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CITY OF BONITA SPRINGS

Community Development Department
9220 Bonita Beach Road, Ste. 111
Bonita Springs, FL 34135
Phone: (239) 444-6150
email: permitting@cityofbonitaspringscd.org

PUBLIC HEARING REQUEST – PLANNED DEVELOPMENT (2023)

ACTION REQUEST INFORMATION

A. Project Name: _____

STRAP Number(s): _____

B. Type of Request (please check one):

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

PART I

APPLICANT\PROPERTY OWNERSHIP INFORMATION

A. Applicant's Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Ext: _____ E-mail Address: _____

NOTE: The Applicant must sign the Applicant's Signature and Certification form [See "PART V"].

B. Applicant relationship to property: Owner Trustee Option holder Lessee Contract Purchaser

Other (indicate): _____

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

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

C. Property Owner's Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Ext: _____ E-mail Address: _____

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

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: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Ext: _____ E-mail Address: _____

**PART II
GENERAL INFORMATION**

A. Request:

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

RPD - Residential MPD - Mixed Use MHPD - Mobile Home RVPD - Recreational Vehicle

CPD - Commercial CFPD - Community Facilities IPD - Industrial AOPD - Airport Operations

2. Option Chosen: Option 1 Option 2

3. Other - Provide specific details. _____

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: _____

D. General Location of Property (referenced to major streets): _____

E. City of Bonita Springs Plan Information

1. City of Bonita Springs Land Use Classification: _____

2. Are you proposing any City of Bonita Springs amendments which could affect the subject property?

_____ NO _____ YES If yes, submit a copy of the proposed amendment (labeled as "Exhibit II-E-1") along with a statement as to how the proposed amendment will affect your property (labeled as "Exhibit II-E-2").

F. Drainage, Water Control and Other Environmental Issues

1. Is the property within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s?

_____ NO _____ YES. If yes, specify the minimum elevation required for the first habitable floor).

_____ NGVD (MSL)

2. Are there any environmentally sensitive lands such as, but not limited to: wetlands, mangrove forests, creek & river shorelines, sand dunes, xeric scrub, mature pine forests, or other unique land forms as defined in the Bonita Plan Goal 15 and 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: _____

H. Property Dimensions

1. Width (average if irregular parcel): _____ Feet

2. Depth (average if irregular parcel): _____ Feet

3. Frontage on road or street: _____ Feet on _____
(Name of street)

4. Total land area: _____ Acres or Square Feet

I. Land Area Calculations

1. Undevelopable Areas:

- a. Freshwater wetland areas _____
- b. Other wetland areas _____
- c. Submerged land subject to tidal influence: _____
- d. Total (a + b + c): _____

2. Remaining developable land (H.4 less I.1.d): _____

**PART III
PROPOSED DEVELOPMENT**

A. Nature of Request

1. Will the development contain living units? _____NO _____YES. If the answer is yes, please indicate the total number of living units proposed, by type:

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

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

- a. PERMITTED total units (from Exhibit III-A-2): _____
- b. PROPOSED total units (from A-1. above): _____
- c. PROPOSED density (from Exhibit III-A-2): _____

3. Will the development contain non-residential areas? _____NO _____YES. If the answer is yes, please indicate the size [gross square footage (gsf) unless indicated otherwise] of each general class of uses below:

Retail: _____ 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: _____ Total gsf

Under roof: _____ gsf Not under roof: _____ gsf

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

Other-specify: _____

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

4. Building Height

____ Maximum height of buildings (in feet above grade)

____ Number of Habitable Floors

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

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

B. Facilities

1. Fire District: _____

2. Water Supply

a. Estimated daily consumption of potable water:

Residential units: _____ gpd Mobile Home units: _____ gpd

Rec. Vehicle units: _____ gpd Commercial: _____ gpd

Industrial: _____ gpd

b. Source of potable water: _____

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

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

d. Source of Non-potable water: _____

3. Sanitary Sewer Service

a. Estimated daily production of wastewater:

Residential units: _____ gpd Mobile Home units: _____ gpd

Rec. Vehicles: _____ gpd Commercial: _____ gpd

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: _____

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
DRI	PD	EXIST	MINOR		
15	15	15	15		Completed application [4-193(b)]
1	1	1	1		Application Fee [2-571]
1	1	1	1		Summary of Neighborhood Informational Meeting [4-28]
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-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
APPLICANT'S SIGNATURE AND CERTIFICATION

I, _____, certify that I am the owner or owner's 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 through this application.

STATE OF: _____ COUNTY OF: _____

Signature: _____

Signatory's Printed Name: _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ (day) of _____, (month) _____ (year), by _____ (name of person making statement).

Signature of Notary Public - State of Florida: _____

Name of Notary Typed, Printed, or Stamped: _____

Personally Known OR Produced Identification

Type of Identification Produced: _____

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

STRAP NO. _____ **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.

<u>Name and Address</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

<u>Name, Address, and Office</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

<u>Name and Address</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

<u>Name and Address</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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.

<u>Name, Address, & Office (if applicable)</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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.

<u>Name and Address</u>

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.

STATE OF: _____ COUNTY OF: _____

Signature: _____

Signatory's Printed Name: _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ (day) of _____, (month) _____ (year), by _____ (name of person making statement).

Signature of Notary Public - State of Florida: _____

Name of Notary Typed, Printed, or Stamped: _____

Personally Known OR Produced Identification

Type of Identification Produced: _____

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

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

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 landforms [see the Comprehensive Plan for listed species occupied habitat (see Sec. 4-1337 et seq. of the Land Development Code).

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

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

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

A. Gross Residential Acres

- 1. Total land area: _____ 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: _____ acres
 - b. Non-residential use areas: _____ acres
- 3. Gross residential acres (Line A.1 less A.2): _____ acres
 - a. Uplands areas _____ acres
 - b. Freshwater Wetlands areas _____ acres
 - c. Other Wetland areas _____ acres

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

**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:

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:

2. Quality of the effluent:

3. Expected life of the facility:

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

5. Receiving bodies or other means of effluent disposal:

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

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

2. Current water table conditions:

3. Proposed rate of application:

4. Back-up system capacity:

**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 _____ 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 _____ 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.

STATE OF: _____ COUNTY OF: _____

Owner's Signature: _____

Owner's Printed Name: _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ (day) of _____, (month) _____ (year), by _____ (name of person making statement).

Signature of Notary Public - State of Florida: _____

Name of Notary Typed, Printed, or Stamped: _____

Personally Known OR Produced Identification

Type of Identification Produced: _____