

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

Blue Sheet No. 20020559

1. REQUESTED MOTION:

ACTION REQUESTED: Consider an amendment to the existing Development Agreement with Long Bay Partners, LLC, governing the mitigation of the transportation impacts of the Brooks of Bonita Springs DRI.

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

WHAT ACTION ACCOMPLISHES: The purpose of the amendment is to revise the development parameters to reflect a proposed 20,000 square-foot increase in the retail/service/office floor area in the town center and decrease the number of dwelling units. The proposed amendment will also adjust the right-of-way alignment of the Three Oaks Parkway Extension at the Southern property line.

2. DEPARTMENTAL CATEGORY: County Attorney
COMMISSION DISTRICT # 3 *5:00 #2*

3. MEETING DATE:
05-28-2002

4. AGENDA:

CONSENT

ADMINISTRATIVE

APPEALS

PUBLIC

WALK ON

TIME REQUIRED:
30 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
Assistant County Attorney

7. BACKGROUND: Lee County and Long Bay Partners, LLC, entered into a development agreement under the Florida Local Government Development Agreement Act on September 8, 1998, to address the mitigation of the transportation impacts of the Brooks of Bonita Springs DRI. The substance of the proposed amendment is to 1) revise the development parameters to reflect a 20,000 square-foot increase in the retail/service/office floor area in the Town Center; 2) decrease the number of dwelling units from 5,200 to 3,600; and 3) adjust the right-of-way alignment of the Three Oaks Parkway Extension at the Southern property line. The first two changes are necessary to conform the Development Agreement to the recently amended DRI Development Order. The third change is necessary to conform to the alignment agreed to by the County and the City of Bonita Springs.

(Continued on Page 2)

8. MANAGEMENT RECOMMENDATIONS: The first public hearing was held on May 14, 2002. Staff recommends that the Board adopt the resolution and amended development agreement as requested by the applicant.

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>[Signature]</i>	OA	OM	RISK	GC	<i>[Signature]</i>
					<i>5/15</i>	<i>5/16</i>	<i>5/16</i>	<i>5-16-02</i>	<i>5-16-02</i>

10. COMMISSION ACTION:

APPROVED

DENIED

DEFERRED

OTHER

CO. ATTY.
FORWARDED
TO CO. ADMIN.
5/15/02

RECEIVED BY
COUNTY ADMIN. *AMC*

5/15 *400* *TD*

COUNTY ADMIN.
FORWARDED TO:
5/16 *230*

Blue Sheet #:

Page No.: 2

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

Florida Statutes requires that there be two public hearings before the Board of County Commissioners prior to an amendment to a development agreement.

Attachment: 1) Draft Resolution amending the Brooks of Bonita Springs Development Agreement
2) Proposed Second Amendment to the Brooks of Bonita Springs Development Agreement