

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 23 - 05

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST FOR AN AMENDMENT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO INCLUDE 24 MULTI-FAMILY UNITS AS THE PRINCIPAL USE OF THE PROPERTY, AND TO ADD ONE DEVIATION; LOCATED AT 04-48-25-B1-00002.000A, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, SRG Vanderbilt, LLC, has filed an application to request to amend an existing residential planned development (RPD) remove the previously approved 92-bed assisted living facility and add 24 multi-family units, and one (1) deviation;

WHEREAS, the subject property is located on the east side of Vanderbilt Driver south of Via Del Rey adjacent to the First Baptist Church of Bonita Springs, and is described more particularly as:

“See Exhibit A”

WHEREAS, a Public Hearing was advertised and heard on April 18, 2023, by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals (“Zoning Board”) on Case PD22-94289-BOS, which considered the evidence available and recommended approval after giving full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City, and the testimony of all interested parties. The April 18, 2023 Staff Report prepared by Community Development and evidence submitted at the Zoning Board hearing, as part of the City Council hearing record, are on file with the City Clerk.

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the request to amend the existing RPD Ordinance 19-03 to allow a 24 multi-family units as principal use and removing the previous 92-bed assisted living facility, subject to the following uses, conditions and deviations with additions reflected in underlined language and deletions through use of ~~strikethroughs~~:

Conditions:

1. The project should be generally consistent with the Master Concept Plan attached hereto as Exhibit “B” ~~dated April 2019 and titled “The Coastal Cottages RPD” prepared by Q. Grady Minor and Associates, P.A., and attached hereto (Exhibit “B”).~~

2. The Schedule of Uses are as follows:

- Accessory Uses and Structures
- Administrative Offices
- ~~Assisted Living Facilities, group housing for seniors, including independent, dependent, and memory care beds~~
- Carports/Garages
- Dwelling Units: Multi-Family
- ~~Community Gardens~~
- Entrance Gates
- Essential Service Facilities
- Excavation, Water Retention
- Fences and Walls
- ~~Food and Beverage Services, Limited~~
- Parking Lot Accessory
- Recreation Facilities, Personal
- Signs Per LDC
- ~~Staff Guest Quarters~~

3. The Development Regulations are as follows:

Minimum Lot Area and Dimensions: N/A

Minimum Setbacks:	Principal Structure	Accessory
Vanderbilt Drive (west)	50 <u>75</u> feet	45 feet
Mango Road (east)	20 <u>40</u> feet	15 feet
North	20 <u>40</u> feet	15 feet
South	30 <u>50</u> feet	30 <u>40</u> feet
Maximum Building Height:	30 <u>35</u> feet	30 feet

Minimum Building Separation: ~~40~~ 20 feet
Minimum Open Space: 40 percent

4. Additional Conditions – At the time of local development order, the Applicant shall meet the following criteria:

- a. Provide engineering plans showing how the site will store and treat its surface water runoff consistent with the City's Comprehensive Plan and the City's LDC, including compliance with Policy 9.3.3 of the Conservation/Coastal Management Element of the City's Comprehensive Plan, which states that an additional fifty (50) percent water quality is required over the already required South Florida Water Management District water quality.
- b. Provide a drainage analysis demonstrating that the site development plan has no adverse impact on adjacent properties and that there is sufficient on-site drainage capacity, storm-

water conveyance, and controlled discharge. The drainage analysis shall include, but not be limited to:

- i. Provide an Interconnected Pond and Channel Routing (ICPR) Model. The 100-year 24 hour storm event is the primary storm used to evaluate the proposed design. The City reserves the right to request additional modeling of other storm events upon review of the data. All data submitted shall be formatted for inclusion into the city's Interconnected Pond Routing (ICPR) Model.
 - ii. A drainage map for all contributory areas within and into the development, showing flow paths/arrows, existing on-site and off-site drainage structures (sizes and inverts), and sub-basin areas; and (2) hydrologic and hydraulic calculations for the 5-, 25-, and 100-year design storm events in order to establish existing baseline conditions.
- c. Drainage impediments identified during the modeling process must be addressed in the drainage plan.
 - d. Landscaping – Some of the buffers widths shown on the Master Concept Plan are greater than the LDC minimum. These are a condition of approval.
 - e. Coordinate with, and provide documentation from, Collier County regarding the connection to Vanderbilt Drive.
 - f. This is an archaeological sensitive area. A Certificate to Dig is required prior to the commencement of any on-site development.
 - g. A separate site permit is required for the portions of the sidewalk and roadway shown on the Master Concept Plan that are located on the CHURCH parcel.
 - h. Roof gutters are required as part of the drainage plan.
 - i. All handicap spaces must have direct pedestrian access to the building and comply with ADA Standards 206 Accessible Route.
 - j. This Plan is subject to conditions set forth herein and the rules, regulations laws and codes in place at the time of Development Order and Constructions Plan approval. Approval of this Planned Development is no a guarantee of future approvals.

Deviations:

1. Deviation from LDC Section 3-291. Requiring intersection separations to be a minimum 330 feet, to allow a 275' separation consistent with existing conditions along Vanderbilt Drive.
2. A deviation from LDC 3-418(d)(6) which indicates that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall note less than eight feet in eight must be

constructed not less than 25 feet from the abutting property and landscaped (with a minimum of five trees and 18 shrubs per 100 lineal feet, to instead allow the required wall to be located 20 feet from the property line.

SECTION TWO: FINDINGS AND CONCLUSIONS

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

The Applicant has proven entitlement to the rezoning by demonstrating compliance with the Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.

SECTION THREE: INCORPORATION OF RECORD

City Council of Bonita Springs hereby adopts and incorporates into this ordinance the record hearing exhibits and attachments considered as part of the application as follows:

EXHIBITS:

- A. Legal Description and Sketch of the Subject Property
- B. The Grove Master Concept Plan

ATTACHMENTS:



- A. Background and Informational Analysis
- B. City of Bonita Springs Zoning Ordinance 19-03
- C. Application Backup

SECTION FOUR: EFFECTIVE DATE

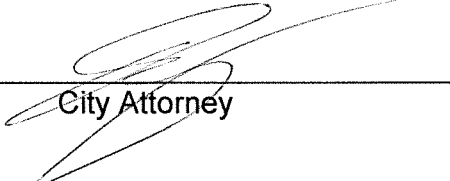
This Ordinance shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 7th day of June, 2023.

AUTHENTICATION:

 Mayor  City Clerk

APPROVED AS TO FORM:


City Attorney

Vote:

Carr aye

Purdon aye

Forbes aye

Fullick aye

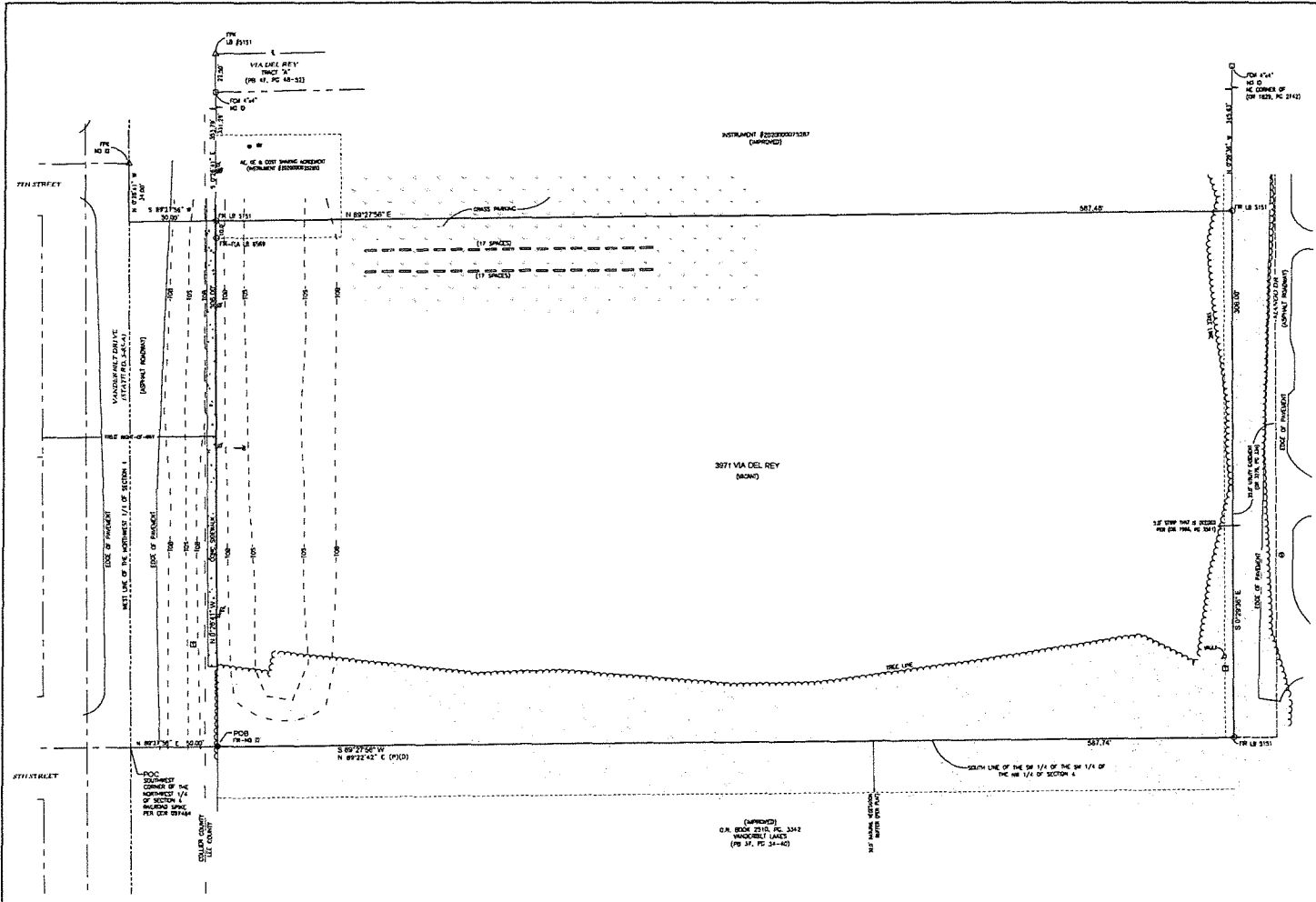
Corrie aye

Bogacz aye

Steinmeyer aye

Date filed with City Clerk:

6/7/23

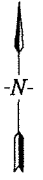
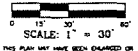


PROPERTY DESCRIPTION:
(FOR PROJECT FILE COMPASS)

A PARCEL OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 4, THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4 NORTH 89°27'56\"/>

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983, NATIONAL GEODETIC SURVEY ADJUSTMENT OF 2011 OBTAINED USING GRS GPS OBSERVATIONS ON THE FOOT NETWORK AND ARE REFERENCED TO THE EAST-NORTH-UP-BEARING LINE OF WASHINGTON DRIVE, BEING N 87°14' 0\"/>



LEGEND

1. 1/4 SECTION	2. 1/4 SECTION	3. 1/4 SECTION	4. 1/4 SECTION	5. 1/4 SECTION	6. 1/4 SECTION	7. 1/4 SECTION	8. 1/4 SECTION	9. 1/4 SECTION	10. 1/4 SECTION	11. 1/4 SECTION	12. 1/4 SECTION	13. 1/4 SECTION	14. 1/4 SECTION	15. 1/4 SECTION	16. 1/4 SECTION	17. 1/4 SECTION	18. 1/4 SECTION	19. 1/4 SECTION	20. 1/4 SECTION	21. 1/4 SECTION	22. 1/4 SECTION	23. 1/4 SECTION	24. 1/4 SECTION	25. 1/4 SECTION	26. 1/4 SECTION	27. 1/4 SECTION	28. 1/4 SECTION	29. 1/4 SECTION	30. 1/4 SECTION	31. 1/4 SECTION	32. 1/4 SECTION	33. 1/4 SECTION	34. 1/4 SECTION	35. 1/4 SECTION	36. 1/4 SECTION	37. 1/4 SECTION	38. 1/4 SECTION	39. 1/4 SECTION	40. 1/4 SECTION	41. 1/4 SECTION	42. 1/4 SECTION	43. 1/4 SECTION	44. 1/4 SECTION	45. 1/4 SECTION	46. 1/4 SECTION	47. 1/4 SECTION	48. 1/4 SECTION	49. 1/4 SECTION	50. 1/4 SECTION	51. 1/4 SECTION	52. 1/4 SECTION	53. 1/4 SECTION	54. 1/4 SECTION	55. 1/4 SECTION	56. 1/4 SECTION	57. 1/4 SECTION	58. 1/4 SECTION	59. 1/4 SECTION	60. 1/4 SECTION	61. 1/4 SECTION	62. 1/4 SECTION	63. 1/4 SECTION	64. 1/4 SECTION	65. 1/4 SECTION	66. 1/4 SECTION	67. 1/4 SECTION	68. 1/4 SECTION	69. 1/4 SECTION	70. 1/4 SECTION	71. 1/4 SECTION	72. 1/4 SECTION	73. 1/4 SECTION	74. 1/4 SECTION	75. 1/4 SECTION	76. 1/4 SECTION	77. 1/4 SECTION	78. 1/4 SECTION	79. 1/4 SECTION	80. 1/4 SECTION	81. 1/4 SECTION	82. 1/4 SECTION	83. 1/4 SECTION	84. 1/4 SECTION	85. 1/4 SECTION	86. 1/4 SECTION	87. 1/4 SECTION	88. 1/4 SECTION	89. 1/4 SECTION	90. 1/4 SECTION	91. 1/4 SECTION	92. 1/4 SECTION	93. 1/4 SECTION	94. 1/4 SECTION	95. 1/4 SECTION	96. 1/4 SECTION	97. 1/4 SECTION	98. 1/4 SECTION	99. 1/4 SECTION	100. 1/4 SECTION
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GradyMinor
 Civil Engineers • Land Surveyors • Planners • Landscape Architects
 0, Grady Minor and Associates, P.A.
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 Bonita Springs, Florida 34134
 Business LC 26600266
 Cert. of Auth. EB 0000101 Cert. of Auth. LB 0000101
 Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

DRAWN BY:	ASH
CHECKED BY:	CLS
JOB CODE:	3971VOR
SCALE:	1" = 30'
DATE:	21 FEBRUARY 2022
FILE:	21-233-BSDMG
SHEET:	1 of 1

BOUNDARY SURVEY w/ IMPROVEMENTS	
3971 VIA DEL REY BONITA SPRINGS, FL 34134	
LYING IN SECTION 4, TOWNSHIP 48 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA	

ONE INCH = 30 FEET
DONALD L. SANDWICH & P.S.A. A. LEONIE BERRY FOR THE FIRM

C:\TEMP\PROJECT\3971VOR\2021\233 - 3971_VIA DEL REY_48 SOUTH_25 EAST.DWG