WilsonMiller

# RIVERWOOD DRI
# AMDA

## DRI #07-8889-93

## CHARLOTTE COUNTY, FLORIDA

# ANNUAL MONITORING REPORT
## 1999 - 2000

PREPARED BY

WilsonMiller

*New Directions In Planning, Design & Engineering*

*Planners Engineers Ecologists Surveyors*
*Landscape Architects Transportation Consultants*

# RIVERWOOD DRI
# AMDA

## DRI #07-8889-93

## CHARLOTTE COUNTY, FLORIDA

# ANNUAL MONITORING REPORT
## 1999 - 2000

PREPARED BY

WilsonMiller

*New Directions In Planning, Design & Engineering*

**ID# 109**

| | |
|---|---|
| **LOCATION :** | Charlotte County |
| **PROJECT:** | Riverwood, A Planned Community, AMDA DRI#07-8889--93 |
| **APPLICANT:** | Centex Homes, Inc.<br>5801 Pelican Bay Boulevard, Suite 600<br>Naples, FL 34108 |
| **CONTACT:** | Thomas J. Wegwert |
| **AGENT:** | Sharon Jenkins-Owen, AICP<br>WilsonMiller, Inc.<br>4571 Colonial Boulevard, Suite 100<br>Fort Myers, FL 33912-1062 |
| **REVIEWED BY:** | SWFRPC |
| **DATE SUBMITTED:** | 07/26/89 |
| **REVIEW DATE:** | 08/16/90 |
| **RPC RECOMMENDATION:** | Conditional Approval |
| **DEVELOPMENT ORDER:** | Conditional Approval |
| **DATE ISSUED:** | 11/16/90 |
| **RPC DO REVIEW:** | Accepted Development Order, as rendered |
| **REGIONAL ISSUES:** | Drainage, Water Quality, Energy, Historical and Archaeological Sites, Hurricane Evacuation, Marina, Transportation, Vegetation and Wildlife, Water Supply, Wetlands, Local Plan Consistency. |

| | | | |
|---|---|---|---|
| **PROJECT TYPE:** | Mixed Use | | |
| **TOTAL ACRES:** | 1288 +/- | | |
| **HOUSING UNITS:** | 3,300 | **HOTEL ROOMS:** | |
| **COMMERCIAL SQ. FT.:** | 248,000 | **OFFICE SQ. FT.:** | 86,000 |
| **INDUSTRIAL SQ. FT.:** | | **HOSPITAL BEDS:** | |
| **WET SLIPS:** | 300 | **DRY SLIPS:** | 250 |
| **OTHER:** | Golf Course, Clubhouse | **EST. POPULATION:** | 7,160 |
| **TOTAL PROJECT COST:** | | | |
| **BUILDOUT YEAR:** | 2010 | **CONSTRUCTION YEARS:** | 20 |

**PROJECT STATUS:** The last monitoring report for the Master DRI was submitted in November, 1999. At that time, the Activity Center building was completed, and the fourth Har-Tru tennis court at the Activity Center Campus was completed. A total of 446 residential dwelling units have been constructed within Increment One. A total of 123 dwelling units have been built since the last DRI monitoring report.

**MODIFICATIONS:** No changes have occurred during this annual reporting period.

# ANNUAL STATUS REPORT

**Reporting Period:** November 01, 1999 to October 31, 2000

**Development:** Riverwood AMDA

**Location:** Port Charlotte, Charlotte County

**Developer:** Centex Homes, Inc.
5801 Pelican Bay Boulevard, Suite 600
Naples, FL 34108

1. **Describe any changes made in the proposed plan of development, phasing, or in the representations contained in the Application for Development Approval since the Development of Regional Impact received approval. Note any actions (substantial deviation determinations) taken by local government to address these changes.**

   **Note: If a response is to be more than one sentence, attach as Exhibit A, a detailed description of each change and copies of the modified site plan drawings. Exhibit A should also address the following additional items if applicable:**

   a. **Describe changes in the plan of development or phasing for the reporting year and for the subsequent years;**

   b. **State any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year.**

   c. **Attach a copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Paragraph 380.06(15)(f), F.S.**

   Response: No changes have occurred during this annual reporting period.

2. **Has there been a change in local government jurisdiction for any portion of the development since the development order was issued? If so, has the annexing local government adopted a new Development of Regional Impact development order for the project? Provide a copy of the order adopted by the annexing local government.**

   Response: There has been no change in local government jurisdiction for any portion of the development since the development order was issued.

3. **Provide copies of any revised master plans, incremental site plans, etc., not previously submitted.**

**Note: If a response is to be more than one or two sentences, attach as Exhibit B.**

Response: All master plans and incremental site plans were previously submitted.

4. **Provide a summary comparison of development activity proposed and actually conducted for the reporting year as well as a cumulative total development proposed and actually conducted to date.**

   **Example: Number of dwelling units constructed, site improvements, lots sold, acres mined, gross floor area constructed, barrels of storage capacity completed, permits obtained, etc.**

   **Note: If a response is to be more than one sentence, attach as Exhibit C.**

   Response: During the period covered by this Annual Monitoring Report, a total of 123 dwelling units have been built. A total of 446 residential dwelling units have been constructed within Increment One

5. **Have any undeveloped tracts of land in the development (other than individual single-family lots) been sold to a separate entity or developer? If so, identify tract, its size, and the buyer. Provide maps which show the tracts involved.**

   **Note: If a response is to be more than one sentence, attach as Exhibit D.**

   Response: Centex Homes, Inc. has purchased all the undeveloped portions of Riverwood AMDA. No additional tracts have been sold to a separate entity or developer.

6. **Describe any lands purchased or optioned adjacent to the original Development of Regional Impact site subsequent to issuance of the development order. Identify such land, its size, and intended use on a site plan and map.**

   **Note: If a response is to be more than one sentence, attach as Exhibit E.**

   Response: No lands adjacent to the original Development of Regional Impact site have been purchased or optioned by the developer.

7. **List any substantial local, state, and federal permits which have been obtained, applied for, or denied during this reporting period. Specify the agency, type of permit, and duty for each.**

   **Note: If a response is to more than one sentence, attach as Exhibit F.**

   Response: Please refer to Exhibit F.

8. **Provide a list specifying each development order condition and each developer commitment as contained in the ADA and state how and when each condition or commitment has been complied with during the annual report reporting period.**

**Note: Attach as Exhibit G.**

<u>Response</u>: Please refer to Exhibit G.

9. **Provide any information that is specifically required by the development order to be included in the annual report.**

<u>Response</u>: To our knowledge, the requirements of an annual monitoring report are being satisfied by submittal of this report.

10. **Provide a statement certifying that all persons have been sent copies of the annual report in conformance with Subsections 380.06(15) and (18), F.S.**

<u>Response</u>: Copies of this DRI Monitoring Report have been sent, via U.S. Mail to:

- Glenn E. Heath, AICP, Southwest Florida Regional Planning Council
- Sandra Collette, Development Review Division, Charlotte County
- Joseph Addae-Mensa, Florida Department of Community Affairs
- Thomas J. Wegwert, Centex Homes, Inc.

| | |
|---|---|
| **Person completing the questionnaire:** | Douglas J. Widmer, AICP |
| **Title**: | Senior Planner |
| **Representing:** | WilsonMiller, Inc.<br>4571 Colonial Boulevard, Suite 100<br>Fort Myers, FL 33912-1062 |

## EXHIBIT F

## RIVERWOOD AMDA PERMITS

| PERMIT NO. | DATE | AGENCY | FUNCTION |
|---|---|---|---|
| **RIVERWOOD PDA PHASE I** | | | |
| SW 89-EX-20 | 6/25/90 | Charlotte County | Excavation |
| SW 89-222S | 2/1/91 | Charlotte County | Construction Plan Approval |
| DS08-203935 | 12/18/91 | FDEP | Potable Water |
| 01-025-89 | 11/7/90 | FDOT | Driveway Connection Permit |
| 406845 | 1989 | FDEP | Stormwater |
| 2010169.01 | 12/31/91 | SWFWMD | General Water Use Permit |
| **RIVERWOOD PDA PHASE II** | | | |
| 40845.01 | 10/10/90 | SWFWMD | Stormwater |
| DS08-220735 | 1/29/92 | FDEP | Master Meter |
| DS08-223935 | 7/21/92 | FDEP | Potable Water |
| DRC-PD-88-4B | 11/7/90 | Charlotte County | Prelim. & Final Plan Approval |
| SW 90-EX-24 | 10/30/90 | Charlotte County | Excavation |
| CS08-189636 | 12/19/90 | FDEP | Wastewater |
| DS08-203935 | 12/18/91 | FDEP | Potable Water |
| 90NWQ-02825 | 6/7/90 | USACOE | Nationwide Permit Dredge & Fill |
| **CLUBHOUSE** | | | |
| SW 91-107C | 6/2/92 | Charlotte County | Stormwater |
| DS08-206826 | 1/29/92 | FDEP | Water Distribution |
| **STONEBRIDGE** | | | |
| DS02-216049 | 7/21/92 | FDEP | Potable Water |
| DRC-PD-88-4F | 8/5/92 | Charlotte County | Prelim. & Final Detail Plan |
| CS08-212741 | 5/14/92 | FDEP | Waste Water |
| 406845.03 | 5/28/92 | SFWMD | Stormwater |
| SW 92-042S | 6/1/692 | Charlotte County | Stormwater |
| SW 92-EX-24 | 7/22/92 | Charlotte County | Excavation |
| **FAIRWAY LAKES** | | | |
| SW 92-061S | 1/11/93 | Charlotte County | Construction Plan Approval |
| DRC-PD-88-4G | 10/22/92 | Charlotte County | Prelim & Final Plan Approval |
| CS08-2126397 | 9/16/92 | FDEP | Wastewater |
| 406845.04 | 8/10/92 | SWFWMD | Stormwater |
| DS08-217838 | 8/28/92 | FDEP | Potable Water |
| SW 92-EX-4 | 8/20/92 | Charlotte County | Excavation |

Table Continued

| PERMIT NO. | DATE | AGENCY | FUNCTION |
|---|---|---|---|
| **WILLOW GLEN** | | | |
| SW 93-EX-1 | 8/16/93 | Charlotte County | Excavation |
| 406845.08 | 6/20/93 | SWFWMD | Stormwater |
| DS08-231801 | 12/13/93 | FDEP | Potable Water |
| DRC-PD-88-41 | 8/2/93 | Charlotte County | Prelim. & Final Detail Plans |
| CS08-230227 | 6/11/93 | FDEP | Wastewater |
| **DISCOVERY CENTER** | | | |
| DS08-230227 | 2/9/94 | FDEP | Potable Water |
| DRC-PD-88-4j | 10/28/93 | Charlotte County | Prelim. & Final Detail Plans |
| 406845.09 | 6/9/93 | SWFWMD | Stormwater |
| SW 93-040C | 8/5/93 | Charlotte County | Stormwater |
| CS08-231900 | 6/8/93 | FDEP | Wastewater |
| **RIVERWOOD DRI INCREMENT I, PHASE II** | | | |
| 496845.07 | 1/5/93 | SWFWMD | Conceptual Permit |
| 496845.06 | 1/5/93 | SWFWMD | Conceptual Permit |
| SW 92-063C | 9/3/92 | Charlotte County | Stormwater |
| 081959329 | 6/30/92 | FDEP | Dredge and Fill |
| 199130641 (IP-BB) | 11/5/92 | USACOE | Dredge and Fill |
| 4-1-92-241 | 4/2/92 | Dept. of Interior Fish & Wildlife Services | Wildlife |
| **CLUB DRIVE PHASE I** | | | |
| DRC-88-4H | 6/27/94 | Charlotte County | Wastewater |
| DS08-234829 | 12/13/93 | FDEP | Potable Water |
| CS08-234830 | 7/30/93 | FDEP | Wastewater |
| **POD F - LAKESHORE VILLAGE** | | | |
| CS08-236924 | 9/1/93 | FDEP | Wastewater |
| 496845.10 | 8/25/93 | SWFWMD | Stormwater |
| DS08-236920 | 9/8/93 | FDEP | Potable Water |
| DRC-PD-88-4K | 8/6/93 | Charlotte County | Prelim. & Final Detail Plans |
| SW 93-056C | 9/16/93 | Charlotte County | Stormwater |
| **POD D - RIVERSIDE** | | | |
| DS08-241433 | 11/30/93 | FDEP | Potable Water |
| 496845.11 | 12/15/93 | SWFWMD | Stormwater |
| CS08-240080 | 11/17/93 | FDEP | Wastewater |
| DRC-PD-88-4L | 8/6/93 | Charlotte County | Prelim. & Final Detail Plans |

Table Continued

| PERMIT NO. | DATE | AGENCY | FUNCTION |
|---|---|---|---|
| **UNIT 3** | | | |
| 496845.13 | 3/29/94 | SWFWMD | Stormwater |
| CS08-250455 | 11/10/94 | FDEP | Wastewater |
| DS08-250448 | 11/15/94 | FDEP | Potable Water |
| SW 94-045S | 6/29/94 | Charlotte County | Stormwater |
| SW 94-12-EX | 7/15/94 | Charlotte County | Excavation |
| DRC-PD-88-4M | 7/28/94 | Charlotte County | Prelim. & Final Detail Plans |
| **POD G - EAGLE TRACE** | | | |
| SW 94-055S | 8/25/94 | Charlotte County | Stormwater |
| 496845.14 | 8/4/94 | SWFWMD | Stormwater |
| CS08-253416 | 11/10/94 | FDEP | Wastewater |
| DS08-254553 | 11/8/94 | FDEP | Potable Water |
| DRC-PD-88-4N | 9/8/94 | Charlotte County | Prelim. & Final Detail Plans |
| **CLUB DRIVE PHASE II** | | | |
| CS08-253418 | 11/16/94 | FDEP | Wastewater |
| DS08-253884 | 11/16/94 | FDEP | Potable Water |
| 496845.15 | 8/4/94 | SWFWMD | Stormwater |
| DRC-PD-88-4H | 6/29/94 | Charlotte County | Prelim. & Final Detail Plans |
| SW 94-060S | 8/25/94 | Charlotte County | Stormwater |
| **WASTEWATER TREATMENT PLANT** | | | |
| FLA014060 | 2/24/00 | FDEP | Pond Expansion |
| SW 94-20-EX | 11/18/94 | Charlotte County | Excavation |
| DRC-PD-88-4P | 9/28/94 | Charlotte County | Prelim. & Final Detail Plans |
| DC08-253754 | 10/7/94 | FDEP | Construction Permit |
| DC08-182784 | 3/19/91 | FDEP | Design Permit |
| 406845.16 | 10/12/94 | SWFWMD | Stormwater |
| SW 94-076C | 9/16/94 | Charlotte County | Stormwater |
| DT08-251875 | 7/6/94 | FDEP | Operation Permit |
| **RIVERWOOD PHASE III (INCREMENT TWO)** | | | |
| BJ-08-244239-5 | 6/10/94 | FDEP | Jurisdictional Declaratory Statement |
| **GOLF COURSE MAINTENANCE FACILITY** | | | |
| 91-053C | 8/21/91 | Charlotte County | Stormwater |
| CS08-198919 | 7/26/91 | FDEP | Wastewater |

| | | | |
|---|---|---|---|
| **GRAND VISTA CONDOMINIUMS** | | | |
| 46845.25 | 3/5/99 | SWFWMD | Modification to Per.#496845.13 |
| 46845.23 | 2/18/99 | SWFWMD | Time Extension |
| SW 99-012S | 4/2/99 | Charlotte County | Stormwater |
| DRC-PD-88-4M(MM) (B) | 4/26/99 | Charlotte County | Plan Approval |
| DS08-250448 | 10/25/99 | FDEP | Drinking Water Certification |
| **THE RESERVE** | | | |
| 496845.26 | 3/20/99 | SWFWMD | Construction |
| DRC-PD-88-4U | 3/19/99 | Charlotte County | Final Plan Approval |
| DRC-PD-88-4U | 3/1/99 | Charlotte County | Preliminary Plan Approval |
| SW-99-011C | 3/26/99 | Charlotte County | Stormwater |
| P-99-2-1 | 8/99 | Charlotte County | Preliminary & Final Plat |
| 152564-001-DSGP | 3/25/99 | FDEP | Public Water System Permit |
| 44008-001-DWC | 3/9/99 | FDEP | Sewer Collection/Transmission |
| **SILVER LAKES** | | | |
| 199804360 (IP-JB) | 7/7/00 | USACOE | |
| 496845.031 | 6/12/00 | SWFWMD | Modification (South Area) |
| 00-004-EX | 6/12/00 | Charlotte County | Excavation |
| 157722-001-DSGP | 7/19/99 | FDEP | Public Water System Permit |
| SW 99-034S | 6/22/99 | Charlotte County | Stormwater |
| DRC-PD-88-45(B) | 6/15/99 | Charlotte County | Preliminary Plan |
| 446845.24 | 9/1/98 | SWFWMD | Conceptual |
| 496845.27 | 7/27/99 | SWFWMD | Construction |
| 44006-001-DWC | 6/8/99 | FDEP | Domestic Wastewater Collection/Transmission System |
| DRC-PD-88-4T(B) | 10/10/00 | Charlotte County | Final Site Plan |

November 10, 2000

Mr. Scott Whipple
Bonita Bay Group
3451 Bonita Bay Blvd. Ste. 202
Bonita Springs, FL 34134

**RE: Professional Services Authorization: 01345-002-000 MALMS**
**Project: The Bonita Bay Group Communities and Acquisitions Map**

Dear Mr. Whipple:

Per your request we are providing you a copy of a Professional Services Authorization in order to update the Communities and Acquisitions Map as follows: bold all Bonita Bay Group property boundaries; insert text reflecting "Mid Point Bridge" and "Veterans Memorial Parkway Extension" and "Cape Coral"; delete diagonal blue line; and rename Standerfer Property as "Corkscrew Plantation". In addition, you have requested we add the following parcels onto the map: Tarpon Pointe; Buckingham 225; Hatch Property; and Rosinus Property. Please review the attached Professional Services Agreement and if acceptable please return one (1) signed copy to us to initiate these services. We appreciate coordinating with you on this project.

If you have any questions regarding this matter, please contact me.

Sincerely,

*WilsonMiller, Inc.*

Barbara Barnes-Buchanan, AICP
Manager of Planning

enclosure

RIVERWOOD AMDA

EXHIBIT G

## A. CONDITIONS

### 1. DRAINAGE/WATER QUALITY

a. Each increment will require SWFWMD permits for conceptual approval and/or construction and operation of the surface water management system, and for any dewatering activities associated with the construction of lakes, roads or building foundations as required by SWFWMD.

b. All water retention/detention areas must meet SWFWMD criteria. Any areas which do not meet this criteria may not be used in the calculation of water quality or quantity volumes.

c. The applicant shall confirm, to the satisfaction of the SWFWMD and the applicable federal state, and local permitting agencies that the proposed water management system will not significantly adversely impact habitats of any species of special concern, threatened or endangered species occurring on-site contrary to law or required regulations, or that such impacts will be mitigated as deemed appropriate during the permitting process .

d. Provisions for the drainage of off-site areas and out-parcels that presently drain through each increment site must be provided at the time *of* permit application.

e. The applicant shall undertake a regularly scheduled vacuum sweeping of all commercial and office parking facilities, to be incorporated as a best management practice.

f. In areas adjacent to retail, offices and marina uses the applicant shall provide pre-treatment of runoff, in accordance with the applicable criteria of the permitting agencies, in order to provide reasonable assurance that hazardous materials will not enter the stormwater management system.

g. The operation of the Riverwood Surface Water Management System is dependent on the Myakka River for an outlet. Therefore, each incremental water management plan shall demonstrate that the system is designed in accordance with existing SWFWMD permit design parameters for the adjacent portions of the Myakka River.

h. **The applicant shall cooperate with any ongoing or future efforts by Charlotte County to establish a County-wide Watershed Basin Management Plan.**

i. **Best Management Practices (BMP's) and monitoring and maintenance of the stormwater management system shall be implemented by the applicant in accordance with SWFWMD guidelines.**

j. **All commitments made by the applicant within the AMDA related to Question 15 (Water Quality) and Question 22 (Drainage) and subsequent sufficiency round information, not in conflict with the above recommendations, shall be incorporated in each increment of the project as conditions for approval.**

**Response:** These conditions have been incorporated into the Increment One and Increment Two Development Orders. Please refer to the Annual Monitoring Report for these Increments.

2. ENERGY

**Each Development Order for any Increment shall contain a provision encouraging the Applicant to incorporate the following energy conservation features where appropriate in saving energy, into final site plans and architecture. These features may be implemented through appropriate deed restrictions and covenants in order to mitigate further energy impacts of the project. To the extent practicable the following shall be undertaken or incorporated into development plans:**

a. **Provision of a bicycle/pedestrian system along Riverwood Drive and other collector roads within the project.**

b. **Provision of bicycle racks or storage facilities in recreational, commercial and multi-family residential areas.**

c. **Cooperation in the locating of bus stops, shelters, and other passenger and system accommodations for a transit system to serve the project area.**

d. **Use of energy-efficient features in window design (e.g., tinting and exterior shading ).**

e. **Use of operable windows and ceiling fans.**

f. **installation of energy-efficient appliances and equipment.**

g. **Prohibition of deed restrictions or covenants that would prevent or unnecessarily hamper energy conservation efforts, (e.g., building orientation, clotheslines, and solar water heating systems.**

h. **Reduced coverage by asphalt, concrete, rock, and similar substances in streets, parking lots, and other areas to reduce local air temperatures and reflected light and heat.**

i. **Installation of energy-efficient lighting for streets parking areas, recreation areas, and other interior and exterior public areas.**

j. **Selection of native plants, trees, and other vegetation and landscape design features that reduce requirements for water, fertilizer, maintenance, and other needs.**

k. **Planting of native shade trees to provide reasonable shade for all recreation areas, streets, and parking areas.**

l. **Placement of trees to provide needed shade in the warmer months while not overly reducing the benefits of sunlight in the cooler months .**

m. **Orientation of structures, as possible, to reduce solar heat gain by walls and to utilize the natural cooling effects of the wind.**

n. **Provision for structural shading (e.g., trellises, awnings, and roof overhangs) wherever practical when natural shading cannot be used effectively.**

o. **Inclusion of porch/patio areas in residential units.**

p. **Consideration by the project architectural review committee(s) of energy conservation measures (both those noted here and others) to assist builders and residents in their efforts to achieve greater energy efficiency in the development.**

**Response:** These conditions have been incorporated into the Increment One and Increment Two Development Orders. Please refer to the Annual Monitoring Report for these Increments.

3. **HISTORICAL/ARCHAEOLOGICAL SITES**

**Pursuant to the AMDA containing an archaeological study and report identifying various historical or archaeological sites:**

a. **Shell midden A is not eligible for listing in the National Register of Historic Places, nor otherwise has any national, state, regional, or local significance, therefore, no further archaeological consideration is necessary for this site.**

b. **Preservation of shell midden B shall occur if it is determined to be a site eligible for inclusion on the National Register of Historic Places. Such determination shall be based on an archaeological test excavation conducted prior to local development permitting to provide sufficient data to make a final determination concerning its possible regional significance. The resultant project report must be forwarded to the State Division of Historical Resources to complete the process of reviewing the impact of this project on significant archaeological resources.**

c. **If preservation of shell midden B is chosen as an option it shall be stabilized through use of native vegetation, rip-rap, or similar barrier.**

d. **Preservation of the burial mound shall occur if reasonably feasible, and if not, prior to local development permitting, heavy equipment shall be used to remove the overburden covering the mound to determine if burials are present. This work shall be monitored by a professional archaeologist. If human burials are encountered, all work within the burial mound area shall cease pending compliance with the provisions of Section 872.05, Florida Statutes.**

e. **If preservation of the burial mound is chosen as an option it shall be recontoured, capped and planted with native vegetation.**

**Response:** These conditions have been incorporated into the Increment One and Increment Two Development Orders. Please refer to the Annual Monitoring Report for these Increments.

4. **HURRICANE EVACUATION/FLOOODPLAINS**

**For each Riverwood AIDA the Applicant will be required to submit hurricane preparedness and mitigation measures consistent with the provisions of Florida Administrative Code Rules. The plan for any future proposed marina area to protect boats and prevent boats from becoming battering objects to on-site and off-site property,**

**Response:** A "Riverwood Hurricane Awareness Guide" has been processed.

5. **MARINA**

a. **The two separate wet slip docking facilities as proposed within the AMDA are not approved, however small boat access facilities such as docks may be considered within an AIDA application.**

b. **The marina basin shall be conceptually approved in the general location proposed by the applicant with the number of wet and dry slips to be**

**determined at the time of AIDA approval. Nothing herein obligates the approval of a Comprehensive Plan Amendment or rezoning by Charlotte County.**

c. **Any marina shall be subject to an appropriate comprehensive plan amendment.**

**Response:** These conditions apply to a future increment.

6. **TRANSPORTATION**

a. **Based on the Applicant's initial analysis of buildout in year 2004, Riverwood is projected to utilize 5 percent or more of the peak hour level of service "D" capacity on the regionally and locally significant road segments summarized below and identified in Exhibit B for which a service deficiency is also projected. Therefore, in addition to any site related improvements identified in the AIDA Development Order, all AIDA submittals for increments of Riverwood showing any impacts on these road segments shall identify the roadway and intersection improvements to support the incremental development and shall specify the AIDA's proportionate share of required road and intersection improvements.**

**Regionally Significant Facilities**

**US 41**

- **Sumter Boulevard to Cornelius Boulevard**
- **Creighton Boulevard to Toledo Blade Boulevard North**
- **Toledo 8lade Boulevard South to Harbor Boulevard**

**SR 776**

- **Pine Street to US 41**

**CR 771**

- **SR 776 to Rotonda Boulevard**

**Kennilworth Boulevard**

- **Murdock Circle to Toledo Blade Boulevard**

**Toledo Blade Boulevard**

- **US 41 to Hillsborough Boulevard**

## Locally Significant Facilities

**Toledo Blade Boulevard**

- **Pellam Boulevard to Lakeview Terrace**

**Collingswood Boulevard**

- **US 41 to SR 776**

**Chamberlin Boulevard**

- **Bowman Terrace to US 41**

**Cornelius Boulevard**

- **SR 776 to US 41**

**Lakeview Boulevard**

- **Toledo Blade Boulevard to Midway Boulevard**

**Bowman Terrace**

- **Biscayne Boulevard! to Chamberlin Boulevard**

**b.** **All Increments shall be required! to pay for specific access point intersection improvements and their proportionate share of offsite regional intersection improvements which are required as a result of Riverwood traffic and as identified in subsequent AIDA submittals. Access point intersection improvements include, but are not necessarily limited to, signalization and turn lanes. Site related improvements and calculation of credits, if any, against Road Impact Fees shall be consistent with the provisions of the Charlotte County Impact Fee Ordinance. The proportionate share of improvements to Off-site intersections of arterial and collector roads with the regional roadways indicated in Condition "a" above shall be included as mitigation for proportionate share purposes.**

**c.** **In order to determine the proportionate share that each Increment contributes to the total transportation impacts forecasted for Riverwood, future phases of Increments that may overlap shall be staged in five year stages to coincide with each other . Based on the Increment I AIDA, future phases shall be 1995, 2000 and 2005 unless otherwise amended.**

d. **All Increments shall participate in annual traffic monitoring programs to determine existing levels of service on regional facilities and the need for improvements in a timely manner.**

e. **In future AIDAs, the applicant shall be responsible for identifying cumulative Riverwood transportation impacts. Each Increment shall be responsible for scheduling with the appropriate governmental agency funding for those regional road and intersection improvements needed during each five year phase to maintain the applicable level of service standard in effect at that time for the agency having jurisdiction over the particular roadway in question. This schedule of required improvements (i.e., Capital Road Facilities Plan) shall be a part of each Incremental development order .**

f. **Each AIDA applicant shall be responsible for indicating the transportation impacts of that increment upon the road network by analyzing the applicable levels of service, itemizing the necessary roadway and intersection improvements, and calculating the applicant's proportionate share of the costs of these improvements. A schedule of required improvements shall be made a part of each incremental development order.**

g. **If any improvement to a regionally or locally significant road or intersection needed during an Increment and identified in the Capital Road Facilities Plan (as required by Condition "e") is not constructed as specified in the Plan, construction of Riverwood shall stop at the end of the Increment or five year stage that the Increment: is in at the time the improvement fails to be constructed as planned). If the applicant is responsible for the construction of the improvement which failed to be completed in a timely manner, the construction of Riverwood shall immediately cease.**

h. **If staged road intersection improvements are required and later additional improvements are anticipated on State highways, then the applicant (or local government as the case may be) shall forward to the Florida Department of Transportation, one or more typical cross section designs for each stage of the improvement prior to the improvement being implemented. The FDOT shall be given an opportunity review and comment upon the cross-sections, particularly on their suitability for future staged improvements, and shall forward their comments to Charlotte County.**

<u>Response</u>: Transportation conditions have been incorporated into the Increment One and Increment Two Development Orders. Please refer to the Annual Monitoring Report for these Increments.

7. VEGETATION AND WILDLIFE

a. **Land uses within the primary and secondary Bald Eagle zones shall be consistent with the Bald Eagle Habitat Management Plan to be approved by Charlotte County through the appropriate F. S. Chapter 380 development order amendment procedures at a later date.**

b. **Mitigation measures for Gopher Tortoises shall be consistent with FGFWFC Management Guidelines .**

**Response**: Vegetation and Wildlife conditions have been incorporated into the Increment One and Increment Two Development Orders. Please refer to the Annual Monitoring Report for these Increments.

8. WATER SUPPLY

**Each incremental development order shall also contain the following conditions where practicable:**

a. **Prior to construction of buildings in each approved phase or increment, the Applicant shall show verification, acceptable to the SWFWMD, that adequate water facilities are available for that respective portion of the project.**

b. **Each phase or increment shall acquire, as required by SWFWMD, a water use permit for any withdrawals from groundwater, project lakes and/or any other surface water bodies for irrigation or potable uses and for any dewaterinq activities associated with the construction of project lakes, and/or road, or building foundations .**

c. **The applicant shall commit to the use of treated wastewater f or all or part of the irrigation demand for each phase or increment, at such time as adequate amounts of treated wastewater are available for each respective portion of the project.**

d. **If treated wastewater is used for irrigation, the applicant shall ensure that onsite lakes and wetlands, an the Myakka River, are adequately buffered from possible effluent contamination as regulated by the appropriate agencies.**

e. **Water should not be used for the purpose of lot, driveway or street cleaning.**

f. **Water conservation measures and practices should be utilized in Riverwood such as low water use plumbing fixtures, self closing and/or**

**metered water faucets, and other water conserving devices . Unless spray effluent is utilized for irrigation, landscape irrigation should be restricted to the hours between 5: 00 p.m. and 9:00 a.m. after the establishment of landscaping .**

g. **Riverwood shall utilize xeriscape principles in the design and maintenance of the project's landscaping.**

h. **All construction plans, technical specifications, and proposed plats, if applicable, for the proposed water distribution system for each increment shall be reviewed and approved by Charlotte County prior to commencement of construction.**

**Response:** Water Supply conditions have been incorporated into the Increment One and Increment Two Development Orders. Please refer to the Annual Monitoring Report for these Increments.

9. **WETLANDS**

a. **Wetland impacts shall be avoided wherever reasonably possible. Unavoidable wetland impacts shall be mitigated using "state of the art" methodologies and consistent with the present Regional Policy Plan.**

b. **Riverwood shall utilize "Best Management Practices "(BMPs) for stormwater management in order to assure that the quality of water entering wetland areas is acceptable in terms of quality, quantity, timing and pattern of flow.**

c. **Wetlands to be preserved shall be adequately buffered from surrounding construction and development activities as deemed appropriate by applicable permitting agencies.**

d. **A wetland maintenance plan shall be designed and implemented by the applicant for the overall maintenance and protection of ecological integrity of the wetland preserve areas within each increment.**

**Response:** Wetland conditions have been incorporated into the Increment One and Increment Two Development Orders. Please refer to the Annual Monitoring Report for these Increments.

**LOCAL**

10. **EDUCATION**

**The Applicant shall satisfy the requirements of any ordinance which also requires other developments not subject to Chapter 380.06 F.S. procedures to participate**

**by contributing its proportionate share needed to accommodate the impacts of the development.**

**Response:** These requirements were considered during the approval process for Increment One and Increment Two.

**11. FIRE PROTECTION**

**a. The Applicant shall satisfy the requirements of the Charlotte County Impact Fee Ordinance and any ordinance which also requires other developments not subject to Chapter 380.06 F.S. procedures to participate by contributing its proportionate share needed to accommodate the impacts of the development. .**

**Response:** This condition is being implemented through the Charlotte County Impact Fee Ordinance.

**b. The applicant and the fire department shall, if required, meet during site plan review to recommend and implement safety and access features for the project.**

**Response:** Meetings were held during the approval process for Increments One and Two and are part of Charlotte County's plan review process.

**2. POLICE PROTECTION**

**a. The Applicant shall satisfy the requirements of the Charlotte County Impact Fee Ordinance and any ordinance which also requires other developments not subject to Chapter 380.06 F.S. procedures to participate by contributing its proportionate share needed to accommodate the impacts of the development.**

**Response:** This condition is being implemented through the Charlotte County Impact Fee Ordinance.

**b. The Sheriff's Department and the applicant shall, if required, meet during site plan review for each increment to incorporate safety, security and access feature recommendations in the project design.**

**Response:** Meetings were held during the approval process for Increments One and Two and are part of Charlotte County's plan review process.

**13. SOLID WASTE**

**a. The Applicant shall develop (and be prepared to implement) procedures for storing and disposing of hazardous waste, including hazardous waste**

water, in accordance with local, regional, state and federal hazardous waste program.

Such procedures should be concurrent with local zoning approvals.

b. Any business which might generate special or hazardous wastes, shal1 be responsible for the temporary storage and proper disposal of special or hazardous wastes generated by the businesses that will occupy Riverwood. These types of wastes shall include any of those listed in the Charlotte County Hazardous Waste Assessment (Table III-2), performed by the Southwest Florida Regional Planning Council in July 198S. However, there shall be no siting of special or hazardous waste storage facilities contrary to Charlotte County Zoning Regulations .

Response: These conditions are not applicable at this time.

## 14. WASTEWATER MANAGEMENT

The following remedial action/information should be provided in future AIDAs:

a. The applicant shall update wastewater flows for each increment, as well as treatment plant excess capacity, so as to assure that adequate treatment capacity is available for each increment and general growth within the plant service area.

b. The applicant should provide assurance, for any increment involving commercial or marina uses, that non-domestic wastewater will be treated separately from domestic wastewater and handled in accordance with FDER criteria.

c. The applicant should not use treated effluent for the purpose of washing boats at the proposed marina, so as to avoid contamination of the Myakka River.

d. Temporary septic tanks may be used for residential models, construction and sales offices. Unless otherwise specified in future increments, in commercial and marina portions of the project, septic tanks should not be allowed, except for construction of sales offices and model home centers due to the possibility of hazardous wastewater generation. Septic tanks shall not be allowed in any residential portions of the project, except for construction or sales offices which shall be connected to central treatment facilities prior to residential use. Septic tank use for incidental buildings, such as on the proposed golf course, should be subject to review during the agency review of the appropriate increments.

**Response:** Wastewater Management conditions have been incorporated into the Increment One and Increment Two Development Orders. Please refer to the Annual Monitoring Report for these Increments.