CITY OF BONITA SPRINGS ZONING RESOLUTION NO. 22 – 04

A ZONING RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST FOR A SPECIAL EXCEPTION TO RE-ESTABLISH A CAR WASH, ON PROPERTY LOCATED IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT, PURSUANT TO LDC 4-891; LOCATED AT 8801 WEST TERRY STREET, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Applicant, Love's Petroleum, Inc. is the owner of record for the subject parcels; and

WHEREAS, the Applicant is seeking a special exception re-establish a car wash on property located in the Community Commercial (CC) zoning district pursuant to Section 4-891 of the City's land development code ("LDC"); and

WHEREAS, a Public Hearing was advertised and heard on October 18, 2022 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case SPE22-87755-BOS who unanimously (6-0) 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 parties; and

WHEREAS, City Council at their November 2, 2022 zoning meeting considered Case SPE22-87755-BOS, as well as a minutes of the Zoning Board hearing submitted as part of the City Council hearing record, and gave full consideration of the Staff Recommendation, the evidence and testimony, including the expert opinion of the Applicant.

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the request for a special exception with the following conditions:

Conditions:

1. The special exception will be valid for this Applicant only and proposed site modifications should be generally consistent with the attached site plan, landscape plan, and architectural plan.

- 2. The Bonita Springs Noise Control Ordinance remains in full force and effect.
- 3. Additional information or changes to the plan not covered by this approval may require additional approvals. Such approvals will follow the processes outlined in the Land Development Code.
- 4. Approval of this special exception request does not guarantee approval of a local development or building permit.
- 5. Unless modified by this approval, the property shall be consistent with the regulations of the Land Development Code for the Community Commercial (CC) zoning district and US 41 Overlay.

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of special exception and as conditioned, the Bonita Springs City Council makes the following findings and conclusions:

1. The Applicant has proven entitlement for the requested special exception by demonstrating compliance with the Bonita Springs Comprehensive Plan and Land Development Code.

SECTION TWO: RECORD

This Resolution incorporates all exhibits, staff reports, attachments, evidence and testimony presented before the Zoning Board and City Council.

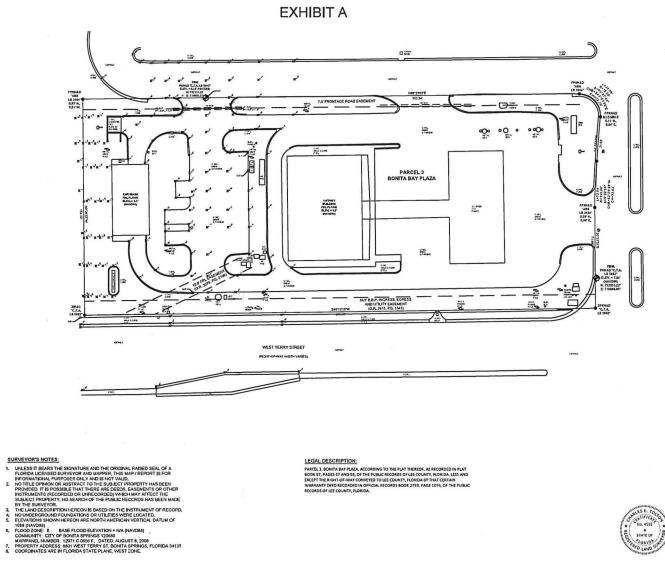
SECTION THREE: EFFECTIVE DATE

This Resolution shall take effect immediately upon adoption.

[SIGNATURE PAGE FOLLOWS]

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 2nd day of November, 2022.

AUTHENTICATION:	
Ref Stringee	City Clerk
APPROVED AS TO FORM: _	City Attorney
Vote:	
Carr Aye	Corrie Aye
Purdon Aye	Quaremba Aye
Forbes Aye	Steinmeyer Aye
Gibson Aye	
Date filed with City Clerk:	11/2/2022
Date filed with Oily Clerk.	11 1 7 200+



CERTIFICATION:

LINERBY CERTIFY THAT THE ATTACHED LAND SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY NHOWLEDGE AND BELLEF AS SURVEYED IN THE PELD LOUGHE MY ORECTION ON DECEMBER 14. AND BELLEF AS SURVEYED IN THE PELD LOUGHE MY ORECTION ON DECEMBER 14. PRACTICE FOR THE SURVEYING AND MAPPING PROFESSION AS SET FORTH IN HAPPER 5-14.7, FORDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 47.27, FLORIDA STATUTES, THERE ARE NO ABOVE GROUND ENCROACHIENTS OTHER THAN THOSE SHOWNHERGEN, SUBJECT TO THE COULT FEATURE OF THE PERFORMANCE OF THE SURVEY OF THE PERFORMANCE OF THE SURVEY OF THE PERFORMANCE OF THE PERFORMANC

Charles E. Tolton, P.S.M.

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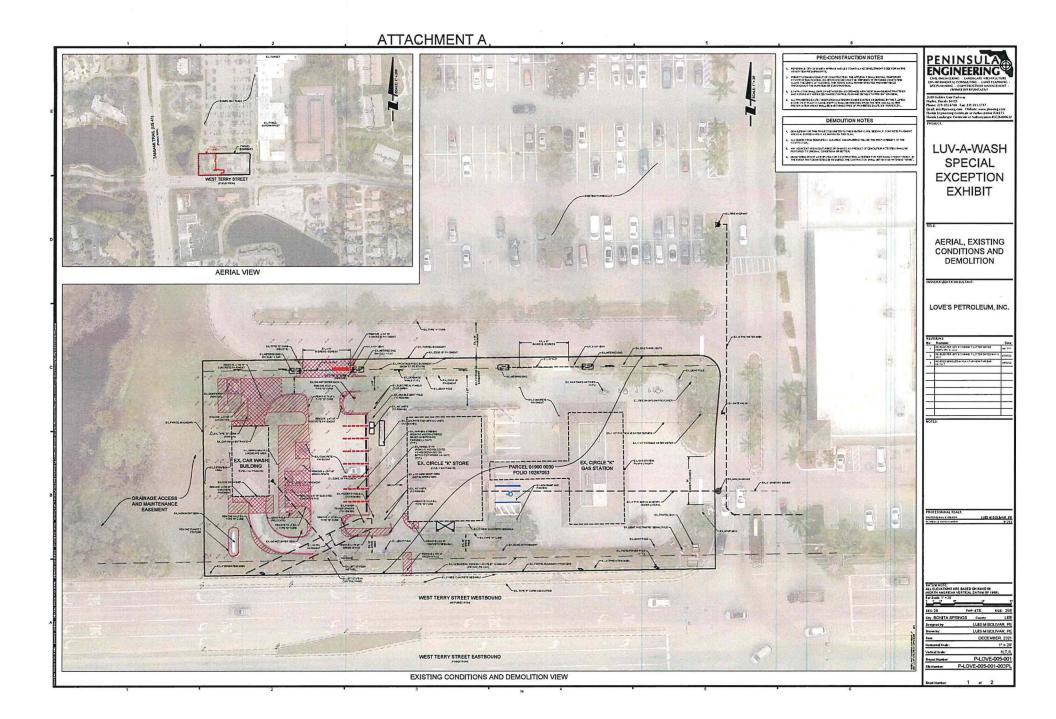
CHARLES TOLTON & ASSOCIATES, INC.
ENGINEERING LAND SURVEYING SCALE I'- M DATE OBATATO
DIRECTO AM
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FELD STO I.S 3508 RADIO ROAD, SUITE E NAPLES, FLORIDA 34104 (239)793-6633 EMAIL: C.Tolton@ctasurwying.com

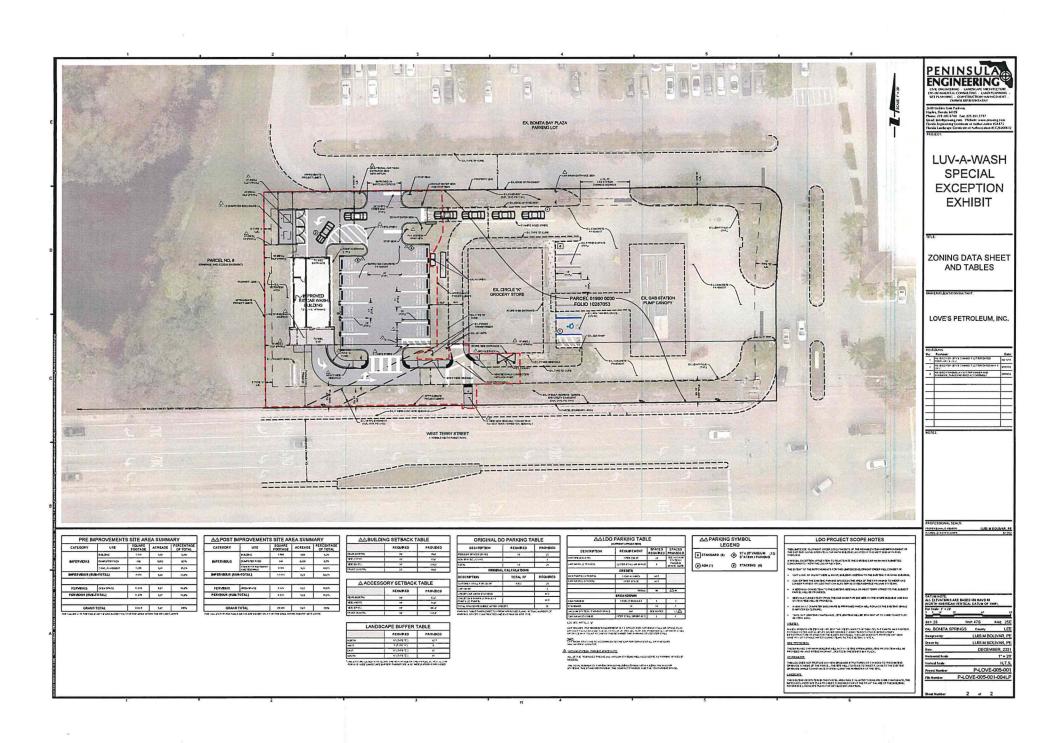
REVISIONS DATE: ONN.: CHK.:

For:

BOUNDARY AND TOPOGRAPHIC SURVEY PARCEL 3, BONITA BAY PLAZA LEE COUNTY, FLORIDA

SHEET: OF



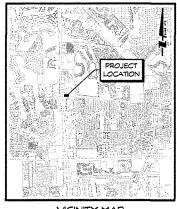


ATTACHMENT B

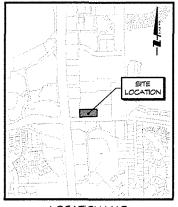
CODE MINIMUM LANDSCAPE PLAN FOR LUV-A-WASH

ATTACHMENT B

PART OF SECTION 28, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LÉE COUNTY, FLORIDA







LOCATION MAP

OWNER/DEVELOPER LOVE'S PETROLEUM, INC

> 4712 GOLDEN GATE PARKWAY NAPLES, FLORIDA 34116 (239) 293-0440

wa full business days before you dig to round utilities located and marked	1
hine@ll.com	١
**	J

PENINSULA
ENGINEERING
CML ENGINEERING - LANDSCAPE ARCHITECTURE ENVIRONMENTAL CONSULTING - LAND PLANNING SITE PLANNING - CONSTRUCTION MANAGEMENT
SHETEARRING - CONSTRUCTION AVAILABLE I

LUV-A-WASH

CODE MINIMUM PLANS

COVER SHEET

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P-LOVE-005 L01 L-1

PENINSULA **ENGINEERING**

LUV-A-WASH

CODE MINIMUM LANDSCAPE PLAN

AEPARED FOR

LOVE'S PETROLEUM, INC

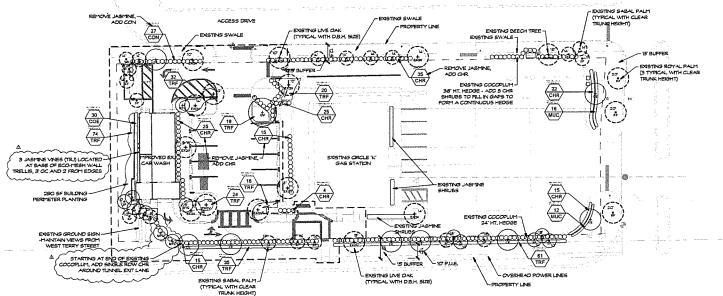


STEVE SAMMONS Designed by DECEMBER 202 P-LOVE-005-001

P-LOVE-005-001-L L-2

NOTE: ALL INVASIVE EXOTIC VEGETATION MUST BE REMOVED FROM THE SITE IN PERPETUITY. SEE NOTE 4 ON SHEET L-3,

EXISTING BONITA BAY PARKING LOT





WEST PROPERTY LINE LOOKING SOUTH

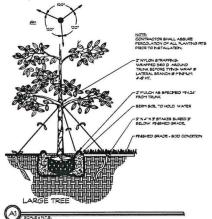


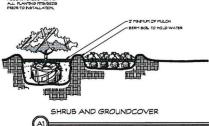
SOUTH BUFFER LOOKING EAST



EAST BUFFER LOOKING NORTH







1	RP	Reystonea elata	Royal Pales	20 CT •/-	Y
20	SP	Sabai palmetto	Sabal Palm	CT heights as shown on plan	Y
		Chrysotalanus Icaco	Red Tip Cocopium	As shown on plan - maintain at 35" ht.	Y
		Jasmini m nitidum	Star Jasmine	As shown on plan	N
Proposed To	ees, Palm	s and Shrubs		10	
QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	NATIVE
3	CE	Conocarpus erectus	Green Buttonwood	14' ht / 3-1/2' cal / 6' spr minimum	Y
1	QV	Quercus virginiana	Live Oak	10' ht / 2" cal / 4" spr	Y
3	SP	Sabal palmetto	Sabal Palm	CT heights as shown on plan	*
5	MYC	Myrica cerifera	Wax Myrtle	6 OA / multi-trunk	Y
151	CHR	Chrysotalanus icaco	Cocoplum	24" ht. minimum / 30" OC - main ain et 36" within 1 year	Y
30	COE	Conocarpus erectus	Green Buttonwood	36" ht. min. / 30" OC	Y
:7	COA	Conocarpus erectus	Green Buttonwood	45" ht. min. / 30" OC	*
28	MUC	Muhlenbergia capillaris	Muhly Grass	24" ht. minimum / 30" OC	*
240	TRF	Tripsacum floridanum	Gama Grass	24" ht. mintrum / 30" OC	Y
3	TRI	Trachelaspermum jasminoides	Confederate Jasmine	3 gal. / trellis / train to wall eco-mesh	N

American Beech

PROJECT SITE CODE REQUIREMENTS

GENERAL TREE REQUIREMENTS (Sec. 3-418)

One tree per 3,500 SF of development area
- 55,731 SF / 3,500 x 16 general trees required
- 164 trees / credits provided through existing site trees and proposed trees

DBH as shown on plan

BUFFER REQUIREMENTS (Sec. 3-418.6)

Nerth, east and asomh buffars
Commercial to ROWs
1 tree per 2D LP plus double now hedge maintained at 35° one year from install
- Buffars have been enhanced through additional trees and shrubs whare possible
beyond existing plant material

West buffer
Additional plantings have been proposed while maintaining views to existing ground and wall
mounted signs

BULDING PERIMETER PLANTINGS (Sec. 3-4'8.b)

10% of building gross ground level floor area (Improved existing car

wash building)
- 1,525 SF x 10% = 153 SF required, 290 SF provided

LANDSCAPE NOTES

- 1. QUALITY: PLAYT HATERIALS USED TO PERT THE RECURETHENTS OF THIS PLAN SHALL HEST THE STANDARDS FOR PLOTON NO. I OR BETTER AS BET OUT IN CORPACTION OF ASSOLLANDERS AND THE PROPERTY OF ASSOLIAND SHALL BETTE ON ALL TRANSPLANTED PATERIAL SHALL ALSO MEST STATE STANDARDS.
- THIS PLANTING PLAN IS FOR THE PURPOSES OF REVEW SY THE CITY OF SOMELS PRIVING, AND IS SOMETHING IN NATURE INTERIOR TO SET FEMILING THE RECORDANTS FOR THE SPOULZET, COPINIET LANGUAGES AND EXPRANCE CONSTRUCTION DOCUMENTS HAVE SERVED SY OTHERS BUT HUS THE CORPORATE THESS SERVING AND A THAT HUMB THE PURPOSE.
- 4. EXCITC VEGETATION AS DEFINED BY THE CITY OF SONTA SPRINGS LAND DEVELOPMENT CODE SHALL BE REMOVED FROM THE SITE AND SUSSEQUENT ANNUAL EXCITE REMOVAL (IN PERSETLITY) SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
- VESETATION TO TEMAN SHALL BE PROTECTED WITH APPROVED BARRICADINS (AS APPLICABLE) AND BARRICADING WILL REMAN IN PLACE LINTL COMPLETION OF CONSTRUCTION.
- 6. ALL PLANTS TO BE ARRANGED IN STAGGERED ROWS UNLESS OTHERWISE NOTED ON THE PLANS.
- 7. ALL EXPOSED EARTH SHALL BE COVERED WITH 800, HYDROSEED AND/OR MULCH.

PRIGATION NOTES

- 1. PRISATION WATER GOURCE AS PROVIDED THROUGH BONITA BAY PLACE MASTER SYSTEM WITH AUTOMATIC CONTROLLER.
- 2. EXISTING PRIGATION BYSTEM FOR THIS FUEL STATION FARCEL SHALL BE RETROPTITED TO PROVIDE ALL CODE REGURED PLANTINGS WITH 100% FULL MEAD TO HEAD COVERAGE WITH ISSIGNATION.
- 3. OWNER MAY CHOOSE TO USE DRP, BUBBLERS, OR SPRAY RRIGATION IN SHRUS BEDS.
- 4. THE RRIGATION BY STEM WILL BE DESIGNED TO MINITED THE APPLICATION OF WATER TO IMPERVOUS AREAS, ADJACENT PROPERTIES AND EXISTING VEGETATION.

PENINSULA ENGINEERING

2500 Onides Ogto Parkwey Nativa, Floride 24126 Pronce: 228 6013 8766 Far: 233.261.5197 Email: intelligationing com Habilde: www.park-arg com Florida Engineering Certificatio of Anthonization 512272 Florida Engineering Certification of Anthonization 512272 Florida Levilaguey Certification of Anthonization 512272

LUV-A-WASH

CODE MINIMUM NOTES AND DETAILS

PREPARED FOR

LOVE'S PETROLEUM, INC

REVISIONS

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PROFESSIONAL SEALS:

STEVE SAMMONS Drawn by: STEVE SAMMONS torizontal Scale P-LOVE-005-00 Project Number, P-LOVE-005-001-L L-3

