

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 05-18

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY WCI COMMUNITIES, INC., IN REFERENCE TO PELICAN LANDING CPD/RPD (BAYWINDS) TO AMEND THE RPD/CPD; ON LAND LOCATED AT 4600 SPRING CREEK DRIVE, BONITA SPRINGS, FLORIDA (STRAP NO. 17-47-25-B1-00001.0000 AND 17-47-25-B2-00001.0000), ON 34.30± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, WCI Communities, Inc., in ref. to Pelican Landing CPD/RPD (Baywinds) has filed an application for 34.30 +/- acres; and

WHEREAS, the subject property is located at 4600 Spring Creek Drive, Bonita Springs, Florida, and is described more particularly as:

"See Exhibit A"

WHEREAS, a Public Hearing was advertised and heard on August 5, 2005 and September 16, 2005 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case DCI 2002-00063 who gave full consideration to the evidence available and recommended approval (3 (Howe, Brandeth, Norris) -2 (Bielski, Pastore) and 2 absent (Incerpi, Pescosolido); and gave full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The July 27, 2005 Staff Report prepared by Lee County Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the amendment to Resolution No. Z-99-080, with the following conditions:

1. All conditions and deviations approved by Resolutions Z-99-065, and Z-99-080 will remain in full force and effect, except as specifically modified herein and by the amended Master Concept Plan.
2. The development of this project must be consistent with the four (4) page Master Concept Plan consisting of a location map dated received April 25, 2005 (page 1); a site development plan entitled, "Area H" Baywinds Parcel, Site Plan", dated January 25, 1999, last revised March 18, 2003, and

stamped received April 25, 2005; a Master Concept Plan entitled, "Pelican Landing RPD/CPD, Master Concept Plan", dated February 1, 1999, last revised June 14, 2000, stamped received October 7, 2005; and an aerial photograph of the subject site entitled, "Baywinds Parcel Aerial Photograph", dated October, 2002, stamped received April 25, 2005; all prepared by Q. Grady Minor and Associates, P.A., except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

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

a. Schedule of Uses

Parcel 2:

Residential uses:

- Single-family
- Two-family attached
- Townhouse
- Duplex
- Multiple family buildings
- Zero lot line
- Accessory uses

Administrative offices (Community Center)

Entrance gates and gatehouses

Essential services

Essential service facilities, Group I

Excavation: Water retention

Model homes, model units (per LDC Section 34-1954)

Parking lots, accessory, private

Recreational facilities, private, on-site (per site development regulations below, with passive uses only allowed outside)

Signs, in compliance with LDC Chapter 30

Temporary Uses (limited to contractor's office and equipment storage shed, per LDC Section 34-3041 et al.)

Parcel 3

Boat Ramp, private (existing only) with two temporary tie-up facilities ancillary to ramp

Parking lots, accessory, private

Signs, in compliance with LDC Chapter 30

Parcel 4

Residential uses:

Single-family
Two-family attached
Townhouse
Duplex
Multiple family buildings
Zero lot line
Accessory uses
Entrance gates and gatehouses
Essential Services
Essential Service facilities, Group I
Excavation: Water retention
Golf courses, golf course accessory and associated uses including but not limited to:
Accessory buildings and structures
Food & beverage service limited with alcoholic beverage consumption
Restrooms and other uses which are normal and accessory to the golf course
Ball Washers
Model homes, model units (per LDC Section 34-1954)
Signs, in compliance with LDC Chapter 30
Temporary Uses (limited to contractor's office and equipment storage shed, Per LDC Section 34-3041 et al.)

Parcel 5

Residential Uses:

Two-family attached
Townhouse
Duplex
Multiple family buildings
Zero lot line
Accessory uses
Entrance gates and gatehouses
Essential Services
Essential Service facilities, Group I
Excavation: Water retention
Golf courses, golf course accessory and associated uses including but not limited to:
Accessory buildings and structures
Food and beverage service limited with alcoholic beverage consumption
Restrooms and other uses which are normal and accessory to the golf course
Ball Washers
Model homes, model units (per LDC Section 34-1954)
Parks, Group I (limited to neighborhood parks)

Signs, in compliance with LDC Chapter 30

Temporary Uses (limited to contractor's office and equipment storage shed, per LDC Section 34-3041 et al.)

Parcel 6

Residential uses:

Single-family

Two-family attached

Townhouse

Duplex

Multiple family buildings

Zero lot line

Accessory uses

Entrance gates and gatehouses

Essential Services

Essential Service facilities, Group I

Excavation: Water retention

Golf courses, golf course accessory and associated uses including but not limited to:

Accessory buildings and structures

Food and beverage service limited with alcoholic beverage consumption

Restrooms and other uses which are normal and accessory to the golf course

Ball Washers

Model homes, model units (per LDC Section 34-1954)

Signs, in compliance with LDC Chapter 30

Temporary Uses (limited to contractor's office and equipment storage shed, per LDC Section 34-3041 et al.)

b. Site Development Regulations

A. Minimum Lot Area and Dimensions

Zero Lot Line Units

Area 5,000 square feet

Width 40 feet

Depth 100 feet

Single-Family Units

Area 5,000 square feet

Width 40 feet

Depth 100 feet

Multiple Family Units

Area 2,000 square feet per dwelling unit,

minimum lot size of 10,000 square feet

Width 100 feet

Depth 100 feet

No multi-family buildings may contain more than 3 dwelling units

Two-Family Attached and Townhouse Units

Area 4,000 square feet per dwelling unit

Width 32 feet

Depth 100 feet

No Townhouse units may contain more than 3 dwelling units

Duplex Units

Area 14,000 square feet

Width 90 feet

Depth 100 feet

Recreational Facilities, private, on-site

Area 10,000 square feet

Width 100 feet

Depth 100 feet

Building area maximum of 6,500 square feet

Building height maximum of 35 feet above minimum flood elevation
with a maximum of 2 stories

B. Minimum Setbacks

Zero Lot Line Units

Street 20 feet or 15 feet for side entry garages

Side 10 feet on one side, maximum of 0 feet on opposite
side

Rear 15 feet for building, 3 feet for pool, deck, and enclosure
(limited to those lots not backing onto other residential
lots, i.e. golf course lots); 5 feet for pool, deck, and
enclosure for all other lots

Waterbody 20 feet

Single-Family Units

Street 15 feet

Side 5 feet

Rear 15 feet for building; 0 feet for pool, deck, and enclosure
(limited to those lots not backing onto other residential
lots, i.e. golf course lots); 5 feet for pool, deck, and
enclosure for all other lots

Waterbody 20 feet

Multiple-Family Units

Street 20 feet

Side 20 feet

Rear 20 feet

Waterbody 20 feet

Minimum of 75 foot setback from property line of Spring Creek Estates

Two-Family Attached and Townhouse Units

Street 20 feet

Side 5 feet (no side setback required from common side lot line)

Rear 15 feet

Waterbody 20 feet

Minimum of 75 foot setback from property line of Spring Creek Estates

Duplex Units

Street $\frac{1}{2}$ ROW + 20 feet (except for cul-de-sac: $\frac{1}{2}$ ROW + 15 feet)

Side 7 feet (no side setback required from common side lot line)

Rear 20 feet

Waterbody 20 feet

Minimum of 75 foot setback from property line of Spring Creek Estates

Recreational Facilities, private, on-site

Street 20 feet

Side 20 feet

Rear 20 feet

Waterbody 20 feet

C. Building heights: Maximum of 35 feet above minimum flood elevation to the underside of the building eaves, with a maximum of 3 habitable floors.

D. Buffers: The required buffer adjacent to Baywinds Parcel "6" as shown on the Baywinds site plan and the eastern property boundary of Spring Creek Estates will be a minimum of 25' in width and be in compliance with Conditions 7 and 8 of Resolution Z-99-080, and Deviation 23 of this resolution.

E. Maximum Number of Dwelling Units: A maximum of 50 dwelling units may be constructed within Area "H" of the RPD.

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

5. Approval of this rezoning does not guarantee local development order approval.
6. A gopher tortoise management plan is required for management, relocation, and relocation areas. The applicant has an existing gopher tortoise management plan, as required by Section II.E, 3 of the DRI development order. Prior to local development order approval, a copy of the current management plan, or any revisions to the management plan, must be submitted. Any revisions to the plan are subject to the Division of Environmental Sciences review and approval.
7. This rezoning does not authorize additional units within the Pelican Landing RPD/CPD, but does reallocate previously approved dwelling units (to a total maximum of 50 dwelling units) within the RPD to Baywinds Area 'H'.
8. The developer must relinquish the final plan approval, ADD2002-00087, concurrent with, or prior to approval of a residential development order in accordance with the subject RPD amendment.
9. Building heights within the building limits of ADD2002-00087, will be limited to a maximum of 3 habitable floors, not to exceed 35 feet in height above minimum flood elevation to the underside of the building eaves.
10. Section II.E.1. of the DRI development order requires the developer to have a southern bald eagle management plan for any new development within 1500 feet of an active bald eagle nest, other than the EcoPark nest. The applicant must have the management plan reviewed and approved in accordance with the requirements of Section II.E.1. of the DRI development order. Prior to local development order approval, an approved southern bald eagle habitat management plan must be incorporated into the development order plans.

The eagle management plan must at a minimum include the eastern most portion of RPD Area "H" and the southeastern portion of RPD Area "D" as shown in the Eagle Management Plan Area Exhibit (attached) with the following conditions:

- a. Prior to local development order approval, the development order plans must delineate the location of the eagle nest and habitat preserve.
- b. No exterior construction, major land clearing, earthwork activities (filling, grading, excavating), infrastructure construction or major landscaping may occur during the southern bald eagle nesting season (October 1st - May 15th or when fledging of eaglets is

confirmed by the Division of Environmental Sciences staff) within the Eagle Management Plan Area (exhibit attached). Interior construction may occur during the nesting season if a written request specifying the work and time frame is submitted for review and approval by the Division of Environmental Sciences staff. Due to the existence of the eagle nest, the following limitations on construction must be followed within the Eagle Management Plan Area during the nesting season:

- i. Signs must be prepared, written in English and Spanish, and posted which states:

NO RADIOS OR LOUD NOISES ARE ALLOWED ON THE PROPERTY, AND ALL WINDOWS AND DOORS ARE TO REMAIN CLOSED AT ALL TIMES.

NO EXTERIOR WORK OF ANY KIND IS PERMITTED, WITHOUT WRITTEN APPROVAL FROM THE CITY OF BONITA SPRINGS.

- ii. If doors and windows have not been installed, plywood and blankets must be installed in their place to muffle sounds from within the buildings.
- iii. All doors and windows are to remain closed at all times except for access and deliveries.
- iv. All deliveries must be unloaded in the garage or at the entrance to the garage. All construction materials and deliveries must be stored inside the garage or house.
- v. Two dumpsters may be located within the Eagle Management Plan Area. The location of the two dumpsters will be determined at the time of local development order review subject to the Division of Environmental Sciences staff review and approval. The locations will be one where the dumpsters are functional, but in a location where any impacts on the nesting eagles are minimized.
- vi. Any porta potty must be moved out of view from the nest.
- vii. No noise producing machinery is permitted to be operated outside of any building.
- viii. No exterior work of any kind is permitted, except for hand

painting and minor landscaping (subject to limitations on numbers of workers and the type of equipment). Staff can consider other outdoor activity if it can be done in a manner that is not deleterious to the eagles. The applicant must provide written notification to staff of proposed exterior activities, and obtain staff review and approval prior to commencing any exterior activities during the nesting season.

- ix. No radios, or sound systems of any type, are permitted on the job site inside or outside of buildings.
 - x. Only two vehicles may be parked outside each building. If vehicles are inside the building, the garage doors must be closed.
 - xi. It is the responsibility of the property owner and general contractor to insure that all workers, including subcontractors, know and follow the above conditions, and to ensure compliance with the above conditions.
11. Pedestrian and pet traffic is prohibited within the eagle preserve from October 1st through May 15th.
12. The applicant must address any off-site flooding of Spring Creek Estates caused by existing or proposed development within Pelican Landing. If an amendment to the SFWMD Environmental Resource Permit (ERP) is required to address flooding, the applicant is responsible for obtaining the appropriate amendment to the ERP. Any work necessary to address flooding caused by WCI, that does not require an amendment to the ERP or local development order, must be completed within fifteen months after the effective date of the subject zoning AND prior to the issuance of a local Development Order. Any work that requires an ERP modification (amendment or otherwise), must be completed after the issuance of the ERP modification and the local Development Order, whichever is later, but prior to the issuance of any building permit.
13. Signs will be posted to prevent golfers and residents from entering the nest area. The applicant will work with the Division of Environmental Sciences to determine the number and location of the signs, as well as the text. The signs will advise people that the area is a no entry zone during the eagle nesting season. The signs must be written in both English and Spanish.
14. The lake located in close proximity to the nest tree must be designed and constructed with plant material on the nest side of the lake that does not require mowing. No maintenance of the landscape material on the nest side

of the lake will occur during the nesting season. No chemicals will be used on the lake during the nesting season that could be harmful to the eagles.

15. No exterior construction can occur within the 330 foot radius around the bald eagle nest tree during the actual nesting season, and no construction traffic for the property northeast of the bald eagle next (outside of the 330 foot radius) can travel within the 330 feet during the nesting season. The applicant shall use a temporary construction entrance that connects to Spring Creek Road. The location of the temporary construction entrance must be reviewed and approved through the limited development order process to ensure that there is adequate site distance. Environmental services, with the Public Works Manager or designee, and the applicant will co-operate to find the location for the temporary construction access (along Spring Creek Road) that is outside the 330 foot radius and which is the best location from a public safety standpoint, and from the protection of native vegetation standpoint.
16. The applicant recognizes that a mutually agreed upon Construction Phasing Plan for the Baywinds Parcel must be developed and agreed to, working in conjunction with the City of Bonita Springs Environmental Sciences staff. This phasing plan will be prepared and developed to take into account the selected residential product type and height of the proposed units, at the time of the submittal of the Parcel Development Order. It is recognized by the applicant that any proposed dwelling units, situated within 500 feet of the nest tree shall not be permitted to perform any exterior work during the established nesting season for this nest tree (LE-065), nor shall any roadway or utility work within 500 feet of this nest tree be allowed during the nesting season. The Nesting Season is being recognized as commencing on October 1st and shall continue until it can be established that all observed eaglets have fledged the nest. Fledging is defined as the time at which eaglets have near fully developed primaries; are capable of strong, coordinated and independent flight and do not glide to the ground if flushed. Fledging typically occurs at approximately 11 weeks of age in Florida, but nest departures may occur at eight to fourteen (14) weeks. The approved Phasing Plan shall be invoked, unless it can be adequately established on February 1st of any given eagle nesting season that the nesting attempt has failed.

Deviations

1. Deviation 1 is granted, to deviate from the requirement that properties which exhibit soils, hydrology and vegetation characteristic of saltwater inundation or freshwater pending be subject to certain additional regulations and ordinances, Zoning Ordinance Section 202.11.B.1.b.1 (LDC Section 34-1574), Development Standards Ordinance Section 7.C.4. (LDC Section 10-253) and Ordinance 86-31 Section 6.03 (LDC Section 14-298), to allow

access road crossings, as approved in Resolution # Z-99-080 with the following conditions:

A maximum of 1.74+/- acres of Lee County or Bonita Springs jurisdictional wetlands may be impacted within the entire Pelican Landing DRI. A mitigation plan, subject to Division of Natural Resources Management approval, must be submitted prior to local Development Order approval for each wetland impact. Each mitigation plan must include the following minimum criteria:

- A. The designated mitigation ratio of 5:1, 5:1 acres of mitigation for each acre of impact.
 - B. Replacement plants of like species as those removed.
 - C. The number of replacement plants. Ratios shall be determined by the proposed size of the replacement plants (the closer the size of the replacement plant to that of the removed plant, the smaller the replacement ratio).
 - D. An exotic removal maintenance plan.
 - E. A monitoring plan.
- 2. Deviation 2 is granted, to deviate from the requirement that all parking lots shall be designed so as to permit vehicles exiting the parking lot to enter the street right-of-way or easement in a forward motion, Zoning Ordinance Section 202.16.C.1. (LDC Section 34-2013(a)), to allow individual parking spaces to back onto right-of-way easement, as approved in Resolution # Z-99-080 with the condition that this deviation shall apply to guest parking internal to the residential development areas.
 - 3. Deviation 3 is granted, to deviate from the minimum setback from a structure to a water body of 25 feet, Zoning Ordinance Section 202.18.B.4.b (LDC Section 34-2194(b)) to allow 20 feet, as approved in Resolution #Z-99-080 with no conditions.
 - 4. Deviation 4 is granted, to deviate from the minimum setback from structure to a seawalled natural body of water of 25 feet, Zoning Ordinance Section 202.18.B.4.b (LDC Section 34-2194(b)), to 0 feet, as approved in Resolution #Z-99-080 with the condition that this deviation shall apply to the marina site only.
 - 5. Deviation 5 is granted, to deviate from the requirement that internal roads with drives shall not be closer to the development perimeters than 25 feet, Zoning Ordinance Section 480.04.B.1 (LDC Section 34-935(b)(1)), to 15

foot minimum, as approved in Resolution # Z-99-080 with the following condition that this deviation shall only apply to development perimeters internal to Pelican Landing DRI.

6. Deviation 6 is granted, to deviate from the requirement that all buildings shall set back from the development perimeter at a distance of 25 feet, Zoning Ordinance Section 480.04.B.1. (LDC Section 34-935(b)(1)), to 15 feet, as approved in Resolution # Z-99-080 with the condition that this deviation shall only apply to development perimeters internal to the Pelican Landing DRI.
7. Deviation 7 is granted, to deviate from the requirement that recreation centers and ancillary facilities shall be located at least 40 feet away from any residential dwelling, Zoning Ordinance Section 526.C.2.c.6 (LDC Section 34-2474(b)(6)), to allow a minimum of 20 feet, as approved in Resolution # Z-99-080 with no conditions.
8. Deviation 8 is granted, to deviate from the requirement that a road-way width of 35 feet for two-way closed drainage, rear lot drainage, or inverted crown, Development Standards Ordinance Table 9-3 (LDC Section 3-296(b) Table 3), to allow roadway width to coincide with back of curb, as approved in Resolution # Z-99-080 with the condition that this deviation shall only apply to roads classified as local streets within each of the RPD development areas.
9. Deviation 9 was withdrawn as part of Resolution # Z-99-080.
10. Deviation 10 is granted, to deviate from the requirement that no portion of a buffer area that consists of trees and shrubs shall be located in any easement, Development Standards Ordinance Section 13.D.1. (LDC Section 3-421(5)), to allow planted buffers in easements. (The maintenance and replacement responsibility shall rest with the developer of homeowner's association or the improvement district), as approved in Resolution # Z-99-080 with the revised condition that required shrubs may be located within easements. However, if the shrubs are damaged or removed during utility work, they must be replaced with like size and species of shrubs at no cost to the city. Trees must not be located within the utility easement.
11. Deviation 11 is granted, to deviate from the Bonita Springs Sign Ordinance 85-26, as amended, Section IV.B.2. (LDC Section 30-152), which requires identification signs to be set back a minimum of 15 feet from any right-of-way or easement, to 0 feet, as approved in Resolution # Z-99-080 with the condition that a minimum sight distance of 200 feet shall be maintained, and this shall only be permitted on a right-of-way internal to the overall Pelican Landing development.

12. Deviation 12 is withdrawn from area 'H' of the DRI (this application only).
13. Deviation 13 is a request to deviate from the minimum setback from a non-roofed structure to a seawalled artificial body of water, Zoning Ordinance Section 202.18.B.4, (LDC Section 34-2194), to allow a 0-foot setback, as approved in Resolution # Z-99-080 with the condition that the required lake maintenance easement shall be provided.
14. Deviation 14 is withdrawn from area 'H' of the DRI (this application only).
15. Deviation 15 was withdrawn as part of Resolution # Z-99-080.
16. Deviation 16 is granted, to deviate from LDC Section 3-291(3)(b) provision requiring residential development of at least five+/- acres to provide two or more means of ingress and egress where practical, as approved in Resolution # Z-99-080 with the condition that approval is subject to the local Fire and Emergency Services District providing a letter approving the ingress and egress of each development parcel prior to local development order approval.
17. Deviation 17 is granted, to deviate from LDC Section 3-296(k)(1) requirement that cul-de-sacs be constructed with a minimum 90-foot outside pavement diameter, to allow a minimum 59-foot outside pavement diameter, as approved in Resolution # Z-99-080 with the condition that this deviation is approved in conjunction with the development of the Bay Club (Parcel "I") ONLY, and subject to the local Fire and Emergency Services District providing a letter approving the reduced cul-de-sac radius and transition prior to local development order approval. Trucks having turning radii which exceed the 59-foot pavement diameter are prohibited from this area.
18. Deviation 18 is granted, to deviate from LDC Section 3-296(k)(3) requirement that cul-de-sacs be constructed with a minimum right-of-way transition radius of 90 feet, to allow a minimum right-of-way transition radius of 50 feet, as approved in Resolution # Z-99-080 with the condition that this deviation is approved in conjunction with the development of the Bay Club (Parcel "I") ONLY, and subject to the local Fire and Emergency Services District providing a letter approving the reduced cul-de-sac radius and transition prior to local development order approval. Trucks having turning radii which exceed the 59-foot pavement diameter are prohibited from this area.
19. Deviation 19 is granted, to deviate from LDC Section 34-2015(1) requirement that all required parking spaces be located on the same premises as the use they serve, to allow some of the required parking spaces for the Bay Club to be located on a nearby parcel under the same

ownership as approved in Resolution # Z-99-080 with the following conditions:

- A. The distribution of parking spaces between the Bay Club site and the remote parking lot on Parcel 'H' must comply with Applicant's exhibit 35.b, dated 10/29/99, submitted at public hearing on November 3, 1999.
 - B. Pole lighting in the parking lot(s) may not exceed five feet in height, unless it can be shown that taller lighting will not be visible from residential properties located outside the Colony at Pelican Landing. The lighting must be of low intensity and be directed away from adjacent residential located outside the Colony at Pelican Landing. Lighting in the parking lot(s) must be turned off within one-half hour after the closing times set out in Condition 19 above. The lighting must otherwise be in accordance with the LDC and the glare or reflection may not extend beyond the perimeter of this site.
 - C. The hours of operation for the Bay Club are limited to the hours of 8:00 a.m. and 11:00 p.m., Sunday through Thursday, and 8:00 a.m. to 12:00 midnight, Fridays and Saturdays.
 - D. No electronically amplified entertainment, i.e. bands, vocal groups, ensembles, etc., is allowed on the deck or the grounds of Development Area "I" (the Bay Club parcel).
 - E. Given the location of the bird sanctuary/rookery island about 1,000 feet west of the Bay Club, no fireworks, whether a commercial or private display, are allowed from the Bay Club site or Parcel "H", or on/over the waters of Estero Bay in this general area.
 - F. The developer must provide a sidewalk from the Bay Club to the north property line of parcel "H" to protect the health, safety and welfare of the residents choosing to walk or bike to the facility.
20. Deviation 20 is granted, to deviate from LDC Section 34-2020(4)(d) requirement to provide one parking space per 100 square feet of total floor area, to allow one parking space per 141 square feet of total floor area, as approved in Resolution # Z-99-080 with the following conditions:
- A. Valet parking will be provided for all members and guests of the Bay Club.
 - B. The valets may not park cars for the Bay Club along internal rights-of-way.

- C. The seating in the Bay Club is limited to 174 seats.
- D. The square footage for the dining facility is restricted to no more than six thousand (6,000) square feet.
- E. The developer will provide 89 parking spaces, and will monitor the parking situation until one year after buildout of the colony residential community to determine whether the additional 87 spaces are necessary.
- F. The monitoring program will consist of a parking occupancy survey, conducted one weekday and one Saturday during the peak season (January, February, March). The first survey must be conducted during the first peak season after the bay club is constructed and open to members. The occupancy survey must be performed on these days, at a minimum, every hour during the anticipated peak parking hours, especially evening hours, for the bay club. Special events that occur during the monitoring period must be included in the survey.
- G. The parking survey data, along with the developer's conclusions and recommendations regarding the adequacy of the bay club parking supply, must be provided to the county for review and recommendation. If the developer does not agree with the county's recommendation, the developer will have the opportunity to provide additional survey information to document its conclusion. If the additional information does not resolve the dispute, the county's recommendation will prevail, and the developer must provide the additional parking spaces.
- H. The developer must conduct the parking survey until one full year after the buildout of the colony residential community. Under no condition will the developer have to provide more parking than 14 spaces per 1,000 square feet unless the bay club is enlarged beyond 12,500 square feet, or the approved use is changed or intensified.
- I. This deviation is for the Bay Club only, located on parcel "I" of the DRI.

21. Deviation 21 was withdrawn as part of Resolution # Z-99-080.
22. Deviation 22 was withdrawn as part of Resolution # Z-99-080.
23. Deviation 23 is granted, to deviate from LDC Section 3-416(d)(6) which requires that a wall or wall/berm combination at least eight feet in height be placed 25 feet from the abutting property line where a road is located less than 125 feet from an existing residential lot, to permit the required 8 foot high berm/wall combination or wall to be reduced to 20 feet from the

abutting property line at the location shown on the MCP with the condition that a minimum of 10 trees and 18 shrubs per lineal feet are required to be planted between the wall or wall/berm combination and the abutting property.

Findings and Conclusions:

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


1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the City of Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested amendment:
 - a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b) is consistent with the densities, intensities and general uses set forth in the City of Bonita Springs Comprehensive Plan;
 - c) is compatible with existing or planned uses in the surrounding area; and
 - d) will not adversely affect environmentally critical areas or natural resources.
3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.
4. Urban services, as defined in the City of Bonita Springs Plan, are available and adequate to serve the proposed land use.
5. The proposed mix of uses is appropriate at the subject location.

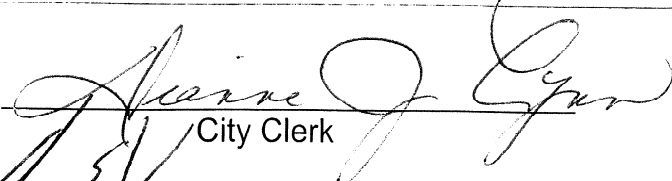
SECTION TWO: EFFECTIVE DATE

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


DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 8th day of November, 2005.

AUTHENTICATION:


Mayor


City Clerk

APPROVED AS TO FORM:


City Attorney

Vote:

Arend	Aye	Nelson	Aye
Edsall	Aye	Piper	Aye
Grantt	Nay	Wagner	Aye
Joyce	Aye		

Date filed with City Clerk: 11-9-05

AREA "H"

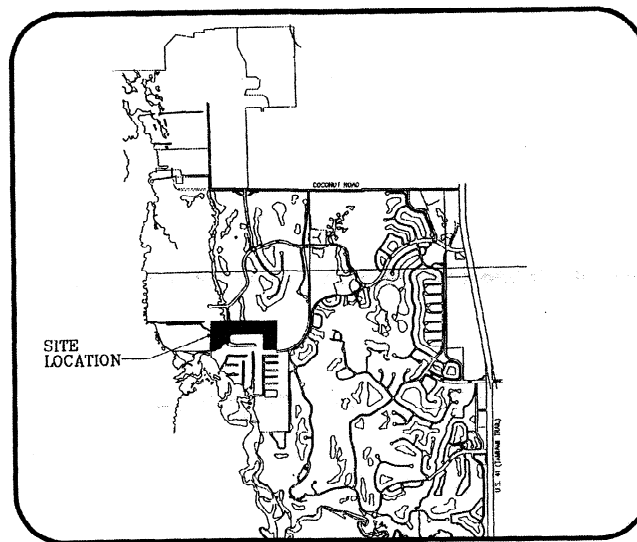
BAYWINDS PARCEL

PELICAN LANDING RPD/CPD

LOCATED IN SECTION 17 AND 18, TOWNSHIP 47S, RANGE 25E,
BONITA SPRINGS, LEE COUNTY,
FLORIDA

OWNER
WCI COMMUNITIES, INCORPORATED
24301 WALDEN CENTER DRIVE
BONITA SPRINGS, FL 34135
(239) 992-5529

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ENGINEERING CERTIFICATE OF AUTHORIZATION NO. 000051
SURVEYING CERTIFICATE OF AUTHORIZATION NO. 000051



LOCATION MAP

INDEX OF DRAWINGS

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

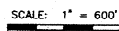
APPROVED
Master Concept Plan
Site Plan # 05-018 Page 1 of 4
Subject to conditions in Ordinance 20-06-018
Case # DCR 2002-00063 OCT 2002-00063
CITY OF BONITA SPRINGS

EXHIBIT II-D

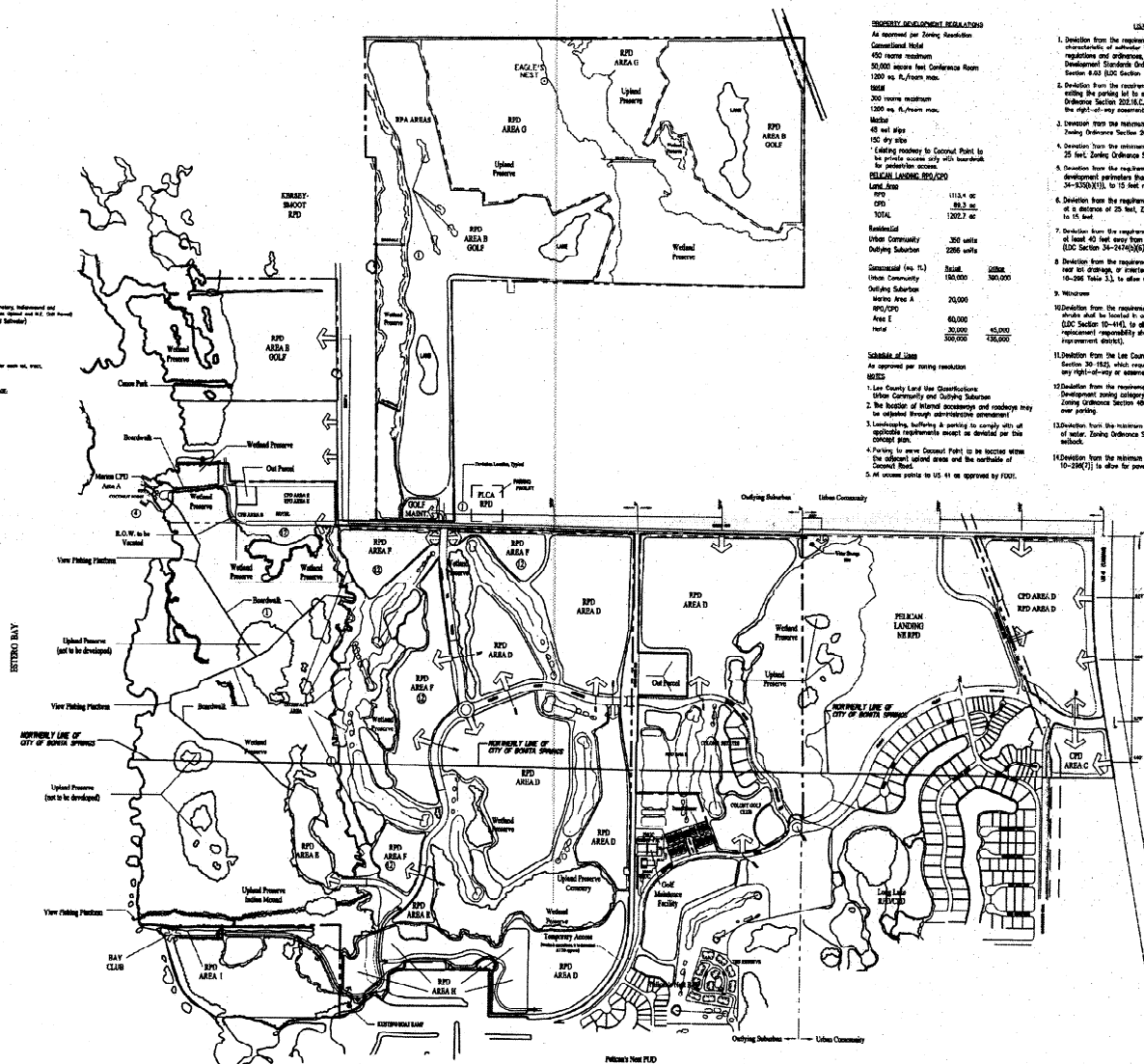
DESIGN BY: S.J.U.
DRAWN BY: S.J.U.
APPROVED: D.W.A.
DATE: OCTOBER, 2002
REVISION DATE: 12/12/03
FILE NAME: BWRPDP
DRAWING NUMBER: 1 of 4

PRINTED
APR 27 2005

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



REQUIREMENTS FOR SPACE IN PRESENCE:		
Lighted Pressure	140.0 sqm	Two-Piece, Cometary, Indefinite and Variable, Dark, Light and H.E. (See Notes)
Weighted Pressure	365.0 sqm	(Transformer and Schedule)
COLF COURSE OPEN SPACE		
Golf Course	500.0 sqm minimum	
CONVERSIONS FROM SPACE TO BE PROVIDED BY PERCENTAGE:		
All Commercial (Except Hotels and Pines)	20% minimum for each sq. ft. of net gross	
Market Place	10% of land	
MULTI-FAMILY, APARTS OR SPACE TO BE PROVIDED BY PERCENTAGE:		
20 Units Every Low Rise that exceeds sq. ft.	10% minimum	
Multi-Family Private	15% minimum	

[illegible]

As approved per Zoning Resolution
Camdenland Hotel
450 rooms maximum
50,000 square feet Conference Room
1200 sq. ft./room max.
5000
300 rooms maximum
1200 sq. ft./room max.
Marble
48 wall slips
150 dry site
* Existing roadway to Coconut Point is
the private access only with boardwalk

Per personation access.

PELICAN LAKEWOOD RPD/CPO	
Land Area	
RPD	111.3 ac
CPO	89.3 ac
TOTAL	1202.7 ac
Residential	
Urban Community	350 units
Outlying Suburban	2286 units
Commercial (ex. ft.)	
Urban Community	180,000
Outlying Suburban	
Marina Area A	20,000
RPD/CPO	
Area E	60,000
Hotel	30,000
	500,000

As approved per zoning resolution 1985-10

1. Lee County Land Use Classifications: Urban Community and Outlying Suburban
2. The location of Internal accessways or easements shall be determined and approved by the Planning Commission. Easements shall be delineated through administrative or legal means.
3. Landscaping, buffering & parking to meet applicable requirements except as depicted on concept plan.
4. Parking to serve Occochee Point to be located adjacent to the entrance to the Occochee Road.
5. All Occochee points to US 41 as approved.

- [illegible]

APPROVED
Master Concept Plan
Site Plan # 05-01B Page 3 of 4
Subject to conditions in Ordinance ZO-15-116
Case # DC12002-00013
CITY OF BOKOTA SPRINGS

RECEIVED
OCT 07 2015
PERMIT COURTESY

OCI 2002-00063

PROJECT

TASK

PELICAN LANDING RPD/CPD

FEBRUARY 1, 1999

Rolls: 1-11-98	1-2-98	5-11-94	5-13-94	5-12-94	10-10-94
Rolls: 11-17-93	4-2-98	5-2-98	10-15-98	5-27-97	12-18-97
Rolls: 1-1-98	5-1-98	10-12-98	1-20-99	6-14-00	

RE: Va. Land Use Ord. 1994-10

SHEET 3 OF 4

