

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20020359

1. REQUESTED MOTION:

ACTION REQUESTED: Direct to two public hearings the consideration of an amendment to a development agreement between Lee County and Long Bay Partners, LLC, governing the mitigation of the transportation impacts of the Brooks of Bonita Springs DRI. Suggested dates: May 14, 2002 and May 28, 2002.

WHY ACTION IS NECESSARY: Florida Statutes, Section 163.3225, requires at least two public hearings before a local government amends a development agreement.

WHAT ACTION ACCOMPLISHES: The substance of the proposed amendment is to conform the development parameters set forth in the agreement with the approvals contained in the governing DRI development order approvals. The amendment also adjusts the right-of-way alignment of the Three Oaks Parkway Extension at the southern property line to conform to the agreement with the City of Bonita Springs.

2. DEPARTMENTAL CATEGORY: County Attorney
COMMISSION DISTRICT # 3

A 12A

3. MEETING DATE:

04-23-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:
5 Minutes

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE 163.3225
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER

B. DEPARTMENT

County Attorney

C. DIVISION

Land Use

BY:

Donna Marie Collins
Donna Marie Collins
Assistant County Attorney

7. BACKGROUND:

The Florida Legislature adopted the Florida Local Government Development Agreement Act to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities for development, encourage the efficient use of resources, and reduce the economic cost of development. Lee County and Long Bay Partners, LLC, entered into a development agreement on September 8, 1998, that outlined the protocol for the mitigation of the transportation impacts of the Brooks of Bonita Springs DRI and included an Access Management Plan for the Three Oaks Parkway Corridor.

(Continued on Page 2)

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>Dmc</i>	<i>CA</i>	<i>OM</i>	<i>RISK</i>	<i>GC</i>	<i>4/3</i>
					<i>4/3/02</i>	<i>4/3/02</i>	<i>4/4</i>	<i>4/3</i>	<i>4-04-02</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
COUNTY ADMIN.
4/3 210
COUNTY ADMIN.
FORWARDED TO:
4/4 1240

Blue Sheet #:

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Subject: Second Amendment to the Brooks of Bonita Springs Development Agreement

Since that time, the developer has requested to amend the Access Management Plan. This amendment was accomplished in November 2000. Recently, the developer has requested to amend the development agreement to conform the development parameters set forth in the agreement with the governing DRI Development Order approvals. In addition, at the request of Le County, the proposed development agreement amendment will adjust the right-of-way alignment of the Three Oaks Parkway Extension at the southern property line to conform to the agreement with the City of Bonita Springs.

Staff recommends the following hearing dates: May 14, 2002 and May 28, 2002 at 5:00 p.m. or as soon thereafter as may be heard.
