



City Hall Council Chambers  
9101 Bonita Beach Road SE  
Bonita Springs, Florida 34135

## City of Bonita Springs City Council Meeting Agenda

April 2, 2025  
5:30 p.m.

---

If you intend to address the City Council, please submit a completed “Public Comment Slip” to the City Clerk. Blank comment slips are available on the table outside of Council Chambers.

To submit a written public comment in advance of the meeting, email your name, address, and comment to [citymeetings@cityofbonitasprings.org](mailto:citymeetings@cityofbonitasprings.org) by **12 Noon, April 2, 2025**.

The City of Bonita Springs is committed to equal opportunity and does not discriminate on the basis of race, color, national origin, gender, age, disability, religion, income, or marital status. Under the Americans with Disabilities Act, anyone who requires an ADA-qualified accommodation to participate in this proceeding should contact City Clerk Mike Sheffield at (239) 949-6248 at least 48 hours prior to the proceeding. Reasonable accommodations will be provided at no cost to the requester.

Any person who may seek to appeal a decision made by the City Council on any matter at this meeting is responsible for ensuring that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be based.

---

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Public Comment on Agenda Items
6. Public Hearings – Zoning and Land Use Items
  - A. (SECOND READING AND PUBLIC HEARING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; REZONING APPROXIMATELY EIGHT (8) ACRES FROM THE AGRICULTURAL (AG-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO ALLOW UP TO 40 DWELLING UNITS AND TWO (2) DEVIATIONS; LOCATED AT THE NORTHWEST CORNER OF PENNSYLVANIA AVENUE AND WISCONSIN STREET, STRAP NUMBER 34-47-25-B2-00259.0020, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet 25-04-079)

- B. (SECOND READING AND PUBLIC HEARING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; REZONING APPROXIMATELY 4.6± ACRES FROM THE TWO-FAMILY CONSERVATION (TFC-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 48 DWELLING UNITS; LOCATED AT 11035, 11089, 11113, 11125 DEAN STREET, STRAP NUMBERS 36-47-25-B4-00064.0000, 36-47-25-B4-00063.0000, 36-47-25-B4-00062.0010, 36-47-25-B4-00065.0000, 36-47-25-B4-00064.0010, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.  
(Green Sheet 25-04-087)

7. Consent Agenda Items:

- A. Approve minutes from the City Council Strategic Planning workshop held on March 5, 2025.
  - B. Approve minutes from the regular City Council meeting held on March 19, 2025.
  - C. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Helene.  
(Green Sheet 25-04-077)
  - D. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Milton.  
(Green Sheet 25-04-078)
  - E. Approve proposal submitted by Wright Construction, for construction and installation parking lot lighting at the Felt Avenue Bio-Reactor and provide direction to staff. (Green Sheet 25-04-080)
  - F. Approve proposal submitted by Wright Construction, construction of Phase III of the Bio-Reactor.  
(Green Sheet 25-04-081)
  - G. Approve the Eighteenth Addendum to the Second Agreement with the Lee County Sheriff for Enhanced Law Enforcement Services. (Green Sheet 25-04-084)
  - H. Approve the proposal to develop conceptual design of a Community Aquatic Facility from Kimley Horn in the amount of \$124,600. (Green Sheet 25-04-085)
- Opportunity for City Council Comments on Consent Agenda

8. Mayor and Council Member Items:

- A. Discussion and consideration of the draft Memorandum of Agreement (MOA) for the Bonita Estero Rail Trail Project. (Council Member Corrie, Green Sheet 25-04-088)
- B. Discussion on designating 'Pedal-Only Zones' in specific pedestrian-heavy areas. (Council Member Corrie, Green Sheet 25-04-082)
- C. Update on the Bonita Springs Elementary School renovation project. (Council Member Fullick, Green Sheet 25-04-083)



9. City Attorney Items:

10. City Manager Items:

- A. Authorize staff to submit Local Mitigation Strategy projects to Lee County Emergency Management Division for ranking to submit grant applications for the FEMA funded Hazard Mitigation Grant Program (HMGP) based on the impacts from Hurricane's Debby, Helene and Milton. (Green Sheet 25-04-086)
- B. Update on recovery - Hurricanes Ian, Helene, and Milton

11. Mayor and Council Member Reports

12. Public Comment

13. Adjournment

**ITEM TITLE:** (SECOND READING AND PUBLIC HEARING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; REZONING APPROXIMATELY EIGHT (8) ACRES FROM THE AGRICULTURAL (AG-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO ALLOW UP TO 40 DWELLING UNITS AND TWO (2) DEVIATIONS; LOCATED AT THE NORTHWEST CORNER OF PENNSYLVANIA AVENUE AND WISCONSIN STREET, STRAP NUMBER 34-47-25-B2-00259.0020, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

**REQUESTOR:** Mike Fiigion II, Senior Planner, Community Development

**AGENDA SECTION:** Second Reading of a Zoning Ordinance

**STRATEGIC PRIORITY:**

---

**BACKGROUND:** The request is to rezone approximately eight (8) acres of Agriculturally-zoned property to a Residential Planned Development (RPD), for up to 40 dwellings, containing a mix of attached and detached single-family units.

The property is heavily vegetated and will require wetland mitigation in order to effectuate the proposed density of 40 units. If the mitigation attempt by the Applicant is unsuccessful, they will need to go back through the public hearing process with a revised Master Concept Plan (MCP), per Condition 4 of the staff report and draft ordinance. The Applicant is proposing two ingress/egress points and has been coordinating with the City of Bonita Springs Public Works Department for roadway maintenance. Based on the proposed MCP, conventional single-family homes will be located on the north, south, and eastern perimeters of the site, while many of the attached units will be internal, or along the proposed stormwater pond on the west side.

The Zoning Board heard the case on September 17, 2024 (draft minutes attached). In addition to the Applicant and Staff presenting the case, several residents expressed concerns related to traffic, density, and drainage. Staff has received written responses from residents expressing the same concerns (attached).

The density, as conditioned, does not violate the allowances of the Future Land Use Category for the parcel. The Traffic Impact Statement concluded that the project's impact to the roadway network would be approximately 1.97% at its highest level. Anything less than 2% is considered a project of non-significant impact. With regards to drainage, the Applicant provided a narrative that explains that water will be collected from the yards, streets, and homes and will be directed to an on-site pond for storage and treatment before ultimately being discharged to the Imperial River at a controlled rate. The project is prohibited from causing additional stormwater runoff onto neighboring properties.

The Zoning Board recommended approval of the rezoning request and the deviation requests by a vote of 5-2. (meeting minutes attached).

The first reading took place in front of City Council on February 5, 2025 and contained a full presentation from the Applicant.

**STAFF RECOMMENDATION:** Approve, as conditioned

**ATTACHMENTS:**

1. Draft Zoning Ordinance
2. Zoning Board Meeting Minutes (September 17, 2024)
3. Staff Report with Legal Description/Survey and Master Concept Plan (MCP)
4. Resident Responses (Notice of Hearing Petitions)

---

**REVIEWERS:**

|                 |                   |
|-----------------|-------------------|
| City Manager:   | Arleen Hunter     |
| City Attorney:  | Derek Rooney      |
| City Clerk:     | Michael Sheffield |
| Dept. Director: | John Dulmer, AICP |

CITY OF BONITA SPRINGS  
ZONING ORDINANCE NO. 25 - \_

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; REZONING APPROXIMATELY EIGHT (8) ACRES FROM THE AGRICULTURAL (AG-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO ALLOW UP TO 40 DWELLING UNITS AND TWO (2) DEVIATIONS; LOCATED AT THE NORTHWEST CORNER OF PENNSYLVANIA AVENUE AND WISCONSIN STREET, STRAP NUMBER 34-47-25-B2-00259.0020, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Canon Sandor and Rudolph Bauer have filed an application to rezone 8 +/- acres from the existing AG-2 zoning district to the Residential Planned Development (RPD) zoning district.

**WHEREAS**, the subject property is located Bonita Springs, Florida, STRAP numbers 34-47-25-B2-00259.0020; and is described more particularly as:

See Exhibit "A"

**WHEREAS**, a Public Hearing was advertised and heard on September 17, 2024 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board"), who gave full consideration to the evidence available and recommended approval (5-2) of the applicant's request and gave full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all interested parties. The Staff Report prepared by Community Development, and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

**WHEREAS**, the case was presented for First Reading for the City Council at their February 5, 2025, meeting; and

**WHEREAS**, City Council at their April 2, 2025 meeting considered the record of the Zoning Board on Case PD23-106206-BOS, and gave full consideration of the Staff Recommendation, the evidence and testimony.

**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 rezone the property from the AG-2 zoning district to the Residential Planned Development ("RPD") zoning district with a maximum of 40 dwelling units. In so doing the City Council makes the following findings and conclusions, upon an analysis of the

application and the standards for approval subject to the following conditions and deviations:

**Conditions:**

1. The project shall be generally consistent with the Master Concept Plan provided and labeled as Exhibit "B."

2. Schedule of Uses:

Accessory Uses, Buildings, and Structures  
Communication Facilities, Wireless (subject to Chapter 4, Zoning, Division 11 of the Land Development Code ("LDC") as may be amended)  
Community Gardens  
Dwelling Units  
    Single-Family Detached  
    Two-Family Attached  
Excavation for Water Retention  
Fences, Walls  
Residential Accessory Uses  
Signs  
Temporary Uses (Subject to LDC Requirements)

3. Property Development Regulations: The Applicant proposes the following property development standards:

|                          | <b>Single-Family Detached</b>       | <b>Two-Family Attached</b>                         |
|--------------------------|-------------------------------------|----------------------------------------------------|
| <b>Lot Width</b>         | 60ft (interior) 67ft (corner)       | 32ft-32.5ft                                        |
| <b>Lot Depth</b>         | 97ft (interior) 97ft (corner)       | 95ft                                               |
| <b>Lot Area</b>          | 5,820sf (interior) 6,499sf (corner) | 3,040sf – 3,087sf                                  |
| <b>Lot Coverage</b>      | 47% (interior) 42% (corner)         | 60%                                                |
| <b>Height*</b>           | 35 feet (4 stories)                 | 35 feet (4 stories)                                |
| <b>Front Setback</b>     | 25ft, minimum                       | 25ft, minimum                                      |
| <b>Side Setback</b>      | 5ft, minimum                        | 5ft, minimum except where attached to another unit |
| <b>Rear Setback</b>      | 20ft, minimum                       | 20ft, minimum                                      |
| <b>Perimeter Setback</b> | 15ft, minimum                       | 15ft, minimum                                      |

\*Height will be measured from the base design flood elevation to the eaves and in no instance will the total structure height exceed 40 feet, including any infrastructure associated with any rooftop viewing area or rooftop deck. Unless further specified, the height of remaining appurtenances shall be measured in accordance with LDC Sections 4-1871 – 4-1873 of the City of Bonita Springs Land Development Code.

4. The Applicant is limited to a maximum of 40 units if the wetlands are properly mitigated. Evidence of mitigation shall be provided to Community Development during the local development order process. Failure to obtain proper mitigation will require the Applicant to obtain approval of a modified MCP through a public hearing amendment and the gross residential acreage will be decreased by the wetland total, resulting in a lower density.
5. The Applicant shall provide plantings (hedges) and bollards on the east side of Wisconsin Street, across from the proposed curb cuts for the project, in order to offset vehicular headlight glare towards the existing homes on Tonya Court and Montana Court. The hedge type and location shall be a coordinated effort between the Applicant, Community Development and Public Works and in no case shall the height of the hedge be less than three (3) feet.
  - a. No hedges or bollards shall be placed on the private property of the affected homeowners without their expressed permission, provided to Community Development in the form of a notarized affidavit.
6. Pursuant to Deviation 2, a wildland mitigation plan shall be provided at time of local development order submittal for review and approval by the Bonita Springs Fire Control & Rescue District. Failure to provide an acceptable plan that is approved by the Bonita Springs Fire Control & Rescue District will negate the deviation approval.
7. Per the Tree Advisory Board recommendation, the three heritage sized trees that need to be removed for the project shall be replaced with three bald cypress trees near the onsite lake at 20' in height with a 4" diameter at breast height (DBH). The remaining heritage trees shall be retained within the onsite preserve areas.
8. At time of local development order and building permit, the Applicant shall demonstrate compliance with all local, state, and federal regulations for construction within floodways and floodplains.
9. Approval of this zoning action does not guarantee approval of a local development order or building permit.

**Deviations:**

1. Approved deviation from LDC Section 3-417(b)(1)(a) which indicates that a minimum indigenous native vegetation preserve setback of 30 feet is required from any habitable structure. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve.
2. Approved deviation from LDC Section 3-417(b)(6)(a) a minimum 30-foot setback from all preserve (wildland) areas is required for buildings and

accessory structures for the purpose of fire protection. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve, subject to Condition 6.

**Exhibits:**

- A. Legal Description and Sketch of the Subject Property
- B. Pennsylvania Wisconsin RPD Master Concept Plan (MCP)

**Attachments:**

- A. Background and Informational Analysis
- B. Application Backup (Final Documents—Online only)

**SECTION TWO: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon of adoption.

**DULY PASSED AND ENACTED** by the City Council of the City of Bonita Springs, Lee County, Florida, this 2nd day of April, 2025.

AUTHENTICATION:

|                |                     |
|----------------|---------------------|
| _____<br>Mayor | _____<br>City Clerk |
|----------------|---------------------|

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

|             |         |
|-------------|---------|
| Vote: Carr  | Corrie  |
| Purdon      | Fullick |
| Fitzpatrick | Bogacz  |
| Gibson      |         |

Date filed with City Clerk: \_\_\_\_\_

**City of Bonita Springs  
Board for Land Use Hearings & Adjustments  
and Zoning Board of Appeals**

**(Draft) Meeting Minutes**  
Tuesday, September 17, 2024  
9:00 a.m.

**1. CALL TO ORDER**

*Chairman Rascio called the meeting to order at 9:00 am.*

**2. PLEDGE OF ALLEGIANCE**

*Chairman Rascio asked Board Member Gambrell to lead the Pledge of Allegiance.*

**3. ROLL CALL**

*The City Clerk called the roll:*

*Present – Rascio, Waterhouse, Gambrell, Benson, Galloway, Winn and Hershenson (Via Zoom)*

*Chairman Rascio made a motion allowing Ben Hershenson to participate via zoom, seconded by Board Member Winn. **The motion carried 6-0.***

**4. PUBLIC HEARINGS**

EACH CASE WILL INCLUDE A PUBLIC COMMENT PERIOD AT THE CONCLUSION OF THE APPLICANT AND STAFF PRESENTATION

**A. CASE NAME: PENNSYLVANIA AVENUE/WISCONSIN STREET RESIDENTIAL PLANNED DEVELOPMENT (PD23-106206-BOS)**

A REQUEST TO REZONE APPROXIMATELY 8 ACRES FROM THE AGRICULTURAL (AG-2) ZONING DESIGNATION TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 40 DWELLING UNITS, AND TO REQUEST TWO (2) DEVIATIONS.

*City Attorney Derek Rooney swore in all those who intended to speak. Mike Fiigon, Senior Planner with Community Development, introduced the item.*

*Canon Sandora, Civil Engineer, presented on behalf of the applicant. His presentation included an overview of the proposed Residential Planned Development (RPD), schedule of uses, requested deviations and justifications, and traffic impact. He also answered questions from the Board. Next, the applicant's architect, Bill Glass, summarized design plans and construction material of the proposed project. (Applicant presentation on file in the City Clerk's office).*

*Next, Mr. Fiigon presented the staff report which including background information, current AG-2 zoning designation and zoning parameters, the project's consistency with the Comprehensive Plan,*



requested deviations, and stormwater, traffic, and environmental impacts. He stated that staff recommends approval with conditions, which he reviewed. John Dulmer, Community Development Director and Laura Gibson, Environmental Specialist with Community Development, answered questions from the Board. (Staff report on file in the City Clerk's office).

Chairman Rascio called for public comments:

Brian Hayden - Expressed concern with traffic, stormwater drainage, and the proposed retention pond relating to water flow.

Mary Beth Anders - Expressed concerns about density, traffic, and drainage in the area.

Jim Fitzpatrick - Commented on the lack of an HOA and questioned who will manage the maintenance of the retention pond.

Colleen Brady Reardon - Expressed concerns over traffic, the proposed egress/ingress on Wisconsin Street, and existing flooding and drainage issues. She also stated that she saw a bald eagle on the subject site.

Genevieve Shanhide - Expressed concerns regarding stormwater drainage and egress/ingress on Wisconsin Street.

Seeing no additional public comments, the applicant and staff were provided time for rebuttal.

Chairman Rascio made a motion to approve the rezone request with the conditions proposed by staff; Board Member Hershenson seconded. The Clerk recorded the vote by roll call. **The motion carried 5-2, as follows:**

| Gambrell | Waterhouse | Benson | Winn | Galloway | Hershenson | Rascio |
|----------|------------|--------|------|----------|------------|--------|
| Nay      | Aye        | Nay    | Aye  | Aye      | Aye        | Aye    |

**5. APPROVAL OF MINUTES:** Meeting of May 14, 2024

Board Member Waterhouse motioned to approve the minutes, Seconded by Board Member Winn. **The motion carried 7-0.**

**6. CASE UPDATE: Riverbend RPD**

Mike Fiigon provided the update.

**7. PUBLIC COMMENT**

Chairman Rascio called for public comment. None

**8. NEXT MEETING:** *The next meeting is tentatively scheduled for October 15, 2024 at 9:00 am.*

**9. ADJOURNMENT**

*As there was no further business, Chairman Rascio adjourned the meeting at 11:00 a.m.*

Prepared by:

\_\_\_\_\_  
Teresa C. Grimes, Senior Records & Compliance Clerk

APPROVED:  
BONITA SPRINGS ZONING BOARD:

Date: \_\_\_\_\_

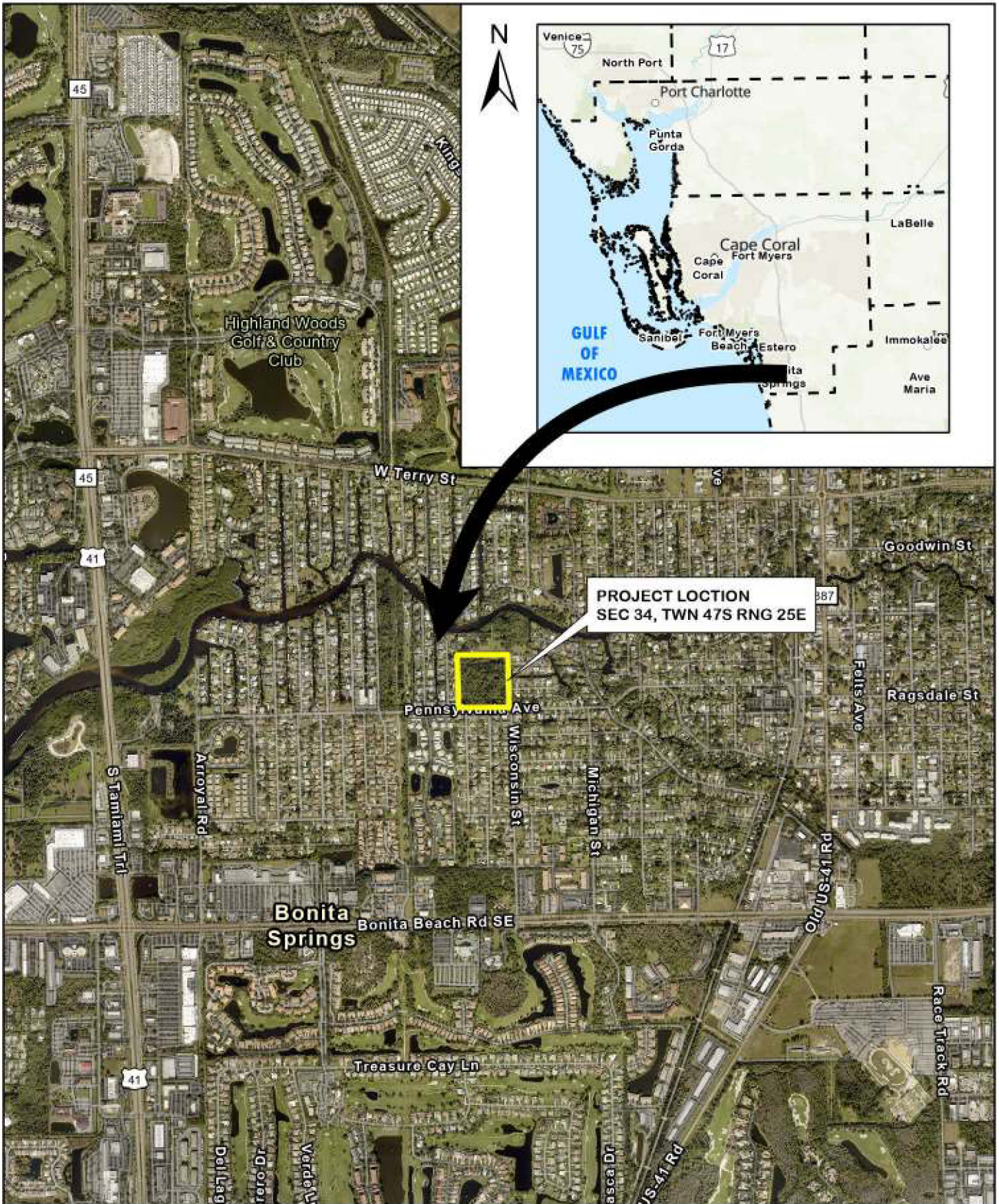
AUTHENTICATED:

\_\_\_\_\_  
Anthony Rascio, Chairman

TABLE OF CONTENTS  
PD24-106206-BOS  
PENNSYLVANIA WISCONSIN RPD

|                                                     |         |
|-----------------------------------------------------|---------|
| AREA LOCATION MAP                                   | PAGE 2  |
| STAFF REPORT                                        |         |
| APPLICATION SUMMARY                                 | PAGE 3  |
| PURPOSE OF PLANNED DEVELOPMENT ZONING               | PAGE 4  |
| BACKGROUND                                          | PAGE 4  |
| USES                                                | PAGE 5  |
| PROPERTY DEVELOPMENT REGULATIONS                    | PAGE 6  |
| DEVIATIONS                                          | PAGE 7  |
| RECOMMENDATION                                      | PAGE 8  |
| CONDITIONS                                          | PAGE 8  |
| EXHIBIT A: LEGAL DESCRIPTION AND SKETCH             | PAGE 12 |
| EXHIBIT B: MASTER CONCEPT PLAN                      | PAGE 13 |
| ATTACHMENT A: BACKGROUND AND INFORMATIONAL ANALYSIS | PAGE 14 |
| PLANNED DEVELOPMENT ANALYSIS                        | PAGE 14 |
| ENVIRONMENTAL ANALYSIS                              | PAGE 16 |
| STORMWATER                                          | PAGE 17 |
| TRAFFIC                                             | PAGE 17 |
| COMPREHENSIVE PLAN                                  | PAGE 17 |
| ATTACHMENT B: APPLICATION BACKUP (ONLINE ONLY)      | PAGE 19 |





**Project Location Map**

**OWEN ENVIRONMENTAL  
CONSULTING, LLC.**  
FORT MYERS 239-994-9007



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

**TYPE OF CASE:** PLANNED DEVELOPMENT REZONING

**CASE NUMBER:** PD24-106206-BOS

**HEARING DATE:** September 17, 2024

**PLANNER:** Mike Fiigon II, Senior Planner

**APPLICATION SUMMARY:**

- A. Applicant: Canon Sandora, PE/Rudolph Bauer
- B. Agent: Canon Sandora, PE
- C. Request: To rezone approximately eight (8) acres from the Agricultural (AG-2) zoning designation to a Residential Planned Development (RPD), to develop up to 40 dwelling units, and to request two (2) deviations.
- D. Location: Northwest corner of Pennsylvania Avenue & Wisconsin St;  
STRAP: 34-47-25-B2-00259.0020, Bonita Springs, Florida 34135
- E. Future Land Use Plan Designation: Moderate Density Residential
- F. Current Zoning: Agricultural (AG-2)
- G. Current Land Use: Vacant

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

## **THE PURPOSE OF PLANNED DEVELOPMENT ZONING**

Pursuant to LDC 4-737, one of the purposes of a Residential Planned Development (RPD) is to provide a property owner or land developer with a development technique that can increase residential density and its ancillary development in areas designated by the Bonita Plan (i.e. Comprehensive Plan). A series of criteria are utilized to inform a Staff recommendation on the request. The criteria are found in “Attachment A” to this report.

## **BACKGROUND:**

The property is a heavily vegetated eight-acre lot located in the northwest corner of Pennsylvania Avenue and Wisconsin Street. Historic aerials suggest the property has always been vacant and has been zoned Agricultural (AG-2) since the incorporation of the City of Bonita Springs. Over the past ten years, Community Development has had discussions with multiple developers and consultants regarding development of the site. The City had been made aware that at one time, there may have been Bonneted Bats (protected species) that inhabited the site and, as a result, prior to any development approvals, the City would require a detailed environmental assessment and a listed species survey (attached in the application backup) to verify if there is any remaining evidence of them, or any other protected or listed species. A more detailed analysis of the environmental findings is contained in Attachment A of this report.

The Applicant is proposing to rezone the property to accommodate the development of 14 conventional single-family homes and 13 two-unit villas (referred to as single-family attached/zero lot line on the schedule of uses) for a total of 40 units. The City does not have definition for single-family attached and zero lot line development is defined differently than what the Applicant is showing on the Master Concept Plan (MCP). As a result, Staff is recommending modifications to the schedule uses, discussed later in this report. As shown on the Master Concept Plan (MCP—Exhibit B) there will be two (2) access points to the development, both located off Wisconsin Street. The City’s Public Works Department has approved the conceptual layout of the roadway connections and the internal roadway system, since the Applicant is petitioning the City to accept maintenance of the roadways as City streets. Preliminary cross sections have also been provided which demonstrate that the roadways will be built to City standards.

The plan proposes conventional single-family homes to be located near the north, south, and east perimeters of the project, while a portion of the attached units will be internal to the site with the remainders located towards the west side of the project area, buffered by preserve areas and a proposed stormwater lake.

Staff had initially expressed concerns with the proposed density, primarily because the proposed number of units is only achievable if the Applicant successfully mitigates a portion of the wetland acreage (approximately 2.08 acres). The Moderate Density Residential future land use category does not permit the transfer of density from wetlands

to uplands. Failure to obtain mitigation would likely yield a density in the low to mid 30-unit range. As a result, Staff had requested an alternate MCP that would show conceptual site development at the lower density. The Applicant was not amenable to the request, and, as a result, Staff has established a condition that would require the Applicant to go back through the entire hearing process to amend the MCP should they be unsuccessful in their mitigation attempts.

The project was reviewed by multiple disciplines (Engineering, Surveying, Environmental, Bike-Ped, Traffic, Planning/Zoning, and Public Works) and the analysis and conditions established in this report are the result of their reviews and findings.

**Uses:** As part of the request, the Applicant proposes the following Schedule of Uses:

Communication Facilities, Wireless

Community Gardens

Dwelling Units

    Single-Family Detached

    Single-Family Attached (Zero Lot Line)

Excavation for Water Retention

Fences, Walls

Residential Accessory Uses

    Carports and Garages

    Decks, Gazebos, Patios and Screen Enclosures

    Fences

    Garages or Yard Sales, limited to not more than one week in duration, with sales limited to two garage or yard sales per year

    Garden Sheds

    Recreational Facilities, Personal (such as pools, spas, jacuzzis, hot tubs, swings, sand boxes and similar equipment)

Signs

While there is no objection to the proposed uses, Staff recommends the following changes and alternate language to be used for the purposes of consistency with the City's land development regulations and definitions.

Accessory Uses, Buildings, and Structures

Communication Facilities, Wireless (subject to Chapter 4, Zoning, Division 11 of the LDC as may be amended)

Community Gardens

Dwelling Units

    Single-Family Detached

Two-Family Attached

    Single-Family Attached (Zero Lot Line)

Excavation for Water Retention

Fences, Walls

Residential Accessory Uses

Signs

Temporary Uses (Subject to LDC Requirements)

~~Carpports and Garages~~

~~Decks, Gazebos, Patios and Screen Enclosures~~

~~Fences~~

~~Garages or Yard Sales, limited to not more than one week in duration, with sales limited to two garage or yard sales per year~~

~~Garden Sheds~~

~~Recreational Facilities, Personal (such as pools, spas, jacuzzis, hot tubs, swings, sand boxes and similar equipment)~~

**Property Development Regulations:** The Applicant is proposing the following development regulations for the project:

|                          | <b>Single-Family Detached</b>       | <b>Single-Family Attached</b>                      |
|--------------------------|-------------------------------------|----------------------------------------------------|
| <b>Lot Width</b>         | 60ft (interior) 67ft (corner)       | 32ft-32.5ft                                        |
| <b>Lot Depth</b>         | 97ft (interior) 97ft (corner)       | 95ft                                               |
| <b>Lot Area</b>          | 5,820sf (interior) 6,499sf (corner) | 3,040sf – 3,087sf                                  |
| <b>Lot Coverage</b>      | 47% (interior) 42% (corner)         | 60%                                                |
| <b>Height*</b>           | 35 feet (4 stories)                 | 35 feet (4 stories)                                |
| <b>Front Setback</b>     | 25ft, minimum                       | 25ft, minimum                                      |
| <b>Side Setback</b>      | 5ft, minimum                        | 5ft, minimum except where attached to another unit |
| <b>Rear Setback</b>      | 20ft, minimum                       | 20ft, minimum                                      |
| <b>Perimeter Setback</b> | 15ft, minimum                       | 15ft, minimum                                      |

\*Height will be measured from the base flood elevation to the eaves

In accordance with Florida Building Code, residential structures in flood zones are required to meet the base flood elevation, plus one additional foot (design flood elevation). Staff does not object to the proposed development regulations but suggests that the building height be measured from design flood elevation instead of base flood elevation. The height proposal of 35 feet is commensurate and compatible with the zoning allowances of the existing surrounding residential neighborhoods. However, since the Applicant is proposing the possibility of rooftop decks, Staff suggests the following modification to the table:



|                          | <b>Single-Family Detached</b>       | <b><del>Single</del>Two-Family Attached</b>        |
|--------------------------|-------------------------------------|----------------------------------------------------|
| <b>Lot Width</b>         | 60ft (interior) 67ft (corner)       | 32ft-32.5ft                                        |
| <b>Lot Depth</b>         | 97ft (interior) 97ft (corner)       | 95ft                                               |
| <b>Lot Area</b>          | 5,820sf (interior) 6,499sf (corner) | 3,040sf – 3,087sf                                  |
| <b>Lot Coverage</b>      | 47% (interior) 42% (corner)         | 60%                                                |
| <b>Height*</b>           | 35 feet (4 stories)                 | 35 feet (4 stories)                                |
| <b>Front Setback</b>     | 25ft, minimum                       | 25ft, minimum                                      |
| <b>Side Setback</b>      | 5ft, minimum                        | 5ft, minimum except where attached to another unit |
| <b>Rear Setback</b>      | 20ft, minimum                       | 20ft, minimum                                      |
| <b>Perimeter Setback</b> | 15ft, minimum                       | 15ft, minimum                                      |

\*Height will be measured from the ~~base~~ design flood elevation to the eaves and in no instance will the total structure height exceed 40 feet, including any infrastructure associated with any rooftop viewing area or rooftop deck. Unless further specified, the height of remaining appurtenances shall be measured in accordance with LDC Sections 4-1871 – 4-1873 of the City of Bonita Springs Land Development Code.

**Deviations:** Two deviations are being requested as part of the rezoning petition. The request language, Applicant justification, and Staff response are shown below.

**Deviation Request #1:** A deviation from LDC Section 3-417(b)(1)(a) which indicates that a minimum indigenous native vegetation preserve setback of 30 feet is required from any habitable structure. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve.

**Applicant Justification:** *There are no listed species within the indigenous native preserve area that would require ample buffer space to thrive. The proposed fence serves to provide protection for indigenous species as well as for homeowners and pets. The proposed fence includes 4' wide pedestrian gates for routine maintenance accessibility.*

**Staff Analysis:** Staff does not object to the deviation based on the Applicant's justification. There were no listed species identified on-site and Staff appreciates the

Applicant's willingness to provide a barrier between the homes and the preserve area. Staff recommends **APPROVAL** of the deviation request.

**Deviation Request #2:** A deviation from LDC Section 3-417(b)(6)(a) a minimum 30-foot setback from all preserve (wildland) areas is required for buildings and accessory structures for the purpose of fire protection. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve.

**Applicant Justification:** *The proposed housing building material is non-combustible concrete, which eliminates the risk of the buildings catching on fire.*

**Staff Analysis:** LDC Section 3-417(b)(6)(a) would allow for a reduced setback, subject to a fire mitigation plan that is reviewed and approved by the Bonita Springs Fire Control & Rescue District. A time of local development order, a plan shall be submitted for review by Bonita Fire. Failure to provide an acceptable plan would negate this deviation. Staff recommends **APPROVAL** of this deviation request, as conditioned.

### **CONCLUSIONS:**

It is Staff's opinion that the proposed RPD could be appropriate subject to the conditions outlined below. Additional analysis performed by Staff in order to reach this conclusion can be found by reviewing "Attachment A."

### **RECOMMENDATION:**

Staff recommends **APPROVAL** of a Residential Planned Development (RPD) for a maximum of 40 dwelling units with two (2) deviations, as conditioned below:

#### **Conditions:**

1. The project shall be generally consistent with the Master Concept Plan provided and labeled as Exhibit "B."
2. Schedule of Uses:
  - Accessory Uses, Buildings, and Structures
  - Communication Facilities, Wireless (subject to Chapter 4, Zoning, Division 11 of the LDC as may be amended)
  - Community Gardens
  - Dwelling Units
    - Single-Family Detached
    - Two-Family Attached
  - Excavation for Water Retention

Fences, Walls  
 Residential Accessory Uses  
 Signs  
 Temporary Uses (Subject to LDC Requirements)

3. Property Development Regulations: The Applicant proposes the following property development standards:

|                          | <b>Single-Family Detached</b>       | <b>Single-Family Attached</b>                      |
|--------------------------|-------------------------------------|----------------------------------------------------|
| <b>Lot Width</b>         | 60ft (interior) 67ft (corner)       | 32ft-32.5ft                                        |
| <b>Lot Depth</b>         | 97ft (interior) 97ft (corner)       | 95ft                                               |
| <b>Lot Area</b>          | 5,820sf (interior) 6,499sf (corner) | 3,040sf – 3,087sf                                  |
| <b>Lot Coverage</b>      | 47% (interior) 42% (corner)         | 60%                                                |
| <b>Height*</b>           | 35 feet (4 stories)                 | 35 feet (4 stories)                                |
| <b>Front Setback</b>     | 25ft, minimum                       | 25ft, minimum                                      |
| <b>Side Setback</b>      | 5ft, minimum                        | 5ft, minimum except where attached to another unit |
| <b>Rear Setback</b>      | 20ft, minimum                       | 20ft, minimum                                      |
| <b>Perimeter Setback</b> | 15ft, minimum                       | 15ft, minimum                                      |

\*Height will be measured from the base design flood elevation to the eaves and in no instance will the total structure height exceed 40 feet, including any infrastructure associated with any rooftop viewing area or rooftop deck. Unless further specified, the height of remaining appurtenances shall be measured in accordance with LDC Sections 4-1871 – 4-1873 of the City of Bonita Springs Land Development Code.

4. The Applicant is limited to a maximum of 40 units if the wetlands are properly mitigated. Evidence of mitigation shall be provided to Community Development during the local development order process. Failure to obtain proper mitigation will require the Applicant to obtain approval of a modified MCP through a public hearing amendment and the gross residential acreage will be decreased by the wetland total, resulting in a lower density.
5. The Applicant shall provide plantings (hedges) on the east side of Wisconsin Street, across from the proposed curb cuts for the project, in order to offset vehicular headlight glare towards the existing homes on Tonya Court and Montana

Court. The hedge type and location shall be a coordinated effort between the Applicant, Community Development and Public Works and in no case shall the height of the hedge be less than three (3) feet.

- a. No hedges shall be placed on the private property of the affected homeowners without their expressed permission, provided to Community Development in the form of a notarized affidavit.
6. Pursuant to Deviation 2, a wildland mitigation plan shall be provided at time of local development order submittal for review and approval by the Bonita Springs Fire Control & Rescue District. Failure to provide an acceptable plan that is approved by the Bonita Springs Fire Control & Rescue District will negate the deviation approval.
7. Per the Tree Advisory Board recommendation, the three heritage sized trees that need to be removed for the project shall be replaced with three bald cypress trees near the onsite lake at 20' in height with a 4" diameter at breast height (DBH). The remaining heritage trees shall be retained within the onsite preserve areas.
8. At time of local development order and building permit, the Applicant shall demonstrate compliance with all local, state, and federal regulations for construction within floodways and floodplains.
9. Approval of this zoning action does not guarantee approval of a local development order or building permit.

### Deviations

1. Relief from LDC Section 3-417(b)(1)(a) which indicates that a minimum indigenous native vegetation preserve setback of 30 feet is required from any habitable structure. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve., is **APPROVED**.
2. Relief from LDC Section 3-417(b)(6)(a) a minimum 30-foot setback from all preserve (wildland) areas is required for buildings and accessory structures for the purpose of fire protection. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve. is **APPROVED**, subject to Condition 6.

**EXHIBITS:**

- A. Legal Description and Sketch of the Subject Property
- B. Pennsylvania Wisconsin RPD Master Concept Plan (MCP)

**ATTACHMENTS:**

- A. Background and Informational Analysis
- B. Application Backup (Final Documents—Online only)



EX "A"

MAP OF BOUNDARY SURVEY

STRAP: 34-47-25-B2-00259.0020

FOLIO ID: 10467210

LEGAL DESCRIPTION

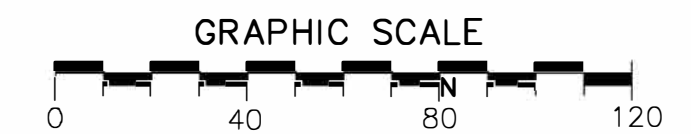
THE SOUTH 548.67 FEET OF BLOCK 59, HEITMAN'S BONITA SPRINGS TOWNSITE AS RECORDED IN PLAT BOOK 6, PAGE 24 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA LESS AND EXCEPT THE EASTERLY 25 FEET FOR WISCONSIN STREET.

CONTAINING 8 ACRES, MORE OR LESS.

NEVADA COURT  
60' WIDE RIGHT-OF-WAY



SCALE: 1" = 40'



NOTES:

ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (N.A.V.D. 1988).

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF S88°31'04"W ON THE CENTERLINE OF PENNSYLVANIA AVENUE AS PER PLAT OF HEITMAN'S BONITA SPRINGS, PLAT BOOK 6, PAGE 24, LEE COUNTY, FLORIDA.

FLOOD ZONE "AE", ELEVATION 9.0' (N.A.V.D. 1988) AS PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 12071C 0658 G, DATED NOVEMBER 17, 2022.

I HEREBY CERTIFY TO:

RUDOLF AUGUST BAUER C/O CHRISTOPHER LANGEN ESQUIRE;

THAT A SURVEY OF THE HEREON DESCRIBED PROPERTY WAS MADE UNDER MY DIRECTION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF MEETS THE MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

5J-17.051(3)(b)6 - ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

ELECTRONIC SIGNATURE USED IN ACCORDANCE WITH APPLICABLE STATE LAWS AND RULES INCLUDING BUT NOT LIMITED TO FLORIDA STATUTES 668.001, 668.50 AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

UNLESS SHOWN HEREON THERE ARE NO ENCROACHMENTS, NO BOUNDARY LINE DISPUTES, NON EASEMENTS OR CLAIMS OF EASEMENTS AND NO UNDERGROUND FOUNDATIONS LOCATED.

WHEN LOCATION OF EASEMENTS OR RIGHTS-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLATS, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.

THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED ABOVE, FOR NO OTHER CERTIFICATION OF TITLE, ZONING OR FREEDOM FROM ENCUMBRANCE.

EAST QUARTER CORNER  
FOUND 5/8" IRON PIN AND CAP  
STAMPED AIM ENG LB 3114

REVISIONS/UPDATES:  
03/15/2016 ADDED WETLANDS LOCATION AND HERITAGE TREES  
07/07/2016 ADDED MEAN ANNUAL HIGH WATER MARKS  
02/20/2018 REVISED TITLE BLOCK TO DAVID C. HOLMAN, P.S.M., L.L.C.  
11/10/2023 UPDATE BOUNDARY SURVEY  
11/21/2023 ADD MANHOLE INVERTS  
11/21/2023 ADD ADDITIONAL DRAINAGE DITCH LOCATIONS  
11/25/2023 REMOVE 2016 WETLAND LINE  
02/21/2024 UPDATE HERITAGE TREES  
03/07/2024 RESIZE TEXT TO BE NO SMALLER THAN 0.10"

ACAD FILE: B59 HEITMAN'S BONITA SPRINGS

DATE: 12/28/2016 SCALE: 1" = 40' DRAWN: DCH

FOR: RUDOLF AUGUST BAUER  
THE SOUTH 548.67 FEET OF BLOCK 59, HEITMAN'S BONITA SPRINGS TOWNSITE AS RECORDED IN PLAT BOOK 6, PAGE 24 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA LESS AND EXCEPT THE EASTERLY 25 FEET FOR WISCONSIN STREET.  
David C. Holman, P.S.M., L.L.C.  
16446 BONITA LANDING CIRCLE  
BONITA SPRINGS, FLORIDA 34135  
PHONE: (239)289-6210 FAX: (239)352-0018 EMAIL: dchpsm6279@gmail.com  
CHECKED: DCH BOOK: PAGE: FILE NO: 2023.000

FOUND 1/2" IRON PIN NO CAP

JOHNSON STREET  
50' WIDE RIGHT-OF-WAY

OWNER: UNKNOWN  
HEIRS OF MORALES  
LOUIS ARMANDO  
(INSTRUMENT No.: 2012000224825)  
(RESIDENCE)

FOUND 5/8" IRON PIN AND CAP STAMPED LBN6386  
N 01°26'37" W 137.21' (MEAS.)  
0.21' EAST AND 0.92' NORTH

FOUND 5/8" IRON PIN AND CAP STAMPED LB 6782

OWNER: REBECCA NOVAK  
AND KATHY VAN DINE  
(INST. No.: 2012000272181)  
(RESIDENCE)

105.00' (DEED)  
104.32' (MEASURED)

FOUND 1/2" IRON PIN NO CAP

OWNER: EMILY HENDERLONG  
(INST. No.: 2010000110712)  
(RESIDENCE)

OWNER: MATTHEW GRADOWSKI  
(INST. No.: 2015000168923)  
(RESIDENCE)

105.00' (DEED)  
105.17' (MEASURED)

FOUND 5/8" IRON PIN AND CAP STAMPED LB 6897

OWNER: TOMMY LEE II  
AND DAWN LEIDIG  
(O.R. BOOK 4814, PAGE 2496)  
(VACANT)

CENTERLINE OF A 40' EASEMENT LYING BETWEEN BLOCKS 58 & 59 PER PLAT OF HEITMAN'S BONITA SPRINGS TOWNSITE, PLAT BOOK 6, PAGE 24, LEE COUNTY, FLORIDA.

OWNER: ALLEN ROWE  
(INST. No.: 2008000140986)  
(RESIDENCE)

EXISTING DRAINAGE DITCH

OWNER: UNKNOWN  
(NEW RESIDENCE)

0.9' WIDE CONCRETE HEADWALL WITH TWIN 24" RCP INV. S. NN 4.42'

CENTER OF SECTION  
FOUND 80D NAIL  
N 88°31'04" E 666.48' (MEASURED)

CATCH BASIN  
GRATE = 8.22'

CATCH BASIN  
GRATE = 7.56'

CATCH BASIN  
GRATE = 7.52'

SEWER MANHOLE  
GARRETT STREET

BENCHMARK  
SET PARKER-KALON NAIL AND DISK  
STAMPED TRAV-BM PSM 6279  
ELEVATION = 7.44' (N.A.V.D. 1988)

OWNER: JOSEPH A. LAWHON  
(INSTRUMENT No.: 2012000224825)  
(VACANT)

N 88°30'38" E 635.00' (DEED)  
N 88°30'38" E 635.09' (MEASURED)

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK  
TOP OF NAIL ELEVATION = 3.36'

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK  
TOP OF NAIL ELEVATION = 3.06'

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK  
TOP OF NAIL ELEVATION = 2.96'

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK  
TOP OF NAIL ELEVATION = 3.24'

THE SOUTH 548.67 FEET  
OF BLOCK 59  
STRAP: 34-47-25-B2-00259.0020  
FOLIO ID: 10467210  
(VACANT, HEAVILY WOODED)

TOTAL PARCEL AREA  
349,896 SQ.FT. OR  
±8.033 ACRES

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK  
TOP OF NAIL ELEVATION = 3.21'

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK  
TOP OF NAIL ELEVATION = 3.09'

S 88°31'20" W 635.00' (DEED)  
S 88°31'20" W 635.18' (MEASURED)

S 88°31'04" W 635.17' (MEASURED)

SEWER MANHOLE  
SUFFRIDGE DRIVE

FOUND 1/2" IRON PIN AND CAP STAMPED MOA 3553  
0.23' WEST AND 0.12' SOUTH

FOUND 1/2" IRON PIN NO CAP

WOOD UTILITY POLE

GUY ANCHOR

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

SEWER MANHOLE  
NORTH RIM ELEV.=3.83N  
8" CLAY PIPE INV. N. = -4.55'  
8" CLAY PIPE INV. W. = -4.55'  
10" CLAY PIPE INV. S. = -4.82'  
10" CLAY PIPE INV. E. = -4.65'

LOT 33  
(PARK PLACE)

BENCHMARK  
SET PARKER-KALON NAIL AND DISK  
STAMPED TRAV-BM PSM 6279  
ELEVATION = 4.07' (N.A.V.D. 1988)

SEWER MANHOLE  
NORTH RIM ELEV.=4.17N  
10" CLAY PIPE INV. N. = -4.10'  
8" CLAY PIPE INV. E. = -1.53N  
10" CLAY PIPE INV. S. = -4.18N

GATE VALVE  
TELEPHONE PEDESTAL  
WOOD UTILITY POLE

FIRE HYDRANT  
FIRE GATE VALVE

LOT 32  
(PARK PLACE)

CATCH BASIN  
GRATE ELEV.=2.07'  
(FULL OF WATER)

CANAL

LOT 21  
(PARK PLACE)

BENCHMARK  
SET PARKER-KALON NAIL AND DISK  
STAMPED TRAV-BM PSM 6279  
ELEVATION = 3.96' (N.A.V.D. 1988)

WOOD UTILITY POLE

TONYA COURT  
60' WIDE RIGHT-OF-WAY

GATE VALVE

SEWER MANHOLE  
NORTH RIM ELEV.=4.23'  
10" CLAY PIPE INV. N. = -2.77'  
8" CLAY PIPE INV. E. = -2.71'  
10" CLAY PIPE INV. S. = -2.71'

LOT 20  
(PARK PLACE)

TELEPHONE PEDESTAL  
WOOD UTILITY POLE  
FIRE HYDRANT  
FIRE GATE VALVE

LOT 1  
(PARK PLACE)

TELEPHONE PEDESTAL

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

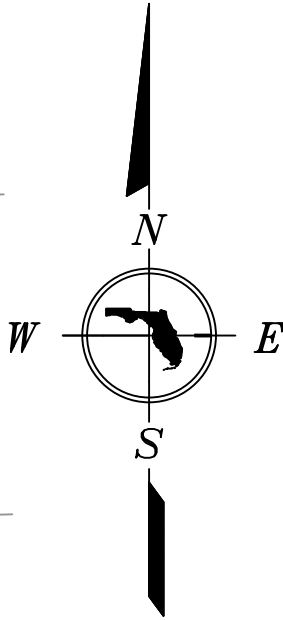
WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE



EX "B"



STRAP NUMBER: BONITA SPRINGS, FL 34135  
PARCEL NUMBER: 34-47-25-B2-00259.0020  
SITE AREA: 8 ACRES  
INCORPORATED AREA: CITY OF BONITA SPRINGS  
CURRENT ZONING: AG-2  
PROPOSED ZONING: RESIDENTIAL PLANNED DEVELOPMENT  
FUTURE LAND USE: MODERATE DENSITY RESIDENTIAL  
EXISTING LAND USE: VACANT  
MAX BUILDING HEIGHT: 35' FROM THE BASE FLOOD ELEVATION TO THE EAVES  
MAX NUMBER OF STORIES: 4

OPEN SPACE & PRESERVE

REQUIRED OPEN SPACE: 40% (3.20 AC)  
PROVIDED OPEN SPACE: 62.5% (5.00 AC)  
REQUIRED PRESERVE: 20% (1.60 AC)  
PROVIDED PRESERVE: 20% (1.62 AC)

SITE DENSITY

PERMITTED ALLOWABLE DENSITY: 42 UNITS  
PROPOSED SINGLE-FAMILY DETACHED UNITS: 14  
PROPOSED SINGLE-FAMILY ATTACHED (ZERO LOT LINE) UNITS : 26  
TOTAL PROPOSED DENSITY: 14 + 26 = 40 UNITS

LOT DIMENSIONS AND SETBACKS

SINGLE-FAMILY DETACHED INTERIOR UNITS: 60' WIDE X 97' DEEP  
LOT COVERAGE: 2,752 / 5,820 SF = 47%  
  
SINGLE-FAMILY DETACHED UNITS ON CORNERS: 67' OR 81.5' WIDE X 97' DEEP  
LOT COVERAGE: 2,752 / 6,499 SF = 42% OR LESS  
  
SINGLE-FAMILY ATTACHED UNITS: 32' OR 32.5' WIDE X 95' DEEP  
LOT COVERAGE: 1,834 / 3,104 SF = 60%  
  
PROVIDED BUILDING SETBACKS:  
FRONT: 25' MIN.  
REAR: 20' MIN.  
SIDE: 5' MIN. (EXCEPT ATTACHED/ZERO LOT LINE SIDES)  
PERIMETER BOUNDARY: 15' MIN.

PARKING

UN-ATTACHED UNITS: 3 CAR GARAGE + 2 DRIVEWAY SPACES  
ATTACHED UNITS: 2-CAR GARAGE + 2 DRIVEWAY SPACES

ADJACENT ZONING / USE

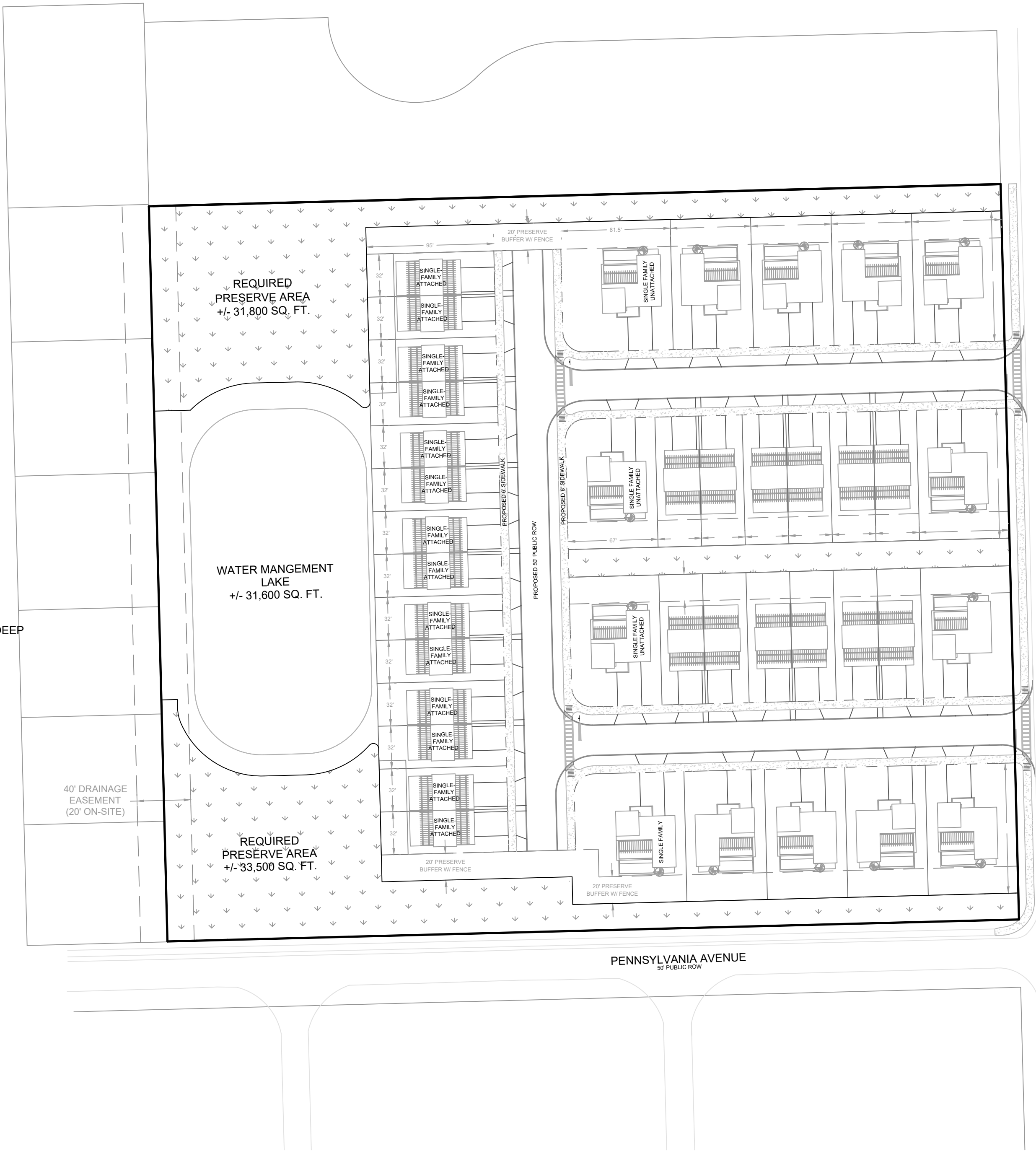
NORTH: RPD / VACANT  
SOUTH: RS-1 / SINGLE-FAMILY HOMES  
EAST: TCF-2 & RS-1 / SINGLE-FAMILY HOMES  
WEST: RS-1 / SINGLE-FAMILY HOMES

DEVIATIONS

1. RELIEF FROM LDC SECTION 3-417(b)(1)(a) - PRESERVE SETBACK
2. RELIEF FROM LDC SECTION 3-417(b)(6)(a) - PRESERVE SETBACK

NOTE

THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF AGENCY PERMITTING, PLAT APPROVAL, OR DEVELOPMENT ORDER. HOWEVER, ANY SUCH MODIFICATIONS SHALL BE IN COMPLIANCE WITH THE APPLICABLE LAND DEVELOPMENT CODE (LDC) DESIGN STANDARDS AND GUIDELINES.



## ATTACHMENT “A”

### **BACKGROUND AND INFORMATIONAL ANALYSIS:**

#### Surrounding Land Use:

| <u>Existing Zoning &amp; Land Use</u>                                           | <u>Future Land Use Map</u>                                       |
|---------------------------------------------------------------------------------|------------------------------------------------------------------|
| Subject Parcel: Agricultural (AG-2), Vacant                                     | *Moderate Density Residential<br>5.8 dwelling units/acre (du/ac) |
| North: Residential Planned Development (RPD),<br>Vacant                         | *Mod. Den. Res. 5.8du/ac                                         |
| East: Two-Family Attached (TFC-2), Single<br>Family/Duplex (SF/DUP) Residential | Medium Density Residential<br>11.6du/ac                          |
| South: Residential Single Family (RS-1), SF<br>Residential                      | *Mod. Den. Res. 5.8du/ac                                         |
| West: AG-2 & RS-1, SF Residential                                               | *Mod. Den. Res. 5.8du/ac                                         |

\*Category allows up to 6du/ac for planned developments (PD's)

#### Planned Development Analysis

| Review criteria                                                                                                                               | Yes – Mostly - Partly - No                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Demonstrate compliance with the Bonita Plan, this Land Development Code, and any other applicable code or regulation                          | Yes – The application is in compliance with the Comprehensive Plan and applicable Land Development Code Regulations                                                                                                                                                                        |
| The request meets or exceeds performance and location standards set forth for the proposed uses                                               | Yes – The MCP with associated conditions presented by Staff will meet the standards of the Land Development Code.                                                                                                                                                                          |
| Including the use of TDR or affordable housing bonuses are the densities or intensities (general uses) consistent with the Comprehensive Plan | Mostly – The proposed density is only achievable if approximately 2+ acres of wetlands are mitigated. Staff had requested an alternate MCP that showed a proposed layout and configuration should mitigation efforts be unsuccessful. The request was denied by the Applicant. However the |



|                                                                                 |                                                                                                                                         |
|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                 | proposed density does not violate the provisions of the Comprehensive Plan.                                                             |
| The request is compatible with existing or planned uses in the surrounding area | Yes – The surrounding uses are residential in nature. The proposed development is also residential and is considered an infill project. |

|                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development | Yes-- The proposed residential development will account for less than 2% of the roadway capacity of the analyzed segments.                                                                                                                                                                                                                                                                                                                                                              |
| Will the request adversely affect environmentally critical areas and natural resources                                                                                                                                 | Partly – In order to achieve the desired density and lot layout, a portion of an existing wetland will need to be mitigated. However, based on the Applicant's environmental study (as confirmed by Staff), the wetland is infested with exotic vegetation and is of lower quality—making mitigation approval likely achievable. Additionally, clustering the development will help to preserve additional indigenous land areas compared to the standard 75ft x 100ft lot subdivision. |
| Public facilities are, or will be, available and adequate to serve the proposed land use                                                                                                                               | Yes - Public facilities are available to the site.                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Deviations needed to enhance or to achieve the objectives of the planned development                                                                                                                                   | Partly – The proposed deviations are related to preserve setbacks and wildland mitigation. However, if approved, the deviations would allow for more useable space on the lots while still being mindful of the preserve areas.                                                                                                                                                                                                                                                         |
| Deviations needed to preserve, promote and or protect the public health, safety and welfare                                                                                                                            | Yes – the proposed deviations as conditioned will still provide for the preservation and separation of the homes and the preserve/open space areas. A physical barrier (i.e. a fence) will be installed to promote this separation, adding to the safety and welfare of the residents of the project.                                                                                                                                                                                   |

### Environmental

The Applicant provided an environmental assessment and a protected species assessment for review by City Staff. The City's environmental specialist reviewed the assessments carefully and inspected the site on multiple occasions to verify the findings of the assessments. The site was reviewed and inspected for a variety of species, including (but not limited to) gopher tortoises, black bears, panthers, herons, bonneted bats, egrets, scrub jays, eastern indigo snakes, and big cypress fox squirrels, among others. There was no evidence that the property was being used by any of the listed species in the report.

Additionally, the on-site vegetation was carefully logged and assessed and it was determined that the site had the following vegetative characteristics:

| FLUCCS CODE | DESCRIPTION                                       | ACREAGE     |
|-------------|---------------------------------------------------|-------------|
| 411E3       | Pine Flatwood, Invaded by Exotics (51-75%)        | 3.83        |
| 450         | Mixed Exotic Upland Forest                        | 1.30        |
| 510         | Ditch                                             | 0.13        |
| 619         | Exotic Wetland Hardwoods                          | 2.14        |
| 625E3       | Hydric Pine Flatwoods Invaded by Exotics (51-75%) | 0.49        |
| 743         | Berm                                              | 0.11        |
|             | <b>Upland Subtotal</b>                            | <b>5.26</b> |
|             | <b>Wetland Subtotal</b>                           | <b>2.63</b> |
|             | <b>Other Surface Waters Subtotal</b>              | <b>0.11</b> |
|             | <b>Total</b>                                      | <b>8.00</b> |

As discussed elsewhere in this attachment and the staff report, the subject property is in a future land use category that does not allow the wetland acreage to be used for density purposes. As a result, approximately 2.63 acres would be removed from the density calculations, which would yield a maximum density of approximately 31 units. The proposed master concept plan shows 40 units, which is within the limits of the future land

use category if the 2.63 acres of wetlands are mitigated. The environmental report indicates that the wetlands are between 51-75% infested with invasive exotic vegetation and does not completely function as a high quality wetland. This was confirmed by the City during an on-site inspection. Pursuant to Condition 4, the Applicant will need to provide evidence of mitigation to Community Development during the local development order process. Failure to provide this will void the proposed MCP and the Applicant would need to amend the planned development to obtain approval for a modified MCP.

### Stormwater

The Applicant provided a surface water management plan for review by Staff. The natural flow of water and runoff is north towards the Imperial River. The proposed drainage concept acknowledges this historic flow and proposes an on-site flow in that direction. A stormwater detention pond is proposed towards the west side of the project area and will be over 38,000sf in area. Water will be collected from the yards, streets, and homes and will be directed to the pond where it will discharge through a control structure into a drainage easement that will move the water towards the river at a controlled rate. A more detailed stormwater management plan will be required to be submitted at time of local development order.

### Traffic

The Applicant provided a Traffic Impact Statement (TIS), which was reviewed by the City's transportation engineer. Some of the key segments that were analyzed for the report were Pennsylvania Avenue (west of Old 41), Wisconsin Street (north of Bonita Beach Road), Bonita Beach Road (east of Arroyal Road), Bonita Beach Road (between Wisconsin and Michigan Street), and Old 41, (south of Bernwood Parkway). The projected impact of the project on the level of service (LOS) of the aforementioned segments and roadways is less than 2% (1.97% at its highest level). Anything less than 3% is considered a project of non-significant impact. At this time, due to the de minimus impacts, there are no proposed modifications that are necessary to the affected roadways.

### Comprehensive Plan

The property is located in the Moderate Density Residential future land use category. This category is described as follows:

***Policy 1.1.7: Moderate Density Residential*** - Intended to accommodate and preserve single-family residential development at a maximum density of up to 5.8 dwelling units per gross acre and approximately 1,977 acres of gross land area in the land use category; planned unit developments at a maximum density of six units per acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. *Appropriate residential housing types include conventional and modular constructed single-family homes on permanent foundations.*
- b. *Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.*

The proposed project does not exceed the density allowances of the future land use category. However, as stated previously, the proposed density only becomes realistic if the Applicant is successful with the request to mitigate the on-site wetlands.

With regards to the types of dwelling units proposed, the category lists conventional and modular single-family construction as the appropriate type. The Applicant is proposing conventional single-family development, as well as two-family attached development. From a consistency and compatibility standpoint, two-family attached units are similar to conventional single-family in that each unit is located on a separate lot under separate ownership. Each unit would have its own associated STRAP number and address and would pull its own building permit. Additionally, similar housing types exist in the surrounding neighborhoods to the east and south, which makes the proposal consistent with the existing area. The Staff opinion is that Policy 1.1.4 (Allowable Uses) of the Future Land Use Element can be exercised to permit this development type. The policy states:

**Policy 1.1.4: Allowable Uses** - *The listing of appropriate land uses in each of the individual land use categories identifies those uses generally expected to be appropriate. However, other uses which are similar in character, intensity and impacts to those listed may also be deemed to be appropriate.*

With regards to the Traffic Element, a Traffic Impact Statement (TIS) was provided and was reviewed by the City's traffic engineer. As stated in the traffic analysis section, the plan is not one of significant impact to the roadway network. Provisions for multi-modal facilities will be provided. It is the Staff opinion that the project is consistent with the traffic element of the Bonita Plan.

With regards to the Housing Element, this residential project is proposed in a residential area, where projects of this nature are appropriate. It represents an infill project offering new construction opportunities in an area that does not have new construction readily available. The Staff opinion is that the project is consistent with the housing element of the Bonita Plan.

The project is located within the Coastal High Hazard Area and the Coastal Management Area, and as such, Staff requested that the Applicant supply a narrative demonstrating consistency with this element. The proposal is an infill project and the proposed density

is less than the maximum that could be permitted in the future land use category. The project will be required to be designed in accordance with the City's Flood Damage Protection Ordinance and the Florida Building Code. Any wetland impacts will need to be appropriately mitigated.

The remaining comprehensive plan elements would not apply to this project.



RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

Support \_\_\_\_\_ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St RPD

Traffic on Pennsylvania Ave is ALREADY REALLY BUSY.  
ALL The homes + condos will make Pennsylvania Ave a Night Mar!  
40 dwelling units is to many.  
Best regards, Christine Youssef

DATE: Sept 9, 2024  
NAME: NABIL & CHRISTINE YOUSSEF PHONE: 239-633-5550 & 239-560-7478  
ADDRESS: 10306 Pennsylvania Ave CITY/STATE/ZIP: Bonita Springs, FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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



RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Figon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfigon@cityofbonitaspringscd.org](mailto:mfigon@cityofbonitaspringscd.org)

Support \_\_\_\_\_ Oppose ☒

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St RPD

DATE: 9/9/24  
NAME: Jennifer Berger PHONE: (239) 603-2051  
ADDRESS: 27631 Barrett St. CITY/STATE/ZIP: Bonita Springs 34135  
Florida

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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



RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

Support \_\_\_\_\_ Oppose ✓

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 8/22/2024  
NAME: Luis Jenkins PHONE: (239) 777-9989  
ADDRESS: 2755 Sullivan Dr CITY/STATE/ZIP: Bonita Spring FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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



RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

Support \_\_\_\_\_ Oppose ☒

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 9-3-2024  
NAME: Charity Black PHONE: 239-671-0655  
ADDRESS: 2775 Surfside Dr. CITY/STATE/ZIP: Bonita Springs, FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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

*Charity Black*

RETURN TO:

City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

Support \_\_\_\_\_ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 8-21-24  
NAME: Robert Schleinfelder PHONE: 260-341-0431  
ADDRESS: 4820 Middlebush Dr CITY/STATE/ZIP: Fort Wayne IN 46835

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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

Fl. Address : 57271 Condo 329A  
East Hacienda Blvd.  
Bonita Springs FL 34135



**RETURN TO:**

City of Bonita Springs  
Community Development Department  
Attn: Mike Fligon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfligon@cityofbonitaspringscd.org](mailto:mfligon@cityofbonitaspringscd.org)

Support \_\_\_\_\_ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

*The current infrastructure particularly Wisconsin and Pennsylvania cannot handle a significant increase in traffic that would result in up to 40 additional dwellings (possibly 80+). This would lead to safety concerns, traffic and the decline in the quality of life for current residents. When I purchased my lot on Tanya Ct, I took into account the agricultural zoning and the nature of the neighborhood. High density housing contradicts the character of the neighborhood and undermines the expectations of those who have invested in the community.*

DATE: 8/19/24 *If any change is made I propose like kind size SFR Residential like those in Sunbeam*  
NAME: MARK ARVICH TRUST PHONE: 239 860.7667  
ADDRESS: 9765 Tanya Ct CITY/STATE/ZIP: Bonita Springs FL 34135 *or Bonita Springs FL*

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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

**RETURN TO:**

City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

Support \_\_\_\_\_ Oppose ✓

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 9/9/2024  
NAME: JEN HAYES, MARK ATHANACIO PHONE: 239-777-1758  
ADDRESS: 9793 MONTANA CT CITY/STATE/ZIP: BONITA SPRINGS, FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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



Aug. 22, 2024

RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

Support ☒ Oppose ☐

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

We need new construction in the area.

DATE: August 22, 2024  
NAME: Wisconsin Street LLC PHONE: 239.595.9100  
ADDRESS: 1495 Rail Head Boulevard CITY/STATE/ZIP: Naples, Fl. 34110  
Unit 5

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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

RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fligon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfligon@cityofbonitaspringscd.org](mailto:mfligon@cityofbonitaspringscd.org)

*Thank you  
for your  
consideration.*

Support \_\_\_\_\_ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 10-3-2024

NAME: Grace Strycharz

PHONE: 239-434-2200

ADDRESS: 22305 Johnson St.

CITY/STATE/ZIP: 34135

*Bonita Springs FL*

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_

PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

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



RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

Support ☒ Oppose ☐

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 11/2/24  
NAME: Tamara Ludwig PHONE: 239-825-9393  
ADDRESS: 27541 Garrett St CITY/STATE/ZIP: Bonita Spg, FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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

**From:** [Michael Fiigon](#)  
**To:** [Cynthia Vargas](#)  
**Subject:** FW: Hello Mike, thank you for the informative conversation on the phone recently.  
**Date:** Wednesday, August 7, 2024 2:15:31 PM

---

For the file please

---

**From:** Lonnie Firkus <lfirkus@gmail.com>  
**Sent:** Wednesday, August 7, 2024 2:14 PM  
**To:** Michael Fiigon <mfiigon@cityofbonitaspringscd.org>

**Subject:** Hello Mike, thank you for the informative conversation on the phone recently.

Hello Mike, thank you for the informative conversation on the phone recently.

Denise and I own the property at 27451 Wisconsin St. Just across from the proposed development. Regarding the proposed development, we along with the neighborhood at large are concerned about traffic being substantially increased on Wisconsin Street. It seems the negative impact to safety and traffic volume in our neighborhood could be easily alleviated by routing traffic directly south onto Pennsylvania Avenue. The approximately 100 to 120 vehicle increase in traffic flowing through a four-way stop will undoubtedly cause back ups into our narrow residential streets incurring safety hazards. A second concern is the extreme height of structures as currently proposed. 35 feet of height will allow a sight line directly into neighbors yards/private spaces. This observation deck should not be allowed as the only thing that can be observed, is the surrounding neighbors.

A third concern is the fact that our canal is flooding its banks more often than in recent years. A 24 inch storm pipe has recently been installed to fast track storm water from south of Pennsylvania. With any more impervious development. we will undoubtedly flood more regularly at our properties.

Thank you for your consideration.

Lonnie and Denise Firkus and family.



RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

Support \_\_\_\_\_ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

1) Oppose because of excess traffic to Wisconsin Street instead of direct to Pennsylvania  
2) Oppose because of increased impermeability as flooding is increasing steadily at and around this location

DATE: 9-25-2024

NAME: Louie

PHONE: 715-340-9317

ADDRESS: 27451 Wisconsin Street

CITY/STATE/ZIP: Bonita Springs

FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_

PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

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

**From:** [Michael Fiigon](#)  
**To:** [Cynthia Vargas](#)  
**Subject:** FW: 8 acre project on Wisconsin and Pennsylvania  
**Date:** Tuesday, August 6, 2024 12:03:51 PM

---

For the file please.

---

**From:** John Schoenheit <[john@spiritandtruthonline.org](mailto:john@spiritandtruthonline.org)>  
**Sent:** Tuesday, August 6, 2024 8:08 AM  
**To:** Michael Fiigon <[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)>  
**Subject:** 8 acre project on Wisconsin and Pennsylvania

Good morning Mike, I'm writing about the proposal to build on the 8 acre site adjoining Wisconsin Street and Pennsylvania Street. The project number is **PD23-106206-BOS**. I am concerned about over developing and too much housing density. As you know, we just had a tropical storm, and our street Tonya Court could not handle the needed drainage. At the east end of the street there was actually water coming up out of the drain instead of going into it. Also, the West End of the street was completely flooded and quite a few inches deep. Water was also coming up out of the drains on Montana the street north of Tonya Court.

As you know, houses contribute to a drainage problem, and I am concerned that if there are too many houses that this area will flood much more readily. I know developers want to cram as many houses as possible into the space available, but in this case that may cause serious problems. Can we limit the housing density in that 8 acres and provide good drainage for the site?

I am also concerned about where the roads out of that development would intersect Wisconsin Street. I have been told they cannot connect the road to Pennsylvania Avenue, which means they will almost certainly connect to Wisconsin. If that is the case, is there a way to make sure they don't connect exactly opposite of Tonya Court? It will not help our housing value or lifestyle to have headlights shining down our street every night.

Thanks for considering these requests.

Sincerely,

John Schoenheit

317-413-6111

[Johnschoenheit77@gmail.com](mailto:Johnschoenheit77@gmail.com)

**From:** [Michael Fiigon](#)  
**To:** [Cynthia Vargas](#)  
**Subject:** FW: PD23-106206-BOS Pennsylvania Avenue / Wisconsin Street Development  
**Date:** Tuesday, September 17, 2024 1:13:32 PM  
**Attachments:** [9.17.2024 Form for City of BS Zoning09172024.jpg](#)

---

**From:** kingarthuriv@icloud.com <kingarthuriv@icloud.com>

**Sent:** Tuesday, September 17, 2024 8:54 AM

**To:** Michael Fiigon <mfiigon@cityofbonitaspringscd.org>

**Cc:** 'Nigel Fullick' <nigel.fullick@cityofbonitasprings.org>

**Subject:** PD23-106206-BOS Pennsylvania Avenue / Wisconsin Street Development

Dear Mike Fiigon & Nigel: I am unable to attend the meeting in person at City Hall in 7 minutes  
RE: the 40 + properties being proposed at: PD23-106206-BOS Pennsylvania Avenue /  
Wisconsin Street Development. I am ill this morning. My wife and I are opposed. Please see  
attached. I hope that you know, those of us who live near Pennsylvania & Wisconsin are  
extremely worried & disappointed about a proposition like this in our neighborhood in some of  
the only green space left. Do we really need that many residences? As stated in the attached,  
irresponsible growth such as this shows zero concern for those of us living here and those who  
might be in the future (such as families who will be overcrowded & on top of one another on  
this 8 acres).

Please know we are following your plans carefully and DO NOT like to see this type of  
outlandish building.

Please reach out to me or my wife, Erin, anytime with questions, concerns or any further  
details needed.

Wishing you a good Tuesday and thank you for your time....

Ron Arthir

EMAIL ADDRESS: [KingArthurIV@icloud.com](mailto:KingArthurIV@icloud.com)

PHONE: 239-273-2019

MAILING ADDRESS:

27645 Baretta Drive

Bonita Springs, FL 34135

---



**From:** [Erin Zappia](#)  
**To:** [Michael Fiigon](#)  
**Cc:** [Cynthia Vargas](#)  
**Subject:** Concerns regarding Pennsylvania-Wisconsin Development PD23-106206-BOS  
**Date:** Wednesday, July 24, 2024 11:04:26 PM  
**Attachments:** [proposed site plan for wisconsin and pennsylvania with home marked .pdf](#)

---

Hi Mike,

First, I'm sorry for the very long email that you're about to read. It may be lengthy, but it's extremely important.

I have several concerns regarding the proposed development on Pennsylvania-Wisconsin and would like those concerns noted on file and hopefully addressed. While the majority of the concerns that I will be stating are shared amongst my fellow neighbors, there is one particular concern which would only affect me, my family, and my property with regard to the proposed site plan.

I am talking, of course, about the design of the streets and the fact that one of the streets faces the side of my home. I live at 9750 Tonya Ct. When looking at the proposed site plan the South entrance/exit of the proposed development is directly aimed at the side of my home (see attached). The street is not aimed at my front yard or backyard but, specifically at the side of my home where my primary bedroom is. At last year's neighborhood meeting I voiced my concern about that design and I was met with "we'll see what we can do".

When I arrived at the recent neighborhood meeting I was surprised and disappointed that my concern was not taken as seriously as it should be. The developers offered to plant Clusia hedges along the side of my property, facing the proposed street...but there was no effort made to change the location of the street. My home has been there since 1971, long before this proposed development was even a thought. Are you aware that every day in the US there are at least 60 reported accidents of vehicles crashing into buildings? (source: [Miami Herald](#)). Additionally, according to the Florida Highway Safety and Motor Vehicles 2022 report, there were 196 incapacitating injuries and 40 fatalities reported specifically for collisions into buildings (source: [FLHSMV 2022 report](#)). According to the same report, 424 incapacitating injuries and 73 fatalities were reported for running a stop sign (source: [FLHSMV 2022 Report](#)). Again, that proposed street would be aimed at my bedroom...

Why is it that the safety of my family and my home is less important than the design of this new development? They have 8 acres of land to plan upon...and the best idea they could come up with is to place a street aimed at a house that has been there for 53 years? As a homeowner and Realtor, I take a great deal of pride in my property. Not only am I concerned from a safety aspect, but by placing a street aimed at my home it will also negatively affect my property value. I have worked extremely hard to keep my property well maintained and updated and it would be a disappointment if the City were to allow my property to be directly and negatively impacted by this new development. As I stated, no other home in the surrounding neighborhood will be affected in this same way. Between the developers and the City, there have to be some ideas that can change the street flow so that my family's safety is not in jeopardy.

My other concerns are shared amongst my fellow neighbors:

1) The proposed community will be an HOA with 14 single family homes and 13 coach homes (26 properties) for a total of 40 new homes. The current design of these buildings is 3 floors with the garage as the base/first floor with a max height of 35 feet. The current design includes a rooftop balcony/lanai space. [At the meeting, we \(homeowners\) stated that the height of this outdoor space would remove the privacy of the surrounding neighbors.](#)

2) The current plan has two ingress/egress roads for the new development, both on Wisconsin St. The current plan for the single family homes will have a 3 car garage while the coach homes will have a 2 car garage. I don't know if their HOA rules will stipulate anything about additional vehicles. With that being said, that is at least 80-100 new vehicles coming from that community....which does NOT include the vehicles from the 6 new single family homes that will be built on the 2 acres on the Northern part of Wisconsin St (which should be at least an additional 12-24). In total, we are talking about 92-124 ADDITIONAL vehicles trying to exit from Wisconsin Street...which also doesn't account for any delivery/vendor traffic. Also, what happens if the HOA plans to add gates to those streets? [The main consensus from the meeting was that everyone felt that a road NEEDED to be on Pennsylvania Ave to help ease the traffic flow from Wisconsin St since that is the only way out of our neighborhood.](#)

3) The retention pond on the West side of the proposed site plan is obviously meant to help with water runoff. However, I am not certain how that is going to majorly help the East side of the plan (closest to Wisconsin St). [Concerns were raised over how their construction will impact the surrounding neighborhoods with flooding as both Tonya Ct and Montana Ct flooded during Hurricane Ian. What will be done to prevent water runoff from the East side of the property?](#)

I am currently planning to attend one of the City Council meetings in August to voice these concerns. I hope by having them on file with you first that you can somehow shed some additional light to these issues and hopefully there can be a workaround so that it is favorable to us (neighborhood homeowners) and the developers.

Please confirm receipt of this email. I know that this is quite lengthy so I'm happy to discuss these issues with more detail, should the need arise.

I sincerely appreciate you taking the time to read through this. It means a lot.

Proud Bonita Springs Homeowner,

Erin Zappia  
(239) 272-1037

RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

SCANNED

Support \_\_\_\_\_ Oppose \_\_\_\_\_

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 2/4/25  
NAME: Lori Jenkins PHONE: 239 779 9889  
ADDRESS: 27915 Sulfurage Dr CITY/STATE/ZIP: Bonita Springs FL

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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



RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)



Support \_\_\_\_\_ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

PA AVENUE ALREADY TRAFFIC CONGESTED, AND SPEEDING.

NEIGHBORHOOD NOW QUIET - DEVELOPMENT WILL INCREASE TRAFFIC, SPEEDING, AND NOISE PLEASE DO NOT APPROVE

DATE: 2/7/2025

NAME: KAREN PANOC

PHONE: 508-280-7133

ADDRESS: #1571 HACIENDA E BLVD  
#329C

CITY/STATE/ZIP: BONITA SPRINGS, FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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



RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Filgon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfilgon@cityofbonitaspringscd.org](mailto:mfilgon@cityofbonitaspringscd.org)

RECEIVED  
CITY OF BONITA SPRINGS

FEB 25 2025

COMMUNITY DEVELOPMENT  
DEPARTMENT

SCANNED

Support \_\_\_\_\_ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 2-14-25  
NAME: Rebecca Jablonski PHONE: \_\_\_\_\_  
ADDRESS: 27269 Partridge St CITY/STATE/ZIP: Bonita Springs FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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

RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

RECEIVED  
CITY OF BONITA SPRINGS

FEB 25 2025

COMMUNITY DEVELOPMENT  
DEPARTMENT

SCANNED

Support \_\_\_\_\_ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 2-12-2025  
NAME: Margaret DeLyane PHONE: \_\_\_\_\_  
ADDRESS: 27571 Hacienda Ave CITY/STATE/ZIP: Bonita Springs, FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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



RETURN TO:  
City of Bonita Springs  
Community Development Department  
Attn: Mike Fiigon  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135  
[mfiigon@cityofbonitaspringscd.org](mailto:mfiigon@cityofbonitaspringscd.org)

RECEIVED  
CITY OF BONITA SPRINGS

FEB 28 2025

COMMUNITY DEVELOPMENT  
DEPARTMENT

SCANNED

Support X Oppose \_\_\_\_\_

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 2/11/25  
NAME: Tanira Ludwig PHONE: 239-825-9393  
ADDRESS: 27541 Garrett St. CITY/STATE/ZIP: Bonita Spgs, FL 34135

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

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

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

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

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

**ITEM TITLE:** (SECOND READING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; REZONING APPROXIMATELY 4.6± ACRES FROM THE TWO-FAMILY CONSERVATION (TFC-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 48 DWELLING UNITS; LOCATED AT 11035, 11089, 11113, 11125 DEAN STREET, STRAP NUMBERS 36-47-25-B4-00064.0000, 36-47-25-B4-00063.0000, 36-47-25-B4-00062.0010, 36-47-25-B4-00065.0000, 36-47-25-B4-00064.0010, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

**REQUESTOR:** Mary Tornberg, Esq., AICP, Senior Planner, Community Development

**AGENDA SECTION:** Public Hearings - Zoning and Land Use Items

**STRATEGIC PRIORITY:**

---

**BACKGROUND:**

The request is to rezone approximately 4.6± acres of residential property to a Residential Planned Development (RPD), for up to 48 dwelling units, comprised of two-family villas (attached), with an on-site private recreation facility (amenity area). The project is located at the northeast corner of Dean Street and Matheson Avenue, surrounded by vacant land, and single-family and duplex structures.

The proposed units are a two-family villa attached style dwelling unit that will be individually owned or leased, with infrastructure and common area elements under unified control. This form of ownership is commensurate with the Riverbend RPD, Brendan Cove RPD, portions of the Hacienda Village Planned Unit Development (PUD), and the Cracker Cove community within the Bonita Bay PUD. The density, as conditioned, is consistent with the maximum allowance of the Future Land Use Category for the parcel.

The case was heard by the Zoning Board on November 19, 2024, with a recommendation to deny the request (4-1), expressing concerns of the requested dwelling unit product, density, and the appropriateness of the requested deviation. The City Council first reading and public hearing was held on December 4, 2024, where Council feedback and public participation were provided. Since then, the Applicant requested deferrals to incorporate changes into the master concept plan and to host a community meeting to inform them of those changes.

The full packet will be available online to conserve resources.

**STAFF RECOMMENDATION:** Approval of the rezoning request

**ATTACHMENTS:**

1. Draft Zoning Ordinance (prepared by City Attorney)
2. Staff Report with Legal Description/Survey and Updated Exhibits and MCP Narrative
3. Resident Responses (Notice of Hearing Petitions)

---

**REVIEWERS:**

|                 |                   |
|-----------------|-------------------|
| City Manager:   | Arleen Hunter     |
| City Attorney:  | Derek Rooney      |
| City Clerk:     | Mike Sheffield    |
| Dept. Director: | John Dulmer, AICP |



CITY OF BONITA SPRINGS  
ZONING ORDINANCE NO. 25 - \_\_

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; REZONING APPROXIMATELY 4.6± ACRES FROM THE TWO-FAMILY CONSERVATION (TFC-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 48 DWELLING UNITS; LOCATED AT 11035, 11089, 11113, 11125 DEAN STREET, STRAP NUMBERS 36-47-25-B4-00064.0000, 36-47-25-B4-00063.0000, 36-47-25-B4-00062.0010, 36-47-25-B4-00065.0000, 36-47-25-B4-00064.0010, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Sagamore 955 RDF, LLC has filed an application to rezone 4.6 +/- acres from Two-Family Conservation ("TFC-2") zoning district to the Residential Planned Development ("RPD") zoning district to allow up to forty-eight (48) residential dwelling units; and

**WHEREAS**, the subject property is located at 11035, 11089, 11113, and 11125 Dean Street, Bonita Springs FL 34135. STRAP(s): 36-47-25-B4-00062.0010, 36-47-25-B4-00063.0000, 36-47-25-B4-00064.0000, 36-47-25-B4-00064.0010, and 36-47-25-B4-00065.0000; and is described more particularly as:

See Exhibit "A"

**WHEREAS**, a Public Hearing was advertised and heard on November 19, 2024 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board"), who gave full consideration to the evidence available and recommended denial (4-1) of the applicant's request and gave full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all interested parties. The Staff Report prepared by Community Development, and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

**WHEREAS**, the case was presented for First Reading for the City Council at their December 4, 2024, meeting; and

**WHEREAS**, City Council at their April 2, 2025, meeting considered the record of the Zoning Board on Case PD23-103517-BOS, and gave full consideration of the Staff Recommendation, the evidence and testimony.

**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 rezone the property from the TFC-2 zoning district to RPD zoning district with a maximum of forty-eight (48) dwelling units. In so doing, the City Council makes the following findings and conclusions, upon an analysis of the application and the standards for approval subject to the following conditions and deviations:

### **Conditions:**

1. The project shall be generally consistent with the Master Concept Plan provided and labeled as Exhibit "B."
2. Schedule of Uses:
  - Residential accessory uses and structures
  - Dwelling Unit (Maximum of 48 units):
    - Two-Family Villa (Attached)<sup>1</sup>
  - Essential Services
  - Parking Lot, Accessory (May include carports or enclosed garages)
  - Recreational Facilities, Personal; Private On-Site
  - Signs in accordance with Chapter 6 of the Land Development Code ("LDC")
3. Property Development Regulations: The Applicant proposes the following minimum property development standards:

|                                    | <b>Residential Two-Family Villa</b>              |
|------------------------------------|--------------------------------------------------|
| <b>Minimum Unit Size</b>           | 1,100 square feet                                |
| <b>Max. Height</b>                 | 35 feet (2 habitable stories)                    |
| <b>Front/Street Setback</b>        | 25 feet                                          |
| <b>Minimum Building Separation</b> | 10 feet                                          |
| <b>Internal Accessway</b>          | 12 feet (18 ft from face of garage) <sup>2</sup> |
| <b>Perimeter Setback</b>           | 15 feet                                          |
| <b>Accessory Structure</b>         | 25 feet from mean high-water line                |
| <b>Open Space</b>                  | 40%                                              |

4. All units must be under unified control or unified ownership.

---

<sup>1</sup> For purposes of this RPD, a Two-Family Villa (Attached) is defined as a building which contains two dwelling units; however, each unit is not located on a separate lot of record, but rather multiple two-family villa structures may be located on a single land parcel under condominium ownership or unified ownership.

<sup>2</sup> As measured from edge of pavement.

5. Structures shall be substantially compliant with the architectural elevations in Exhibit "C", to be reviewed by the City Architect at the time of local development order and at building permit request.
6. The floor plans shall be substantially compliant with Exhibit "D", while allowing for flexibility for the option of 2- or 3-bedroom units.
7. The Applicant shall coordinate with the City of Bonita Springs Public Works Department for any/all work within City-maintained Rights-Of-Way (ROW's) for any/all additional/separate permitting, design requirements, and inspections.
8. Environmental Conditions:
  - a. Per the Tree Advisory Board motion, at the time of local development order, each heritage tree to be removed shall be replaced with one bald cypress tree at 20' in height and with a 4" caliper within the dry detention areas for a total of four (4) replacement trees
  - b. At the time of local development order, landscape buffers shall be provided according to the Master Concept Plan.
9. The Applicant is required to coordinate with Community Development and Public Works to discuss access, drainage and site connection along the project's frontages on Dean Street and Matheson Avenue at time of local development order.
10. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City's LDC may be required to obtain a local development order.
11. The Applicant shall compliance with all local, state, and federal regulations for construction within floodways and floodplains.
12. Approval of this zoning action does not guarantee approval of a local development order or building permit.

**Deviations:**

1. Approved deviation from LDC [Section] 4-741(d)(4), Property Development Regulations, which addresses a minimum building separation of  $\frac{1}{2}$  the sum of the building heights, or 20 feet, whichever [is] greater, [where there are two or more principal buildings on a development tract], to instead permit the two-family villa dwellings to be a minimum separation of 10'.

**Exhibits:**

- A. Legal Description and Sketch of the Subject Property
- B. 11035 Dean Street RPD Master Concept Plan, dated March, 2025 (MCP)
- C. Architectural Elevation and Line of Sight
- D. Floor Plans

**SECTION TWO: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon adoption.

**DULY PASSED AND ENACTED** by the City Council of the City of Bonita Springs, Lee County, Florida, this 2<sup>nd</sup> day of April, 2025.

AUTHENTICATION:

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

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

Vote: Carr Corrie  
Purdon Fullick  
Fitzpatrick Bogacz  
Gibson

Date filed with City Clerk: \_\_\_\_\_



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

**TYPE OF CASE:** PLANNED DEVELOPMENT REZONE

**CASE NUMBER:** PD23-103517-BOS

**HEARING DATE:** November 19, 2024, Exhibits Updated for 4/2/2025 Hearing

**PLANNER:** Mary Zizzo, Esq., AICP, Senior Planner

**APPLICATION SUMMARY:**

- A. Applicant: Sagamore 955 RDF, LLC
- B. Agent: Q. Grady Minor & Associates, P.A.
- C. Request: A request to rezone 4.6± acres from Two-Family Conservation (TFC-2) to Residential Planned Development (RPD) to allow up to forty-eight (48) residential dwelling units.
- D. Location: 11035, 11089, 11113, 11125 Dean Street and Adjacent Right-of-Way
- E. Future Land Use Plan Designation: Medium Density Residential
- F. Current Zoning: Two-Family Conservation Residential District (TFC-2)
- G. Current Land Use: Vacant, Single-Family Home

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

## **BACKGROUND:**

The request is to rezone the 4.62± acres of properties, which are currently zoned Two-Family Conservation (TFC-2) to a Residential Planned Development (RPD), to allow up to forty-eight (48) dwelling units as “Two-Family Villas Attached”. The project is located at the corner of Dean Street and Matheson Avenue, surrounded by vacant, single-family and two-family duplex structures. The City’s current regulations do not contain a definition for Two-Family Villas (Attached) structures. The Applicant proposes a definition of the structures for consideration:

A building which contains two dwelling units; however, each unit is not located on a separate lot of record, but rather multiple two-family villa structures may be located on a single land parcel under condominium ownership or common ownership.

Subsequent review and analysis of this definition is provided in the Comprehensive Plan consistency section of this Staff Report.

Four of the five parcels are currently vacant. The remaining parcel has an existing single-family home, which will be demolished if the project is developed. The properties are surrounded by duplexes and single-family structures. Further review for consistency will be analyzed later in this Staff Report.

The proposed architectural elevation is below:



*Source: Applicant*

## **THE PURPOSE OF PLANNED DEVELOPMENT ZONING**

The purpose and intent of the various planned development districts is to further implement the Goals, Objectives, and Policies of the Bonita Springs Comprehensive Plan (Bonita Plan) by providing some degree of flexibility in planning and designing developments as defined in Land Development Code (LDC) 4-200(2). Pursuant to LDC Section 4-737, the intent of the RPD district is to further the general purpose of planned developments set forth in LDC Section 4-400(2) as it relates to residential areas. It is also the intent of the RPD district to provide a property owner or land developer with a development technique that can increase residential density and its ancillary development in areas designated by the Bonita Plan, provided that the proposed development is completely independent of City subsidized facilities and services, and that the project demonstrates that it will not have an adverse economic, environmental, fiscal or social impact to its surrounding environs or to the City.

The standard of review conducted by the City Staff and other review agencies provides the basis for the City Staff's recommendation on this rezoning request as outlined in LDC Section 4-131(d)(3) and LDC Section 4-299(a)(2) and (4) (See "Attachment A"). This recommendation is then presented to the City Council which has the final decision-making authority.

**Uses:** As part of the amendment request, the Applicant proposes the following Schedule of Uses:

Accessory Uses and Structures

Dwelling Unit (Maximum of 48 units):

Two-Family Villa (Attached)\*

Essential Services

Parking Lot, Accessory (May include carports or enclosed garages)

Recreational Facilities, Personal; Private On-Site

Signs

\*For purposes of this RPD, a Two-Family Villa (Attached) is defined as a building which contains two dwelling units; however, each unit is not located on a separate lot of record, but rather multiple two-family villa structures may be located on a single land parcel under condominium ownership or unified ownership.

**Property Development Regulations:** The Applicant also proposes the following property development standards:

|                    |                   |
|--------------------|-------------------|
| Minimum Unit Size: | 1,100 square feet |
| Minimum Lot Area:  | N.A.              |
| Minimum Lot Depth: | N.A.              |
| Minimum Lot Width: | N.A.              |

Minimum Setbacks:

Internal Accessway\* 12 feet (18 feet from face of garage to curb)

\*As measured from the edge of pavement

Street/Front (Matheson Ave. and Dean Street): 25 feet

Project Perimeter (Non-Street): 15 feet

Accessory Structures (Side and Rear): 5 feet

Rear: N/A\*\*

\*\*See project perimeter and building separation standards

Maximum Building Height: 35 feet, 2 stories maximum

Minimum Building Separation: 10 feet

Minimum Open Space: 40% Entire RPD

\*\*\*All Units Must Be Under Unified Control or Unified Ownership

## **DEVIATIONS**

Deviations may be requested during the review process in accordance with LDC Section 4-326. The Zoning Board and the City Council may recommend to approve, approve with modification, or reject each requested deviation based upon a finding that each item:

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

The City Manager or designee is also authorized to grant deviations from the technical standards for specific sections in LDC Chapter 3 based upon review criteria established in LDC 3-81(b). In those instances, the City Staff has evaluated those deviations as a part of this review process and may approve, approve with conditions, or reject the Applicant's request. The Applicant must ensure that the following criteria have been met:

1. The proposed alternative is based on sound engineering practices; and
2. The proposed alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested; and
3. For division 7 of article III of this chapter, Public Transit, the required facility would unnecessarily duplicate existing facilities; and
4. The granting of the deviation is not inconsistent with any specific policy directive of the city council, any other ordinance, or any city comprehensive plan provision; and



5. The granting of the deviation is not inconsistent with in the intent of the bicycle and pedestrian master plan, Bonita Beach Road Visioning Study, and the complete streets policy.

One (1) deviation is being requested as part of the planned development rezoning request. The request language, Applicant justification, and Staff response are shown below.

**Deviation Request #1:** A deviation from LDC [Section] 4-741(d)(4), Property Development Regulations, which addresses a minimum building separation of  $\frac{1}{2}$  the sum of the building heights, or 20 feet, whichever [is] greater, [where there are two or more principal buildings on a development tract], to instead permit the two-family villa dwellings to be a minimum separation of 10'.

**Applicant Justification:** *In order to achieve the proposed site layout with the two points of ingress and egress, the applicant is proposing the 10' separation as the minimum. The 10' separation will meet all building and life safety codes and will permit adequate space for required site infrastructure such as drainage facilities and landscaping.*

**Staff Analysis:** Based on the Applicant's justification, Staff recommends **APPROVAL** of this deviation request, which is consistent with many other planned development requests that require a minimum of a 10' building separation.

## **CONCLUSIONS:**

The following conclusions are based upon the Applicant's Application being reviewed for compliance with the Bonita Plan and the LDC. Attachment "A," which is attached hereto and made a part hereof, demonstrates the type of analysis that was done.

Pursuant to the City's LDC, the Applicant is required to hold two (2) neighborhood meetings. The first meeting was held on May 1, 2023, with 26 members of the public present. Concerns were raised about traffic impact, the need for sidewalks and crossing guards and potential for parking issues. The Applicant held its second meeting on May 7, 2024, with approximately 35 members of the public present. Concerns of flooding and drainage were expressed, as well as parking concerns. It should be noted that based on public input, the Applicant reduced their request to 48 dwelling units and added an amenity tract for the residents of the project.

Additional methods of public notice included mailed notices to properties within 375 feet of the property, posting signs along the site's rights-of-way, and a legal ad in the Fort Myers News-Press for the Zoning Board public hearing.

The rezoning request was evaluated by Community Development for planning, zoning, engineering, environmental, and transportation impacts. Bonita Springs Public Works,

Bonita Springs Utilities and the Bonita Springs Tree Advisory Board also reviewed the request. The proposed development, as conditioned, is consistent with the requirements and standards of the Bonita Plan and LDC. A detailed analysis is included in Attachment “A” of the Staff Report.

**RECOMMENDATION:**

Staff recommends **APPROVAL** of a Residential Planned Development (RPD) rezoning. This recommendation of approval is subject to the following conditions:

**Conditions:**

1. The project shall be generally consistent with the Master Concept Plan provided and labeled as Exhibit “B.”
2. Schedule of Uses:
  - Accessory Uses and Structures
  - Dwelling Unit (Maximum of 48 units):
    - Two-Family Villa (Attached)\*
  - Essential Services
  - Parking Lot, Accessory (May include carports or enclosed garages)
  - Recreational Facilities, Personal; Private On-Site
  - Signs

\*For purposes of this RPD, a Two-Family Villa (Attached) is defined as a building which contains two dwelling units; however, each unit is not located on a separate lot of record, but rather multiple two-family villa structures may be located on a single land parcel under condominium ownership or unified ownership.

3. Property Development Regulations: The Applicant proposes the following property development standards:

Minimum Unit Size: 1,100 S.F.

Minimum Setbacks:

Internal Accessway\* 12 feet (18 feet from face of garage to curb)

\*As measured from the edge of pavement

Street/Front (Matheson Ave. and Dean Street): 25 feet

Project Perimeter (Non-Street): 15 feet

Accessory Structures (Side and Rear): 5 feet

Rear: N/A \*\*

\*\*See project perimeter and building separation standards

Maximum Building Height: 35 feet, 2 stories maximum

Minimum Building Separation: 10 feet

Minimum Open Space: 40% Entire RPD

\*\*\*All Units Must Be Under Unified Control or Condominium Ownership

4. Structures shall be substantially compliant with the architectural elevations in Exhibit "C", to be reviewed by the City Architect at the time of local development order and at building permit request.
5. The floor plans shall be substantially compliant with Exhibit "D", while allowing for flexibility for the option of 2- or 3-bedroom units.
6. The Applicant shall coordinate with the City of Bonita Springs Public Works Department for any/all work within City-maintained Rights-Of-Way (ROW's) for any/all additional/separate permitting, design requirements, and inspections.
7. Environmental Conditions:
  - a. Per the Tree Advisory Board motion, at the time of local development order, each heritage tree to be removed shall be replaced with one bald cypress tree at 20' in height and with a 4" caliper within the dry detention areas for a total of four (4) replacement trees.
  - b. At the time of local development order, landscape buffers shall be provided according to the Master Concept Plan.
8. The Applicant is required to coordinate with Community Development and Public Works to discuss access, drainage and site connection along the project's frontages on Dean Street and Matheson Avenue at time of local development order.
9. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City's LDC may be required to obtain a local development order.
10. At the time of local development order and building permit, the Applicant shall demonstrate compliance with all local, state, and federal regulations for construction within floodways and floodplains.
11. Approval of this zoning action does not guarantee approval of a local development order or a building permit.

**EXHIBITS:**

- A. Legal Description and Sketch of the Subject Property
- B. 11035 Dean Street RPD Master Concept Plan, dated March 18, 2025 (MCP)
- C. Architectural Elevation and Line of Sight
- D. Floor Plans

**ATTACHMENTS:**

- A. Background and Informational Analysis
- B. Application Backup (Final Documents)

## EXHIBIT A

### LEGEND

- [illegible]

### PROPERTY DESCRIPTION

(PER PROVIDED TITLE COMMITMENT)

### PARCEL 7 COMMITMENT

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 47S, RANGE 25E, AND THENCE ON A BEARING OF N 1° 24' 00" WEST FOR 330.45 FEET, THENCE ON A BEARING N 89°30'50" EAST FOR 328.79 FEET, MORE OR LESS, THROUGH A CONCRETE MARKER WHICH IS LOCATED 25.0 FEET FROM THE POINT OF TURNING, THENCE ON A BEARING OF S 89°24'20" EAST FOR 330.25 FEET THROUGH THE CENTER OF A 5 FOOT STEEL ENCASED WELL WHICH IS 166.9 FEET MORE OR LESS SOUTH OF TURNING, THENCE ON A BEARING OF S 89° 29' 00" WEST 328.79 FEET TO THE POINT OF BEGINNING. AREA OF THE LAND CONVEYED IS 2.5 ACRES, MORE OR LESS, LESS AND EXCEPT LANDS LYING WITHIN DEAN STEAR AND MATHESON AVENUE.

**AND**

PARCEL 2  
SOUTHWEST CORNER OF THE S 1/2 OF THE SW 1/4 OF THE NW 1/4 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 47S,  
RANGE 25E, LEE COUNTY, FLORIDA, THENCE ON A BEARING OF N 89° 29' 00" E 328.78 FEET TO THE POINT OF  
BEGINNING OF THE LAND HEREIN CONVEYED; THENCE ON A BEARING OF N 1° 24'20" W 330.26 FEET THROUGH THE CENTER  
OF A 100' STREET, ENCLOSED BY WHICH 163.17' OF THE SOUTHERLY CORNER OF THE S 1/2 OF THE SW 1/4 OF THE  
NW 1/4 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 47S, RANGE 25E, LEE COUNTY, FLORIDA, THENCE ON A BEARING OF N 89°30' 50" E 25 FEET; THENCE ON A BEARING OF S 1° 24' 20" E 330.26 FEET TO THE  
SOUTHERN BOUNDARY OF SAID S 1/2 OF THE SW 1/4 OF THE NW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 47S,  
RANGE 25E, W/2 OF THE CENTER OF THE COUNTY RIGHT-OF-WAY OF DEAN STREET WHICH IS ALSO THE SOUTHERN  
BOUNDARY 25 FEET TO THE POB, LESS AND EXCEPT LANDS LYING WITHIN DEAN STREET.

### PARCEL 3

COMMITMENT # 1321746-A2  
THE WEST 235.3 FEET OF THE EAST 335.3 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE  
NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, LESS THE WESTERLY 25 FEET AND LESS THE WEST 100 FEET OF  
THE EAST 200 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE  
SOUTHWEST QUARTER IN SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

PARCEL 4

COMMITMENT NO. 132947042

THE WEST 100 FEET OF THE EAST 200 FEET OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 38, TOWNSHIP 47 SOUTH, RANGE 25 EAST, THENCE ON A BEARING OF N 89 DEGREES 59' 00" E 328.79 FEET MORE OR LESS TO THE POINT OF BEGINNING OF THE LANDS HEREIN COVERED, THENCE ON A BEARING OF NORTH 1 DEGREES 24' 20" WEST 330.26 FEET THROUGH THE CENTER OF A 5 FOOT STEEL ENCASED WELL WHICH IS 163.174 FEET MORE OR LESS NORTH OF THE POINT OF POINT OF TURNING, THENCE ON A BEARING OF 89 DEGREES 59' 00" WEST 330.26 FEET MORE OR LESS TO A CONCRETE MARBLED CAPPING ON A BEARING OF N 1 DEGREES 24' 20" EAST 330.07 FEET MORE OR LESS, THENCE ON A BEARING S 89 DEGREES 29' 00" WEST 333.3 FEET MORE OR LESS TO THE POINT OF BEGINNING.

**PARCEL 5**

COMMENT # 1439388  
THE EAST 100 FEET OF THE FOLLOWING TRACTS OF LAND TO WIT: THE EASTERLY 335.3 FEET OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST, BEING THE SAME LANDS AS CONVEYED TO THE PARTY OF THE FIRST BY DEED RECORDED IN DEED BOOK 225, PAGE 74, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND SUBJECT TO THE 25 FOOT STRIP NORTH OF THE SOUTHERN BOUNDARY WHICH IS PART OF THE PUBLIC RIGHT-OF-WAY NOW EXISTING FOR COUNTY ROAD; AND ALSO SUBJECT TO OIL, GAS AND MINERAL RIGHTS RESERVED IN THAT CERTAIN INSTRUMENT RECORDED IN DEED BOOK 218, PAGE 15, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

THE WEST 20 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LESS ROAD RIGHT-OF-WAY AND EXISTING EASEMENTS AND RESERVATION AND RESTRICTIONS OF RECORD.

### PROPERTY DESCRIPTION

OVERALL AS SURVEYED  
A PARCEL OF LAND LOCATED IN THE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36,  
TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, THENCE ALONG THE SOUTH LINE OF SAID FRACTION, NORTH 89°32'17" EAST, FOR 25.00' FEET; THENCE NORTH 01°22'16" WEST, FOR 25.00 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF MATHESON AVENUE (50 FOOT WIDE) AND THE NORTH RIGHT-OF-WAY OF DEAN STREET (50 FOOT WIDE) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE ALONG THE EAST RIGHT-OF-WAY OF SAID MATHESON AVENUE, NORTH 01°22'18" WEST, FOR 305.43 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE ALONG SAID NORTH LINE, NORTH 89°33'53" EAST, FOR 659.14 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2517, PAGE 1797 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG SAID WEST LINE, SOUTH 01°22'15" EAST, FOR 305.12 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE AFORESAID RIGHT-OF-WAY OF DEAN STREET; THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 89°32'17" WEST, FOR 659.13 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

CONTAINING 4.62 ACRES, MORE OR LESS.

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA WEST ZONE, 1983 DATUM WITH 2011 ADJUSTMENT OBTAINED UTILIZING RTK GPS OBSERVATIONS ON THE FDOT NETWORK AND REFER TO THE NORTH RIGHT-OF-WAY LINE OF DEAN STREET, LEE COUNTY, FLORIDA AS BEING S 89°32'17" W.

2. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF TITLE COMMITMENTS PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY HAVING A COMMITMENT NUMBER OF 1328470A2, DATED 12/18/2022 AT 11:00 PM, 1321746-A2, DATED 12/19/2022 AT 11:00 PM AND 22001000KP, DATED 1/6/2022, AT 8:00 AM, AND 1439388, DATED 8/17/2023 AT 11:00PM, MAY BE SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

3. ELEVATIONS SHOWN HEREON ARE IN FEET AND ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. ELEVATIONS WERE DERIVED BY DIFFERENTIAL LEVELING FROM NGS BENCHMARK 872 5271 A TIDAL, HAVING A PUBLISHED ELEVATION OF 3.13 FEET.

4. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X, HAVING NO BASE FLOOD ELEVATION, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 12071C 0659 G, DATED 11/17/2022.

5. CERTAIN FEATURES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION AND/OR SCALE IN ORDER TO BE ABLE TO DEPICT THEM ON THIS MAP.

6. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.

7. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.

8. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.

9. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR THE DIGITAL SIGNATURE AND DIGITAL SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.

10. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY.

11. BY SIGNING BELOW I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, F.A.C. PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

12. DATE OF LAST FIELD WORK: 10/11/2023

REVISION, REVISED PER CITY COMMENTS, 2/6/2024.  
REVISION, ADDED PARCEL 5 AND REVISED OVERALL AS SURVEYED LEGAL, 10/12/2023.  
REVISION, ADDED "OVERALL AS SURVEYED" LEGAL, 7/19/2023.

NOT COMPLETE WITHOUT  
SHEETS 1 AND 2 OF 2

Q. Grady Minor and Associates, P.A.  
3800 Via Del Rey  
Bonita Springs, Florida 34134



Civil Engineers • Land Surveyors • Planners • Landscape Architects  
 Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266  
 Bonita Springs: 239.947.1144 [www.GradyMinor.com](http://www.GradyMinor.com) Fort Myers: 239.690.4380

|             |                |
|-------------|----------------|
| DRAWN BY:   | KJC            |
| CHECKED BY: | DL             |
| JOB CODE:   | DSMFD          |
| SCALE:      | 1" = 30'       |
| DATE:       | 3/7/2021       |
| FILE:       | 23-53-BS-3.DWG |
| SHEET:      | 1 of 2         |

BOUNDARY AND TOPOGRAPHIC SURVEY

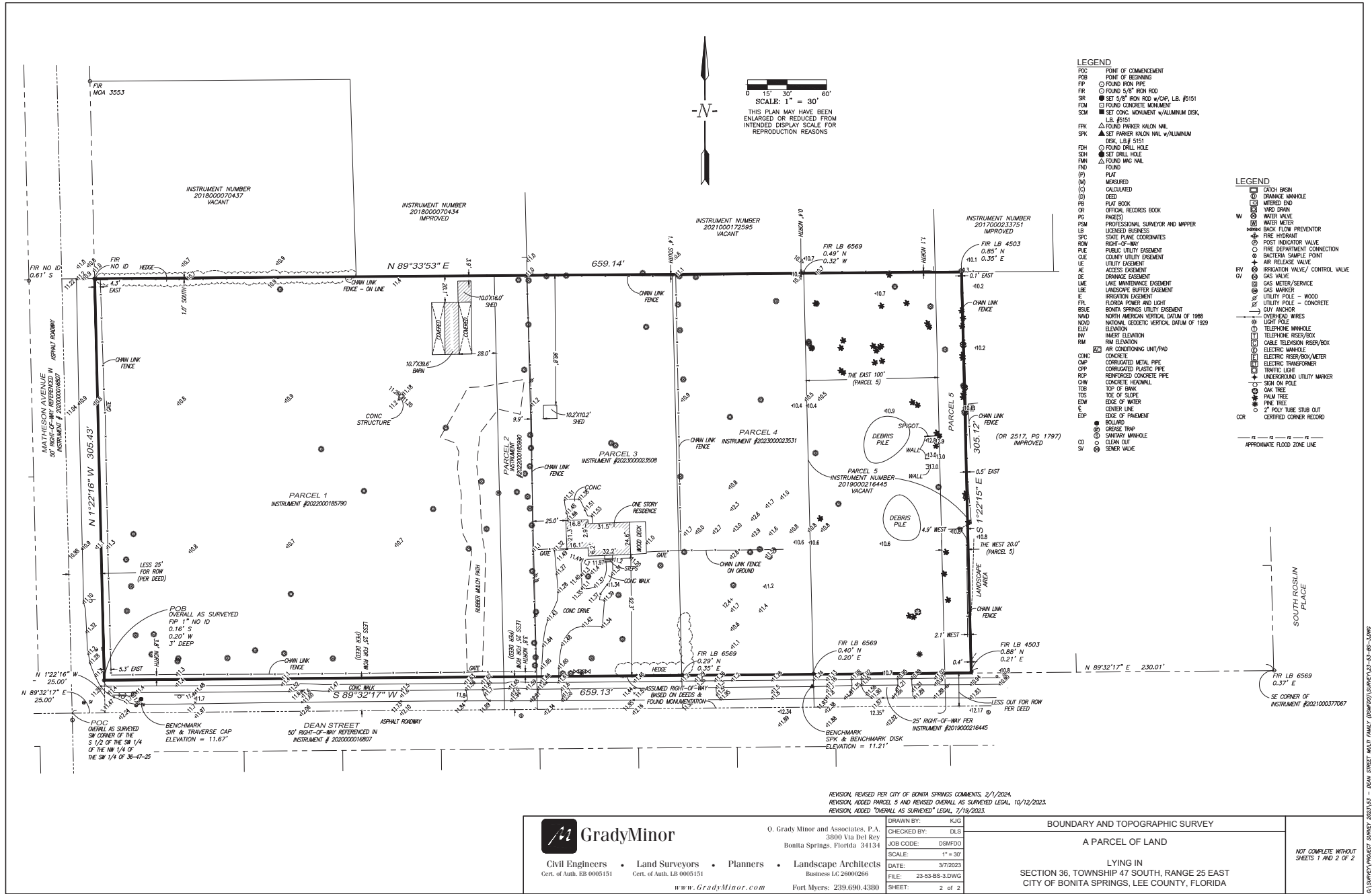
A PARCEL OF LAND

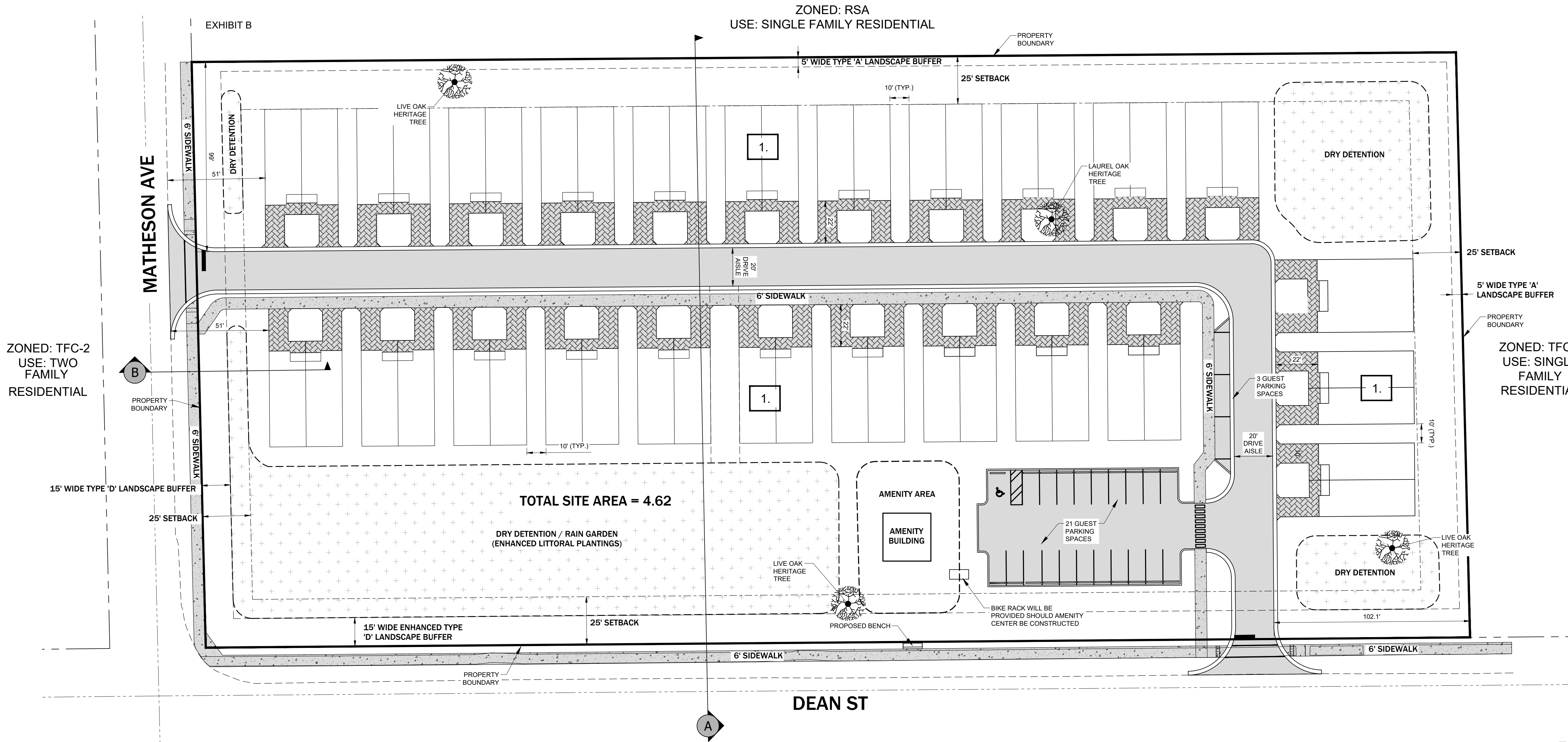
LYING IN  
SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST  
CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

2/6/24

*Ronald L. Santeney III*  
RONALD L. SANTENEY III, P.S.M.  
FL LICENSE #6761  
FOR THE FIRM





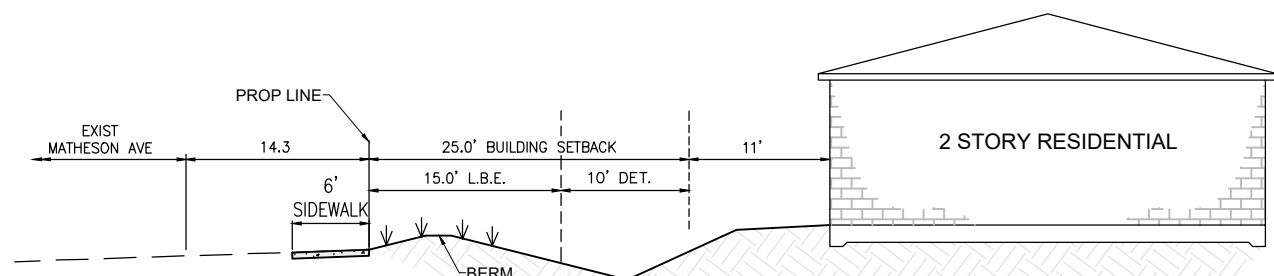
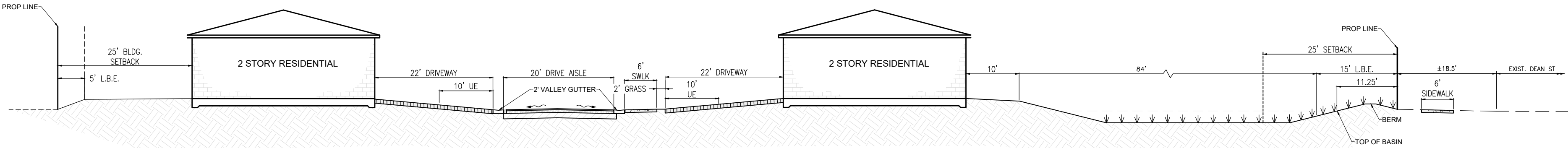


|                                                                    |                                                                                                                           |
|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| SITE SUMMARY                                                       |                                                                                                                           |
| PLAN DESIGNATION:                                                  | MEDIUM DENSITY RESIDENTIAL                                                                                                |
| EXISTING ZONING DESIGNATION:                                       | TFC-2                                                                                                                     |
| EXISTING LAND USE:                                                 | RESIDENTIAL                                                                                                               |
| PROPOSED ZONING DESIGNATION:                                       | 11035 DEAN STREET RPD                                                                                                     |
| GROSS AREA:                                                        | 4.62± ACRES                                                                                                               |
| MAXIMUM DWELLING UNITS:                                            | 48 UNITS                                                                                                                  |
| STRAP NUMBERS:                                                     | 36-47-25-B4-00064.0000, 36-47-25-B4-00064.0010, 36-47-25-B4-00062.0000, 36-47-25-B4-00063.0000 AND 36-47-25-B4-00065.0000 |
| STREET ADDRESS:                                                    | 11089, 11113, 11125 AND 11035 DEAN STREET                                                                                 |
| INDIGENOUS PRESERVE:                                               |                                                                                                                           |
| REQUIRED: 0                                                        |                                                                                                                           |
| PROVIDED: 0                                                        |                                                                                                                           |
| OPEN SPACE:                                                        |                                                                                                                           |
| REQUIRED: 1.85 ACRE (APPROXIMATE) (4.62± ACRE X 0.40)              |                                                                                                                           |
| PROVIDED: 2.52 ACRE (APPROXIMATE)                                  |                                                                                                                           |
| DEVELOPMENT REGULATIONS:                                           |                                                                                                                           |
| MINIMUM UNIT SIZE: 1,100 S.F.                                      |                                                                                                                           |
| MINIMUM AREA DIMENSION:                                            |                                                                                                                           |
| MINIMUM LOT AREA: N.A.                                             |                                                                                                                           |
| MINIMUM LOT DEPT: N.A.                                             |                                                                                                                           |
| MINIMUM LOT WIDTH: N.A.                                            |                                                                                                                           |
| MINIMUM BUILDING SETBACKS:                                         |                                                                                                                           |
| INTERNAL DRIVEWAY (AS MEASURE FROM THE EOP):                       | 12 FEET (18 FEET TO FACE OF GARAGE)                                                                                       |
| STREET/FRONT (MATHESON AVE. AND DEAN ST.):                         | 25 FEET                                                                                                                   |
| PROJECT PERIMETER (NON-STREET):                                    | 25 FEET                                                                                                                   |
| ACCESSORY STRUCTURES (SIDE AND REAR):                              | 5 FEET                                                                                                                    |
| REAR:                                                              | N/A (SEE PROJECT PERIMETER AND BUILDING SEPARATION STANDARDS)                                                             |
| MINIMUM BUILDING SEPARATION:                                       | 10 FEET                                                                                                                   |
| MAXIMUM BUILDING HEIGHT:                                           | 35 FEET                                                                                                                   |
| MINIMUM OPEN SPACE:                                                | 40% ENTIRE RPD                                                                                                            |
| *ALL UNITS MUST BE UNDER SINGLE OWNERSHIP OR CONDOMINIUM OWNERSHIP |                                                                                                                           |

|                                                                                                                                                                                                                                                                                                                   |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| SCHEDULE OF USES:                                                                                                                                                                                                                                                                                                 |  |
| RESIDENTIAL                                                                                                                                                                                                                                                                                                       |  |
| TWO-FAMILY VILLA (ATTACHED) *                                                                                                                                                                                                                                                                                     |  |
| ACCESSORY USES AND STRUCTURES                                                                                                                                                                                                                                                                                     |  |
| ESSENTIAL SERVICES                                                                                                                                                                                                                                                                                                |  |
| PARKING LOT, ACCESSORY (MAY INCLUDE CARPORTS OR ENCLOSED GARAGES)                                                                                                                                                                                                                                                 |  |
| RECREATIONAL FACILITIES, PERSONAL, PRIVATE ON-SITE SIGNS                                                                                                                                                                                                                                                          |  |
| * FOR PURPOSES OF THIS RPD, A TWO-FAMILY VILLA IS DEFINED AS A BUILDING WHICH CONTAINS TWO DWELLING UNITS; HOWEVER, EACH UNIT IS NOT LOCATED ON A SEPARATE LOT OF RECORD, BUT RATHER MULTIPLE TWO-FAMILY VILLA STRUCTURES MAY BE LOCATED ON A SINGLE LAND PARCEL UNDER CONDOMINIUM OWNERSHIP OR COMMON OWNERSHIP. |  |

|                                                |                                                                                                                                                                                                                                                                  |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PARKING:                                       |                                                                                                                                                                                                                                                                  |
| REQUIRED: NUMBER OF UNITS @ 2 SPACE/UNIT + 10% |                                                                                                                                                                                                                                                                  |
| PROVIDED: NUMBER OF UNITS @ 2 SPACE/UNIT + 25% |                                                                                                                                                                                                                                                                  |
| NOTES                                          |                                                                                                                                                                                                                                                                  |
| 1.                                             | THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF AGENCY PERMITTING, D.O. OR PLAT APPROVAL. HOWEVER, ANY SUCH MODIFICATION SHALL BE IN COMPLIANCE WITH THE APPLICABLE LAND DEVELOPMENT CODE (LDC) DESIGN STANDARDS AND GUIDELINES. |

|           |                                                                                                                                                                                                                                                                                                   |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DEVIATION |                                                                                                                                                                                                                                                                                                   |
| 1.        | RELIEF FROM LDC SEC. 4-741(D)(4), PROPERTY DEVELOPMENT REGULATIONS, WHICH ADDRESSES A MINIMUM BUILDING SEPARATION OF ¼ THE SUM OF THE BUILDING HEIGHTS, OR 20 FEET, WHICHEVER GREATER TO INSTEAD PERMIT THE TWO-FAMILY VILLA DWELLINGS TO BE A MINIMUM SEPARATION OF 10'. (APPLIES TO ENTIRE RPD) |



| Revision                                                                                                                                                                                     | Date | Description |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------------|
|                                                                                                                                                                                              |      |             |
|                                                                                                                                                                                              |      |             |
|                                                                                                                                                                                              |      |             |
|                                                                                                                                                                                              |      |             |
|                                                                                                                                                                                              |      |             |
|                                                                                                                                                                                              |      |             |
| ALL ELEVATIONS REFERENCE NAVD88 VERTICAL DATUM. APPROXIMATE CONVERSION FOR PROJECT AREA: NAVD88 +. = NGVD29<br>ANY DATA CONVERSIONS SHOULD BE CONFIRMED BY A LICENSED SURVEYOR PRIOR TO USE. |      |             |



**Blueshore Engineering**  
BUILT ON INTEGRITY

4933 North Tamiami Trail, Suite 201,  
Naples, Florida 34103  
Office: 239.488.5629  
Certificate of Authorization: 38057  
www.BlueShoreEngineering.com

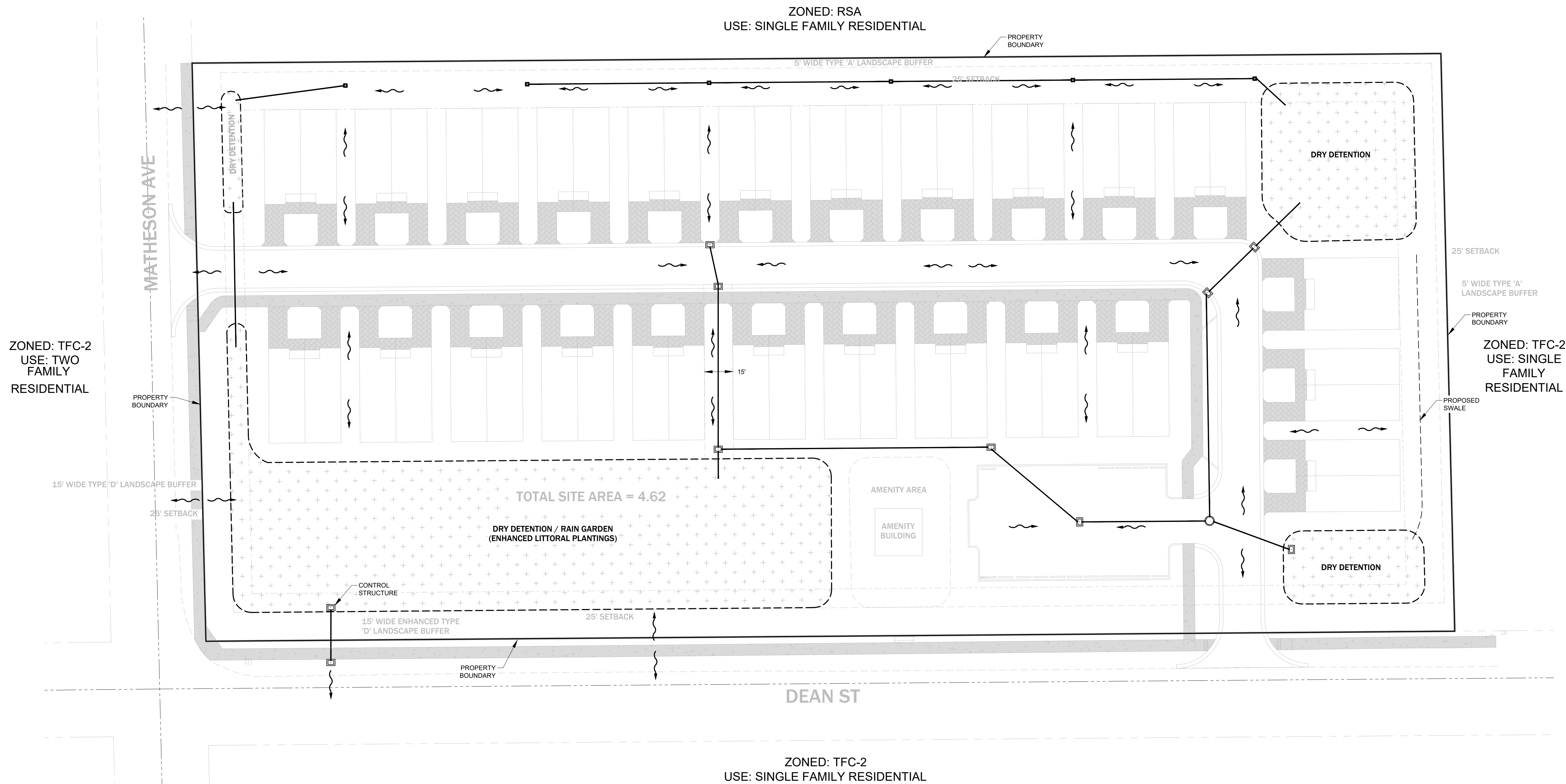
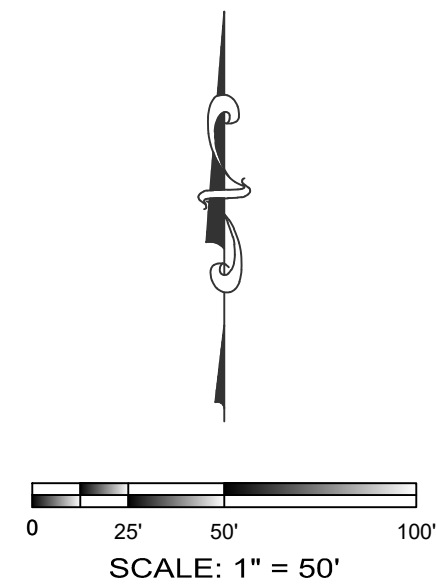
11035 DEAN STREET RPD

EXHIBIT IV.E  
MASTER CONCEPT PLAN  
REVISED MARCH 2025

MICHAEL T. HERRERA, P.E.  
FLORIDA P.E. LICENSE NO. 60110

|             |         |
|-------------|---------|
| Submittal:  | -       |
| Date:       | 03/2025 |
| Project No: | RFDSGS  |
| Sheet No:   | 1 of 1  |





| Revision                                                                                                                                                                                        | Date | Description |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------------|
|                                                                                                                                                                                                 |      |             |
|                                                                                                                                                                                                 |      |             |
|                                                                                                                                                                                                 |      |             |
|                                                                                                                                                                                                 |      |             |
|                                                                                                                                                                                                 |      |             |
| ALL ELEVATIONS REFERENCE NAVD88 VERTICAL DATUM. APPROXIMATE CONVERSION FOR PROJECT AREA: NAVD88 + 1.0 = NGVD29<br>ANY DATA CONVERSIONS SHOULD BE CONFIRMED BY A LICENSED SURVEYOR PRIOR TO USE. |      |             |



**Blueshore Engineering**  
BUILT ON INTEGRITY

4933 North Tamiami Trail, Suite 201,  
Naples, Florida 34103  
Office: 239.488.5629  
Certificate of Authorization: 38057  
www.BlueShoreEngineering.com

11035 DEAN STREET RPD

SITE PLAN OPTION A

MICHAEL T. HERRERA, P.E.  
FLORIDA P.E. LICENSE NO. 60110

|             |         |
|-------------|---------|
| Submittal:  | #       |
| Date:       | 03/2025 |
| Project No: | RFDSGS  |
| Sheet No:   | 1 of 1  |



March 16, 2025

Mary Zizzo, Esq., AICP  
Senior Planner  
City of Bonita Springs  
Department of Community Development  
Zoning Section

**RE: 11035 Dean Street Residential Planned Development  
PD23-103517-BOS – Submittal 2**

Dear Ms. Zizzo,

It is my pleasure to submit to you the attached revised documents related to the 11035 Dean Street Residential Planned Development.

The following information has been provided to assist in your review of the petition:

- 1) Response Letter with MCP changes explained
- 2) Revised Master Concept Plan
- 3) Stormwater Management Exhibit

## I. Master Concept Plan Revisions

The revised Master Concept Plan (MCP) for 11035 Dean Street has been meticulously and conscientiously refined to address key concerns raised by the surrounding residents, the Zoning Board, City Staff and City Council, particularly regarding traffic and parking, density, stormwater management, and neighborhood compatibility. While maintaining the originally proposed 48 dwelling units, which is consistent with and below the maximum allowable density of the underlying TFC-2 future land use category, the revised plan introduces strategic modifications that enhance functionality, community integration, and responsiveness to public feedback.

One of the most notable improvements is the building setbacks from the eastern and northern property line have been increased from 15 feet to 25 feet, a 66% expansion in buffer space from neighboring properties. This setback will contain a 5-foot-wide Type A buffer containing 4 trees per 100 linear feet. These revisions enhance privacy, aesthetics, and compatibility, directly addressing previous concerns.

In direct response to stormwater drainage and flooding concerns, the stormwater management system has been significantly enhanced. The revised plan now incorporates expanded dry detention areas with enhanced littoral plantings, improving retention and infiltration capacity. These upgrades reduce runoff, mitigate flooding risks, and ensure long-term sustainability. In addition, while the code requires 40% open space, we are cautiously optimistic that we will be able to exceed this 40% minimum with our proposed redesign.

Additionally, landscaped buffers and green spaces have been expanded, further softening the project's footprint and reinforcing environmental responsibility within the site design. Specifically, the 15-foot-

wide Type D buffers will be enhanced with three (3) additional mid-story trees/100 linear foot, and larger trees, planted at 14' in height vs. 10 feet required by the LDC.

To optimize traffic circulation and parking, the revised plan strategically improves internal roadways and parking distribution, ensuring that both residents and visitors have sufficient accommodations. All parking will be fully code compliant, meeting or exceeding the required standards to ensure adequate on-site capacity. Additional guest parking spaces have been integrated, directly addressing concerns about potential parking overflow onto adjacent streets. The original proposal contemplated 10 additional parking spots (beyond the two required per residence). In our latest plan, we have increased accessory parking to 24 spots which represents a 140% increase in accessory parking spots. Meanwhile, refined drive aisles and internal circulation paths create a more efficient and pedestrian-friendly experience, enhancing both vehicular movement and walkability within the development.

Further elevating the project's compatibility with the surrounding residential area, the revised plan incorporates aesthetic and functional upgrades. Enhanced landscape buffers provide increased visual screening, creating a seamless transition between the development and existing homes. The inclusion of a dedicated amenity area and expanded pedestrian-friendly sidewalk connections fosters a walkable, community-oriented environment, aligning with modern smart growth principles. Additionally, new features such as a designated bench and bike racks encourage alternative transportation options, reinforcing the project's commitment to sustainability and multimodal accessibility.

These targeted refinements exemplify a thoughtful, strategic, responsive and responsible approach to development, ensuring the project is not only functional and efficient but also harmonious with its surroundings. The expanded setbacks, improved landscaping, and enhanced stormwater management features create a well-balanced residential environment that respects neighborhood character while accommodating future growth. By integrating expanded green spaces and pedestrian-friendly design elements, the project actively promotes connectivity and livability, making it a valuable, community-enhancing addition to Bonita Springs.

Ultimately, the revised Master Concept Plan represents a forward-thinking and responsive approach to urban planning; one that prioritizes community input, environmental stewardship, and smart growth principles. Through strategic refinements and enhanced design features, the project achieves a balanced integration of open space, circulation efficiency, and neighborhood compatibility. These thoughtful revisions position the development as a model for sustainable, well-integrated residential design; one that not only meets the evolving needs of Bonita Springs but also enhances the community's long-term vision for responsible growth and high-quality living environments.

Thank you in advance for your consideration of the above information. If you have any further questions, please do not hesitate to contact me directly at (239) 908-3408 or [PKulak@rviplanning.com](mailto:PKulak@rviplanning.com).

Sincerely,

**RVI Planning + Landscape Architecture**



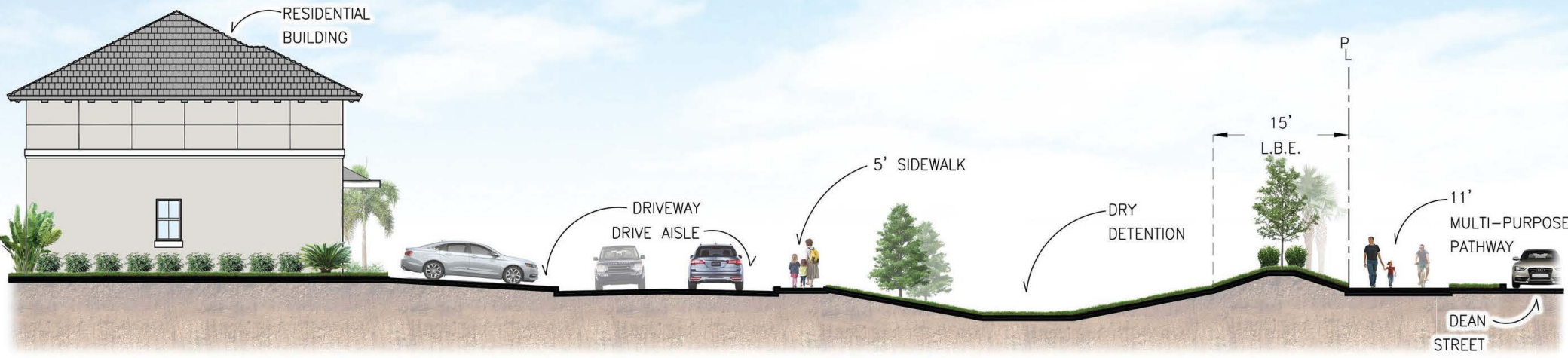
**Patty Kulak**

Project Manager



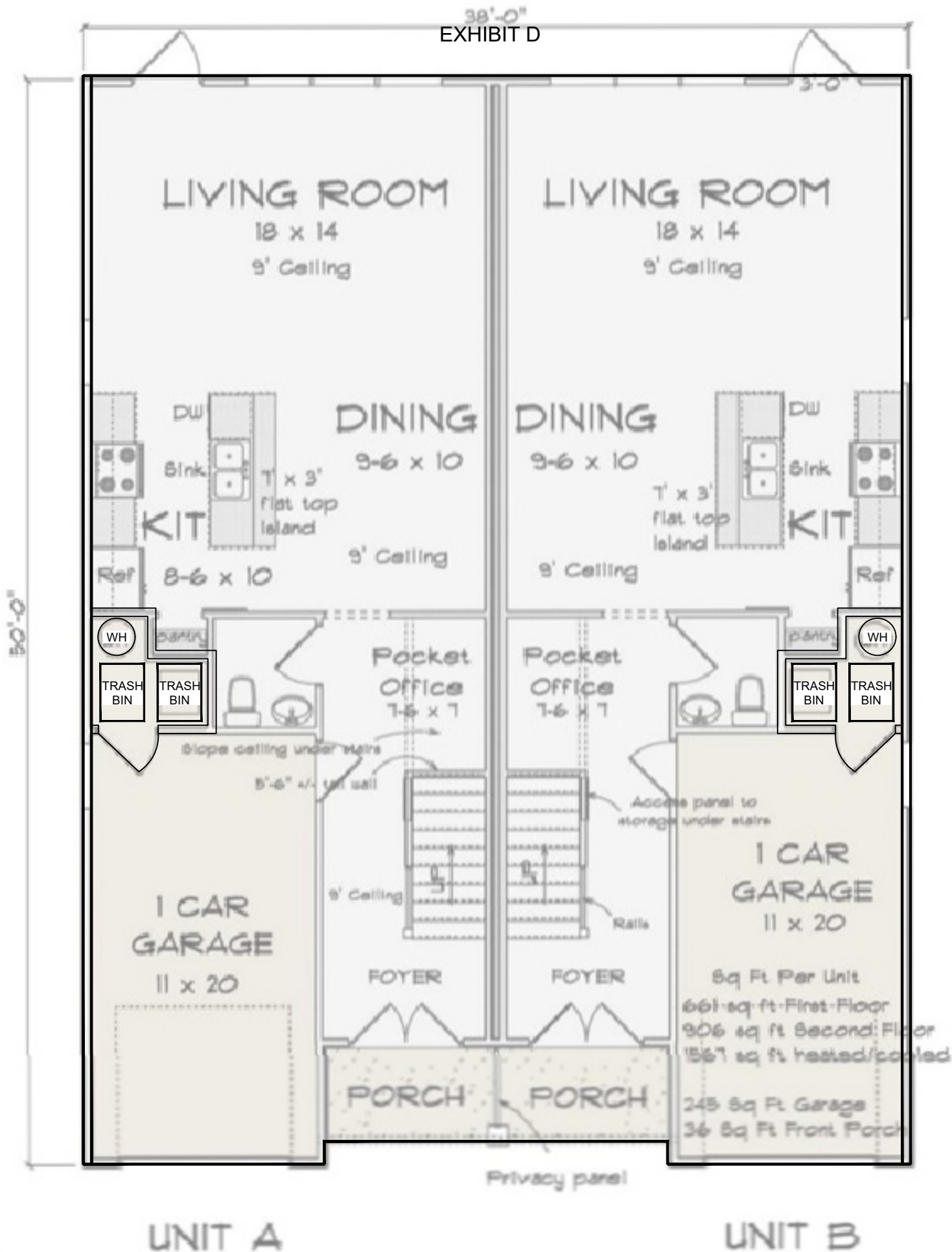
EXHIBIT C



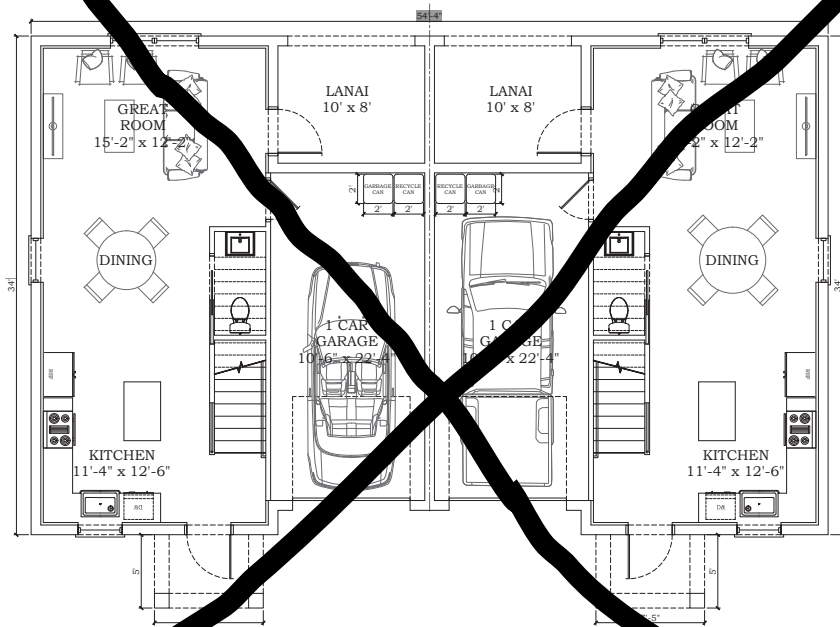




38'-0"  
EXHIBIT D

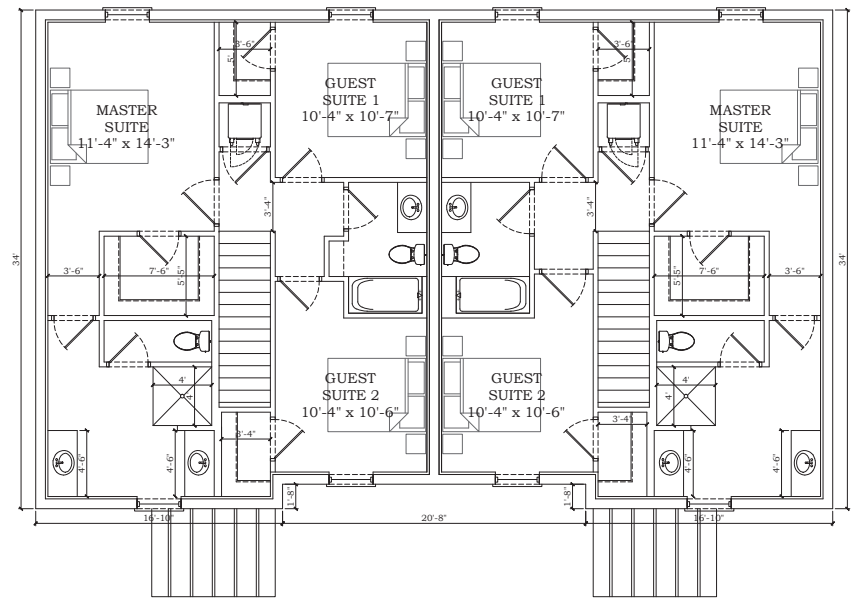






**1st FLOOR PLAN**

SCALE: 1/4"=1'-0"



**2nd FLOOR PLAN**

SCALE: 1/4"=1'-0"

**SQUARE FOOTAGE**

|                |             |
|----------------|-------------|
| 1st A/C LIVING | 561 SQ FT   |
| 2nd A/C LIVING | 864 SQ FT   |
| LANAI          | 96 SQ FT    |
| ENTRY          | 37 SQ FT    |
| 1 CAR GARAGE   | 256 SQ FT   |
| TOTAL A/C      | 1,425 SQ FT |
| TOTAL NON A/C  | 389 SQ FT   |
| TOTAL SQ FT    | 1,814 SQ FT |

## ATTACHMENT “A”

### **BACKGROUND AND INFORMATIONAL ANALYSIS:**

#### Surrounding Land Use:

| <u>Existing Zoning &amp; Land Use</u>                            | <u>Future Land Use Map</u>                                                |
|------------------------------------------------------------------|---------------------------------------------------------------------------|
| Subject Parcel: TFC-2, Single-Family (SF) Residential and Vacant | Medium Density (Den.) Residential (Res.) 11.6 dwelling units/acre (du/ac) |
| North: RSA, Vacant and SF Residential                            | Medium Den. Res. 11.6du/ac                                                |
| East: TFC-2, Duplex Structures                                   | Medium Den. Res. 11.6du/ac                                                |
| *South: TFC-2, SF Residential and Duplex Structures              | Medium Den. Res. 11.6du/ac                                                |
| **West: TFC-2, SF Residential and Duplex Structures              | Medium Den. Res. 11.6du/ac                                                |

\* Immediately adjacent to the subject property is the road right-of-way of Dean Street, a City-maintained roadway

\*\*Immediately adjacent to the subject property is the road right-of-way of Matheson Avenue, a City-maintained roadway

#### Planned Development Analysis

| Review criteria                                                                                                                               | Yes – Mostly - Partly - No                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Demonstrate compliance with the Bonita Plan, this Land Development Code, and any other applicable code or regulation                          | Yes – The Application is in compliance with the Comprehensive Plan and applicable Land Development Code Regulations |
| The request meets or exceeds performance and location standards set forth for the proposed uses                                               | Yes – The MCP with associated conditions presented by Staff will meet the standards of the Land Development Code.   |
| Including the use of TDR or affordable housing bonuses are the densities or intensities (general uses) consistent with the Comprehensive Plan | Yes – The density does not violate the provisions of the Comprehensive Plan.                                        |

|                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The request is compatible with existing or planned uses in the surrounding area                                                                                                                                        | Yes – The surrounding properties are residential in nature and include single-family and duplex structures. The developed density for those lots is less at this time, but may be redeveloped to a higher density at a later point that is still within the allowable density of the Comprehensive Plan. |
| Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development | Yes – The proposed development provided a Traffic Impact Statement with this Application. Further traffic impacts and mitigation measures will be reviewed at time of local development order by the City's Traffic Engineer and Public Works.                                                           |
| Will the request adversely affect environmentally critical areas and natural resources                                                                                                                                 | No – The site has been previously cleared and contains no environmentally critical areas.                                                                                                                                                                                                                |
| Public facilities are, or will be, available and adequate to serve the proposed land use                                                                                                                               | Yes – Public facilities are available to the site.                                                                                                                                                                                                                                                       |
| Deviations needed to enhance or to achieve the objectives of the planned development                                                                                                                                   | Yes – the proposed deviation will allow adequate separation of the dwelling units, while still providing suitable access and buffering of adjacent uses.                                                                                                                                                 |
| Deviations needed to preserve, promote and or protect the public health, safety and welfare                                                                                                                            | Yes – the proposed deviation, as conditioned, will maintain adequate protections and preservation of the surrounding areas and properties, while still promoting a viable residential project that conforms with the LDC and the Bonita Plan.                                                            |

### Environmental Considerations

The site has been mostly cleared and kept mowed for residential uses for many years. There are a few scattered native and non-native trees and palms throughout the site. The soils are upland, non-hydric soil types and no wetlands are present. There is no native habitat on site so no preserve area will be provided. All invasive non-native vegetation shall be removed from the site and kept removed in perpetuity.

### *Wildlife*

A listed species survey was conducted, and no listed animal species were found or signs observed on the site.

### *Heritage Trees*

Four (4) heritage oak trees were found on the site, all of which are too close to the development area to be retained. All four (4) heritage trees were approved for removal by the Tree Advisory Board and they will each be replaced with 20' native cypress trees in the dry detention areas of the project.

### *Perimeter Buffers*

Perimeter buffers are not required; however, the project is providing 5' buffers with trees on the north and east sides and 15' wide buffers with trees and shrubs along the roadways of Dean Street and Matheson Avenue on the south and west sides.

### *Archeological*

The site is not located in an area of Archaeological Sensitivity.

### Stormwater

At the time of the submittal of the project, the property was located in a FEMA X-zone, which is considered a non-flood hazard area. The post development flows will emulate and maintain the general characteristics of the predevelopment historic flow. The proposed water management system will consist of dry detention to treat and attenuate stormwater runoff. The project will be designed in accordance with South Florida Water Management District (SFWMD) regulatory requirements and, as outlined in the Bonita Plan, will provide water quality treatment for one hundred and fifty percent (150%) of the SFWMD requirement. There will be no direct discharge into the Imperial River. Consistent with the City's LDC, the Applicant will be required to demonstrate no adverse offsite stormwater impacts by incorporating the project into the appropriate City of Bonita Springs Interconnected Pond and Channel Routing (ICPR) Model. ICPR flood routing will need to be provided at the time of local development order permitting.

### Traffic

The Applicant provided a Traffic Impact Statement (TIS), which was reviewed by the City's transportation engineer. The project is located at the corner of Dean Street and Matheson Avenue and the Master Concept Plan (MCP) proposes two access points, one on to Dean Street and one on to Matheson Avenue. The plan proposes the twenty-four (24) total structures (i.e., 48 two-family attached villa units), along a private accessway. Concerns of parking were expressed by the public. The project does not request a parking deviation and therefore shall provide all code required parking, which includes a garage

parking space and a driveway parking space per unit plus guest parking along the private driveway for the development.

### Comprehensive Plan

The property is located in the Medium Density Residential (MDR) future land use category. This category is described as follows:

***Policy 1.1.8: Medium Density Residential - Intended to accommodate areas with 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 and approximately 1,056 acres of gross land area in the land use category; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.***

- a. Appropriate residential housing types include conventional and modular constructed single-family and duplex structures on permanent foundations.*
- b. As an alternative to a duplex structure, and in order to encourage dispersing affordable housing throughout the community, one accessory dwelling, such as a garage apartment or accessory apartment, may be located on a single lot occupied by one single-family structure, provided development of the lot remains within the maximum allowable density. Conditions on accessory dwelling units may be required within the Land Development Regulations to prevent over crowding and to ensure compatibility.*
- c. Maximum allowable height of structures shall be 55 feet from the base flood elevation to the eaves.*

The proposed project is not exceeding the density allowances of the MDR future land use category. Additionally, while the MDR future land use category allows for a maximum allowable height of fifty-five (55) feet, the proposed development regulations impose a height maximum of thirty-five (35) feet for the principal structures. Thirty-five (35) feet is compatible with the allowances of the surrounding area's zoning designations. The architectural elevations demonstrate that a two-story home is requested, which is consistent with many of the residential structures surrounding the project.

While the MDR future land use category does not label two-family attached villas as a dwelling unit type, Staff performed an analysis of the proposal pursuant to Policy 1.1.4., which states the following:



***Policy 1.1.4: Allowable Uses*** - The listing of appropriate land uses in each of the individual land use categories identifies those uses generally expected to be appropriate. However, other uses which are similar in character, intensity and impacts to those listed may also be deemed to be appropriate.

Staff finds that the proposed two-family attached villa concept is similar in character, intensity, and impact to the two-family attached structures that are present around the proposed development. The difference between the proposed structures and a duplex or two-family attached, pursuant to our LDC Section 4-2 definitions, is that multiple structures are located on one (1) lot, while the conventional districts would only allow for one structure per lot, except in certain scenarios not applicable to this project. In accordance with the proposed definition by the Applicant for “Two-Family Villas Attached,” the property will remain under common ownership by an entity or condominium owner’s association.

As a result, it is Staff’s opinion that the project does not conflict with the MDR future land use designation of the subject properties.

**Policy 1.1.25:** Within one year of adoption of the Comprehensive Plan the City will prepare Land Development Regulations which implement the Comprehensive Plan and which, at a minimum:

- a. Regulate the subdivision of land to promote compatibility among adjoining uses and reduce the potential for urban sprawl by encouraging infill and redevelopment.

The project allows for infill development within developed areas.

With regard to the Traffic Element, a Traffic Impact Statement (TIS) was provided and was reviewed by the City’s traffic engineer. The project is not one of significant impact to the roadway network. Provisions for multi-modal facilities will be provided. It is Staff’s opinion that the project is consistent with the Traffic Element of the Bonita Plan. Further review for the necessity of traffic mitigation measures will take place at time of local development order, if approved.

### *Housing Element*

**Goal 1:** To provide affordable, safe and sanitary housing in a decent living environment to meet the diverse needs of the existing and projected population of Bonita Springs.

**Objective 1.1: Housing Availability** - Provide for an amount and distribution of residential land in the City adequate to allow for a variety of housing types, including mobile and manufactured homes, and sites for affordable workforce housing as defined in 380.0651(3)(h), F.S. and very low, low and moderate income households, sufficient to meet the infrastructure and public facility needs of current and anticipated residents.

**Policy 1.1.1:** The Future Land Use Map shall designate lands for development at a range of residential densities suitable for single-family, multi-family, mobile and manufactured housing in residential, commercial and mixed-use categories sufficient to accommodate the existing population and anticipated growth over the planning period.

**Policy 1.1.2:** The City shall enforce provisions within the Future Land Use Element for mixed-use and planned developments to encourage a wide range and mix of housing types within the City.

With regard to the Housing Element, this project is proposed in a residential area, where development of this nature is appropriate. The housing type is unique in that multiple two-family attached villas may be located on the same parcel but will function as traditional two-family attached or duplex homes, but the site will remain under unified control or a Homeowner's Association (HOA) will be established to address maintenance of the common areas if the units are under condominium ownership. It is Staff's opinion that the project is consistent with the Housing Element of the Bonita Plan.

Staff agrees with the Applicant's analysis of the Bonita Plan.



City Hall Council Chambers  
9101 Bonita Beach Road SE  
Bonita Springs, Florida 34135

**City of Bonita Springs  
City Council  
Strategic Planning Workshop  
Draft Minutes  
March 5, 2025  
12:00 p.m.**

**1. Call to Order** - Mayor Gibson called the workshop to order at 12:03 pm.

**2. Roll Call**

Present: 7 Council Member Bogacz; Council Member Purdon; Council Member Carr; Mayor Gibson;  
Council Member Corrie; Council Member Fullick; Council Member Fitzpatrick

Absent: 0

**3. Public Comment** - None

**4. Introduction of the Facilitator and Overview of the Session**

Following an introduction by City Manager Hunter, Dr. Bob Lee provided an overview and guidelines for the session.

**5. Discussion and Evaluation of the City's Strategic Priorities**

Each council member provided input in-turn, after which a discussion ensued. A consensus was reached on the following seven Strategic Priorities, to be ratified at an upcoming regular City Council meeting:

1. Improve Stormwater Management and Resiliency
2. Improve Vehicular and Multimodal Transportation Networks
3. Enhance Community Aesthetics, Parks and Facilities
4. Environmental Protection
5. Strengthen City Finances
6. Government Transparency and Efficiency
7. Economic Development

Consensus was reached on the following future City Council Workshops:

- Downtown Parking/Parking Garage
- Beach Access
- Review Land Use Map
- Long-term Strategic Planning Process

Consensus was reached on the following future staff presentations/community outreach topics:

- House Elevation Information
- Septic to Sewer Conversation (in coordination with Bonita Springs Utilities)
- Accessory Dwelling Units
- Property Tax Breakdown (Government 101)

## **6. Discussion of Internal and External Boards and Committees**

Council members reviewed City advisory committees and acknowledged that some are currently inactive. Mayor Gibson noted that it would be more efficient to have fewer advisory committees that are effective, and composed of engaged and well-trained members. Additionally, there was consensus to continue evaluating the benefits of consolidating the functions and responsibilities of the Zoning Board, Local Planning Agency, Tree Advisory Committee, and Historic Preservation Board into a single, active, and effective board. Council members also reviewed external liaison assignments and agreed to discontinue the following: Blue Zones, SW FL Inc., and Human Services Advisory Council.

## **7. Adjourn** - The workshop adjourned at 4:35 p.m.

Prepared by:

\_\_\_\_\_  
Michael J. Sheffield, City Clerk

APPROVED BY CITY COUNCIL

Date: \_\_\_\_\_

\_\_\_\_\_  
Mike Gibson, Mayor



City Hall Council Chambers  
9101 Bonita Beach Road SE  
Bonita Springs, Florida 34135

City of Bonita Springs  
City Council  
**Draft Meeting Minutes**

March 19, 2025  
9:00 a.m.

1. **Call to Order** - Mayor Gibson called the meeting to order at 9 a.m.
2. **Invocation** - Provided by Rev. Brad Rogers of the First Presbyterian Church of Bonita Springs.
3. **Pledge of Allegiance** - Led by Mayor Gibson

4. **Roll Call**

*The City Clerk called the roll:*

*Present: 6      Council Member Bogacz; Mayor Gibson; Council Member Corrie, Council Member Fitzpatrick; Council Member Carr (arrived 9:03 am); Council Member Fullick (arrived 9:07 am).*

*Remote: 1      Deputy Mayor Purdon (via Zoom)*

*Council Member Corrie motioned to permit Deputy Mayor Purdon to attend and participate in the meeting remotely; seconded by Council Member Fitzpatrick. **The motion carried 4-0 in a vote of those present.***

5. **Public Comment on Agenda Items**

*Deb Orton - Commented on agenda item 9a, funding options for the BERT project.*

6. **Public Hearings – Zoning and Land Use Items:**

- A. (SECOND READING AND PUBLIC HEARING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; REZONING APPROXIMATELY 1.04 ACRES (+/-) FROM TWO-FAMILY CONSERVATION (TFC-2) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO PRESERVE THE EXISTING DUPLEX STRUCTURES, AND TO ALLOW TWO (2) DEVIATIONS; LOCATED AT ADDRESS 27036/038 WILLIAMS ROAD, 27020-028 WILLIAMS ROAD, AND 27001/031 SUN AQUA LANE, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet 25-03-065)

*The City Clerk read the title block into the record. City Attorney Rooney administered the oath to those intending to give testimony. Mike Fiigon, Senior Planner with Community Development, introduced the item and provided an overview of the applicant's request and staff recommended conditions. He further stated that the Zoning Board unanimously voted to recommend approval. Council Member Corrie motioned to approve; seconded by Council Member Carr. Seeing no members of the public wishing to comment and no further discussion by Council members, Mayor Gibson asked the Clerk to record a roll-call vote. **The motion carried unanimously. Ordinance 25-04 adopted.***



## 7. Consent Agenda Items:

*Council Member Corrie pulled item 7B 'Approve minutes from the Strategic Planning Workshop,' stating the list of consensus-reached future workshops appeared incomplete. The City Clerk will review the record and bring back the draft minutes at the next meeting. Council Member Carr motioned to approve the remaining items on the consent agenda; seconded by Council Member Bogacz. **The motion carried unanimously.***

- A. Approve minutes from the City Council Meeting held on March 5, 2025.
- B. Approve minutes from the Strategic Planning Workshop held on March 5, 2025.
- C. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Helene.
- D. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Milton.
- E. Approve the applicant's Bald Eagle Management Plan for bald eagle nest LE080 located at Latitude 26.36553, Longitude -81.81023, Bonita Bay Creekside Golf Course, in accordance with LDC Chapter 7 Article III – Bald Eagles. (Green Sheet 25-03-061)
- F. Approve amendment #3 to purchase agreement 2024-001-QDD to acquire property located in the Quinn/Downs/Dean Neighborhood for the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project. (Green Sheet 25-03-062)
- G. Approve amendment #2 to purchase agreement 2024-002QDD to acquire property located in the Quinn/Downs/Dean Neighborhood for the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project. (Green Sheet 25-03-063)
- H. Approve amendment #1 to purchase agreement 2025-001QDD to acquire property located in the Quinn/Downs/Dean Neighborhood for the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project. (Green Sheet 25-03-064)
- I. Approve Caretaker's Agreement for the Bonita Nature Place. (Green Sheet 25-03-068)
- J. Approve special event permit for the Celebrate Bonita Festival 2025 and the closure of Old US 41 Road from Wilson Street to Ragsdale Street on Saturday, April 12, 2025. (Green Sheet 25-03-072)
- K. Approve annual update to employee salary ranges, effective April 1, 2025. (Green Sheet 25-03-071)
- L. Adopt the Strategic Priorities discussed at the City Council Strategic Planning Workshop held on March 5, 2025. (Green Sheet 25-03-075)

## 8. Presentations:

- A. **Presentation by the Neighborhood Services Department on code enforcement activity.**  
(Green Sheet 25-03-073)

*Tony Backhurst, Director, Neighborhood Services and Emergency Management, presented a comprehensive overview of the department's activities and statistics for 2024 (presentation on file in the City Clerk's office). He also introduced his team of inspectors who were in attendance.*

**B. Presentation by the Parks and Recreation Department on Parks and Recreation Capital Improvement Projects (CIP).** (Green Sheet 25-03-074)

*Nicole Perino, Director of Parks & Recreation, presented on Parks and Recreation Capital Improvement Projects, which included updates on the following projects: Baseball Complex renovations, New Aquatic Facility Construction, Leitner Creek Soccer Complex, Marni Fields Restrooms, Soccer Complex renovations, Tennis Court upgrades, Community Park Playground upgrades, Island Park Entry improvements, Depot Park Playground renovations/expansion, Riverside Park renovations, and hurricane restoration projects (presentation on file in the City Clerk's office). Council affirmed by consensus moving forward with the presented projects.*

**9. Mayor and Council Member Items:**

**A. Discussion regarding funding options for the Bonita Estero Rail Trail (BERT) project.**

(Council Member Corrie, Green Sheet 25-03-069)

*Council Member Corrie led the discussion, stating he attended the latest meeting of the representatives from the three partner jurisdictions involved in the Bonita Estero Rail Trail project, which included in attendance Collier Commissioner Chris Hall and Village of Estero Manager Steven Sarkozy. At that meeting, it was agreed that in order to proceed with requesting State funding for the BERT project, the governing board of each of the three jurisdictions must make a formal financial commitment. He reported that Collier County will commit \$14 million, the Village of Estero will commit \$15-20 million, and the City of Bonita Springs' share is \$15 million.*

*At the next Bonita Springs City Council meeting, Council Member Corrie will bring forth an agenda item to discuss a Memorandum of Agreement with the Trust for Public Land (TPL) and the two partner jurisdictions. Council agreed by consensus to direct staff to provide funding options for Council consideration.*

*A discussion ensued. Council Member Bogacz asked if such a large financial commitment would negatively impact other planned City projects. Council Member Corrie responded that no funds would be reallocated from projects in the Capital Improvement Project Budget.*

*Council Member Corrie also brought forth a request from the TPL for a joint letter from the three jurisdictions to U.S. Department of Transportation Secretary Duffy, advocating for the continuation of federal funding for active transportation programs and projects. Council Member Corrie motioned to direct staff to collaborate with TPL on the letter, which will be signed by Mayor Gibson; Seconded by Council Member Fullick. **The motion carried 6-1 (Council Member Carr opposed).***

**B. Update on the Bonita Springs Elementary School renovation project.**

(Council Member Fullick, Green Sheet 25-03-076)

*Council Member Fullick provided an update, stating that the school district will present their design plan of the original building façade at a City Council meeting in April.*

**10. City Attorney Items**

*City Attorney Rooney reminded City Council that he will be out of town and therefore unavailable to attend the April 2 City Council meeting; another attorney from his firm will attend.*

**11. City Manager Items:**

**A. Approve Resolution accepting the proposal submitted by EnviroStruct, LLC under the Construction Manager at Risk Continuing Services agreement in the amount of \$1,162,206 for Phase I of the Riverside Park Renovations project and approving a budget transfer to provide funding.** (Green Sheet 25-03-070)

*Nicole Perino, Director of Parks & Recreation, introduced the item, stating she presented the design plans for Phase I of the Riverside Park Renovations project under agenda item 8B, 'Presentation on Parks Capital Improvement Projects.' Council Member Carr motioned to approve; seconded by Council Member Corrie. **The motion carried unanimously.***

**B. Presentation of the January Financial Report.** (Green Sheet 25-03-066)

*Lisa Roberson, Director, Finance and Administrative Services, presented the January Financial Report (on file in the Clerk's office).*

**C. Monthly report from Community Development on activity for February.** (Green Sheet 25-03-067)

*John Dulmer, Director, Community Development, presented the activity report for February (on file in the Clerk's office).*

**D. Update on recovery – Hurricanes Ian, Helene, and Milton**

*City Manager Hunter provided an update on the City's participation in the Florida Department of Emergency Management's F-ROC program. She also provided information on the City's emergency procurement process.*

*In addition, City Manager Hunter stated that she and staff members will attend the Town Hall Forum on Thu., March 27, from 4 pm - 5:30 pm, at the Fire and Rescue District Administration Building, 27701 Bonita Grande Dr. She reminded Council that the City Clerk has issued a public notice in compliance with the Sunshine Law, stating that members of the Bonita Springs City Council may be present and may participate.*

## 12. Mayor and Council Member Reports

*Council Member Carr - Discussed proposed County budget planning changes. Also, she shared information about the 2025 Edison Awards (April 2-3) and reminded everyone about the Celebrate Bonita Festival, scheduled for April 12, from 5 pm-9 pm at Riverside Park.*

*Council Member Fitzpatrick - Expressed gratitude to staff for organizing a tour of City parks, and reminded everyone that the Town Hall Forum with Lee County Commissioner Mulicka and County staff, will be held Thu., March 27, from 4 PM to 5:30 PM at the Fire District Administration Building, 27701 Bonita Grande Drive.*

*Council Member Fullick - Announced that the Tourist Development Council approved funding for a mural to be installed in Bonita Springs.*

*Council Member Corrie - Provided an update on the Wonder Gardens Board meeting that he attended, noting ongoing progress and improvements at the Wonder Gardens.*

## 13. Public Comment

*Nardine Alsobrook - Commented on ongoing flooding issues in the Imperial Harbor neighborhood. She provided handouts which included photos for the record (on file with the City Clerk).*

*Madelyn Foster - Commented on ongoing flooding issues in the Imperial Harbor neighborhood.*

## 14. Adjournment - There being no further business, the meeting adjourned at 12:02 p.m.

Prepared by:

\_\_\_\_\_  
Michael J. Sheffield, City Clerk

APPROVED BY CITY COUNCIL

Date: \_\_\_\_\_

\_\_\_\_\_  
Mike Gibson, Mayor

**ITEM TITLE:** Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Helene.

**REQUESTOR:** Arleen M. Hunter, City Manager; Derek Rooney, City Attorney

**AGENDA SECTION:** Consent

**STRATEGIC PRIORITY:** 6) Strengthen/Enhance Council Relations, 7) Government Transparency

---

**BACKGROUND:**

Governor Ron DeSantis signed Executive Orders 2024-208 and 2024-209 in response to the anticipated landfall of Tropical Storm Helene and has declared that a state of emergency exists in several counties including Lee County, pursuant to Chapter 252, Florida Statutes.

Sec. 14-41 of the City's Code of Ordinances empowers the Mayor to declare a local state of emergency whenever a natural or manmade disaster has occurred or threat of one is imminent and requires immediate and expeditious action.

Tropical Storm Helene poses a serious threat to the lives and property of residents of the City of Bonita Springs and therefore on September 24, 2024, Mayor Steinmeyer executed Resolution 24-72 declaring a local state of emergency for all territory within the legal boundaries of the City of Bonita Springs.

Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary by resolution, in 7-day increments.

**STAFF RECOMMENDATION:** Approve

**ATTACHMENTS:**

1. Resolution No. 25-033 issued on March 17, 2025
2. Resolution No. 25-036 issued on March 24, 2025

---

**REVIEWERS:**

|                |                |
|----------------|----------------|
| City Manager:  | Arleen Hunter  |
| City Attorney: | Derek Rooney   |
| City Clerk:    | Mike Sheffield |



**CITY OF BONITA SPRINGS  
RESOLUTION NO. 2025-033**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BONITA SPRINGS, FLORIDA EXTENDING THE STATE OF  
LOCAL EMERGENCY WHICH PROVIDED FOR  
EMERGENCY GOVERNMENTAL OPERATIONS RELATED  
TO HURRICANE HELENE; AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, Governor Ron DeSantis signed Executive Orders 24-208 and 24-209 declaring that a State of Emergency exists within the State of Florida inclusive of Lee County, due to the threat posed by then Tropical Storm Helene, and

**WHEREAS**, Chapter 252, Florida Statutes authorize municipalities to declare a state of local emergency and to waive procedures and formalities otherwise required to take whatever prudent action necessary to ensure the health, safety, and welfare of the City in the event of a state of local emergency; and

**WHEREAS**, Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency; and

**WHEREAS**, Tropical Storm Helene, later designated a Hurricane, posed a serious threat to the lives and property of residents of the City and therefore on September 24, 2024, the Mayor executed Resolution 24-72 declaring a local state of emergency, which was confirmed and ratified by City Council on October 2, 2024; and

**WHEREAS**, the effects of Hurricane Helene continue to pose a serious threat to the lives and property of residents of the City of Bonita Springs; and

**NOW, THEREFORE**, be it resolved by the Mayor on behalf of the City Council of the City of Bonta Springs, Lee County, Florida:

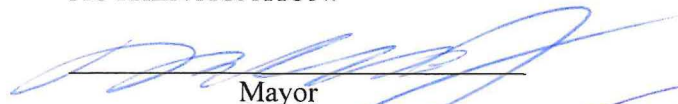
**Section 1.** The recitals above are hereby incorporated herein.

**Section 2.** The current State of Emergency is extended.

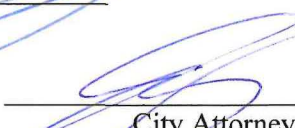
**Section 3.** This Resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary, in 7-day increments.

**DULY PASSED AND ENACTED** by the Mayor of the City of Bonita Springs, Lee County, Florida this 17th day of March, 2025.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

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

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

Date filed with City Clerk: 3/17/25

**CITY OF BONITA SPRINGS  
RESOLUTION NO. 2025-036**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BONITA SPRINGS, FLORIDA EXTENDING THE STATE OF  
LOCAL EMERGENCY WHICH PROVIDED FOR  
EMERGENCY GOVERNMENTAL OPERATIONS RELATED  
TO HURRICANE HELENE; AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, Governor Ron DeSantis signed Executive Orders 24-208 and 24-209 declaring that a State of Emergency exists within the State of Florida inclusive of Lee County, due to the threat posed by then Tropical Storm Helene, and

**WHEREAS**, Chapter 252, Florida Statutes authorize municipalities to declare a state of local emergency and to waive procedures and formalities otherwise required to take whatever prudent action necessary to ensure the health, safety, and welfare of the City in the event of a state of local emergency; and

**WHEREAS**, Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency; and

**WHEREAS**, Tropical Storm Helene, later designated a Hurricane, posed a serious threat to the lives and property of residents of the City and therefore on September 24, 2024, the Mayor executed Resolution 24-72 declaring a local state of emergency, which was confirmed and ratified by City Council on October 2, 2024; and

**WHEREAS**, the effects of Hurricane Helene continue to pose a serious threat to the lives and property of residents of the City of Bonita Springs; and

**NOW, THEREFORE**, be it resolved by the Mayor on behalf of the City Council of the City of Bonta Springs, Lee County, Florida:

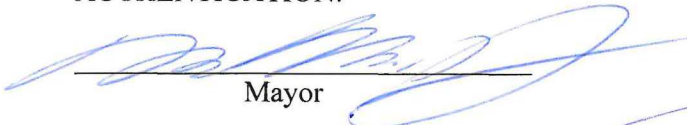
**Section 1.** The recitals above are hereby incorporated herein.

**Section 2.** The current State of Emergency is extended.

**Section 3.** This Resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary, in 7-day increments.

**DULY PASSED AND ENACTED** by the Mayor of the City of Bonita Springs, Lee County, Florida this 24th day of March, 2025.

AUTHENTICATION:

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

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

Date filed with City Clerk: 3/24/25

**ITEM TITLE:** Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Milton.

**REQUESTOR:** Arleen M. Hunter, City Manager; Derek Rooney, City Attorney

**AGENDA SECTION:** Consent

**STRATEGIC PRIORITY:** 6) Strengthen/Enhance Council Relations, 7) Government Transparency

**BACKGROUND:**

Governor Ron DeSantis signed Executive Orders 2024-214 in response to the anticipated landfall of Hurricane Milton and has declared that a state of emergency exists in several counties including Lee County, pursuant to Chapter 252, Florida Statutes.

Sec. 14-41 of the City's Code of Ordinances empowers the Mayor to declare a local state of emergency whenever a natural or manmade disaster has occurred or threat of one is imminent and requires immediate and expeditious action.

Hurricane Milton poses a serious threat to the lives and property of residents of the City of Bonita Springs and therefore on October 6, 2024, Mayor Steinmeyer executed Resolution 24-76 declaring a local state of emergency for all territory within the legal boundaries of the City of Bonita Springs.

Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary by resolution, in 7-day increments.

**STAFF RECOMMENDATION:** Approve

**ATTACHMENTS:**

1. Resolution No. 25-034 issued on March 17, 2025
2. Resolution No. 25-037 issued on March 24, 2025

---

**REVIEWERS:**

|                |                |
|----------------|----------------|
| City Manager:  | Arleen Hunter  |
| City Attorney: | Derek Rooney   |
| City Clerk:    | Mike Sheffield |



**CITY OF BONITA SPRINGS  
RESOLUTION NO. 2025-034**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BONITA SPRINGS, FLORIDA EXTENDING THE STATE OF  
LOCAL EMERGENCY WHICH PROVIDED FOR  
EMERGENCY GOVERNMENTAL OPERATIONS RELATED  
TO HURRICANE MILTON; AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, Governor Ron DeSantis signed Executive Order 24-214 declaring that a State of Emergency exists within the State of Florida inclusive of Lee County, due to the threat posed by Hurricane Milton; and

**WHEREAS**, Chapter 252, Florida Statutes authorize municipalities to declare a state of local emergency and waive procedures and formalities otherwise required to take whatever prudent action necessary to ensure the health, safety, and welfare of the City in the event of a state of local emergency; and

**WHEREAS**, Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency; and

**WHEREAS**, the Mayor executed Resolution 24-076 declaring a local state of emergency in advance of Hurricane Milton which was confirmed and ratified by City Council on October 23, 2024; and

**WHEREAS**, Hurricane Milton continues to have a significant impact on the City, the effects of which include extensive flooding, wind and water damage, not only to public infrastructure but to homes and businesses throughout the City; and

**NOW, THEREFORE**, be it resolved by the Mayor on behalf of the City Council of the City of Bonita Springs, Lee County, Florida:

**Section 1.** The recitals above are hereby incorporated herein.

**Section 2.** The current State of Emergency is extended.

**Section 3.** This Resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary, in 7-day increments.

**DULY PASSED AND ENACTED** by the Mayor of the City of Bonita Springs, Lee County, Florida this 17th day of March, 2025.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

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

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

Date filed with City Clerk: 3/17/25

**CITY OF BONITA SPRINGS  
RESOLUTION NO. 2025-037**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BONITA SPRINGS, FLORIDA EXTENDING THE STATE OF  
LOCAL EMERGENCY WHICH PROVIDED FOR  
EMERGENCY GOVERNMENTAL OPERATIONS RELATED  
TO HURRICANE MILTON; AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, Governor Ron DeSantis signed Executive Order 24-214 declaring that a State of Emergency exists within the State of Florida inclusive of Lee County, due to the threat posed by Hurricane Milton; and

**WHEREAS**, Chapter 252, Florida Statutes authorize municipalities to declare a state of local emergency and waive procedures and formalities otherwise required to take whatever prudent action necessary to ensure the health, safety, and welfare of the City in the event of a state of local emergency; and

**WHEREAS**, Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency; and

**WHEREAS**, the Mayor executed Resolution 24-076 declaring a local state of emergency in advance of Hurricane Milton which was confirmed and ratified by City Council on October 23, 2024; and

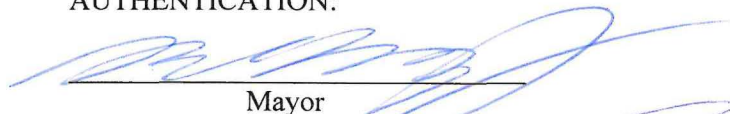
**WHEREAS**, Hurricane Milton continues to have a significant impact on the City, the effects of which include extensive flooding, wind and water damage, not only to public infrastructure but to homes and businesses throughout the City; and

**NOW, THEREFORE**, be it resolved by the Mayor on behalf of the City Council of the City of Bonita Springs, Lee County, Florida:

- Section 1.** The recitals above are hereby incorporated herein.  
**Section 2.** The current State of Emergency is extended.  
**Section 3.** This Resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary, in 7-day increments.

**DULY PASSED AND ENACTED** by the Mayor of the City of Bonita Springs, Lee County, Florida this 24th day of March, 2025.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

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

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

Date filed with City Clerk: 3/24/25



**ITEM TITLE:** Receive proposal submitted by Wright Construction for construction and installation of parking lot lighting at the Felt Avenue Bio-Reactor and provide direction to staff.

**REQUESTOR:** Matt Feeney, Assistant City Manager

**AGENDA SECTION:** City Manager's Items

**STRATEGIC PRIORITY:** #3 Enhance Community Aesthetics, Parks and Facilities

---

**BACKGROUND:**

On February 5, 2025, Bonita Springs City Council requested staff to solicit a proposal for parking lot lighting at the Bio-Reactor parking lot.

Using CN 19-12 Construction Manager at Risk Continuing Services Contract, staff solicited the attached proposal from Wright Construction.

The proposal amount is \$338,734.

This project is not currently included in the City's 24-25 Budget; however, funding could be provided from the General Fund Unassigned Fund Balance. At the council's direction, staff can provide a resolution to approve this budget transfer at the next City Council meeting.

**STAFF RECOMMENDATION:** Provide direction to staff.

**ATTACHMENTS:**

1. Proposal submitted by Wright Construction for Felts Avenue Bio-Reactor Parking Lot Lighting
- 

**REVIEWERS:**

|                      |                |
|----------------------|----------------|
| City Manager:        | Arleen Hunter  |
| City Attorney:       | Derek Rooney   |
| City Clerk:          | Mike Sheffield |
| Department Director: | Matt Feeney    |



March 12, 2025

City of Bonita Springs  
9101 Bonita Beach Road Bonita  
Springs, Florida 34134

Attention: Matt Feeney  
Assistant City Manager  
RE: Bioreactor Parking Lot Lighting

Dear Mr. Feeney,

Wright Construction Group would like to thank you for the opportunity to provide you with our proposal to perform the work required for the above-referenced project. According to your request, we propose to provide all labor, equipment, materials, subcontractor participation, and supervision as necessary to provide the following scope of work:

**General Requirements:**

1. Performance Bond and General Liability
2. Project Supervision and Management
3. Quality Control Testing
4. Maintenance of Traffic
5. Erosion Control
6. Survey, Layout, and As-Builts

**Subcontractor Participation:**

1. Lighting as per the provided conceptual locations
2. Direct Bury Aluminum Light Poles (black color), provided by Hapco.
3. RSX2 LED Luminaire (black color), provided by Lithonia Lighting
4. Installation of twenty-five (25) light poles and luminaires.
5. Furnish and install electrical conduits and conductors.
6. Furnish and install 60-amp 120/240. Coordination with FPL on the use of their on-site transformer will be necessary for amp and voltage
7. Re-grading and restoration

Our proposed price to perform the scope of work identified in this proposal is **\$338,734.00 (three hundred thirty-eight thousand seven hundred thirty-four dollars and zero cents).**

Please get in touch with me with any questions or comments regarding this proposal.

**General Qualifications:**

1. This project is intended to improve the lighting in the bioreactor parking lot at Felts Avenue and Ragsdale Street.
2. This GMP proposal is based on a work schedule of Monday through Friday between 7:00 a.m. and 5:00 p.m.

(239) 481-5000 | [WCGFL.COM](http://WCGFL.COM) | [INFO@WCGFL.COM](mailto:INFO@WCGFL.COM) | CGC 053444

**CORPORATE HEADQUARTERS**  
5811 Youngquist Road  
Fort Myers, FL 33912

**DOWNTOWN FORT MYERS**  
1821 Victoria Avenue, Ste 1  
Fort Myers, FL 33901

3. Any required permits will be discussed and reviewed with the City of Bonita Springs representative before application and acquisition requests. All construction will begin after the acquisition of all necessary permits.
4. This is not a line-item GMP proposal. Any monies generated in savings as a result of a buyout for this project shall be applied at the Construction Manager's discretion to any other line item(s) as necessary to achieve the GMP.

**Exclusions**

1. Project design. The lighting supplier will provide a photometric evaluation to determine the final light pole count and location.
2. FDOT, Demolition, Dewatering, Environmental, SFWMD, and ROW Permits.
3. FPL Charges & Usage Fees, Impact Fees, Zoning, Specialty Engineering Fees, FDOT Inspections/Fees, 3rd Party Inspection Fees, or Special Inspection Fees.
4. Builders Risk insurance and deductibles.
5. Costs associated with obtaining regulatory approval, wetland mitigation & credits, environmental studies, inspections, permits, or relocation of environmentally protected species.
6. Handling or disposal of unclassified or hazardous material (trash, debris, rock, muck, asbestos, etc.). If encountered, the owner or his representative will be notified, and construction will be halted until all parties agree on how to proceed.
7. Rock excavation, punching, drilling, or remediation.
8. Hand clearing of exotic/invasive vegetation.
9. Utility improvements, modifications, or replacements.
10. Abandonment of existing services (wells, electrical, sanitary, etc.).
11. Relocation of any private utility.
12. Relocation, removal, or replacement of existing obstructions within the proposed improvements.

Respectfully Submitted.

**James R  
Powell III**

Digitally signed by  
James R Powell III  
Date: 2025.03.19  
08:54:33 -04'00'

Robbie Powell  
Vice President of Civil Preconstruction



Date: March 11, 2025

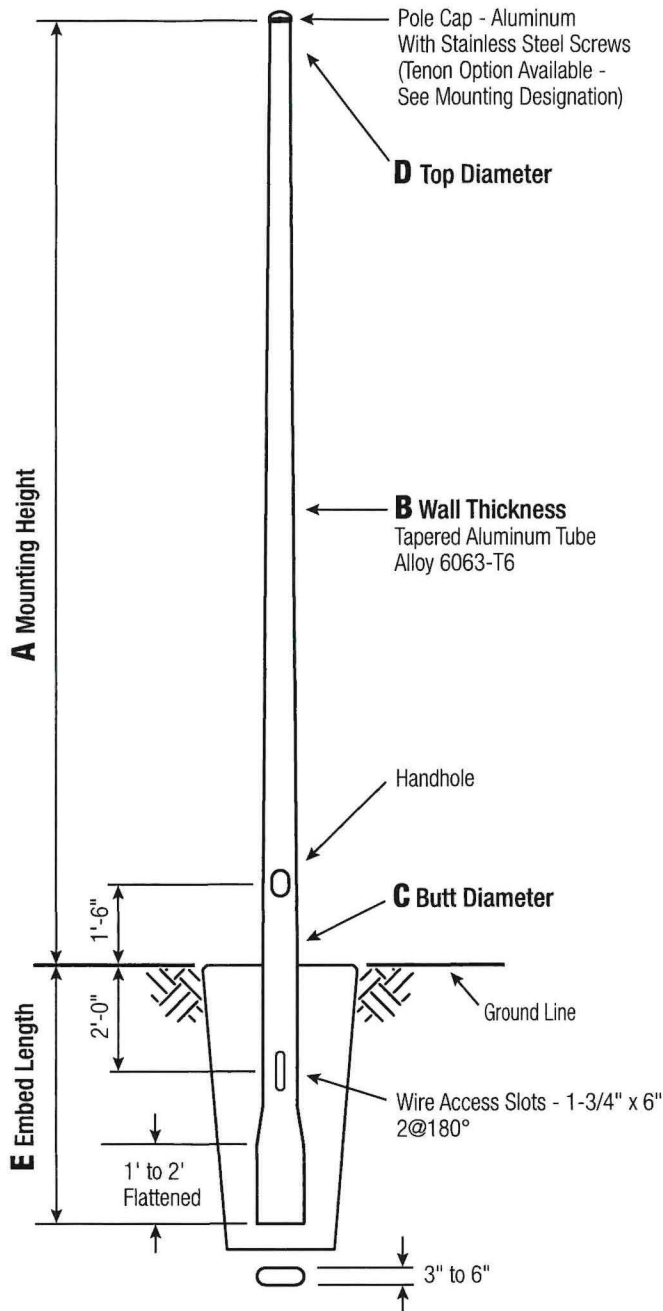
Project: Bioreactor Parking Lot - Lighting

| COST CODES                                 | DESCRIPTION                      | TYPE 2<br>LABOR | TYPE 4<br>RENTAL | TYPE 5<br>MATERIAL | TYPE 6<br>SUB | TYPE 7<br>OTHER | TYPE 8<br>OUTSIDE | Subcontractor |
|--------------------------------------------|----------------------------------|-----------------|------------------|--------------------|---------------|-----------------|-------------------|---------------|
| <b>DIVISION 1 - GENERAL REQUIERMENTS</b>   |                                  |                 |                  |                    |               |                 |                   |               |
| 1-0016                                     | Performance Bond                 |                 |                  |                    |               | \$3,750.00      |                   |               |
| 1-0017                                     | General Liability and Other Ins. |                 |                  |                    |               | \$3,000.00      |                   |               |
| 1-0021                                     | Construction Contingency         |                 |                  |                    |               | \$45,000.00     |                   |               |
| <b>1-3100 Project Management</b>           |                                  |                 |                  |                    |               |                 |                   |               |
| 1-3101                                     | Project Superintendent           | \$ 23,800.00    |                  |                    |               |                 |                   |               |
| 1-3102                                     | Asst. Project Superintendent     |                 |                  |                    |               |                 |                   |               |
| 1-3103                                     | Project Manager                  | \$ 15,000.00    |                  |                    |               |                 |                   |               |
| 1-3104                                     | Project Estimator                | \$ 6,360.00     |                  |                    |               |                 |                   |               |
| 1-3105                                     | Project Administrator            | \$ 6,400.00     |                  |                    |               |                 |                   |               |
| 1-3106                                     | Project Executive                | \$ 6,360.00     |                  |                    |               |                 |                   |               |
| 1-3107                                     | General Superintendent           | \$ 5,520.00     |                  |                    |               |                 |                   |               |
| 1-3120                                     | Vehicle Expense (Mileage)        |                 |                  |                    |               | \$600.00        |                   |               |
| <b>1-4100 Regulatory</b>                   |                                  |                 |                  |                    |               |                 |                   |               |
| 1-4126                                     | Permit Fees                      |                 |                  |                    |               |                 |                   |               |
| 1-4130                                     | Other Regulatory Fees            |                 |                  |                    | \$500.00      |                 |                   |               |
| <b>1-4500 Quality Control</b>              |                                  |                 |                  |                    |               |                 |                   |               |
| 1-4523                                     | Quality Control - Allowance      |                 |                  |                    | \$2,500.00    |                 |                   |               |
| <b>1-5200 Construction Facilities</b>      |                                  |                 |                  |                    |               |                 |                   |               |
| 1-5219                                     | Sanitary Facilities              |                 |                  |                    | \$500.00      |                 |                   |               |
| <b>1-5500 Vehicular Access / Parking</b>   |                                  |                 |                  |                    |               |                 |                   |               |
| 1-5526                                     | Traffic Control                  |                 |                  |                    | \$1,500.00    |                 |                   |               |
| <b>1-5700 Temporary Controls</b>           |                                  |                 |                  |                    |               |                 |                   |               |
| 1-5713                                     | Temporary Erosion Control        |                 |                  |                    | \$1,500.00    |                 |                   |               |
| <b>1-7100 Examination / Preparation</b>    |                                  |                 |                  |                    |               |                 |                   |               |
| 1-7123                                     | Survey / Layout                  |                 |                  |                    | \$8,500.00    |                 |                   |               |
| <b>1-7300 Project Execution</b>            |                                  |                 |                  |                    |               |                 |                   |               |
| 1-7310                                     | Equipment Rental                 |                 |                  |                    | \$2,500.00    |                 |                   |               |
| 1-7340                                     | Misc. Field Expenses             |                 |                  |                    | \$1,600.00    |                 |                   |               |
| <b>1-7400 Cleaning / Waste Management</b>  |                                  |                 |                  |                    |               |                 |                   |               |
| 1-7423                                     | Final Cleaning                   |                 |                  |                    | \$2,500.00    |                 |                   |               |
| <b>DIVISION 26- ELECTRICAL</b>             |                                  |                 |                  |                    |               |                 |                   |               |
| 26-5600                                    | Exterior Lighting                |                 |                  |                    | \$32,500.00   | \$135,000.00    |                   |               |
| <b>DIVISION 32 - EXTERIOR IMPROVEMENTS</b> |                                  |                 |                  |                    |               |                 |                   |               |
| 32-1800                                    | Parking Stops                    |                 |                  |                    | \$550.00      |                 |                   |               |
| 32-9100                                    | Plantings - Allowance            |                 |                  |                    | \$2,500.00    |                 |                   |               |
| <b>TOTAL JOB COST ANALYSIS</b>             |                                  | \$63,440.00     | \$0.00           | \$0.00             | \$57,150.00   | \$187,350.00    | \$0.00            |               |
| PHASE TYPE:2                               |                                  | \$63,440.00     |                  |                    |               |                 |                   |               |
| PHASE TYPE:6                               |                                  | \$57,150.00     |                  |                    |               |                 |                   |               |
| PHASE TYPE:7                               |                                  | \$187,350.00    |                  |                    |               |                 |                   |               |
| <b>Subtotal</b>                            |                                  | \$307,940.00    |                  |                    |               |                 |                   |               |
| Contractors Fee                            |                                  | \$30,794.00     |                  |                    |               |                 |                   |               |
| <b>TOTAL CONTRACT</b>                      |                                  | \$338,734.00    |                  |                    |               |                 |                   |               |



# RTA

## Round Tapered Aluminum Pole No Arm — Direct Buried



Satin Aluminum or Powder Coated Finish per Customer Specification.

| C<br>BUTT DIA. | D<br>TOP DIA. | E<br>EMBED |
|----------------|---------------|------------|
| 5              | 3             | 3'         |
| 6              | 4.5           | 4'         |
| 7              | 4.5           | 5'         |
| 8              | 4.5           | 5'         |
| 9              | 4.5           | 6'         |
| 10             | 6             | 6'         |

C and D Dimensions in Inches

### Pole

The pole shaft will be constructed of seamless extruded tube of 6063 Aluminum Alloy per the requirements of ASTM B221. The shaft assembly shall be full-length heat treated to produce a T6 temper.

### Handhole

**5" Butt Diameter** - 2-1/2" x 5" Handhole with curved Lap Style Aluminum Door and two (2) SS Self-Tapping Attaching Screws. A Grounding Provision is provided as part of the handhole.

**6" Butt Diameter** - Reinforced, 3" x 5" curved Cast Aluminum Frame (Alloy 356-T6) with Aluminum Door and two (2) SS Hex Head Screws. A Grounding Provision incorporating a 3/8" diameter hole is provided opposite the Handhole.

**7"+ Butt Diameters** - Reinforced, 4" x 6" curved Cast Aluminum Frame (Alloy 356-T6) with Aluminum Door and two (2) SS Hex Head Screws. Reinforced Frame will contain a tapped 3/8"-16NC Grounding Provision.

### Embed Detail

Direct Buried Pole bottom section on 6"+ butt diameter poles will be partially flattened into an anti-rotational, oval cross section. Wire access will be provided 24" below ground line. Soil conditions vary by site. Foundation requirements should be determined by a qualified Structural Engineer with knowledge of jobsite soil conditions.



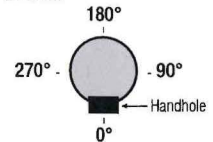
### Vibration Damper

When determined necessary by Hapco, a Vibration Damper will be factory-installed inside the pole shaft. Customer specification of the damper is available.

### Mounting Designation

#### Side Drill Mount

For Side Drill Mount applications specify luminaire type, quantity and orientation. A luminaire drilling template must be supplied at time of order.



#### Tenon Mount - Welded or Spun

For Tenon Mount applications specify both Tenon diameter (2.375", 2.875", 3.5", etc.) and length (3", 4", etc.). Tenon style is factory option. Welded Tenon can be specified.



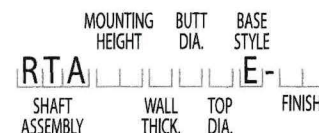
Welded Tenon Spun Tenon



| A         | B              | C             | TOTAL LUM. | MAXIMUM EPA |      |      |      |      | OLD         | CATALOG NUMBER |
|-----------|----------------|---------------|------------|-------------|------|------|------|------|-------------|----------------|
| MTG. HGT. | WALL THICKNESS | BUTT DIAMETER | WEIGHT     | 90          | 100  | 110  | 120  | 130  | CAT. NUMBER |                |
| 10        | 0.125"         | 5             | 100        | 16.6        | 13.0 | 12.2 | 10.0 | 8.2  | 87907-0310X | RTA10B5AE-**   |
| 12        | 0.125"         | 5             | 100        | 12.6        | 10.0 | 9.2  | 7.4  | 6.0  | 87907-0312X | RTA12B5AE-**   |
| 14        | 0.125"         | 5             | 90         | 10.0        | 7.6  | 7.0  | 5.6  | 4.4  | 87907-0314X | RTA14B5AE-**   |
| 16        | 0.125"         | 5             | 60         | 8.0         | 6.0  | 5.4  | 4.2  | 3.2  | 87907-0316X | RTA16B5AE-**   |
| 18        | 0.125"         | 5             | 35         | 6.4         | 4.6  | 4.2  | 3.0  | 2.2  | 87907-0318X | RTA18B5AE-**   |
| 18        | 0.156"         | 5             | 60         | 8.2         | 6.2  | 5.6  | 4.2  | 3.2  |             | RTA18C5AE-**   |
| 20        | 0.125"         | 5             | 30         | 4.8         | 3.4  | 3.0  | 2.0  | 1.4  |             | RTA20B5AE-**   |
| 20        | 0.125"         | 6             | 100        | 12.0        | 9.2  | 8.4  | 6.8  | 5.6  | 50-001      | RTA20B6BE-**   |
| 20        | 0.156"         | 6             | 100        | 16.0        | 12.2 | 11.2 | 9.2  | 7.6  | 50-002      | RTA20C6BE-**   |
| 20        | 0.188"         | 6             | 100        | 20.0        | 15.4 | 14.2 | 11.6 | 9.8  | 50-003      | RTA20D6BE-**   |
| 20        | 0.156"         | 7             | 100        | 24.0        | 18.8 | 17.4 | 14.2 | 12.0 | 50-004      | RTA20C7BE-**   |
| 20        | 0.188"         | 7             | 100        | 29.4        | 23.2 | 21.4 | 17.8 | 15.0 | 50-005      | RTA20D7BE-**   |
| 20        | 0.156"         | 8             | 100        | 33.0        | 26.2 | 24.2 | 20.2 | 17.0 | 50-006      | RTA20C8BE-**   |
| 20        | 0.188"         | 8             | 100        | 40.4        | 32.0 | 29.8 | 24.8 | 21.0 | 50-007      | RTA20D8BE-**   |
| 22        | 0.125"         | 5             | 25         | 3.6         | 2.4  | 2.0  | 1.2  | -    |             | RTA22B5AE-**   |
| 25        | 0.156"         | 6             | 80         | 10.0        | 7.2  | 6.6  | 5.2  | 4.2  | 50-062      | RTA25C6BE-**   |
| 25        | 0.188"         | 6             | 100        | 12.8        | 9.6  | 8.8  | 7.0  | 5.8  | 50-063      | RTA25D6BE-**   |
| 25        | 0.156"         | 7             | 100        | 16.0        | 12.2 | 11.2 | 9.0  | 7.4  | 50-064      | RTA25C7BE-**   |
| 25        | 0.188"         | 7             | 100        | 20.2        | 15.6 | 14.2 | 11.6 | 9.6  | 50-065      | RTA25D7BE-**   |
| 25        | 0.156"         | 8             | 100        | 22.8        | 17.8 | 16.4 | 13.4 | 11.2 | 50-066      | RTA25C8BE-**   |
| 25        | 0.188"         | 8             | 100        | 28.4        | 22.4 | 20.6 | 17.0 | 14.2 | 50-067      | RTA25D8BE-**   |
| 25        | 0.219"         | 8             | 100        | 33.6        | 26.6 | 24.6 | 20.4 | 17.2 | 50-068      | RTA25E8BE-**   |
| 25        | 0.250"         | 8             | 100        | 38.8        | 30.8 | 28.4 | 23.6 | 19.8 | 50-069      | RTA25F8BE-**   |
| 30        | 0.156"         | 7             | 85         | 10.6        | 7.6  | 6.8  | 5.2  | 4.2  | 50-124      | RTA30C7BE-**   |
| 30        | 0.188"         | 7             | 100        | 13.8        | 10.2 | 9.2  | 7.4  | 6.0  | 50-125      | RTA30D7BE-**   |
| 30        | 0.156"         | 8             | 100        | 16.0        | 12.0 | 11.0 | 8.8  | 7.2  | 50-126      | RTA30C8BE-**   |
| 30        | 0.188"         | 8             | 100        | 20.4        | 15.8 | 14.4 | 11.6 | 9.6  | 50-127      | RTA30D8BE-**   |
| 30        | 0.219"         | 8             | 100        | 24.6        | 19.0 | 17.6 | 14.4 | 12.0 | 50-128      | RTA30E8BE-**   |
| 30        | 0.250"         | 8             | 100        | 28.6        | 22.4 | 20.6 | 17.0 | 14.2 | 50-129      | RTA30F8BE-**   |
| 30        | 0.188"         | 9             | 100        | 28.0        | 21.8 | 20.4 | 16.6 | 14.0 | 50-131      | RTA30D9BE-**   |
| 30        | 0.250"         | 9             | 100        | 38.8        | 30.6 | 28.4 | 23.6 | 19.8 | 50-133      | RTA30F9BE-**   |
| 30        | 0.188"         | 10            | 100        | 36.6        | 29.2 | 27.2 | 22.6 | 19.0 | 50-139      | RTA30D1CE-**   |
| 35        | 0.156"         | 8             | 85         | 11.0        | 7.8  | 7.0  | 5.4  | 4.4  | 50-186      | RTA35C8BE-**   |
| 35        | 0.188"         | 8             | 100        | 14.6        | 10.8 | 9.8  | 7.8  | 6.2  | 50-187      | RTA35D8BE-**   |
| 35        | 0.219"         | 8             | 100        | 18.0        | 13.6 | 12.4 | 10.0 | 8.2  | 50-188      | RTA35E8BE-**   |
| 35        | 0.250"         | 8             | 100        | 21.4        | 16.4 | 15.0 | 12.0 | 10.0 | 50-189      | RTA35F8BE-**   |
| 35        | 0.188"         | 9             | 100        | 20.8        | 15.8 | 14.6 | 11.8 | 9.8  | 50-191      | RTA35D9BE-**   |
| 35        | 0.250"         | 9             | 100        | 29.6        | 23.2 | 21.4 | 17.6 | 14.6 | 50-193      | RTA35F9BE-**   |
| 35        | 0.188"         | 10            | 100        | 28.0        | 22.0 | 20.6 | 16.8 | 14.0 | 50-199      | RTA35D1CE-**   |
| 35        | 0.219"         | 10            | 100        | 33.6        | 26.6 | 24.8 | 20.4 | 17.0 | 50-200      | RTA35E1CE-**   |
| 35        | 0.250"         | 10            | 100        | 39.0        | 31.2 | 29.0 | 24.0 | 20.0 | 50-201      | RTA35F1CE-**   |
| 35        | 0.312"         | 10            | 100        | 49.2        | 39.8 | 37.0 | 30.8 | 25.8 | 50-202      | RTA35G1CE-**   |
| 40        | 0.188"         | 8             | 70         | 10.2        | 7.0  | 6.4  | 4.8  | 3.6  | 50-247      | RTA40D8BE-**   |
| 40        | 0.219"         | 8             | 100        | 12.8        | 9.2  | 8.4  | 6.4  | 5.2  | 50-248      | RTA40E8BE-**   |
| 40        | 0.250"         | 8             | 100        | 15.8        | 11.6 | 10.4 | 8.2  | 6.6  | 50-249      | RTA40F8BE-**   |
| 40        | 0.188"         | 9             | 100        | 15.0        | 11.2 | 10.2 | 8.2  | 6.6  | 50-251      | RTA40D9BE-**   |
| 40        | 0.250"         | 9             | 100        | 22.6        | 17.4 | 16.0 | 13.0 | 10.6 | 50-253      | RTA40F9BE-**   |
| 40        | 0.188"         | 10            | 100        | 21.2        | 16.6 | 15.4 | 12.6 | 10.2 | 50-259      | RTA40D1CE-**   |
| 40        | 0.219"         | 10            | 100        | 26.0        | 20.4 | 19.0 | 15.6 | 12.8 | 50-260      | RTA40E1CE-**   |
| 40        | 0.250"         | 10            | 100        | 30.6        | 24.2 | 22.4 | 18.6 | 15.4 | 50-261      | RTA40F1CE-**   |
| 40        | 0.312"         | 10            | 100        | 39.8        | 31.4 | 29.4 | 24.2 | 20.2 | 50-262      | RTA40G1CE-**   |

**Catalog Number System**

The catalog number for Hapco poles utilizes the following identification system.

**Catalog Number Example -****RTA 30 D 8 B E - 01**

Round Tapered Aluminum, 30' Mounting Height, .188" Wall Thickness, 8" Butt Diameter, 4.5" Top Diameter, Direct Buried, Satin Aluminum Finish.

**Wall Thickness**

B = .125"  
C = .156"  
D = .188"  
E = .219"  
F = .250"  
G = .312"

**Butt Diameter**

5 = 5"  
6 = 6"  
7 = 7"  
8 = 8"  
9 = 9"  
1 = 10"

**Top Diameter**

A = 3"  
B = 4.5"  
C = 6"

**Base Style**

E = Direct Buried

**Finish**

01 = Satin Aluminum  
BA = Black Powder Coat  
BH = White Powder Coat  
BM = Dark Bronze Powder Coat  
BV = Dark Green Powder Coat  
GC = Gray Powder Coat  
\*\* = Specify Finish

**EPA Notes:**

Effective Projected Area (EPA) in square feet. EPA's calculated using wind velocity (mph) indicated in accordance with 2009 AASHTO LTS-5 using a 25 year design life. Maximum EPA is based on the luminaire weight shown. Increased luminaire weight may reduce the maximum EPA. If weight is exceeded, or if other design life or code is required, please consult the factory.



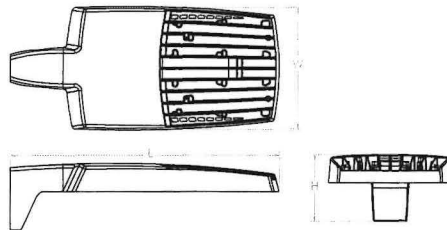
# RSX2 LED Area Luminaire



|                |  |
|----------------|--|
| Catalog Number |  |
| Notes          |  |
| Type           |  |

## Specifications

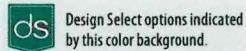
|                            |                                               |
|----------------------------|-----------------------------------------------|
| EPA (ft <sup>2</sup> @0°): | 0.69 ft <sup>2</sup> (0.06 m <sup>2</sup> )   |
| Length:                    | 29.3" (74.4 cm) (SPA mount)                   |
| Width:                     | 13.4" (34.0 cm)                               |
| Height:                    | 3.0" (7.6 cm) Main Body<br>7.2" (18.3 cm) Arm |
| Weight: (SPA mount)        | 30.0 lbs (13.6 kg)                            |



## Introduction

The new RSX LED Area family delivers maximum value by providing significant energy savings, long life and outstanding photometric performance at an affordable price. The RSX2 delivers 11,000 to 31,000 lumens allowing it to replace 250W to 1000W HID luminaires.

The RSX features an integral universal mounting mechanism that allows the luminaire to be mounted on most existing drill hole patterns. This "no-drill" solution provides significant labor savings. An easy-access door on the bottom of mounting arm allows for wiring without opening the electrical compartment. A mast arm adaptor, adjustable integral slipfitter and other mounting configurations are available.



Items marked by a shaded background qualify for the Design Select program and ship in 15 days or less. To learn more about Design Select, visit [www.acuitybrands.com/designselect](http://www.acuitybrands.com/designselect).  
\*See ordering tree for details

## Ordering Information

**EXAMPLE: RSX2 LED P6 40K R3 MVOLT SPA DDBXD**

### RSX2 LED

| Series   | Performance Package | Color Temperature | Distribution                              | Voltage                                     | Mounting                                                                                                                         |
|----------|---------------------|-------------------|-------------------------------------------|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| RSX2 LED | P1                  | 30K 3000K         | R2 Type 2 Wide                            | MVOLT (120V-277V) <sup>2</sup>              | SPA Square pole mounting (3.0" min. SQ pole for 1 at 90°, 3.5" min. SQ pole for 2, 3, 4 at 90°)                                  |
|          | P2                  | 40K 4000K         | R3 Type 3 Wide                            | HVOLT (347V-480V) <sup>3</sup>              | RPA Round pole mounting (3.2" min. dia. RND pole for 2, 3, 4 at 90°, 3.0" min. dia. RND pole for 1 at 90°, 2 at 180°, 3 at 120°) |
|          | P3                  | 50K 5000K         | R35 Type 3 Short                          | XVOLT (277V-480V) <sup>4</sup>              | MA Mast arm adaptor (fits 2-3/8" OD horizontal tenon)                                                                            |
|          | P4                  |                   | R4 Type 4 Wide                            | (use specific voltage for options as noted) | IS Adjustable slipfitter (fits 2-3/8" OD tenon) <sup>6</sup>                                                                     |
|          | P5                  |                   | R4S Type 4 Short                          | 120 <sup>3</sup> 277 <sup>5</sup>           | WBA Wall bracket <sup>1</sup>                                                                                                    |
|          | P6                  |                   | R5 Type 5 Wide <sup>1</sup>               | 208 <sup>3</sup> 347 <sup>5</sup>           | WBASC Wall bracket with surface conduit box                                                                                      |
|          |                     |                   | R5S Type 5 Short <sup>1</sup>             | 240 <sup>3</sup> 480 <sup>5</sup>           | AASP Adjustable tilt arm square pole mounting <sup>6</sup>                                                                       |
|          |                     |                   | AFR Automotive Front Row                  |                                             | AARP Adjustable tilt arm round pole mounting <sup>6</sup>                                                                        |
|          |                     |                   | AFRR90 Automotive Front Row Right Rotated |                                             | AAWB Adjustable tilt arm with wall bracket <sup>6</sup>                                                                          |
|          |                     |                   | AFRL90 Automotive Front Row Left Rotated  |                                             | AAWSC Adjustable tilt arm wall bracket and surface conduit box <sup>6</sup>                                                      |

### Options

#### Shipped Installed

|         |                                                                                                       |
|---------|-------------------------------------------------------------------------------------------------------|
| HS      | House-side shield <sup>7</sup>                                                                        |
| PE      | Photocontrol, button style <sup>8,9</sup>                                                             |
| PER7    | Seven-wire twist-lock receptacle only (no controls) <sup>9,10,11</sup>                                |
| SF      | Single fuse (120, 277, 347) <sup>5</sup>                                                              |
| DF      | Double fuse (208, 240, 480) <sup>5</sup>                                                              |
| SPD20KV | 20KV Surge pack (10KV standard)                                                                       |
| FAO     | Field adjustable output <sup>9</sup>                                                                  |
| DMG     | 0-10V dimming extend out back of housing for external control (control ordered separate) <sup>9</sup> |
| DS      | Dual switching <sup>8,12</sup>                                                                        |

#### Shipped Installed

**\*Standalone and Networked Sensors/Controls (factory default settings, see table page 9)**

NLTAIR2 PIRHN nLight AIR generation 2, with Networked, Bi-Level motion/ambient sensor <sup>9,13,14,15</sup>

BAA Buy America(n) Act and/or Build America Buy America Qualified

CCE Coastal Construction <sup>16</sup>

\*Note: NLTAIR2 PIRHN with nLight Air can be used as a standalone dimming sensor with out-of-box settings or as a wireless networked solution. See factory default settings table. Sensor coverage pattern is affected when luminaire is tilted.

#### Shipped Separately (requires some field assembly)

|      |                                                                     |
|------|---------------------------------------------------------------------|
| EGS  | External glare shield <sup>7</sup>                                  |
| EGFV | External glare full visor (360° around light aperture) <sup>7</sup> |
| BS   | Bird spikes <sup>17</sup>                                           |

### Finish

|        |                           |
|--------|---------------------------|
| DDBXD  | Dark Bronze               |
| DBLXD  | Black                     |
| DNAXD  | Natural Aluminum          |
| DWHXD  | White                     |
| DBTXD  | Textured Dark Bronze      |
| DBLXD  | Textured Black            |
| DNATXD | Textured Natural Aluminum |
| DWHGXD | Textured White            |





## Ordering Information

### Accessories

Ordered and shipped separately.

|                      |                                                                              |
|----------------------|------------------------------------------------------------------------------|
| RSX2HS               | RSX2 House side shield (includes 2 shields)                                  |
| RSX2EGS (FINISH) U   | External glare shield (specify finish)                                       |
| RSX2HSAFR (FINISH) U | RSX2 House side shields for AFR rotated optics (includes 2 shields)          |
| RSX2EGFV (FINISH) U  | External glare full visor (specify finish)                                   |
| RSXRPA (FINISH) U    | RSX Universal round pole adaptor plate (specify finish)                      |
| RSXWBA (FINISH) U    | RSX WBA wall bracket (specify finish) <sup>1</sup>                           |
| RSXSCB (FINISH) U    | RSX Surface conduit box (specify finish, for use with WBA, WBA not included) |
| DLL127F 1.5 JU       | Photocell -SSL twist-lock (120-277V) <sup>18</sup>                           |
| DLL347F 1.5 CUL JU   | Photocell -SSL twist-lock (347V) <sup>18</sup>                               |
| DLL480F 1.5 CUL JU   | Photocell -SSL twist-lock (480V) <sup>18</sup>                               |
| DSHORT SBK U         | Shorting cap <sup>18</sup>                                                   |

### NOTES

- Any Type 5 distribution, is not available with WBA.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- HVOLT driver operates on any line voltage from 347-480V (50/60 Hz).
- XVOLT driver not available with P1. XVOLT driver operates on any line voltage from 277V-480V (50/60 Hz). XVOLT not available with fusing (SF or DF) and not available with PE.
- Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V.
- Maximum tilt is 90° above horizontal.
- It may be ordered as an accessory.
- Requires MVOLT or 347V.
- Two or more of the following options cannot be combined including PE, DMG, PER7, FAO, DS and NLTAIR2 PIRHN. (Exception: PE and FAO can be combined; also PE and DMG can be combined.)
- Compatible with standard twist-lock photocells for dusk to dawn operation or advanced control nodes that provide 0-10V dimming signals. Wire 4/Wire 5 wired to dimming leads on driver. Wire6/Wire7 capped inside luminaire. Twistlock photocell ordered and shipped

- as a separate line item from Acuity Brands Controls. See accessories. Shorting Cap included.
- For units with option PER7, the mounting must be restricted to +/- 45° from horizontal aim per ANSI C136.10-2010.
- DS requires (2) separately switched circuits. DS provides 50/50 fixture operation via (2) different sets of leads using (2) drivers. DS only available with packages P5 and P6.
- Must be ordered with PIRHN.
- Requires MVOLT or HVOLT.
- Must be ordered with NLTAIR2. For additional information on PIRHN visit [here](#).
- CCE option not available with WBA, WBASC, AASP, AARP, AAWB, AAWBSC, EGS, EGFV and BS.
- Must be ordered with fixture for factory pre-drilling.
- Requires luminaire to be specified with PER7 option. Ordered and shipped as a separate line item from Acuity Brands Controls.

## External Shields



House Side Shield



External Glare Shield

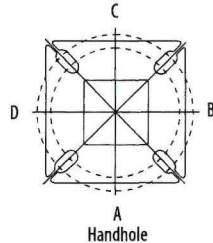


External 360 Full Visor

## Pole/Mounting Information

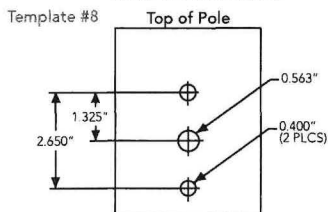
Accessories including bullhorns, cross arms and other adapters are available under the accessories tab at Lithonia's Outdoor Poles and Arms product page. Click here to visit [Accessories](#).

### HANDHOLE ORIENTATION

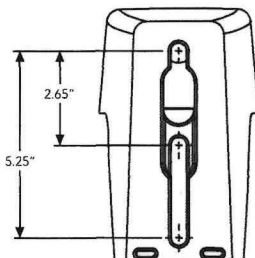


Handhole

### RSX POLE DRILLING



### RSX STANDARD ARM & ADJUSTABLE ARM



### Round Tenon Mount - Pole Top Slipfitters

| Tenon O.D. | RSX Mounting | Single    | 2 at 180° | 2 at 90°  | 3 at 120° | 3 at 90°  | 4 at 90°  |
|------------|--------------|-----------|-----------|-----------|-----------|-----------|-----------|
| 2 - 3/8"   | RPA, AARP    | AS3-S-190 | AS3-S-280 | AS3-S-290 | AS3-S-320 | AS3-S-390 | AS3-S-490 |
| 2 - 7/8"   | RPA, AARP    | AST25-190 | AST25-280 | AST25-290 | AST25-320 | AST25-390 | AST25-490 |
| 4"         | RPA, AARP    | AST35-190 | AST35-280 | AST35-290 | AST35-320 | AST35-390 | AST35-490 |

### Drill/Side Location by Configuration Type

| Drilling Template | Mounting Option    | Single | 2 @ 180    | 2 @ 90     | 3 @ 120         | 3 @ 90        | 4 @ 90           |
|-------------------|--------------------|--------|------------|------------|-----------------|---------------|------------------|
|                   | Head Location      | Side B | Side B & D | Side B & C | Round Pole Only | Side B, C & D | Side A, B, C & D |
| #8                | Drill Nomenclature | DM19AS | DM28AS     | DM29AS     | DM32AS          | DM39AS        | DM49AS           |

### RSX2 - Luminaire EPA

\*Includes luminaire and integral mounting arm. Other tenons, arms, brackets or other accessories are not included in this EPA data.

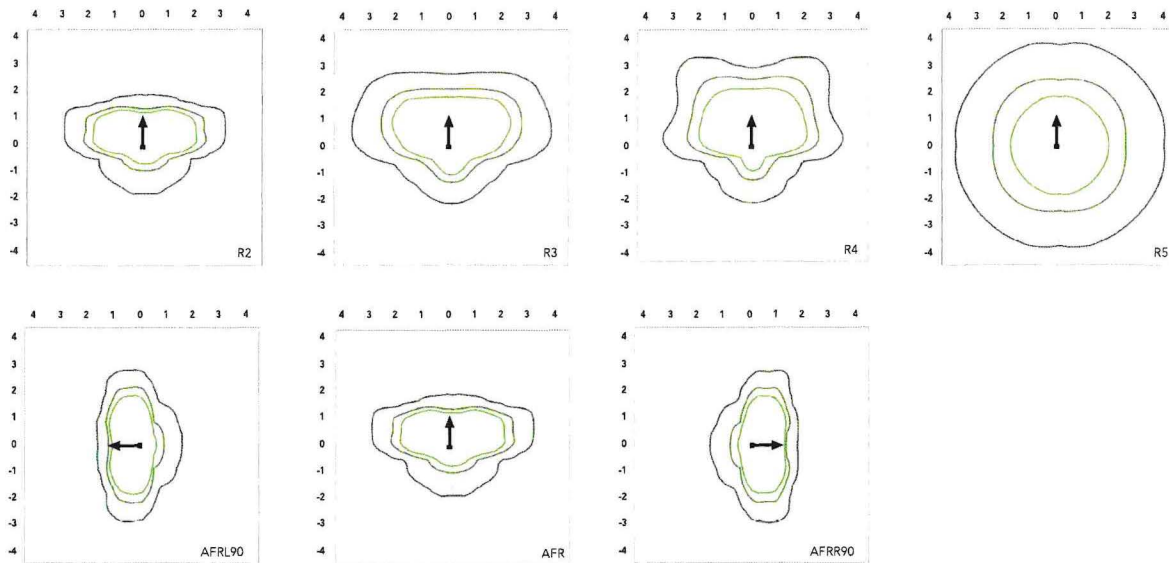
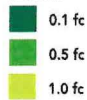
| Fixture Quantity & Mounting Configuration                                |      | Single | 2 @ 90 | 2 @ 180 | 3 @ 90 | 3 @ 120 | 4 @ 90 | 2 Side by Side | 3 Side by Side | 4 Side by Side |
|--------------------------------------------------------------------------|------|--------|--------|---------|--------|---------|--------|----------------|----------------|----------------|
| Mounting Type                                                            | Tilt |        |        |         |        |         |        |                |                |                |
| SPA - Square Pole Adaptor                                                | 0°   | 0.69   | 1.22   | 1.27    | 1.8    | 1.61    | 2.39   | 1.37           | 2.06           | 2.74           |
| RPA - Round Pole Adaptor                                                 |      | 0.74   | 1.27   | 1.37    | 1.9    | 1.71    | 2.49   | 1.42           | 2.16           | 2.84           |
| MA - Mast Arm Adaptor                                                    |      | 0.61   | 1.14   | 1.11    | 1.64   | 1.45    | 2.23   | 1.29           | 1.9            | 2.58           |
| IS - Integral Slipfitter<br>AASP/AARP - Adjustable Arm Square/Round Pole | 0°   | 0.69   | 1.22   | 1.27    | 1.8    | 1.61    | 2.39   | 1.37           | 2.06           | 2.74           |
|                                                                          | 10°  | 0.53   | 1.06   | 1.05    | 1.58   | 1.37    | 2.08   | 1.06           | 1.59           | 2.12           |
|                                                                          | 20°  | 0.52   | 1.02   | 1.03    | 1.52   | 1.33    | 2.02   | 1.03           | 1.55           | 2.07           |
|                                                                          | 30°  | 0.64   | 1.11   | 1.18    | 1.63   | 1.45    | 2.21   | 1.27           | 1.91           | 2.54           |
|                                                                          | 40°  | 0.81   | 1.21   | 1.35    | 1.74   | 1.65    | 2.39   | 1.62           | 2.43           | 3.23           |
|                                                                          | 45°  | 0.91   | 1.25   | 1.5     | 1.81   | 1.75    | 2.48   | 1.82           | 2.73           | 3.64           |
|                                                                          | 50°  | 1.34   | 1.83   | 2.17    | 2.61   | 2.56    | 3.62   | 2.68           | 4.02           | 5.36           |
|                                                                          | 60°  | 2.2    | 2.97   | 3.57    | 4.24   | 4.17    | 5.89   | 4.41           | 6.61           | 8.82           |
|                                                                          | 70°  | 2.86   | 4.13   | 4.7     | 5.89   | 5.71    | 8.21   | 5.71           | 8.57           | 11.42          |
|                                                                          | 80°  | 3.4    | 5.13   | 5.67    | 7.34   | 7.09    | 10.21  | 6.79           | 10.19          | 13.59          |
|                                                                          | 90°  | 3.85   | 5.96   | 6.55    | 8.58   | 8.31    | 11.88  | 7.70           | 11.56          | 15.41          |

## Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's RSX Area homepage.

Isofootcandle plots for the RSX2 LED P6 40K. Distances are in units of mounting height (30').

### LEGEND



## Performance Data

### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-50°C (32-122°F).

| Ambient | Ambient | Lumen Multiplier |
|---------|---------|------------------|
| 0°C     | 32°F    | 1.05             |
| 5°C     | 41°F    | 1.04             |
| 10°C    | 50°F    | 1.03             |
| 15°C    | 59°F    | 1.02             |
| 20°C    | 68°F    | 1.01             |
| 25°C    | 77°F    | 1.00             |
| 30°C    | 86°F    | 0.99             |
| 35°C    | 95°F    | 0.98             |
| 40°C    | 104°F   | 0.97             |
| 45°C    | 113°F   | 0.96             |
| 50°C    | 122°F   | 0.95             |

### Electrical Load

| Performance Package | System Watts (W) | Current (A) |      |      |      |      |      |
|---------------------|------------------|-------------|------|------|------|------|------|
|                     |                  | 120V        | 208V | 240V | 277V | 347V | 480V |
| P1                  | 71W              | 0.59        | 0.34 | 0.30 | 0.26 | 0.20 | 0.15 |
| P2                  | 111W             | 0.93        | 0.53 | 0.46 | 0.40 | 0.32 | 0.23 |
| P3                  | 147W             | 1.23        | 0.70 | 0.61 | 0.53 | 0.42 | 0.31 |
| P4                  | 187W             | 1.55        | 0.90 | 0.78 | 0.68 | 0.53 | 0.38 |
| P5                  | 210W             | 1.75        | 1.01 | 0.87 | 0.76 | 0.60 | 0.44 |
| P6                  | 244W             | 2.03        | 1.17 | 1.01 | 0.88 | 0.70 | 0.51 |

### Projected LED Lumen Maintenance

| Operating Hours          | 50,000 | 75,000 | 100,000 |
|--------------------------|--------|--------|---------|
| Lumen Maintenance Factor | >0.97  | >0.95  | >0.92   |

Values calculated according to IESNA TM-21-11 methodology and valid up to 40°C.



COMMERCIAL OUTDOOR

One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • [www.acuitybrands.com](http://www.acuitybrands.com)  
© 2011-2025 Acuity Brands Lighting, Inc. All rights reserved.

Lithonia RSX2 Area LED  
Rev. 01/28/25  
Page 3 of 9



## Performance Data

### Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

| Performance Package | System Watts | Distribution Type | 30K (3000K, 70 CRI) |   |   |   |     | 40K (4000K, 70 CRI) |   |   |   |     | 50K (5000K, 70 CRI) |   |   |   |     |
|---------------------|--------------|-------------------|---------------------|---|---|---|-----|---------------------|---|---|---|-----|---------------------|---|---|---|-----|
|                     |              |                   | Lumens              | B | U | G | LPW | Lumens              | B | U | G | LPW | Lumens              | B | U | G | LPW |
| P1                  | 71W          | R2                | 10,040              | 2 | 0 | 1 | 139 | 11,031              | 2 | 0 | 1 | 153 | 11,031              | 2 | 0 | 1 | 153 |
|                     |              | R3                | 10,005              | 2 | 0 | 2 | 141 | 10,992              | 2 | 0 | 2 | 155 | 10,992              | 2 | 0 | 2 | 155 |
|                     |              | R3S               | 10,271              | 2 | 0 | 2 | 143 | 11,285              | 2 | 0 | 2 | 157 | 11,285              | 2 | 0 | 2 | 157 |
|                     |              | R4                | 10,136              | 2 | 0 | 2 | 143 | 11,136              | 2 | 0 | 2 | 157 | 11,136              | 2 | 0 | 2 | 157 |
|                     |              | R4S               | 9,779               | 2 | 0 | 2 | 138 | 10,744              | 2 | 0 | 2 | 151 | 10,744              | 2 | 0 | 2 | 151 |
|                     |              | R5                | 10,271              | 4 | 0 | 2 | 145 | 11,285              | 4 | 0 | 2 | 159 | 11,285              | 4 | 0 | 2 | 159 |
|                     |              | R5S               | 10,544              | 3 | 0 | 1 | 149 | 11,585              | 3 | 0 | 2 | 163 | 11,585              | 3 | 0 | 2 | 163 |
|                     |              | AFR               | 10,026              | 2 | 0 | 1 | 141 | 11,016              | 2 | 0 | 1 | 155 | 11,016              | 2 | 0 | 1 | 155 |
|                     |              | AFRR90            | 10,122              | 3 | 0 | 2 | 140 | 11,121              | 3 | 0 | 2 | 154 | 11,121              | 3 | 0 | 2 | 154 |
|                     |              | AFRL90            | 10,164              | 3 | 0 | 2 | 141 | 11,167              | 3 | 0 | 2 | 155 | 11,167              | 3 | 0 | 2 | 155 |
| P2                  | 111W         | R2                | 15,712              | 2 | 0 | 2 | 138 | 17,263              | 2 | 0 | 2 | 151 | 17,263              | 2 | 0 | 2 | 151 |
|                     |              | R3                | 15,657              | 2 | 0 | 3 | 141 | 17,202              | 3 | 0 | 3 | 155 | 17,202              | 3 | 0 | 3 | 155 |
|                     |              | R3S               | 16,075              | 2 | 0 | 2 | 141 | 17,661              | 2 | 0 | 2 | 155 | 17,661              | 2 | 0 | 2 | 155 |
|                     |              | R4                | 15,862              | 2 | 0 | 3 | 143 | 17,427              | 2 | 0 | 3 | 157 | 17,427              | 2 | 0 | 3 | 157 |
|                     |              | R4S               | 15,304              | 2 | 0 | 2 | 138 | 16,815              | 2 | 0 | 2 | 151 | 16,815              | 2 | 0 | 2 | 151 |
|                     |              | R5                | 16,075              | 4 | 0 | 2 | 145 | 17,661              | 5 | 0 | 3 | 159 | 17,661              | 5 | 0 | 3 | 159 |
|                     |              | R5S               | 16,502              | 4 | 0 | 2 | 149 | 18,130              | 4 | 0 | 2 | 163 | 18,130              | 4 | 0 | 2 | 163 |
|                     |              | AFR               | 15,691              | 2 | 0 | 2 | 141 | 17,240              | 2 | 0 | 2 | 155 | 17,240              | 2 | 0 | 2 | 155 |
|                     |              | AFRR90            | 15,841              | 3 | 0 | 3 | 139 | 17,404              | 4 | 0 | 3 | 153 | 17,404              | 4 | 0 | 3 | 153 |
|                     |              | AFRL90            | 15,907              | 3 | 0 | 3 | 139 | 17,477              | 4 | 0 | 3 | 153 | 17,477              | 4 | 0 | 3 | 153 |
| P3                  | 147W         | R2                | 19,855              | 3 | 0 | 2 | 132 | 21,814              | 3 | 0 | 2 | 145 | 21,814              | 3 | 0 | 2 | 145 |
|                     |              | R3                | 19,785              | 3 | 0 | 3 | 135 | 21,737              | 3 | 0 | 4 | 148 | 21,737              | 3 | 0 | 4 | 148 |
|                     |              | R3S               | 20,312              | 3 | 0 | 3 | 135 | 22,317              | 3 | 0 | 3 | 149 | 22,317              | 3 | 0 | 3 | 149 |
|                     |              | R4                | 20,044              | 3 | 0 | 3 | 136 | 22,022              | 3 | 0 | 4 | 150 | 22,022              | 3 | 0 | 4 | 150 |
|                     |              | R4S               | 19,339              | 3 | 0 | 3 | 132 | 21,247              | 3 | 0 | 3 | 145 | 21,247              | 3 | 0 | 3 | 145 |
|                     |              | R5                | 20,313              | 5 | 0 | 3 | 138 | 22,317              | 5 | 0 | 3 | 152 | 22,317              | 5 | 0 | 3 | 152 |
|                     |              | R5S               | 20,852              | 4 | 0 | 2 | 142 | 22,910              | 4 | 0 | 2 | 156 | 22,910              | 4 | 0 | 2 | 156 |
|                     |              | AFR               | 19,828              | 3 | 0 | 2 | 135 | 21,785              | 3 | 0 | 2 | 148 | 21,785              | 3 | 0 | 2 | 148 |
|                     |              | AFRR90            | 20,017              | 4 | 0 | 3 | 133 | 21,992              | 4 | 0 | 3 | 147 | 21,992              | 4 | 0 | 3 | 147 |
|                     |              | AFRL90            | 20,101              | 4 | 0 | 3 | 134 | 22,084              | 4 | 0 | 3 | 147 | 22,084              | 4 | 0 | 3 | 147 |
| P4                  | 187W         | R2                | 22,836              | 3 | 0 | 2 | 120 | 25,090              | 3 | 0 | 2 | 132 | 25,090              | 3 | 0 | 2 | 132 |
|                     |              | R3                | 22,756              | 3 | 0 | 4 | 122 | 25,002              | 3 | 0 | 4 | 134 | 25,002              | 3 | 0 | 4 | 134 |
|                     |              | R3S               | 23,363              | 3 | 0 | 3 | 123 | 25,668              | 3 | 0 | 3 | 135 | 25,668              | 3 | 0 | 3 | 135 |
|                     |              | R4                | 23,054              | 3 | 0 | 4 | 123 | 25,329              | 3 | 0 | 4 | 135 | 25,329              | 3 | 0 | 4 | 135 |
|                     |              | R4S               | 22,243              | 3 | 0 | 3 | 119 | 25,059              | 3 | 0 | 3 | 134 | 25,059              | 3 | 0 | 3 | 134 |
|                     |              | R5                | 23,363              | 5 | 0 | 3 | 125 | 25,669              | 5 | 0 | 4 | 137 | 25,669              | 5 | 0 | 4 | 137 |
|                     |              | R5S               | 23,983              | 4 | 0 | 2 | 128 | 26,350              | 4 | 0 | 2 | 141 | 26,350              | 4 | 0 | 2 | 141 |
|                     |              | AFR               | 22,806              | 3 | 0 | 2 | 122 | 25,056              | 3 | 0 | 2 | 134 | 25,056              | 3 | 0 | 2 | 134 |
|                     |              | AFRR90            | 23,023              | 4 | 0 | 3 | 121 | 25,295              | 4 | 0 | 3 | 133 | 25,295              | 4 | 0 | 3 | 133 |
|                     |              | AFRL90            | 23,120              | 4 | 0 | 3 | 122 | 25,401              | 4 | 0 | 3 | 134 | 25,401              | 4 | 0 | 3 | 134 |
| P5                  | 210W         | R2                | 26,141              | 3 | 0 | 2 | 122 | 28,721              | 3 | 0 | 2 | 135 | 28,721              | 3 | 0 | 2 | 135 |
|                     |              | R3                | 26,049              | 3 | 0 | 4 | 124 | 28,620              | 3 | 0 | 4 | 136 | 28,620              | 3 | 0 | 4 | 136 |
|                     |              | R3S               | 26,744              | 3 | 0 | 3 | 125 | 29,383              | 3 | 0 | 4 | 138 | 29,383              | 3 | 0 | 4 | 138 |
|                     |              | R4                | 26,390              | 3 | 0 | 4 | 126 | 28,994              | 3 | 0 | 4 | 138 | 28,994              | 3 | 0 | 4 | 138 |
|                     |              | R4S               | 25,462              | 3 | 0 | 3 | 121 | 27,974              | 3 | 0 | 3 | 133 | 27,974              | 3 | 0 | 3 | 133 |
|                     |              | R5                | 26,744              | 5 | 0 | 4 | 127 | 29,383              | 5 | 0 | 4 | 140 | 29,383              | 5 | 0 | 4 | 140 |
|                     |              | R5S               | 27,454              | 4 | 0 | 2 | 131 | 30,163              | 4 | 0 | 2 | 144 | 30,163              | 4 | 0 | 2 | 144 |
|                     |              | AFR               | 26,106              | 3 | 0 | 2 | 124 | 28,682              | 3 | 0 | 2 | 137 | 28,682              | 3 | 0 | 2 | 137 |
|                     |              | AFRR90            | 26,354              | 4 | 0 | 3 | 123 | 28,955              | 5 | 0 | 3 | 136 | 28,955              | 5 | 0 | 3 | 136 |
|                     |              | AFRL90            | 26,465              | 4 | 0 | 3 | 124 | 29,077              | 5 | 0 | 3 | 136 | 29,077              | 5 | 0 | 3 | 136 |
| P6                  | 244W         | R2                | 27,646              | 3 | 0 | 2 | 112 | 30,374              | 3 | 0 | 2 | 123 | 30,374              | 3 | 0 | 2 | 123 |
|                     |              | R3                | 27,549              | 3 | 0 | 4 | 113 | 30,267              | 3 | 0 | 4 | 124 | 30,267              | 3 | 0 | 4 | 124 |
|                     |              | R3S               | 28,283              | 3 | 0 | 3 | 115 | 31,075              | 3 | 0 | 4 | 126 | 31,075              | 3 | 0 | 4 | 126 |
|                     |              | R4                | 27,909              | 3 | 0 | 4 | 114 | 30,663              | 3 | 0 | 4 | 126 | 30,663              | 3 | 0 | 4 | 126 |
|                     |              | R4S               | 26,928              | 3 | 0 | 3 | 110 | 29,585              | 3 | 0 | 3 | 121 | 29,585              | 3 | 0 | 3 | 121 |
|                     |              | R5                | 28,284              | 5 | 0 | 4 | 116 | 31,075              | 5 | 0 | 4 | 127 | 31,075              | 5 | 0 | 4 | 127 |
|                     |              | R5S               | 29,035              | 4 | 0 | 2 | 119 | 31,900              | 5 | 0 | 3 | 131 | 31,900              | 5 | 0 | 3 | 131 |
|                     |              | AFR               | 27,608              | 3 | 0 | 2 | 112 | 30,332              | 3 | 0 | 2 | 123 | 30,332              | 3 | 0 | 2 | 123 |
|                     |              | AFRR90            | 27,872              | 4 | 0 | 3 | 113 | 30,622              | 5 | 0 | 3 | 124 | 30,622              | 5 | 0 | 3 | 124 |
|                     |              | AFRL90            | 27,989              | 4 | 0 | 3 | 113 | 30,751              | 5 | 0 | 3 | 125 | 30,751              | 5 | 0 | 3 | 125 |

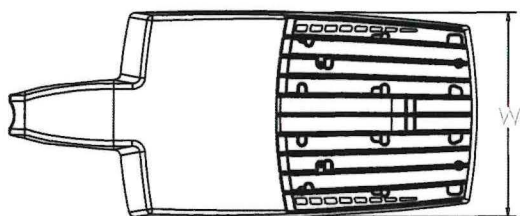


## Dimensions & Weights

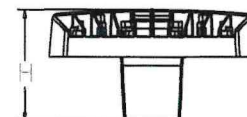
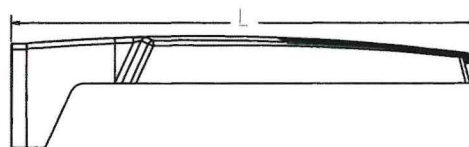
### Luminaire Weight by Mounting Type

| Mounting Configuration | Total Luminaire Weight |
|------------------------|------------------------|
| SPA                    | 30 lbs                 |
| RPA                    | 32 lbs                 |
| MA                     | 30 lbs                 |
| WBA                    | 33 lbs                 |
| WBASC                  | 36 lbs                 |
| IS                     | 33 lbs                 |
| AASP                   | 33 lbs                 |
| AARP                   | 35 lbs                 |
| AAWB                   | 36 lbs                 |
| AAWSC                  | 39 lbs                 |

### RSX2 with Round Pole Adapter (RPA)



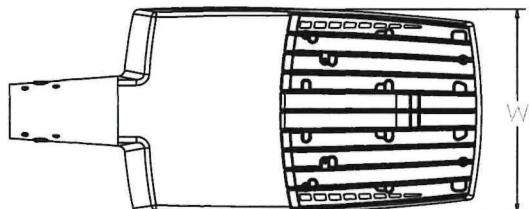
Length: 30.3" (77.0 cm)  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 7.2" (18.3 cm) Arm



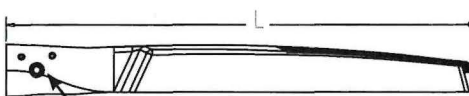
Note: RPA — Round Pole mount can also be used to mount on square poles by omitting the round pole adapter plate shown here.



### RSX2 with Mast Arm Adapter (MA)

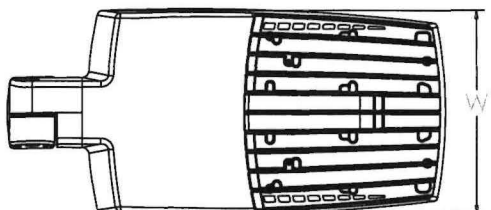


Length: 30.6" (77.7 cm)  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 3.5" (8.9 cm) Arm

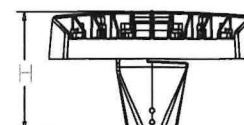
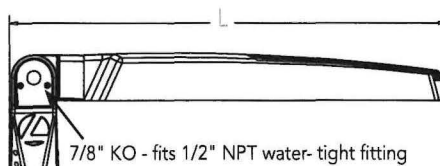


7/16" locking thru bolt/nut provided

### RSX2 with Adjustable Slipfitter (IS)



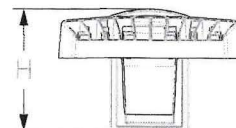
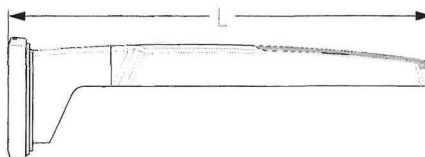
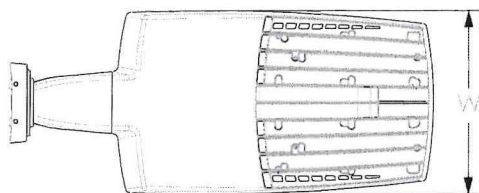
Length: 28.3" (71.9 cm)  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 7.6" (19.3 cm) Arm



7/8" KO - fits 1/2" NPT water-tight fitting

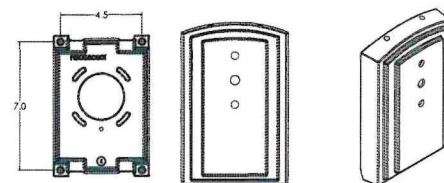
## Dimensions

### RSX2 with Wall Bracket (WBA)

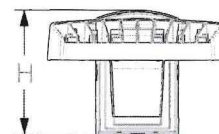
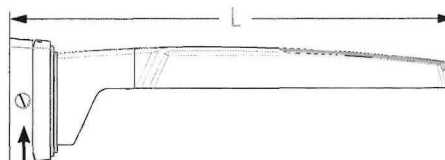
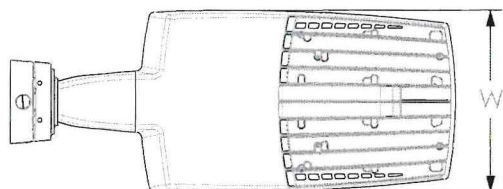


Length: 31.2" (79.2 cm)  
 Width: 13.4" (41.7 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 8.9" (22.6 cm) Arm

#### Wall Bracket (WBA) Mounting Detail



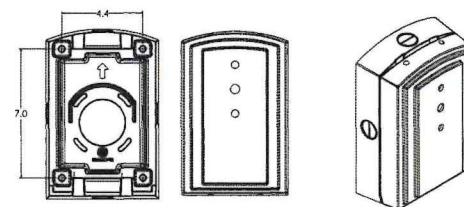
### RSX2 with Wall Bracket with Surface Conduit Box (WBASC)



3/4" NPT taps with plugs - Qty (4) provided

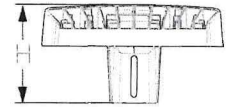
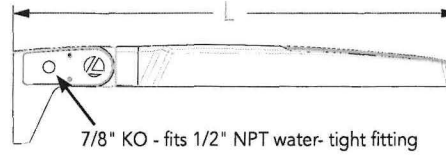
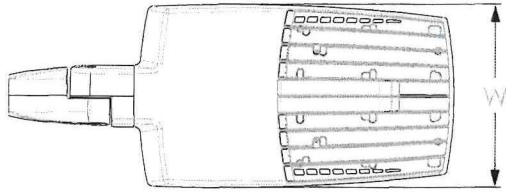
Length: 32.8" (83.3 cm)  
 Width: 13.4" (41.7 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 9.2" (23.4 cm) Arm

#### Surface Conduit Box (SCB) Mounting Detail

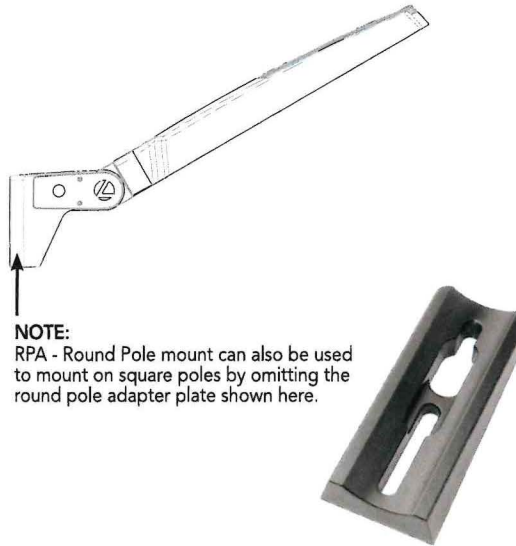


## Dimensions

### RSX2 with Adjustable Tilt Arm - Square or Round Pole (AASP or AARP)



Length: 32.8" (83.3 cm) AASP  
 33.8" (85.9 cm) AARP  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 7.2" (18.2 cm) Arm

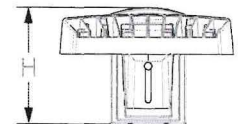
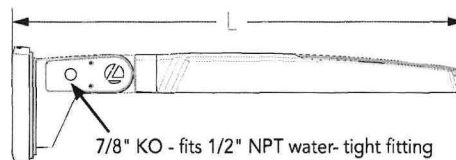
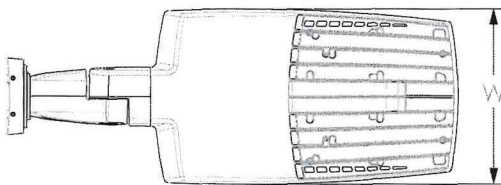


#### Notes

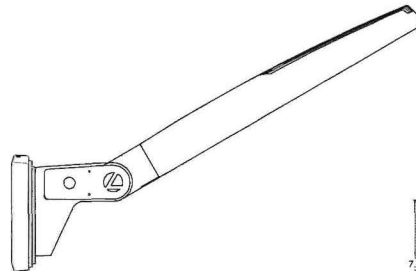
AASP: Requires 3.0" min. square pole for 1 at 90°. Requires 3.5" min. square pole for mounting 2, 3, 4 at 90°.

AARP: Requires 3.2" min. dia. round pole for 2, 3, 4 at 90°. Requires 3.0" min. dia. round pole for mounting 1 at 90°, 2 at 180°, 3 at 120°.

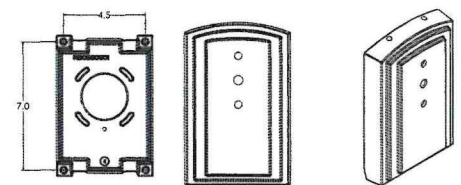
### RSX2 with Adjustable Tilt Arm with Wall Bracket (AAWB)



Length: 34.7" (88.0 cm)  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 8.9" (22.6 cm) Arm

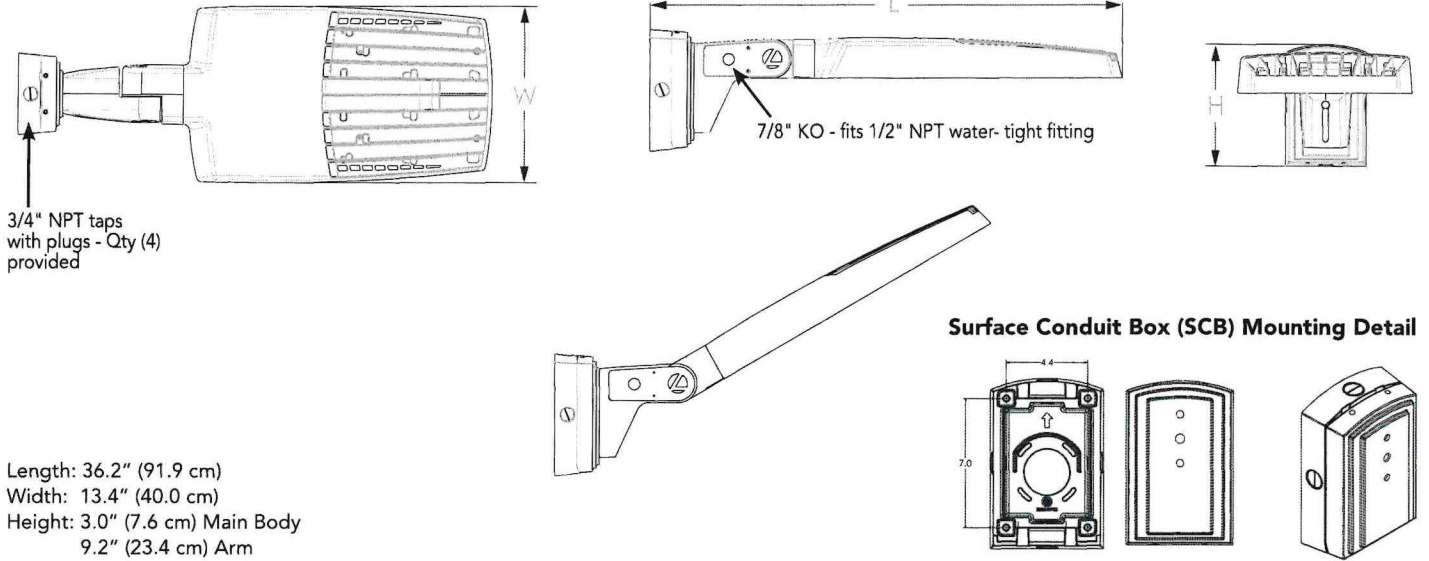


#### Wall Bracket (WBA) Mounting Detail

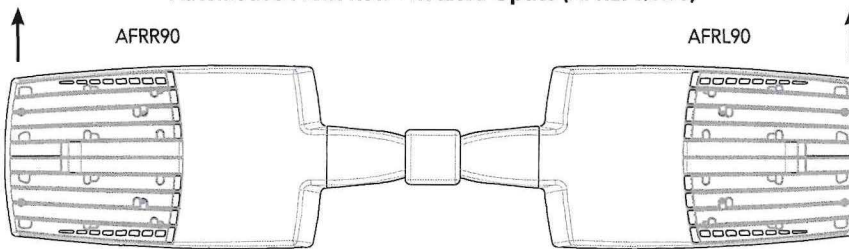


## Dimensions

### RSX2 with Adjustable Tilt Arm with Wall Bracket and Surface Conduit Box (AAWSC)



### Automotive Front Row - Rotated Optics (AFRL90/R90)

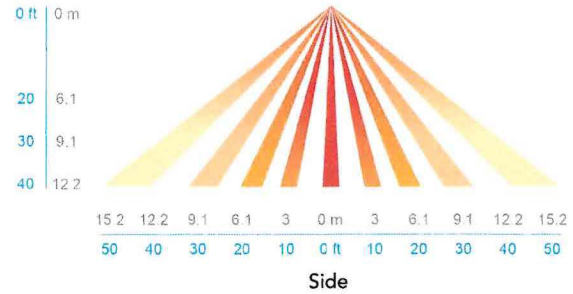
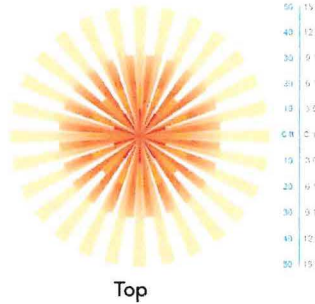
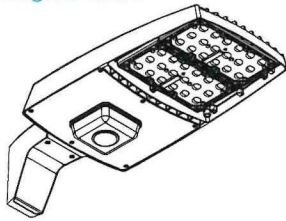


(Example: 2@180 - arrows indicate direction of light exiting the luminaire)



## nLight Control - Sensor Coverage and Settings

### NLTAIR2 PIRHN nLight Sensor Coverage Pattern nLight PIRHN



| Motion Sensor Default Settings - Option PIRHN |                           |                            |                     |                                   |                                            |                                              |
|-----------------------------------------------|---------------------------|----------------------------|---------------------|-----------------------------------|--------------------------------------------|----------------------------------------------|
| Option                                        | Dimmed State (unoccupied) | High Level (when occupied) | Photocell Operation | Dwell Time (occupancy time delay) | Ramp-up Time (from unoccupied to occupied) | Ramp-down Time (from occupied to unoccupied) |
| NLTAIR2 PIRHN                                 | Approx. 30% Output        | 100% Output                | Enabled @ 1.5FC     | 7.5 minutes                       | 3 seconds                                  | 5 minutes                                    |

\*Note: NLTAIR2 PIRHN default settings including photocell set-point, high/low dim rates, and occupancy sensor time delay are all configurable using the Clarity Pro App. Sensor coverage pattern shown with luminaire at 0°. Sensor coverage pattern is affected when luminaire is tilted.

## FEATURES & SPECIFICATIONS

### INTENDED USE

The RSX LED area family is designed to provide a long-lasting, energy-efficient solution for the one-for-one replacement of existing metal halide or high pressure sodium lighting. The RSX2 delivers 11,000 to 31,000 lumens and is ideal for replacing 250W to 1000W HID pole-mounted luminaires in parking lots and other area lighting applications.

### CONSTRUCTION AND DESIGN

The RSX LED area luminaire features a rugged die-cast aluminum main body that uses heat-dissipating fins and flow-through venting to provide optimal thermal management that both enhances LED performance and extends component life. Integral "no drill" mounting arm allows the luminaire to be mounted on existing pole drillings, greatly reducing installation labor. The light engines and housing are sealed against moisture and environmental contaminants to IP66. The low-profile design results in a low EPA, allowing pole optimization. Vibration rated per ANSI C136.31: 3G Mountings: Include SPA, RPA, MA, IS, AASP, AARP rated for 3G vibration. 1.5G Mountings: Include WBA, WBASC, AAWB and AAWSC rated for 1.5G vibration.

### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures superior adhesion as well as a minimum finish thickness of 3 mils. The result is a high-quality finish that is warranted not to crack or peel.

### OPTICS

Precision acrylic refractive lenses are engineered for superior application efficiency, distributing the light to where it is needed most. Available in short and wide pattern distributions including Type 2, Type 3, Type 3S, Type 4, Type 4S, Type 5, Type 5S, AFR (Automotive Front Row) and AFR rotated AFRR90 and ARFL90.

### COASTAL CONSTRUCTION (CCE)

Optional corrosion resistant construction is engineered with added corrosion protection in materials and/or pre-treatment of base material under super durable paint. Provides additional corrosion protection for applications near coastal areas. Finish is salt spray tested to over 5,000 hours per ASTM B117 with scribe rating of 10. Additional lead-times apply.

### ELECTRICAL

Light engine(s) configurations consist of high-efficacy LEDs mounted on metal-core circuit boards and aluminum heat sinks to maximize heat dissipation. Light engines are IP66 rated. LED lumen maintenance is >L92/100,000 hours. CCT's of 3000K, 4000K and 5000K (minimum 70 CRI) are available. Fixtures ship standard with 0-10v dimming driver. Class 1 electronic drivers ensure system power factor >90% and THD <20%. Easily serviceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

### STANDARD CONTROLS

The RSX LED area luminaire has a wide assortment of control options. Dusk to dawn controls include MVOLT and 347V button-type photocells and NEMA twist-lock photocell receptacles.

### nLIGHT AIR CONTROLS

The RSX LED area luminaire is also available with nLight® AIR for the ultimate in wireless control. This powerful controls platform provides out-of-the-box basic motion sensing with photocontrol functionality and is suitable for mounting heights up to 40 feet. No commissioning is required when using factory default settings that provide basic stand-alone motion occupancy dimming that is switched on and off with a built-in photocell. See chart above for motion sensor default out-of-box settings. For more advanced wireless functionality, such as group dimming, nLight AIR can be commissioned using a smartphone and the easy-to-use CLAIRITY app. nLight AIR equipped luminaires can be grouped, resulting in motion sensor and photocell group response without the need for additional equipment. Scheduled dimming with motion sensor over-ride can be achieved when used with the nLight Eclipse. Additional information about nLight Air can be found [here](#).

### INSTALLATION

Integral "no-drill" mounting arm allows for fast, easy mounting using existing pole drillings. Select the "SPA" option for square poles and the "RPA" option to mount to round poles. Note, the RPA mount can also be used for mounting to square poles by omitting the RPA adapter plate. Select the "MA" option to attach the luminaire to a 2 3/8" horizontal mast arm or the "IS" option for an adjustable slipfitter that mounts on a 2 3/8" OD tenon. The adjustable slipfitter has an integral junction box and offers easy installation. Can be tilted up to 90° above horizontal. Additional mountings are available including a wall bracket, adjustable tilt arm for direct-to-pole and wall and a surface conduit box for wall mount applications.

### LISTINGS

CSA Certified to meet U.S. and Canadian standards. Suitable for wet locations. Rated for -40°C minimum ambient. DesignLights Consortium® (DLC) Premium qualified product and DLC qualified product. Not all versions of this product may be DLC Premium qualified or DLC qualified. Please check the DLC Qualified Products List at [www.designlights.org/QPL](http://www.designlights.org/QPL) to confirm which versions are qualified.

International Dark-Sky Association (IDA) Fixture Seal of Approval (FSA) is available for all products on this page utilizing 3000K color temperature only. US Patent No. D882, 146S

### GOVERNMENT PROCUREMENT

BAA – Buy America(n) Act: Product with the BAA option qualifies as a domestic end product under the Buy American Act as implemented in the FAR and DFARS. Product with the BAA option also qualifies as manufactured in the United States under DOT Buy America regulations. BABA – Build America Buy America: Product with the BAA option also qualifies as produced in the United States under the definitions of the Build America, Buy America Act. Please refer to [www.acuitybrands.com/buy-american](http://www.acuitybrands.com/buy-american) for additional information.

### WARRANTY

5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at:

[www.acuitybrands.com/support/warranty/terms-and-conditions](http://www.acuitybrands.com/support/warranty/terms-and-conditions)

**Note:** Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.







**ITEM TITLE:** Approve proposal submitted by Wright Construction, construction of Phase III of the Bio-Reactor.

**REQUESTOR:** Matt Feeney, Assistant City Manager

**AGENDA SECTION:** Consent

**STRATEGIC PRIORITY:** #1 Improve Stormwater Management and Resiliency, #4 Environmental Protection

---

**BACKGROUND:**

The Bio-Reactor was retro fitted with a pipe and intake to the Imperial River in 2021. The intake installed is tidally dependent and thus there are periods of time that the Bio-Reactor is unable to run. The Phase III improvements will modify the intake and pump system to allow for continuous 24 hour/7day a week operation.

This continuous operation cycle will allow some of the additional pre-treatment systems that have already been constructed to operate in a more efficient manner, which will yield additional water quality treatment.

The City solicited a proposal, based on its construction plans, from Wright Construction utilizing the pre-existing continuing services agreement for Construction Manager at Risk/Design Builder CN 19-12.

The proposal amount is \$733,635.00 and the 25-26 Capital Improvement Budget for the Bio-Reactor (30.250.538.6811) will provide funding for the proposed project.

**STAFF RECOMMENDATION:** Approve Proposal

**ATTACHMENTS:**

1. Proposal submitted by Wright Construction for Bio-Reactor Phase III

---

**REVIEWERS:**

|                      |                |
|----------------------|----------------|
| City Manager:        | Arleen Hunter  |
| City Attorney:       | Derek Rooney   |
| City Clerk:          | Mike Sheffield |
| Department Director: | Matt Feeney    |





February 28, 2025

Matt Feeney  
Assistant City Manager  
City of Bonita Springs  
9101 Bonita Beach Road  
Bonita Springs, Florida 34135

Subject: Felts Avenue Bioreactor Phase 3  
Pump Station

Dear Mr. Feeney:

With great pleasure, Wright Construction presents this Proposal for the subject City of Bonita Springs project. In preparation for this proposal, the Wright Construction Team has worked diligently to provide an extensive evaluation of every aspect of the project. This evaluation has included value engineering analysis and utilization of local resources to deliver a cost-effective solution.

As this project transitions into the Design and Construction Phases, you can be confident our team will continue to bring the same high level of commitment, experience, talent, quality, and expertise to make every facet of this project a complete success.

The attached Proposal is based on the information contained herein, and if approved, will become a part of our agreement, providing additional clarification to all parties.

We look forward to your approval and proceeding with design and construction. If you have any questions, please do not hesitate to contact us.

Sincerely,  
**James R  
Powell III**  
Robbie Powell  
Vice-President of Civil Pre-construction

Digitally signed by  
James R Powell III  
Date: 2025.02.28  
14:15:07 -05'00'

Enclosure

**City of Bonita Beach, Florida  
Felts Avenue Bioreactor Phase 3  
Pump Station**

**Proposal  
February 28, 2025**

**TABLE OF CONTENTS**

|           |                                              |   |
|-----------|----------------------------------------------|---|
| Section 1 | Project Summary                              | 2 |
| Section 2 | List of Drawings                             | 1 |
| Section 3 | Proposal Summary and Detail                  | 3 |
| Section 4 | Clarification / Assumptions / Qualifications | 2 |
| Section 5 | Exclusions                                   | 1 |



**City of Bonita Beach, Florida  
Felts Avenue Bioreactor Phase 3  
Pump Station**

**Proposal  
February 28, 2025**

**PROJECT SUMMARY**

The Pump Station is located within the Right-of-Way and at the northern end of Shriver Avenue, Bonita Springs, Florida in Section 35, Township 47 South, Range 25 East, Lee County, Florida.

Construction Design shall utilize the Felts Avenue Bioreactor Pump Station Project Plans, 100% Design Drawings, dated June 2024 by Geosyntec Consultants as a guide for 100% Construction Plans.

Piping / Site construction plans are included and will be based on the Coastal Engineering Topographic and Bathymetric Survey received from owner 10/21/24. City to provide CAD file.

Electrical, Instrumentation / Control construction plans are included.

Pump Station will be located so that it does not interfere with the Bonita Springs Utilities water main.

The work generally consists of, but is not necessarily limited to, the following:

**Piping / Site**

Site plan

Temporary Erosion Control Measures

Permanent Erosion Control Measures, if necessary

Two (2) 500 GPM Self-Priming Pumps Complete with Pumps, Electric Motors, and Bases. Goulds 3796 MTI Size 4x4-13-6V 240V 20HP/15KW Max or equal.

One (1) 500 GPM Self-Priming Pump Only (Spare). Goulds 3796 MTI Size 4x4-13-6V or equal

Pump and Piping Arrangement

Pump and Piping Section

Piping below grade will be C900 DR 18 PVC, above grade will be Ductile Iron. The intake, extending no more than 10' beyond the existing headwall, will be stainless steel

Piping will include one (1) Magnetic Flow Meter with a bypass

Concrete Pump / Piping Pad

6' Powder Black Chain Link Fence and Double Gate with Acoustic Fence Panels around the Pump Pad

**Electrical, Instrumentation / Controls**

Utilize the existing power supply including meter and master disconnect in its current location

Utilize the existing control panel and instrumentation, in its current location, to the greatest degree possible

Programming of the PLC and Web Interface

Equipment Selection

Electrical I&C Drawings

Compliance with National Electric Codes as may be required

**City of Bonita Beach, Florida  
Felts Avenue Bioreactor Phase 3  
Pump Station**

**Proposal  
February 28, 2025**

**PROJECT SUMMARY**

Maintenance of Traffic  
Removal, Replacement, and Repair of existing Decorative Fence and Gates, including new lock and keys  
Temporary Construction Fence and Double Gate  
Site work, clearing & grubbing, demolition, removals or any other work necessary to complete the project  
Restoration  
System Startup  
As-Built Survey  
Operation and Maintenance Information

Please note that this proposal does not include:

Professional Engineering inspections.  
Professional Geology services and inspections.  
Professional Hydrology services and inspections.  
Professional services for Quality Control / Quality Assurance, except density testing.  
Professional Acoustical Engineering Services and Noise Ordinance Compliance.  
Permitting (City, Regulatory, etc.)  
Premanufactured Shed (Building)

**City of Bonita Beach, Florida  
Felts Avenue Bioreactor Phase 3  
Pump Station**

**Proposal  
February 28, 2025**

**LIST OF DRAWINGS**

| Sheet # | Drawing Description                                 | Drawing Date | Drawing Revision or Print Date |
|---------|-----------------------------------------------------|--------------|--------------------------------|
|         | <b>Geosyntec Consultants</b>                        |              |                                |
|         | <b>Felts Avenue Bioreactor Pump Station Project</b> |              |                                |
|         | <b>Bonita Springs, Florida</b>                      |              |                                |
|         | <b>100% Design Drawings</b>                         |              |                                |
|         | <b>June 2024</b>                                    |              |                                |
|         | <b>Not for Construction</b>                         |              |                                |
| 01      | Title Sheet and Drawing Index                       | 07/2024      |                                |
| 02      | General Notes                                       | 07/2024      |                                |
| 03      | Pay Items                                           | 07/2024      |                                |
| 04      | Stormwater Pollution Prevention Plan                | 07/2024      |                                |
| 05      | Conceptional Site Plan and Piping                   | 07/2024      |                                |
| 06      | Process Symbolology and Abbreviations               | 07/2024      |                                |
| 07      | Process and Instrumentation Diagram                 | 07/2024      |                                |
| 08      | Conceptual Pump Plan and Piping Arrangement         | 07/2024      |                                |
| 09      | Conceptional Pump Plan and Piping Section           | 07/2027      |                                |
| 10      | Standard Details                                    | 07/2024      |                                |
| 11      | Standard Detail (2)                                 | 07/2024      |                                |
|         |                                                     |              |                                |
|         | <b>Coastal Engineering Consultants, Inc.</b>        |              |                                |
|         | <b>Bioreactor Pump Intake</b>                       |              |                                |
|         | <b>Topographic and Bathymetric Survey</b>           |              |                                |
| 01      | Location Map                                        | 11/13/23     |                                |
| 02      | Plan View                                           | 11/13/23     |                                |
| 03      | Plan & Section                                      | 11/13/23     |                                |
|         |                                                     |              |                                |
|         |                                                     |              |                                |
|         |                                                     |              |                                |
|         |                                                     |              |                                |
|         |                                                     |              |                                |
|         |                                                     |              |                                |
|         |                                                     |              |                                |
|         |                                                     |              |                                |



**City of Bonita Beach, Florida  
Felts Avenue Bioreactor Phase 3  
Pump Station**

**Proposal  
February 28, 2025**

**PROPOSAL PRICE**

As described in this document, the Proposal Price for the work involved in this project is \$733,635.00 (Seven Hundred Thirty-Three Thousand Six Hundred Thirty-Five and No/100 Dollars).

This Proposal includes all contract documents, alternates, clarifications/assumptions / qualifications, allowances, exclusions, schedule assumptions, and construction manager labor rates as stated or utilized in this and other sections of this proposal

A further breakdown of this proposal is shown in the following recap sheets.





City of Bonita Springs, Florida  
 Felts Avenue Bioreactor Phase 3  
 Pump Station  
 Proposal Submission  
 February 28, 2025  
 PROPOSAL DETAIL

| Cost Code                          | Description                               | Qty | Unit | Cost Type 2 Labor | Cost Type 4 Rental | Cost Type 5 Material | Cost Type 6 Subcontracts | Cost Type 7 Other Costs | Totals       |
|------------------------------------|-------------------------------------------|-----|------|-------------------|--------------------|----------------------|--------------------------|-------------------------|--------------|
| DIVISION 01 - GENERAL REQUIREMENTS |                                           |     |      |                   |                    |                      |                          |                         |              |
| 01 00 23                           | Preconstruction Services                  | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ -                     | \$ 14,825.00            | \$ 14,825.00 |
| 01 00 25                           | Mechanical Design Services                | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 35,475.00             | \$ -                    | \$ 35,475.00 |
| 01 00 26                           | Mechanical Post-Design Services           | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 8,869.00              | \$ -                    | \$ 8,869.00  |
| 01 00 27                           | Electrical I&C Design Services            | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 27,720.00             | \$ -                    | \$ 27,720.00 |
| 01 00 28                           | Electrical I&C Post-Design Services       | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 6,930.00              | \$ -                    | \$ 6,930.00  |
| 01 30 00                           | ADMINISTRATIVE REQUIREMENTS               |     |      |                   |                    |                      |                          |                         |              |
| 01 31 00                           | Project Management and Coordination       |     |      |                   |                    |                      |                          |                         |              |
| 01 31 01                           | Project Superintendent                    | 1   | LS   | \$ 47,600.00      | \$ -               | \$ -                 | \$ -                     | \$ -                    | \$ 47,600.00 |
| 01 31 03                           | Project Manager                           | 1   | LS   | \$ 56,000.00      | \$ -               | \$ -                 | \$ -                     | \$ -                    | \$ 56,000.00 |
| 01 31 04                           | Project Executive                         | 1   | LS   | \$ 17,808.00      | \$ -               | \$ -                 | \$ -                     | \$ -                    | \$ 17,808.00 |
| 01 31 05                           | Project Administrator                     | 1   | LS   | \$ 17,920.00      | \$ -               | \$ -                 | \$ -                     | \$ -                    | \$ 17,920.00 |
| 01 31 07                           | General Superintendent                    | 1   | LS   | \$ 11,040.00      | \$ -               | \$ -                 | \$ -                     | \$ -                    | \$ 11,040.00 |
| 01 32 00                           | Construction Progress Documentation       |     |      |                   |                    |                      |                          |                         |              |
| 01 32 34                           | Pre & Post Construction Video             | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ -                     | \$ 600.00               | \$ 600.00    |
| 01 33 00                           | Submittals Procedures                     |     |      |                   |                    |                      |                          |                         |              |
| 01 33 70                           | Software Fee (Procure Project Management) | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ -                     | \$ 1,050.00             | \$ 1,050.00  |
| 01 35 00                           | Special Procedures                        |     |      |                   |                    |                      |                          |                         |              |
| 01 35 26                           | Safety Training / Inspections             | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 2,800.00              | \$ -                    | \$ 2,800.00  |
| 01 40 00                           | QUALITY REQUIREMENTS                      |     |      |                   |                    |                      |                          |                         |              |
| 01 41 00                           | Regulatory Requirements                   |     |      |                   |                    |                      |                          |                         |              |
| 01 41 26                           | Permits (NPDES / Dewatering)              | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ -                     | \$ 3,000.00             | \$ 3,000.00  |
| 01 45 00                           | Quality Control                           |     |      |                   |                    |                      |                          |                         |              |
| 01 45 23                           | QC, Testing & Inspections                 | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 1,310.00              | \$ -                    | \$ 1,310.00  |
| 01 60 00                           | TEMPORARY FACILITIES AND CONTROLS         |     |      |                   |                    |                      |                          |                         |              |
| 01 52 00                           | Construction Facilities                   |     |      |                   |                    |                      |                          |                         |              |
| 01 52 19                           | Sanitary Facilities                       | 1   | LS   | \$ -              | \$ 4,000.00        | \$ -                 | \$ -                     | \$ -                    | \$ 4,000.00  |
| 01 55 00                           | VEHICULAR ACCESS AND PARKING              |     |      |                   |                    |                      |                          |                         |              |
| 01 55 26                           | Traffic Control                           | 1   | LS   | \$ -              | \$ 786.00          | \$ -                 | \$ -                     | \$ -                    | \$ 786.00    |
| 01 56 00                           | Temporary Barriers and Enclosures         |     |      |                   |                    |                      |                          |                         |              |
| 01 56 26                           | Temporary Fencing                         | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 2,500.00              | \$ -                    | \$ 2,500.00  |
| 01 57 00                           | Temporary Controls                        |     |      |                   |                    |                      |                          |                         |              |
| 01 57 13                           | Erosion Control                           | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 1,200.00              | \$ -                    | \$ 1,200.00  |
| 01 58 00                           | Project Identification                    |     |      |                   |                    |                      |                          |                         |              |
| 01 58 13                           | Temporary Project Signage                 | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ -                     | \$ 1,500.00             | \$ 1,500.00  |
| 01 70 00                           | EXECUTION AND CLOSEOUT REQUIREMENTS       |     |      |                   |                    |                      |                          |                         |              |
| 01 71 00                           | Execution and Preparation                 |     |      |                   |                    |                      |                          |                         |              |
| 01 71 23                           | Survey / Layout / As-builts (Allowance)   | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 3,500.00              | \$ -                    | \$ 3,500.00  |
| 01 73 00                           | Execution                                 |     |      |                   |                    |                      |                          |                         |              |
| 01 73 50                           | Miscellaneous Field Expenses              | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ -                     | \$ 4,200.00             | \$ 4,200.00  |
| 01 74 00                           | Cleaning and Waste Management             |     |      |                   |                    |                      |                          |                         |              |
| 01 74 19                           | Waste Removal                             | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ -                     | \$ 2,000.00             | \$ 2,000.00  |
| 01 74 23                           | Final Cleaning                            | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ -                     | \$ 2,500.00             | \$ 2,500.00  |
| DIVISION 03 - CONCRETE             |                                           |     |      |                   |                    |                      |                          |                         |              |
| 03 00 00                           | CONCRETE                                  |     |      |                   |                    |                      |                          |                         |              |
| 03 30 00                           | Cast-in-Place Concrete                    | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 12,834.00             | \$ -                    | \$ 12,834.00 |
| DIVISION 26 - ELECTRICAL           |                                           |     |      |                   |                    |                      |                          |                         |              |



City of Bonita Springs, Florida  
 Felts Avenue Bioreactor Phase 3  
 Pump Station  
 Proposal Submission  
 February 28, 2025  
 PROPOSAL DETAIL

| Cost Code                                                                                                                | Description                          | Qty | Unit | Cost Type 2 Labor | Cost Type 4 Rental | Cost Type 5 Material | Cost Type 6 Subcontracts | Cost Type 7 Other Costs | Totals        |
|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----|------|-------------------|--------------------|----------------------|--------------------------|-------------------------|---------------|
| 26 00 00                                                                                                                 | ELECTRICAL                           |     |      |                   |                    |                      |                          |                         |               |
| 26 00 01                                                                                                                 | Electrical                           | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 40,414.00             | \$ -                    | \$ 40,414.00  |
| DIVISION 32 - EXTERIOR IMPROVEMENTS                                                                                      |                                      |     |      |                   |                    |                      |                          |                         |               |
| 32 30 00                                                                                                                 | SITE IMPROVEMENTS                    |     |      |                   |                    |                      |                          |                         |               |
| 32 31 00                                                                                                                 | Fences and Gates                     |     |      |                   |                    |                      |                          |                         |               |
| 32 31 00                                                                                                                 | Fencing and Gates                    | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 22,175.00             | \$ -                    | \$ 22,175.00  |
| 32 90 00                                                                                                                 | PLANTING                             |     |      |                   |                    |                      |                          |                         |               |
| 32 92 00                                                                                                                 | Turf and Grasses                     |     |      |                   |                    |                      |                          |                         |               |
| 32 92 00                                                                                                                 | Turf and Grasses                     | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 2,678.00              | \$ -                    | \$ 2,678.00   |
| DIVISION 33 - UTILITIES                                                                                                  |                                      |     |      |                   |                    |                      |                          |                         |               |
| 33 10 00                                                                                                                 | WATER UTILITIES                      |     |      |                   |                    |                      |                          |                         |               |
| 33 11 00                                                                                                                 | Water Utility Distribution Piping    |     |      |                   |                    |                      |                          |                         |               |
| 33 11 00                                                                                                                 | Water Distribution Piping            | 1   | LS   | \$ -              | \$ -               | \$ -                 | \$ 137,500.00            | \$ -                    | \$ 137,500.00 |
| 33 12 00                                                                                                                 | Water Utility Distribution Equipment |     |      |                   |                    |                      |                          |                         |               |
| 33 12 00                                                                                                                 | Water Distribution Equipment         | 1   | LS   | \$ -              | \$ -               | \$ 136,315.00        | \$ -                     | \$ -                    | \$ 136,315.00 |
| SUBTOTALS                                                                                                                |                                      |     |      |                   |                    |                      |                          |                         |               |
| SUBTOTAL                                                                                                                 |                                      |     |      | \$ 150,368.00     | \$ 4,786.00        | \$ 136,315.00        | \$ 305,905.00            | \$ 29,675.00            | \$ 627,049.00 |
| BONDS AND INSURANCE                                                                                                      |                                      |     |      |                   |                    |                      |                          |                         |               |
| 01 00 16                                                                                                                 | Performance & Payment Bonds          | 1   | LS   | \$ 2,651.00       | \$ 84.00           | \$ 2,403.00          | \$ 5,393.00              | \$ 523.00               | \$ 11,054.00  |
| 01 00 17                                                                                                                 | General Liability Insurance          | 1   | LS   | \$ 2,120.00       | \$ 67.00           | \$ 1,922.00          | \$ 4,313.00              | \$ 418.00               | \$ 8,840.00   |
| SUBTOTAL                                                                                                                 |                                      |     |      | \$ 155,139.00     | \$ 4,937.00        | \$ 140,640.00        | \$ 315,611.00            | \$ 30,616.00            | \$ 646,943.00 |
| CONTINGENCY                                                                                                              |                                      |     |      |                   |                    |                      |                          |                         |               |
| 01 21 16                                                                                                                 | Contingency (5%)                     | 1   | LS   | \$ 7,757.00       | \$ 247.00          | \$ 7,032.00          | \$ 15,781.00             | \$ 1,531.00             | \$ 32,348.00  |
| SUBTOTALS                                                                                                                |                                      |     |      |                   |                    |                      |                          |                         |               |
| SUBTOTAL                                                                                                                 |                                      |     |      | \$ 162,896.00     | \$ 5,184.00        | \$ 147,672.00        | \$ 331,392.00            | \$ 32,147.00            | \$ 679,291.00 |
| FEE                                                                                                                      |                                      |     |      |                   |                    |                      |                          |                         |               |
|                                                                                                                          | CMAR Fee (8.0%)                      | 1   | LS   | \$ 13,032.00      | \$ 415.00          | \$ 11,814.00         | \$ 26,511.00             | \$ 2,572.00             | \$ 54,344.00  |
| TOTALS                                                                                                                   |                                      |     |      |                   |                    |                      |                          |                         |               |
| TOTAL                                                                                                                    |                                      |     |      | \$ 175,928.00     | \$ 5,599.00        | \$ 159,486.00        | \$ 357,903.00            | \$ 34,719.00            | \$ 733,635.00 |
| Wright Construction Group, Inc. Project Wage Rates for 2025                                                              |                                      |     |      |                   |                    |                      |                          |                         |               |
| 01 31 01                                                                                                                 | Project Superintendent               | Per | Hour | \$                |                    |                      |                          |                         | 119.00        |
| 01 31 03                                                                                                                 | Project Manager                      | Per | Hour | \$                |                    |                      |                          |                         | 125.00        |
| 01 31 04                                                                                                                 | Project Executive                    | Per | Hour | \$                |                    |                      |                          |                         | 159.00        |
| 01 31 05                                                                                                                 | Project Administrator                | Per | Hour | \$                |                    |                      |                          |                         | 80.00         |
| 01 31 07                                                                                                                 | General Superintendent               | Per | Hour | \$                |                    |                      |                          |                         | 138.00        |
| Wage rates include:<br>Payroll Taxes, Vehicle, Vacation, Health Insurance, Holidays, Sick Days, Retirement Plan, Workers |                                      |     |      |                   |                    |                      |                          |                         |               |



**City of Bonita Beach, Florida  
Felts Avenue Bioreactor Phase 3  
Pump Station**

**Proposal  
February 28, 2025**

**CLARIFICATIONS / ASSUMPTIONS / QUALIFICATIONS**

The clarifications/assumptions/qualifications contained in this proposal constitute the final agreement concerning each of these items and supersedes prior drawings, specifications, agreements, correspondence, and understandings between the Construction Manager and the Owner.

Subheadings are for ease of reference only.

**DIVISION 1**

**GENERAL**

- 1) The Proposal is not a line-item Proposal.
- 2) The following will be furnished by the Owner at no cost to the Construction Manager:
  - a. CAD Files, including any and all revisions of the plans.
  - b. CAD Files of property surveys.
  - c. All applicable City permit costs.
- 3) All colors to be selected for this project will be standard manufacturer's colors. No cost of special colors is included in this estimate.

**PERMITTING, ENVIRONMENTAL COMPLIANCE, IMPACT FEES AND EASEMENTS**

- 4) This proposal assumes that all other permits, environmental studies, and investigations, including asbestos and lead paint studies, have been completed and paid for directly by the Owner. No other permits, studies, or investigations are included in this proposal.
- 5) No handling or removal of asbestos or hazardous materials are included in this proposal.
- 6) No lead paint removal is included in this proposal.
- 7) No impact fees are included in this proposal.
- 8) This proposal assumes that all required easements and/or rights-of-way have been secured and/or paid for by the Owner. If unsecured easements and/or rights-of-way exist, this proposal assumes that they will be obtained and paid for by others so as not to impact the schedule.
- 9) No utility fees (power, water, sewer, stormwater, telephone, gas, etc.) are included in this proposal, including fees and costs for design, assessments, connection, usage, etc.

**SCHEDULE, WEATHER AND WORK HOURS**

- 10) The Proposal assumes that work may take place during regular working hours of 7:00 am to 5:00 pm Monday through Saturday. No allowance has been made to accelerate the schedule and work outside these regular hours. If the Construction Manager is required to accelerate the schedule or work outside of these regular working hours for reasons outside of the Construction Manager's control, the schedule and the proposal will be adjusted accordingly.
- 11) The Proposal assumes construction operations will not be allowed on Sundays without the approval of the City's Project Manager. Such approval shall not be unreasonably withheld. If such approval is withheld and it thereby results in a delay or delays to the project, it will be cause for an increase in the proposal and/or an extension of time.

**City of Bonita Beach, Florida  
Felts Avenue Bioreactor Phase 3  
Pump Station**

**Proposal  
February 28, 2025**

**CLARIFICATIONS / ASSUMPTIONS / QUALIFICATIONS**

**RESPONSIBILITIES AND INSPECTIONS**

- 12) The proposal does not include the cost of any inspections, except as listed in the proposal, required by the Owner or Governmental Agencies having jurisdiction over the work.
- 13) The proposal assumes that unrestricted access, except as stated in the contract documents listed in this proposal, to the site will be provided by the Owner at no cost to the Construction Manager including use of existing roads and entryways.
- 14) The proposal includes coordination with the Owner's consultants and the Owner's other contractors (if any) but does not include supervising the work of the Owner's consultants or the Owner's other contractors.
- 15) The proposal does not include any cost of the work necessitated by the actions or inactions of the Owner's consultants or the Owner's other contractors.

**DIVISION 2 – SITEWORK**

- 1) It shall be the responsibility of others to locate any underground utilities within the boundaries of the project. Repair of any damaged utilities and/or infrastructure that are not located or are improperly located will be at the expense of the owner of said utilities or infrastructure.
- 2) No allowance has been included for recording and preserving historical and archeological finds.



**City of Bonita Beach, Florida  
Felts Avenue Bioreactor Phase 3  
Pump Station**

**Proposal  
February 28, 2025**

**EXCLUSIONS**

The following items are specifically excluded from this estimate. These items were excluded based upon previous discussions indicating that they were to be provided by others or that they were not to be included in the project cost. In some instances, these items have been excluded because they were determined to be unnecessary.

| Item # | Description                                                                                                                                                                                                    |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1      | Impact Fees.                                                                                                                                                                                                   |
| 2      | Utility Connection Fees                                                                                                                                                                                        |
| 3      | Special Inspection Fees                                                                                                                                                                                        |
| 4      | Permits Fees, except fees for the SWPPP Permit and Dewatering Permit (if required)                                                                                                                             |
| 5      | Davis – Bacon Wage Rates                                                                                                                                                                                       |
| 6      | Right of Way Permit                                                                                                                                                                                            |
| 7      | Professional Engineering inspections                                                                                                                                                                           |
| 8      | Professional Geology services and inspections                                                                                                                                                                  |
| 9      | Professional Hydrology services and inspections.                                                                                                                                                               |
| 10     | Professional services for Quality Control / Quality Assurance, except density testing.                                                                                                                         |
| 11     | Professional Acoustical Engineering Services and Noise Ordinance Compliance.                                                                                                                                   |
| 12     | Permitting (City, Regulatory, etc.)                                                                                                                                                                            |
| 13     | Premanufactured Shed (Building)                                                                                                                                                                                |
| 14     | Building Permits                                                                                                                                                                                               |
| 15     | Electrical Permit                                                                                                                                                                                              |
| 16     | Remediation, handling, or disposal of hazardous and / or contaminated materials below grade. If encountered, the work will be halted until such time as these conditions can be addressed by all stakeholders. |
| 17     | Removal, protection, or relocation of endangered species.                                                                                                                                                      |

**ITEM TITLE:** Approve the Eighteenth Addendum to the Second Agreement with the Lee County Sheriff for Enhanced Law Enforcement Services.

**REQUESTOR:** Mike Sheffield, City Clerk

**AGENDA SECTION:** Consent

**STRATEGIC PRIORITY:** #6 Government Transparency and Efficiency

---

**BACKGROUND:**

The Lee County Sheriff's Office has submitted the Eighteenth Addendum to the Second Agreement which provides for the enhanced law enforcement services (Bonita Springs Community Policing Unit) for FY 2024-2025 (service provided October 1, 2024 to September 30, 2025). The total cost of the agreement for FY 2024-2025 is \$3,059,307.15. This cost has been included in the FY 2024-2025 budget in line item 00.220.521.3436. The addendum aligns with the agreement previously approved by City Council on September 4, 2024, as specified in the Seventeenth Addendum.

**STAFF RECOMMENDATION:** Approve the agreement.

**ATTACHMENTS:**

1. Eighteenth Addendum to Second Agreement for Enhanced Law Enforcement Services
2. Second Agreement to the Interlocal Agreement (2010)

---

**REVIEWERS:**

|                |                |
|----------------|----------------|
| City Manager:  | Arleen Hunter  |
| City Attorney: | Derek Rooney   |
| City Clerk:    | Mike Sheffield |

***Carmine Marceno***  
**Sheriff**

***Abbi J. Smith***  
***Chief Counsel***



**State of Florida**  
**County of Lee**

**SENT VIA U.S. MAIL**

January 2, 2025

Arleen M. Hunter, City Manager  
City of Bonita Springs  
9101 Bonita Beach Road  
Bonita Springs, FL 34135

**Re: Eighteenth Addendum to the Second Agreement by and between Carmine Marceno, LSCO of Lee County, Florida and The City of Bonita Springs for Enhanced Law Enforcement Services**

Dear Ms. Hunter:

In reference to the City Council Approval letter dated November 27, 2024 requesting 3 additional full time positions for the Bonita Community Policing Enhanced LE Services program, the Lee County Sheriff's office has approved to fulfill this request effective September 1<sup>st</sup>, 2025.

Enclosed please find three partially signed originals of the above referenced Addendum to the Second Agreement. Please provide a fully signed original to our office after it is reviewed and approved.

Sincerely,

Abbi J. Smith,  
Chief Counsel

AJS:llc

Enclosures

cc: Matthew Sands, Chief, Support Services Executive Bureau

JAN 13 2025 PM 2:1



*"The Lee County Sheriff's Office is an Equal Opportunity Employer"*  
**14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000**

**EIGHTEENTH ADDENDUM**

TO THE

SECOND AGREEMENT

BY AND BETWEEN

CARMINE MARCENO, LCSO OF LEE COUNTY, FLORIDA

AND

THE CITY OF BONITA SPRINGS

FOR ENHANCED LAW ENFORCEMENT SERVICES

**COMES NOW** the parties hereby enter into this Eighteenth Addendum (the “**Eighteenth Addendum**”) to the Second Agreement by and between Carmine Marceno, Sheriff, Lee County, Florida and the City of Bonita Springs, Florida for Enhanced Law Enforcement Services, which has an effective date of October 1, 2010 (the “**Second Agreement**”);

**WHEREAS**, Mike Scott, LCSO of Lee County, Florida, and the City of Bonita Springs entered into the Second Agreement;

**WHEREAS**, Carmine Marceno succeeded Mike Scott as Sheriff of Lee County and as a party to the Second Agreement;

**WHEREAS**, the Second Agreement may be amended by the parties pursuant to Section 20.1 of the Second Agreement;

**WHEREAS**, the parties entered into the First Addendum to the Second Agreement effective October 1, 2011;

**WHEREAS**, the parties entered into the Second Addendum to the Second Agreement effective October 1, 2012;

**WHEREAS**, the parties entered into the Third Addendum to the Second Agreement effective October 1, 2013;

**WHEREAS**, the parties entered into the Fourth Addendum to the Second Agreement effective October 1, 2014;

**WHEREAS**, the parties entered into the Fifth Addendum to the Second Agreement also effective October 1, 2014;

**WHEREAS**, the parties entered into the Sixth Addendum to the Second Agreement effective October 1, 2015;

**WHEREAS**, the parties entered into the Seventh Addendum to the Second Agreement effective October 1, 2016;



**WHEREAS**, the parties entered into the Eighth Addendum to the Second Agreement effective October 1, 2017;

**WHEREAS**, the parties entered into the Ninth Addendum to the Second Agreement effective October 1, 2018;

**WHEREAS**, the parties entered into the Tenth Addendum to the Second Agreement effective October 1, 2019;

**WHEREAS**, the parties entered into the Eleventh Addendum to the Second Agreement effective October 1, 2020;

**WHEREAS**, the parties entered into the Twelfth Addendum to the Second Agreement effective October 1, 2021;

**WHEREAS**, the parties entered into the Thirteenth Addendum to the Second Agreement effective October 1, 2022;

**WHEREAS**, the parties entered into the Fourteenth Addendum to the Second Agreement effective April 2, 2023;

**WHEREAS**, the parties entered into the Fifteenth Addendum to the Second Agreement effective October 1, 2023;

**WHEREAS**, the parties entered into the Sixteenth Addendum to the Second Agreement effective June 1, 2024 (the “**Sixteenth Addendum**”);

**WHEREAS**, the parties entered into the Seventeenth Addendum to the Second Agreement effective October 1, 2024 (the “**Seventeenth Addendum**”);

**WHEREAS**, the parties desire to amend the Second Agreement as provided in this Eighteenth Addendum.

**NOW THEREFORE**, in consideration of the mutual promises and conditions set forth herein, which the parties deem and acknowledge sufficient consideration, the parties agree as follows:

1. The Recitals above are adopted and incorporated herein as if fully restated.
2. The Second Agreement, as amended, and unless earlier terminated, shall remain in effect through September 30, 2025.
3. The Sixteenth Addendum is hereby amended to reflect that Exhibit B referenced therein and attached thereto shall now be referred to as Exhibit A of the Second Agreement for the period starting on June 1, 2024, and ending on September 30, 2024.

4. The Seventeenth Addendum is hereby amended to reflect that Exhibit B referenced therein and attached thereto shall now be referred to as Exhibit A of the Second Agreement for the period starting on October 1, 2024, and ending on September 30, 2025, except as modified hereby.

5. Exhibit A of the Second Agreement, as amended, is deleted in its entirety and replaced with the attached "Bonita Contract Exhibit A Fiscal Year 2024-2025," which together with the following language, shall constitute Exhibit A for the period of time starting on October 1, 2024 and ending on September 30, 2025:

**EXHIBIT A  
FISCAL YEAR 24/25**

- a. The City of Bonita Springs will fulfill its obligation to pay the total of \$2,266,439.58 in three equal quarterly payments to the Sheriff for the period starting on October 1, 2024 and ending on June 30, 2025 for the established 1 Community Service Officer, 16 Deputy Sheriffs, 3 Detectives, and 2 Sergeants.
- b. The parties agree that during the period starting on September 1, 2025, and ending on September 30, 2025, Lee County Sheriff shall provide an additional 1 Sergeant and 2 Deputy Sheriffs for which the City of Bonita Springs will pay an additional \$37,387.72. Accordingly, the City of Bonita Springs shall increase its fourth quarterly payment, for the period starting on July 1, 2025 and ending on September 30, 2025, from \$755,479.86 to \$792,867.58. This adjustment reflects the revised contract total for the fiscal year 2024-2025, increasing from \$3,021,919.43 to \$3,059,307.15.
- c. Vehicles and all equipment are included into the cost for Deputy Sheriffs, Detectives and Sergeants.

4. The effective date of this Eighteenth Addendum is October 1, 2024.

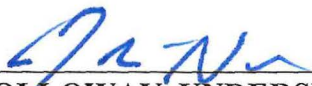
5. The City of Bonita Springs will continue to pay amounts hereunder in equal increments (except for the increment due for the period starting on July 1, 2025 and ending on September 30, 2025, which will be increased as provided herein) on a quarterly basis.

6. All other terms and conditions of the Second Agreement, as amended, and not otherwise inconsistent with this Eighteenth Addendum, shall remain in full force and effect.

*[signature page follows]*

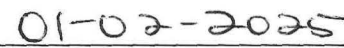
IN WITNESS WHEREOF, the parties have caused their respective agents to execute this Eighteenth Addendum on their behalf, on the dates set forth below.

SHERIFF OF LEE COUNTY

  
\_\_\_\_\_  
**JOHN HOLLOWAY, UNDERSHERIFF**

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
**ABBI J. SMITH**  
**CHIEF COUNSEL**  
Approved as to form

  
\_\_\_\_\_  
Date

CITY OF BONITA SPRINGS

Attest:

\_\_\_\_\_  
**MIKE GIBSON, MAYOR**

\_\_\_\_\_  
**MIKE SHEFFIELD, CITY  
CLERK**

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
**DEREK P. ROONEY, CITY ATTORNEY**

**BONITA CONTRACT  
EXHIBIT A  
FISCAL YEAR 2024-2025**

October 1, 2024 - September 30, 2025

| <b>POSITIONS</b>                             | <b>UNIT COST</b> | <b>FTE</b> | <b>TOTAL COST</b>      |
|----------------------------------------------|------------------|------------|------------------------|
| COMMUNITY SERVICE OFFICER (CIVILIAN)         | \$99,200.00      | 1          | \$ 99,200.00           |
| DEPUTY SHERIFF                               | \$135,027.61     | 16         | \$ 2,160,441.76        |
| DETECTIVES                                   | \$135,027.61     | 3          | \$ 405,082.83          |
| SERGEANT                                     | \$178,597.42     | 2          | \$ 357,194.84          |
| LIEUTENANT                                   | \$196,809.56     | 0          | \$ -                   |
| <b>CURRENT CONTRACT TOTAL (PRE ADDENDUM)</b> |                  | <b>22</b>  | <b>\$ 3,021,919.43</b> |

**Approved Mid-Term Adjustment  
Effective September 1, 2025**

| Position                                                                              | Rate         | Qtr.<br>Term | Qtr.<br>Rate | Qtr.<br>Remaining | FTE<br>Total | Prorated<br>Total      |
|---------------------------------------------------------------------------------------|--------------|--------------|--------------|-------------------|--------------|------------------------|
| Action: Approve Addendum to Add 2 CP Deputy FTEs and 1 Sergeant FTE Effective 9.01.24 |              |              |              |                   |              |                        |
| DEPUTY SHERIFF                                                                        | \$135,027.61 |              |              |                   | 2            | \$ 270,055.22          |
| SERGEANT                                                                              | \$178,597.42 |              |              |                   | 1            | \$ 178,597.42          |
| <b>ADDENDUM TOTAL</b>                                                                 |              |              |              |                   | <b>3</b>     | <b>\$ 448,652.64</b>   |
| Prorate for September 1, 2025- September 30, 2025                                     |              |              |              |                   |              |                        |
| Adjustment Amount Due to LCSO                                                         |              |              |              |                   |              | \$ 37,387.72           |
| <b>FY 2024-2025 CONTRACT TOTAL (POST ADDENDUM)</b>                                    |              |              |              |                   | <b>25</b>    | <b>\$ 3,059,307.15</b> |

Invoice Schedule LCSO Quarterly

|              |               |                 |               |
|--------------|---------------|-----------------|---------------|
| Q1 (Oct-Dec) | \$ 755,479.86 | Q3 (Apr-June)   | \$ 755,479.86 |
| Q2 (Jan-Mar) | \$ 755,479.86 | Q4* (July-Sept) | \$ 792,867.58 |

**\*Billing Addendum Adjustment Effective in Q4 (July-September)**  
**The prorated cost for this adjustment is based on FY25 term rates.**



## SECOND AGREEMENT

### BY AND BETWEEN MIKE SCOTT, LCSO OF LEE COUNTY, FLORIDA AND THE CITY OF BONITA SPRINGS FOR ENHANCED LAW ENFORCEMENT SERVICES

THIS AGREEMENT, by and between the CITY OF BONITA SPRINGS, a municipal corporation organized and existing under the laws of the State of Florida, hereinafter referred to as "CITY," and Mike Scott, Sheriff of Lee County, Florida, hereinafter referred to collectively as "LCSO."

#### **WITNESSETH:**

**WHEREAS**, the CITY is desirous of maintaining a high level of competent professional police service in conjunction and harmony with its fiscal policies of sound, economical management; and

**WHEREAS**, LCSO and CITY previously agreed on a basic services agreement with a continuing high level of professional police service, and the CITY is desirous of enhancing such services upon the terms and conditions hereinafter set forth; and

**WHEREAS**, CITY is desirous of enhancing daily police services above and beyond basic services already rendered through contractual relationship with LCSO.

**NOW THEREFORE**, in consideration of the sums hereinafter set forth and for other good and valuable considerations, the receipt and legal sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

#### ARTICLE I

##### DEFINITIONS

For the purposes of this Agreement, the following terms shall have the respective meanings hereinafter set forth:

1.1 Agreement shall mean this Agreement for Law Enforcement Services between the CITY and LCSO. This Agreement does not replace or supplant the basic services provided by the Sheriff but is to provide enhanced services above and beyond the basic services provided through general ad valorem revenues and other regular funding. However, nothing contained within this definition should prohibit Community Outreach Program (COPS) funding if available.

1.2 LCSO shall mean the duly elected and qualified Sheriff of Lee County, Florida.

1.3 LCSO'S Address shall mean Lee County Sheriff's Office, 14750 Six Mile Cypress Parkway, Ft. Myers FL 33912, (239) 477-1200.

1.4 CITY shall mean the City of Bonita Springs, Florida, a municipal corporation organized and existing under the laws of the State of Florida and located within the boundaries of Lee County, Florida.

1.5 CITY'S Address shall mean 9101 Bonita Beach Road, Bonita Springs FL 34135, (239) 949-6262.

1.6 CITY Boundaries shall mean the area within the municipal boundaries of the CITY.

1.7 City Manager shall mean the duly appointed and validly existing City Manager of the CITY. In the absence of the City Manager, the person acting in the capacity of City Manager shall have the same authority as that of the City Manager.

1.8 Deputy Sheriff shall mean an employee who is appointed by the Sheriff in accordance with Fla. Stat. 30.07 and who has executed any necessary oath which is required by law. This position consists of shift related duties which includes: arrest and citation of violators, crime prevention, traffic control, courtroom testimony, community policing, high visibility patrol, and others as determined by LCSO.

1.9 District Commander shall mean the individual appointed under Article XVI who is responsible for all employees and activities of the Bonita Springs Patrol Zone. The district commander shall hold the rank of Deputy Sheriff Captain. The duties of the district commander include compliance with provisions of this contract for law enforcement service, serve as liaison between the CITY and LCSO, and insure the maintenance of effective morale, discipline, and law enforcement service.

1.10 Patrol Unit shall mean one (1) marked car which shall be manned by one (1) Uniformed Officer and containing all standard support equipment and who is assigned to a Patrol within the City of Bonita Springs. Any patrol unit purchased by the CITY shall prominently display the City of Bonita Springs official seal and on the vehicle's exterior the legend "paid for by the City of Bonita Springs" in letters at least two (2) inches in height, to be paid for by the CITY.

1.11 Patrol Zone is the incorporated boundaries of the CITY that is part of the South District.

1.12 Salaries shall include wages, employer expenses (FICA), and employee benefits including, but not limited to, retirement benefits, health insurance benefits, workers compensation, vacation, compensatory time, and sick leave benefits.

1.13 Sworn Personnel shall mean any appointed deputy of the Sheriff, irrespective of the rank (i.e. Deputy Sheriff Sergeant, Deputy Sheriff Lieutenant, Deputy Sheriff Captain).

1.14 Uniformed Deputy means a Deputy Sheriff employed by LCSO who wears a LCSO uniform.

## **ARTICLE II**

### **TERM**

2.1 This Service Agreement shall remain in full force and effect commencing October 1, 2010 through September 30, 2011, the present term for Sheriff Mike Scott, all dates inclusive, conditioned upon the party's agreement as to the consideration to be paid by the City in each applicable fiscal year.

2.2 The CITY shall have the option to extend the Term for four (4) additional one (1) year terms, upon the same terms and conditions contained herein, except that the Consideration payable hereunder shall be subject to mutual agreement.

2.3 Either party may terminate this Service Agreement for any reason by giving no less than ninety (90) days prior written notice to the other party.

2.4 In the event of termination, both parties shall render such aid, coordination, and cooperation that might be required for an expeditious and efficient termination of service.

## **ARTICLE III**

### **MANNER OF PERFORMANCE OF SERVICES**

3.1 It is the intent of LCSO to provide to the CITY it's current, enhancing existing competent professional police protection within and throughout the corporate limits of the CITY as set forth in Exhibit A to this Agreement.

3.2 In recognition of the CITY's need to be informed of LCSO'S activities, LCSO'S District Commander and the City Manager will develop a mutually agreed upon reporting format(s) and reporting period(s), whereby LCSO will report its activities to the

City Manager. At any time during the term of this Agreement, the City Manager shall have the right to make reasonable modifications to the reporting format(s) and reporting period(s).

3.3 LCSO will ensure the courtesy and professional demeanor of the assigned Deputies through internal policies and staff inspections, in-service training, and diversity training.

#### **ARTICLE IV**

##### **STAFFING STRUCTURE**

4.1 Commencing October 1, 2010, the enhanced staffing structure of deputies of the Bonita Springs Patrol Zone in the South District shall be as set forth in Exhibit A attached hereto.

4.2 It is the responsibility of the District Commander or designee, in consultation with the City Manager, to properly assign personnel to adequately provide enhanced law enforcement services in the Bonita Springs Patrol Zone, pursuant to this Agreement.

#### **ARTICLE V**

##### **PATROL UNITS**

5.1 Each Uniformed Deputy Sheriff patrolling the Patrol Zone shall be assigned by the District Commander and work scheduled time, not to exceed forty-two hours per week, excepting holidays, overtime, off-duty detail, vacation leave, required training, court appearances, authorized sick leave, and such other absences as may be authorized by the SHERIFF or his designee.

5.2 The parties recognize that a law enforcement agency requires flexibility in order to meet society's challenge to combat crime and other social conditions. Therefore, the District Commander or his designee shall have the discretion to determine patrol staffing levels to provide adequate police services to the CITY subject to the requirements of paragraph 5.1. The LCSO recognizes that the Agreement is for enhanced services and nothing in this paragraph shall be construed as to replace community policing activities unless the circumstances warrant the modification because of lack of regular and basic patrol staffing levels in Bonita Springs and the immediate adjacent areas. Use of this discretion should be the exception and not the rule.

5.3 A professional level of service shall be provided by the patrol services contemplated by this Agreement. This professional level of service shall be in accordance with applicable laws and accepted police practices, including LCSO policies and procedures.



5.4 These patrol services shall be supervised within the discretion of the on-duty uniform patrol supervisor, with the understanding that the patrol services are enhanced services to provide community policing.

5.5 LCSO, through its Deputy Sheriffs assigned to the City of Bonita Springs, at the request of the City Manager, will provide additional enhanced services as agreed upon with the District Commander.

## **ARTICLE VI**

### **CITY COUNCIL MEETINGS**

6.1 At the request of the City Manager and in conformity with paragraph 5.1, one (1) Deputy Sheriff shall be present for the purpose of maintaining order at each regular or special City Council meeting during the regular shift of attending deputy.

## **ARTICLE VII**

### **EMPLOYMENT RESPONSIBILITY**

7.1 Any employees utilized by LCSO to fulfill the terms and conditions of this Agreement shall be deemed as employees of LCSO, not of the CITY.

7.2 Accordingly, the CITY shall not be responsible for or assume any liability for any employee's salaries, wages, or other compensation, contributions to pension funds, insurance premiums, workers compensation funds (Chapter 441, Florida Statutes 2002), vacation, compensatory time, sick leave benefits or any other amenities of employment to any LCSO Personnel performing services, duties and responsibilities hereunder for the benefit of said CITY and the residents thereof or any other liabilities whatsoever.

7.3 Further, unless otherwise specifically provided to the contrary herein, the CITY shall not be liable for compensation, contribution, indemnity to LCSO or the employees thereof for any injury or illness, of any kind whatsoever, arising out of such employment and the performance of the service, duties, and responsibilities contemplated herein.

## **ARTICLE VIII**

### **EMPLOYMENT: RIGHT OF CONTROL**

8.1 LCSO shall have and maintain sole responsibility and control over the rendition of services, training, standards of performance, discipline of personnel, and other matters incident to the performance of its services, duties, and responsibilities

described and contemplated herein, provided said control does not result in a permanent reduction in the staffing levels as provided in Article IV.

8.2 The parties acknowledge that it is important for the CITY to have LCSO personnel who are acquainted with the general make-up of the CITY including its geography; its industrial, business, and residential composition; and its law enforcement issues.

## **ARTICLE IX**

### **EMPLOYMENT: AUTHORITY TO ACT**

9.1 The CITY recognizes that LCSO shall be required to appoint employees as deputy sheriffs to act within the City for the purpose of enforcing this Agreement. The LCSO will endeavor to maintain units as described in Exhibit A attached hereto in the Bonita Springs Patrol Zone.

9.2 The CITY does hereby vest in any LCSO employee, who is appointed by the Sheriff as a deputy sheriff and certified as a law enforcement officer within Chapter 943, Florida Statutes 2002, the police powers which are necessary to implement and carry forth the services, duties, and responsibilities imposed upon LCSO by this Agreement, for the sole and limited purpose of giving official and lawful status and validity to the performance thereof by such sworn officers. Every sworn officer of LCSO so empowered hereby and engaged in the performance of the services, duties, and responsibilities described and contemplated herein shall be deemed to be a sworn officer of the CITY while performing such services, duties, and responsibilities which constitute municipal functions and are within the scope of this Service Agreement.

9.3 Accordingly, such sworn officers of LCSO are hereby vested with the power to enforce the ordinances of the CITY, to make arrests incident to the enforcement thereof, and to do such other things and perform such other acts as are necessary with respect thereto.

## **ARTICLE X**

### **CONSIDERATION**

10.1 The CITY agrees to pay LCSO, in consideration for the services described herein, for the fiscal year 2010/2011, the sum set forth in Exhibit "A" attached hereto. Exhibit "A" shall be amended from year to year as made necessary by the increased costs and expenses of staffing and maintaining a Deputy Sheriff.

10.2 The consideration payable by the CITY for fiscal year 2010/2011 shall be subject to an annual percentage adjustment, not to exceed a ten percent (10%) increase of the contractual consideration for the preceding year. Such increases shall

only be approved after LCSO has provided detailed financial back-up justifying the increase to the CITY.

10.3 LCSO shall have the right to temporarily fill any vacancy within the Bonita Springs District, provided the vacant position is filled by a LCSO employee that possesses skills, training and experience at least equivalent to the absent Bonita Springs Patrol Zone Deputy.

10.4 The consideration recited herein constitutes the entire consideration to be paid hereunder and upon the payment thereof, in the manner and at the times described herein, the CITY shall have no further monetary obligations to LCSO or any third party providing services described in this Service Agreement.

10.5 In the event that the CITY desires to add additional deputies, this agreement shall be provided for in writing, signed by both parties and added hereto as an addendum.

10.6 Capital equipment associated with the patrol units and the Bonita substation will be replaced on an as needed basis based on the maintenance costs and factors as deemed necessary by LCSO.

## **ARTICLE XI**

### **ADDITIONAL SERVICES**

11.1 The City Manager may request additional law enforcement services (i.e. K-9, motorcycles, foot patrol, special details) necessary to the CITY during the tenure of this Agreement.

11.2 LCSO agrees to make every reasonable effort to provide these services to the CITY.

## **ARTICLE XII**

### **AUDIT OF RECORDS**

12.1 LCSO shall maintain an accurate record of all LCSO personnel employed in the Bonita Springs Patrol Zone, and their hours of actual employment. Upon request of the City Manager, LCSO agrees to provide the CITY with payroll records concerning hours of actual employment for LCSO'S Bonita Springs District personnel.

12.2 LCSO agrees to provide for inspection and audit any other financial records relating to this Agreement, subject to public records exemptions.

## **ARTICLE XIII**

### **FINES, FORFEITURES; PAYMENT**

13.1 All law enforcement education funds levied and collected by the Clerk of the Court pursuant to Section 943.25, Florida Statutes, may be used by the LCSO for the law enforcement education purposes authorized in said Statutes. Apart from such funds, LCSO shall have no claim or right to any other monies or things of value which the CITY receives or may hereinafter receive by way of entitlement programs, grants or otherwise in connection with law enforcement activities.

13.2 It is hereby acknowledged between the CITY and LCSO that on occasion LCSO may receive equipment from the CITY pursuant to a grant or some other funding device which may be utilized at the sole discretion of the CITY. Prior to the purchase of any such equipment, the City Manager and District Commander shall mutually agree, in writing, to the specifications, maintenance responsibilities, and disposition procedures related to such equipment. In all cases, LCSO shall be responsible for any and all repairs or replacements necessitated by LCSO's abuse or neglect of the equipment.

## **ARTICLE XIV**

### **DISTRICT COMMANDER**

14.1 The District Commander shall, among other specified duties, act as liaison between the CITY and LCSO.

14.2 The parties hereby acknowledge and agree that LCSO retains the right to discipline and remove from office the District Commander or any Deputy Sheriff.

## **ARTICLE XV**

### **INSURANCE**

15.1 LCSO shall be self insured or maintain insurance coverage for the liabilities assumed by LCSO under this Agreement. The insurance coverage shall be in the amounts hereinafter described:

|                      |                      |
|----------------------|----------------------|
| General Liability    | \$100,000/200,000.00 |
| Automobile Liability | \$100,000/200,000.00 |

15.2 LCSO shall maintain the respective coverage throughout the term of this Service Agreement, as the same may be extended in accordance with the provisions hereof.



15.3 LCSO shall provide CITY with adequate documentation concerning the coverage required hereunder, in order that the CITY, through the office of the City Clerk, may keep such documentation on file for the benefit of the public and inspection of the citizenry of CITY.

## **ARTICLE XVI**

### **HOLD HARMLESS**

16.1 Each party (indemnitor) hereby shall to the extent permitted by law indemnify from any liability and hold harmless the other party (indemnitee), its employees, agents, or servants against liability arising from any actions, causes of action, suits, trespasses, damages, judgments, executions, claims and demands of any kind whatsoever, in law or in equity, brought against the indemnitee its employees, agents, and servants as a result of the indemnitor, its employees, agents, or servants negligent acts or negligent omissions, or willful misconduct in the performance of its obligations under this Agreement.

16.2 If the indemnitee defends any actions, causes of action, suits, trespasses, damages, judgments, executions, claims and demands of any kind whatsoever, in law or in equity, directly or approximately caused by the negligent acts or negligent omissions or willful misconduct of indemnitor, its agents, servants, or employees, indemnitor agrees to reimburse the indemnitee for all expenses, attorneys' fees, and court costs incurred in defending such actions, causes of action, suits, trespasses, damages, judgments, executions, claims and demands.

16.3 Notwithstanding anything to the contrary contained herein, LCSO and the CITY shall, at all times, be entitled to the benefits of sovereign immunity as provided in Section 768.28, Florida Statutes, and common law. Nothing contained in this Agreement to the contrary shall be construed as a waiver of sovereign immunity.

## **ARTICLE XVII**

### **INDEPENDENT CONTRACTOR**

17.1 LCSO, for the purposes of this Service Agreement, is and shall remain an independent contractor; provided, however, such independent contractor status shall not diminish the power and authority vested in LCSO and its sworn officers pursuant to Article XI.

## **ARTICLE XVIII**

### **AUTHORITY TO EXECUTE; NO CONFLICT CREATED**

18.1 The Sheriff, pursuant to the powers under Article VIII of the Constitution of the State of Florida and the Statutes of the State of Florida, hereby represents that full power and authority exists to execute this Service Agreement. This includes the following:

- (a) His making and execution hereof shall create a legal obligation on the part of the Sheriff's Office of Lee County, Florida.
- (b) The same shall be enforceable by the CITY according and to the extent of the provisions hereof.

Nothing herein contained or no obligation on the part of LCSO to be performed hereunder shall in anyway be contrary to or in contravention of any policy of insurance or surety bond required of LCSO pursuant to the Laws of the State of Florida.

18.2 The Mayor and City Clerk, by their respective executions hereof, do each represent the following to LCSO:

- (a) They collectively have full power and authority to make and execute this Service Agreement on behalf of the City of Bonita Springs, pursuant to the Resolution of the City Council of CITY.
- (b) Nothing herein contained is in any way contrary to or in contravention of the Charter of the City of Bonita Springs or the Laws of the State of Florida.

## **ARTICLE XIX**

### **NOTICE**

19.1 All notices required hereunder shall be by regular U.S. Mail and or facsimile, and any notice required hereunder shall be addressed to the party intended to receive same at the following addresses:

CITY: City Manager  
City Hall  
City of Bonita Springs

9101 Bonita Beach Road  
Bonita Springs, Florida 34135

c/o City Attorney  
City Hall  
City of Bonita Springs  
9101 Bonita Beach Road  
Bonita Springs, Florida 34135

LCSO: Sheriff of Lee County  
Lee County Sheriff's Office  
14750 Six Mile Cypress Parkway  
Fort Myers, Florida 33912

Legal Director  
Lee County Sheriff's Office  
14750 Six Mile Cypress Parkway  
Fort Myers, Florida 33912

## **ARTICLE XX**

### **NON-ASSIGNABILITY**

LCSO shall not assign any of the obligations or benefits imposed hereby or contained herein, unless upon the written consent of the City Council of the CITY, which consent must be evidenced by a duly passed Resolution.

## **ARTICLE XXI**

### **ENTIRE AGREEMENT; AMENDMENT**

20.1 The parties acknowledge, one to another, that the terms hereof constitute the entire understanding and agreement of the parties with respect hereof. No modification hereof shall be effective unless in writing, executed with the same formalities as this Agreement is executed.

## **ARTICLE XXII**

### **BINDING EFFECT**

21.1 This Agreement shall inure to the benefit of and be binding upon the respective parties' successors.

**IN WITNESS WHEREOF**, the parties hereto have caused their respective agents to execute this instrument on their behalf, at the times set forth below:

SHERIFF OF LEE COUNTY

  
\_\_\_\_\_  
MIKE SCOTT

9/20/10  
\_\_\_\_\_  
Date

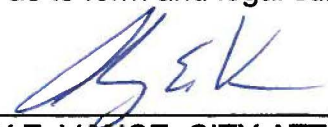
BY:   
\_\_\_\_\_  
BARRY R. HILLMYER  
Legal Advisor, LCSO

  
\_\_\_\_\_  
CITY OF BONITA SPRINGS  
BEN L. NELSON, JR., MAYOR

9-16-10  
\_\_\_\_\_  
Date

ATTEST:  
  
\_\_\_\_\_  
DIANNE LYNN, CITY CLERK

Approved as to form and legal sufficiency

BY:   
\_\_\_\_\_  
AUDREY E. VANCE, CITY ATTORNEY

Approved as to form and legal  
sufficiency subject to execution  
By the parties:



# BONITA CONTRACT

## EXHIBIT "A" FISCAL YEAR 10/11

| Full Year Funding  |    | Unit          | LS              |
|--------------------|----|---------------|-----------------|
| Deputies           | 14 | \$ 80,639.00  | \$ 1,128,946.00 |
| Sergeants          | 2  | \$ 107,108.00 | \$ 214,216.00   |
| Deputy/SRO         | 0  | \$ -          | \$ -            |
| Bonita Sub Station | 1  | \$ 264,673.00 | \$ 264,673.00   |
| Rental Vehicles    | 2  | \$ 7,100.00   | \$ 14,200.00    |
|                    |    |               |                 |
| TOTAL FY 2010/2011 |    |               | \$ 1,622,035.00 |

# **BONITA CONTRACT**

## **EXHIBIT "A"** **FISCAL YEAR 11/12**

| <b>Description</b> | <b>Unit</b> | <b>Cost per Unit</b> | <b>Extended Cost</b> |
|--------------------|-------------|----------------------|----------------------|
| Deputies           | 14          | \$80,639.00          | \$1,128,946.00       |
| Sergeants          | 2           | \$107,108.00         | \$214,216.00         |
| Deputy/SRO         | 0           | -                    | -                    |
| Bonita Sub Station | 1           | \$264,673.00         | \$264,673.00         |
| Rental Vehicles    | 2           | \$7,100.00           | \$14,200.00          |
| New Vehicles       | 3 or 4      | Cost TBD             | NTE \$80,000.00      |
| Grand Total        |             |                      | \$1,702,035.00       |

**ITEM TITLE:** Approve the proposal to develop conceptual design of a Community Aquatic Facility from Kimley Horn in the amount of \$124,600.00.

**REQUESTOR:** Nicole Perino, Parks and Recreation Director

**AGENDA SECTION:** Consent

**STRATEGIC PRIORITY:** #3 Community Aesthetics, Parks and Facilities

---

**BACKGROUND:**

As presented at the March 19, 2025 City Council Meeting, Parks CIP presentation, attached is a proposal from Kimley Horn, in the amount of \$124,600.00 for the Community Aquatic Facility Design project.

The work is outlined in the Scope of Services proposal for project coordination services, conceptual site planning services, surveying services, public meetings, workshops and graphics design to develop a Conceptual Design. Final design, bid and construction services are not included in this proposal and will be provided under a separate proposal once construction phasing and schedule have been determined.

**STAFF RECOMMENDATION:** Approve the proposal from Kimley Horn, for the City of Bonita Springs Community Aquatic Facility Design project, in the amount of \$124,600.00.

**ATTACHMENTS:**

1. Kimley Horn Proposal

---

**REVIEWERS:**

|                      |                |
|----------------------|----------------|
| City Manager:        | Arleen Hunter  |
| City Attorney:       | Derek Rooney   |
| City Clerk:          | Mike Sheffield |
| Department Director: | Nicole Perino  |



March 20, 2025

Nicole Perino  
Parks and Recreation Director  
City of Bonita Springs  
9101 Bonita Beach Road  
Bonita Springs, FL 34135

**Re: Letter Agreement for Professional Services for the City of Bonita Springs Aquatic Center Conceptual Design**  
26890 Pine Avenue  
Bonita Springs, FL 34135

Dear Ms. Perino:

Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "Consultant") is pleased to submit this Letter Agreement ("Agreement") to the City of Bonita Springs ("Client") for providing professional design services for the conceptual design of the Bonita Springs Aquatic Center ("Project").

### **Project Understanding**

1. The project consists of the conceptual design for a new aquatic center to replace the existing City of Bonita Springs community pool located at 26890 Pine Avenue in Bonita Springs, FL. The project is located on a 4.06 ac parcel, 26-47-25-B4-00112.0000.
2. Programming for the aquatic center shall consist of:
  - a. 8-10 lane competitive swimming pool (25-meter)
  - b. Resort style swimming pool (no zero entry) with option for aquatic slide(s).
  - c. Shallow kiddie pool with water play apparatus
  - d. Lazy river
  - e. Pool deck and multi-functional space
  - f. Pool building with main office control point, public restrooms, lockers, lifeguard and first aid, pool pump equipment room and storage.
  - g. Parking and site circulation
3. Preliminary architectural and aquatic engineering have not been included in this scope of work. Conceptual site planning will be completed based on estimated SF allocations for building and equipment layout / programming from similar projects. Preliminary architectural and / or aquatic engineering design services may be provided as an additional service to refine building and equipment programming, layout, and costs.



## Scope of Services

Kimley-Horn will provide the services specifically set forth below.

### **TASK 1 – BOUNDARY AND TOPOGRAPHIC SURVEY**

Kimley-Horn's subconsultant, Bennett-Panfil, Inc., will perform survey services for the Project. Survey services shall include Boundary & Topographic survey prepared in accordance with the "Standards of Practice for Surveys" set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes, prepared with the benefit of a Title Commitment (provided by Client).

Survey to include:

- Linework relative to N.A.D. 1983 (2011 adjustment) State Plane Coordinates.
- Elevations relative to N.A.V.D. 1988 on a 50-foot grid and at any grade breaks, swales, mounds, etc. with 1' contours.
- Elevations & Locations will be obtained 25 feet outside of the subject property and to the center of adjacent rights-of-way.
- Visible utilities & storm drainage structures with inverts, pipe sizes & rim/grate elevations.
- Tree locations of trees 4" DBH or larger.

#### **TASK 1 - DELIVERABLE(S)**

- Boundary and Topographic Survey in .dwg format.
- Signed and Sealed Boundary and Topographic Survey in .pdf format.

### **TASK 2 – LIMITED SITE DUE DILIGENCE**

Consultant shall perform limited site due diligence to obtain publicly available information or information provided by Client pertaining to the subject property. Site information to be reviewed to inform conceptual design including review of existing SFWMD permit(s), zoning and parking requirements, and utility as-builts as made available. This due diligence review is not to be considered comprehensive and is being performed on a limited review basis for the purpose of developing an informed conceptual design meeting zoning requirements and considering preliminary stormwater approach and utility service. Information obtained and reviewed as part of this task shall inform design prepared in Task 3.

### **TASK 3 – CONCEPTUAL SITE PLANNING**

This task shall provide a conceptual site plan for the Project based on the programming identified in the above Project Understanding. Following completion of the Public Workshop # 1 identified in Task 5, Kimley-Horn will facilitate a conceptual site planning kickoff meeting with the Client to review feedback obtained from the public and confirm desired programming. Based on information obtained during the Public Workshop and site due diligence under Task 1, Kimley-Horn shall:

- A. Develop two (2) Draft Conceptual Site Plan Alternatives. The first will consider a phased construction of the aquatic center which may allow for operational transition from the existing community pool to an initial phase of the new aquatic center. The second conceptual site plan alternative will assume closure of the existing community pool and construction in place of the existing facility. Draft concept alternatives will be presented as an illustrative rendered plan view drawing.
- B. Submit the above draft concept alternatives to the Client for review.
- C. Incorporate Client comments and refine conceptual design into two (2) Conceptual Site plan Alternatives for use in Public Workshop # 2 identified in Task 5.
- D. Following Public Workshop #2, Consultant shall meet with Client to review feedback from the Client as a result of the Public Workshop and determine a Preferred Conceptual Site Plan Alternative.
- E. Incorporate Client direction and refine the Preferred Conceptual Site Plan Alternative into the Preferred Conceptual Site Plan. This plan will be drafted in CAD and digitally rendered.
- F. Prepare a phasing plan based on the Preferred Conceptual Site Plan.
- G. Prepare an Engineers Opinion of Probable Construction Cost (OPCC) for the Preferred Conceptual Site Plan.
- H. Submit the above Preferred Conceptual Site Plan, phasing plan, and OPCC to the Client for review. One (1) round of minor revisions to this plan will be provided.

**TASK 3 - DELIVERABLE(S)**

- Two (2) Draft Conceptual Site Plan Alternatives in .pdf format.
- Two (2) Conceptual Site Plan Alternatives in .pdf format.
- One (1) Preferred Conceptual Site Plan in .pdf format.
- One (1) phasing plan in .pdf format.
- Engineers OPCC in .pdf format.

**TASK 4 – 3D RENDERINGS AND VIDEO ANIMATION**

Based upon the Client approved Preferred Conceptual Site Plan prepared in Task 3, Kimley-Horn will develop a photorealistic 3D digital illustrative model of the site. This model will illustrate the proposed aquatic center site plan and aquatic features in 3-Dimensional form. The pool building will be represented as a non-photorealistic massing based on programmatic size, use and general layout, not architectural form. Should architectural detailing and design be desired, this may be provided as an additional service. Equipment used in renderings such as splash play features and slides will be conceptual in nature and not manufacturer specific equipment. The renderings will include landscaping, parking lot, sidewalks, site furnishings, and fencing. Draft renderings will be provided to the Client to gather visual design preferences and feedback on draft images.

For the purposes of this task, it is assumed that the model will be developed on a flat ground plane, with contextual information provided through the use of Google Earth aerial imagery. Off-site buildings will be shown as simple white mass boxes with no architectural detailing.

Kimley-Horn will submit up to ten (10) static perspective views, up to three (3) 360-degree panoramic point of view images, one (1) flythrough up to two (2) minutes in length of the 3D model in electronic format. Flythrough video will include static people and cars. Submitted static views and flythrough will be revised and resubmitted one (1) time to incorporate minor client comments. Changes to the conceptual layout or substantial revisions to the aquatic center layout resulting in revisions to the 3D illustrative model will be considered an additional service.

#### **TASK 4 - DELIVERABLE(S)**

- Up to ten (10) draft and final static 3D perspective views in .jpg format.
- Up to three (3) 360-degree panoramic point of view digital scenes.
- One (1) draft and one (1) final flythrough animation up to two (2) minutes in length in .mpeg format.

#### **TASK 5 – PUBLIC WORKSHOPS**

Consultant will facilitate two (2) public workshops with the community. The first public workshop shall be held prior to proceeding with the conceptual site planning task to solicit input from the community on the aquatic center programming. This workshop shall be conducted in an open house format with imagery and precedent boards to generate discussion and feedback from the community. A memorandum will be prepared to summarize the input received from the first public workshop. A second workshop will be held following the development of the two (2) concept alternatives. The concept alternatives will be shared with the public for feedback on the prepared designs. A memorandum will be prepared to summarize the input received from the second public workshop. The Client shall be responsible for hosting and noticing the public for the above workshops.

#### **TASK 5 - DELIVERABLE(S)**

- Workshop #1 imagery and precedent boards (24"x36") mounted on foamcore boards for use in public workshop along with copy in .pdf format.
- Workshop #1 summary memorandum in .pdf format.
- Workshop #2 concept alternative boards (24"x36") mounted on foamcore boards for use in public workshop along with copy in .pdf format.
- Workshop #2 summary memorandum in .pdf format.

#### **TASK 6 – PROJECT MANAGEMENT, MEETINGS AND COORDINATION**

This task is based on providing project management, meetings, and coordination throughout the project. Kimley-Horn will provide the following services for this task during the design phase of the project:

- A. Project management and coordination.

- B. Project set up, scheduling, status reports, budgeting and invoicing.
- C. Facilitate the following project meetings:
  - a. Kickoff Meeting with Client (Virtual Meeting)
  - b. Public Workshop #1 Prep Meeting (Virtual Meeting)
  - c. Public Workshop #1 Recap / Concept Alternative Kickoff Meeting (Virtual Meeting)
  - d. Draft Conceptual Site Plan Alternatives Review Meeting (In-Person)
  - e. Public Workshop #2 Prep Meeting (Virtual Meeting)
  - f. Public Workshop #2 Recap / Preferred Conceptual Site Plan Alternative Determination (Virtual Meeting)
  - g. Preferred Conceptual Site Plan Review Meeting (In-Person)
  - h. Up to two (2) additional miscellaneous meetings (Virtual Meeting)
- A. Attend and present at one (1) City Council meeting.
- B. Quality assurance / quality control.

**Additional Services**

Any services not specifically provided for in the above scope will be billed as additional services and performed at Kimley-Horn's then-current hourly rates. Additional services Kimley-Horn can provide include, but are not limited to, the following:

1. Preliminary architectural design services.
2. Preliminary aquatics engineering design services.
3. Preparation of construction documents.
4. Permitting / permitting coordination / pre-application meetings.
5. Geotechnical engineering services.
6. Environmental assessments.
7. Traffic studies.
8. Economic & Operations Planning.
9. Additional public workshops beyond those identified.
10. Revisions to conceptual designs / renderings beyond those identified.
11. 3D renderings and video animation for additional concept(s).

**Information Provided By Client**

Kimley-Horn shall be entitled to rely on the completeness and accuracy of all information provided by the Client or the Client's consultants or representatives.

### Schedule

Kimley-Horn will perform the services as expeditiously as practicable with the goal of meeting a mutually agreed upon schedule.

### Fee and Expenses

Kimley-Horn will perform the services in Tasks 1 - 6 for the total lump sum fee below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client.

| 1 | Boundary and Topographic Survey   | \$10,300 | Lump Sum |
|---|-----------------------------------|----------|----------|
| 2 | Limited Site Due Diligence        | \$8,900  | Lump Sum |
| 3 | Conceptual Site Planning          | \$38,200 | Lump Sum |
| 4 | 3D Renderings and Video Animation | \$29,400 | Lump Sum |
| 5 | Public Workshops                  | \$19,000 | Lump Sum |
| 6 | Meetings and Coordination         | \$18,800 | Lump Sum |
|   |                                   |          |          |

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.



**ITEM TITLE:** Discussion and consideration of the draft Memorandum of Agreement (MOA) for the Bonita Estero Rail Trail Project.

**REQUESTOR:** Council Member Corrie

**AGENDA SECTION:** Mayor and Council Member Items

**STRATEGIC PRIORITY:** Enhance Community Aesthetics, Parks and Facilities; Improve Vehicular and Multimodal Transportation Networks; and Economic Development

---

**BACKGROUND:**

As I discussed at the March 19, 2025 City Council meeting, I am seeking Council approval for the City of Bonita Springs to enter into a Memorandum of Agreement (MOA) with The Trust for Public Land (TPL), Collier County, and the Village of Estero. This draft agreement will facilitate the acquisition and development of an 11.4-mile railroad corridor.

**RECOMMENDATION:** Consider entering into the Memorandum of Agreement

**ATTACHMENTS:** Draft Memorandum of Agreement

---

**REVIEWERS:**

|                |                |
|----------------|----------------|
| City Manager:  | Arleen Hunter  |
| City Attorney: | Derek Rooney   |
| City Clerk:    | Mike Sheffield |

MEMORANDUM OF AGREEMENT  
BONITA ESTERO RAIL TRAIL  
Located within Lee and Collier Counties, Florida

This Memorandum of Agreement (“Agreement”) is made and entered into by and between The Trust for Public Land, a California nonprofit corporation (“TPL”), Collier County, a political subdivision of Florida, by and through its Board of County Commissioners, (“Collier County”), the City of Bonita Springs, a municipal corporation of the State of Florida (“Bonita Springs”) and the Village of Estero, a municipal corporation of the State of Florida (“Estero”).

WHEREAS, TPL, Collier County, Bonita Springs and Estero desire to acquire an approximately 11.4-mile railroad corridor and associated lands owned by Seminole Gulf Railway, L.P. (“SGLR”) located in Lee and Collier Counties as depicted in Exhibit “A” attached hereto (collectively referred to herein as the “Tract”); and

WHEREAS the purpose of said acquisition is to develop a rails to trails projects wherein the railroad right-of-way (ROW) corridor is converted from rails to a pedestrian and bike trail and;

WHEREAS Collier County, Bonita Springs and Estero (and the Lee County Metropolitan Planning Organization) have previously cooperated to develop and submit federal grant applications to purchase this railroad corridor and develop this rails to trail project and;

WHEREAS, the parties agree that it is in the best interest of Collier County, Estero and Bonita Springs and TPL to cooperate on certain aspects of this project; and

WHEREAS, the TPL has agreed to take the lead in ordering preliminary due diligence products, including but not limited to appraisals, appraisal reviews, boundary surveys or sketches, title search products, environmental assessments and the like in order to facilitate the acquisition of the Tract by Collier County, Bonita Springs and Estero;

NOW, THEREFORE, in consideration of the mutual benefits to Collier County, Bonita Springs, Estero, and TPL it is agreed that:

- 1. Parcels Covered by this Agreement:** The Tract of land identified in Exhibit “A”, attached, are the only parcels of land subject to this Agreement.
- 2. Pre-Acquisition Requirements and Costs:** TPL, when it deems appropriate, will acquire and initially pay for all pre-acquisition due diligence products, including but not limited to appraisals, appraisal reviews, boundary surveys or sketches, title search products, environmental assessments and the like and any other studies, inspections to accurately value and ascertain the actual condition of the Tract (“Pre-Acquisition Costs”). TPL shall follow all the rules and requirements of Collier County, Bonita Springs, and Estero, included herein, so that the due diligence products may be relied upon by all parties. TPL will procure the cost estimate and engagement letter for each of the Pre-Acquisition Costs and allow Collier County,

Bonita Springs and Estero to review for approval prior to engagement. Upon written approval from each party to proceed, TPL will order the due diligence product and then invoice each party for reimbursement. The Pre-Acquisition Costs will be provided to the parties for review and approval and, if approved, split equally between the three (3) parties (Collier County, Bonita Springs, and Estero). TPL shall provide a copy of all due diligence products to all parties within 3 business days after completion.

- a. Appraisal(s). Collier County, Bonita Springs, Estero and TPL previously jointly funded the completion of an independent appraisal with an effective date of September 9, 2020. TPL, at its sole cost, has procured an updated appraisal with an effective date of March 13, 2024 completed by the same independent appraiser (the “Appraiser”). TPL will provide a copy of this appraisal report available upon request. Collier County, Bonita Springs, Estero and TPL all likely will require an additional update of the appraisal prior to acquisition and possibly a second independent appraisal report or appraisal review report(s). Parties agree to collaborate with the completion of any appraisal report update, additional appraisal(s) and review appraisal(s).
  - b. Title Review. TPL has already obtained a title commitment for the Tract, which will be made available to the parties to review. Collier County, Bonita Springs, and Estero may review the title commitment and will provide TPL notice of any title objections.
  - c. Environmental Site Assessment. TPL will contract with an environmental consultant to conduct a Phase I Environmental Site Assessment (“ESA”) of the Tract, naming all parties to this Agreement as intended users that may rely on the report. Should a Phase 2 ESA be recommended, the parties acknowledge that any testing protocol will be agreed to in advance by all parties.
  - d. Boundary Survey. TPL will contract with a professional land surveyor to conduct an ALTA survey of the Tract. The survey will be certified to all parties that may take title to the Tract or a portion thereof.
3. **Acquisition, Construction, and Management Responsibilities.** Estero, Bonita and Collier County will work to reach agreement regarding collective or cooperative responsibility to raise the acquisition, construction and management funding necessary to complete the trail.
  4. **Confidentiality:** The parties will maintain the confidentiality of all appraisals. Regardless of anything contained herein, parties governed by Chapter 119, Florida Statutes, shall maintain confidentiality subject to the terms and limitations set forth in section 125.355, F.S. and other applicable law. All parties shall disclose confidential information to their employees on a “need to know” basis only.
  5. **Steering/Coordinating Committee.** Estero, Bonita, and Collier agree to form and participate in a steering committee comprised of one elected official from each local government and a lead staff member. TPL and Friends of BERT will designate a liaison to this committee as well.

This committee will meet regularly to discuss and coordinate activities associated with the purchase of the rail corridor.

- 6. Terms and Conditions of Transfer:** TPL holds site control of the Tract pursuant to a binding purchase agreement with SGLR. TPL shall offer Collier County, Bonita Springs and Estero the opportunity to enter into a purchase agreement with TPL for the purchase of the Tract from TPL subsequent to TPL's acquisition of the Tract.
- 7. Notices and Pre-Acquisition Invoices:**
  - a. **Collier County** – County Manager, 3299 Tamiami Trail East, Suite 202, Naples, FL 34112-5746. Telephone: (239) 252-8383
  - b. **Bonita Springs** – City Manager, 9101 Bonita Beach Road, Bonita Springs, FL 34135. Telephone (239) 949-6262
  - c. **Estero** – Village Manager 9401 Corkscrew Palms Circle, Estero, FL 33928. Telephone; 239.221.5035. Email: [info@estero-fl.gov](mailto:info@estero-fl.gov)\*
  - d. **TPL** – Southeast Region Conservation Director. 1834 Hermitage Blvd, St. 100, Tallahassee, FL 32308. Telephone: (850) 212-6859. Email: [doug.hattaway@tpl.org](mailto:doug.hattaway@tpl.org) and [legal-notices@tpl.org](mailto:legal-notices@tpl.org)
- 8. Termination:** Notwithstanding any provision to the contrary, this Agreement shall terminate no later than June 30, 2026. Any approved Pre-Acquisition Costs incurred by TPL prior to this date will be reimbursed pursuant to the terms herein. Any costs incurred after June 30, 2026 will not be reimbursed.
- 9. Assignment of Interest.** No party will assign or transfer any interest in this Agreement without prior written consent of the other parties.
- 10. Successors and Assigns.** The Parties each bind the other and their respective successors and assigns in all respects to all of the terms, conditions, covenants, and provisions of this Agreement.
- 11. Third Party Beneficiaries.** This Agreement does not create any relationship with, or any rights in favor of, any third party.
- 12. Severability.** If any provision of this Agreement is declared void by a court of law, all other provisions will remain in full force and effect.
- 13. Non Waiver.** The failure of any party to exercise any right in this Agreement shall not be considered a waiver of such right.

**14. Governing Law and Venue.** This Agreement is governed in accordance with the laws of the State of Florida. Venue shall be in Lee County.

**15. Attachments.** All exhibits attached to this Agreement are incorporated into and made part of this Agreement by reference.

**16. Amendments.** The parties may amend this Agreement only by mutual written agreement of the parties.

**17. Captions and Section Headings.** Captions and section headings used herein are for convenience only and shall not be used in construing this Agreement.

**18. Counterparts.** This Agreement may be executed in any number of and by the different parties hereto on separate counterparts, each of which when so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same instrument.

**19. Construction.** This Agreement shall not be construed more strictly against one party than against the other merely by virtue of the fact that it may have been prepared by one of the parties. It is recognized that both parties have substantially contributed to the preparation of this Agreement.

**20. Entire Agreement.** This Agreement constitutes the entire Agreement and supersedes all prior written or oral agreements, understandings, or representations.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed for the uses and purposes therein expressed on the day and year first above-written.

**THE TRUST FOR PUBLIC LAND**, a California nonprofit corporation

By:

Its: \_\_\_\_\_



**COLLIER COUNTY, FLORIDA**

By: \_\_\_\_\_

, Chair

Board of County Commissioners

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_

Clerk

\_\_\_\_\_

Collier County Attorney's Office

(SEAL)

**CITY OF BONITA SPRINGS**

ATTEST (By Corporate Officer)

By: \_\_\_\_\_

By:

Print: \_\_\_\_\_

Print:

Title: \_\_\_\_\_

Title:

**VILLAGE OF ESTERO**

ATTEST (By Corporate Officer)

By: \_\_\_\_\_

By:

Print: \_\_\_\_\_

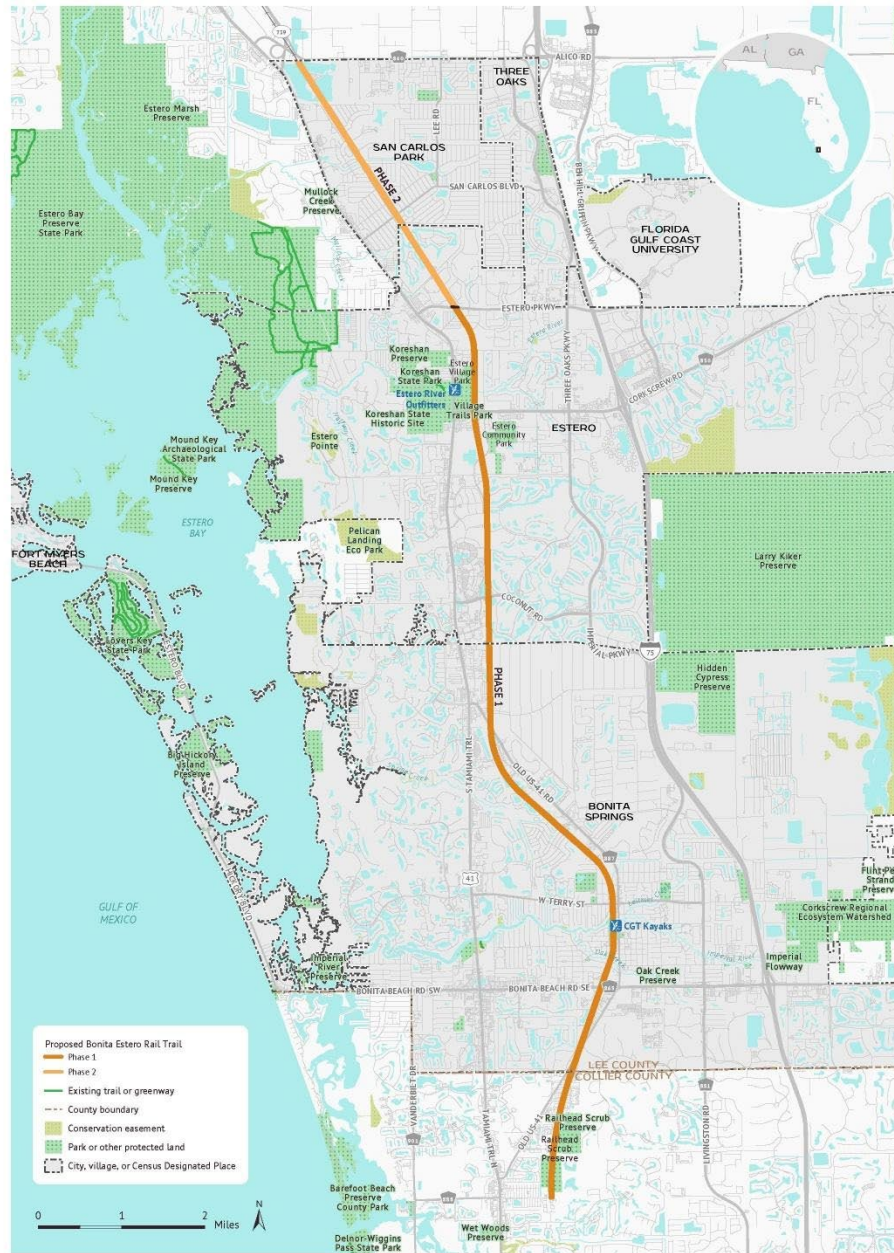
Print: \_

Title: \_\_\_\_\_

Title:

## The Property (Phase 1)

The approximately 11.4-mile corridor from the Northern edge of Estero Parkway south to the corridor's terminus at the northern ROW extension of the Wiggins Pass Road. The segment is depicted on the following graphic and labeled as Phase 1.



# Bonita Estero Rail Trail

COLLIER AND LEE COUNTIES

October 24, 2024. Copyright © Trust for Public Land. Trust for Public Land and Trust for Public Land logo are federally registered marks of Trust for Public Land. Information on this map is provided for purposes of discussion and visualization only. [www.tpl.org](http://www.tpl.org)



**ITEM TITLE:** Discussion on designating 'Pedal-Only Zones' in specific pedestrian-heavy areas.

**REQUESTOR:** Council Member Carrie

**AGENDA SECTION:** Mayor and Council Member Items

**STRATEGIC PRIORITY:** #2 Improve Vehicular and Multimodal Transportation Networks

---

**BACKGROUND:**

I would like to discuss the establishment of "pedal-only zones" in certain pedestrian-heavy areas (e.g., downtown) where the use of electric bicycles (e-bikes) would be restricted to manual pedaling without motorized propulsion.

Under Florida Law, electric bicycles are treated the same as traditional bicycles, meaning they can go wherever bicycles are allowed, including sidewalks, bike lanes, and shared-use paths unless restricted by local ordinance. Florida law allows local governments to regulate e-bike operations on sidewalks and shared-use paths for safety reasons.

Enforcement measures could include installing signage, public education campaigns, and possibly imposing fines on violators. Exceptions could be made for individuals with disabilities who rely on e-bikes as mobility devices.

**RECOMMENDATION:** Discuss designating Pedal-Only Zones in specific pedestrian-heavy areas.

**ATTACHMENTS:** Example of Ordinance

---

**REVIEWERS:**

|                |                |
|----------------|----------------|
| City Manager:  | Arleen Hunter  |
| City Attorney: | Derek Rooney   |
| City Clerk:    | Mike Sheffield |



**CITY OF BONITA SPRINGS**  
**EXAMPLE ORDINANCE**

**AN (EXAMPLE) ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, REGULATING THE USE OF ELECTRIC BICYCLES IN DESIGNATED “PEDAL-ONLY” ZONES; PROVIDING FOR ENFORCEMENT, PENALTIES, AND EXCEPTIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

WHEREAS, Florida Statute 316.20655 provides that electric bicycles (e-bikes) are generally permitted wherever traditional bicycles are allowed but allows local governments to regulate their operation for safety reasons; and

WHEREAS, the City of Bonita Springs recognizes the increasing use of e-bikes and seeks to balance accessibility with public safety, particularly in high-pedestrian areas; and

WHEREAS, the City Council finds that the use of motorized propulsion on e-bikes in congested pedestrian areas poses potential risks and should be restricted in designated areas to maintain public safety and encourage shared use of sidewalks and multi-use paths;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BONITA SPRINGS, FLORIDA, AS FOLLOWS:

**SECTION 1. DEFINITIONS**

For the purposes of this ordinance, the following definitions apply:

1. Electric Bicycle (E-Bike): A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, classified as follows:  
  
Class 1: Pedal-assist only, motor ceases at 20 mph.  
Class 2: Throttle-assisted, motor ceases at 20 mph.  
Class 3: Pedal-assist only, motor ceases at 28 mph.
2. Pedal-Only Zone: A designated area where electric bicycles may be operated but only through manual pedaling, with the motorized propulsion disabled.
3. Multi-Use Path: A path designated for pedestrians, bicycles, and other non-motorized forms of transportation.

**SECTION 2. ESTABLISHMENT OF PEDAL-ONLY ZONES**

1. The City designates the following areas as Pedal-Only Zones, where all e-bike riders must operate solely by manual pedaling and may not use throttle or motor-assisted propulsion:
  - a. Downtown Bonita Springs (specific streets and boundaries to be determined).
  - b. The Riverwalk and adjacent multi-use paths.
  - c. Any other areas designated by the City Council through administrative order.
2. The City shall post signage clearly indicating Pedal-Only Zones.

### **SECTION 3. OPERATIONAL REQUIREMENTS IN PEDAL-ONLY ZONES**

1. Class 1, 2, and 3 e-bikes may enter Pedal-Only Zones but must disable motorized propulsion and operate solely by pedaling.
2. Riders must yield to pedestrians and operate at a safe speed.
3. No person shall modify or bypass an e-bike's system to circumvent this ordinance.

### **SECTION 4. EXCEPTIONS**

1. This ordinance shall not apply to:
  - a. Individuals with disabilities requiring motor-assisted bicycles or mobility devices for accessibility.
  - b. Authorized emergency and public safety personnel performing official duties.
  - c. Other exceptions as determined by City Council on a case-by-case basis.

### **SECTION 5. ENFORCEMENT AND PENALTIES**

1. The Lee County Sheriff's Office and designated code enforcement officers shall have authority to enforce this ordinance.
2. Violations of this ordinance shall result in:
  - a. A verbal warning for the first offense.
  - b. A \$50 fine for the second offense.
  - c. A \$100 fine for each subsequent offense.
3. The City reserves the right to impound an e-bike for repeated violations (three or more offenses) within a 12-month period.

### **SECTION 6. CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE**

1. Any ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of the conflict.
2. If any portion of this ordinance is found to be invalid, the remainder shall remain in effect.
3. This ordinance shall take effect immediately upon passage and approval.

**DULY PASSED AND ADOPTED** by the City Council of Bonita Springs, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2025.

**ITEM TITLE:** Update on the Bonita Springs Elementary School renovation project.

**REQUESTOR:** Council Member Fullick

**AGENDA SECTION:** Mayor and Council Member Items

**STRATEGIC PRIORITY:** #3 Enhance Community Aesthetics, Parks and Facilities

---

**BACKGROUND:**

Council Member Fullick has requested this item be placed on the April 2, 2025 City Council meeting agenda to keep residents and City Council members informed of the latest developments regarding the School District's plans for the Elementary School.

**RECOMMENDATION:** Receive update from Council Member Fullick.

**ATTACHMENTS:** None

---

**REVIEWERS:**

|                |                |
|----------------|----------------|
| City Manager:  | Arleen Hunter  |
| City Attorney: | Derek Rooney   |
| City Clerk:    | Mike Sheffield |

**ITEM TITLE:** Authorize staff to submit Local Mitigation Strategy projects to Lee County Emergency Management Division for ranking to submit grant applications for the FEMA funded Hazard Mitigation Grant Program (HMGP) based on the impacts from Hurricane's Debby, Helene and Milton.

**REQUESTOR:** Matt Feeney, Assistant City Manager and Elly Soto McKuen, Senior Project Manager

**AGENDA SECTION:** City Manager's Item

**STRATEGIC PRIORITY:** 1) Stormwater Management and Resiliency

---

**BACKGROUND:** In response to Hurricane's Debby (declared August 10, 2024), Helene (declared September 28, 2024) and Milton (declared on October 11, 2024), the Florida Division of Emergency Management (FDEM) issued a Notice of Funding Availability (NOFA) on February 17, 2025 (Debby) and February 26, 2025 (Helene and Milton). All three (3) storms received a Presidential Disaster Declaration allowing Hazard Mitigation Grant Program (HMGP) funds to be distributed to local counties.

Lee County's HMGP allocation for Hurricane Debby is \$2,362,578.01, Hurricane Helene is \$7,262,310.39 while Hurricane Milton's allocation is \$28,761,078.55. HMGP provides 75% of the project cost and the City contributing the remaining 25% match for the program. Grant applications are due to FDEM on May 21, 2025 for Hurricane Debby and July 25, 2025 for Hurricanes Helene and Milton.

Staff has reviewed potential projects and recommends the following projects for HMGP grant application submittals for consideration:

Hurricane Debby - Neighborhood Acquisition/Demolition – focus on the Quinn/Downs/Dean Neighborhood and properties identified as Repetitive Loss or Severe Repetitive Loss.

Hurricane Helene and Milton - Old 41 Road Stormwater Improvement Project, Demolition/Reconstruction of the Old Library Building

**STAFF RECOMMENDATION:** Authorize staff to submit HMGP grant applications

---

**REVIEWERS:**

|                 |                   |
|-----------------|-------------------|
| City Manager:   | Arleen Hunter     |
| City Attorney:  | Derek Rooney      |
| City Clerk:     | Michael Sheffield |
| Dept. Director: | Matt Feeney       |