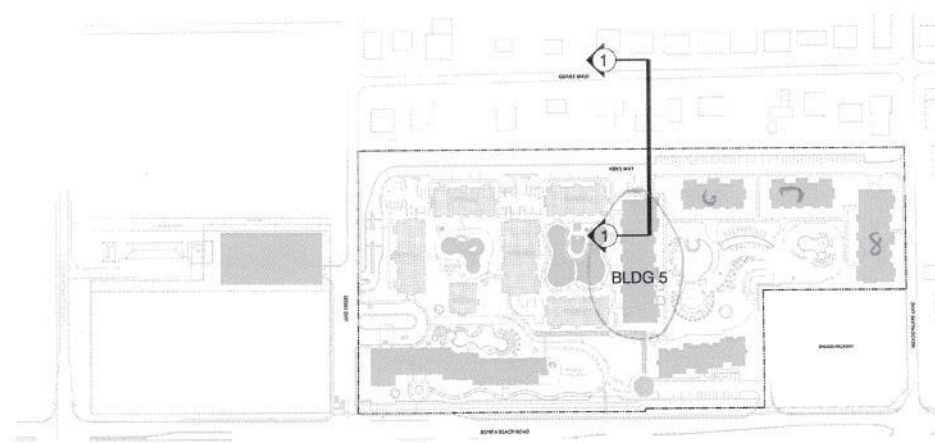
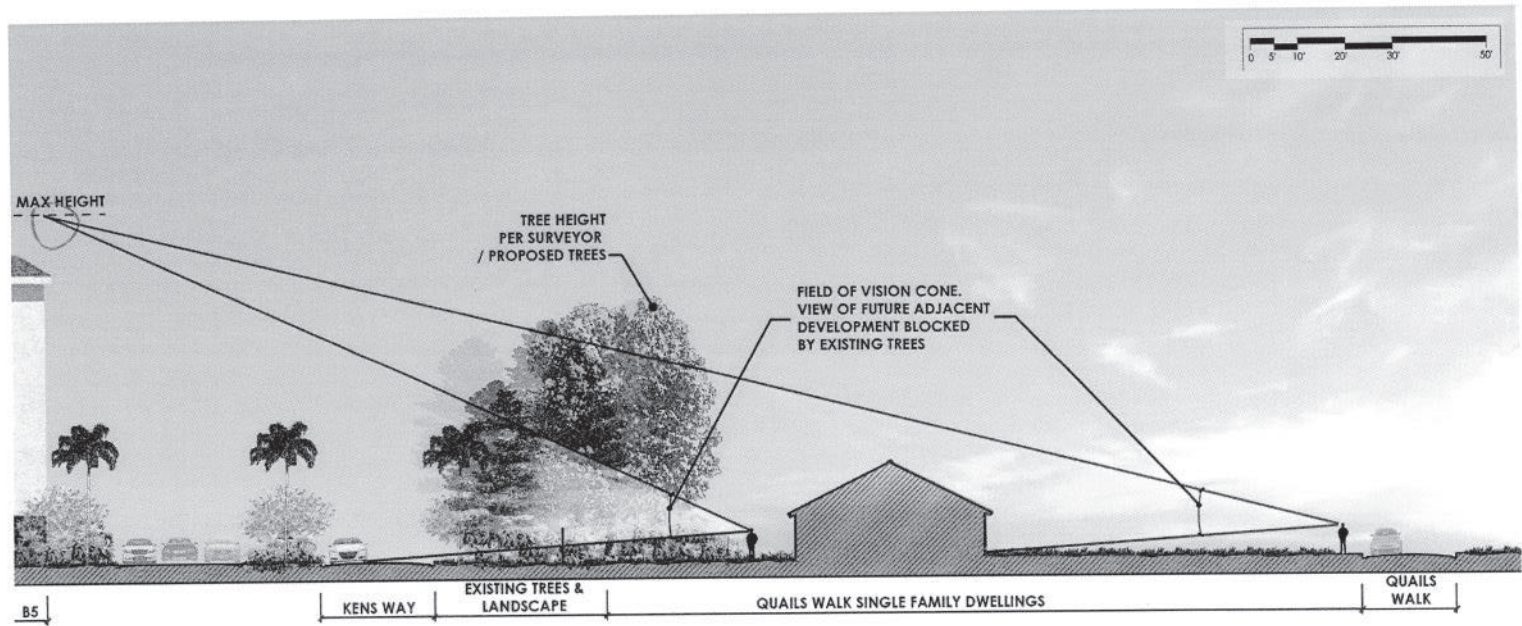
BONITA VILLAGE
site concept rendering
April 19, 2016



2550 Goodlette Frank Road | Naples, Florida 34103
T: 239-434-2600 | F: 239-434-0208 | www.pkstudios.com
Registration: AAC0010584



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**PUBLIC HEARING APPLICATION FOR
PLANNED 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: Bonita Development Co LLC
Project Name: Bonita Village MPD
STRAP Number(s): See Exhibit
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: PD20-71493 **Date of Application:** 7-2-2020
Fee: \$5,000
Current Zoning: MPD
Land Use Classification(s): Gen Commercial **Comp. Plan Density:** 10 du/acre / 1.2 FAI
Date of Zoning Public Hearing: 9/15/2020 - CMT **Date of City Council Public Hearing:** Sept. 10/7 + 10/21
Planner Assigned: J. Gunson
Staff Recommendation: See Staff Report

TYPE OF APPLICATION

DRI PD - Existing Development PD - Amendment
 Option 1 Option 2

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JUL 02 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

**PART I
APPLICANT/PROPERTY OWNERSHIP INFORMATION**

A. Name(s) of applicant(s): Bonita Development Co LLC
Mailing Address: Street: 27901 Bonita Village Blvd
City: Bonita Springs State: FL Zip: 34134
Phone Number: Area Code: 239 Number: 949-8634 Ext: _____
E-mail: tom.runyon@bonitavillage.com

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

*If applicant is NOT the owner or the person authorized by the Covenant of Unified Control, submit a **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: Please see Exhibit I-B-3
Mailing Address: Street: _____
City: _____ State: _____ Zip: _____
Phone Number: Area Code: _____ Number: _____ Ext: _____
Fax Number: Area Code: _____ Number: _____

D. Date property was acquired by present owner(s): 2011, 2012, 2014, 2018, 2019

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: Pavese Law Firm
Address: 1833 Hendry St, Fort Myers, FL 33901
Contact Person: Amy Sarazen Thibaut
Phone: (239) 336-6212 E-mail: amythibaut@paveselaw.com

**PART II
GENERAL INFORMATION**

A. Request:

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

<input type="checkbox"/> RPD - Residential	<input checked="" type="checkbox"/> MPD - Mixed Use
<input type="checkbox"/> MHPD - Mobile Home	<input type="checkbox"/> RVPD - Recreational Vehicle
<input type="checkbox"/> CPD - Commercial	<input type="checkbox"/> CFPD - Community Facilities
<input type="checkbox"/> IPD - Industrial	<input type="checkbox"/> AOPD - Airport Operations

2. Option Chosen: Option 1 Option 2

3. Other - Provide specific details. _____

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

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: Arroyal

Plat Book: 3 Page: 80 Unit: _____ Block: _____ Lot: 81, 82, 95, 96

Section: 33 Township: 47 Range: 25

Attach a copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-B-3.

C. Project Street Address: 27901 Bonita Village, 27934 Meadowlark Ln, 3894, 3974, 3998 Bonita Beach Rd

D. General Location Of Property (referenced to major streets): 27690 and 27694 Imperial River Rd (cont. from above)

Property is located on the northwest and northeast corners of Luke Street and Bonita Beach Road

E. City of Bonita Springs Plan Information

1. City of Bonita Springs Land Use Classification: General Commercial

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.
11' NGVD (MSL)

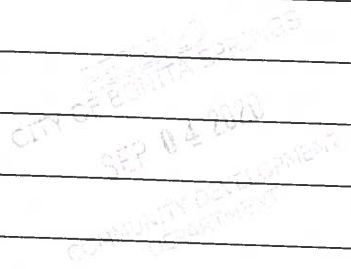
2. Are there any environmentally sensitive lands such as, but not limited to: wetlands, mangrove forests, creek & river shorelines, sand dunes, xeric scrub, mature pine forests, or other unique land forms as defined in the Bonita Plan Goal 15 and it's Objectives and Policies, Objective 4.1, Policies 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 X 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: The current use of the property is Bonita Village MPD. The property is partially developed with condominiums.



H. Property Dimensions

- 1. Width (average if irregular parcel): 1200 Feet
- 2. Depth (average if irregular parcel): 600 Feet
- 3. Frontage on road or street: 900 Feet on Bonita Beach Rd and 600' on Luke St
(Name of street)
- 4. Total land area: 19 +/- Acres or Square Feet

I. Land Area Calculations

- 1. Undevelopable Areas:
 - a. Freshwater wetland areas N/A
 - b. Other wetland areas
 - c. Submerged land subject to tidal influence:
 - d. Total (a + b + c):
- 2. Remaining developable land (H.4 less I.1.d): 19 +/-

**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
220 Multiple Family 220 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): 220
b. PROPOSED total units (from A-1. above): 220
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: 23,000 Total gsf

Offices: _____ Total gsf

Medical: _____ gsf Non-medical: _____ gsf

Hotel/Motel: 260 Total units

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

Industrial: _____ Total gsf

Under roof: _____ gsf Not under roof: _____ gsf

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

Other-specify: _____

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

4. Building Height

75 Maximum height of buildings (in feet above grade)

_____ Number of Habitable Floors

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

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

B. Facilities

1. Fire District: Bonita Springs Rescue and Fire Control District

2. Water Supply

a. Estimated daily consumption of potable water:

- 1. Residential units: 65,000 gpd
- 2. Mobile Home units: _____ gpd
- 3. Rec. Vehicle units: _____ gpd
- 4. Commercial: 3,000 gpd
- 5. Industrial: _____ gpd

b. Source of potable water: Bonita Springs Utilities

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

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

d. Source of Non-potable water: _____

3. Sanitary Sewer Service

a. Estimated daily production of wastewater:

- 1. Residential units: 52,000 gpd
- 2. Mobile Home units: _____ gpd
- 3. Recreational Vehicles: _____ gpd
- 4. Commercial: 2,400 gpd
- 5. Industrial: _____ gpd

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

c. Source of sanitary sewer service: Bonita Springs Utilities

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

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

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

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

C. Transportation

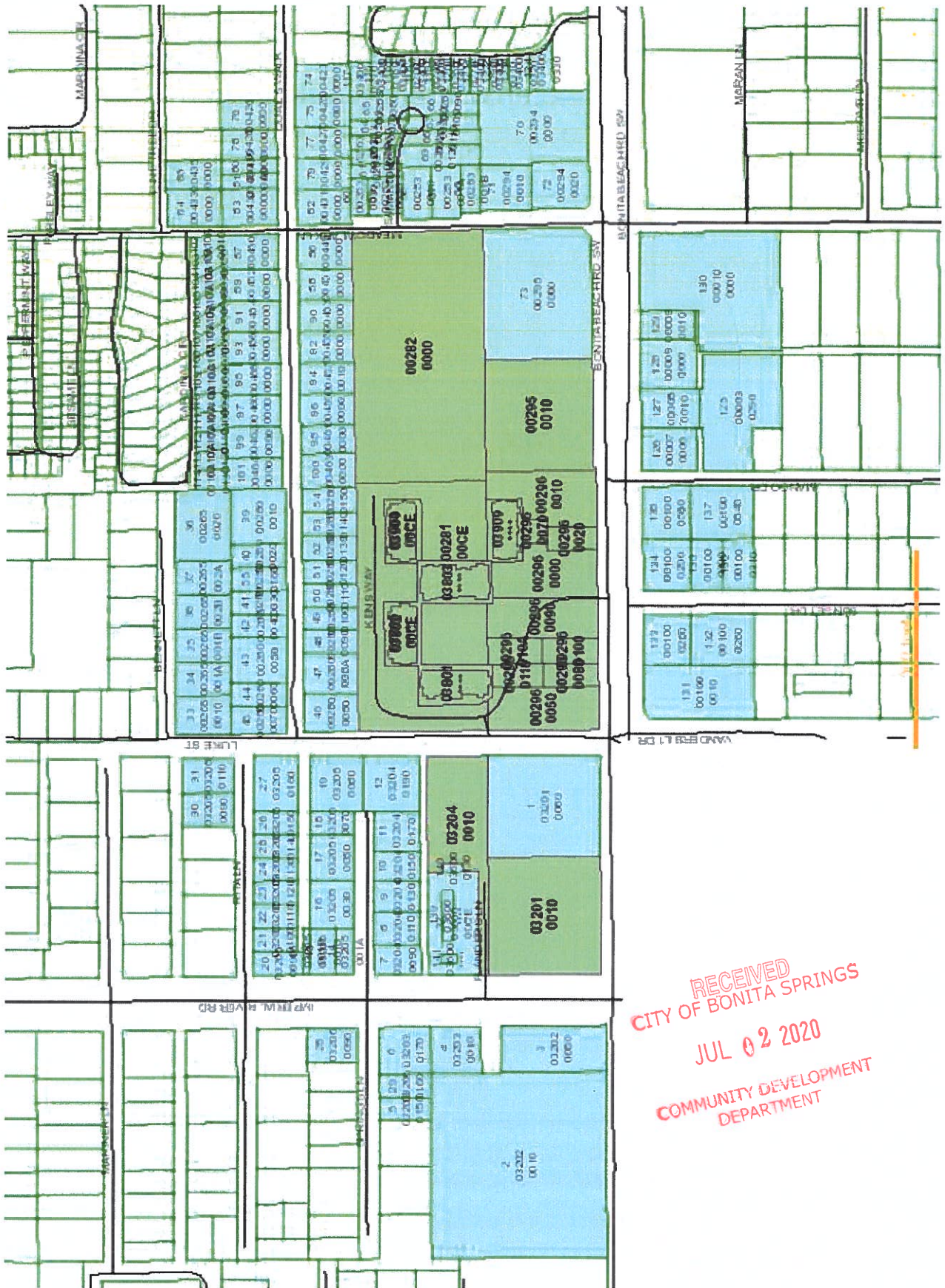
1. Has this project been exempted from filing a Traffic Impact Statement?

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

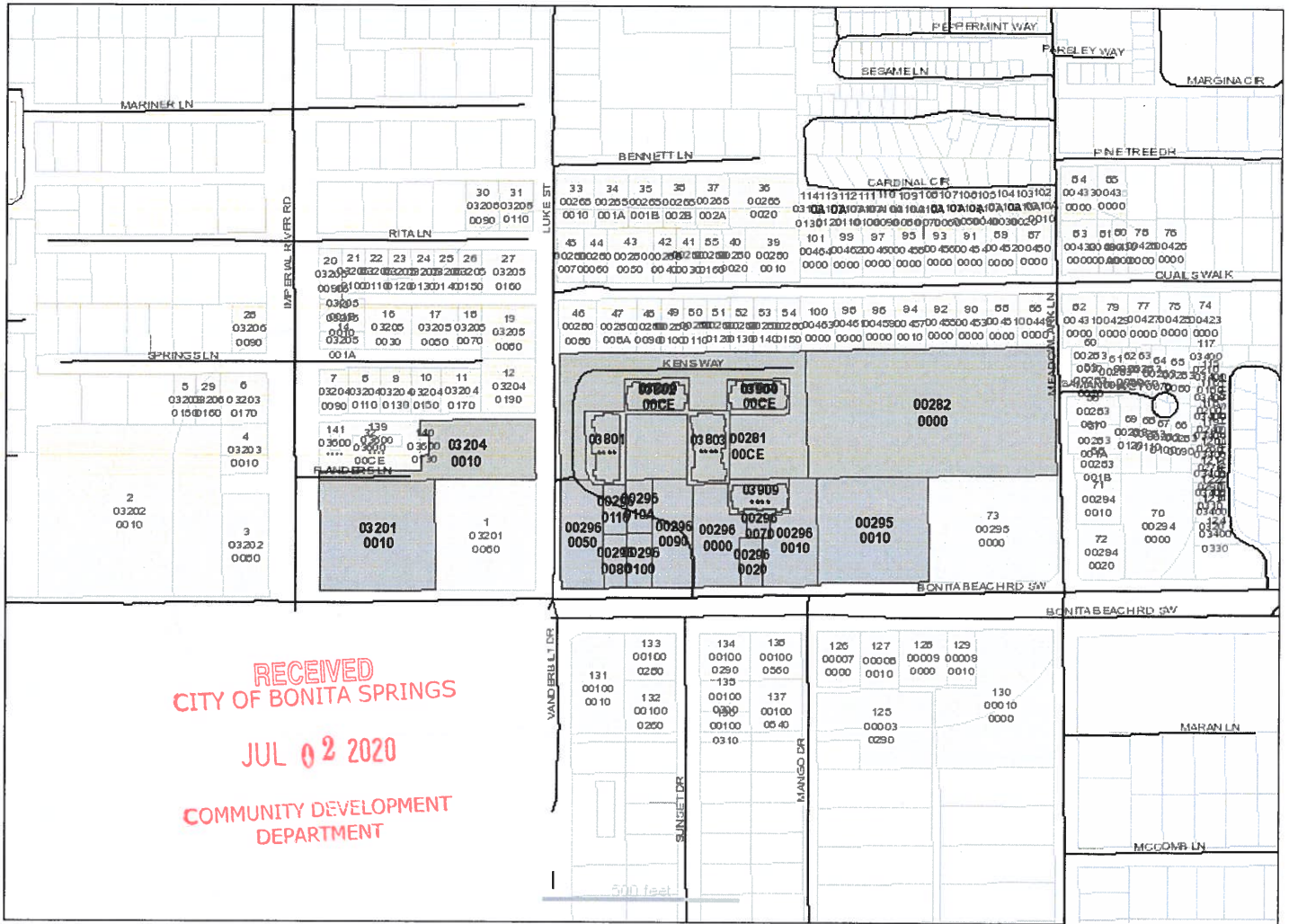
PART IV - SUBMITTAL REQUIREMENTS

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

***At least one copy must be an original.**



RECEIVED
 CITY OF BONITA SPRINGS
 JUL 02 2020
 COMMUNITY DEVELOPMENT
 DEPARTMENT



Date of Report: June 30, 2020

Buffer Distance: 375 feet

Parcels Affected: 151

Subject Parcels: 32-47-25-B3-03201.0010, 32-47-25-B3-03204.0010, 33-47-25-B4-00281.00CE, 33-47-25-B4-00282.0000, 33-47-25-B4-00295.0010, 33-47-25-B4-00296.0000, 33-47-25-B4-00296.0010, 33-47-25-B4-00296.0020, 33-47-25-B4-00296.0050, 33-47-25-B4-00296.0070, 33-47-25-B4-00296.0080, 33-47-25-B4-00296.0090, 33-47-25-B4-00296.0100, 33-47-25-B4-00296.010A, 33-47-25-B4-00296.0110, 33-47-25-B4-03800.00CE, 33-47-25-B4-03801.1201, 33-47-25-B4-03801.1202, 33-47-25-B4-03801.1203, 33-47-25-B4-03801.1204, 33-47-25-B4-03801.1205, 33-47-25-B4-03801.1206, 33-47-25-B4-03801.1301, 33-47-25-B4-03801.1302, 33-47-25-B4-03801.1303, 33-47-25-B4-03801.1304, 33-47-25-B4-03801.1305, 33-47-25-B4-03801.1306, 33-47-25-B4-03801.1401, 33-47-25-B4-03801.1402, 33-47-25-B4-03801.1403, 33-47-25-B4-03801.1404, 33-47-25-B4-03801.1405, 33-47-25-B4-03801.1406, 33-47-25-B4-03802.2201, 33-47-25-B4-03802.2202, 33-47-25-B4-03802.2203, 33-47-25-B4-03802.2204, 33-47-25-B4-03802.2205, 33-47-25-B4-03802.2301, 33-47-25-B4-03802.2302, 33-47-25-B4-03802.2303, 33-47-25-B4-03802.2304, 33-47-25-B4-03802.2305, 33-47-25-B4-03803.3201, 33-47-25-B4-03803.3202, 33-47-25-B4-03803.3203, 33-47-25-B4-03803.3204, 33-47-25-B4-03803.3205, 33-47-25-B4-03803.3206, 33-47-25-B4-03803.3207, 33-47-25-B4-03803.3208, 33-47-25-B4-03803.3301, 33-47-25-B4-03803.3302, 33-47-25-B4-03803.3303, 33-47-25-B4-03803.3304, 33-47-25-B4-03803.3305, 33-47-25-B4-03803.3306, 33-47-25-B4-03803.3307, 33-47-25-B4-03803.3308, 33-47-25-B4-03803.3401, 33-47-25-B4-03803.3402, 33-47-25-B4-03803.3403, 33-47-25-B4-03803.3404, 33-47-25-B4-03803.3405, 33-47-25-B4-03803.3406, 33-47-25-B4-03803.3407, 33-47-25-B4-03803.3408, 33-47-25-B4-03803.3501, 33-47-25-B4-03803.3502, 33-47-25-B4-03803.3503, 33-47-25-B4-03803.3504, 33-47-25-B4-03803.3505, 33-47-25-B4-03803.3506, 33-47-25-B4-03803.3507, 33-47-25-B4-03803.3508, 33-47-25-B4-03900.00CE, 33-47-25-B4-03904.4201, 33-47-25-B4-03904.4202, 33-47-25-B4-03904.4203, 33-47-25-B4-03904.4204, 33-47-25-B4-03904.4205, 33-47-25-B4-03904.4301, 33-47-25-B4-03904.4302, 33-47-25-B4-03904.4303, 33-47-25-B4-03904.4304, 33-47-25-B4-03904.4305, 33-47-25-B4-03909.9201, 33-47-25-B4-03909.9202, 33-47-25-B4-03909.9203, 33-47-25-B4-03909.9204, 33-47-25-B4-03909.9205,

33-47-25-B4-03909.9301, 33-47-25-B4-03909.9302, 33-47-25-B4-03909.9303, 33-47-25-B4-03909.9304,
33-47-25-B4-03909.9305

To change, add or remove subject parcels please change the parcel selection in [GeoView](#)

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
116797 CANADA INC HOWARD ELLISON 75 CLEARY AVE #1205 OTTAWA ON K2A 1R8 CANADA	32-47-25-B3-03201.0060 4040 BONITA BEACH RD SW BONITA SPRINGS FL 34134	S 310 OF E 300 PLUS VACATED ST LESS E 40 FT + THE S 50 FT FOR R/W	1
BAREFOOT BEACH FLORIDA LLC 5950 CANOGA AVE 500 WOODLAND HILLS CA 91367	32-47-25-B3-03202.0010 4200 BONITA BEACH RD SW BONITA SPRINGS FL 34134	PARL IN S 1/2 OF SE 1/4 AS DESC IN OR 1747 PG 1314	2
NELSON DELANE R + DAWN I 20% + 1313 PELICAN AV NAPLES FL 34102	32-47-25-B3-03202.0080 27695 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	BEG SE COR SEC 32 W ALG SEC LI 665 FT N PARL E LI SEC 50 FT. TO N SI BONITA	3
STEINBERG DALE H + 1313 PELICAN AVE NAPLES FL 34102	32-47-25-B3-03203.0010 27685 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	PARL IN SE 1/4 OF SE 1/4 DESC IN OR 1761 PG 1178 LOT 1 + 2 BLK 3 STANTONS	4
SCHWARZWALDER ALLEN L + MARI L 726 E MAIN ST LEBANON OH 45036	32-47-25-B3-03203.0150 4205/4207 SPRINGS LN BONITA SPRINGS FL 34134	FR SE COR SEC 32 RUN W ALG S LI SD SEC FOR 665 FT TH N 620 FT W 245 FT TO P O B	5
DASILVA TONYA + DIVINO J 27675 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	32-47-25-B3-03203.0170 27675 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	BEG 620 FT N + 730 FT W OF SE COR OF SEC TH W 120 FT. S 130 FT E 120 FT N 130 FT	6
27674 IMPERIAL RIVER LLC 27674 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	32-47-25-B3-03204.0090 27674 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	PARL IN S E 1/4 DESC IN OR 1372 PG 521	7
BEST ANGELA 10680 GOODWIN ST BONITA SPRINGS FL 34135	32-47-25-B3-03204.0110 4091/4093 SPRINGS LN BONITA SPRINGS FL 34134	PARL IN SE 1/4-OR2242/2981 AKA E42FT LT11 + W40FT LT12 STANTONS UNREC SUBD	8
IADIPAULO PAUL 4081 SPRINGS LN BONITA SPRINGS FL 34134	32-47-25-B3-03204.0130 4081/4083 SPRINGS LN BONITA SPRINGS FL 34134	PARL IN SE 1/4 AS DESC IN OR 331 PG 463 LESS 24.026A + 24.026B	9
BEST ANGELA C 10680 GOODWIN ST BONITA SPRINGS FL 34135	32-47-25-B3-03204.0150 4071/4073 SPRINGS LN BONITA SPRINGS FL 34134	PARL IN S E 1/4 DESC IN OR 1376 PG 1072	10
FLOREZ GRACE 8060 BANYAN BREEZE WAY FORT MYERS FL 33908	32-47-25-B3-03204.0170 4061/4063 SPRINGS LN BONITA SPRINGS FL 34134	PARL IN SE 1/4 AS DESC IN OR 1269 PG 1513	11
DIXON CHRISTOPHER M + 27531 S NICKLAUS AVE MILLSBORO DE 19966	32-47-25-B3-03204.0190 4021 SPRINGS LN BONITA SPRINGS FL 34134	PARL IN S 1/2 OF SE 1/4 DESC IN OR 1743 PG 1474	12
G K KOTSCHER INC 3531 CROWFUT CT BONITA SPRINGS FL 34134	32-47-25-B3-03205.0010 27662 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	FR SE COR SEC 32 RUN WLY ALG S LI 665 FT TH DEFLECT LT + RUN N ALG CTR LI LESS INST#2006-144140	13
FRYE PIETER G & 4096 SPRINGS LN BONITA SPRINGS FL 34134	32-47-25-B3-03205.001A 4096 SPRINGS LN BONITA SPRINGS FL 34134	FR SE COR SEC 32 RUN WLY ALG S LI 665 FT TH DEFLECT LT + RUN N ALG CTR LI AS DESC IN INST#2006-144140	14
STANTON HERBERT L + DOROTHY I KOTSCHER GOTTFRIED 3531 CROWFUT CT BONITA SPRINGS FL 34134	32-47-25-B3-03205.001B EASEMENT BONITA SPRINGS FL 34134	ADV POSS CLAIM 03/01/2011 PORT OF CANAL LOC IN E 1/2 OF SE 1/4 OF SE 1/4 E OF IMPERIAL RIVER RD N OF SPRINGS LN + S OF RITA LN AKA CANAL III	15

STAHLMAN GRISELDA BROWN 16685 CROWNSBURY WAY FORT MYERS FL 33908	32-47-25-B3-03205.0030 4090 SPRINGS LN BONITA SPRINGS FL 34134	BEG 480 FT.W + 670 FT.N OF SE COR OF SEC TH E 120 FT N 115 FT W 120 FT S 115	16
VALEG LLC 11480 WELFLEET DR FORT MYERS FL 33908	32-47-25-B3-03205.0050 4060 SPRINGS LN BONITA SPRINGS FL 34134	BEG 240 FT E OF NE COR IMPERIAL RVR RD + E 2ND ST TH N 115 FT TH E 320 FT TH	17
ROMER KIMBERLY M 26985 MCLAUGHLIN BLVD BONITA SPRINGS FL 34134	32-47-25-B3-03205.0070 4040 SPRINGS LN BONITA SPRINGS FL 34134	BEG SE COR OF SEC TH W 665 FT TH N 50 FT CONT N 620 FT TH E 425 FT TO POB TH N	18
BONITA BUSINESS VENTURES INC 4873 REGAL DR BONITA SPRINGS FL 34134	32-47-25-B3-03205.0080 4020 SPRINGS LN BONITA SPRINGS FL 34134	PARL IN S 1/2 OF S E 1/4 DESC IN OR 1743 PG 1475	19
HARRIS MARK T 27654 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	32-47-25-B3-03205.0090 27654 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	PARL IN SE 1/4 OF SE 1/4 DESC IN OR 1647 PG 4639	20
GEIBEL LUDWIG + 4091 RITA LN BONITA SPRINGS FL 34134	32-47-25-B3-03205.0100 4091 RITA LN BONITA SPRINGS FL 34134	FR SE COR SEC 32 W665FT N930FT E125FT TO POB DESC OR 2864 PG1485	21
ANDONOVSKI ILIJA + LENA 4087 RITA LN BONITA SPRINGS FL 34134	32-47-25-B3-03205.0110 4087 RITA LN BONITA SPRINGS FL 34134	PARL IN SE 1/4 OF SE 1/4 AS DESC IN OR 1664 PG 930	22
HART JONATHAN WESLEY & 4083 RITA LN BONITA SPRINGS FL 34134	32-47-25-B3-03205.0120 4083 RITA LN BONITA SPRINGS FL 34134	PARL IN SE 1/4 OF SE 1/4 DESC IN OR 1664 PG 928 LESS PARL 24.050A	23
RODRIGUEZ GRICELIDA 4081 RITA LN BONITA SPRINGS FL 34134	32-47-25-B3-03205.0130 4081 RITA LN BONITA SPRINGS FL 34134	BEG 360 FT W + 930 FT N OF SE COR OF SEC TH E 60 FT S 115 FT W 60 FT N 115 FT	24
JERONIMUS JULIE 4053 RITA LN BONITA SPRINGS FL 34134	32-47-25-B3-03205.0140 4053 RITA LN BONITA SPRINGS FL 34134	BEG 930 FT N+ 340 FT W OF SE COR OF SEC TH S 115 FT E 60 FT N115 FT W 60 FT	25
MUELLER JOSEPH GEORGE & 4051 RITA LN BONITA SPRINGS FL 34134	32-47-25-B3-03205.0150 4051 RITA LN BONITA SPRINGS FL 34134	BEG 930 FT N + 300 FT W OF SE COR OF SEC TH S 115 FT E 60 FT N 115 FT W 60 FT	26
BORDONARO JO 4031 RITA LN BONITA SPRINGS FL 34134	32-47-25-B3-03205.0160 4031 RITA LN BONITA SPRINGS FL 34134	PARL IN SE 1/4 SEC 32 TWP 47 T 25 DESC IN OR 1275 PG 0163	27
FRANCHINI ROBERT JOSEPH 4217 RITA LN BONITA SPRINGS FL 34134	32-47-25-B3-03206.0090 4192/4194 SPRINGS LN BONITA SPRINGS FL 34134	PARL IN SE 1/4 SEC 32 TWP 47 R 25 DESC IN OR 1704 PG 4711	28
HUTZLER LINDA 4201 SPRINGS LN BONITA SPRINGS FL 34134	32-47-25-B3-03206.0160 4201 SPRINGS LN BONITA SPRINGS FL 34134	FR SE COR SEC 32 RUN W ALG S LI SD SEC FOR 665 FT TH N 570 FT TO POB TH RUN W	29
ROY GERALD + KAREN 1605-10149 SASK DR EDMONTON AB T6E 6B6 CANADA	32-47-25-B3-03208.0090 4050 RITA LN BONITA SPRINGS FL 34134	PARL IN SE 1/4 AS DESC IN OR 1747 PG 3800	30
JANSON PAUL H JR TR 4022 RITA LN BONITA SPRINGS FL 34134	32-47-25-B3-03208.0110 4020/4022 RITA LN BONITA SPRINGS FL 34134	PARL IN S 1/2 OF SE 1/4 DESC OR 1345 PG 673 LESS PT PARL 24.66	31
MANGO CREEK CONDO ASSN R + P PROPERTY MGMT 265 AIRPORT RD S NAPLES FL 34104	32-47-25-B3-03600.00CE 27686 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 COMMON ELEMENTS	32
MARLYN PARKER LLC 27340 HICKORY BLVD BONITA SPRINGS FL 34134	33-47-25-B4-00265.0010 27853 LUKE ST BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT 65 DESC 3228/874	33
HODGE GEORGE K & JERRI 1032 MANOR LAKE DR APT 204 NAPLES FL 34110	33-47-25-B4-00265.001A 3971 BENNETT LN BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT LT 65 OR 3548 PG 3508	34

HODGE GEORGE K & JERRI 1032 MANOR LAKE DR APT 204 NAPLES FL 34110	33-47-25-B4-00265.001B 3955 BENNETT LN BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT LT 65 OR 3548 PG 3508	35
BODMER LIBIA L/E 11000 SW 91ST ST MIAMI FL 33176	33-47-25-B4-00265.0020 3879/3881 BENNETT LN BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT LOT 65	36
VOYTKO DENNIS J + DEBRA 10342 NEW ROAD NORTH JACKSON OH 44451	33-47-25-B4-00265.002A 3915/3917 BENNETT LN BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT LOT 65 DESC IN OR 3548 PG 3508	37
ONE BENNETT INC 24890 EBRO CT BONITA SPRINGS FL 34135	33-47-25-B4-00265.002B 3941 BENNETT LN BONITA SPRINGS FL 34134	ARROYAL SUBD PB 3 PG 80 PT LOT 65 DESC OR 3548/3508	38
KEFFER JAYNE D 916 HILAND AVE CORAOPOLIS PA 15108	33-47-25-B4-00280.0010 3880 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 LT PT 80 FF CORR PER CASE 83-587	39
CARPER KENNETH D + CAROL 5630 STAR GRASS LN NAPLES FL 34116	33-47-25-B4-00280.0020 3904 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 LT 80 LESS 12 FT PER 1786/3715	40
MURPHY STEVEN CALVIN 3928 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00280.0030 3928 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 BEG 325 FT E OF NW COR LOT	41
DIGGES RANDOLPH E III & 3940 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00280.0040 3940 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB3 PG 80 BEG 265 FT E OF NW COR OF LT 80 TH E 60FT THN S 165 FT THN	42
MALAY MICHAEL F + TONYA R 3960 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00280.0050 3960 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 LOT PT 80	43
BARTOLOMUCCI ANTHONY D + 125 S 9TH ST SHARPSVILLE PA 16150	33-47-25-B4-00280.0060 3980 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 BEG 85 FT E OF NW COR LOT	44
CAPUTO NICHOLAS 3998 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00280.0070 3996/3998 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 LOT PT 80	45
LAWRENCE ARTHUR S + 3999 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00280.0080 3999 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT LOT 80 DESC IN OR 2219/4530	46
ANDRZEJEWSKI STEPHEN D + 3975 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00280.008A 3975 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT LT 80 DESC IN OR 2219/4526	47
BODMER CLAUDIA C HENAO 1425 MARIPOSA CIR #103 NAPLES FL 34105	33-47-25-B4-00280.0090 3953 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 BEG 377 FT W OF SE COR LOT	48
KILLIAN PARTNERS LLC 11775 SW 92ND TER MIAMI FL 33186	33-47-25-B4-00280.0100 3941 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB3 PG80 BEG 317FT W OF SE1/4 OF LT 80 W60FT N140 E60 S140TOPOB	49
JACOB JOHN 3927 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00280.0110 3927 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 BEG 256FT W OF SE1/4 OF LT 80 W60 N140 E60 S140TOPOB	50
CAPALDI SHELLY A 3903 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00280.0120 3915 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 LOT PT 80	51
CAPALDI SHELLY A 3903 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00280.0130 3903 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 BEG 145 FT W OF SE COR LOT	52
3891 QUAIL LLC 1216 TAMiami TR STE 212 NAPLES FL 34110	33-47-25-B4-00280.0140 3891 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 BEG 77 FT W OF SE COR LOT	53
MARTIN ELIZABETH	33-47-25-B4-00280.0150	ARROYAL S/D	54

3881 QUAILS WALK BONITA SPRINGS FL 34134	3881 QUAILS WALK BONITA SPRINGS FL 34134	PB 3 PG 80 PT OF LOT 80 DESC OR2496/1191	
TREMBLAY LOOEY + 1101 WELLINGTON RD 11S RR#2 WALLENSTEIN ON N0B 2S0 CANADA	33-47-25-B4-00280.0160 3914 QUAILS WALK BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 LOT PT 80	55
ATHANASAS THOMAS J 12290 GREEN MEADOW DR APT 409 COLUMBIA MD 21044	33-47-25-B4-00283.0010 27901 MEADOWLARK LN BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT LOT 83 N 75FT OF S 200FT OF W 135FT	56
SELDEN MARY JO TR 3751 RIVIERA CIR BONITA SPRINGS FL 34134	33-47-25-B4-00283.001A 27941 MEADOWLARK LN BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT LOT 83 N 75FT OF S 125FT OF W 135FT	57
SANDERS HARLEY S + JANET B 27951 MEADOWLARK LN BONITA SPRINGS FL 34134	33-47-25-B4-00283.001B 27951 MEADOWLARK LN BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC OR 2058-0462 AKA LOT 1 MEADOWLARK VILLAS	58
FOX MARY ELLEN TR 176 S COLLIER BLVD #306 MARCO ISLAND FL 34145	33-47-25-B4-00283.0020 27881 MEADOWLARK LN BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC OR 2058-0463 AKA LOT 2 MEADOWLARK VILLAS	59
SCHMIDT MICHAEL + 176 S COLLIER BLVD # 306 MARCO ISLAND FL 34145	33-47-25-B4-00283.0030 27877 MEADOWLARK LN BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC IN OR 2058-0464 AKA LT 3 MEADOWLARK VILLAS	60
MCPHERSON DOUGLAS 3452 SAMANTHA CT BONITA SPRINGS FL 34134	33-47-25-B4-00283.0040 3452 SAMANTHA CT BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC OR 2058-0465 AKA LT 4 MEADOWLARK VILLAS	61
DOLL GARAI L TR 5512 E FRONTAGE LN OLNEY IL 62450	33-47-25-B4-00283.0050 3450 SAMANTHA CT BONITA SPRINGS FL 34134	PARLS IN SE1/4 OF SW1/4 DESC OR 2058-0466 AKA LT 5 MEADOWLARK VILLAS	62
MACHON DONALD E + 125 PASTURE VIEW LANE CRANSTON RI 02921	33-47-25-B4-00283.0060 3446 SAMANTHA CT BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC OR 2058-0467 AKA LT 6 MEADOWLARK VILLAS	63
MULRYAN MICHAEL E TR 4220 RACoon BAY DR BONITA SPRINGS FL 34134	33-47-25-B4-00283.0070 3444 SAMANTHA CT BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC OR 2058-0468 AKA LT 7 MEADOWLARK VILLAS	64
GREEN VICTORIA 3596 MARGINA CIR BONITA SPRINGS FL 34134	33-47-25-B4-00283.0080 3440 SAMANTHA CT BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC OR 2058-0469 AKA LT 8 MEADOWLARK VILLAS	65
JONES WAYNE E + KATHY ANN 3441 SAMANTHA CT BONITA SPRINGS FL 34134	33-47-25-B4-00283.0090 3441 SAMANTHA CT BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 OR 2058-0470 AKA LT 9 MEADOWLARK VILLAS	66
STORZ ROSEMARY & 1204 CLARK CT SPINNERSTOWN PA 18968	33-47-25-B4-00283.0100 3443 SAMANTHA CT BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC OR 2058-0471 AKA LT 10 MEADOWLARK VILLAS	67
ZIMMERMANN DAVID J + SARAH T 15 8TH ST STE D BONITA SPRINGS FL 34134	33-47-25-B4-00283.0110 3447 SAMANTHA CT BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC OR 2058-0472 AKA LOT 11 MEADOWLARK VILLAS	68
MATHENY DONALD A + M RUTH TR 5579 N FAIRWAY RD OLNEY IL 62450	33-47-25-B4-00283.0120 3449 SAMANTHA CT BONITA SPRINGS FL 34134	PARL IN SE1/4 OF SW1/4 DESC OR 2058-0473 AKA PAR12 MEADOWLARK VILLAS	69
BONITA J INC STE 108C 11100 BONITA BEACH RD SE BONITA SPRINGS FL 34135	33-47-25-B4-00294.0000 3670 BONITA BEACH RD SW BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 PT W/2 LT 94 DESC OR 2038 PG 0187	70
GRABER ANNE 28435 MANGO DR BONITA SPRINGS FL 34134	33-47-25-B4-00294.0010 27971 MEADOWLARK LN BONITA SPRINGS FL 34134	ARROYAL PT LT94 PB3/80 E 120 FT OF W135 FT OF N133 FT LT94LES R/W OR2048/2353	71
VICTORIA'S ART LLC 3690 BONITA BEACH RD SW BONITA SPRINGS FL 34134	33-47-25-B4-00294.0020 3690 BONITA BEACH RD SW BONITA SPRINGS FL 34134	ARROYAL PB 3 PG 80 R/W PT LT 94 DESC OR 2038 PG 175 LESS OR 2048 PG 2353	72
BONITA BEACH LAND LLC	33-47-25-B4-00295.0000	ARROYAL PB 3 PG 80	73

STE 2 27901 BONITA VILLAGE BLVD BONITA SPRINGS FL 34134	3756 BONITA BEACH RD SW BONITA SPRINGS FL 34134	E 334 FT OF LOT 95 AS DESC IN OR 3614 PG 1414	
NOLIN CHRISTOPHER JON 3663 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00423.0000 3663/3667 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 23	74
TURNER WENDY L + 3681 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00425.0000 3681/3683 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC. OR 32 PG 219 LOT 25	75
GLANCY MAX + 3680 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00426.0000 3680 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC. OR 32 PG 219 LOT 26	76
THURBER CYNTHIA 3699 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00427.0000 3699 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 27	77
MALONE C JUDITH TR 28470 MEADOWLARK LN BONITA SPRINGS FL 34134	33-47-25-B4-00428.0000 3698/3696 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC. OR 32 PG 219 LOT 28	78
NEWMAN HARRIS + PHYLLIS BRADFORD OR DEBORAH BATEMAN PO BOX 367346 BONITA SPRINGS FL 34136	33-47-25-B4-00429.0000 3713/3715 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 29	79
MARKOW RONALD E + BARBARA A 4180 TABOR ST WHEAT RIDGE CO 80033	33-47-25-B4-00430.0000 3714 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 PT OF LOT 30 E 37 FT	80
MARKOW RONALD E + BARBARA A 4180 TABOR ST WHEAT RIDGE CO 80033	33-47-25-B4-00430.00A0 3716 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 PT LOT 30 TH W 38FT PAR 30.00A0	81
POLIZZI JEFFERY J 18 COLD SPRINGS RD MERCERVILLE NJ 08619	33-47-25-B4-00431.0000 27871/873 MEADOWLARK LN BONITA SPRINGS FL 34134	BONITA PINES UNREC. OR 32 PG 219 LOT 31	82
BOMMARITO JOSEPH 8678 AMOUR CT NAPLES FL 34119	33-47-25-B4-00432.0000 3732 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 32	83
GIBB JOHN L III + PO BOX 98 SAGAMORE MA 02561	33-47-25-B4-00433.0000 27851/853 MEADOWLARK LN BONITA SPRINGS FL 34134	BONITA PINES UNREC. OR 32 PG 219 LOT 33	84
RATAJ RONALD E + 5833 SHADY OAKS LN NAPLES FL 34119	33-47-25-B4-00435.0000 3115/3117 PINE TREE DR BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 35	85
GIAMMARCO RUDOLPH JR 27870 MEADOWLARK LN BONITA SPRINGS FL 34134	33-47-25-B4-00449.0000 27870 MEADOWLARK LN BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 49	86
GIAMMARCO ANGELA M 27868 MEADOWLARK LN BONITA SPRINGS FL 34134	33-47-25-B4-00450.0000 27864/868 MEADOWLARK LN BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 50	87
GIAMMARCO RUDOLPH JR 27870 MEADOWLARK LN BONITA SPRINGS FL 34134	33-47-25-B4-00451.0000 3775/3777 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 51	88
CARRIGAN JOHN C 3774 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00452.0000 3774 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 52	89
STEGURA VINETTE TR 65 TOWNSEND DR FLORHAM PARK NJ 07932	33-47-25-B4-00453.0000 3781 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 53	90
BODMER LIBIA L/E 1000 SW 91ST ST MIAMI FL 33176	33-47-25-B4-00454.0000 3782/3784 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 54	91
GIANFERRARA ROBERT	33-47-25-B4-00455.0000	BONITA PINES UNREC	92

3799 QUAILS WALK BONITA SPRINGS FL 34134	3799 QUAILS WALK BONITA SPRINGS FL 34134	OR 32 PG 219 LOT 55	
AIR CONTRACTING LLC 28160 WINDSOR RD BONITA SPRINGS FL 34134	33-47-25-B4-00456.0000 3796/3798 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 56	93
KARL SHELLY A 83 JENAWOOD LN WILLIAMSVILLE NY 14221	33-47-25-B4-00457.0010 3815 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 57	94
AIR CONTRACTING LLC 28160 WINDSOR RD BONITA SPRINGS FL 34134	33-47-25-B4-00458.0000 3814 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 58	95
MCHARGADEN LLC 6359 PLUMOSA AVE FORT MYERS FL 33908	33-47-25-B4-00459.0000 3831/3833 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 59	96
DAMELIO STEPHEN PO BOX 1339 RANDOLPH MA 02368	33-47-25-B4-00460.0000 3830/3832 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 60	97
SMITH JOSEPH D 3861 QUAILS WALK BONITA SPRINGS FL 34134	33-47-25-B4-00461.0000 3861 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR32 PG 219 LOT 61 LESS WLY 7.71 FT OR2671/3599	98
DAMELIO STEPHEN PO BOX 1339 RANDOLPH MA 02368	33-47-25-B4-00462.0000 3862/3864 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 62	99
MATHEWS BRAD & MICHELE 76 TROUT DR MIDDLETOWN RI 02842	33-47-25-B4-00463.0000 3875/3877 QUAILS WALK BONITA SPRINGS FL 34134	BONITA PINES UNREC OR 32 PG 219 LOT 63 + WLY 8FT LT 61	100
DAMELIO STEPHEN PO BOX 1339 RANDOLPH MA 02368	33-47-25-B4-00464.0000 3878 QUAILS WALK #1-2 BONITA SPRINGS FL 34134	BONITA PINES UNREC PB 32 PG 219 LOT 64	101
FRANKLIN D FRANKLIN & 3390 MCCLURE RD WINCHESTER KY 40391	33-47-25-B4-0310A.0010 3751 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 1 AKA #3751	102
DAVIDSON JAMES C & JUDY L 3757 CARDINAL CIR BONITA SPRINGS FL 34134	33-47-25-B4-0310A.0020 3757 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 2 AKA #3757	103
CRECELIUS MELVIN H & 3763 CARDINAL CIR BONITA SPRINGS FL 34134	33-47-25-B4-0310A.0030 3763 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 3 AKA #3763	104
HERON JOHN W & JACKIE W 3769 CARDINAL CIR BONITA SPRINGS FL 34134	33-47-25-B4-0310A.0040 3769 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 4 AKA #3769	105
SOVA MICHAEL & JUDITH 3775 CARDINAL CIR BONITA SPRINGS FL 34134	33-47-25-B4-0310A.0050 3775 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 5 AKA #3775	106
BROWN MADALYN L & 3781 CARDINAL CIR BONITA SPRINGS FL 34134	33-47-25-B4-0310A.0060 3781 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 6 AKA #3781	107
SLATER BRUCE & JOYCE M 242-8 FIRST AVE WELLAND ON L3C 7J2 CANADA	33-47-25-B4-0310A.0070 3787 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 7 AKA #3787	108
GEORGE LEO M & LOUISE A 3793 CARDINAL CIR BONITA SPRINGS FL 34134	33-47-25-B4-0310A.0080 3793 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 8 AKA #3793	109
MUSCHETT JAYNE + 406-170 WATER ST N CAMBRIDGE ON N1R 3B6 CANADA	33-47-25-B4-0310A.0090 3799 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 9 AKA #3799	110
SLOCOMBE OWEN & JUSTINA	33-47-25-B4-0310A.0100	BONITA BCH TRL PARK CO-OP	111

29 OAK ST GUELPH ON N1G 2N1 CANADA	3805 CARDINAL CIR BONITA SPRINGS FL 34134	DESC OR 2663/3556 SECT A LOT 10 AKA #3805	
DECKERS ANDRE M & LAURA LEE + 213016 10TH LINE AMARANTH ON L9W 0G4 CANADA	33-47-25-B4-0310A.0110 3811 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 11 AKA #3811	112
CHRISTIE RYAN A & 16769 CLUB DR SOUTHGATE MI 48195	33-47-25-B4-0310A.0120 3817 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 12 AKA #3817	113
LAMONT BRIAN D & MICHELLE D 5746 WELLINGTON RD 7 GUELPH ON N1E 3M CANADA	33-47-25-B4-0310A.0130 3823 CARDINAL CIR BONITA SPRINGS FL 34134	BONITA BCH TRL PARK CO-OP DESC OR 2663/3556 SECT A LOT 13 AKA #3823	114
CARILLO HAROLD GONZALEZ + 28053 SUNSET DR BONITA SPRINGS FL 34134	33-47-25-B4-03400.0180 3650 BONITA BEACH RD SW #18 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 18	115
PFISTER SUSANNE R 3650 BONITA BEACH RD SW #20 BONITA SPRINGS FL 34134	33-47-25-B4-03400.0200 3650 BONITA BEACH RD SW #20 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 20	116
STILL TERRY 3650 BONITA BEACH RD SW #21 BONITA SPRINGS FL 34134	33-47-25-B4-03400.0210 3650 BONITA BEACH RD SW #21 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 21	117
RATHJ BRENDA 3650 BONITA BEACH RD SW #24 BONITA SPRINGS FL 34134	33-47-25-B4-03400.0240 3650 BONITA BEACH RD SW #24 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 24	118
KOLHOFF DAVID J & MARY LYNN TR 9512 SAIL WIND DR FORT WAYNE IN 46804	33-47-25-B4-03400.0260 3650 BONITA BEACH RD SW #26 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 26	119
PIPAL DONALD M & JANET L 565 VERTA VISTA DR WAUKESHA WI 53189	33-47-25-B4-03400.0270 3650 BONITA BEACH RD SW #27 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 27	120
KIEFER ROBERT J + 16216 95TH ST HOWARD BEACH NY 11414	33-47-25-B4-03400.0290 3650 BONITA BEACH RD SW #29 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 29	121
MARRO MARGARET R 3650 BONITA BEACH RD SW #31 BONITA SPRINGS FL 34134	33-47-25-B4-03400.0310 3650 BONITA BEACH RD SW #31 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 31	122
ONEAL DANNY W & ANNA M PO BOX 162 GARRETT KY 41630	33-47-25-B4-03400.0320 3650 BONITA BEACH RD SW #32 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 32	123
BROWN MAYNARD H III + 3168 STATE ROUTE 28 OLD FORGE NY 13420	33-47-25-B4-03400.0330 3650 BONITA BEACH RD SW #33 BONITA SPRINGS FL 34134	BONITA HEIGHTS PARK CO-OP DESC IN OR 3542 PG 2270 LOT 33	124
BONITA SPRINGS FIRE CONTROL AN 27701 BONITA GRANDE DR BONITA SPRINGS FL 34135	04-48-25-B1-00003.0290 28055 MANGO DR BONITA SPRINGS FL 34134	PAR IN NW1/4 OF NW1/4 SEC 04 E OF MANGO DR DESC OR 590/375 + OR2495/923	125
YOUNG DAVID M 27210 BAREFOOT LN BONITA SPRINGS FL 34135	04-48-25-B1-00007.0000 3865 BONITA BEACH RD SW BONITA SPRINGS FL 34134	BEG NE COR NW 1/4 OF NW 1/4 S 25 FT TH W 525 FT TO POB CONT W 110 FT TO PT 25	126
YOUNG DAVID M + CHRISTINE H 27210 BAREFOOT LANE BONITA SPRINGS FL 34135	04-48-25-B1-00008.0010 3841 BONITA BEACH RD SW BONITA SPRINGS FL 34134	PAR IN NW1/4 OF NW1/4 S OF BONITA BCH RD DESC OR 2503/2783 LESS ROW DESC IN DB 269 PG 257	127
YOUNG DAVID M + CHRISTINE H 27210 BAREFOOT LANE BONITA SPRINGS FL 34135	04-48-25-B1-00009.0000 3821 BONITA BEACH RD SW BONITA SPRINGS FL 34134	PARL IN NW1/4 OF NW1/4 AS DESC IN OR1913 PG3994 + OR1914 PG2789	128

		LESS ROW DESC IN DB 269 PG 245	
CHANSLER GARY W 3801 BONITA BEACH RD SW BONITA SPRINGS FL 34134	04-48-25-B1-00009.0010 3801 BONITA BEACH RD SW BONITA SPRINGS FL 34134	FR NE COR NW 1/4 OF NW 1/4 S 25 FT W 225 FT TO POB S 185 FT W 75 FT N 185 FT LESS ROW DESC IN DB 271 PG 450	129
GOLF SAFARI INC 3775 BONITA BEACH RD BONITA SPRINGS FL 34134	04-48-25-B1-00010.0000 3775 BONITA BEACH RD SW BONITA SPRINGS FL 34134	PARL IN NW 1/4 OF NW 1/4 DESC IN OR 1719 PG 0742 LESS ROW DESC IN DB 271 PG 72	130
TRUIST BANK PROPERTY TAX COMPLIANCE PO BOX 167 WINSTON SALEM NC 27102	04-48-25-B1-00100.0010 3987 BONITA BEACH RD SW BONITA SPRINGS FL 34134	SUNSET ACRES OR 197 PG 392 LOTS 1 THRU 3 LES R/W OR 2615/2480	131
GRANDE AIRE PROPERTY HOLDINGS PO BOX 743 BOCA GRANDE FL 33921	04-48-25-B1-00100.0260 28052 SUNSET DR BONITA SPRINGS FL 34134	SUNSET ACRES OR 197 PG 392 LOTS 26 + 27	132
GRANDE AIRE PROPERTY PO BOX 743 BOCA GRANDE FL 33921	04-48-25-B1-00100.0280 3963 BONITA BEACH RD SW BONITA SPRINGS FL 34134	SUNSET ACRES OR 197 PG 392 LT 28 LES R/W OR 2615/2480	133
NAPLES SURGERY CENTER INC 4120 DEL PRADO BLVD CAPE CORAL FL 33904	04-48-25-B1-00100.0290 3925 BONITA BEACH RD SW BONITA SPRINGS FL 34134	SUNSET ACRES OR 197 PG 392 LOT 29 LES R/W OR 2615/2480	134
NAPLES SURGERY CENTER INC 4120 DEL PRADO BLVD CAPE CORAL FL 33904	04-48-25-B1-00100.0300 28035 SUNSET DR BONITA SPRINGS FL 34134	SUNSET ACRES OR 197 PG 392 LOT 30	135
CARRILLO HAROLD R GONZALEZ 28053 SUNSET DR BONITA SPRINGS FL 34134	04-48-25-B1-00100.0310 28053 SUNSET DR BONITA SPRINGS FL 34134	SUNSET ACRES OR 197 PG 392 LOT 31	136
BOBBIE NOONANS CHILD CARE LLC 8717 W LINCOLN HWY FRANKFORT IL 60423	04-48-25-B1-00100.0540 28052 MANGO DR BONITA SPRINGS FL 34134	SUNSET ACRES OR 197 PG 392 LOTS 54 + 55	137
TWO HORSE GROUP LLC PO BOX 3648 NORTH FORT MYERS FL 33918	04-48-25-B1-00100.0560 3901 BONITA BEACH RD SW BONITA SPRINGS FL 34134	SUNSET ACRES OR 197 PG 392 LOT 56 LES R/W OR 2615/2480	138
MINCHILLO MICHELE & TERESA 1055 BLACKBURN ST GURNEE IL 60031	32-47-25-B3-03600.0101 27684 IMPERIAL RIVER RD #101 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 101	139
FIUMARA STEVEN A + PAMELA A 307 CLINTON ST FAYETTEVILLE NY 13066	32-47-25-B3-03600.0102 27684 IMPERIAL RIVER RD #102 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 102	139
INNES ROBERT L & 837 COUNTY ROAD 19 MAPLE PLAIN MN 55359	32-47-25-B3-03600.0103 27684 IMPERIAL RIVER RD #103 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 103	139
INNES ROBERT L + VICKIE L 837 COUNTY RD 19 N MAPLE PLAIN MN 55359	32-47-25-B3-03600.0104 27684 IMPERIAL RIVER RD #104 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 104	139
NEBUS DAVID E 1284 RAINBOW CT NAPLES FL 34110	32-47-25-B3-03600.0105 27684 IMPERIAL RIVER RD #105 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 105	139
CANOVAS ANIA 2160 SE 2ND ST HOMESTEAD FL 33033	32-47-25-B3-03600.0201 27684 IMPERIAL RIVER RD #201 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 201	139
GROMNICKI MATTHEW E 27684 IMPERIAL RIVER RD # 202 BONITA SPRINGS FL 34134	32-47-25-B3-03600.0202 27684 IMPERIAL RIVER RD #202 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 202	139
FLEMING JILL A 3745 BAKERSTOWN RD	32-47-25-B3-03600.0203 27684 IMPERIAL RIVER RD #203	MANGO CREEK DESC IN OR 3808 PG 161	139

GIBSONIA PA 15044	BONITA SPRINGS FL 34134	UNIT 203	
BAKER JOHN M & 27684 IMPERIAL RIVER RD # 204 BONITA SPRINGS FL 34134	32-47-25-B3-03600.0204 27684 IMPERIAL RIVER RD #204 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 204	139
TREMBLAY CANDEE 99% + 260 SHELDON AVE # 704 KITCHENER ON N2H 6P2 CANADA	32-47-25-B3-03600.0205 27684 IMPERIAL RIVER RD #205 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 205	139
5T WEALTH PARTNERS LP DEPARTMENT 6200 PO BOX 830539 BIRMINGHAM AL 35283	32-47-25-B3-03600.0130 IMPERIAL RIVER RD BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT 13	140
HUTSON MARK T 385 CANYON OAKS DR ARGYLE TX 76226	32-47-25-B3-03600.0CH1 27682 IMPERIAL RIVER RD #CH1 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT CH1	141
HUTSON MARK T 385 CANYON OAKS DR ARGYLE TX 76226	32-47-25-B3-03600.0CH2 27682 IMPERIAL RIVER RD #CH2 BONITA SPRINGS FL 34134	MANGO CREEK DESC IN OR 3808 PG 161 UNIT CH2	141

PART V

AFFIDAVIT

I, Omer Dror, Manager, Bonita Dev Co LLC 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.

[Signature]
Signature of Owner or Owner-authorized Agent

6/27/20
Date

Omer Dror, Manager, Bonita Development Co LLC
Typed or printed name and title

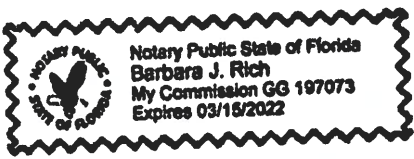
STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 27th day of June 2020, by Omer Dror, Manager, Bonita Development Co LLC, who is personally known to me or who has produced _____ as identification.

Barbara J. Rich
Signature of notary public

Barbara J. Rich
Printed name of notary public

(SEAL)



Bonita Village MPD
Exhibit I-B-3

STRAP Number

Property Owner

33-47-25-B4-00281.00CE

BONITA DEVELOPMENT CO LLC
27901 BONITA VILLAGE BLVD
SUITE 2
BONITA SPRINGS, FL 34134

33-47-25-B4-00282.0000
33-47-25-B4-00296.0000
33-47-25-B4-00296.0020
33-47-25-B4-00296.0050
33-47-25-B4-00296.0070
33-47-25-B4-00296.0080
33-47-25-B4-00296.0090
33-47-25-B4-00296.0100
33-47-25-B4-00296.010A
33-47-25-B4-00296.0110
33-47-25-B4-00296.0010
33-47-25-B4-00295.0010
32-47-25-B3-03204.0010
32-47-25-B3-03201.0010

BONITA BEACH LAND LLC
27901 BONITA VILLAGE BLVD
SUITE 2
BONITA SPRINGS, FL 34134

RECEIVED
CITY OF BONITA SPRINGS
JUL 02 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

33-47-25-B4-03800.00CE

RESIDENCES AT BONITA VILLAGE I
CONDO ASSN INC 27901 BONITA
VILLAGE BLVD BONITA SPRINGS FL
34134

33-47-25-B4-03900.00CE

RESIDENCES AT BONITA VILLAGE II
CONDO ASSN INC
27901 BONITA VILLAGE BLVD BONITA
SPRINGS FL 34134

**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 STRAP No. 33-47-25-B4-00281.00CE 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 Pavese Law Firm 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
Omer Dror, Mgr, Bonita Dev Co LLC
Printed Name

**STATE OF FLORIDA
COUNTY OF LEE**

Sworn to (or affirmed) and subscribed before me this 27th day of June 2020, by Omer Dror, Manager, Bonita Development Co LLC, who is personally known to me or who has produced _____ as identification.

Barbara J. Rich
Notary Public
Barbara J. Rich
(Name typed, printed or stamped)
(Serial Number, if any)

RECEIVED
CITY OF BONITA SPRINGS
JUL 02 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

**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 STRAP Nos 32-47-25-B3-03204.0010, 32-47-25-B3-03201.0010, 33-47-25-B4-00282.0000, 33-47-25-B4-00296.0000, 33-47-25-B4-00296.0020, 33-47-25-B4-00296.0050, 33-47-25-B4-00296.0070, 33-47-25-B4-00296.0080, 33-47-25-B4-00296.0090, 33-47-25-B4-00296.0100, 33-47-25-B4-00296.010A, 33-47-25-B4-00296.0110, 33-47-25-B4-00296.0010, 33-47-25-B4-00295.0010 and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate Pavese Law Firm and Bonita Development Co LLC 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
Omer Dror, Mgr. Bonita Beach Land LLC
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 27th day of July June 2020, by Omer Dror, Manager, Bonita Beach Land LLC, who is personally known to me or who has produced _____ as identification.

Barbara J. Rich
Notary Public
Barbara J. Rich
(Name typed, printed or stamped)
(Serial Number, if any)

RECEIVED
CITY OF BONITA SPRINGS
JUL 02 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

RECEIVED
CITY OF BONITA SPRINGS
JUL 02 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

EXHIBIT "A"

PARCEL 1:

BEING LOT 82 AND A PORTION OF LOTS 81, 95 AND 96, PLAT OF "ARROYAL, BEING A SUBDIVISION OF THAT PORTION OF SECTION 33, TOWNSHIP 47 SOUTH RANGE 25 EAST, LEE COUNTY, FLORIDA, LYING SOUTH OF THE IMPERIAL RIVER, AS RECORDED IN PLAT BOOK 3 PAGE 80 OF THE PUBLIC RECORDS FOR LEE COUNTY, FLORIDA AND WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE NORTH 0 DEGREES 40 MINUTES 02 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 33, A DISTANCE OF 50.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF BONITA BEACH ROAD (A.K.A. COUNTY ROAD 865) (HAVING A VARIABLE WIDTH RIGHT-OF-WAY); THENCE NORTH 89 DEGREES 08 MINUTES 19 SECONDS EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 315.28 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 51 MINUTES 41 SECONDS WEST, A DISTANCE OF 6.00 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 37.00 FEET, A CENTRAL ANGLE OF 68 DEGREES 54 MINUTES 22 SECONDS, AND A CHORD OF 41.86 FEET BEARING NORTH 33 DEGREES 35 MINUTES 30 SECONDS EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 44.50 FEET; THENCE NORTH 0 DEGREES 51 MINUTES 41 SECONDS WEST, A DISTANCE OF 36.98 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 74 DEGREES 19 MINUTES 06 SECONDS; THENCE NORTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 103.77 FEET; THENCE NORTH 75 DEGREES 10 MINUTES 47 SECONDS WEST, A DISTANCE OF 60.12 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 220.00 FEET AND A CENTRAL ANGLE OF 10 DEGREES 40 MINUTES 31 SECONDS; THENCE WESTERLY ALONG SAID CURVE, A DISTANCE OF 40.99 FEET; THENCE NORTH 64 DEGREES 30 MINUTES 16 SECONDS WEST, A DISTANCE OF 118.65 FEET; THENCE SOUTH 89 DEGREES 19 MINUTES 58 SECONDS WEST, A DISTANCE OF 52.37 FEET; THENCE NORTH 0 DEGREES 40 MINUTES 02 SECONDS WEST, A DISTANCE OF 371.97 FEET TO THE INTERSECTION OF THE NORTH LINE OF SAID LOTS 81 AND 82; THENCE NORTH 89 DEGREES 07 MINUTES 46 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 1277.67 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF MEADOWLARK LANE (HAVING A 20' WIDE RIGHT-OF-WAY) AND WHICH IS THE NORTHEAST CORNER OF SAID LOT 82; THENCE SOUTH 1 DEGREE 23 MINUTES 48 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 330.54 FEET TO THE SOUTHEAST CORNER OF SAID LOT 82; THENCE SOUTH 89 DEGREES 09 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF LOT 82, A DISTANCE OF 452.17 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 23 SECONDS EAST, A DISTANCE OF 17.40 FEET; THENCE SOUTH 89 DEGREES 10 MINUTES 20 SECONDS WEST, A DISTANCE OF 225.62 FEET; THENCE SOUTH 1 DEGREE 25 MINUTES 19 SECONDS EAST, A DISTANCE OF 141.61 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 19 SECONDS WEST, A DISTANCE OF 175.49 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 55.00 FEET AND A CENTRAL ANGLE OF 20 DEGREES 19 MINUTES 26 SECONDS; THENCE WESTERLY ALONG SAID CURVE, A DISTANCE OF 19.51 FEET; THENCE SOUTH 68 DEGREES 48 MINUTES 53 SECONDS WEST, A DISTANCE OF 46.34 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO

THE SOUTHEAST, HAVING A RADIUS OF 22.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 58 MINUTES 26 SECONDS; THENCE SOUTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 6.90 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 9 DEGREES 12 MINUTES 13 SECONDS, AND A CHORD OF 20.86 FEET BEARING SOUTH 5 DEGREES 27 MINUTES 48 SECONDS EAST; THENCE SOUTHERLY ALONG SAID CURVE, A DISTANCE OF 20.88 FEET; THENCE SOUTH 0 DEGREES 51 MINUTES 41 SECONDS EAST, A DISTANCE OF 37.07 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE NORTHEAST; HAVING A RADIUS OF 27.00 FEET AND A CENTRAL ANGLE OF 82 DEGREES 27 MINUTES 29 SECONDS; THENCE SOUTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 38.86 FEET; THENCE SOUTH 0 DEGREES 51 MINUTES 41 SECONDS EAST, A DISTANCE OF 13.67 FEET TO THE INTERSECTION OF THE ABOVE MENTIONED NORTH RIGHT-OF-WAY OF BONITA BEACH ROAD; THENCE SOUTH 89 DEGREES 08 MINUTES 19 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 97.14 FEET TO THE POINT OF BEGINNING.

BUT LESS AND EXCEPT:

THE REAL PROPERTY DESCRIBED AS EXHIBIT "A" IN THAT CERTAIN DECLARATION OF CONDOMINIUM FOR THE RESIDENCES AT BONITA VILLAGE I, A CONDOMINIUM, RECORDED UNDER INSTRUMENT NUMBER 2007000125014, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA;

AND LESS AND EXCEPT:

THE REAL PROPERTY DESCRIBED IN EXHIBIT "A" IN THAT CERTAIN DECLARATION OF CONDOMINIUM FOR THE RESIDENCES AT BONITA VILLAGE II, A CONDOMINIUM, RECORDED UNDER INSTRUMENT NUMBER 2007000285249, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AND

PARCEL 3:

A PARCEL OF LAND LOCATED IN A PORTION OF LOT 96, ARROYAL ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 80 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 47 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA; THENCE RUN N.00°40'02"W., ALONG THE WEST LINE OF SAID SECTION 33, FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BONITA BEACH ROAD, COUNTY ROAD 865, HAVING A RIGHT-OF-WAY OF VARYING WIDTH; THENCE RUN N.89°08'19"E., ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BONITA BEACH ROAD, FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N.00°40'02"W., FOR A DISTANCE OF 238.31 FEET; THENCE RUN N.89°19'58"E., FOR A DISTANCE OF 52.37 FEET; THENCE RUN S.64°30'16"E., FOR A DISTANCE OF 118.65 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 220.00 FEET, THROUGH A CENTRAL ANGLE OF 10°40'31", SUBTENDED BY A CHORD OF 40.93 FEET AT A BEARING OF S.69°50'31"E., FOR A DISTANCE OF 40.99 FEET TO THE END OF SAID CURVE;

THENCE RUN S.75°10'47"E., FOR A DISTANCE OF 60.12 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 80.00 FEET, THROUGH A CENTRAL ANGLE OF 74°19'06", SUBTENDED BY A CHORD OF 96.65 FEET AT A BEARING OF S.38°01'14"E., FOR A DISTANCE OF 103.77 FEET TO THE END OF SAID CURVE; THENCE RUN S.00°51'41"E., FOR A DISTANCE OF 36.98 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 37.00 FEET, THROUGH A CENTRAL ANGLE OF 68°54'22", SUBTENDED BY A CHORD OF 41.86 FEET AT A BEARING OF S.33°35'30"W., FOR A DISTANCE OF 44.50 FEET TO THE END OF SAID CURVE; THENCE RUN S.00°51'41"E., FOR A DISTANCE OF 6.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BONITA BEACH ROAD; THENCE RUN S.89°08'19"W., ALONG THE NORTH LINE OF SAID BONITA BEACH ROAD, FOR A DISTANCE OF 290.28 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 4:

A PARCEL OF LAND LOCATED IN A PORTION OF LOTS 95 AND 96, ARROYAL ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 80 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 47 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA; THENCE RUN N.00°40'02"W, ALONG THE WEST LINE OF SAID SECTION 33, FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BONITA BEACH ROAD, COUNTY ROAD 865, HAVING A RIGHT-OF-WAY OF VARYING WIDTH; THENCE RUN N.89°08'19"E., ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BONITA BEACH ROAD, FOR A DISTANCE OF 412.42 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N.00°51'41"W., FOR A DISTANCE OF 13.67 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS N.06°40'50"E., A DISTANCE OF 27.00 FEET THEREFROM; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 27.00 FEET, THROUGH A CENTRAL ANGLE OF 82°27'29", SUBTENDED BY A CHORD OF 35.59 FEET AT A BEARING OF N.42°05'26"W. FOR A DISTANCE OF 38.86 FEET TO THE END OF SAID CURVE; THENCE RUN N.00°51'41"W., FOR A DISTANCE OF 37.07 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE WESTERLY; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 130.00 FEET, THROUGH A CENTRAL ANGLE OF 09°12'13", SUBTENDED BY A CHORD OF 20.86 FEET AT A BEARING OF N.05°27'48"W., FOR A DISTANCE OF 20.88 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS S.39°09'33"E., A DISTANCE OF 22.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 22.00 FEET, THROUGH A CENTRAL ANGLE OF 17°58'26", SUBTENDED BY A CHORD OF 6.87 FEET AT A BEARING OF N.59°49'40"E., FOR A DISTANCE OF 6.90 FEET TO THE END OF SAID CURVE; THENCE RUN N.68°48'53"E., FOR A DISTANCE OF 46.34 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 55.00 FEET, THROUGH A CENTRAL ANGLE OF 20°19'26", SUBTENDED BY A CHORD OF 19.41 FEET AT A BEARING OF N.78°58'36"E., FOR A DISTANCE OF 19.51 FEET TO THE END OF

SAID CURVE; THENCE RUN N.89°08'19"E., FOR A DISTANCE OF 175.49 FEET; THENCE RUN N.01°25'19"W., FOR A DISTANCE OF 141.61 FEET; THENCE RUN N.89°10'20"E., FOR A DISTANCE OF 225.62 FEET; THENCE RUN N.00°34'23"W., FOR A DISTANCE OF 17.40 FEET TO A POINT ON THE NORTH LINE OF LOT 95, ARROYAL ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 PAGE 80 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.89°09'00"E., ALONG THE NORTH LINE OF SAID LOT 96, FOR A DISTANCE OF 117.16 FEET; THENCE RUN S.01°25'19"E., FOR A DISTANCE OF 273.04 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BONITA BEACH ROAD; THENCE RUN S.89°08'19"W., ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BONITA BEACH ROAD, FOR A DISTANCE OF 278.18 FEET; THENCE RUN S.01°19'34"E., ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BONITA BEACH ROAD, FOR A DISTANCE OF 7.00 FEET; THENCE RUN S.89°08'19"W., ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BONITA BEACH ROAD, FOR A DISTANCE OF 284.94 FEET TO THE POINT OF BEGINNING.

AND

Parcel "A" (Official Records 2309, Page 3336)

A portion of the Southeast quarter of Section 32, Township 47, Range 26 East, Lee County, Florida, being more particularly described as follows:

Beginning at the Southeast corner of Section 32, Township 47, Range 25 East; thence run West along the South line of said Section for 665 feet; thence continue North 50 feet to the North line of Bonita Beach Road; thence continue on the same course of a road 130 feet wide for 310 feet; thence East 65 feet to the point of beginning of the land herein described and conveyed; thence East along the North line of a 50 foot wide road for 560 feet to the main canal; thence North along the West line of said main canal for 115 feet, more or less, to the waters of a canal; thence West for 560 feet to the East line of Imperial River Road (130 feet wide); thence South along said road for 115 feet, more or less, to the point of beginning of the land described herein. Together with the right of ingress and egress over and across that certain street known as East First Street that lies immediately South of the above described lands.

And Parcel "B" (Official Records Book 2309, Page 3336)

The South 15 feet of the North 30 feet of the following described property:

Beginning at the Southeast corner of Section 32, Township 47, Range 25 East; thence run West along the South line of said Section for 665 feet; thence continue North 50 feet to the North line of Bonita Beach Road; thence continue on the same course of a road 130 feet wide for 310 feet; thence East 65 feet to the point of beginning of the land herein described and conveyed; thence East along the North line of a 50 foot wide road for 560 feet to the main canal; thence North along the West line of said main canal for 145 feet to a point; thence West for 560 feet to the East line of Imperial River Road (130 feet wide); thence South along said road for 145 feet to the point of beginning of the land described herein.

And Parcel "C" (Official Records Book 2309, Page 3336)

(A portion of Flanders Lane also known as First Street): A parcel of land located in the Southeast quarter of Section 32, Township 47, Range 25 East, Lee County, Florida, being more particularly described as follows: Commence at the Southeast corner of the Southeast quarter of Section 32, Township 47, Range 25 East, Lee County, Florida; thence run North 00 degrees 34 minutes 21 seconds East along the East line of the Southeast

quarter of said Section 32, for a distance of 310.00 feet; thence run North 89 degrees 11 minutes 56 seconds West parallel with the Northerly right-of-way line of Bonita Beach Road (County Road 865), for a distance of 40.00 feet to the point of beginning of the parcel of land herein described; thence continue South 89 degrees 11 minutes 56 seconds West for a distance of 560.00 feet to a point on the Easterly right-of-way line of Imperial River Road, a 130 foot right-of-way; thence run North 00 degrees 34 minutes 21 seconds East along said Easterly right-of-way line, for a distance of 50.00 feet; thence run South 89 degrees 11 minutes 56 seconds East for a distance of 560 feet to a point 40 feet Westerly of, as measured at right angles to the Easterly line of the Southeast quarter of said Section 32; thence run South 00 degrees 34 minutes 21 seconds West, parallel with the Easterly line of the said Southeast quarter, for a distance of 50.00 feet to the point of beginning. Less the South 25 feet of Parcel "C" (Official Records Book 2246, Page 4317) (A portion of Flanders Lane also known as First Street).

Less and except the following:

Mango creek, a Condominium

A parcel of land located in the Southeast quarter of Section 32, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commence at the Southeast corner of the Southeast quarter of Section 32, Township 47 South, Range 25 East, Lee County, Florida; thence run North 00 degrees 27 minutes 51 seconds West along the East line of the Southeast quarter of said Section 32, for a distance of 360.21 feet; thence run South 89 degrees 48 minutes 40 seconds West for a distance of 336.93 feet to the point of beginning of the parcel of land herein described; thence continue South 89 degrees 48 minutes 40 seconds West for a distance of 263.29 feet to the Easterly right-of-way line of Imperial River Road, a 130.00 foot right-of-way; thence run North 00 degrees 28 minutes 03 seconds West, along said Easterly right-of-way, for a distance of 130.00 feet; thence run North 89 degrees 48 minutes 40 seconds East for a distance of 263.93 feet; thence run South 00 degrees 11 minutes 20 seconds East for a distance of 38.86 feet; thence run North 89 degrees 48 minutes 40 seconds East for a distance of 20.38 feet; thence run South 00 degrees 11 minutes 20 seconds East for a distance of 51.48 feet; thence run South 89 degrees 48 minutes 40 seconds West for a distance of 20.38 feet; thence run South 00 degrees 11 minutes 20 seconds East for a distance of 39.65 feet to the point of beginning of the parcel of land herein described.

Bearings hereon refer to the South line of the Southeast quarter of Section 32, Township 47 South, Range 25 East, Lee County, Florida, as being South 89 degrees 48 minutes 02 seconds West.

AND

A parcel of land located in the Southeast corner of Section 32, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at the Southeast corner of Section 32, Township 47 South, Range 25 East, Lee County, Florida: Run West along the South line of said Section for 300 feet; thence North 50 feet to the North line of the Bonita Beach Road and the point of beginning of the land herein described; thence continue on the same course for 260 feet to the South line of a road 50 feet wide; thence West along the South line of said 50-foot-wide road for 300 feet to the East line of a road 130 feet wide; thence South along said road for 260 feet to the North line of the Bonita Beach Road; thence East along said Bonita Beach Road for 300 feet to the point of beginning of the land herein described.

JUL 02 2020

EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. See Exhibit I-Fa _____

CASE NO. PD20-71493-BOS COMMUNITY DEVELOPMENT DEPARTMENT

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
N/A	

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
N/A	

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
N/A	

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
N/A	

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
N/A	

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
N/A

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

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

Signature: 
(Applicant)

Omer Dror
(Printed or typed name of applicant)

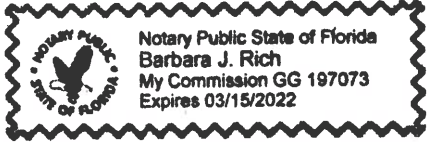
STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument acknowledged before me this 27th day of July ^{RJR} June 2020, by Omer Dror, who is personally known to me or who has produced as identification.

Barbara J. Rich
Signature of Notary Public

Barbara J. Rich
Printed Name of Notary Public

(SEAL)



Bonita Village MPD

Exhibit I-F-a

Disclosure of Interest Form

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage owned by each:

STRAP NO. 33-47-25-B4-00281.00CE

BONITA DEVELOPMENT CO LLC
27901 BONITA VILLAGE BLVD
SUITE 2
BONITA SPRINGS, FL 34134

Name. Address and Office

Percentage of Stock

Omer Dror, Manager
27901 Bonita Village Blvd., Bonita Springs,
FL 34134

100%

STRAP NO. 32-47-25-B3-03204.0010, 32-47-25-B3-03201.0010, 33-47-25-B4-00282.0000, 33-47-25-B4-00296.0000, 33-47-25-B4-00296.0020, 33-47-25-B4-00296.0050, 33-47-25-B4-00296.0070, 33-47-25-B4-00296.0080, 33-47-25-B4-00296.0090, 33-47-25-B4-00296.0100, 33-47-25-B4-00296.010A, 33-47-25-B4-00296.0110, 33-47-25-B4-00296.0010, 33-47-25-B4-00295.0010

BONITA BEACH LAND LLC
27901 BONITA VILLAGE BLVD
SUITE 2
BONITA SPRINGS, FL 34134

Name. Address and Office

Percentage of Stock

Omer Dror, Manager
27901 Bonita Village Blvd., Bonita Springs,
FL 34134

100%

RECEIVED
CITY OF BONITA SPRING
JUL 02 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

Bonita Village MPD

Amendment Application

June 30, 2020

Exhibit I-G

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 16-05

RECEIVED
CITY OF BONITA SPRINGS
JUL 02 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST BY BONITA DEVELOPMENT COMPANY LLC TO AMEND BONITA SPRINGS ZONING ORDINANCE NO. 07-08 RELATED TO BONITA VILLAGE; INCREASING THE MAXIMUM NUMBER OF HOTEL UNITS FROM 40 TO 390 AT A HEIGHT NOT TO EXCEED 75 FEET AND REDUCING COMMERCIAL SPACE FROM 60,000 SF TO 23,000 SF; LOCATED AT 27690 AND 27694 IMPERIAL RIVER ROAD; 27901 BONITA VILLAGE BOULEVARD; 27934 MEADOWLARK LANE; 3840, 3894, 3962, 3974, AND 3998 BONITA BEACH ROAD SW, BONITA SPRINGS, FLORIDA; ON 19 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Bonita Development Co. LLC has filed an application to amend City of Bonita Springs Zoning Ordinance No. 07-08, to incorporate the following changes: 1) Amend the Master Concept Plan, Schedule of Uses, Development Standards, Conditions of Approval, and Deviations; and 2) Increase the maximum number of hotel units from 40 to 390 at a height not to exceed 75 feet:

WHEREAS, the subject property is located at: 27690 and 27694 Imperial River Road; 27901 Bonita Village Boulevard; 27934 Meadowlark Lane; 3840, 3894, 3962, 3974, and 3998 Bonita Beach Road SW in Bonita Springs, Florida, and is described more particularly as:

"See Exhibit A"

WHEREAS, a Public Hearing was advertised and heard on August 16, 2016 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case PD15-21674-BOS who gave full consideration to the evidence available and recommended DENIAL (3-1, Brunswick voting to approve) of the applicant's request, giving full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all interested parties. The Staff Report prepared by Community Development dated July 14, 2016 and revised August 10, 2016, and evidence submitted at the Zoning Board July and August 16, 2016 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 request to amend City of Bonita Springs Zoning Ordinance No. 07-08 to incorporate the following changes: 1) Amend the master concept plan, schedule of uses, development

standards, condition of approval, and deviations; 2) Increase the maximum number of hotel units from 40 to 390 at a height not to exceed 75 feet; and, 3) decrease commercial space from 60,000 square feet to 23,000 square feet; with the following conditions:

A. Conditions:

1. The development of this project shall be in general compliance with the Master Concept Plan entitled Bonita Village MPD (Attachment A), stamped received August 10, 2016, except as modified by the conditions contained herein. This development must comply with all requirements of the Bonita Springs Land Development Code (LDC) at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan (MCP) are subsequently pursued, appropriate approvals will be necessary.
2. The units/square footage may not exceed the following:
 - a) 220 multi-family units
 - b) 23,000 square feet of commercial
 - c) Up to 260 hotel units, subject to Condition 5
 - d) TC-5 has 18,000 square feet of the total 23,000 square feet and 40 hotel rooms, with the right to any hotel rooms not used on TC-1 at build-out.

3. The following uses are permitted:

Schedule of Uses

Residential Parcel R-1 and R-2

Accessory uses and structures

Administrative offices

Dwelling unit: Multiple-family building(s)

Entrance gates and gatehouse

Essential services

Essential service facilities: Group I

Excavation: Water retention

Fences, walls

Recreation facilities:

Personal

Private--On-site

Signs in accordance with Chapter 306

Town Center Parcels TC-1 to, TC-2 and TC-5

Administrative

Administrative offices

Banks and financial establishments: Group I

Bar or cocktail lounge (limited to an ancillary use to a restaurant use)
 Broadcast studio, commercial radio and television
 Business services: Group I (excluding bail bonding and blood donor stations)
 Cleaning and maintenance services
 Clothing stores, general
 Clubs: Country
 Fraternal, membership organization
 Private
 Consumption on premises - limited to private club or restaurant use
 Contractors and builders: Group I (no parking of company vehicles outside of operating hours)
 Convenience food and beverage store
 Cultural facilities
 Day care center, child, adult
 Dwelling unit: Multiple-family building
 Entrance gates and gatehouse
 Essential services
 Essential service facilities: Group I
 Excavation: Water retention
 Fences, walls
 Food and beverage service, limited (limited to private club)
 Food stores: Group I
 Hardware store
 Hobby, toy and game shops
 Home occupation
 Hotel/motel (including indoor/outdoor COP, limited to Tract TC-1 and TC-5)
 Household and office furnishings, Groups I and II (~~limited to 10,000 square feet~~)
 Laundry or dry cleaning: Group I
 Medical offices
 Package Store
 Paint, Glass, and Wallpaper (~~limited to 2,500 square feet~~)
 Parking lot: Accessory
 Commercial
 Garage, public and private parking
 Temporary
 Parks: Group I
 Personal services: Groups I, II, and III (excluding massage establishment or parlors, steam or turkish baths, escort services, palm readers, fortune teller or card reader, and tattoo parlors, except massage may be permitted within a health or beauty spa)
 Pet services
 Pet shop
 Pharmacy

Place of worship
 Police or Sheriff's office
 Post office
 Recreation facilities:
 Commercial: Group IV (limited to health club)
 Personal or Private
 Rental or leasing establishment: Groups I, and II
 Repair shops: Groups I, and II
 Research and development laboratories: Groups I, II, III, IV
 Residential accessory uses
 Restaurant, fast food (includes outdoor seating, limited to Tracts ~~TC-1, TC-2, TC-4, and TC-5~~)
 Restaurants: Groups I, II, and III (includes outdoor COP and seating)
 Schools: Commercial (limited to 2,500 square feet)
 Signs in accordance with Chapter ~~306~~
~~Social services: Groups I and II~~
 Specialty retail shops: Groups I, II, and III
 Storage: Indoor only
 Studios
 Temporary uses
 Used merchandise stores: Groups I and II
 Variety store

~~Resource Conservation Parcels RC-1 & RC-2, and 30' buffer area~~
~~Fencing~~
~~Interpretive Signage~~
~~Recreation Amenities (i.e. Pool/decking common area patio)~~
~~Trails~~

a) Site Development Standards- See **Attachment B** except as modified herein

- i. Parking Garage

Setbacks:	15' rear and side 25' street
Height	3 stories at *35' three story *excludes stairway and elevator appurtenances

The Site Development Standards are subject to a 55' height limitation on any portion of a building within 70' of the northern property line and 50' of the eastern boundary.

In support of deviation 11, any building in the TC-1 development area exceeding 55' shall have a building separation of ½ the height of that portion of a building that's adjacent from the TC-2 buildings.

4. Architecture

- a. All hotel and multi-family residential buildings shall be designed in accordance with LDC 3-490 and must be consistent with elevations in Attachment D. Any architectural changes by the City during local development order review, specifically those that support the Bonita Beach Road Visioning Study, may be deemed consistent with intent of the elevations in Attachment D.
- b. All buildings shall be reviewed at time of local development order for variation in scale and massing. The buildings will be reviewed for compliance with LDC Sections 3-489 and 3-490 LDC. The applicant shall increase void-to-mass ratios by using techniques such as large open balconies, fenestration variations, and building mass displacement.
- c. All buildings in excess of 55' shall incorporate living walls or similar techniques to decrease the apparent height into their building.
- d. The parking structure shall be designed with primary façade treatments along all four elevations. All covered parking structure areas under buildings shall be designed with primary façade treatments on all exterior facades visible to a right of way and adjacent properties (includes the TC-2 area).

5. Hotel Units

- a. Hotel units are defined in accordance with LDC 4-1528. The maximum number of hotel units shall not exceed 260. The amount of development that can obtain a development order at a given point in time may be limited by LDC 2-30, Concurrency Certification. Section 3-293, LDC, Traffic Mitigation Plan will address the necessary on and off-site improvements required to address the impacts of the development.
- b. The hotel must be registered with the department of revenue as a bona fide hotel operation and is required to pay the levied tourist development tax promulgated by the county.
- c. Hotel units may not be converted into multi-family dwelling units.

6. Management of Traffic. To minimize traffic operational conflicts and improve traffic safety during high volume registration and events, a

Management of Traffic (MOT) Plan must be submitted for review and approval at time of local development order. The MOT shall evaluate the following:

- a. Implementation of full service valet
- b. Implementation of flag men directing traffic
- c. Minimize Pedestrian and vehicular conflicts
- d. Traffic movement at the intersection of Bonita Beach Road and Luke Street
- e. Traffic movement at the main hotel entrance off of Luke Street.
- f. The applicant must post and maintain signs on the portions north of the entrances of Luke Street and Meadowlark Lane that no hotel through traffic is permitted. Delivery and service trucks may not use Meadowlark Lane and Luke Street north of the project entrances for purposes of servicing the hotel.

7. Consumption on Premises.

- a. Outdoor consumption on premises is limited to 11:00 am to 10:00 pm Sunday thru Thursday and 11:00 am to 12:00 am Friday thru Saturday.
- b. Outdoor seating is limited to the capacity set by the Bonita Springs Fire Control and Rescue District Fire Marshal.
- c. Live outdoor entertainment is prohibited except if approved by a special event permit.
- d. Piped in music or television must meet the standards set forth in the City of Bonita Springs Noise Ordinance.
- e. All development and uses must comply with City's Noise Control ordinance.

8. Environmental. In support of Deviation 10, the acreage of the required indigenous area for this project is 3.1 acres and shall be mitigated offsite in accordance with one of the options listed below.

- a. Option 1. The indigenous vegetation of the area to be mitigated is predominately 421 Xeric Oak and 436 Upland Scrub. Like communities of Xeric Oak and/or Upland Scrub, shall be purchased within the incorporated limits of the City of Bonita Springs. Seven years of monitoring and maintenance shall be required. Additionally a mechanism to declare this property as conservation lands in perpetuity, shall be required prior to the issuance of the first local development order for the property, or
- b. Option 2. A fee in lieu paid to the City of Bonita Springs to purchase, restore, and maintain 3.1 acres of Xeric Oak and/or Upland Scrub to mitigate for this indigenous area. Costs for seven years of monitoring and maintenance shall be included in the fee. This fee shall be required prior to the issuance of the first local development order for the property. These funds may go towards

the improvement of existing governmental conservation lands or for new acquisition of Xeric Oak and/or Upland Scrub habitat.

9. Landscaping and Buffering

- a. Bonita Beach Road enhanced buffering. The Bonita Beach Road Corridor Study recommended "enhanced buffering" along Bonita Beach Road. The 15' wide D type buffer along Bonita Beach Road shall be augmented with more plantings or may be enhanced with larger plantings to screen site uses.
- b. Quails Walk northern landscape buffer for TC-1 area. Deviation 5 allows for a Type C landscape buffer with a wall 10' off the property line. The removal of a large amount of exotic vegetation on the north side of the project will severely reduce the indigenous landscape buffering that was proposed for this buffer area. Large trees, such as minimum 16' hardwood canopy trees, and 30' palms will be required in this enhanced buffer.
- c. All required buffers must consist of 100 percent native vegetation.
- d. Vegetative material for land clearing may not be burned on-site. Any vegetation that must be removed for purposes of development must be disposed of in a properly licensed and permitted disposal site. This condition will not prohibit open burns for bona-fide agriculture provided that all conditions are met under state law and the Developer provides written notice to both the City of Bonita Springs and local residents (those living within 1,000 feet of the location of the open burn).
- e. All plants used to meet the Land Development Code landscaping requirements must be species native to southwest Florida pine flatwoods, xeric oak, and upland scrub plant communities.

10. Engineering.

- a. The SFWMD permit must demonstrate compliance with Policy 9.3.3 of the Conservation/Coastal Management Element of the Comprehensive Plan.
- b. As part of the local development order application, the applicant shall provide intersection details showing safe pedestrian and vehicular access to and from this site. Also, travel lane widths and turning radii must permit access by emergency vehicles and equipment.
- c. Luke Street. Signing and striping on Luke Street will need to be revised from the intersection of Bonita Beach Road to the rear

property line including delineation of safe access to the portion of Luke Street which changes into one lane road north of the project. Road improvements to Luke Street, including any impact to the large canal to the west, will require a South Florida Water Management Permit and Public Works Permit prior to construction.

11. Transportation

- a. Approval of this zoning request does not grant or guarantee concurrency. Concurrency is regulated by Section 2-30, LDC, and Section 163.3180, F.S.
- b. 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 to address site related impacts may be required to obtain local development order approval.
- 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 Bonita Beach Road from west of Imperial Shores Boulevard to east of US 41 as direct links.
 - ii. 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.
 - iii. 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.
 - iv. 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.
- v. 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.
 - vi. The AM and PM peak hour turning movements for the intersections of Bonita Beach Road with Luke and Meadowlark Streets.
 - vii. These volumes shall include, background and project trips, clearly distinguishing between background trips and project trips. Background trips are to be calculated using existing traffic counts and trips from projects that have approved and valid development orders and those trips that are vested with concurrency in a development agreement.
- d. The applicant shall analyze and conduct a traffic signal operations analysis for the development's impacts on the intersections at Bonita Beach Road and Luke Street.
 - e. The developer is responsible for all site-related intersection and turn lane improvements at the intersections of Luke Street and Bonita Beach Road and Meadowlark Lane and Bonita Beach Road.
 - f. If applicable at time of development order, the applicant/owner shall satisfy the city's transportation concurrency requirements by entering into a proportionate fair share funding agreement pursuant to Florida Statutes §163.3180 and Land Development Code §2-133 et seq. If required, the applicant will make its proportionate fair share contribution by contributing to improvement(s) that, upon completion, will accommodate additional traffic generated by the proposed development that may not be funded in the five-year CIP. The proportionate fair share agreement shall be executed at time of local development order with payment due at time of building permit issuance. Those funds shall then be added to the five-year CIP in accordance with LDC 2-137(b).

- g. The developer must provide in the local development order all site-related improvements necessary to provide safe vehicular and pedestrian access to the residential uses north of the project that are necessary to address the impacts of the project.
- h. At the time of local development order and concurrency evaluation, the traffic mitigation proposal may consider the mobility enhancements identified in the Bonita Beach Road Visioning Study and the US 41/Bonita Beach Road Quadrant Study.

12. Shuttle Service.

- a. At the time of local development, the applicant may (as part of the TIS submittal required herein) request a trip reduction through a shuttle study prepared by a professional traffic engineer that specializes in such studies. The shuttle study methodology shall be agreed upon by both the applicant and the city prior to submittal.
- b. Should the applicant provide a shuttle service alternative, the method, manner and mode including operational hours shall be as prescribed in the Shuttle Service Study.
- c. The acceptance of a shuttle survey and its operation has the effect of lessening the traffic impact of this development. This reduction in traffic impact lessens the amount that the applicant will pay as part of their proportional fair share of the improvements to Bonita Beach Road. Should the proposed shuttle service cease or fail to meet the operational standards established by the study, the impacts that were reduced will now negatively affect Bonita Beach Road. Therefore the following condition is imposed:
 - i. Based upon the revised TIS and the number of trips that the proposed shuttle service will reduce its impact to Bonita Beach Road, a dollar amount will be assigned to the trips based upon the proportional fair share calculation.
 - ii. Prior to issuance of any Certificate of Completion or Certificate of Occupancy on this development the owner shall post a surety with the City for amount equal to Amount established by the calculation set forth in i. above.
 - iii. Upon review that the shuttle is meeting or exceeding the terms of the Shuttle Service Study, the require surety shall be reduced by 10% annually on its anniversary date until the shuttle has satisfactorily operated for ten (10) years and the surety is no longer required. The City has

the right, in the event that the shuttle did not meet the terms of the Shuttle Service Study for a specific year, to either withdraw the monies for use in the City's transportation program, or alternatively, extend the shuttle service out for an additional year. These terms will be set forth in the surety document, to be reviewed by the City Attorney in accordance with this zoning condition.

13. Lee County Department of Transportation (DOT)
 - a. The City does hereby put the applicant on notice that a right of way permit and a Local Development Order will be required for access to Bonita Beach Road. Bonita Beach Road is a County road and the applications will be subject to all Lee County requirements, which can include a turn lane analysis in accordance with the Lee County LDC and Administrative Code.
 - b. At the time of City of Bonita Springs Development Order application, the Applicant/Owner will be required to submit for a Type D Limited Development Order with Lee County for all roadway improvements within the Bonita Beach Road ROW and meet Lee County Land Development Code standards.
 - c. No direct access is permitted from the project (TC-5) to Bonita Beach Road between Imperial River Road and Luke Street. The developer must convey a cross-easement pursuant to LDC §3-282 to provide access to the parcel located at the northwest quadrant of the Luke/Vanderbilt and Bonita Beach Road intersection prior to the approval of any development orders for the portion of Bonita Village that is located west of Luke Street (TC-5). In addition, the developer must provide a cross-access easement to the Rodes parcel located at the intersection of Meadowlark Lane and Bonita Beach Road prior to the issuance of any development orders for commercial uses on the portion of Bonita Village that is located east of Luke Street. The developer must provide stub-outs to accommodate both the TC-1 and TC-5 projects.
 - d. The applicant will contact Lee Tran prior to its first development order, to determine the viability of a trolley stop integrated within the development. If feasible, a trolley stop will be incorporated.
14. All development and uses must comply with City's Noise Control ordinance.

15. The developer will make every effort to incorporate principles for its buildings through the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) and/or Florida Green Building Coalition program, standards for commercial building structures, in site design and construction, by emphasizing use of high energy efficiency designs and use of high energy efficiency fixtures and appliances where possible. Building materials, both internal and external, will be comprised of durable and recycled materials where possible.
16. 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.
17. 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.

B. Deviations:

Zoning Ordinance No. 07-08 identifies eight deviations, all were approved with the exception of deviation one and deviation three. Deviation nine was reviewed and approved under Lee County case ADD2008-00004, but would be withdrawn if this request is approved. The information below memorializes the nine deviations based on the codification of the Land Development Code. The applicant is also requesting two new deviations, ten and eleven.

1. Deviation 1 was withdrawn.
2. Deviation 2 is was approved, granting relief from LDC Section ~~3-608.C.5~~ and ~~LDC Section 34-1985~~ 4-1690, screening, which requires that vehicle loading areas shall be screened from streets and adjacent residential districts. Screening shall consist of wing walls, shrubs, trees, berms, or combination thereof; to allow no screening for loading areas along parking aisles adjacent to commercial uses that contain residential uses on the upper floor.
3. Deviation 3 was denied in ZO-07-08 and is hereby withdrawn.
4. Deviation 4 is was approved, granting relief from LDC Section ~~3-416418(D)~~ which requires either a 125 foot setback from an existing residential subdivision or an eight foot wall or combination wall and berm; to allow a 30 foot setback from the property boundary to the roadway

with indigenous open space along the boundary. A "B" size buffer will be provided as originally approved.

5. Deviation 5 is was approved, granting relief from LDC Section 3-416 ~~418~~ that requires that an eight foot wall or wall and berm combination a minimum of 25 feet from the property line; to allow an eight foot high PVC fence be placed ~~5~~ 10 feet from the property line.
6. Deviation 6 is was approved, as conditioned, granting relief from LDC Section 34-2020(4)K ~~4-1732~~, required spaces, which requires parking at one space per 100 square feet for private clubhouse facilities within a residential community; to allow the private club in the TC-2 tract of the planned development to calculate parking at one space per 300 square feet, subject to the condition that the private club (clubhouse) is used solely by the residents and their guests and may not be leased out or used by non-residents of the planned development.
7. ~~Deviation 7 is approved, granting relief from LDC Section 34-2020(5) 4-1732(5), required spaces which requires multiple occupancy complexes (commercial) between 25,000 square feet and 500,000 square feet provide parking at 4.5 spaces per 1,000 square feet; to allow multiple occupancy complexes (including in-line restaurants) to provide parking at 3.75 spaces per 1,000 square feet. withdrawn.~~
8. Deviation 8 is was approved, granting relief from LDC Section 3-416418, landscaping standards, which requires commercial parking areas abutting single family or multiple family areas to provide a 15 foot wide, Type C buffer; to allow the development of the mixed use project to provide no buffers between commercial parking areas and residential uses within the mixed use planned development, except as noted on the Master Concept Plan.
9. ~~Deviation 9 is approved, granting relief from LDC Section 34-2015 (2)(d), Parking location/Design, to permit placement of 90 degree parking that abuts and backs out onto the existing Bonita Village Boulevard (a private access easement) within Development Area TC 1, as depicted on Exhibit D, entitled "Bonita Village MPD, MCP Amendment" withdrawn.~~
10. Deviation 10 is approved, providing relief from LDC Section 3-417(b)(1), Open Space, which requires large developments to provide 50% of their open space through on-site preservation of indigenous vegetation, to permit the property owner to provide for off-site preservation of land of equal habitat value or greater at a 1:1 ratio for that required to be preserved on-site, subject to condition 8.

11. Deviation 11 is approved, providing relief from LDC Section 4-741.d (4), which requires a minimum separation of buildings of one-half of the sum of their heights, or 20 feet, whichever greater, to permit the minimum separation of buildings in the TC-1 Tract from portions of those buildings above 12' those buildings located within the TC-2 Tract to be a minimum of 38 feet, subject to condition 3. Parking structure separation may be 20'.

12. Deviation 12 seeks relief from LDC Section 4-1874 (2), Height Limitations for Special Areas, which requires that no building or structure may exceed 45 feet in height unless all required setbacks are increased 12 inches for each 12 inches by which the height exceeds 45 feet. In no event, may the height exceed 55 feet unless a variance or deviation is approved by the city council as part of a mixed use planned development to allow a maximum building height of 75 feet and subject to the Property Development Regulations Table in the Zoning Ordinance.

C. Findings & 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 amend the Mixed Use Planned Development (MPD) by demonstrating compliance with the Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations as conditioned.
2. The requested MPD zoning as conditioned by staff:
 - a. meets and exceeds all performance and locational standards set forth for the potential uses allowed by the request; and
 - b. is consistent with the densities, intensities and general uses set forth in the Bonita Springs Comprehensive Plan; and
 - 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 may place an undue burden upon existing transportation or planned infrastructure facilities. However, modifications can be made to the existing infrastructure that could mitigate these impacts.

4. Urban services, as defined in the Bonita Springs Comprehensive Plan, will be available and adequate to serve the proposed land use.
5. The proposed mix of uses are appropriate at the subject location, as conditioned.
6. Adequate conditions to the master concept plan and other applicable regulations will 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 can be recommended to offset the impacts.
8. The deviations recommended for approval:
 - 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 City Council of the City of Bonita Springs, Lee County, Florida, this 19th day of September, 2016.

AUTHENTICATION:



 Mayor



 City Clerk

APPROVED AS TO FORM:



 City Attorney

Vote:

DeWitt	Aye	Quaremba	Nay
Forbes	Nay	Simmons	Aye
Gibson	Aye	Slachta	Aye
O'Flinn	Nay		

Date filed with City Clerk:

10/3/16

LEGAL DESCRIPTION

PARCEL I

A PORTION OF LOTS 81, 82, 95 AND 96 ARROYAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 80 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN NORTH 00°40'59" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BONITA BEACH ROAD (S.R. 885); THENCE CONTINUE NORTH 00°40'59" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 285.68 FEET TO A POINT HERINAFTER REFERRED TO AS POINT "A"; THENCE CONTINUE NORTH 00°40'59" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 324.97 FEET TO THE NORTHWEST CORNER OF SAID LOT 81; THENCE RUN NORTH 89°07'48" EAST, ALONG THE NORTH LINE OF SAID LOT 81, FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN NORTH 89°07'48" EAST, ALONG THE NORTH LINE OF SAID LOTS 81 AND 82, FOR A DISTANCE OF 1,282.71 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MEADOW LARK LANE; THENCE RUN SOUTH 01°22'43" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 330.49 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 82; THENCE RUN SOUTH 89°08'32" WEST, ALONG THE SOUTH LINE OF SAID LOT 82 FOR A DISTANCE OF 334.88 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3814 AT PAGE 1414; THENCE RUN SOUTH 01°20'59" EAST, ALONG THE WEST LINE OF SAID LANDS, FOR A DISTANCE OF 272.80 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BONITA BEACH ROAD (S.R. 885); THENCE RUN SOUTH 89°08'19" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 277.53 FEET; THENCE RUN SOUTH 00°40'59" EAST FOR A DISTANCE OF 7.00 FEET; THENCE RUN SOUTH 89°08'19" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 672.48 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF LAKE STREET; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF LAKE STREET AS SHOWN ON LEE COUNTY BOARD OF COUNTY COMMISSIONERS RIGHT OF WAY MAP, DATED AUGUST 1986, FOR THE FOLLOWING 3 COURSES AND DISTANCES: NORTH 00°40'59" WEST FOR A DISTANCE OF 279.95 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 81; THENCE RUN SOUTH 89°08'53" WEST, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 15.00 FEET; THENCE RUN NORTH 00°40'59" WEST, FOR A DISTANCE OF 330.07 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 13.886 ACRES, MORE OR LESS.

TOGETHER WITH:

PARCEL II

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE AFFOREMENTIONED POINT "A"; THENCE RUN SOUTH 89°35'32" WEST FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 89°35'32" WEST FOR A DISTANCE OF 280.17 FEET; THENCE RUN SOUTH 00°42'04" EAST FOR A DISTANCE OF 285.14 FEET TO A POINT ON THE ON THE NORTH RIGHT OF WAY LINE OF BONITA BEACH ROAD (S.R. 885); THENCE RUN SOUTH 89°34'53" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 300.00 FEET TO THE POINT OF INTERSECTION OF SAID NORTH RIGHT OF WAY LINE AND THE EAST RIGHT OF WAY LINE OF IMPERIAL RIVER ROAD (130 FOOT RIGHT OF WAY); THENCE RUN NORTH 00°42'04" WEST, ALONG SAID EAST RIGHT OF WAY LINE, FOR A DISTANCE OF 310.20 FEET TO THE SOUTHWEST CORNER OF MANGO CREEK, A CONDOMINIUM AS RECORDED IN OFFICIAL RECORDS BOOK 3808 AT PAGE 181; THENCE RUN ALONG THE BOUNDARY OF SAID MANGO CREEK CONDOMINIUM FOR THE FOLLOWING SIX COURSES AND DISTANCES: THENCE NORTH 89°35'32" EAST, FOR A DISTANCE OF 263.26 FEET; THENCE NORTH 00°24'28" WEST, FOR A DISTANCE OF 38.85 FEET; THENCE NORTH 89°35'32" EAST, FOR A DISTANCE OF 20.30 FEET; THENCE NORTH 00°24'28" WEST, FOR A DISTANCE OF 81.48 FEET; THENCE SOUTH 89°35'32" WEST, FOR A DISTANCE OF 20.38 FEET; THENCE NORTH 00°24'28" WEST, FOR A DISTANCE OF 38.86 FEET TO A POINT ON THE CENTERLINE OF FLANDERS CANAL; THENCE RUN NORTH 89°35'32" EAST ALONG SAID CENTERLINE, FOR A DISTANCE OF 296.30 FEET TO THE POINT OF INTERSECTION WITH SAID CENTERLINE AND THE WESTERLY ELONGATION OF SAID FLANDERS CANAL; THENCE RUN SOUTH 00°40'59" EAST, ALONG THE WEST LINE OF SAID CANAL, FOR A DISTANCE OF 153.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 3.147 ACRES, MORE OR LESS.

NOTES:

- BEARINGS SHOWN HEREON REFER TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING NORTH 00°40'59" WEST.
- THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

Q. GRADY MINOR AND ASSOCIATES, P.A.
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

Applicant's Legal Check
By CS5 1/20/06

DCI 2006-00095

P.S.M. #6408
STATE OF FLORIDA

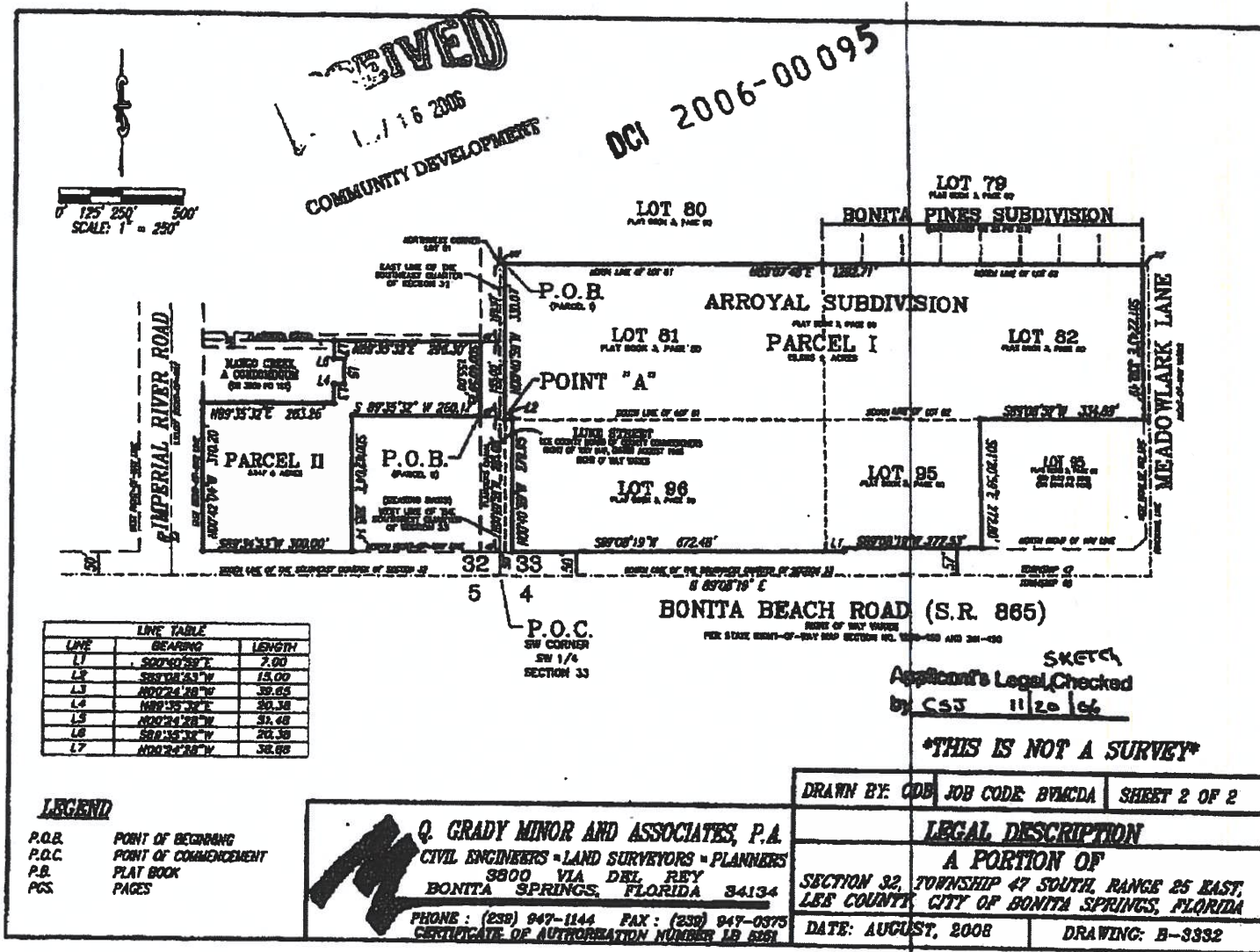
THIS IS NOT A SURVEY

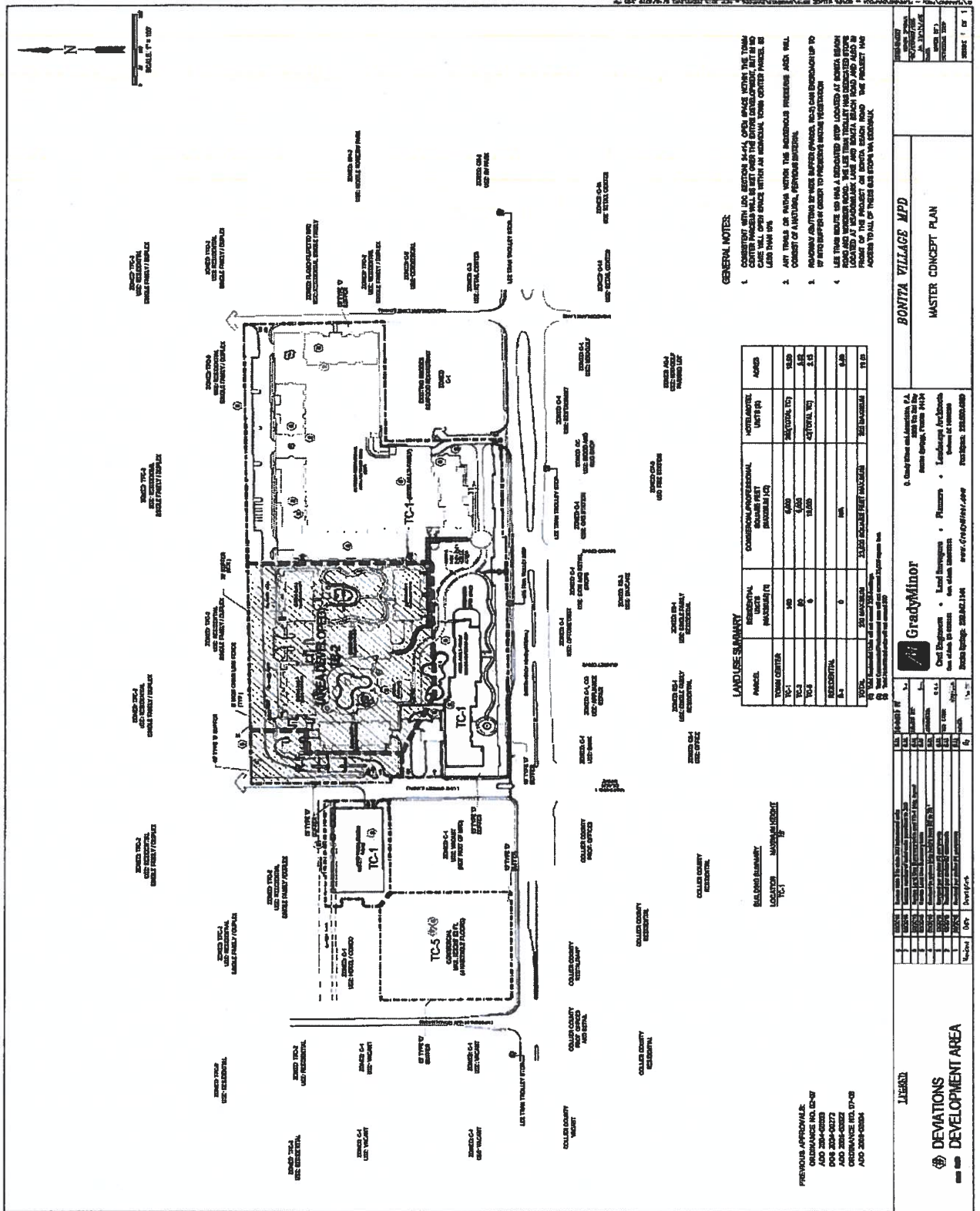
DRAWN BY: CDB | JOB CODE: BVM/PA | SHEET 1 OF 2

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (239) 947-1144 FAX: (239) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

LEGAL DESCRIPTION
A PORTION OF
SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
LEE COUNTY, CITY OF BONITA SPRINGS, FLORIDA
DATE: AUGUST, 2006 | DRAWING: B-3327







BONITA VILLAGE MPD
 PROPERTY DEVELOPMENT REGULATIONS

TOWN CENTER		MINIMUM SETBACK						MINIMUM BUILDING SEPARATION (FEET) (1)	MAXIMUM LOT COVERAGE (%) (2)
TOWN CENTER PARCELS TC-1 TO TC-5	SIDE (FEET)	REAR (FEET)	STREET/EOP (FEET)	WATER BODY (FEET)	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS			
COMMERCIAL / OFFICE	0	10	10/0 (3)	10	55 (5)	4	20 (6)	90	
MULTI-FAMILY	0	10/0 (7)	10/0 (3)	10	55 (5)	4	20 (6)	90	

- NOTES: (1) MINIMUM BUILDING SEPARATION REPRESENTS THE DISTANCE BETWEEN BUILDINGS ON SEPARATE PARCELS.
 (2) LOT COVERAGE MEANS THAT PORTION OF THE LOT AREA, EXPRESSED AS A PERCENTAGE, OCCUPIED BY ALL ROOFED BUILDINGS OR STRUCTURES.
 (3) RESIDENTIAL UNITS ABOVE THE FIRST FLOOR MAY BE SET BACK 0 FEET FROM PARKING AISLES.
 (4) MINIMUM SETBACKS ARE FOR BUILDINGS WITHIN EACH PARCEL.
 (5) BUILDING HEIGHT MEASURED FROM FEMA TO ROOF EAVE.
 (6) MINIMUM BUILDING SEPARATION BETWEEN PRINCIPAL STRUCTURES WITHIN AND ACROSS PARCEL BOUNDARIES.
 (7) FOR ACCESSORY STAIRS AND PAVER PATIOS.

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 COMMUNITY DEVELOPMENT
 DEPARTMENT
 JUN 18 2015

TOWN CENTER		MINIMUM SETBACK						MINIMUM BUILDING SEPARATION (FEET) (1)	MAXIMUM LOT COVERAGE (%) (2)
TOWN CENTER PARCEL TC-1	SIDE (FEET)	REAR (FEET)	STREET/EOP (FEET)	WATER BODY (FEET)	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS			
COMMERCIAL / OFFICE	0	10	10/0 (3)	10	75 (5)	4	20 (6)	90	
MULTI-FAMILY	0	10/0 (7)	10/0 (3)	10	75 (5)	N/A	20 (6)	90	
HOTEL	0	10/0 (7)	10/0 (3)	10	75 (5)	N/A	20 (6)	90	

- NOTES: (1) MINIMUM BUILDING SEPARATION REPRESENTS THE DISTANCE BETWEEN BUILDINGS ON SEPARATE PARCELS.
 (2) LOT COVERAGE MEANS THAT PORTION OF THE LOT AREA, EXPRESSED AS A PERCENTAGE, OCCUPIED BY ALL ROOFED BUILDINGS OR STRUCTURES.
 (3) RESIDENTIAL UNITS ABOVE THE FIRST FLOOR MAY BE SET BACK 0 FEET FROM PARKING AISLES.
 (4) MINIMUM SETBACKS ARE FOR BUILDINGS WITHIN EACH PARCEL.
 (5) BUILDING HEIGHT MEASURED FROM FEMA TO ROOF EAVE. AREA OF BUILDING ABOVE 55' CAN ONLY OCCUPY 85% OF THE BUILDING FOOTPRINT.
 (6) MINIMUM BUILDING SEPARATION BETWEEN PRINCIPAL STRUCTURES WITHIN AND ACROSS PARCEL BOUNDARIES. ANY BUILDING IN TC-1 MUST HAVE A MINIMUM SEPARATION FROM ANY BUILDING IN TC-2 OF 20 FEET FOR ANY PORTION OF THE BUILDING BELOW 35 FEET HEIGHT AND 35 FEET SEPARATION FOR ANY PORTION OF THAT BUILDING LOCATED ABOVE 35 FEET HEIGHT, AS MEASURED FROM FEMA TO ROOF EAVE.
 (7) FOR ACCESSORY STAIRS AND PAVER PATIOS.

PD15-21674-BOS
 ATTACHMENT B

**BONITA VILLAGE MPD
PROPERTY DEVELOPMENT REGULATIONS**

RESIDENTIAL USES	MINIMUM SETBACK				PRESERVE (INCLUDES UPLAND BUFFER) (FEET)	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS	MINIMUM BUILDING SEPARATION (FEET) (1)	MAXIMUM LOT COVERAGE (%) (2)
	SIDE (FEET)	REAR (FEET)	STREET/EOP (FEET)	WATER BODY (FEET)					
MULTI-FAMILY	10	10	20	20	10	35 (3)	3	20 (6)	70
ACCESSORY STRUCTURES	5	5	10	0	0 (4)	35 (3)	N/A	10	N/A
POOL DECK	5	5	10	0	10	N/A	N/A	N/A	N/A

- NOTES: (1) MINIMUM BUILDING SEPARATION REPRESENTS THE DISTANCE BETWEEN BUILDINGS ON SEPARATE PARCELS.
 (2) LOT COVERAGE MEANS THAT PORTION OF THE LOT AREA, EXPRESSED AS A PERCENTAGE, OCCUPIED BY ALL ROOFED BUILDINGS OR STRUCTURES.
 (3) BUILDING HEIGHT MEASURED FROM FEMA TO ROOF EAVE.
 (4) ONLY FOR BRICK PATIO AND STAIRCASE.

ATTACHMENT D
PD15-21674-BOS

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MAY 16 2016

CITY OF BONITA SPRINGS
COMMUNITY DEVELOPMENT
DEPARTMENT



2125 Glendale Pkwy, Suite 100, Bonita Springs, FL 34135
Tel: 941.654.1111 | Fax: 941.654.1112
www.pkstudios.com



BONITA VILLAGE
site conceptual rendering
April 19, 2016

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CITY OF BONITA SPRINGS

JUL 02 2020

COMMUNITY DEVELOPMENT
DEPARTMENT

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 07-08

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY BONITA VILLAGE, LLC/BONITA VILLAGE MPD TO AMEND ITS MIXED USE PLANNED DEVELOPMENT; CONSISTING OF A MAXIMUM OF 220 MULTIPLE FAMILY RESIDENTIAL DWELLING UNITS; 60,000 SQUARE FEET OF COMMERCIAL FLOOR AREA; AND 40 HOTEL/MOTEL UNITS; MAXIMUM BUILDING HEIGHT IS PROPOSED TO BE 55 FEET (FOUR STORIES); ON LAND LOCATED AT 27934 MEADOWLARK LANE, BONITA SPRINGS, FLORIDA, (STRAP NOS. 33-47-25-B4-00282.0000; 33-47-25-B4-00281.0000; 33-47-25-B4-00295.0010; 33-47-25-B4-00296.0010; 33-47-25-B4-00296.0070; 33-47-25-B4-00296.0020; 33-47-25-B4-00296.0000; 33-47-25-B4-00296.0090; 33-47-25-B4-00296.010A; 33-47-25-B4-00296.0100; 33-47-25-B4-00296.0110; 33-47-25-B4-00296.0080; 33-47-25-B4-00296.0050; 32-47-25-B3-03201.0010; 32-47-25-B3-03204.0010), ON 19 +/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Bonita Village, LLC/Bonita Village MPD has filed an application for rezoning 19 +/- acres from Mixed Use Planned Development (MPD) and Commercial District (C-1) to Mixed Use Planned Development to allow a mixed use development consisting of a maximum of 220 multiple family residential dwelling units; 60,000 square feet of commercial floor area; and 40 hotel/motel units. Maximum building height is proposed to be 55 feet (four stories).

WHEREAS, the subject property is located at 27934 Meadowlark Lane, Bonita Springs, Florida, and is described more particularly as:

"See Schedule A"

WHEREAS, a Public Hearing was advertised and heard on August 3, 2007 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case DCI 2006-00095 who gave full consideration to the evidence available and recommended approval (4-2); and gave full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The July 18, 2007 Staff Report prepared by Lee County Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

RECEIVED

OCT 03 2007

Q. Grady Minor
& Associates, P.A.

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the rezoning of 19 +/- acres from Mixed Use Planned Development (MPD) and Commercial District (C-1) to Mixed Use Planned Development to allow a mixed use development with the following conditions and deviations:

A. Conditions

1. The development of this project must be consistent with the four-page Master Concept Plan entitled "Bonita Village MPD," stamped received March 09, 2007, except as modified by the conditions below. This development must comply with all requirements of the Bonita Springs Land Development Code at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

The approved development may not exceed 220 multiple family residential dwelling units; 60,000 square feet of commercial floor area; and 40 hotel/motel units. Maximum building height is limited to 55 feet (four stories).

Each development order application for residential development must demonstrate that the residential density is not exceeding the allowed maximum of 10 dwelling units per acre as provided for in the City of Bonita Springs Comprehensive Plan.

Each development order application submitted for this development must provide documentation providing a running total of the developing and developed uses of the project stating: (a) the intensity of development approved under all previously approved development orders, (b) the intensity of development sought in any current application(s) for local development Order approval, and (c) the intensity of development already developed within the project.

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

a. Schedule of Uses

Residential Parcel R-1 and R-2

Accessory uses and structures
Administrative offices

Dwelling unit: Multiple-family building
Entrance gates and gatehouse
Essential services
Essential service facilities: Group I
Excavation: Water retention
Fences, walls
Recreation facilities:
 Personal
 Private--On-site
Signs in accordance with Chapter 30

Town Center Parcels TC-1 to TC-5

Accessory uses and structures
Administrative offices
Banks and financial establishments: Group I
Bar or cocktail lounge (limited to an ancillary use to a restaurant use)
Broadcast studio, commercial radio and television
Business services: Group I (excluding bail bonding and blood donor stations)
Cleaning and maintenance services
Clothing stores, general
Clubs: Country
 Fraternal, membership organization
 Private
Consumption on premises - limited to private club or restaurant use
Contractors and builders: Group I
Convenience food and beverage store
Cultural facilities
Day care center, child, adult
Dwelling unit: Multiple-family building
Entrance gates and gatehouse
Essential services
Essential service facilities: Group I
Excavation: Water retention
Fences, walls
Food and beverage service, limited (limited to private club)
Food stores: Group I
Hardware store
Hobby, toy and game shops
Home occupation
Hotel/motel
Household and office furnishings, Groups I and II (limited to 10,000 square feet)
Laundry or dry cleaning: Group I
Medical offices
Package Store
Paint, Glass, and Wallpaper (limited to 2,500 square feet)

Parking lot: Accessory
Commercial
Garage, public parking
Temporary

Parks: Group I

Personal services: Groups I, II, and III (excluding massage establishment or parlors, steam or turkish baths, escort services, palm readers, fortune teller or card reader, and tattoo parlors, except massage may be permitted within a health or beauty spa)

Pet services

Pet shop

Pharmacy

Place of worship

Police or Sheriff's office

Post office

Recreation facilities:

Commercial: Group IV (limited to health club)

Personal or Private

Rental or leasing establishment: Groups I, and II

Repair shops: Groups I, and II

Research and development laboratories: Groups I, II, III, IV

Residential accessory uses

Restaurant, fast food (includes outdoor seating, limited to Tracts TC-1, TC-2, TC-4, and TC-5)

Restaurants: Groups I, II, and III (includes outdoor seating)

Schools: Commercial (limited to 2,500 square feet)

Signs in accordance with Chapter 30

Social services: Groups I and II

Specialty retail shops: Groups I, II, and III

Storage: Indoor only

Studios

Temporary uses

Used merchandise stores: Groups I and II

Variety store

Resource Conservation Parcels RC-1 & RC-2, and 30' buffer area

Fencing

Interpretive Signage

Recreation Amenities (i.e. Pool/decking common area patio)

Trails

b. Site Development Regulations

See attached Exhibit B.

3. All required buffers must consist of 100 percent native vegetation.
4. Vegetative materials for land clearing may not be burned on-site. Any vegetation that must be removed for purposes of development must be disposed of in a properly licensed and permitted disposal site. This condition will not prohibit open burns for bona-fide agriculture provided that all conditions are met under state law and the Developer provides written notice to both the City of Bonita Springs and local residents (those living within 1,000 feet of the location of the open burn).
5. Approval of this zoning request does not relieve the applicant from payment of an proportionate road impact fee that may be adopted by the City of Bonita Springs because of significant impacts to Bonita Beach Road prior to issuance of a development order, or should the proportionate road impact fee not be adopted before development order issuance, prior to certificate of occupancy. By virtue of this being a planned development where conditions may be included if they reasonably relate to the project, by the approval of this zoning request applicant waives any estoppel arguments to any lawfully enacted ordinance creating the proportionate road impact fee for mitigating significant impacts to Bonita Beach Road because of the project's vehicular or pedestrian traffic impacts.
6. No direct access is permitted from the project to Bonita Beach Road between Imperial River Road and Luke Street. The developer must convey a cross-easement pursuant to LDC Section 3-282 to provide access to the parcel located at the northwest quadrant of the Luke/Vanderbilt and Bonita Beach Road intersection prior to the approval of any development orders for the portion of Bonita Village that is located west of Luke Street. In addition, the developer must provide a cross-access easement to the Rodes parcel located at the intersection of Meadowlark Lane and Bonita Beach Road prior to the issuance of any development orders for commercial uses on the portion of Bonita Village that is located east of Luke Street. The developer must provide stub-outs to these adjoining properties.
7. Realignment of the interior driveway intersection with Luke Street as shown in the Master Concept Plan Exhibits II-F-3, and IV-F as revised on 1/07.
8. Prior to local development order approval, a gopher tortoise management plan meeting the Florida Fish and Wildlife Conservation Commission and Lee County requirements must be

submitted for review and approval by the Division of Environmental Sciences.

9. The paving and grading sheet of the development order must include the surface water management system specifically designed to direct water away from xeric oak and upland scrub plant communities. Surface water out-falls are not permitted within the xeric oak and upland scrub plant communities within the Resource Conservation Parcels as depicted on the Master Concept Plan.
10. All plants used to meet the Land Development Code landscaping requirements must be species native to southwest Florida pine flatwoods, xeric oak, and upland scrub plant communities.
11. Dumpsters cannot be located adjacent to the indigenous preserve areas.
12. The RC-1 and RC-2 preserves meet the intent of Section 10-416 (d) of the Land Development Code. Therefore, no additional buffer is required along Meadowlark Lane or between RC-2 and the vacant C-1 property to the south
13. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Bonita Springs Land Development Code (Regulations) may be required to obtain a local development order.
14. The applicant will contact Lee Tran prior to its first development order, to determine the viability of a trolley stop integrated within the development. If feasible, a trolley stop will be incorporated.
15. The tennis courts proposed in this development are for playing tennis from dawn to dusk. The tennis area is not to have lighting to permit play during other hours. Safety lighting is acceptable.

B. Deviations

Deviation 1 was withdrawn.

Deviation 2 is approved, granting relief from LDC Section 3-608.C.5 and LDC Section 34-1985 which requires that vehicle loading areas shall be screened from streets and adjacent residential districts. Screening shall consist of wing walls, shrubs, trees, berms, or combination thereof; to allow no screening for loading areas along

parking aisles adjacent to commercial uses that contain residential uses on the upper floor.

Deviation 3 is denied, seeking relief from LDC Section 34-940(1)(and (2) which requires mixed use planned development must contain a minimum intensity of 2 or more land uses; to allow this application to be filed with an intensity of 100 dwelling units and 5 acres or 50,000 square feet.

Deviation 4 is approved, granting relief from LDC Section 3-416(D) which requires either a 125 foot setback from an existing residential subdivision or an eight foot wall or combination wall and berm; to allow a 30 foot setback from the property boundary to the roadway with indigenous open space along the boundary. A "B" size buffer will be provided as originally approved.

Deviation 5 is approved, granting relief from LDC Section 3-416 that requires that an eight foot wall or wall and berm combination a minimum of 25 feet from the property line; to allow an eight foot high PVC fence be placed 5 feet from the property line.

Deviation 6 is approved, as conditioned, granting relief from LDC Section 34-2020(4)K which requires parking at one space per 100 square feet for private clubhouse facilities within a residential community; to allow the private club in the TC-2 tract of the planned development to calculate parking at one space per 300 square feet, subject to the condition that the private club (clubhouse) is used solely by the residents and their guests and may not be leased out or used by non-residents of the planned development.

Deviation 7 is approved, granting relief from LDC Section 34-2020(5) which requires multiple occupancy complexes (commercial) between 25,000 square feet and 599,999 square feet provide parking at 4.5 spaces per 1,000 square feet; to allow multiple occupancy complexes (including in-line restaurants) to provide parking at 3.75 spaces per 1,000 square feet.

Deviation 8 is approved, granting relief from LDC Section 3-416, landscaping standards, which requires commercial parking areas abutting single family or multiple family areas to provide a 15 foot wide, Type C buffer; to allow the development of the mixed use project to provide no buffers between commercial parking areas and residential uses within the mixed use planned development, except as noted on the Master Concept Plan.

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:

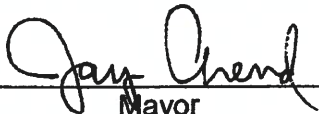
1. The applicant has proven entitlement to the rezoning from MPD and C-1 to MPD by demonstrating compliance with the City of Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested MPD zoning, as conditioned:
 - a) is consistent with the densities, intensities and general uses set forth in the City of Bonita Springs Comprehensive Plan;
 - b) is compatible with existing or planned uses in the surrounding area; and
 - c) 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 available and adequate to serve the proposed land use.
5. The proposed mix of uses is appropriate at the subject location.
6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.
8. The deviations approved and as conditioned:
 - a) enhance the objectives of the planned development; and
 - b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

SECTION TWO: EFFECTIVE DATE

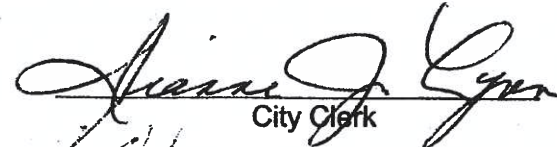
This ordinance shall take effect thirty (30) days from the date of adoption.

DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 24th day of September, 2007.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

Arend	Aye	Joyce	Absent
Ferreira	Aye	Simons	Aye
Grantt	Nay	Nelson	Aye
McCourt	Aye		

Date filed with City Clerk:

9-25-07

LEGAL DESCRIPTION

PARCEL I

A PORTION OF LOTS 81, 82, 95 AND 96 ARROYAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 80 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN NORTH 00°40'59" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BONITA BEACH ROAD (S.R. 865); THENCE CONTINUE NORTH 00°40'59" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 285.08 FEET TO A POINT HERENAFTER REFERRED TO AS POINT "A"; THENCE CONTINUE NORTH 00°40'59" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 324.97 FEET TO THE NORTHWEST CORNER OF SAID LOT 81; THENCE RUN NORTH 89°07'48" EAST, ALONG THE NORTH LINE OF SAID LOT 81, FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN NORTH 89°07'48" EAST, ALONG THE NORTH LINE OF SAID LOTS 81 AND 82, FOR A DISTANCE OF 1,292.71 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MEADOW LARK LANE; THENCE RUN SOUTH 01°22'43" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 330.49 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 82; THENCE RUN SOUTH 89°08'52" WEST, ALONG THE SOUTH LINE OF SAID LOT 82 FOR A DISTANCE OF 334.88 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3614 AT PAGE 1414; THENCE RUN SOUTH 01°20'59" EAST, ALONG THE WEST LINE OF SAID LANDS, FOR A DISTANCE OF 272.80 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BONITA BEACH ROAD (S.R. 865); THENCE RUN SOUTH 89°08'19" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 277.53 FEET; THENCE RUN SOUTH 00°40'59" EAST FOR A DISTANCE OF 7.00 FEET; THENCE RUN SOUTH 89°08'19" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 672.48 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF LUKE STREET; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF LUKE STREET AS SHOWN ON LEE COUNTY BOARD OF COUNTY COMMISSIONERS RIGHT OF WAY MAP, DATED AUGUST 1986, FOR THE FOLLOWING 3 COURSES AND DISTANCES: NORTH 00°40'59" WEST FOR A DISTANCE OF 279.95 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 81; THENCE RUN SOUTH 89°08'53" WEST, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 15.00 FEET; THENCE RUN NORTH 00°40'59" WEST, FOR A DISTANCE OF 330.07 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 15.866 ACRES, MORE OR LESS.

TOGETHER WITH:

PARCEL II

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE AFFOREMENTIONED POINT "A"; THENCE RUN SOUTH 89°35'32" WEST FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 89°35'32" WEST FOR A DISTANCE OF 260.17 FEET; THENCE RUN SOUTH 00°42'04" EAST FOR A DISTANCE OF 285.14 FEET TO A POINT ON THE ON THE NORTH RIGHT OF WAY LINE OF BONITA BEACH ROAD (S.R. 865); THENCE RUN SOUTH 89°34'53" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 300.00 FEET TO THE POINT OF INTERSECTION OF SAID NORTH RIGHT OF WAY LINE AND THE EAST RIGHT OF WAY LINE OF IMPERIAL RIVER ROAD (130 FOOT RIGHT OF WAY); THENCE RUN NORTH 00°42'04" WEST, ALONG SAID EAST RIGHT OF WAY LINE, FOR A DISTANCE OF 310.20 FEET TO THE SOUTHWEST CORNER OF MANGO CREEK, A CONDOMINIUM AS RECORDED IN OFFICIAL RECORDS BOOK 3908 AT PAGE 161; THENCE RUN ALONG THE BOUNDARY OF SAID MANGO CREEK CONDOMINIUM FOR THE FOLLOWING SIX COURSES AND DISTANCES: THENCE NORTH 89°35'32" EAST, FOR A DISTANCE OF 263.26 FEET; THENCE NORTH 00°24'28" WEST, FOR A DISTANCE OF 39.85 FEET; THENCE NORTH 89°35'32" EAST, FOR A DISTANCE OF 20.38 FEET; THENCE NORTH 00°24'28" WEST, FOR A DISTANCE OF 51.48 FEET; THENCE SOUTH 89°35'32" WEST, FOR A DISTANCE OF 20.38 FEET; THENCE NORTH 00°24'28" WEST, FOR A DISTANCE OF 38.86 FEET TO A POINT ON THE CENTERLINE OF FLANDERS CANAL; THENCE RUN NORTH 89°35'32" EAST, ALONG SAID CENTERLINE, FOR A DISTANCE OF 296.30 FEET TO THE POINT OF INTERSECTION WITH SAID CENTERLINE AND THE WESTERLY ELONGATION OF SAID FLANDERS CANAL; THENCE RUN SOUTH 00°40'59" EAST, ALONG THE WEST LINE OF SAID CANAL, FOR A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 3.147 ACRES, MORE OR LESS.

NOTES:

1. BEARINGS SHOWN HEREON REFER TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING NORTH 00°40'59" WEST.
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

RECEIVED
NOV 16 2006

COMMUNITY DEVELOPMENT

Applicant's Legal Checker

by CSS 1/20/06

DCI 2006-00095

THIS IS NOT A SURVEY

Q. GRADY MINOR AND ASSOCIATES, P.A.
CERTIFICATE OF AUTHORIZATION NUMBER LB.5151

SIGNATURE

P.S.M. #6408
STATE OF FLORIDA

DRAWN BY: CDB JOB CODE: BVM/DA SHEET 1 OF 2

Q. GRADY MINOR AND ASSOCIATES, P.A.

CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134

PHONE : (239) 947-1144 FAX : (239) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER LB 5151

LEGAL DESCRIPTION

A PORTION OF
SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
LEE COUNTY, CITY OF BONITA SPRINGS, FLORIDA

DATE: AUGUST, 2006

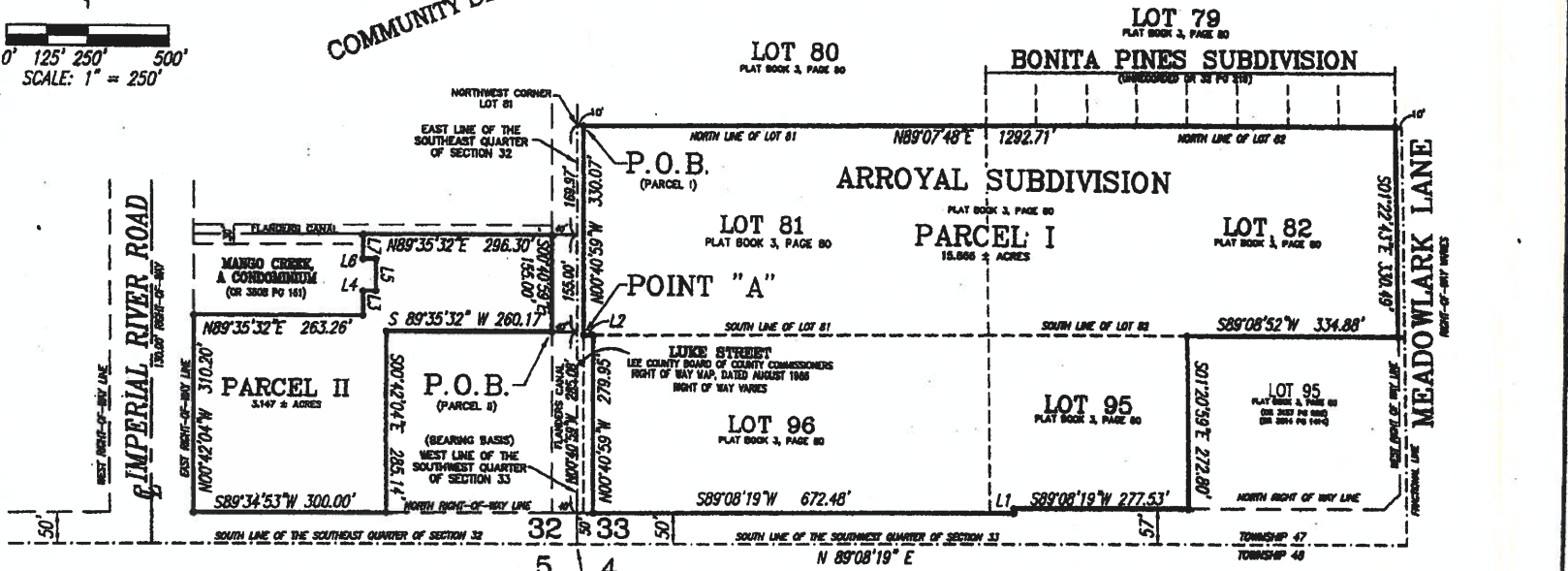
DRAWING: B-3327

EXHIBIT A

RECEIVED
 1/16/2006
 COMMUNITY DEVELOPMENT

DCI 2006-00095

0' 125' 250' 500'
 SCALE: 1" = 250'



LINE	BEARING	LENGTH
L1	S00°40'59"E	7.00
L2	S89°08'53"W	15.00
L3	N00°24'28"W	39.65
L4	N89°35'32"E	20.38
L5	N00°24'28"W	51.48
L6	S89°35'32"W	20.38
L7	N00°24'28"W	38.86

LEGEND
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT
 P.B. PLAT BOOK
 PGS. PAGES

Q. GRADY MINOR AND ASSOCIATES, P.A.
 CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
 3800 VIA DEL REY
 BONITA SPRINGS, FLORIDA 34134
 PHONE : (239) 947-1144 FAX : (239) 947-0375
 CERTIFICATE OF AUTHORIZATION NUMBER LB 6151

DRAWN BY: CDB JOB CODE: BVMCDA SHEET 2 OF 2

LEGAL DESCRIPTION
 A PORTION OF
 SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
 LEE COUNTY, CITY OF BONITA SPRINGS, FLORIDA

DATE: AUGUST, 2006 DRAWING: B-3332

SKETCH
 Applicant's Legal Checked
 by CSJ 11/20/06

THIS IS NOT A SURVEY

PD20-71493-BOS, Page 89

BONITA VILAGE MPD

PROPERTY DEVELOPMENT REGULATIONS DCI 2006-00095

PROPERTY DEVELOPMENT REGULATIONS

TOWN CENTER TOWN CENTER PARCELS TC-1 TO TC-5	MINIMUM SETBACK						MINIMUM BUILDING SEPARATION (FEET) (1)	MAXIMUM LOT COVERAGE (%) (2)
	SIDE (FEET)	REAR (FEET)	STREET/EOP (FEET)	WATER BODY (FEET)	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS		
COMMERCIAL / OFFICE	0	10	10/0 (3)	10	55 (5)	4	20 (6)	90
MULTI-FAMILY	0	10/0 (7)	10/0 (3)	10	55 (5)	4	20 (6)	90

- NOTES:
- (1) MINIMUM BUILDING SEPARATION REPRESENTS THE DISTANCE BETWEEN BUILDINGS ON SEPARATE PARCELS.
 - (2) LOT COVERAGE MEANS THAT PORTION OF THE LOT AREA, EXPRESSED AS A PERCENTAGE, OCCUPIED BY ALL ROOFED BUILDINGS OR STRUCTURES.
 - (3) RESIDENTIAL UNITS ABOVE THE FIRST FLOOR MAY BE SET BACK 0 FEET FROM PARKING AISLES.
 - (4) MINIMUM SETBACKS ARE FOR BUILDINGS WITHIN EACH PARCEL.
 - (5) BUILDING HEIGHT MEASURED FROM FEMA TO ROOF EAVE.
 - (6) MINIMUM BUILDING SEPARATION BETWEEN PRINCIPAL STRUCTURES WITHIN AND ACROSS PARCEL BOUNDARIES.
 - (7) FOR ACCESSORY STAIRS AND PAVER PATIOS.

RESIDENTIAL USES RESIDENTIAL PARCELS R-1 TO R-2	MINIMUM SETBACK				PRESERVE (INCLUDES UPLAND BUFFER (feet)	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS	MINIMUM BUILDING SEPARATION (FEET) (1)	MAXIMUM LOT COVERAGE (%) (2)
	SIDE (FEET)	REAR (FEET)	STREET/EOP (FEET)	WATER BODY (FEET)					
MULTI-FAMILY	10	10	20	20	10	35 (3)	3	20 (6)	70
ACCESSORY STRUCTURES	5	5	10	0	0 (4)	35 (3)	n/a	10	n/a
POOL DECK	5	5	10	0	10	n/a	n/a	n/a	n/a

- NOTES:
- (1) MINIMUM BUILDING SEPARATION REPRESENTS THE DISTANCE BETWEEN BUILDINGS ON SEPARATE PARCELS.
 - (2) LOT COVERAGE MEANS THAT PORTION OF THE LOT AREA, EXPRESSED AS A PERCENTAGE, OCCUPIED BY ALL ROOFED BUILDINGS OR STRUCTURES.
 - (3) BUILDING HEIGHT MEASURED FROM FEMA TO ROOF EAVE.
 - (4) ONLY FOR BRICK PATIO AND STAIRCASE.

EXHIBIT B

RECEIVED
MAR 09 2007

PERMIT COUNTER
DCI 2006-00095

Q. GRADY MINOR & ASSOCIATES, P.A.
www.gradyminor.com

BONITA VILLAGE MPD

PROPERTY DEVELOPMENT REGULATIONS

DCI 2006-00095

TOWN CENTER

TOWN CENTER PARCELS TC-1 TO TC-5	MINIMUM SETBACK							MINIMUM BUILDING SEPARATION (FEET) (1)	MAXIMUM LOT COVERAGE (%) (2)
	SIDE (FEET)	REAR (FEET)	STREET/EOP (FEET)	WATER BODY (FEET)	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS			
COMMERCIAL / OFFICE	0	10	10/0 (3)	10	55 (5)	4	20 (6)	90	
MULTI-FAMILY	0	10/0 (7)	10/0 (3)	10	55 (5)	4	20 (6)	90	

- NOTES:
- (1) MINIMUM BUILDING SEPARATION REPRESENTS THE DISTANCE BETWEEN BUILDINGS ON SEPARATE PARCELS.
 - (2) LOT COVERAGE MEANS THAT PORTION OF THE LOT AREA, EXPRESSED AS A PERCENTAGE, OCCUPIED BY ALL ROOFED BUILDINGS OR STRUCTURES.
 - (3) RESIDENTIAL UNITS ABOVE THE FIRST FLOOR MAY BE SET BACK 0 FEET FROM PARKING AISLES.
 - (4) MINIMUM SETBACKS ARE FOR BUILDINGS WITHIN EACH PARCEL.
 - (5) BUILDING HEIGHT MEASURED FROM FEMA TO ROOF EAVE.
 - (6) MINIMUM BUILDING SEPARATION BETWEEN PRINCIPAL STRUCTURES WITHIN AND ACROSS PARCEL BOUNDARIES.
 - (7) FOR ACCESSORY STAIRS AND PAVER PATIOS.

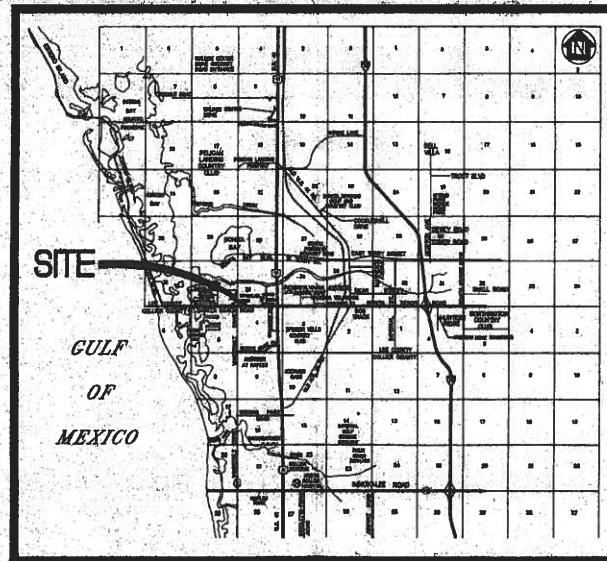
RESIDENTIAL USES

RESIDENTIAL PARCELS R-1 TO R-2	MINIMUM SETBACK					PRESERVE (INCLUDES UPLAND BUFFER (feet)	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS	MINIMUM BUILDING SEPARATION (FEET) (1)	MAXIMUM LOT COVERAGE (%) (2)
	SIDE (FEET)	REAR (FEET)	STREET/EOP (FEET)	WATER BODY (FEET)						
MULTI-FAMILY	10	10	20	20	10	35 (3)	3	20 (6)	70	
ACCESSORY STRUCTURES	5	5	10	0	0 (4)	35 (3)	n/a	10	n/a	
POOL DECK	5	5	10	0	10	n/a	n/a	n/a	n/a	

- NOTES:
- (1) MINIMUM BUILDING SEPARATION REPRESENTS THE DISTANCE BETWEEN BUILDINGS ON SEPARATE PARCELS.
 - (2) LOT COVERAGE MEANS THAT PORTION OF THE LOT AREA, EXPRESSED AS A PERCENTAGE, OCCUPIED BY ALL ROOFED BUILDINGS OR STRUCTURES.
 - (3) BUILDING HEIGHT MEASURED FROM FEMA TO ROOF EAVE.
 - (4) ONLY FOR BRICK PATIO AND STAIRCASE.

BONITA VILLAGE MPD

LOCATED IN
SECTION 33, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



LOCATION MAP

OWNER
BONITA VILLAGE, LLC

AND
ADL HOLDINGS, LLC
2240 VENETIAN COURT
NAPLES, FL 34109

INDEX OF DRAWINGS

DWG. No.	DESCRIPTION
1.	COVER SHEET AND INDEX OF DRAWINGS
2.	MASTER CONCEPT PLAN
3.	MASTER CONCEPT PLAN GENERAL NOTES
4.	AERIAL

APPROVED
Master Concept Plan
Site Plan: 20-01-08 Page 1 of 4
Subject to conditions in Ordinance 20-01-08
Case # DCI 2006-00095
CITY OF BONITA SPRING

RECEIVED
MAR 14 2007
PERMIT OFFICE

DCI 2006-00095
EXHIBIT II-D
DCI 2006-00095

PRINTED

MAR 8 2007

G. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS - LAND SURVEYORS

DESIGN BY: S.J.U.
DRAWN BY: S.J.U.
APPROVED: DWA
DATE: AUGUST 2006
REVISION DATE: JANUARY 2007
FILE NAME: BVMPOA MCP
DRAWING NUMBER: 1 of 4

G. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS • LANDSCAPE ARCHITECTS
BONITA SPRING • FORT MYERS • NAPLES PORT
(813) 943-7464 (813) 490-6380 (813) 424-8885
WWW.GRADYMINOR.COM

OPEN SPACE TABLE

	ACRES
GROSS ACREAGE	19.01*
OPEN SPACE REQUIRED FOR TOWN CENTER TC-1, TC-4 & TC-5 7.50 ACRES AT 20%	1.50
OPEN SPACE REQUIRED FOR TOWN CENTER TC-2 & TC-3 7.18 ACRES AT 40%	2.87
OPEN SPACE REQUIRED FOR RESIDENTIAL PARCELS R-1, R-2, RC-1 & RC-2 4.33 ACRES AT 40%	1.73
TOTAL OPEN SPACE REQUIRED INDIGENOUS OPEN SPACE REQUIRED (6.1 X .5)	5.10 3.05
OPEN SPACE PROVIDED	7.49
OPEN SPACE PROVIDED IN TOWN CENTER PARCELS TC-1 THRU TC-5	4.38
OPEN SPACE PROVIDED IN RESIDENTIAL PARCELS RC-1 & RC-2	2.55
OPEN SPACE PROVIDED IN RESIDENTIAL PARCELS R-1 & R-2	0.56
TOTAL OPEN SPACE PROVIDED	7.49
INDIGENOUS OPEN SPACE PROVIDED	2.92 (1)

(1) THE INDIGENOUS AREAS WILL BE LOCATED WITHIN PARCELS RC-1 AND RC-2. A PORTION OF THE PERIMETER OF THESE PARCELS WILL BE USED FOR WATER MANAGEMENT FACILITIES (BERM OR RETAINING WALL) BUT IN NO CASE WILL THE INDIGENOUS AREAS BE LESS THAN 2.83 ACRES.

SCHEDULE OF DEVIATIONS:

- ① WITHDRAWN.
- ② DEVIATION FROM SECTION 10-61(C)(2) AND SECTION 34-1085 WHICH REQUIRE FULL SHIELDING OF LOADING AREAS THAT ARE ADJACENT TO RESIDENTIAL USES TO ALLOW NO SCREENING FOR LOADING AREAS ALONG PARKING ASLES ADJACENT TO COMMERCIAL USES THAT CONTAIN RESIDENTIAL USES ON THE UPPER FLOOR. (DEVIATION PREVIOUSLY APPROVED)
- ③ DEVIATION FROM SECTION 34-84(C)(1) & (2), (CITY OF BONITA SPRINGS) WHICH REQUIRES MIXED USE PLANNED DEVELOPMENTS TO CONTAIN: (1) 300 OR MORE DWELLING UNITS, TO ALLOW MIXED USE DEVELOPMENTS TO CONTAIN 100 OR MORE DWELLING UNITS. (2) COMMERCIAL DEVELOPMENT ON 10 OR MORE ACRES OR 100,000 SQUARE FEET OR MORE OF FLOOR AREA, TO ALLOW MIXED USE DEVELOPMENT ON 5 OR MORE ACRES OR 50,000 SQUARE FEET OR MORE OF FLOOR AREA. (DEVIATION PREVIOUSLY APPROVED)
- ④ DEVIATION FROM LDC 10-416 (D) THAT REQUIRES EITHER A 125 FOOT SETBACK FROM AN EXISTING RESIDENTIAL SUBDIVISION OR AN EIGHT FOOT WALL OR COMBINATION WALL AND BERM TO ALLOW A 30 FOOT SETBACK FROM THE PROPERTY BOUNDARY TO THE ROADWAY WITH INDIGENOUS OPEN SPACE ALONG THE BOUNDARY. A 5' SIZE BUFFER WILL BE PROVIDED AS ORIGINALLY APPROVED. (DEVIATION PREVIOUSLY APPROVED)
- ⑤ DEVIATION FROM LDC 10-418 (D)(6) THAT REQUIRES AN 8' WALL OR WALL BERM COMBINATION A MINIMUM OF 25' FROM PROPERTY LINE TO ALLOW A 8' HIGH, PVC FENCE PLACED 9' FROM THE PROPERTY LINE. (DEVIATION PREVIOUSLY APPROVED)
- ⑥ DEVIATION FROM LDC SECTION 34-2020(K) WHICH REQUIRED PARKING AT ONE SPACE PER 100 SQUARE FEET FOR PRIVATE CLUBHOUSE FACILITIES WITHIN A RESIDENTIAL COMMUNITY, TO PERMIT THE PERMITTED PRIVATE CLUB IN THE TC-2 AREA TO CALCULATE PARKING AT ONE SPACE PER 300 SQUARE FEET.
- ⑦ DEVIATION FROM LDC SECTION 34-2020(S), WHICH REQUIRES THAT MULTIPLE OCCUPANCY COMPLEXES BETWEEN 25,000 SQUARE FEET AND 899,999 SQUARE FEET PROVIDE PARKING AT 4.5 SPACES PER 1,000 SQUARE FEET, TO PERMIT MULTIPLE OCCUPANCY COMPLEXES (INCLUDING IN-LINE RESTAURANTS) TO PROVIDE PARKING AT A RATIO OF 3 SPACES PER 1,000 SQUARE FEET.
- ⑧ A DEVIATION FROM LDC SECTION 3-416, LANDSCAPE STANDARDS, WHICH REQUIRES COMMERCIAL PARKING AREAS ADJUTING SINGLE FAMILY OR MULTI-FAMILY USES TO PROVIDE A 10' WIDE TYPE "C" BUFFER, TO PERMIT THE DEVELOPMENT OF THE MIXED USE PROJECT TO PROVIDE NO BUFFERS BETWEEN COMMERCIAL PARKING AREAS AND RESIDENTIAL USES WITHIN THE MIXED USE PLANNED DEVELOPMENT, EXCEPT AS NOTED ON THE MCP.

LAND USE SUMMARY

PARCEL	RESIDENTIAL (MAXIMUM) (1)	COMMERCIAL/PROFESSIONAL (MAXIMUM) (2)	HOTEL/MOTEL UNITS	ACRES
TOWN CENTER				
TC-1	30	30,000	40(TOTAL TC)	1.66
TC-2	128	5,000		6.32
TC-3	18			0.88
TC-4	55	50,000	40(TOTAL TC)	2.89
TC-5	85	50,000	40(TOTAL TC)	3.15
RESIDENTIAL				
R-1	0	N/A		0.77
R-2	10	N/A		0.84
ACCESS ESMT.	N/A	N/A		N/A IN TC-1
RESOURCE CONSERVATION				
RC-1	N/A	N/A		1.52
RC-2	N/A	N/A		1.40
TOTAL	220 MAXIMUM	80,000 SQUARE FEET MAXIMUM	40 MAXIMUM	19.01

(1) Total Residential Units will not exceed 220 dwellings.
(2) Total Commercial/Professional area will not exceed 80,000 square feet.

PROPERTY DEVELOPMENT REGULATIONS

TOWN CENTER PARCELS TC-1 TO TC-5	MINIMUM SETBACK						MINIMUM BUILDING SEPARATION (FEET) (1)	MAXIMUM LOT COVERAGE (%) (2)
	SIDE (FEET)	REAR (FEET)	STREET/EOP (FEET)	WATER BODY (FEET)	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS		
COMMERCIAL / OFFICE	0	10	10/0 (3)	10	65 (5)	4	20 (6)	
MULTI-FAMILY	0	10/0 (7)	10/0 (3)	10	55 (5)	4	20 (6)	

- NOTES: (1) MINIMUM BUILDING SEPARATION REPRESENTS THE DISTANCE BETWEEN BUILDINGS ON SEPARATE PARCELS.
(2) LOT COVERAGE MEANS THAT PORTION OF THE LOT AREA, EXPRESSED AS A PERCENTAGE, OCCUPIED BY ALL ROOFED BUILDINGS OR STRUCTURES.
(3) RESIDENTIAL UNITS ABOVE THE FIRST FLOOR MAY BE SET BACK 0 FEET FROM PARKING ASLES.
(4) MINIMUM SETBACKS ARE FOR BUILDINGS WITHIN EACH PARCEL.
(5) BUILDING HEIGHT MEASURED FROM FEMA TO ROOF EAVE.
(6) MINIMUM BUILDING SEPARATION BETWEEN PRINCIPAL STRUCTURES WITHIN AND ACROSS PARCEL BOUNDARIES.
(7) FOR ACCESSORY STAIRS AND PAPER PATIOS.

RESIDENTIAL PARCELS R-1 TO R-2	MINIMUM SETBACK						PRESERVE (INCLUDES W/PLAND BUFFER (FEET))	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS	MINIMUM BUILDING SEPARATION (FEET) (1)	MAXIMUM LOT COVERAGE (%) (2)
	SIDE (FEET)	REAR (FEET)	STREET/EOP (FEET)	WATER BODY (FEET)	MAXIMUM HEIGHT (FEET)	NUMBER OF HABITABLE FLOORS					
MULTI-FAMILY	10	10	20	20	10	0 (4)	35 (3)	3	20 (6)	70	
ACCESSORY STRUCTURES	5	5	10	0	10	n/a	n/a	n/a	n/a	n/a	
POOL DECK	5	5	10	0	10	n/a	n/a	n/a	n/a	n/a	

- NOTES: (1) MINIMUM BUILDING SEPARATION REPRESENTS THE DISTANCE BETWEEN BUILDINGS ON SEPARATE PARCELS.
(2) LOT COVERAGE MEANS THAT PORTION OF THE LOT AREA, EXPRESSED AS A PERCENTAGE, OCCUPIED BY ALL ROOFED BUILDINGS OR STRUCTURES.
(3) BUILDING HEIGHT MEASURED FROM FEMA TO ROOF EAVE.
(4) ONLY FOR BRICK PATIO AND STAIRCASE.

SCHEDULE OF USES:

RESIDENTIAL PARCELS R-1 TO R-2

- PERMITTED USES AND STRUCTURES**
 ACCESSORY USES AND STRUCTURES
 ADMINISTRATIVE OFFICES
 DWELLING UNITS
 MULTIPLE FAMILY BUILDINGS
 ENTRANCE GATES AND GATEPOSTS
 ESSENTIAL SERVICES
 ESSENTIAL SERVICE FACILITIES, GROUP I
 EXCAVATION
 WATER RETENTION
 FENCES, WALLS
 PARKS, GROUP I
 PARKING LOTS
 ACCESSORY TEMPORARY
 RECREATION FACILITIES
 PERSONAL PRIVATE ON-SITE
 SIGNS

TOWN CENTER PARCELS TC-1 TO TC-5

- PERMITTED USES AND STRUCTURES**
 ADMINISTRATIVE OFFICES ACCESSORY USES AND STRUCTURES
 BANKS AND FINANCIAL ESTABLISHMENTS, GROUPS I AND II
 BARS AND COCKTAIL LOUNGES
 BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION BUSINESS SERVICES
 GROUP I (EXCLUDING: BAIL BONDING AND BLOOD DONOR STATIONS)
 CLEANING AND MAINTENANCE SERVICES
 CLOTHING STORES, GENERAL
 CLUBS
 PRIVATE FRATERNAL
 MEMBERSHIP ORGANIZATION
 CONSUMPTION ON PREMISES, FOR PRIVATE CLUB OR RESTAURANT USE
 CONTRACTORS AND BUILDERS, GROUP I
 CONVENIENCE FOOD AND BEVERAGE STORES
 CULTURAL FACILITIES, EXCLUDING ANIMAL AND REPTILE EXHIBITS AND ZOOS
 DAY CARE CENTER, ADULT, CHILD
 DWELLING UNIT
 MULTIFAMILY BUILDINGS
 ENTRANCE GATES AND GATEPOSTS
 ESSENTIAL SERVICES
 ESSENTIAL SERVICE FACILITIES, GROUP I
 EXCAVATION
 WATER RETENTION
 FENCES, WALLS
 FOOD AND BEVERAGE SERVICE, LIMITED
 FOOD STORES, GROUP I (INCLUDING SUPERMARKETS)
 HARDWARE STORE
 HEALTH CLUB OR SPA
 HOBBY, TOY, GAME SHOPS
 HOTEL/INTEL, LIMITED TO 40 UNITS IN PARCEL TC-1, TC-4 OR TC-5
 HOUSEHOLD AND OFFICE FURNISHINGS, GROUPS I AND II, LIMITED TO 10,000 SQUARE FEET
 LAUNDRY OR DRY CLEANING, GROUP I (EXCLUDING PLANT)
 PARKING LOT
 ACCESSORY COMMERCIAL GARAGE, PUBLIC
 TEMPORARY

- PERSONAL SERVICES, GROUPS I, II AND III (EXCLUDING MASSAGE ESTABLISHMENTS OR PARLORS, STEAM OR TURBID BATHS, ESCORT SERVICES, PALM READERS, FORTUNE TELLER OR CARD READER, AND TATTOO PARLORS, EXCEPT MASSAGE SHALL BE A PERMITTED ACTIVITY WITHIN A HEALTH OR BEAUTY SPA)
 PET SERVICES
 PET SHOP
 PHARMACY
 PLACE OF WORSHIP
 POLICE OR SHERIFF'S STATION
 POST OFFICE
 RECREATION FACILITIES:
 PERSONAL PRIVATE ON-SITE
 RESTAURANT, FAST FOOD, INCLUDES OUTDOOR SEATING, LIMITED TO PARCELS TC-1, TC-2, TC-4 AND TC-5
 RESTAURANT(S), INCLUDES OUTDOOR SEATING, GROUPS I, II AND III
 SCHOOLS, COMMERCIAL, LIMITED TO 2,500 SQUARE FEET
 SOCIAL SERVICES, GROUPS I AND II
 SPECIALTY RETAIL SHOPS, GROUPS I, II, AND III
 STORAGE
 STUDIOS
 TEMPORARY USES
 USED MERCHANDISE STORE, GROUPS I AND II
 VARIETY STORE
 MEDICAL OFFICE
 PARKS, GROUP I
 PACKAGE STORE
 PAINT, GLASS AND WALLPAPER, LIMITED TO 2,500 SQUARE FEET

RESOURCE CONSERVATION PARCELS RC-1, RC-2 & 30' BUFFER AREA

- PERMITTED USES AND STRUCTURES**
 FENCING
 INTERPRETIVE SIGNAGE
 RECREATIONAL AMENITIES (I.E. POOL/DECKING, COMMON AREA PATIO)
 TRAILS

GENERAL NOTES:

1. CONSISTENT WITH LDC SECTIONS 34-414, OPEN SPACE WITHIN THE TOWN CENTER PARCELS WILL BE MET OVER THE ENTIRE DEVELOPMENT, BUT IN NO CASE WILL OPEN SPACE WITHIN AN INDIVIDUAL TOWN CENTER PARCEL BE LESS THAN 10%
2. ANY TRAILS OR PATHS WITHIN THE INDIGENOUS PRESERVE AREA WILL BE CONIST OF A NATURAL, PERVIOUS MATERIAL
3. ROADWAY ABUTTING 30' WIDE BUFFER (PARCEL RC-2) CAN ENCROUGH UP TO 10' INTO BUFFER IN ORDER TO PRESERVE NATIVE VEGETATION
4. LEE TRAN ROUTE 150 HAS A DEDICATED STOP LOCATED AT BONITA BEACH ROAD AND WINDSOR ROAD. THE LEE TRAN TROLLEY HAS DEDICATED STOPS LOCATED AT MEADOWLARK LANE AND BONITA BEACH ROAD. THE PROJECT HAS ACCESS TO ALL OF THESE BUS STOPS VIA SIDEWALK.

DCI 2006-00095

BONITA VILLAGE MPD

EXHIBIT IV-F
 MASTER CONCEPT PLAN
 GENERAL NOTES

DATE AUGUST 2006	FILE NAME DCI 07	DRAWING NUMBER 3 OF 4
---------------------	---------------------	--------------------------

OWNER/DEVELOPER
 BONITA VILLAGE, LLC
 AND
 ADL HOLDINGS, LLC
 2240 VENETIAN COURT
 NAPLES, FL 34109

PRINTED

MAR 09 2007

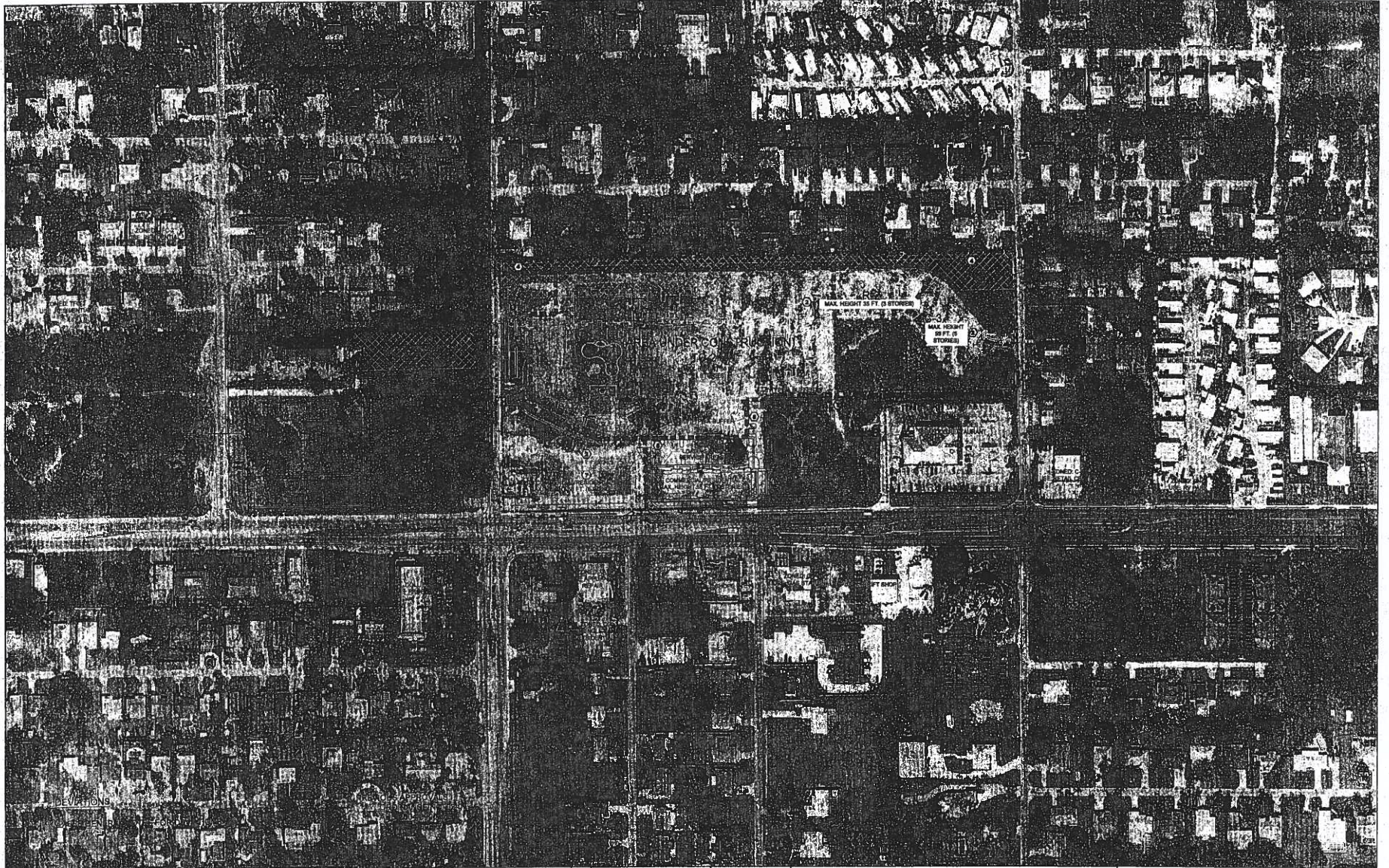
Q. GRADY MINOR & ASSOCIATES, P.A.
 CIVIL ENGINEERS-LAND SURVEYORS

DESIGNED BY: QGM
 DRAWN BY: SU
 APPROVED: DWA
 JOB CODE: BVMPDA
 SCALE: N.T.S.

Q. GRADY MINOR & ASSOCIATES, P.A.
 CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS • LANDSCAPE ARCHITECTS
 BONITA SPRING • FORT MYERS • NORTH FORT
 (888) 949-3252 (888) 949-3252 (813) 436-3252
 WWW.GRADYMINOR.COM

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 PERMIT COUNTY
 DCI 2006-00095

APPROVED
 Master Concept Plan
 27-17-06 Page 3 of 4
 Subject to conditions in Ordinance 2006-09
 Case # 2006-09-003
 CITY OF BONITA SPRING



Site Plan: 2006-0095 Page: 4 of 4
 Subject to conditions of Ordinance 2006-10
 Code # 2006-10000
 CITY OF BONITA SPRINGS

DCI 2006-00095

OWNER/DEVELOPER
 BONITA VILLAGE, LLC
 AND
 ADL HOLDINGS, LLC
 2240 VENEZIAN COURT
 NAPLES, FL 34109

PRINTED			
Revision	Date	Description	By
1	1/07	PER COUNTY COMMENTS	SU



DESIGNED BY: QGM
 DRAWN BY: SU
 APPROVED: DWA
 JOB CODE: BVMPDA
 SCALE: 1" = 100'

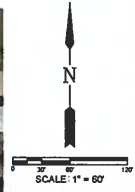
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EXHIBIT IV-N
 AERIAL
 012006-00095

DATE: AUGUST 2006
 FILE NAME: BVMPD 07
 DRAWING NUMBER 4 of 4

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MARCH 2 2020
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DEPARTMENT

Revision	Date	Description

DESIGNED BY:	S.U.
DRAWN BY:	S.U.
APPROVED:	D.W.A.
JOB CODE:	BYAPPOCAL
SCALE:	1"=100'

GradyMinor

0. Grady Minor and Associates, P.A.
2900 Via del Key
Bonita Springs, Florida 34134

Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0000151 Cert. of Auth. LB 0000151 Business LC 26000205
Bonita Springs: 239-947-1144 www.GradyMinor.com Fort Myers: 239-890-4380

BONITA VILLAGE MPD

EXHIBIT II-D, II-F-3 AND IV-N

DATE AERIAL FLOWN: FEB 2014

ELEVATIONS SHOWN HEREON ARE BASED UPON NORTH AMERICAN VERTICAL DATUM 1885 (NAVD '85)
CONVERSION FACTOR TO NATIONAL GEODETIC VERTICAL DATUM 1989 (NGVD '89) IS (+)0.0000

PROJECT NAME:	BONITA SPRINGS
PROJECT NUMBER / JOB NO.:	33_32/475/256
DATE:	MARCH 2019
PROJECT TYPE:	PD AMENDMENT
SHEET:	1 OF 1

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Bonita Village MPD

Exhibit II-E-2

Exhibit IV-D

The subject project was approved by Zoning Ordinance 02-07 on April 22, 2002. Subsequent to that approval, the project was amended by ADD 2004-00003, ADD 2006-00022, Zoning Ordinance 07-08, ADD2008-00004 and Zoning Ordinance 16-05.

The purpose and intent of this request is to amend the maximum building height permitted along the northern and eastern boundary lines. Specifically, the applicant requests that the planned development document be amended to state as follows: "The Site Development Standards are subject to a 55' height limitation on any portion of a building within 30 feet of the northern boundary and 10' of the eastern boundary." Currently, the planned development document reads "The Site Development Standards are subjection to a 55' height limitation on any portion of a building within 70' of the northern property line and 50' of the eastern boundary."

The request is being made to accommodate the development regulations adopted as part of the Bonita Beach Road Corridor Overlay, approved by Ordinance 19-10 on November 23, 2019. The property development regulations set forth for the Bonita Beach Road Corridor Overlay require that the buildings planned for this project be pushed farther north and east, requiring encroachment into the setbacks set forth in the planned development document.

The parcel is designated General Commercial on the Bonita Springs Future Land Use Map, which via Policy 1.1.14 of the Future Land Use Element permits building heights up to 75' from the base flood elevation to the eaves. The planned use document also permits building heights of up to 75'.

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**Bonita Village MPD Amendment
Deviations and Justifications
Exhibit IV-H**

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Deviation 1 was withdrawn.

Deviation 2 was approved, granting relief from LDC Section 4-1690, screening, which requires that vehicle loading areas shall be screened from streets and adjacent residential districts. Screening shall consist of wing walls, shrubs, trees, berms, or combination thereof; to allow no screening for loading areas along parking aisles adjacent to commercial uses that contain residential uses on the upper floor.

Deviation 3 was denied in ZO-07-08 and is hereby withdrawn.

Deviation 4 was approved, granting relief from LDC Section 3-418(D) which requires either a 125 foot setback from an existing residential subdivision or an eight foot wall or combination wall and berm; to allow a 30 foot setback from the property boundary to the roadway with indigenous open space along the boundary. A "B" size buffer will be provided as originally approved.

Deviation 5 was approved, granting relief from LDC Section 3-418 that requires that an eight foot wall or wall and berm combination a minimum of 25 feet from the property line; to allow an eight foot high PVC fence or wall be placed ~~40~~5 feet from the northern property line.

Justification:

This is warranted due to the impacts of the Developer's intent to comply with the City of Bonita Springs Bonita Beach Road Visioning Study. Additional space is required to separate the planned residential buildings from Bonita Beach Road, which has impacted the setbacks from which 55 foot to 75 foot buildings may be constructed on the property. These changes necessitate a reduction in the landscape buffer and fence/wall setback from the northern and eastern property lines. This request enhances the objectives of the planned development and preserves and promotes the intent of Chapter 4, LDC, which is to protect and preserve the public health, safety and welfare by complying with the Visioning Study.

Deviation 6 was approved, as conditioned, granting relief from LDC Section 4-1732, required spaces, which requires parking at one space per 100 square feet for private clubhouse facilities within a residential community; to allow the private club in the TC-2 tract of the planned development to calculate parking at one space per 300 square feet, subject to the condition that the private club (clubhouse) is used solely by the residents and their guests and may not be leased out or used by non-residents of the planned development.

Deviation 7 ~~is~~was withdrawn.

Deviation 8 was approved, granting relief from LDC Section 3-418, landscaping standards, which requires commercial parking areas abutting single family or multiple family areas to provide a 15 foot wide, Type C buffer; to allow the development of the

mixed use project to provide no buffers between commercial parking areas and residential uses within the mixed use planned development, except as noted on the Master Concept Plan.

Deviation 9 ~~is~~ was withdrawn.

Deviation 10 ~~is~~ was approved, providing relief from LDC Section 4-714(b)(1), open space, which requires large developments to provide 50% of their open space through on-site preservation of indigenous vegetation, to permit the property owner to provide for off-site preservation of land of equal habitat or greater at a 1:1 ratio for that required to be preserved onsite, subject to condition 8.

Deviation 11 ~~is~~ was approved, providing relief from LDC Section 4-741.d(4), which requires a minimum separation of buildings of one-half of the sum of their heights, or 20 feet, whichever greater, to permit the minimum separation of buildings in the TC-1 Tract from portions of those buildings above 12' those buildings located within the TC-2 Tract to be a minimum of 38 feet, subject to condition 3. Parking structure separation may be 20'.

Deviation 12 was approved, providing ~~seeks~~ relief from LDC Section 4-1874(2), Height Limitations for Special Areas, which requires that no building or structure may exceed 45 feet in height unless all required setbacks are increased 12 inches for each 12 inches by which the height exceeds 45 feet. In no event, may the height exceed 55 feet unless a variance or deviation is approved by the city council as part of a mixed use planned development to allow a building height of 75 feet and subject to the Property Development Regulations Table in the Zoning Ordinance.

Deviation 13 seeks relief from LDC Section 3-418, landscape standards, requiring that an eight foot wall or wall and berm combination a minimum of 25 feet from the property line, to allow an eight foot high PVC fence or wall be placed 5 feet from the eastern property line.

Justification:

This is warranted due to the impacts of the Developer's intent to comply with the City of Bonita Springs Bonita Beach Road Visioning Study. Additional space is required to separate the planned residential buildings from Bonita Beach Road, which has impacted the setbacks from which 55 foot to 75 foot buildings may be constructed on the property. These changes necessitate a reduction in the landscape buffer and fence/wall setback from the northern and eastern property lines. This request enhances the objectives of the planned development and preserves and promotes the intent of Chapter 4, LDC, which is to protect and preserve the public health, safety and welfare by complying with the Visioning Study.

Deviation 14 seeks relief from LDC Section 3-418, landscape standards, requiring that a Type C buffer be a minimum of 15 feet wide, to allow for the minimum Type C buffer width to be reduced to 10 feet along the northern property boundary and to 5 feet along the eastern boundary.

Justification:

This is warranted due to the impacts of the Developer's intent to comply with the City of

Bonita Springs Bonita Beach Road Visioning Study. Additional space is required to separate the planned residential buildings from Bonita Beach Road, which has impacted the setbacks from which 55 foot to 75 foot buildings may be constructed on the property. These changes necessitate a reduction in the landscape buffer and fence/wall setback from the northern and eastern property lines. This request enhances the objectives of the planned development and preserves and promotes the intent of Chapter 4, LDC, which is to protect and preserve the public health, safety and welfare by complying with the Visioning Study.

ENVIRONMENTAL ISSUES

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

Site is partially developed with condominiums.

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B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Comprehensive Plan), flowways, creek beds, sand dunes, other unique land forms [see the Comprehensive Plan for listed species occupied habitat (see Sec. 3-473 et seq. of the Land Development Code).

Please refer to Environmental Report provided by Boylan Environmental Consultants

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

Please refer to Environmental Report provided by Boylan Environmental Consultants

Multiple horizontal lines for writing.

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

N/A

Multiple horizontal lines for writing.

INTRODUCTION

Two environmental scientists from Boylan Environmental Consultants, Inc conducted a field investigation on the 15.41± acre property on April 4 and 5, 2013. The site is located in portions of Section 33, Township 47 South, Range 25 East, in Lee County, Florida. Specifically, it is situated north of Bonita Beach Road and east of Vanderbilt Drive in Bonita Springs, Florida. 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 mid-morning and early afternoon with temperatures in the 80's with a slight breeze and mostly cloudy skies.

METHODOLOGY

The survey method consisted of overlapping belt transects performed for all FLUCFCS communities onsite in compliance with the Lee County Endangered Species Ordinance No. 89-34. The specific methodology included pedestrian surveys of parallel transects conducted according to the methodology submitted by Kevin L. Erwin Consulting Ecologist, Inc., which is a methodology previously approved by Lee County.

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 Lee County 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**. 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
April 4, 2013	9am-1pm	Mostly cloudy with light winds and temperatures in the 80's
April 5, 2013	9am-2pm	Partly cloudy with light winds and temperatures in the 80's

EXISTING SITE CONDITIONS

Site Details – The boundary is approximate and based upon Lee County GIS and assumed to be 15.41± acres. The site is partly undeveloped, and appears to have a long history of disturbance. In general, the property is composed of high rise buildings, xeric oak, and upland scrub. In 2004 the site did not contain the high rise buildings. The majority of the site was xeric oak and upland scrub. A portion of the site was cleared for development and a take permit for gopher tortoises was granted. In 2004 there were 32 active burrows located on site. The site is bordered by development on all sides. Bonita Beach Road is to the south and single family homes and businesses surround the rest of the site.

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 (17) Daytona Sand and (28) Immokalee Sand.

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. We identified approximately 0± acres of potential jurisdictional wetland communities on the site. The following descriptions correspond to the mappings on the attached FLUCFCS map. See Florida Land Use, Cover and Forms Classification System (Department of Transportation 1999) for definitions.

FLUCFCS CODES/DESCRIPTION

134 Multiple Dwelling Units, High Rise 6.33± ac.

These residential areas are occupied by high rise buildings and account for 6.33± acres of the property.

191 Undeveloped Land within Urban Areas 4.57± ac.

This is an area was once upland scrub and xeric oak but was cleared in 2004-2005. It occupies approximately 4.57± acres of the property. The canopy vegetation in this area consisted of earleaf acacia (*Acacia auriculiformis*). There was no subcanopy but the

groundcover consisted of bahia grass (*Paspalum sp.*), paspalum, panicum, four spike finger grass (*Eustachys neglecta*), partridge pea (*Chamaecrista fasciculata*), dog fennel (*Eupatorium capillifolium*), and Spanish nettle (*Bidens pilosa*).

421 Xeric Oak 2.64± ac.

This upland habitat type occupies approximately 2.64± acres of the property. Canopy and sub-canopy contains sand live oak (*Quercus geminata*), and live oak (*Quercus virginiana*). Ground cover includes saw palmetto (*Serenoa repens*), runner oak (*Quercus elliotii*), prickly pear (*Opuntia sp.*), reindeer moss (*Cladonia rangiferina*), day flower (*Commelina sp.*), narrowleaf silkgrass (*Pityopsis graminifolia*), Florida rosemary (*Ceratiola ericoides*), wire grass (*Poaceae sp.*), and staggerbush (*Lyonia mariana*).

436 Upland Scrub, Pine and Hardwoods 1.87± ac.

This upland habitat type occupies approximately 1.87± acres of the property. The canopy contains slash pine (*Pinus elliotii*) and earleaf acacia (*Acacia auriculiformis*). The sub-canopy contains slash pine (*Pinus elliotii*). The ground cover includes wire grass (*Poaceae sp.*), panicum, poison ivy (*Toxicodendron radicans*), saw palmetto (*Serenoa repens*), sicklepod (*Senna obtusifolia*), fleabane (*Erigeron philadelphicus*), and bushy broomsedge (*Andropogon glomeratus*).

TABLE 2: FLUCFCS COMMUNITY TABLE

FLUCFCS Code	Community Description	Acreage
134	Multiple Dwelling Units, High Rise	6.33± ac.
191	Undeveloped Land within Urban Areas	4.57± ac.
421	Xeric Oak	2.64± ac.
436	Upland Scrub, Pine and Hardwoods	1.87± ac.
Total		15.41± ac.

SPECIES PRESENCE

During the species survey 23 active, 14 inactive and 3 abandoned burrows were identified on the property (**Exhibit G**). In accordance with FWC guidelines a burrow occupancy rate of 0.5 was determined for all active and inactive burrows. Applying this factor to the current burrow numbers, it is estimated that approximately 19 tortoises (23 active and 14 inactive burrows X 0.5 = 18.5, rounded to 19) could reside on the property. The potential occupied habitat for the property encompassed approximately 9.08± 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. Assuming that 19 tortoises reside on the property, the density of tortoises is 0.48 per acre of potential habitat.

TABLE 3: GOPHER TORTOISE SUMMARY TABLE

FLUCFCS Code	Species Presence	Active Burrows	Inactive Burrows	Abandoned Burrows
191	Gopher Tortoise	5	1	1
421	Gopher Tortoise	17	12	1
436	Gopher Tortoise	1	1	1
	Total	23	14	3

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

Due to the fragmented and isolated nature of the forested portions of the property, it appears unlikely fox squirrels would utilize the property. In addition, due the lack of corridors or contiguous habitat of the property with off-site areas, it is not anticipated that other listed species would occupy the property. The nearby roads also create a barrier and a hazard to other animals. Other non-listed animal species noted were gray squirrels (*Sciurus carolinensis*), turkey vultures (*Cathartes aura*), five lined skink (*Eumeces fasciatus*), and blue jays (*Cyanocitta cristata*).

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.

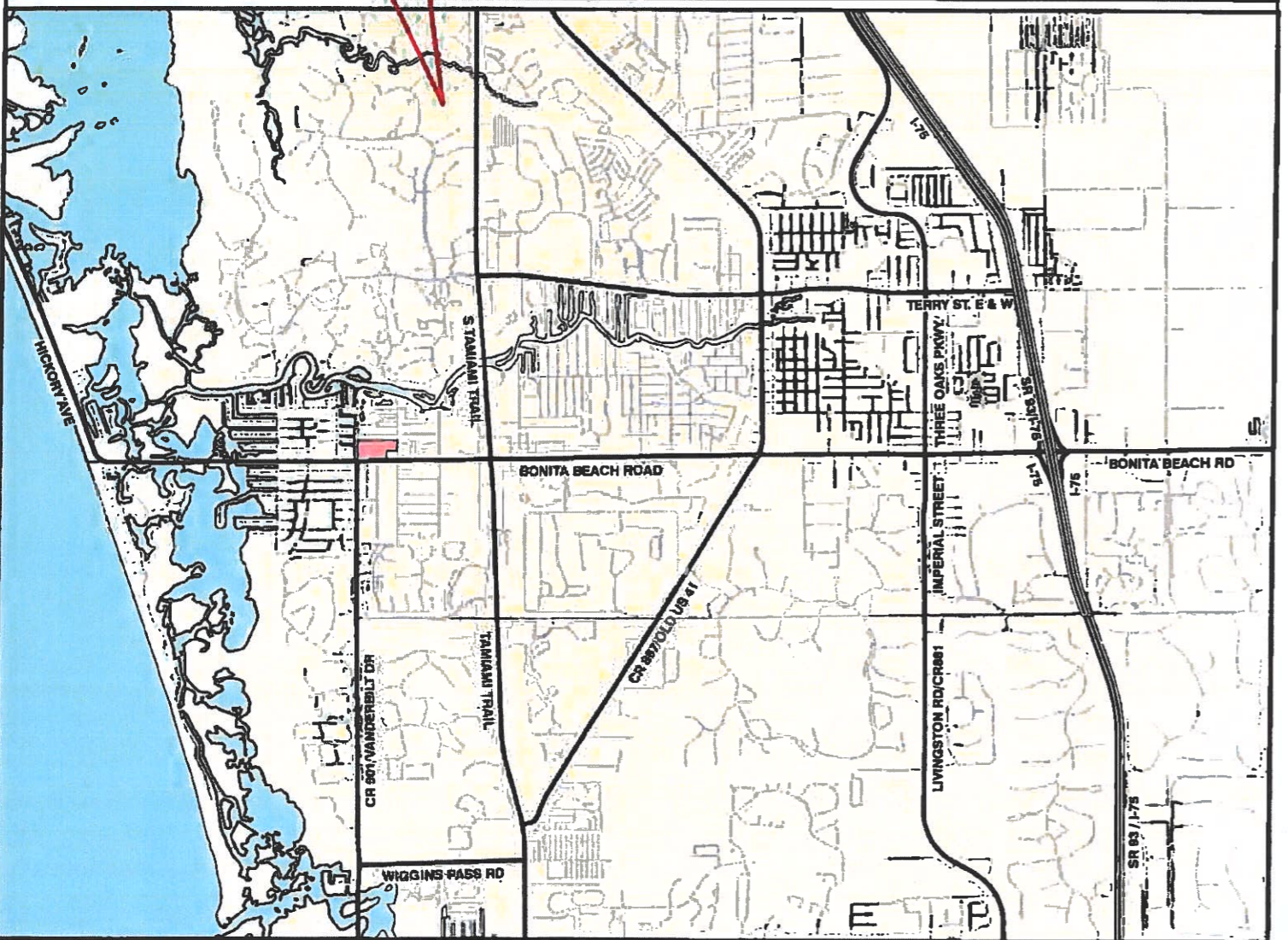
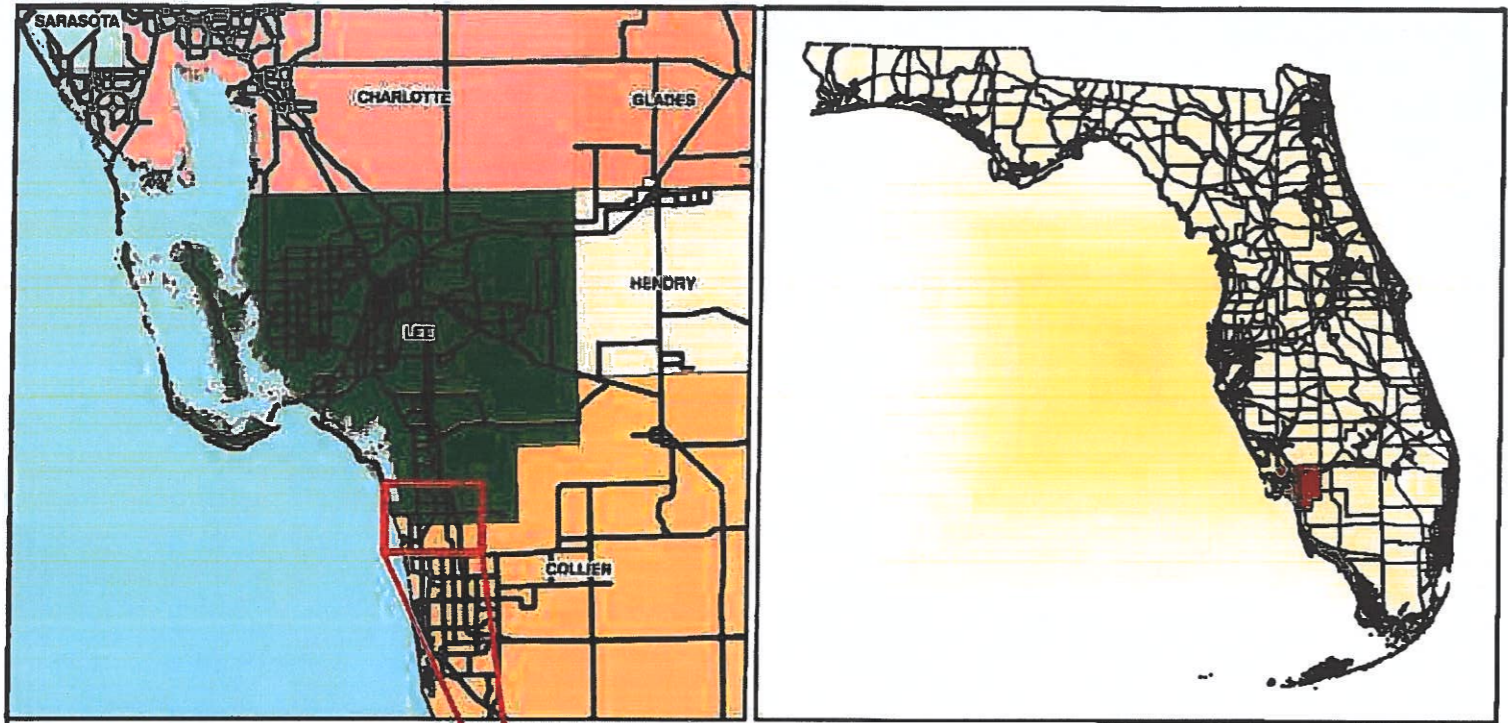
TABLE 4: LISTED SPECIES BY HABITAT WITH CURRENT STATUS

FLUCFCS Code	FLUCFCS Description	Common Name	Scientific Name	Percent Coverage	Observed	USDA	FDA&CS	FWS	FWC
191	Undeveloped Land within Urban Areas	Burrowing owl	<i>Athene cunicularia floridana</i>	100	--	--	--	--	SSC
		Gopher tortoise	<i>Gopherus polyphemus</i>	100	x	--	--	T	T
134	Multiple Dwelling Units, High Rise	N/A	N/A	100	--	--	--	--	SSC
421	Xeric Oak	Eastern indigo snake	<i>Drymarchon corais couperi</i>	100	--	--	--	--	T
		Florida scrub jay	<i>Aphelocoma coerulescens 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	x	--	--	T	T
436	Upland Scrub, Pine and Hardwoods	Gopher tortoise	<i>Gopherus polyphemus</i>	100	X	--	--	T	T

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.

Exhibit A
Project Location Map



Boylan Environmental Consultants, Inc.
 11000 Metro Parkway, Suite 4
 Fort Myers, FL 33966
 Phone: (239) 418-0671
 Fax: (239) 418-0672

BONITA VILLAGE
 LOCATION MAP

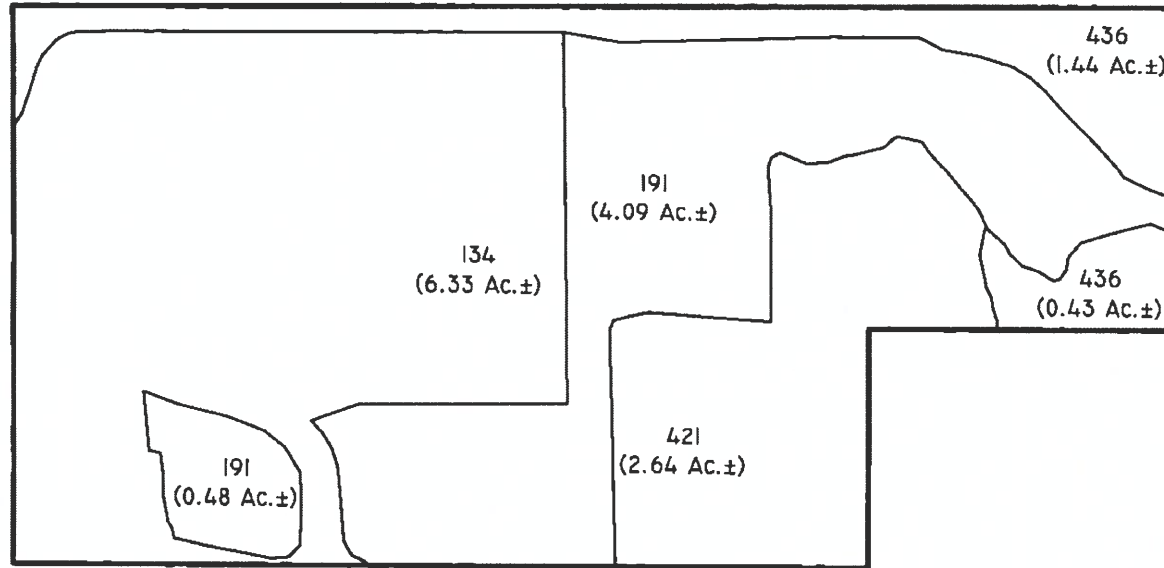
Checked by	Date	Sheet No.	Exhibit Number
BKM	4/9/13	33/47S/25E	
Drawn by	Date	County	
BKM	4/9/13	Lee	
Project Number	County		
0.020087	Lee		

**Bonita Village
Protected Species Survey**

**Exhibit B
FLUCFCS Map**

Boylan Environmental Consultants, Inc.

BONITA VILLAGE CAD/BONITA VILLAGE BASE MAP DWG DWG ITR FLUCFCS MAP 09. 2013. 50' Aerial Map. 10' ITR FLUCFCS MAP BY BRIAN



Scale: 1" = 200'

FLUCFCS Legend			
Code	Community	Acres	%
134	Multiple Dwelling Units, High Rise	6.33 Ac.±	41.08%
191	Undeveloped Land within Urban Areas	4.57 Ac.±	29.66%
421	Xeric Oak	2.64 Ac.±	17.13%
436	Upland Scrub, Pine and Hardwoods	1.87 Ac.±	12.13%
TOTAL		15.41 Ac.±	100.00%

NOTES.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FOOT 1999).

Boylan Environmental Consultants, Inc.
 Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessment
 11000 Metro Parkway, Suite 4, Ft. Myers, FL 33966 (859) 418-0671

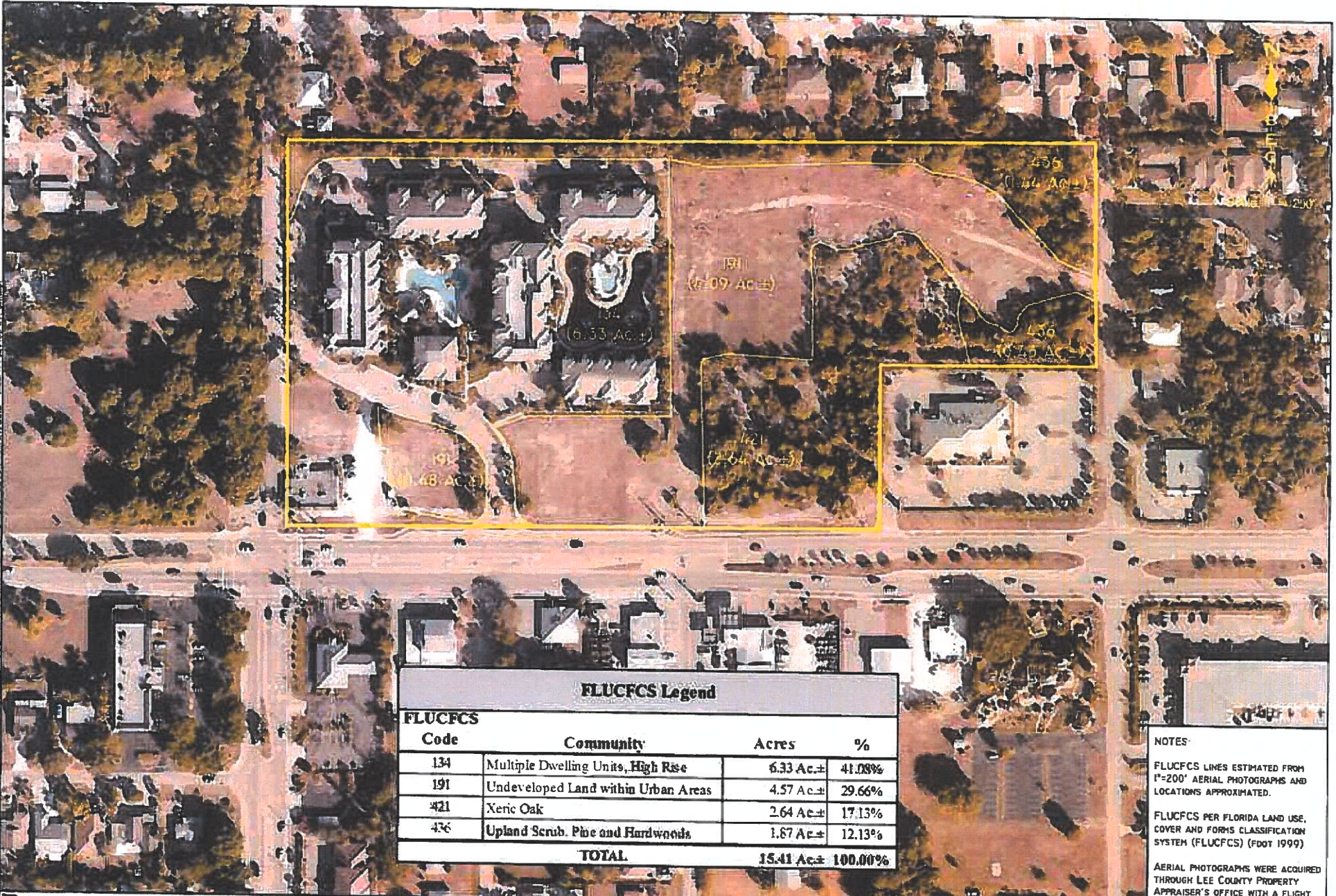
Drawn By: **BKM** Date: **4/8/13**
 Job Number: **0.020087**
 S/I/R
33/47S/25E

Bonita Village FLUCFCS Map

Category	Revisions	Date:	Page
FLUCFCS			
Scale:			
1" = 200'			
County			Exhibit
Lee			

Exhibit C
FLUCFCS Map with Aerial

USE CASE: 2010/01/01 Aerial FLUCFCS Map. Map Date: 07/10/2012. 11:25am. Photo by: Boylan



FLUCFCS Legend			
FLUCFCS Code	Community	Acres	%
134	Multiple Dwelling Units, High Rise	6.33 Ac ±	41.08%
191	Undeveloped Land within Urban Areas	4.57 Ac ±	29.66%
421	Xeric Oak	2.64 Ac ±	17.13%
426	Upland Scrub, Pine and Hardwoods	1.87 Ac ±	12.13%
TOTAL		15.41 Ac ±	100.00%


NOTES:

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FOOT 1999)

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY, 2012.

Boylan Environmental Consultants, Inc.



Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments

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Drawn By:	Date:
BKM	4/9/13
Job Number	
0.020087	
S/T/R	
33/47S/25E	

Bonita Village

Aerial FLUCFCS Map

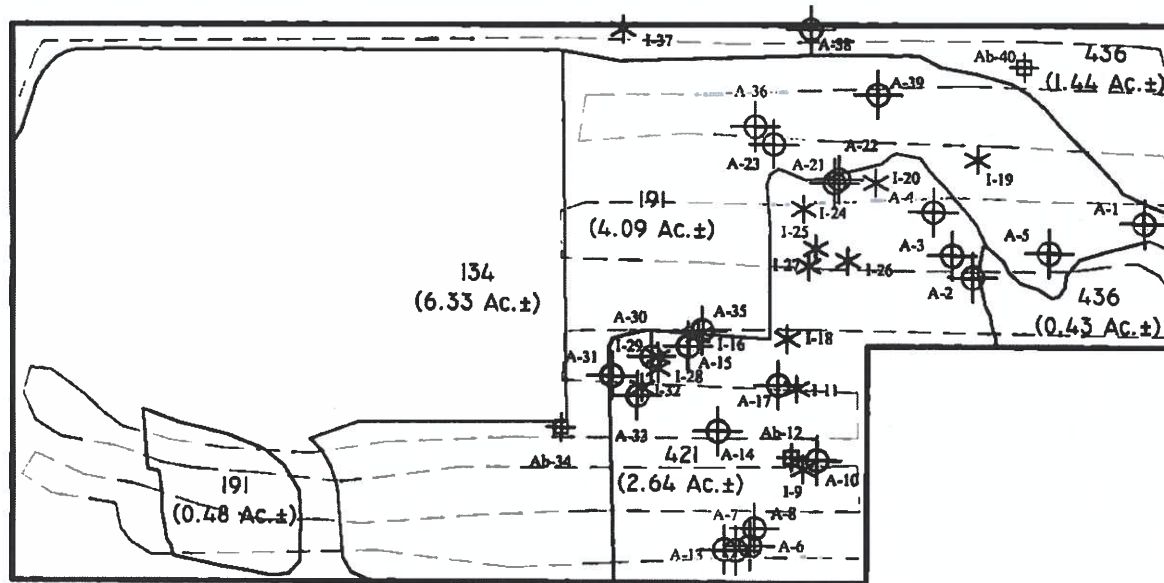
Category	Revisions	Date:	Page
FLUCFCS			
Scale:			
1" = 200'			
County			Exhibit
Lee			





**Bonita Village
Protected Species Survey**

**Exhibit D
Protected Species Survey Map**

Boylan Environmental Consultants, Inc.

X:\BREC\2013\2013-0001\BONITA VILLAGE\CD\BONITA VILLAGE PSS MAP.DWG, Tue, 05/09/2013 11:52:02 AM, PLOTTED BY: BROWNE



- LEGEND**
-  **A** ACTIVE TORTOISE BURROWS (23)
 -  **I** INACTIVE TORTOISE BURROWS (14)
 -  **Ab** ABANDONED TORTOISE BURROWS (3)
 -  PSS SURVEY TRANSECTS


FLUCFCS Legend			
FLUCFCS Code	Community	Acres	%
134	Multiple Dwelling Units, High Rise	6.33 Ac.±	41.08%
191	Undeveloped Land within Urban Areas	4.57 Ac.±	29.66%
421	Xeric Oak	2.64 Ac.±	17.13%
436	Upland Scrub, Pine and Hardwoods	1.87 Ac.±	12.13%
TOTAL		15.41 Ac.±	100.00%

NOTES.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FOOT 1999).

Boylan Environmental Consultants, Inc.



Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments

11000 Metro Parkway, Suite 4, Ft. Myers, FL 33964 (813) 418-0671

Drawn By:	Date:
BKM	4/9/13
Job Number	
0.020087	
S/T/R	
33/47S/25E	

Bonita Village

Protected Species Survey Map

Category	Revisions	Date:	Page
PSS			
Scale:			
1" = 200'			
County			Exhibit
Lee			

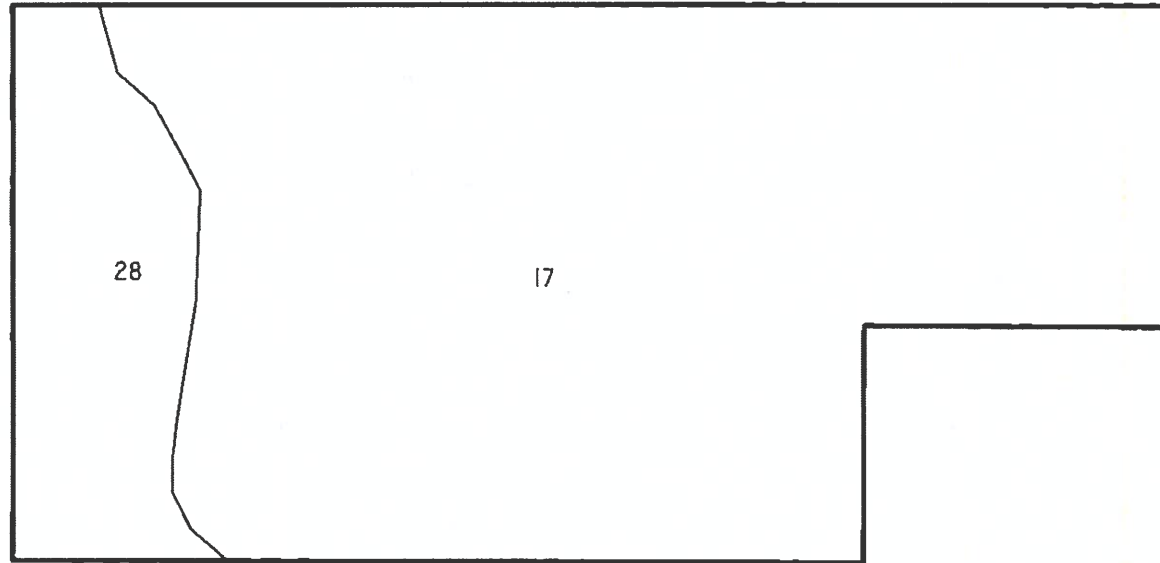
Exhibit E

Protected Species Survey Map with Aerial

Exhibit F
NRCS Soils Map



Scale: 1" = 200'



NRCS Soils Legend

Soil No	Description	Status
17	Daytona Sand	Non-Hydric
28	Immokalee Sand	Non-Hydric

NOTES:

SOILS WERE ACQUIRED FROM THE FGDL AND ARE FROM THE NRCS SOILS MAPS.

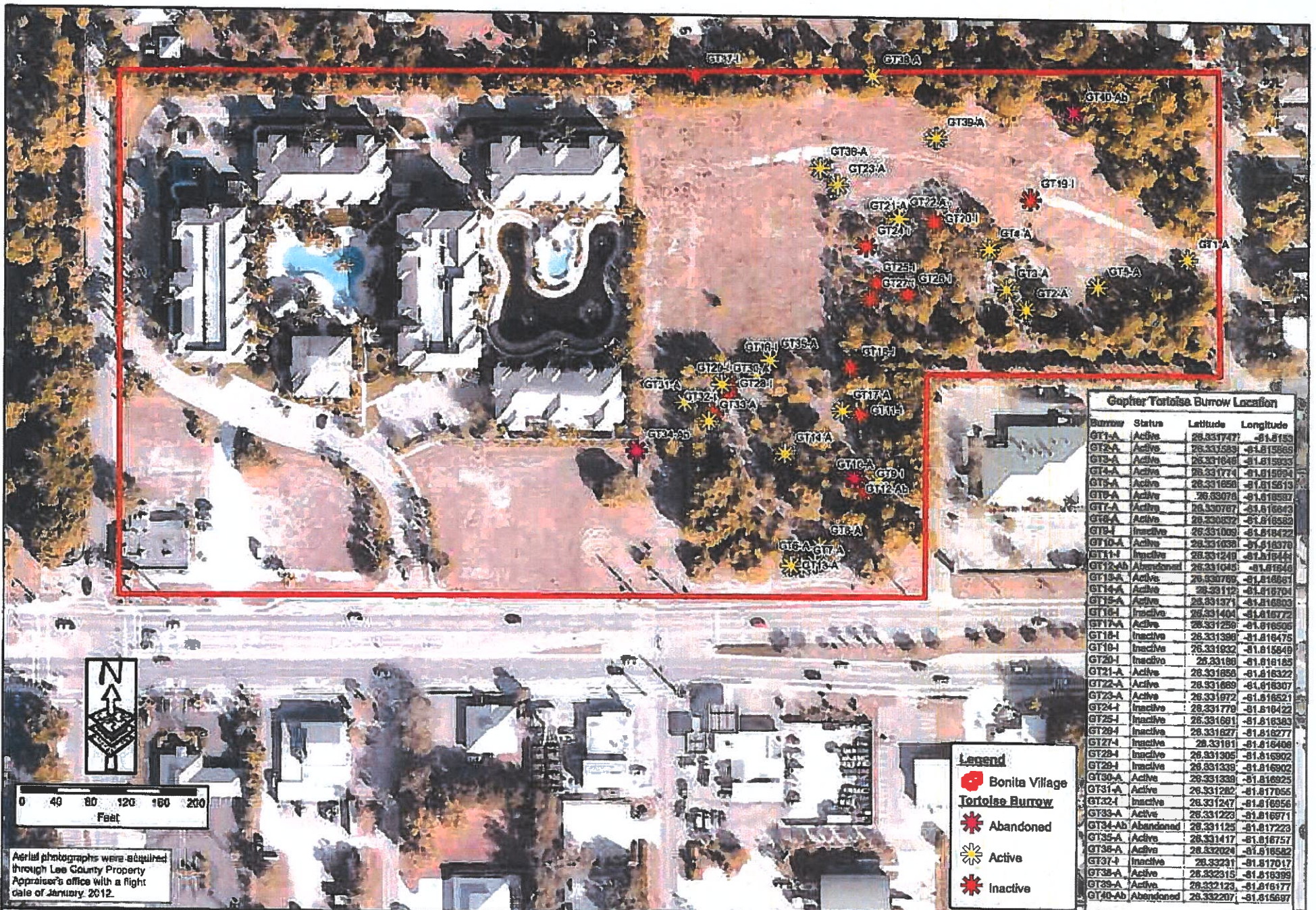
Boylan Environmental Consultants, Inc.
 Wetland & Wildlife Services, Environmental Permitting, Impact Assessments
 11000 Metro Parkway, Suite 4, Ft. Myers, FL 33908 (239) 418-0671

Drawn By: **BKM** Date: **4/9/13**
 Job Number: **0.020067**
 S/T/R: **33/47S/25E**

Bonita Village
NRCS Soils Map

Category	Revisions	Date	Page
Soils			
Scale			
1" = 200'			Exhib
County			
Lee			

**Exhibit G
Gopher Tortoise Location Map**



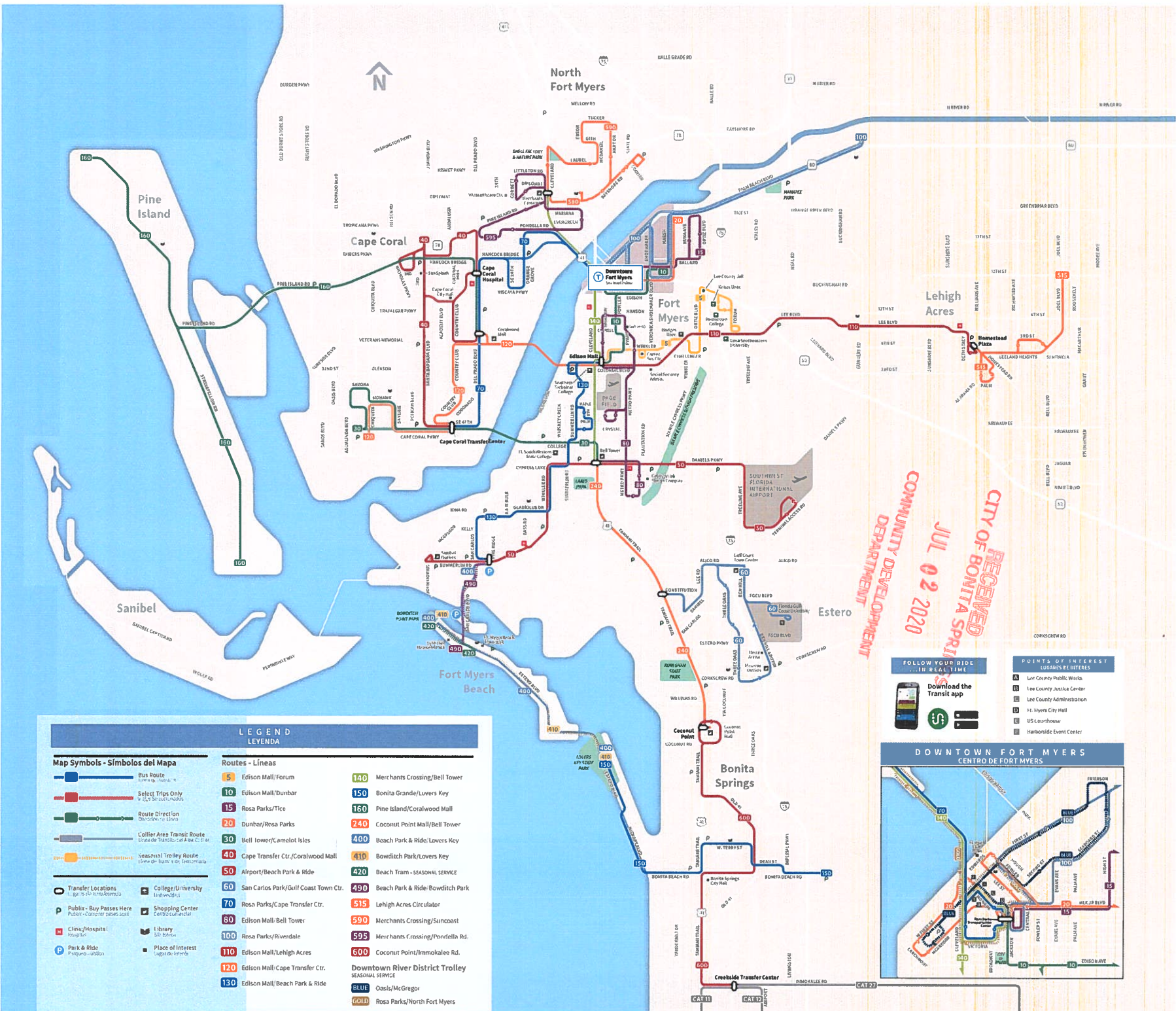
Gopher Tortoise Burrow Location			
Burrow	Status	Latitude	Longitude
GT1-A	Active	28.331747	-81.818183
GT2-A	Active	28.331583	-81.818866
GT3-A	Active	28.331848	-81.818833
GT4-A	Active	28.331774	-81.818824
GT5-A	Active	28.331858	-81.818513
GT6-A	Active	28.33078	-81.818587
GT7-A	Active	28.330787	-81.818843
GT8-A	Active	28.330832	-81.818582
GT9-I	Inactive	28.331089	-81.818472
GT10-A	Active	28.331038	-81.818378
GT11-I	Inactive	28.331249	-81.818444
GT12-Ab	Abandoned	28.331043	-81.818446
GT13-A	Active	28.330785	-81.818881
GT14-A	Active	28.33112	-81.818704
GT15-A	Active	28.331371	-81.818803
GT16-I	Inactive	28.331404	-81.818772
GT17-A	Active	28.331258	-81.818595
GT18-I	Inactive	28.331389	-81.818475
GT19-I	Inactive	28.331832	-81.818849
GT20-I	Inactive	28.33188	-81.818185
GT21-A	Active	28.331858	-81.818322
GT22-A	Active	28.331889	-81.818307
GT23-A	Active	28.331972	-81.818521
GT24-I	Inactive	28.331779	-81.818422
GT25-I	Inactive	28.331891	-81.818383
GT26-I	Inactive	28.331827	-81.818277
GT27-I	Inactive	28.33181	-81.818486
GT28-I	Inactive	28.331305	-81.818802
GT29-I	Inactive	28.331338	-81.818802
GT30-A	Active	28.331338	-81.818825
GT31-A	Active	28.331282	-81.817055
GT32-I	Inactive	28.331247	-81.818956
GT33-A	Active	28.331223	-81.818971
GT34-Ab	Abandoned	28.331125	-81.817223
GT35-A	Active	28.331417	-81.818757
GT36-A	Active	28.332024	-81.818582
GT37-I	Inactive	28.33231	-81.817017
GT38-A	Active	28.332315	-81.818399
GT39-A	Active	28.332123	-81.818177
GT40-Ab	Abandoned	28.332207	-81.818897

Boylan Environmental Consultants, Inc.
 Wetland & Wildlife Surveys, Environmental Permitting, & Impact Assessments

11000 Metro Parkway, Suite 4
 Fort Myers, FL 33912
 Office: (239)418-0671
 Fax: (239)418-0672

BONITA VILLAGE
GOPHER TORTOISE LOCATION MAP

Drawn by	Date	Scale	Revision	Use	Exhibit Number
BKM	4/9/13	33/475/25E			
Drawn by	Date	Scale			
BKM	4/9/13	Tortoise			
File Name		County			
0.020067		Lee			



LEGEND / LEYENDA

Map Symbols - Símbolos del Mapa

- Bus Route
- Select Trips Only
- Route Direction
- Collier Area Transit Route
- Seashell Trolley Route
- Transfer Locations
- Public - Buy Passes Here
- Chiropractic Hospital
- Park & Ride
- College/University
- Shopping Center
- Library
- Place of Interest

Routes - Líneas

- 5 Edison Mall/Forum
- 10 Edison Mall/Dunbar
- 15 Rosa Parks/Tice
- 20 Dunbar/Rosa Parks
- 30 Bell Tower/Camelot Isles
- 40 Cape Transfer Ctr./Coralwood Mall
- 50 Airport/Beach Park & Ride
- 60 San Carlos Park/Gulf Coast Town Ctr.
- 70 Rosa Parks/Cape Transfer Ctr.
- 80 Edison Mall/ Bell Tower
- 100 Rosa Parks/Riverdale
- 110 Edison Mall/Lehigh Acres
- 120 Edison Mall/ Cape Transfer Ctr.
- 130 Edison Mall/Beach Park & Ride
- 140 Merchants Crossing/Bell Tower
- 150 Bonita Grande/Lovers Key
- 160 Pine Island/Coralwood Mall
- 240 Coconut Point Mall/Bell Tower
- 300 Beach Park & Ride/Lovers Key
- 410 Bowditch Park/Lovers Key
- 420 Beach Tram - SEASONAL SERVICE
- 490 Beach Park & Ride/Bowditch Park
- 515 Lehigh Acres Circulator
- 590 Merchants Crossing/Suncoast
- 595 Merchants Crossing/Pondella Rd.
- 600 Coconut Point/Immokalee Rd.
- Downtown River District Trolley SEASONAL SERVICE
- BLUE Oasis/McGregor
- GOLD Rosa Parks/North Fort Myers

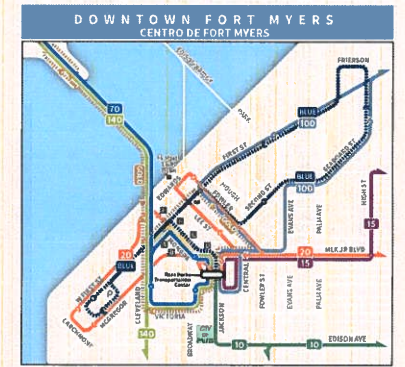
RECEIVED
CITY OF BONITA SPRING
JUL 02 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

FOLLOW YOUR RIDE IN REAL TIME

Download the Transit app

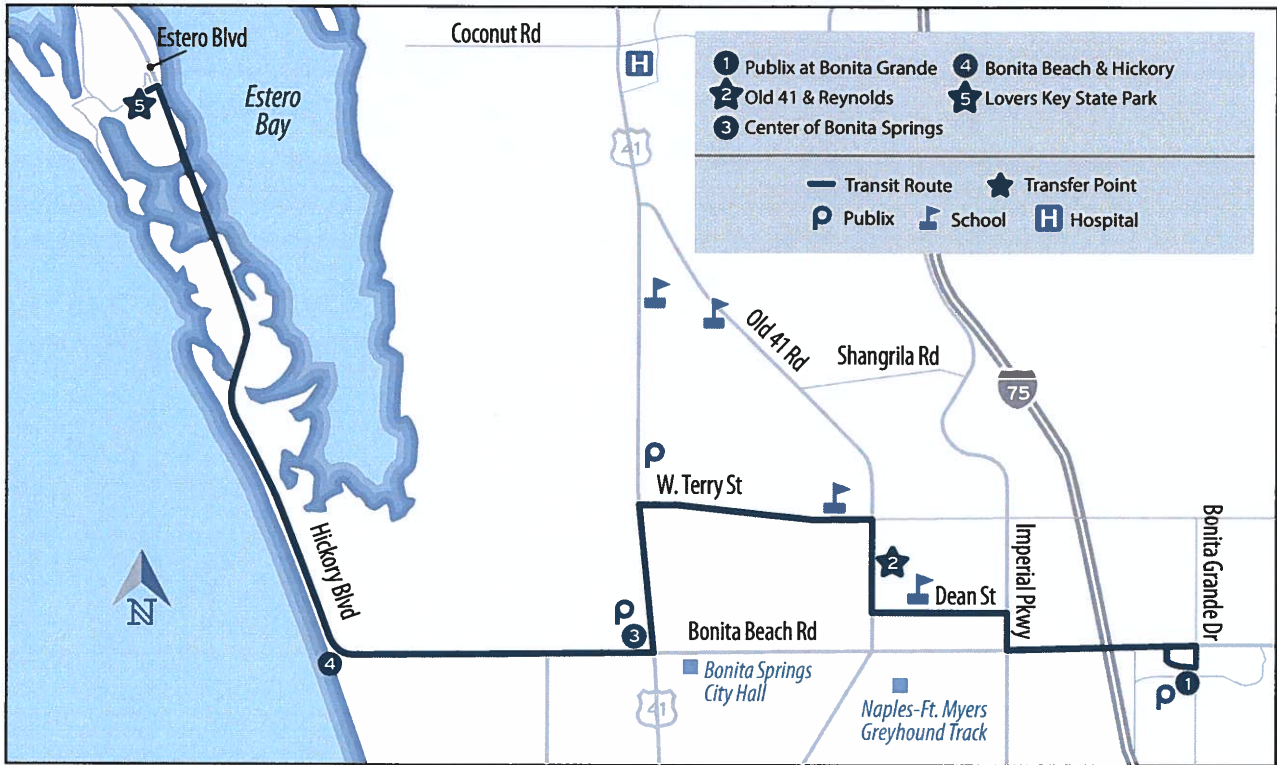
POINTS OF INTEREST / LUGARES DE INTERÉS

- A Lee County Public Works
- B Lee County Justice Center
- C Lee County Administration
- D H. Myers City Hall
- E US Courthouse
- F HarborSide Event Center



ROUTE 150

MONDAY - SUNDAY SERVICE



MONDAY - SUNDAY SERVICE

WESTBOUND

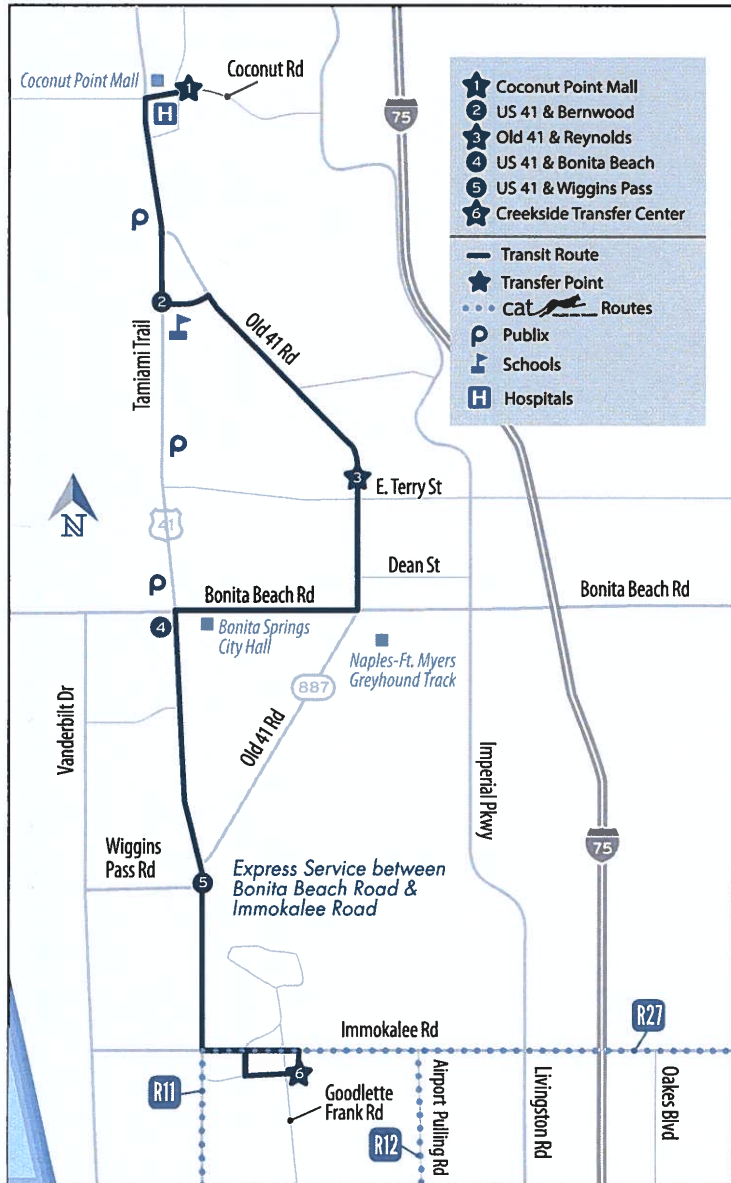
1	2	3	4	5
Publix at Bonita Grande	Old 41 & Reynolds	Center of Bonita Springs	Bonita Beach & Hickory	Lovers Key State Park
6:52	7:07	7:17	7:24	7:31
8:27	8:42	8:53	9:00	9:07
9:57	10:12	10:23	10:30	10:37
11:32	11:47	11:58	12:05	12:12
1:05	1:20	1:31	1:38	1:45
2:45	3:00	3:11	3:18	3:25
4:35	4:50	5:01	5:08	5:15

EASTBOUND

5	4	3	2	1
Lovers Key State Park	Bonita Beach & Hickory	Center of Bonita Springs	Old 41 & Reynolds	Publix at Bonita Grande
7:36	7:41	7:47	7:55	8:05
9:11	9:18	9:25	9:34	9:45
10:41	10:48	10:55	11:04	11:15
12:16	12:23	12:30	12:39	12:50
1:50	1:57	2:04	2:13	2:24
3:34	3:41	3:48	3:57	4:08
5:24	5:31	5:38	5:47	5:58

PM times are in **bold**. All times are approximate. Highlighted trip does not run on Sunday

The LinC ROUTE 600



MONDAY - SATURDAY SERVICE

SOUTHBOUND

①	②	③	④	⑤	⑥
Coconut Point Mall	US 41 & Bernwood	Old 41 & Reynolds	US 41 & Bonita Beach	US 41 & Wiggins Pass	Creekside Transfer Ctr
*6:00	6:12	6:18	6:26	6:31	6:36
7:35	7:47	7:53	8:01	8:06	8:11
9:05	9:17	9:23	9:31	9:36	9:41
10:35	10:47	10:53	11:01	11:06	11:11
12:05	12:17	12:23	12:31	12:36	12:41
1:35	1:47	1:53	2:01	2:06	2:11
3:05	3:17	3:23	3:31	3:37	3:43
4:35	4:47	4:53	5:01	5:07	5:13
6:00	6:12	6:18	6:26	6:32	6:38

NORTHBOUND

⑥	⑤	④	③	②	①
Creekside Transfer Ctr	US 41 & Wiggins Pass	US 41 & Bonita Beach	Old 41 & Reynolds	US 41 & Bernwood	Coconut Point Mall
6:44	6:51	6:57	7:04	7:13	7:19
8:19	8:26	8:32	8:39	8:48	8:54
9:49	9:56	10:02	10:09	10:18	10:24
11:19	11:26	11:32	11:39	11:48	11:54
12:49	12:56	1:02	1:09	1:18	1:24
2:19	2:26	2:32	2:39	2:48	2:54
3:49	3:56	4:02	4:09	4:18	4:24
5:19	5:26	5:32	5:39	5:48	5:54
6:44	6:51	6:57	7:04	7:13	7:19

SUNDAY SERVICE

SOUTHBOUND

①	②	③	④	⑤	⑥
Coconut Point Mall	US 41 & Bernwood	Old 41 & Reynolds	US 41 & Bonita Beach	US 41 & Wiggins Pass	Creekside Transfer Ctr
7:35	7:47	7:53	8:01	8:06	8:12
9:05	9:17	9:23	9:31	9:36	9:42
10:35	10:47	10:53	11:01	11:06	11:12
12:05	12:17	12:23	12:31	12:36	12:42
1:35	1:47	1:53	2:01	2:06	2:12
3:05	3:17	3:23	3:31	3:36	3:42

NORTHBOUND

⑥	⑤	④	③	②	①
Creekside Transfer Ctr	US 41 & Wiggins Pass	US 41 & Bonita Beach	Old 41 & Reynolds	US 41 & Bernwood	Coconut Point Mall
8:20	8:27	8:33	8:40	8:49	8:55
9:50	9:57	10:03	10:10	10:19	10:25
11:20	11:27	11:33	11:40	11:49	11:55
12:50	12:57	1:03	1:10	1:19	1:25
2:20	2:27	2:33	2:40	2:49	2:55
3:50	3:57	4:03	4:10	4:19	4:25

PM times are in **bold**. All times are approximate. *This trip meets Route 140 at US 41 & Sanibel Blvd. at 5:35 a.m.

NEIGHBORHOOD MEETING SUMMARY



The neighborhood meeting for the proposed zoning amendment was held on Monday, June 29, 2020 from 5:30 pm to 6:45 pm.

19 neighbors signed in upon arrival at the meeting (see attached sign-in sheet). In order to provide for adequate social distancing, those in attendance were given the choice to hear the presentation either inside (in the Social Room of the Bonita Village Clubhouse) or outside (near the Groggy Frog poolside bar).

At 5:35 pm, the inside presentation was given by Omer Dror, Developer, and the outside presentation was given by Tom Runyon, agent for the Developer.

The presentations started with a graphic showing the proposed new buildings and where the Developer was requesting these buildings be located on the site in relation to the northern and eastern property lines. Also discussed in detail was the current allowable and approved zoning for the project, from the 9/19/16 approved Zoning Ordinance No. 16-05.

After the approximately 20-minute presentation, the floors were open for questions from the attendees. Several questions from the attendees were asked with the following being the most popular:

1. What are you currently zoned and approved for?
2. When will construction commence and how will it be phased?
3. What are the next steps in this zoning amendment process?
4. What will be done to minimize construction traffic along Meadowlark Lane?

Both Mr. Dror and Mr. Runyon answered all questions asked by the attendees and all attendees were invited to take Mr. Runyon's business card, in order to reach out with any further questions or concerns that may arise after the meeting ends.

The meeting ended at 6:45 pm. The Developer and his agent believe that the meeting went well, as all issues or concerns that were brought up by the attendees were addressed to the satisfaction of those present.

WELCOME TO BONITA VILLAGE

	NAME	PHONE	EMAIL
1	Mary Ellen Fox		
2	Michael Schmidt		
3	KEVIN RHODEBAKER 2		120XDDOG@COMCAST.NET
4	John Baker	239-682-7534	bakerjnc@icloud.com
5	Ed Jones	405-5046	e23jones@gmail.com
6	Becky Williams		
7	Anne Gruber		
8	Carol Erdman		cerdman@insite training.com
9	PEGGY MAZARAS	239-297-5995	peggy.mazaras@earthlink.net
10	Jane Whitall	239-777-6663	janewhitall@earthlink.net
11	Harri Street	239-877-4540	hpeasystreet@yahoo.com
12	BOB LINDA KATON	239-913-5436	bob@50OFFCOFFEY.COM
13	Colleen 239 Foster	239-287-3891	coirish@comcast.net
14	JAMES D FOSTER	239-287-5509	dfcons1@comcast.net
15	S. Anderson	239-770-7582	
16	JAM Schmidt	239-691-9706	pschmidt1957@comcast.net
17	D. J. SanFilippo	404-840-3368	darsanfil@comcast.net
18	Dwight Lesau	239-495-7423	
19	Diane Benze	239-273-0198	hengeledydia@gmail.com
20			
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41			

**NOTICE OF NEIGHBORHOOD MEETING
CITY OF BONITA SPRINGS**

RECEIVED
CITY OF BONITA SPRINGS
August 24, 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

Applicant: Bonita Beach Land LLC

Subject Property: Bonita Village Mixed-Use Planned Development

27690 Imperial River Road, Bonita Springs, FL 34134
27694 Imperial River Road, Bonita Springs, FL 34134
27934 Meadowlark Lane, Bonita Springs, FL 34134
3840 Bonita Beach Road SW, Bonita Springs, FL 34134
3894 Bonita Beach Road SW, Bonita Springs, FL 34134
3962 Bonita Beach Road SW, Bonita Springs, FL 34134
3974 Bonita Beach Road SW, Bonita Springs, FL 34134
3998 Bonita Beach Road SW, Bonita Springs, FL 34134
27901 Bonita Village Blvd., Bonita Springs, FL 34134

The Bonita Village Mixed-Use Planned Development contains approximately 19 acres and is located on the north side of Bonita Beach Road between Luke Street and Meadowlark Lane.

Action requested: The Neighborhood Meeting will present the applicant's request to the City of Bonita Springs to amend the planned development with respect to the maximum building height permitted along the northern and eastern boundary lines. Specifically, the applicant requests that the planned development document be amended to state as follows: "The Site Development Standards are subject to a 55' height limitation on any portion of a building within 30 feet of the northern boundary line and 10 feet of the eastern boundary line."

Location of Meeting: Bonita Village Island House Clubhouse, 27901 Bonita Village Blvd., Bonita Springs, FL 34134.

Presentation date: Thursday, September 10, 2020, 6:00 p.m.

For additional information, contact Charles Mann, Esq. Pavese Law Firm 239-336-6242 or CharlesMann@paveselaw.com

August 12, 2020

Jacqueline Genson, Planning and Zoning Manager
City of Bonita Springs Department of Community Development
9101 Bonita Beach Road
Bonita Springs, FL 34135

RECEIVED
CITY OF BONITA SPRINGS
AUG 14 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

**RE: Insufficiency Letter dated July 30, 2020
Bonita Village MPD, PD20-71493-BOS**

Dear Ms. Genson:

Please accept this letter as a response to the insufficiency letter issued for Bonita Village MPD, Case No. PD-20-71493-BOS, dated July 30, 2020. Our responses to staff comments are included below:

1. **Exhibit IV-H. Deviation. Development Perimeter Boundary, LDC 4-741(b). All Buildings and structures must be set back from the development perimeter a distance equal to the greater of those set forth in LDC 4-741(b). The proposal for a 55' tall buildings must be 22.5' from the eastern property line. The proposal for 75' buildings must be 37.5' from the northern property line. Please determine whether the request to revise Condition 3a meets LDC 4-741(b) or request a deviation in accordance with LDC Sec. 4-299(a)(4) and LDC Sec. 4-326.**

Response: At this time, the Applicant does not anticipate that it will request a deviation from the development perimeter setback requirements set forth in Section 4-741(b), LDC.

2. **Zoning Ordinance No. 16-05**

- a. **Condition 1. The Master Concept Plan identifies the required buffers along the northern and eastern boundaries. Please confirm that no modifications to existing approved deviations (Deviation 5, subject to Condition 9) or a new deviation for the 15' Type D buffer along Meadowlark is required based on the Applicant's proposed local development order plans.**

Response: Confirmed. The Applicant does not, at this time, anticipate proposing modifications to existing approved deviations nor required new deviation for the Type D buffer along Meadowlark.

- b. **Please confirm how or if the Applicant's request may impact the condition below, which would require a 65' building separation between a 55' tall building in TC-2 and a 75' tall building in TC-1**

In support of deviation 11, any building in the TC-1 development area exceeding 55' shall have a building separation of ½ the height of that portion of a building that's adjacent from the TC-2 buildings.

Response: Current request would not impact Condition 3a.

3. **Neighborhood Meetings pursuant to LDC Sec. 4-28(c)(5)**

- a. *Please provide the written summary of pre-application neighborhood meeting as required by this section.*

Response: Pre-application neighborhood meeting summary enclosed.

- b. *The applicant shall conduct a neighborhood meeting within thirty (30) days after the City has deemed the application to be sufficient.*

Response: Confirmed that neighborhood meeting will be conducted within thirty (30) days of application being deemed sufficient. Applicant intends to conduct this post-sufficiency neighborhood meeting on September 10, 2020.

4. *Please find enclosed comments from Lee County.*

Response: Lee County comments acknowledged, and Applicant confirms that the existing driveway east of Luke Street will be removed from the MCP.

5. *Cost Recovery. The City of Bonita Springs has processes invoices for recovery services pursuant to LDC Sec. 2-571 (as recently amended in City Ordinance No. 19-03). City Staff will notify the applicant under separate cover when an additional recovery deposit is due. Payment shall be provided to avoid delays in the processing of the case and any associated costs.*

Response: Acknowledged.

6. *Miscellaneous. Please include City Staff's questions with the response to this sufficiency document. Please provide three (3) hard copy originals and then one PDF copy of the entire sufficiency response submittal (CD or flash drive).*

Response: Acknowledged.

Please confirm that the application is sufficient upon receipt of this response. If you have any additional questions or concerns, please do not hesitate to contact our office and we would be happy to assist.

Very Truly Yours,



Amy Sarazen Thibaut

AST/st

cc: Client

Enclosures:

Bonita Village MPD Insufficiency Letter dated July 30, 2020
Summary of Pre-Application Neighborhood Meeting



9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amy Quaremba
Council Member
District One

Jesse Purdon
Council Member
District Two

Laura Carr
Council Member
District Three

Chris Corrie
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen Hunter
City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Code Enforcement
(239) 949-6257

Parks & Recreation
(239) 992-2556

**Community
Development**
(239) 444-6150

July 30, 2020

Ms. Amy Sarazen Thibaut
Pavese Law Firm
1833 Hendry Street
Fort Myers, FL 33901

Re: Bonita Village Mixed-use Planned Development (MPD)–PD20-71493-BOS

Dear Ms. Thibaut:

The Zoning Division has reviewed the information provided and supplemented for the above-referenced planned development request. Additional support documentation is required for the application to be deemed complete. Please provide comments for each requirement not satisfied on the attached checklist.

Staff may not request additional information from the applicant more than three times, unless the applicant waives the limitation in writing. Before a third request for additional information, the applicant must be offered a meeting to attempt to resolve outstanding issues. If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the city, at the applicant's request, shall proceed to process the application for approval or denial.

If the requested items are not provided within sixty (60) calendar days of the date of this letter, this application will be considered withdrawn.

Please feel free to contact me if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division


Jacqueline Genson
Planning and Zoning Manager

Copy:
Derek Rooney, City Attorney
Brent Spain, Theriaque & Spain
John Dulmer, Community Development Director
Jay Sweet, AICP and PSM
Laura Gibson, Environmental Sciences
Sean Gibbons, Multi-modal Review
Tom Ross, Transportation Review
Stuart Smith, Professional Engineer
Sam Vincent, City Architect
Matt Feeney, Public Works and Assistant City Manager
Dominic Strollo, Bonita Springs Utilities
Mikki Rozdolski, Lee County DCD
Leah Fontanez, Administrative Assistant
PD Files

Insufficiency Items. The comments listed below are limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Division II, Article III of LDC Chapter 4 and any provisions within the land development code (LDC). No hearing will be scheduled for an application for a planned development until the application has been found sufficient pursuant to LDC Sec. 4-295(d).

BONITA SPRINGS Planning and Zoning

1. Exhibit IV-H. Deviation. Development perimeter boundary, LDC 4-741(b). All buildings and structures must be set back from the development perimeter a distance equal to the greater of those set forth in LDC 4-741(b). The proposal for a 55' tall buildings must be 22.5' from the eastern property line. The proposal for 75' tall buildings must be 37.5' from the northern property line. Please determine whether the request to revise Condition 3a meets LDC 4-741(b) or request a deviation in accordance with LDC Sec. 4-299(a)(4) and LDC Sec. 4-326.
2. Zoning Ordinance No. 16-05
 - a. Condition 1. The Master Concept Plan identifies required buffers along the northern and eastern boundaries. Please confirm that no modifications to existing approved deviations (Deviation 5, subject to Condition 9) or a new deviation for the 15' Type D buffer along Meadowlark is required based on the Applicant's proposed local development order plans.
 - b. Condition 3a. Please confirm how or if the Applicant's request may impact the condition below, which would require a 65' building separation between a 55' tall building in TC-2 and a 75' tall building in TC-1.

In support of deviation 11, any building in the TC-1 development area exceeding 55' shall have a building separation of ½ the height of that portion of a building that's adjacent from the TC-2 buildings.
3. Neighborhood Meetings pursuant to LDC Sec. 4-28(c)(5).
 - a. Please provide the written summary of pre-application neighborhood meeting as required by this section.
 - b. The applicant shall conduct a neighborhood meeting within thirty (30) days after the City has deemed the application to be sufficient.
4. Please find enclosed comments from Lee County.
5. Cost Recovery. The City of Bonita Springs has processes invoices for cost recovery services pursuant to LDC Sec. 2-571 (as recently amended in City Ordinance No. 19-03). City Staff will notify the applicant under separate cover when an additional recovery deposit is due. Payment shall be provided to avoid delays in the processing of the case and any associated cases.
6. Miscellaneous. Please include City Staff's questions with the response to this sufficiency document. Please provide three (3) hard copy originals and then one PDF copy of the entire sufficiency response submittal (CD or flash drive).

discussed at a meeting or solve various issues, and to recommendations as outlined

District
re in this district. Those parcels located within the Commercial BBR right-of-way). The entire the Beach Zone.
Notwithstanding, the provisions to the following: vi. Planned master concept plan approved by the adoption of this subdivision. ly exempt from the standards (September 16, 2021), unless order for a substantial portion -303(a)(2).
s 15 feet minimum and 25 feet Commercial Zone is 20 feet

e BBR standards and should ent as stated by the Applicant the MCP expires, the LDC ser to BBR, not further away. it II-E-2 and Exhibit IV-D

uest is consistent with City t in ZO-16-05, LDC Sec. 4- 1.22 of the Future Land Use

list architectural elevations n demonstrating compliance c. 4-325) and guidelines for ty Council has directed staff drawings at time of planned ion 4a of ZO-16-05.
ssed at the April 23, 2020 ns shared during the virtual

Ms. Amy Sarazen Thibaut
Bonita Village MPD
PD20-71493-BOS
July 30, 2020
Page 4

meeting indicated a change in architectural style, which may impact this condition. Please coordinate with the City Architect, Sam Vincent, for further direction.

4. The Bonita Springs Fire Control & Rescue District does not provide comments on zoning actions, but reserve the right to comment during local development order review and Building Code Review per City of Bonita Springs LDC and Florida Fire Prevention Code. FL Statute 633.202 (6).

Please contact: Jacqueline Genson, AICP
Phone: 239.444.6163
E-mail: jgenson@cityofbonitaspringscd.org

BONITA SPRINGS Environmental

1. Application, Section F.2. The answer should be Yes (environmentally sensitive lands). Please revise.

Please contact: Laura Gibson
Phone: 239.444.6142
E-mail: lgibson@cityofbonitaspringscd.org

BONITA SPRINGS Engineering

1. Please confirm that no additional changes are proposed that would impact the surface water management plan that was reviewed in 2016 per LDC Sec. 4-295.
2. Please provide a plan that depicts the summary provided in Exhibit IV-I. The accompanied narrative should be updated to include more detail concerning existing and proposed runoff characteristics. The surface water management plan should include written descriptions addressing the drainage features set forth in LDC Sec. 4-295.
3. The Master Concept Plan should be updated to show the new building locations and the realignment of the roadway along the northern property line.

Please contact: Stuart Smith, PE
Phone: 239.444.6164
E-mail: ssmith@cityofbonitaspringscd.org



July 17, 2020

John Manning
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Mr. John Dulmer, AICP
Community Development Director
City of Bonita Springs
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

Re: PD20-71493-BOS Bonita Village MPD

Dear Mr. Dulmer:

Lee County has reviewed the City of Bonita Springs Bonita Village MPD planned development rezoning (PD20-71493-BOS) and offers the following comments:

1. There are two existing driveways on Bonita Beach Road between Luke Street and Meadowlark Lane. The Master Concept Plan (MCP) only shows one driveway (west of Meadowlark Lane). The applicant needs to clarify if the existing driveway east of Luke Street will be removed from the MCP.

Please feel free to contact Lili Wu at (239) 533-8585 if you have any questions regarding these matters.

Sincerely,
**Lee County Department of Community Development
Planning Section**

A handwritten signature in blue ink that reads "Shanon Jenkins-Owen". The signature is written in a cursive, flowing style.

For: Mikki Rozdolski
Manager, Community Development Operations

Cc: David Loveland, Director, Lee County Dept. of Community Development
Brandon Dunn, Planner, Principal, Lee County DCD Planning Section
Lili Wu, Planner, Senior, Lee County DCD Infrastructure Planning

September 4, 2020

Jacqueline Genson, Planning and Zoning Manager
City of Bonita Springs Department of Community Development
9101 Bonita Beach Road
Bonita Springs, FL 34135

RECEIVED
CITY OF BONITA SPRINGS
SEP 04 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

**RE: Substantive Comments dated July 30, 2020
Bonita Village MPD, PD20-71493-BOS**

Dear Ms. Genson:

Please accept this letter as a response to the substantive comments in response to our application for Bonita Village MPD, Case No. PD-20-71493-BOS, dated July 30, 2020. Our responses to staff comments are included below:

1. Exhibit II-E-2

a. Bonita Beach Road (BBR) Corridor Overlay District

- i. Portions of the Bonita Village MPD are in this district. Those parcels fronting BBR east of Luke Street are located within the Commercial Zone (approximately 275' north of the BBR right-of-way). The entire parcel west of Luke Street is within the Beach Zone.**
- ii. LDC Sec. 4-897(g)(2)-Applicability. Notwithstanding, the provisions of this subdivision shall not apply to the following: vi. Planned developments with an unexpired master concept plan approved by the city at least 36 months prior to the adoption of this subdivision. This planned development is currently exempt from the standards until the master concept plan expires (September 16, 2021), unless the Applicant acquires a development order for a substantial portion of the project pursuant to LDC sec. 4-303(a)(2).**
- iii. The setback in the BBR Beach Zone is 15 feet minimum and 25 feet maximum. The setback in the BBR Commercial Zone is 20 feet minimum and 25 feet maximum.**
- iv. The MPD is currently exempt from the BBR standards and should have no effect on the building placement as stated by the Applicant in Exhibit II-E-2 and Exhibit IV-D. If the MCP expires, the LDC would require that the buildings be closer to BBR, not further away.**
- v. The Applicant should revise Exhibit II-E-2 and Exhibit IV-D accordingly.**

Response: It is Developer's intention to comply with the BBR standards and therefore, this request is consistent with a plan to keep the parameters of development consistent with those previously approved in ZO-16-05, while proactively adapting the MCP to comply with the BBR standards as well.

- b. **Compatibility.** Please explain how this request is consistent with City Council’s previous decision relative to height in ZO-16-05, LDC Sec. 4-325(n), and Policies 1.1.3: Height and Policy 1.1.22 of the Future Land Use Element.

Response: *This request is consistent with ZO-16-05, which provides that the maximum building heights are 75’ in TC-1, and 55’ in TC-2 through TC-5 in Exhibit B. The Developer does not intend to increase the maximum height approved for this planned development. Rather, the proposal is to permit the reconfiguration of these buildings to comply with BBR standards.*

The request is consistent with LDC Sec. 4-325(n), which intends for intense or obnoxious uses to be away from incompatible land uses are the perimeter, or to permit concentration of intensity where it is desirable, such as on major roadways. The most intense commercial uses will have frontage on Bonita Beach Road, while the majority of uses closer to the northern and eastern perimeter will be parking and residential uses. Only a small minority of the hotel will face the northern boundary of the planned development, with the vast majority of that frontage located directly on Bonita Beach Road or buffered within the central part of the planned development.

The request is consistent with Future Land Use Policy 1.1.3 which provides that the allowable height for any given property will be stated in the Land Development Code based on consideration of compatibility with surrounding existing land uses and future land use patterns. As stated above, the heights are consistent with the development parameters approved in the zoning ordinance and with LDC Sec. 4-325(n), which regulates height for planned developments.

The request is consistent with Future Land Use Policy 1.1.22, which intends to minimize incompatibility when more intensive land uses share a common boundary with residential land uses, requiring that lower intensity uses shall be located adjacent to residential uses and buffering in the form of fences, walls, vegetation or spatial buffers to minimize the impacts upon the residential use. The most intense uses front Bonita Beach Road or are to be located within the central portion of the project, away from the residential land uses. The majority of uses along the perimeter of the project which is in close proximity to residential uses include parking and multi-family residential. Buffering will be provided in the form of a Type C buffer, with trees, hedges and a PVC fence or wall to further buffer the planned development uses from the surrounding residential uses.

2. **Architectural.** While LDC 4-295 does not specifically list architectural elevations as an application requirement, these documents aid in demonstrating compliance with planned development design standards (LDC Sec. 4-325) and guidelines for decision-making (LDC Sec. 4-131). Additionally, the City Council has directed staff to prepare LDC amendments to require architectural drawings at the time of planned development rezoning. Please see comment recondition 4a of ZO-16-05.

Response: *Architectural elevations have not been commissioned yet and are therefore not currently available, as these are not a formal requirement for the rezoning process.*

3. **Zoning Ordinance No. 16-05. Condition 4a.** As discussed at the April 23, 2020 and July 8, 2020 pre application meetings, the elevations shared during the virtual meeting indicated a change in architectural style, which may impact this condition. Please coordinate with the City Architect, Sam Vincent, for further direction.

Response: *The renderings that were provided are not the final architectural elevations that are proposed for that site. Rather, they are examples of what the building elevations may look like. Architectural elevations have not been commissioned yet and are therefore not currently available, as these are not a formal requirement for the rezoning process.*

4. **The Bonita Springs Fire Control and Rescue District does not provide comments on zoning actions, but reserve the right to comment during local development order review and Building Code Review per City of Bonita Springs LDC and Florida Fire Prevention Code. FL Statute 633.202(6).**

Response: Acknowledged.

BONITA SPRINGS Environmental

1. Application, Section F.2. The answer should be Yes (environmentally sensitive lands). Please revise.

Please contact: Laura Gibson

Phone: 239.444.6142

E-mail: lgibson@cityofbonitaspringscd.org

Response: The application has been amended accordingly and is enclosed.

BONITA SPRINGS Engineering

1. Please confirm that no additional changes are proposed that would impact the surface water management plan that was reviewed in 2016 per LDC Sec. 4-295.

Response: Confirmed. No additional changes are proposed that would impact the surface water management plan that was approved in 2016.

2. Please provide a plan that depicts the summary provided in Exhibit IV-I. The accompanied narrative should be updated to include more detail providing existing and proposed runoff characteristics. The surface water management plan should include written descriptions addressing the drainage features set forth in LDC Sec. 4-295.

Response: No changes to the surface water management plan approved in 2016 are proposed.

3. The Master Concept Plan should be updated to show the new building locations and the realignment of the roadway along the northern property line.

Please contact: Stuart Smith, PE

Phone: 239.444.6164

E-mail: ssmith@cityofbonitaspringscd.org

Response: Acknowledged. The amended MCP is enclosed.

LEE COUNTY

1. There are two existing driveways on Bonita Beach Road between Luke Street and Meadowlark Lane. The Master Concept Plan (MCP) only shows one driveway (west of Meadowlark Lane). The applicant needs to clarify if the existing driveway east of Luke Street will be removed from the MCP.

Response: The driveway east of Luke Street will be removed from the MCP. The amended MCP is enclosed.

Please confirm that the application is sufficient upon receipt of this response. If you have any additional questions or concerns, please do not hesitate to contact our office and we would be happy to assist.

Very Truly Yours,



Amy Sarazen Thibaut