



PUBLIC HEARING APPLICATION FOR PLANNED DEVELOPMENT

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

Applicant's Name: LB Estero Bay Investments LLC

Project Name: Bayview on Estero Bay RPD

STRAP Number(s): Please see Exhibit I-B-3

Application Form: **Computer Generated*** **City Printed**

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

STAFF USE ONLY

Case Number: _____ Date of Application: _____

Fee: _____

Current Zoning: _____

Land Use Classification(s): _____ Comp. Plan Density: _____

Date of Zoning Public Hearing: _____ Date of City Council Public Hearing: _____

Planner Assigned: _____

Staff Recommendation: _____

TYPE OF APPLICATION

_____ DRI _____ PD – Existing Development PD – Amendment

Option 1 _____ Option 2

**PART I
APPLICANT\PROPERTY OWNERSHIP INFORMATION**

A. Name(s) of applicant(s): LB Estero Bay Investments LLC
Mailing Address: Street: 2210 Vanderbilt Beach Road, Suite 1300
City: Naples State: FL Zip: 34109
Phone Number: Area Code: 239 Number: 449-1550 Ext: _____
E-mail: danvillel@londonbay.com

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

*If applicant is NOT the owner or the person authorized by the Covenant of Unified Control, submit a **Notarized Authorization Form** from the owner or his authorized representative. Label as Exhibit I-B.*

** If the application is City-initiated, enter the date the action was initiated by the Council: N.A. Attach a copy of the "green sheet" and a list of all property owners, and their mailing addresses, for all properties within the area described. Names and addresses must be those appearing on the latest tax rolls of Lee County. Label the "green sheet" as "Exhibit I-B-2" and the list as "Exhibit I-B-3". **[Sec. 4-193]***

C. Name of owner(s) of property: Same as applicant
Mailing Address: Street: _____
City: _____ State: _____ Zip: _____
Phone Number: Area Code: _____ Number: _____ Ext: _____
Fax Number: Area Code: _____ Number: _____

D. Date property was acquired by present owner(s): April 18, 2018

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

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

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

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

Name: Alexis V. Crespo, Waldrop Engineering, P.A./ Richard Yovanovich, Coleman, Yovanovich & Koester, P.A.
Address: 28100 Bonita Grande Dr. #305, Bonita Springs, FL 34135/ 4001 Tamiami Tr. N., Ste 300, Naples, FL 34103
Contact Person: Alexis V. Crespo, AICP / Richard D. Yovanovich, Esq.
Phone: 239-405-7777 / 239-435-3535 E-mail: alexis.crespo@waldropengineering.com/ ryovanovich@cyklawfirm.com

**PART II
GENERAL INFORMATION**

A. Request: CPD, RPD, MHPD and AG-2

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

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

2. Option Chosen: Option 1 Option 2

3. Other - Provide specific details. _____

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

NO. Attach a legible copy of the legal description (label it Exhibit II-B-1.) and Certified sketch of description as set out in chapter 5J-17.053. (labeled Exhibit II-B-2.). **If the legal description is available on computer disc (Word or Word Perfect) please provide a copy at time of application.**

YES. Property is identified as:

Subdivision Name: _____

Plat Book: _____ Page: _____ Unit: _____ Block: _____ Lot: _____

Section: _____ Township: _____ Range: _____

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

C. Project Street Address: Please see Exhibit I-B-3

D. General Location Of Property (referenced to major streets): North side of Coconut Road, approximately one half mile west of El Dorado Blvd.

E. City of Bonita Springs Plan Information

1. City of Bonita Springs Land Use Classification: Bayview on Estero Bay

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

F. Drainage, Water Control and Other Environmental Issues

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

AE-EL10 NGVD (MSL)

2. Are there any environmentally sensitive lands such as, but not limited to: wetlands, mangrove forests, creek & river shorelines, sand dunes, xeric scrub, mature pine forests, or other unique land forms as defined in the Bonita Plan Goal 15 and it's Objectives and Policies, Objective 4.1, Policies 7.1.1 d. 2, 7.2.3, Goal 14 and Policies 14.1.1 through 14.3.5 and applicable sections of the Land Development Code (LDC). Are there any listed species occupied habitat as defined in the Bonita Plan or LDC on the subject property, Bonita Plan Policy 7.1.1 d. 2, 7.4.1 through 7.10.3, Objective 7.12 and Policies 7. 12.1 through 7.12.3, and applicable sections of the LDC?

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

G. Present Use of Property: Is the property vacant? _____ NO YES

If the property is not vacant, the owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the proposed use of the building or structure(s) will be in compliance with all applicable requirements of the Land Development Regulations. **[Sec. 4-194(b)(3)]**

Briefly describe current use of the property: _____

Property consists of vacant residential homes and defunct marina.

H. Property Dimensions

- 1. Width (average if irregular parcel): 1695+/- Feet
- 2. Depth (average if irregular parcel): 950+/- Feet
- 3. Frontage on road or street: 1177+/- Feet on Coconut Road
(Name of street)
- 4. Total land area: 30.51+/- Acres or Square Feet

I. Land Area Calculations

- 1. Undevelopable Areas:
 - a. Freshwater wetland areas 3.65+/-
 - b. Other wetland areas _____
 - c. Submerged land subject to tidal influence: _____
 - d. Total (a + b + c): 3.65+/-
- 2. Remaining developable land (H.4 less I.1.d): 26.86+/-

**PART III
PROPOSED DEVELOPMENT**

A. Nature of Request

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

_____ Single Family	_____ Mobile Homes	_____ Recreational Vehicles
_____ Zero-Lot-Line	_____ Duplex/Two Family	_____ Townhouses
300 _____ Multiple Family	300 _____ TOTAL ALL TYPES*	300 _____ Independent living 75 _____ Skilled Nursing/Assisted Living/Memory Care

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

a. PERMITTED total units (from Exhibit III-A-2):	300	* See III-A-2, Item G
b. PROPOSED total units (from A-1. above):	300	
c. PROPOSED density (from Exhibit III-A-2):	9.84	

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

Retail: _____ Total gsf

Offices: _____ Total gsf

Medical: _____ gsf Non-medical: _____ gsf

Hotel/Motel: _____ Total units

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

Industrial: _____ N.A. Total gsf

Under roof: _____ N.A. gsf Not under roof: _____ N.A. gsf

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

Other-specify: Marina and public boat ramp

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

4. Building Height

* _____ Maximum height of buildings (in feet above grade) * **245' above FEMA + 1' (varies per building)**

** _____ Number of Habitable Floors ****20 above parking (varies per building)**

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

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

B. Facilities

1. Fire District: Estero Fire Rescue

2. Water Supply

a. Estimated daily consumption of potable water:

1. Residential units: 75,000 gpd

2. Mobile Home units: _____ gpd

3. Rec. Vehicle units: _____ gpd

4. Commercial: 250 gpd

5. Industrial: _____ gpd

b. Source of potable water: BSU water main

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

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

d. Source of Non-potable water: Bonita Springs Utilities

3. Sanitary Sewer Service

a. Estimated daily production of wastewater:

1. Residential units: 75,000 gpd

2. Mobile Home units: _____ gpd

3. Recreational Vehicles: _____ gpd

4. Commercial: 250 gpd

5. Industrial: _____ gpd

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

c. Source of sanitary sewer service: Bonita Springs Utilities

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

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

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

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

C. Transportation

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

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

PART IV - SUBMITTAL REQUIREMENTS

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

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

PART V

AFFIDAVIT

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

Signature of Owner or Owner-authorized Agent

Date

Typed or printed name and title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this _____ day of _____ 20¹⁸, by _____, who is personally known to me or who has produced _____ as identification.

Signature of notary public

Printed name of notary public

(SEAL)

PART I – GENERAL EXPLANATORY NOTES

THE APPLICANT MUST PAY THE APPROPRIATE APPLICATION FEE AS SET FORTH BY THE CITY.

UPON WRITTEN REQUEST, THE DIRECTOR MAY MODIFY THE SUBMITTAL REQUIREMENTS CONTAINED IN THIS SECTION IF THE APPLICANT CLEARLY DEMONSTRATES THAT THE SUBMISSION WILL HAVE NO BEARING ON THE REVIEW AND PROCESSING OF THE APPLICATION. THE REQUEST AND THE DIRECTOR'S WRITTEN RESPONSE MUST ACCOMPANY THE APPLICATION SUBMITTED AND WILL BECOME A PART OF THE PERMANENT FILE.

PART I – EXPLANATORY NOTES

- A. Applicant's Name: Application may be made by the landowner or the authorized agent. **[Sec. 4-193(a)]** Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:
- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
 - 2) The property is subject to a land trust agreement, the trustee may initiate the application.
 - 3) The fee owner is a corporation, any duly authorized corporate official may initiate the application.
 - 4) The fee owner is a partnership, the general partner may initiate the application.
 - 5) The fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
 - 6) The property is a condominium or time-share condominium, refer to Sec. 4-193(a)(1)b. for rules.
 - 7) The property is a subdivision, refer to Sec. 4-193(a)(1)c. for rules.
 - 8) Rezoning initiated by the City Council on property not owned by the City.

- B. Relationship of applicant to owner: If the applicant is not the owner of the property or the person authorized to represent the owner through the Covenant of Unified Control, the applicant must submit proof of authority to represent the owner. This may be accomplished with a **notarized** authorization form from the owner or his authorized representative. Label this submittal as Exhibit I-B-1.

If the owner does not desire to sign the attached Covenant of Unified Control he may submit an alternate document for consideration by the City Attorney's office prior to submitting the application for rezoning. A copy of the City Attorney's approval of the document must be submitted with the application.

If the application is City-initiated by the City of Bonita Springs Council, attach a copy of the "green sheet" whereby the action was authorized. Label the copy as Exhibit I-B-2.

Submit a list of the names of all property owners and their addresses for property included within the requested action. Label as Exhibit I-B-3.

- C. Name of owner (s): see F. below
- D. Date property was acquired by present owner(s). If the City initiated the rezoning and does not own the property or have it under contract for purchase, enter "Not Applicable".
- E. If the request is City-initiated and the City is not purchasing the property, enter "Not Applicable".
- F. Disclosure Form: Except for City-Initiated rezonings, a Disclosure Form (Exhibit I-F, attached) must be submitted for any entity whose interest in the property is other than solely equity interest(s) which are regularly traded on an established commodities market in the United States or another Country.
- G. Existing Deed Restrictions: A copy of the deed restrictions on the subject property, if any, and a statement as to how the deed restrictions may affect the requested action must be submitted.
- H. Authorized Agent(s): If the owner or applicant has authorized agent(s) to act on his/her behalf, list the agent(s) name, mailing address and phone number. If City-initiated, enter "Not Applicable".

PART II – EXPLANATORY NOTES

A. Nature of Request:

1. If for rezoning to a Planned Development district, indicate the zoning classification(s) being requested.
2. If not for rezoning provide specific details of the action requested. (eg. Amendment to PD. Etc),

B. Legal Description: **If rezoning to more than one district, a separate legal description must be provided for each classification requested.**

If the property is not within a platted subdivision recorded in the official plat books of Lee County, a complete legal description must be attached which is sufficiently detailed and legible so as to be able to locate said property on county maps or aerial photographs. The legal description must include the Section, Township, Range, and parcel number(s).

If the application includes multiple contiguous parcels, the legal description may describe the perimeter boundary of the total area, and need not describe each individual parcel, except where different zoning requests are made on individual parcels. Label the legal description as Exhibit II-B-1.

If the request is owner-initiated, a survey or a certified sketch of description as set out in chapter 5J-17.053, Florida Administrative Code must be submitted, unless the subject property consists of one or more undivided platted lots. If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included.

The Director has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary-survey prepared by a surveyor meeting the minimum technical standards for land surveying in the state, as set out in chapter 5J-17.053, F.A.C. Boundaries must be clearly marked with a heavy line. The boundary line must include the entire area to be developed. If the request is owner-initiated the Federal Emergency Management Agency flood zone and required finished floor elevation must be shown as well as the location of existing structures on the property.

C. Project Street Address: If the street address is unknown, the address may be obtained from the Lee County E-911 Addressing Division at (239) 338-3200.

D. General Location: The general location should reference known major streets so as to indicate to the general public the location of the property. A property location map must be submitted. Label the map as Exhibit II-D.

E. City of Bonita Springs Plan Information:

1. List the current City of Bonita Springs Land Use Classification of the subject parcel(s).
2. City of Bonita Springs Plan Information. Submit a copy of any amendment being proposed to the City of Bonita Springs Plan by the applicant which may affect the subject property as well as the Planning Division's reference number for the amendment. Label the proposed amendment as Exhibit II-E-1. Attach a statement as to how the amendment will affect your property. Label the statement as Exhibit II-E-2.

F. Drainage, Water Control and Other Environmental Issues

2. If environmentally sensitive areas exist on the site, an environmental assessment must be prepared that examines the existing conditions, addresses the environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.

H. Property Dimensions: If the parcel is irregularly shaped, indicate the average width and depth of the property. Indicate the length of property abutting any existing street rights-of-way or easements. If property abuts more than one street, indicate frontage on each street.

The total area (in square feet or acres) of the property.

I. Land Area Calculations

1. Undevelopable Areas: Insert the area of land identified as undevelopable by the following terms:
 - a. Freshwater wetlands
 - b. Other wetlands
 - c. Submerged land subject to tidal inundation. The area of land which is submerged and is subject to tidal inundation.

PART III – EXPLANATORY NOTES

A. Nature of Request

5. Aviation Hazard: If your project is near any commercial or general aviation facility or within any area delineated on the Lee County Port Authority Airspace Notification Map as a notification area, describe any structures (including proposed communication towers), lighting, or other features which could adversely affect safe flight, and labeled it Exhibit III.A.5.

B. Facilities

1. Fire District: List the Fire District in which the property is located.
2. Water Supply:
 - a. Estimate the daily consumption of potable water by the proposed project.
For residential projects, use 250 gpd (gallons per day) per unit. If the water treatment facility serves only mobile homes or recreational vehicles, the following figures may be used:
 - Mobile Homes use 187.5 gpd. per unit.
 - Recreational Vehicles use 150 gpd. per unit.For all other types of projects, show calculations and source of consumption rates utilized.
 - b. If the property lies wholly or partly in the certificated franchised service area of an established water utility, name the utility company.
If a private, on-site, potable water system is proposed, please provide a description of the system.
 - d. Source of non-potable water service: If a separate system is proposed for non-potable (irrigation) water uses, please specify the source.
3. Sanitary Sewer Service.
 - a. Estimated daily production of wastewater
For residential projects use 200 gpd (gallons per day) per unit. If the sewage treatment facility serves only mobile homes or recreational vehicles, the following figures may be used:
 - Mobile Homes use 150 gpd per unit.
 - Recreational Vehicles use 120 gpd per unitFor all other types of projects, show calculations and source of consumption rates utilized.
 - b. If any special types of effluent can be anticipated, please submit Exhibit III.B.3. (attached)
 - c. If the property lies wholly or partly in the certificated or franchised service area of an established sanitary sewer district or sewer utility name the utility.
 - e. If a private, on-site, wastewater treatment and disposal facility is proposed, please submit Exhibit III.B.3 (attached).

PART IV - EXPLANATORY NOTES: Exhibits not previously discussed.

Surrounding Property Owners List: A complete list of all property owners, and their mailing addresses, for all property within three hundred seventy-five (375) feet [five hundred (500) feet if for a COP] of the perimeter of the subject property or the portion thereof that is the subject of the request. Names and addresses of property owners shall be deemed to be those appearing on the latest tax rolls of the County. The applicant is responsible for the accuracy of such list. **[Sec 4-194(a)(6)]**

Property Owners Map: A City Zoning map or other similar map displaying all of the parcels of property within three hundred seventy-five feet [five hundred (500) feet if for a COP] of the perimeter of the subject parcel or the portion thereof that is the subject of the request, referenced by number or other symbol to the names on the property owners list. The applicant shall be responsible for the accuracy of the map. **[Sec. 4-194(a)(7)]**

Unified Control Documentation. A notarized document (see Exhibit IV-D) corroborating unified control over the subject parcel. **[Sec. 4-295(a)(3)]**

If the owner does not desire to sign the attached Covenant of Unified Control he may submit an alternate document for consideration by the City Attorney's office prior to submitting the application for rezoning.

Existing Conditions: **[Sec. 4-295(a)(4)]** NOTE: If more than one of the following requirements is shown on the same set of maps or photos, please mark the document with all appropriate exhibition numbers.

Existing zoning and current uses: Show existing zoning and current land uses surrounding the property to a distance of 375 feet.

Soils, vegetation and ground cover: Classified in accordance with USDA/SCS system and the Florida Land Use and Cover Classification System, respectively

Topography: Provide a City of Bonita Springs Topographical map (if available).

Public Transit: Show the property in relation to existing and proposed public transit routes and bus stops, including what facilities exist at the bus stop.

Environmental Assessment: Areas of encroachment by undesirable exotic (floral) species, the line of mean high water, and jurisdictional boundaries of state and federal agencies, and Coastal Construction Setback Lines. If the site contains unique landforms or biological areas such as creek beds, sand dunes, coastal or interior hammocks, or old growth pine flatwoods, additional information may be required including wildlife and plant inventories and hydrologic details, in order to identify the highest quality biological communities and develop suitable conservation measures. Please contact the City of Bonita Springs Community Development at 239-444-6150 with any questions concerning this environmental assessment.

Master Concept Plan: Refer to Sec. 4-295 (a)(6)a.3. or b. 3. AND 4-295(a)(7)a. for information.

Schedule of Uses: **[Sec. 4-295(a)(7)]**

1. A summary of the kinds of uses proposed for the entire site (for projects containing residential uses, this shall include the types of proposed dwelling units);
2. The units (gross square feet for commercial/industrial uses, number of units for residential, motel/ hotel uses, beds for institutional types of uses, etc.) of each kind of use for the entire site;
3. For developments containing uses for which the parking requirements are to be determined by the Director, the number of parking spaces proposed for those uses.

Schedule of deviations: Refer to Sec. 4-295(a)(6)a.9. or b.9. and 4-295(a)(7)d.

Traffic Impact Statement: **[Sec. 4-295(a)(6)a.11 Or b. 10 and 4-295(a)(7)]** Format and degree of detail is set forth in the adopted City of Bonita Springs Code.

Surface Water Management Plan: **[Sec. 4-295 (b)(1)]** Written statements which describe:

1. The runoff characteristics of the property in its existing state;
2. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;
3. The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;
4. How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate.
5. Describe the requirements for fill materials posed by this development for other than building pads (use, volume, etc.)
6. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding. **[3-324]**

Management Plan for Protected Species: **[Sec. 4-295(b)(2)]** Refer to the Sec. 3-456.

Program for phased development: **[Sec. 4-295(b)(3)]** Description of program for phased development (if applicable). A description of the program of phased construction, if the development is to be so constructed.

GENERAL

- a. The applicant is responsible for the accuracy and completeness of this application. Any time delays or additional expenses necessitated due to the submittal of inaccurate or incomplete information shall be the responsibility of the applicant.
- b. All information submitted with the application or submitted at the public hearing becomes part of the public record and shall be a permanent part of the file.
- c. All applications must be submitted in person. Mailed-in applications will not be processed.
- d. All attachments and exhibits submitted shall be of a size that will fit or conveniently fold to fit into a letter size (8 1/2" x 11") folder.
- e. The Department staff will review this application for compliance with requirements of the City of Bonita Springs Land Development Code. If any deficiencies are noted, the applicant will be notified.
- f. All applicants shall pay an application fee as set forth in the City of Bonita Springs Fees and Charges Manual.

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

STRAP NO. Please see Exhibit I-B-3 **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership
N.A.	

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

Name, Address, and Office	Percentage of Stock
LB ESTERO BAY INVESTMENTS LLC	100%
2210 Vanderbilt Beach Rd, Ste 1300, Naples FL 34109	
PLEASE SEE ATTACHED	

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

Name and Address	Percentage of Interest
N.A.	

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

Name and Address	Percentage of Ownership
N.A.	

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

Name, Address, & Office (if applicable)	Percentage of Stock
N.A.	

Date of Contract: _____

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

Name and Address

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

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

Signature: _____
 (Applicant)

 (Printed or typed name of applicant)

STATE OF FLORIDA
 COUNTY OF LEE

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

 Signature of Notary Public

 Printed Name of Notary Public

(SEAL)

**EXHIBIT II-F-2
ENVIRONMENTAL ISSUES**

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

Please see Exhibit II-B-1 Boundary Survey

B. Sensitive Lands: Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Comprehensive Plan), flow ways, creek beds, sand dunes, other unique land forms [see the Comprehensive Plan for listed species occupied habitat (see Sec. 4-1337 et seq. of the Land Development Code).

Please see Environmental Report

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

Please see Environmental Report

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

N.A.

**EXHIBIT III-A-2
PRELIMINARY DENSITY CALCULATIONS***

A. Gross Residential Acres

- | | |
|---|----------------|
| 1. Total land area: | 30.51+/- acres |
| 2. Area to be used for non-residential uses: (Line A.2.a. plus A.2.b.): | _____ acres |
| a. R-O-W providing access to non-residential uses: | 0 _____ acres |
| b. Non-residential use areas: | _____ acres |
| 3. Gross residential acres (Line A.1 less A.2): | _____ acres |
| a. Uplands areas | 26.86+/- acres |
| b. Freshwater Wetlands areas | 3.65+/- acres |
| c. Other Wetland areas | 0 _____ acres |

Bayview on Estero Bay

B. Comprehensive Plan Land Use Classification: _____ (If more than one classification, calculations for each classification must be submitted)

Density Standards (from the Comprehensive Plan)

- | | |
|---|----------------------------------|
| 1. Maximum density for Land Use Classification: | 9.84 _____ units/gross res. acre |
| 2. Maximum total density for Land Use Classification: | 9.84 _____ units/gross res. acre |

MAXIMUM PERMITTED DWELLING UNITS

C. High Density Residential, High Density Mixed Use/Village, "Old 41" Town Center Mixed Use Redevelopment Overlay Area.

- | | |
|---|------------------------------|
| 1. Standard density uplands units (A.3.a. times B.1) | _____ units |
| 2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) | _____ units |
| 3. Total standard density units (sum of C.1 & C.2) | _____ units |
| 4. Max. Total density units [A.3.a. times ((B.1 plus 1/2 of (B.2 less B.1)))] | _____ units |
| 5. Sub-total permitted std. density units (line C.3 or C.4 - whichever is less): | _____ Units Sub-total |
| 6. BONUS UNITS (REQUESTED) | |
| a. Low-moderate housing density: | _____ units |
| b. TDR units: | _____ units |
| c. Sub-total (C.6.a plus C.6.b) | _____ units |
| 7. Total Permitted Units (C.5. plus C.6.c): | _____ Units Total |

NOTE: may not exceed (A.3.a. times B.2) plus (A.3.b. and A.3.c. times .05).

* Subject to staff review and correction.

D. Moderate Density Mixed Use/Planned Development, Medium Density Multi-Family Residential, Medium Density Residential, Moderate Density Residential

- | | |
|--|--------------------|
| 1. Standard density uplands units (A.3.a. times B.1) | _____ units |
| 2. Standard density freshwater wetlands units (A.3.b. times B.1) | _____ units |
| 3. Total standard density units (sum of D.1 & D.2) | _____ units |
| 4. Maximum upland density (A.3.a. times 8) | _____ units |
| 5. Total permitted units (line D.3 or D.4 - whichever is less): | _____ Units |

E. Suburban Density Residential, Low Density Residential, Estate Residential

- 1. Standard density uplands units (A.3.a. times B.1) _____ units
- 2. Standard density freshwater wetlands units (A.3.b times B.1) _____ units
- 3. Total standard density (sum of E.1 & E.2) _____ units
- 4. Maximum upland density (A.3.a. times 4) _____ units
- 5. **Total permitted units** (line E.3 or E.4 - whichever is less): _____ **Units Total**

F. Conservation, Resource Protection, DRGR

- 1. Total acres of "Open Land" _____ acres
- 2. Maximum density (F.1 times 0.2*) _____ units
- 3. Total permitted units: _____ units

G. Bayview on Estero Bay Land Use Category

- 1. Standard density - 9.84 units**

- 2. Maximum density (30.51 x 9.84 d.u./ac) - 300 residential dwelling units**

- 3. Total permitted units - 300 residential dwelling units**
 - 300 CCRC units**
 - 75 skilled nursing/assisted living/memory care**

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

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

N.A.

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

1. Method and degree of treatment:

N.A.

2. Quality of the effluent:

N.A.

3. Expected life of the facility:

N.A.

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

N.A.

5. Receiving bodies or other means of effluent disposal:

N.A.

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

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

N.A.

2. Current water table conditions:

N.A.

3. Proposed rate of application:

N.A.

4. Back-up system capacity:

N.A.

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

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Bayview on Estero Bay - See Exhibit I-B-3 and legally described in exhibit A attached hereto. (street address)

The property described herein is the subject of an application for planned development zoning. We hereby designate Q. Grady Minor & Assoc., P.A. and Coleman, Yovanovich & Koester, P.A. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to the City of Bonita Springs.

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

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by the City of Bonita Springs.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, City of Bonita Springs can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The City of Bonita Springs will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the City may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

Owner

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this _____ day of _____ 20____, by _____, who is personally known to me or who has produced _____ as identification.

Notary Public

(Name typed, printed or stamped)
(Serial Number, if any)